

## Meeting Minutes

### Zoning Board of Adjustment September 26, 2007

#### Lincoln Town Hall Main Street, Lincoln, New Hampshire 5:00 PM

Present: Chairman Joe Chenard, Member W.T. Bishop, Selectmen's Representative Patricia McTeague, Member Pat Leary and Alternate Tom Smith

Staff Present: Stacey Boyce, Zoning Administrator

Others Present: Deanna Huot and Susan Chenard

#### **5:09 PM CALL TO ORDER by the Chairman**

Chairman Chenard called the meeting to order. Vice Chairman Comeau and Alternate Noel were excused. Alternate Smith was seated. Full quorum present.

#### **5:09 PM CONSIDERATION of the Draft Minutes of the August 8, 2007 meeting.**

Selectmen's Representative McTeague made a **motion** to approve the minutes of August 8<sup>th</sup> as presented; seconded by Member Bishop: Affirmative vote.

#### **5:11 PM Case 07-03: Deanna L Huot, Tax Map 15, Lot 018**

The Applicant is seeking a variance from the setback requirements of the Lincoln Land Use Plan Ordinance, Article VI, Section B-4 to construct a building to be built within the required 15-foot setback.

Ms. Huot is requesting a variance from the setback regulations to construct a small house on the back portion of her property. She has presented a letter from Mr. & Mrs. William Conn stating they have no problems with her building the house close to their property line. The only thing that was requested was that a vinyl white post and rail fence be put up on the property line, which Ms. Huot will own and be responsible for maintaining. Ms. Huot stated she would be able to move the house in further on her property however in 1975 she allowed the Town to put a sewer line through her property which because of it's location Ms. Huot is not able to move the house in any different location that she is proposing. Ms Huot stated that her mother would be living at the house once it is complete after which she would be renting the home to others. She said the ownership would remain in her name and not her mother's.

Selectmen's Representative McTeague made a **motion** to open the Public Hearing; seconded by Member Bishop: Unanimous affirmative vote.

Mrs. Chenard stated there are other houses in the area in which two different people own the land and house.

Selectmen's Representative McTeague made a **motion** to close the Public Hearing; seconded by Member Bishop: Unanimous affirmative vote.

Member Bishop made a **motion** to go into voting mode; seconded by Member Leary: Unanimous affirmative vote.

1. **Regarding diminution in value:** It would be a new building that is similar to the type of use of the adjacent lots and would increase the value of the lot on which it is located. 5 votes yes
2. **Regarding benefit to the public interest:** It would increase the value of the property thereby increasing the tax base and would provide affordable housing for a senior citizen. 5 votes yes
3. **Regarding unnecessary hardship:** The applicant shows an hardship because of the following circumstances of the property; a sewer line from FCI that was installed by the Town in 1975 runs through Ms. Huot's property which limits the use of her land. An easement was never made for this sewer line nor was there financial restitution. 5 votes yes
4. **Regarding substantial justice:** It would allow for housing for an elderly woman and at some point in the future allow for additional income for the Riverbank property. 5 votes yes
5. **Regarding spirit of the ordinance:** The use fits that of the property and is allowable in the General Use Zone. 5 votes yes

Vice Chairman Comeau made a **motion** to close voting mode for the variance; seconded by Member Bishop: Unanimous affirmative vote.

Chairman Chenard noted the voting passed, granting the variance in the affirmative.

**5:33 PM      OTHER BUSINESS**

**5:34 PM      ADJOURNMENT**

There being no additional business, Selectmen's Representative McTeague made a **motion** to adjourn the meeting; seconded by Member Leary: Unanimous affirmative vote.

DATE: \_\_\_\_\_

APPROVED: \_\_\_\_\_

Joseph Chenard  
Zoning Board Chairman