



TOWN OF LINCOLN, NH
Planning & Zoning Department
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**NOTICE OF DECISION
ZONING BOARD OF ADJUSTMENT
LINCOLN, NEW HAMPSHIRE**

**CASE #ZBA 2014-04
January 29, 2014**

VARIANCE

You are hereby notified that the appeal of:

Applicant: Tulio Pontacoloni
170 Ridge Road
Northwood, NH 03261

Property Owner: Tulio Pontacoloni & Elizabeth Pontacoloni
170 Ridge Road
Northwood, NH 03261

For a **Variance** regarding Land Use Plan Article VIII, Section A,

Applicant Tulio Pontacoloni requested a variance from setback requirements for property located at 3 Georgiana Falls Road (Tax Map 106, Lot 009) in the Rural Residential (RR) District, to build a single family home:

1. Article VI, Section E, Paragraph 7, required that primary buildings be setback 50' from the reference line. The proposed primary building would have been 8.8' from the "reference line" which is the top of the bank.
2. Article VI, Section B, required a 15' rear, front and side setback in the Rural Residential (RR) District. In this case the house would have been 8.8' from the rear/side setback which was the top of the Hanson Brook bank, although it would have been approximately 19' from the boundary located in the center of Hanson Brook.

Therefore, Pontacoloni, requested a Variance from the Zoning Board of Adjustment (ZBA).

This request was **GRANTED**, on January 29, 2014 after a duly-noticed public hearing by the affirmative (unanimous) vote of the Zoning Board of Adjustment with the following:

APPROVAL WITH CONDITIONS:

The ZBA approved a Variance to place a proposed 26'X32' modular home at 3 Georgiana Falls Road (Tax Map 106, Lot 009) in the Rural Residential (RR) District into the fifteen foot (15') **front setback** closest to the road while maintaining the 15' rear/side setback from Hanson Brook.

[Note: Article VI, Section E, Paragraph 7 requiring a 50' setback from the reference line does not apply because Hanson Brook is not classified as a Fourth Order or Higher Stream.]

[Note: Applicant agreed to maintain the 15' side setback on the east side of the lot in a follow up to the hearing.]

CONDITION:

1. **Submit a new plan to the Town showing the revised setbacks;**
2. **Fill out a Land Use Permit Application; and**
3. **Obtain a Land Use Permit.**

FOR THE ZONING BOARD OF ADJUSTMENT



Paul Beaudin, II
Chair of Zoning Board of Adjustment

Note: The Board of Selectmen, any party to the action or any person directly affected has a right to appeal this decision. Any person aggrieved by this decision of the Zoning Board of Adjustment is referred to NH RSA 677, which sets forth the appeal procedure, available at the Lincoln Town Offices during regular working hours. This notice has been placed on file and made available for public inspection in the records of the ZBA on February 25, 2014. Copies of this notice have been distributed on February 25, 2014 to:

Applicant: Tulio Pontacoloni
Property Owner: Tulio Pontacoloni & Elizabeth Pontacoloni
170 Ridge Road
Northwood, NH 03261

Board of Selectmen
Town Manager
Town Clerk
Tax Assessor
Fire Chief
Public Works Director
Cartographic Associates, Inc.
Posted at Town Offices on February 25, 2014
Posted at Post Office on February 25, 2014