



PLANNING & ZONING DEPARTMENT

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AGENDA

Wednesday, September 8, 2016 – 6:00PM
Lincoln Town Hall, 148 Main Street, Lincoln NH

- I. **CALL TO ORDER** by the Chairman of Zoning Board of Adjustment; announcement of excused absences, if any, and seating of alternates(s), if necessary.
- II. **CONSIDERATION** of meeting minutes from:
 - August 30, 2016
- III. **CONTINUING AND OTHER BUSINESS** (Staff and Planning Board Member/Alternates).
 - A. 6:00 pm. Application for a Variance to put an addition onto a condominium unit encroaching into the fifteen foot (15') rear setback area by twelve and four tenths feet (12.4') and also into the fifteen foot (15') Right-of-Way behind 90 Rams Horn Drive in the Rural Residential (RR) District that benefits abutting land owned by CLP Loon Mountain LLC to maintain ski trails on property located in the General Use (GU) District.

Public hearing was started on Wednesday, August 30, 2016, but not completed. Hearing was continued to a date and time certain: Thursday, September 8, 2016 at 6:00 PM.

1. **Case #:** 2016 ZBA Var 2016-02

2. **Location:** Condominium Unit
90 Rams Horn #H6 Unit 45
(Tax Map 126, Lot 023000-07-00045)
Rural Residential (RR) District

3. **Applicants:**

Realtor Thomas Tremblay, President
Coldwell Banker LinWood Real Estate & Lin-Wood Real Estate, Inc.
189 Main Street, PO Box 700
Lincoln, NH 03251-0700
and
Marion Deluca
164 Range Road
Windham, NH 03087

4. **Property Owners:**

Marion Deluca & William P. Deluca III, Trustees
William P. Deluca III Revocable Trust
164 Range Road
Windham, NH 03087

also

Addition is to be sited on common land owned by the Rams Horn Condominium Association
60 Loon Mountain Road (Map 126, Lot 023) - Rural Residential (RR) District

also

Right-of-Way is sited on common land owned by the Rams Horn Condominium Association

90 Rams Horn (Map 126, Lot 023) - Rural Residential (RR) District

also

Benefitted Estate for Right Of Way is land owned by the CLP Loon Mountain, LLC

60 Loon Mountain Road (Map 126, Lot 020) – General Use (GU) District

5. Application:

Applicants Realtor Thomas Tremblay and Marion Deluca, request a **variance** from the zoning ordinance called the Land Use Plan Ordinance (LUPO), Article VI (District and District Regulations), Section B (District Regulations), Paragraph 2 (Land Use Schedule) “Dimensional Chart” to allow building within the fifteen foot (15’) setback area.

Applicant proposes to construct an addition to the condominium unit 90 Rams Horn Drive #H6 Unit 45 (Map 126 Lot 023000-07-00045) owned by the Marion Deluca & William P. Deluca III, Trustees of the William P. Deluca III Revocable Trust, on common land owned by the Rams Horn Condominium Association.

The proposed addition would encroach into the fifteen foot (15’) rear setback area by twelve and four tenths feet (12.4’). The proposed addition would encroach twelve and four tenths feet (12.4’) into the right-of-way behind 90 Rams Horn Drive Unit #H6 (also referred to as Building 7). The right-of-way is for the benefit of CLP Loon Mountain, LLC that owns 60 Loon Mountain Road (Map 126, Lot 020). The purpose of the right-of-way is for access to maintain the ski trails on the property located on Map 126, Lot 020 behind the Rams Horn Condominium.

The subject property is located in the Rural Residential (RR) District. The abutting property is in the General Use (GU) District. The purpose of the addition is for modifications to enable handicapped access to the residential unit.

ACTION: Upon a finding by the ZBA that the application meets the submission requirements, the ZBA may vote to accept the application for a variance as administratively complete.

ACTION: The ZBA may conduct a public hearing, or schedule a public hearing at some future date established during this meeting.

ACTION: The Zoning Board will vote to approve, approve with conditions or disapprove the application. Should a decision not be reached at the public hearing, this application will stay on the ZBA agenda until such time as it is either approved or disapproved.

IV. NEW BUSINESS

V. OTHER BUSINESS – ZBA members/alternates, Zoning Board Staff

VII. PUBLIC PARTICIPATION AND OTHER BUSINESS: Public comment and opinion are welcome during this open session. However, comments and opinions related to development projects currently being reviewed by the Zoning Board of Adjustment will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate.

VIII. ADJOURNMENT