

LINCOLN ZONING BOARD OF ADJUSTMENT (ZBA)
NOTICE OF HEARING ON REQUEST FOR EQUITABLE WAIVER OF
DIMENSIONAL REQUIREMENTS & VARIANCES
WEDNESDAY March 15, 2023 at 6:00 PM

*Hybrid meeting available both in person with social distancing & masks & via Zoom Meeting Platform to allow for town wide participation. A quorum of the Planning Board member must be physically present at the meeting. Although there is space in the large conference room for 8-12 guests in addition to the Board members with social distancing, the public is encouraged to participate remotely using ZOOM.

Join Zoom Meeting

<https://us02web.zoom.us/j/81700766161?pwd=WUFKR2N1Zk9xSzI1bVFPRWVzbyt4UT09>

Meeting ID: 817 0076 6161

Passcode: 179696

Find your local number: <https://us02web.zoom.us/j/81700766161?pwd=WUFKR2N1Zk9xSzI1bVFPRWVzbyt4UT09>

Or dial by your location 1-929-205-6099 US (New York)

(See also town website www.lincolnnh.org for same link, meeting ID and passcode.)

Notice is hereby given a ZBA hearing will be held in Conference Room of Town Hall, 148 Main Street, Lincoln, NH, & via ZOOM concerning a request by Appellant Frank E. Maniglia & Meghan M. Maniglia, for a **Variance** for their property at 4 Hay Hill Road (Map 132, Lot 057) concerning Article VI (District and District Regulations), Section B (District Regulations), Paragraph 2 (Land Use Schedule), Paragraph 4 (Dimensional Chart) of the Land Use Plan Ordinance (LUPO).

Agent for Appellants: Bennett, Philip M., alba architects LLP, 137 Main Street, PO Box 186, North Woodstock, NH 03262-0186

Appellants/Property Owner: Frank E. Maniglia & Meghan M. Maniglia, 44 Ashwood Avenue, Wilmington, MA 01887

Property: Subject lot is part of a development known as “The Landing at Loon Mountain”, part of an active HOA known as The Landing at Loon Mountain Homeowners Association, however, Joseph E. Lynch d/b/a Loon Landing Development, LLC is the declarant & is still owner of a majority of the undeveloped lots. The subject lot is 4 Hay Hill Road (Map 132, Lot 057). Size: 0.56 acres. Rural Residential (RR) District.

LUPO: In the RR District, front, side & rear setback are 15 feet from the property boundary line. A retaining wall greater than 4 feet in height, measured from grade at the bottom of the wall to the top of the wall is defined as a “structure”. No “structure” is permitted within the setback areas. In 2004, the developer of The Landing at Loon Mountain put in the roadways and several retaining walls that greater than 4 feet in height; some of those retaining walls are on the subject lot. Those retaining walls are pre-existing nonconforming retaining walls and are not the subject of this request. Those retaining walls are within the 15-foot west side setback area, the 15-foot rear side setback area, and the 15-foot east side setback area of the subject lot.

Requests are for the ZBA to grant:

1. A **Variance** to allow the construction of a retaining wall within the 15-foot east side setback area. The proposed retaining wall will exceed 4 feet in height and is therefore a “structure” within the LUPO and subject to the 15-foot setback as defined for the **Rural Residential (RR) District**. The retaining wall will vary in height up to approximately 9 feet and will be located within the front and east side setback areas.