



P L A N N I N G & Z O N I N G
D E P A R T M E N T

**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING AGENDA
Wednesday, November 17, 2021 – 6:00PM
Lincoln Town Hall, 148 Main Street, Lincoln NH**

Due to the current evolving status of COVID-19, this meeting will be a *hybrid* meeting to be presented both in person with social distancing encouraged (space limited to 8-12) and via ZOOM Video Conferencing to allow for town wide participation. A quorum of the members of the board will have to be physically present at the meeting. All others are encouraged to attend via ZOOM.

Join Meeting via Zoom:

<https://us02web.zoom.us/j/81367941467?pwd=ZFgyMkhxRFVGemlzb1R4STRtb1J3QT09>

Meeting ID: 813 6794 1467

Passcode: 665626

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

- 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:
 - July 7, 2021 (Present: Chair Paul Beaudin, Vice Chair Ray D'Amante (via ZOOM), Member Jack Daly, Member Delia Sullivan, Member Myles Moran (via ZOOM), Alternate Susan Chenard and Alternate Jon Ham.
- III. **CONTINUING AND OTHER BUSINESS** (Staff and Zoning Board Member/Alternates).
- IV. **NEW BUSINESS**

6:00 PM. Request for an Equitable Waiver of Dimensional requirements and a Variance to allow a building to remain and expand within both the side and rear 15-foot setback areas.
[SBA WDR 2021-04 M124 L026 Mansharamani – Waiver of Dimensional Requirements & Variance

Property Owners & Appellants:

Kristin & Vikram Mansharamani
33 Governor's Lane
PO Box 842
Lincoln, NH 03251

Property Location: 33 Governor's Lane (Tax Map 124, Lot 026) in Rural Residential (RR) District

Proposal:

Appellants Kristin & Vikram Mansharamani, 33 Governor's Lane, PO Box 842, Lincoln, NH 03251, request an **Equitable Waiver of Dimensional Requirements and a Variance** from the zoning ordinance [Land Use Plan Ordinance (LUPO)], Article VI (District and District Regulations), Section B (District Regulations), Paragraph 2 (Land Use Schedule) "Dimensional Chart" to allow a building within both the side and rear 15' setback areas. Subject property: 33 Governor's Lane (Tax Map 124, Lot 026) in Rural Residential (RR) District.

1st violation by previous owners occurred in 1987 when house was constructed into the side setback 1 year after the LUPO was adopted in 1986. Several additional violations by successive owners occurred in successive years when unpermitted additions were made increasing both the size of the home & decks. One incomplete application for a building permit for 2 decks was submitted in 2003, but application was never completed and no permit issued. Portions of the decks were built in the side and rear setback areas without variances and also

were built partially on abutting land of Loon Mountain Recreation Corporation without permission from the abutting property owner.

New owners and applicants propose to remove the substantial portions of the decks located on lands of the abutter & in setback areas, but not all. They propose to add to decks already in the setback areas, but not on abutter's land.

The violation has existed for 34 years with no enforcement action, including written notice, being commenced by the Town. The nonconformity was discovered by the Town when applicant submitted an application for a Land Use Permit. No due diligence was done by the new owners.

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

VI. 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 ZBA will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate.

VII. ADJOURNMENT

