



**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, June 19, 2019 – 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:

- June 5, 2019 (Present: Chair Jonathan Ham, Member Jack Daly, Member Ray D’Amante, Member Paul Beaudin, Member Delia Sullivan, and Alternate Susan Chenard)

**III. CONTINUING BUSINESS**

**IV. NEW BUSINESS**

**A. 6:00 PM. Variance for Structure within the front setback area to support a replacement pre-existing nonconforming deck in the front setback area:**

**VARIANCE** concerning Article VI District and District Regulations, Section B District Regulations, Paragraph 4 (Dimensional Chart) of the zoning ordinance known as the Land Use Plan Ordinance (LUPO) to remove the current pre-existing nonconforming deck and replace the deck with a deck of the same dimensions and likeness as the existing deck, however, he wants to replace the concrete piers that are supporting the house where the deck is attached with a 10-inch-wide and 8-foot-tall concrete foundation wall. Approximately 10 feet of the deck and concrete wall would be within the 25-foot side setback area.

**Agent & Appellant:**

Patrick Goode d/b/a Woodstock Building Company  
PO Box 548  
North Woodstock, NH 03262

as agent and appellant for property owner:

**Property Owners:**

Mary E. McGuinness  
32 Sears Road  
Southborough, MA 01772

**Property:**

59 Beechnut Drive (Map 126, Lot 008) Mountain Residential (MR) District  
Part of “Beechnut I” – the homeowner’s association is not active

Property owner Mary E. McGuinness, owns 59 Beechnut Drive (Map 126, Lot 008). McGuinness’ home was built in 1970 before zoning was adopted in 1986. It is part of Beechwood I which does not have an active homeowners’ association at this time. The lot is located within the Mountain Residential (MR) District where the front, side and rear minimum setbacks are 25 feet. A good portion of the house and part of the deck are within the 25-foot side setback area. The deck has deteriorated and needs to be

replaced.

Appellant proposes to remove the current deck and replace the deck with a deck of the same dimensions and likeness as the existing deck, however, he wants to replace the concrete piers that are supporting the house where the deck is attached with a 10-inch-wide and 8-foot-tall concrete foundation wall. Approximately 10 feet of the deck and concrete wall would be within the 25-foot side setback area.

The proposed porch needs a **variance** as specified in the Land Use Plan Ordinance, Article VI Article VI District and District Regulations, Section B District Regulations, Paragraph 4 (Dimensional Chart) to encroach into the twenty-five-foot (25') front setback area.

**ACTION:** Acceptance of the application as administratively complete by the ZBA.

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

**ACTION:** Approval of request for extension of Special Exception, approval with conditions, or disapproval by the ZBA.

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

Review and amend the Rules of Procedure for the Zoning Board of Adjustment to reflect elected versus appointed positions.

**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**