



PLANNING & ZONING
DEPARTMENT

ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING AGENDA

Wednesday, September 16, 2019 – 6:00PM
Lincoln Town Hall, 148 Main Street, Lincoln NH

These meetings will NOT be livestreamed any longer. Due to the current COVID-19 situation, and the number of members on the Planning Board and staff, the Town Hall Conference Room can safely accommodate up to 8 public participants and seating will be on a first-come basis. This meeting will also be available via the Zoom Meeting Platform to allow for town wide participation. See information to join Zoom meeting at the bottom of the agenda.*

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:

- October 16, 2019 (Present: Chair Jonathan Ham, Vice Chair Paul Beaudin, Member Ray D'Amante, Member Jack Daly, Member Delia Sullivan, and Alternate Susan Chenard.)

III. **NEW BUSINESS**

IV. **CONTINUING AND OTHER BUSINESS** (Staff and Zoning Board Member/Alternates).

- A. **6:00 PM. Request for a Variance: Robert Dumont d/b/a Dumont Construction on behalf of Matthew and Donnamarie Tiano** – [Var 2020-03 M130 L189 Tiano – Variance] to build retaining walls within front, rear and side twenty-five-foot (25') setback areas.

Agent & Appellant:

Robert Dumont d/b/a Dumont Construction
3621 US Route 3
Thornton, NH 03285

Property Owners:

Matthew & Donnamarie Tiano
5 Pond Circle
Bedford, MA 01730

Properties:

11 Queen's Way (Map 130, Lot 089) Mountain Residential (MR) District
Part of "Beechnut II" Homeowner's Association

On 10/11/2019, Tianos were issued a Land Use Permit [LUP 2019-41 M130 L089 Tiano] to build a single-family residence. The parcel is in the Mountain Residential (MR) District where the front side and rear setbacks are twenty-five feet (25') to the property boundary line. The initial LUP application did not include any retaining walls greater than four feet (4') in height in the setback areas. Retaining walls greater than 4' in height were then constructed within the 25-foot setback areas. A retaining wall greater than 4' in height is considered a "structure" and if such a retaining wall is built within the 25-foot setback areas the wall needs a variance. The parcel is part of the Beechwood II Homeowners Association. Tianos need a **variance** to build retaining walls greater than 4' in height to encroach into any of the 25' setback areas as specified in the Land Use Plan Ordinance, Article VI Article VI District and District Regulations,

Section B District Regulations, Paragraph 2 Land Use Schedule, Paragraph 4 (Dimensional Chart).

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

Join Zoom Meeting

<https://us02web.zoom.us/j/86824533843?pwd=d0Z3YnZ0Tks5Y2d1ZDVPZkJqbmdlOT09>

Meeting ID: 868 2453 3843

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