



TOWN OF LINCOLN NEW HAMPSHIRE

PLANNING BOARD
ZONING BOARD OF ADJUSTMENT

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, August 17, 2022 – 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 may attend via ZOOM if they wish.

Join Meeting via Zoom:

<https://us02web.zoom.us/j/84364324412?pwd=SSStRQlZRRDBnakVSUIQ0cmk4dEc5UT09>

Meeting ID: 843 6432 4412

Passcode: 039100

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:

- June 15, 2022 (Present: Acting Chair Jon Ham, Chair Ray D'Amante (via Zoom), Vice Chair Mark Ehrman (via Zoom), Member Jack Daly, Member Delia Sullivan, Member Myles Moran, and Alternate Susan Chenard (via Zoom).

III. NEW BUSINESS (Staff and Zoning Board Member/Alternates).

- 1. 6:00 PM. Request for an Equitable Waiver of Dimensional Requirements (EWDR) and a Variance.**

[Var 2022-04 M1117 L055 Alfred Poulin – Equitable Waiver of Dimensional Requirements (EWDR) for the preexisting nonconforming house and a Variance for proposed addition within the fifteen-foot (15') west side setback area.]

Request for an **EQUITABLE WAIVER of DIMENSIONAL REQUIREMENTS** and a **VARIANCE** concerning Article VI District and District Regulations, Section B District Regulations, Paragraph 2 Land Use Schedule, Paragraph 4 (Dimensional Chart) of the zoning ordinance known as the Land Use Plan Ordinance (LUPO) by Alfred P. Poulin, Jr., 82 Pollard Road, Lincoln, NH 03251, for his property at 82 Pollard Road (Map 117, Lot 055).

Requests are for the ZBA to grant:

- An **Equitable Waiver of Dimensional Requirements** to allow the existing home located partially within the 15-foot east side setback area to remain; and
- A **Variance** to allow a proposed 8'X12' addition to be located on the west side of the house, 6.8 feet into the 15-foot side setback area to within 8.2 feet of the western property boundary line.

Appellant & Property Owners:

Alfred P. Poulin, Jr.
82 Pollard Road
Lincoln, NH 03251

Surveyor:

Sabourn & Towner Surveying and Septic Design, PLLC
1022 Daniel Webster Highway
North Woodstock, NH 03262

Property:

82 Pollard Road (Map 117, Lot 055), Rural Residential (RR) District.
Not a part of any Homeowners Association or Condominium Association

Project:

Subject lot is only 0.14 acres in size & is located within the Rural Residential (RR) District where front, side & rear setbacks are 15 feet from the property boundary line. No structures are permitted within the setback areas.

Subject lot had a pre-existing nonconforming single-family home built prior to 1986 (adoption of zoning) that burned down in 2008/2009. The original house was located not only in the west side setback area, but actually encroached onto the adjacent lot owned by Eugene & Marie Duquette (Map 117, Lot 054).

After the fire, as the successor owner of the property, Appellant had a right to a Land Use Authorization Permit to rebuild the house where it was previously located (exact same size and exact same location) in accordance with Article III Applicability & Non-Conforming Uses, Section C. Non-Conforming Uses, paragraph 4. However, upon request, Appellant agreed to move the house to the center of the existing lot so the newly reconstructed house would be as compliant with the zoning ordinance as possible. Although the main portion of the reconstructed house does not encroach into the setback areas, the finished open side porch on the east side of the house encroaches into the 15-foot east side setback area by 2.7 feet in front. The Town permitted this encroachment without a variance because the rest of the house was so much more compliant than the original house. The proposed side porch was granted a Land Use Authorization Permit to encroach into the side setback area back in 2009; the side porch was actually constructed in 2017. Appellant requests an Equitable Waiver of Dimensional Requirements would make the house in its current location compliant with zoning.

Appellant would like to construct an 8'x12' addition to the west side of the house. The proposed addition would encroach into the west side setback area by 6.8 feet to within 8.2 feet of the west side property boundary line. Appellant needs a variance to put the addition in the side setback area.

IV. CONTINUING AND OTHER BUSINESS**1. Review and/or revise ZBA Rules of Procedure.****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