



TOWN OF LINCOLN NEW HAMPSHIRE

PLANNING BOARD  
ZONING BOARD OF ADJUSTMENT

# PLANNING & ZONING DEPARTMENT

## ZONING BOARD OF ADJUSTMENT

### PUBLIC HEARING AGENDA

Wednesday, February 15, 2022 – 6:00 PM

Lincoln Town Hall, 148 Main Street, Lincoln NH

\*Hybrid meeting available both in person with social distancing & 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=WUFKR2NlZk9xSzI1bVFPRWVzbyt4UT09>

**Meeting ID: 817 0076 6161**

**Passcode: 179696**

Find your local number: <https://us02web.zoom.us/u/kblNuPaMIG>

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

(See also town website [www.lincolnnh.org](http://www.lincolnnh.org) for same link, meeting ID and passcode.)

**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:

- November 2, 2022 (Present: Chair Ray D'Amante (via Zoom), Acting Chair Jon Ham, Member Jack Daly, Member Delia Sullivan, Member Myles Moran (via Zoom), and Alternate Susan Chenard (via Zoom). (Jack Daly left early.)
  - [Lincoln NH ZBA Meeting 11 02 22 - YouTube](#)

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

**A. 6:00 PM. Request for Equitable Waiver of Dimensional Requirements & Variance (Var).**

[Var 2022-05 M130 L099 Ayyvazian

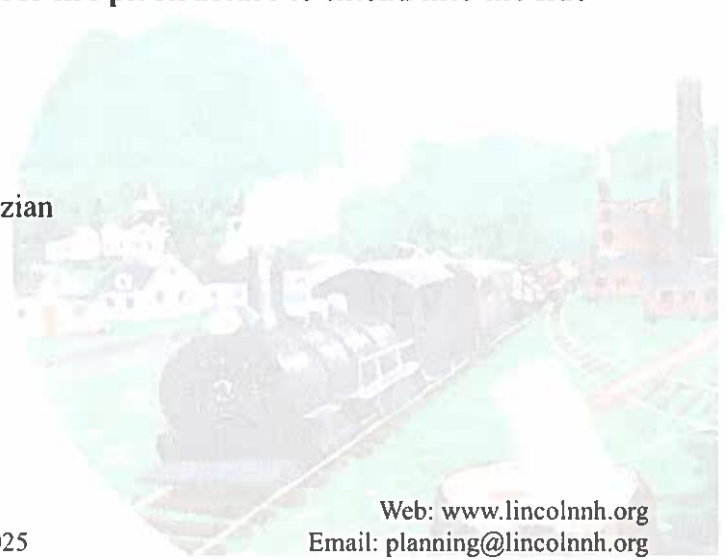
(1) Equitable Waiver of Dimensional Requirements to permit existing retaining walls greater than four feet (4') in height to remain in the twenty-five-foot (25') setback areas:

- (a) east side setback area;
- (b) west side setback; and
- (c) front setback (and extending onto Beechwood II Common Land) and

(2) Variances to permit proposed permanent outdoor fire pit structure to extend into the side setback area.

**Appellant:** Mark Ayyvazian  
44 Ashwood Avenue  
Wilmington, MA 01887

**Property Owner(s):** Mark Ayyvazian & Lynne Ayyvazian  
44 Ashwood Avenue  
Wilmington, MA 01887



**Surveyor:** Andrew J. Nadeau, LS, PLS  
President, Principal Surveyor  
Horizons Engineering, Inc.  
34 School Street  
Littleton, NH 03561

**Landscape Architect:** Project Manager Chris Kessler  
Gradient Landscape Architects  
PO Box 311  
New London, NH 03257-0311

**Homeowners Association:** **Beechwood II (or Two) Homeowners Association** (Map 130, Lots 060-61,86-111)

Michael D. Saitow, President  
The Beechwood II HOA  
11 River Glade Drive #1  
PO Box 1149  
Lincoln, NH 03251-1149

Michael D. Saitow, President  
The Beechwood II HOA  
34 Rockwood Road  
Hingham, MA 02043

**Request is for the ZBA to grant:**

1. An **Equitable Waiver of Dimensional Requirements** to allow the existing retaining walls erected in 2002 or earlier, located on both sides of the driveway into the lot to remain; portions of the retaining walls are in excess of four feet (4') in height and located partially within the 25-foot east and west side setback areas and with the 25-foot front setback area and within common areas. The violation by previous owners occurred when the walls were constructed to support the driveway to the house that was constructed in 2002. The portions of the LUPO pertaining to retaining walls were not in the LUPO in 2002. No enforcement action has been taken in 21 years.
2. A **Variance** to allow a proposed permanent outdoor fire pit structure within the west side 25-foot west side setback area. The patio for seating surrounding the patio will be crushed gravel and does not qualify as a "structure" under the LUPO so no variance is required for the patio.

**ACTIONS:** Upon a finding by the ZBA that the application meets the submission requirements the ZBA may vote to accept the application for a Special Exceptions and Variances as administratively complete. The ZBA may conduct a public hearing, or schedule a public hearing at some future date established during this meeting. The ZBA will hold a public hearing on the merits. The Zoning Board will vote to approve, approve with conditions or disapprove the application.

**IV. CONTINUING AND OTHER BUSINESS**

**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**