



PLANNING & ZONING DEPARTMENT

ZONING BOARD OF ADJUSTMENT

PUBLIC HEARING AGENDA

Wednesday, July 5, 2023 – 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 Zoning 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 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:

- March 15, 2023 (Present: Chair Ray D'Amante (via Zoom), Acting Chair Jon Ham, Vice Chair Mark Ehrman (via Zoom), Member Jack Daly, Member Delia Sullivan, Member Myles Moran, and Alternate Susan Chenard. (Myles Moran dropped off the Zoom early.)

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

A. 6:00 PM. Request for Variance (Var).

**[Var 2023-03 M107 L058 Gould - roofed over cement pad with lift for vehicle detailing & undercoating]
Variance to permit retaining walls to extend into the fifteen-foot (15') front & side setback areas.**

Appellants/Property Owners: John & Mary S. Gould
5 Eagle Cliff Road
PO Box 325
Lincoln, NH 03251-0325

Property: 5 Eagle Cliff Road (Map 107, Lot 058), 0.51 acres, General Use (GU) District.

Land Use Plan Ordinance (LUPO): In General Use (GU) District: front, side & rear setbacks are 15 feet from property boundary line. Cement pad with vehicle lift & a roof overhead is a "structure". No "structure" is permitted within the setback areas. Entire proposed structure would be within 15-foot setback area.

Background: In 1995 prior owner built 2-bay detached garage with a second story loft overhead. In 2005 Mary Gould began to operate a pet grooming service, "Mary's Wash & Wags" out of the loft overhead in the garage; pet grooming business continues to operate.

For approximately 15 years John Gould has been operating a "side business" or "home business" vehicle detailing & undercoating, using 2-bay garage underneath pet grooming business for detailing & grassy area beside garage for undercoating vehicles. Undercoating has to be done in open air. Gould has been using vehicle jacks under vehicles on the grassy area beside the garage to do the undercoating of vehicles, but that is not as safe as performing the same task with jacks or lift on a firm surface like a cement pad.

Gould wants to do car detailing & undercoating full time. On May 10, 2023, Planning Board (PB) determined

that with expansion, Gould's business would still be considered a "home business" & no Site Plan Review approval is required. PB recommended Gould request a Variance for the roofed over cement pad with lift because it is "structure" within the front setback area. Garage is located two feet (2') over the fifteen-foot (15') side setback line. The proposed cement pad & roof would be fully within the 15-foot west front setback area of the subject lot & come within approximately five feet (5') of the property boundary line.

Request: ZBA to grant **Variance** to allow the construction of cement pad, lift & shed roof within 15-foot front setback area in **General Use (GU) District**.

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