Zoning Board of Adjustment
Deliberations: 10/31/2019
Town Hall, 41 South Main Street - 7:00 PM

Board members present: Gardiner, Green, Ng, Stanger, Waugh

Staff: Robert Houseman, Planning & Zoning Director

Others: See the Attendance Sheet

Bernie Waugh, Zoning Board Vice-Chair, called the meeting to order at 7:00 PM in the Boardroom of the Hanover Municipal Building.

(Further explanation and support for the following actions are contained in the Board’s approved, written decisions found in the respective case files.)


    Gardiner, Green, Ng and Waugh were seated.

    Ng prepared the preliminary draft.

    It was moved by Ng, seconded by Gardiner, to APPROVE a Special exception for the Applicant to construct a second driveway located on 373 Hanover Center Road, parallel to the current driveway, north of the tree line and stone wall, approximately 60 feet in length, subject to the following condition:

    The project be completed in substantial conformity with the plans and testimony presented.

    Voted in Favor: 4
    Voted in Opposition: 0

2. **Z2019-26: Ryckman (§518)**

    Gardiner prepared the preliminary draft.

    It was moved by Gardiner, seconded by Ng, to GRANT the requested special exception subject to the conditions that:

    1. A vegetative buffer be planted at the top of the proposed retaining wall closest to the residence to guard against falls over the wall; and

    2. The proposed landscaping be performed and completed in accordance with the plans and testimony submitted on behalf of the Applicant.

    Voted in Favor: 5
    Opposed: 0
3. **Z2019-27: DARTMOUTH COLLEGE (§405.9)**

Green prepared the preliminary draft.

It was moved by Green, seconded by Gardiner, to **GRANT** the requested variance, subject to the following conditions:

1) Applicant comply in all material respects with the representations made in its Application and in the written materials and oral testimony presented in support of its Application.

2) The variance granted herein will expire upon completion of the Offsite Groundwater Remediation Project at 612 Hanover Center Road, at which time Applicant will cease operation of Pump Module 2 and remove the equipment from the subject property.

Voted in Favor: 5
Opposed: 0


Stanger prepared the preliminary draft.

It was moved by Stanger, seconded by Gardiner, to **GRANT** the requested Special Exception subject to the condition that prior to the granting of a final Certificate of Occupancy/Final Approval, Applicant must conduct and submit new sound readings that demonstrate conformity with the standards established by the Planning Board in it’s January 19, 1999 Decision or as may be amended, and the standards set in Section 514 of the Zoning Ordinance.

Voted in favor: 5
Opposed: 0


Waugh prepared the preliminary draft.

It is moved by Waugh, seconded by Stanger, to **GRANT** the proposed variance as described above, subject to the following condition:

The proposal shall be implemented substantially in conformity with the materials and testimony presented by the Applicants, including the landscaping plan. Any material or substantial deviation from those plans shall require further action of this Board.

Voted in Favor: 5
Opposed: 0


Waugh prepared the preliminary draft.
It is moved by Waugh, seconded by Green, to **GRANT** the request of Eighty-five South Main Street Condominium Assn. to modify the conditions of approval applicable to ZBA Case #Z1997-15, subject to the following:

A. Condition (b) of the approval in ZBA Case Z1997-15 shall be altered for the future to read as follows:

*The project must be limited to housing for older persons, as specified by federal regulations under the Fair Housing Act and Housing for Older Persons Act, as those regulations exist in 2019. Specifically, 80% of the units must be occupied by at least one person who is 55 years of age. In addition – as volunteered by the Applicant – the other 20% of the units must be occupied by at least one person who is 50 years of age or older. Conditions and policies to implement these conditions shall be included in an amendment to the Declaration of Condominium or other documents, to be recorded in the Registry of Deeds, such documents to be reviewed by the Town’s attorney, at the expense of the applicant, for compliance with these conditions, and with federal laws relating to elderly housing.*

B. The remaining conditions and other details of the decision in Case #Z1997-15 shall remain in full force and effect.

Voted in favor: 5
Opposed: 0

7. **APPROVAL OF MINUTES:** The minutes of 09/17/2019, 09/26/2019, 10/10/2019 and 10/24/2019 were approved.

8. **ADJOURNMENT:** The meeting adjourned at 8:38 PM.

Respectfully submitted,
Robert Houseman