ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING: NOVEMBER 21, 2019
Town Hall, 41 South Main Street - 7:00 PM

Board members present: William Fischel, Arthur Gardiner (Acting Chair), Steve Marion (Clerk), Christopher Ng, George Stanger, Jr.

Staff: Robert Houseman, Planning & Zoning Director; Laura Spector-Morgan, Town Counsel

Others: See the Attendance Sheet

GARDINER, Zoning Board Acting Chair, called the meeting to order at 7:00 PM in the Town Hall Boardroom. Deliberations will be held on December 19, 2019 in the Town Hall Boardroom.

1. The Board considered the Subject Matter Jurisdiction request for rehearing and concluded that no error was made by the board and no new evidence was presented that would alter the outcome of the original decision.

   A motion to deny the request for rehearing was made by Fischel and seconded by Stanger. The vote was 5/0 in favor of the motion.

2. Prior to the start of the public hearing, Fischel moved to allow 1½ hour of presentation by the petitioner without interruptions. Marion seconded the motion. The vote was 5/1 in favor of the motion.

   CASE #38002-Z2019-20: SUPREME COURT REMAND OF CASE NO. Z2016-16, REHEARING OF CASE NO. Z2016-05, AN APPEAL OF AN ADMINISTRATIVE DECISION THAT RESIDENTIAL USE OF 38 COLLEGE STREET (TAX MAP 38, LOT 2, IN THE “I” INSTITUTION ZONING DISTRICT) IS IN VIOLATION OF HANOVER ZONING. THE REHEARING IS TO CONSIDER THE REMAND FROM THE NH SUPREME COURT.

   Phase 1, Jeremy Katz presented a PowerPoint presentation. At the end of an hour and a half presentation the Board offered Mr. Katz to present any additional argument in writing.

   The following individuals spoke in favor of the application:
   • Trever Granger
   • Dave Harrison

   Phase 2, the following individuals spoke in opposition to the application:
   • Richard Green
   • Jessica Nyland, Attorney for Dartmouth College (submitted written testimony)
Phase 3, Jeremy Katz spoke to Mr. Green’s Phase 2 testimony.

Phase 4, Richard Green spoke to Mr. Katz’ Phase 3 testimony.

The hearing Phases 3 and 4 were left open and restricted to the following:

- Phase 3, written testimony limited to the written testimony submitted in response to Mr. Green and Dartmouth College in Phase 2 submission. The deadline for submittal is noon on December 6, 2019.
- Phase 4, written testimony, limited to the written testimony submitted in phase 3. The deadline for submittal is noon December 13, 2019.

3. **OTHER BUSINESS**: None

4. **ADJOURNMENT**: The meeting adjourned at 9:58 PM.

Respectfully submitted,

Robert Houseman