

**TOWN OF THORNTON**  
**Zoning Board of Adjustment Minutes**  
**Hearing Date: September 10, 2007**

On, Monday, September 10, 2007 the Zoning Board of Adjustment met to hear a request from property owner, Mark Reagan in the Owls' Nest Golf Club concerning RSA 674:33-a – Equitable Waiver of Dimensional Requirement for Unit #15 at 12 Linkside Drive.

**Board Members present:** Jim Demeritt, Chairman, David Gravel, Vice Chairman, Dennis Day, and Giff Kriebel.

Others present: John March, Surveyor, Mountain Mapping presenting plan for Mark Reagan. Abutters present Tom Mullen and John Yanovitch.

Chairman Dermeritt opened the hearing beginning with reading the posted public notice. He then asked that parties present state their name and title.

John March, presenting plan explained to the board that an error in the house as built construction was made of approximately 12 ft. from the boundary line as proposed to the 15 ft. setback requirement. This error was discovered two years after the unit was built. This unit was built in 2003 and the error was discovered in 2005. This is a very little lot with a very little unit. Board Members asked why it has taken two years to bring this over setback forward. John March explained to the board that when it was discovered the Thornton ZBA was going through a transition, and the as-built plans were not ready to submit to the Attorney Generals Office. It just fell through the cracks according to Tom Mullen.

John March and Tom Mullen went on to explain that they have not found any other inequities with other buildings and that in an effort to prevent this from happening again they are going out of they way to prevent this problem by having off set stakes placed by a surveyor prior to the footings being set. They informed the board that the next door unit does meet the setback requirements.

Chairman Dermeritt, explained to the applicants and abutters that there is a concern throughout the town relative to the number of equitable waivers being presented to the board. It will be recommend to the planning board that the zoning ordinance reflect that the all new construction will be required to higher a licensed surveyor to set stakes prior to construction in an effort to set foundations in their proper locations.

Board member Giff Kriebel proceeded to read the criteria to be met under RSA 674:33-a (a-through-d) Equitable Waiver of Dimensional Requirements a. through d. was read. All criteria was met and a motion was made and seconded to GRANT and equitable waiver. VOTED 4-0.

A check for \$5.21 owed for postage was submitted.

This hearing closed at 6:15 PM.

The minutes of the July 16, 2007 hearing were reviewed. A typographical error was made with the spelling Chairman Dermeritt's name. A motion was made and seconded too approve the minutes of 07/16/07 with the correction made. VOTED 4-0.

It was mentioned that Board member Harry George has not been attending meetings. Board members are inquiring if he is still interested in serving.

The zoning board of adjustment will meet with the planning board on.  
October 4, 2007 @ 6:00 PM

This meeting adjourned at 6:35 PM.

Contents of these minutes have been taken by a tape recorded at this hearing, and typed by clerk.

MP