

## ZBA Agenda 09/17/12

NEWMARKET ZONING BOARD OF ADJUSTMENT MEETING  
MONDAY, SEPTEMBER 17, 2012  
7:00 P.M.  
TOWN COUNCIL CHAMBERS  
AGENDA

1. Pledge of Allegiance
2. Review & approval of minutes: 08/06/12
3. Regular Business

Motion for rehearing from Walter W. Cheney regarding a Zoning Board of Adjustment decision on the following application:

Walter W. Cheney - Appeal from Administrative Decision.

The applicant requests an Appeal from Administrative Decision to allow for the issuance of a building permit, the application for which was denied due to the lot being determined as "unbuildable open space". The lot is located off Cushing Road, Tax Map R2, Lot 36-13, Zone R1. This application was originally heard on May 18, 2009 and a motion was made and unanimously passed to "postpone any discussion on this issue until the lawsuits have been properly adjudicated and the Board has legal answers in front of them by which the Board can then render a decision". The applicant has requested a continuance of this meeting be held stating the "resolution came on March 3, 2011, where the court ruled in the favor that Lot 13 was owned by Walter W. Cheney and that Lot 13 is an independent lot of record..."

This application was dismissed for lack of jurisdiction by a vote of the Zoning Board of Adjustment on 08/06/12.

4. New/Old Business
5. Adjourned