

SECTION 19: ZONING BOARD OF ADJUSTMENT

19.1 A Zoning Board of Adjustment shall be appointed by the Board of Selectmen consisting of five (5) members. The Board membership, including length of term, alternates and vacancies, and its organization, shall be consistent with the state law (RSA 672 and 673.) The Board shall have the duties and powers as provided by RSA 674:33.

19.2 Specifically, the Zoning Board of Adjustment is authorized to:

19.2.1 Hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Board of Selectmen or the Building Inspector in enforcement of this Ordinance;

19.2.2 Hear and decide Special Exceptions to the terms of this Ordinance upon which the Board of Adjustment is required to pass as provided herein; and

19.2.3 Hear and authorize, upon appeal in specific cases, a variance from the terms of this Zoning Ordinance, if the Board finds that the criteria set forth in RSA 674:33(I)(b), as amended from time to time, are met.

19.2.4 Determine an Equitable Waiver of Dimensional Requirement (added 3/9/2004)

Waivers shall be granted only from physical layout, mathematical or dimensional requirements. An equitable waiver shall not be construed as a Non-Conforming Use, and shall not exempt future use, construction, reconstruction, or additions on the property from full compliance with the Zoning Ordinance. This Section shall not be construed to impose upon municipal officials any duty to guarantee the correctness of plans reviewed by them.