



Zoning Board of Appeals Agenda



December 11, 2008

7:00 pm Public Hearing – Boulder Parkway, Craig Lussier – Special Permit

7:15 pm Public Hearing – 14 Jasmine Drive – Variance

Special Permits

Special Permits may be issued only for uses which are in harmony with the general purpose and intent of this By-Law and shall be subject to general or specific provisions set forth herein. In addition, conditions, safeguards and limitations on time and use may be imposed by the Board when issuing a special permit. In granting the special permit, the Board shall determine if the following conditions have been met:

- (a) *The site is an appropriate location for the use or structure,*
- (b) *The soils are suitable for on-site sewerage disposal,*
- (c) *An adequate water supply can be provided,*
- (d) *The use as developed will not adversely affect the neighborhood, and*
- (e) *There will be no nuisance or serious hazard to vehicles or pedestrians.*

Variance

In order to grant a variance from the requirements of the By-Law, the Zoning Board of Appeals must find that all of the following conditions have been met:

1. *There are unique circumstances relating to the soil conditions, shape or topography of such land or structures, that*
2. *Especially affect such land or structures but do not generally affect the zoning district in which it is located, and that*
3. *A literal enforcement of the provisions of this By-Law would involve substantial hardship, financial or otherwise, but not of a personal nature, to the petitioner or appellant, and that*
4. *Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the purposes of this By-Law.*