

**Town of Henniker**  
**Zoning Board of Adjustment**  
**Notice of Decision**

**Case 2008-111.** A request has been made for an Equitable Waiver of Dimensional Requirements. The applicant, Skip Sagris, made this request because the location of the structure (parking and drive-thru area) is in violation of §133-28 D of the Zoning Ordinance and the ZBA Special Exception for Case #2008-002. The property is located at 1805 Old Concord Road (Map 1 Lot 619-A) in the Heavy Commercial (CH) Zoning District.

At their December 10, 2008 meeting, the Zoning Board of Adjustment voted 4-0 to **APPROVE** the Equitable Wavier of Dimensional Requirements. The Zoning Board of Adjustment based their approval of the Equitable Waiver of Dimensional Requirements on the basis that no private property owners were negatively impacted by the property setback encroachment and that the encroachment occurred on the portion of the property that abuts the NH Route 202/9.

Kris Blomback, Interim Chair  
Zoning Board of Adjustment  
December 15, 2008

Under the provisions of RSA 677:2 a request of rehearing must be filed with the ZBA within 30 days after a decision of the ZBA has been made. The request for rehearing is required to set forth fully every ground upon which it is claimed that the decision or order is unlawful or unreasonable. In the event that a rehearing is granted, a new application along with the appropriate fee must be presented to the Land Use Office in accordance with the posted schedule.