



CENTER HARBOR ZONING BOARD OF ADJUSTMENT

36 Main Street

PO Box 140

Center Harbor, NH 03326

603-253-4561

[ctrhtownoffice@metrocast.net](mailto:ctrhtownoffice@metrocast.net)

April 20, 2018

Joseph and Danielle Battaini  
PO Box 1082  
Worcester, MA 01613

Tax Map 103 Lot 015

RE: Application 2018-0409 – Construction of paver patio within the 75' setback of the shoreland

Dear Joseph and Danielle Battaini:

You are hereby notified that your request for Variance regarding Section 5:3:1 of the Center Harbor Zoning Ordinance has been DENIED by a majority vote of the Zoning Board of Adjustment for the following reasons:

**Granting the Variance would be contrary to the public interest and the spirit of the ordinance because the requested amount of impervious surface is five (5) to six (6) times in excess of the permitted area and therefore, unduly and in a marked degree, violates the basic zoning objective.**

**Also, the Board finds there are no special conditions unique to the property that warrants a variance of this magnitude because the slope is both gentle and shared by neighboring properties and the shape does not make the ordinance affect the property differently.**

**Finally, the Board notes that the requested improvements could have been constructed in compliance with the ordinance on other portions of the property.**

Please note that any party to the action or any person directly affected has a right to file a motion of rehearing to this decision. See New Hampshire Revised Statutes Annotated, Chapter 677, available at the Town Office during regular office hours and on the State of New Hampshire website.

This notice has been placed on file and made available for public inspection in the records of the Zoning Board of Adjustment on April 20, 2018.

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Bernard Volz  
Chairman, Zoning Board of Adjustment

Cc: Ken Ballance, Code Enforcement Officer  
Board of Selectmen  
Planning Board  
Attorney William Philpot, Jr.