

PRESENT: Mack, Chairman; Hawkins; Hommel Joslin; Edney, Code Enforcement Officer; Tivnan, Clerk

Fred Hawkins moved, Jack Dever seconded THAT WE APPROVE THE MINUTES OF DECEMBER 11, 2003 AS PRESENTED.

PUBLIC HEARING

2585. **STEVE BUZZOTTA FOR DAVE STRATHERN:** An appeal for a VARIANCE to construct a 20' x 24' cottage with a 9' side setback, 20' being required, Tax Map No. 114, Lot No. 8, located on Pitchwood Island in the Shoreline District.

Applicant came in with a new proposal to construct a 20' x 24' cottage with a 9' side setback, 20' be required. The cottage would now be 65' from the water, as opposed to 40'.

Ginny Smith, abutter to the right hand side, has no objection to this variance as proposed. Steve and Ed Marr, abutters on the left side, were opposed to this application. They feel that the property is too small to have that size house on it and to close to their property. They also feel that a fire truck would not be able to get to their property and if in the future they would like to build a house there, it would devalue their property. A new septic design has been approved. Hearing closed at 7:45 P.M.

2586. **KEVIN PEVERLY AND SANDRA SULLIVAN:** An appeal for a SPECIAL EXCEPTION to construct a single-family dwelling and driveway within 50' of a non-designated wetland, Tax Map No. U19, Lot No. 38, located on Pinnacle Park Road in the Meredith Neck District.

Carl Johnson of Associated Surveyors representing PS Realty Trust. This project appeared a little over a year ago for a special exception to construct a single-family dwelling and a driveway within 50' of a non-designated wetland. This is an unusually shaped lot of record, located on Pinnacle Park Road. The DPW requested the driveway be located as shown on the plan, so there is no build able area left with the setbacks without encroaching on some manner on the 50' buffer zone. This is what was previously presented to the Board and approved. The bulk portion of the driveway will be located as far away from the wetland as possible. All other setbacks are being met and there is Municipal sewage. There are no changes to this application or to the Zoning Ordinance. The one-year period has expired. The owner is trying to sell the property and would like

to sell the property with the benefit of the special exception for the house construction. Hearing closed at 7:55 P.M.

2587. **ASSOCIATED SURVEYORS FOR ROBERT SCOTT AND PAULA McPHEE:** An appeal for a SPECIAL EXCEPTION to allow construction of a 24' x 40' dug-in boathouse, Tax Map No. U32, Lot No. 1A, located at 128 Cattle Landing Road in the Shoreline District.

Carl Johnson of Associated Surveyors representing Scott and Paula McPhee. This was previously brought before the Board proposing to construct a 24'x40' boat house with a 6' X 25' dock, which extended perpendicular from the shoreline out into the lake. The application that evening was assuming that the docking structure was part of the boathouse and would be part of the 75' that was encumbering the shorefront for the boathouse. The Boards analysis counted two spots for the boathouse slips and two slips for the dock. Four slips would require 75' for the boathouse and 100' for the slip, which would require 175' of frontage. They only have 173.49'. What they have done is taken the dock and turned it sideways. So now it will be one slip at the dock and two slips at the boathouse. Basically, with three slips if you look at it in terms of the boathouse requiring 75' and this being one additional slip, requiring 50, 'you would be required to have 125' of frontage, which they do have. If you count total slips, each with 50', you would be required to have 150' of frontage, which they do. The denial, based on the fact that the Board considered that enough frontage was needed for four slips, they have revised the plan so that they are only required to have frontage for three slips.

Carl addressed the Board in regards to the dredging. He said that the actual dredging is a trapezoidal shape that extends out to the lake. As you go out to the lake it becomes less and less. The engineer explained to Carl the reason the State of NH requires you to be 20' from your abutters lot line is so that the dredging that is in the lake does not have an impact on the abutters' property.

In regards to the fact that there are not any boathouses in the immediate area and this use would be different from the neighborhood because of that, the Board has to remember that because there are certain circumstances that are a very specific part of the Ordinance, many of the properties along this area could not meet the special exception criteria for a boathouse because of the new 65' shoreline. This is one of the few lots in the area that can benefit by a special exception and not require a

variance. The 1400 sq. ft wetlands area is exempt from the Town Of Meredith's Zoning requirements because it is less than 3,000 sq. ft. and not connected to a brook or stream.

Ralph Pisapia opposes this application because the water is very shallow there and dredging the channel will cause erosion to the shoreline. Mr. Pisapia also feels that the boathouse on that shoreline will be very unsightly. Hearing closed at 8:13 P.M.

REQUESTS FOR REHEARINGS:

2553. **CHRISTOPHER KROCHINA:** An APPEAL FROM AN ADMINISTRATIVE DECISION OF THE CODE ENFORCEMENT OFFICER to issue Building Permit #60-03 to Paul and Elaine Taylor allowing them to rebuild, alter, renovate or occupy an existing structure, Tax Map No. U32, Lot No. 7, located at 9 Evergreen Lane in the Shoreline District.

2573. **CHRISTOPHER KROCHINA:** An APPEAL FROM AN ADMINISTRATIVE DECISION OF THE CODE ENFORCEMENT OFFICER to issue a Certificate of Occupancy to Paul Taylor on an incomplete structure, Tax Map No. U32, Lot No. 7, located at 9 Evergreen Lane in the Shoreline District.

2574. **CHRISTOPHER KROCHINA:** An APPEAL FROM AN ADMINISTRATIVE DECISION OF THE CODE ENFORCEMENT OFFICER AND THE BOARD OF SELECTMEN'S DECISION TO DENY THE PETITIONER'S APPEAL TO THE CODE ENFORCEMENT OFFICER'S ADMINISTRATIVE DECISION TO ISSUE SPECIAL PERMIT NUMBER 60-03 AND TO NOT ENFORCE THE TAYLOR'S TO COMPLY WITH ALL APPLICABLE TOWN AND STATE CODES, ORDINANCES, APPROVALS, ETC., Tax Map No. U32, Lot No. 7, located at 9 Evergreen Lane in the Shoreline District.

2579. **GYPSY CAMP TRUST:** AN APPEAL FOR A SPECIAL EXCEPTION TO CREATE A CLUSTER DEVELOPMENT IN THE SHORELINE DISTRICT, Tax Map No. S07, Lot No. 5 -1 & 8A located on Cattle Landing Road in the Shoreline District.

DELIBERATIVE SESSION

2585. **STEVE BUZZOTTA FOR DAVE STRATHERN:**

Hawkins moved, Dever seconded, IN CASE # 2585 STEVE BUZZOTTA FOR DAVE STRATHERN AN APPEAL FOR A VARIANCE TO

CONSTRUCT A 20' X 24' COTTAGE WITH A 14 1/2 FT. SIDE SETBACKS FROM BOTH SIDES, WITH 20 FT. BEING REQUIRED, BE APPROVED AS IT MEETS THE CRITERIA FOR THE VARIANCE AND APPEARS TO BE THE BEST SITUATION THAT THEY CAN DO ON THIS LOT AND STILL PROTECT THE WATERFRONT SETBACK. Voted 5-0 in favor

2586: KEVIN PEVERLY AND SANDRA SULLIVAN:

Hommel moved, Dever seconded, IN CASE #2586 KEVIN PEVERLY AND SANDRA SULLIVAN AN APPEAL FOR A SPECIAL EXCEPTION TO CONSTRUCT A SINGLE FAMILY DWELLING AND DRIVEWAY WITHIN 50' OF A NON-DESIGNATED WETLAND, TAX MAP U19, LOT NO. 38 LOCATED ON PINNACLE PARK ROAD IN THE MEREDITH NECK DISTRICT, I MOVE THAT WE APPROVE THIS SPECIAL EXCEPTION AS IT WILL BE AN IMPROVEMENT TO THE NEIGHBORHOOD. Voted 5-0 in favor.

2587. ASSOCIATED SURVEYORS FOR ROBERT SCOTT AND PAULA McPHEE:

Dever moved, Joslin seconded, IN CASE # 2587 ASSOCIATED SURVEYORS FOR SCOTT AND PAULA McPHEE AN APPEAL FOR A SPECIAL EXCEPTION TO ALLOW CONSTRUCTION OF A 24' X 40' DUG-IN BOATHOUSE, TAX MAP NO. U32, LOT NO. 1A, LOCATED AT 128 CATTLE LANDING ROAD IN THE SHORELINE DISTRICT BE APPROVED SUBJECT TO THE APPROVAL OF THE TOWN'S CONSERVATION COMMISSION AND STATE'S WETLAND BUREAU. Voted 4-1 in favor.

REQUESTS FOR REHEARINGS

2553. CHRISTOPHER KROCHINA:

Hawkins moved, Dever seconded, MR. CHAIRMAN, I MOVE IN THE MOTION FOR A REHEARING ON CASE # 2553 BE DENIED AS THERE HAS BEEN NO NEW EVIDENCE AND THE BOARD MADE NO ERRORS. Voted 5-0 in favor of the motion.

2573. CHRISTOPHER KROCHINA:

Joslin moved, Hawkins seconded, MR. CHAIRMAN, I MOVE IN THE MOTION FOR A REHEARING ON CASE # 2573 BE DENIED AS

THERE HAS BEEN NO NEW EVIDENCE AND NO JUSTIFICATION FOR ANY ERROR ON OUR PART. Voted 5-0 in favor of the motion.

Chairman Mack wanted a clarification in the record that each Board Member was polled individually before this case was first heard and everybody stated on record that they had no bias opinions or preconceived decisions on this case.

2574. CHRISTOPHER KROCHINA:

Joslin moved, Dever seconded, MR. CHAIRMAN ON CASE # 2574, I MOVE TO GRANT A REHEARING ON THIS APPEAL BECAUSE WE MAY HAVE MADE A TECHNICAL ERROR AND WE SHOULD GIVE THE APPLICANT AN OPPORTUNITY TO PRESENT HIS APPEAL, ON THIS APPEAL ONLY, AS IT APPLIES TO THE CODE ENFORCEMENT OFFICER AND SELECTMEN'S ADMINISTRATIVE DECISION TO ISSUE SPECIAL PERMIT #60-03 AND NO DISCUSSIONS ON PREVIOUS ISSUED BUILDING PERMITS OR CERTIFICATE OF OCCUPANCIES. Voted 5-0 in favor of the motion.

2579. GYPSY CAMP TRUST:

Hawkins moved, Dever seconded, MR. CHAIRMAN, I MOVE IN THE MOTION FOR A REHEARING ON CASE # 2579 BE DENIED AS THERE HAS BEEN NO NEW EVIDENCE AND THE BOARD MADE NO ERRORS IN THEIR ORIGINAL DECISION. Voted 5-0 in favor of the motion.

Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Christine Tivnan
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on _____, 2003.

John Mack, Chairman

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