

PRESENT: Mack, Chairman; Hawkins, Dever, Haley, Moyer, Edney, Tivnan,
Clerk

Ken Haley moved, Jack Dever seconded THAT WE APPROVE THE MINUTES
OF SEPTEMBER 9, 2004 AS PRESENTED.

PUBLIC HEARING

2636. **NORMAND AND ROBERTA MORIN (Rep. Carl Johnson)** An appeal for
a SPECIAL EXCEPTION to create off-street parking within designated
setbacks, Tax Map No. U06, Lot No. 138, located at 5 Mill Street in the
Central Business District.

Last month we were before the Board with this exact same plan. The
uses were subject to Site Plan Approval. They received conditional
approval from the Planning Board on Tuesday, October 12, 2004. All
parking is within the front setback. At this time, these are two separate
properties. As part of the conditional approval from the Planning Board,
these properties will have to be merged. This building will now be
dependent upon access of the abutting lot. Hearing closed at 7:10PM

2641. **TOR & SUSAN BRUNVAND FOR SCOTT CARPENTER(Joanne
Coopinger)** An appeal for a SPECIAL EXCEPTION to construct off-
street parking within designated setbacks, Tax Map U10, Lot No. 27,
located on Daniel Webster Highway and Plymouth Street in the Central
Business District.

We received Site Plan Approval on Tuesday October 12, 2004 from the
Planning Board. The existing building is between Plymouth Street and
Rte. 3. This building is already outside the setbacks. The building
currently is used for apartments on the Plymouth Street side, and that will
not be changing. The part that will be a change of use is the boat storage
that is accessed from both Plymouth Street and Rte 3. The change would
be from boat storage to a catering business. Phase I of the business
would be a catering business and Phase II will be a take-out type
restaurant from Rte. 3. Access to the take-out will be accessed from Rte.
3. The Special Exception is for parking on the Rte. 3 side and parking
outside the front setback on the Plymouth Street side. Hearing closed at
7:15PM

2646. **THEODORE L. AND CHRISTA J. FALLER:** An APPLICATION FOR EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS from Article V, Section D-4, to permit reduced front and side setbacks, Tax Map I 03, Lot No. 26, located at 36 Bear Island in the Shoreline District.

Mack – Who's here for this case? Faller – I am. Mack – Do you have a presentation? Faller – I don't have anything other than the answers I gave to the questions on the equitable form.

(?) Mrs. Mathaisell has been opposed to this since 2000. Her husband died when this all took place. Faller's wrote her a letter asking to cross over her land to get to theirs. She wouldn't sign the letter, but did say they could, as long as they did not disturb anything. When she went out there a year later, she saw how close the house was to her property line. She complained about it then. There are a set of stones piled on the property line. Her son found the pile of stones moved, so he moved them back. (?)– Can we have a copy of the survey and the application? How many feet is the setback? Mack - The rear of the house was 11' 8" from the side, and the front of the house is 16'3" from the side. (?) You said 11'. 8"? You can stick your arm out and touch the house. Mack – A registered surveyor did this. (?)That's good. That is why I would like a copy of it. Mack – The issue to address is, was in fact the house built by mistake to close to the property line. Let me ask you one question. From reading this report, the statement was, that trees and stuff were all over the ground where the pin was. Is this a true statement? (?) No. Mack – There were no trees there? (?) I am not familiar with that. Her son would know, but he is in Thailand. Dever – I was out there, and absolutely there were trees down. Mack – This survey shows two pins and no stones. We have to go by what is certified by a land surveyor. Dever – If you want me to say that there were trees down in one specific spot, I cannot say that. I just know that there were trees down through out Bear Island. (?) I'm glad you said that, cause there wasn't. Mack – Do you have anything to prove the fact that what he is saying about trees being down is false? Mrs. Mathaisell – They are suggesting that no one lives there and that the electricity is off. That is because they used my land. They took down a tree, a sign and a light, and left me with hanging wires. I offered them \$5000.00 to move their camp over. They said no. I don't think you should pass this until you hear from everyone on the island. We like our privacy. Just because someone after the fact does something wrong, they shouldn't be allowed to have it changed. They should move it and obey the law. You need to think this over. They have told a complete lie tonight about no one living there. Mack- This has no bearing on the case we are hearing tonight. Those other issues are civil matters or bring them to Bill

Edney and he can direct you to the right person. We can only act on the appeal from equitable waiver. Moyer – In relation to this house, where is yours? How far? (?) From her property line to theirs is about 2 arms length. Haley - Mr. Faller, please come up and show me on this print the missing pin at the time. Hearing closed at 7:38PM

2647. MARK AND TAMI DONOHOE: An appeal for a VARIANCE to construct a two-car garage with a side setback of 10' 5 9/16", 30' required, Tax Map U22, Lot No. 2, located at 64 Eaton Ave. in the Meredith Neck District.

We are in the process of doing some renovations. The architect drew up a plan for a two-car garage. The distance to the north side of the house is 46'. The proposed addition is about 30'. Letter submitted from Spindle Point Association in favor of this application was read into the record. Mack -Why the 12' mudroom? This pushes it out further. Donohoe – That would be the informal entrance to the house. Otherwise, we would have to open the garage doors and go through there. Dever- What about moving the garage further onto the lot and attach it to the house in a different area. Donohoe – That is a good question. There are several reasons. The horse pasture is in the front and septic on the side. Dever – You could move it further back, so it would be away from the septic system and well. Donohoe – We had Ames Associates write up a plan that takes our septic system into that region. Dever – You said Dave Ames just did a design for back in that area? Donohoe – Yes, A year or so ago. Dever – So you are going to move the septic anyway? Donohoe – It still comes out of the house here. It is not moving very far. Edney - This is a large lot. I ran through the same questions. Pearse (221 Pinnacle Park) I would like to say in the fifteen months they have been there, they have made marked improvements, and I am in support of this application. Hearing closed at 7:45PM

2650. BARLO SIGNS FOR LANDMARK TRUST: (Rep. Donald Reed) An appeal of an ADMINISTRATIVE DECISION of the Code Enforcement Officer not to allow an electronic changeable sign, Tax Map S23, Lot No. 92, located at 208 Daniel Webster Highway in the Central Business District.

We would like to replace the existing "read a board" with what we call an electronic read aboard. It essentially displays the same type of message but allows the owner to change the message a lot more conveniently. This sign is very essential for a Real Estate business. It gives them the flexibility that they need to communicate with the public. The Code

Enforcement Officer was acting in good faith with the interpretation of the Zoning Ordinance. We are looking at a sign that will not flash, is not animated and the intermission would not be a quick change. We would ask the Board to look at the Code Enforcement Officer's interpretation of the Zoning Ordinance. Instead of a time & temperature that changes in a 5 sec. manner it may say "New Condominium Development". This message will play in its entirety. Dever – Did you do Thurston's Marina in the Weirs? Reed – Not familiar with that one. Dever- That is the same type of sign. It does not meet our ordinance. This will change every 5 sec.? Reed – That is what we are proposing. This technology is used everywhere. Mack – You say this is the same as a read aboard. It is not the same. Can they run all their properties in 24hrs? Reed – Absolutely Mack – But that is not animation! Reed – Absolutely not. Animation is if you looked at a sign an saw fireworks or waving flags. That's animation. Mack – I think a sign changing every 5 sec. is animation Haley – The sign will be where it is now, at the intersection of Rte. 104 and Rte. 3? Reed – Yes. Haley -So we have an intersection that is one of our most troublesome one, with three traffic lights. You are changing the message every 5 seconds. As someone comes into that light, you are asking for trouble. Reed – There have been a lot of studies on this. We can provide you with a bundle of information. Mack – My concern is the distraction from the Town of Meredith. Moyer – Can it change every hour instead of every 5 sec? Reed – If you allow time & temperature, then an electric readable should be allowed. Moyer – You did not answer my question. Reed- Yes, it has the capability, but that is not what we are asking for. The owner may wind up doing that. It may be more important for them to leave a message on for an hour. Dever –Do all three lines of copy change one after the other. Reed – No, the whole message will change. Phillbury (abutter) – How will this affect me? Reed – It will have a black background with red letters. It may be the same or less. Heiligmann – That is a very busy intersection. My eyes drift to this sign. I think the Board should take a strong look at this. I'm not for or against. The Board should have a video of the sign they are talking about. Smith – I think the ordinance was read properly. Reed -This is an active real estate market. It's a struggle to change signs. This would be time saving. In doing that, it becomes a public service. Hearing closed at 8:05PM

2651. **ASSOCIATED SURVEYORS FOR SIMONA ROBINSON:(Rep. Carl Johnson)** An appeal for a SPECIAL EXCEPTION to construct a driveway and utility lines within and across a non-designated wetland and associated 50' buffer zone for access to a single-family dwelling, Tax

Map R07, Lot No. 3C, located at 24 Collins Brook Road in the Residential District.

This lot is off of Collins Brook Road. This was part of a subdivision and part of that subdivision granted the right of this lot a special exception by this Board to construct a driveway in this location that is within a 50' buffer zone in a non-designated wetland. Subsequent to that approval a power line was constructed across the lot and virtually all of the trees in that area were removed. The logging road became more and more of the driveway. The application originally was to abandon the right for this driveway and by matter of fact that this was already constructed, disturbed, and also within the 50' buffer zone, that we would apply for this driveway. The Board tabled the application before, because there were some questions whether the State of NH would approve this driveway. There was approval from the State in March. Highlighted in yellow is the portion of the driveway that is either within the 50' buffer to a non-designated wetland or the crossing. The Conservation Commission supports this application. I think we have complied with the Conservation Commission's recommendation to use this, because it is a previously disturbed area. Volpe – I am in support of this. Hearing closed at 8:15PM

2652. ASSOCIATED SURVEYORS FOR LEONARD AND LINDA

ZAICHKOWSKY:(Rep. Carl Johnson) An appeal for a VARIANCE to construct a single-family dwelling with a 50' front setback, 65' required, 6.3' side setback, 20' required, and 12.2' rear setback, 30' required, Tax Map No. U17, Lot No. 16, located at 93 Pleasant Street in the Shoreline District.

This property is located on Plymouth Street. The lot is 100' wide. To the east is the Chieftain Motel, and to the west is a single-family dwelling. A small cabin is on the lot now. The garage is on Pleasant Street. The rest of the lot is wooded. The other properties on either side have structures, rental cabins, dwelling, and condominiums all very close to the lake. As part of this proposal, the existing cabin will be removed. The existing garage will be pushed back and attached to the house. The driveway will enter approximately in the center of the lot; cars would come down and enter the garage at grade. This structure will be beyond the 50' setback and well under the 38' height. The total length is 58', the width is 24' with a bump out of 6' x 22' and decking. No portion of the structure will be closer than 50' to the lake. This fits the character of the neighborhood. The side and rear setbacks are being met. The garage is non-conforming. The relocated garage is in violation of the side and road

setback, but its non-conformity is being decreased by almost 100% on one side and by about 50% on the other. By moving the garage back, this would allow the full length of a car to be sitting within the structure and not be on the road. This is a drastic improvement. There are very few homes that are 50' from the lake. This would be more compliant than most of the homes on Pleasant Street. The lot coverage is approximately 26%, 30% by right. King (abutter) – This is innovative and I am for this. I do have concerns with drainage. There is a catch basin where I think the driveway will be. When it rains, there is a lot of water. Johnson- This is a drainage issue, not a wetland one. The driveway will be east of the drain. King – How far will this creep towards my property? Keniston-One of the requirements placed on that drainage is that we cannot relocate it or improve it. We can only provide erosion controls during construction. There is no plan to relocate it. There is no need to touch it. It falls beyond where the driveway is going to go. We can build a headwall without impacting that area. As far as we are concerned, this is a non-issue. The garage that is there now is not going to function as a garage. Right now there are two swing doors that are 8' wide. The upper level will be used mostly for storage. The every day garage will be in the lower area of the building that will be moved back and renovated. Heiligmann – What Mr. King is saying is absolutely right. There has been sand that has come over the wall. As far as all the other houses being close to the water, those houses were built prior to zoning. We should adhere to the setbacks. That is why we have them. I am asking the Board to keep it at 65'. I am confused on the garage. Are we talking two garages or a two-story garage? Johnson- Is it correct that cars will not be parked up top Mr. Keniston? Keniston – He could park a car there if it can fit between the gate and the front of the garage. Johnson – But the upper portion of this will not be used as a garage because of its limitation. The car parking portion of the garage is going to be located underneath. Moyer – Is this a single or two story garage? Johnson – It is a two-story. Keniston – The building is only 18' x 20'. King – I am not against this application. It is a good piece of property. Heiligmann – I am against this. It is too close to the shoreline and should be built within the setbacks. Hearing closed at 8:45PM

2653. **MICHAEL PELCZAR FOR ZOPHIA AND THOMAS LONG:** An appeal for a VARIANCE to construct a new single-family dwelling with a 28' side setback, 30' required and a rear setback of 22', 40' required, Tax Map No. U26, Lot No. 59, located at 32 Wotanda Lane in the Meredith Neck District.

NO SHOW

2654. GLEN COPATCH FOR LEANDER HUCKINS: (Rep. Glen Copatch) An appeal for a SPECIAL EXCEPTION to construct a leachbed 50' from poorly drained wetlands, 75' required, and a SPECIAL EXCEPTION to construct a new single-family dwelling less than 50' from non-designated wetlands, Tax Map R05, Lot 29, located on Pease Road in the Forestry/Rural District.

This lot is approximately one acre. It is being taxed as a buildable lot. When I accessed it, I found we had possible wetlands. This lot is pre-existing. The State allows 50' setback; the Town requires 75' to construct a leachbed from poorly drained soils. We are also asking for a special exception to construct a new single-family dwelling less than 50' from non-designated wetlands. The driveway does exist. Conservation Commission is requesting that the house be relocated from its position on the plan, and locate it as close as possible to Pease Road. I have no problem with that. Pisapio (Conservation Commission) - I am happy to hear that they are willing to be closer to the road. My question is, will the Board determine how close to the road the house will be? - Mack - Yes, the Board will have to set a distance. Copatch - I have an alternative set of plans. He can still maintain his existing driveway, have a parking space, and still be safe and maintain at least 30'. Dever - You could do 30'? Copatch - Yes, and still maintain all our setbacks. Dever - That corner of the house would be 30'? Copatch - Yes. Waldron (abutter) - Approximately 17 years ago when I went to build on my property the State required 75', and the Town was 125'. My septic system was designed and fit all criteria except for 5' on one corner of the building and Mr. Huckins was totally against this then. What has changed his mind? I oppose this. Huckins - At that time, there was more stringent requirements. The State has changed their requirements. At that time, I would not have been able to build on my lot at all. I can now do this and meet State requirements. Copatch - Wetlands are much more defined now, than 17 yrs. ago. We now meet this and it is not worse. Pisapio (Conservation) - What if you move the septic system closer to the existing driveway and be further from the wetlands. Copatch - If you push that septic system two feet or more, it would not be as appealing and it would not be as environmentally sensitive. I am trying to blend the lot in transitionally with the wetland. Hearing closed at 9:02PM

2655. REI LAND DEVELOPMENT, LLC FOR BRADLEY A. LEIGHTON: (Allen Clark, Peter Howard, Jim Gove, Paul Fitzgerald) An appeal for a SPECIAL EXCEPTION to construct a multi-family development (58 Townhouse Condominium Units), Tax Map No. S25,

Lot No. 11B, located on Waukegan Street in the Residential and Business/Industry District.

Clark -This project has been before the Planning Board six times. I don't see any abutters here. There will be 58 townhouse condominiums, located 500' from Rte. 104 and 450' from Waukegan Street. Our closest abutter is about 220'. We are in a mixed zone. Abutters on the south side of Waukegan Street are residential. We have addressed the neighbors concerns. They are all two-bedroom homes, with garages underneath. Utilities on site will be private, but will tie into Municipal Water and Sewer. A Homeowners Association will manage the common area. There are 135 parking spaces. We corrected, at our expense, to have a beaver dam removed. We received conditional approval from the Planning Board on 9/28/04. We do have in hand our State Dredge and Fill Permit. There was no objection from the Conservation Commission. There will be some off-site improvements. Fitzgerald – With regard to the specific requirements for a special exception. That ordinance does not come right out and say that a special exception is a matter of right, but it is clear that that is the indication. As long as you meet the criteria laid down in the ordinance, the special exception should be granted; subject to what controls or conditions this Board might want to add. I am convinced that this application meets the criteria. Multi-family use is contemplated in this zoning district. No zoning district allows multi-family use without a special exception. The residential use is neither injurious, noxious, nor offensive to the neighborhood, as more intensive uses currently exist in the neighborhood. The use is not contrary to public health, traffic, undue risk to life or property or unsanitary or unhealthful emissions or waste disposal. A traffic study was accepted by the Town, which indicates that the traffic generated is minimal, and does not adversely affect the operation of the intersections. The structure will meet current building codes and will be sprinklered. The plans have been reviewed and approved. Municipal sewer handles sanitary waste and water is municipal. There are no emissions other than what is common with a conventional residence. A state of the art storm water treatment system has been designed and approved by the State and the Planning Board. The development will not utilize dumpsters. All uses are subject to Site Plan approval. The Meredith Planning Board granted conditional approval to the plan on September 28, 2004.

2656. **REI LAND DEVELOPMENT, LLC FOR BRADLEY A. LEIGHTON:**
(Allen Clark, Peter Howard, Jim Gove, Paul Fitzgerald) An appeal for a SPECIAL EXCEPTION for site work within 50' buffer of a non-

designated wetland, Tax Map No. S25, Lot No. 11B, located on Waukewan Street in the Residential and Business/Industry District.

Gove – None of the wetlands on the site are Designated Prime Wetlands or Designated Wetlands. The wetland detention system will provide the highest level of stormwater treatment that has been designed, with a minimum of maintenance. The proposed project will not degrade the health, safety and general welfare of the community. It will prevent the degradation of surface water and ground water quality by treating the runoff in the wetland detention system. It will preserve the ability of wetlands and area adjacent wetlands to provide treatment by creating new wetlands that will filter pollutants, trap sediments, and retain and absorb chemicals and nutrients. It will prevent the destruction or significant changes to natural wetlands, which provide flood storage by creating a new wetland that, will function to provide additional flood storage. It will not destroy habitats of rare, unique, threatened or endangered species of flora and fauna. The wetland being proposed for impact is isolated and very small (82 sq. ft.) Municipal sewer will dispose of wastewater. It will preserve and enhance the aesthetic and recreational values associated with the wetlands by creating a new wetland that has open water and marsh components. It will protect fish and wildlife habitat by avoiding impacts or crossing of the largest and most valuable wetland on site, and will only be constructed around small isolated wetlands that have limited wildlife habituate value. It will enhance the ecological values by creating new wetlands that provide a higher level of diversity than those wetlands on site. Alternative proposal were considered and modified to avoid the protective buffer of the largest and most valuable wetland on site. The proposal has minimized impacts to abutting and downstream properties by creating a new wetland that controls runoff and provides treatment of the runoff. Hearing closed at 9:40 PM

DELIBERATIVE SESSION

2636. NORMAND AND ROBERTA MORIN:

Hawkins moved, Dever seconded, IN CASE # 2636, NORMAND AND ROBERTA MORIN, I MOVE TO GRANT A SPECIAL EXCEPTION TO CREATE OFF-STREET PARKING WITHIN DESIGNATED SETBACKS, TAX MAP NO. U06, LOT NO. 138, LOCATED AT 5 MILL STREET IN THE CENTRAL

BUSINESS DISTRICT, AS IT MEETS THE CRITERIA FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

2641. TOR & SUSAN BRUNVAND FOR SCOTT CARPENTER:

Hawkins moved, Haley seconded, IN CASE # 2641, TOR & SUSAN BRUNVAND FOR SCOTT CARPENTER, I MOVE TO GRANT AN APPEAL FOR A SPECIAL EXCEPTION TO CONSTRUCT OFF-STREET PARKING WITHIN DESIGNATED SETBACKS, TAX MAP U10, LOT NO. 27, LOCATED ON DANIEL WEBSTER HIGHWAY AND PLYMOUTH STREET IN THE CENTRAL BUSINESS DISTRICT, AS IT MEETS THE CRITERIA FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

2646. THEODORE L. AND CHRISTA J. FALLER:

Haley – It seems to me that we have had this happen before. There is a lot of wooded area on that island.

Dever moved, Haley seconded, IN CASE # 2646, THEODORE L. AND CHRISTA J. FALLER, I MOVE THE APPLICATION FOR EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS FROM ARTICLE V SECTION D-4, BE PERMITTED TO REDUCED FRONT AND SIDE SETBACKS, AS THERE WAS AN ERROR MADE THAT WAS NOT INTENTIONAL, AND IT DOES MEET THE REQUIREMENTS. Voted 5-0 in favor.

#2647. MARK AND TAMI DONOHOE:

Dever – I have a problem with this. Hawkins – I understand what they are trying to do, but they have other options. Dever – This does not meet the spirit and intent of the ordinance. This is not a little dinky lot. Mack – There is language in the ordinance that addresses exploring other possibilities with less of an impact.

Dever moved, Haley seconded, IN CASE # 2647, MARK AND TAMI DONOHOE, AN APPEAL FOR A VARIANCE TO CONSTRUCT A TWO-CAR GARAGE WITH A SIDE SETBACK OF 10' 5 9/16", 30' REQUIRED, TAX MAP U22, LOT NO. 2, LOCATED AT 64 EATON AVE. IN THE MEREDITH NECK DISTRICT, BE DENIED, AS IT DOES NOT MEET THE SPIRIT AND INTENT OF THE ORDINANCE AND THEY HAVE NOT EXPLORED OTHER POSSIBILITIES WITH LESS OF AN IMPACT, TO MEET THE CONDITIONS OF THE SETBACK. Voted 5-0 denied

2650. BARLO SIGNS FOR LANDMARK TRUST:

Haley - There is a lot of material on this, but this is strictly on an Administrative Decision. The ordinance does specify that we can do time and temperature, but no animation. Mack – Animation can be different things. I think a sign coming on and off every 5 seconds could be considered animation. I don't want to speak for Bill, but I believe that was Bill's interpretation.

Haley moved, Dever seconded, IN CASE # 2650, AN APPEAL OF AN ADMINISTRATIVE DECISION OF THE CODE ENFORCEMENT OFFICER NOT TO ALLOW AN ELECTRONIC CHANGEABLE SIGN, LOCATED AT 208 DANIEL WEBSTER HIGHWAY, IN THE CENTRAL BUSINESS DISTRICT, KNOWN AS REMAX, BE DENIED, AS THE ADMINISTRATIVE OFFICER INTERPRETED THE ORDINANCE EXACTLY AS IT IS WRITTEN, AND THERE IS NO NEED TO CHANGE THE ORDINANCE AT THIS TIME. Voted 5-0 denied.

2651. ASSOCIATED SURVEYORS FOR SIMONA ROBINSON:

Haley moved, Hawkins seconded, IN CASE # 2651, ASSOCIATED SURVEYORS FOR SIMONA ROBINSON, AN APPEAL FOR A SPECIAL EXCEPTION TO CONSTRUCT A DRIVEWAY AND UTILITY LINES WITHIN AND ACROSS A NON-DESIGNATED WETLAND AND ASSOCIATED 50' BUFFER ZONE FOR ACCESS TO A SINGLE-FAMILY DWELLING, TAX MAP R07, LOT NO. 3C, LOCATED AT 24 COLLINS BROOK ROAD IN THE RESIDENTIAL DISTRICT, BE APPROVED USING THE CURRENT EXISTING WOODS ROAD THAT HAS BECOME A MAJOR DRIVEWAY. Voted 5-0 in favor.

2652. ASSOCIATED SURVEYORS FOR LEONARD AND LINDA ZAICHKOWSKY:

Haley - I believe they have worked hard to create a reasonable building lot out of what is a hilly and small lot. As to the 50' setback, it takes care of the Shoreline Protection Act. I think they have tried to meet the problem coming off of Pleasant Street.

Haley moved, Moyer seconded, IN CASE #2652, ASSOCIATED SURVEYORS FOR LEONARD AND LINDA ZAICHKOWSKY, I MOVE TO GRANT AN APPEAL FOR A VARIANCE TO CONSTRUCT A SINGLE- FAMILY DWELLING WITH A 50' FRONT SETBACK, 65' REQUIRED, 6.3' SIDE SETBACK, 20' REQUIRED, AND 12.2' REAR SETBACK, 30' REQUIRED, TAX MAP NO. U17,

LOT NO. 16, LOCATED AT 93 PLEASANT STREET IN THE SHORELINE DISTRICT. Voted 5-0 in favor.

2654. GLEN COPATCH FOR LEANDER HUCKINS:

Haley – Any septic system that is going in, in 2004, has no relationship to one 17 years ago. New ones are smaller and more efficient. It appears that the owner and the builder are in agreement in answering the Conservations concerns with the difficulties to the wetlands. I would say we set an additional 30' minimum on the moving of the house on the left and leave what it is facing and so forth to the builder and owner. That gets it pretty well down in the corner. The driveway should melt in with both the septic and house placement.

Haley moved, Hawkins seconded, IN CASE # 2654, GLEN COPATCH FOR LEANDER HUCKINS, AN APPEAL FOR A SPECIAL EXCEPTION TO CONSTRUCT A LEACHBED 50' FROM POORLY DRAINED WETLANDS, 75' REQUIRED, AND A SPECIAL EXCEPTION TO CONSTRUCT A NEW SINGLE-FAMILY DWELLING LESS THAN 50' FROM NON-DESIGNATED WETLANDS, TAX MAP R05, LOT 29, LOCATED ON PEASE ROAD IN THE FORESTRY/RURAL DISTRICT, BE GRANTED, WITH A SETBACK OF NO LESS THAN 30' FROM THE WETLANDS. Voted 5-0 in favor.

2655. REI LAND DEVELOPMENT, LLC FOR BRADLEY A. LEIGHTON:

Dever moved, Hawkins seconded, IN CASE # 2655, REI LAND DEVELOPMENT, LLC FOR BRADLEY A. LEIGHTON, I MOVE TO GRANT AN APPEAL FOR A SPECIAL EXCEPTION TO CONSTRUCT A MULTI-FAMILY DEVELOPMENT (58 TOWNHOUSE CONDOMINIUM UNITS), TAX MAP NO. S25, LOT NO. 11B, LOCATED ON WAUKEWAN STREET IN THE RESIDENTIAL AND BUSINESS/INDUSTRY DISTRICT, AS THEY HAVE MET THE REQUIREMENTS OF OUR ZONING ORDINANCE FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

2656. REI LAND DEVELOPMENT, LLC FOR BRADLEY A. LEIGHTON:

Dever moved, Hawkins seconded, IN CASE # 2656, REI LAND DEVELOPMENT, LLC FOR BRADLEY A. LEIGHTON, I MOVE TO GRANT AN APPEAL FOR A SPECIAL EXCEPTION FOR SITE WORK WITHIN 50' BUFFER OF A NON-DESIGNATED WETLAND, TAX MAP NO. S25, LOT NO. 11B, LOCATED ON WAUKEWAN STREET IN THE RESIDENTIAL AND BUSINESS/INDUSTRY DISTRICT, AS THEY HAVE MET THE REQUIREMENTS OF OUR ZONING ORDINANCE FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

REQUEST FOR REHEARING

2643. **DAVID AND TERESA McCORMACK:** An appeal for a VARIANCE to locate a shed with a side setback of 5', 20' required, Tax Map No. R06, Lot No.15, located at 14 Serenity Lane in the Residential District.

Dever moved, Haley seconded, IN CASE # 2643, I MOVE THE REHEARING BE DENIED, AS THERE HAS BEEN NO NEW INFORMATION PRESENTED TO US, AND IN MY ESTIMATION, WE DID NOT MAKE ANY TACTICAL OR LEGAL ERRORS IN OUR DECISION. Voted 5-0 denied

Meeting adjourned at 10:15 P.M.

Respectfully submitted,

Christine Tivnan
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on _____, 2004.

John Mack, Chairman