

PRESENT: Mack, Chairman; Hawkins, Dever, Hommel, Moyer, Tivnan, Clerk

Fred Hawkins moved, Diane Hommel seconded THAT WE APPROVE THE MINUTES OF APRIL 8, 2004 AS PRESENTED.

PUBLIC HEARING

2610. **OLD MILL CONSTRUCTION FOR ROGER AND CATHERINE BROWN:**
An appeal for a SPECIAL EXCEPTION to create an accessory apartment within the footprint of an existing attached barn, Tax Map No. U06, Lot No. 29, located at 6 Waukegan Avenue in the Residential District.

Butch Keniston of Old Mill Construction, representing Catherine Brown, property is located at 6 Waukegan Ave. This is a single-family residence with an attached barn. The applicant proposes to tear down the barn and replace it with an accessory apartment. We meet all the criteria for a special exception. A walkway will be covered to access the garage to the addition. The driveway will provide 3 parking spaces in front of the existing three-car garage. The second floor of the addition will be floor space added to the existing house. Calculation of the accessory apartment, to the overall floor space, is less than 20%. Everything is taking place within the footprint and setback of the existing structure. We will be doing away with the driveway on the right-hand side in order to provide more green space. Hearing closed at 7:40PM.

2611. **MARK AND MARIA YOUNG:** An appeal for a SPECIAL EXCEPTION to construct a single-family dwelling 15' from a non-designated wetland within the wetland buffer, Tax Map No. S11, Lot No. 1A, located on Blueberry Hill Road in the Meredith Neck District.

Applicant recently purchased a lot on Blueberry Hill Rd. In the center of the lot there are some designated wetlands, no standing water. There are two fingers that stick out from the wetland area, about 15'-20' wide into the middle of the 3 acre lot. For a 20' to 30' section in the middle, you lose about 50' of buffer zone on either side, creating 120' you need to stay away from. We propose to put a home between the fingers. This seems to be the most favorable spot. The lot in front has a fairly steep embankment that goes off the road. It will be farther away than 15' from the designated wetland. Meredith Conservation Commission letter to DES in December suggested that the wetlands not be filled. They

suggested that the proposed home be modified eastward to achieve greater separation from the wetlands. This is what we have done.

Haley: So you will not be filling in any wetlands?

Young: That is correct.

Edney: By looking at the template for the home. To the far right, is that the three-car garage?

Young: Yes

Edney: The way you describe the way the driveway will go, you will be impacting the wetland buffer on the garage side of the house.

Young: That is correct. It will probably be less than 20'.

Mack: Have you considered pulling your house closer to the road?

Young: Yes, and we are open to that, but there is a steep embankment.

Haley: Can you redesign the garage, and come in from the front?

Young: We could do that. We would prefer to have the garage doors facing away from the street.

Edney: With the template, it appears the house would fit in very nicely in the southerly corner of the lot, with no impact at all.

Young: The house would have to be put in, in an odd way, and that is actually the wetter portion of the land.

Ralph Pasapia: (Meredith Conservation Commission) We believe that the proposed encroachment will harm the beneficial functions of the wetland and the purposes of the Town buffer, which is to protect those functions. We believe that the applicant has not demonstrated that this proposal is the alternative with the least adverse impact to the wetlands. We also believe, a residence can be constructed on that site without impacting the wetlands.

Mack: You are responding to the special exception request, but you are talking about filling wetlands. The special request does not talk about filling wetlands. Are we talking about the same thing?

Pisapia: We originally responded to the DES application in December, recommending that the wetlands not be filled. We are now responding to the buffer zone. We suggest that the Board not approve this application for infringing on the buffer zone.

Young: The Commission recommended that I do not fill. They suggested that I move easterly, and that is what I did.

LeCount: We agreed that the house could move east in the first proposal to DES. By the way, DES twice turned down filling in the wetlands. However, we feel that some of the proposals the Young's have made tonight tend to support our position, that you could move the house closer to the road and still be within the 40' buffer. The garage is quite large and there is no definitive tonight as to where the house is going. The Board needs to know exactly where the house is going before you approve this application. What we ask is that we know where the house is going to be located. It may be, that the Board will accept, and though the Conservation Commission may not agree, would not be so adamant in it's disagreement, if we knew the location. Right now, the house is flexible.

Young: DES found 5 different reasons twice to turn it down only because of the least impact. They felt if I moved the home easterly, that would be more acceptable to them.

Pisapia: We recommend that the house be relocated so that it does not infringe on the buffer or maybe even a different style house.

Ralph Pisapia spoke against this application. Hearing closed at 8:00PM

2612. **PAUL AND ANN DIONNE:** An appeal for a VARIANCE to replace a mobile home with a single-family dwelling with a front setback of 26' 6", 30' required, a side setback of 8' 6", 20' required and a setback from the brook of 30', 75' required, Tax Map No. U01, Lot No. 12, located at 2 Anntom Road in the Shoreline District.

Applicant proposes to replace a mobile home with a new single-family dwelling. The property is 65' deep, 281' long. There is not much more that can be done on this property. It will be a Cape style home with an unfinished second floor and a full basement. The garage will stay, and they will use the existing driveway. Hearing closed at 8:06PM

2613. **THOMAS R. AND ANN K. CRANE:** An appeal for a SPECIAL EXCEPTION to expand a non-conforming structure by more than 400 sq. ft. within the existing encroachments, Tax Map No. R10, Lot No. 20, located at 390 NH Route 104 in the Shoreline District.

The applicant proposes to add a family room on the level of the main floor and then go above that with a bedroom, staying more than 25' from the lake. This property is located on Lake Wicwas. There is an existing carport. Applicant would like to preserve it and move it off of the common driveway. They are maintaining the 20' side setback and staying more than 25' from the lake, which is considerably further back than the existing home.

Mack: It looks like you have a deck or something in front of your addition within the 25'.

Crane: What we have there is an egress out of the addition, so I have added a set of stairs and a deck at the top of the stairs as the landing.

Mack: So with this addition, you are adding into the 25' setback?

Edney: In regards to the deck, there is a provision in the ordinance that allows for an encroachment for an egress. This is a difficult site in terms of access. I think this is a pretty good shot at the end result.

Haley: Has there been any consideration in having the egress on the side.

Crane: We didn't want it on the carport side because of car traffic.
Hearing closed at 8:20PM.

2614. **HORATIO MELO:** An appeal for a SPECIAL EXCEPTION to create an accessory apartment in an existing attached garage, Tax Map No. U23, Lot No. 19, located at 22 Oak Island Road in the Shoreline District.

Carl Johnson, Associated Surveyors, representing Horatio Melo. The proposal is to include an accessory apartment in an existing attached garage in the development of their Oak Island Road home. Currently, the Melo's are undergoing construction. The Town of Meredith has distinguished between a second dwelling on a unit and an accessory apartment by special exception, provided the criteria are met. The first criteria for that exception is, the accessory apartment shall have a

minimum square foot size of 300 sq. ft. This accessory apartment is 1370 sq. ft. The percentages of the net floor area shall not exceed 25% of the sum of the floor area of the existing finished dwelling. That percentage is currently at 16%. The accessory apartment is attached to the primary structure. The Melo's are currently residing in what will be the accessory apartment, while they construct the primary dwelling. The Melo's will occupy the primary structure. The accessory apartment will not increase the sq. footage of the lot coverage of the lot as a whole. There is an entrance to the garage on the top and bottom. The off street parking requirements are two for the principal resident, and one for the accessory apartment. The garage is for four cars below, and an additional two-car garage above. There was a new septic system built to State standards, approved for six bedrooms. Bill Edney has reviewed the floor plans. Hearing closed at 8:30 PM.

2615. **AMES ASSOCIATES FOR THOMAS AND PATRICIA BLEAU:** An appeal for a VARIANCE to construct a leaching area 35' from a non-designated stream, 75' required and an appeal for a SPECIAL EXCEPTION to allow construction of a sewer line 25' from a stream, 75' required, Tax Map U25, Lot No. 39, located at 23 Cummings Cove Road in the Shoreline District.

Lisa Bartlett, Ames Associates, representing Thomas & Patricia Bleau. The applicant is proposing a leaching area be 35' from a non-designated stream. The ordinance states that no leach bed may be located closer than 75' to a non-designated stream or brook. They are also proposing to allow construction of a sewer line 25' from a stream. The ordinance states that construction may take place no closer than 75' to a non-designated brook or stream. The stream flows along the westerly sideline to Lake Winnepesaukee. The lot isn't 75' wide. Therefore, it is not possible for a leaching area or the sewer line to be 75' from a stream. The existing leaching area now, is only 20' off the brook. The leaching area has been turned parallel to the property lines to try to get it as far from the brook as possible. There is no way to get it further away and meet the 75' setback to the well. The Meredith Conservation Commission questioned the location of the driveway relative to the leach field. They said the print indicates that the driveway will impact the leach field. They suggested that the driveway be narrowed and moved away. Lisa referred to the plans under construction notes, #8 (**Special Note: All driveway pavement under the leach bed and overfill is to be removed. Special care to be taken to insure no areas of compacted soil remain under the leach bed and overfill.** The sewer line is coming from the existing cottage that has plumbing in it now.

Judy LaCoss: We live in the house next door. My only question is, having spoken to the person who is purchasing the property; this leach field is not being put in at this time. This is just in case they have a problem down the road. There is a pipe that comes out from the kitchen into the brook. So if there is no problem with the leach field, then my feeling is I'd liked to know that the pipe would be put back into the septic system and not into the brook.

Mack: You need to talk to that man (Bill Edney), sitting right over there, about a pipe that's going some where other then a leach field.

Bill gave Mrs. LaCoss his card and said to call him.

Haley: So, she is correct. This is just in case?

Lisa: We have been asked to design the system. We do not know what the plans are. The approval is valid for four years, once it has been granted by the State.

Mack: The special exception and variance are only for one year. Hearing closed at 8:40 PM

2616. **AMES ASSOCIATES FOR BERNARD VACON AND MARY MAHER:**
An appeal for a VARIANCE to locate a leachbed 50' from a lake, 75' required, Tax Map No. U29, Lot No. 18-1, located at 7 Quimby Circle in the Shoreline District. .

Lisa Bartlett, Ames Associates, representing Vacon & Maher, located on Quimby Circle. This is a very tight cul-de-sac. There is no place for a septic system to be placed in the backside of the house. The house is touching the rear lot lines. The existing septic system is right off to the left side of the house, adjacent to the property line. The only place we can install a replacement septic system is off the front of the house. We have made the system as small as possible. The 50' set back to the lake is the best we possibly can do as far as the States considerations, as well as the Town. The only location available for a new septic system is between the house and the lake. The 75' setback to the lake lands within the house. Hearing closed at 8:49 PM.

DELIBERATIVE SESSION

2610. OLD MILL CONSTRUCTION FOR ROGER AND CATHERINE BROWN:

Haley moved, Hommel seconded, IN CASE # 2610, ROGER & CATHERINE BROWN LOCATED AT 6 WAUKEWAN AVE. REQUESTING A SPECIAL EXCEPTION TO REMOVE AN EXISITING BARN AND CONSTRUCT A SO CALLED MOTHER-IN-LAW APARTMENT WITH AN ADDITION TO THE EXISTING HOUSE ON THE SECOND FLOOR. THIS PROPERTY IS AN OLD ONE IN THE TOWN OF MEREDITH, WITH LIMITED LOT SPACE. AS FLOOR PLANS GO, IT HAS LIMITED SQUARE FOOTAGE AS IT EXISTS CURRENTLY. I HAVE BEEN WATCHING THIS FOR BETTER THAN 6 MONTHS. IT IS NOT MUCH DIFFERENT THAN SOME OF THE OTHER CASES WE HAVE BEEN DOING IN THE SAME NEIGHBORHOOD. I SUGGEST THAT WE APPROVE THE SPECIAL EXCEPTION AS IT MEETS ALL OF THE CRITERIA AND REFERENCE THE COLORED PLANS THAT HAVE BEEN SUBMITTED TONIGHT. Voted 5-0 in favor of the motion.

2611. MARK AND MARIA YOUNG:

Haley moved, Moyer seconded, IN CASE #2611, I RECOMMEND THE CODE ENFORCEMENT OFFICER, ALONG WITH THE FAMILY, STAKE THE PROPERTY, AND THEN HAVE THE BOARD VISIT THE PROPERTY. CONTINUE TO THE NEXT MEETING. Voted 5-0 in favor of the motion.

2612. PAUL AND ANN DIONNE:

Hawkins moved, Haley seconded, IN CASE # 2612, PAUL & ANN DIONNE, I MOVE AN APPEAL FOR A VARIANCE TO REPLACE A MOBILE HOME WITH A SINGLE-FAMILY DWELLING, FRONT SETBACK OF 26' 6" ,WITH 30' BEING REQUIRED, SIDE SETBACK OF 8' 6", 20' BEING REQUIRED AND A SETBACK FROM THE BROOK OF 30', 75' REQUIRED BE APPROVED, AS IT CERTAINLY IS AN IMPROVEMENT WITH WHAT IS ALREADY THERE, BOTH VISUALLY AND DISTANCE FROM THE BROOK. Voted 5-0 in favor of the motion.

2613. THOMAS R. AND ANN K. CRANE:

Haley moved, Hawkins seconded, IN CASE # 2613, THOMAS & ANN CRANE, PROPERTY LOCATED AT 390 NH ROUTE 104 ON LAKE WICWAS. I MOVE THAT WE GRANT AN APPEAL FOR A SPECIAL EXCEPTION TO EXPAND A NON-CONFORMING STRUCTURE BY MORE THAN 400 SQ. FT. WITHIN THE EXISTING ENCROACHMENTS WITH THE FOLLOWING CONDITIONS : **1.** THE STAIRWAY AND EGRESS FROM THE EXPANDED AREA FACING LAKE WICWAS GO TO THE NORTH DIRECTION. **2.** THE 3 ' DECK WOULD GO ACROSS THE REMAINING PORTION OF THE NEW EXPANSION AND GO NORTH, DOWN THE SIDE OF THE BUILDING TO THE GROUND LEVEL. **3.** THAT ALL POSSIBLE CARE BE TAKEN IN THE 25' EXISTING BUFFER ZONE WHILE CONSTRUCTION IS UNDERWAY. **4.** THAT THE CODE ENFORCEMENT OFFICER WILL BE MONITORING THAT. Voted 5-0 in favor of the motion.

2614. HORATIO MELO:

Hommel moved, Hawkins seconded, IN CASE # 2614, HORATIO MELO LOCATED AT 22 OAK ISLAND ROAD , TAX MAP U23, LOT 19. I MOVE TO GRANT AN APPEAL FOR A SPECIAL EXCEPTION TO CREATE AN ACCESSORY APARTMENT IN AN EXISTING ATTACHED GARAGE BECAUSE IT MEETS ALL THE CRITERIA. Voted 5-0 in favor of the motion.

2615. AMES ASSOCIATES FOR THOMAS AND PATRICIA BLEAU:

Haley moved, Hawkins seconded, IN CASE # 2615, THOMAS & PATRICIA BLEAU, LOCATED AT 23 CUMMINGS COVE ROAD, TAX MAP U25, LOT 39. I MOVE TO GRANT AN APPEAL FOR A VARIANCE TO CONSTRUCT A LEACHING AREA 35' FROM A NON-DESIGNATED STREAM, 75' REQUIRED, AS ALL OF THE FIVE CRITERIA HAVE BEEN SUPPORTED IN THE PRESENTATION AND THIS APPEARS TO BE THE BEST POSSIBLE SOLUTION FOR A LOT THAT DOES NOT HAVE ANY OTHER CHOICE FOR A SEWER SYSTEM. Voted 5-0 in favor of the motion.

Haley moved, Hawkins seconded, IN CASE # 2615, THOMAS & PATRICIA BLEAU, LOCATED AT 23 CUMMINGS COVE ROAD, TAX MAP U25, LOT 39. I MOVE TO GRANT AN APPEAL FOR A SPECIAL

EXCEPTION TO CONSTRUCT A SEWER LINE 25' FROM A STREAM, 75' REQUIRED, AS ALL OF THE FIVE CRITERIA HAVE BEEN SUPPORTED IN THE PRESENTATION, AND THIS APPEARS TO BE THE BEST POSSIBLE SOLUTION FOR A LOT THAT DOES NOT HAVE ANY OTHER CHOICE FOR A SEWER SYSTEM. Voted 5-0 in favor of the motion.

2616. AMES ASSOCIATES FOR BERNARD VACON AND MARY MAHER:

Haley moved, Hawkins seconded, IN CASE # 2616, BERNARD VACON & MARY MAHER, LOCATED AT 7 QUIMBY CIRCLE, TAX MAP U29, LOT 18-1. I MOVE TO GRANT AN APPEAL FOR A VARIANCE TO LOCATE A LEACHBED 50' FROM A LAKE, 75' REQUIRED, AS ALL OF THE FIVE CRITERIA HAVE BEEN SUPPORTED IN THE PRESENTATION AND THIS APPEARS TO BE THE BEST POSSIBLE SOLUTION FOR A LOT THAT DOES NOT HAVE ANY OTHER CHOICES FOR A SEWER SYSTEM. Voted 5-0 in favor of the motion.

The Meredith Zoning Board voted unanimously to adopt a new Board meeting time of 7:00 PM.

Meeting adjourned at 9:30 P.M.

Respectfully submitted,

Christine Tivnan
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on _____, 2004.

John Mack, Chairman