

PRESENT: Vice-Chairman –Hawkins; Dever: Haley; Pelczar; Joslin; Clark;  
Tivnan, Clerk

Haley moved, Pelczar seconded, THAT WE APPROVE THE MINUTES OF JUNE 14, 2007, AS PRESENTED. Voted unanimously.

### **CORRECTED RESPONSE**

The ZBA will consider adopting a corrected version of its "Response To Petitioners' Request For Findings And Rulings for the following case:

**2759: ASSOCIATED SURVEYORS FOR DONNA & ALBERT DUCHARME:** An appeal for a special exception to allow construction of a roadway and utility crossing within a protective buffer and across a non-designated wetland and drainage; and an appeal for a special exception to construct a water impoundment area within the protective buffer and an appeal for a special exception to construct a common driveway within a buffer and across a non-designated stream and associated wetland, Tax Map R30, Lot. No. 3 & 4, located on New Road in the Forestry Conservation District.

### **DELIBERATION**

Jack Dever and Warren Clark stepped down.

Hawkins- Has everybody had a chance to look this over? This was a request from the petitioners for some clarification if I am not mistaken. This is in our packet titled "Response To Petitioners". Hawkins- Chris, this is the revised one from the last meeting? Tivnan – Yes.

Haley moved, Pelczar seconded, that the Board adopt the draft of the REVISED RESPONSE TO PETITIONERS' REQUEST FOR FINDINGS AND RULINGS as the decision of the ZBA. Voted 4-0 in favor.

### **MEREDITH ZONING BOARD OF ADJUSTMENT**

In the Matter of the Application of Donna & Albert Ducharme

ZBA Case No. 2759

### **REVISED RESPONSE TO PETITIONERS' REQUEST FOR FINDINGS AND RULINGS**

By Order dated May 17, 2007 in the case that appealed our decision in this matter (Abear v. Town of Meredith and Ducharme, Docket No. 07-E-010), the Belknap County Superior Court remanded the matter back to us “for the limited purpose of requiring the board to provide a response to the petitioners’ request for findings and rulings.” Order at 3. Accordingly, our findings and rulings in support of our grant of the special exceptions are set out below.

### **Scope of Our Review**

As a preliminary matter, we note that the petitioners have argued to us and to the court that aspects of the proposed residential subdivision will generate negative impacts that require us to deny the applications for special exceptions that will allow the Ducharmes to construct the road, common driveway, and water impoundment area. The subdivision conditionally approved by the planning board will, if it receives final approval, divide the 210-acre parcel into nine (9) buildable lots. We do not agree that our review of the applications for special exceptions requires or allows us to take into account impacts that allegedly will arise from the development and occupation of the residential subdivision itself. Rather, we believe our task is necessarily limited to the question of whether the proposed road, common driveway, and water impoundment area meet the special exception criteria found in the Meredith Zoning Ordinance (“MZO”).

### **Petitioners’ Requests**

The petitioners’ requests are contained in a Memorandum originally dated September 14, 2006 and corrected by hand to the date of October 12, 2006; a copy of the Memorandum is found at page 44 of our Certified Record to the court.

At the outset, we note that the special exceptions sought by the Ducharmes are required under the provisions of the Water Resources Conservation Overlay District found in Article V, Section D-9 of the MZO. Specifically, the Ducharmes sought special exceptions under Section D-9, G to allow a roadway with utilities, a common driveway, and a water impoundment area to be constructed within one

or more combinations of non-designated wetlands, a non-designated stream, and the wetlands buffer, as those environmental features are defined under the MZO.

In light of the evidence adduced at our public hearing on October 12, 2006, the information contained in the application materials, and our members' individual knowledge of the facts and circumstances at the site and in the surrounding area, we find and rule as follows:

1. the applicants considered alternative proposals and the submitted proposal represents the minimum amount of reasonable, unavoidable impact to the wetlands, stream, and buffer areas involved;
2. the applicants have considered and minimized impacts to abutting and downstream properties and natural resources;
3. the impacts that will occur are insignificant, and pose no threat to the health of the wetland systems either on the site or in the surrounding area.

In light of the foregoing findings, we find and rule that the applicants proposal meets the criteria set out in Section D-9, H, 5, including the requirement that the proposal be consistent with the list of criteria set out in Section D-9, C (Purpose And Intent) of the Water Resources Conservation Overlay District provisions.

Finally, and also based on the foregoing findings, we further find and rule that pursuant to the general special exception criteria found in Article VII, Section A of the MZO the applicants' proposal to minimally impact the wetland areas:

- a. will not be detrimental to the character or enjoyment of the neighborhood by reason of undue variation from the kind and adverse violation of the character or appearance of the neighborhood;
- b. will not be injurious, noxious or offensive and thus will not be detrimental to the neighborhood; and
- c. will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards, undue risk to life and property, unsanitary or unhealthful emissions or waste disposal or similar adverse causes or conditions.

So ordered.

Meredith Zoning Board of Adjustment

Date: July 12, 2007

By: \_\_\_\_\_  
Fred Hawkins, Vice -Chair

**REHEARING**

**2791: LAND ACQUISITION, LLC: (Rep. Mark Derby)** An appeal of an ADMINISTRATIVE DECISION of the Code Enforcement Officers interpretation and enforcement of the provisions of the Zoning Ordinance related to Article V C-2 (District Boundaries), Tax Map S17, Lot No. 2. located on Upper Ladd Hill Road located in the Shoreline and Central Business District.

Mike Pelczar, Jack Dever stepped down and Jan Joslin is no longer sitting.

Hawkins – Do you wish to proceed with a 4-member Board? Derby-I think Mr. Pelczar recused himself, so that would be a 3-member Board. Hawkins- You would need three yes votes for an approval. Derby – We wish to proceed.

Haley – I hate to admit, that sometimes the ZBA, in a very rare instance, misses a particular part of a petition. It is clear that this has happened in this case. Haley moved, Clark seconded, that we grant the rehearing. Voted 3-0 in favor.

**PUBLIC HEARINGS**

**2804: ASSOCIATED SURVEYORS FOR DAVID & CARRIE QUAGLIAROLI: (Rep. Associated Surveyors)** -An appeal for a VARIANCE to replace an existing single-family dwelling with a new residence with a front setback of 50', 65' required, Tax Map U24, Lot No. 27 & 50, located at 83 Spindle Point in the Shoreline District.

Johnson –First, I would like to give a brief description of the existing conditions of the lot. Show you what the Quagliaroli are proposing and then have Carrie Quagliaroli give a short presentation on the type of house they are building. Mr. Pesci will address the drainage issues. I will then address the criteria for granting the variance. This lake front lot is located on Spindle Point. The existing structure is all but a sliver, completely non-conforming. The topography shows the lake at about 504 and it comes up to an elevation of about 575 to the road. This is a very steep and narrow lot. In many instances, there are going to be cases where these existing smaller or cabin homes will be removed and replaced with a newer one. This lot presents some interesting challenges. Because of the steepness of the lot, the further you move back from the lake, the higher the building goes up. You are faced with the situation of wanting to come back and be as conforming as

you can, but at the same time, be sensitive to the other physical features of the property and to the properties on either side. There is some ledge when you move back that would cause the ledge to be blasted out or the house would have to be higher. The house is shown in red on your plans. The main portion of the house is in yellow and the deck portion of the house which is the majority of what will be the non-conforming portion of the house is highlighted in pink. The main portion of the structure that is being proposed is entirely in back of the back of the existing structure. We meet the side setbacks. The garage is the L-shaped portion that is in the back. The relocation of the driveway would come down and then all of the vehicles will either be inside the garage or parked in the area central to the lot. The designer has tried to make a slightly more winding driveway. There will be a new septic system constructed in the same location as the old one. There will be a flat grass area between the septic system and the proposed garage for children to play in. Moving the house back does cause it to go up in the air, so we would need a series of retaining walls because the house is up higher. The farther you go back, the more retaining walls you would need and probably closer to the property. We believe there would be a negative impact to the abutters, to the property and from looking at the lake if we were to attempt to construct the house entirely within the 65' setback. You have all the elevation sketches in your packet. We have had considerable discussion with the abutters. The Quagliaroli's have been very sensitive to the concerns of the abutters. Some of the concerns dealt with the issues before you tonight. Many of them were centered on the construction aspect itself, the driveway and some issues that are not within your jurisdiction. Carrie Quagliaroli – I am an Environmental Engineer. This will be our primary residence when we are finished. This is a Leed registered home. Leed of Homes is a green home rating system. This is above and beyond an Energy Star Certified Home. There will be all green products. The entire home will be heated geothermal, no fossil fuels or emissions. There will be a geothermal well and no air condition condensers. We will have a storage tank to collect water runoff from the roof and from the driveway that will then be reused for irrigation. All the grey water in the home will be used for irrigation. This is going to be a show case home on the Leed for Homes web page. Johnson – Mr. Pesci is going to talk about when we take the house down and construct the new one, how we are going to do that in a manner that will be keeping with the request criteria for granting a variance. Pesci – Our goal here was two fold. First to provide erosion control during construction, and second was to provide storm water management after construction. The new house is just off the back of the old house. The driveway is very steep so we would like to change the shape of the entrance. Off the house at the bottom of the driveway I have roof leaders coming off of the house into a collection tank to collect storm water from the roof and use for irrigation. There will also be a subsurface infiltration trench. This is a great improvement over the current system. On the plan it also shows a hay **bale** line around the entire perimeter during construction. Johnson – It now brings us to the actual criterion that has to be demonstrated for the granting of a variance.

1. The proposed use would not diminish surrounding property values because: The existing dwelling is a small non-conforming older structure. The proposed new dwelling will be located farther back than the existing home. They are sensitive to the abutters, neighborhood, and to the general character as you are driving by the property on the lake.

2. Granting the variance would not be contrary to the public interest because:

Just the nature of the home itself with the elimination of the fossil fuels speaks to the public interest. It would allow the improvement of an existing lot by constructing a new single family home in keeping with the character of the surrounding lakefront properties. We are reducing the amount of non-conforming area.

3. Denial of the variance would result in unnecessary hardship to the owner because:

The following special conditions of the property make an area variance necessary in order to allow the development as designed: The topography issues that we spoke of speak largely to that. The property has an existing non-conforming structure which will be removed. The land is sharply sloped to the rear which makes it difficult to keep 65' back and have a dwelling and septic system on the lot.

The same benefit cannot be achieved by some other reasonably feasible method that would not impose an undue financial burden because: Due to the steepness of the lot it is not possible to keep 65' back and construct a reasonable lakefront home and have a state approved septic system.

4. Granting the variance would do substantial justice because:

It would allow a reasonable improvement to an existing lot in keeping with the character of the neighborhood.

5. The use is not contrary to the spirit of the ordinance because:

The ordinance allows for reasonable improvements to existing lots of record if it can be demonstrated that the proposal is in keeping with similarly zoned properties within the neighborhood. Many homes in this neighborhood are non-conforming. There are several homes in this area that have received variances. That is the presentation regarding the variance. Clark- What is the height? Johnson – 37' 11" – 38' is allowed by right. Haley – If driveways were rated on a scale of 1-10, 10 being the worst, this one would be a 12. Johnson – What they are trying to do here is come in on a side slope. This will be subject to approval from the Town of Meredith Department of Public Works. Haley – How far are the houses of the abutters? Johnson – They are fairly close to the property line. We have had some discussions with the abutter to the west in terms of some privacy shrubs. The abutter was concerned that the privacy shrubs would have a negative impact on their view so the Quagliaroli 's have removed those from the plan. Pesci – Just to

clarify something. What Carl just said was true yesterday; today with discussions with the abutter to the east we have reinstated the privacy shrubs. We have agreed on a maximum height. Haley – You could cut down on the size of the barn. You do have a four bay garage. Johnson – It is actually 3 ½. The Quagliaroli's have several grown children and they consensuses is that it would be better if the vehicles were inside. Haley – How long is that barn. Johnson -It is scaling at about 48'. William Schwarze – We are the east abutter to this project. I am here to speak in favor of this application. Our house is about 30'- 35' from the Quagliaroli's. With regard to what you call the barn in the back. They are going to be full-time residents. The alternative would be to put a structure across the road which in my opinion is undesirable. I agree that all of the requirements of Boccia versus City of Portsmouth are satisfied. I think this will improve property values. I recommend the Board approve this application. Charlene Malack – 81 Spindle Point Road. We are the abutters to the west. Our house is about 40' from the property line. I feel they have met the conditions and I am in favor of this. Hearing closed at 8:00 PM.

**2805: MICHAEL & CHARLENE BOULANGER:** An appeal for a VARIANCE to erect a porch addition with a front setback of 22', 30' required, Tax Map No. R05, Lot No. 11, located at 4 Meadow Lane in the Residential District.

Mike Pelczar stepped down.

Boulanger – The application explains what we are doing. We just want a farmer's porch. Dever – You have put us in a box here Mike, because #3 you said there would be no hardship and you have to prove to us that there is an unnecessary hardship to the owner. Boulanger- Hardship to what? Charlene Boulanger – There really is no hardship. We just want a farmer's porch. Boulanger – I don't understand the question. Hawkins – You have to address a hardship as a reason why you are applying for a variance such as lot sizes and so forth. On your sketch you show the proximity of the porch to the front. Dever – Did you talk to Bill on this. Boulanger -I did. He said there should not be a problem. Dever – There is a problem because you are not showing a hardship. This ties our hands. I would suggest you ask for a continuance on this so that you could work on the application. **CONTINUED TO AUGUST 9, 2007.** Hearing closed at 8:10 PM

**2806: APOLLONIA DENTAL GROUP LLC FOR GEORGE FELT: (Rep. Jim Bolduc)** An appeal for a SPECIAL EXCEPTION to create off-street parking within designated setbacks, Tax Map No. S17, Lot No. 17H, located on Northview Drive in the Commercial / Route 3 South District.

**2807: APOLLONIA DENTAL GROUP LLC FOR GEORGE FELT: (Rep. Jim Bolduc)**An appeal for a SPECIAL exception to establish a professional office in the Commercial/ Rte 3 South District, Tax Map No. S17 Lot No. 17H, located on Northview Drive in the Commercial / Route 3 South District.

Warren Clark stepped down.

Jim Bolduc – (Lepene Engineering) I do have a revised Site Plan that I would like to pass out. Some of the changes involved the parking. We added a 15' fire lane. We have applied for two special exceptions. We do have parking within the front setback and a special exception to establish a medical office in the Commercial/ Rte 3 South District. We have provided a description on why we believe a special exception is appropriate.

- That the use will not be detrimental to the character or enjoyment of the neighborhood by reason of undue variation from the kind and adverse violation of the character and appearance of the neighborhood.

The proposed use is consistent with the character of the Northview Drive neighborhood. The developed lots contain a professional office building at the end of the cul-de-sac along with retail commercial facilities at the intersection with Route 3. A pending application for a proposed warehouse facility is being processed by the Town for the adjoining lot. The proposed dental office will add to the character and appearance of the neighborhood.

- That the use will not be injurious, noxious or offensive and thus detrimental to the neighborhood.

All activities related to the proposed use will be consistent and ordinary as expected and intended in association with a professional dental office. No injurious, noxious or offensive activities will be conducted in association with the proposed Dental Office.

- That the use will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards.

The traffic generated by the proposed facility will consistent with the operation of a Dental Office. Employees will arrive and depart in the morning and evenings on a regular schedule. Patients will arrive and depart during regular business hours. All visitations will be scheduled and expected.

- A Site Plan application has been filed with the Planning Board. We went through a Site Plan review with the Planning Board on Tuesday evening and received a conditional approval.

With respect to parking in the setback, given the size of the lot (.7 acre) and the size of the proposed facility this generates the requirements of 22 parking spaces. That concludes my presentation. Haley – Is Dr. Felt increasing his number of employees? Bolduc - I am not sure. I believe the space he will have in the new building is larger than what he has now. Hearing closed at 8:20PM

**2809: ROBERT ILG FOR KATHERINE S. CARTER TRUST: ( Rep. Robert Ilg)**

An appeal for a VARIANCE to replace an existing single-family dwelling with a new residence with a front setback of 50', 65' required, Tax Map U24, Lot No. 37 & 45, located at 63 Spindle Point in the Shoreline District.

Ilg- I don't have a formal presentation. The home is set at it's best possible location. We are removing the existing cottage that is sitting right on the water now and moving it back. We are proposing to put less of a building back in that space within the 65' setback. Mr. Ames came up with this being the best location to stay within the setback of a proposed well. There are boulders everywhere on this property. We have a landscape design. The owners want to keep this as natural as possible. All the boulders are going to be kept. It will be an Arts & Craft style home with cedar shakes and claps. Haley – Are you going to change the driveway? Ilg – The driveway will be changed. Because the house is back farther, the elevation of the driveway will improve. Russell Cooper- (41 Spindle Point) – It is not clear to me in the presentation in terms of the hardship. Why the building can't be moved back or turned in some other fashion to avoid having to put the house within the 65' setback. Mr. Ames and Gary Brock did try to do that. The left hand side and the way the building is shifted to get that angle, which they wanted for aesthetic purposes as well as so you wouldn't looking at one big fence going across the property, it does help to improve that. To meet the side setbacks and septic setback that seemed to be the only location. It is also a lot of ledge. Pamela Coburn ( 61 Spindle Point) - My question is the same. This is an enormous driveway. This is a fairly flat lot for Spindle Point but there will still be a lot of impervious surface. I wonder if it couldn't be moved back if they made the driveway design different. Ilg- I am not sure if that was considered but the actual substance of the driveway is also not defined just yet. These people have been searching for a lot for 2 years. They knew which way they wanted to face. This house is less than 4,000 sq. ft. and we feel this is a vast improvement with minimal impact and a good design. This will be within the tree line with natural landscape. Dever- Have you calculated the lot coverage? Ilg-I believe Mr. Brock and Ames have that. I do not have those, but the coverage is under. Hearing closed at 8:30 PM.

**2810: DAVID SLEEPER AND JOANNE MCLEAN: (Rep. David Sleeper)** An appeal for a VARIANCE to replace an existing single-family dwelling with a new residence with a front setback of 46.3', 65' required, and a SPECIAL EXCEPTION to create an accessory apartment within a single-family dwelling, Tax Map U31, Lot. No. 6, located at 35 Happy Homes Road in the Shoreline District.

Sleeper – The application says most of it. My wife and I purchased this from my Uncle. I have talked to the State a number of different times and finally came up with this layout. It is not the most ideal but it is one that minimizes the impact to the lot in order to maintain the large grove of trees. We are replacing the existing

septic system with a new one. We do get runoff from Happy Homes Road that goes down the driveway and into the back door of the camp. In order to address that there will be some regarding at the end. The constraints that got us to where we are now were I started with replacing the existing camp and doubling the depth of it. DES wanted us to get as far back as we could from the lake. There is a power line easement that obstructs me from going back any farther. The accessory apartment is for my Uncle. He retained a life-estate on the cottage. It is on the first floor. Clark – Have you considered moving the garage to the left side and sliding the building back 19'? Sleeper- My intention was to preserve the grove of trees on that side of the lot. Haley – Are you going to do anything with the driveway? Sleeper – Try to maintain as it is currently except some re-grading at the top. Haley – You might want to have Chief Palm look at that. I doubt he could get an engine in there. That road is awfully tight. Sleeper-Again, to do something like that would require taking trees down. Most of the lots on that road are the same condition. Clark – I am just wondering what our responsibilities and authority are as a Board relative to requiring the widening of the driveway as a condition for a variance. Hawkins – I am not sure for the CO if the Fire Chief is involved. Clark – This is something Mr. Edney would insistent upon for a CO? Hawkins – Either Bill or the Fire Chief if there is a problem. Joan Ekstrom (37 Happy Homes Road) – Waste Management trucks come down our driveway and there have been no problems. We have had our cottage for 71 years. I am in favor of this. The trees are a buffer for their cottage and ours. I appeal to the Board to approve this application. Hearing closed at 8:45PM

## DELIBERATIONS

### **2804: ASSOCIATED SURVEYORS FOR DAVID & CARRIE QUAGLIAROLI:**

Hawkins- They are improving it vastly over existing by moving it back and having a new septic system. I realize it is a lot bigger. Pelczar- They are taking extra steps on drainage, which is a big thing. Clark – In looking at this, I have to say I am surprised. I thought that if you bought a property, you went to an architect with the land that you have with the setbacks marked as a given. Then the architect fits the building in there. We have three proposals tonight all that want to closer than the 65' but some how they all seem to fit within the 50' state requirement but not the 65'. I am a lake front owner and I understand the desire to be as close to the water as you possibly can, yet there is this other desire to have no one else close to the water you see the protected shoreline. That is why we have the regulation. It seems to me that there is a lot that can be done with this property that would give a very substantial home within the setbacks including a two car garage instead of a three and a half car garage. It does not seem to be a hardship. The porch is beautiful and I love having a porch on a house, but you could take the porch off and the house would fit. Dever – I understand where you are coming from. Back a few years ago we could take all those things into consideration but with the Boccia decision we don't have that luxury anymore to

reduce things. If you need the variance to accomplish what you want, we basically have to grant it. Haley – I sympathize where Warren is coming from. I needed a variance for 40' because I had a stinky lot. More and more tear downs are happening. They could maintain the setback they have right now which is closer. The three tonight are different and we have to treat each one by itself but be consistent. We are not here to say no but to make it fit right. Dever – They have been very sensitive to the neighbors concerns.

Dever moved, Pelczar seconded, In case #2804, ASSOCIATED SURVEYORS FOR DAVID & CARRIE QUAGLIAROLI, I MOVE THE APPEAL FOR A VARIANCE TO REPLACE AN EXISTING SINGLE-FAMILY DWELLING WITH A NEW RESIDENCE WITH A FRONT SETBACK OF 50', 65' REQUIRED, TAX MAP U24, LOT NO. 27 & 50, LOCATED AT 83 SPINDLE POINT IN THE SHORELINE DISTRICT BE GRANTED, AS IT MEETS ALL THE CRITERIA FOR THE VARIANCE. Voted 5-0 in favor.

**2806: APOLLONIA DENTAL GROUP LLC FOR GEORGE FELT:**

Hawkins- These are fairly straight forward. Any thoughts or a motion?

Pelczar moved, Haley seconded, In case # 2806, APOLLONIA DENTAL GROUP LLC FOR GEORGE FELT, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO CREATE OFF-STREET PARKING WITHIN DESIGNATED SETBACKS, TAX MAP NO. S17, LOT NO. 17H, LOCATED ON NORTHVIEW DRIVE IN THE COMMERCIAL / ROUTE 3 SOUTH DISTRICT BE GRANTED, AS IT MEETS THE CRITERIA FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

**2807: APOLLONIA DENTAL GROUP LLC FOR GEORGE FELT:**

Pelczar moved, Haley seconded, In case #2807, APOLLONIA DENTAL GROUP LLC FOR GEORGE FELT, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO ESTABLISH A PROFESSIONAL OFFICE IN THE COMMERCIAL/ RTE 3 SOUTH DISTRICT, TAX MAP NO. S17 LOT NO. 17H, LOCATED ON NORTHVIEW DRIVE IN THE COMMERCIAL / ROUTE 3 SOUTH DISTRICT BE GRANTED, AS IT MEETS THE CRITERIA FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

**2809: ROBERT ILG FOR KATHERINE S. CARTER TRUST:**

Haley – That driveway is a stinker. I am surprised that he can get the radius that he is showing.

Haley moved, Dever seconded, In case # 2809, ROBERT ILG FOR KATHERINE S. CARTER TRUST, I MOVE THE APPEAL FOR A VARIANCE TO REPLACE

AN EXISTING SINGLE-FAMILY DWELLING WITH A NEW RESIDENCE WITH A FRONT SETBACK OF 50', 65' REQUIRED, LOCATED AT 63 SPINDLE POINT ROAD BE GRANTED, AS IT MEETS THE BASIC CRITERIA AND SEEMS TO BE THE MOST LOGICAL SET UP FOR THE LOT. Voted 5-0 in favor.

**2810: DAVID SLEEPER AND JOANNE MCLEAN:**

Haley – Mr. Sleeper has been very complete in his submission. He could keep with the existing front line. He is moving back but still keeping a low profile. Haley moved, Pelczar seconded, In case # 2810, DAVID SLEEPER AND JOANNE MCLEAN, I MOVE THE APPEAL FOR A VARIANCE TO REPLACE AN EXISTING SINGLE-FAMILY DWELLING WITH A NEW RESIDENCE WITH A FRONT SETBACK OF 46.3', 65' REQUIRED BE GRANTED, AS IT MEETS THE CRITERIA FOR A VARIANCE AND APPEARS TO BE IMPROVING THE EXISTING SITUATION. Voted 5-0 in favor.

Haley moved, Dever seconded, In case # 2810, DAVID SLEEPER AND JOANNE MCLEAN, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO CREATE AN ACCESSORY APARTMENT WITHIN A SINGLE-FAMILY DWELLING LOCATED AT 35 HAPPY HOMES ROAD BE GRANTED, AS IT DOES MEET THE CRITERIA FOR A SPECIAL EXCEPTION AND THE CONDITIONS OF OUR ORDINANCE. Voted 5-0 in favor.

Meeting adjourned at 9:15 PM

Respectfully submitted,

Christine Tivnan  
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on \_\_\_\_\_, 2007.

Fred Hawkins – Vice -Chairman