

PRESENT: Mack, Chairman; Dever, Vice-Chairman; Pelzcar, Clark; Flanders; Marino, Edney, Code Enforcement Officer; Tivnan, Clerk

David Thorpe in attendance.

Dever moved, Pelzcar seconded, THAT WE APPROVE THE MINUTES OF NOVEMBER 13, 2007, AS PRESENTED. Voted unanimously.

PUBLIC HEARINGS

2824: ROBERT & DIANE HARDING AND ROBERT & ELIZABETH MOREIRA: (Rep. Robert Harding) An appeal for a VARIANCE to construct a deck 14' from the water reference line, 21' established, 50' required, Tax Map U29, Lot No. 24A, located at 7 Quimby Road in the Shoreline District.

Harding – We would like to construct an open deck. In plan one, it shows that the structure is non-conforming on a non-conforming lot. The lot is narrow and steep. The house is within the 25' buffer zone. We are in a small cove with four other houses. We would like to extend it 8' off the existing structure. We were here the last time with a similar plan that was 12'. We have reduced the deck to 18'. The reason we want to do this is that we don't have waterfront access because of the slope of the property. Plan two is a side view illustrating the slope. Plan three is a copy of the tax map showing the location of the property. Applicant addressed pictures in the packet that show the cove and where the property sits. We would like to sit out on a level piece of area and be able to look over the cove. Two of the owners are senior citizens and have physical disabilities that prevent them from being able to navigate and traverse the slope. In our neighborhood, there are properties that have similar decks to what we are proposing. Betsy Moreira (7 Quimby Road) – I am getting older and have trouble getting up the slope. I had to get on my hands to get up the slope. I have knee problems. Dever – Have you investigated raising the grade in the front, to have a patio instead of a deck? Harding – I don't believe DES would allow us to do that because of the runoff. By doing a deck, we wouldn't be disturbing anything within the buffer zone. The environmental impact and financial cost, because there is no access to that part of the property for machinery, would be much more expensive. Dever – Do you have any prices on doing that? One of the things we have to look at is if there are alternatives, how much more expensive would that be. We need some figures and/or something from the State saying they wouldn't approve it. Harding – I did have a contractor look at it. The deck would be about \$25.00 sq. ft. Dever – What would the cost be for the alternative? Harding – He told me it would be about three times more because of the labor but I don't have a written estimate. Dever – If you had an estimate in the packet, it would be to your advantage. Clark – You have a level place in the front. Can you tell us the difficulty in getting to that? Harding – It is not wide enough to sit there and there are no stairs to get to it. Flanders- How far is this somewhat level area come from the house? Harding - About 3 ½'. Dever – I would suggest that you ask for a continuance until you can

get us some hard numbers. This would give us more to work with. Harding – Mr. Chairman, may I make a motion to continue this so I can provide you with a true estimate to the alternative. Mack- HEARING CONTINUED TO FEBRUARY 14, 2008. Hearing closed at 7:25PM

2825: R. JEFFREY BURD FOR B&N DESIGNS LLC: An appeal for a SPECIAL EXCEPTION to construct driveways accessing proposed home sites with a total of 1200 sq. ft. of impact to non-designated wetlands, Tax Map S25, Lot Nos. 30 & 38, located on Waukewan Street in the Residential District.

Burd – (The Board received a handout showing alternatives with associated impacts.) What we ultimately ended up proposing is a five lot subdivision. This property is 23 acres in size, zoned residential and is in the Waukewan Watershed Overlay District. This is a sensitive area. There are a lot of wetlands on the property. We have tried to be creative and minimize impacts to the best of our ability. The impacts we have are associated with the shared driveway to three other lots off of Birch Hill Road. The handout I gave you was put together for the Planning Board. I think it works for this Board as well.

Design considerations:

The following criteria were taken into consideration for this proposal in an effort to customize the site design to mitigate environmental impacts, minimize land disturbance, and protect sensitive natural features:

1. Zoning / Density
2. Creative lot design & shared drives vs. new road construction
3. Wetland Impacts
4. Wastewater Treatment
5. Stormwater Treatment
6. Infrastructure improvements
7. Construction Best Management Practices

Environmental impacts:

The following table summarizes the overall impacts associated with the proposed design alternatives:

Design Alternative	Number of lots	Wetland impacts	Impervious surfaces (1)	Buffer Impact	Total disturbed areas.
Conventional	8	3,700 sf	27,800 sf	300 lf	180.000 sf
Cluster	8	3,500 sf	23,000 sf	200 lf	172.000 sf
Original proposal	5	2,595 sf	19,500 sf	650 lf	113,000 sf

Revised design	5	1,200 sf	17,700 sf	650 if	109,000 sf
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- (1) Roads and drives only; area for homes not included
- (2) Assumes 15,000 s.f. for house lots in all scenarios

We have worked hard to minimize the impact to this project. This has been approved by the Planning Board and with the Conservation Commission’s support. We needed to get a wavier from the Selectmen for a shared driveway which we received in December. We do have a wetland permit from DES. Hearing closed at 7:40 PM

2826: BRIAN ALLEN FOR PETER ALLEN: An appeal for a SPECIAL EXCEPTION to allow a two-family dwelling in the Meredith Neck District, Tax Map No. S06, Lot No. 23-C, located at 323 Meredith Neck Road.

Allen- I’d like to start with some history on this property. My parents bought this in 1958. Sold it in 1966. Mother bought it back in 1978. The land was subdivided in 1983. Sold it to my brother in 1990-1991, with life-rights to my parents. There was an addition in 1995. It has been a duplex for 22 years. When my brother put it up for sale and him not knowing it, found out that it was not designated as a duplex on the original building permit. It has been taxed as a duplex for years. In 1995 I put an addition on and it was inspected and it was a duplex then. It is now rented to two guys. There has been no change of use. When Bill came out to look at it, he determined that it had four bedrooms, not two. We have a new septic design for four bedrooms. There is plenty of parking with a private drive. Clark – We are approving something that already exists? Allen – Yes Clark – The new septic design is on file but not implemented. Allen – Right Edney – This is more of a housekeeping issue. The paper work on file in our office did not reflect the way the property is being used. This is an allowed use by special exception in the zone and has been used as such for some time. This is why we are here tonight. Hearing closed at 7:50 PM

2827: WRIGHT FAMILY REV. TRUST: (Rep. Richard Wright) An appeal for a SPECIAL EXCEPTION to expand a non-conforming structure by more than 400 sq. ft., Tax Map U15, Lot Nos. 46-4, located at 59 Pleasant Street in the Shoreline District. Mike Pelczar stepped down. Frank Marino sat in.

2828: WRIGHT FAMILY REV. TRUST: (Rep. Richard Wright) An appeal for a SPECIAL EXCEPTION to allow a two-family dwelling in the shoreline district, Tax Map U15, Lot Nos. 46-4, located at 59 Pleasant Street in the Shoreline District.

Mike Pelczar stepped down. Marino sat in.

Wright – My wife and I would like to retire here. We would need to expand our cottage as it is not suitable to be year round. We would like to add 440 sq. ft. to the west side of the structure and connect the other cottage that we own. We are

connecting only on the lower level. Mack – As part of the process you are going to combine both lots? Wright – Correct. Clark- I have been out to the property, looked at the packet and I still don't know what you are doing. I see a drawing but I don't know if it is a before or after. Wright – We are changing unit 4. Clark – Is the new storage connector the new thing? Wright – That is the section that will connect the two buildings. Clark – Is that the only structure you are adding to the property? Wright – No, we are adding the 440 sq. ft. to the upper level. Clark – I have some concerns on voting to approve a plan that is not written down. Mack – There is a sketch attached to the back that shows new and existing. Clark – I wasn't sure what was new. Mack – Up at the top it says it. Clark – I see that now. Flanders – Are both buildings going to match or be separate? Wright – Two separate. Marino – Are we discussing both cases? Mack – Yes, so if you have any questions on the two-family, ask now. Marino – What is the need for the two-family? Wright – Nothing is going to change between the two. We bought the second for when our kids come to visit. Marino – You are trying to formalize it for a two-family? Wright – At the present situation, it exists as two separate homes. We are going to eliminate the lot line and make it a two-family. Flanders – The property line is going to be adjusted at a later date? Mack – We can make that part of our approval if we approve it. Ann Butler- The joining is on the lower level and the lake side.? Wright – Yes. Butler – Are you planning on raising the roof? Wright – No. Art Allen – I think this is a good idea. Todd Allen – I also think this is the right thing. Hearing closed at 8:06 PM

2829: MICHAEL & LYNN ROUBO: (Rep. Michael Roubo) An appeal for a SPECIAL EXCEPTION to construct a garage within the 50' buffer of a non-designated wetland, Tax Map R05. Lot No. 04, located at 131 Livingston Road in the Residential District.

Mike Pelzcar returned to the Board. Marino stepped down.

Roubo- I am not constructing a new garage. I moved a garage from another location. I was told I could set it where it is until it was ok'd. The parking will not change. The drainage will not change. The reason for this is because of the wetlands. Flanders – Will this be sitting on a poured foundation? Roubo – Yes. Clark – Does he have to go to the Conservation Commission? Mack – There is a letter in the packet. Edney – What we are calling a wetland is an oversized drainage area that is a good 12'-15' below the driveway. Hearing closed at 8:10 PM

2830: PAUL KAHLER FOR GIRARD SIMONS: An appeal for a VARIANCE to construct a new single-family dwelling with a side set back of 21', 30' required, Tax Map S08, Lot No. 40, located on Douglas Drive in the Meredith Neck District.

Kahler – This is a renewal from a 2003 application that was approved but never acted upon. Everything is the same as 2003. Nothing has changed. Bill looked at this in 2003. Hearing Closed at 8:12 PM

2831: CRAIG ENGEL: An appeal for a VARIANCE to enlarge an existing deck with a side setback of 8', 20' required, Tax Map U39, Lot No. 2-18, located at 13 Patrician Shores Circle in the Shoreline District. CONTINUED TO JANUARY 10, 2008.

2832: EDWARD DESOUSA: An appeal for a SPECIAL EXCEPTION to add a 20' x 20' addition within the 150' buffer of a prime wetland, Tax Map R20, Lot. No. 11, located at 28 East Shore Drive in the Shoreline District.

Desousa - This is a non-conforming structure that has been here for many years. We have a new septic design. Conservation Commission does not have a problem with this. There is a road between the wetlands. Mack – Do you have a full plan with you? Desousa – Yes – (inaudible) Hearing closed at 8:13 PM

2833: RICHARD AND JANET LEARNED: An appeal for a SPECIAL EXCEPTION to create an attached accessory apartment to a single family dwelling, Tax Map U03, Lot No. 9A, located at 3 Westview Drive in the Residential District.

Janet Learned – We would like to add a second floor with an in-law apartment for my son and family. They are presently living in our basement. Mack – Bill, did you review all the calculations and it meets the requirements for an accessory apartment? Edney – Yes. Hearing closed at 8:18 PM

DELIBERATIONS

2825: R. JEFFREY BURD FOR B&N DESIGNS LLC:

Dever – I believe they have done an exceptional job.

Dever moved, Clark seconded, In case # 2825, R. JEFFREY BURD FOR B&N DESIGNS LLC, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO CONSTRUCT DRIVEWAYS ACCESSING PROPOSED HOME SITES WITH A TOTAL OF 1200 SQ. FT. OF IMPACT TO NON-DESIGNATED WETLANDS, LOCATED ON WAUKEWAN STREET IN THE RESIDENTIAL DISTRICT BE GRANTED, AS IT MEETS ALL MEREDITH'S REQUIREMENTS FOR A SPECIAL EXCEPTION . Voted 5-0 in favor.

2826: BRIAN ALLEN FOR PETER ALLEN:

Mack- This appears to be just house keeping. Flanders- If we approve this, does this allow them to expand in any great deal. Dever – As long as they meet all the requirements they wouldn't have to come back here.

Dever moved, Pelczar seconded, In case # 2826, BRIAN ALLEN FOR PETER ALLEN, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO ALLOW A TWO-FAMILY DWELLING IN THE MEREDITH NECK DISTRICT BE GRANTED, AS IT MEETS THE REQUIREMENTS FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

2827: WRIGHT FAMILY REV. TRUST:

Marino- This sounds great, but we have no elevation views. We only have a very crude hand sketch on what he is going to do. This is waterfront property. Flanders- I don't think the neighbors have seen plans. Edney – These folks have intended from the beginning, not to change the nature of either one of those buildings, other than the connector, which will not be seen from the street. If you went to the site to look at the buildings, that is what they want it to look like at the end of the day. Marino – I think there should be more to a waterfront application. Mack – From the Board's standpoint, we have not required detailed drawings from individual homeowners, as we want to avoid putting them through a large expense. Clark – I agree with Frank in a way but I don't think we need something done by a computer. I would like to look at the packet, go to the site and understand what the person is planning to do.

Clark moved, Marino seconded, In case # 2827, WRIGHT FAMILY TRUST, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO EXPAND A NON-CONFORMING STRUCTURE BY MORE THAN 400 SQ. FT., TAX MAP U15, LOT NOS. 46-4, LOCATED AT 59 PLEASANT STREET BE GRANTED, AS IT MEETS THE REQUIREMENTS OF A SPECIAL EXCEPTION AS DEFINED IN OUR ZONING ORDINANCE AND AS PER PLAN SUBMITTED. Voted 5-0 in favor.

2828: WRIGHT FAMILY REV. TRUST:

Mack – I hope everybody understands what they are doing.

Marino moved, Clark seconded, In case # 2828, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO ALLOW A TWO-FAMILY DWELLING IN THE SHORELINE DISTRICT, TAX MAP U15, LOT NOS. 46-4 BE GRANTED, AS IT MEETS THE REQUIREMENTS FOR A SPECIAL EXCEPTION AND WITH THE CONDITION THAT THE LOT MERGER MUST BE DONE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. Vote 5-0 in favor.

2829: MICHAEL & LYNN ROUBO:

Mack – I don't have a problem with this. Clark – I agree with Bill's assessment that it is high up above the wetland and there is already a driveway there.

Clark moved, Dever seconded, In case # 2829, MICHAEL & LYNN ROUBO, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO CONSTRUCT A GARAGE WITHIN THE 50' BUFFER OF A NON-DESIGNATED WETLAND, TAX MAP R05. LOT NO. 04, LOCATED AT 131 LIVINGSTON ROAD BE GRANTED, AS THEIR PROPOSAL MEETS THE REQUIREMENTS FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

2830: PAUL KAHLER FOR GIRARD SIMONS:

Mack – This is a reapplication for an expired approval.

Dever moved, Flanders seconded, In case # 2830, I MOVE THE APPEAL FOR A VARIANCE TO CONSTRUCT A NEW SINGLE-FAMILY DWELLING WITH A SIDE SETBACK OF 21', 30' REQUIRED, LOCATED ON DOUGLAS DRIVE IN THE MEREDITH NECK DISTRICT BE GRANTED, AS IT MEETS THE REQUIREMENTS FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

2832: EDWARD DESOUSA:

Clark moved, Flanders seconded, In case # 2832, EDWARD DESOUSA, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO ADD A 20' X 20' ADDITION WITHIN THE 150' BUFFER OF A PRIME WETLAND, TAX MAP R20, LOT. NO. 11, LOCATED AT 28 EAST SHORE DRIVE IN THE SHORELINE DISTRICT BE GRANTED, AS ALL THE REQUIREMENTS FOR A SPECIAL EXCEPTION HAVE BEEN MET. Voted 5-0 in favor

2833: RICHARD AND JANET LEARNED:

Mack – I don't have a problem with this. It meets the requirement as spelled out in our Zoning Ordinance for an accessory apartment.

Pelzcar moved, Dever seconded, In case # 2833, RICHARD AND JANET LEARNED, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO CREATE AN ATTACHED ACCESSORY APARTMENT TO A SINGLE FAMILY DWELLING, TAX MAP U03, LOT NO. 9A, LOCATED AT 3 WESTVIEW DRIVE IN THE RESIDENTIAL DISTRICT BE GRANTED, AS IT MEETS THE CRITERIA FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

ELECTION OF OFFICER

Board voted unanimously to elect Jack Dever as Vice-Chairman.

Meeting adjourned at 9:00PM

Respectfully submitted,

Christine Tivnan
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on _____, 2008.

John Mack, Chairman