

PRESENT: Dever, Chairman; Vice- Chairman, Pelczar, Clark, Flanders, Thorpe, Edney, Code Enforcement Officer; Tivnan, Clerk

Thorpe moved, Flanders seconded, THAT WE APPROVE THE MINUTES OF APRIL 10, 2008 AS PRESENTED. Voted unanimously.

PUBLIC HEARINGS

Case #: ZO2008-00001 Map Lot: S06-2 Location: 286 MEREDITH NECK RD DOLORES BAMFORD (REP. BRAD WOOD)

Request a **SPECIAL EXCEPTION** for a Two-Family dwelling. (ARTICLE V- SECTION D-4 A 2)

Wood - We are here for a special exception for a two-family dwelling. This is an addition to an existing home. Dolores Bamford would like to construct an addition for her mother and father. Dever – The size of the lot is? Bamford – 7 ½ acres. Wood – This will be a 30' x 40' addition. (Passed photos to the Board) Clark –You are basically copying what it there now? Wood – Correct. Flanders – What is the sq. footage? Wood – 2400 sq. ft. for the two-family. Flanders – The main house? Bamford – Around 4,000 sq. ft. Flanders – Bill, is there a limit to sq. footage? Edney – No. Clark - This appears to be the building of a second house. What is connecting the two? Wood – A closed breezeway with fire stops. Clark – Bill, this to you is a two-family dwelling? Edney - Yes
Hearing closed at 7:10 PM

Case #: ZO2008-00002 Map Lot: U06-142 Location: 8 MILL ST THE SHOPS AT MEREDITH PLACE LLC: (REP. RUSTY BERTHOLET)

Request a **SPECIAL EXCEPTION** for a Multi-Family. (ARTICLE V - SECTION D -7 A 6)

Case #: ZO2008-00003 Map Lot: U06-142 Location: 8 MILL ST THE SHOPS AT MEREDITH PLACE LLC:

Request a **SPECIAL EXCEPTION** for off street parking within the front setback. (ARTICLE VIII- SECTION DEFINITIONS)

Bertholet –This will be the second phase that is in front of you. There is an existing house there that will be taken down. There will be three commercial units on the bottom floor and three apartment units up top. This would be going from a two-family to a three-family. These exist all around this area. (Passed pictures to the Board) Clark – This has this been through the Planning Board? Bertholet – This has all been approved. Clark – Lot coverage allowed? Edney - 65%. Clark- What are you at? Bertholet – 65%
Hearing closed at 7:20PM.

Case #: ZO2008-00004 Map Lot: U19-31 Location: 41 PINNACLE PARK RD JOSEPH & KATHERINE GOSSELIN: (REP. CARL JOHNSON)

Request a **VARIANCE (AREA)** for new Single-Family dwelling with a front setback of 32.4', 65' required. (ARTICLE V- SECTION D- 4 B)

Johnson – This property is in the Shoreline District. It is southwest of the Meredith Pinnacle Park beach. (Pointed to existing conditions plan) The lot is 85' on one side, over 100' on the other, and 100' wide. This lot was two lots at one time. The existing lot coverage is 32.7%. The encroachment from the deck is 32.4' from the lake. The closest point of the house to the lake is 39'. The existing dwelling is non-conforming on the sides, from the road and from the front setback. They have a buildable area of 416 sq. ft. It would be difficult to build a structure that one would consider a livable home. We have a new septic system design for three bedrooms. We have State approval for this project. We are proposing to have a house that is more conforming than the existing house. We have placed the foundation and all the other improvements that are associated with the building such that we are now conforming with the side setbacks and with the setback to the road. We have reduced the impervious lot coverage to 27.7% which is conforming. The garage has been incorporated into the house. The elevation sketches are in your packet. The basement level is 1289 sq. ft. but only 602 sq. ft. when you discount the garage. The first floor is 1550 sq. ft. and the second is 536 sq. ft. The total is 3382 sq. ft. but 2696 sq. ft. without the garage. (Showed pictures of the property and surrounding ones) This is characteristic of the other homes in the area. The proposed plan submitted shows all the elements that we included in the application both to the Town and the State. I think the nature and intent of the ordinance is for properties to be responsibly developed. We spent a lot of time in the design process, not only the visual but the treatment of the water. The lot slopes from the road to the lake. Instead of paving the driveway they will use Techo-Bloc. They are stone pavers with sand swept into the joints that allow water to be drained through into the ground. They will also be using grassy pavers. It is a plastic honeycomb structure that the grass is planted in. It greatly reduces the chance of erosion. The variance request criteria:

1. The proposed use would not diminish surrounding property values because:

It is very much in keeping with the nature of the neighborhood.

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

It would allow the improvement of the existing lot by constructing a new single-family home.

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

Special conditions of the property make an area variance necessary in order

to allow the development as designed:

The same benefit cannot be achieved by some other reasonably feasible method that would not impose an undue financial burden because:

There is no other area on this lot where a reasonably sized single family home can be built without the same request for relief.

4. Granting the variance would do substantial justice because:

It would allow the upgrade of a property to current codes and conditions without detriment to the surrounding properties.

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

The ordinance allows relief to previously existing, non-conforming lots of record if it can be demonstrated that the development is in keeping with the existing character of the neighborhood and that it will not result in diminished property values. Any questions? Thorpe – Will there be a new well? Johnson – The existing well will be used. Hearing closed at 8:00 PM.

DELIBERATIONS

Case #: ZO2008-00001 MAP LOT: S06-2 LOCATION: 286 MEREDITH NECK RD- DOLORES BAMFORD:

Clark – I went by this property today and it appears the house is well kept and there are no properties nearby that would be bothered by this. Flanders – I think it is somewhat unusual for a two-family but it meets the requirements. Dever – It does meet the definition.

Pelczar moved, Flanders seconded, In Case #: ZO2008-00001 MAP LOT: S06-2 LOCATION: 286 MEREDITH NECK RD- DOLORES BAMFORD, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION FOR A TWO-FAMILY DWELLING BE GRANTED , AS IT MEETS THE CRITERIA FOR A SPECIAL EXCEPTION . VOTED 5-0 IN FAVOR.

Case #: ZO2008-00002 MAP LOT: U06-142 LOCATION: 8 MILL ST- THE SHOPS AT MEREDITH PLACE LLC.

Clark- This seems to be another case where this is permitted in the district with a special exception. They meet the criteria. This will not distract from that area.

Clark moved, Pelczar seconded, In Case #: ZO2008-00002 MAP LOT: U06-142 LOCATION: 8 MILL ST- THE SHOPS AT MEREDITH PLACE LLC, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION FOR A MULTI-FAMILY BE GRANTED, AS IT MEETS THE REQUIREMENTS FOR A SPECIAL EXCEPTION. VOTED 5-0 IN FAVOR.

Case #: ZO2008-00003 MAP LOT: U06-142 LOCATION: 8 MILL ST- THE SHOPS AT MEREDITH PLACE LLC:

Dever- This does have Site Plan approval.

Clark moved, Thorpe seconded, In Case #: ZO2008-00003 MAP LOT: U06-142 LOCATION: 8 MILL ST- THE SHOPS AT MEREDITH PLACE LLC, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION FOR OFF-STREET PARKING WITHIN THE FRONT SETBACK BE GRANTED, AS IT MEETS THE REQUIREMENTS FOR A SPECIAL EXCEPTION. VOTED 5-0 IN FAVOR.

CASE #: ZO2008-00004 MAP LOT: U19-31 LOCATION: 41 PINNACLE PARK RD - JOSEPH & KATHERINE GOSSELIN:

Clark - Without saying that I would vote against this, I want to express some concerns as to whether or not this meets the spirit of the Zoning Ordinance. We have a Zoning Ordinance that tries to protect the lake and the view by requiring a 65' setback. The setback is going to be no closer than the existing property and that stands in favor of it. However, I visited the property and it is a very modest structure and we are now going to end up with a much larger structure and the view from the water will be much more visible. This might not be in accordance with the spirit of the Zoning Ordinance. I'd be interested in any comments from the Board. Dever – From the presentation that was made there would be :

- a. No diminution in value of surrounding properties would be suffered. Does everyone agree with that? Board - Yes
- b. Granting the permit will not be contrary to the public interest. Agree? Board- Yes
- c. Denial of the permit would result in unnecessary hardship to the owner seeking it. Clark – I would agree that there are special exceptions on the property that provide a hardship that requires some encroachment. Dever – You have problems with the spirit and intent. Clark – Yes. Do we all agree on this? Board – Yes.
- d. Granting the permit, substantial justice would be done. Agree? - Board - Yes
- e. The use must not be contrary to the spirit of the ordinance. Clark – It is my intention not to vote against the motion, at this time, based on that factor. All agree? Someone like to make a motion?

Flanders moved, Clark seconded, In CASE #: ZO2008-00004 MAP LOT: U19-31 LOCATION: 41 PINNACLE PARK RD - JOSEPH & KATHERINE GOSSELIN, I MOVE THE VARIANCE (AREA) FOR A NEW SINGLE-FAMILY DWELLING WITH A FRONT SETBACK OF 32.4', 65' REQUIRED BE GRANTED, AS THEY HAVE MADE A GOOD INTENT TO MINIMIZE ANY ENCROACHMENTS THAT THEY MIGHT MAKE ON THEIR NEIGHBORS OR SHOREFRONT AND HAVE MET THE OTHER CRITERIA FOR A VARIANCE. VOTED 5-0 IN FAVOR.

Meeting adjourned at 8:30 PM

Respectfully submitted,

Christine Tivnan
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on _____, 2008.

Jack Dever, Chairman