

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

Thorpe moved, Flanders seconded, THAT WE APPROVE THE MINUTES OF AUGUST 12, 2010 AS AMENDED. Voted unanimously.

### PUBLIC HEARING

**2919: KAREN PARSHLEY, MICHAEL & SANDRA CREONTE:** An appeal for a VARIANCE (ARTICLE V, SECTION D-4B) to replace an existing mobile home with a new mobile home, with side setbacks of 15', 20 required, Tax Map U01, Lot No. 1-36, located at 24 Westbury Rd. in the Shoreline District.

William Creonte Jr. – I live at 26 Westbury Rd. This application is for my son, daughter-in-law, and daughter-in-laws mother. In 1969 we purchased our first lot in Meredith. In 1968, the Parshley families also purchased a home on Annton Rd. Karen Parshley is the daughter-in-law. In 1983, I purchased a home at 26 Westbury Rd. with an older mobile home on it. I came in front of this Board to purchase a larger one and I was lucky enough to have that granted. We love Meredith and as you can see, we have been here a long time. Michael, Sandy and Karen purchased a home at 24 Westbury Rd. It is a very old, small uninhabitable mobile home. When it was purchased, it was thought that maybe we could fix it up for a year or two and summer in it this year and next year. Upon going inside, it was decided this could not be lived in. The mobile home they would like to purchase is 66' x 27'. We are asking for relief of 5' on each side. We are improving on one side from 7' to 15'. I believe the rear is 60' and the front is 35'. We do have a letter from our neighbors in support of this application. Thorpe – Did you consider altering the location of the home on your lot so you would not need any variances at all? Creonte – We did think of changing the orientation of it on the lot. Creonte – I don't believe it would fit any other way. If you go down Westbury Rd. you will see most of them are put horizontally across. I believe since I have been here, there is maybe nine mobile homes that have been taken off and have come in front of this Board for relief. I don't think it would fit in with the character of the neighborhood. Flanders - Do we have anything that shows where the current trailer is? Does it show the current setbacks? Creonte – We would like to place the front of the new home in the exact spot the old one is. The side to the west is 7' off the property now and we are moving it to 15'. The home is 12' in depth, where the new one is 27'. Flanders - If I understand you correctly, you are going on one side from 7' to 15' and asking for 5' of relief on the other side. William M. Creonte – I have been here almost 40 years. I have seen the changes in the neighborhood. I know my grandson will fix this up to a higher standard than it is now. I am in favor of the application. Thorpe – I think the question about what are the existing setbacks of the existing structure may be important. Is there a way we can get those clarified? Creonte – We do have a plot plan we can get to you. Thorpe – Let me ask again the question that Brian asked. So, on the left side of the lot you are

improving the existing setback and on the other side are you improving or not improving the setback. Creonte – Not improving. Hearing closed at 7:15PM.

**2920: JOHN & MONICA EDGAR:** An appeal for a SPECIAL EXCEPTION (ARTICLE V, SECTION D-9) to construct a 2-car garage addition within 72'8" of a designated wetland, 100' required, Tax Map U03, Lot. No. 26A, located at 80 Waukewan Street in the Residential District.

John Edgar – My wife and I purchased this property in the early 90's and built the house in 1998. The property is in the residential district and a shade over 1 acre. Adjacent to our lot is Reservoir Brook, which has been surveyed. In conjunction with the brook is an adjacent wetland. It is designated wetland #25. The wetland has been delineated by a wetland scientist. With me is Nancy Rendall who will speak to the criteria later. Also surveyed was frontage of Lake Waukewan. We are proposing to construct a two-car garage addition with a bedroom above. There are no setback issues or variance issues. It is a wetland buffer special exception. A portion of the addition would be inside the buffer. The property is on town sewer with a private well and accessed via a common driveway. There would be a new driveway established off the common driveway to access the garage. With respect to the general criteria in the ordinance, our view is we are proposing a two-car garage addition to an existing residence. The existing single-family residential use will not change. We have taken care to design the addition so it blends with the existing structure and be of similar scale to other residences in the neighborhood. We feel this will not be detrimental to the character of the surrounding area nor will it interfere with anyone's enjoyment of the neighborhood. This is a fairly limited nature proposal and will not result in any use that is noxious or offensive. We feel the addition will not cause injury to the neighborhood. The household size will not change as a result of the proposal. There will be no undue traffic congestion or hazards created by this proposal. The project will not create undue risk of life and property. Nancy Rendall - I am a Certified Wetland Scientist and a Certified Soil Scientist with approximately 27 yrs. of experience. A field investigation was performed in May of 2008. The parcel was reviewed for wetlands. There are no wetlands on the Edgar property. Reservoir Brook and wetlands associated with the brook are located adjacent to the westerly lot line of the parcel. The hydrology in this wetland is seasonally flooded. The elevation of the brook is a couple of feet below the elevation of most of the wetlands. The soils are mostly poorly drained. There is a steep slope. There is a site plan in the report. It shows an existing tree line. The proposed addition is completely within the area that is not forested at all. There was a complete assessment of the functions and values for the wetland. This wetland is considered to be of low importance. It's a small 4 acre wetland. Its primary function is flood storage during heavy rainfall. (Pointed to the plan showing the closest corner of the proposed garage to the wetland buffer) Edgar – With respect to the Wetland Ordinance Special Exception criteria, one of the criteria asks to look at reasonable alternatives. As Nancy indicated, we started this back in 08-09. One alternative was to locate it on the west side with the

gable end and doors facing the lake. This would be preferred from a building perspective as the roof runoff would be directed away from the driveway and garage door area. In order to accomplish this however; and given the existing roofline, additional building would be necessary having the effect of pushing more development further into the setback. Another was a free standing structure. This alternative would have similar or greater buffer impacts, would be closer to the lake, would obstruct the view of the lake, and would lack practicality given its physical separation from the main structure. On the back of the property we are butted up against the rear setback. That would need a variance. A garage addition connected to the east side of the residence and to meet setbacks would be limited to 15' in depth. Although this wouldn't be our first choice, the preferred alternative was to tuck the addition right up to the building. We will be installing low-impact development features to try to get water back into the ground to slow it down so there is no impact to the flooding issue down stream. This will be nailed down when we get to the detailed grading plan. We will be doing some additional plantings around the edge of the woodland buffer. There are no direct impacts to the buffer or the wetlands. Rendall - The total area of proposed improvements within the 100' protective buffer of the wetlands is 2,149 sq. ft. There aren't any direct impacts to the brook, wetland or to the existing forested buffer. A silt fence will be installed down slope of disturbed areas to capture potential sediment. Disturbed areas will be loamed and seeded to establish a vegetative cover. To enhance the existing tree line, there will be an addition of shrub plantings.

#### **SUMMARY OF PROJECT WITH RESPECT TO THE ZBA SPECIAL EXCEPTION CRITERIA:**

1. The proposed addition of a garage to the Edgar residence is consistent with Section C (Purpose and Intent) of the Water Resources Conservation Overlay District as it has been designed to preserve the ability of wetlands and areas adjacent to wetlands and streams with respect to water quality treatment, filtering of pollutants, trapping of sediments and retention of chemicals and nutrients. The proposed project will not result in increased levels of chemicals and/or nutrients and measures have been incorporated into the design to prevent any sediment from entering the adjacent wetland and/or Reservoir Brook. There are no endangered species habitats present. The existing tree line will not be disturbed and thus will not change the buffer and how it functions to protect water quality or to provide wildlife habitat. The aesthetics of the wetland buffer will not change and will be enhanced by shrub plantings along the tree line.
2. John explained the alternatives that were considered for the design of the proposed garage addition. The selected alternative best meets the needs of the project while also avoiding any changes to the existing increase in surface water runoff due to an increase in the impermeable surface area (garage roof and paved driveway) will be mitigated by the installation of Low Impact Development measures as described by John and me.
3. Impacts to downstream properties and natural resources have been considered. There should not be any impact to downstream properties.

Edgar – I believe you have a letter from the Conservation Commission and they have no objection to the proposal. Dever – Any questions? Hearing closed at 7:45 PM

**2921: TERRY GRAHAM, DOCKS UNLIMITED:** An appeal for a VARIANCE (ARTICLE V SECTION D-6B) to allow display areas within the front setback, 50' required and within the north side setback, 10' required, Tax Map S19-9, Lot No. 9, located at 45 Daniel Webster Highway in the Commercial-Rte. 3 South District.

Dever- We have a letter from the applicant. I will read this into the record.

Meredith Zoning Board  
 Attn: Bill Edny, Code Enforcement 41 Main Street  
 Meredith, NH 03253

Sept. 9, 2010

RE: Docks Unlimited, Route 3 South, (Terrance Graham) Dear  
 Board Members,

Due to additional need for consideration of use allowances, Mr. Graham wishes to postpone his request for a variance to allow display areas within the setback until the next regular meeting of the zoning board so that all requests can be heard individually but simultaneously and not appear piecemeal over a period of time.

Mr. Graham has met with Mr. Edney and corresponded with him and they both agree that to combine the hearings would be a better approach. Thank you for your consideration.

CONTINUED TO OCTOBER 14, 2010.

#### DELIBERATION

**2919: KAREN PARSHLEY, MICHAEL & SANDRA CREONTE:**

Thorpe –There really is no significant change. They are becoming more conforming on one side and less conforming on the other. A net change of zero, but what is the hardship? Dever – The hardship is the lots are small. If they turned the home around, it would look silly and not be in character with the neighborhood. Pelczar – I agree. Dever - Let's go down the list.

1. Granting the variance would not diminish the values of surrounding properties: It would not. It would enhance the property compared to what is there now.
2. Granting the variance would not be contrary to the public interest. It would not be contrary. It is in the public interest.
3. Granting the variance would do substantial justice. Yes, it would. It would allow them to replace on old home with a new one.

4. Granting the variance would observe the spirit of the ordinance .Yes, it would.
5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. All agreed it would. The lot is small.

Pelczar moved, Thorpe seconded, IN CASE # 2919, KAREN PARSHLEY, MICHAEL & SANDRA CREONTE, I MOVE THE APPEAL FOR A VARIANCE (ARTICLE V, SECTION D-4B) TO REPLACE AN EXISTING MOBILE HOME WITH A NEW MOBILE HOME, WITH SIDE SETBACKS OF 15', 20' REQUIRED BE GRANTED, AS IT MEETS THE CRITERIA FOR A VARIANCE. Voted 4-0 in favor.

**2920: JOHN & MONICA EDGAR:**

Thorpe – This application was well put together. John hired pros to do this job. He looked at alternatives. Everything he did was first class.

Thorpe moved, Flanders seconded, IN CASE # 2929, JOHN & MONICA EDGAR, I MOVE THE APPEAL FOR THE SPECIAL EXCEPTION (ARTICLE V, SECTION D-9) TO CONSTRUCT A 2-CAR GARAGE ADDITION WITHIN 72'8" OF A DESIGNATED WETLAND, 100' REQUIRED, TAX MAP U03, LOT.NO. 26A, LOCATED AT 80 WAUKEWAN STREET IN THE RESIDENTIAL DISTRICT BE GRANTED, AS IT MEETS THE CRITERIA FOR A SPECIAL EXCEPTION. Voted 4-0 in favor.

Meeting adjourned at 8:15 PM

Respectfully submitted,

Christine Tivnan  
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on October 14, 2010.

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Jack Dever-Chairman