

PRESENT: Dever, Chairman; Pelczar, Vice-Chairman, Flanders, Thorpe, Clark, Reichlen, Goodheart, Tivnan, Clerk

Clark moved, Thorpe seconded, THAT WE APPROVE THE MINUTES OF OCTOBER 14, 2010. Voted unanimously.

PUBLIC HEARING

2927: NEW ENGLAND HERITAGE PROPERTIES C/O STONEHAM SAVINGS BANK:

An appeal for a SPECIAL EXCEPTION (ARTICLE V, SECTION D-9 G4a) for the undertaking of a use not otherwise permitted in the protective buffer, Tax Map U37, Lot No.21, located at 88 Powers Road in the Shoreline District.

Dever – Chris, for the record, would you please read this letter.

November 10, 2010

To Members of the Meredith Zoning Board of Adjustment:

Reference is made to an application for a Special Exception made by New England Heritage Properties regarding a proposed 4 lot subdivision of property located at 88 Powers Road (the "Kattar property"). The applicant comes before your Board tonight to seek permission for a wetlands crossing, in order to locate a footpath to provide access to the lake front for the owners of Lot 2.

I am writing on behalf of the Clapp-Humphrey Family Meredith Trust (the "Trust"). The Trust owns property at 45 Little Road, which directly abuts the Kattar property at 88 Powers Road. The Clapp and Humphrey family has owned and lived at 45 Little Road since 1945.

The Trust is very concerned about the impact this proposed subdivision will have on the wetlands and the affect it will have on the lake quality and shoreline wildlife. We are also concerned about the potential adverse impact it will have on the habitat of wildlife living on Meredith Neck, Bear Island and Pine Island. Every year we observe a lot of animal "traffic" between Pine Island and the Kattar property. Given the number of animals we see each summer, we suspect that animals from Bear Island also use the Pine Island - Kattar property pathway to get access to the mainland as well.

Please be advised that the Trust does not object to the proposed wetlands crossing for a footpath (raised or otherwise) so that Lot 2, and Lot 2 only, has pedestrian access to the lake. We would, however, object to any wider or more disruptive path than is currently proposed, and would object to any use of such path for access to the Lake for anyone other than the residents of Lot 2 and their guests.

Thank you for your consideration in this matter.

Sincerely,

Clapp-Humphrey Family Meredith Trust George P.

Humphrey, Trustee

Cc: Ginny Humphrey Rueter

Attorney Carolyn Baldwin

Angela Webster (Advanced Land Surveying Consultants) – This application is to address the buffer issues that weren't addressed at the prior meeting. There are three specific locations. The first being the access for the footpath on lot #2, second to access a driveway on lot #2 and the third is a buffer impact for a driveway for lot#3. In addressing the purpose and intent. This will not affect the safety and welfare of the community. There is no degradation of the surface or groundwater. It will not cause significant change to the wetland. It will not contribute to the destruction of the habitat. It will enhance the integrity and recreational values of the area. It will not adversely affect the fish and wildlife. Dever – It was nice that you read the list. Do you have anymore information? Webster – In picking the locations we tried to impact the least amount of wetlands. To get over the wetlands at the smallest area the buffers were affected. Thorpe- At the last meeting we approved wetland crossings but failed to address the buffers? Is that right? Dever – Correct. Thorpe – Are we led to believe if you pick the most advantageous wetland crossing areas the buffer impact is minimal as well? Or could the wetland crossings have been selected differently to minimize the buffer impact? Webster – We picked the areas that impact the wetlands the least. Clark – It sounds like they assumed that the minimal impact to the wetlands would also result in a minimum impact to the buffers or maybe they figured that minimizing the impact to the wetlands is more important than minimizing the impacts to the buffers. Do you know which it was? It sounds like you went with the assumption; if you minimize the wetlands you probably will minimize the buffer impact. Webster – Right. Thorpe – I'm interested in the letter that Chris read. Is there anything being proposed here that is contrary to the letter? Dever – No. Flanders – They said they weren't against the proposal but they just wanted that one lot to have access with the footpath. Clark – The way I understand the letter is, this is ok just don't let it get any worse. I believe at the last meeting we approved a wetland crossing for a raised walkway. Looking at this plan I see a wetland crossing at the entrance of Powers Road and one for water access. I am wondering which one of those has the raised walkway. Webster – The raised walkway is for footpath traffic to the lake from a house site and the other is for a driveway with culverts. Dever – So the footpath is going to be for lot #2 only? Webster – That is what Carl was talking to the Planning Board about. Hearing closed at 7:15PM.

DELIBERATION

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Clark – We talked about this in a fair amount of detail at the last meeting. I feel they meet the criteria for a Special Exception.

Thorpe moved, Clark seconded, IN CASE # 2927, NEW ENGLAND HERITAGE PROPERTIES C/O STONEHAM SAVINGS BANK, I MOVE THE APPEAL FOR a SPECIAL EXCEPTION (ARTICLE V, SECTION D-9 G4a) FOR THE UNDERTAKING OF A USE NOT OTHERWISE PERMITTED IN THE PROTECTIVE BUFFER, TAX MAP U37, LOT NO.21, LOCATED AT 88 POWERS ROAD IN THE SHORELINE DISTRICT BE GRANTED AS IT MEETS THE CRITERIA FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

Meeting adjourned at 7:00 PM

Respectfully submitted,

Christine Tivnan
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on December 9, 2010.

Jack Dever - Chairman