

PRESENT: Mack, Chairman; Hawkins, Dever, Joslin, Moyer, Edney, Tivnan, Clerk

John Moyer moved, Jan Joslin seconded, THAT WE APPROVE THE MINUTES OF MARCH 10, 2005.

PUBLIC HEARING

2671. **CHRIS WELLS FOR TOWNSEND THORNDIKE:** An appeal for a SPECIAL EXCEPTION to allow the repair and maintenance of commercial and company light duty vehicles, Tax Map S25, Lot 10A, located at 3 Winona Road in the Business Industry District.

Just this past week, the Planning Board agreed that parking was adequate. In the Town ordinance, commercial light truck repair is accepted in this location. The bays are facing away from the street so there will be no visual impact. Mack- They are allocating four parking places for your area? Wells-Yes. I will have two bays and all the storage will be inside. This will be for light trucks. Mack-You realize the Planning Board's conditional approval allows for no outside storage of vehicles or equipment. Dever-The ordinance allows for equipment and truck repair, but you say there will be no equipment just primarily light duty trucks? Wells- Yes, I am sure there will be some equipment. It will be primarily contractor's vehicles. Not heavy equipment. Dever-What I am trying to say is, this is why this use is approved, for heavy equipment, not an automotive repair facility. Wells-Correct. This is not automotive; it is trucks. Dever- You just said it wasn't. Wells-It is not tractor-trailer size. Dever-You have contractors? Wells- Yes. I have a list. Dever-Can we see it? Wells-Sure. Dever-My concern is not to have an auto-repair. You have four parking spaces with no outside parking. How many employees? Wells- Just myself for now. Dever-What do you do when a guy brings a car to you and you do \$800.00 worth of work and when he comes to pick up the car, he doesn't have the money. Do you then say to him that he can't get the car till he pays? Wells-The car goes back inside for storage. Dever-I have run into this before. What do you do when 10 people haven't paid you? Where are the 10 cars going to go? They all can't go inside. Wells-You'd be surprised. I have 9 vehicles in half of one bay now. I can actually hold 16 vehicles in the second bay. Dever-So you don't think this will become a problem? Wells - No, I don't. There are lifts, where you can stack them. Dever-You understand, if you do have this problem, you will be out of business. Wells-I can put a mechanics lien on the vehicle. Dever-How long does that take? Wells-Fortunately, I haven't had to do that. Dever-You understand that if you violate any of these conditions, your certificate of occupancy will be revoked. You're going into this with your eyes wide open? Wells- Absolutely. Lowth - I am an abutter. I would like to know where are the four parking spots designated? Mack-They are not marked on the plan. Can you come up and identify them? Wells - They are in the front.

Lowth – I just want to make sure that the plan does not allow 5 minutes of parking in front of the building on the driveway side. Mack- The Planning Board has required them to post “No Parking” signs on the side that you are talking about. That is a planning issue, not a zoning issue. Hearing closed at 7:24 PM

2672. **ASSOCIATED SURVEYORS FOR HART'S RESTAURANT: (Rep. Carl Johnson)** An appeal for a SPECIAL EXCEPTION to allow construction of a parking area within 50' of a non-designated wetland, Tax Map U02, Lot No. 27, located at 233 Daniel Webster Highway in the Central Business District.

This project is part two of a three-phase modification project to their parking. First phase was accomplished last year and did involve an application to the Zoning Board. They went to the Planning Board to construct additional parking in back of the restaurant and a drive down that connects the upper and lower part. This proved to be very useful during motorcycle week. What we are proposing tonight is a very small employee parking area with 11 spaces. Phase three is to enhance the parking to the southwest of the building. They hope to create some landscape islands, plant some trees and not have an overall pavement look. The wetland in question is a very flat, slow moving drainage of sorts. It is so spread out because it's gently sloped and flat. The parking lot itself is under 4000 sq. ft. Paul Fluet is going to provide the Planning Board with some drainage calculations. The 50' setback is the more restrictive setback in this particular case. We believe this meets the criteria for a Special Exception. Wildlife habitat in this area is very low. Conservation Commission is in favor. There are no negative comments. In terms of alternatives, you can see parking already goes around the perimeter of the property. The main reason that it is being proposed here is the functionality of the employee parking and the proximity to the restaurant. Dever- Paul Fluet is doing some further engineering? Johnson – Yes. There are some conditions to the Planning Boards conditional approval. One is that Paul Fluet is under contract to do a drainage & grading analysis. Hearing closed at 7:30PM

2673. **WAYNE BREDVIK FOR JOHN WADE:** An appeal for a SPECIAL EXCEPTION to replace an existing single-family residence with a new residence within the same footprint, Tax Map No. U30, Lot No. 27, located at 33 Loch Eden Shores in the Shoreline District.

The owner desires to demolish existing house (24' x 32') and replace it with a new log home with a footprint of (28' x 32'). Actual increase in width of footprint is 4' plus a 5' wide open porch, 22' long. Total increase is 617 sq. ft. The rear of the existing house is 50' from Lake Winnepesaukee, both to the east and to the west. We have received a variance to install a new septic system. We have State

approval for the septic system and to replace and modify the existing non-conforming house. We believe we meet the requirements for a special exception because the existing footprint will not encroach beyond the pre-existing encroachment lines. Mack – You are saying it is 28' x 32'? Bredvick – Yes. The new deck to the north will be 12' x 8'. Mack – What I am trying to say is, what if you took the shorter dimension and turned the house 90 degrees so it would cut a little further from the lake? Was there a reason for not doing that? Bredvick - We did study that and if we turned it 90 degrees, it would shed half the water from the roof onto the leaching field. By having the ridge point to the lake, we are having the water shed north and south. Hearing closed at 7:45PM

2674. **CHRISTOPHER WILLIAMS ARCHITECTS FOR ROBERT AND CATHY MERWIN: (Rep. Ken Tatro)** An appeal for a SPECIAL EXCEPTION to expand a non-conforming structure by more than 400 sq. ft., Tax Map U03, Lot No. 28, located at 64 Waukegan Street in the Residential District.

The proposed addition exceeds the 400 sq. ft. allotted for a non-conforming structure. The orange on the plan represents the existing. The blue is the expansion. There will be a two-car garage on the proposed lower level, with a master bedroom suite above. We will also be expanding the porch. The total existing dwelling is 2724 sq. ft. The proposed new area is 1183 sq. ft. The existing height is 21'2" and that will stay the same. John Moyer stepped out-continued with a four member Board. Mack – Is there a concern with lot coverage? Edney – No. Hearing closed at 7:50PM

2675. **DEREK MAKSY & RICHARD KELLY FOR ROBERTS RECREATIONAL REALTY LLC: (Rep. Harry Wood)** An appeal for a VARIANCE to create a non-conforming buildable lot with Municipal Sewer & Water, 10,951sq. ft. in size, 40,000 sq. ft. required, 65.55' lake frontage, 150' required, 6' and 10' side setbacks, 20' required, 83.33' average width, 150' average width required, 39' front setback, 65' required, Tax Map U17, Lot No. 15, located at 95 Pleasant Street in the Shoreline District.

2676. **DEREK MAKSY & RICHARD KELLY FOR ROBERTS RECREATIONAL REALTY LLC: (Rep. Harry Wood)** An appeal for a VARIANCE to create a non-conforming buildable lot with Municipal Sewer & Water, 7,313 sq. ft. in size, 40,000 sq. ft. required, 65.56' lake frontage, 150' required, 3' and 10' side setbacks, 20' required 50.31' average width, 150' average width required, 14' front setback, 65' required, 33% lot coverage, 30% allowed, Tax Map U17, Lot No. 15, located at 95 Pleasant Street in the Shoreline District.

John Moyer returned to the Board.

Wood- First I want to apologize for having to return to the Board. You reviewed this over a month ago; you granted substantially what we are applying for tonight, with a couple of minor changes. When we first computed the lot acreage, I indicated Lot 1 to be 10,000 sq. ft minimum. It is actually 10,951 sq. ft. The other thing was that originally the direct course of distance on the shoreline was 132.76 ft. That is between the two pins. When I did the shore frontage originally, I divided that in half. In reality, the two lots are tilted. So the end result is instead of being 66'3", the actual figure is 65' 5". Lot 1 is currently 49.5% lot coverage and will be 30% after the improvements. Lot 2 is 57% lot coverage and that will be at 33% the way it currently is structured. The applicant intends to re-construct this dwelling at a future date. They intend to move the back of the building to the 30' setback line. That will greatly reduce the coverage at that time because they will be moving onto pavement instead of grass. Lot 2 dropped from 8,480 sq. ft. to 7,313 sq. ft. Everything else remains the same in concept. We have conditional approval from the Planning Board. Hearing closed at 8:05 PM

DELIBERATIVE SESSION

2671. CHRIS WELLS FOR TOWNSEND THORNDIKE:

Dever – When you say the reason for location is “ population of Meredith increasing and services to support said Business/Commercial population is necessary. Lack of commercial space forcing this service outside of designated “Commercial District”. I don’t buy that. There are areas where you can still do that. I don’t think that’s a good enough argument. I am very concerned about this. I know what these things turn into. Four parking spaces are not going to hack it for this thing. But that is going to fall under the Code Officer. I don’t think Mr. Wells understands the ramifications of violating these conditions. Mack – I understand where you are coming from, but if he stays within the limitation, we identify the four parking spaces; this will allow more control and easy monitoring.

Hawkins moved, Joslin seconded, IN CASE # 2671, CHRIS WELLS FOR TOWNSEND THORNDIKE, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO ALLOW THE REPAIR AND MAINTENANCE OF COMMERCIAL AND COMPANY LIGHT DUTY VEHICLES, TAX MAP S25, LOT 10A, LOCATED AT 3 WINONA ROAD IN THE BUSINESS INDUSTRY DISTRICT, BE GRANTED, SUBJECT TO THE FOUR PARKING SPACES BEING IDENTIFIED AND DESIGNATED ON THE SITE PLAN AND RETURNED TO THE FILE. Voted 5-0 in favor.

2672. ASSOCIATED SURVEYORS FOR HART'S RESTAURANT:

Dever- Paul is going to get the report to somebody, even with it being handled administratively. Johnson – Yes, the report will go to John. Mack – With it being handled administratively, they are not going back to the Planning Board. Hawkins – It is still being covered, even though it's not in the normal format.

Hawkins moved, Moyer seconded, IN CASE # 2672, ASSOCIATED SURVEYORS FOR HART'S RESTAURANT, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO ALLOW CONSTRUCTION OF A PARKING AREA WITHIN 50' OF A NON-DESIGNATED WETLAND, BE APPROVED, AS IT MEETS THE CRITERIA FOR THE SPECIAL EXCEPTION AND IF THERE ARE ANY CHANGES REQUIRED, DUE TO THE DRAINAGE CALCULATIONS BEING HANDLED ADMINISTRATIVELY TO THE PLAN, THEY WOULD HAVE TO COME BACK FOR APPROVAL. Voted 5-0 in favor.

2673. WAYNE BREDVIK FOR JOHN WADE:

Dever – I think the reasons for not turning the house are valid. Mack – Just wanted to make sure, for the record, that another alternative was explored. What would happen to the septic system far out weighs the fact of getting the house another 4' away from the lake. We have the dimensions of the house that we are going by and I now see a little note that says 2' overhangs on the house. These dimensions include the 2' overhang to the house? You're not adding 2' to every dimension? Bredvick – That is what we would like to have. Mack – But all the dimensions that we are working with include the 2' overhangs. Bredvick – No, those are the foundation dimensions. Dever – So in fact, you are going to be further into the setback than indicated? Bredvick – I looked in the ordinance and did not see anything about overhangs. Mack – The ordinance requires overhangs be included in the dimension of the house. Dever – It says structure, right? The ordinance says, the structure has to be X amount of feet from the setback. Not the foundation, the structure. Bredvick – The existing structure has overhangs also. Dever – They are going to have to come back with the exact dimensions of the structure. It can be continued with no re-notification of abutters.

Dever moved, Hawkins seconded, IN CASE # 2673, WAYNE BREDVIK FOR JOHN WADE, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO REPLACE AN EXISTING SINGLE-FAMILY RESIDENCE WITH A NEW RESIDENCE WITHIN THE SAME FOOTPRINT, TAX MAP NO. U30, LOT NO. 27, LOCATED AT 33 LOCH EDEN SHORES IN THE SHORELINE DISTRICT, BE CONTINUED TO MAY 12, 2005 WITH NO RE-NOTIFICATION OF ABUTTERS AND PLANS WITH EXACT DIMENSIONS, INCLUDING OVERHANGS. Voted 5-0 in favor.

2674. CHRISTOPHER WILLIAMS ARCHITECTS FOR ROBERT AND CATHY MERWIN:

Dever moved, Moyer seconded, IN CASE # 2674, CHRISTOPHER WILLIAMS ARCHITECTS FOR ROBERT AND CATHY MERWIN, I MOVE THE APPEAL FOR A SPECIAL EXCEPTION TO EXPAND A NON-CONFORMING STRUCTURE BY MORE THAN 400 SQ. FT., TAX MAP U03, LOT NO. 28, LOCATED AT 64 WAUKEWAN STREET IN THE RESIDENTIAL DISTRICT, BE GRANTED, AS IT MEETS THE REQUIREMENTS FOR A SPECIAL EXCEPTION. Voted 5-0 in favor.

2675. DEREK MAKSY & RICHARD KELLY FOR ROBERTS RECREATIONAL REALTY LLC:

Hawkins moved, Dever seconded, IN CASE # 2675, DEREK MAKSY & RICHARD KELLY FOR ROBERTS RECREATIONAL REALTY LLC, I MOVE THE APPEAL FOR A VARIANCE TO CREATE A NON-CONFORMING BUILDABLE LOT WITH MUNICIPAL SEWER AND WATER, 10,951 SQ. FT. IN SIZE, 40,000 SQ. FT. REQUIRED, 65.55' LAKE FRONTAGE, 150' REQUIRED, 6' AND 10' SIDE SETBACKS, 20' REQUIRED, 83.33' AVERAGE WIDTH, 150' AVERAGE WIDTH REQUIRED, 39' FRONT SETBACK, 65' REQUIRED, BE APPROVED, AS IT MEETS THE CRITERIA FOR A VARIANCE. Voted 5-0 in favor.

2676. DEREK MAKSY & RICHARD KELLY FOR ROBERTS RECREATIONAL REALTY LLC:

Hawkins Moved, Joslin seconded, IN CASE # 2676, DEREK MAKSY & RICHARD KELLY FOR ROBERTS RECREATIONAL, I MOVE THE APPEAL FOR A VARIANCE TO CREATE A NON-CONFORMING BUILDABLE LOT WITH MUNICIPAL SEWER AND WATER, 7,313 SQ. FT. IN SIZE, 40,000 SQ. FT. REQUIRED, 65.56' LAKE FRONTAGE, 150' REQUIRED, 3' AND 10' SIDE SETBACKS, 20' REQUIRED, 62.4' STREET FRONTAGE, 50' REQUIRED, 50.31' AVERAGE WIDTH, 150' AVERAGE WIDTH REQUIRED, 14' FRONT SETBACK, 65' REQUIRED, 33% LOT COVERAGE, 30% ALLOWED, BE APPROVED, AS IT MEETS THE CRITERIA FOR A VARIANCE. Voted 5-0 in favor.

Meeting adjourned at 9:00 P.M.

Respectfully submitted,

Christine Tivnan
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on _____, 2005.

John Mack, Chairman