



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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ZONING BOARD OF ADJUSTMENT
MEETING MINUTES

Wednesday, August 22, 2016
6:30 PM

MEMBERS PRESENT: W. Michael Todd, Vahan Sarkisian, Frank Anzalone, Ann Bedard, Katharine Fischer (Alt), and Paul Vance (Alt)

MEMBERS ABSENT: Douglas W. Lyon (Chair), Jerry Coogan, Cheryl Devoe,

STAFF PRESENT: Lucy St. John, Planning and Zoning Administrator

OTHERS PRESENT: Wesley Royce (owner/applicant), Greg Grigsby (Pellettieri Associates), Pete Blakeman (Blakeman Engineer) and Attorney Regina A. Nadaeu

Call to Order: Chair pro tem W. Michael Todd called the meeting to order at 6:31 pm.

Roll Call: Chair Todd called the roll. The five voting members for tonight's meeting are: W. Michael Todd, Vahan Sarkisian, Ann Bedard, Frank Anzalone, and Katharine Fischer.

Approval of Minutes

IT WAS MOVED (Frank Anzalone) AND SECONDED (Ann Bedard) to approve the minutes of July 25, 2016, as circulated with corrections (pg. 5 motion passed 4 to 1). THE MOTION WAS APPROVED UNANIMOUSLY.

Variance Application

- **Royce, Nina and Wesley Variance application. Property located at 1590 Little Sunapee Road. Tax Map 030-019-000. Property zoned Residential (R-2) and located in the Shoreland Overlay District. Variances requested to Article V, Residential District, C. Yard Requirements (C.2). Variance requested to permit construction of a portion of a residential garage within a portion of the side yard setback (required setback 20 ft. minimum, 50 ft. aggregate).**

Wesley Royce presented his application to the Board. Using the maps included with the applications he went over the proposed plan for a new single floor house with a two story garage, 1,500 square feet on first floor, total 2, 200. A single story home is planned for their retirement years and for health reasons.

Board Discussion

- ✓ Proposed plan calls for rear of garage to be 15' from the property line; 30' is the requirement, given the 20' setback on the other side of the lot.
- ✓ Floor plan of the garage and second floor use, square footage, suggest considering pull-down stairs, reducing the length of the garage, and moving the garage forward on the lot.
- ✓ Surrounding lots were discussed.
- ✓ Referred to Driveway Regulations, page 7, setback of 10 feet required.
- ✓ Setbacks were discussed

- ✓ Reasonable alternatives were discussed of moving the garage forward, and slightly changing the angle of the garage relative to the lot lines to avoid having to get a variance.

Mr. Royce asked for a continuance to reconsider the design and location of the house and garage, and hopefully to prepare a plan which won't require a variance.

Motion for a continuance.

IT WAS MOVED (Vahan Sarkisian) AND SECONDED (Frank Anzalone) to continue the meeting and public hearing to Thursday, October 6, 2016 at 6:30 pm. THE MOTION WAS APPROVED UNANIMOUSLY.

Special Exceptions

- **Miller, Philip & Jill (owners/applicants). Special Exception application. Property located at 74 Pike Brook Road. Tax Map 135-011-000. Property zoned Residential (R2) and located in the Shoreland Overlay District (Article XVI) and the Wetland Conservation Overlay District (Article XIII). Special Exception requested for crossing a wetland with a road, and culvert per Article XIII, (E) – Special Exceptions (1) per the special exception criteria of the Board of Adjustment per Article XXI, (G), Special Exceptions (1-3). Plans prepared by Greg Grigsby of Pellettieri Associates and Peter Blakeman, Blakeman Engineering.**
- **Miller, Philip & Jill (owners/applicants). Special Exception application. Property located at 74 Pike Brook Road. Tax Map 135-011-000. Property zoned Residential (R2), also located in the Shoreland Overlay District (Article XVI) and the Wetland Conservation Overlay District (Article XIII). Special Exception requested for site work within the 100' wetlands buffer for road realignment/restoration, utility work and a driveway with approximately 354 square feet of disturbance for utilities and approximately 5,950 sq. ft. of disturbance for road realignment and restoration. Article XIII, (E) – Special Exceptions (1) per the special exception criteria of the Board of Adjustment per Article XXI, (G), Special Exceptions (1-3). Plans prepared by Greg Grigsby of Pellettieri Associates and Peter Blakeman, Blakeman Engineering.**
- **Pike Brook Road Revocable Trust of 2014, Jacqueline M. Hudkins, Trustee (owner) and Philip & Jill Miller (applicants) Special Exception application. Property located at 80 Pike Brook Road. Tax Map 135-010-000. Property zoned Residential (R-2), also located in the Shoreland Overlay District (Article XVI) and the Wetland Conservation Overlay District (Article XIII). Special Exception requested for crossing of a wetland with a road, and culvert per Article XIII, (E) – Special Exceptions (1) per the special exception criteria of the Board of Adjustment per Article XXI, (G), Special Exceptions (1-3). Plans prepared by Greg Grigsby of Pellettieri Associates and Peter Blakeman, Blakeman Engineering.**
- **Carr Land Holdings, LLC (owner) and Philip & Jill Miller (applicants). Special Exception application. Property located on Soo Nipi Park Road. Tax Map 136-007-000. Property zoned Residential (R-2), also located in the Shoreland Overlay District (Article XVI) and the Wetland Conservation Overlay District (Article XIII). Special Exception requested for site work within the 100' wetlands buffer for road realignment/restoration and utility work, with approximately 3,730 square feet of disturbance. Article XIII, (E) – Special Exceptions (1) per the special exception criteria of the Board of Adjustment per Article XXI, (G), Special Exceptions (1-3). Plans prepared by Greg Grigsby of Pellettieri Associates and Peter Blakeman, Blakeman Engineering.**

Greg Grigsby presented the applications on behalf of all three owners (Miller, Carr and Pike Brook Revocable Trust). He provided an overview of the recently completed relocated portion of Pike Brook Road, and the proposed relocation area to be discussed as part of these special exception applications. He noted that Peter Blakeman would address any specific engineering questions. He noted the proximity to the lake, wetlands, the wetland crossing and utility lines (existing and proposed). He noted that the relocation was discussed at both Planning Board and Conservation Commission meetings. The road design issue was discussed with Jay Lyon, Fire Chief and Richard Lee, Public Works Director. He provided an overview of why the special exceptions were needed and justification for the special exception criteria. The reason for the special exceptions application is for the portion of the road within 100 ft. of the mapped wetlands . He made the following points:

- ✓ Explained the conflicts of safety and environmental issues for relocating the road.
- ✓ The road will be further away from the prominent wetlands.
- ✓ Showed where the existing conduits are and where the new conduits would be buried for future burying of the utilities lines.
- ✓ Showed how the new driveway for the Millers would be made along with a small section of the old road used for turning the vehicles around instead of backing out onto the road.
- ✓ Provided details of the restoration plan, describing the planting materials and what the new road would look like.
- ✓ The new drain system was described. An Alternation of Terrain (AOT) permit was developed because the old road does not have a storm water management system.
- ✓ Noted the proposed road crosses the smaller wetland at the narrowest point. The current road is 10 ft. wide and the proposed road would be 14 ft. wide travel way with two ft. of shoulder.
- ✓ Duff layer from where the new road will be constructed will be used to cover the old road.
- ✓ Cuts made for old road would be filled with new material to provide gentle contour.

Board Questions

- ✓ Bridge width and weight capacity for emergency vehicles.
- ✓ Who will be maintaining the rain garden?
- ✓ Soil conditions – will they support the proposed plantings?
- ✓ Who will design the conduit and how long it runs?
- ✓ How is this better for the wetlands?
- ✓ What culverts were in place? What are proposed? Why are the proposed ones better?

Ms. St. John noted for the record the May 2013 Miller application to the ZBA.

Chair entertained a motion to discuss

MOTION WAS MADE (Katharine Fischer) AND SECONDED (Frank Anzalone) to discuss. THE MOTION WAS APPROVED UNANIMOUSLY.

Board Discussion

- ✓ Whether this application is in harmony with the surrounding residential area.
- ✓ Any adverse effect on the environment or neighborhood as a result of the proposed special exceptions.
- ✓ If granted are they compatible with the spirit and intent of the ordinance.
- ✓ Adverse effect on wetlands.

- ✓ Abutters have been notified.
- ✓ Alternative road layouts were discussed and it was demonstrated the proposed layout is the most reasonable
- ✓ Zoning Ordinance page 50, E1 was referenced.

Public Hearing Re-Opened.

Attorney Regina Nadaeu, noted she is representing applicant, Phil Miller. She discussed that a conditional approval would be appropriate subject to State permits. She answered the question, is the condition of getting these state approvals a “condition precedent” to the final approval or “condition subsequent” to the approval. She asked that the applicant have two years from the date of the State approvals in which to utilize the special exceptions. That way if any changes need to be made they can come back within the time period to request them.

Motion

MOTION WAS MADE (Frank Anzalone) AND SECONDED (Ann Bedard) to collectively approve the special exceptions and proceed with the project as shown on the Plans D1 dated 6/2016, D2 dated 6/2016 and RD dated 3/2016 subject to the condition of that all State permits required yet to be opined on are granted, and petitioners have two years from the date the last permit is obtained to complete the project as submitted. Changes to the project resulting from the subsequent permits granted by other agencies require Petitioner to appear before the Board for final approval THE MOTION WAS APPROVED UNANIMOUSLY.

Other Business

There was none.

Motion to Adjourn

IT WAS MOVED (Vahan Sarkisian) AND SECONDED (Frank Anzalone) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

Meeting adjourned at 7:53pm.

Respectfully submitted,

Dianne Richtmyer, Recording Secretary
Town of New London