

Zoning Board of Adjustment
June 16, 2020

Members present: Chris Stafford, John Russo, Walter Baird, Michelle Cooper

Members present remotely: Roger Whitehouse

Others present: Gail Turilli, Dan Anzalone, Carsten Springer, Noel Gordon

Others present remotely: Janet Denison

Chris explained the executive order allowing remote participation. Michelle Cooper was designated a voting member for this meeting.

John made and Walter seconded a **motion to accept the June 2, 2020 minutes as amended**. Michelle abstained. The motion **passed**.

Case 2020-4:

Daniel Anzalone of 148 Emerald Drive, map and lot 4-20-4, is requesting a variance from Zoning Ordinance Article VIII.D.1.A to construct a 40x60 detached garage within the wetland buffer.

The plans were reviewed. These had been previously reviewed by the Conservation Commission (CC). The plans show the proposed garage is 48' into the wetland buffer.

There are two driveway permits: one from the prior owner and one from Mr. Anzalone who added the gravel driveway off Emerald Drive. These were discussed briefly. It did not appear the gravel driveway was shown on the plans and it seems to go over wetlands. Carsten stated there's no way to know this unless a soil scientist determines the location of the wetlands. It is unknown if a wetland crossing would have been required for this driveway.

It was pointed that a surveyor did not draw the plan that was being reviewed by the Board. The CC tabled this discussion during their meeting because it was unknown where the wetlands actually are. This would impact the pitch of the roof and which direction they'd recommend to follow.

Chris suggested a site walk to see what's actually there. Carsten said the CC can conduct a site walk but would need time to notify their members and be sure they had the land owner's permission. Mr. Anzalone said it was ok to have a site walk.

The discussion continued that the garage will be 40x60, detached from the house. Mr. Anzalone said he put in the culvert that's under the garage as he was trying to be proactive.

Carsten stated that "wetlands" means land that is wet and not land that has water on it. The driveway permit for Mr. Anzalone does not state a culvert is needed. It was stated that a more accurate drawing may need to be done, specifically to delineate the wetlands. Mr. Anzalone said he thought his engineer added the wetlands to the drawing but wasn't sure it was on the plans presented to the Board.

The reason the proposed garage will be set back is to allow a turn radius. A two-bay garage is under the house currently. The orientation of the proposed garage was discussed, including the slopes in the area.

Mr. Anzalone asked if the Board wants to see the existing conditions or the proposed changes or both in a new set of plans. Carsten stated that if there are significant changes, they will need to see both, but it appears the area is level.

There will not be a home business involved with the garage. Michelle stated she might understand why a shared driveway was requested if there were wetlands nearby.

There was a short discussion about the subdivision and the duplexes nearby. The long driveway may be leftover from the old trail that went to Rockrimmon. It was agreed that more information is needed and then it can be reviewed if a different orientation of the building can lessen the wetland impact.

There were no further questions. The next date to discuss this was coordinated with the CC. Mr. Anzalone was asked to bring in photographs of the property. Chris made and John seconded a **motion to continue this hearing on July 7th, pending the applicant meets with the Conservation Commission and obtains the appropriate information from an engineer.** The motion **passed** unanimously.

Case 2020-5:

Noel Gordon of 105 Caleb Drive, map and lot 1-51-14, are requesting a variance from Zoning Ordinance article VIII.D.1.a and D.2.a to install an inground pool and shed, both encroaching within the wetland buffer.

The question was asked about moving the shed away from the driveway but it appears this is still in the wetland setback. Swales were not recommended. The area is mostly grass. There will be concrete around the pool. Michelle asked about cleaning the pool and any backwash. Carsten said it appears the contours. He indicated the CC has reviewed the plans. Their June 4, 2020 minutes indicate they are neutral regarding the pool but prefer the shed to be moved closer to the house.

The plans were reviewed. It appears the shed is encroaching further into the wetlands than the pool. The locations and topography were discussed briefly. It appears if the shed is moved, fill would have to be used to make it level or pylons could be used. The base could be crushed stone and the roof pitch can be lessened if it were to be in the wetland buffer. Carsten pointed the issue is the direction it is pitched. Swales could also be incorporated into the landscape.

It was agreed the Board would have a site walk. Mrs. Gordon was asked to mark on the property the locations of the proposed shed and pool. It was agreed to hold a site walk on the 24th at 5:30pm. Chris made and Walter seconded a **motion to continue the hearing on July 7, 2020 at 8:15.** The motion **passed** unanimously.

Mrs. Gordon had questions about how to define wetlands.

Other business:

The information for the upcoming meeting regarding Lot 1 of the Old Meetinghouse Subdivision has not been received by the Board yet. This was supposed to be hand delivered to the town hall already. Chris will call the applicant's attorney to ask when the information will be delivered.

Walter said the applicant said he had a letter from the NHDOT. Walter asked what the DOT engineer was asked and what information was provided to the engineer that resulted in the statements in the letter. Chris suggested seeing what is in the packet that is going to the Board ahead of the meeting.

97 Roger asked if the hearing can be delayed if the information isn't received. Chris said to wait until he
98 speaks with the attorney.
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100 The Rules of Procedure were amended to allow 45 days between receipt of an application and the first
101 public hearing.
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103 Michelle asked that the road agent review plans before issuing driveway permits. A culvert had been
104 installed when that wasn't part of the permit. This may have required a wetland permit.
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106 The upcoming meeting schedule was reviewed.
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108 At 8:45pm, Roger made and Michelle seconded a **motion to adjourn**. The motion **passed** unanimously.
109
110 Respectfully submitted,
111 Janet S. Denison