

Zoning Board of Adjustment
July 25, 2017

Members Present: Scott Lees-Chairman, Craig Niiler-Vice Chairman, Jake Stephan, John Quigley (A), Dennis Anderson (A)

Members Absent: Karl Ogren, John Krebs

Others Present: Janice Zecher-Recording Secretary

Meeting called to order at 7:00pm. Scott introduced the board members to the public, and explained the rules and procedures.

The minutes from June 27, 2017 were reviewed. John Quigley made a motion to accept the minutes as written, seconded by Jake Stephan.

Case #29-30-17(b) Femino Family Trust *Case was continued from the June meeting.*

** John Quigley-Alternate will sit in for John Krebs for this case.

Scott read the facts of the Femino application 29-30-17 (b) for a perched beach and tree cutting. Mark McConkey represented the Feminos and reviewed the new plans with the board. He noted that there was already a hole in the retaining wall and noted that he was able to save 2 trees.

Jake noted that the plan does not meet the required points for tree cutting. The Feminos must apply for a Special Exception to ask for approval for less than the required points.

Mark will withdraw the tree cutting plan only.

The board will review the plan for the perched beach at the August meeting.

There were no abutters present to speak to this plan.

Case #22-76-17 Thomas & Ruth O'Brien

** John Quigley-Alternate will sit in for Karl Ogren for this case.

Applicant seeks variance under Article 3, Section 304.2 rear yard setback and 310.1.5 10% rule to allow the applicant to build a house, porches, garage, retaining wall, septic and well on Deer Run Drive, Map 22, Lot 76

Mark McConkey represented the O'Briens who were not present at the meeting. Mark reviewed the application and noted that the plan meets all setback requirements with the exception of one back wall.

The rear setback shown is 34.6 feet. Scott noted that the homeowner could move the garage forward and meet all setbacks. Mark said they could, but chose not to.

There were no questions from the board, no abutters present at the meeting, and no public comment. Mark commented that there could be seasonal ponding.

Scott asked Mark if he wanted a vote by the board. Mark said yes.

Board members all agreed that there was no hardship and the applicant could move the garage forward and meet all setbacks. Application was denied unanimously.

Case #24-7-1-17 John & Ann Marie Panagiotakos

** John Quigley-Alternate will sit in for John Krebs for this case.

Applicant seeks a variance under Article 3, Section(s) 304.5 setbacks, 310.1.5 10% rule, Article 4, 406 Septic tank or leach field setback, to construct a home with an attached garage less than 50 feet from the front property line, septic system closer than 125 feet from a stream, construct a perched beach at the lakes edge, construct a driveway retaining wall less than 50 feet from the front property line and expand the lot coverage to 16% at Haverhill Street, Map 24, Lot 7-1

Case #24-7-1-17 John & Ann Marie Panagiotakos Applicant seeks a special exception under Article 3, Section(s) 304.6.4.1 erosion control, and 304.6.6 tree cutting to construct a home with an attached garage less than 50 feet from the front property line, septic system closer than 125 feet from a stream, construct a perched beach at the lakes edge, construct a driveway retaining wall less than 50 feet from the front property line and expand the lot coverage to 16% at Haverhill Street, Map 24, Lot 7-1

Mark McConkey represents the Panagiotakos family who were not present at the meeting. Mark reviewed the application with the board and said the applicant wishes to take the boulders that are already lining the lot and use them to make the perched beach and not consider it a structure. The board discussed this and agreed that once a rock is moved, it becomes a structure.

After more discussion, Karl made a motion, seconded by Scott to continue the case, asking for one complete plan that addresses all denials on the Zoning application, shows the true outline of the house with its angles and to come back to 10% lot coverage. The board will not hear the case again until everything is finalized on one plan.

Case # 37-8-17 Kevin and Susan Vater. Case was initially heard during the June meeting. It was presented by Kate Richardson from Bergeron Technical Services but was continued after it was noted by the board that the project did not meet the 75 foot setback. A new application was submitted to the Zoning Officer by the builder but the plan did not show a garage. A building permit for a garage was mistakenly issued. The board requested that a letter be sent to the Board of Selectmen explaining the situation and stating there had been no approvals issued by the Zoning Board for this property.

Scott made a motion to adjourn the meeting, seconded by Denny Anderson. The meeting adjourned at 9:50 pm.

Respectfully Submitted,
Janice Zecher

