

1 **TOWN OF SUNAPEE**

2 **ZONING BOARD**

3 **AUGUST 13, 2015**

4 **PRESENT:** Edward Frothingham, Chair; Daniel Schneider, Vice-chair; Aaron Simpson; Clayton Platt;
5 George Neuwirt, Alternate; Roger Landry, Zoning Administrator

6 **ABSENT:** William Larrow

7 **ALSO PRESENT:** See Sign-in Sheet

8 Chairman Frothingham called the meeting to order at 7:00 pm.

9 Mr. Simpson made a motion to appoint Mr. Neuwirt to sit as a voting member for the meeting. Mr.
10 Platt seconded the motion. The motion passed unanimously.

11 **MISCELLANEOUS**

12 Chairman Frothingham explained that they will need to hold another meeting on Tuesday, August 25th.
13 Vice Chair Schneider said that he will not be in Town and asked why the cases cannot wait until the next
14 meeting. Mr. Platt said that he does not think he will be able to attend either. Mr. Landry explained
15 that the applications were submitted on time for this meeting but they don't like to go past six hearings
16 and there would have been nine. Mr. Landry said that it was the decision of himself and Chairman
17 Frothingham that it would be too extensive of a meeting. These cases have already been noticed in the
18 newspaper to be held on the 25th. If there are not going to be enough members for a quorum they can
19 notify the applicants, but they still need to have the meeting to continue the cases. There was further
20 discussion regarding this matter and the Board decided to continue with the meeting before making a
21 decision.

22 **CASE #15-18: PARCEL ID: 0133-0093-0000: SEEKING A VARIANCE OF ARTICLE III, SECTION 3.10**
23 **ALLOWING SUBDIVISION OF A PRE-EXISTING NON-CONFORMING LOT TO BECOME MORE NON-**
24 **CONFORMING. 36 RIVER RD, SOO-NIPI REALTY TRUST.**

25 Mr. Neuwirt recused himself from the case.

26 Chairman Frothingham explained that this case is being heard because it was not noticed correctly for
27 the case that was approved in July. Mr. Landry explained that because it was noticed wrong and the
28 case was in mitigation the Town's attorney said that it was best to re-notice and rehear the case at the
29 Town's expense.

30 Chairman Frothingham asked if there was anyone in the audience regarding the case and there were
31 none.

32 Vice Chair Schneider made a motion to approve Case 15-18, Parcel ID: 0133-0093-0000, seeking a
33 Variance of Article III, Section 3.10, allowing subdivision of a pre-existing non-conforming lot to become

34 more non-conforming, 36 River Rd, Soo-Nipi Realty Trust. Mr. Simpson seconded the motion. Mr.
35 Simpson asked if there was discussion about adding this small portion to Mr. Neuwirt's smaller lot to
36 make it less non-conforming. Mr. Neuwirt said that this is what will be done as the lower lot will
37 become less non-conforming and the Soo-Nipi lot will become more non-conforming. Mr. Simpson
38 asked and Mr. Landry said that Lot 0133-0093-0000 is the Soo-Nipi lot. Mr. Simpson made a motion to
39 amend the motion as made to add that it will be attached to Lot 0133-0094-000, not the other lot that
40 Mr. Neuwirt owns. Chairman Frothingham seconded the amendment. The amendment passes
41 unanimously. The motion passed unanimously.

42 **CASE #15-19: PARCEL ID: 0134-0014-0000: SEEKING A VARIANCE OF ARTICLE III, SECTION 3.20**
43 **INCREASING IMPERMEABLE SURFACE FROM 30% (CURRENTLY 35%) TO 42%. 235 LAKE AVE, CHASE**
44 **FAMILY REALTY TRUST.**

45 **CASE #15-20: PARCEL ID: 0134-0014-0000: SEEKING A VARIANCE OF ARTICLE III, SECTION 3.10 TO**
46 **REDUCE ROAD FRONT SETBACK FROM 50 FT (CURRENTLY 20 FT) TO 30 FT (APPROXIMATELY)**
47 **ALLOWING CONSTRUCTION OF A NEW GARAGE. 235 LAKE AVE, CHASE FAMILY REALTY TRUST.**

48 **CASE #15-21: PARCEL ID: 0134-0014-0000: SEEKING A VARIANCE OF ARTICLE III, SECTION 3.40-A**
49 **REDUCING LAKEFRONT SETBACK FROM 50 FT TO 36 FT (APPROXIMATELY) ALLOWING CONSTRUCTION**
50 **OF A CONNECTOR FROM EXISTING HOME TO GARAGE. 235 LAKE AVE, CHASE FAMILY REALTY TRUST**

51 Mr. Platt recused himself from the case.

52 Chairman Frothingham explained to the applicants that there are only four voting members and they
53 will need three members to vote in favor in order to be approved. Frank Anzalone, an architect for
54 Chase Family Realty Trust, asked if they can decide to start with hearing the case and then ask to
55 continue it. Mr. Simpson said that his concern with that is that the fifth member would not have heard
56 the case and have any information. Barbara Chase asked and Mr. Landry explained that the cases would
57 be continued to the September meeting. Ms. Chase said that she thinks that they should go ahead with
58 the hearing.

59 Mr. Anzalone and Charlie Hirshberg of CLD Engineers presented the case.

60 Mr. Anzalone explained that this is a difficult site and they are asking for three Variance. Mr. Anzalone
61 asked if the Board would like to hear all three at once or individually. The Board determined they would
62 hear all at once and then vote individually.

63 Mr. Anzalone said that the home was built in 1902, before Zoning was in place. The current impervious
64 surface is 35.1% and it has been that way for over 100 years. Barbara Chase explained that her great
65 grandfather built the house and her mother, Mildred Chase, has spent 102 years in the house. They are
66 trying to make it more accessible for them.

67 Mr. Anzalone said that the problem that they are having is building a new garage. It is currently a two
68 car garage for vehicles that were built in the 1920's. If they increase the garage to the standards that
69 are necessary for a modern garage, 24' x 24', the increase in the impervious surface is approximately

70 2%. The problem, however, is getting up and down the stairs on the site. Also, they needed the garage
71 big enough so they can have a handicap accessible van.

72 Mr. Anzalone said that they added stairs that go from the garage to the house as well as an elevator
73 type lift, which is as small as they can make it.

74 Mr. Simpson asked and Mr. Anzalone explained that what takes the impervious surface up to 42.1% is
75 the accessible route to the second floor of the house. They have done everything they could to
76 minimize the impact on the site. The connector to the house is a flight of stairs and a lift, which leads to
77 an elevated / bridge connector to the house, which is where the increase is from. They have looked at
78 other options and this is the least disturbing to the site. Mr. Anzalone said that they looked at building
79 the garage at the lower level but the site drops off and it would have created a very steep driveway.
80 When they presented this to the Highway Director they were told it would not be approved. Mr.
81 Hirshberg said that currently there is no parking on the site, they have to park on the road, which in this
82 location is very narrow. The existing garage is roughly 3 ft from the right of way; they are moving the
83 garage back so that it is 14 ft from the right of way to accommodate parking on the property.

84 Vice Chair Schneider asked and Mr. Anzalone confirmed that they are moving the garage back, as far
85 away from the road that they could until it abutted the setback from the Lake. Mr. Hirshberg said that if
86 you take the two setbacks, the one from the road and the one from the water, there is a very narrow
87 piece of land that remains.

88 Vice Chair Schneider said that behind the garage is a deck and asked if it is part of the impervious
89 surface and why it is necessary. Mr. Anzalone said that the current garage has a deck and it is one of the
90 features that Ms. Chase wanted to keep. The numbers for the deck are minimal. Vice Chair Schneider
91 asked that if the objective is to not increase the impervious surface, would this not be one thing that
92 could be removed because it does not seem necessary. Mr. Anzalone said that he would have to talk to
93 Ms. Chase but that the numbers on it are a fraction of a percent. Mr. Neuwirt said that it is out of the
94 setback. Mr. Simpson said that it is the only thing in neither setback. Vice Chair Schneider said that it
95 still increases the impervious area and that he is not in favor of approving something more non-
96 conforming. Mr. Anzalone said that it is also a second means of egress out of the lower level.

97 Mr. Neuwirt asked what the State said about the increase in the impervious surfaces. Mr. Hirshberg said
98 that they do have a Shoreland Permit and did a fair amount of storm water management to absorb the
99 additional runoff and putting the runoff they create back into the ground. They approved it based on
100 the storm water features. Mr. Neuwirt asked and Mr. Hirshberg confirmed that the storm water will be
101 more managed than it is now. Mr. Landry read the Shoreland Permit to the Board which says that the
102 proposed storm water management plan shall be designed, installed, and maintained to effectively
103 absorb and infiltrate storm water. Mr. Neuwirt said that right now it is a free for all and even if it is an
104 increase in surface, if it is managed better it seems like a win/win.

105 Mr. Hirshberg said that the pavement going from the road to the garage will be pervious pavers to
106 absorb in front of the garage. They will have stone drip edges along the drip lines of the roof that have a

107 pipe in them that takes the runoff to an infiltration trench. There will be three different infiltration
108 trenches.

109 Vice Chair Schneider asked what the total dimensions are for the garage. Mr. Anzalone said that he
110 believes it is only a foot to a foot and a half more than what is typical. The hallway to the stairs and lift
111 added the additional space.

112 Vice Chair Schneider said that it looks like there is a stairway on either side. Mr. Anzalone explained that
113 one is an outdoor walkway. Vice Chair Schneider asked if it is necessary to have both an outdoor
114 walkway and an indoor one. Mr. Anzalone said that it is because it is difficult for the owners to
115 maneuver down the walkway in the winter but he felt that they should have a path to the water. Mr.
116 Simpson asked if the path is impervious and Mr. Anzalone said it mostly is as it is the typical railroad tie
117 with crushed stones. Mr. Neuwirt asked and Mr. Anzalone said that the square footage of the new path
118 is less than or equal to the current path as it is shorter, though it may be a little wider.

119 Vice Chair Schneider asked if there will be any changes done to the house. Mr. Anzalone said that it will
120 be renovated but it will be all internal work. They are moving the laundry room from downstairs to
121 upstairs.

122 Mr. Simpson asked and Mr. Anzalone confirmed that they are putting a second floor under the garage.
123 It will be used by Ms. Chase when they renovate the home and then when her children come and visit.
124 Mr. Simpson asked if it will be an apartment. Mr. Anzalone said it will be used as one until the house is
125 renovated and then the stove and some of the other features will be removed.

126 Mr. Landry asked if they removed the outside walkway how much impervious surface it would save.
127 Vice Chair Schneider said that he does not like making something that is non-conforming more non-
128 conforming. Mr. Anzalone said that they are improving the site as the water currently just sheets into
129 the Lake. Vice Chair Schneider said that there was a neighboring property where they improved the lot
130 coverage by removing a lot of asphalt. Mr. Hirshberg said that site had a lot of concrete. Mr. Anzalone
131 said that he would have to ask the owners about removing the outside walkway. Mr. Neuwirt said that if
132 the property is better now than before he doesn't see the point of going with this logic. Mr. Anzalone
133 asked if they make the walkway pervious if it would be more acceptable. Vice Chair Schneider said that
134 it would lower the impervious area.

135 Chairman Frothingham said that on one of the drawings there is the proposed deck and addition and
136 asked if the decks on the house are there now. Mr. Anzalone said that they are there now and that a
137 portion of the deck that goes overhangs the water will need to be cut back to satisfy the State
138 requirements. They are not increasing the imperious area of the house except for the connector. Mr.
139 Anzalone was asked and explained that because they are doing something to the house they cannot be
140 over the water with the deck.

141 Ms. Chase said that if they have to change the outside walkway to pervious she is fine with that. She is
142 more concerned about the possibility of needing to remove the little sliver of deck off the garage as
143 there have always been living quarters in the garage. She has a fire phobia and if they need to make the

144 stairway pervious she'd appreciate it if they can leave her the second egress. Vice Chair Schneider said
145 that there is no living space under the current garage unless someone is camping out there. Ms. Chase
146 said that there is living space. Mr. Hirshberg said that the sewer is connected as well. Mr. Anzalone said
147 that because of the age and accessibility is has not been used that much. There was further discussion
148 regarding this space.

149 Chairman Frothingham asked if the sliver of deck could be made smaller on the widest end in order to
150 leave access. Mr. Anzalone said that it could be reduced. Mr. Hirshberg said that at its narrowest the
151 deck is just over 3 ft and at its widest it is about 4 ft 6 in. There was further discussion regarding
152 removing part of the deck.

153 Mr. Neuwirt asked if it is the role of the Board to get into redesign. Mr. Simpson said that it is if it helps
154 them reduce the impervious surface. Mr. Hirshberg said that the State is starting to look at decks a little
155 differently. If you leave the deck with enough slotted space between the boards and put stone
156 underneath, though they haven't changed their policies, they are starting to suggest it because it leaves
157 a surface underneath that absorbs the water.

158 Mr. Anzalone confirmed that they can make the outside path impermeable and also take about a foot
159 and a half off the deck.

160 Vice Chair Schneider asked if there are any other windows in the garage living space besides the door
161 and Mr. Anzalone said that there are none. Vice Chair Schneider asked if this meets code and Mr.
162 Anzalone said that the current garage does not but it is why they are building a new one. The new space
163 will have several windows, proper doors, and property exits. Mr. Landry asked and Mr. Anzalone said
164 that this will not be a separate dwelling unit. Vice Chair Schneider read the definition of dwelling unit:
165 one room or rooms connected together, constituting a separate, independent housekeeping unit
166 established for owner occupancy, rental or lease, and containing independent cooking, sleeping, and
167 sanitary facilities. Mr. Anzalone said that until the house is renovated the living space in the garage will
168 have its own cooking facilities but it will be removed after the house is renovated.

169 Mr. Simpson said that there appears to be a window between two floors. Mr. Hirshberg said that it is
170 for the stairwell.

171 Mr. Landry gave the Board some history about how some houses that were built previously changed
172 Zoning.

173 Mr. Landry said that it looks as though the slope is steeper than 25% and if it is the Board should
174 determine if there needs to be a Variance for this cut. Mr. Hirshberg said that he had a question about
175 this issue because he thought it was measured from the current grade at one point to the current grade
176 at another point. Mr. Anzalone said that because they are adding the garage and it is slightly higher
177 because the property drops off, there is a difference of 18 ft 3 in from the front of the garage grade to
178 the back of the garage grade. It is not 20 ft of vertical cut. Mr. Landry said that he said that the
179 foundation and footings have to be considered and the 18 ft 3 in does not leave any room for them.

180 They are cutting into the bank, which is what the Ordinance is talking about. There was further
181 discussion regarding this issue.

182 Mr. Simpson asked if there was a number for the walkway. Mr. Anzalone said that it is about 125 sq ft
183 which equals 1.5%. The deck is only hundredths of a percent.

184 Mr. Neuwirt asked about the 50 ft setback that is shown going across the roof of the garage. Mr.
185 Anzalone explained that is the 50 ft setback from the road.

186 Mr. Simpson said that he is concerned that there will be two dwelling units. Mr. Landry said that it is not
187 unusual for building permits to approve a temporary living quarters and when he does the final
188 inspection he can go in and make sure that the kitchen is removed.

189 Mr. Anzalone said that the current garage at its closets point to the setback is 20 ft 5 in. They have
190 moved it as far back as they could, which brought it to 29 ft 11 ¼ in and is as far back as they could move
191 it without encroaching on the 50 ft lake setback.

192 Vice Chair Schneider noted that even though this requires a Variance, it is actually becoming less non-
193 conforming than what is currently there.

194 Mr. Simpson asked what the dimensions are of the garage building. Mr. Anzalone said that it is 25 ft
195 deep by 34 ft wide. The 34 ft includes the stair, enclosed walkway, and the lift. The enclosed walkway is
196 about 7 ft 2 in wide.

197 Vice Chair Schneider asked what the thing on the drawing that says Wood Cover. Mr. Hirshberg said
198 that it is currently on the property and it is a sewer pump shed that has a roof on it.

199 Mr. Neuwirt said that he likes the location of the garage because now the van will not have to be parked
200 in the road.

201 Mr. Anzalone said that if they left the building where it was they'd be asking for a Special Exception but
202 it doesn't function.

203 Mr. Simpson asked if there are two sets of stairs in the garage. Mr. Anzalone said that the original intent
204 was to have storage in the trusses but they needed to lower the height of the building so one of those
205 sets of stairs will not be built.

206 Mr. Hirshberg said that the current garage is in the side setback so they are moving it out the side
207 setback.

208 Vice Chair Schneider asked if they need the indicated room for the lift. Mr. Anzalone said that the
209 garage is 25 ft deep and it could be reduced to 24 ft, which would be standard, but they wanted allow
210 them to be able to roll around the vehicle.

211 Mr. Landry asked if Mr. Hazelton has seen the plan. Mr. Hirshberg said that they went through a variety
212 of configurations. Mr. Landry said that if they park in front of the garage they are in the Town's right of

213 way, which is 16 ft wide. Mr. Anzalone said that they moved it as far back as they could and they need
214 to get the wheelchair around the vehicles, which is why they needed the extra foot. Mr. Anzalone said
215 Mr. Hazelton has looked at the plan. Mr. Anzalone said that they have a letter from the surveyor that
216 outlines the abutting garages within 500 ft and their distances. Mr. Simpson asked and Mr. Landry
217 confirmed that he does not have anything from Mr. Hazelton approving the plan. Mr. Neuwirt asked if
218 the plan shows the pervious pavers as one yard away from the center of the road. Mr. Hirshberg said
219 that they did not run the pavers into the road, they are run to the property line. Mr. Landry said that no
220 one parks in front of the existing garage and they may be able to park there.

221 Mr. Anzalone said that the connector is to be able to provide an accessible path from the garage to the
222 house. Their intent was to have as minimal impact as possible which is part of the reason that they
223 elevated it. There is no other way to get a smooth wheelchair route to the home.

224 Vice Chair Schneider said that he would like the minutes to reflect that the existing house is entirely
225 within the 50 ft setback and the area that is being discussed is on the road side of the house, not the
226 lake side, so they are not building anything closer to the lake. Mr. Anzalone said that they are
227 connecting to the farthest point from the lake that they could.

228 Chairman Frothingham said that the structure is above grade and like a bridge and asked if the land
229 under it was calculated as impervious. Mr. Hirshberg said that they counted this land in their
230 calculations.

231 Mr. Neuwirt said that going from 35% to 42% they have a larger garage, the connector, and then the
232 stairs. Mr. Anzalone said that 5% of the increase is the accessible route, including the stairs, the lift, and
233 the connector and having the ability to walk around the car. Mr. Anzalone said that they are basically
234 asking for access to the home. Chairman Frothingham said that they are changing the outside path to
235 pervious and they are removing part of the proposed deck on the new garage and asked how much this
236 will change the impervious coverage. Mr. Anzalone said that it will be approximately 1.5% but he'd like
237 Mr. Hirshberg's office to run the numbers to get it more accurate.

238 Vice Chair Schneider asked if the Board wants to get into doing redesigns as he feels as though the
239 answer is no. He thinks that it should be possible to achieve the primary goals of this and not increase
240 the impervious surface. Mr. Neuwirt said that the only way to decrease the impervious surface is to
241 make the structure smaller. Vice Chair Schneider said that he thinks that some of the things designed
242 could be changed to pervious surfaces. Mr. Hirshberg said that they will not get it down to the current
243 total of 35.1%. Mr. Landry asked what the total impervious and pervious surfaces are. Mr. Hirshberg
244 said that the only additional pervious surface is the driveway, which will be permeable surfaces. Mr.
245 Landry said that they are limited to 50% manmade pervious and impervious coverage, if they are going
246 more than 50% it requires a Variance.

247 Vice Chair Schneider asked what the ADA standards are for accessible walkways. Mr. Anzalone said that
248 it is a little more complicated because you only need 36 in, but you need a certain width and clearance
249 in front of doors. Ms. Chase said that 5 ft is required for a wheelchair to do a complete 360. Mr.

250 Anzalone said that there are different requirements for approaching a door because if you approach
251 from the pull side you need another 18 in.

252 Mr. Hirshberg said that the only pervious surface on the plan are the pervious pavers and it is 250 sq ft,
253 which makes the total for pervious and impervious 45.9%, which is under the 50%. Mr. Anzalone said
254 that converting the exterior walkway from impervious to pervious does not have any impact on the total
255 calculation. Mr. Hirshberg said that the State Regulations now say going over 30% impervious requires
256 a storm water management plan, it does not say the limit is 30%. Vice Chair Schneider said that he
257 thinks the State is talking about the protected area within the 50 ft. Mr. Hirshberg explained that the
258 State talks about 20% pervious and 30% impervious, and that is within 250 ft of the water. Zero to 50 ft
259 is where if nothing is there now the State does not want anything added there. 50 ft to 150 ft is the area
260 where they look at unaltered land and have a calculation for that; on their plan they have green area
261 which is to remain unaltered. Mr. Landry said that the Town's Shoreland Overlay is 150 ft. They are still
262 below the 50% in the Shoreland Overlay.

263 Mr. Simpson asked Mr. Landry to explain the slope issue that he is concerned about. Mr. Landry said
264 that anything more than 25% cannot have any more than 20 ft vertical cut into the slope. It has never
265 been tested but it is questionable if it should include the foundation. Mr. Landry continued that Mr.
266 Anzalone brings up a good argument that the foundation and frost walls will be covered so the cut will
267 not be more than 18 ft 3 in cut. It is up to the Board how they want to interpret the Zoning Ordinance.
268 Mr. Anzalone said that in the Ordinance it does not say anything about footings or foundations. Mr.
269 Landry said that he did talk to Mr. Marquise and it has never been tested, but it is up to the Board to
270 decide. If it were up to him, he would not say that it needs a Variance because he does not think it
271 could be defended at court.

272 Mr. Simpson asked what the square footage is of the deck off the garage. Mr. Hirshberg said that it is 92
273 sq ft, including the wrap around to the stairway. Chairman Frothingham said that it seems like the sliver
274 of deck that they have been asked to change seems insignificant and they should just let it go. Mr.
275 Anzalone said that they have no problem making the outside walkway pervious and removing a small
276 portion of the deck.

277 Chairman Frothingham asked if anyone in the audience had any comments or questions for the
278 applicant.

279 Jeff Savage of 241 Lake Ave, on the new walkway side, said that his father grew up next to the property
280 and he and his wife are pleased that there are going to be improvements made to the property. He
281 spent some time with Ms. Chase looking at the plans and he thinks that it makes sense.

282 Michelle Davis of 233 Lake Ave said that she is very happy that they are making the improvements and
283 she thinks that they will be valuable for Ms. Chase and her mother. They have no problems with the
284 proposed plans.

285 Chairman Frothingham closed the hearings to public comment.

286 Mr. Simpson asked and Mr. Anzalone confirmed that it is a four bedroom house with one bedroom in
287 the garage. Mr. Simpson said that if they put two bedrooms into the garage it will require a separate
288 water and sewer hookup fee. Mr. Anzalone said that he will review that with the owner. Vice Chair
289 Schneider asked, as this will be another dwelling unit, if it will require a separate hookup. Mr. Simpson
290 said that it is currently used as a sleeping loft, it is when you have a sixth bedroom you have to pay for
291 another hookup.

292 Mr. Neuwirt said that he is in favor of this project as he has built something similar in New London and it
293 makes the house more usable, especially in the winter. The struggle for him is that the Board can say
294 that the garage could be a single car garage or a garage and a half but as he doesn't know if it is
295 reasonable as he does not think they would be before the Board if they did not need it. He struggles
296 with how reasonable the use is of the improvement verses the increase of the impervious area. His
297 opinion is if the garage is bigger and the performance of the property has been improved with the
298 retaining walls and storm water detention, it seems as though even though there is increase in
299 impervious area, the property will perform better because of it. To him, it is a well laid out plan.

300 Mr. Simpson said that he is concerned that the road frontage for the driveway is twice as wide. If they
301 did not have two bays, it would not be twice as wide and the current garage probably only held one car.
302 Ms. Chase said that it held two cars but they cannot park anything in it now. Mr. Anzalone said that
303 they need to get some cars off the street. Mr. Landry said that it could be made a condition that Mr.
304 Hazelton signs off on the plan. Mr. Simpson said that is not his concern, it is the size of the building.

305 Mr. Landry said that as there were questions about the number of bedrooms he got the tax card. The
306 Assessors have it listed as four bedrooms and also have the apartment above the garage noted.

307 Mr. Anzalone said that you cannot fit two cars into the garage now as it was built when cars were
308 smaller. Mr. Neuwirt said that the Board needs to determine if the building and the size of the building
309 is a reasonable use under the circumstances. Mr. Simpson said that he believes that there is a hardship
310 based on the topography of the land. Vice Chair Schneider said that he does think that in terms of the
311 impermeable surface it can be improved but he thinks that the Board should not decide how it can be
312 improved. Mr. Simpson said that he does not know if cutting the sliver off the deck is important to him
313 but he feels like the impervious pathway is important, though they do have drainage built into the
314 whole project.

315 Mr. Simpson made a motion to approve Case #15-19: Parcel ID: 0134-0014-0000: seeking a Variance of
316 Article III, Section 3.20 increasing impermeable surface from 30%, currently 35%, to 42%, 235 Lake Ave,
317 Chase Family Realty Trust, subject to the Shoreland Permit #2015-01699. Vice Chair Schneider seconded
318 the motion. The motion passed with three in favor and one opposed.

319 Mr. Simpson made a motion to approve Case #15-20: Parcel ID: 0134-0014-0000 as read with the
320 condition that there only be one dwelling unit on the property. Vice Chair Schneider seconded the
321 motion. Mr. Simpson amended his motion to add that it will be subject to a final inspection. Mr.
322 Neuwirt seconded the motion. The amendment passed unanimously. The motion passed unanimously.

323 Vice Chair Schneider made a motion to approve Case #15-21: Parcel ID: 0134-0014-0000 as read subject
324 to the conditions of Shoreland Impact Permit #2015-01699. Mr. Simpson seconded the motion. The
325 motion passed unanimously.

326 **NEXT MEETING**

327 The Board had a discussion with Mr. Hirshberg about the meeting planned for Tuesday, August 25th and
328 if he would prefer continuing the cases as there will only be three members present. Mr. Hirshberg said
329 that his client was trying to get his project done before the fall but he will talk to him about postponing
330 until September 10th. Mr. Hirshberg said that there may be an issue with getting the Shoreland Permit
331 for the meeting for the 25th so it may be better to postpone the cases. The Board will still need to meet
332 to continue the cases.

333 **CASE #15-22: PARCEL ID: 0148-0047-0000: SEEKING A VARIANCE OF ARTICLE III, SECTION 3.40-C** 334 **REDUCING LAKEFRONT SETBACK FROM 50 FT TO 17 FT AND 20 FT ALLOWING CONSTRUCTION OF A** 335 **NEW DECK. 626 ROUTE 103-B, MICHAEL & MADELINE HANRAHAN.**

336 Alan Wilson, a land surveyor, presented the case on behalf of the Hanrahan's. The Board asked if there
337 was a letter from the Hanrahan's allowing Mr. Wilson to present the case and there was not. Mr.
338 Simpson said that it is not Mr. Wilson's survey, it is Bristol Sweet's. Mr. Wilson said that he is doing a
339 survey. Vice Chair Schneider said that without a letter it puts the Board at risk whether they approve or
340 deny the application.

341 Mr. Platt asked and Mr. Wilson confirmed that there is a Permit by Notification Permit application in the
342 works but DES said that it did not matter if they got approval from this Board before or after getting the
343 DES approval.

344 Mr. Platt asked and Mr. Wilson confirmed that the sketch is something that he did but is not part of the
345 Permit by Notification. Mr. Platt said that he would like to have the case postponed so they can have
346 the best information available to be presented to them as the sketch is not enough.

347 Mr. Platt made a motion to continue Case #15-22 until the September 10th meeting because they do not
348 have a letter of authorization. Mr. Simpson seconded the motion. The motion passed unanimously.

349 **MINUTES**

350 Changes to the minutes from the July 9, 2015 Zoning Board Meeting: Mr. Simpson was only absent for
351 the first case, not the entire meeting. Change Line 47 to read "Ms. Gouse asked about the treatments..."
352 Change Line 129 to read "...a hardship and why the lot is not usable as is." Change Line 165 to read "...to
353 go forward with the case." Change Line 260 to read "...lane that ran across the back..."

354 Vice Chair Schneider made a motion to accept the minutes of July 9, 2015 as amended. Mr. Simpson
355 seconded the motion. The motion passed unanimously. The motion passed unanimously.

356 Mr. Platt made a motion to adjourn at 9:05 pm. Vice Chairman Schneider seconded the motion. The
357 motion passed unanimously.

358 Respectfully submitted,

359 Melissa Pollari

360

361 _____

362 Edward Frothingham

Aaron Simpson

363 _____

364 Clayton Platt

Daniel Schneider

365 _____

366 William Larrow

George Neuwirt, Alternate