

**GILFORD ZONING BOARD OF ADJUSTMENT
MINUTES
NOVEMBER 27, 2007
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Zoning Board of Adjustment met in special session on Tuesday, November 27, 2007 at 7:00 p.m. in Conference Room A.

Present were: Chairman Andrew Howe, Charles Boucher and Robert Dion.

Absent: Vice-Chairman Don Chesebrough and Pat LaBonte.

Also present were John Ayer, Director of Planning and Land Use and Stephanie Verdile Philibotte, Administrative Assistant.

Chairman Howe led the Pledge of Allegiance and introduced board members and staff.

A. Howe explained since there are only three sitting members the applicant has the choice to move forward with three members with the understanding there has to be an unanimous vote or reconvene in order to have the opportunity to have a full Board.

B. Bailey, representing the application, said they would like to move forward with the three member Board.

A. Howe introduced the first case.

1. **Lyman Brewer Properties**

Special exception request pursuant to Article 15, Section 15.4.2 (a) of the Gilford Zoning Ordinance, to allow a proposed driveway to cross a wetland on Tax Map & Lot #202-045.300 & 202-045.301. The property is located at 157 Stark Street in the Single Family Residential Zone. File #Z07-20.

Bryan Bailey, representing the application, gave a brief presentation to the Board. He explained the application was previously approved in April 2007. Since that time there has been a change in the location of the driveway. He said the original proposed driveway crossing was the least impacting to the application however, that location was located completely within the PSNH easement. He said PSNH did not want the driveway located within their easement so they had to make a change to the proposed location of the driveway. He explained how the proposal meets the criteria for a special exception as outlined in the application.

A. Howe asked for the Conservation Commission's recommendations on the revised application.

B. Bailey provided A. Howe with the Conservation Commission's letter of recommendation from their October 2, 2007 meeting. B. Bailey showed the Board on sheet 8 of 10 of the revised plan set indicating the NHDES approval.

A. Howe said the entrance to the driveway is still located in the PSNH easement but the driveway is now located off the easement in a shorter distance. B. Bailey said that is correct.

A. Howe asked about the increase in the amount of fill and impact to the wetland with the change in location. B. Bailey explained by switching the driveway out of the easement they had to run it parallel to the easement and because of that there is more impact to the wetlands.

A. Howe asked about the Conservation Commission's request for two 18" culverts instead of one 36" culvert as they did in the first application. B. Bailey explained his son Craig Bailey prepared and presented an engineering plan to the Commission demonstrating two 18" would provide better drainage.

J. Ayer said this plan looks like it is designed to accommodate flow and drainage with the addition of headwalls for the culverts.

R. Dion asked who would maintain the culverts and B. Bailey said the landowner would be responsible for the maintenance of the culverts.

A. Howe noted there are no members of the public in attendance therefore he closed the public input portion.

J. Ayer asked if a drainage easement would be necessary and B. Bailey said no.

With no other questions, A. Howe announced the Board would go into deliberations.

Board Deliberations

Lyman Brewer Properties

R. Dion asked about the previous conditions regarding the culverts.

Discussion ensued about the number and size of the culverts and the NHDES approval. B. Bailey said the NHDES approval does include the installation of two 18" culverts. The Board reviewed plan sheets 5 of 10 and W1 of W1 regarding the culverts and NHDES approval.

Motion made by R. Dion, seconded by A. Howe, to approve the application as having met all the special exception criteria with the following condition:

1. The driveway is constructed with two 18" culverts as indicated on plan sheet labeled W1.

With no discussion on the motion, S. Verdile Philibotte polled the members.

R. Dion- Yes

C. Boucher- Yes

A. Howe- Yes

Motion carried with all in favor. The special exception **has been granted**.

APPROVAL OF OCTOBER 23, 2007 MINUTES

Motion made by A. Howe, seconded by R. Dion, to approve the minutes from October 23, 2007 as presented. Motion carried with all in favor.

2008 ZBA Meeting Schedule

Motion made by A. Howe, seconded by C. Boucher, to approve the 2008 ZBA meeting schedule. Motion carried with all in favor.

ADJOURNMENT

Motion made by C. Boucher, seconded by R. Dion, to adjourn the November 27, 2007 Zoning Board of Adjustment meeting at 7:45 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant