

## **Town of Enfield Zoning Board of Adjustment Meeting Minutes – July 9, 2019**

**Board Members:** Present; Mike Diehn (Chair), Ed McLaughlin (Vice Chair), Tom Blodgett, Tim Lenihan, Susan Brown (Alternate).

**Public Attendees:** Jim Kelleher, Gerald Swift

7:04 pm meeting called to order.

Chairman Diehn seated Susan Brown for the first public hearing.

1. Charles and Carol Wyman request a variance to zoning ordinance article 401.1 section M to build a new single family residence within the 50' setback to a stream and the high water mark of Mascoma Lake at 35 Meadow Lane, Enfield, NH (map 21, lot 31) in the R1 Residential Zone.

Chairman Diehn pointed out to the board and the public that a variance has previously been sought and approved for the same property. Chairman Diehn further pointed out the similarities between the old application and the new including the changes that make this application less non-conforming. The substantial difference is the increase in the number of bedrooms, the location of new home on the property, and that the new building will be attached to the municipal sewer system.

Ed McLaughlin discussed his ownership of a property with a garage on it on Meadow Lane, and his consideration of a potential conflict of interest. After careful thought and asking the abutter present at the hearing, Gerald Swift, Ed McLaughlin decided that he did not have a conflict. All members of the board agreed that it was appropriate for him to be part of the hearing.

Mr Kelleher made his presentation regarding the proposed project. He explained that the project was planned as a 4 bedroom year round home. After consulting with Pathways, the Wymans and Mr. Kelleher learned that the property won't support a four-bedroom septic system and so their best option would be to connect to municipal water and sewer. Because no septic system is needed, the new home can be a bit further from the lake. Ms. Brown asked about shoreline protection requirements and whether or not NHDES permits have been acquired. Mr. Kelleher explained that the original permit granted to the Vreeland's in 2016 is still valid and that it would be amended to represent the new project which is in full compliance with the shoreline protection act.

Findings of fact:

1. The prior owners, the Vreelands, were granted a variance with a condition that any new construction be limited to a two bedroom and a new septic system.
2. The Vreeland's obtained a NHDES permit for their project and it is still valid.
3. The Wyman's do not have a NDHES permit in their name for their project but Mr. Kelleher told the board the DES will allow them to update the Vreelands permit for their project and names.

4. The Wyman's plan is essentially the same footprint as the Vreelands plan was - there are only very small differences.
5. Even though the Wyman's will be creating four bedrooms instead of two as the Vreelands planned, the connection to town sewer means there will be no environmental detriment associated with an increase in the number of bedrooms.
6. The Wymans plan to have a 2-inch high pressure sewer line run from the main on Route 4A the full length of Meadow Lane.
7. Mr. McLaughlin (board member) and Mr. Kelleher both say they have spoken with the residents of Meadow Lane and almost all of the expressed interest in connecting to the new extension.
8. The cost of connecting a property to the extension will be \$8,500.00 according to Mr. McLaughlin and Mr. Kelleher
9. Adding to municipal sewer services to Meadow Lane benefits the public at large and improves property values.
10. Eliminating a need for septic systems at the Meadow Lane properties, many of which are of questionable condition and quality, is a long-term reduction of the impact to the lakeshore of the residences.

Motion:

Susan Brown moved to approve the variance as applied for with the conditions that the building be connected to town sewer and that the NHDES permit be updated. Ed. McLaughlin seconded.

Unanimously approved.

Public hearing closed 7:43 pm.

Minutes of June 11, 2019 meeting were amended and will be forwarded to Mr. Taylor for correction

Thank you letter to former member Kurt Gotthardt approved with an amendment recognizing his attention to detail.

Board went into nonpublic session at 7:58 pm per RSA 91-A:3 II (a)

Board came out of nonpublic session at 8:06 pm.

Board voted unanimously to seal the minutes of the nonpublic session.

Chairman Dien Nominated Susan Brown be appointed as a full member until the next town elections, Tom Blodgett seconded. A unanimous vote was held in favor.

Tim Lenihan made a motion to adjourn. Ed McLaughlin seconded. A unanimous vote was held in favor.

Meeting adjourned at 8:12 pm.