

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **JANUARY 27TH 2020**
3 **MERIDEN TOWN HALL**
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7 Zoning Board

8 Members Present: Richard Colburn, Chairman Peter Martin
9 Brad Atwater Scott MacLeay

10
11 The meeting opened at 7:00pm.

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13 The November minutes were approved as amended.

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15 **Case 20-01:** Chairman Colburn opened the public hearing. The application is a request to
16 establish a one bedroom 650 sq ft accessory dwelling unit over a detached garage located
17 at #16 Westgate Road. Member Brad Atwater recused himself from the case; he and his
18 wife own an abutting property. The subject property is map 108 lot 25 and is 45,300 sq ft.
19 The minimum lot size for the VR zone with public water is approximately 30,000 sq ft.
20 Realtor Mark Roden and prospective owner Andrea Cannon presented the application.
21 reviewing the details of the one bedroom apartment. The board determined that the
22 submittal was in detail that was sufficient to move forward.

23
24 The existing home is a two bedroom house and has a modern three bedroom septic
25 system (CA 20040666520) with two septic tanks. Septic Designer Chris Rollins has
26 looked at the site and has indicated that based on his soil analysis, a properly sized
27 system would be possible at this site should failure occur. The applicant acknowledged
28 that maintaining a properly working septic system is her responsibility.

29
30 Building inspector, Brad Atwater reported to the board on the conditions he found at the
31 site and what is needed to bring the proposed apartment space up to code compliance for
32 a residential use; hardwired smoke detectors, fire doors, etc.

33
34 There being no abutters wishing to comment the public hearing was closed. The Board
35 reviewed the criteria for granting ADU special exceptions and determined that the
36 application satisfies the criteria.

37
38 Scott MacLeay moved to approve the request, as presented. The motion was seconded
39 and voted in the affirmative 3-0.

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41 The meeting adjourned at 8:00pm
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44
45 Stephen Halleran

Richard Colburn, Chair

46

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **February 10TH 2020**
3 **MERIDEN TOWN HALL**
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6 Zoning Board

7 Members Present: Richard Colburn, Chairman Peter Martin
8 Brad Atwater Scott MacLeay
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10 The meeting opened at 6:00pm.

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12 **Case 20-02:** Chairman Colburn opened the public hearing by reading the posted notice.
13 Chairman Colburn noted that while he is technically an abutter to the property, his home
14 is located far from the proposed ADU and he sees no reason to recuse himself. His home
15 is on Ferry Hill, the project is fronting on Freeman Road.
16

17 The application is a request to establish a one bedroom 800 sq ft accessory dwelling unit
18 (ADU) in a detached carriage shed located at #23 Freeman Road. The property is owned
19 by Victoria George. The application was presented to the board by Dean Sellars and
20 Mitchell Kalble. Mr. Sellars who is the builder explained that the goal of the project is to
21 provide modest quarters for Mr. Kalble, who is the property caretaker. The owner is often
22 away from the property for weeks at a time.
23

24 The plan is to establish a one bedroom efficiency apartment of no more than 800 sq ft in
25 an existing carriage shed that is 1,400 square feet in size. A new septic will be designed
26 and installed for the unit. Water will come from the main house. The existing electric
27 service to the outbuilding will be completely redone. The property is 17 acres.
28

29 Board members found the application to be sufficient to move forward, however, the
30 plans for the apartment were not sufficiently clear to demonstrate that the finished
31 apartment would be in conformance with the town's size regulations. There is conflicting
32 size information on the plans, which are not to scale.
33

34 The Board continued its review of the project finding it to conform with sections 4.3 and
35 5.6 of the Zoning Ordinance
36

37 The public hearing was opened. No members from the public were in attendance. The
38 hearing was closed.
39

40 A motion to approve the Accessory Dwelling Unit was made, subject to the receipt of an
41 improved floor plan that demonstrates to the Zoning Administrator conformance with the
42 size requirement for ADUs and an approved septic plan. The motion was seconded and
43 voted in the affirmative.
44

45 The meeting adjourned at 6:55pm.

46
47 Stephen Halleran

Richard Colburn, Chair

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **March 9th 2020**
3 **MERIDEN TOWN HALL**
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7 Zoning Board

8 Members Present: Richard Colburn, Chairman Peter Martin
9 Brad Atwater

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11 The meeting opened at 7:00pm.

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13 **Case 20-03:** Chairman Colburn opened the public hearing by reading the posted notice.
14 The application is a request by Stephen H. Taylor to establish a one bedroom 800 sq ft
15 accessory dwelling unit (ADU) in an existing sugarhouse at Taylor Farm, #166 Main
16 Street. The application was presented to the board by William and Elizabeth Taylor. The
17 sugarhouse was built in 2002 and included some finished retail space. The building is
18 served by public water. The building shares a septic system (750 gallons per day) with
19 the main residence. The shared system was installed in 2002 as part of the sugarhouse
20 project. Each structure has its one tank and shares a common leach field. If the
21 sugarhouse equipment is to remain in the back of the structure, a fire rated wall will
22 separate the two uses. It is possible that the evaporator will be moved to a vacant
23 structure elsewhere on the farm. No exterior changes to the building or grounds are
24 planned.

25
26 The public hearing was opened; Steve Halleran read a letter of support for the project
27 from abutter Judy Belyea. There was no one wishing to speak, the hearing was closed.
28

29 The Board reviewed sections for 4.3 and 5.6 of the town zoning ordinance, finding that
30 the application was materially complete and satisfies the conditions for special exceptions
31 and accessory dwelling units. A motion to approve the application was made, seconded
32 and voted in the affirmative 3 to 0. Approval is conditioned on receipt of a plan for the
33 ADU, showing its final layout and size under 800 sq ft. and a letter from NH septic
34 system designer indicating that the existing system is properly sized or that a properly
35 sized system can be installed at that site.
36

37 The minutes of the February 10th meeting were approved as amended.
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41 Stephen Halleran

Richard Colburn, Chair

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **June 8th 2020**
3 **MERIDEN TOWN HALL/ZOOM TELECONFERENCING**
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7 Zoning Board

8 Members Present: Richard Colburn, Chairman Brad Atwater
9 Ted Moynihan
10 Peter Martin-Zoom Mathew Decker-Zoom
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13 The meeting opened at 7:00pm.

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15 These being the first meeting since March 9th the minutes of that meeting were approved
16 as amended.

17
18 Chairman Colburn welcomed new member Matt Decker to the board. Ted Moynihan
19 was also welcomed back to the ZBA active roster.
20

21 **Case 2020-04:** A request by James and Margaret Sheehan for special exception #37
22 Approved Detached Accessory Dwelling Unit (ADU) to allow for the establishment of a
23 two bedroom residence in an existing outbuilding at #82 True Road (map 214-18). The
24 property is zoned Rural Residential and is not served by public water or sewer. Chairman
25 Colburn opened the hearing by having applicant James Sheehan explain the project. Jim
26 joined the group via Zoom. The building has served as a storage barn for them since 1988
27 and is now to be converted to a residential use. A septic system upgrade for the entire
28 property is planned; the new unit will share water from the main house. Its not yet clear
29 how electricity will reach it, either from a new service or from the main house. There is
30 plenty of parking on the 12 acre lot and there will be two spaces created for the tenants of
31 the new unit.
32

33 Board members reviewed the application finding it sufficiently complete to move
34 forward with the hearing. No abutters were in attendance. The board reviewed the
35 application for conformance with both the general special exception (5.6) guidelines and
36 the specific ADU language in the ordinance (sec 4.3). Finding it to be in conformance
37 with both a motion to approve the application was made, seconded and voted in the
38 affirmative on a voice vote (Atwater, Martin, Moynihan, and Decker all yes). As is
39 customary, Chairman Colburn did not vote.
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41 The meeting adjourned at 7:50pm
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44 Stephen Halleran

Richard Colburn, Chair
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2 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
3 **Monday July 13th 2020**
4 **MERIDEN TOWN HALL/ZOOM TELECONFERENCING**
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6 Zoning Board

7 Members Present: Richard Colburn, Chairman
8 Brad Atwater
9 Peter Martin-Zoom
10 Mathew Decker-Zoom
11

12 The meeting opened at 6:15pm with a socially distanced site visit to the Venditto
13 property at 393 Bean Rd case 20-06. Several neighbors attended, the applicant, who was
14 out of country, was not represented. The visit was limited to the grounds of the property.
15

16 The meeting opened at 7pm at the Meriden Town Hall and Via Zoom.
17

18 **Case 2020-05:** A request by Patrick Lundrigan to add a single bay, one employee, auto
19 repair business to be operated within the existing property maintenance shop at #235
20 Route 120, ZBA case 17-02. The hearing was opened and Mr. Lundrigan explained that
21 the mechanic would do work on Lundy Property Maintenance vehicles, but would also
22 offer basic car repair to the public. Mr. Lundrigan apologized to the neighbors for the
23 amount of activity on the site over the last few months. Site work is now nearly complete
24 and with a mechanic at the shop, fewer weekend hours at the shop should be required.
25 Concerning the site work, Mr. Lundrigan acknowledged that he has had a complaint filed
26 against him with the NH Wetland's Bureau relative to some filling near a seasonal stream
27 that has occurred. The outcome of this investigation is not yet known. Chairman Colburn
28 pointed out that to reduce expense to the applicant the ZBA had accepted a 50' buffer to
29 this possible wet area. This eliminated the need for wetland delineation. However, now
30 that site work has occurred in this area and the state is investigating the language is no
31 longer applicable. Mr. Lundrigan will be required to adhere to any state requirements.
32 The applicant asked that this language be removed and any state action be substituted for
33 it on this subject.
34

35 Chair Colburn opened the hearing to public comment. Travis Robinson, Thomas Cady
36 and Marty Morgan spoke in favor of the application noting the distance that the use is
37 from the road and the relative small size of the proposed automotive repair service.
38 Abutters Suzanne Spencer and Justin Rendhal did not oppose the auto repair addition at a
39 small scale, but did express concern about the possible wetland violations. When asked,
40 they both indicated that traffic to and from the site, particularly on weekends, has indeed
41 been more than they had anticipated. Pat Lundrigan acknowledged that this was the case
42 and hopes to reduce traffic to the site on the weekends, particularly now that site work on
43 the site is complete.
44

45 The public hearing was closed and Board members deliberated the merits of the case. In
46 general there was no concern about the addition of the mechanic. The property easily

1 qualifies for the “Approved Business Project” section of the Zoning Ordinance and some
2 vehicle repair and maintenance was anticipated from the property maintenance function.
3 The Board did have concerns that the applicant had disregarded the language in the initial
4 decision. The buffer from the seasonal stream had been an agreed way to avoid
5 expensive wetland delineation, saving the applicant time and money. Pat Lundrigan
6 acknowledged the error and indicated his objective had been to make the site able to
7 accept loads of bulk material such as mulch. He has now hired a wetland person and will
8 do whatever is necessary to gain compliance with the State of New Hampshire Wetland
9 Bureau. In addition, Pat assured the board that when the final site work was in place the
10 use would be in conformance with the town’s lot coverage requirements. Right now he
11 anticipates about 36,000 sq feet of impervious surfaces on the 181,000 sq ft lot.
12

13 Peter Martin moved to approve the addition of the auto repair service, as detailed in the
14 application. Further to remove from the previous decision the 50’ buffer language,
15 deferring instead to the outcome of the State of New Hampshire Wetland’s Bureau
16 investigation.
17

18 The motion was seconded and voted unanimously in the affirmative.
19

20 **Case 2020-06:** Michael Venditto request for a Cottage Business to allow for the
21 operation of an event center at his #393 Bean Road property. Member Peter Martin noted
22 that technically he is an abutter, but his home is $\frac{3}{4}$ of a mile away and he accesses his
23 property via an entirely different town road. He asked if either the applicant or any
24 abutters objected to his hearing the case. None did. Matthew Decker noted that he must
25 recuse himself as he is a direct abutter, one of the closest homes to the proposed use.
26 Applicant Michael Venditto did not object to moving forward with just three board
27 members. Chairman Colburn opened the hearing. The applicant explained that his desire
28 is to hold weddings with a maximum of 100 participants from June thru October. In his
29 view the residential property has features that would make it attractive for weddings and
30 other similar one night events. Any event would end by 10pm, outside music would not
31 be amplified and no more than eight (8) guests would be allowed to stay over in the “barn
32 structure.” All other guests would have to leave the property when the event was
33 concluded. The property would remain primarily a residence, the weddings would be
34 away to earn some money to defray the costs of the property. Board members refined
35 their understanding of the project through questions focused primarily about the type of
36 events and possible number of parking spaces areas that would be required. Something
37 like 35-50 spaces will be necessary. The 300 acre parcel seems to have adequate
38 opportunities for safe off road parking.
39

40 The public hearing was opened for comments: Many abutters and neighbors spoke with
41 the main areas of concern being traffic on the road, the character of the neighborhood and
42 the possible conduct of guests leaving an event after a night of celebration. It was noted
43 that often cars on Bean Road travel much too fast for the conditions. It was further noted
44 that many weddings have more than 100 guests and that trips to these facilities typically
45 occur over at least two days (Friday set up and rehearsal). Abutter Mathew Decker
46 added that the main parking lot is quite close to his home and he would hope that its

1 location could be further discussed. Lee Lynd shared many of the concerns, noting that a
2 handful of weddings a summer might be reasonable, but that in this case “business
3 success” would translate to weekly events and a real change to the character of the
4 neighborhood.

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7 Chairman Colburn suggested that the hearing be suspended for the evening (9:20pm) and
8 that the ZBA reconvene at 7pm on Monday July 27th to continue the case. Board
9 members agreed with this approach. The applicant addressed the group indicating that he
10 has learned a lot from this session and he can understand why many feel as they do. He
11 pledged to spend time over the next two weeks to learn more about these concerns and to
12 modify the proposal so as to minimize the impact from his use for his neighbors.

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14 The meeting was adjourned at 9:25pm

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17 Steve Halleran

Richard Colburn

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1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **Monday August 10th 2020**
3 **MERIDEN TOWN HALL/ZOOM TELECONFERENCING**

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5 Zoning Board

6 Members Present: Richard Colburn, Chairman
7 Brad Atwater
8 Peter Martin-Zoom

9 Others in attendance:

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11 Matthew Decker-Zoom Kesaya Noda-Zoom
12 Lee Lynd-Zoom David Noda-Zoom
13 Marty Morgan Chris Dye-Zoom

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15 Michael Venditto Attorney Paul Monziona
16 Lea Kolevert

17
18 The meeting opened at 7pm via Zoom. Chairman Colburn and Town Administrator Halleran
19 explained how the Zoom platform is currently used for public meetings with respect to NH
20 Emergency order #12 and the COVID 19 state response.

21
22 **Case 20-06 Continuation:** Chairman Colburn noted that the public hearing was recessed last
23 meeting and remains open. Attorney Monziona a family friend of the Venditto's offered that the
24 application continues to be for up to 20 events in a five month period May thru October. No back
25 to back events. Attorney Monziona felt that as proposed the use would not be more objectionable
26 than several permitted uses in the zone such as large scale agriculture and silviculture.

27
28 Micheal Venditto and Lea Kolevert provided additional details about the scale and scope and
29 traffic flow for typical wedding events. Since the last session several productive discussions have
30 occurred with neighbors.

31
32 Halleran noted that Janet Connolly who is currently in the hospital wanted her continued
33 opposition to the proposal noted in the record.

34
35 In general, abutters continued to be concerned that the traffic impacts from the proposed use will
36 be significant and neighborhood changing. Abutter Mathew Decker confirmed he had a meeting
37 with the applicant, but remains concerned that the proposed parking area near his home has the
38 potential to negatively impact his residence.

39
40 At this time the Zoom portion of the meeting began having technical difficulties which resulted in
41 turning off the recording, shutting down the video all in an attempt to regain good connectivity.

42
43 Kesaya Noda and Marty Morgan separately conveyed concerns about the size of the proposed
44 operation and the applicant's ability to control the actions of guests and vendors.

45
46 Lee Lynd felt that an all or nothing result for this application had too much risk. He encouraged
47 the applicant to take a close look at the proposal and perhaps come back to the board with more
48 details and a reduced number of events per season. This would allow the neighborhood to have
49 experience with how the events are run. It was noted by several attendees that any approval goes
50 with the land not the owner.

51

1 Michael Venditto agreed with this approach and again tried to reassure his neighbors that he
2 wants to insure that this business is done in a manner that does not significantly change Bean
3 Road. He and his team will develop more written details and specifics and will look closely at
4 the number of proposed events for any given season.

5
6 The Zoning Board agreed to reconvene on Monday August 31st at 7pm to continue the case. New
7 written materials should be received at the town office no later than Tuesday August 25th. This
8 will allow time for board members and the public to review the submittals.

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10 The public hearing for case 20-06 was recessed as noted and the meeting adjourned at 9:15pm.

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Steve Halleran

Richard Colburn

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2 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
3 **Monday August 31st 2020**
4 **MERIDEN TOWN HALL/ZOOM TELECONFERENCING**
5

6 Zoning Board

7 Members Present: Richard Colburn, Chairman -Zoom
8 Brad Atwater
9 Peter Martin-Zoom

10 Others in attendance:

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12 Matthew Decker-Zoom Kesaya Noda-Zoom
13 Lee Lynd-Zoom David Noda-Zoom
14 Marty Morgan Chris Dye-Zoom
15 Michael Higgins, Zoom Janet Connolly
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18 Michael Venditto Attorney Paul Monzione
19 Lea Kolevert
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21 The meeting opened at 7pm via Zoom.
22

23 **Continuation of Case 20-06 Venditto Wedding/Event Center:** Chairman Colburn gave the
24 applicant an opportunity to present the new information that has been submitted. See file. The
25 major changes from the original submittal include 1) a reduction in the number of annual events
26 from 20 to 14, 2) a relocation of the main parking lot away from the Decker residence, 3) use of a
27 temporary road sign advertising an event anytime there is to be one, 4) all deliveries to the site to
28 be during business hours, M-F 9-5, and 5) if needed a police detail will be paid for as part of each
29 event.
30

31 The Chairman gave the public the opportunity to comment on the new changes. It soon became
32 clear from the testimony that the main objection to the proposal remains, that being the impact on
33 the neighborhood from the added traffic on Bean Road, a narrow gravel roadway. The applicant's
34 property is large, which helps a great deal for a wedding venue, but it also sits at the very end of
35 the road with only one way in and out. There was also a discussion about the number of workers
36 verses the number of employees and which counted toward the maximum number of seven for a
37 cottage business. Opinions varied on this topic and no determination was reached, but all agreed
38 it needed more discussion.
39

40 Abutters expressed a desire to have the applicant use his property as he wishes, but also expressed
41 significant concerns about how 14 weddings during a summer would impact the enjoyment of
42 their property. Mr. Venditto stressed that he wants to be a part of the neighborhood and has no
43 desire to have adverse impacts on his neighbors. He indicated that he must find some way to
44 generate some income from the property and this was an idea he came up with that he thought
45 had less of an impact that other uses or developing the property. There was a brief discussion of
46 reducing the number of events to 2-5 per year; with the applicant coming back later to increase
47 the number after the use had developed a track record with the neighborhood. In the end, after
48 conferring with his team, Mr. Venditto withdrew case 20-06 effectively ending the formal
49 proposal. He may try to hold an event or two on the property, using the town's event ordinance,

1 late this summer as a way to demonstrate to his neighbors that these things can be done without
2 harm. The Zoning Board indicated that such events were the purview of the Selectboard.

3

4 **Other Business:** Peter Martin encouraged a joint meeting with the Planning Board to begin
5 discussion about the town's zoning ordinance.

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7 The meeting adjourned at 9:00pm.

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11 Steve Halleran

Richard Colburn

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DRAFT
MINUTES OF THE ZONING BOARD OF ADJUSTMENT
Monday September 14th 2020
MERIDEN TOWN HALL/ZOOM TELECONFERENCING

Zoning Board

Members Present: Richard Colburn, Chairman -Zoom
Mathew Decker-Zoom
Peter Martin-Zoom
Scott MacLeay-In person

Others in attendance:

Marc Morgan, Appicant-Zoom

The meeting opened at 7pm via Zoom.

The minutes of August 10th And August 31st were approved.

Case 2020-07: A request by Marc Morgan for special exception #37 Approved Detached Accessory Dwelling Unit (ADU) to allow for the establishment of a one bedroom apartment in a new detached garage being built at #290 Porter Rd (map 223-12). The property is 18 acres in size and is zoned Rural Conservation II and is not served by public water or sewer. The property's main use is as a residence for the applicant and his family. Chairman Colburn opened the hearing by having applicant Marc Morgan explain the project. The new prefabricated building is being built as a garage on the bottom with a small 500 sq ft one bedroom apartment upstairs. The project has been reviewed by the town's building inspector and all life safety code concerns, fire stops, egress etc are being addressed. The new unit will share a septic with the main house. The project has been reviewed by a NH licensed septic system designer who sees no issue with designing a new septic system for the project. There is plenty of parking on the 12 acre lot.

Board members reviewed the application finding it sufficiently complete to move forward with the hearing. No abutters were in attendance. The board reviewed the application for conformance with both the general special exception (5.6) guidelines and the specific ADU language in the ordinance (sec 4.3). Finding it to be in conformance with both a motion to approve the application was made, seconded and voted in the affirmative on a voice vote (Martin, Decker, MacLeay all yes). As is customary, Chairman Colburn did not vote.

After a brief update on zoning enforcement and possible upcoming hearings, the meeting adjourned at 7:50pm.

Steve Halleran

Richard Colburn