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**TOWN OF CHARLOTTE
ZONING BOARD OF ADJUSTMENT
NOVEMBER 24, 2015**

DRAFT

MEMBERS PRESENT: Frank Tenney, Chair; Jonathan Fisher, Matt Zucker, Andrew Swayze. **ABSENT:** Stuart Bennet.

ADMINISTRATION: Britney Tenney, Zoning Clerk.

OTHERS PRESENT: Jeff Bradley, John Barnes, Nancy Barnes, David Marshall.

Minutes subject to correction by the Charlotte Zoning Board of Adjustment. Changes, if any, will be recorded in the minutes at the next meeting of the Board.

AGENDA:

- **7:00 PM: ZBA-15-11 – Conditional Use review for an alternation/expansion of the camp located at 800 North Shore Road. The property is owned by Roberta and John Stetson and is sited in the Shoreland Seasonal Home Management District.**
- **7:45 PM: ZBA-15-12-Conditional Use review for a retaining wall (shoreland improvement). The property is owned by John and Nancy Barnes and is located at 210 Holmes Road. The property is situated in the Shoreland District.**

CALL TO ORDER

Mr. Tenney, Chair, called the meeting to order at 7:00 p.m.

ZBA-15-11: CONDITIONAL USE REVIEW FOR AN ALTERNATION/EXPANSION OF THE CAMP LOCATED AT 800 NORTH SHORE ROAD. THE PROPERTY IS OWNED BY ROBERTA AND JOHN STETSON AND IS SITED IN THE SHORELAND SEASONAL HOME MANAGEMENT DISTRICT.

Jeff Bradley, representative, appeared on behalf of the application.

STAFF NOTES

Mr. Tenney reviewed staff notes.

Sworn in: Jeff Bradley.

APPLICANT COMMENTS

Mr. Bradley explained objectives as follows:

- To create a larger bedroom from an existing bedroom.
- Add a small bathroom consisting of a vanity, shower and toilet using the existing fixtures.
- Add two small offices on the north side of the existing one story camp.

- 46 • The camp was built on cement piers on ledge. There was no basement. The piers
47 would have skirting.
48 • The 1x8 clapboard novelty siding and color would match the existing materials.
49 • The Marvin windows would match the same size of existing windows with the
50 same red trim.
51 • The roofing shingles would match the existing brown shingles.
52 • The camp lot coverage was 6.2 percent.

53

54 ZBA QUESTIONS/COMMENTS

55 Ms. Tenney explained that the Selectboard had approved a washer and dryer at a previous
56 application. The camp occupancy would not increase and doesn't require a state
57 wastewater use permit. The existing camp straddles the double lot lines and is allowed
58 only one hookup. The double lot can't be combined due to wastewater rules, which
59 would require an amendment to the rules. There were about 30 double lots in the area,
60 said Ms. Tenney.

61

62 Mr. Fisher asked how many trees would be cut down. Mr. Bradley replied that three
63 small trees and two larger trees were marked and certified by the Charlotte Tree Warden.
64 This was a heavily wooded lot, stated Mr. Bradley. Mr. Fisher noted that a letter from
65 Deputy Tree Warden Mark Delanbec noted that two-three trees could be nursed along.
66 Ms. Tenney pointed out that in a follow up e-mail he said could cut them down. Mr.
67 Bradley said that in 2006 the trees were approved for removal.

68

69 **MOTION by Mr. Fisher, seconded by Mr. Zucker, to close the hearing regarding**
70 **ZBA-15-11, a request by Roberta and John Stetson for a Conditional Use review for**
71 **an alternation/expansion of the camp located at 800 North Shore Road; the property**
72 **is sited in the Shoreland Seasonal Home Management District, and to take the**
73 **application up in Deliberative Session.**

74 **VOTE: 4 ayes, 1 absent (Mr. Bennet); motion carried.**

75

76 **ZBA-15-12-CONDITIONAL USE REVIEW FOR A RETAINING WALL**
77 **(SHORELAND IMPROVEMENT). THE PROPERTY IS OWNED BY JOHN AND**
78 **NANCY BARNES AND IS LOCATED AT 210 HOLMES ROAD. THE**
79 **PROPERTY IS SITUATED IN THE SHORELAND DISTRICT.**

80 John Barnes and Nancy Barnes, owners, and David Marshall, Civil Engineering, Inc,
81 appeared on behalf of the application.

82

83 STAFF NOTES

84 Mr. Tenney reviewed staff notes.

85

86 Sworn in: John Barnes and David Marshall.

87

88 APPLICANT COMMENTS

89 Mr. Marshall reviewed a site visit conducted on Sunday, November 22, 2015. John
90 Millbank, Civil Engineering, Inc. had attended.

91

92 Mr. Marshall explained a proposal to a shoreline wall at the base of an embankment for
93 stabilization, and reviewed Sheet C1-1. Sheet C1-3 included photographs of the existing
94 conditions. The wall would be consistent with other sea walls in the area. The materials
95 are yellowish-pinkish Whitcomb Quarry rock, and Island Excavation was the contractor.
96 The intent was to establish a 2:1 slope, with a stone base to prevent wave action erosion
97 of the embankment above, said Mr. Marshall.

98

99 ZBA QUESTIONS/COMMENTS

100 Mr. Fisher asked for clarification of the line of the seawall that came in and then jogged
101 out. Mr. Barnes explained that was where the ledge comes out and crumpled away. There
102 was a question on how to shore that area, said Mr. Barnes.

103

104 Mr. Marshall explained that there is a ledge that sticks out and provides some protection
105 at the property line.

106

107 Mr. Marshall pointed out the 98' high water mark on the site map, Sheet C1-0, and a 150'
108 setback measurement.

109

110 Mr. Swayze asked what the elevation scale was and the wall height. Mr. Marshall replied
111 that the wall height ranged from 4' and 8'-10' high as shown on Sheet C1-2.

112

113 Mr. Swayze asked if the stone would be top dressed. Mr. Marshall replied no. It would be
114 bare stone, said Mr. Marshall.

115

116 Mr. Tenney asked for details on the proposed ramp. Mr. Marshall explained that the ramp
117 would begin at Station 20 off the existing lawn. Station 0 and 64 was where the ramp
118 started to turn, said Mr. Marshall. Mr. Barnes explained that there was an old tractor path
119 when you started to go into the tree line where it is heavily treed.

120

121 Mr. Tenney asked if the stone would go from the 98' mark and up 125'. Mr. Marshall
122 replied yes. Otherwise there would be an imposing wall that would look out of place.

123

124 Mr. Fisher asked if the stairs was the only way down to the water on the property. The
125 ramp would be for construction, asked Mr. Fisher.

126

127 Mr. Tenney asked if the layers were shot rock, then rock blocks, and the soils on top
128 would be reused. Mr. Marshall explained that the fill behind the wall was for drainage.
129 The stone block wall and shot rock behind it would increase the mass behind the wall to
130 offset the weight pushing down. Material from the site would be reused as much as
131 possible to support vegetation, said Mr. Marshall.

132

133 Mr. Tenney asked if water would seep through the stone wall. Mr. Marshall replied yes.
134 It was designed to move and flex. The stone would be dry-laid so water can move
135 through it. The shot rock design was for stability and would lock in and drain well. It
136 would be capped with native material, said Mr. Marshall.

137

138 Mr. Barnes showed the color of the Colchester quarry rock on his I-Phone app.

139

140 Mr. Marshall said that for the entire area to benefit there were some locations where
141 existing trees would need to be sacrificed. New trees would be planted to reestablish the
142 forested portion, said Mr. Marshall.

143

144 Mr. Barnes said that the stair landing on top would stay and the length run of stairs would
145 be shortened where the 4-5 stairs go down. He would no longer need the 'flip-up' section
146 of dock, explained Mr. Barnes.

147

148 Mr. Fisher asked if the stone would be drilled and pinned to the ledge, or free standing.
149 Mr. Marshall explained that Island Excavation would pitch the wall back. A stable sub
150 base would be used as a foundation for the rock. The term "keyed" means excavating to
151 bedrock to sit the wall blocks in; the sub-base is notched and the rock doesn't pull out,
152 said Mr. Marshall.

153

154 Mr. Tenney asked if the other end of the wall would be at an angle coming back to the
155 hill on Hendricks' end. Mr. Marshall reviewed Sheet C1-2, and said that the end section
156 wall height would be more modest. The proposal was to create energy dissipation and a
157 2:1 slope with soil on top. We are trying to stay on the Barnes property and create an
158 opportunity for neighbors to tie into the wall if they want. There is a 5' section between
159 the property lines, said Mr. Marshall.

160

161 Mr. Tenney asked if the rock would tie in on the ledges. Mr. Marshall replied that it
162 would depend on how excavation-able the ledge was to notch the ledge and step the wall
163 back into the bank. It depends on the quality of the rock ledge there. If rock is unstable
164 they would need to create a concrete 'notch' underground, said Mr. Marshall.

165

166 Ms. Tenney asked where the applicant was in the shoreline state permitting process. Mr.
167 Marshall explained that the plan was to work with the local level first, and then go for the
168 state permit. Ms. Tenney said that the state has a 30-day turn around for applications.

169

170 Ms. Tenney noted that the Tree Warden has indicated that he would defer to the state
171 regarding the trees.

172

173 Mr. Tenney asked how for details on the width of the ramp as shown on Sheet C1-3. Mr.
174 Marshall said that Sheet C1-3 shows existing rock. Mr. Barnes said that at the landing the
175 ramp would be 6'-8' wide and 8'-10' wide to allow equipment to get to the water level.
176 When he talked to the state he said they needed to get down to the water and would leave
177 it when done, said Mr. Barnes.

178

179 Mr. Barnes showed a photograph of a site in Colchester with a similar proposal on his I-
180 Phone app.

181

182 Mr. Tenney asked Mr. Barnes to send copies of the I-Phone photographs for the Town
183 files. Mr. Barnes said he would e-mail the images to Mr. Marshall for addition to the
184 application package for the Town files.

185

186 **MOTION by Mr. Swayze, seconded by Mr. Zucker, to close the hearing regarding**
187 **ZBA-15-12, a request by John and Nancy Barnes for a Conditional Use review for a**
188 **retaining wall (shoreland improvement) located at 210 Holmes Road, for a property**
189 **situated in the Shoreland District, and to take the application up in Deliberative**
190 **Session.**

191 **VOTE: 4 ayes, 1 absent (Mr. Bennet); motion carried.**

192

193 **DELIBERATIVE SESSION**

194 The ZBA entered Deliberative Session at 8:05 p.m.

195

196 **ADJOURNMENT**

197 The ZBA adjourned the meeting at p.m.

198

199 Minutes respectfully submitted, Kathlyn L. Furr, Recording Secretary.

200