

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **MEETING JANUARY 14TH 2013**
3 **MERIDEN TOWN HALL**

4 Zoning Board

5 Members Present: Richard Colburn, Chairman Brad Atwater
6 William McGonigle Ted Moynihan
7 Stephen Sheehan

8
9 Others in attendance: Fire Chief Frank Currier Police Chief Paul Roberts
10 Dan Lapan Gene Hews
11 Bruce Elder Mark Horne
12 Joe Longacre Douglas Hacket Hanover Dispt.
13 Jane Stephenson Alex Garcia
14

15
16 The meeting opened at 7pm

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18 The minutes from December 10th were approved as presented.
19

20 **Case 2013-01:** Chairman Richard Colburn opened the hearing by reading the posted
21 notice. The basic details of the case are as follows: WaveComm Communications is
22 requesting a variance and special exception to erect a 90' tower behind the Hudson
23 residence at #82 Black Hill Road. The proposed tower would be used to assist the Police
24 and Fire with communications and to sell wireless broad band internet to some Plainfield
25 residents. Towers are not permitted in the RC II zone where the Hudson home is located,
26 therefore to be approved a variance is necessary. All communication towers require a
27 special exception.
28

29 WaveComm representative Gina Jacobson and Police Chief Paul Roberts explained the
30 details of the application which involves establishing three relay sites (two in Plainfield)
31 that will use the internet and a repeater to transmit radio signals to/from Hanover
32 Dispatch to Plainfield mobile and portable radio units. The project will also be capable
33 of selling broad band internet service to residences with a clear line of sight to the tower.
34 Specifically, at the Hudson site, a 90' lattice type tower structure with guide wires is
35 necessary to move the signal over to a repeater on Mt. Ascutney.
36

37 Members of the Plainfield Fire Department expressed their support for anything that will
38 help them more reliably receive pages and fire call information. This is an issue that the
39 department has struggled with for years.
40

41 Chairman Colburn noted that because of the need for a variance, the Zoning Board must
42 consider the merits of the proposal using the standards for granting a variance as the
43 determining factor. Other applicants for commercial towers have been told that the RCII
44 zone is off limits for these types of devices and have therefore located in the adjacent RCI
45 zone. Board members noted that if this is purely a municipal project, the town could
46 likely move ahead with no approvals. Chief Roberts noted that WaveComm is providing
47 the infrastructure at no cost to the town, but does need to be able to sell commercial

1 products from the towers, like broad band service to recoup their investment. Gina
2 Jacobson calculated that to erect the tower and purchase the related devices have a cost of
3 about \$25,000. Doug Hackett of Hanover Dispatch noted that while he is not familiar
4 with all the details of the application, it is likely that this project will help
5 communications. Firemen noted that if it doesn't work it can come down. In response,
6 WaveComm indicated that unless the project is fully funded by the Town of Plainfield,
7 the company will have spent significant funds on the project and therefore the tower will
8 be part of their larger business operations and would need to be able to stay regardless of
9 how much it improves fire and police communications. Preliminary testing has indicated
10 that the system should make significant improvements to EMS communication
11 capabilities. There was some confusion about whether the system was being proposed as
12 free to the town or whether there would be ongoing charges. WaveComm clarified that
13 there will be cost to the town, although at this point they are not sure how much these
14 costs will be.

15
16 Gene Hewes asked if this would help with his lack of cell phone service at his home on
17 adjacent Hedgehog Road . He was told it would not. He then responded that if approved,
18 he would seek cell tower carrier for his property, since his home is also located in the
19 RCII zone and up until now not available for towers.

20
21 Chairman Colburn held a procedure discussion with the board and as a result the ZBA
22 determined it would first handle the merits of the variance, if that led to an affirmative
23 decision then move on to the Special Exception portion of the application.

24
25 Member Bill McGonigle shared some information he had researched on the latest
26 standards for granting a variance. This related to the Boccia court decision and
27 subsequent amendments to RSA 674:33 that have effectively lowered the bar for granting
28 variances.

29
30 Next board members entered into a discussion with the applicant, and abutters focused on
31 the five criteria for granting a variance. Those from the neighborhood who spoke noted
32 that due to its small size, only a 4' base with a lattice work structure supporting small
33 panels, it is unlikely that most people will see the tower. However, there was concern of
34 what might happen to this tower in the future. It is commonly known that Des and Shirley
35 Hudson are planning to relocate closer to the main road in the next few years. It is clear
36 from communication with the Hudson's that they are allowing the tower as a public
37 service. They were approached by members of the PVFD and WaveComm with the idea
38 to address a public safety need.

39
40 Board members felt confident that a decision could be crafted that makes it clear that this
41 tower is primarily for EMS communications and is not intended to be significantly
42 altered in the future. In weighing the public good against the prohibition in the zone,
43 board members noted that the tower site requires virtually no further development into
44 the back country, the tower will be located about 200' behind the Hudson's home and
45 will utilize the power supply that serves the home. The home has a back up generator to
46 cover extended power outages.

47

1 As the variance discussion moved forward it became clear that:

- 2 1) Assistance from Town Counsel in crafting a legally tightly written motion to
- 3 approve a variance would be helpful.
- 4 2) That there remains some confusion about the details of the proposal that should be
- 5 worked out with the Selectmen so that the ZBA can fully understand the public
- 6 good/cost of the project.

7
8 The above being the case, the board deferred any vote on the variance until at least
9 February and focused on the Special Exception portion of the application. This
10 review indicated that additional information about tree height in the area adjacent to
11 the tower will be necessary, as well as some kind of photo simulation as to what the
12 tower will look like at this site. WaveComm will work on providing this additional
13 information. The application was recessed until February 11th at 7pm here at the
14 Meriden Town Hall. Firefighter Dan Lapan offered that regardless of whether or not
15 this project is feasible the Hudson's should be thanked for their kindness for being
16 willing to allow the structure on their property.

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19 Submitted,

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22 Stephen Halleran

Richard Colburn, ZBA Chair

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2 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
3 **MEETING FEBRUARY 11TH 2013**
4 **MERIDEN TOWN HALL**

5 Zoning Board

6 Members Present: Richard Colburn, Chairman Brad Atwater
7 Stephen Sheehan
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9 Others in attendance: Fire Chief Frank Currier Police Chief Paul Roberts
10 Gene Hews Mark Horne
11 Mark Wilder Mark Fisk
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14 The meeting opened at 7pm

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16 The minutes from January 14th were approved as amended.
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18 **Preliminary Discussion:** Mark Wilder, owner of 2.6 acres on Plummer Road (class VI)
19 map 236 lot 3 and Mark Fish owner of the Hi On A Hill Trout Farm attended the meeting
20 to discuss the possibility of Mark Fisk developing the so called "Plummer Springs"
21 property into a trout hatchery facility. Mark Wilder purchased the property in 2004.
22 Mark Fisk stressed that the while the use would require develop of the site, the project
23 would not be as intense as the main Hatchery on Reeds Mill Road.
24

25 At issue is the town's 1993-01 ordinance which prohibits development on class VI roads.
26 The town has not permitted new development on a class VI road since 1987. The Zoning
27 Board has provided relief to existing development on class VI roads using the provisions
28 of RSA 674:41 "practical difficulty." The board struggled with this proposal given the
29 constraints of the ordinance and the current undeveloped nature of the property. Mark
30 Wilder and Mark Fisk stressed that this site is unique for a aquaculture use given the
31 unique water supply on the land. Board members generally felt that the less intense the
32 develop on the site the more likely that a use could be established. For example gravity
33 fed modular tanks with a minimal building is more likely than a full blown hatchery
34 center with heated buildings and full utilities. In developing the ordinance the Selectoard
35 felt that to insure proper access to town services all development in town should occur on
36 town maintained roads.
37

38 The Zoning Board directed the two to consult with the Selectboard about the current
39 ordinance and the possibility of upgrading the Plummer Road to a class V highway.
40

41 **Continuation Case 2013-01:** Chairman Richard Colburn reopened the hearing for
42 WaveComm Communications for a variance and special exception to erect a 90' tower
43 behind the Hudson residence at #82 Black Hill Road. Zoning Administrator Stephen
44 Halleran reported that town attorney has reviewed the draft variance language from last
45 meeting and has no objections to the granting of a conditional variance, but did caution
46 the town to make sure that if the granting of the variance is dependant on improvements

1 to emergency service communications that the board has evidence that the gains will be
2 real and substantial.

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4
5 Fire Chief Frank Currier and Police Chief Paul Roberts provided testimony that since the
6 January meeting WaveComm has conducted extensive testing of the proposed system
7 and that the results have shown significant improvement in EMS ability to communicate
8 with portable radios to Hanover Dispatch and to each other. Based on this the group feels
9 strongly that once erected the tower at the Hudson property will fill most if not all
10 coverage gaps in Plainfield.

11
12 This being the case Zoning Board members seemed comfortable moving forward with the
13 review of the special exception portion of the project. This review included going
14 through section 3.16 Wireless Communication Facility requirements as they pertain to the
15 application. WaveComm personnel made it clear that the tower will be constructed as
16 shown in the application and will be outfitted with steel plates at the bottom to prevent
17 anyone from attempting to climb the tower. The tower does not require illumination and
18 will be powered from the existing service that fees the Hudson's home.

19
20 Photographs of the area adjacent to the tower were shown and discussed. WaveComm
21 demonstrated that adjacent trees to the tower are 70' to 80' tall.

22
23 Abutter Gene Hewes continued to be concerned that this tower will not enhance cell
24 phone coverage in his neighborhood. He feels that if this tower is permitted, then a cell
25 tower should also be permitted in the RC II zone.

26
27 After completing its review board members directed Halleran to work with Town
28 Counsel to develop both a variance and special exception approval for the project. The
29 board will take these up at their next meeting, March 11th at 7pm.

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31 The meeting adjourned at 9:00pm

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33 Submitted,

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36 Stephen Halleran

Richard Colburn, ZBA Chair

1 that he does not object to the proposed use. Laurie Atwater expressed a desire to see the store
2 building in use, but had concerned about the sale of firearms in the village. Village store owner
3 Ann Yates (no relation) supported the proposal and the general efforts currently underway to
4 revitalize Plainfield Village. Mike Sutherland supported the idea, but was unclear as to the exact
5 nature of the business, noting that several internet based links to Mr. Canton indicated a strong
6 internet presence with a wide variety of guns and paramilitary activity noted. Gunsmith Canton
7 responded that he has not been associated with “Ballastic Maximus” for more than three years
8 and that the focus of this business is as represented in the application. Village Resident Diane
9 MacDonald expressed concern about the sale of assault style semi automatic weapons in the
10 village. Paul Yates noted that while they might sell semi automatic sporting firearms, the sale of
11 assault weapons was not part of their business plan. Members of the public questioned the
12 security plans for the facility. Paul Yates acknowledged that the building will be fully alarmed
13 and the police and fire department will have access to the necessary information about what is
14 inside the building and how it is stored. Priscilla Wheeler who has her own revitalization project
15 going on across the street was supportive of the application and offered to share parking if that
16 would help.

17
18 The public hearing was closed at 8:30pm.

19
20 Chairman Colburn turned the discussion to one of building and site logistics. Some board
21 members conducted a site walk of the property at 6:15pm noting that the parking on the south
22 side of the building is problematic with cars needing to be able to turn around so as not to exit the
23 lot by backing into Route 12A. While practically available, on street parking cannot be counted
24 on to satisfy the business parking needs.

25
26 Board members reviewed various provisions of the zoning ordinance to try and determine where
27 this nonconforming building best fits. The approved business project was ruled out as it envisions
28 a fully conforming lot and structure. The board decided that the Approved Combination of
29 Related Uses might be appropriate as it was developed to assist with the use of older existing
30 buildings in the village. The need for a variance and or an approved parking plan was also
31 discussed. Board members asked the applicant to develop a more detailed and measured parking
32 plan. Rough calculations suggested that something like 6-9 parking spaces will be required
33 depending on the final configuration of the inside of the facility. The board also asked the
34 applicant to develop some lot coverage calculations for inclusion in the application.

35
36 Board members completed their work for then night be developing the framework for a possible
37 decision on the case. The case was recessed until Monday April 8th at the Meriden Town Hall.

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39 The meeting was adjourned at 10:10pm

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41 Submitted,

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44 Stephen Halleran

Richard Colburn, ZBA Chair

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **MEETING APRIL 8TH 2013**
3 **MEIRDEN TOWN HALL**

4 Zoning Board

5 Members Present: Richard Colburn, Chairman Brad Atwater
6 Stephen Sheehan Ted Moynihan
7 William McGonigle

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10 The meeting opened at 7pm.

11
12 The March 11th minutes were approved as amended.

13
14 The Zoning Board continued its deliberations on the Paul Yates case for the Plainfield Store. The
15 applicant is looking to establish a residential use on the top two floors of the buildings and a retail
16 store/workshop focused on the sale repair and restoration of firearms and the sale of outdoor
17 supplies on the Main floor. Applicant Paul Yates updated the application with the following
18 information: a new parking plan that includes leasing two spots from the Community Church, lot
19 coverage calculation and a note indicating that his gunsmith will not be Adrian Canton. Mr. Yates
20 is currently working on finding a replacement gunsmith.

21
22 **From its discussions the Zoning Board made the following findings with a respect to the**
23 **site, building and the proposed use:**

24
25 The general store building has for most of its useful life served as a focal point for the Plainfield
26 Village community. At its peak it served simultaneously as a store, post office, bank and
27 residence. In recent years the building has been unoccupied and has started to fall into a state of
28 disrepair.

29
30 The Plainfield Zoning Ordinance encourages the preservations and continued use of existing
31 historical buildings. To this end the zoning ordinance provides relief from certain sections of the
32 zoning ordinance in cases where projects aim to repurpose an existing building built before 1975.

33
34 The facility has on old existing septic system that little current information is known about.

35
36 The 100 year old plus multi story building located on .2 of an acres with 1900 sq ft. footprint and
37 associated gravel parking areas has nearly 100% lot coverage.

38
39 The proposed business use of the sale of firearms will be situated directly adjacent to a
40 community church and to an established recreation area for children. Customers entering and
41 exiting The Collector's Armory will be in close proximity to those using and coming and going
42 from the playing fields.

43
44 Due to the nature of a gun repair business establishing well defined areas of separation from the
45 residential use will be important. By its very nature the storage of firearms, gun powder and
46 related accessories has the potential to be problematic for a residential use in the same facility.

47
48 Given the above findings the Zoning Board spent the rest of the evening work on a draft of one
49 possible decision for the case. The board felt that to be approved the project needs three
50 approvals: A variance for the lot coverage issue, a special exception for the uses and finally an

1 Approved Parking Plan special exception. Before closing for the evening the Board voted to
2 approve the Variance portion of the application.

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4 The group worked until 9:30pm. The meeting was recessed at this time until Monday April 15th
5 at 6pm, Meriden Town Hall.

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8 The meeting adjourned at 9:35pm.

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11 Submitted,

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14 Stephen Halleran

Richard Colburn, ZBA Chair

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1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **MEETING APRIL 15TH 2013**
3 **MEIRDEN TOWN HALL**

4 Zoning Board

5 Members Present: Richard Colburn, Chairman Brad Atwater
6 William McGonigle Ted Moynihan

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9 The previously recessed meeting opened at 6pm.

10
11 **Continuation of Case 2013-02 Paul Yates:** The Zoning Board continued it is review of
12 the Yates application reviewing the criteria for approving the Approved Combination of
13 Related Uses Special Exception. The discussion focused primarily on defining what
14 would, for this application, be a substantive change that would require additional ZBA
15 review. The board settled on the following language: Any material change in the use as
16 represented in the application, including the buildings retail space allotment, product
17 offerings, hours of operation, or impact on the neighborhood will be deemed to be a
18 substantive change requiring ZBA review. A motion to approve the Approved
19 Combination of Related Uses Special Exception followed, was seconded and voted in the
20 affirmative on a unanimous vote.

21
22 The board turned its attention to the final portion of the application, the request for an Approved
23 Parking Plan special exception. Based on the applicants representations about the business and
24 the board's own knowledge of parking patterns on Route 12A the Board voted to Approved the
25 alternative parking plan special exception on a unanimous vote. The plan includes a minimum of
26 four off street customer parking spots on the south side of the buildings, two employee leased
27 spots at the Corey Tabor Field and two parking spots on the north side of the building for those
28 living in the residence.

29
30 The Board gave a final review of the draft approval document. Halleran will prepare the final
31 decision document and forward it to Chairman Colburn for signing.

32
33 As the Planning Board was coming in for their scheduled meeting at 7pm, the two boards met
34 briefly for an informal discussion about the Yate's Collector's Armory project. The Zoning
35 Board encouraged the Planning Board to look closely at whether or not all or a portion of the
36 recently added porch to the building should be removed. The applicant is willing to do whatever
37 the town wishes on this issue. The porch encroaches onto Peterson Road. Insuring that the off
38 street parking lot on the south side of the building is important, as is the requirement that the
39 interior of the building be renovated so that the residence and the business are as separated from
40 each other as possible.

41
42 The Zoning Board Meeting was adjourned at 7:10pm.

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44 Submitted,

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46
47 Stephen Halleran

Richard Colburn, ZBA Chair

1 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
2 **MEETING AUGUST 12TH 2013**
3 **MERIDEN TOWN HALL**

4 Zoning Board

5 Members Present: Richard Colburn, Chairman Brad Atwater
6 Ted Moynihan Stephen Sheehan, alt

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9 The meeting opened at 6:30pm with a site visit to 7 Bean Road, the location proposed for an
10 Approved Combination of Related Uses special exception to allow for three single bedroom
11 apartments and a 48 seat restaurant.. Chairman Colburn made it clear to the some 15-20 people
12 in attendance that this was just a fact finding opportunity, all discussion about the application
13 would take place following the site walk at the public hearing scheduled for 7pm at the Meriden
14 Town Hall.

15
16 Property Owner Tom Lappin discussed the proposed driveway relocation and the proposed
17 parking lot configuration, both for patrons and tenants. An existing attached barn on the property
18 will be removed and replaced with a kitchen. The group walked through the vacant ground floor
19 area of the house that will be converted to the restaurant use. The site walk ended at 6:45pm and
20 the group moved to the Meriden Town Hall:

21
22 **Meriden Town Hall**

23
24 **Case: 2013-03 Thomas Lappin, 7 Bean Road Associaties, LLC:** Chairman Colburn opened
25 the hearing on the case which involves adding a restaurant use to the ground floor level of the
26 existing colonial style home at 7 Bean Road. Many direct abutters and interested persons form the
27 Meriden Community were in attendance. Tom Lappin explained that currently, the building is
28 used for three single bedroom apartments. The property is 1.1 acres in size and is served by
29 public water and sewer. In a previous life the building served as dormitory for Kimball Union
30 Academy, most recently it has been a private residence with apartments. As proposed, the
31 restaurant would include 48 seats, be open seven days per week serving dinner. Hours of
32 operation would be 4pm till 10pm week days, 4pm to midnight on Fridays, Saturdays and
33 Sundays. Tom has proposed 21 parking spaces, 5 for the apartments and 16 for the patrons.
34 Employees will park off site. Deliveries will be during the day and the trucks will used the empty
35 parking lot for turning around and leaving the property. A small dumpster will be located to the
36 rear of the lot and will be fenced and fitted with proper covers. The dumpster will be maintained
37 in good working order. The restaurant will not include any outside seating at this time and no
38 amplified music. Tom stressed that the use is a restaurant not a bar and will be operated in a
39 manner consistent with that approach. Tom will apply for a NH liquor license as well as all
40 necessary state health department licenses. The restaurant will be fitted with a fire suppression
41 system and the entire building will be alarmed. In keeping with an earlier meeting with the
42 Zoning Board no development is planned for the area of the property directly adjacent to Newton
43 Brook. Six outside lights for the parking lot are planned; all will be dark sky compliant.
44 Walkways will be fitted with ground level lighting as well. All signage will be conformance with
45 town requirements and will be in keeping with the colonial age of the building.

46
47 Chairman Colburn turned the hearing over first to board members and then town officials present
48 for any questions. Board members noted that the parking spaces used in the application are not
49 properly sized as spelled out in the ordinance. To be approved, the project might require an area
50 variance to exceed the lot coverage by as much as 10%. Police Chief Roberts noted that the

1 Police Department always has concerns when alcohol is served. Keeping all vehicles in off street
2 parking will be important to insuring that fire lanes are open and response vehicles can reach the
3 property. Building Inspector David Lersch noted that fire barriers would have to be installed to
4 provide necessary separations between the apartments and the commercial use. The kitchen will
5 have to meet state code and the cooking hood fitted with fire suppression as well.

6
7 Turning to members of the public for comment, many favorable statements were made. All those
8 in attendance supported this business idea. Joe Williams Assistant Head of School at KUA noted
9 that the proposed use would be very popular with KUA faculty and would provide an opportunity
10 for faculty to interact with other members of the community. Jane Witzel and Kevin O'Leary who
11 both live adjacent to the use expressed support for the project however they were also concerned
12 that this will be a significant change to the neighborhood that needs to be handled with some
13 caution for those in the immediate area. Grace Hardy Director of the Duckworth Museum
14 welcomed Tom to the neighborhood and pledges to do all that her organization could to assist.

15
16 Tom Lappin responded to these comments by thanking his neighbors for their support and
17 pledging to minimize negative impacts on them.

18
19 The Zoning Board closed the public hearing and began their deliberations by finding that the
20 application and supporting documents were in sufficient detail to allow the process to move
21 forward.

22
23 Board members felt that the first step would be to handle the parking issues, which seems to be
24 the most limiting. While the board has the ability to grant relief in several ways on parking issues,
25 in this case the board felt that an area variance to allow, if needed, a fully sized parking lot to be
26 constructed that would conform with the town's zoning ordinance was the best approach. The
27 board figured the following: 1.1 acre lot =48,000sq ft. House takes up 1,744 sq ft, new kitchen
28 600, parking lot (fully sized to accommodate 30 cars, patrons, employees and tenants) 6,260,
29 Entry, driveway and paths 4,836 sq ft = 13,440 sq ft or 28% lot coverage. An area variance to
30 exceed the lot coverage by 8% would allow for a conforming parking lot and would represent the
31 minimal amount of relief necessary to allow the project to move forward.

32
33 Board member Moynihan moved that the area variance be approved, finding the following from
34 board discussion, town official input and public testimony:

35
36 The lot is an existing small lot with a large historical building on it. This relief to dimensional
37 hardship allows the existing structure to be used in its entirety. Board members noted that the
38 Village Residential Zoning for a property with an existing structure were keys to their considering
39 this for variance approval.

40
41 The application is not contrary to the public interest allowing the variance would reduce the likely
42 of parking on the public street, mitigating a possible public hazard.

43
44
45 The proposed use is in concert with the expressed spirit of the ordinance which encourages the
46 reuse of existing buildings in the village zone.

47
48 Substantial justice will be done by allowing the proposed use to move forward. The lot is of a
49 sufficient size that reasonable green space will continue to exist on the property.

50
51 No testimony was heard that the use will be detrimental to surrounding property values.

1
2 The variance represents a relatively small amount of change, but significantly enhances the
3 project's ability to function as the zoning ordinance intended.

4 The motion was seconded and voted unanimously in the affirmative, granting a variance from the
5 town's 20% lot coverage requirement. In this case, lot coverage can now be allowed up to 28%.

6
7
8 Board members next turned their focus to the special exception portion of the project, noting that
9 the Approved Combination of Related Uses option requires the board to be clear on what types of
10 changes would trigger further town review.

11
12 The Board held a long discussion centered on the operational details of the proposal. Concerns
13 were raised about the need to screen patron headlights from abutting properties.

14
15 In reviewing/discussing the application details the board made the following findings:

16
17 The multiple family use is permitted in the zone by special exception.

18 The restaurant use is permitted in the zone by special exception.

19
20 The lot is served by both municipal water and sewer and the water district has confirmed that the
21 new restaurant use is acceptable to them and does not present a problem.

22
23 The age of the structure, pre 1995, qualifies for the Approved Combination of Related Uses
24 special exception.

25
26 Hours of operation are stated to be Monday thru Thursday 4pm to 10pm. Friday, Saturday and
27 Sunday 4pm to 11pm. This is a reduction over what was proposed.

28
29 From the Buildings Inspector and Police Chief with conditions both uses can be compatible on
30 this lot and location.

31
32
33 At the conclusion of this discussion member Moynihan moved to, based on the above, to approve
34 the application with the following conditions and terms:

35
36 Approval Conditions to include:

- 37
38 1. Site Plan Review by the Planning Board, unless specifically waived.
39 2. Life Safety Code Compliance review by a fire protection engineer service.
40 3. Compliance with all applicable state and local regulations for restaurants and
41 multifamily residential buildings.

42
43 Concerning the specifics of an Approved Combination of Related Uses Special Exception the
44 board determined that the following would represent a substantive change triggering additional
45 review:

- 46 • Increased seating
47 • Expansion of hours of operation
48 • Parking overflow problems
49 • A change in state licensing
50 • Outside seating

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- Amplified musical performances

The motion was seconded and voted unanimously in the affirmative.

The meeting adjourned at 9:30pm

Submitted,

Stephen Halleran

Richard Colburn, ZBA Chair

1 **draft**
2 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**
3 **MEETING OCTOBER 14TH 2013**
4 **MERIDEN TOWN HALL**

5 Zoning Board

6 Members Present: Richard Colburn, Chairman Brad Atwater
7 Ted Moynihan Bill McGonigle
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10 The meeting opened at 7pm
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13 The Board caught up on approving past minutes and signing amended minutes.
14

15 **Preliminary Discussion Mark Horne:** Mark Horne met with the Board to discuss his #142
16 Route 12A property (107/40) which consists of 9 acres of land with an existing farm house and a
17 now shutdown horse boarding operation. The farmhouse has, for many years, contained three
18 apartments. The multifamily use dates back at least 30 years. Mark is considering holding
19 weekly or monthly auctionson the site, mainly involved with the sale of agricultural products. A
20 periodic flea market use might also be part of the deal. Halleran had asked Mark to attend this
21 meeting, as the Zoning Ordinance does not seem to permit this combination of multi-family
22 residential and commercial uses outside of the VR zone. Either one would likely be done on this
23 lot under the current ordinance, but not the combination of the two. Board members felt that this
24 might well be a good use for the property, but a change in the zoning ordinance would be needed
25 or possibly a variance from the terms of the ordinance. Mark was encouraged to go meet with the
26 Planning Board to see if they would be interested in eliminating the prohibition of multi-family
27 buildings being part of an Approved Business Project could be eliminated (letter g section 3.5
28 operation criteria). This section of the zoning ordnance was created to allow multiple uses on the
29 same property along state highways. A similar section in the ordinance, Combination of Related
30 Uses (section 4.3) would allow this project, but only in the VR zone.
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32 The meeting was adjourned at 8:15pm.
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35 Submitted,
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38 Stephen Halleran

Richard Colburn, ZBA Chair
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