

I. Call to order

Girard called the meeting to order at 6:30 pm

Members present: Jutton, Skinner, Thorpe, Girard and Lombard

Staff Present: Stephanie Maltais, Zoning Administrator

Girard-we have two emergency exits in the back of the room and one behind me. When you come to make your presentation, you must make it at the podium and speak clearly into the microphone so the tape can be transcribed properly. You must begin by stating your name and address. All questions and comments must go through the chair. We tape record each meeting so please keep noise to a minimum.

Our procedures are as follows: I will call the case, the clerk will read the application, and the applicant will then present their case. Once the applicant is finished we then allow comments and general information questions. I will ask who would like to speak in favor and who would like to speak against the application. There will be a rebuttal period for each. After the case has been heard we will close the public hearing and no more testimony will be taken. We will then deliberate the case before moving onto the next case. If the board is unable to finish deliberating the case, we set a time tonight to continue the meeting within the next 30 days.

If you feel a member of the board has a conflict of interest, please say so when the case is called. It takes at least three yes votes to grant an appeal or to deny an appeal. We have a full board this evening, applicants are entitled to wait for a meeting when a full board is present. There is a 30-day appeal period that begins on the date the decision is made.

Has any board member been contacted by anyone in anyway in regards to the applications before us tonight? By email, phone or in conversation, or in any other way in how you would vote? *All board members responded no.*
Stephanie, will you take a roll call please?

II. Approval of Minutes

Thorpe moved, Jutton seconded the motion to approve the Jul 9, 2026 meeting minutes as presented. Voted 5-0, motion approved.

Thorpe moved, Skinner seconded the motion to approve the Jul 29, 2026 meeting minutes as presented. Voted 5-0, motion approved.

III. Public Hearing & Deliberations

#5475: Michael C. Brown and Jane K. Brown- Appeal for a **Variance** (Article V. Section D-4 & Table of Dimensional Regulations) to permit the construction of a new single-family dwelling with a proposed front setback of 19.2 feet where 65 feet is required. Additionally, proposed side setbacks of 15.2 & 15.7 feet where a 20-foot setback is required. Tax Map U33-31 & 32, located at 68 Cattle Landing Road in the Shoreline District.

Chris Boldt for the applicant- This is a property on Cattle Landing. Exhibit A is the existing conditions as there are a couple lots along Cattle Landing that have this setup where the house is on the lake front and there is additional land behind on the far side of Cattle Landing. We've given the measurements both on the plan and in the narrative of where things are. One of the things to call out is there is a rather cool tree house that is being removed as part of this process as well as a shed and the propane that is above ground will become buried as part of this project. We do have in the packet exhibits D and E respectively, the shoreland permit from DES as well as the new septic approval.

Overall, the project is a take down and we're moving the house back and we're moving it in from each side additionally. One side is a foot or so other side is less than a foot. We give you, in the narrative, the square footage of existing versus proposed in each of those. Obviously with the lake setback of 65' the bulk of the existing house but we have a toe of the existing house that is outside of the 65' line. The whole thing is non-conforming.

Exhibit B is our proposed plan that moves the house back. The bulk of the house is in conforming space but what is here in pink is the deck and portion of the house that is still in non-conforming space. We give the existing house is 13.8 feet from the lake and the proposed house is 19.2' from the lake. About 6 feet back. The northern boundary line encroachment where 20 feet is required, right now were at 14.4 feet. The closest spot will be 15.7 feet. More importantly, to put it in perspective our total square footage of encroachment on the lake is 2,226 sq. ft. We're increasing that slightly by only 54 sq. ft. We're going to 2280 sq. ft.

We have a 3 bedroom now and when complete we'll have a 3 bedroom. The approved system, and I make a footnote in my narrative, was when they were thinking of putting one of the bedrooms above the garage but that plan has been scrapped. So, the third bedroom is in the house. The system is approved for 3 and we start with 3 and end with 3.

Criteria:

1. Granting the variance would not be contrary to public interest because:

The first and second criteria are viewed together and the standard is unduly and in a marked degree conflicting with the stated purposes of your zoning ordinance provision that we're seeking a variance from. Here with respect to the lake, obviously protection of the water and you require further back than the state does. But, we are moving the house back by about 6 feet from the current location. We do have the DES permit for this project as a whole. The side setbacks, the purpose is usually to protect overcrowding, blocking light, and helping so that you're not on top of each other. Here we are slightly less than what our existing house is. We're trying to improve the situation. It is one of those things that I frequently address is can you slide this one back to make it different? Here we note that you really can't because once we start going back we have a road setback bifurcates this lot. We feel like we have brought in as much as we reasonably can. We are in keeping with the distances that other homes in the area have. We aren't so far ahead of anyone nor are we so far behind. We are compliant with the 30% impervious coverage. Part of the proposed building is over existing driveway so we aren't creating problems in that territory and we're adding certain segments of pervious pavement. It still prevents vegetative growth which is your definition but we still meet your 30% requirement.

2. If the variance were granted, the spirit of the ordinance would be observed because:

Same as the above

3. Granting the Variance would do substantial justice:

This is the balancing test. Is there some benefit to the public with a denial that outweighs the harm to my clients as a result of that denial. Here we would argue that there is not because we have placed the building in a better location in a more conforming location. We're compliant with your overall lot coverage and we've gotten the permits from DES. We are also putting in a new septic system as a result of that.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

We are improving the building all boats rise to the rising tide. To the best of my knowledge, there has not been a negative comment. My clients have spoken with their abutters.

5. Literal enforcement of the provision of the ordinance would result in an unnecessary hardship:

What are the things that distinguish this property from other properties in the area? What is the substantial relationship between the provisions that we've asked for and applying those provisions to this property and is this project reasonable? Here my narrative on page 5 lists out some of the special conditions; the size, the topography here, configuration of these existing structures, the location of the abutting parcels that make this neighborhood kind of the same. We being able to locate a state approved septic and we're able to have the permits from DES showing that we are compliant with those spirits. Again, I would say this project is reasonable in size given the lot size, given the bifurcation of the property by the road, and in keeping with others along Cattle Landing beyond just our immediate abutters.

Girard- Questions or comments from the Board Members?

Skinner- If you go to page one on the second paragraph of your summary introduction and come down to the second line, you're suggesting that the 34,045 sq. ft. is only .078. I think you meant to say .78. Would that be accurate.

Boldt- Correct.

Skinner- Then the next question is, those 4 or five lots in that particular area are certainly confusing. I have some history with that. I want to make sure that there is no dispute with the town that the town enjoys a 50-foot right of way through the lot per the deed.

Boldt – Correct. None whatsoever.

Skinner- I also believe that the trustees who owns the property assert that the Meredith tax map is wrong and that the two lots really are one lot by deed. Is that correct?

Boldt- That is my understanding. It's been treated as one lot and they by deed cannot be sold separately.

Skinner- I actually read the deed but I think the reality of it is that that is all the right of way is..passage through the property itself which is cumulative from both parcels are one in the same as far as the deed is concerned.

Boldt- Correct. It's my understanding that we gave the calculus of lot coverage with and without the road being part of the count.

Skinner- You did do the calculation based on the reduction for the 50-foot right of way.

Boldt- Correct

Skinner- The last piece of the puzzle is, where .6 of one percent off of the max 30 percent from the lot coverage, correct.

Boldt- It is close. Yes.

Girard- Questions or comments from the public? No comments

Girard- Would anyone care to speak in favor of this application? No comments

Girard- Would anyone care to speak against this application? No comments

Girard- *Hearing is closed.*

Deliberations:

Thorpe- Just a couple of general comments. This is so typical of older lots in a geography like this. Narrow, deep, relatively little area to expand into. So, with the improvement in the non-conformance and the other plans they had put forth, it feels straight forward to me.

Girard- I would agree. The plan accomplishes less impact to the water, further away. Certainly any upgrades to septic or other infrastructure is important, drainage being handled differently. So, I would agree. It makes sense.

Skinner moved, Thorpe seconded the motion to grant the application in regards to **#5475: Michael C. Brown and Jane K. Brown- Appeal for a Variance** (Article V. Section D-4 & Table of Dimensional Regulations) to permit the construction of a new single-family dwelling with a proposed front setback of 19.2 feet where 65 feet is required. Additionally, proposed side setbacks of 15.2 & 15.7 feet where a 20-foot setback is required. Tax Map U33-31 & 32, located at 68 Cattle Landing Road in the Shoreline District.

1. They have met all 5 criteria.
2. This Variance applies only for the project described by plans submitted with this application and on file in the Planning & Development Office.

3. All State and Federal requirements must be satisfied, and all required permits must be on file in the Planning & Development Office prior to granting of a Certificate of Occupancy.

4. An as-built plan produced by a NH-licensed land surveyor will be required by the code enforcement officer.

Roll call: Girard, Jutton, Lombard, Skinner, Thorpe

Voted: 5-0, applicants request granted.

Thirty Day Appeal Period

#5476: Donna Ryan- Appeal for a **Special Exception** (Article V. Section D-2(a) A.) to permit a short-term rental in a detached single-family dwelling. Tax Map U19 Lot 12 located at 62 Pinnacle Park Road, in the Meredith Neck District.

Donna Ryan the applicant- I am only seeking a short-term rental for the lower house. It's a three-bedroom ranch. It has one and a half baths. I'm prepared to be in compliance with the limitation of 90 days because I am an Owner Not in Residence. Most of the guests was always renting at Cape Cod whether you liked it or not. Most of the guests that come up here only like to stay for the weekend so it's not that hard to meeting the 90 days with the summer being the times that it will be rented. We bought the property in 2017.

One of the things that has taken me some time is getting an approved septic design. The town had nothing on file and I could not find anything at the state. I also had an evaluation done and they said everything was good. They worked with me to get an approved plan from the state for both houses.

Criteria:

1. The use will not be detrimental to the character of neighborhood because:

Using this property as an STR will not impact the neighborhood in any way. Renters will be screened and the ad says that this is a quiet, family neighborhood.

2. The use will not be injurious, noxious or offensive thus detrimental to the neighborhood:

A camera is at the second house on the property and will be monitored during rentals to ensure all is quiet and that rules are being followed.

3. The use will not be contrary to public health or safety because:

A property overseer takes care of trash on the day of departure. The rental ad will state that there is room for 2 cars only behind the house and street parking overnight is not allowed.

Girard- Any questions or comments from the Board Members?

Girard- Is the person in Laconia taking care of trash and is her number supplied?

Ryan- Yes. We do have bears in the area but I have a big can in the back that has straps to keep the bears out. I'm an hour and 18 minutes away and if she's not available I will be.

Jutton- Can you elaborate on the litigation that is happening and if you intend to allow guests to use the right of way to the water.

Girard- I just want to caution. We are approaching private issues. I want to make sure the board is aware that as we open certain discussions, we've always stayed away from these issues.

Jutton- I am aware but am asking for a specific reason.

Ryan- I would like to say that yes, there is a deeded right on the property for the purposes of swimming, sun bathing and picnicking for the use of the waterfront area which we have not enjoyed very much lately but it is never my intention to extend that to people.

Jutton- I understand that. I'm more concerned about the fact that you were provided with copies from an abutter with objections, correct?

Ryan- Yes

Jutton- My understanding is that you and the association are in litigation and it will be heard on September 3d. Is that correct?

Ryan- I am not named as a litigant.

Jutton- So, you're not involved in that?

Ryan- No.

Girard- Questions or comments from the public? No comments

Girard- Would anyone care to speak in favor of this application?

Sue Methot- We're directly next to this property and we have never had an issue with any renters. We have a barksy dog and we've got grandkids that are probably more of an nuisance to them.

Girard- Would anyone care to speak against this application?

Gary Kiedaisch- My wife Cynthia is here with me in the front row. We own property immediately adjacent to the Ryans. We border on the back of the lot. We also own a property across the street in a corporation owned by Pinnacle Hill Waterfront LLC. I submitted comments and I believe you have read those comments. But before I ask if we could go through those. I received this afternoon an e-mail from Robin Howerth who is an abutter to the South of the Ryan's property, immediately adjacent. I have copies if you'd like. She asked me to read it into the record. *"Due to an unexpected correspondence and short notice, I am unable to attend the Special Exception meeting Number 5476. I give Gary Kiedaisch my proxy vote against this request here are my reasons. The Ryans have never completely addressed the weekly renters in the existing short-term rental leaving the trash outside and the bears getting into the trash bags and dragging the bags into my yard and breaking the bags apart. This creates a mess in my yard and has to be cleaned up. Will a second rental unit give twice as much trash and cleanup? The Ryans have been known to hoot and hollar around the smokey fire pit that is located in front of the special exception unit until 1-1:30 in the morning. If they find this acceptable behavior why would they stop a renter?"*

I have a lot of experience with short-term rentals. I was president of Stone Mountain Resort for 8 years and we had over 100 condominiums which were all in the short-term rental pool. I was vice president of Waterville Valley Resort. We managed 80 condominium units that were in the short-term rental pool. We had a full staff of personnel to manage the rental of those units. The care and supervision and discipline of the units. I can assure you, there was never a week that went by, particularly a holiday week or a college holiday week, that we didn't have multiple issues with revelry, loud noise and partying from short-term renters. We did not experience that from long-term renters. We also had a rental pool of condominiums that we rented on a seasonal basis that we rented from the beginning of the season to the end. For the reasons that I've stated, in my brief and particularly with the uncertainty of what is going on with the lawsuit that is going to be heard on September 3d, if I'm able to post a sign on my property stating what the deeds call for, people cannot access that unless they are owners of that easement and/or guests of the owners of that easement and accompanied by the owners of that easement. That is to be heard on the 3d. After that what the court has to say about that. If you'd like, I could be happy to go through some of the other issues. The biggest concern is that if somebody go there with or without the Ryan's permission to access that water lot over what is now very, very rough terrain. The access to the lake is outright dangerous because there is an overflow that comes from the town culvert flowing down from the east side of Pinnacle Park Road. The rocks cannot be manipulated by state regulations. I wasn't able to build a walkway to my dock after I relocated it.

Where our concern is is actually two things. Liability and 2 that the Ryans have not been cooperative in adopting the rules. I submitted some additional documentation to you this morning and if you read the Gilford rules and

regulations mine facsimile that. The easement owner has the right to make reasonable rules and regulations to protect themselves and that is what I've made. The Ryans have stood in the way of those being adopted as well as the other easement holder who just spoke this evening. I request that you deny the special exception to make this a short-term rental.

Jutton- I would note that the issues that we raise here are private property issues that have no direct impact on what the board is looking at in making it's decision. You are in court for various reasons and that is the proper channel for you to pursue those. Again, it's outside what the board has to do in its decision making. I would indicate though and we could have a general discussion with the concern about access to this piece of property to the lake, obviously there is another beach right down the street. You said you would not be letting the tenants know that they had direct access to this piece. Would you be opposed if the board includes language in the motion that the owner would be posting that in the rules that the renters would not have access to that easement with access to the lake?

Ryan- Yes. I agree.

Girard- *Hearing is closed.*

Deliberations:

Jutton moved, Lombard seconded the motion to grant the application in regard to **#5476: Donna Ryan- Appeal for a Special Exception** (Article V. Section D-2(a) A.) to permit a short-term rental in a detached single-family dwelling. Tax Map U19 Lot 12 located at 62 Pinnacle Park Road, in the Meredith Neck District.

1. They have met all criteria.
2. This Special Exception applies only for short-term rentals described by the application submitted and on file in the Community Development Office.
3. The property's use as a short-term rental is subject to all applicable Meredith town ordinances. It is also limited to a maximum of 8 overnight occupants and 3 vehicles. The operator of the property is required to inform all renters of these limitations and to enforce them.
4. This rental is limited to 90 days cumulative per year as an Owner-Not-In-Residence.
5. Life-Safety Provisions as approved by a Fire Inspector (Form Attached) will be completed prior to any rental of the property.

6. Daytime occupancy from dawn to dusk is restricted to overnight occupancy plus 50% additional persons for a total of 12 people.
7. Provision of RSA 130A-5D which shall require a lead safety certification if the property was built prior to 1987.
8. The property owner is directed to post in the rules for renters that the right of way through the abutting property is not to be used to access the water.

Roll call: Pelczar, Thorpe, Jutton, Skinner, Girard

Voted: 5-0, applicants request granted.

Thirty Day Appeal Period

#5477: Mark & Ysabel Porter- Appeal for a **Variance** (Article V. Section D-4 B.) to permit construction of a garage with a setback of 58.2 ft. and a deck 30.8 ft. from the shoreline where 65 ft. is required. Tax Map R14 Lot 13 Located at 39 Wicwood Shores Road in the Shoreline District.

Carl Johnson for the applicant- There is actually two separate pieces to a single piece of property. One on the southeast side of Wicwood Shores Rd. and the other is on the northwest side of the road. Wicwood Shores Rd. has been in existence for quite some time and in the 90s the Town of Meredith. There was a survey done that created Wicwood Shores as a town road. They took that over by fee but this property is a singular piece of property and according to the town regulations it can be treated as one property for lot sizing calculations and also for lot coverage calculations. As with many structures of this type, the homes were constructed prior to zoning very close to the lake. This house is 27.4 feet from the lake and the giant majority of existing dwelling exists within the 65' town setback. The Porter's decided that they wanted a garage which in this day and age is more of a necessity rather than an amenity. We've spent quite a bit of time going over the placement of the garage and the existing home is 16.8 feet from the southerly lot line and the original plan for the garage was to have it be violating the 20' setback on that side for reasons that deal primarily the layout of the existing dwelling.

In looking at the requirements for the town and the requirements of the state we did a considerable amount of work to move that garage such that it would be conforming with the 20' side setback and would be conforming with the 30' setback from Wicwood Shores Road. Being attached to the house is a result of wanting to maintain that 30' setback from Wicwood Shores. The result of this creates a small triangular piece of the garage of 54.9 sq. ft. here.

No trees will be cut for this project.

Criteria:

1. Granting the variance would not be contrary to public interest because:

The proposed garage and mudroom addition is consistent with the existing residential use of the property and with the character of the surrounding neighborhood. Roughly 90% of the addition will be constructed within the permissible building envelope. Critically, the minor 65-foot setback encroachment is screened from the lake by the existing dwelling. All neighbor side setbacks and the road setback are satisfied in full.

2. If the variance were granted, the spirit of the ordinance would be observed because:

The natural vegetative buffer between the property and the shoreline is preserved undisturbed. Careful thought was given to placement and design of the addition specifically to minimize setback impacts while achieving a reasonable and practical residential use. Same as number 2 above.

3. Granting the Variance would do substantial justice:

There would be a clear loss to the Owners if this variance is denied and that loss would be greater than benefit, if any, to the community. The proposed garage and addition represent a reasonable, modest improvement to an existing single-family residence that is entirely in keeping with the character of the neighborhood, which has multiple attached and detached 2 and 3 car garages. As noted, the overall project reduces nonconforming conditions on the property: driveway coverage with the setback zone is being reduced, and the deck relocation lessens the existing encroachment into the neighbor setback.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

The garage and mudroom addition is residential in nature, modest in scale and designed to be architecturally compatible with and in keeping with the character of the existing home and neighborhood.

5. Literal enforcement of the provision of the ordinance would result in an unnecessary hardship:

The purpose of the 65-foot shoreline setback requirement is to protect the water quality of the lake- not to prevent property owners from making reasonable use of their property. The two minor encroachments shown in yellow on the site plan result from the orientation and geometry of the existing structure and lot relative to the setback line and occur entirely on the landward side of the existing dwelling, screened from the lake by the existing home itself. A garage in NH is a reasonable one.

Girard- Questions or comments from the Board Members?

Skinner- Did you say that it is a right of way for Wicwas Road?

Johnon- So, no it was taken over by the town in fee. That was the result of a lot of different issues.

Girard- Questions or comments from the public? No comments

Girard- Would anyone care to speak in favor of this application? No comments

Girard- Would anyone care to speak against this application? No comments

Girard- *Hearing is closed.*

Deliberations:

Jutton moved, Lombard seconded the motion to grant the application in regards to #5477: Mark & Ysabel Porter- Appeal for a Variance (Article V. Section D-4 B.) to permit construction of a garage with a setback of 58.2 ft. and a deck 30.8 ft. from the shoreline where 65 ft. is required. Tax Map R14 Lot 13 Located at 39 Wicwood Shores Road in the Shoreline District.

1. They have met all 5 criteria.
2. This Variance applies only for the project described by plans submitted with this application and on file in the Planning & Development Office.
3. All State and Federal requirements must be satisfied, and all required permits must be on file in the Planning & Development Office prior to granting of a Certificate of Occupancy.
4. An as-built plan produced by a NH-licensed land surveyor may be required by the code enforcement officer.

Roll call: Girard, Jutton, Lombard, Skinner, Pelczar

Voted: 5-0, applicants request granted

Thirty Day Appeal Period

#5478: William & Joanne Pendergast- Appeal for a **Variance** (Article V. Section D-4 B.) to permit construction of a garage with a setback of 50.2 ft. and a covered walkway 36.1 ft. from the shoreline where 65 ft. is required. Tax Map U28 Lot 16 Located at 18 Dale Road in the Shoreline District.

Carl Johnson for the applicant- I was in contact with David Ames and got permission to use his plan. This is Fish Cove which leads in to Johnson Bay. It's a very narrow lot. The Pendergasts would like to make this a permanent residence and a garage is critical especially during the winter months.

Criteria:

1. Granting the variance would not be contrary to public interest because:

The property is well hidden on all sides including the shoreline by a well preserved woodland buffer of approx. 200+ mature trees. The design, building materials and colors will be chosen to blend well with Dale Road's woodsy feel. Impact of existing trees will be minimal and not have an adverse affect on current property visibility.

2. If the variance were granted, the spirit of the ordinance would be observed because:

They purchased the property 17 years ago and love the vintage charm of the cottage. The garage and covered walkway will make the property more safe/liveable year round. The request is within the 30% net impervious and there will be minimal impact to woodlands and ground disturbance where it will be built on an existing driveway. Both storm weather management and erosion control measures have been incorporated into our plan.

3. Granting the Variance would do substantial justice:

They are a retired couple and have owned property on Lake Winni since 1986 and love the lake and area. They now live happily in Meredith, however, winters can be difficult to safely access our vehicles. They have also found we need a little more space to have family and friends stay for holidays and weekends. They have no intention to ever rent the space short or long term, however as they age they may need live-in help and would use this space for that to keep them living in the house longer.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

A high percentage of Dale Rd. properties have large detached garages. They are currently using a 12x20 fabric covered storage structure for our lawnmower, snow blower, gardening materials, etc., this will be removed which would increase curb appeal/value. The visibility of the garage will be minimal for the neighbors, and from the street and shoreline

5. Literal enforcement of the provision of the ordinance would result in an unnecessary hardship:

It would be a hardship to relocate the garage to the other side of the property. Working with a narrow lot presents challenges. Exposed Ledge over the area in front of the holding tanks will create significant ground disturbances and interrupt an underground water line to the leach field. It would surround the septic tanks prohibiting access for maintenance and pumping, interrupt an underground propane line, and existing electrical line to the shed. A garage is a reasonable use for a residence.

Girard- Questions or comments from the Board Members?

Skinner- Is that a deck in the ground or elevated.?

Johnson- Slightly elevated.

Girard- Questions or comments from the public? No comments

Girard- Would anyone care to speak in favor of this application? No comments

Girard- Would anyone care to speak against this application? No comments

Girard- *Hearing is closed.*

Deliberations:

Lombard moved, Skinner seconded the motion to grant the application in regards to **#5478: William & Joanne Pendergast**- Appeal for a **Variance** (Article V. Section D-4 B.) to permit construction of a garage with a setback of 50.2 ft. and a covered walkway 36.1 ft. from the shoreline where 65 ft. is required. Tax Map U28 Lot 16 Located at 18 Dale Road in the Shoreline District.

1. They have met all 5 criteria.
2. This Variance applies only for the project described by plans submitted with this application and on file in the Planning & Development Office.
3. All State and Federal requirements must be satisfied, and all required permits must be on file in the Planning & Development Office prior to granting of a Certificate of Occupancy.
4. An as-built plan produced by a NH-licensed land surveyor may be required by the code enforcement officer.

Roll call: Girard, Jutton, Lombard, Skinner, Thorpe

Voted: 5-0, applicants request granted.

Thirty Day Appeal Period

IV. Adjourn

Meeting adjourned at 7:40 p.m.

Minutes respectfully submitted by,
Genie Smith
ZBA Clerk

Approved by the Meredith Zoning Board on

Sept 10, 2026

By

[Signature]

