

**Beverly Shores Building and Site Committee**  
**Meeting Minutes**  
**August 11, 2018**

**The meeting was called to order at 8:30am at the Administration Building**

**Roll Call: Present..... Charlie Ray, David Wagner, John Mackin**  
**David Phelps, Christine Pritchett, Mark Lies**  
**Council Rep....Brian O'Neil**

1. The Minutes of the June and July, 2018 meetings had not been reviewed by the members and so were held until the next meeting. The committee decided to defer approval of minutes until the next meeting.
2. New member Mark Lies was introduced and welcomed to the Committee
3. **Building Commissioner Report**
  - a. List of active projects provided to members prior to meeting was reviewed
    - i. List of old projects is being cleaned up to archive closed projects
    - ii. Some committee members did not receive the list and linked documents prior to the meeting. It was suggested they meet with Town Clerk Hundt for direction on how to receive permission to share files on GoogleDrive.
  - b. BC reported on inspections completed in the past month. Dave Wagner will provide the BC with photos that he takes during inspections that he conducts.
  - c. BC has not received written communication in the past month. BC reported that he receives many calls from residents or potential buyers with questions about ordinances.
4. **New Permit Applications**

BC has received permit applications for a driveway and for tree removal. Committee requested clarification on the new requirements for tree removal permits for improved properties.

  - a. **5 Pleasant Addition – Lies property**  
**Application for addition**

Committee member Mark Lies recused himself from the discussion because this application is for his house.

Builder Pearl presented revised drawings. Pearl and Committee member Wagner had met at the site earlier in the week to discuss closeness of structure to steep slope. Pearl agreed to move the footing back four additional feet away from the steep slope and install the house above the foundation on a cantilever to avoid potential impacts to the slope. The

committee agreed that this was an acceptable solution and requested that the drawings be revised to show that. The BC agreed to waive the requirement to show all trees on the property because he is satisfied that the site plan shows the trees in the area of the project.

The committee had several questions regarding erosion control (silt fence placement was not shown on drawings), site drainage plan, landscape enhancement plan, construction methods such as how construction equipment would access the NE corner of the lot.

A motion was made: Dave Wagner moved to approve the permit contingent upon the list of requirements below. John Mackin seconded. All in favor. The BC can review the revised drawings and approve when submitted so that it does not have to wait until the next meeting.

Architectural:

1. Pull back the foundation four more feet away from the steep slope.
2. Show cantilever and truss size on drawing.

Site Plan:

1. Show trees to be removed on the site plan with a note to leave the root system on white pine.
2. Show location of double 4x8 plywood sheets to prevent sloughing of sand into the foundation excavation.
3. Show silt fence on the site plan per ordinance.
4. Show how utilities will be run to the house.
5. Indicate where the abandoned well is located and note it will be closed per Department of Health procedures.
6. Show how drainage will be handled (drywell, level spreader, etc.)
7. Indicate location of the concrete pumper, concrete washout location, and excavated material storage.

Landscape Plan:

1. Will be provided later.

**b. 436 E Bellevue – Vasilica property**  
**New home building permit application**

The Building Commissioner informed the committee that his firm is the designer of the foundation for this project and recused himself as BC for this project.

This project has previously been submitted and rejected for impacts to wetlands. A petition was brought to the BZA which approved a variance for construction within the setback of the wetlands for a bridge, driveway and retaining wall. The owner is now presenting the preliminary plans for the construction of the house which will be set on helical footings to be drilled into the ground and upon which the house will be built. The helical footings will be drilled into a defined steep slope. The septic field will be located at the top of the hill with pumps and pipelines to deliver sewage to the field from the

house. Retaining walls will be built between the driveway and the house. The committee noted that retaining walls of greater than 4 feet are not allowed facing the front property line. The positioning of machinery during the drilling of the helical piles was discussed. The committee requested that a front elevation drawing and a cross-section of the septic pump pits be provided.

The committee requested a set of final plans for the house and site plan and a complete application. Plans have been turned in, but the committee has not seen them. Committee recommends that the interim BC will study the plans and be prepared by the next meeting to make recommendations to the committee. The committee discussed having John Mackin serve as interim BC for this project, but no vote was taken.

The committee discussed the implications of not having the building commissioner on this project. Liaison O'Neil stated that the ordinance directs the committee to appoint one of their own to act as BC for this project and that the Town Council will hire an on-call BC to serve as inspector on the project as it moves forward. The committee commented that they would prefer to have one BC serve on any project from beginning to end. David Phelps pointed out that if the permit application is rejected and the project goes to the BZA for a variance, the BC is the representative of the Committee to the BZA. The committee agreed that whomever is assigned to serve as interim BC must receive plans well in advance of the meeting in order to provide advice and direction to the committee.

**c. 4 Pleasant –  
Previously approved permit B18-07**

The permit for 4 Pleasant was approved on May 12, but construction has not been started and an extension request was not filed. Dave Wagner sent a notice to the property owner two weeks ago. Town ordinance 155.059(B) states that construction must be started within 3 months of issuance of the permit or the permit will be revoked. The committee stated that removal of trees does not constitute start of construction. David Phelps moved that the permit be revoked. Christine Pritchett seconded. The committee voted to revoke this permit and instructed the BC to prepare a letter to the property owner stating same and that they need to restart the permitting process. The letter is to be passed through the town attorney prior to sending to the property owner. The committee also asked the BC to determine what should be done to stabilize the slopes in the meantime, considering that trees and underbrush have been removed.

**d. 105 E Lakefront Drive – New construction**  
No representative present.

**5 Public Comment**

Representative of JT Cheinlin who lives in Colorado, presented a question regarding splitting an existing lot into two separate lots, one with an existing house, the other undeveloped to be sold at Drexwood and Wilson. First the owner would have a pre-planning meeting with the BC with a plat of survey. Then the matter would go to the Plan

Commission as it appears to be a subdivision question. The committee did state that it is likely allowable to split a property into two buildable lots, assuming that all set backs, perc tests and other bulk requirements can be met.

Susan Zucker, 6 Merrivale, expressed gratitude that the conflict of interest issue is being addressed and progress is being made. She also requested that showing all trees on a site plan is important so that the committee can know after the project is complete that the trees are still there. She asks that the committee continue to enforce this rule.

Chris May, 4 E Fairwater, asked if a permit is needed to pour leveling concrete in the basement of his house. The committee said that a permit is not needed for that work as it repair/maintenance and does not include structural or mechanical/electrical renovation.

Mark Weber, 5 Merrivale, requested that the committee continue to review the steep slope ordinance and presented his interpretation of the ordinance which he has done in the past. He urged that engineering aspect of retaining walls in steep slope areas continue to be considered in addition to the ordinance requirements. The committee said that member John Mackin has been reviewing the ordinance and preparing a compilation that will bring the separate parts of the ordinances that deal with steep slopes together for clarity and will present to the rest of the committee for review to be discussed at the next meeting.

John Bell, 158 E. Ripplewater, had questions about remodeling of a house on the hill facing Lithuanica Park. They are looking to remodel the house. There is no driveway and no parking available. He is here to learn the process. The BC will provide a permit checklist for his use.

There was discussion of whether the meeting notes should be published in Sand Tracks as the previous BC used to do. Those notes were not official minutes. No decision was made.

The TC liaison recommended that the committee elect a chair and co-chair to run the meetings, now that the BC is no longer a member of the committee. David Phelps and Mark Lies said that the committee shouldn't elect a chair unless it is called for by the ordinance. It was agreed that if it is done ad-hoc, that would be okay on a meeting to meeting basis. Christine Pritchett asked if the interim BC should enter into a service agreement with the town if he/she were to serve as BC. Should there be compensation? David Phelps said that a BC should be assigned from the beginning of the project through completion.

David Phelps moved to close the meeting. Christine Pritchett seconded. All in favor.

Meeting adjourned at 11:00 am.

Next meeting will be at the Admin Building on Saturday, September 8, 2018 at 8:30 am.