

## Zoning Board

July 1, 2008

## Memorial Building

7:00 P.M.

*These minutes are to be considered draft minutes only until they are approved by the Board at their next meeting.*

**Present:** Cynthia Hayes, Gene Hayes, Bill Sullivan, Doug George, Barbara Dunlap, Don Hill (Selectman), Tom Naughton (Alternate)

**Minutes:** The following corrections were made to the minutes of June 3, 2008:

Under **Ball**, paragraph 1, line 2 “they had not consulted with John Trachy about Zoning issues.” changed to “they had not consulted with John Trachy about Zoning issues as was stated in the minutes from May 7, 2008.” Under **Ball**, paragraph 2, line 1 “John Trachy said the Conservation Commission was concerned with the less than 100’ distance” changed to “John Trachy said that from a Conservation perspective there was concern with the less than 100’ distance”  
Gene made a motion to accept the minutes as corrected, 2<sup>nd</sup> by Bill, all voted in favor.

The following corrections were made to the minutes of the June 4, 2008 site walk. Line 14 “therefore leaving the integrity of the buffer area.” changed to “therefore preserving the integrity of the buffer area.”

Bill made a motion to accept the minutes, as corrected, 2<sup>nd</sup> by Barb, all in favor.

**Literature and Correspondence:** Cynthia read aloud a letter from the Selectman to Michael Hansen concerning his Special Exception.

Cynthia also read aloud an e-mail from Brian Ball to the Selectmen, an e-mail from Vickie Davis and a letter from the Selectman, all relating to some concerns about the procedures of the Zoning Board. Don Hill was unable to clarify the issue because, he said, it pre-dated his term as Selectman. The Zoning Board will ask to meet with the Selectmen to discuss their concerns.

**Miller-** Continued Variance Hearing. Barb stepped down, Tom Naughton replaced her. The Public Hearing was closed. The Board discussed their findings as they related to the Area Variance Worksheet. Cynthia reviewed the facts she considered when coming to a decision. She was uncomfortable with the number of variances required and the amount of relief needed, i.e. the house was 90 feet into the 100 foot buffer. She listed all the Variances being requested:

### **Article VII Section A5 (125’ required)**

The septic leach field needs a variance of 15.3 feet.

### **Article IV D.2. (100’ required)**

The house needs a 90 foot variance

The driveway needs a 96 foot variance

The holding tank needs a 61 foot variance

The dry well needs an 80 foot variance

The septic line needs a 100 foot variance

The leach field needs a 24 foot variance

**Article III, Section B3(b)2(b) (40' required)**

The septic tank needs a 39 foot variance

The septic pipe at the holding tank exit needs a 38 foot variance

The septic pipe needs a 34 foot variance

The leach field needs a 21.7 foot variance on east side

The leach field needs a 7.6 foot variance on south side

**Article III, Section B3(b)1(b) (35' required)**

The house needs a 28 foot variance

Cynthia also felt that since the whole water course from this property emptied into the lake, public safety was an issue (Statement of Reasons #2). She thought that if these variances were approved by the Board, they were making the ordinances meaningless (Statement of Reasons #5).

Bill agrees that the dimensions of the variances are great, but that great steps have been taken to prevent any possible damage. He points out that the property owners have been taxed on this property for years as a buildable lot, substantial justice would be done (Statement of Reasons #4) by allowing them to build. Gene feels the plan is a good one and that it is significant that the house and septic are 100' or more from the lake.

Members voted on whether or not they felt the requested variances met the criteria for approval using the Statement of Reasons Work Sheet for an Area Variance:

Yes: Bill, Gene, Doug, Tom

No: Cynthia

Bill then made a motion to grant all variances requested to build the house and install the septic systems as presented in the plan dated May 12, 2008. 2<sup>nd</sup> by Gene.

Favor: Bill, Gene, Doug, Tom

Oppose: Cynthia.

Cynthia let the Miller's know that any person requesting an appeal had 30 days from the date of posting of the Notice of Decision.

**Donald and Pixie Hill-** Request for a Variance to the terms of Article III, Section b 3(d) of the Springfield Zoning Ordinance to permit the installation of a monopole tower with windmill with a total height of 67 feet. Property located on Nichols Hill Road Tax Map 19, Lot 166-453. Present: Donald and Pixie Hill, Ron & Katie, Jack Lyle

Don Hill had submitted a brochure with specifications of the design of the windmill, a map and some pictures. The Hill's are using the windmill mainly to power a pump for a solar hot-water system they are also installing. The Board talked about safety, visual impact and noise. The windmill would be more than 110% of its total height away from the property line for safety. Because the property is at the end of a road with few neighbors in sight, visual and sound impact would be minimal. Jack Lyle, an abutter, was in favor. Peter and Tracy Crowell also spoke in favor. No one spoke against.

The Public portion of the hearing was closed. The Board went over the Statement of Reasons for an Area Variance. All members felt the criteria were met. They discussed some conditions relating to sound and appearance of the windmill, they were:

1. No color schemes on entire structure.
2. No signs anywhere on the structure.
3. No lights on the structure.
4. The ambient sound level at the property line will not exceed 60 decibels. If there is a complaint it will be verified by the Town Code Officer.

Cynthia made a motion to grant the 32' height variance to install the monopole windmill as described in the application with conditions above. 2<sup>nd</sup> by Gene. All members voted in favor. Cynthia reminded the Hills that someone had 30 days from the date of the Notice of Decision in order to appeal.

**Miscellaneous Business:** The Board went over some more Rules of Procedure.

Gene made a motion to adjourn at 9:15pm.

The meeting for August will be Tuesday, August 5, 2008.

Respectfully Submitted,

Linda Huntoon Recording Secretary

