

**Zoning Board
Memorial Building**

**August 5, 2008
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 July 1, 2008: under **Literature & Correspondence:** last line "their concerns" changed to "the concerns". Under **Donald and Pixie Hill:** Ron & Katie have the last name Hill and are in fact the applicants children. Under **Donald and Pixie Hill** condition #4; "<60 decibels" changed to "less than 60 decibels". Gene made a motion, 2nd by Bill to accept the minutes of July 1, 2008, as corrected, all in favor.

The minutes of the July 28, 2008 meeting concerning condition #4 of the Hill Notice of Decision were read. Bill made a motion, 2nd by Barb to accept these minutes, all in favor.

Meeting with Selectmen: This meeting was postponed by the Selectmen.

Miscellaneous Business: The Board went over some more Rules of Procedure, as they could not start the first Hearing until the noticed time.

Donald and Pixie Hill-request for variance to the terms of Article III, Section B 3 (d), to install a windmill with a total height of 67 feet. This is a new, noticed hearing because there was an unresolved discrepancy with condition #4 on the July 7, 2008 Notice of Decision. Present: Donald and Pixie Hill, Ron Hill, Katie Hill, Michael and Susan Chiarella.

Don Hill says this is a very small (less than 2 Kilowatt) personal windmill. It is being used mainly to power the water pump for his new solar hot-water system. The installer had recommended the monopole for the windmill be no less than 60 feet, 90 feet high would be even better, but is cost prohibitive. NH Electric Co-op has a program for residential windmills and the Hill's will be part of that program.

The site for the windmill is open to the west, which is where most of the wind comes from, and it is unobstructed. The windmill will be just under 200' from the Hills' house and 260' from the property line of the closest abutter. It will be 200' from the road. If the windmill were to fall over, it would not fall on any structures and it would be on the Hill's property.

Mr. Hill and John Trachy had each spoken to representatives from the manufacturer (Skystream) who stated that the noise from a windmill with a 35' monopole would be the loudest and that did not exceed 65 decibels when measured 35' from the base. Noise output from taller monopoles would be even less. After a little discussion, it was decided that a noise condition would be unnecessary.

Michael Chiarella spoke in favor of the windmill; he will go before the Zoning Board next month because he also wants to install a windmill. Mr. Chiarella is an abutter and he and the Hills would have a view of the other's windmill. Mr. Chiarella also spoke about a new NH State statute about windmills which seems to favor them, and does not allow towns to "zone them out".

After determining there was no further input, for or against, Cynthia closed the public portion of the Hearing.

The Board then used the above statements of fact in their discussion and found in favor of the applicant for each of the 5 criteria on the Statement of Reasons worksheet.

- They found that the installation of the windmill would not be contrary to the public interest but actually be a public benefit as per the State and NH Electric Co-op.
- It would reduce the carbon footprint.
- There would be no diminution of property values as there is little noise or visual impact and the setbacks would lessen even these.
- The abutters are in favor of the installation of the windmill.

Bill then made a motion to grant the 32' height variance for installation of the monopole and windmill with the following conditions:

1. According to design submitted on June 12, 2008.
2. No color schemes on entire structure.
3. No signs anywhere on the structure.
4. No lights on, or illuminating, the structure.

The motion was seconded by Gene and all members voted in favor.

Durgin and Crowell Lumber Co., Inc.-Request for a Special Exception according to Article III, Section B2 of the Springfield Zoning Ordinance. Applicant proposes to install on its property an above ground propane storage tank for use by Durgin and Crowell and by Rhymes Propane.

Present: Peter Crowell, Malcolm Milne, John Rhymes, Jay and Janet Booker, Sue and Gene Venable. Doug felt he should step down, Tom Naughton sat in.

Peter Crowell says the lumber mill has been using oil to heat the plant as well as to dry lumber in the kilns. They want to convert to propane to save money as well as reduce emissions. The propane tank cannot be in the same location as the old oil tanks. The proposed site for the propane tank is an elevated area that is already a parking lot. The exact location for the tank is not final; design and location of the tank must meet approval of the P.U.C. The tank would hold around 30,000 gallons of propane. The mill uses more than 200,000 gallons of fuel per year. Rhymes would move the propane from the storage tank to smaller tanks throughout the mill. John Rhymes estimates the number of tanker deliveries to the site to be 2-3 per week, which is about the same as the oil deliveries. There would also be delivery trucks making approximately 12 trips per week to the tank, during the colder months. Jay Booker did not want any propane trucks to travel on Messer Hill and Peter and John said they would not unless a delivery there.

John Rhymes says he will work with the Springfield Fire and Police Departments to set up the propane tank site. They will have decisions to make regarding fencing and fire safety. The Springfield Fire Chief must give final approval. There will be one explosion-proof light at the tank, it will usually be off and is not very bright according to Mr. Rhymes. There is a special cut-off system for the tank which complies with NFPA. There will be barriers to prevent truck collisions. There is nighttime security at the mill. Rhymes would offer training to the Springfield Fire Dept.

Both John Rhymes and Peter Crowell have stated that they wish to be good neighbors and would want to hear any complaints. The Bookers and Venables, who are abutters, say they do not hear the mill, they hear I-89.

Cynthia read from the Springfield Zoning Ordinance, Article XI, Section D2 which states the general conditions to be met for the granting of all special exceptions. Durgin and Crowell needs a special exception because the propane is not just for their own use. If the special exception is granted, the applicant will need to go before the Planning Board.

After determining there was no more input from the applicant or audience, Cynthia closed the public portion of the hearing. The Board discussed the findings of facts in the case. They include:

- No significant increase in traffic
- Propane will reduce emissions as well as reduce potential groundwater contamination
- Safety issues are being appropriately addressed, by Police, Fire, and Planning Board
- No change in noise level, only 1 additional light, which would be off most of the time.
- Abutters say the Mill is a “good neighbor” and do not object to this proposal

Cynthia made a motion to grant the Special Exception requested above, subject to the following conditions:

1. No travel by Rhymes propane trucks on Messer Hill, unless a delivery there.
2. Wetlands will be delineated by a Certified Wetlands Scientist to determine the appropriate setbacks under the Springfield Zoning Ordinance.

Motion for Rehearing-Joseph and Arlette Miller: This is a closed hearing to discuss a motion for rehearing submitted by John Trachy and signed by Gerald and Barbara Cooper. On the Board, Barb is replaced by Tom Naughton.

The Board decided that Mr. Trachy had no standing. The Cooper's property is separated from the Miller's property by the Heath property. The Board felt that the Coopers have standing because they own property on the lake and the value would be affected by the condition of the lake. The board mostly felt that the request for a rehearing was based on a lack of evidence that zoning issues had been discussed. Bill believes they were discussed and a rehearing would be a chance to correct mistakes and omissions in the record.

Gene made a motion to rehear the case, 2nd by Bill, all members voted in favor.

There was discussion about when the Board would rehear, many thought that a special meeting should take place, possibly on August 26th; Cynthia is to contact everyone about this.

The Meeting was adjourned at 10:20pm.

Respectfully Submitted,

Linda Huntoon Recording Secretary

