

**Zoning Board
Memorial Building**

**April 5, 2011
7:00 pm**

These minutes are considered a draft until they are approved by the Board at the next meeting.

Present: Bill Sullivan, Gene Hayes, Susan Chiarella, Katherine Richardson, Bryan O'Day

John Chiarella (selectmen rep.)

Absent: Steven Berkley (alt)

Also present: Leigh Callaway, Justin Hastings, Clayton Platt, Malcolm Patten, Cynthia Bruss, George McCusker, John Trachy, Cynthia Hayes, and William Huntoon

John called the meeting to order at 7:00pm at the request of Bill Sullivan.

1st order of business: nominations for Chairperson

Susan nominated Bill Sullivan for a term of 1 year.

Kathy 2nd

Board passed

Susan nominated Kathy Richardson for Vice Chairperson

Gene 2nd

Board passed

Gene nominated Tamara Butcher to recording clerk

Susan 2nd

Board passed

Minutes of March 2nd

Add (alt) next to Steven Berkley

Page 2 change 1-5 to A-E, A-B to 1-2

Change April 15th to April 5th

Page 3 change except to exceed

Kathy moved to accept minutes as changed

Gene 2nd

Board passed

Minutes of March 22nd

Add (alt) next to Steven Berkley

Change spelling of Kathie to Kathy

Change He defiantly did not want the position, has held it in the past and is through with doing so anymore. To: He definitely did not want the position, has held various positions in the past and feels it is someone else's turn.

Change: An example of this was the Miller's: they had 7 different variables that needed to be looked at and when they were denied they came back to the selectmen very disappointed with the outcome. To: An example of this was the Miller's: they had 7 different variances that needed to be looked at and when they were approved they still came back to the selectmen very disappointed with the outcome.

Change: resigned to rescinded.
Bryon moved to accept minutes as changed
Susan 2nd Gene abstained
Board passed

Some research can and should be done outside of the meetings in regard to RSA's, property location, etc.
RSA 91-A: 2-a Communications outside meetings.
Kathy did not feel anyone on the board over stepped their bounds and everyone should come to meetings prepared.

Cynthia should be thanked and commended on what she has done for the board and the town.

Bryan withdrew himself from the hearing.

Steven Berkley who is an alternate but was absent the board was then required to appoint someone to act in his absence.

Gene nominated Cynthia Hayes as an Alternate
Kathy 2nd
4 members voted in favor
No vote for against taken
1 did not vote (Bryan O'Day)

When questioned the need for an Oath of Office before Cynthia could sit on the Board, she produced a form from her bag, signed it, John Chiarella signed as well as Selectmen.

Bill read the application:

Malcolm Patten is requesting a variance from Article IV, Sections 4,14 of the Zoning Ordinance to permit: *disturbance and construction in an area 75'-100' from a jurisdictional wetland.*

Applicant alleges that the following circumstance(s) exist which prevent the proposed use of the property under the strict terms of the Springfield Zoning Ordinance: *A suitable building site accessed from Main Street is prohibited by strict interpretation wetlands overlay district.*

Mr. Patten started his presentation: Property is a total of 130 acres the location of the piece in question rises up 8-10' with wetlands around it. If the piece did not have the rise he would not be there because there would be no way to build there. Clayton later added that the rise might be 10-15'.

While there are other areas on the property away from wetlands these would require the driveway to pass through abutters' property.

Clayton continued the presentation: Soils have been studied and the result was that the location being looked at is the best available.

If the setback was 75' instead of the 100' the actual wetlands would be left undisturbed.

Question: Why does the entire property not have wetlands shown?

The cost to the property owner for a piece this size would probably be in the area of \$8-10,000.

If the variance is approved the location, about 5 acres, in question would be subdivided off the original piece.

Prior to the Zoning Ordinance of the 100' setbacks the site was buildable according to state regulations.

The driveway will need a special exception because it crosses about 8' of wet area. Wetlands scientist thought the driveway crossing is acceptable by all DES regulations.

Question: Is there alternate locations?

Yes, off of George Hill Rd. but that is pretty wet, maybe not swamp but pretty sure if digging were done the water table is very close to the surface.

Also off of Philbrick hill but again the driveway would have to pass through a right of way, the house lot would be in a hay field and Mr. Patten is against cutting up the land to much and losing the hay fields to a house lot.

Question: When do you propose to build?

No time soon, 1, 2, 3 years.

Mr. Patten asked the board if they would like to look at the property once the snow is gone. One board member wants to see the area in question and also the area off George Hill. Another thought it would be good to see the entire piece. By the end of the month the snow should be gone

Bill and Susan brought up #3 of the request submitted needs to be looked at: The substantial justice needs to be to the property and not to the family as stated in the application. Zoning is about property not family.

Bill asked when was good for everyone for the site visit. Weekday/evenings were best. Site visit will be April 27th at 5:15pm. Park just down from Mr. Patten's house on right side of Main Street where road curves to the left.

Bill asked if Mr. Patten had any further questions.

Mr. Patten asked what the length of the variance is. The answer given was a variance lasts forever.

Bill moved to continue the meeting on May 3rd with a site visit on the 27th.

Mr. Patten and Mr. Clayton left the meeting.

Cynthia brought up that they needed to look at the Application Checklist for a 2nd time, Bill agreed. A 3rd look was needed prior to final approval.

Bryon was back at the table.

Any changes to the checklist? No

Gene moved to accept checklist

Susan 2nd

Board accepted checklist as written

Correspondence:

Mailing from Office of Energy and Planning Cynthia passed on to Bill a mailing from the Local Government Center about a class being offered in New London. The selectmen received one, copies where made and given to each member.

June 11th 2011 18th Annual Spring Planning and Zoning Conference, copies where given to each member.

Website: Each application needs to include everything the Board requires an individual to submit. Cuts down on confusion.

Board member info needs to be updated.

Motion to adjourn at 8:10

Respectfully submitted
Tamara Butcher