

**TOWN OF SPRINGFIELD, NH  
ZONING BOARD OF ADJUSTMENT**

**MEETING MINUTES  
AUGUST 3, 2010**

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

Present: Cynthia Hayes, Chairperson, Bill Sullivan, Kathy Richardson, Barbara Dunlap, Gene Hayes and Deb McGlew, Recording Secretary, John Chiarella (Selectman representative). Not present Sara Ellis, alternate and Kevin Waite.

Others Present: Bryan O'Day, John Trachy, Justin Hastings, Bill Huntoon and Katie Richardson of The Intertown Record. Many others present did not introduce themselves to recorder.

Chair Hayes called meeting to order at 7:00 and introduced the board.

**Meeting Minutes**

On the July 6, 2010 meeting minutes, Chair asked that under miscellaneous business the second sentence be struck as irrelevant. Bill Sullivan made a MOTION to approve the minutes as amended. Gene Hayes second the motion which passed. Kathy Richardson abstained.

Minutes of the July 8, 2010 Site Walk – Gene Hayes MOVED to accept minutes as drafted. Bill Sullivan second the motion. MOTION passed. Kathy Richardson abstained.

Chair asked the secretary to get copies for the board of the 2010 ZBA Handbook distributed by the Local Government Center.

**O'Day Hearing - Continued**

Chair Hayes opened the public hearing to hear the case of Bryan O'Day for variance on setback requirements under ordinance VII. 7.10- setback from water on property located at 52 Stryker Road map/lot 8 360,362.

Kathy Richardson recused herself and sat in the audience. Alternate Gene Hayes replaced Kathy as a member.

Bryan provided a drawing, which was copied and distributed. Chair Hayes suggested that the drawing may be inadequate to withstand scrutiny should a decision be questioned. Barbara Dunlap agreed that a drawing more to scale would need to be on file. To request a variance, it needs to be specified. The distances need to be clearly outlined on a drawing. Bill Sullivan asked the requirement within the regulations is for a map or drawing. Bill continued by pointing out that this building is in existence - usually when we are asking for a map it is when a building does not exist.

Points of discussion included that the building as measured differs from what is on the drawing. The current portion being used for sand is 16.3/4" x 16+'. When asked if the roof is going to continue over the remainder of the footprint – Mr. O'Day responded, yes. Board felt the drawing presented to the Planning Board back in 1999, was more detailed. John Chiarella suggested that there are a couple resources to assist in determining the normal high water mark. One is a

USGS map, flood plain map, and a recent map used for the bridges as a resource Gene Hayes asked if there a limitation on duration of construction – the answer was significant progress must be made within 12 months. The permit when given was for a 14' x 30' shed for sand storage during the winter. Bill Sullivan shared that in general this shed is an improvement, in making things less nonconforming and addressing the issue of product being inadvertently distributed while loading the trucks. Chair Hayes pointed out that historically the buffer zone was not complied with. Mr. O'Day stated he has attempted to comply with the requested buffer zone with very limited success. He expressed his frustration at the lack of growth of the plantings - The vegetation is so dense, they either die or don't grow. Chair Hayes suggested there may be an alternative, such as large rocks to impede anything from being put into the river - a more defined border. Bill Sullivan recalled that the buffer of trees was asked for to impede the view from a neighboring property. There was some discussion around snow removal. Chair Hayes pointed out in the case of commercial, the setback 150'. Also, pointed out in the zoning regulations. Article IV. Conservation Overlay Districts, 4:11 states: Boundary of wetland on a specific site must be delineated by a Wetland Scientist. If granted, the plan should clarify the use of the prior building - Delineation and functions should be clear.

In discussing potential buffers John Chiarella suggested there are tree buffers that can meet the need to help prohibit some of the debris from going into the river. Chair Hayes reiterated a specific and detailed drawing would assist the board in determining a buffer area.

In discussing the temporary roof, Bryan stated if permitted he would add a roof.

Chair Hayes recapped for Mr. O'Day what the board would like to see on a drawing: a 20' to 1" scale, with all structures, functions and setbacks clearly and precisely delineated as well as the normal high water mark, information to defend the high water mark and a specific request for a variance from that mark is important.

Due to board members being unable to attend the next regularly scheduled first Tuesday of September meeting, the public hearing will be continued to **Thursday, September 9<sup>th</sup>, at 7:10 p.m.** Conservation agreed to give up the meeting room.

**Miscellaneous:**

Chair Hayes regrettably reported that Kevin Waite submitted a resignation from his seat on the board effective July 23, 2010, due to personal commitments. Bill Sullivan made a motion, seconded by Kathy Richardson, to accept Mr. Waite's resignation – Motion passed. Bill asked if Gene Hayes would be willing to fill the member vacancy. Gene agreed and Bill made a MOTION, seconded by Barbara Dunlap for Gene Hayes to relinquish his alternate status and be a full member. This will be until next March. Motion unanimously approved. Chair Hayes asked the board to consider any potential candidates to fill an alternate vacancy.

Meeting adjourned at 9:00 pm

Respectfully Submitted,

Deborah McGlew