

ZONING BOARD

JUNE 6, 2007

MEMORIAL BUILDING

7:00 P.M.

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

Present: B. Manning, Cynthia Hayes, Bill Sullivan, Mark O'Halloran

Literature and correspondence: B. reviewed literature received from Local Government Center.

Minutes: Cynthia made the following corrections to the minutes from the meeting of May 2, 2007:

In the paragraph beginning Also Present , Dan's last name is Mitchell.

Page 2; The order of paragraphs 1&2 under **Matarazzo Continued Special Exception Hearing**, should be switched.

Page 2; Paragraph 5 under **Matarazzo**....should be changed to read....Mr. Matarazzo provided packets to Board members of all documentation pertaining to the steps he has taken relative to compliance with the Zoning Ordinance. His presentation was numbered Items 1 through 7.

Page 2; Paragraph 6 under **Matarazzo**... should be changed to read...Item 2 from the packet included the approval of a motion in the Planning Board minutes from January 18, 2007, that there were no other feasible alternative locations for access.

Mark moved to accept the minutes of May 2, 2007, as corrected, seconded by Bill and unanimously approved.

Colena-Area Variance Hearing-Concerning a request by Jocelyn Colena, Applicant for a Variance to the terms of Article III, Section B 3(b) of the Springfield Zoning Ordinance. Applicant proposes to build a garage which does not meet the setback requirements on property located at 255 Hogg Hill Road. Tax Map 10, Lot 201-272.

B. opened the hearing at 7:12. Present was Jocelyn Colena, and Calvin and Lois Rockwood (abutters). Jocelyn says the reason she needs the variance is that the slope of the land is too great to build on if she used required setbacks. Also her well would be in the way. She presented a plan of her garage (from LaValley's). The proposed garage would be 28'x36' and 22.6' in height, and 36' from the middle of the road, built on a slab and vinyl-sided. It would be white, with one window on the road side. The upper level would be for storage.

There was discussion about the width of the road, and if the stone walls really indicate property lines. Mr. Rockwood expressed concern that the garage would block the view of

the road to the left and make pulling out a safety hazard. Mrs. Rockwood is concerned that the garage may block her view, and that she is taxed on that view. They say they are not objecting to the garage but have these concerns. It was suggested that a ribbon be put on a tree to mark the height of the garage to estimate the effect on the view.

A site visit was scheduled for July 2, 2007 at 6 P.M. Brad will have to mark the center of the road; it will be Jocelyn's responsibility to see that this is done. She will get copies of her deed and map to Janet. Jocelyn says she has stakes marking where the garage will be built, and B. cautioned that these need to be accurate so that if a variance is approved, that the garage is not built closer than the approved setback.

B. explained the process of reviewing an Application for an Area Variance.

Cynthia advised Jocelyn to mark on her map the well and any other feature that may have an effect on where the garage might be built. The board will assess the situation and take measurements during the site visit. Abutters are invited. The Board hopes to make a decision at the meeting following that, and Jocelyn is advised to be there.

The Hearing was continued to 7:15 P.M. on July 2, 2007.

Michael Hansen-Continued Special Exception Hearing: B. re-opened the Hearing at 7:55 P.M. Michael had Pierre Bedard do some research about the road on the edge of the property, on the corner of Maple Lane, known as Rollins Road. He has record of the road being discontinued by Town vote in 1863. John Trachy brought up that prior to 1945, court approval was required before a road could be discontinued. Michael does not appear to have record of this and will try to get it from Mr. Bedard.

Michael is presenting "option D" as his best choice for his boat storage facility. He would start the building 35' back from the ROW (even if he owns the road). The building would then be built on an angle 200' from the property line in the front and 100' in the rear. He would plant pine trees on Mr. Bell's side.

Michael is planning on sharing the old road in question with Mr. Bell. This then creates a question on where the setbacks would be for Michael. He does not want to leave Mr. Bell with no access to his property.

The two buildings now on the property are going to be taken down.

The proposed building would be 100'x250'.

Cynthia wants a clearer map; one that only includes what Michael wants to do now, that includes water and setbacks.

Michael and a friend from the DES augered the property and again found no evidence of wetlands. He has a plan to direct this water to Bob's well, using ditches with fabric and rip-rap. B. wants the plan for the water in writing. Mark O'Halloran suggests that Mike may want to be sure he is current with laws concerning water. Michael informs the board that he has been building bridges and dealing with the DES "on a daily basis" for ten years.

There is some concern that the letter Michael has from a wetland scientist does not clearly say that the water on the property is NOT a wetland.

For the next meeting, Mike needs to come back with a complete plan (making sure to separate the two businesses) including:

- building shown on a map in exact location
- septic system (if any)
- water changes spelled out
- decision made about driveway (if it is upgraded, may need variance)
- documentation of a court decision, if possible, about the road being discontinued
- a new letter from the soil scientist
- terms clearly defined
 - "temporarily" re: boats stored outside the building
 - "employees" how many?
 - "closed" i.e. to the public , "hours of operation"
- #6 should be clear about what is done/not done at this facility
- description of building (height, color, pitch of roof etc.)

Cynthia and Mark suggest that Michael hire the town attorney to look at the road issue so that the Town could be confident about the ownership of the road. It was decided that maybe hiring a different attorney would be best.

The hearing is continued to July 2, 2007 at 7:45 P.M. with a plan to continue to August if this does not allow enough time to get the old court records.

Minutes of site visit of May 7, 2007: B. made a motion to approve these minutes, seconded and approved.

The board briefly discussed the issue of another part of Michael Hansen's property where he wants to lease storage area to other businesses, and whether each business would need to go through zoning or the area could be zoned as light industrial.

Mark is supposed to be working with Kevin Lee on the home business/occupation letter.

Cynthia moved to adjourn the meeting at 9:22 P.M.

Respectfully Submitted,

Linda Huntoon

Recording Secretary