

ZONING BOARD

MAY 2, 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, Mark O'Halloran, Bill Sullivan, and alternate Gene Hayes.

Also Present: John Trachy, Barbara Dunlap, Beverly Richardson, Robert Richardson, Todd Richardson, Michael Hansen and Dan ? (last name unknown). (last name unknown).

B. Manning took a moment to observe the passing of John Graham and commemorating his service to the Board.

The meeting was called to order. The roll was called.

Minutes: Cynthia discussed noting in the minutes what changes are made versus the general statement "*Corrections were made to spelling and grammar*" as written.

The following changes were made:

Page 1 (3rd paragraph) "*Cynthia moved to accept the February 6, 2007*" changed to February 7, 2007.

Page 1 (last paragraph) "*He questioned whether the 7 items (below) are a test for a Special Exception or are should they be related to the purpose...*" change to He questioned whether the 7 items (below are a test for a Special Exception **or**.

Page 2, (2nd paragraph) *The Board is looking for an independent view on the impact these crossings are having with the overall project*" change to ...on the impact these crossing are having **on the wetlands**.

Mark moved to accept the minutes of March 7, 2007 as corrected, seconded by Cynthia and unanimously approved.

Literature and Correspondence: Letter received from Conservation Commission regarding gathering of NRI resource information for the Natural Resource Inventory. John Trachy stated there would be a presentation by NRI on May 10, 2007 at the Town Hall.

Election of Officers: Chairman: Cynthia nominated B. Manning, seconded by Bill. Approved by 3 members voted in favor, 1 abstained (B). Vice-Chairman: Bill nominated Cynthia Hayes, seconded by Mark. Approved by 3 members in favor, 1

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abstained (Cynthia). Cynthia moved to elect Gene to fill vacant position on the Board to serve until next Town Meeting, seconded by Bill. Unanimously approved.

B. stated the ZBA has the ability to elect members to fill a vacancy or appoint alternates because they are an elected Board. Bob Anderson is the Board of Selectmen's representative to the ZBA, not an Ex-officio member.

Matarazzo Continued Special Exception Hearing:

B. Manning and Mark O'Halloran stepped down. Present: George Matarazzo, Bruce Gilday, Peter Blakeman, and Andy D'Amico. Mr. Matarazzo requested that Mark O'Halloran be put back on the Board for this hearing. There is no conflict, he is not an abutter, and he has been present at all the meetings.

At 7:15 p.m., Cynthia reopened the public hearing and introduced new member Bill Sullivan. Bill stated he has read the literature, maps and minutes related to the Special Exception request. Bill stated he feels that he feels he has caught up with the information as well as he can.

Because of the new Board, Cynthia stated Mr. Matarazzo could make this request. The decision was up to Mark. Mark felt that he could remain objective. He has been present at most of the hearings. Because of the situation he has no problem being back on. Andy D'Amico, as abutter stated he did not have a problem with this. Mark stepped back in. B. Manning stated that as an abutter he felt that Mark could do a good job.

The Board reviewed requirements under Article IV, Section H 2 as well as Articles I, III, VI, VII and X referenced by Article IV.

Packets of information provided to Board members of all documentation pertaining to the steps that have been taken relative to compliance with the Zoning Ordinance. His presentation being numbered Items 1 through 7.

Item 2 from the packet include the approval of a motion in the Planning Board minutes from January 18, 2007.

Cynthia reminded the Board the information needs to be reviewed as to how the materials presented relate to the road and driveways and their impact on the wetlands, as that is the reason for the Special Exception request.

The Board reviewed each of the above articles for their application to the Special Exception Request. The Board then reviewed Items from the packet of information from Mr. Matarazzo.

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Item 1: General conditions from George and Patricia Matarazzo included with their application for Special Exception.

Item 3: Response to 7 items listed in the Wetlands Conservation Overlay District.

Letter to the Conservation Commission asking for their assistance reviewed. Letter of response from the Conservation Commission indicating the Commission's vote at their March 8th meeting (**Item 4**) indicating the Commission feels the required information has been satisfactorily addressed. Item 3 also reviewed Mr. Matarazzo's statement relative to the 7 issues addressed as part of Wetlands Overlay District, presented at the joint meeting on March 7, 2007. The Board discussed topics relative to these statements. Vegetative swales, wildlife corridor, natural resources, proposed culverts, proposed driveways, deed restrictions and easements, protection of aquifers, were reviewed at length.

Item 5: Drawings from Blakeman Engineers showing the impact of the entry road crossing the wetlands and wetland buffers.

Item 6 & 7: Drawings from Matarazzo Land Planning providing additional illustrations.

The Board reviewed the maps:

Mr. Matarazzo addressed impact potential for the proposed development. These items are addressed on the map from P.J. Blakeman Engineers Map dated 3-21-07, **Plan of Impact Areas to Wetlands and Wetland Buffers**. (Presented and on file as a permanent record of this Special Exception request.)

Cynthia read the letter from Ross Stevens of Stevens Engineering. (Letter included in the permanent file).

The Board reviewed topics that have been discussed several times throughout the hearing process with the ZBA and the hearings with the Planning Board. (Refer to prior meeting minutes of the Conservation Commission, Planning Board, and Zoning Board).

The proposed road location and construction standards. Stabilization and maintenance measures during and after road construction. The Planning Board will address how the road is to be stabilized and maintained until such time as the Town may decide to take the road over.

Location of wildlife corridor, and easements to be recorded as part of deed restrictions for maintenance of wildlife corridor with restrictions on cutting and fencing.

Driveway locations and construction impacting the buffer zone.

Potential impact to wetlands and wetland buffers resulting from proposed crossings.

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Proposed culverts and drainage structures.

Mr. Matarazzo, in his presentation stated, he is proposing a neighborhood for good residential development, not just lots located off a road. His team has spent a great deal of time to provide minimal impact to the wetlands and wildlife. The road, while it could be located so as to avoid areas of the buffer, the proposed location provides significantly less impact to the land.

Cynthia stated that she did not have a problem with the concept of the subdivision. She agrees that this is the best location to put the road, but she is not sure that this is the best land to have a subdivision. The land surrounded by so much wetland when the road and buffers are highly impact. The Zoning Ordinance with the Wetlands Overlay District ask the Board to protect it. The roads are impacting a huge amount of buffer and wetlands.

Mr. Matarazzo indicated the impact is a small percentage of the overall acreage of the property. Peter Blakeman indicated that a residential subdivision is an allowed use of zoning of the property. By not allowing access through the buffer, the property is being cut off from anything other than a single house lot, and that access still would have to go through the buffer.

Cynthia stated that she is not saying that you can't have a road go through, she is not taking the land use away. This piece of property, given the buffer that is infringed upon and the road is the not the right thing for a subdivision of 26 homes. She does not think this would be taking away the economic value of the land. It could be used for something else.

In closing Mr. Matarazzo stated the proposed location of the subdivision is in a very good strategic location for development. It is located off a major road for travel North and South. He stated he feels it is in a good site for a residential subdivision. His goal has been to create these individual neighborhoods.

The Board asked the public for comments: John Trachy stated that he was concerned with the approximate impact for the roadways and driveways being 3% of the buffer. The wetlands buffers are there to protect the wetlands and wildlife and in his opinion this is far too intrusive.

Andy D'Amico, abutter, spoke to the Board about wildlife crossings areas he has noted in the 30+ years of ownership at his property. He is happy to see that there has been protection provided for the wildlife with the corridor.

Following discussion, Cynthia closed the public hearing at 8:30 p.m.

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Board members discussed the application.

Gene Hayes questioned what guarantees there were that the driveways would be built where shown on the plan. The Board agreed this might be a condition of approval.

Mark O'Halloran stated he has sat through many discussions and has seen a reduction in the amount of lots initially proposed as to what could be put on the land, and the impact was much larger than how it has been presented now. Cluster housing is one of the proposals that minimize impact. He stated Mr. Matarazzo has worked very hard to avoid or minimize wetlands crossings. Mark stated that this is an extremely well planned and well thought-out plan. The applicants have continued to address every issue that has been brought up by the Boards and the abutters. The best use is through Four Corners in relation to the least amount of impact. Mark stated he would like to see the wildlife corridor, and fencing

restrictions in the deeds. He indicated this is a benefit for our community to have a plan this well defined and sets a precedent for others to follow.

Cynthia Hayes stated that she did not disagree with the effort and plan of the subdivision. A great deal of time and effort has gone into this and this has been the best plan presented that she has seen in her experience in the Board. She stated she felt her job as a ZBA member is to protect the Wetlands Overlay District. She does not feel that she is doing that if she has a road going through 1.5 acres of buffer which she has been asked to protect or .13 acres of actual wetlands. She does not believe in good conscious she can protect the wetlands.

Mark O'Halloran stated the numbers overall represent a minimal amount of impact considering what is seen on a regular basis that gets developed not just in this town but in other towns. Establishing a wildlife corridor should be factored in as a variable through actual deeded protection put in place, should also be used in the use of the variables of the percentage of what is being protected.

Bill Sullivan stated the impact is what it within what he would judge to be within acceptable limits. He thinks the reason the Board has the authority to make Special Exceptions is that they get to use their judgment on these matters. In his judgment this is a reasonable thing.

Cynthia asked what would happen if someone else was to come in asking for a Special Exception for a road and needing to cross wetlands how would that be handled.

Bill stated he would make a judgment based on that particular property. That is what he feels the Board is there for.

The Board discussed the proposed condition of approval as follows:

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1. "At the time of road construction, Lots 1, 16 & 17 will have the driveways constructed as shown on the plan designed by P.J. Blakeman, dated 3/21/07 called the Plan of Impact Areas to Wetlands".

Mark discussed a condition of approval be defined in deed nomenclature. Mark questioned whether a condition should be for the Conservation Commission to police this. B. suggested that policing is a Selectman's responsibility and he advised against this.

The Board discussed culverts and the difference between box bottom culverts and open bottom culverts. Bill suggested the Board defer to the experts and the Town Engineer to determine the proper culvert. Gene agreed. Peter Blakeman stated the wetlands bureau will be looking at this culvert for the type of stream crossing that it is.

There were no other conditions proposed.

Following discussion, Cynthia moved to "grant Mr. Matarazzo the Special Exception for his subdivision off Four Corners Road and Town Farm Road with the condition that at the

time of road construction, Lots 1, 16 & 17 will have the driveways constructed as shown on the plan designed by Peter .J. Blakeman, dated 3/21/07 called the Plan of Impact Areas to Wetlands”. The motion was seconded by Bill. Three members voted in favor, one opposed (Cynthia).

Michael Hansen – Continued Special Exception Hearing: B. Manning stepped back in. B. reopened the hearing continued from February 2007, regarding request for a Special Exception for valet boat storage, and ship store on property on Maple Lane.

Michael stated following the last meeting he has had RCS Designs review the wetlands on the property. The finding is there is no evidence of perennial streams existing on the property. This is an abandoned town road with a culvert placed at the end where it was abandoned and the drainage was directed from the existing man-made culvert onto the property. The seasonal run-off is from that culvert. It is not a wetland.

There is an existing house on the property. Proposal is for a heated boat storage facility, and valet service for people to leave their boat at the storage facility and the valet service to transport boats to the Georges Mills Harbor when clients request. They would like to build a ship store in the existing house to sell boat related materials. They propose also selling a few new boats from the property. They would like to upgrade 200’ of the abandoned town road and run the water from the culvert through a drainage ditch on the property. This would be a seasonal business closed from November to April. The amount of traffic will depend on the number of boats stored. This is proposed to be a two-employee business limited to 50 valet boats, with additional 50 boats in the proposed

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250’ x 100 ‘ single story building for a total storage of 100 boats. The proposed building location meets setback requirements.

The board discussed the status of the abandoned road, drainage and wetlands issues. Todd Richardson stated that Pierre Bedard has done some preliminary work regarding the status of the road. The Board agreed that Michael would need to do more research on the status of the abandoned road.

The boats will not be stored with fuel in them. Fuel will be extracted from a different site before the boats are moved on site for storage. During summer, fueled boats will be stored outside. Michael stated he would look into a fire suppression system if required. They do not expect that there will be many cars parked on site while boats are in use. The cars will be parked elsewhere.

Traffic patterns in and out of the property were discussed, Impact of traffic on Maple Lane was reviewed. The boat valet service basically involves 8 weekends during the summer. There is not much call for boat valet services during the week. Parking is allowable under the power line easement that runs through the property.

The Board suggested Michael contact the Town of Sunapee to see what their feelings are regarding the proposal for the use of the Georges Mills Harbor.

The Board discussed with Michael that he should present a written plan for the operation of the business. He should address such issues as hours of operation, number of employees, number of boats to be stored and where, lighting, signage,.

Abutters Robert and Beverly Richardson stated they are concerned with the impact the traffic and a building of this size will have on their property. They will be able to look out their window and this building will be the only thing they see. The impact at the intersection of Maple Lane and Georges Mills Road was discussed.

The Board agreed they needed to make a site visit to the property. A site visit was scheduled for Monday, May 7 @ 6:00 p.m. Michael was asked to stake and flag areas of the driveway, property line, proposed building site, and parking areas.

The Board voted to unanimously to continue the Public Hearing to June 6, 2007 at 7:30 p.m.

Miscellaneous Business: The Board discussed alternates. Barbara Dunlap stated she has attended a couple of Board meetings recently and might be interested in serving as an alternate, but would perhaps like to attend a few more meetings first.

With no further business, the meeting adjourned at 9:45 p.m.

Janet Roberts,
Recording Secretary

**ZONING BOARD OF ADJUSTMENT
TOWN OF SPRINGFIELD, NEW HAMPSHIRE**

You are hereby notified that the appeal of:
George and Patricia Matarazzo
For a Special Exception

Regarding Article IV Section H-2 (2)

of the Zoning Ordinance

Has been **GRANTED**, subject to the conditions listed below, by the
affirmative vote of at least three members of the Zoning Board Of Adjustment

CONDITIONS:

1. At the time of road construction, Lots 1, 16 & 17 will have the driveways constructed, as shown on the plan designed by P.J. Blakeman, dated 3/21/07 called the Plan of Impact Areas to Wetlands and Wetlands Buffers.

Cynthia Hayes, Vice-Chairman
Zoning Board of Adjustment

Date: May 2, 2007

NOTE: The Selectmen, any party to the action or any person directly affected has a right to appeal this decision. (See NH Revised Statutes Annotated, Chapter 677). If you wish to appeal, you must act within thirty (30) days of the date on this notice. The necessary first step, before any appeal may be taken to the courts, is to apply to the Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds on which you will base your appeal.

This notice has been placed on file and is made available for public inspection in the records of the ZBA.



**STEVENS
ENGINEERING**

P.O. Box 1945 New London,
NH 03257

Tele: (603) 526-2493 Fax:
(603) 526-2003

May 2, 2007

Cynthia Hayes

Vice-Chairman
Zoning Board of Adjustment
Town of Springfield
759 Main Street, PO Box 22
Springfield, New Hampshire 03248-0022

Subject: Matarazzo Subdivision
Request for Special Exception

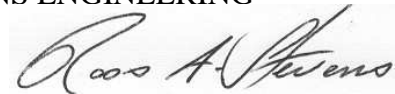
Dear Ms. Hayes:

I have been asked by Zoning Board Chairman, B. Manning to submit the following letter to the Board. As the Town's Engineer, I have been reviewing the Matarazzo subdivision application process and have walked the site on a few occasions and have attended many Planning Board meetings, including a recent, joint informational meeting with members of the Planning Board, Zoning Board of Adjustment and Conservation Committee attending. At the joint meeting, George Matarazzo and his consultants made a very informative presentation regarding the proposed impacts upon the Wetlands Conservation Overlay District that will occur as a result of the subdivision and more importantly, the measures that are intended to mitigate and restore proposed impacts to the wetland areas and wetland buffers.

During the course of my review I engaged Wetlands Scientist, Peter Schauer to collaborate regarding delineation of proposed wetland impact areas at the site and the proposed stream crossings. Peter also attended the joint meeting, at which members of the various boards and Conservation Committee questioned both Peter and me extensively.

Peter and I both share the fundamental premise that the location of the proposed access roads to the subdivision property represents the most feasible of alternative access locations, including Hazzard Road and Route 4A. Additionally, I would like to mention that Mr. Matarazzo's plan to create a wildlife corridor with cutting restrictions that would link vital habitat and wetland buffer areas represents a significant commitment toward fostering an environmental sensitivity that will remain with the land.

Very truly yours,
STEVENS ENGINEERING

A handwritten signature in black ink that reads "Ross A. Stevens". The signature is written in a cursive style with a large initial "R".

Ross A. Stevens, P.E.

Cc: Peter Schauer, George Matarazzo.

CONSERVATION COMMISSION

TOWN OF SPRINGFIELD

759 MAIN STREET, PO BOX 22
SPRINGFIELD, NH 03284-0022
PHONE (603)763-4805 FAX (603)763-3336

March 13, 2007

*Zoning Board of Adjustment
Town of Springfield PO Box
22 Springfield NH 03284*

RE: Matarazzo Sub-Division Proposal

The Zoning Board of Adjustment has requested that the Conservation Commission provide advice concerning the impact of the proposed Matarazzo sub-division.

The Conservation Commission met on March 7 in a joint meeting with the Planning Board and Zoning Board. On March 8 the Conservation Commission directed the following excerpt from the minutes be sent to you:

Matarazzo Subdivision: *The information that was presented by the Matarazzo Land Planning Consultants to the joint meeting of the Conservation Commission, Planning Board, and Zoning Board on 3/7/07 was discussed. Dick Currier made a motion, seconded by Ken Jacques, that a letter be sent from the Conservation Commission through the chairman, John Trachy, to the Zoning Board stating that the Conservation Commission has satisfactorily received the answers from the town engineer, Ross Stevens, and Peter Schauer (certified wetlands scientist) regarding the seven points that the Zoning Board had raised. The motion carried, with 4 votes in favor, 2 opposed, and 1 abstention.*

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Trachy". The signature is written in a cursive style with a prominent loop at the end.

John D. Trachy

Chairman

Email: springfield.conservation@verizon.net