

## Zoning Board

October 3, 2007

## Memorial Building

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:** B Manning, Cynthia Hayes, Gene Hayes, Barbara Dunlap

**Miscellaneous Business:** B wants to see if there is money in the budget to renew the subscription to the Zoning Letter. John Trachy mentioned a website sponsored by the State OEP where planning and zoning personnel can ask questions.

**Minutes:** The following changes were made to the minutes of September 19, 2007; page 2, line 2 “the Zoning Regulations on-line” changed to “helpful instructions for the Zoning Regulations on-line”. Cynthia made a motion, seconded by Gene to accept the minutes of September 19, 2007 as corrected.

**Michael Hansen:** Michael has withdrawn his request for a variance.

**Leach:** Variance to the terms of Article III, Section B 3(b) of the Zoning Ordinance. Applicants propose to construct a garage within the 35’ setback from the property line. Property is located at 571 Four Corners Road. Tax Map 28, Lot 723-288. Present: Nancee and Julian Leach, Douglas George (abutter).

The Leach’s were informed that there was not a full Board present and that if there was a vote taken, they would still need 3 votes in their favor. If the Leach’s choose to have the Board vote anyway, they cannot use the lack of a full Board as the basis for an appeal of the decision of the Board.

Mr. Leach brought in two maps that he had created. The proposed garage would be 15’ from the boundary. He said that because of a high water table on this property there was only one place for the septic system, according to his septic designer. He also stated the location of the driveway was limited because of the septic system. Moving the garage would put it into the driveway. The septic system is not yet installed, and the house is not completed. The proposed garage would measure 24’x30’ and be attached to the house by a 14-15’ breezeway, which is also not yet constructed.

The Board would like to have a site visit. Mr. Leach has agreed to mark the site for the septic system, garage, and breezeway. The property line is a stone wall. The Board has some concerns about wetlands Mr. Leach has mentioned and B suggests that the Leach’s have a wetland scientist find them and mark them.

B read aloud a registered letter from David Waters and Patricia Ware, 551 Four Corners Road, Springfield. Their property abuts the Leach’s in the area where the variance is being requested. They were unable to attend the Hearing. They object to the Leach’s being granted a variance because they feel that in the Town of Springfield, having 9 acres of land should mean you don’t have to “push the limits of the Zoning Ordinance.” They didn’t want their front lawn to have a view of the

walls of buildings and asphalt shingles. The Board wants Mr. Waters to receive a copy of the minutes.

The Hearing was continued to the site visit scheduled for Saturday, October 20, 2007, at 9:00 am. The Hearing would then be continued to November 7, 2007 at 7:30 pm. Douglas George wanted to know if he could attend the site visit, and he was informed that this would also be a public meeting.

**Tunis, LLC:** A request for a variance to the terms of **Article VII**, Section A 1 &3 of the Zoning Ordinance. Applicant proposes installation of a septic system and cottage on a pre-existing, non-conforming lot. Tax Map 23, Lot 735-520, and the installation of a well and cottage on a pre-existing non-conforming lot. Tax Map 23, Lot 750-517. Present: Susan Hankin-Burke (lawyer representing owner, Christine Austen), Paul Austen (son of owner), John Downing (septic designer)

B informed the applicants about there not being a full Board.

The actual design proposed would be for a septic system and well to be shared by the two properties, and for cottages to be built on each of the properties. The well is already installed on lot 750-517 (0.4 acre) and the septic system would be built on the shared property line. It would be an Enviro -septic system. There would be reciprocal easements put into the deeds of each property, and Susan would be willing to draft those if the Board wanted to see them. There is no State approval yet for the septic system as the applicant chose to go before the Town first.

These properties are adjacent to each other and are on the point of the lake. As the design is presented, each property would need several variances. For Lot 750-517 (0.4 acres):

- House is less than 100' from the water (65')
- Does not meet setback requirement from Woodcrest
- Leach field is only 100' from water
- Septic system is on the property line

For Lot 735-520 (0.75 acres)

- House is only 50' from the water in one area
- House is less than 100' from the water in another area
- Septic is on the property line
- Garage does not meet setback requirements in 2 places
- Septic is not 125' from water

The Board discussed some ways that the plans could be changed so that the properties did not need so many variances. Removing the garage from Lot 735-520 would make it possible for the house to be moved back further from the water.

The board questioned Mr. Downing about the soils on the property and what the state setbacks are for septic systems. Gene questioned how close to the lake the perimeter drains can be.

Gene and Cynthia expressed concern that if owners of the two properties were to disagree about the septic system, should it fail, the Town may have some liability.

Cynthia wants to be sure about the State's septic requirements for the soil and the distance from the water. Mr. Downing assured her that he placed the system according to State Regulations including the Shoreline Protection Act. The State will not approve a system without Town approval.

B wanted to set up a site visit and the Board agreed for October 20, 2007 at 10:00 am. Stakes will be set up consistent with the plan dated 10/03/2007.

He asked the lawyer to have the wording for the deeds sent to the office 10 days before the next regular Zoning meeting in order for the Town's attorney to review it.

Cynthia would like to see an alternate plan for Lot 735-520 which would move the house further back from the water.

The Board is concerned about where construction/disturbance is allowed within the shoreline buffer.

Cynthia will talk to DES to get their input.

B will talk to the Protective Associations of Lake Sunapee and Lake Kroleemook

The Hearing was continued to the site visit and then to November 7, 2007 at 8:00pm.

The meeting was adjourned at 9:35pm.

Respectfully Submitted,

Linda Huntoon, Recording Secretary