

BOARD OF SELECTMEN
MEMORIAL BUILDING

SEPTMEBER 12, 2016
7:00 P.M.

Selectmen present: Chairman Don Hill, Leigh Callaway and Tamara Butcher

Also present: Whit Smith, Bryan O'Day, Justin Hastings, Ed Belfield and Josh McGraw

Meeting called to order at 7pm.

Building Permits: Whit Smith, Zoning Coordinator; (a written update provided to the Board of Selectmen is attached at the end of these minutes)

Application approved for Roger & Ellen Moore: Fee waived due to circumstances

Application approved for Jean Twombly: 3'x24' addition to front of house and a 10'x10' concrete pad for a hot tub.

Application approved for Waylon Dearth: 6'x16' wood shed

Application approved for Timothy Stone: Deck measuring 22'x10'x6'

Annette Granger: Permit filed for multiple items A: Pad for oil tank; B: Shed; C: Addition to house

Approval was granted for parts A and B. Part C was denied due to located within the 660' wildlife corridor of McDaniels Marsh.

Revision Energy will be attending the Planning Board meeting on Thursday

Doug Rafferty steps were going to be relocated to a different location but due to circumstances he has decided to rebuild them back in their original location, so no permit is required.

Mr. Smith visited the Keene lot located at 86 Lamson Lane regarding a possible Variance. While there noticed a storage container located on the lot adjacent. Questioned the Board as to whether or not there had been a permit for the container and as far as the Board knew that had not been a permit approved for a container on the lot.

Mr. Smith informed the Board that he was working on and would continue to research the term building permit because in a number of the situations he has come across the term does not adequately describe what land owners are wanting to do.

Concern was raised about the new construction built by OnSite Construction, a deck measuring 12'x10' has been built on the back of the house that was not shown on the site plan approved by the Springfield Zoning Board of Approval. Selectmen determined that a letter would be sent to OnSite Construction requiring them to submit a permit with the after-the-fact fee of either \$100 or 10% of the value of the deck as determined by the Town Assessor.

Minutes of 22 August 2016: approved by 2, 1 abstained

Old Business:

Skate Park: Frank Sparrow has been working on repairs and will be finishing up shortly. Leigh voiced a request to have Mr. Sparrow inspect the park yearly to further extend the life span. All selectmen agreed this was a good idea due to the amount of use it receives by townspeople.

Historical Society: William Huntoon has been working on the painting and needed repairs, the lock on the door was not working correctly so a new one has been installed. Keys have been distributed to those that needed them. Jimmy Duquet will be taking care of some wires that need attention.

Town Hall: The pews upstairs in the church portion is half to three quarters finished. Determination has been made that the cushions are going to be disposed of.

Library Steps: The Board has determined that at this time there is not enough money to logically replace the steps with granite to match the Town Office steps but due to the condition something needed to be done. Matt LaBelle gave a quote of \$1600 to repair them and he will be able to start the work in October. The repairs should last 3-4 years. The Board would like to replace the steps in the next few years.

New Business:

Election day coverage: there will be at least 2 selectmen at the election during the day

Computer update: Discussion as to options. Buying new vs leasing for a 3 year period. Cost of buying new will be \$8085.00 vs. \$5400 per year to lease.

EOC Training will take place in Concord at the Incident Planning & Operations Center on Thursday the 22nd. Leigh and Tamara will both be attending. Discussion regarding a hotspot designated for use by the EOC at a cost of \$370. It was moved, seconded and unanimously approved to move more forward in obtaining the device. This hotspot will only be accessed by the EOC computers and not the general public.

Current Use Assessment Rates: Selectmen moved, seconded and unanimously voted to use the 2015 rates.

View Assessments: George Hildum agrees with the numbers that Avitar presented. If there is anyone interested in discussing the numbers further they will need to make an appointment with Mr. Hildum.

Conservation Committee will be placing signs stating No Wheeled Vehicles in locations that have been disturbed by such.

Chief Julian and Sgt. Beaulieu have found and confronted individuals regarding target practice/shooting that was brought to the town's attention and no further noise has been reported.

The highway department has purchased a 520 gallon water tank to be used when they spread calcium chloride on the dirt roads to reduce the amount of dust.

Class VI roads: Discussion continued regarding the town's responsibility and land owner's responsibility regarding class vi roads and when gates and bars come into play to protect not only the road, the town's interest and the land owner's interest.

Meeting adjourned at 8:57pm

Minutes submitted by,

Tamara Butcher

Selectmen

Report by Whit Smith:

In preparation for the Board of Selectmen meeting Monday night, September 12, 2016, I am providing the following summary to brief the Board of Selectmen on permit applications and my activity.

Applications for Permits – Ready for Consideration:

1. Charles & Ellen Moore, 2564 Route 4A; Application for Permit for a metal access ramp located at the back and side of house. Permit application is complete with drawings. No setback encroachment. No wetlands buffer issue. Structure less than 35' tall. Zoning Coordinator has visited and viewed the site; discussed plans with the applicant. Recommend APPROVAL.

Notes:

In the case of the Moore's application, the ramp is a metal ramp built on metal posts that require no footings. According to the vendor's Veteran Administration brochure, "there is little or no impact on your home's property value." In examining the design shown in the brochure, it appears that the access ramp could easily be removed in a couple of hours (perhaps less) and there would be no significant change to fixtures on the property. The applicant questioned why a permit was even necessary; stating that they had discussed this with the VA and were told that the VA "had never heard of a building permit being required to install such a ramp."

Zoning Coordinator advised the applicant that the Town of Springfield requires a permit for the erection or expansion of any structure, with some limited exceptions (e.g., children's swing set, playhouse, dumpster, sand box, tents, etc). Further, the definition of a structure does include the metal ramp proposed in their application: "Structure: Anything...placed...on the ground...with or without durable foundation, whether temporary or permanent." (Zoning Ordinance, Art.XIII. Definitions)

2. Jean Twombly, 203 Colby Hill Rd; Application for Permit to add 3' x 24' addition to front of house (one story) and to pour 10' x 10' concrete pad (for hot tub) at the back of the house.

Permit application is complete with drawings. Building location adequately staked on the ground. No setback encroachment. No wetlands buffer issue. Addition is less than 35' tall. Zoning Coordinator has visited and viewed the site; discussed plans with the applicant's representative. Recommend APPROVAL.

Notes:

An outdoor hot tub is a "structure" under the current ordinance definition of "structure." "Structure: Anything...placed...on the ground or attached to something existing on the ground...whether temporary or permanent." (Zoning Ordinance, Art.XIII. Definitions) Accordingly, Zoning Coordinator advised the applicant to include the hot tub in the application.

3. Wayland Dearth, 95 Webster Pass; Application for Permit to pour 6' x 16' concrete pad and to build woodshed on pad. Woodshed dimensions 6' x 16' x <10' high. Permit application is complete with drawings. Building location adequately staked on the ground. No setback encroachment. No wetlands buffer issue. Structure is less than 35' tall. Zoning Coordinator has visited and viewed the site; discussed plans with the applicant. Recommend APPROVAL.

4. Timothy Stone, 2564 Route 4A; Application for Permit for a 22' x 10' x 6' deck built and attached to the back of the house. Permit application is complete with drawings. Building location adequately identified; no setback encroachment; although there is a vernal pool (farm pond roughly 60 feet from the closest point of the deck construction (vernal pool buffer requirement is 25 feet; Zoning Ordinance, Art.IV, Sec.4.12 (C))). No wetlands buffer issue. Structure less than 35' tall. Zoning Coordinator has visited and viewed the site; discussed plans with the applicant. Recommend APPROVAL.

5. Annette and Billy Granger, 2711 Route 4A; Application for a permit to pour 3' x 5' concrete pad on which to place a heating oil tank. Pursuant to Zoning Ordinance, Art.XIII. Definitions, such a pad falls within the definition of a "Structure." The concrete pad is required under NH state regulations according to the heating oil provider. Also included in the permit application is an addition 10' x 20' shed to be attached to the back of the existing garage. Permit application is complete with drawings. No setback encroachment. No wetlands buffer issue with regard to the concrete pad or the shed. Structure less than 35' tall. Zoning Coordinator has visited and viewed the site; discussed plans with the applicant.

Also included in the permit application is an addition measuring 12' x 63' to the back of the mobile home, which is the principal residence on the property. The addition will be enclosed living space (under roof) measuring 12' x 45' and a deck (porch), also under roof, measuring 12' x 18'.

While the structures contained in the application (concrete pad, shed addition to garage and addition to the mobile home) meet the area setback requirements, the Mobile Home (principal residence) is in the buffer zone of the McDaniels Marsh (660 feet; Zoning Ordinance, Art.IV, Sec.4.12 (A)) allowing for a "wildlife corridor."

Zoning Coordinator has visited and viewed the site; discussed plans with the applicants.

Recommend APPROVAL of permit to pour the concrete pad and addition of shed at the back of the garage; and

DENIAL of permit to build the addition on the mobile home because this is in the Wetlands Buffer (wildlife corridor) of the McDaniels Marsh.

Note: Current Zoning Board of Adjustment Procedure Instructions to Applicants require “some form of determination that... the proposal is not permitted without a variance. Most often, this determination is a denial of a building permit. A copy of the determination must be attached to (the) application. (Zoning Board of Adjustment Instructions to Applicants Appealing to the Board of Adjustment, page 1.)

Accordingly, the Zoning Coordinator recommends DENIAL of the permit application for the addition so that under current procedure, the Grangers may seek the necessary variance to construct the addition to their residence, all of which appears to be in the buffer zone of the McDaniels Marsh Designated Wetlands based on the ARCGIS mapping tool utilized by the Town of Springfield, NH.

Applications for Permits – Pending Review:

6. Revision Energy – 59 Wellfield Road (Eastman); Application for Permit to construct/install solar energy system (photovoltaic array on post ground mounts) consisting of multiple photovoltaic panel arrays over the well field for the Eastman Water District.

Applicant is exempt from zoning ordinance requirement prohibiting construction in a designated wetland or within the setback “buffer” adjacent to wetlands because applicant is performing a “governmental function” (provision of water to the Village of Eastman within the Town of Springfield). This position has been reviewed with and confirmed by attorney from the New Hampshire Municipal Association.

Nevertheless, Applicant is proposing a change in the use and the installation of additional fixtures (construction/installation of photovoltaic grid) on the site. Accordingly, a revised site plan review by the Town Planning Board is appropriate. Applicant has timely filed an Application for a site plan review with the Town Planning Board.

Status of the application continues as PENDING.

NOTES to the Board of Selectmen.

A) Zoning Coordinator was advised that Douglas Rafferty, 2657 Main Street “may need to apply for a permit” because, in rebuilding the foundation for the house and deck attached to the house, he had inquired about changing the configuration of the stairs leading up to the deck. Town Administrator requested a contact with Mr. Rafferty. In discussing possible plan with Mr.

Rafferty, Zoning Coordinator was advised by Mr. Rafferty that he has decided to make no alterations to the original stairs and deck design. Accordingly, no permit required.

Mr. Rafferty was made aware, however, that if the construction he is undertaking is on land located within 250 feet of the reference line of public waters, a "Shoreland Permit" may be required from the NH Department of Environment Services (RSA Sec.483-B:5-b).

B) Regarding the Definition of Structure contained in the Zoning Ordinance: The Board of Selectmen and Town Planning Board may decide to review the definition of a "Structure" in due course because, using strict interpretation, the current definition might be considered to be overly broad.