

**TOWN OF SPRINGFIELD**

**Zoning Board of Adjustment**

**April 5, 2016**

**Memorial Building**

**7:00 p.m.**

***These minutes are to be considered draft minutes only until approved by the board at their next meeting.***

**Members Present:** Sue Chiarella, Peter Abair, Rick Corbett, Bryan O'Day, Justin Hastings

**Others Present:** George McCusker, Tamara Butcher, Malcolm Milne, Ben Crowell, Wayne Smith, Peter Crowell, and Mike Chiarella

Election of Officers: Justin made a motion to keep the officers the same: Susan Chiarella (Chair) and Bryan O' Day (Vice Chair), Motion seconded by Peter Abair the vote was affirmative in favor.

Approval of minutes- Susan suggested some additions to the minutes as follows:

Page 2: 3<sup>rd</sup> paragraph – Bryan stated that the most difficult of the criteria to satisfy is e regarding the operation being objectionable. It was clear that the operation is objectionable by the numbers of abutter in the audience and at the hearings who made numerous complaints about noise.

It was determined that the applicants failed to convince the Board that the noise could or would be able to be mitigated. Furthermore, the Board agreed that it would be impossible or next to impossible to determine what level of noise would be acceptable.

Add: The Board felt that the request also failed in regards to a relative to the character of the neighborhood. The character of the neighborhood seemed to be impacted by this operation, again, as evidenced by the numbers of complaints voiced.

Justin made a motion to accept minutes with corrections Pete seconds all in favor and approved (corrected minutes are posted and final copy with the town)

Sue Ann Connary request for rehearing- Susan explained to the public that the request for a rehearing is a determination made by the Board and comments from the public cannot be accepted.

The board reviewed the request for a rehearing. The board reviewed the Statute relevant to the timing necessary for submitting the request. The letter was dated on March 11, 2016 and received by the town office on March 14, 2016. The request for a rehearing must be received within 30 days of when vote was taken. The 30 days is counted the day after the hearing. The notice of decision was posted the day after the hearing and the applicants were at the meeting and heard the Board's decision on February 10, 2016.

Justin made a motion to deny the appeal for a rehearing based upon untimely receipt of the request that did not meet the 30-day statutory requirement, 2<sup>nd</sup> by Pete and unanimously approved.

There were two people interested in being alternates on the Zoning Board. George McCusker and Josh McGraw.

Tamara Butcher stated she could no longer be an alternate based on her duties as Selectman.

Durgin and Crowell Hearing- Malcolm Milne, representing Durgin and Crowell, approached the board with handouts of the map and description of what he wants to do. They are asking for a variance from the height requirement for some of the buildings needed to complete the project and a Special Exception to run a wood pellet manufacturing company in an area existing at the lumber mill. He explained to the board the process of the wood manufacturing company. It would, in the beginning stages, generate less traffic, however that will change as they move forward. The facility would operation every day 24/7. 6-8 employees would need to be hired. They stated they are doing everything to make sure noise is mitigated. They even put white noise as back up sounds instead of the beepers on the front end loaders. The board felt that they would need to visit the site and include the planning board in order to grant a variance. Site walk was scheduled for Saturday, April 9, 2016 at 8am. Sue Abair to email planning board. Variance hearing will be continued at the next scheduled planning board hearing on April 21, 2016.

The board felt that the facts given for special exception more than support it. They reviewed the finding of the facts on the special exception.

a. The proposed use would not be detrimental to the character or enjoyment of the neighborhood by reason of undue variation from the character or appearance of the neighborhood because:

b. The proposed use will not be injurious, noxious, or offensive, and thus detrimental to the neighborhood because:

c. The proposed use will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards, undue risk to life or property, unsanitary or unhealthful emissions or waste disposal, or similar adverse causes or conditions because:

d. The location and size of the proposed use, the nature and intensity of the operations involved, the size of the site in relation to the proposed use and location of the site with respect to the existing or future street giving access to it shall be such that it will be in harmony with the orderly development of the District because:

e. The operations in connection with the proposed use will not be more objectionable to nearby properties by reason of noise, fumes, odor, or vibration than would be the operation of any permitted uses in the District which are not subject to Special Exception procedures because:

***(PLEASE SEE ATTACHED DOCUMENTATION FOR SUPPORTING FACTS)***

Susan makes a motion to accept Special Exception from Durgin and Crowell to construct and operate a wood pellet manufacturing company within the already existing location of Durgin and Crowell lumber company with the condition that the noise mitigation system be maintained on all front end loaders.

Rick 2nds all in favor and unanimously approved.

Josh McGraw showed interest in being an alternate on the Zoning Board. He sat through the process of the hearing for Durgin and Crowell. Susan shared other information with him.

Bryan makes a motion to appoint Josh as an alternate, second by Peter all in favor and unanimously approved.

Misc Business- Tamara asked Susan on her thoughts for the description of the Zoning Compliance officer that the town is adding for a position. Roughly 15 hours a week. Not sure of the pay scale. Tamara explains this position is what Tom Duling does now only more in depth. Making sure rules are followed and in place. Susan thinks it's a great idea but feels that the person hired should be able to interpret the ordinance and have experience doing that. She also felt that the person hired should have hours in the Town Office to advise and assist the public with questions. The Board agreed.

The Meeting adjourned at approximately 9:00pm.

Minutes submitted,

Susan Abair