

APPROVED

ZONING BOARD OF ADJUSTMENT
TOWN OF GRANTHAM
300 Route 10 South
GRANTHAM, NEW HAMPSHIRE

MINUTES OF THE MEETING OF DECEMBER 17, 2015

The Meeting was called to order by Chairman Frey at 7:00 PM

Roll Call:

Present: Margery Bostrum
Tanya McIntyre
Richard Mansfield
Myron Cummings
Sheridan Brown
Chair Conrad Frey

Absent: Peter Guillette
Clerk Martha Norris

Minutes from August 27, 2015:

Chairman Frey asked if there were any corrections, omissions or comments to the minutes from the last meeting held August 27, 2015. There being none, it was moved by M. Cummings and seconded by T. McIntire that the minutes be accepted as written.

New Business:

Before discussing the topic on the agenda, Chairmen Frey explained that Sheridan Brown who had submitted his resignation at the last Board meeting because of a possible conflict as he had recently been appointed as a member of the select board, had researched the matter further to see if there was indeed a conflict and found that there was none. Therefore, Sheridan Brown will remain on the Zoning Board.

Another situation was noted before the entering into discussion on the agenda item. The submission to the Planning Board of the request from the August 27, 2015 ZBA meeting to consider a correction to the Ordinance [Article X-B Forest Lands Conservation Districts to include "Brookside Park" as this conserved parcel had been inadvertently been omitted when the Article was rewritten in 2006] was not considered by the Planning Board as it had not been posted as a matter of public record properly. The item will be reviewed after proper posting at the January 7, 2016 Planning Board meeting.

The agenda item was then discussed. This was to amend the Ordinance to better define "Junk Yards" as shown under Article XVIII Definitions and to form a new definition for the meaning of "Junk". "Junk" had been defined to some degree within the "Junk Yard" definition. It was considered more prudent to break the two definitions apart to better emphasize each definition rather than leave them combined. The reason for this was that the description of junk had been largely confined to items pertaining to automobiles and metals. In recent years it was becoming apparent that certain areas in Town were collecting debris and waste that went beyond the present definition for junk. It was felt that the definition of "Junk" should be broadened. A proposed change to these definitions was drafted by Sheridan Brown and Conrad Frey and submitted to the Board for discussion. The proposed amendments to Article XVIII were discussed and length and unanimous agreement was reached on the wording (see below) to be submitted for proper public posting and to the Planning Board for approval at their January 7, 2016 meeting.

An amendment to Article XII General Provisions, C. Obnoxious Use was also submitted to reflect the changes proposed in the definitions for "Junk" and "Junk Yard". These changes suggested adding that an obnoxious use might also be the result of "storage" rather than just the production of negative conditions; that these could also create a "visual impact"; and could cause harm to "surface water". The effects of an obnoxious use could also be detrimental the "surrounding neighborhood".

Another clause was added that would mitigate an obnoxious use caused by the collection of the items as newly defined in "Junk" and that a time limit be imposed for its mitigation. This clause was explained by Sheridan Brown and discussed by the Board. All the changes to "C. Obnoxious Use" were approved unanimously by the Board (see below) and would be a part of the public notice and submission to the Planning Board at their January 7, 2016 meeting..

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Adjournment:

There being no further business to be discussed by the Board, it was moved by R. Mansfield and seconded by M. Bostrom that the meeting be adjourned. The move was approved and the meeting adjourned at 8:20 PM.

Respectfully submitted:
Chair Conrad Frey

PROPOSED AMENDMENTS TO GRANTHAM ZONING ORDINANCE

ARTICLE XII
GENERAL PROVISIONS

C. Obnoxious Use

1 Any use that may be injurious or obnoxious use by reason of production or storage that creates the emission of odor, dust, smoke, fumes, refuse matter, noise, vibration or similar conditions, or that is dangerous or is detrimental to the comfort, peace, enjoyment, visual impact, health, safety of the surrounding neighborhood or the community or to its ground or surface water, is prohibited.

2 This clause does not pertain to smoke from the burning of wood for heating of buildings or maple syrup evaporators. Quality standards shall be at least as stringent as those established by the State of New Hampshire.

3 Obnoxious use shall include the accumulation of junk which is detrimental or injurious to the neighborhood. This provision shall become effective March 8, 2017

ARTICLE XVIII
DEFINITIONS

JUNK

Two or more unregistered motor vehicles which are no longer intended or in the condition for legal use on the public highways; or used parts of motor vehicles; or old iron, metal, glass and paper; or construction and demolition materials; household waste; and all other discarded or second hand material.

JUNK YARD

Any business and any place of storage or deposit, whether in connection with another business or not, which stores such items as described above under "JUNK" or any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling vehicles for parts or for use of the metal and scrap and where it is intended to burn material which are parts of a motor vehicle or cut up parts thereof.