



**FINAL**

TOWN OF GRANTHAM NEW HAMPSHIRE  
ZONING BOARD OF ADJUSTMENTS MEETING MINUTES  
FEBRUARY 27, 2020  
300 Route 10 South, Grantham, NH 03753

Andy Gelston called the meeting to order at 7:00 p.m., February 27, 2020, in the Jerry Whitney Memorial Conference Room located at 300 Route 10 South, Grantham.

**Roll Call**

**Present:** Andy Gelston, Tanya McIntire, Peter Gardiner, Tod Lloyd, and Board Clerk Emily Owens.

**Absent:** Peter Guillette

**Public:** Applicant Cameron Shepherd, Selectmen's Representative Constance Jones, DeeAnn Shepherd, and KC Shepherd.

**Approval of Minutes**

Andy Gelston asked the Board if there were any corrections or additions required of the minutes from December 16, 2019. There being none, Tod Lloyd made a motion to approve the minutes, seconded by Peter Gardiner. **(Approved 4, 0)**

**New Business**

**Application #02-2020-01 for a Variance from Article V-A Section c Subparagraph 4**

Variance: ZBA Case #02-2020-01; Cameron Shepherd, 23 Wedgewood Drive; Map 225 Lot 070.

Andy Gelston introduced the Applicant Cameron Shepherd and his request for a variance from Article V-A Section c subparagraph 4 of the Grantham Zoning Ordinance to build a residential structure at 23 Wedgewood Drive. The Ordinance requires no septic system be located within 75 feet from any water course or water body in the Rural Residential District, RR1. Mr. Shepherd introduced himself and explained his reasons for the request. The buildable area of the property is limited by steep terrain, the golf course setbacks, and a seasonal stream. The seasonal stream or trench is fed from runoff from the 16<sup>th</sup> fairway of Eastman's golf course and runs through his property. For these reasons, Mr. Shepherd is requesting a variance to build his house closer than the required 75 feet. Mr. Shepherd commented that he had not seen water in the trench, however due to the recent rain and snow melt multiple Board Members have.

Board Member Gelston asked if there were any comments from the public. There being none, he asked if Mrs. Owens had heard about any opposition to the application and she had not. Next, Board Member Gelston asked the Board if there were any questions. He commented that many houses on the road were close to the road, the proposed septic system was located far away from the trench, and there were many trees on the property. Board Member Gelston asked about the proposed culvert and if it was going to match the current one. Mr. Shepherd indicated that it would be similar but was unsure if it was the same size. Board Member Lloyd asked if Mr. Shepherd was planning on building a culvert that would connect the runoff from the golf course with runoff that goes underneath his road. Mr. Shepherd indicated that he would do that if needed. Board Member Gelston thought the easier solution would be to put a culvert under the driveway. Mr. Shepherd indicated DES approved the plan with the septic system being closer

than 75 feet. Board Member McIntire questioned if the golf course could legally have runoff going onto the Applicant's property. Board Member Gardiner agreed that he did not think they could, but when Mr. Shepherd asked if the Board could assist him in this issue, Board Member McIntire indicated that Public Works might be able to, but this issue was outside the purview of the Zoning Board. Mr. Shepherd asked about adding crushed stone to help the water flow but did indicate there is a ten-foot elevation change and for it to reach the proposed structure there needed to be significant water flowing. Board Member McIntire indicated her concern that if Mr. Shepherd added more runoff from his property to the trench it might become a permanent stream. Board Member Gelston asked if there were any more questions. Board Member Lloyd asked about putting the culvert upstream of the proposed location and sending the golf course runoff to the culvert under the access road. Board Member Gelston thought the property runoff would have nowhere to go and the culvert under the driveway would still be needed. Board Member Lloyd still had concerns about the impact to the stream with a structure closer than the Zoning Ordinance allowed 75 feet.

Andy Gelston closed discussions about the application and began reading the Variance application; the vote is recorded as follows (support, against, abstention), and in the event of a tie the question will fail to pass.

- 1) The variance will not be contrary to the public interest. **(3, 1, 0) Approved**
- 2) The Spirit of the ordinance is observed. **(3, 1, 0) Approved**
- 3) Substantial justice is done. **(4, 0, 0) Approved**
- 4) The values of surrounding properties are not diminished. **(4, 0, 0) Approved**
- 5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. **(4, 0, 0) Approved**

All criteria were approved by all members in favor; therefore, the application for a variance is approved.

### **Old Business**

#### **Rules of Procedure**

Andy Gelston asked if the final draft of the ZBA Rules of Procedure was ready for the Board to review. Board member McIntire did not attend the meeting and requested a copy of the document. Board Member Lloyd provided her with his copy.

### **Adjournment**

There being no further business, a motion was made by Peter Gardiner and seconded by Tod Lloyd to adjourn the meeting at 7:27 p.m.

If an application is received, the next meeting of the Zoning Board is scheduled for March 26, 2020, at 7:00 p.m. in the Jerry Whitney Memorial Conference Room of the Grantham Town Hall.

Respectfully Submitted,

Emily Owens

ZBA Clerk