

APPROVED

Town of Grantham
Zoning Board of Adjustment Minutes
May 26, 2016

Member Richard Mansfield called the meeting to order at 7:00 p.m. on Thursday, May 26, 2016 in the Jerry Whitney Memorial Conference Room located at 300 Route 10 South.

Present: Members Richard Mansfield; Myron Cummings; Margery Bostrom; Alternates Peter Guillette & Peter Gardiner and Clerk, Martha Norris.

Absent: Chair Conrad Frey (Medical reasons); Tanya McIntire & Selectmen's Representative Connie Jones.

Public: Frank & Nancy Farinella; Michael DiFabio; Erin Darrow; Robb & Gwen Fuller.

Mansfield said that Chair Frey had called and asked him to represent him this evening due to recently having knee replacement surgery. The Board wished Chair Frey a speedy recovery.

Mansfield stated with the absence of members this evening, motion was made to have alternates Guillette and Gardiner to be voting members. ***Unanimously Approved***

Approval of Minutes

Mansfield asked the Board members if there were any corrections to the minutes from the April 28, 2016 meeting. There being none motion by M. Cummings and second M. Bostrom to approve the minutes as written. ***Unanimously Approved***

New Business

Variance – #05-2016-1 / Map 234 Lot 061

Michael DiFabio, property owner.

Erin Darrow, Right Angle Engineering PLLC / applicant

Mansfield asked Darrow to present her application. Darrow stated that she was here this evening to present DiFabio's variance application for the proposed front setback changes to install a septic system. Darrow said that originally when DiFabio had purchased the property it had already been surveyed where the septic would go and Department of Environmental Services (DES) approved not once but twice, but discovered later it had been done incorrectly. Darrow said there was no way feasible to have the septic installed at the original location, and after looking at the entire property thoroughly they were able to have licensed Land Surveyor Clayton Platt do a topographic survey and Certified Soil Scientist, Certified Wetland Scientist and Certified Designer of Subsurface Disposal Systems in the State of NH; Jonathan Sisson to determine the suitability of the location to install the septic system and meet the Department of Environmental Standards. Darrow continued they plan to re-vegetate to the greatest extent

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that the rules of DES allow and meet the intent of the spirit of the rules of Eastman as a buffer. Darrow further summarized the application to the abutters that were present and the Board.

Mansfield asked if any of the Board members had any further questions. Gardiner wanted to know if the leach field was above ground. Darrow said there is going to be a mound that will be tucked into the slope where the system will go. Gardiner asked if there was going to be a pump. Darrow stated that more than likely there will be a pump, but a final decision on that has not been made.

DiFabio said that when he had purchased the land it had already been previously approved for a septic system and was considered a buildable lot and that is the reason he had purchased the property to begin with. Unfortunately for him the plans were all wrong and DiFabio continued that the staking out of the property for proposed buildings and the lot itself had all been incorrectly done as well. Mansfield asked if the proposed location for the septic system to be installed is the only location feasible and Darrow stated yes.

Cummings stated that he felt they would be running a risk to run the system free flow that's why he suggested having the pump. Darrow stated that DES would not approve this if the system does not flow and that it was pretty standard to have a pump. Mansfield asked where was the first design to have a septic system put in on the property and Darrow showed him on the drawing. Darrow stated that in realty there was too much ledge and oriented incorrectly.

Mansfield asked the public if they had any questions. Abutter Frank Farinella stated that he had two questions. First, why there were setbacks at 35 feet from the front of the property line and not 25 feet as the applicant was requesting. Cummings stated that the setbacks came with the Eastman subdivision so no houses were to be built to close to the roads. Next Farinella asked if they were going to have to clear cut around where the septic system is going to be installed in order to put it in and how much would they have to cut. Darrow stated the minimum is approximately 15 feet out. Darrow stated that she wanted to make it clear that they are very sensitive to the view to his home (Farinella) and make sure it is all vegetated and DiFabio wanted his privacy just as much.

Abutter Nancy Farinella asked if it were possible to set the proposed house further back from the road. Darrow stated that it's possible, but because of the ledge issues they would keep the house location as shown on the plan and that it does meet the required setbacks. Abutter Robb Fuller said that the corner view from his home would in the future be DiFabio's proposed home and that Farinella will have the corner view to the proposed septic system, so of the two he felt that Farinella would have the objection if there is one.

Mansfield stated at this time the Board would vote and proceeded to read the criteria requirements from the Zoning Board Ordinance manual for this application. The Zoning Board of Adjustment **Unanimously Approved** the variance application with the following conditions attached:

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Conditions:

1. The effluent disposal system is required to have a pump.
2. Vegetation replaced as allowed by the Department of Environmental Services and in the spirit of the rules of Eastman as a buffer.

Adjournment

Mansfield stated there being no further business a motion was made by M. Cummings and second P. Guillette to adjourn the meeting at 7:30 p.m.

Unanimously Approved

The next meeting of the Zoning Board will be June 28, 2016. The application deadline for that meeting will be June 3, 2016.

Respectfully Submitted,

Martha Norris
ZBA Clerk