

APPROVED

Town of Grantham
Zoning Board of Adjustment
Minutes
August 27, 2015

Chair Conrad Frey called the Zoning Board meeting to order at 6:55p.m. Thursday, August 27, 2015. The meeting was held in the Lower Level of Grantham Town Hall located at 300 Route 10 South in Grantham, NH.

Present: Chair Conrad Frey; Members Richard (Dick) Mansfield; Margery Bostrom; Myron Cummings; Tanya McIntire; Alternate Peter Guillette and Selectmen Representative Sheridan Brown filling in for Constance (Connie) Jones.

Public: Robert (Bob) & Patricia (Patty) MacNeil; C.P. James; Fire Dept Chief Jay Fountain.

Chair Frey announced that Zoning Board Alternate Sheridan Brown would be stepping down since he was recently appointed to take over Ken Story's position as Selectmen. Ken Story has replaced retired Deputy Town Clerk Cynthia Towle at the Town Clerk / Tax Collectors office. Frey stated that he was happy for Brown but saddened that he would no longer be on the Zoning Board. Brown thanked Frey.

Approval of Minutes

Chair Conrad Frey asked the Board members if they had reviewed the minutes from March 26, 2015 were there any corrections. There being none motion was made by Myron Cummings and seconded by Dick Mansfield to approve the minutes as written. ***Unanimously Approved***

New Business

Variance; Article IIIC Section D/ of the Zoning Ordinance - Building Height M/L 226-018-000 Yankee Barn Road Realty Trust; Robert & Patricia MacNeil.

Chair Frey stated that he would have Bob MacNeil present his case.

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Bob MacNeil introduced himself and stated he was here on behalf of Yankee Barn Road Realty Trust. McNeil stated that they were requesting a height variance of more than 35 feet. He stated that someone inquiring about purchasing the building and they would need 30' interior rack clearance and in doing this, part of the specification is an ESFR Sprinkler System which would be capable of distributing 2500 gallon per minute and it would distribute up to 200,000 gallon of water and would require the 30 foot interior clearance. MacNeil continued that the engineers have looked at the inside clearance of the roof and the beams to support could conceivably put them over the 35 foot height variance that is in the Zoning Board of Adjustment Manual. MacNeil stated that it was his understanding that one of the primary reasons for the height limitation for buildings is for fire suppression, and with this system he could see the concerns that the town might have.

MacNeil at this time asked the board to considered the variance and felt they met the criteria listed.

Chair Frey next stated that Fire Chief Jeremiah (Jay) Fountain was here this evening representing the Grantham Fire Department for any technical advice that could be given with regards to this application.

Frey stated that the water system is great but what about in the winter time. MacNeil stated that the system will actually be a wet system; currently he has a dry system which he prefers because if the heat went out this system would be work. The wet system will require enough heat to keep the pipes from freezing, the system would be charged. MacNeil continued to explain about the bio-pond which currently holds half a million gallons of water from the top of the hill that currently flows down through an underground pipe system that comes up into the building and has never frozen before and is situated below the frost line. This system also includes the diesel pump so the water is distributed and also has backup power in case electricity should go out and that would work 12 months a year.

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Chair Frey next asked Fire Chief Fountain his opinion. Fountain stated that with this system it's going to throw a lot of water out and would probably drain the pond. Fountain stated that he felt it was a good system and did not have concerns about this. Fountain continued that as long as the new sprinkler system is installed correctly he did not see any problem with it.

Chief Fountain stated that currently the fire department ladders can reach the roof but if they would be putting people on that building roof they would be calling in at least two (2) ladder trucks anyways from Newport, Sunapee, Lebanon and/or New London areas. Frey said so the 35 foot height limitation in the Zoning Ordinance is not that critical. Fountain agreed.

Mansfield asked MacNeil if what he was asking was for a maximum 2 feet additional. MacNeil stated that he wasn't sure until the engineers figure out the size of the beams to be installed, but most comfortably the building would be at its highest peak at less than 40 feet. MacNeil's concern that less than 35 feet would not do it. Frey asked that has this been confirmed yet, and MacNeil stated no and that the Northeast Regional Director is arriving here sometime on September 2, 2015 for review.

Frey stated that if he (MacNeil) gets approval that it might be conditional if the deal goes through, without that proviso the new proposal would "stay with the land" and then the next person would have to come back to the board and get a variance to change this. MacNeil stated that he would assume that the condition would be that the sprinkler system would be installed. MacNeil said that the system itself is \$370,000.00.

Cummings suggested that the board makes a conditional motion that at a later date the board would approve this when he (MacNeil) comes in and gives the board the actual facts. Cummings continued the board would approve this as long as MacNeil keeps this in the parameters of what he is telling the board of what is to be done. MacNeil said that he would support this if the sale goes through and that he still had to go before Planning Board for a final Site Plan Review approval. Frey said that when the board votes they have to say what this is conditional on.

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The Board voted *Unanimously to Approve* the application with the following conditions:

1. A bona fide transfer of the building for use as a warehouse is consummated by May 2016.
2. An ESFR sprinkler (wet) fire suppression system with two zones of less than 40,000 square feet with a minimum 2,500 gallon per minute capability as provided by a diesel fire pump be installed.
3. At least 200,000 gallons of water storage capacity will be available at all times.

MacNeil thanked the Board.

Other Business

Amendment to the Zoning Ordinance: Article X – B Forest Lands Conservation District.

Chair Frey stated that on page 37, Article B Forest Lands Conservation District that Brookside Park property is not listed. Frey said that he walked this property with some members from the Grantham Conservation Commission and stated this property should be on the list. This amendment to the Ordinance would have to go to Planning Board to before it could be placed as a warrant article for approval at Town Meeting.

Motion was made by Myron Cummings and seconded by Margery Bostrom.

Unanimously Approved

Correspondence

Frey told the Board that since March 2015 there have been several different emails he has received (some with questions from Town Administrator Melissa White) to do with zoning; none of which has come before the board.

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Adjournment

Chair Frey asked if there were any further questions. There being none motions was made by Myron Cummings and seconded by Dick Mansfield to adjourn the meeting at 7:20 p.m. ***Unanimously Approved***

The next Zoning Board of Adjustment meeting is scheduled on September 24, 2015 at 7:00 p.m. in the Jerry Whitney Memorial Conference Room.

Deadline to receive applications for this meeting will be September 3, 2015.

Respectively Submitted,

Martha M. Norris
Zoning Board Clerk