

APPROVED

Town of Grantham
Zoning Board of Adjustment
Minutes
April 28, 2011

Chair Conrad Frey called the Zoning Board meeting to order at 7:00p.m. Thursday, April 28, 2011. The meeting was held in the Jerry Whitney Memorial Conference Room located at Town Hall, 300 Route 10 South in Grantham.

Present

Chair Conrad Frey
Peter Gardiner
Tanya McIntire
John Clayton
Margery Bostrom (Alt.)
Martha M. Menard, Clerk

Absent

Myron Cummings (Alt.)
Richard (Dick) Mansfield

Members of the public: Robert (Bob) MacNeil; Pat MacNeil; Selectman Warren Kimball.

Approval of Minutes:

Chair Frey asked the Board member if they had reviewed the minutes from November 18, 2010 were there any corrections. There being none, motion was made by John Clayton and second Peter Gardiner to approve the minutes as written.

Approved by Unanimous Vote

New Business:

Yankee Barn Road Realty Trust; Map 226 Lot 018
Robert (Bob) MacNeil, Trustee

Chair Frey stated back in June 2008 Bob MacNeil had come to the Zoning Board for a variance to establish a pond on his property, was approved with conditions and Frey said MacNeil was here this evening with modifications to the original plan.

Robert (Bob) MacNeil presented the plans for the expansion modifications adding approximately four acres to the original pond, the equivalent of another 20-acre feet of water storage capacity to the current pond. He felt with the changes the pond would provide additional capacity to prevent flooding. MacNeil displayed photo's from flooding damage done in July 2009 and again October 2009 at the current excavation site of 3.9 acres. MacNeil said that part of this property was in the Grantham Conservation Overlay District and the FEMA 100 year Flood Plan. MacNeil said when they were first starting out he thought he would be subject to Department of Environmental Services jurisdiction, but was told that the Sawyer Brook was under local control, not DES.

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MacNeil spoke as he was explaining photos to the Board members of different types of gravel he had been using to sustain the berm and spillway around the pond where flooding has occurred and now he has gone to a heavier type rock/gravel with fabric by the spillway. MacNeil also informed the Board that he had been selling some of the gravel from the excavation site.

MacNeil stated that he has received all necessary permits required and will obtain any future permits needed as well. MacNeil stated he wanted to keep everyone informed with any changes and letters of approval/conditions required. MacNeil said he had attended the Grantham Conservation Commission meeting on March 21, 2011 and would be attending the Planning Board meeting on May 5, 2011.

Chair Frey asked if there were any more questions. There being none the Board voted *Unanimously for MacNeil to continue with his project with the following conditions:*

1. *To have all required permits copied to Clerk Menard be filed. Most importantly, the Board of Selectmen were to notify FEMA of the changes in the plan in the required semi-annual or annual report required by FEMA.*
2. *Approval from the Conservation Commission meeting with MacNeil / minutes March 21, 2011*
3. *Letter from Jennifer Gilbert, Floodplain Management Coordinator, NH OEP.*

(Upon further review, it was decided that contacting Jennifer Gilbert was not necessary, as the State does not have a Floodplain jurisdictional role for this type of application.)

Old Business:

None

Other:

Chair Frey discussed amending the Shoreland Overlay District Article to clarify that Sawyer Brook and Lily Pond although not included as a designated rivers or a designated lakes/pod by the Department of Environmental Services (DES), the Grantham ZBA Ordinance will include the in considering any use of the land within 250 feet of the shorelines of these two (2) areas by applying the DES's CSPA of 2008 criteria.

Correspondence:

18th Annual OEP Spring Planning and Zoning Conference on Saturday, June 11th to take place in Manchester, NH.

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Chair Frey asked if any of the Board members would like to attend this year's spring conference to contact Clerk Menard or Assistant Town Administrator Melissa White through the Selectmen's office. He requested that if a member of the ZBA should attend, they should include the Legislative Update as a part of their attendance.

Adjournment:

Chair Frey asked the Board members if there were any further questions / discussions. There being none a motion was made by Tanya McIntire and second Peter Gardiner to adjourn the meeting. ***Approved by Unanimous Vote*** to adjourn at 8:00 p.m. The next Zoning Board meeting will take place on May 26, 2011 if applications are received.

Respectfully Submitted,

Martha M. Menard
ZBA Clerk