

BOARD OF ADJUSTMENT
DEERFIELD, NEW HAMPSHIRE
MARCH 27, 2012

MINUTES OF MEETING

PRESENT: Board members Joshua Freed, George Thompson, Katherine Alexander, Sandra Logan. Also present secretary Jane Boucher.

Chair Joshua Freed called the meeting to order at 7:25PM.

APPROVAL OF MINUTES

Sandra Logan moved and George Thompson seconded to approve the minutes of February 28, 2012.

The following corrections were made to the minutes:

Page 1: Paragraph 8: Correct to read "3 Scott Lane"

Page 2: Paragraph 11: Correct to read "...14 x 20, will be used to store kayaks.

Page 4; Paragraph 5: Correct to read "...the leach field..."

Voted in favor.

Sandra Logan moved to approve the minutes of March 13, 2012. Katherine Alexander seconded. Voted in favor with George Thompson abstaining.

CASE # 12-01 THOMAS AND MARION AKEY

Thomas and Marion Akey were present along with Robert Pollock, Eric Buck, Richard and Patricia Pitman, Darlene Cummings, Serita Frey.

Sandra Logan moved to take Case # 12-01 off the table. Katherine Alexander seconded. Voted in favor.

Richard Pitman presented updated plans noting that the shed and bridge had been removed. Mr. Pitman said that they are rebuilding the seasonal cottage.

Joshua Freed questioned if the changes had any bearing on the approval granted by DES specifically the change of the location of the fence. Mr. Pitman replied that the fence has not been moved .

Eric Buck said that the State has no regulations regarding placement of the fence.

Joshua Freed asked if there was anyone who would like to speak.

Serita Frey, Deerfield Conservation Commission, said that the Conservation Commission had not reviewed the proposed plan. She added that the DCC did review the plan for replacing the

dock and rip rap, which had been denied by the State.

Ms. Frey questioned the status of re vegetation for the brook, and whether there is documentation as to the change in that vicinity will change sedimentation rate and block nutrients to the lake and effect water quality.

Darlene Cummings said she had the same questions as Ms. Frey as well as what changes in velocity in the water. She also questioned if any trees will be removed from the buffer zone.

Eric Buck wished to clarify the fact that the plans were submitted to the Conservation Commission for the Wetlands Permit when they met with the DCC in October.

Mr. Buck noted that the stream issue is not part of the dimensional reliefs the applicant is seeking . He added that the plan for the stream edge is to minimize the amount of run off that seasonally flood the Akey's property. He said that the way to minimize flooding is to install a series of grow socks which are essentially canvas tubes of planted compost soil to create shoulders for the stream to prevent water from flooding outside the stream. Mr. Buck added that this has been approved by the State.

Richard Pitman commented that two large pines will be removed.

Joshua Freed noted that the primary change of this application is shifting the location of the cottage and an increase in size.

Mr. Freed said that the Board is being asked to increase the encroachment of side setbacks by four to five feet.

Darlene Cummings questioned if a separate variance will be required for the Watershed Ordinance.

George Thompson said that the Board is limited to discuss and review only what the applicant has presented to them.

7:50PM The Board went into deliberative session at this time.

Joshua Freed noted that the variance being sought has to do with trading off side setbacks for wetland setbacks and for increasing the size.

It was noted that the applicant is seeking variances for Article II, Section 204.1 minimum lot size and yard dimensions, Section 207.1 minimum frontage, Section 207.3 Side yard regulations and exceptions, Section 108 Application of District Regulations, Section 211.C, D, F, and Article II Section 305

setback from water bodies, Section 315 and 315.1 Non Conforming Use.

Katherine Alexander noted that the proposed dock, which has been denied by the State. is still shown on the plan. It was noted that the Board could go out of deliberative session to question this. Ms. Alexander did not wish to go out of deliberative session.

The Board completed work sheets.

8:25PM Sandra Logan moved and George Thompson seconded to GRANT a variance to Thomas and Marion Akey. Voted in favor 3-1 with Katherine Alexander opposed.

The meeting was adjourned at 8:30PM.

Recorded and transcribed by Jane Boucher
Pending Approval by the Board of Adjustment