



Town of Plaistow
ZONING BOARD OF ADJUSTMENT
145 Main Street - Plaistow, NH 03865

ZONING BOARD OF ADJUSTMENT
June 25, 2015

The meeting was called to order at 7:00 p.m.

Roll Call: Larry Ordway, *Chair*
Timothy Fisher, *Vice Chair*
James Allen
Paul Boniface, *Excused*
Peter Bealo
Martha Sumner, *Alternate*
Dan Lloyd, *Alternate*

★M. Sumner was appointed as a voting member in place of P. Boniface.

Approval of Minutes

★ L. Ordway moved second by T. Fisher to approve the minutes of the May 28, 2015 meeting. There was no discussion on the motion. The vote was 4-0-1 (Sumner abstaining).

#15-08: A request from Jeff and Samantha Senter for a variance from Article IV, §220-21 to permit a structure (above ground swimming pool) to be constructed within 30 feet of the edge of wetlands where 75 feet is the minimum required.. The property is located at 107 Main St, Tax Map 40, Lot 82 in the VC District. The applicants are the property owners of record.

Joshua Manning, Lewis Builders and Samantha Senter, property owner, were present for the application.

J. Manning offered the following in support of the variance request:

- The wetlands that are the subject of the application are caused by roadside runoff
- The lot is very deep +/- 1500', but very narrow +/- 70'
- The location of the sewer pipe doesn't give them another option for the placement of the pool
- The sewer pipe runs to the leach field at the back of the lot a distance of between 700'-800'
- The yard is surrounded by a fence

L. Ordway asked if it were possible to move the pool closer to the dwelling

J. Manning noted that there was a patio and a large swing set in the way

L. Ordway questioned how much distance would be gained if they were to move the pool closer.

J. Manning replied the distance would be approximately ten (10) feet.

J. Manning went through the criteria for the granting of a variance noting the following:

- The pool will not be seen from the road as the property was fenced in
- They would install silt fence during the construction of the pool to make sure that there was no impact to the wetlands. The wetlands are man-made and there is a reason grass buffer
- There is no impact to any abutting properties
- There is fencing on all side and Best Management Practices will be used during the installation
- There is a hardship in the narrowness of the lot and the location of the sewer line and there is no other location for the pool

L. Ordway asked why they couldn't move the pool to above the sewer line.

J. Manning answered that if the sewer line ever had to be replaced it would mean removing the pool. The location of the pool would give adequate room to replace the sewer line if necessary.

L. Ordway noted that above ground pools frequently needs to have water drained out after a rainstorm. He asked where that water would go.

J. Manning replied that it would be dispersed over the grassy area and used for watering plants.

T. Fisher asked how far the pool would be from the septic line. It was noted that the distance was ten (10) feet.

L. Ordway asked how big the pool was. It was noted to be an eighteen (18) foot round pool.

It was also noted that there were no issues with the setback from property lines.

L. Ordway asked if the Board had any additional questions, there were none. He asked if there was anyone speaking in favor of the application.

A letter from the Plaistow Conservation Commission noting that they had no opposition to the application was read for the record.

L. Ordway asked if there was anyone speaking in opposition to the application. There was no one and the hearing was closed.

DELIBERATIONS:

#15-08: A request from Jeff and Samantha Senter for a variance from Article IV, §220-21 to permit a structure (above ground swimming pool) to be constructed within 30 feet of the edge of wetlands where 75 feet is the minimum required.. The property is located at 107 Main St, Tax Map 40, Lot 82 in the VC District. The applicants are the property owners of record.

★ M. Sumner moved, second by P. Bealo, to grant the wetlands variance request for 107 Main St as noted in the legal notice.

L. Ordway summarized the application noting the following:

- The lot is narrow at only 70' wide, and long at over 1500' deep
- The existing sewer line is in the way and runs between 700'-800' to the leach field
- The applicant cites that there are no alternatives for the placement of the pool
- The yard is fenced so there are no visual issues with the location of the pool
- The wetlands are man-made by a catch basin on the street
- If the catch basin were not there, there would be no need for a variance application

There was no additional discussion on the motion. The vote was 5-0-0 U/A.

There was no other business before the Board.

The meeting was adjourned at 7:17 p.m.

Respectfully Submitted,

Dee Voss, Administrative Assistant