

**TOWN OF JAFFREY, NH**  
**PLANNING BOARD**  
**Meeting Minutes**  
**August 13, 2019**

**Present:** Members Despres, McKenzie, Merrell, Sherman, and Selectmen's Representative Belletete

**Absent:** Chairman Gordon, Member Meyers

**Staff:** JoAnne Carr, Director of Planning and Economic Development  
Rob Deschenes BI/CEO

**CALL TO ORDER** – Chairman Pro-Tem Sherman called the public hearing to order at 5:59 pm.

**PRELIMINARY CONCEPTUAL** - none

**MEETING MINUTES APPROVAL**

On a motion by McKenzie, seconded by Merrell the minutes of July 9, 2019 were approved (5-0-0)

**PUBLIC HEARING – ACCEPTANCE**

1. PB 19-12, Kathleen VanDyke, Owner, Jed Paquin, Agent  
65 Dublin Rd, Map 229 / Lot 8.9 Zone: Rural, Mountain Zone District (with town water)

Site Plan – Amended site plan to remove the proposed garage, retaining wall and pathways at the rear of the building and provision of a paved parking lot for 10 cars in its place

This application is an amendment to the plan that was approved in 2006, the original conditions should still apply. Requested waivers are; soil conditions, landscaping and screening and comprehensive stormwater plan.

On a **motion** by Despres, seconded by Merrell to accept the application as substantially complete. (5-0-0)

**PUBLIC HEARING – NEW**

1. PB 19-12, Kathleen VanDyke, Owner, Jed Paquin, Agent  
65 Dublin Rd, Map 229 / Lot 8.9 Zone: Rural, Mountain Zone District (with town water)

Site Plan – Amended site plan to remove the proposed garage, retaining wall and pathways at the rear of the building and provision of a paved parking lot for 10 cars in its place

Presentation – Laura Dodge, Esq. and Jed Paquin, Paquin Land Surveying

Laura Dodge - The previous plan approved in 2006 included a residential 4-unit condominium with garages. The amended plan presented includes removing the approved garages, retaining wall, and stairs and foot paths to the rear of the building. Removing the garages will preserve the scenic view and the land in its natural state. The resulting changes will have a minimal impact to Mountain Zone (MZ). Condominium documents; declaration, by-laws, floor plan and site plan were recorded in March 2019.

Jed Paquin – The purpose of the amended plan is to keep it consistent with MZ regulations. Existing conditions show a gravel parking area on the north side of the building. The intent is to leave the parking area essentially as it is. As proposed, the 10 parking spaces would take up less room than the current gravel area. There have been no issues with drainage, all the runoff remains on-site and does not impact the neighbors. DOT previously approved a driveway permit for a common drive on lot 229/8.10 owned by Buckwheat Partners, which has not been constructed yet. The driveway permit has expired; however, they plan to renew it.

**TOWN OF JAFFREY, NH**  
**PLANNING BOARD**  
**Meeting Minutes**  
**August 13, 2019**

Member McKenzie asked if the parking lot will be paved. Mr. Paquin replied the applicant would prefer to leave it gravel, however they would consider paving it if the Board prefers that. This point is negotiable. Member Belletete noted in 2006 it was approved for impervious surface. It doesn't appear that runoff would be an issue. Mr. Paquin there is approximately 150 ft between bottom of the embankment to golf course, which is plenty of area for runoff.

Member Belletete asked if a gravel and paved driveway are essentially the same to the State. Ms. Carr responded no, in terms of construction. A properly constructed gravel driveway, access road or parking area should be excavated to allow infiltration and drainage. Either paved or gravel would entail some level of construction. Mr. Paquin noted the State requires the access to the road to be paved. Member Merrell asked how far back the paving is. Mr. Paquin replied 60 ft.

Member Sherman what was the purpose of the retaining wall. Mr. Paquin the retaining wall was needed for drainage for the garages.

Member McKenzie asked if condo documents are in place regarding maintenance of common areas and formation of an association. Ms. Carr yes, they have been recorded. The condo association does have language regarding maintenance of common areas.

Member McKenzie asked where snow storage is. Mr. Paquin responded downslope, where it has been stored historically.

Member Belletete asked are you trying to sheet drain the lot. Mr. Paquin stated yes Member Belletete stated removal of garages will reduce the impact to the area.

Member McKenzie asked about the landscaping shown on the original plan. Mr. Paquin has requested a waiver as this is a residential lot, for that reason he feels it is not necessary. In the MZ more landscaping would block the view. Ms. Carr clarified a condominium is a form of ownership, a multi-family unit is a commercial use. Multi-family units require site plan and landscaping plans.

Member Belletete what guidelines does the town have for driveway construction. Ms. Carr responded none, best practices would be determined by the engineer and applicant, however there are performance criteria.

Len Short – abutter, asked for clarification on the location of the driveway entrance. Mr. Paquin replied the DOT approved entrance will be pushed 40 ft north, towards Dublin. Mr. Short is concerned about site lines from the driveway entrance and additional traffic on the shared driveway if the parcel owned by Buckwheat Partners is developed in the future.

Paul Amato, Buckwheat Partners – abutter, intends to sell his 7+/- ac. parcel as a single-family lot. Suggests building a buffer between the Van Dyke lot and his. Ms. Carr notes where a change in use abuts a residential property 50% of the setback is required to be a buffer.

Mr. Short asked for clarification on occupancy, are they owner occupied only. Mr. Paquin responded no, they can be rented out by the owner.

Member McKenzie reviewed the landscaping plan from 2006. Mr. Short stated it would be preferable to have landscaping to block the view of the cars from Dublin Rd. Mr. Paquin agreed to rescind the request for the landscaping waiver and accept the original landscaping plan. Member McKenzie asked for additional testimony on the location of buffer due to the new location of parking lot and driveway. Mr. Paquin stated a

**TOWN OF JAFFREY, NH**  
**PLANNING BOARD**  
**Meeting Minutes**  
**August 13, 2019**

buffer will be placed on the east side of the parking spaces between the parking lot and Dublin Rd. and between the west side of the parking lot and the parcel owned by Buckwheat Partners tall enough to soften the view of vehicles, up to 6 ft tall.

Don MacIsaac – resident, Stonybrook Rd., notes that these condos would not be permitted by today's ordinances. This property is a gateway to the MZ. It is the Town's obligation is to make sure this project is done correctly.

Mr. MacIsaac further questioned:

Storage: where will residents store outside items such as kayaks, bicycles, etc.

Garages: the approved garages were below the level of the road; however, the proposed parking area is close to Dublin Road and could deter from the view.

Lighting: will the parking lot be lit, is there a lighting plan.

Stormwater drainage: asked what is the management plan for stormwater drainage. The original plan called for a retaining wall to serve as a retention basin.

Driveway access: the law states driveways should be 50 ft from any intersection of two or more public roads.

Mr. Short can the parking area be located where the garages were approved. Mr. Paquin it would be a problem as the owner would need to fill in the gully and address any drainage issues caused by this change. It would be simpler to put the cars where the existing parking area is currently.

Member McKenzie notes a lighting plan should be required. Mr. Paquin building code requires exterior entrances to have a light, the parking lot will not be lit. Mr. Amato does not feel it's practical to not have lights in the parking lot in the winter.

Member McKenzie what are the storage capabilities of the condos. Mr. Paquin there is a walk-out basement for storage, most of those objects could be stored there. Member McKenzie is there anything in condo docs that addresses exterior storage. Ms. Dodge storage is addressed in the declaration in section 5.2. The parking area is considered a common area, spaces are not assigned to specific units. Mr. Short asked could they further define the restriction for storage of items like bikes, etc. on the condo docs. Member McKenzie noted once approved, the owner's association is active they could change restrictions.

Mr. Paquin noted the DOT inspection will determine the exact location of the curb cut in order to maintain the 400 ft site line.

Belletete what is the finished floor elevation. Mr. Paquin 1,025.

Mr. Paquin notes that although it has not been used in many years and has grassed over some, we are asking to use an existing parking lot. Mr. Short feels its and exaggeration to call this a parking area.

Kathy VanDyke – owner, the less we do to obstruct the view is better, the garage, if built would obstruct the views from all the porches. The garages would be more of an obstruction than the parking lot. She feels this is the least invasive way to complete the project.

Member Sherman notes the grade of the parking lot is 4 ft below the road. The average SUV is 6-7 ft. McKenzie notes the proposed parking area is the same elevation as Dublin Rd.

Tim Foley – resident, the Shattuck Golf Course parking areas next the Annex building can have 50-75 cars on both sides of the road. The proposed lot would house 10 cars. Once complete, this property will generate significant tax revenue.

**TOWN OF JAFFREY, NH  
PLANNING BOARD  
Meeting Minutes  
August 13, 2019**

**Chairman pro-tem Sherman continued the hearing to the site walk  
Monday, August 19 at 4:00 pm**

**OTHER BUSINESS**

Status of Alternates – Jo Anne Carr

The question was asked how many alternates could sit on the Planning Board. State Statute requires that Town Meeting authorize the appointment of alternates. While researching the question it was discovered that a warrant article authorizing alternates was never approved. On the advice of the Attorney General and Town council the PB and ZBA should wait until Town Meeting to officially vote on appointment of alternates. In the interim, full members can be appointed to fill a vacancy, however, alternates cannot serve on either board until after Town meeting.

W.W. Cross – Jo Anne Carr

The next meeting is Thursday. The committee will evaluate the report, do further outreach and solicit wider audience for additional feedback. The deliverables are posted on website.

School Apportionment – Jack Belletete

Rindge feels that they are paying more than their fair share. They are looking at other alternatives such as tuitioning their students. A financial impact study has not been completed.

**ZONING BOARD DECISIONS** – no hearings in August

**ADJOURNMENT**

The meeting adjourned at 7:37 pm

Submitted:



Rebecca Newton  
Recording Secretary

Attest:



Bob Sherman  
Chairman Pro Tem, Jaffrey Planning Board