

**TOWN OF JAFFREY, NH**  
**PLANNING BOARD**  
**Zoom Meeting Minutes**  
**December 8, 2020**

The Right to Know Checklist was displayed on Zoom prior to the meeting. Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

**Present vis Zoom:** Chairman Meyers, Belletete, Dillon, Merrell, McKenzie, Taylor (alt) *will vote*

**Absent:** Despres, Dupuis, Peard (alt)

**Staff:** JoAnne Carr, Director of Planning and Economic Development, Becky Newton

**Roll Call:** Amy Meyers, Margaret Dillon, Jack Belletete, Ed Merrell, Laurel McKenzie, William (Bud) Taylor

**CALL TO ORDER** – Chairman Meyers called the public hearing to order at 6:04 pm.

**PRELIMINARY CONCEPTUAL** - None

**MEETING MINUTES APPROVAL**

On a **motion** by Belletete, seconded by Taylor the minutes of November 10, 2020 were approved as amended. (6-0-0) MD, LM, JB, EM, WT, AM

**PUBLIC HEARING – ACCEPTANCE** - none

**PUBLIC HEARING – NEW**

Amendments to Land Use Code Presentation – Jo Anne Carr (see below)

The board reviewed the proposed changes to Rules of Procedure and Site Plan and Subdivision. Once approved by the board, the changes can be codified in the regulations.

- Amend the Rules of Procedure for the Planning Board: relating to the time and order of meeting and due dates for additional material submission by the applicant.

J Belletete asked for clarification on material submission dates. If this change is approved, the applicant would have two weeks to present requested materials from the date of request? J Carr responded that is correct. Materials submitted with the original application are requested one month prior to the meeting for review. L McKenzie stated if the applicant does not feel this is sufficient time they can ask to submit materials at a date certain.

On a **motion** by Dillon, seconded by Belletete to accept the amended Rules of Procedure as presented. (6-0-0) MD, JB, EM, LM, WT, AM

- Amend Site Plan Regulations: Section III, Procedure B to specify Plan Review Committee and F(3) with regard to Vesting of Approved Plans.

J Belletete asked who is on the plan review committee? J Carr responded the Building Inspector, Director of Planning and ED, Dept. of Public Works, Fire Chief, Police Chief and a Planning Board representative.

- Amend Subdivision Regulations: Section II, Definitions. Frontage as defined in the zoning ordinance. And Section IV, Subdivision Procedures to specify Plan Review Committee.

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SECTION III, PROCEDURE F (3) PG 93

J Belletete asked for an explanation of this change. J Carr clarified the board should define what active and substantial progress is within the first two years for every site plan and subdivision approval made. If the board determines a project is substantially complete within five years, it would be considered to be vested. Failure to define active and substantial progress results in an automatic vesting for the first two years.

FRONTAGE

The definition of frontage to be added to the subdivision regulations to be consistent with the zoning code.

On a **motion** by Merrell, seconded by Dillon to accept the amended Site Plan Regulations and Subdivision Regulations as presented. (6-0-0) MD, JB, EM, LM, WT, AM

**PROPOSED ZONING CHANGES**

Presentation of Zoning Changes – Jo Anne Carr (see below)

PG. 25 6.4

J Belletete asked what is the minimum lot size? J Carr responded Res B allows a .5 ac lot as long as sewer is available. This change would allow a two-family on the same size lot as a one-family dwelling, if served by both water and sewer.

L McKenzie asked should it be clearly stated that sufficient parking should be provided? J Carr responded it is stated that you need two off-street spaces per unit.

PG. 25 6.3.3

This change is to encourage multi-family and smaller apartments in Gen Bus A and Res B as permitted by Special Exception (SE) or Conditional Use Permit (CUP) The Board should discuss their preference of a SE or CUP.

W Taylor is in favor of the CUP. J Carr responded a CUP is an advantage to a developer as they only need to come before the PB for approval. E Merrell is also in favor of CUP.

J Belletete objected to the language that the development must be on the “existing” water and sewer lines. He would be in favor encouraging growth by allowing the extension of the sewer system if the developer is willing to absorb the cost of that extension. The sewer system has plenty of capacity for new users. He does not want to make it more difficult for developers. W Taylor noted that an extension can be accomplished by waiver.

J Carr responded the goal is to get more sewer and water users using the existing areas. Once expanded, the Town becomes responsible for the maintenance of these expanded areas. A Meyers agrees, the proposal is to encourage development in existing areas.

J Belletete does not feel there is much developable land in those areas. L McKenzie agrees.

M Dillon stated the working group felt this language encourages concentrated growth in a small area, it does not disallow for waivers. The group did look at available land in these areas and saw potential for growth.

E Merrell added when Stony Brook was approved the PB was adamant that they did not want to extend the sewer lines. J Belletete noted that environmentally speaking and given its located in the Mountain Zone, extending the sewer to Stony Brook now is the right thing to do.

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J Carr explained the difference between a Conditional Use Permit vs. Special Exception.

**PB members in favor of a Conditional Use Permit – LM, MD, EM, WT, AM**

**PB members in favor of a Special Exception - none**

**Abstained – JB**

**PROJECT DESIGN**

**PB members in favor of deleting “Utilizes existing infrastructure (water/sewer/utilities)” from project design JB, EM, LM, WT, MD, AM**

**ENERGY STAR**

L McKenzie asked is Energy Star 1.1 more stringent? M Dillon stated revision 2 is in process. W Taylor suggested changing the language from “Version 1.1 Rev. 02” to “most recent.” M Dillon suggested “current version.”

J Belletete stated the Energy Star certification process is cumbersome and expensive. The Board should consider if they want this to be a design standard, particularly for workforce housing. What is the cost benefit?

M Dillon stated that the Energy Star certification in NH is monitored by the utilities. There are Federal standards that apply to specific items. This process does require more effort, however, there are benefits to the contractor as well as the occupants. This is the current trend for development. These are the lowest standards above code that can be adopted.

**PB members in favor of promoting the Energy Star Certification - EM, MD, AM, WT**

**PB members not in favor – JB**

**Abstained – LM**

On a **motion** by McKenzie, seconded by Taylor to move forward to Public Hearing with an informational public feedback session on Dec. 15 (6-0-0) JB, LM, MD, EM, WT, AM

**ZBA DECISIONS**

ZBA 20-18, Arben Kolenovic, Owner – 329 Woodbound Rd - Denied

ZBA 20-19, Joan Lathrop, Owner – 73 Tenacres Rd - Approved

**ADJOURNMENT**

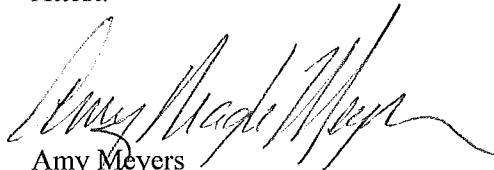
The meeting adjourned at 7:55 pm

Submitted:



Rebecca Newton  
Recording Secretary

Attest:



Amy Meyers  
Chair, Jaffrey Planning Board

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**Town of Jaffrey**  
**Office of Planning & Economic Development**  
10 Goodnow Street, Jaffrey, New Hampshire 03452  
(603) 532-7880 x110 Fax (603) 532-7862  
Email: [jacarr@townofjaffrey.com](mailto:jacarr@townofjaffrey.com)

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November 3, 2020

RULES OF PROCEDURE – SEE ATTACHED

SITE PLAN REGULATION UPDATES

Section III, Procedure F (3)

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Site plan approval shall be considered void if no substantial work is done on the project in two year's time. ~~See Section IX of this regulation for Vesting of Approved Plans. The Planning Board may specify the scope of work to be completed within a year's time that will constitute active and substantial development in order for the four-year exemption to apply. All conditions shall be noted on the plat.~~

APPENDICES: Conditional Use Permits

Add Workforce Housing CUP Application

SUBDIVISION REGULATION UPDATES

Section II Definitions (pg 124)

Bring in definition of Frontage (pg 4) as written in the Zoning Code – Section II, Definitions

**FRONTAGE** - The horizontal distance measured along a lot line dividing a lot from a street that meets the minimum requirements of Appendix A, Section III, to the Jaffrey Rules and Regulations to Control Subdivisions. Driveways to interior lots shall not be construed as frontage for the front lot.

Section IV Subdivision Procedures

(E) Expedited Review (pg 128)

(3) The Board may waive certain plat requirements for minor and technical subdivisions. ~~The Plan Review Committee Building Inspector~~, in their his completeness review, may recommend to the Board in writing certain submission items to be waived. The Board reserves the final judgment in this matter.

*The Town of Jaffrey prohibits discrimination on the basis of race, color, national origin, sex, sexual orientation, religion, age, disability, marital or family status.*

*The Town of Jaffrey is an equal opportunity employer*

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Jaffrey Planning Board

Rules of Procedure

RSA 676:1

Draft updates 9/15/20

1. The duties of the Planning Board are as described in RSA 674:1.
2. The Jaffrey Planning Board shall convene at ~~7:00~~6:00 pm, the second Tuesday of the month, unless otherwise provided.
3. Whenever the board wishes to consult with its Attorney in Executive Session as allowed by RSA 91A:3, it may do so by a motion passed by majority vote. No persons other than the board and its Attorney may be present during Executive Session as authorized by RSA 91A:3.
4. Between the hours of ~~7:00~~6:00 pm and ~~7:30~~6:30 pm the board may entertain informal discussion with prospective applicants. Such discussions are advisory, not binding; neither the applicant nor the board may be held to any information conveyed during such informal discussions.
5. Public hearings, RSA 675:7: Notice shall be given for the time and place of each public hearing held under RSA 675:2-4 and RSA 675:6 at least ten calendar days before the hearing. Not including the day the notice is posted nor the day of the public hearing.
6. Notice of public hearing shall be published in a newspaper of general circulation in the town and shall be posted in at least two public places in the town.
7. Preliminary to public hearing, the board shall review the report of its review committee and shall vote to determine whether or not to proceed to public hearing. A vote shall be taken regarding regional impact before proceeding to public hearing. Discussion shall be between the board and the applicant only, and shall be confined to whether or not to accept the application and proceed to public hearing.
8. If the board has voted to proceed to public hearing, the clerk shall read the notice of public hearing, stating where it was published and posted and on what dates.
9. The clerk shall also read the names of the abutters who were notified, and the Chairman shall inquire if there is anyone claiming to be an abutter who was not notified of the hearing. All inquiries or disputes shall be resolved before the hearing commences.

Adopted by the Planning Board December 8, 2009. Revised September 2015



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10. Procedures for public hearing:

- A. If a quorum of board members is present, but less than the full complement of seven voting members, the applicant shall have the option to proceed or delay the hearing to the next regularly scheduled board meeting.
- B. The applicant outlines his proposal and the board may ask questions.
- C. The public is invited to ask questions or make comments or recommendations. All comments by the public are to be made to the Chair only; cross conversations with the applicant are not permitted.
- D. No one shall ask to speak a second or later time until everyone has had an opportunity to speak the first time.
- E. Persons recognized to speak shall first state their name and address.
- F. The Chair is responsible for control of the meeting and maintenance of order, using whatever resources are necessary.
- G. When the Chair is confident that everyone has had his or her say, he shall terminate the hearing by stating "This hearing is closed."
- H. If, however, the Chair is not satisfied that all the information necessary to a correct decision has been received s/he shall, with the assent of the board, continue the public hearing to a time, date and place certain and no further notice shall be required. Any materials requested by the Board shall be submitted no less than 2 weeks prior to the date certain of the continued hearing to allow time for staff review.
- I. Deliberation: The board shall discuss the testimony and materials presented with regard to the application. This process may be continued to a subsequent public meeting if necessary, subject to the limitation of 65 days allowed for final action on the application specified in RSA 676:4.I(c). When the board is in the deliberation mode it will not entertain comments from the audience or the applicant.
- J. Voting: When the deliberation is concluded, the Chairman shall entertain a motion from the board or introduce a motion on whether the application shall be approved, approved with conditions, modified or denied. After receiving a second, the motion shall be voted on by the board.
- K. Decisions: RSA 675:3. The Planning Board shall promptly issue its decision. If the decision is a denial, the board shall provide the applicant with reasons for

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denial. The written decision shall be placed on file with the Planning Board's office (Planning Board Clerk) within 5 business days of the vote.

**11. Procedures for voting on routine matters**

When discussing issues requiring consent of the board but not expected to be controversial, either of the two following procedures may be followed:

- A. For non-controversial and routine matters (e.g., approval of minutes) the Chairman may invoke the principle of unanimous consent. The Chairman shall introduce a motion and state "If there is no objection, we will adopt this motion". Provided that no member objects, the motion shall be considered adopted.
- B. In the absence of unanimous consent, the Chairman shall entertain a motion from the board or introduce a motion. After receiving a second, the motion shall be voted on by the board.

**12. Participation of alternate members**

Alternate members are encouraged to attend all meetings and fully participate in all discussions as non-voting members, including asking questions of other board members or applicants. In the event of the absence or disqualification of a regular voting member, the Chairman shall designate which alternate member shall vote in their place.

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**Town of Jaffrey**

**Office of Planning & Economic Development**

10 Goodnow Street, Jaffrey, New Hampshire 03452

(603) 532-7880 x110 Fax (603) 532-7862

December 2, 2020

**ZONING:**

Add to definitions:

**WORKFORCE HOUSING** - As defined in RSA 674:58-61 is housing for sale which is affordable to a household with an income of no more than 100% of the median income for 4-person household for Cheshire County as published annually by the U.S. Department of Housing and Urban Development. Also including rental housing which is affordable to a household with an income of no more than 60% of the median income for a 3-person household for Cheshire County as published annually by the U.S. Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing.

Edit the following:

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5.3.6 Inns, hotels, and motels, including restaurants operated in connection therewith (in the rural, Residence "B," and commercial districts). Deleted as *commercial* is not a zoning district the uses are specifically allowed in the General Business and Industrial Districts.

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6.4 The lot size for two-family dwellings shall be twice that for single-family dwellings in the same district, except where served by both water and sewer in which case the lot size shall remain that for a single family dwelling.

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6.3 Minimum lot sizes for multi-family buildings and apartment houses except in the General Business District where Section VI 6.1 shall control, whether units are rentals or single, cooperative, or condominium ownerships:

6.3.1 One acre for the first living unit in a building, plus one-half acre for the second living unit in a building, plus an additional five thousand (5,000) square feet for each additional living unit in a building.

6.3.2 There shall be a maximum of eight (8) living units in a building, except in the rural districts where the maximum number of units shall be limited to four (4) per building.

6.3.3 In General Business A and Residential B Districts where town water and sewer are available, there shall be a maximum of 6 units per acre base density and an additional 2 units per acre for Workforce Housing. Permitted by Special Exception/Conditional Use Permit (CUP provided for in RSA 674:21).



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These developments are subject to Site Plan Review and Design Review as provided in the Subdivision Regulation, Section IV: Subdivision Procedures.

**Special Exception/Conditional Use Permit Standards**

The project **design** shall meet all of the following standards:

- Workforce Housing Units shall be compliant with RSA 674:58-61.
- Renovation of historic structures or, in the case of a tear down, replication of the existing vernacular building structure
- Building structure and massing is in keeping with the neighborhood architecture and traditional Jaffrey design, such as Cape, Colonial, New Englander
- Provides adequate parking for residents and guests (in rear or on side of building) that does not detract from the streetscape
- Provides infill development
- Utilizes existing infrastructure (water/sewer/utilities)
- Contributes to pedestrian access to public and community amenities
- In keeping with the 2019 Town Resolution to “Promote green infrastructure and sustainable building and energy practices”, new construction or renovations subject to this Section, shall receive Energy Star Certification Version 1.1 Rev.02 (and as amended).

**Criteria for granting a waiver to the Design Standards (all criteria must be met):**

- The waiver will be in the public interest
- Owing to special conditions, a literal enforcement of the ordinance will result in unnecessary hardship
- The spirit of the ordinance will be observed
- Substantial justice will be done
- The waiver does not diminish the value of surrounding properties