

**TOWN OF JAFFREY NEW HAMPSHIRE  
BOARD OF ADJUSTMENT  
Meeting Minutes  
April 5, 2019**

**MEETING MINUTES APPROVAL**

On a motion by Cournoyer, seconded by Batchelder the minutes for the **March 5, 2019** meeting were approved as presented. (5-0-0)

**PUBLIC HEARING - continued**

**The public hearing reconvened at 3:15 pm for the site walk at 481 Thorndike Pond Rd.  
Member Batchelder will vote.**

**PRESENT**

<b>ZBA:</b>	Lee Sawyer, Phil Cournoyer, Walter Batchelder, Andy Webber, Marc Tieger
<b>Staff:</b>	Rob Deschenes, Becky Newton
<b>ConCom:</b>	Carolyn Garretson, Bill Graff
<b>Applicant:</b>	Aaron Wechsler, Agent
<b>Public:</b>	Janet Grant, Stephen & Carol Gehlbach, David & Alisa Nash, Carol Greenwold, Tory Fletcher, Jinnie Russell, Jim & Patti Potter

Presentation: Aaron Wechsler, Aspen Environmental Consultants

Prior to the commencement of the site walk Mr. Wechsler presented a letter withdrawing the request to develop a second waterfront recreational area. This change would remove the proposed second seasonal dock, anchoring pad, perched beach, walkway and storage shed from the project. Revised permit applications and plans were submitted.

Mrs. Potter asked if the owner is planning to do these changes in the future. Mr. Wechsler responded to do so, Mr. Krouk would be required to get approval from the Town and secure all appropriate permits.

Mr. Wechsler gave a tour of the site familiarizing attendees with the proposed plans. Beginning with the cottage, he identified the area at the back corner that was expanded to accommodate the bathroom remodel. The altered area measures 1 ½' x 11'. The use of the bulding remains as a seasonal cottage.

The rusted holding tank, located to the right of the cabin, had been replaced in the same location with a 1,000-gal. tank. However, State standards require a 2,000-gal. tank and that the tank be sealed. The new tank would be placed in the same location but rotated to be parallel to the cottage. The new tank will not have any outlets and will be coated.

Previous water and electric lines ran above ground, the new lines will be buried. Restoration work would include the filling in the trench, removing the pipe near the water and raking and reseedling of all disturbed areas.

The parking/turn-around area is located behind the cabin. The parking area will be gravel and accommodate two cars. A small retaining wall will be built at the end of the driveway to reduce the velocity of the water flowing down the hill towards the lake. The surface of the road will require additional work to ensure that water will flow from the crown of the road off the sides into the vegetation instead of into the lake.

The area from the cabin down will be revegetated and a walkway installed. The State requires a walkway for any area that will have repeated foot traffic.

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Member Webber asked if any more trees will be cut. Mr. Wechsler responded no. In addition, Mr. Wechsler will be responsible for hiring contractors to complete the restoration work and will oversee the project.

Mr. Wechsler identified the location of the storage shed and the concrete pad for the dock. The dock will remain in the same location. Mr. Krouk may consider a smaller dock. Carolyn Garretson asked if the sand pile on the cottage beach will be removed. Mr. Wechsler responded the beach will be made somewhat smaller, but the sand will be spread out. The State allows replenishment of beach sand every six years.

**There being no further discussion, Chairman Sawyer closed the Public Hearing for this item.**

1. ZBA 19-02, Jeffrey Krouk Revocable Trust, Owner Aspen Environmental Consultants, Agent  
481 Thorndike Pond Rd. Map 234 / Lots 16, Zone: Rural (without town water)

**Variance #1** – The applicant requests a Variance to permit a minor expansion of an existing non-conforming cottage (Land Use Code, Zoning Ordinance Section XX, 5.2(a).

**Variance #2** – The applicant requests a Variance to permit a replacement of an existing non-conforming holding tank in approximately the same location (Land Use Code, Zoning Ordinance Section XX, 5.2(a).

**Special Exception #1 (~~WITHDRAWN~~)** ~~The applicant requests a Special Exception to construct a perched beach with seasonal wooden steps and a walkway for access to the beach (Land Use Code, Zoning Ordinance Section XX, 6.1 & 6.2.~~

**Special Exception #2** – The applicant requests a Special Exception for water and electric lines installed near the edge of the drive to serve the existing cottage (Land Use Code, Zoning Ordinance Section XX, 6.1.

**Special Exception #3** – The applicant requests a Special Exception to construct a walkway to an existing cottage (Land Use Code, Zoning Ordinance Section XX, 6.1.

**Special Exception #4** – The applicant requests a Special Exception to construct a turn-around/parking area at the end of the existing drive for access to the cottage (Land Use Code, Zoning Ordinance Section XX, 6.1.

**Special Exception #5 – (*REVISED*)** The applicant requests a Special Exception to install concrete anchoring pads for ONE seasonal dock (Land Use Code, Zoning Ordinance Section XX, 6.2.

**Special Exception #6 – (*REVISED*)** The applicant requests a Special Exception to allow the placement of ONE 10 x 12 storage shed to store recreation equipment (Land Use Code, Zoning Ordinance Section XIX 4.2(b) & Section XX, 6.2

**DELIBERATIONS**

**Variance #1** - Member Webber believes this request meets all five criteria.

**Variance #2** - Member Cournoyer stated the new tank would be an improvement.

**Special Exception #1** – withdrawn by the applicant

**Special Exception #2** - Member Cournoyer noted electric and water will be buried, and trenches will be filled. Is concerned about water flowing down the driveway into the water. Mr. Wechsler explained, if approved, a

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retaining wall will be constructed at the base of the driveway to divert water to the edges of the drive so water will not flow directly into the lake. DES was satisfied that enough buffer was being provided. Member Tieger asked how the cottage is serviced now. Mr. Wechsler stated the water line is connected to the well at the main house and runs above ground to the cottage. Grace Electric has done the electrical work with the required permits.

**Special Exception #3** - Member Tieger asked what material is being used. Mr. Wechsler responded gravel or stone.

**Special Exception #4** - Member Cournoyer asked will the elevation of the turn-around need to be lowered. Mr. Wechsler explained the ground at the back of the addition will be lowered then slope up to the parking area. The turnaround will be leveled out.

**Special Exception #5** - Member Cournoyer asked for a description of the anchoring pad. Mr. Wechsler explained it is a concrete block set into the ground with rings for the dock to hook to. It provides a stable structure for the dock to rest on. They can be pre-cast or poured. Member Webber asked how close to the water is it. Mr. Wechsler responded it will be in the bank.

**Special Exception #6** - Member Batchelder asked how visible the shed will be from the water once vegetation is planted and grown in. Mr. Wechsler stated it would be partially visible. Mr. Tieger asked what the shed will be made of and what color would it be. Mr. Wechsler believes that it would be wood but is not sure of the color. The shed will not need a foundation. Member Batchelder asked if there a restriction on size. CEO/BI Deschenes the shed must be under 200 sq. ft. according to code.

## **DECISIONS**

1. ZBA 19-02, Jeffrey Krouk Revocable Trust, Owner Aspen Environmental Consultants, Agent  
481 Thorndike Pond Rd. Map 234 / Lots 16, Zone: Rural (without town water)

**Variance #1** – The applicant requests a Variance to permit a minor expansion of an existing non-conforming cottage (Land Use Code, Zoning Ordinance Section XX, 5.2(a).

On a **motion** by Webber, seconded by Cournoyer to approve a minor expansion of an existing non-conforming cottage (5-0-0)

**Variance #2** – The applicant requests a Variance to permit a replacement of an existing non-conforming holding tank in approximately the same location (Land Use Code, Zoning Ordinance Section XX, 5.2(a).

On a **motion** by Tieger, seconded by Cournoyer to approve the replacement of an existing non-conforming holding tank in approximately the same location (5-0-0)

~~**Special Exception #1 (WITHDRAWN)** The applicant requests a Special Exception to construct a perched beach with seasonal wooden steps and a walkway for access to the beach (Land Use Code, Zoning Ordinance Section XX, 6.1 & 6.2.~~

**Special Exception #2** – The applicant requests a Special Exception for water and electric lines installed near the edge of the drive to serve the existing cottage (Land Use Code, Zoning Ordinance Section XX, 6.1.

On a **motion** by Cournoyer, seconded by Webber to approve the installation of water and electric lines near the edge of the drive to serve the existing cottage (5-0-0)

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**Special Exception #3** – The applicant requests a Special Exception to construct a walkway to an existing cottage (Land Use Code, Zoning Ordinance Section XX, 6.1.

On a **motion** by Cournoyer, seconded by Tieger to approve construction of a walkway to an existing cottage (5-0-0)

**Special Exception #4** – The applicant requests a Special Exception to construct a turn-around/parking area at the end of the existing drive for access to the cottage (Land Use Code, Zoning Ordinance Section XX, 6.1.

On a **motion** by Webber, seconded by Cournoyer to approve construction of a turn-around/parking area at the end of the existing drive for access to the cottage (5-0-0)

**Special Exception #5 – (REVISED)** The applicant requests a Special Exception to install a concrete anchoring pad for ONE seasonal dock (Land Use Code, Zoning Ordinance Section XX, 6.2.

On a **motion** by Cournoyer, seconded by Tieger to approve installation of one concrete anchoring pad for a seasonal dock (4-1-0)

**Special Exception #6 – (REVISED)** The applicant requests a Special Exception to allow the placement of ONE 10 x 12 storage shed to store recreation equipment (Land Use Code, Zoning Ordinance Section XIX 4.2(b) & Section XX, 6.2

On a **motion** by Tieger, seconded by Cournoyer to approve construction of one, 10 x 12 storage shed which shall be painted or stained so as not to be visually obtrusive (5-0-0)

*Decisions of the Zoning Board of Adjustment are subject to a 30-day appeal period for rehearing.*

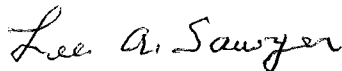
**ADJOURNMENT**

The meeting adjourned at 5:24 pm  
Submitted:



Rebecca Newton  
Recording Secretary

Attest:



Lee A. Sawyer  
Chairman, Jaffrey ZBA