

TOWN OF JAFFREY NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT
Minutes
April 6, 2021

Present: Chairman Lee Sawyer, Members Walter Batchelder, Marc Tieger, Phil Cournoyer, Erlene Brayall (alt) *will vote*, and Carl Jevne, (alt).

Staff: Jo Anne Carr (via Zoom), Code Enforcement/Building Inspector Rob Deschenes, Recording Secretary Newton, Chief David Chamberlain

Via Zoom: Dave Jeffries, Isaac Stone & Kiana Eaton, Elizabeth Webster, Mary Pelletier, Joan Lathrop

MEETING MINUTES APPROVAL

On a **motion** by Batchelder, seconded by Cournoyer the minutes of February 11, 2021 were approved as presented (5-0-0)

On a **motion** by Brayall, seconded by Cournoyer the minutes of February 17, 2021 were approved as presented (5-0-0)

PUBLIC HEARING

Chairman Sawyer called the public hearing to order at 6:05 pm. Notice of hearing for cases No. ZBA 21-05, ZBA 21-06, ZBA 21-07, as advertised in the *Monadnock Ledger* copies were posted in the Town Office building, the Library and the town website; copies were sent to the Planning Board, the Conservation Commission, and the Board of Selectmen; and notice of hearing was sent by certified mail to all abutters whose names were provided by the applicant.

PUBLIC HEARING NEW ITEMS

ZBA 21-05 Isaac Stone, Owner – 8 Linden St
Map 244 Lot 34 Zone: Res B (with town water)

Variance – The applicant requests a variance to allow construction of a garage and mudroom within the setback (Land Use Code, Zoning Ordinance Section VI, 6.1)

Presentation – Isaac Stone & Kiana Easton

Mr. Stone and his wife recently purchased the house at 8 Linden Street. The house was built on a slab without an attic, therefore storage space is very limited. They are proposing to construct a 24' x 24' garage and attached mudroom on the NW side of the house. R Deschenes noted that the house was constructed outside of the setback, a portion of the proposed garage would fall within the side setback as shown on the plan submitted.

M Tieger asked how far would the garage be from the property line? Mr. Stone responded about 5 feet.

Mr. Stone reviewed the five criteria as presented in the application.

Mary Pelletier, abutter, has no objections to the plan and noted that there was previously a garage on the lot.

Chairman Sawyer continued to hearing to the Site Walk on Friday, April 9 at 4:00 pm

ZBA 21-06 Erick Colston, Owner – 91 Mountain Rd
Map 228 Lot 55.3 Zone: Mountain Zone (with town water)

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Variance – The applicant requests a variance to expand the existing driveway within the wetland conservation district (Land Use Code, Zoning Ordinance Section XX, 20.7)

Presentation – Erick and Sarah Colston

Mr. & Mrs. Colston recently purchased the house at 91 Mountain Rd. The existing driveway extends straight from Rte. 124 to the right side of the house and is not wide enough to turn a vehicle around. In order to exit the property the homeowners must back out of the driveway directly on to Rte. 124. This is very dangerous as visibility is limited due to trees and large rocks. Mr. Colston was unaware of the 75-foot wetland buffer and the need for a variance when he tried to correct the situation by widening the driveway 10 feet to allow vehicles to turn around.

W Batchelder asked what is the existing driveway material? Mr. Colston responded it is regrind to which he added 1 ½” stone. He used the same 1 ½” stone to expand the driveway. L Sawyer asked if the owner would be adding additional impervious surface? Mr. Colston stated no.

Elizabeth Webster, ConCom, agrees that backing on to Mountain Road would be difficult. She will attend the site visit in order to assess the site in person.

L Sawyer asked would the length of the driveway change? Mr. Colston answered no, just the width by 15 feet. Using the survey plan submitted as a reference, Mr. Colston identified the area where the driveway was widened. L Sawyer asked isn't it illegal to back onto a State highway? He noted that cutting trees could increase visibility, however, the owners would still be backing out on to the road.

Mr. Colston stated one of the concerns with this lot is the sediment runoff into the wetlands. The newly constructed driveway is flatter which reduces runoff. The property is surrounded by wetlands with French drains in front of the house which limits the area that could be used for expansion.

Mr. Colston reviewed the five criteria as presented in the application. He stated that the driveway extension will reduce the risk of an accident caused by backing out on to the highway with limited visibility. Vehicle parking will look less congested as cars could park side by side.

Michael Gallagher, abutter, is in favor of granting the request. He agrees that it is very dangerous to back out on to the highway and feels that the improvements that have been made are beneficial.

Chairman Sawyer continued to hearing to the Site Walk on Friday, April 9 at 4:30 pm

ZBA 21-07 Joan Lathrop, Owner – 73 Tenacres Rd
Map 241 Lot 2 Zone: Res A (with town water)

Variance – The applicant requests a variance to allow the second-floor expansion of an approved 2-car garage within the setback (Land Use Code, Zoning Ordinance Section V, 5.7, VI, 6.1 & VII, 7.2.1)

Presentation – Joan Lathrop

Mrs. Lathrop received approval for a setback variance in order to replace her existing garage in Dec. 2020. This application is a clarification of the previously approved garage design. The garage has been lifted by two feet and a dormer added to allow more light and usable space for work and storage. The initial application stated the second

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floor would be used for storage/office space. During the design process the owners discovered that design modifications would be required in order to meet headroom requirements. Ultimately, these changes increased the expansion of the second floor. Mrs. Lathrop stated that both neighbors support the proposal.

E. Brayall asked what is the change in the cubic content? R Deschenes stated the increase to the inside is minimal and the footprint will not change. E. Brayall asked will there be plumbing? Mrs. Lathrop responded no.

Mrs. Lathrop reviewed the five criteria as submitted in the application.

On a **motion** by Brayall, seconded by Tieger the Board waived the site visit. (5-0-0)

Chairman Sawyer closed the public hearing.

DECISIONS

ZBA 21-07 Joan Lathrop, Owner – 73 Tenacres Rd
Map 241 Lot 2 Zone: Res A (with town water)

Variance – The applicant requests a variance to allow the second-floor expansion of an approved 2-car garage within the setback (Land Use Code, Zoning Ordinance Section V, 5.7, VI, 6.1 & VII, 7.2.1)

On a **motion** by Batchelder, seconded by Tieger the variance request to allow the second-floor expansion of an approved 2-car garage within the setback was granted as presented per testimony given and plan submitted. (5-0-0)

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

OTHER

Appointments - Marc Tieger agreed to serve another three-year term and Erlene Brayall will be appointed as a full member for a three-year term.

Marc Tieger suggested that it would be appropriate for the Chair to send a note of thanks to Andy Webber for his many years of service to the ZBA.

ADJOURNMENT

The meeting adjourned at 7:09 pm

Submitted:



Rebecca Newton
Recording Secretary

Attest:



Lee A. Sawyer
Chairman, Jaffrey ZBA