

**TOWN OF JAFFREY NEW HAMPSHIRE
BOARD OF ADJUSTMENT
Site Walk Meeting Minutes
October 4, 2018**

Present: Chairman Sawyer, Members Cournoyer, Durand, Tieger, Webber

Staff: Recording Secretary Newton

Others: Bernard Hampsey, Komez Hansen, Chanta & Serena Yin, Kirk Stenersen,
Conservation Committee Members Carolyn Garretson and Bill Graff

PUBLIC HEARING

The public hearing reconvened at 5:00 pm at 31 Peterborough St.

Public Hearing - Continued

1. ZBA 18-10, Komez Hansen & Chanta Yin – 31 Peterborough St. Map 238 / Lot 262.1,
Zone: General Business (with town water)

Variance – The applicant requests a variance to allow construction of a building, parking and drives within the wetland conservation district (Land Use Code, Zoning Ordinance Section XX, 20.7).

Presentation – Kirk Stenersen, Higher Design PLLC

Mr. Stenersen provided an orientation of the proposed building site, showing building placement, parking areas, identifying property lines between neighboring lots, and locating the wetland area in question.

Carolyn Garretson examined the wetland areas. In her opinion there were not enough indicator species for the area to be considered a wetland.

Member Tieger asked how often the monitoring wells were read and how long the wells were in place. Mr. Stenersen stated the DES file for the Cheshire Oil parcel was closed in 2012. Final soil samples were taken at that time and no issues were found. A complete report is available online.

Due to extensive gravel cover, nearly all the area would be considered impervious surface at this time Member Durand noted.

Member Tieger asked about runoff and type of roof the building would have. Mr. Stenersen responded the proposed roof would be flat. The site would be engineered to code for runoff, possibly using underground storage for drainage.

There being no further discussion, Chairman Sawyer closed the public hearing for this item.

Deliberation

Chairman Sawyer directed the board to review the five criteria for approving a variance.

Member Durand does not feel approving the variance would change the character of the neighborhood. Chairman Sawyer agrees as this has been used as a commercial location for many years.

Chairman Sawyer noted the board is here to rule on the variance requested, not to decide if they could do something else. It's a reasonable use for the property which is located in the Gen. Business district.

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Member Webber believes a new building would increase the value of neighboring property. Member Tieger added they are not asking for a use variance, this is an allowed use. Member Cournoyer noted the building will face away from neighboring apartment building thereby limiting traffic and lighting issues.

Chairman Sawyer the question remains as to whether the recently discovered run-off area is a wetland. Mr. Stenersen stated his wetland scientist used three criteria to identify the area as a wetland. The wetland in questions is at the toe of the slope (the lowest part of an embankment slope.) Member Durand noted the additional wetlands were discovered after the purchase of the property. Chairman Sawyer feels the encroachment is already there. Member Durand agreed the area is mostly gravel and impervious surface. Member Webber added roughly half the lot is unbuildable.

Other Business – Marc Tieger

The Board discussed possible candidates for the two open alternate positions.

DECISIONS

1. ZBA 18-10, Komez Hansen & Chanta Yin – 31 Peterborough St. Map 238 / Lot 262.1,
Zone: General Business (with town water)

Variance – The applicant requests a variance to allow construction of a building, parking and drives within the wetland conservation district (Land Use Code, Zoning Ordinance Section XX, 20.7).

On a **motion** by Durand, seconded by Cournoyer to allow construction of a building, parking and drives within the wetland conservation district as presented and per plan submitted. (5-0) The plan submitted is on file with this office dated September 6, 2018.

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

ADJOURNMENT

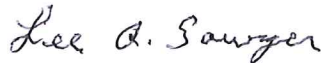
The meeting adjourned at 6:22 pm

Submitted:



Rebecca Newton
Recording Secretary

Attest:



Lee Sawyer
Chairman, Jaffrey ZBA