

TOWN OF JAFFREY NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT
Meeting Minutes
September 5, 2023

Present: Members Marc Tieger, Erlene Brayall, Walter Batchelder, Carl Jevne, David Jeffries (alt), Phil Cournoyer (alt), Judy Lucero (alt) *will vote*

Absent: Chairman Lee Sawyer

Other: Elizabeth Webster, Conservation Commission, Darryl Gauthier

Staff: Rob Deschenes, Code Enforcement/Building Inspector, Recording Secretary Newton

MEETING MINUTES APPROVAL

On a **motion** by Batchelder seconded by Brayall the minutes of August 1, 2023 were approved as amended. (5-0-0)

PUBLIC HEARING

Vice Chairman Tieger called the public hearing to order at 6:00 pm. Notice of hearing for case No. ZBA 23-21, 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 23-21 James Norby, Owner, Darryl Gauthier, Agent
20 Aetna St, Map 239 Lot 204, Zone: Res B, with town water and sewer

Variance – The applicant requests a variance to construct a 12' x 26' deck within the property line setback. (Land Use Code, Zoning Ordinance Section VI, 6.1)

Presentation: Darryl Gauthier

The applicant is requesting a variance to construct a 12' x 26' deck within the side and rear property line setbacks. There is an existing 12' x 26' patio behind the house. The new deck will be placed in the same footprint, over the existing patio, roughly 8" above the ground. The existing patio consists of brick pavers with sand between the bricks. The new deck will be constructed with Trex Composite decking with spaces between the boards which allows water to flow through. Roughly two feet of the bricks will be removed to make room for sauna tubes.

The original house was destroyed by fire and rebuilt in the same footprint which sits 18' from the side property line and 36' from the rear property line. Side and rear setbacks in Res B are 30'. The new deck will be 18' from the side property line and 24' from the rear property line.

Mr. Gauthier read the variance criteria as presented in his application. The deck will add additional space for the growing family and value to the existing home.

E Webster, Conservation Commission asked, would the owner consider removing more of the brick pavers to make the area more pervious? R Deschenes stated this may not be necessary as this is not in the wetland or wetland buffer.

On a **motion** by Jevne, seconded by Batchelder the Board voted to waive site review. (5-0-0)

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Vice Chairman Tieger closed the public hearing.

By unanimous consent the Board determined that ZBA 23-21 would not have regional impact.

Findings of Fact:

The deck will not extend further into the side setback than the existing house, which is 18' from the side property line.

Any removal of the existing patio pavers will increase the permeability.

The deck will be 24' from the rear property line.

The proposed deck will be the same size as the existing 12' x 26' patio.

The application meets the five variance criteria.

DECISION

On a **motion** by Batchelder, seconded by Lucero the variance to construct a 12' x 26' deck within the side and rear property line setbacks was approved as presented per testimony given and plan submitted. (5-0-0)

Plans include: James Norby, Lot 239/204, Aetna Street variance request, dated Sept. 5, 2023.

ADJOURNMENT

The meeting adjourned at 6:25 pm

Submitted:

Attest:



Rebecca Newton, Recording Secretary



Marc Tieger, Vice Chairman, Jaffrey ZBA