

**TOWN OF JAFFREY NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT**

**Minutes
June 1, 2021**

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

Absent: Walter Batchelder, Judy Lucero (alt), David Jeffries (alt)

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

MEETING MINUTES APPROVAL

On a **motion** by Brayall, seconded by Tieger the minutes of May 4, 2021 were approved as presented (5-0-0)

On a **motion** by Tieger, seconded by Jevne the minutes of May 10, 2021 were approved as presented (4-0-1)
LS abstained

PUBLIC HEARING

Chairman Sawyer called the public hearing to order at 6:03 pm. Notice of hearing for cases No. ZBA 21-14, ZBA 21-15, ZBA 21-16, ZBA 21-17, ZBA 21-18, 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

1. ZBA 21-14, Mandy Courtney, Owner – 171 Thorndike Pond Rd
Map 229 Lot 24 Zone: Res Rural (with town water)

Special Exception – The applicant requests a special exception to switch the designation of an ADU to a different structure (Land Use Code, Zoning Ordinance Section V, 5.4)

Presentation: Kathleen Seiler

The owners are looking to renovate the property located at 171 Thorndike Pond Rd. In addition to the main house there is an annex and a library on the site, which are all separate buildings. The annex contains a two-bedroom apartment that is designated as an ADU. They are seeking approval to convert the annex building into a home office and designate the library as the new ADU. The kitchen in the Annex would be removed and added to the library. The library meets the 30% floor area criteria and has its own septic, electric and heat. This change would not impact the neighbors as the house is not visible from the road.

R Deschenes noted that the septic system for the library was installed in 2005 when the library was built. The owners plan to have a new septic constructed for the main house. Parking and utilities are available for the library.

No abutters spoke for or against.

On a **motion** by Tieger, seconded by Cournoyer the Board voted to waive the site visit. (5-0-0)

Chairman Sawyer closed the public hearing

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2. ZBA 21-15, Stonemen Properties, Owner – 26 Pine St
Map 244 Lot 48 Zone: Res B (with town water)

Special Exception – The applicant requests a special exception to allow construction of a 416 sf ADU (Land Use Code, Zoning Ordinance Section V, 5.4)

Presentation: John Given

Mr. Given's property is located on Pine Street in the area of Jaffrey known as KK Village. He has a large corner lot consisting of .49 acres with the house in the center. Mr. Given is proposing to construct a detached ADU on his property to provide an affordable living arrangement for his brother, who is disabled.

Mr. Given shared photos of the proposed ADU and the floorplan. The one-story unit would be 16' x 26', 416 sf. constructed with a poured block foundation and a bulkhead to access the basement. The property is sloping so the foundation would be raised but will have a retaining wall to dress it up. It would meet all setback requirements and criteria for the special exception.

After consulting with the Water Department, it was decided that it would be easier to hook up the ADU to the the water line in the street rather than through the main house. The electricity would be tied in directly from the pole to the ADU and have a separate meter.

Most of the properties in the neighborhood have sheds, garages or other structures. The nearest neighbor has no objections to the project.

M Tieger asked about the driveway. J Given stated he had two options; he could use his driveway or have a one-car parking space by the ADU, which would not be paved.

R Deschenes noted that he has been to the property and has no issues with the application.

No abutters spoke for or against.

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

Chairman Sawyer closed the public hearing

3. ZBA 21-16, Kevin Kamm & Kathryn Lambert-Kamm, Owners – 46 Turnpike Rd
Map 239 Lot 95.1 Zone: General Bus A (with town water)

Variance – The applicant requests a variance to allow construction of an attached garage within the setback (Land Use Code, Zoning Ordinance Section VI, 6.1 & VII, 7.2.3)

Presentation: Kevin Kamm and Kathryn Lambert-Kamm

Mr. & Mrs. Kamm are proposing to construct a single-car, 22' x 20' attached garage that would replace an existing detached garage. This would give them direct access from the garage to the house and would not impact the neighbors as it is located behind the house which is not visible from the road. The new location would be 17' from the property line on one side. This placement will give them more privacy and space in the back yard. The shared driveway behind the house would not be affected.

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E Brayall asked how far is the driveway from the existing garage. Mr. Kamm responded that it is right next to the driveway. She noted that it appears that this is a better option as it moves the garage further away from the driveway.

R Deschenes stated that he has reviewed the plans and has no issues with the application.

No abutters spoke for or against.

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

Chairman Sawyer closed the public hearing

4. ZBA 21-17, Dublin Rd Realty, Owner – 53 Dublin Rd
Map 229 Lot 8.2 Zone: Mountain Zone (with town water)

Variance – The applicant requests a variance to allow expansion of an existing patio within the setback (Land Use Code, Zoning Ordinance Section VI, 6.1)

Presentation: Doni Ash

Mr. Ash is seeking a variance for the Shattuck Golf Club to expand an existing patio located on the north side of the club house from 10' x 70' to 18' x 70'. The existing patio pavers would be replaced with concrete. This expansion would be 10 feet into the setback. The patio had a wooden awning that was in disrepair and was removed in November. He would like to replace that with a roof. This covered patio area would allow them to expand outdoor seating for the restaurant and enable them to have small outdoor events/weddings, etc.

E Brayall asked will the roof extend past the edge of the patio? Mr. Ash responded no.

R Deschenes stated that he has been to the property. The previous roof structure was a pergola which has rafters but no roof. This structure was in disrepair and needed to be removed.

M Tieger asked who is closest abutter? Mr. Ash responded that the building next door, the Annex, is owned by SanKen. The Annex is located on a hill and there is a privacy fence between the properties.

No abutters spoke for or against.

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

Chairman Sawyer closed the public hearing

5. ZBA 21-18, MilliporeSigma, Owner – 11 Prescott Rd
Map 256 Lot 1.1 Zone: Industrial (with town water)

Variance – The applicant requests a variance to allow construction of a 220-sf water pump station within the Wetland Conservation District (Land Use Code, Zoning Ordinance Section XX, 20.7)

Variance – The applicant requests a variance to allow expansion of an existing non-conforming building within the Wetland Conservation District (Land Use Code, Zoning Ordinance Section XX 20.5, 20.5.2a)

Special Exception – The applicant requests a special exception to allow the installation of utility piping in the Wetland Conservation District (Land Use Code, Zoning Ordinance Section XX, 20.6.1)

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Presentation: Lauren Swett, Woodard & Curran

Millipore is requesting two variances and one special exception in order to install new domestic and fire water services into the property. The new system is needed as they have had some piping failures on the site. The project would require a connection from the water line on Prescott Road to the new pump station and into the building. They are committed to minimizing the impact to the wetlands as much as possible. This area is well buffered so the proposal will not impact abutters.

The special exception is requested for piping that will be installed within the delineated wetland and the wetland buffer area. Directional drilling from Prescott Road will be used in order to reduce the impact to the wetland and wetland buffer by drilling underneath the wetland. A small area at both ends of the designated drilling area will have small amount of vegetation cleared to facilitate drilling, most of the buffer will remain. Additional piping will also be installed in an area that has been already impacted with pavement, gravel and other piping.

The first variance is for a 220-sf fire pump station building located within the wetland buffer on an existing gravel surface.

The second variance requested is for the expansion of an existing building. The entire expansion would be 580 sf, however, only 25 sf of that is within the buffer. This area has already been impacted.

M Tieger asked if the Conservation Commission was notified on this proposal. B Newton confirmed that they were and had no questions.

R Deschenes noted that it was determined that this proposal did not need to go to site plan as the building and addition were too small and the PB is not involved with utilities.

No abutters spoke for or against.

On a **motion** by Jevne, seconded by Cournoyer the Board voted to waive the site visit. (5-0-0)
Chairman Sawyer closed the public hearing

DECISIONS

1. ZBA 21-14, Mandy Courtney, Owner – 171 Thorndike Pond Rd
Map 229 Lot 24 Zone: Res Rural (with town water)

Special Exception – The applicant requests a special exception to switch the designation of an ADU to a different structure (Land Use Code, Zoning Ordinance Section V, 5.4)

On a **motion** by Tieger, seconded by Jevne the request for a special exception to transfer the ADU designation from the two-bedroom apartment to the detached library was granted as presented, and per testimony given. (5-0-0)

2. ZBA 21-15, Stonemen Properties, Owner – 26 Pine St
Map 244 Lot 48 Zone: Res B (with town water)

Special Exception – The applicant requests a special exception to allow construction of a 416 sf ADU (Land Use Code, Zoning Ordinance Section V, 5.4)

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On a **motion** by Brayall, seconded by Jevne the request for a special exception to allow construction of a 416 sf ADU was granted as presented, and per testimony given. (5-0-0)

3. ZBA 21-16, Kevin Kamm & Kathryn Lambert-Kamm, Owners – 46 Turnpike Rd
Map 239 Lot 95.1 Zone: General Bus A (with town water)

Variance – The applicant requests a variance to allow construction of an attached garage within the setback (Land Use Code, Zoning Ordinance Section VI, 6.1 & VII, 7.2.3)

On a **motion** by Brayall, seconded by Tieger the request for a variance to allow construction of an attached garage 17' from the eastern property line was granted as presented, and per testimony given and plan submitted. (5-0-0)

Plans Include: Proposed Garage, tax map 239/95.1, dated June 1, 2021

4. ZBA 21-17, Dublin Rd Realty, Owner – 53 Dublin Rd
Map 229 Lot 8.2 Zone: Mountain Zone (with town water)

Variance – The applicant requests a variance to allow expansion of an existing patio within the setback (Land Use Code, Zoning Ordinance Section VI, 6.1)

On a **motion** by Tieger, seconded by Jevne the request for the variance to allow the expansion of an existing patio was granted as presented, and per testimony given and plan submitted. (5-0-0)

Plans Include: Shattuck Golf Course, 53 Dublin Rd, Jaffrey, NH, Patio, dated June 1, 2021.

5. ZBA 21-18, MilliporeSigma, Owner – 11 Prescott Rd
Map 256 Lot 1.1 Zone: Industrial (with town water)

Variance – The applicant requests a variance to allow construction of a 220-sf water pump station within the Wetland Conservation District (Land Use Code, Zoning Ordinance Section XX, 20.7)

On a **motion** by Jevne, seconded by Cournoyer the request for a variance to allow construction of a 220-sf water pump station within the Wetland Conservation District was granted as presented, and per testimony given and plan submitted. (5-0-0)

Variance – The applicant requests a variance to allow expansion of an existing non-conforming building within the Wetland Conservation District (Land Use Code, Zoning Ordinance Section XX 20.5, 20.5.2a)

On a **motion** by Brayall, seconded by Tieger the request for a variance to allow expansion of an existing non-conforming building within the Wetland Conservation District was granted as presented, and per testimony given and plan submitted. (5-0-0)

Special Exception – The applicant requests a special exception to allow the installation of utility piping in the Wetland Conservation District (Land Use Code, Zoning Ordinance Section XX, 20.6.1)

On a **motion** by Jevne, seconded by Tieger the request for a special exception to allow the installation of utility piping in the Wetland Conservation District was granted as presented, and per testimony given and plan submitted. (5-0-0)

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Plans Include: Site Plan: MilliporeSigma, Jaffrey, NH, Fire Pump Station Design, dated 05-13-2021, submitted by Woodard & Curran.

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

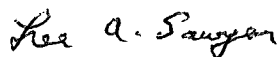
ADJOURNMENT

The meeting adjourned at 7:07 pm
Submitted:



Rebecca Newton
Recording Secretary

Attest:



Lee A. Sawyer
Chairman, Jaffrey ZBA