

**TOWN OF JAFFREY NEW HAMPSHIRE**  
**ZONING BOARD OF ADJUSTMENT**  
**Deliberation Minutes**  
**August 10, 2020**

**Present:** Chairman Lee Sawyer, Members Walter Batchelder, Phil Cournoyer, Marc Tieger, Andy Webber, and Erlene Brayall (alt)

**Staff:** Jo Anne Carr, Rob Deschenes CEO/BI, Recording Secretary Newton

**Vice-Chair Tieger called meeting to order at 5:00 pm**

**ZBA 20-13**      Ed & Stephanie Duval, Owner  
54A Webster St., Map 244 / Lot 68    Zone: Res B, with town water & sewer

Variance – The applicant requests a variance to allow an accessory building within the setbacks.  
(Land Use Code, Zoning Ordinance Sections V, 5.7 & VI, 6.1)

Mr. Duval presented a map depicting the proposed new location of the shed. According to the map provided setbacks would be as follows:

29' rear setback

28' right setback (towards Short St)

30+' left setback

Members of the board discussed the five criteria;

1. Contrary to Public Interest:  
LS – does not feel it would be contrary to the public interest. Any issues relating to odors from the chickens would be a civil issue. AW, PC, WB – have no issues.
  2. Spirit of the Ordinance:  
WB – the new location of the shed is as far outside the setbacks as possible.
  3. Substantial Justice:  
MT – this is a matter of opinion. The applicant feels justice would be done. The board agrees that the applicant has improved the situation from what was first presented.
  4. Value of surrounding properties are not diminished:  
MT - also subjective, the abutters recognize that some of the changes Mr. Duval proposed including tree trimming, moving shed back and planting trees along the fence would be beneficial.  
LS - there are many small buildings in the KK Village area, this shed is not highly visible.  
WB - if it was just a shed, it would have no effect on property value. It's the use of the shed as a chicken coop that is the issue. MT - the issue of the chickens is a civil matter, the ZBA does not regulate that.
  5. Unnecessary Hardship:  
MT - the hardship is inherent in the land.  
AW - there is no other place on the property to place a shed that would decrease the setback infringement.
- A,ii Reasonable use:  
WB - the proposed use is a reasonable one.  
MT - nothing in the ordinance restricts people from having animals.

**Vice-Chair Tieger Closed the Public Hearing**

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**DECISIONS**

**ZBA 20-13**

Ed & Stephanie Duval, Owner

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(Land Use Code, Zoning Ordinance Sections V, 5.7 & VI, 6.1)

On a **motion** by Sawyer, seconded by Webber the variance to allow an accessory building within the setbacks was granted as presented per testimony given. (5-0-0)

Map on file, signed by Ed Duval, dated August 10, 2020 with setbacks as follows:

29' rear setback

28' right setback (towards Short St)

30+' left setback

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

**ADJOURNMENT**

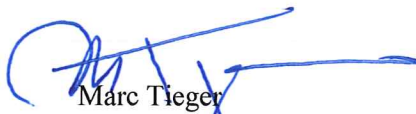
The meeting adjourned at 5:30 pm

Submitted:



Rebecca Newton  
Recording Secretary

Attest:



Marc Tieger  
Vice Chairman, Jaffrey ZBA