

**TOWN OF JAFFREY NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT
Meeting Minutes
June 6, 2023**

Present: Chairman Lee Sawyer, Members Erlene Brayall, Walter Batchelder, Carl Jevne, Judy Lucero (alt), David Jeffries (alt) *will vote for MT*

Absent: Marc Tieger, Phil Cournoyer (alt)

Other: Elizabeth Webster, Conservation Commission, David and Amanda Griffiths, Russel Long, Sue Lloyd, Greg Pease

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

By unanimous consent it was determined that ZBA 23-10, 23-11 & 23-12 would not have regional impact.

MEETING MINUTES APPROVAL

On a **motion** by Jevne seconded by Batchelder the minutes of May 2, 2023 were approved as amended. (5-0-0)

On a **motion** by Jevne seconded by Batchelder the site walk minutes of May 5, 2023 were approved as submitted. (5-0-0)

PUBLIC HEARING

ZBA 23-10 David & Amanda Griffiths, Owners

57 Hillcrest Rd, Map 244 Lot 104.1, Zone: Rural, with town water

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

Presentation – Amanda Griffiths

Mr. & Mrs. Griffiths are proposing to replace an existing 10' x 10' shed that is located four feet from the southern property line with a new 14' x 18' shed located two feet from the property line.

Ms. Griffiths noted that most properties in the area have similar structures. The new shed will have more curb appeal as it would allow more items to be stored inside and would not negatively impact the surrounding property values. The lot is narrow therefore placing the shed outside of the 30' setback would cause the structure to be too close to the house. This location would block access to the back yard and septic tank. In addition, it would not be a safe enough distance from the house to allow storage of gasoline and propane. Placing the shed on the northern property line is not an option due to a steep slope. Ms. Griffiths added that there is roughly 100' from the southern property line to the apartment building next door, most of which is a wooded buffer. D Jeffries asked if the shed could be moved to the back yard. Ms. Griffiths stated that would be difficult because of the garden.

Russel Long – abutter, stated he had no objections as the shed would not be near his house.

R Deschenes – had no objections to the proposal.

On a **motion** by Brayall, seconded by Batchelder to waive site visit. (5-0-0)

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Findings of Fact:

- The existing 10' x 10' shed will be replaced with a new 14' x 18' shed.
- The shed will be two feet from the property line.
- The property line has a wooded buffer.
- There were no objections by abutters.

DECISION

On a **motion** by Brayall, seconded by Jevne the variance to construct a shed within the property line setback was approved as presented per testimony given and plan submitted. (5-0-0)

Plans include: Construction Plot Plan Prepared for Amanda Griffiths, Tax Map 244 Lot 104.1, Jaffrey, NH.
Prepared by Meridian Land Services, Inc, dated February 28, 2022.

ZBA 23-11 Kevin & Kathleen MacKenzie, Owners, Greg Pease, Agent
400 Thorndike Pond Rd, Map 235 Lot 18, Zone: Rural, without town water

Variance – The applicant requests a variance to replace an existing 16' x 20' shed with 20' x 20' storage building within the property line setback and the wetlands conservation district. (Land Use Code, Zoning Ordinance Section V, 5.7, VI, 6.1 & XX, 20.5.2a)

Presentation: Greg Pease, contractor

The MacKenzie's are requesting a variance to replace an existing 16' x 20' shed with a new 20' x 20' storage building. The existing shed is old and decrepit and needs to be demolished. The home was constructed in 2019 as a second home and will soon become the MacKenzie's permanent residence. The expanded footprint will be towards the driveway, away from the wetland. The applicant has been granted a Shoreland Permit by NHDES. Mr. Pease noted that there is limited building space on the parcel because of ledge and wetland. Denial of the variance would force the owners to purchase off-site storage space.

Elizabeth Webster, Conservation Commission - had no objection to the proposal.

No abutters spoke for or against

On a **motion** by Batchelder, seconded by Jevne to waive site visit. (5-0-0)

Findings of Fact:

- The expansion of the shed is away from the wetland.
- The NHDES has approved the application.
- Conservation Commission has no objections.
- The encroachment on the property line setback is three feet.

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DECISION

On a **motion** by Jeffries seconded by Brayall the variance requesting to replace an existing 16' x 20' shed with a 20' x 20' storage building within the property line setback and wetlands conservation district was approved as presented per testimony given and plan submitted. (5-0-0)

Plans include: Topographic Survey Prepared for Kevin & Kathleen MacKenzie, Tax Map 235, Lot 18, 400 Thorndike Pond Rd, Jaffrey, NH. Prepared by Paquin Land Surveying, PLLC, dated December 5, 2017, stamped by Jedediah A. Paquin, LLS.

ZBA 23-12 SW Lloyd LLC, Owner

350 Woodbound Rd, Map 242 Lot 26, Zone: Res A, with town water

Variance Extension Request (previous case number ZBA 21-19) – The applicant requests an extension to a previously approved variance to allow construction of a shed within the setback. (Land Use Code, Zoning Ordinance Section V, 5.7 & VI, 6.1)

Sue Lloyd is before the Board to request an extension of ZBA 21-19. In July 2021 Gary Niskala applied for a variance to construct a structure within the property line setback on the subject parcel. The variance was approved per testimony given and plan submitted. In September 2022 the property was purchased by SW Lloyd LLC as a second home. At that time Mr. Niskala informed Ms. Lloyd that the property had an approved variance which would expire in July 2023. Ms. Lloyd tried to move forward with the construction of a shed based on the approved plan, but discovered the drawing was inaccurate. The house was not oriented correctly on the sketch and measurements and property lines were incorrect. She has since hired a surveyor and is awaiting the completed survey. Ms. Lloyd expressed how helpful CEO Deschenes has been throughout the process.

After discussion by the Board it was determined that an extension could not be granted for ZBA 21-19 because the approval was based on incorrect information, therefore it is not enforceable. The Board advised Ms. Lloyd to request a new variance once she had an accurate survey.

No action was taken.

PUBLIC HEARING – CONT - none

OTHER BUSINESS - none

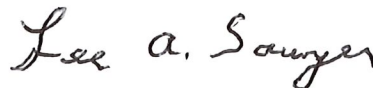
ADJOURNMENT

The meeting adjourned at 7:03 pm
Submitted:



Rebecca Newton, Recording Secretary

Attest:



Lee Sawyer, Chairman, Jaffrey ZBA