

**TOWN OF JAFFREY NEW HAMPSHIRE**  
**ZONING BOARD OF ADJUSTMENT**  
**Meeting Minutes**  
**June 7, 2022**

**Present:** Chairman Lee Sawyer, Members Marc Tieger, Walter Batchelder, Erlene Brayall, Carl Jevne, Phil Cournoyer (alt)

**Absent:** Judy Lucero (alt), David Jeffries (alt)

**Other:** Elizabeth Webster, Conservation Commission, Bud Taylor, Rick Lambert, Don & Pat MacIsaac, Jean and Richard Bergeron, Jinnie Russell, Christine Pressman, Don and Sandi Stewart, Mark Stone, Tim Gordon, Bill Mungovan, Brandee Wilson, Keith Masson, David Peltier, Ashley Cenerizio, Austin Jewer, John Turner, Steve Gagnon, James Smith, Jeremy Baird, Tanja Short, Lorne & Kelly Loudon, Anne & Cassius Webb, Ken Campbell, Janet Grant, John Noonan.

**Staff:** Code Enforcement/Building Inspector Rob Deschenes, Director of Planning & Economic Development Jo Anne Carr, Recording Secretary Newton

**MEETING MINUTES APPROVAL**

On a **motion** by Jevney seconded by Tieger the minutes of May 3, 2022, May 9, 2022 and May 23, 2022 were approved as submitted. (5-0-0)

**PUBLIC HEARING**

Chairman Sawyer called the public hearing to order at 6:00 pm. Notice of hearing for case No. ZBA 22-11, ZBA 22-12, ZBA 22-13, ZBA 22-14, ZBA 22-15 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 22-11 Steven Gagnon, Owner  
3 Dionne St. Map 238 Lot 271 Zone: General Business, with town water

Variance – The applicant requests a variance to allow the construction of a 12' 6" x 12' 6" deck within the setback (Land Use Code, Zoning Ordinance Section VI, 6.1)

Presentation: Steven Gagnon

Mr. Gagnon is requesting a variance to build a 12' 6" x 12' 6" deck on the north side of his house. The approved plans were for a 10' x 10' deck. He was in the process of building the deck when it was discovered that the deck was larger than what was approved and in a different location. The deck had been pushed three feet closer to Dionne St. R Deschenes noted that Mr. Gagnon had to move the deck because the design of the house changed during construction and the door had been relocated.

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

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2. ZBA 22-15 Highgate Homes LLC, Owner, Jed Paquin, Agent  
712 Gilmore Pond Rd Map 228 Lot 44.2 Zone: Res A, without town water

Equitable Waiver – The applicant requests an equitable waiver for a residential dwelling that was constructed 27’2” from a property line instead of the required 30’ (Land Use Code, Zoning Ordinance Section VI, 6.1)

*M Tieger recused himself – PC will vote*

Presentation: David Bliss

Mr. Bliss is requesting an equitable waiver for a newly constructed home located at 712 Gilmore Pond Rd that was inadvertently constructed within the setback. R Deschenes feels that the error was not intentional.

This property was subdivided in May 2021, and a house was built on lot 228/44.2 in December 2021. Mr. Bliss owns the lots on both sides of the subject lot.

Mr. Bliss stated that the foundation was pinned by the surveyor and off-set pins were used for excavation. He is unsure of who was responsible for the error, perhaps the excavator or the person responsible for the foundation. The error was discovered by the closing company at the closing.

L Sawyer asked if Mr. Bliss would do a lot line adjustment to correct the error. Mr. Bliss stated he would prefer to get the Equitable Waiver.

It is Mr. Bliss’ intention to build another house on lot 228/44.3. He stated he would have the surveyor come out 2-3 times during construction to ensure that this doesn’t happen again.

Bud Taylor was a member of the PB when the three-lot subdivision was approved. He noted there was concern with the subdivision proposal because the building envelopes were very small and surrounded by wetlands, however, they did meet the minimum building lot requirements and were approved. Conditions were placed on the approval stating that the foundation be pinned. Mr. Taylor suspects that the foundation was not pinned which led to the error. He feels that it is not appropriate to grant relief because the builder did not meet the conditions set by the PB. Mr. Taylor suggested that Mr. Bliss be required to return to the PB to re-subdivide the land granting a portion of his property to this lot to make it conforming.

Mr. Bliss reiterated that the property was pinned. He stated that the PB condition was for lot 44.3 due to the proximity of the wetlands. J Carr confirmed that the requirement was for lot 44.3.

T Gordon noted that there have been two cases this evening where construction was done in the wrong location. Is there a process that could be used to verify this information to prevent this from happening?

L Sawyer asked do you feel there was a mistake when the pins were installed? R Deschenes responded that a mistake was made, however he does not feel that it was intentional. The encroachment is roughly 2 ½ feet into the setback. Mr. Bliss reiterated that the second house will be carefully verified prior to construction.

W Batchelder asked if this is approved, does it impact the construction of the setback on the second house; will all setbacks be met on that lot? Mr. Bliss responded that setbacks will be met on the other lot. C Jevne feels that the conditions for an EW have been met.

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3. ZBA 22-12 Donald & Sandra Stewart Rev Trust, Owner  
Nutting Rd Map 246 Lot 50.2 Zone: Rural, without town water

Variance – The applicant requests a variance to allow a commercial wedding/event venue in the Rural Zone (Land Use Code, Zoning Ordinance Section IV, 4.1)

*M Tieger recused himself – PC will vote*

Presentation: Don Stewart

Mr. Stewart is requesting a variance to allow weddings and events on their property located on Nutting Rd. He has been using the property for this purpose for the last 14 years and was not aware that he needed a permit. He averages 5-10 events per year. He was asked by R Deschenes to apply for the variance after RD received a complaint last year.

The Stewarts purchased the property in the late 90s with the intention of building a house on it. The property has a wonderful view of Monadnock making it a great event site, however, it has a very steep slope with a 30-35% grade in spots and an 80-foot drop on one side.

W Batchelder asked is there power on the site? Mr. Stewart responded no. No power or water. Event parking is off the street on the hill. There is one structure on the property used for tool storage, etc. Temporary tents and porta potties for events are brought in as needed. Town permits are required for fireworks and tents. Renters sign a contract for each event that stipulates that the music should be lowered by 9:00 pm and turned off by 10:00 pm, however, Mr. Stewart is not on-site during the events to ensure that these rules are followed.

A complaint was received from an event last summer. The site had been rented by the parents of the bride. Attendees turned up the music very loud and did burn-outs in the road once the parents left the site. Mr. Stewart was notified by Code Enforcement of the complaint. Following this, Mr. Stewart gave the PD a list of his upcoming events and asked if they could swing by occasionally during an event.

Michael George, abutter, is opposed to the proposal. He would reconsider his objection if some regulations were put in place such a noise control, closing times and number of annual events. He is concerned about enforcement as Mr. Stewart takes no responsibility for what happens during an event. Mr. Stewart stated that renters are expected to self-govern. Sandi Stewart noted that there is a time limit indicated on the signed contract. If neighbors have any issues, they are encouraged to call the police.

Tim Gordon, resident. He supports the proposal as it is good for the Town, however, he is concerned about the lack of responsibility by the owners for these private events. Who is responsible to make sure that alcohol is not over-served or served to minors? He noted that there is a potential for problems. Mr. Gordon lives near The Grand View Inn noting that it is a licensed facility, therefore they take responsibility for what happens during an event. There should be guidelines in place to regulate events such as requiring a detail officer for events with more than 50 people.

Rick Lambert, resident is in favor of the request. It is a beautiful location. Mr. Stewart has had many events over the years with few problems.

Janet Grant, resident. Asked is there a fire danger as we are in a drought situation?

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John Turner, neighbor. Mr. Turner believes that Mr. Stewart is a responsible property owner and should be allowed to continue using his property as he has for many years. He can hear the music at his house but has not found it to be offensive.

Michael George reiterated that he is seeking clarification on the management of these events. What is the duration of the events, how many events will be allowed each year, how is alcohol controlled, and how are non-compliance issues addressed? Mr. Stewart stated that he advises attendees to self-govern alcohol consumption. Guests are encouraged not to drink and drive and can leave a vehicle or stay on site if needed.

W Batchelder asked should we address the issue of noise limitations? Mr. Stewart noted there is a Town noise ordinance. L Sawyer was not in favor of setting limitations as there haven't been many complaints.

E Brayall asked will the proposal go for site plan approval if the application is approved? R Deschenes responded that those steps hadn't been determine yet. J Carr noted that a special event permit would address many of these issues, however, Mr. Stewart felt that this would be overkill and opted to ask for the variance instead. She added that an event permit is still required for events with 100 people or more.

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

4. ZBA 22-13 JEMD Development LLC, Owner, Fieldstone Land Consultants, Agent  
291 Squantum Rd Map 242 Lot 45 Zone: Res A, with town water

Variance – The applicant requests a variance to allow the construction of an 18-unit, multi-family townhouse style development in the Res A District (Land Use Code, Zoning Ordinance Section IV, 4.2)

Presentation: John Noonan, Fieldstone Land Consultants

The owner is proposing to redevelop the King Manufacturing site located at 291 Squantum Rd with an 18-unit multi-family, townhouse-style development. The development is proposed on the front of the lot which is located in the Res A district; the septic would be located at the rear of the parcel which is in the Rural district. Since closing King Manufacturing the existing 23,000 SF of buildings have been used for storage, but the buildings are in disrepair and the roof is leaking. The industrial use of the property is an existing non-conforming use in that zone. The site was previously considered for other industrial or commercial uses; however, those plans were discarded.

The proposal is to demolish the existing structures and construct a two-building, 18-unit, townhouse style residential development with attached garages. Each unit would be sprinkled and served by Town water and a communal septic. This use would be more conforming and compatible with the neighborhood. The condos would be sold at market rate. The existing building sits close to Squantum Rd. The proposed townhouses would be pushed further back on the lot and screening would be added.

Lot 242-46 has six easements from the subject lot. JEMD would do a boundary line adjustment that would allow the owners of 242-46 to own their driveway and eliminate five of the easements. The wetlands are located at the rear of the lot. There would be stormwater mitigation on the back portion of the lot.

Mr. Noonan reviewed the variance criteria as presented in the application:

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1. *Granting the variance would not be contrary to the public interest because: Granting this variance would allow for the productive use of the existing property.  
The subject site is currently occupied by 23,000+/- SF of industrial buildings formally occupied by King Manufacturing Company, Inc. These buildings need repair and are currently being utilized for storage. The industrial use is a non-conforming use and it is our belief that redeveloping the site as proposed will make the property more conforming and more in harmony with the neighborhood. This redevelopment will come with significant costs for the demolition work which has been accounted for in the proposed residential housing plan. The development as proposed will not alter the character of the neighborhood or present a threat to the health, safety or welfare of the public. As a result, the proposed development will not violate the basic character of the neighborhood and will yield an improvement to the site and surrounding areas.*
2. *If the Variance were granted, the spirit of the ordinance would be observed because:  
If the variance were granted the 23,000+/- SF of industrial building space would be removed from the site and a new residential townhouse style development would be constructed. The new development would be more in spirit with the ordinance and more in harmony with the surrounding properties. We believe the proposed layout depicts a reasonable development generally within the same area as the current industrial improvements. This proposal will not negatively impact the public's health, safety or welfare, nor change the character of the neighborhood. For all of these reasons we believe that granting the variance would observe the spirit of the ordinance.*
3. *Granting the variance would do substantial justice because:  
This proposed development would allow for the productive use of the subject property and would allow for substantial reinvestment and removal of 23,000+/- SF of old industrial space. It is our belief that this proposal is a win-win for the owner and the Town. The owner and Town will all receive the benefit of a well-balanced proposal that redevelops a property in need of repair, will increase the tax base and provide much needed housing for the community. Granting this variance would do substantial justice because it would allow for the productive use of the property, as described above, while providing responsible growth in the community. The proposed development is appropriate for the site, does no harm to abutters, and the public would realize no appreciable gain from denying a variance.*
4. *Granting the variance would not diminish the values of surrounding properties because: The proposed development and associated layout will meet the dimensional standards and will provide buffering to surrounding properties. This proposal will also clean up some history and associated easements with the abutting property owner on Lot 242-46 through a proposed lot line adjustment. The lot line adjustment will provide Lot 242-46 area for parking and yard space. Overall, this proposed development contemplates significant cleanup and reinvestment which will improve the value of the subject property and the surroundings. Traditionally new development, cleanup of old sites and reinvestment into an area actually increases the value of surrounding properties and we would anticipate the same for this project and the surroundings. For all of these reasons we do not believe that this development should have any negative impacts on the value of surrounding properties.*
5. *Unnecessary Hardship.  
A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:  
  
1. No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because:*

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*The subject site is currently developed into a 23,000+/- SF industrial building with associated site improvements which has existed on the property since 1955. This is an existing nonconforming use and the improvements are dated and in need of repair. The owner of the property wants to make an investment into the property but the investment needs to make sense. The expense to remove the existing improvements is extensive but it is our opinion that removing the structures and developing the site into a townhouse style residential development would make the property more conforming and in harmony with the surroundings. Given the history and existing nonconforming structures on the subject site we don't believe there is a fair and substantial relationship that exists between the general public purpose of the ordinance provision and the specific application of that provision to the property. This property is very unique, has a great history and requires relief for someone to make the investment into the redevelopment proposal.*

*2. The proposed use is a reasonable one because:*

*We believe that the proposed use is a reasonable one for all of the reasons previously stated. The following is an outline of why we believe the proposed use is reasonable:*

- Granting this variance would allow for the productive use of the existing property.*
  - Would allow for the removal of the existing industrial buildings and associated improvements.*
  - The redevelopment would be more in harmony with the surroundings*
  - The redevelopment would also allow for improvements to abutting parcel 242-46*
  - The multi-family use would be in harmony with the neighborhood and surrounding areas as the neighborhood includes another multi-family use.*
  - The use would not be contrary to the public interest as this project will not alter the essential character of the neighborhood or threaten the health, safety or general welfare of the public.*
  - This proposal would in our opinion observe the spirit and intent of the ordinance.*
  - This project would have no measurable negative impacts on the surroundings or their property values.*
- For all of the reasons we believe that the proposed use is reasonable.*

*B. Explain how, if the criteria in paragraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it:*

*This application proposes to address special conditions of the property that distinguish it from other properties in the area. The subject parcel is 5.85 acres in size and is irregularly shaped with broken frontage along Squantum Road. The property is currently developed with improvements from the former King Manufacturing Company Inc. These improvements include a 23,000+/- SF industrial building with associated parking and access. These are special conditions of the property that distinguish it from other properties in the area. These special conditions prevent the property from being reasonably used in strict conformance with the ordinance which is why we are seeking a variance. The variance is needed to allow for the multi-family use on the subject site. The demolition work associated with the removal of the existing improvements will be excessive which will require significant investment into the property. In order to make best use of the site and provide much needed housing to the area, a townhouse style building is the best option for the site. This development will allow for the required investment into the property. A denial of this variance would result in an unnecessary hardship due to the special conditions of the property.*

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W Batchelder asked what is the square footage of the condos, would they be rentals or sold, and what would the sale price be? Mr. Noonan responded that the proposal is for 2-bedroom, 1,000 SF units. Each unit would be sold at the market rate and will not be used as rentals. These will not be low-income or HUD housing.

M Tieger asked did the owner consider speaking with the PB about rezoning that area to allow this use? Mr. Noonan responded no.

Jean Bergeron, abutter. Asked will this impact the school? Mr. Noonan responded that these are two-bedroom units. There is potential for additional students, however, enrollment is down in the district.

Kelly Loudon, abutter. Requested a privacy fence to block headlights and noise. J Noonan responded that screening would be discussed during the Planning Board meeting if the project were approved.

Ashley Cenerizio, abutter. The driveway is directly across from her house. She is concerned about the increased traffic, children who ride their bikes in the street and light pollution. She moved to the area for the peace and quiet.

Loren Loudon, abutter. Chose this neighborhood because it's nice and quiet. The road gets busy now and cars drive fast, he is concerned about increased traffic, privacy and light pollution.

Keith Mason, abutter. He moved from a city where there was a drug problem, he is concerned that this will be the case with this development. What will this do to the tax rate? J Noonan answered that would increase tax revenue to the Town and would increase the value of his home. Mr. Mason asked about toxic chemicals. Has an asbestos abatement been done? J Noonan responded that this would have to be done to demolish the building. A Phase I environmental study has been done.

M Tieger noted that two-bedroom units do not usually attract families. In his opinion it would bring revenue to the town.

Christine Pressman, abutter. Her business, Foggy Hill Farm, runs out of her home on Squantum Rd. The property sits up high on the hill. 10 of the units will be visible from her yard in the winter. This is a close-knit, quiet neighborhood. She is concerned about the location of the septic system on the back acreage in the rural district which abuts her property and additional people accessing her trails. She has seen evidence of people hunting on her land. She feels that 18 units is too many for the size of the lot. J Noonan noted that the septic design would be submitted to the DES subsurface bureau for review and approval.

Mark Stone, abutter. He is vehemently opposed to this proposal. Mr. Stone lives behind King Manufacturing. When he purchased his home 40 years ago he was unaware that there was an active manufacturing facility next door. He was thrilled when it closed. Multi-family units are not allowed in the Res A district, this does not conform with the spirit of the neighborhood. It is the owner's responsibility to maintain the building. There could be 36 more cars in the neighborhood and as many as 72 people. Squantum Road is very narrow and visibility is not good exiting Darcie Drive.

Jeremy Baird, resident. Mr. Baird is against this proposal and agrees with the objections made by other neighbors. He asked can the water system handle the increased use?

Tim Gordon, resident noted that this is out of character for the neighborhood.

L Sawyer read a letter by abutter Joan Onorati into the record.

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**The hearing was continued to the Site Visit on Monday June 13 at 5:00 pm**

5. ZBA 22-14 LR3 Development LLC, Owner, Fieldstone Land Consultants, Agent  
Dublin Rd Map 229 Lot 8.10 Zone: Mountain Zone, without town water

Variance – The applicant requests a variance to allow the construction of multi-family residential use in the Mountain Zone (Land Use Code, Zoning Ordinance Section IV, 4.8.3)

Presentation: John Noonan, Fieldstone Land Consultants

The owners are requesting a variance to allow a five-unit, multi-family, residential structure in the mountain zone. There is an existing paved area with a shared-driveway easement for this lot. A second curb cut was not approved by DOT. The adjacent lot, 229/8.9 has an existing four-unit multi-family building.

The units would be laid out with garages and two parking spaces per unit in front of the building. Site improvements would include landscaping and lighting. The large wetland on the lot would not be impacted nor would any of the setbacks.

Mr. Noonan reviewed the variance criteria as presented in the application:

1. *Granting the variance would not be contrary to the public interest because:  
Granting this variance would allow for the productive use of the property. It will meet all setback requirements for the Mountain Zone District and be in harmony with the neighborhood as the adjacent lot 229-8.9 is a multi-family use as well. The subject parcel is located close to a golf course and additional multi-family residential uses in the area is beneficial to the golf course as well as future owners of the residential units. Granting this variance would not be contrary to the public interest as this project will not alter the essential character of the neighborhood or threaten the health, safety or general welfare of the public.*
2. *If the Variance were granted, the spirit of the ordinance would be observed because:  
The overarching purposes of the Mountain Zone District is "preserve to the extent practical land in its natural state", "limit development to patterns consistent with the Zone's rural character", and to "protect the fragile resources of Mt. Monadnock and its surrounding area." The proposed development will be situated in a way to minimize earthwork for construction and limit vegetation to be removed. Additional landscaping can also be planted to improve the character of the site. The wetlands on site will be preserved as the proposed development will be located within the area of existing disturbance. Additionally, utilizing the existing shared common drive will eliminate the need for an additional curb cut on Dublin Road. The proposed development is also located within an area already disturbed on site. The proposed multi-family development will fulfill the purposes of the zone by preserving the land in its natural state, protecting natural resources, and limiting development to be consistent with the neighborhood. This proposal will not alter the essential character of the neighborhood or threaten the health, safety or general welfare of the public. For all of these reasons we believe that granting the variance would observe the spirit of the ordinance.*
3. *Granting the variance would do substantial justice because:*



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*Granting this variance would do substantial justice by providing a benefit to both the owner/developer and the Town. The town will receive the benefit of a partially developed site being fully developed in a responsible manner. Much needed housing will be provided for the residents of Jaffrey while maintaining the natural state of the parcel. In other words, a denial of this variance request would be an injustice to my client as there would be no apparent gain to the general public by denying this application.*

4. *If the variance were granted, the values of the surrounding properties would not be diminished because: The proposed use is consistent with adjacent properties and will meet dimensional standards, including buffering to adjacent properties. Traditionally new development, cleanup of old sites, and reinvestment into an area actually increases the value of surrounding properties and we anticipate the same for this project and the surrounding properties. As a residential use, there will be minimal noise and no light pollution leaving the site. The site is already open and additional landscaping following construction will maintain the feel of the district. For all of these reasons we do not believe that the proposed use would have any negative impacts on the value of surrounding properties.*

5. *Unnecessary Hardship*

- A. *Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:*

1. *No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because:*

*The general public purpose of the ordinance is to maintain the natural state of land, rural character, and natural resources within the surrounding areas of Mt. Monadnock. In order to do so the Land Use Code only permits single family residential and farms, nurseries, and greenhouses in the Mountain Zone District without a special permit. The proposed multi-family structure will meet the general public purpose to the extent a single-family dwelling reasonably could. The multi-family structure will be located in an open area and away from the wetlands on site, preserving the natural state of the land and the character of the district. This development will utilize approximately 12.5% of the land, therefore preserving approximately 87.5%. For these reasons we do not believe that a fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property.*

2. *The proposed use is a reasonable one because:  
We believe that the proposed use is a reasonable one for all of the reasons previously stated. The following is an outline of why we believe the proposed use is reasonable:*

- Granting this variance would allow for the productive use of the existing property.*
- The proposed building will meet dimensional standards and setbacks for the underlying district.*
- The multi-family use would be in harmony with the neighborhood and surrounding areas as the neighborhood includes another multi-family use.*
- The use would not be contrary to the public interest as this project will not alter the essential character of the neighborhood or threaten the health, safety or general welfare of the public.*
- This proposal would in our opinion observe the spirit and intent of the ordinance.*

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- *This project would have no measurable negative impacts on the surroundings or their property values.*

*For all of these reasons we believe that the proposed use is reasonable.*

- B. Explain how, if the criteria in paragraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it:*

*This application proposes to address special conditions of the property that distinguish it from other properties in the area. The parcel is 7.383 acres with 937'± of frontage along Dublin Road. Stony Brook runs along the northeastern property line and there are steep grades adjacent to the brook. Delineated wetlands cross the site from east to west in two separate locations and are found along nearly the entire rear of the lot. The setbacks to the wetland areas greatly reduce buildable area on the site. In order to make best use of the site and provide much needed housing to the area, a townhouse style building is the best option for the site. The wetlands on the property create a special condition on the site where there are limited developable areas. The proposed building minimizes the building and parking footprint while providing multiple residential units on site. Due to these conditions we believe this property is best suited for the proposed multi-family residential use, which is in harmony with the surroundings. In fact, this property shares a driveway with lot 229-8.9 which is an existing 4-unit multi-family structure. We are thereby requesting a variance from Section 4.8.3 to enable a multi-family residential use on the subject property.*

*These are all special conditions of the property that distinguish it from other properties in the area.*

On a **motion** by Batchelder, seconded by Tieger the Board determined that this proposal may be of regional impact. Notices will be mailed to the appropriate abutters and the hearing will be continued to the next scheduled ZBA meeting.

**The hearing was continued to July 5, 2022 at 6:00 pm at the Jaffrey Fire Station.**

**DECISIONS**

1. ZBA 22-11 Steven Gagnon, Owner  
3 Dionne St. Map 238 Lot 271 Zone: General Business, with town water

Variance – The applicant requests a variance to allow the construction of a 12' 6" x 12' 6" deck within the setback (Land Use Code, Zoning Ordinance Section VI, 6.1)

On a **motion** by Tieger, seconded by Jevne the request for a variance to allow construction of a 12' 6" x 12' 6" deck within the setback was approved as presented per testimony given per plan submitted. (5-0-0)

Plans include: Amended Plan for 3 Dionne St., Map/Lot 238/271, dated June 7, 2022, signed by Steven Gagnon.

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2. ZBA 22-15 Highgate Homes LLC, Owner, Jed Paquin, Agent  
712 Gilmore Pond Rd Map 228 Lot 44.2 Zone: Res A, without town water

Equitable Waiver – The applicant requests an equitable waiver for a residential dwelling that was constructed 27’2” from a property line instead of the required 30’ (Land Use Code, Zoning Ordinance Section VI, 6.1)

On a **motion** by Jevne, seconded by Batchelder the request for an equitable waiver for a residential dwelling that was constructed 27’2” from a property lines instead of the required 30’ was approved as presented per testimony given. (5-0-0)

3. ZBA 22-12 Donald & Sandra Stewart Rev Trust, Owner  
Nutting Rd Map 246 Lot 50.2 Zone: Rural, without town water

Variance – The applicant requests a variance to allow a commercial wedding/event venue in the Rural Zone (Land Use Code, Zoning Ordinance Section IV, 4.1)

On a **motion** by Batchelder, seconded by Brayall the request for a variance to allow a commercial wedding/event venue in the rural zone was approved as presented per testimony given. (5-0-0)

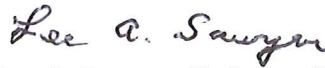
**ADJOURNMENT**

The meeting adjourned at 8:45 pm  
Submitted:

Attest:



Rebecca Newton, Recording Secretary



Lee A. Sawyer, Chairman, Jaffrey ZBA