

**TOWN OF JAFFREY NEW HAMPSHIRE**  
**BOARD OF ADJUSTMENT**  
**Meeting Minutes**  
**March 6, 2018**

**Present:** Chairman Pro Tem Tieger, Members Christmas, Cournoyer, Durand, Remillard

**Absent:** Lee Sawyer, Ernie Belletete

**Staff:** Recording Secretary Newton, Code Enforcement Officer Deschenes

**MEETING MINUTES APPROVAL** - No action

**PUBLIC HEARING**

Chairman Pro Tem Tieger called the public hearing to order at 6:59 pm Notice of hearing for case No. ZBA 18-01 as advertised in the *Monadnock Ledger-Transcript*; copies were posted in the Town Office building, the Library and the town web site; 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 applicants. Member Durand recused himself, Members Remillard and Christmas would vote.

**Public Hearing New Items**

1. ZBA 18-01, Ken & Michelle Durand – 272 Fitzwilliam Road, Map 206 / Lot 13, Zone: Rural (without town water),

Special Exception – The applicant requests a special exception to allow an accessory dwelling unit in the rural district. (Land Use Code, Zoning Ordinance Section V, 5.4)

Variance – The applicant requests a variance to allow an accessory dwelling unit larger than the 30% allowable gross living area (Land Use Code, Zoning Ordinance Section V, 5.4.3).

Presentation: Ken Durand, owner

Mr. Durand is seeking a special exception for an accessory dwelling unit which are allowed in the rural district. The house is very large and currently only Mr. Durand and his wife reside there. The original house was a 3-bedroom cape which has had several additions. It lends itself well to an ADU as the main house has natural separation of living quarters from the addition which is adjoined with a door. There would be no changes to the footprint or the exterior of the house. The septic system will support a four-bedroom house. The only thing Mr. Durand would need to complete the unit is a kitchen sink. In addition, other properties in the neighborhood have ADUs.

Chairman Pro Tem Tieger asked if there would be off-street parking, Mr. Durand responded in the affirmative. The property has a two-car garage and the tenant would be allowed one space.

Member Remillard asked if it was already divided into two dwellings. Mr. Durand referred to a sketch showing the layout of the house. The original house was a 3-bedroom cape with an addition that has a living room, bedroom, bathroom and a small office area that could be converted into an apartment-sized kitchen.

Mr. Durand then spoke to the variance. The layout of the house lends itself to an ADU because of the natural separation of space, however the square footage for the ADU would be 896 sq. ft. or 41.9% of the gross living area. To try and cut up the space to meet the 30% requirement would not work. This space would allow for a safe, quiet, low-cost living space for workforce or elderly housing.

Mr. Deschenes has viewed the property and agrees that it would be difficult to conform to regulations because of the configuration of the house however it is not large enough for a duplex.

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Member Remillard asked if you can you access the ADU from the garage. Mr. Durand answered no. Chairman Pro Tem Tiger asked if there are the correct amount of egress doors. Mr. Durand said yes. Member Remillard asked if the garage space counted in the sq. ft. calculation. Mr. Durand said no.

On a motion by Cournoyer, seconded by Christmas the board waived the site visit. (4-0)

**DECISION**

1. ZBA 18-01, Ken & Michelle Durand – 272 Fitzwilliam Road, Map 206 / Lot 13, Zone: Rural (without town water),

Special Exception – The applicant requests a special exception to allow an accessory dwelling unit in the rural district. (Land Use Code, Zoning Ordinance Section V, 5.4)

On a motion by Remillard, seconded by Christmas the request for a special exception to allow an accessory dwelling unit in the rural district was granted as presented and per testimony given. (4-0)

Variance – The applicant requests a variance to allow an accessory dwelling unit larger than the 30% allowable gross living area (Land Use Code, Zoning Ordinance Section V, 5.4.3).

On a motion by Cournoyer, seconded by Remillard the request for a variance to allow an 896 sq. ft accessory dwelling unit, which is more than the allowed gross living area, was granted as presented and per testimony given. (4-0)

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

**ADJOURNMENT**

The meeting adjourned at 7:22 p.m.

Submitted:



Rebecca Newton  
Recording Secretary

Attest:



Marc Tieger  
Chairman Pro Tem, Jaffrey ZBA