

DRAFT
TOWN OF JAFFREY
Jaffrey, New Hampshire
BOARD OF ADJUSTMENT
Meeting Minutes
March 3, 2015

Present: Chairman Sawyer, Members Cournoyer, Dodge, Tieger and Webber

Absent: Member Belletete

Staff: Recording Secretary Lemire

MEETING MINUTES APPROVAL

On a motion by Dodge, seconded by Tieger the minutes for the November 5, 2014 meeting were approved as submitted. (5-0)

PUBLIC HEARING

Chairman Sawyer called the public hearing to order at 7:35 p.m. Notice of hearing for case No. ZBA 15-01 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.

Public Hearing - New Items

1. ZBA 15-01 Gilroy, Martha, 78 Harkness Rd., Map 237 / Lot 38; Zone: Rural (without town water)

Variance – The applicant proposes a variance to permit an accessory apartment with less than the required acreage. (Land Use Code, Section V, 5.4.7)

Special Exception – The applicant proposes an accessory apartment. (Land Use Code, Section V, 5.4)

Presentation: Martha Gilroy

Appearance:

Ms. Gilroy stated that she would like to construct an accessory apartment in her basement. A sketch was submitted showing the potential layout which will not exceed the allowed 30% of the floor area of the primary residence. The intent is to use the space for friends or family who visit. Ms. Gilroy plans to remain at her home and in the future would consider moving her living space to the lower level and renting the upper floor.

All criteria are met with the exception of section 5.4.7. The lot is split between rural and residence A with the classification being rural. In the rural district the minimum lot size is 3 acres; this allows room to replace a septic system if necessary. The subject parcel consists of 1.9 acres and is serviced by town sewer therefore the need for the additional acreage is not relevant. A letter and map was submitted by the Building Inspector addressing the issue.

Member Webber asked about parking. An arial photo showing the driveway and available parking was submitted to the board. It was clear that parking would not be an issue.

On a motion by Tieger, seconded by Dodge the board unanimously waived the site visit.

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There being no further discussion, Chairman Sawyer closed the public hearing for this item.

DECISION

1. ZBA 15-01 Gilroy, Martha, 78 Harkness Rd., Map 237 / Lot 38; Zone: Rural (without town water)

Special Exception – The applicant proposes an accessory apartment. (Land Use Code, Section V, 5.4)

On a motion by Dodge, seconded by Tieger the application proposing to construct an accessory apartment was granted as per the plan presented and per testimony given. (5-0)

Variance – The applicant proposes a variance to permit an accessory apartment with less than the required acreage. (Land Use Code, Section V, 5.4.7)

On a motion by Dodge, seconded by Tieger the application proposing an accessory apartment with less than the required acreage was granted as per the plan presented and per testimony given. (5-0)

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

OTHER BUSINESS

Mr. Jack Belletete –

Mr. Belletete had been before the board in November 2014 regarding application ZBA 14-09 (Banghart). At that time he proposed to close in an existing deck and expand it to include a second story. The deck was constructed approximately ten years prior with the benefit of a variance. With the new proposal a variance will again be needed because the use will change causing an increase in the cubic content. The application was reviewed and the variance to expand the deck was approved.

The next step for the applicant would be to submit a Shoreland Permit to the state (DES) and obtain approval. The permit relates to the proximity to the shoreland and goes along with the septic plan. No work can begin without DES approval. The application was submitted and denied. DES will not approve the expansion of a deck into living area within the fifty-foot wetland setback. They will however allow for the entire building to be set back the width of the deck, ten feet, so that the wetland setback is not jeopardized. If the house is set back then there is a wetland encroachment issue on the east side. The question before the board is if he shifts the house back will he need to apply for another wetland variance or would it be an administrative decision? Following discussion by the board it was determined that he would need another variance.

Election of Officers:

On a motion by Tieger, seconded by Cournoyer Member Sawyer was re-elected to the Chairman position.

On a motion by Tieger, seconded by Cournoyer Member Dodge was re-elected to the Vice Chairman position.

ADJOURNMENT

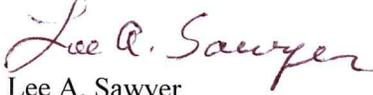
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The meeting adjourned at 8:00 p.m.

Submitted:


Erlene R. Lemire
Recording Secretary

Attest:


Lee A. Sawyer
Chairman
Jaffrey Zoning Board of Adjustment