

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**BOARD OF ADJUSTMENT**  
**Meeting Minutes**  
**September 1, 2015**

**Present:** Chairman Sawyer, Members Belletete, Dodge, Tieger and Webber

**Absent:** Member Cournoyer

**Staff:** Recording Secretary Lemire

**MEETING MINUTES APPROVAL**

On a motion by Dodge, seconded by Belletete the minutes for the August 4, 2015 meeting were approved as submitted. (4-0)

**PUBLIC HEARING**

Chairman Sawyer called the public hearing to order at 7:30 p.m. Notice of hearing for case No. ZBA 15-12 through ZBA 15-13 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 15-12 Poplin, James and Sue, 123 Crestview Dr., Map 246 / Lot 13; Zone: Rural (without town water).

Variance – The applicant proposes a shed with less than the required side setback. (Land Use Code, Section VI, 6.1)

Presentation: James Poplin

Appearance:

Mr. Poplin is requesting a variance to place a 12 x 16 foot shed within eight feet of the north side lot line. The side setback for this zone is forty feet. The parcel is 2.57 acres and two hundred feet wide laid out on a granite ledge with significant limitations for improvements. As a result of the ledge the house does not have a basement which makes storage within the home challenging and placement of the well and septic limits where a shed could be located. Mr. Poplin believes that approving the variance will add functionality and value to the property without infringing on the rights or values of the neighbors or abutters and it will allow them to fully utilize the space available within the lot. Many photos were submitted validating the limitations.

Referring to an aerial map provided Chairman Sawyer asked if the shed would be visible from any of the neighbor's properties. Mr. Poplin stated that it would only be visible from the middle of his driveway looking towards the side of the lot.

Member Dodge asked how far into the setback would the shed encroach. Mr. Poplin responded it would be within eight feet of the property line.

Member Tieger asked if all abutters were noticed. Upon looking at the paperwork it was discovered that one abutter, Gail Landy, was not notified. Mr. Poplin did state that he spoke directly with Ms. Landy so she is aware of the proposal and has no objection. Knowing that there is a thirty day appeal period the board and the applicant decided to proceed. Should Ms. Landy choose to contest the decision she can do so.

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The Building Inspector is familiar with the property and verified what Mr. Poplin has presented with regard to the ledge and available area.

On a motion by Belletete, seconded by Tieger the board waived the site review.

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

2. ZBA 15-13 Shea, Michael, Ingalls Rd., Map 223 / Lot 1.5; Zone: Rural (without town water)

Special Exception – The applicant proposes a special exception to locate a portion of driveway within seventy-five feet of a wetland. (Wetlands Conservation District, Section XX, 20.3 and 20.6.1)

Presentation: Mike Shea

Appearance:

Member Tieger recused himself leaving a four member board. Mr. Shea agreed to move forward with a four member board.

Member Belletete stated that Mr. Shea is a relative however he feels he can be fair and impartial.

Mr. Shea stated that he is in the process of preparing to do some clearing and lay out the roads and driveways. In order to access the lot in question he needs to cross through the wetlands. Mr. Jed Paquin of Paquin Land Surveying has been retained and he has re-flagged the jurisdictional wetlands and flagged the area to be cut. The proposed driveway is within the seventy-five foot wetland setback even though it has been located in the most innocuous place with minimum impact. Mr. Shea met with Carolyn Garretson, Bill Graf and one other member of the ConCom at the site on Monday, August 31 and they were in agreement that the proposed site was the best location with minimum impact.

Member Dodge asked if the entire driveway was within the seventy-five foot buffer. Mr. Shea replied it was not and showed on the map that there are just a couple points of impact within the buffer zone. At the nearest point it would be approximately fifty feet and the furthest would be sixty feet into the buffer.

On a motion by Dodge, seconded by Belletete the board waived the site visit. (5-0)

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

**Public Hearing – Continued Items**

3. ZBA 15-11 Hurd, et al, Eva, 349 Woodbound Rd., Map 242 / Lot 42; Zone: Residence A (with town water)

Variance – The applicant proposes a variance to enlarge an existing nonconforming deck with less than the required setbacks. (Land Use Code, Section VII, 7.2.1, Wetland Cons District Section XX, 20.5.2 and Shoreland Overlay District Section XIX, 19.4.2)

At the request of the applicant the hearing has been continued to October 6, 2015.

**DECISION**

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1. ZBA 15-12 Poplin, James and Sue, 123 Crestview Dr., Map 246 / Lot 13; Zone: Rural (without town water).

Variance – The applicant proposes a shed with less than the required side setback. (Land Use Code, Section VI, 6.1)

On a motion by Dodge, seconded by Tieger the request for a variance to place a 12 x 16 shed within eight feet of the side property line was granted as presented and per testimony given. (5-0)

2. ZBA 15-13 Shea, Michael, Ingalls Rd., Map 223 / Lot 1.5; Zone: Rural (without town water)

Special Exception – The applicant proposes a special exception to locate a portion of driveway within seventy-five feet of a wetland. (Wetlands Conservation District, Section XX, 20.3 and 20.6.1)

On a motion by Belletete, seconded by Webber the request for a special exception to locate a portion of driveway within seventy-five feet of a wetland was granted as presented and per testimony given. (4-0)

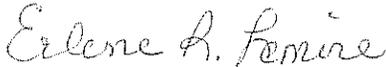
**OTHER BUSINESS**

None

**ADJOURNMENT**

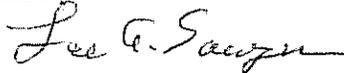
The meeting adjourned at 8:15 p.m

Submitted:



Erlene R. Lemire  
Recording Secretary

Attest:



Lee A. Sawyer  
Chairman  
Jaffrey Zoning Board of Adjustment