

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**BOARD OF ADJUSTMENT**  
**Meeting Minutes**  
**October 7, 2014**

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

**Absent:** Member Tieger

**Staff:** Recording Secretary Lemire

**MEETING MINUTES APPROVAL**

On a motion by Belletete, seconded by Webber the minutes for the August 5, 2014 meeting were approved as submitted. (5-0)

**PUBLIC HEARING**

Chairman Sawyer called the public hearing to order at 7:30 p.m. Notice of hearing for case No. ZBA 14-08 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 Cournoyer would vote.

**Public Hearing - New Items**

1. ZBA 14-08 Alex-Barton, David & Susan, Sherwood Ln., Map 249/ Lot 22, Zone: Rural (without town water)

Special Exception – The applicant proposes an accessory structure within the seventy-five foot setback. (Land Use Code, Section XIX Shoreland Overlay District, 19.4.2(b))

Special Exception – The applicant proposes an accessory structure (a gazebo) within thirty feet of the reference line of Frost Pond. (Land Use Code, Section XX Wetland Conservation District, 20.6.2)

Presentation: Dawn Tuomala, Monadnock Survey Inc.

Appearance:

Ms. Tuomala is presenting the application on behalf of the Alex-Barton's. A letter of authorization was submitted into the record.

The Alex-Barton's are proposing to place a gazebo on their property. If approved it will be placed in the center of the peninsula area of the property. At this time all necessary State permits are in place (ie: septic approval from the State and the shoreland permit). Two special exceptions are also needed from the town. One falls under the Shoreland Overlay District which would allow, by special exception, the gazebo to be placed within the seventy-five foot setback provided the criteria in Section 19.4.2 (b) is met and in this case it is. Ms. Tuomala did point out what seems to be a conflict in the ordinance between Section 19.3.1 (c) and Section 19.4.2 (b).

The second special exception falls under the Wetland Conservation District Ordinance section 20.6.2 to allow an accessory structure (the gazebo) within seventy-five feet of the reference line of Frost Pond. The proposal is to place it thirty feet from the reference high water mark at the closest point requiring the

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special exception under the wetlands. Ms. Tuomala reviewed the special exception criteria. In summary the criteria stated that the gazebo will be placed in the best location where the topography is fairly flat; the gazebo will be placed in an area that will still have trees surrounding it reducing the direct visibility and it will be set back thirty feet from the reference line of Frost Pond; the gazebo is an accessory building for the proposed residence and it will not have any facilities within it.

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

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

**DECISION**

1. ZBA 14-08 Alex-Barton, David & Susan, Sherwood Ln., Map 249/ Lot 22, Zone: Rural (without town water)

Special Exception – The applicant proposes an accessory structure within the seventy-five foot setback. (Land Use Code, Section XIX, 19.4.2(b) Shoreland Overlay District)

On a motion by Dodge, seconded by Belletete the application proposing a structure 30 feet into the seventy-five foot setback was granted as presented and per testimony given. (5-0)

Special Exception – The applicant proposes an accessory structure (a gazebo) within thirty feet of the reference line of Frost Pond. (Land Use Code, Section XX, 20.6.2 Wetlands Conservation District)

On a motion by Dodge, seconded by Belletete the application proposing a structure (a gazebo) within thirty feet of the reference line of Frost Pond was granted as presented and per testimony given. (5-0)

The plan submitted is on file with this office with a date of September 19, 2014, prepared by Monadnock Survey, Inc. titled Gazebo Plan for David and Susan Alex-Barton.

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

**OTHER BUSINESS**

None

**ADJOURNMENT**

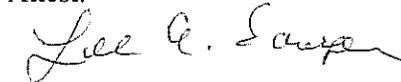
The adjourned at 7:52 p.m.

Submitted:



Erlene R. Lemire  
Recording Secretary

Attest:



Lee A. Sawyer  
Chairman  
Jaffrey Zoning Board of Adjustment