

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**PLANNING BOARD**  
**Meeting Minutes**  
**April 12, 2016**

**Present:** Chairman McKenzie, Members, Despres, Devlin, Kresge, Merrell and Selectmen's Representative MacIsaac

**Absent:** Member Deschenes

**Staff:** JoAnne Carr, Director of Planning and Economic Development

**MEETING MINUTES APPROVAL**

On a motion by Merrell, seconded by MacIsaac the minutes of the February 10, 2016 meeting minutes were approved as amended. (5-0)

On a motion by Despres, seconded by Devlin the minutes of the March 15, 2016 meeting minutes were approved as amended. (5-0)

**PRELIMINARY CONCEPTUAL**

Kirk Stenerson, Higher Design PLLC – (on behalf of JEMD Development) 291 Squantum Rd.

Mr. Kirk Stenerson is representing JEMD Development who owns the old King Mfg. site at 291 Squantum Rd. Mr. Jonah Ketola is one of the members of JEMD and they would like to re-purpose the 21,000-22,000 square foot building and are considering apartments or condos; they would like the board's input. The property is served by town water and private septic. The front 2.80 acres is in the Residence A district and the back 3.05 acres is in the Rural district. One obstacle is that Residence A does not allow apartments and in an OSDP they only allow four units per building unlike Residence B that does allow apartments.

Member Despres asked if the make-up of the units had been decided upon. Mr. Ketola replied that in the past he has done two bedroom condominium ranch style units. He would probably do something along those same lines in order to meet egress/access. It's a big building to use and a two bedroom would be under 1,000 square feet. This would leave a substantial amount of room undeveloped. Thoughts for using that room range from a workshop area for the residents, a community area or maybe interior storage outside of the living units. The biggest hurdle is being creative on how to make the best of the building given its shape and size.

Member Despres asked if it was being used at this time. Mr. Ketola stated that it is being used for personal storage and they have done some roof repairs. Last year they did a timber cut to remove some of the pines. Mr. Ketola stated that regardless of what they do, a variance will be needed. Member Kresge commented that he doesn't foresee an OSDP so it would have to be a straight variance.

Selectmen's Representative MacIsaac asked the Planner, JoAnne Carr for the status on the cyanide history with this site. Ms. Carr stated that it has been signed off on by DES. Mr. Ketola added that there were brownfields but the status expired on March 15 of this year.

Member Kresge asked Ms. Carr if a variance application would have to include the number of units or would that be discussed during site plan. Ms. Carr believes it would be wise to ask for density when asking for the variance; the neighbors will want to know. Ms. Carr asked if a market study has been done with respect to the demand for residential and age group. Mr. Stenerson stated that the only information he has is that Payson Village in Ridge has at least one vacant unit.

The board agreed unanimously that a residential use is more appropriate than manufacturing.

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**PLANNING BOARD**  
**Meeting Minutes**  
**April 12, 2016**

**CALL TO ORDER**

Chairman McKenzie called the public hearing to order at 7:00 p.m. Notice of the public hearing was posted in the Town Office building, the Library; copies were sent to the Planning Board, the Conservation Commission, and the Board of Selectmen.

**APPLICATION ACCEPTANCE**

1. PB 16-02 The Park Theatre, 19 Main St., Map 238/Lots 14, 16 & 19, Zone: General Business

Site Plan – The applicant proposes renovations.

On a motion by Kresge, seconded by Merrell the board approved the requested waivers. (6-0)

At a prior meeting the project was deemed to not be one of regional impact.

On a motion by Merrell, seconded by Despres the application proposing renovations was accepted.  
(6-0)

2. PB 16-03 Jim Hennessy, 24 Sawmill Dr., Map 257/Lot12.5, Zone: Industrial

Site Plan – The applicant proposes a change of use.

By unanimous vote the application was deemed to not be one of regional impact.

On a motion by Kresge, seconded by Merrell the application proposing a change of use was accepted.  
(6-0)

3. PB 16-04 Monadnock Kitty Rescue and Adoption, Plantation Dr. (property owned by Eastern Quad LLC), Map 243 / Lot 26, Zone: Industrial

Site Plan – The applicant proposes the construction of an animal care facility in the Drumlin Park Industrial District.

Ms. Carr stated that the plans have been reviewed and all concerns have been addressed however the plan is without a surveyors stamp. Ms. Bourgeois stated that she has requested a waiver for that because they have a copy of the original recorded subdivision plan. Ms. Carr explained that they are relying on an old survey and Surveyor, Jed Paquin has submitted a signed (not stamped) sketch plan drawn from the original survey. Chairman McKenzie offered that if the board is uncomfortable granting this waiver they can make it a condition of approval that a stamped survey be submitted before the building permit is issued. The board agreed unanimously to make it a condition of approval.

By unanimous vote the application was deemed to not be one of regional impact.

By unanimous vote the application proposing the construction of an animal care facility in the Drumlin Park Industrial District was accepted. (6-0)

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**PLANNING BOARD**  
**Meeting Minutes**  
**April 12, 2016**

**PUBLIC HEARING – NEW**

1. PB 16-02 The Park Theatre, 19 Main St., Map 238/Lots 14, 16 & 19, Zone: General Business

Site Plan – The applicant proposes renovations.

Presentation: Jeff Kevan, TF Moran

Appearances: Carolyn Hollister

Mr. Kevan stated that the project was previously approved but what has happened over time is some slight modifications to the configuration of the building requiring them to obtain planning board approval. There has been an addition made for some entrance/exit and a slight bump-out. The rest of the building fits on top of the original footprint. The voluntary merger for the theater lot and the parcel on River St. has also been submitted to the board. The uses within the building remain the same. The two lots combined are approximately 1/3 of an acre in the business district. There will be three hundred and twenty-four seats in the theater, five hundred square feet of retail and twenty-four hundred square feet of office on the second floor. As previously planned water and sewer will come in from Main St. There is a catch basin out back that “Y’s” in and it has been determined that the contractor will have to test and camera the line. Regarding run-off the question is what do they do with it. Mr. Kevan stated it’s still going to flow towards River St. and into the river. A meeting with NH DOT took place and although they would rather there not be a tie in on River St. they have somewhat agreed to it. The roof run-off will flow into this system as well. The electrical service had come in from River St. After a meeting with Eversource they will now come in underground from School St.

Selectmen’s Representative MacIsaac asked if there would be any noise from the transformer. Member Merrell asked for the size. Mr. Kevan did not have the answers but he would obtain them.

Chairman McKenzie asked about the down spout shown on sheet 4 of 9 – Site Layout and Utility Plan. Mr. Kevan stated he has confirmed with the Architect that they are no down spouts. Chairman McKenzie also asked about the removal of a retaining wall. Mr. Kevan stated that it will not be removed and since this plan was done the Architect has decided to not install the doorway stating it would be too difficult to use as loading. Abutter Cathy Furze asked if the retaining wall that is against their building was going to remain. Mr. Kevan replied that it was. Chairman McKenzie asked for a revision to page 3 of 9 that calls for it to be removed. Mr. Kevan agreed.

Member Kresge asked Mr. Kevan to re-visit the roof-top/snow accumulation issue. Mr. Kevan stated that the design has been changed so that snow will not end up on the neighboring roof line. Member Kresge asked if there were any other unresolved issues. Mr. Kevan deferred to the abutters. Rick and Cathy Furze of We Serve Him LLC stated there are unresolved issues.

Referring to the building plans, Planner, JoAnne Carr asked how they plan to replace the second floor window in the abutting property with a doorway since there are water pipes where the doorway is proposed. Is there an agreement with the building owner? Ms. Furze stated that there has been little communication and the first she knew of the planned door was a week ago when she spoke with the Planner. The window serves a one bedroom apartment and this is a bedroom

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**PLANNING BOARD**  
**Meeting Minutes**  
**April 12, 2016**

window. If it is removed there will be no light or fresh air to this room. What happens to the property value and the renting of the apartment?

Ms. Hollister referred to the planning board approval on June 7, 2013. The Park Theater had a memo that was prepared by Jack Belletete and reviewed by Cathy Furze which stated that since an emergency stairway was required in this area the Park Theater would replace their window with a door and if it did obscure the light and air, the Park Theater would provide at their expense a skylight for that particular apartment for the bedroom. Ms. Carr replied that at that time the planning board was approving a plan without building plans. When the building plans were submitted the town became aware that the initial design had a parapet extending over the bridal shop and had some extensive impacts to the bridal shop that were not discussed at the planning board which is part of the reason for coming back for the amendment to the plan because they revised the building construction. There are preliminary building plans that do show the door and do not show a skylight. Without delving deeply into the construction plans they do show other potential impacts to the neighboring building. Ms. Furze stated that there is no documentation stating any of this and no one has come into their building to look at the structure of the roof and the fact that there is a five foot gap between ceiling and roof, to see if a skylight is even feasible. Chairman McKenzie commented that it appears an agreement is necessary between the two parties.

Chairman McKenzie asked the applicant to address the method of construction and the foundation where the two buildings abut. The construction consultant, Mr. Steve Horton stated that the foundation design is separate from the Furze's building by about two feet. The Park Theater is a self-standing building on its own structure. There is no structural tie to the Furze's building except for the door into the bedroom. Chairman McKenzie asked if the bottom of the foundation for the Park Theater is lower than the existing foundation for the Furze's building. Mr. Horton stated that it is slightly but it has been reviewed by the structural engineer and he sees no issue. Chairman McKenzie pointed out that the preliminary design drawings that were submitted to the Building Inspector shows an under pinning detail. Mr. Horton replied that the requirement has been dissolved and no longer required. Speaking to the doorway he does not feel putting in a door and moving the heat line is a significant thing to do but it does need to be done and should be part of an agreement. The skylight again is not a huge issue but they need to locate the skylight in the proper location. Mr. Horton stated that he would be the one to take a thorough look at the ceiling and come up with a detailed plan. Their efforts have been motivated to not impact the Furze's as much as possible.

Chairman McKenzie asked when they planned to begin work. Mr. Kevan stated ideally this construction season but there is some coordination that has to happen. Member Kresge asked what the construction scheduled looked like at this point. Ms. Hollister replied they are hopeful to begin the end of May/June time frame.

For the record, Member Merrell stated that he is associated with the Park Theaters Art Director but he does not feel it would impact his ability to be objective in making a decision.

Ms. Furze asked about all of the construction vehicles and their impact on the immediate businesses. Where will customers park? Can the contractors be restricted from parking on Main St.? Mr. Horton stated that they are aware of the limitations of the site and Hutter Construction is working to reach an agreement with the Peard's for limited use of their property outback. They plan to minimize the amount of vehicles by car-pooling the contractors and they could mandate no parking on Main St. Mr. Kevan stated that the old Stan's building will be used as a

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**PLANNING BOARD**  
**Meeting Minutes**  
**April 12, 2016**

construction office. Materials will need to be brought in on almost a daily basis and they will have to work within stages to allow for a staging area inside the building footprint. The sidewalk will have to be cut and pedestrians routed around the work and there will be a couple of parking spaces that will be coned off. Ms. Carr asked how long they anticipated the disruption of the sidewalk. Mr. Kevan feels it will be closed, utilities brought in, re-opened and as construction goes on there will be a time period where they are working on the footings and siding that the walk will have to be closed. He does not think a specific time period can be given at this point. Hutter Construction will provide a construction and sequence operation type manual prior to the pre-construction meeting.

**There being no further questions Chairman McKenzie closed the public hearing.**

2. PB 16-03 Jim Hennessy, 24 Sawmill Dr., Map 257/Lot12.5, Zone: Industrial

Site Plan – The applicant proposes a change of use.

Presentation: Jim Hennessy

Appearances:

Mr. Hennessy would like to renovate the old brick building into office space. It is presently classified and used for storage but had been office space prior to that for many years. Water and septic/bathrooms exist but they will not be re-used. They will have a new state approved septic. The other building will be used for storage. Renovations to the brick building will include new windows and some interior walls. There will be exterior lighting, two fixtures one on each side of the front door with low wattage and a regular light at the man door downstairs. There will be approximately two or three employees in the office. All parking will be below. There are two garage bays and they will be used as garage bays.

Member Kresge asked if the parking concerns were already addressed. Mr. Hennessy stated that the site plan does show the parking which will include a handicapped spot. There will be a placard with a sign and bell for handicap access. Mr. Hennessy did want to put parking on Prescott Rd. but the Dept. of Public Works did not approve. Resident Patty Farmer asked if there would be signage on-site or on the building. Mr. Hennessy replied that they go to their customers so a business sign would not be necessary. In the future there may be a sign on the lower building that says “Receiving”.

Member Kresge asked about the retaining wall, are the repairs the responsibility of the condo association? Ms. Carr replied that it is in dis-repair however Mr. Hennessy plans to repair the wall but he will also address it with the other owners since it is on common land. It is the same scenario with the fence.

**There being no further questions Chairman McKenzie closed the public hearing.**

3. PB 16-04 Monadnock Kitty Rescue and Adoption, Plantation Dr. (property owned by Eastern Quad LLC), Map 243 / Lot 26, Zone: Industrial

Site Plan – The applicant proposes the construction of an animal care facility in the Drumlin Park Industrial District.

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**PLANNING BOARD**  
**Meeting Minutes**  
**April 12, 2016**

Presentation: Heidi Bourgeois

Appearances:

Ms. Bourgeois is representing Monadnock Kitty Rescue and Adoption and they are proposing to purchase a 2.7 acre parcel within the Drumlín Industrial Park for a new facility. The facility is currently operating at a rented location within the same industrial park. The only change to the plan since her preliminary conceptual with the board is that the parking has been moved back a bit because it was bordering up against the drainage ditch.

Addressing the water and sewer hook-up Ms. Carr explained to Ms. Bourgeois that she would apply for her permit but the concern is with the building construction. Where the pipes come out of the building needs to conform to the requirements of DPW. Ms. Bourgeois stated that the contractor will consult with the DPW prior to doing work.

Member Despres asked if she received the variance from the ZBA. Ms. Bourgeois stated that she had. Ms. Carr asked for the status of the Dept. of Agriculture permit. Ms. Bourgeois stated that approval is pending.

**There being no further questions Chairman McKenzie closed the public hearing.**

**PUBLIC HEARING – CONTINUED**

No Action

**DECISIONS**

1. PB 16-02 The Park Theatre, 19 Main St., Map 238/Lots 14, 16 & 19, Zone: General Business

Site Plan – The applicant proposes renovations.

On a motion by Kresge, seconded by Despres the application proposing renovations was approved as presented and per testimony given subject to the following conditions. The plans submitted are on file with this office with a date of December 5, 2011, revised through March 11, 2016 and stamped by Robert E. Duval, PE. Also submitted is a plan set drawn by BKA Architects, Inc. titled “The Park Theater” dated March 9, 2016.

Condition Precedent:

- Submission of an agreement with the abutter, We Serve Him, LLC (map 238/lot 15), regarding any potential impacts as a result of the construction of The Park Theater. Specifically, emergency egress from the apartment, provision of light and air and any impacts to the building and/or foundation.

Egress to the shared stairway between 238/15 and The Park Theater is limited to emergency access only.

Conditions Subsequent:

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**PLANNING BOARD**  
**Meeting Minutes**  
**April 12, 2016**

- Prior to the Pre-construction Meeting:

Posting of a performance bond to secure any impacts to public ways and utility construction impacts.

Submission of an escrow for construction monitoring. Amount to be determined in consultation with the Town Building Inspector.

Submission of a construction access and sequencing plan inclusive of pedestrian rerouting and parking changes.

Applicant shall be responsible for providing a copy of the plan and notifying abutters prior to the pre-construction meeting.

Submission of utility and construction easements.

2. PB 16-03 Jim Hennessy, 24 Sawmill Dr., Map 257/Lot12.5, Zone: Industrial

Site Plan – The applicant proposes a change of use.

On a motion by Kresge, seconded by MacIsaac the application proposing a change of use was approved as presented and per testimony given. (6-0)

3. PB 16-04 Monadnock Kitty Rescue and Adoption, Plantation Dr. (property owned by Eastern Quad LLC), Map 243 / Lot 26, Zone: Industrial

Site Plan – The applicant proposes the construction of an animal care facility in the Drumlin Park Industrial District.

On a motion by Merrell, seconded by Kresge the application proposing the construction of an animal care facility in the Drumlin Park Industrial District was approved as presented and per testimony given subject to the following conditions. (6-0)

Conditions Subsequent:

- Receipt of a stamped survey before the Certificate of Occupancy will be issued.
- Approval from the Dept. of Agriculture.

**OTHER BUSINESS**

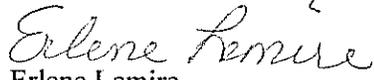
MP update / sub-committee – Carr to present consultant ideas/thoughts – No action

**ADJOURNMENT**

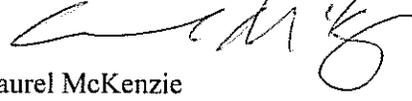
The meeting adjourned at 9:20 p.m.

**TOWN OF JAFFREY**  
**Jaffrey, New Hampshire**  
**PLANNING BOARD**  
**Meeting Minutes**  
**April 12, 2016**

Submitted:

  
Erlene Lemire  
Recording Secretary

Attest:

  
Laurel McKenzie  
Chairman, Jaffrey Planning Board