

TOWN OF JAFFREY
Jaffrey, New Hampshire

BOARD OF ADJUSTMENT
Meeting Minutes
February 1, 2011

Present: Chairman Sawyer, Members Campbell, Dodge and Webber

Absent: Members Belletete and DuMont

Staff: Recording Secretary Lemire, Building Inspector Baron

MEETING MINUTES APPROVAL

On a motion by Dodge, seconded by Campbell, the minutes for the January 4, 2011 meeting were approved as amended. (3-0)

PUBLIC HEARING

Chairman Sawyer called the public hearing to order at 7:30 p.m. The rules of procedure were read aloud. Notice of hearing for case No. ZBA 11-02 through ZBA 11-04 as advertised in the *Monadnock Ledger-Transcript*; copies were posted in the Town Office building and the Library; 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. By unanimous vote the board decided that the applications were not regional impact.

Public Hearing - New Items

1. ZBA 11-02; Charles, Brent and Karla, 11 Moore Pike, Map 244/ Lot 128, Zone: General Business. (Zoning Ordinance, Sections 4.4.3, 4.4.7 and 4.4)

Variance – The applicant proposes an accessory apartment with less than the required acreage.

Variance – The applicant proposes an accessory apartment with more than the allowed living area.

Special Exception – The applicant proposes an accessory apartment.

Presentation: Brent Charles

Appearance: Karla Charles

Mr. Charles stated that prior to his ownership the basement of his property housed the Jaffrey Bible House store. The area is already finished and he would like to convert it into an accessory apartment that in the future will be used by him and his wife with another family member residing upstairs in the main house.

According to paperwork submitted the allowed square footage for the accessory apartment is 841 sf.; the finished downstairs in total measures at 1,508 square feet. A sketch of the proposed apartment was submitted to the board. In addition to the living area there will also be a furnace room and an area for the oil tank which would not count as living space. The required acreage is 1.3 acres. The lot consists of .70 acres making it short by .60 acres.

Member Campbell asked if the septic system was suitable. Mr. Charles stated that it was done in 2005.

Member Campbell asked if there would be any egress issues. Mr. Charles stated that the Building Inspector had visited the property and he did not see any issues. The plan was to keep the area open, without walls and therefore secondary egress was not an issue. Mrs. Charles added that there is a full basement walk-out.

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

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

2. ZBA 11-03; PSNH, 780 N. Commercial St., Manchester, NH, Fitzwilliam / Jaffrey town line to North St. (Wetlands Conservation Ordinance, Section V, B2)

Variance – The applicant proposes the installation of a power line on an existing ROW which is compliant with Special Exceptions, Section V, 1A and B.

Presentation:

Appearance: Building Inspector Dave Baron

Due to the weather Ms. Lindsay O'Reilly of Gove Environmental Services was unable to be present. With the permission of Mr. David Stills of PSNH the application was presented by Inspector Baron based on project information submitted by Mr. Stills.

Inspector Baron stated that there is only one power line supporting the town. The proposal is to construct a new 34.5 kv circuit between the Monadnock sub station in Troy and the Jaffrey sub station in Jaffrey. The new line will be 25 feet from the edge of the existing 100 foot right of way. According to the project information the typical pole heights on the proposed line will be in the 40' to 65' range.

Mr. Rick Fernald is an abutter who expressed a concern over the constant noise generated throughout his neighborhood from the current transformers. It was noted that tree trimming had been done and this could be part of the reason why the noise is more noticeable. There was discussion between Mr. Fernald, Inspector Baron and the board about the possibility of PSNH planting a vegetative buffer to aide in noise reduction. At the boards request Inspector Baron agreed to speak with Mr. Stills of PSNH and the Planning Board about a remedy.

Chairman Sawyer acknowledged and read into the record an e-mail from abutter Mr. George Duncan. In his e-mail Mr. Duncan states his opposition as he feels that the power line installation would be an added burden on his property.

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

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

3. ZBA 11-04; PLH, LLC, 136 Old Sharon Rd., Map 255 / Lot 2, Zone: Industrial / Rural (without town water) (Zoning Ordinance, Section IV, 4.20)

Variance – The applicant proposes one recreational trailer/camper for the use of overnight sleeping/rest for security employee and transit drivers.

Presentation:

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Appearance: Building Inspector Dave Baron

Mr. Steve Pelkey is the owner and was not present. Inspector Baron presented the application based on information provided and his knowledge of the request.

Inspector Baron stated that there is a 5th wheel camper on the property at 136 Old Sharon Rd. To his knowledge the camper is used for truck drivers so they can rest overnight if needed and an office for the security guard. The issue is that this is not an allowed use for this property. Mobile homes are allowed in mobile home parks or sub-divisions and campers are allowed in a back yard but with a set number of days that it can be used for living.

Member Campbell asked if it was hooked up to the septic and electric. Inspector Baron stated that there is electric and a propane tank. He did not know if it was hooked up to the septic or if it was being pumped regularly.

The board recessed the meeting to make a site visit.

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

DECISION

1. ZBA 11-02; Charles, Brent and Karla, 11 Moore Pike, Map 244/ Lot 128, Zone: General Business. (Zoning Ordinance, Sections 4.4.3, 4.4.7 and 4.4)

Variance – The applicant proposes an accessory apartment with less than the required acreage.

On a motion by Dodge, seconded by Campbell the application proposing an accessory apartment with less than the required acreage was granted as presented and per testimony given. (4-0)

Variance – The applicant proposes an accessory apartment with more than the allowed living area.

On a motion by Dodge, seconded by Webber the application proposing an accessory apartment with more than the allowed living area was granted as presented and per testimony given. (4-0)

Special Exception – The applicant proposes an accessory apartment.

On a motion by Dodge, seconded by Campbell the application proposing an accessory apartment was granted as presented and per testimony given. (4-0)

2. ZBA 11-03; PSNH, 780 N. Commercial St., Manchester, NH, Fitzwilliam / Jaffrey town line to North St. (Wetlands Conservation Ordinance, Section V, B2)

Variance – The applicant proposes the installation of a power line on an existing ROW which is compliant with Special Exceptions, Section V, 1A and B.

On a motion by Dodge, seconded by Webber the application proposing the installation of a power line on an existing ROW which is compliant with Special Exceptions, Section V, 1A and B was granted as presented

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and per testimony given. The board also requests that the Planning Board review the noise/vegetative issue as presented by Mr. Rick Fernald. (4-0)

3. ZBA 11-04; PLH, LLC, 136 Old Sharon Rd., Map 255 / Lot 2, Zone: Industrial / Rural (without town water) (Zoning Ordinance, Section IV, 4.20)

Variance – The applicant proposes one recreational trailer/camper for the use of overnight sleeping/rest for security employee and transit drivers.

On a motion by Campbell, seconded by Dodge the application proposing one recreational trailer/camper for the use of overnight sleeping/rest for security employee and transit drivers was granted as presented and per testimony given. (4-0)

OTHER BUSINESS

ADJOURNMENT

The meeting recessed the meeting at 8:15 p.m., reconvened at 8:45 p.m. and adjourned at 9:00 p.m.

Submitted:

Attest:

Erlene R. Lemire
Recording Secretary

Lee A. Sawyer
Chairman
Jaffrey Zoning Board of Adjustment

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