

TOWN OF JAFFREY
Jaffrey, New Hampshire

BOARD OF ADJUSTMENT
Meeting Minutes
October 4, 2011

Present: Chairman Sawyer, Members Belletete, Dodge, DuMont and Webber

Absent: Member Campbell

Staff: Recording Secretary Lemire, Building Inspector Baron

MEETING MINUTES APPROVAL

On a motion by Dodge seconded by DuMont, the minutes for the July 5, 2011 meeting were approved. (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 Nos. ZBA 11-09 and ZBA 11-10 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. Chairman Sawyer asked the board if they felt the applications had regional impact. Unanimously the board voted that they did not.

Public Hearing - New Items

1. ZBA 11-09 Rob Hitchcock, SVE Associates (property of Teleflex), 50 Plantation Dr., Map 243 / Lot 29;
Zone: Industrial district

Variance – The applicant proposes to place a transformer within the 30 foot side setback. (Zoning Ordinance, Section V, 5.1)

Presentation: Rob Hitchcock, SVE Associates

Appearance:

Mr. Hitchcock reminded the board that a few months prior Teleflex had received a variance for a new building that would be in the setback. While doing more advanced planning and design it was realized that another transformer will be necessary and the selected site will place the additional transformer within one foot of the right of way. The location chosen is a typical spot because of the ease it lends to PSNH workers. Until Building Inspector Baron mentioned it PSNH was not aware that a transformer was considered a structure and that it would have to abide by the setback regulations.

Member Belletete asked if the proximity of the transformer to the road will cause traffic problems. Mr. Hitchcock replied that the transformer will sit thirteen feet back from the road. He does not anticipate any traffic problems.

Chairman Sawyer asked Building Inspector Baron for his opinion. Inspector Baron did not feel that it was an issue.

On a motion by Dodge, seconded by Belletete the board voted to waive the site inspection.

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

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2. ZBA 11-10 DeBenedictis, Erica (property of Gutberg), 665 North St., Map 248 / Lot 16; Zone: Rural (without town water)

Equitable Waiver – The applicant seeks an equitable waiver to allow an accessory apartment exceeding the allowed living area. (Zoning Ordinance, Section IV, 4.4.3)

Special Exception – The applicant proposes an accessory apartment. (Zoning Ordinance, Section IV, 4.4)

Presentation: Erica DeBenedictis

Appearance: Ingrid Gutberg

Ms. DeBenedictis is presenting the application on behalf of her Mother, Ingrid Gutberg. Ms. Gutberg owns a 71 acre parcel and is proposing to build a home with approximately 1,593 sf of living area. There is already a bungalow on the property and the living area exceeds what is allowed for an accessory apartment based on the size of the proposed new home. A variance will be needed.

Building Inspector Baron explained that during the permitting process he realized that the parcel already contained a small bungalow. Originally he thought the existing house was part of the lot across the street. It was also deceiving because the driveway for the proposed house originates on an abutting parcel also owned by Ms. Gutberg. By the time the error was realized the parcel had been logged and the construction phase started. To rectify the problem the existing bungalow will be considered an accessory apartment and the applicant will seek an Equitable Waiver to the variance.

Ms. DeBenedictis reviewed the criteria for an equitable waiver pointing out that the lot consists of 71 acres and granting relief would not change the rural character or be detrimental to abutting land owners. Accessory apartments are allowed by special exception. Ms. DeBenedictis went on to review the criteria for a Special Exception.

Ms. Gutberg stated that the land was purchased many years ago and now is the time to build a home for the family so this generation and the next may be rooted in Jaffrey.

On a motion by Belletete, seconded by Dodge the board voted to waive the site inspection.

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

Public Hearing - Continued

None

DECISION

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1. ZBA 11-09 Rob Hitchcock, SVE Associates (property of Teleflex), 50 Plantation Dr., Map 243 / Lot 29;
Zone: Industrial district

Variance – The applicant proposes to place a transformer within the 30 foot side setback. (Zoning Ordinance, Section V, 5.1)

On a motion by Dodge, seconded by DuMont the application proposing to place a transformer within the 30 foot side setback was granted as presented and per testimony given. (5-0)

2. ZBA 11-10 DeBenedictis, Erica (property of Gutberg), 665 North St., Map 248 / Lot 16; Zone: Rural
(without town water)

Equitable Waiver – The applicant seeks an equitable waiver to allow an accessory apartment exceeding the allowed living area. (Zoning Ordinance, Section IV, 4.4.3)

On a motion by Dodge, seconded by Belletete the application proposing an equitable waiver to allow an accessory apartment exceeding the allowed living area was granted as presented and per testimony given. (5-0)

Special Exception – The applicant proposes an accessory apartment. (Zoning Ordinance, Section IV, 4.4)

On a motion by Belletete, seconded by Webber the application proposing an accessory apartment was granted as presented and per testimony given. (5-0)

OTHER BUSINESS

None

ADJOURNMENT

8:00 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.