

# Town of Jefferson Board of Adjustment

## Minutes July 11, 2019

Chairman Kim Perry opened the meeting at 7: 30 p.m.

**Members present:** Chairman Kim Perry, Jason Call, Rodney Houghton, alternate; Tom Walker, Biff Wyman

**Members absent:** Cricket Ingerson

**Others present:** Charlene Wheeler, Board secretary; Rodney Monahan Jr., Linda Smith, Tamsen Boyko, Alex Haas, Emily Haas

In the absence of a regular member, Rodney Houghton was designated a voting member for this meeting.

### Hearing of Appeal – Monahan

Chairman Perry opened the public hearing for case # 189-2019. Rodney Monahan Jr. is applying for a variance in compliance with Article IV, Section 2 of the Land Use Ordinance. The applicant proposes to place a 12' x 24' shed on his property. The setback of the proposed structure would be about 47' from Route 2 and approximately 15' from each side boundary, less than 50 feet from a property line as required in the Land Use Ordinance. The property is located at 733 Presidential Highway, Jefferson, NH; also known as Map 5A, Lot 38. Copies of the application were distributed to each Board member for examination. Chairman Perry read the application stating Mr. Monahan's reasons why the variance should be granted. Application fees were received and notices mailed and posted as required. Mr. Monahan had a map of his property and explained the new structure was needed as the sugar shack at the rear of the property has become unusable and must be removed. The sugar shack location is very wet and has caused a lot of problems. His grandfathered lot is less than 2 acres and there is no place other than in front of the home and no matter where the new structure is placed it would be too close to some lot line.

Chairman Perry opened the hearing to public comment. Linda Smith said she didn't like the location of the new structure, it may block her view, but she would accept whatever the Board decided. Mr. Monahan said he will remove the old sugar shack and will paint the new structure and landscape around it to make it more attractive. Jason Call remarked the setback from Route 2 is almost 50 feet. The distance between the structure and the house is about 20 feet. There won't be a number of other outbuildings on the lot only a tiny blue shed sitting on a side lot line currently being concealed by trees. The Board secretary reported abutter Mae Brooks had phoned and said she was totally opposed to the new structure but didn't give reasons for her position. There being no other questions or comments, Chairman Perry closed the public comment part of the hearing.

Deliberations began. The proposed use would not diminish surrounding property values. The structure will be painted and then landscaped. It is 47' from Route 2 and it's size is not too large.

Granting the variance will not harm the public interest. The town would receive an increase in tax revenue without an impact on services. There is still a 47' front setback from Route 2 and placement shouldn't affect an abutter's drainage.

Denial of the variance would result in unnecessary hardship. This is a grandfathered lot. Other lots in the neighborhood have similar problems and probably would require a variance. This will be the only other outbuilding on the lot.

The proposed use seems reasonable for the lot and will not injure the public or private rights of others. Property values will increase and increase tax revenue to the town. Granting the variance would do substantial justice. The proposed use seems reasonable for the lot.

The use is not contrary to the spirit of the ordinance. The outbuilding will go along with the design of the house and will be painted and landscaped. The old sugar shack will be removed.

Rodney Houghton made the motion to grant the variance requested with the assurance the new structure will be painted and landscaped and the old sugar shack removed, seconded by Biff Wyman. The vote to accept the motion was unanimous. Mr. Monahan thanked the Board and he and all other members of the public attending left the meeting.

#### **Minutes**

The minutes of the March 14, 2019 meeting were read. Biff Wyman made the motion the minutes be approved as read, seconded by Jason Call. The vote to accept the motion was unanimous.

#### **Other Business**

The Board secretary said there may be another application coming in. The Select Board has sent a letter to a property owner who is operating an events center and has put up a sign and is advertising the business telling him that he needs to apply for a special exception.

The Kenison campground proposal is still pending in front of the Planning Board, a completed application has not been submitted as yet. The Kenisons have scaled back their project and are using an engineer from SFC Engineering, Daniel Flores, to finish a final plan for the Planning Board to consider.

The Planning Board has started work on the Master Plan update, meeting with June and Olin Garneau of Maps and Planning Solutions (MAPS) at their last meeting. They are submitting a final proposal with costs to the Planning Board at their next meeting. Work sessions should begin in September and continue until at least December. The Zoning Board of Adjustment members will be asked for their help along with other stakeholders in the town. Members expressed hope that Linda Cushman because of her experience and knowledge of the town will be asked for her input even after her imminent retirement from her job. It is going to be very hard to replace her in the position she has held for so many years.

Board members asked about what may be happening at the former Jefferson Elementary School building. A firm has been contracted to do a feasibility study, but events have been allowed to take place at the facility even before any final decisions for the building have been made. Some maintenance work is being done in and around the building, but the costs are not publicly known. Space for parking is still a problem when a number of people come to the school at the same time.

Jason Call made the motion to adjourn the meeting, seconded by Rodney Houghton. The meeting was adjourned at 8:45 p.m.

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Charlene Wheeler  
Secretary to the Board