

Town of Jefferson
Board of Adjustment

Minutes

March 14, 2013

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

Members present: Kim Perry, Chairman; Tom Walker, Jason Call

Members absent: Biff Wyman, Cricket Ingerson

Others present: Charlene Wheeler, Board secretary; Peter and Marilyn Schroer

Hearing of Appeal – Schroer

Chairman Perry opened the public hearing for case # 171-2013. Peter and Marilyn Schroer are applying for a variance in compliance with Article IV, Section 2 of the Land Use Ordinance. The applicants propose to build a 30' x 40' barn on their property. The setback of the proposed barn would be less than 50 feet from a neighbor's property line. The property is located at 34 Hyfield Lane, Jefferson, also known as Map10, Lot 50. A map of the property was distributed to each Board member for examination. The Board secretary read the application stating Mr. and Mrs. Schroer's reasons why the variance should be granted. Mr. Schroer said the barn would be about 22 feet from the property line and by placing it there it would save existing apple trees on another piece of the property. Jason Call asked how large the lot in question is. Mr. Schroer said there are two lots for a total of about 9-1/4 acres. The lot on which the barn would sit is about 1-1/4 acres. Chairman Perry asked how tall would the barn be. Mr. Schroer said it would be less than 30 feet. Jason Call asked if the height was about 1-1/2 stories and Mr. Schroer said about that high. He said it would look similar to the barn remaining on Route 2 with the cabins on the hill where the existing house had been destroyed by fire. Board members were familiar with the site. Jason Call asked how far Mr. Rose's camp is from the property line? Mr. Schroer thought maybe 30 to 40 feet. The barn won't impact the camp's view to the west but would impact his view of Mount Washington. The camp sits on about 1/3 acre of land which the Schroer said they have wanted to purchase but the ownership seems to be tied up in an estate. Tom Walker asked about access below the house and was told this is where the septic system is and there would be drainage concerns. The Board secretary reported there had been no phone calls or correspondence from anyone expressing concerns about the appeal. There were no other questions or comments and Chairman Perry closed the hearing.

Deliberations began. It was determined the variance if granted was not contrary to the public interest, the barn would keep equipment out of the weather and maintain the picturesque quality. The barn would certainly fit in with the other barns and outbuilding existing in the town. The spirit of the ordinance is observed, the plan would improve the picturesque quality. Substantial justice is done, the plan wouldn't interfere with the

unique qualities of the area. Requiring a 50 foot setback would necessitate the removal of apple trees. Placing the barn on the other side of the house would interfere with septic and drainage on the parcel. The barn is in the best location for access from the road. The setback is to a side property line rather than to the town road. The values of surrounding properties are not diminished, and literal interpretation of the ordinance would result in unnecessary hardship for the owners. It is not contrary to the spirit of the Land Use Ordinance. Abutters expressed no objection to the plan. A goal is to preserve the rural and agricultural character of the town. Tom Walker made the motion, seconded by Jason Call to grant the variance. The vote to approve the motion was unanimous.

Minutes

Jason Call made the motion to approve the minutes for the September 13, 2012 meeting, seconded by Tom Walker. The vote to approve the motion was unanimous.

Tom Walker told the Board he had a consultant for a communications firm view his property looking for a possible location for a future telecommunications tower. Perhaps the Board will need to address the siting of another tower, if not on his property, then elsewhere in the town.

Jason Call made a motion to adjourn the meeting, seconded by Tom Walker. The meeting was adjourned at 8:10 p.m.

Charlene Wheeler
Secretary to the Board