

Town of Jefferson
Board of Adjustment

Minutes

April 8, 2021

Chairman Kim Perry opened the meeting at 7: 40 p.m.

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

Members absent: Rodney Houghton, alternate

Others present: Charlene Wheeler, Board secretary; Adrian Dutkewych

Hearing of Appeal – Dutkewych

Chairman Perry opened the public hearing for case # 193-2021. Adrian and Jenna Call are applying for a Special Exception in compliance with Article III, Section 2 of the Land Use Ordinance. For this hearing Jason Call recused himself from the discussion and voting as Jenna Dutkewych is his sister. Chairman Perry read the application. Mr. Dutkewych said he wants to run a septic service business, which will employ 3 people, from his property at 259 Old Cherry Mountain Road, Map 17, Lot 8B. Operations will be off-site except for maintenance of equipment and office work. The property will continue as a single-family residence with construction of an additional building to be used as a garage for the business. He was asked if the current driveway entrance was off the state road or where it becomes a town road. Mr. Dutkewych said he believed this was off the town road as it is just where the road turns from being paved to dirt. There were photos and a map of the site for Board members to examine. Truck traffic will be limited to trucks leaving in the morning and returning in the afternoon. He has three pump trucks and a smaller service truck and said he has no plans to add to his fleet. The new garage is intended to house and maintain the vehicles plus a small office. The business will provide a needed service to the town and surrounding area plus add to the town's tax base. Mr. Dutkewych also said he had sent his own letter to abutters explaining his intentions and no one expressed any objections to his plan. Mr. Richard Garabedian said he supported approval of the application. The Board secretary reported she had received no phone calls or e-mails with comments or questions about the application.

There being no other comments or questions Chairman Perry closed the public portion of the hearing.

Deliberations began.

The proposed use shall be one permitted by the Land Use Ordinance as a Special Exception. This will be a small, home-based business with a small number of employees. No objectionable effects to the surrounding area are expected and will not create a high volume, business atmosphere. There were no objections heard from abutters.

The specific site is an appropriate location and of adequate size for such use. The map and photos confirm this.

The use will not adversely affect the adjacent area and the proposed use will be in keeping with the stated purpose of the Land Use Ordinance. Traffic and noise will be kept to a minimum, it will continue to be a family residence while providing needed services to the area, and the business will increase revenue to the town.

Tom Walker made the motion to grant the Special Exception requested, seconded by Bif Wyman. The vote to accept the motion was unanimous among three voting members, with Mr. Call abstaining. Mr. Dutkewych thanked the Board and left the meeting.

Minutes

The minutes of the July 9, 2020 meeting were read. Bif Wyman made the motion the minutes be approved as read, seconded by Jason Call. The vote to accept the motion was unanimous.

Other Business

A current use application from David Torr, Map 17, Lots 5D and 5E was examined by the Board. No comments were added and the application was routed along to other town boards and departments. The Select Board said they are hoping to meet quarterly with boards and departments to improve communications.

Anthony Plant was asked by the Select Board to contact the Board of Adjustment secretary about submitting an application to operate a business on his properties at the corner of Turnpike Road and Route 2. There appear to be a number of unregistered vehicles and parts of vehicles on the site. To date he has not done so.

Members were updated on the applications now coming to the Planning Board for subdivisions and boundary line adjustments. Some of these have frontage or driveway or setback issues. There was discussion of how the Land Use Ordinance was first approved by the town, the origins of some of the requirements in the ordinance, and how enforcement has occurred over the years.

Biff Wyman made the motion to adjourn the meeting, seconded by Tom Walker. The meeting was adjourned at 9:05 p.m.

Charlene Wheeler
Secretary to the Board