

Town of Jefferson
Board of Adjustment

Minutes

June 9, 2016

Chairman Perry opened the meeting at 7:34 p.m.

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

Members absent: Biff Wyman, Cricket Ingerson

Others present: Charlene Wheeler, Board secretary; Jeffery Young

Hearing of Appeal – Young

Chairman Perry opened the public hearing for case # 178-2016. Jeffery Young is applying for a variance in compliance with Article IV, Section 2 of the Land Use Ordinance. The applicant proposes to build a 24' x 36' garage on his property. The setback of the proposed garage would be less than 50 feet from a property line. The property is located at 36 Sally's Drive, Jefferson, NH; also known as Map 6, Lot 14C. Copies of the application were distributed to each Board member for examination. Chairman Perry read the application stating Dr. Young's reasons why the variance should be granted. A diagram showed the garage would be about 32 feet from the property line. Application fees were received and notices mailed and posted as required.

Chairman Perry opened the meeting to the public for questions and comments. Jeff Young described the configuration of the driveway and why it would make sense to situate the garage in the proposed spot. There are other spaces but it would mean moving the established garden and removing trees that he wanted to keep there. Also the septic cleanout location would be impacted. His neighbor who owns the adjoining lot said he wouldn't like to see any trees removed, as this would eliminate a buffer between the two lots. Jason Call said there is more land space available and if this were to be more than one structure being built it would be a larger consideration in deliberations. Jeff Young assured him that was the only structure he was planning.

The Board secretary reported that no comments or questions had been received from abutters or the general public. Chairman Perry asked to close the public portion of the hearing. Jason Call made the motion to do so, seconded by Tom Walker. The vote to accept the motion was unanimous. Deliberations began. The proposed use would not diminish surrounding property values because it would increase the value of Jeff Young's property. The setting is such to not impact his neighbor by not cutting existing trees. Granting the variance will not harm the public interest. No members of the public including abutters objected to the proposal. The town would receive an increase in tax revenue without an impact on services. Denial of the variance would result in

unnecessary hardship. The layout is unique to this setting and it preserves it's rural beauty, it fits into the neighborhood setting. The proposed use seems reasonable for the lot and will not injure the public or private rights of others. 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. There were no public comments against the proposal. There is no overburdening the lot or intruding on neighbors.

Jason Call made the motion to grant the variance requested without additional conditions, seconded by Tom Walker. The vote to accept the motion was unanimous. Jeff Young thanked the Board and left the meeting.

A short discussion followed about legal powers of the Board of Adjustments. At the center of the discussion was a case in Groveton, NH, where the Board of Adjustment was granting a variance and requiring the structure to be built by a contractor not the property owner himself.

Minutes

The minutes of the March 10, 2016 meeting were read. Tom Walker made the motion the minutes be approved as read, seconded by Jason Call. The vote to accept the motion was unanimous

Jason Call made a motion to adjourn the meeting, seconded by Tom Walker. The meeting was adjourned at 8:40 p.m.

Charlene Wheeler
Secretary to the Board