

Town of Jefferson
Board of Adjustment

Minutes

August 14, 2014

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

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

Members absent: Biff Wyman, Cricket Ingerson

Others present: Charlene Wheeler, Board secretary; Stacey Hicks, Forrest Hicks, Ben Southworth, Deborah Dineen, Bernadette Nay, Bob Lottero, Cheri Lottero

Hearing of Appeal – Hicks (Carlisle Place)

Chairman Perry opened the public hearing for case # 176-2014. Stacey Hicks as owner of Carlisle Place Physical Therapy and Wellness Center is requesting a special exception in compliance with Article III Section 2 of the Land Use Ordinance. The applicant proposes to expand the current business by adding a 48' x 60' barn structure which would allow for year round use to hold group classes and increase space for current rehabilitation services. The new building would also be used to hold weddings as well as receptions utilizing their current day spa services and staff. The property is located at 685 Presidential Highway, Jefferson, NH also known as Map 5A, Lot 8. The Board secretary read the application and Board members examined copies of a conceptual site plan and drawings of the proposed new building presented by Ben Southworth of Garland Mill Timberframes, who is a consultant on the project. Board Members expressed concern about water lines on the property which supply water to the Odd Fellows and Fire Department buildings. Mr. Southworth said the structure is a little more than 30 feet high. Plantings are planned around the perimeter of the site and utilities will be underground. There were issues identified by NH Department of Transportation (NHDOT), a drainage plan was needed to avoid excessive runoff on to Route 2 and the turning radius onto the site needed to be increased.

Chairman Perry then asked for comments or questions from the public. A letter was received from Deborah Dineen which was read to the assembly. Bernadette Nay said she supported the proposal. There is an aging population in the area and there is a need for rehabilitative services and preventative care with exercise opportunities, etc. This facility would provide this type of support for the community. There was also a letter from Nancy and William Greenlee expressing general support for the proposal.

Deborah Dineen had a question about the location of the septic system, could it be moved down the slope? Ms. Dineen, an abutter, raised safety and esthetic concerns about how the proposal might impact her enjoyment of her property. She thought her pond might be an attraction to some guests who could harm themselves and create a legal liability for

her. She was also concerned about the height of the building and how much it might block her view. There are pine trees along the property line but it wasn't clear how tall they were. Jason Call asked how tall the proposed structure would be. Mr. Southworth said 33 feet at the moment but the visibility could be affected by the slope of the land. Jason Call asked about drainage close to the Loterro property line. Mr. Loterro didn't think it would be a problem. Chairman Perry said the state was concerned about it and will probably need to be addressed in other ways. The Land Use Ordinance has a 30 feet height limit on structures which could be addressed by reducing the height of the building or applying for a variance. Jason Call said he would like to look at the site itself. Mr. Lottero suggested a balloon might be set up to show height and how the view might be affected. Ms. Dineen said she wasn't only concerned about the view but the facility being so close. Her pond may be an attraction for guests attending events and a danger if someone fell in. Mr. Hicks said wet areas may prevent moving the building site too much. Mr. Lottero said the Board should look to the intent of the people at the time the Land Use Ordinance was written. Should the height of 30 feet for a structure be literally enforced? There was then discussion about possible fencing being put in place to block views and take care of safety concerns. Tom Walker said he still had a lot of concern about the water lines running there. The location of all the pipe needs to be laid out so everyone knows exactly where it is. Chairman Perry said the Hicks should be responsible for the continued operation of the water line.

There being no further questions or comments, Chairman Perry closed the public comment portion of the hearing. Jason Call said he would like to see where everything is in relation to everything else including Ms. Dineen's property and the height of the proposed building. Other Board members agreed. A site visit was planned for Friday, August 15 at 5 p.m. and any members of the public who wanted to attend were invited. The hearing was then continued until that time.

Minutes

The minutes of the June 12, 2014 and July 10, 2014 meetings were read. Jason Call made the motions, seconded by Tom Walker, to approve the minutes of the June 12 meeting. The vote to accept the motion was unanimous. Tom Walker made the motion to approve the minutes of the July 10 meeting, seconded by Jason Call. The vote to accept the motion was unanimous. There was a short discussion updating Board members on the progress of the Varsity Wireless cell tower.

Jason Call made a motion to adjourn the meeting, seconded by Tom Walker. The meeting was adjourned at 9:00 p.m.

Charlene Wheeler
Secretary to the Board