**Town of Jefferson**

Office of the Zoning Board of Adjustment

**Minutes**

February 9, 2023

The meeting was called to order at 7:30 pm.

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

**Absent**:

**Others present**: Charlene Wheeler, Board secretary; Brian Matson

**Hearing – Brian Matson**

Chairman Perry opened the public portion of the hearing. The Board had received an application from Brian Matson, 65 Stebbins Hill Road, Lancaster, NH, asking for a Special Exception in accordance with Article III, Section 2 of the Land Use Ordinance, to construct a storage unit rental business on property located at Ingerson Road at the corner of U.S. Route 2, Map 10, Lots 34A and 31C. Chairman Perry read the application. Lot 34A (abutting Ingerson Road) is 5.21 acres and next to it to the west, lot 31C is 5.06 acres. Lot 31C is also fronted by a small strip of land owned by the state. Mr. Matson proposes to construct two parallel buildings of storage units to rent on lot 34A with an entrance from Ingerson Road with a sign in front on the Route 2 side. Posts are already there which can be used to place the planned sign. There is also an entrance already available on lot 31C from Route 2 which can be used to access the adjoining lot, 34A. Mr. Matson said he does not plan to merge the two lots. Each of the two buildings will be 200 feet by 30 feet in size. Jason Call said lot 34A was about 380 feet by 200 feet wide and it would be a pretty tight fit to situate the buildings within the required setback but Mr. Matson said he was sure they could. The units will be available to be accessed 24 hours a day, 7 days a week. The Board said Mr. Matson should contact the NH State Department of Transportation about the entrance from Route 2 being used for a business operation and that a sign is being placed on lot 34A. The former Six Gun City property sits across the highway from Mr. Matson’s lots and there aren’t many residential houses nearby. Mr. Matson said there is a demand for these types of storage units. It will be in a very public location on a busy highway. Currently he doesn’t plan on placing any security type fencing around the proposed storage units. There will be a flood light for lighting, but it should not impact anyone in the neighborhood. No abutters to Mr. Matson’s properties attended the hearing and the Board secretary reported she had not received any letters, phone calls or other communications about Mr. Matson’s proposal.

There being no other questions or comments, Chairman Perry closed the public portion of the hearing and deliberations began. Jason Call led the Board in going through the four criteria to be met for a Special Exception.

“The proposed use shall be one permitted by the Land Use Ordinance.” This use is permitted by Special Exception as a Small Business operated by the owner with no employees and not creating a large business atmosphere. Mr. Matson is proposing two 200’ x 30’ units. If more units are planned in the future, Mr. Matson would have to come back to the Board asking for an expansion to what may be approved at this hearing.

“The specific site is appropriate for the location and of adequate size for such use.” The site is of adequate size with over 5 acres and no other structures except the two proposed units. It is easy to reach over well-traveled and maintained roads. There are two possible entrances to the property and Mr. Matson should make sure they have been approved for business use by the appropriate authorities. Mr. Matson said the structures will be situated so they are not closer to a boundary than the required 50’ setback.

“The use will not adversely affect the adjacent area.” This is a small business which is encouraged in the town’s Master Plan. It should not generate annoying noise, traffic, or dust. The proposed buildings are low profile. It will not be near a busy residential neighborhood. There is flood lighting for safety. No abutters or members of the public expressed any opposition to the plan. It would be a place for people to store their items safely and maybe out-of-site from others where they are now sitting outdoors. Property values should not be impacted by this expansion and there will be added tax revenue to the town without high impact to services.

“The proposed use will be in keeping with the stated purpose of the Ordinance.” It will not interfere with the small-town atmosphere of other properties in the area and further erode the rural nature of the community. The low profile of the structures would not severely ruin the surrounding area views. The lot was formally used for vehicle parking and then as a storage area for logs, etc. Adding the units will add to the town’s economy.

Jason Call made the motion to grant the Special Exception, seconded by Tom Walker. The vote to accept the motion was unanimous. Mr. Matson thanked the Board and left the meeting.

**Minutes**

Jason Call made the motion to approve the January 12, 2023, minutes as amended, seconded by Tom Walker. The vote to approve the motion was unanimous.

**Revised Application Forms**

Copies of the final drafts of new application forms for an Appeal to an Executive Decision, a Special Exception, and a Variance were examined by the Board. The criteria for a home-based business was addressed and wording added asking for diagrams of the property as well as photos. The wording on the Variance application pertaining to the hardship standard was discussed but ultimately left in the document with a typographical correction. Rodney Houghton made the motion to approve the application forms as edited, seconded by Jason Call. The vote to accept the motion was unanimous. The forms will now be available at the town office and placed on the town’s website. Fees associated with applications were then discussed again as the Select Board had recommended at their budget sessions. The costs incurred to the town from these applications should be paid by the applicant not the town’s taxpayers. Jason Call made the motion the application fee for each of the three types of applications be raised to $100., the required newspaper notice fee be raised to $100., and the required certified mailing fee be $7.50. Biff Wyman seconded the motion. The vote to accept the motion was unanimous.

**Other Business**

The Board secretary reported she had received an inquiry from Janine Whittaker asking about zoning regulations in regard to the former Skywood Manor which has operated under other names as well.

Jason Call reported he had attended the Select Board’s budget hearing and the Select Board is asking for a vote on a warrant article which would allow the town to grant property tax exemptions to commercial and industrial development projects for 5 years. Jason Call said he believes the language is so broad that any development would have to be given the same treatment and the taxpayers of the town would have to make up the difference in funding lost because of these exemptions. In the Master Plan survey respondents made it clear they weren’t interested in large commercial and industrial development, they wanted to encourage small business which would not impact the rural nature of the town. Other Board members agreed this may have significant unintended consequences to the town and taxpayers.

Biff Wyman made the motion to adjourn the meeting, seconded by Rodney Houghton. The meeting was adjourned at 9:10 pm

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Charlene Wheeler

Secretary to the Board