

## NOTICE OF DECISION - GRANTED

Zoning Board of Adjustment,

Town of Jackson, NH

Case No: **2020-1**

You are hereby notified that the appeal of

Andrew and Heather Kramp of 63 Ridge Road, Intervale NH

for a variance from the frontage requirement for a 2 lot subdivision of a 9.57 acre parcel located at 92 Thorn Hill Road, Tax Map R-14, Lot 10

regarding section 4.3.1.3 of the zoning ordinance has been **GRANTED**, subject to the conditions listed below, by the affirmative vote of at least three members of the Zoning Board of Adjustment.

### Conditions:

- Short Term Rentals, as defined in the Town's Zoning Ordinance, shall not be permitted on these lots. This restriction shall be contained in any and all deeds to the subject lots from the current owners / applicants to subsequent purchasers. This restriction shall also be made a note on the subdivision plan to be recorded in the Carroll County Registry of Deeds, if the owners / applicants receive Jackson Planning Board subdivision approval following the granting of this variance.
- To meet the criteria of not being contrary to the public interest, that the spirit of the ordinance must be preserved, and the avoidance of unnecessary hardship, this variance is further conditioned on requiring the following:
  - a. Given the increased traffic on the existing driveway, the existing driveway must be upgraded to current driveway standards between Thorn Hill Road and 20 feet beyond the location of the driveway to the new lot. The 20 foot extension anticipates this intersection will be used as a T to allow heating fuel, septic, and other trucks to back down the driveway to the new lot. (See Sec.2.2 of road standards.)
  - b. Deeded acknowledgment limiting town liability, given the characteristics of the remaining portion of the driveway to the existing house, should be recorded (see Sec. 2.3 of road standards)
  - c. Stopping sight distances for the driveway entering Thorn Hill Road of at least 205 feet downhill from the driveway (Northwest) and, given higher speeds, 250 feet uphill (Southeast) should be imposed. Uphill distance is to be further adjusted for grade. See sec. 8.6 of road standards.
  - d. The centerline of the turnoff from the existing driveway to the driveway to the new lot must be at least 75 feet from the centerline of Thorn Hill Road and must be at a 90 degree angle. See Exhibit B of road standards.

- e. A twenty foot platform with no more than 3% downslope grade from Thorn Hill road is required at the point the existing driveway enters Thorn Hill Road. (See exhibit to TOJ driveway application).
- f. The driveway to the new lot must intersect the existing driveway where the existing driveway has a grade of no more than 6% (sec. 9.5 of road standards.).
- g. All other standards are required to be met, including without limitation, those concerning General Road Characteristics, Geometric Standards, Drainage, Erosion Control, Utilities and Material Standards, and Construction Standards.
- h. The driveway to the new lot must meet current driveway standards in all respects.
- i. Any proposed subdivision plat must show the design of the reconstruction of the existing driveway as detailed in the Subdivision Regulations as if it were a private road.
- j. This waiver requires the location of the reconstructed driveway to be essentially the same as the current driveway. A separate driveway to the new lot is not permitted as it will introduce too many curb cuts in 230 foot of frontage on Thorn Hill Road.
- k. In complying with these requirements, the existing driveway between the existing dwelling and the intersection with the driveway to the new dwelling may not be modified to be further out of compliance with the current driveway standards.
- l. Any aspect of this condition to the variance may be waived or relaxed by the Selectman acting through the Road Agent. Further, this condition to approval of the variance is not intended to limit the ability of the Selectman, the Road Agent or the Planning Board to impose additional requirements or more stringent requirements than those cited above."

**James Gleason**

Chairperson, Zoning Board of Adjustment

**October 16, 2020**

Date

This approval shall be valid if exercised within 2 years from the date of final approval, and shall not expire within 6 months after the resolution of a planning application filed in reliance upon this decision, as per [RSA 674:33, IV](#).

Note: The selectmen, any party to the action, or any person directly affected has a right to appeal this decision. See New Hampshire Revised Statutes Annotated, [Chapter 677](#), available at ([insert location where statutes can be reviewed](#)). This notice has been placed on file and made available for public inspection in the records of the ZBA on Oct 16. Copies of this notice have been distributed to the applicant, Planning Board, Board of Selectmen, Town Clerk, Property Tax Assessor, ([insert any others as required by the board's rules of procedure](#)).