

Plainfield Zoning Board
Meeting Monday June 22nd 2026
Meriden Town Hall

Zoning Board

Members Present:

Richard Colburn Chair
Brad Atwater
Peter Martin

Matthew Decker
Mike Button

Others Present:

Matt Koff	Alex Scott, Esq.	Bree Hewyard	Adam
Cushing			
Amy Franklin-Z	Paul Franklin-Z	David Lersch-Z	

The meeting opened at 7:00 p.m. The June 8 minutes were approved as amended.

Continuation Case 26-02 (see May 11 minutes for background): The Board reviewed a request for a setback encroachment (Section 3.13 D of the Plainfield Zoning Ordinance) to allow an ADU building to be located 10 feet from the sideline of the applicants' property that is common with River View Farm. The required building setback is 20 feet from the property line. The property is located at 92 Pierce Road.

This project was before the Board in 2024, when a combination-of-related-uses special exception was granted to allow 800 square feet of an existing small barn on the property to be converted to living space. At that time, the Town's zoning ordinance did not allow ADUs on lots that were nonconforming. The Koff property is 3.0 acres in a zone with a 3.5-acre minimum. Since the time of the first application, state law has changed, requiring towns to be much more permissive with accessory dwelling unit (ADU) permits. Consequently, the Koff property now qualifies for an ADU, but not in a new structure located too close to the property line.

The Board spent considerable time reviewing the current application, which requests either a setback encroachment or an equitable waiver as allowed by RSA 674:33-a. Board members remained uncertain that this application qualifies for either of these relief mechanisms.

Attorney Scott noted that while they have made this application, they continue to believe that the project as constructed is in material compliance with the 2024 approval.

Attorney Scott presented a requested timeline of the project, including texts between the owners and then-Building Inspector David Lersch. Attorney Scott stated that these support the owners' position that the decision to remove the

1 old barn and replace it with an identically sized building was made during
2 construction (after the building was raised into the air and a new foundation
3 poured) and was, in fact, necessary to meet building codes. The new building is
4 exactly what was shown in the original December 2024 application, and the
5 approved decision implies that some changes to the building height were likely.

6 Board members noted that, in this case, the applicant initially requested two
7 variances, neither of which would likely have been approved. During the course of
8 the application review, the notion of using the "Combination of Related Uses
9 Special Exception" arose and was eventually approved. This was a way to allow
10 the existing barn to be converted into living space of no more than 800 square
11 feet. It now appears from the drawings that the living space will be at least 864
12 square feet and that most of the structure has been replaced.

13 Project builder Adam Cushing noted that, when the building was lifted, the poor
14 condition of the frame became increasingly evident. To support the second floor,
15 substantial reframing would be necessary. He noted that the building was left
16 elevated to protect the new foundation from weather during the pour. Once the
17 foundation was complete and cured, the old building was removed and a new
18 one erected on the same footprint as the old structure. Halleran noted that the
19 wall holding the electrical panel and some of the lean-to foundation remain in
20 use. All work was stopped on the project as soon as the owner was made aware
21 of the Town's concerns. Retired Building inspector David Learsch confirmed this
22 timeline.

23 Due to changes in state law, this exact building—or an even larger one—could
24 now be constructed on the site as an accessory dwelling unit by right, provided it
25 was moved to ensure compliance with the 20-foot side setback requirement.
26 Consequently, had the building been moved approximately 12 feet to the south,
27 the 2024 approval and the 2006 application would be moot and the project would
28 proceed with only a building permit.

29 The Zoning Board continued to express significant skepticism that the current
30 application would meet the test for the requested relief. Acting on a suggestion
31 from Zoning Administrator Halleran, the applicant and his attorney requested a
32 five-minute recess, after which they withdrew the application. Therefore, the
33 original approval remains in place, and any enforcement issues surrounding it
34 remain with the Selectboard.

35 There being no further business, the meeting was adjourned at 9:20pm.

36 Stephen Halleran

Richard Colburn, Chair