

## **ZONING BOARD OF ADJUSTMENT**

**Dec 5, 2023**

### **MEMORIAL BUILDING**

**7:00 P.M.**

Zoning Members present: Tanner Jacques, Rob Thorp, Luke Gorman, Cody Patten, and Steve Dzubak

Also present: Tim Bray, Amy Lewis, and Donald Mason

Minutes of Oct 2<sup>nd</sup> Luke Gorman moved to accept as amended to state 20' of relief not the stated 22' in the minutes. Rob Thorp seconded, and the Board approved, Tanner Jacques abstained.

7:03 pm Tanner Jacques called the meeting to order asked Board members to introduce themselves.

Tanner Jacques stated for those present that before them was a Special Exception request by Jennifer Edwards to operate a Short-Term Rental at 27 Woodcrest Tax Map 29, Lot 203,055. Tanner asked if the Board had a chance to review the application and if they felt there was anything missing. Hearing none Luke Gorman moved to accept the application as complete, Rob Thorp seconded the motion and the Board voted unanimously. Donald Mason introduced himself as Jennifer Edwards domestic partner and shared that the plan for the property was to allow friends and family to use the property during the summer months while they are there and then in the winter would be interested in listing it with Airbnb and VRBO to allow those who would like to take advantage of the area skiing and other winter activities. The property has 2 bedrooms, 1 of which has a queen bed and the other has a set of bunkbeds, a kitchen, and a single bathroom. The main house is located on Tax Map 29, 174-071. The two properties share a septic system which was inspected when they purchased the properties in 2021. There is a shared driveway for the two structures, each have separate parking areas the garage/apartment has room for 5-6 cars. Tanner asked if Donald had an idea of how often it would be rented out to which Donald responded possibly ¼ of the time. Discussion of putting a condition of quiet hours as the Board has done on previous properties that have come before them. 10pm to 7am has been agreed upon in the past and that seems to be acceptable to all. Rob Thorp asked Donald if there is something set up for trash removal, snow removal, housekeeping services and who would respond if there were issues. Donald responded that they have someone set up to do snow plowing, and he takes care of the trash, housekeeping and would be the one to respond if there are issues. When asked if he was local, he stated he is in Massachusetts but would respond if there was a need. Donald was questioned if there was any plan to rent out the house as well, to which he stated there was none. Discussion of the physical address as the map shows 27 Woodcrest, what is the number for the house? Also, is there a single electric bill or are the two properties billed separately. Donald stated that Jennifer gets the bill(s) and he didn't know the answer to that but there are meters on both structures. Steve Dzubak asked if renters would have access to the lake, Donald responded they would not, and the property does not have water access.

Luke Gorman moved to close the hearing and move to deliberations to which Rob Thorp seconded; Board voted in favor. Tanner asked if anyone had questions or wanted to share any concerns. Hearing none Tanner moved through the 5 required criteria.

- A. The proposed use would not be detrimental to the character or enjoyment of the neighborhood by reason of undue variation from the character or appearance of the neighborhood because:
  - a. The area has an approved STR already, there is an approved apartment in the structure, and the building has had external improvements.
- B. The proposed use will not be injurious, noxious, or offensive, and thus detrimental to the neighborhood because:
  - a. The setup of the apartment limits the number of individuals which the Board would like to

set at 4 as a condition if approved. The structure is not on the lake, which will help to limit the noise and setting quiet hrs. to 10pm -7am is another condition being considered.

- C. The proposed use will not be contrary to the public health, safety, or welfare by reason of undue traffic congestion or hazards, undue risk to life or property, unsanitary or unhealthful emissions or waste disposal, or similar adverse causes or conditions because:
  - a. The driveway is only shared with the owner's structure/property and there is adequate parking.
- D. The location and size of the proposed use, the nature and intensity of the operations involved, the size of the site in relation to the proposed use and location of the site with respect to the existing or future street giving access to it shall be such that it will be in harmony with the orderly development of the District because:
  - a. The structure is existing, and the size of the apartment limits the use.
- E. The operations in connection with the proposed use will not be more objectionable to nearby properties by reason of noise, fumes, odor, or vibration than would be the operation of any permitted uses in the District which are not subject to Special Exception procedures because:
  - a. The proposed use is small in nature and with the set quiet hrs it fits in with the neighborhood.

Rob Thorp requested a condition of 4 individuals to which the Board agreed. Tanner Jacques requested a condition of quiet hrs. 10pm-7am.

Steve moved to grant the Special Exception request of operating a Short-Term rental on Tax Map 29, Lot 203-055 a 1.6 acres lot with a structure of a 2-car garage and a 2-bedroom apartment above. Two conditions of not more than 4 individuals and observed quiet hrs. of 10pm-7am. Rob Thorp seconded the motion and the Board unanimously approved.

Tanner congratulated Donald Mason and Jennifer Edwards and stated that the next step would be to submit a Site Plan packet to the Planning Board. Donald stated he would be in touch with Tamara in the morning to obtain the needed documents.

A short discussion of changing the Special Exception and Variance application to include requesting the applicant provide historical data that might include previously approved Special Exception, Variances or other.

Adjourned 7:40 pm

Respectfully submitted,  
Tamara Butcher