

Planning Board Meeting Minutes

June 6, 2023

6:30 PM

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Chairman Scott Burns called the meeting to order at 6:30 PM.

Members Present: Scott Burns – Chairman, Alan Theodhor, Frank Lombardi, Shawn White – Selectmen’s Rep., Steve LaRoza – Alternate and Joyce McGee – Secretary.

Members Absent: Tim O’Neil

Public Present: See attached list

Chairman Burns appointed Alternate Steve LaRoza as a voting member in the absence of Tim O’Neil.

Minutes: A motion was made by Frank Lombardi to approve the May 9, 2023 minutes as written, seconded by Alan Theodhor. All in favor, motion carries. APPROVED

Public Hearing(s):

Change of Use/Site Plan Review

#664 – Johnson, Barrett & Danielle – 6 Stiles Farm Road, Tax Map 233 Lot 043: who is/are requesting a Change of Use/Site Plan Review to convert a Single Family Home into a Short-term Rental, Article XIV Section 7: Commercial Activity.

Mr. Johnson was present explaining that he is trying to do a short-term rental so he gets a write-off for taxes per his accountant. He doesn’t use it that often and his accountant told him to rent it. Looking at renting it for the month of August this year only. Alan Theodhor wondered how many bedrooms, Mr. Johnson stated 3-bedrooms, single family home, no exterior buildings. Frank Lombardi, how many people would it advertise for. Mr. Johnson, 6 people as septic is for 3-bedrooms. Alan Theodhor asked who the contact person would be locally. Mr. Johnson was hoping to ask Blaine Hartlen the neighbor. Abutter Kera Hartlen spoke that they have no time or capacity to handle something like this. Mr. Johnson stated he wouldn’t go with Airbnb or Vbro, he has heard of the company called Vacasa Maintenance which is a cleaning crew and maybe could oversee it. Chairman Burns stated that a contact is needed if an issue arises. Alan Theodhor, it’s only for the month of August! Mr. Johnson, yes month of August only this year. More or less it’s an attempt to help offset the taxes.

Kenneth Tully who owns 4 lots on Stiles Farm Road was present stating that he wants privacy not a hotel in the area. Stiles Farm Road is a private common driveway, could create liability insurance issues, and it’s quiet the way it is, you will never know who will be coming in. Kera Hartlen stated that overall it would permanently change the zoning, if property sells it’s what the potential issues it could create. At this time Frank Lombardi read a letter from the Law Office of Kempton P. Giggey, representing his client

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Kenneth Tully. Concerns with transient persons, respect for noise violations, strain on emergency services, purchased property to avoid these type of issues (see file for letter). Kera Hartlen if done it's a permanent situation for that location and I have a direct view of his property, it would take years for trees to grow as a buffer. The huge issue is it would massively change the character of the neighborhood and road. We have to sign a private road agreement which is a stipulation for all towns, it's not where rentals should be allowed. I don't want the headache of worrying about my kids and dogs. I can hear conversations on that lot from my deck. My husband maintains most of the road we don't want to have to worry if it's not plowed. We don't have a Homeowners Association as we all work well together to maintain it as a private road, limited use as of now. Ms. Hartlen read the definition of "Private Road". All lighting shines into her livingroom now, more of a nuisance. More traffic up and down the road. Noise concerns with people being rowdy and rude, I don't have time to babysit! Ms. Hartlen handed the Board a 3-page document further in detail of all the concerns (see file).

The Board went through the Commercial Activity and Absolute Criteria List. Concerns with conflicts with abutters on road, character, noise, traffic were identified.

Chairman Burns asked if Mr. Johnson had any plans or rules for what the renters can and can't do. Mr. Johnson stated, this wasn't his intention to be completely honest. I'm not here to ruffle feathers or make enemies.

Shawn White it sounds like you don't have anything in place to move forward with this. Alan Theodhor expressed that it would change from residential to commercial, once it changes it stays with the property then what comes after all the good intentions, that is the biggest fear and worry.

A motion was made by Frank Lombardi to approve the application as complete, seconded by Steve LaRoza. All in favor, motion carries. APPROVED

A motion was made by Frank Lombardi to deny the Change of Use/Site Plan Review to convert a single family home into a short-term rental at 6 Stiles Farm Road. Concerns from the abutters on change of character of the neighborhood where it would change from residential to commercial; safety due to privately owned road, more traffic, emergency access, road maintenance not always available, children and pet concerns; buffer between abutters, trees would take a long time to grow; noise and lighting from abutters; based on these findings the conflicts would still exist between the surrounding abutters and the proposed change of use for this neighborhood and while trying to mitigate the concerns, there are still conflicts that need to be addressed, seconded by Alan Theodhor. All in favor, motion carries. DENIED

Secretary McGee advised Mr. Johnson that he will have 30 days to appeal to the ZBA once the Notice of Decision is issued.

Other Business:

Septic Design(s): Diebert, William – 24 Earls Way, Tax Map 255 Lot 025: to remove existing single wide trailer to construct a new 3-bedroom dwelling, 450 gpd 1250 gallon tank. **A motion was made by Frank Lombardi to approve the septic design for Diebert as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

RV Permit: Jenis, Gregory & Debra – 51 Liberty Drive, Tax Map 226 Lot 067: To place a 2023 Thor Ace29G RV on said lot for 180 days, from 05/23/23-11/23/23, current house is unlivable due to fire. Disposal method will be septic. Setbacks met. **A motion was made by Frank Lombardi to approve the RV Application as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Development Permit(s):

Update: Gosselin, Brian – 309 Lancaster Road, Tax Map 218 Lot 003: Mr. Gosselin was present to update the Board on his Auto Body Shop at 311 Lancaster Road. The plan is to flip the original location of the building with the parking area as the land slopes and a lot of fill will be needed, it's not cost effective. He is getting quotes and financing is in the process. This month poles will be put in by Eversource and the driveway will be tarred. He has a small loan now and will payoff so he can get a larger loan. He is requesting another extension for his temporary permit at 309 Lancaster Road to house his paint booth shop. Fire Chief Ross asked what type of building Mr. Gosselin was looking at. He replied, he hadn't gotten that far but probably metal.

The Board agreed that another 3-month extension would be good and that Mr. Gosselin would need to give an update. **A motion was made by Shawn White to approve an extension of 3-months (September 2023) to Mr. Gosselin and that he would need to come back to the Board for a status report, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Update: Scalley, David – Clover Lane, Tax Map 103 Lot 058: Mr. Scalley was present stating that 3 of the 4 foundations were done; he is working on the final design for the entrance and whether a turnout line is needed. He has talked to Weeks Medical Center about a ditch line. The housing units will now be in a single line and a boundary line adjustment is being prepared as one of the units will be on another lot.

Scalley, David -11 Main Street, Tax Map 103 Lot 059: Old Hardware Store, Mr. Scalley has applied for a BEA grant, waiting to hear from them.

DS Contractors - 105 Union Street, Tax Map 231 Lot 004: Mr. Scalley is looking to renew his permit #2019-018 to construct a new garage 40'x90', previous permit was for a 40'x66' 4 Bay Garage with 12'

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shed on backside. The Board wondered if the private line easement issue had been resolved with the abutter. Mr. Scalley stated that the abutter owns 3 Foster Drive now and can hook into that line. The line that goes underneath the proposed garage is illegal, it's now the abutter's problem. Shawn White advised that this has been an ongoing private issue. Secretary McGee read the motion from the last approval; to give conditional approval as long as no municipally owned utilities are within 8' of the new structure.

A motion was made by Shawn White to renew the Development Application with the new garage dimensions of 40'x90' and note the conditions from the previous permit, seconded by Steve LaRoza. All in favor, motion carries. APPROVED RENEWAL

Page, Amos & Raftery, Dillion: 12 Pierce Road, Tax Map 230 Lot 021: To place a 30'x10'x18' tiny home on said lot, home will be moved from a lot on Kimball Hill Road. Home will be dry, no running water so a compost toilet will be used. Will be hauling water in for dishes and drinking water. To construct a 6'x15' front porch long right side of home. Shawn White verified the driveway location and that a culvert may be needed as water runs down the road even though it was not checked on the Driveway Permit. Martha Israel was present and stated Shane Morton was moving the home. Shawn White advised she should ask Shane Morton if a culvert was needed as no ditch in that area. Mr. White didn't want the driveway to wash out.

The Single Family Home and Absolute Criteria was filled out, no concerns. **A motion was made by Frank Lombardi to approve the Development Application as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Jenis, Gregory & Debra: 51 Liberty Drive, Tax Map 226 Lot 067: To repair/renovate interior, some electrical, plumbing, drywall, flooring and cabinets etc. due to fire damage. **A motion was made by Frank Lombardi to approve the Development Application as submitted, seconded by Shawn White. All in favor, motion carries. APPROVED**

Comeau, Stephen & Pamela: 19 Holiday Acres Road, Tax Map 241 Lot 77: To construct a 15'x24' shed roof off gable end of existing garage, 4" slab on grade for base walls and one garage door installation at a later date. To remove 4'x5' entrance porch to enlarge to 6'x12', install gable roof off porch into existing eave side of roof. No concerns by the Board. **A motion was made by Frank Lombardi to approve the Development Application as submitted, seconded by Alan Theodor. All in favor, motion carries. APPROVED**

Rhoads, Barret: 276 S. Whitefield Road, Tax Map 246 Lot 025: To construct a 28'x26'x8' garage, setbacks met. The Board would like to recommend merging Lot 026 with said lot as the house is on this

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lot and garage is now on Lot 025. Also, no living quarters in garage. **A motion was made by Shawn White to approve the Development Application as submitted with the condition that no living quarters in or above the garage and to recommend to adjoin both lots, seconded by Steve LaRoza. All in favor, motion carries. APPROVED WITH CONDITION**

Across the Common LLC: 4 Main Street, Tax Map 103 Lot 122: RENEWAL PB#2019-006 To insulate & sheetrock apartment #5 at 4 Main Street. **A motion was made by Frank Lombardi to approve the Renewal of PB#2019-006 to insulate & sheetrock apartment #5, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Dennis, Elise – 328 Parker Road, Tax Map 228 Lot 018: To put a standing seam metal roof on both house and shed. New siding on shed as well. **A motion was made by Steve LaRoza to approve the Development Application as submitted, seconded by Alan Theodhor. All in favor, motion carries. APPROVED**

Robillard, Jeanne – 83 Parker Road, Tax Map 230 Lot 013: To add 8'x8' to existing 10'x12' second story deck. No change in current side footprint from boundary. The Board wanted more information on the location as shoreland area may be impacted. The Board tabled the application, Secretary McGee will contact Ms. Robillard. **TABLED**

Beaulieu, Philip – 95 Hildreth Road, Tax Map 214 Lot 011.1: To construct a 16'x16' open deck and a 14'x26' covered deck; an 8'x12' garden shed. All setbacks are met. **A motion was made by Frank Lombardi to approve the Development Application as submitted, seconded by Steve LaRoza. All in favor, with Shawn White abstaining, motion carries. APPROVED**

Loiacono, Robert – 5 Main Street, Tax Map 103 Lot 056: To erect a 5'x7' Rubbermaid shed at rear of house. All setbacks are met. Code Administrator Joyce McGee approved on 5/12/23. **APPROVED**

Correspondence:

-Fire Chief Ross advised the Board that HB 296 ought to pass relative to local authority for granting driveway permits by inserting paragraph V: provisions of the state fire code (see attached HB). This will be effective 60 days from signing.

-Letter to 51 Whispering Pines Drive re: Cease and Desist on short-term rental. Town Attorney is handling this matter.

-Notice of Violation of Development Code to 630 Littleton Road, deadline to respond is June 21, 2023.

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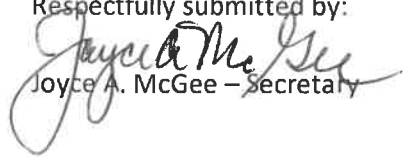
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-Need to send a letter to 237 Lancaster Road reminding them it's a 3-bedroom house if an additional bedroom is created then a septic design needs to be done.

A motion was made by Frank Lombardi to adjourn the meeting at 8:33 PM, seconded by Steve LaRoza. All in favor, meeting adjourned.

Respectfully submitted by:


Joyce A. McGee – Secretary



Scott C. Burns - Chairman