

ZONING BOARD OF ADJUSTMENT

MINUTES

November 19, 2019

APPROVED: February 4, 2020

AGENDA: 19SPX03: SPECIAL EXCEPTION: Claudette & Timothy Smith, 365 Lake Street, #112-034

ATTENDING: Larry Denton, Melody Mansur, Ashley Dolloff (alternate), Jackie Elliott (alternate)

ABSENT: Alan DeStefano (Chair, excused), Richard LaFlamme (Vice-Chair, excused), Lorraine Bohmiller (excused)

OTHER: Christina Goodwin (Land Use Manager), Claudette & Timothy Smith, John Sellars

The meeting opened at 6:01 p.m. Ms. Dolloff and Ms. Elliott were called to the table to replace two of the absent members. As neither the Chair nor Vice Chair were present, M. Mansur made a motion, second by A. Dolloff, to nominate Larry Denton as Chair for the evening. The motion carried. Ms. Goodwin explained that the regular November meeting was cancelled with no quorum but, when a case comes in, we must hear it within 30 days, so this meeting was called.

MINUTES OF OCTOBER 1, 2019: M. Mansur made a motion, second by J. Elliott, to approve the minutes as amended. The motion carried with 2 abstentions.

19SPX03, SPECIAL EXCEPTION: Claudette & Timothy Smith, MAP/LOT #112-034

Ms. Laferriere read the application, abutters notified, where the ad was placed, and stated that there were no telephone calls, written responses, or Department Head comments received. Ms. Goodwin explained that the Smiths have an upper floor apartment that they wish to turn into an Air BnB. The Planning Board felt that the nearest definition to the use is Hotel, Motel/Lodging Facility, so the Smiths are here for a Special Exception.

A. Dolloff made a MOTION, second by M. Mansur, to ACCEPT THE APPLICATION AS COMPLETE. The motion carried.

Mr. Denton went over the list of requirements:

1. Appropriate location and adequate size = It is appropriate and adequate as it was previously used as an apartment rental.
2. Will not adversely affect the character of the neighborhood = There will be no exterior changes to the building.
3. No nuisance or serious hazard to vehicles or pedestrians = Occasional occupancy by 4 persons or less and 2 vehicles or less is a lower impact than the previous use.
4. No excessive or undue burden on Town services – Occasional occupancy will have a significantly lower impact on Town Services, such as water, sewer, trash, traffic, etc. than previous
5. No significant effect resulting from such use upon the public health, safety, and general welfare of the neighborhood = It will have no effect as there are no conditions altering these factors. It is hoped that the area businesses may benefit from the occupancy.

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Mr. Denton asked if the Board had any questions and they all felt that it was straight forward It will not be occupied 100%.

Mr. Denton then asked for public comment for or against. John Sellers, Bristol resident, asked why it was under Hotel, Motel/Lodging Facility and Ms. Goodwin explained that this was the Planning Board's decision and it would be best to ask for their reasoning. With no other public comment, Mr. Denton closed the public portion of the meeting.

Mr. Denton asked for Board comments and Ms. Dolloff stated that she feels that they have met all the criteria. The others agreed.

M. Masur made a MOTION, second by A. Dolloff, to VOTE ON THE CRITERIA AS ONE. The motion CARRIED.

M. Mansur made a MOTION, second by A. Dolloff, to APPROVE THE SPECIAL EXCEPTION FOR CLAUDETTE AND TIMOTHY SMITH. The motion CARRIED and the Notice of Decision was signed. Mr. Denton read the notation of the 30-day appeal process.

The Board then talked about Air BnB's, which are a new phenomenon for us. Ms. Goodwin explained that the Planning Board is working on this, however, it won't be further addressed until the 2021 ballot.

COMMUNICATIONS: None.

NEXT MEETING: The next meeting is scheduled for Tuesday, December 3, 2019 at 6:00pm. We have a continued Variance for Steven Coffill.

With no other agenda items, A. Dolloff made a motion, second by M. Mansur, to adjourn at 6:38pm. The motion carried.

Respectfully submitted,
Jan Laferriere
Land Use Administrative Assistant