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## **MINUTES OF MEETING**

### **August 11, 2016**

The Marion Zoning Board of Appeals convened at 7:30 p.m. on Thursday, August 11, 2016 in the main conference room of the Marion Town House to hear case number:

- Case #725, Kate Hill, 460 Front Street, for a Special Permit under section 7.4.1 of the zoning by-law to allow a revision of the current special permit to now allow a three bedroom bed and breakfast.

Zoning Board members present were Betsy Dunn, Marc Leblanc, Michelle Smith and Kate Mahoney.

Also present: David Poitras, 8 Giffords Corner Road; Gretchen Belz, 8 Giffords Corner Road; Jean Perry, The Wanderer; Kate & Ryan Hill, 460 Front Street; Scott Shippey, Building Commissioner

Upon arrival the Board was presented with the following information for the evenings Business:

- Agenda
- Additional Materials for Case # 725, which include:
  - Legal Notice
  - Memo from the Board of Health dated July 12, 2016
  - Application
  - Letter from Kate Hill
  - Drawing of the Fo'c'sle Room
  - Assessors' Field Card
- Correspondence from Chairman Eric Pierce
- Minutes from May 12, 2016 to be approved

At 7:30pm, Mr. Leblanc read aloud the Legal Notice for Case # 725, Kate Hill, 460 Front Street. He also read aloud a memo from the Board of Health, no objections to the approval of application. Kate & Ryan Hill were present. Mrs. Hill said that over the winter they added two bathrooms. All work was completed in May. The original special permit was for two bedrooms bed and breakfast but now with the addition of the bathrooms they are applying to change the special permit to make it a three bedroom bed and breakfast. Ms. Mahoney asked about off street

parking. Mr. Hill said at minimum eight parking spots are available.

Mrs. Smith asked how many bedrooms are being rented now. Mrs. Hill said two. Mr. Leblanc said that their website had four bedrooms for rent. Mrs. Hill said that was a mistake on their part and that it had been taken down. Mrs. Smith noted that currently on the website, it still showed three bedrooms for rent not the two that the special permit is for. She said that four bedrooms were still on the price list on the website. Mrs. Hill stated that yes she has the three bedrooms listed on the websites in hopes of getting bookings once the revised special permit is approved. Mrs. Dunn asked for clarification on how many bedrooms are actually being rented. Mrs. Hill said that once the renovations were completed she shifted the room that she was renting and mistakenly opened the Pink Room but that is now the sewing room and not a sleeping room. She had correspondence with Scott Shippey, Building Commissioner, about this and the sewer regulations as well. Mr. Shippey said that by making the Pink Room a sewing room it satisfied the sewer regulations.

Mr. Leblanc reviewed what he had found on the website and the perception it gave to the public. According to what was on the website, it showed that it is a four bedroom bed and breakfast for rent with a maximum capacity of 12 people. He also noted that it said the entire house is for rent. Mrs. Hill said that if the entire house is rented she does not provide breakfast. For the bed and breakfast rooms she does provide breakfast and is in compliance with the Board of Health.

Mrs. Smith asked about the pool. Mrs. Hill said that the pool is closed down. They had some mechanical issues and are going to have it removed in the fall. It is gated and closed.

Mrs. Dunn asked how many bathrooms in the house. Mrs. Hill said there are four bathrooms, one is theirs and the others go with each of the bedrooms.

There were no further questions from the audience or the Board. Mrs. Dunn motioned to take Case #725 under advisement; Ms. Mahoney seconded; voted unanimously.

At 7:40pm, Mr. Leblanc welcomed David Poitras and Gretchen Belz to the appointment for discussion for a project at 8 Giffords Corner Road. Ms. Belz showed members of pictures of the current deck and drawings of a proposed deck. The current deck is unsafe, in need of repair and difficult to maneuver. Mr. Poitras and Ms. Belz were looking for guidance in how to file an application since the deck will not meet the front setback requirements. There was a brief discussion. Mrs. Dunn mentioned that they would need to have an engineered plan. Members felt that based on the information presented before them it did not seem that this project would be detrimental to the neighbor and that it would be an improvement to the current situation. However, an application will need to be filed for a decision to be made and a permit to be issued.

Kate Hill returned to ask a question she had forgotten to ask during her hearing. She asked that the Board consider waiving part of the application fee since their original application was less than a year ago. The Board said they would take that under advisement as well.

Minutes from May 12, 2016 were approved.

Mrs. Dunn read aloud correspondence from Chairman Eric Pierce. Citing his upcoming travel

schedule and lack of availability, he submitted his resignation effective immediately. Mr. Pierce will be greatly missed.

Mrs. Dunn nominated Mr. Leblanc as Chairman. He accepted the nomination. Mrs. Smith seconded. All members voted that Mr. Leblanc become Chairman of the Zoning Board of Appeals effective immediately.

Discussion returned to Case #725 which had been taken under advisement earlier in the evening. Members reviewed the website that was discussed during the public hearing. There was a discussion regarding the contents of the website and reviews that were left. There was a question about the pool and if it had been used. Also, there was a question if the pool had been approved by the Board of Health. There was a brief discussion regarding the Building Codes for hotels, motels and bed and breakfasts.

Members discussed Mrs. Hill's request to reduce the fee. After a brief discussion, Members voted unanimously to keep the fee at \$300.00.

Mr. Leblanc read aloud the following: a memo from the Planning Board regarding their reorganization; a memo from the Board of Selectmen regarding their reorganization; the Remote Meeting Participation policy; a memo from the Conservation Commission regarding their organization; a Waterways License Application Notice; and the notice from the Town Administrator regarding the Special Town Meeting.

Members voted 3-0 to change Kate Mahoney from an Alternate Member to a Full Member of the Zoning Board of Appeals. A memo will be sent to the Board of Selectmen with that request.

With no other business before the Board the meeting was adjourned at 8:28pm.

Approved: August 25, 2016

Submitted by: Marc Leblanc, Chairman