

ZONING BOARD OF ADJUSTMENT MEETING
JUNE 4, 2015

PRESENT: Wendy Freeman, Chairman, David Lage, Marianne Graham, Stanford Long, Edwin Somero, Joanne Meshna

The meeting was called to order at 7:00 p.m. at the Town Office.

7:00 p.m. William Poole – Public hearing for a special exception application: Mr. Poole owns 11 Porter Hill Road, lot 11/6-1, rural district. He has applied for a special exception from Article V, Section C.1 of the Zoning Ordinance to permit a four bedroom inn and confectionary distribution at that location.

Mr. Poole stated the confectionary distribution would not begin until approved by the State Health Department. With the inn, he would not be using the current kitchen. His is looking at putting in a new kitchen in a separate room from where it is now. Wendy summarized that the special exception is for an inn and the kitchen expansion is a professional use and customary home occupation special exception.

Mr. Poole informed the Board that the septic system was built in 1997 for 900 gallons/day and 6 bedrooms which is more than what is need for what he is proposing. Wendy asked what the load will be from the new kitchen and the commercial operation and is it what is approved for the load on the septic system. Mr. Poole added they are putting in low flow high efficiency fixtures. He did not know the load requirement for the use being proposed. David stated that the septic system as designed now is adequate for the inn but he was concerned about the confectionary business. A septic designer/engineer needs to look at the system to determine if it is adequate to handle the load being proposed. Wendy added there are State guidelines on the flow required for the use.

Mr. Poole stated he may want to do food for outside guests other than the guests at the inn 2 days a week. The Board informed Mr. Poole this would be another special exception and he would need to return to the Board. Wendy stated the special exceptions the Board was dealing with this evening were for a four bedroom inn and providing a meal to the guests, and for the commercial kitchen with a condition that the operation does not take place until the septic system has been checked out.

There was no drawing of the kitchen. Mr. Poole noted there will be no addition to the building. The new kitchen will be in the existing dwelling.

The criteria for granting the special exception was reviewed:

- 1) The specific site is an appropriate location for such use. Mr. Poole stated there is no lodging alternatives in New Ipswich and the inn is accessible off Route 124. Wendy added that the kitchen is going to be contained within the residence so will not be visible to neighbors.
- 2) The use as developed will not adversely affect the adjacent area. Mr. Poole stated everything will be built within the current home. There are 10 parking spaces located off Porter Hill Road.

There will be no public retail business for the chocolate, only retail for guests at the inn. The chocolate will be sold on the web and at farmers' markets.

- 3) There will be no nuisance or serious hazard to vehicles or pedestrians. Parking is all contained within the site.
- 4) Adequate and appropriate facilities will be provided for the proper operation of the proposed use. Mr. Poole will work with the Health Department in Concord. There is a 500 foot artesian well.
- 5) Such approval should be consistent with the intent of the Master Plan... Mr. Poole stated he did not want to disrupt the neighborhood. The inn is consistent with the intent of the Master Plan. A small sign will be installed like the one there now. Wendy reminded Mr. Poole there is a sign ordinance. Mr. Poole added he wants to keep the house historic and simple.

Tammy Andrews, an abutter to the property, stated she had no concerns with the proposal.

David made a motion to close the public hearing for deliberations. Ed seconded the motion and it passed unanimously.

Stan stated it was a well thought out and delivered plan. When Mr. Poole gets his requirements from the engineer for the septic he would be fully in favor of it. Wendy stated it was an appropriate use of the site and consistent with the Master Plan and something that could be used in Town. She added it met the special exception criteria. Marianne stated she had no concerns or problems with the proposal and she was happy an abutter showed up and had no issues. David agreed with the discussion and noted it had been an inn once before.

David made a motion to approve the special exception application for the four bedroom inn. Marianne seconded the motion and it passed unanimously.

David made a motion to conditionally approve the special exception application for the confectionary distribution with the condition that the applicant provide documentation that the septic system will be code compliant for a confectionary kitchen. Stan seconded the motion and it passed unanimously.

7:45 p.m. Michael and Linda Maki – Submission of a variance application:

Mr. and Mrs. Maki submitted a variance application Article X, Section D.3, D4.b.1, D.4.c.1 and D.3 to permit the construction of a driveway on lot 6/21 within the wetland overlay district, closer than 50 feet from a water body, and impacting the 50 foot wetland setback and 25 foot wetlands buffer. The driveway will be to a new residence and the driveway will be a common driveway with lot 6/21B.

Marianne made a motion to accept the application as complete. David seconded the motion and it passed unanimously. A public hearing was scheduled for July 2, 2015 at 7:00 p.m. and a site visit was scheduled for June 27, 2015 at 7:30 a.m.

8:10 p.m.: David made a motion to approve the minutes of the May 7, 2015 meeting. Marianne seconded the motion and it passed with Edwin abstaining.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Joanne Meshna
Town Administrator