

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
March 5, 2020**

PRESENT: Wendy Juchnevics-Freeman, Chairman, Walker Farrey, Vice Chairman, David Lage, Danielle Sikkila, Stan Long, Lori Rautiola, Secretary

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

7:00 p.m. Michael and Bethany Sauvola, submission of a variance: Mr. Sauvola has submitted variance application to Article XII section B of the Zoning Ordinance to allow three apartments within his existing barn (formerly Wood & Things). The applicant showed a site plan and floor plan for the proposed apartment building. The abutters list was discussed and it was noted to add maps 1/1, 1/18, 1/7C and 1/7F to the abutters list.

David made a motion to accept the application upon payment of fees by March 12, 2020 and a verified abutters list. Walker seconded the motion and it passed unanimously. The public hearing was scheduled for April 2, 2020 at 7:00 p.m.

7:15 p.m. David & Myra Somero, public hearing for a special exception: Mr. David Somero stated he is seeking a special exception application to Article XIII section N of the Zoning Ordinance to allow an accessory dwelling unit in the already existing carriage shed. The proposed unit would consist of a two bedroom apartment with a garage. Mr. Somero showed the board a floor plan of the proposed unit. The current septic system is more than adequate with a five bedroom capacity which meets the density control requirements.

Wendy recused herself from the meeting and sat in the audience as an abutter. The applicant reviewed the five criteria of a special exception. The specific site is appropriate as the building is already existing. The 1800 square foot building was built in 2001 as a four bedroom, three bath slab on grade home with the intention of converting it to a carriage shed with an apartment at some point. The septic system was designed, built and approved for five total bedrooms with the intention of a future home being built and utilizing the same space. The electrical, plumbing and heating were configured to facilitate the conversion with minimal modifications. It unit will not adversely affect the area and there will be no nuisance or serious hazard to vehicles or pedestrians. Adequate and appropriate facilities are currently in place for the use of an accessory dwelling unit and such approval is consistent with the Master Plan.

Abutters were asked to speak: William and Patricia Mayer, abutters stated it sounded fine. Wendy Juchnevics-Freeman stated she was good with the proposal.

Walker made a motion to close the public hearing and enter into deliberations. David seconded the motion and it passed unanimously.

The five criteria of a special exception were reviewed:

- 1) The specific site is an appropriate location for such use- the location is good and the buildings are existing.
- 2) The use will not adversely affect the adjacent area- the structure is already existing and will not adversely affect the area and it is 900 feet off the road.

- 3) There will be no nuisance or serious hazard to vehicles or pedestrians- there is no change to traffic and it is 900 feet off the road.
- 4) Adequate and appropriate facilities will be provided for the proper operation of the proposed use- the current septic system is able to hold more than the two bedroom apartment.
- 5) Such approval should be consistent with the Master Plan... approval is consistent with the Master Plan.

David made a motion to approve the special exception application. Danielle seconded the motion and it passed unanimously.

The minutes of the February 6, 2020 meeting were reviewed. David noted, first page, second paragraph to change the word "dimensional" to "density" controls. Wendy noted, first page, third paragraph to change the word "unit" to "dwelling". Walker made a motion to approve the minutes as amended. Stan seconded the motion and it passed unanimously.

7:30 p.m. Sean Ward, Lot 11/55, 599 Turnpike Road, public hearing for a special exception: David Lage recused himself from the meeting. Mr. Sean Ward stated he is seeking a special exception to Article V section C of the Zoning Ordinance to allow the property to be used as a bed & breakfast and an eating and drinking establishment. Mr. Ward displayed a proposed site plan. He stated he is not looking to interrupt the look and feel of the property. The barn would be fully restored, post and beam, using authentic materials that would fit the look of the Victorian era. The barn would be used for functions that could hold about 120-150 guests. The bathrooms and bar area will be located in the back portion of the barn and the kitchen and storage area would be located behind that. Deliveries would be made on the left side of this building. All portions of the building would be brought up to the current building and fire codes.

The bed and breakfast would be located in the house, along with an office area. The bedrooms are located on the second and third floors of the house. One or two rooms would be reserved for the inn keeper. The rooms will be listed on sites such as Travelocity, for people to rent.

Parking was discussed. Mr. Ward stated the majority of the parking will be on the west side of barn where the current riding arena is located. There will be a path and a covered walkway to get from the parking area to the Inn, and a few more parking spaces next to the house where the current driveway is located.

Wendy asked the applicant to locate the wetlands on the property. The applicant stated the wetlands are located towards the back of the property. Mr. Ward stated the proposed septic would be located off the back of the barn and would meet all the requirements for a leach field and not impact any wetlands. Wendy questioned where the applicant was planning to push the snow in the winter. Mr. Ward responded the snow would most likely be pushed to the back side of the parking lot and not close to any wetlands.

Wendy questioned what type of lighting and signage would be used. The applicant stated he will use some type of reclaimed material or authentically crafted materials for lighting. He added the signage will be small, quaint and old fashioned that would most likely be tucked inside the gate out front. Wendy mentioned the lighting needs to be kept to a minimum and pointing downward. She advised Mr. Ward to follow the requirements in the town's ordinance regarding lighting.

The discussion continued on parking. Wendy asked for calculations on the parking. Mr. Ward stated he had not gotten to that point yet. Wendy reminded the applicant he would need one parking spot for every 3 guests attending the function and one parking space per room in the inn. Wendy noted the applicant will need at least five more spaces for staff parking and referred him to the zoning ordinance for parking

calculations. Mr. Ward stated he was aware and has not determined the exact amount of parking as of yet. Wendy added the amount of parking spaces will limit the number of guests the facility can hold. Mr. Ward noted the septic system may restrict the amount the facility can hold as well; adding, he is not concerned with getting a certain number for capacity, whatever the amount is that it can hold will be sufficient.

Stan questioned if the rooms would be rented out long term or just for a couple nights. Mr. Ward stated most of the rooms will be used in conjunction with the wedding parties and it would be short term.

Abutters were asked to speak: Abutter, Jeanne Cunningham asked how many bathrooms are in the house. Mr. Ward responded 4.5 bathrooms in the house and they would be adding two stalls to the banquet facility in the barn. Mrs. Cunningham stated her biggest concern was the parking because her house is directly to the left of that area. Mr. Ward stated he understands and appreciates her concerns and would be happy to work with her to keep the lighting to a minimum. The applicant is also willing to install a rustic fence along the abutting property to keep headlights from shining onto their property. The tree buffer would remain as well.

Abutter, David Ward asked if any changes would be made to the grounds. The applicant responded his intentions are to do a lot of gardening and landscaping, maybe repair and preserve the bridges on the property as well as the gazebo out back. Keeping the property well-groomed will be a priority.

Abutter, Patricia Lage asked if a fence would be installed on the east side of the property as well. The applicant stated he would be willing to put one up to keep people from wandering onto the abutting property. David Lage questioned the amount of noise and if the events would all be held inside or under tents outside. The applicant mentioned this project would take about two years to complete, and if the barn is not fully renovated some may want to hold the event outside under tents. The applicant mentioned there could be roughly five to ten weddings a year that are held outside. David stated he did not have an issue with the tent out back as long as it was not put up on the east side of the house. The applicant stated any tents would be located towards the back of property.

Abutter, Fran Atchison stated her concern was the noise. Mr. Ward verified there will be no speakers outside of the facility. Abutter, Elliot Milford asked what the hours of operation would be. The applicant stated typically the clients get access to the property at 8 a.m. Normally a few people show up and the bridal party would have access to their rooms etc. Ceremonies typically start around 4-5 p.m. The music would be done by 10 p.m., and the party shortly after that. Mr. Milford asked where the trucks would have access during construction. Mr. Ward stated responded deliveries will be on the left side of the facility near the parking lot.

Joe Fionda, owner of the property asked if Mr. Ward was going to allow the community to use the facility. The applicant stated his plan is to allow the public to use the banquet facility for some events throughout the year as a donation to the community.

Jeanne Cunningham questioned the amount of time kitchen staff would be there. Mr. Ward stated for the most part kitchen staff would work during the events but he may consider having a small restaurant that can seat a small number of people.

The five criteria of a variance application were reviewed:

- 1) The specific site is an appropriate location for such use: Appleton Manor was built in 1804. For a period of time it was called Appleton Inn and served as an Inn for up to 75 guests which included a dance hall for group functions and is listed as an inn among the history detailed by the New Ipswich Center Village Historic District. The area nearby is already home to a gas station, pizza shop, a café, an office building, the New Ipswich Library and other commercial uses. The property also shares a border with the Town of New Ipswich Memorial Field. It is located down town on route 124, one of the town's main routes, which can handle a traffic increase.
- 2) The use as developed will not adversely affect the adjacent area: the property is existing already within several other commercial uses. It is located on a main route that already draws commercial traffic. The house and land will remain in its stately manner while the barn will be brought back to its old glory. There will be no expansion in the foot print of barn renovation and there will be ample off-street parking in the area once used as a livery yard. The use will create short term opportunities for trades in the area during reconstruction and long-term jobs opportunities for approximately 15 area residents to operate the business. It will also draw guests from outside the area who will patronize other local businesses.
- 3) There will be no nuisance or serious hazard to vehicles or pedestrians: off street parking will be provided using three pre-existing curb cuts off Turnpike Road. The sidewalk is on the opposite side of the road meaning there will be no additional hazard to pedestrians from cars entering and exiting the property. There is also a clear view in all directions for vehicles re-entering and exiting the property. The speed limit traveling into town is reduced to 30 mph on Turnpike Road making access to and from the parking area safer.
- 4) Adequate and appropriate facilities will be provided for the proper operation of the proposed use: The barn will be restored and updated to meet code requirements of assembly use space with bathrooms, kitchen, workshop, heat, fire safety, plumbing and electricity. Repairs will include engineered professionally corrected timber framing, restoration of all interiors and reuse of materials where possible from the barn itself or from other reclaimed material sources. The house was already an Inn and will be refitted back to being suitable for Bed & Breakfast use again. Off street parking and expansion of septic capacity will be added to suit.
- 5) Such approval should be consistent with the intent of the Master Plan: When a property of this size and historic significance goes up for sale it is at risk. Any buyer could sub-divide the property, tear it down or do a poor job maintaining the appearance and character of the building. Through reasonable use we will be preserving a key historic resource in the community and protecting the open space and character that it provides to the town. We will be doing our part to protect the traditional New England scene that is enhanced by this architecturally and historically significant barn and mansion as well as its 13 acres of ponds, streams, old stone walls, and woodlands.

The Town's Master Plan draws attention to the need to protect sites of historic worth and importance to the community. As noted in the Master Plan are the three main priorities, manage growth with a view towards maintaining fiscal stability and rural character, protect water resources and conserve open space that supports rural character. We believe this project fulfills all three criteria. Granting this special exception would ensure that one of the most significant of these assets would be preserved and protected into the next several decades.

The Master Plan also calls for bringing small business into the community to broaden the tax base. This conversion back to B & B would shift this 13 acre lot and its structures back to the

commercial side. The renovations to the barn will increase the value of the property and thusly increase the real estate taxes collected by the town.

David Lage questioned if the applicant would still have outdoor festivities once the barn was complete. Mr. Ward stated you may see about 5-6 ceremonies a year that require tents.

Walker made a motion to close the public hearing and enter into deliberations. Stan seconded the motion and it passed unanimously.

The Board reviewed the five criteria of a special exception application. Wendy stated the proposal is fantastic and members agreed. She added it is on the main road and structure is already in place to support it. Wendy noted the Board can add the additional requirements, the fence, the tree buffer and not allowing speakers outside so that it will not adversely affect the adjacent area. Walker noted there will be no nuisance or serious hazard to vehicles or pedestrians as the parking will be on site. Adequate and appropriate facilities will be provided as the building will be brought up to code with an expanded septic system as well. Members concluded the proposal could not fit better with the Master Plan.

Stan made a motion to approve the special exception application with the following conditions:

- 1) No speakers will be allowed outside the facility.
- 2) Maintain the tree buffer around the property.
- 3) Install two fences: one on the west side of the parking lot to minimize the nuisance of headlights to Lot 11/49, and one on the east side of property to stop clientele from wondering onto abutting lot 11/51.

Walker seconded the motion and it passed unanimously. The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Lori Rautiola
Secretary