

TOWN OF NEW BOSTON
New Boston Zoning Board of Adjustment

May 17, 2022

In attendance at New Boston Town Hall: David Craig – Chair, Anthony Olivier, Michael Dahlberg, and Lorraine McKim, alternate
Staff present: Shannon Silver, Planning Coordinator

David Craig, Chair, called the meeting to order at 7:12 pm at Town Hall, with a Pledge of Allegiance.

PUBLIC HEARING(S)

- Application for a **VARIANCE** to the terms of Article II, Section 204.4, of the New Boston Zoning Ordinance. The applicant/agent is Anthony J. Eberhart, for property located at 16 Meetinghouse Hill Road, owned by Kamaje Realty LLC, Tax Map/Lot # 19/44, in the Residential-Agricultural “R-A” District. The applicant/owner are requesting permission to add one additional dwelling unit in an existing 2 family.

Lorraine McKim was promoted to a voting member for this meeting.

Tony Eberhart explained that he purchased the building in 2008. There are two existing apartments, each 2-bedroom units. A massage therapist was renting out the remaining space but is having a difficult time and will be moving out. He would like to create an additional residential unit, 1 bedroom upstairs, with a kitchen and shower downstairs. The two existing units are currently being rented. There is plenty of existing parking and an area for snow removal. There will be less traffic in/out of the site, with the removal of the existing business.

It was noted that the applicant will need to go to the Planning Board for an amended site plan.

Mr. Eberhart stated that no abutters have expressed any concern regarding the proposal.

The applicant addressed the variance criteria:

Converting the commercial space into a rental unit will likely allow for an easier time renting it out. This will not change the current parking at all. Currently, two vehicles per tenant are allowed. This confirms to the Master Plan, as it will only be an affordable one-bedroom unit. The building is currently up to code. Affordable housing is useful in today’s market.

Chair Craig noted that the applicant addressed all the tests in written form on the application.

Ms. McKim noted that she does not believe there is a hardship at play. Mr. Eberhart stated that the hardship is that he will have a hard time paying his mortgage without a renter in this unit. He relies on three tenants for this space to pay his mortgage.

Chair Craig stated that he is disappointed that there is not more interest in small businesses coming into the downtown area, but this is reflective of the current economy. There seemed to be an oversupply of space, but no owners to fill it. He does want to preserve the character of the Town. If the economy changes and small business owners want to come back into Town, there will be nowhere for them to go.

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Mr. Dahlberg noted that this seems to be a sign of the times, and the proposal is identical to one recently approved by the Board down the street.

Chair Craig noted that a residential use is likely a less intensive use of this property.

In response to a question from Mr. Eberhart, Chair Craig stated that he believes this could likely be petitioned to be rezoned back to a commercial use, if things change in the future. The circumstances will depend on the situation and the zoning ordinance at the time.

It was noted that the septic design has been reviewed with the Planning Department, but it will also be reviewed through DES once the site plan application is submitted.

**Michael Dahlberg moved to approve this variance with the condition that the applicant obtains the amended site plan approval from the Planning Board.
Seconded by Anthony Olivier.
Voting: 4-0-0 motion carried unanimously.**

Chair Craig explained to the applicant how the 30-day appeal process works in case the Zoning Board of Adjustment's decision was contested by an abutter or other interested party.

Unfinished business

It was noted that the Board should discuss election of officers. Chair Craig suggested that this item be tabled until additional Board members are available. It was noted that if Mr. Charest is not interested in being a full-time Board member, the Board could designate Ms. McKim into that position.

New business

The Board discussed the style of the meeting minutes. He is concerned that the past set are too thorough and would like to see them pared down.

Mr. Dahlberg stated that he appreciates the thoroughness of the minutes and noted that there is likely a happy medium.

Shannon Silver noted that a new Recording Secretary has been hired and there may be a new style moving forward.

Ms. McKim stated that she believes that detail was necessary to substantiate the claim made and to justify the Board's reasoning to the Planning Board. Chair Craig stated that he is not sure if the purpose of the minutes is to justify the ZBA to the Planning Board. These are supposed to be a record of the issues, key points, and decisions. The amount of detail makes it hard to find these key points in the minutes.

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Chair Craig stated that educational guidance for all boards/commissions regarding meeting minutes would likely be helpful. Minutes are a concise summary of the meeting; a transcript would be sought through the recording, if needed.

**Michael Dahlberg moved to approve the meeting minutes of March 15, 2022, as written. Seconded by Anthony Olivier.
Voting: 3-0-1 motion carried.**

Communication and miscellaneous – None.

Other business – None.

Adjournment

**Anthony Olivier moved to adjourn the meeting at 7:52pm. Seconded by Lorraine McKim.
Voting: 4-0-0 motion carried unanimously.**

Respectfully submitted,
Kristan Patenaude

Minutes Approved:
July 19, 2022