

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

**Town of Chester
Zoning Board of Adjustment
February 23, 2021
Town Hall
7:00 pm
Approved Minutes**

Members Present:

Chair Billie Maloney
Vice-Chair Kevin Scott
Jack Cannon
William Gregsak
Rick Snyder, Planning Board Liaison/Alternate (remotely)

Members Absent:

Guests:

Corinna Reishus
William Reishus
Sean Carlson
Ernest Calderone
Sharon Osborne, Latitude Learning (remotely)
Christina Knickerbocker, Latitude Learning (remotely)
Victor Chouinard & Kristina Snyder (remotely)
Tim Peloquin, Promised Land Survey
Heather Peloquin, Back in Thyme Wellness & Herbs
Patrick Connelly & Daniela Connelly, Field to Fork Farm
Jean Methot

Agenda

1. **Call to Order/Roll Call**
2. **Approval of Minutes**
3. **Updates**
4. **Hearings**
5. **Other Business**
6. **Adjournment**

1. Call to Order

Vice-Chair Scott called the meeting to order at 7:02 PM. By Roll Call were present: Billie Maloney, Kevin Scott, Jack Cannon, Bill Gregsak and Rick Snyder remotely. Vice-Chair Scott noted Alternate Rick Snyder was active.

41 **2. Approval of Minutes**

42 **Public Hearing January 19, 2021**

43 Mr. Snyder and Mr. Cannon recommended edits.

44 ***Mr. Snyder motioned to approve the January 19, 2021 minutes as amended. Mr. Cannon***
45 ***seconded the motion. A vote was taken, Mr. Gregsak abstained, Maloney – aye, Cannon***
46 ***– aye, Snyder – aye and Scott – aye. The motion passed 4-0-1.***

47 **3. Updates**

48 Chair Maloney reported that she received an email from the Building Inspector concerning
49 enforcement of the sprinkler requirement for Accessory Dwelling Units. Town Counsel advised
50 that applicants have to apply for a variance from that requirement until the ordinance can be
51 changed at Town Meeting in May.

52
53 Chair Maloney noted the Planning Board is working on Zoning Amendments. Mr. Snyder
54 reported the Planning Board is meeting tomorrow to work on preambles to clarify the wording on
55 the ballot. Workforce housing is not an elderly housing change and is being incorporated into
56 the ordinances. Chair Maloney asked Mr. Snyder about the proposed zoning ordinance for Bed
57 and Breakfasts and whether these will be the same as Air BnBs and Mr. Snyder noted he
58 believed they would be substantially equivalent.

59
60 Chair Maloney recommended updating the application instructions and Mr. Cannon agreed he
61 would take that on.

62

63 **4. Hearings**

64 7:15 PM:

65

66 1. The application of Sean Carlson & Amanda Carlson for Variances from Article 4, Section 4.2.1
67 (expansion of a prior non-conforming lot) as the existing driveway is approximately 20' from the side
68 property line at the closest point and Article 2 Section 2.53 states side setbacks extend to the front of the
69 lot and expressly prohibit driveways from existing there; and Article 5, Section 5.3.5 Table 1 (Table of
70 Dimensional Requirements) of the Ordinance to permit an extension off the existing driveway to the back
71 of the property for access to a future detached garage where the expanded driveway would be ten feet (10')
72 feet from the side property line at the closest point where 25' are required.

73

74 On the premises known as Map 002-045-000, 178 Halls Village Road in the R-1 Zoning District.

75

76 Vice-Chair Scott read out loud the Public Hearing Notice and notified Mr. Carlson that there were five Board
77 of Adjustment members present and it would require the vote of three members in the affirmative for any
78 decision.

79

80 Sean Carlson presented his application to the Board noting that he filed a driveway permit for a future
81 detached garage and would like to access the garage and the backside of his property. There is an existing
82 utility pole for a transformer which also services his neighbors. The extension of the existing non-
83 conforming driveway, built in 1976, would provide better access for the utility company to their easement
84 but the main purpose is to get to the proposed garage.

85

86 Mr. Carlson noted there are wetlands on the other side of his dwelling and an inground swimming pool,
87 well, septic and easement and a slope. There is a large stream running down the right side of the property.
88 The only side the proposed driveway could be on is the east.

89
90 Mr. Carlson pointed to the easement on the map and directed the Board to the aerial photo. Mr. Snyder
91 noted he viewed the site on Google Earth and lives around the corner.

92
93 Mr. Carlson indicated the proposed use is a reasonable one that allows him access to the backside of his
94 property safely. Mr. Carlson stated the wetlands are not on surrounding property and this will allow him to
95 abide by as many setbacks as possible and both he and the utility company will not have to drive across
96 his lawn.

97
98 Mr. Gregsak noted Mr. Carlson made a good presentation and covered it very well. Chair Maloney noted
99 she drove by and saw the flags that Mr. Carlson put in and asked if the neighbor had an issue and Mr.
100 Carlson noted his neighbor, Donna Cooper, had no issue.

101
102 Mr. Snyder asked why the future garage is set so far back and Mr. Carlson noted the waterway, wetlands
103 and 75' setback which would allow him use of the front right corner and a place for his kids to safely play.
104 Mr. Carlson noted the future garage is for hobby use and an extra vehicle and future workshop.

105
106 Vice-Chair Scott opened the hearing to the public for comments and questions at 7:30 PM and being none
107 closed the hearing to the public for deliberations.

108
109 Chair Maloney stated that Mr. Carlson certainly passed the hardship with the easement and wetlands. The
110 driveway won't alter the character of the neighborhood and the neighbor has no problem. The proposed
111 driveway won't decrease property values and there would be no harm to individuals. Chair Maloney voted
112 yes on all five points.

113
114 Mr. Gregsak agreed that the hardship is the wetland and existing easement. It makes sense for the
115 proposed driveway to be there and is not contrary to the public interest, the spirit of the ordinance would be
116 observed. It would do substantial justice and there would be no effect on surrounding properties and have
117 the same visual appearance.

118
119 Mr. Cannon stated that he had no problems, and that Mr. Carlson did a commendable job presenting the
120 application and explaining it. Mr. Cannon noted he is in total support.

121
122 Mr. Snyder stated he is in agreement. That all five criteria have been met. The use is reasonable. The
123 hardship has been met. There are no abutter concerns. The garage will be set way back and not seen.
124 Mr. Snyder noted he was in support and all five criteria have been met.

125
126 Vice-Chair Scott stated that he viewed the site this morning and Mr. Carlson's testimony was accurate. The
127 space is not available on the right and limited on the left. After PSNH keeps driving across the lawn area
128 it will begin to look like a driveway.

129
130 **Mr. Cannon motioned to grant the variances from Article 4, Section 4.2.1 (expansion of a prior non-**
131 **conforming lot) as the existing driveway is approximately 20' from the side property line at the**
132 **closest point and Article 2 Section 2.53 states side setbacks extend to the front of the lot and**
133 **expressly prohibit driveways from existing there; and Article 5, Section 5.3.5 Table 1 (Table of**
134 **Dimensional Requirements) of the Ordinance to permit an extension off the existing driveway to the**
135 **back of the property for access to a future detached garage where the expanded driveway would be**
136 **ten feet (10') feet from the side property line at the closest point where 25' are required. Mr. Snyder**
137 **seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.**

138
139 Vice-Chair Scott read out loud the 30-Day Notice concerning Appeals and informed Mr. Carlson that he
140 would receive a letter in the mail.

141

142 Mr. Carlson asked if he needed to go back to the Building Inspector and Vice-Chair Scott informed him the
143 Building Inspector would receive the decision tomorrow and Mr. Carlson would need to go there to get his
144 permit.
145

146 7:45 PM:

147
148 2. The application of Ernest J. Calderone and Mary A. Calderone, Trustees of the Ernest and Mary
149 Calderone Trust for a Variance from Article 5, Section 5.7.8 Table 2 (Table of Dimensional Requirements)
150 of the Ordinance to permit a 15'x22' carport to be constructed on the right side of the existing garage which
151 places the carport five (5') into the setback at the front or only seventy feet (70') from the wetland where
152 75' are required.
153

154 On the premises known as Map 006-012-108, 28 Wilcombs Way in the R-1 Zoning District.
155

156 Vice-Chair Scott read out loud the Public Hearing Notice to construct a 15'x22' car port and notified Mr.
157 Calderone that there were five Board of Adjustment members present and it would require the vote of three
158 members in the affirmative for any decision from the Board.
159

160 Mr. Calderone read his application into the record indicating the encroachment would be on the front corner
161 which is the only place to put the carport to store his implements, tractors, etc. and make the property look
162 neater to the neighbors. Mr. Calderone noted he wanted to protect the wetlands, the carport would not hurt
163 anyone or bring down property values. The spirit of the ordinance will be met to protect the wetlands and
164 bring the building up to code. Substantial justice – there will be no harm to the public and he will be able
165 to neaten up his yard and store his tractor and implements that are all over the yard. The values would not
166 be diminished and would increase as things will be neaten up. This is the only place he could have
167 storage and offset the existing driveway without causing runoff into the wetlands. The use is reasonable
168 and is the only place on the property he can do that. A portable storage unit would be unsightly.
169

170 Mr. Gregsak noted there were wetlands on both sides and the property is 400' off the main road.
171

172 Chair Maloney noted she drove by and there was a dirt mound or hump on the right side of the garage
173 wouldn't have any issue with the five points of the application.
174

175 Mr. Gregsak asked if there were any plans to enclose the carport in the future and Mr. Calderone indicated
176 there is a shed behind it so he would want to be able to drive or walk through the carport to get to the shed.
177

178 Mr. Cannon noted it looks like the existing driveway is already in the setback and the carport is going over
179 the existing driveway.
180

181 Vice-Chair Scott opened the hearing to the public for comments and questions at 7:46 and being none
182 closed the hearing to the public for deliberations.
183

184 Vice-Chair Scott indicated 70' is not terrible, a variance of 5.' It is not contrary to the public interest or spirit
185 of the ordinance, doesn't affect the character of the neighborhood. There is no one on the other side of
186 him, zero impact to surrounding property values. The hardship is owing to special conditions, there is a hill,
187 a hump on the side and nothing you can do with that. Vice-Chair Scott indicated he was a yes on all five
188 criteria.
189

190 Mr. Gregsak agreed it was not contrary to the public interest, the spirit has been observed, would do
191 substantial justice. There is a hardship with this parcel. It is a small lot to begin with, an acre or acre and
192 a half squeezed by setbacks which is inherent in open space subdivisions. The use is reasonable. It is for
193 residential and not for a commercial business. Mr. Gregsak stated he was in favor on all five points.
194

195 Mr. Cannon noted he viewed the site on Google and believes the parking is already in the setback. The
196 carport would not be contrary to public interest, and he is doing the right thing protecting the wetlands. The

197 spirit of the ordinance is met, it is a tough lot to begin with. There is zero benefit to the neighbor or public
198 to deny the request and he understands the hardship.

199
200 Mr. Snyder noted he had nothing to add, he was in support on all five points. The paving does appear to
201 encroach already and not significantly at that point. Mr. Snyder stated he was good on all five points.

202
203 Vice-Chair Scott noted he went by the parcel and the property is 400' back and well out of sight. There are
204 setback issues with open space developments and this lot is tight. Vice-Chair Scott agreed that it appears
205 the pavement already infringes on the setback and the carport is not bigger than the pad. Vice-Chair Scott
206 stated he agreed on all five points.

207
208 **Mr. Cannon motioned to grant the request of Ernest J. Calderone and Mary A. Calderone, Trustees**
209 **of the Ernest and Mary Calderone Trust for a Variance from Article 5, Section 5.7.8 Table 2 (Table of**
210 **Dimensional Requirements) of the Ordinance to permit a 15'x22' carport to be constructed on the**
211 **right side of the existing garage which places the carport five (5') into the setback at the front or**
212 **only seventy feet (70') from the wetland where 75' are required with the following condition:**

213
214 **Vice-Chair Scott recommended the condition be that the carport retain its drive-through capability**
215 **into perpetuity.**

216
217 Clarifying future use, Vice-Chair Scott noted if the owner wants to enclose it, they can come back.

218
219 **Mr. Cannon seconded the motion. A vote was taken on the condition: Cannon – aye, Snyder – aye,**
220 **Scott – aye, Gregsak – aye and Maloney – nay. The condition was approved 4-1-0.**

221
222 **A vote was taken on the motion to grant the variance: Cannon – aye, Snyder – aye, Scott – aye,**
223 **Gregsak – aye and Maloney – aye. The motion passed 5-0-0.**

224
225 Vice-Chair Scott read out loud the 30-Day Notice concerning Appeals.

226
227 8:15 PM:

228
229 3. The application of Sharon Osborne d/b/a Latitude Learning Resources, at Busche Academy, Busche
230 International, LLC. for a Variance from Article 4, Section 4.5.1 of the Ordinance to permit off-site parking at
231 Busche Academy, 40 Chester Street, Parcel 005-015-000

232
233 On the premises known as Map 005-014-000, 66 Chester Street in the R-1 Zoning District

234
235 Vice-Chair Scott asked the applicant and Ms. Knickerbocker if they could hear the Board and Ms. Osborne
236 indicated in the affirmative.

237
238 Vice-Chair Scott read the Public Hearing Notice out loud and advised the applicant there were five members
239 voting and the affirmative vote of at least three were necessary to take any action on her request.

240
241 Ms. Osborne indicated she is renting the Nutting Building at Busche Academy and parking would need to
242 take place on two separate lots owned by the same owner who has given permission in writing. The
243 property is used for cooperative homeschooling with families once a week but in the future would be more
244 days a week.

245
246 Ms. Osborne read the application into the record and indicated there is no harm to public interest or the
247 spirit of the ordinance. The school is the only use and is where pick up and drop off take place and is no
248 different than as used by Busche Academy now. It was previously a college. Substantial justice would be
249 so that she could get Planning Board approval to use Nutting Hall without being in violation. The
250 surrounding properties will have no change as the use will remain the same as Busche Academy. If the
251 application is denied it would severely limit the program with not enough parking.

252

253 Latitude Learning has leased the Nutting Hall through May and are trying to extend through the summer
254 and possibly into next year. Ms. Knickerbocker added that the field and grassy knoll are used as a play
255 area in the summer there are some activities outside. During Site Plan Review with the Planning Board
256 they were told they needed a minimum number of spaces.

257
258 Vice-Chair Scott opened the hearing to the public for comments and questions and being none closed the
259 hearing to the public for deliberations.

260
261 Vice-Chair Scott noted it was nice to see the building being used after sitting idle and being remodeled.

262
263 **Chair Maloney motioned to grant the application of Sharon Osborne d/b/a Latitude Learning**
264 **Resources, at Busche Academy, Busche International, LLC. for a Variance from Article 4, Section**
265 **4.5.1 of the Ordinance to permit off-site parking at Busche Academy, 40 Chester Street, Parcel 005-**
266 **015-000. Mr. Cannon seconded the motion. A vote was taken all were in favor, the motion passed**
267 **unanimously.**

268
269 Vice-Chair Scott read out loud the 30-Day Notice concerning Appeals and advised Ms. Osborne that she
270 would receive a letter tomorrow.

271
272 8:45 PM:

273
274 4. The application of Promised Land Survey, LLC on behalf of Mary Gesel, Trustee of the Francis Gesel
275 Revocable Trust of 2009 and Heather L. Peloquin d/b/a Back in Thyme Wellness and Herbs, LLC for a
276 Variance from Article 5, Section 5.3.4 of the Ordinance to permit a light retail use in the R-1 Residential
277 Zone

278
279 On the premises known as Map 016-009-000, 15 Chester Street in the R-1 Zoning District

280
281 Vice-Chair Scott read out loud the Public Hearing Notice and advised the applicant there are five members
282 present and the affirmative vote of at least three were required to take any action on her application.

283
284 Tim Peloquin of Promised Land Survey presented the application on behalf of his wife, Heather Peloquin
285 d/b/a Back in Thyme Wellness and Herbs, LLC. for a commercial use in the residential zone at 15 Chester
286 Street.

287
288 Mr. Peloquin noted the use as an office space with light retail is not contrary to the public interest and is an
289 excellent use for the community. Mr. Peloquin noted the spirit of the ordinance is observed, the mixed use
290 has existed historically and there is minimum impact. The values of surrounding properties would not be
291 diminished again because the mixed use has existed for many years and abutting properties are
292 commercial or municipal use. The mixed use has existed and is reasonable with a low volume of impact
293 and good service to the community. Heather is a clinical herbalist and this has been her dream for many
294 years living in Chester the past 28 years. She works in functional medicine. The layout of the former realty
295 office is perfect for this and why they chose the location. The business provides education, and natural
296 improvements to health and nutrition, stress management and weight loss. The retail use is light and for
297 the sale of supplements, herbs and teas. The traffic will not be more than or comparable to the former real
298 estate office with only one or two customers in and out at a time.

299
300 Mr. Gregsak asked the number of employees and Mrs. Peloquin indicated she has one part-time employee
301 besides herself and that employee would work 15 hours a week, maximum.

302
303 Mrs. Peloquin noted they would use the existing space on the multiple use sign as permitted and on the
304 side of the building. Mr. Cannon noted Mr. Gesel has a variance for the sign.

305
306 Mrs. Peloquin indicated the hours would be Tuesday through Saturday from 9 AM to 5 PM.

307

308 Mr. Peloquin stated they have had a conceptual review with the Planning Board and would be going back
309 tomorrow night. Eric Mitchell had done a Site Plan in 2018 and Mr. Peloquin noted the Planning Board may
310 waive the requirement for further SPR.

311
312 Vice-Chair Scott opened the hearing to the public for comments and questions at 8:29 PM and being none
313 closed the hearing to the public for deliberations.

314
315 Mr. Snyder noted the shop was a really good use for this location.

316
317 Chair Maloney agreed the use was a good one. The property has been a mixed use for a long time. The
318 use does not threaten public health, safety or welfare and would add to the health and wellness needs of
319 the community.

320
321 Mr. Gregsak stated he had no issue. The use has been commercial for many years and is a good fit
322 preserving the essential character of the area.

323
324 Mr. Cannon noted the Town has put Mr. Gesel through the gauntlet to bring the property up to code and
325 Mr. Cannon stated he supports this application on all five points.

326
327 Mr. Snyder noted he fully supported the application and use of the building and is happy to see the property
328 being used and is happy to vote in favor.

329
330 Vice-Chair Scott stated to have this property empty would be a tragedy and stated it is good for the public
331 interest and does substantial justice. The hardship would be leaving this building empty.

332
333 ***Chair Maloney motioned to grant the application of Promised Land Survey, LLC on behalf of Mary***
334 ***Gesel, Trustee of the Francis Gesel Revocable Trust of 2009 and Heather L. Peloquin d/b/a Back in***
335 ***Thyme Wellness and Herbs, LLC for a Variance from Article 5, Section 5.3.4 of the Ordinance to***
336 ***permit a light retail use in the R-1 Residential Zone at 15 Chester Street. Mr. Snyder seconded the***
337 ***motion. A vote was taken, all were in favor, the motion passed unanimously.***

338
339 Vice-Chair Scott asked Mr. Peloquin if he understood the 30-Day Notice and Mr. Peloquin indicated
340 affirmatively.

341
342 9:15 PM:

343
344 5. The application of Promised Land Survey, LLC on behalf of the MacLean Family Revocable Trust of
345 2018 for a Variance from Article 5, Section 5.3.5, Table 1 (Table of Dimensional Requirements) of the
346 Ordinance to permit an existing house lot with 40' of frontage where 290' are required.

347
348 On the premises known as map 002-082-000, 82 Pulpit Rock Road in the R-1 Zoning District.

349
350 Vice-Chair Scott summarized that in 2018 Ian MacLean received a variance for a two-acre house lot with
351 290' of frontage and an 18-20-acre parcel with 40' of frontage and the remainder to have a Conservation
352 easement, which lapsed. Mr. MacLean has passed away. The family is meeting with the Planning Board
353 on March 24th.

354
355 Vice-Chair Scott noted two plus years ago he was led to believe the Conservation Easement would be put
356 on the parcel and doesn't normally vote for a short frontage subdivision. Vice-Chair Scott questioned the
357 statement on the plan that there is land being merged with land owned by the Town of Chester.

358
359 Mr. Peloquin explained that in 2018 the deal with the Conservation Commission fell apart and he has since
360 worked with their Chair, Victor Chouinard to put it together.

361
362 Chair Maloney asked if the Conservation Commission is interested in the 100 acres and Mr. Peloquin stated
363 yes.

364
365 Mr. Snyder noted it is important to establish there will be a Conservation Easement. Victor Chouinard
366 indicated the plan had changed since it was approved by the Conservation Commission and they were not
367 in favor of the change. The plan would need to be returned to what was approved or the price decreased
368 by \$20,000.

369
370 Mr. Snyder asked about the public access and Mr. Chouinard noted the Town owns the "Currier lot" in
371 Sandown off Wells Village.

372
373 Vice-Chair Scott indicated \$20,000 is a small amount. Mr. Chouinard noted he didn't disagree, but the plan
374 had changed to put more land under the power line easement and protect less of the valuable river area.
375 Mr. Peloquin noted he understood the Town wanted more control over ATV use in the easement area. Mr.
376 Chouinard indicated the Commission never intended to give up the river frontage for land under the utility
377 easement which has little to no value to the Town.

378
379 Mr. Peloquin read the application into the record noting the 100-Acre lot would be merged with the lot owned
380 by the Town of Chester. The 18-acre lot would be the non-conforming lot with 40' of short frontage on
381 Pulpit Rock Road.

382
383 Vice-Chair Scott inquired about the status of the Mill Road and Mr. Peloquin indicated it is an old roadway
384 connecting to Wells Village .

385
386 Chair Maloney asked about the developer who owns the property shown on the plan beneath these parcels
387 and Mr. Peloquin noted the developer has expressed interest to use the parcel for their open space if they
388 were to subdivide their parcel. Mr. Peloquin indicated the family wants to get this done and not wait while
389 a developer negotiates density with the Planning Board and has the gut feeling the family wants to sell the
390 property to Conservation and already has a buyer for the two-acre parcel.

391
392 Mr. Peloquin indicated a road could go through or a bridge across and be allowed by right.

393
394 Mr. Snyder asked when the Commission would take the matter up again and Mr. Chouinard indicated on
395 the 2nd Tuesday of next month. Discussion followed on exactly how much land was proposed for the
396 existing house lot with 40' frontage.

397
398 Vice-Chair Scott closed the hearing to the public for deliberations at 9:21 PM.

399
400 Since it was unclear the size of the lot the applicant was applying for a short frontage variance for, 18 acres
401 of 118 acres, the Board decided to continue to next month to give the Conservation Commission time to
402 come to a decision.

403
404 Mr. Peloquin indicated he would like to continue the hearing until March 23rd.

405
406 ***Vice-Chair Scott motioned to continue the application of Promised Land Survey, LLC on behalf of***
407 ***the MacLean Family Revocable Trust of 2018 for a Variance from Article 5, Section 5.3.5, Table 1***
408 ***(Table of Dimensional Requirements) of the Ordinance to permit an existing house lot with 40' of***
409 ***frontage where 290' are required. Mr. Snyder seconded the motion. A vote was taken, all were in***
410 ***favor, the motion passed unanimously.***

411
412 9:45 PM:

413
414 6. The application of Patrick J. Connelly & Daniela Connelly, Trustees of the Connelly Family Trust for a
415 Special Exception under Article 5, Section 5.3.3.9 to permit agritourism to host farm related education,
416 health and wellness seminars, retreats and weddings to be held outdoors and/or under rental tents (not
417 owned by the applicants) with rented portable toilets. Parking would be directed off street to a large former
418 riding paddock.

419

420 On the premises known as Map 002-091-000, 522 Haverhill Road in the R-1 Zoning District
421
422 Vice-Chair Scott read out loud the Public Hearing Notice and advised the applicant there were five voting
423 members present and the affirmative vote of at least three would be required to take action.
424
425 Patrick Connelly read his application. The Board reviewed the conditions.
426
427 Daniella Connelly explained the agritourism definition was expanded in 2019. Events, accessory uses,
428 meals and overnight stays, and education.
429
430 Chair Maloney read from the application that some of the farm uses taking place on the property: raising
431 beef, honey, chicken, pork, goats and asked what the Connellys grew and Mrs. Connelly indicated
432 vegetables and plants are grown there. Chair Maloney asked if there were a farm stand and Mrs. Connelly
433 noted they sell from the barn. Mrs. Connelly noted they would do wellness retreats, education, and
434 weddings. Chair Maloney asked how the farm use would relate to such events. Mrs. Connelly noted she
435 is a primary care physician and promotes health and disease prevention. Visitors would learn about
436 growing vegetables and healthy eating, see how the animals are raised and what we grow, and couples
437 want to enjoy the farm environment when they get married and weddings would not take place every
438 weekend. Weddings could be catered and products could be sold to the caterer who prepares the wedding
439 meals.
440
441 Vice-Chair Scott noted the Board of Selectmen have given permission to use Jack Road. Mr. Connelly
442 noted to get to parking which is the existing riding paddock. They use the road now to get to their back
443 property and for logging and haying. No events would take place within the Conservation Easement area
444 besides walking.
445
446 Ms. Hoijer noted two additional letters of support had been provided to the Board since the application was
447 filed.
448
449 Jean Methot spoke in favor of the Connelly's application. He has known the Connellys since they moved
450 to Town. The education portion is important. Mrs. Connelly is a doctor and love doing this. The Connellys
451 have a high tunnel (greenhouse) and the use is a terrific idea with classes and healthy food. Mr. Methot
452 noted the views were amazing, in the back field you can see Boston.
453
454 Chair Maloney indicated the Connellys qualify under agritourism and have a legitimate farm. Chair Maloney
455 recommended Site Plan Review with the Planning Board, as a condition of approval of the Special
456 Exception, to place limits on amplified music which Mr. Snyder indicated was the number one issue with
457 the Jenkins Farm homeowners. Chair Maloney indicated she would like the Planning Board to address the
458 number of guests and hours of operation as a condition also.
459
460 Mr. Snyder asked the Board to vote to close the public hearing portion of the meeting for deliberations, all
461 were in favor. Vice-Chair Scott closed the hearing to the public for deliberations at 9:56 PM.
462
463 Chair Maloney noted the application met all of the conditions for a Special Exception and for Article 5.3.3.9
464 Agritourism. Mr. Gregsak agreed. Mr. Cannon noted he was very supportive as was Mr. Snyder.
465
466 **Chair Maloney motioned to grant, with conditions, the application of Patrick J. Connelly & Daniela**
467 **Connelly, Trustees of the Connelly Family Trust for a Special Exception under Article 5, Section**
468 **5.3.3.9 to permit agritourism to host farm related education, health and wellness seminars, retreats**
469 **and weddings to be held outdoors and/or under rental tents (not owned by the applicants) with**
470 **rented portable toilets. Parking would be directed off street to a large former riding paddock.**
471
472 **Conditions:**
473
474 **Planning Board to address: number of guests, amplified music and hours of operation.**
475

476 ***Mr. Cannon seconded the motion. A vote was taken, all were in favor, the motion passed***
477 ***unanimously.***

478
479 Vice-Chair Scott read out loud the 30-Day Notice concerning Appeals.
480

481 **6. Other Business**

482 The Board scheduled consideration of the Motion for Re-Hearing for 11-54-2, 413 Lane Road to
483 Monday, March 22, 2021 at 6:00 PM.

484 Meeting Dates:

- 485 • March 3, 2021 – Connelly/Field to Fork Farm Public Hearing with Planning Board
 - 486 • March 16, 2021 – Regular Meeting of the Board of Adjustment – 7 PM
 - 487 • March 22, 2021 – Meeting only – consideration of Motion for Rehearing – 6 PM
 - 488 • March 23, 2021 – MacLean continuance M/L 002-082-000 at 7 PM
 - 489 • March 24, 2021 – MacLean Family Trust Public Hearing with the Planning Board
- 490

491 **6. Adjournment**

492 ***Chair Maloney motioned to adjourn the meeting at 10:13 PM. Vice-Chair Scott seconded***
493 ***the motion. A vote was taken, all were in favor, so moved.***

494 Respectfully submitted,

495

496

497 Nancy J. Hoijer,
498 Recording Secretary