

Final



**WEARE PLANNING BOARD
MEETING MINUTES
August 26, 2021**

PRESENT: CRAIG A. FRANCISCO, CHAIRMAN; JOHN (JACK) MEANEY, EX-OFFICIO, FRANK (CHUCK) BOLTON; WILLIAM (BILL) STOCKHAUS, SECRETARY; NAOMI BOLTON, INTERIM LAND USE COORDINATOR

ABSENT: BRUCE FILLMORE, JR., VICE CHAIRMAN, RAYMOND (RAY) MENARD, ALTERNATE

GUESTS: Dan Higginson, Jeff Cardwell, Dave & Jackie Pratte

I. CALL TO ORDER

Chairman Francisco called the meeting to order at 7:00 pm. and welcomed those present to the August 26, 2021 meeting of the Weare Planning Board.

II. DISCUSSION

A. Subdivision: The Francis & Nancy Burl Family Trust 51 Rockland Road & Route 77, Tax Map 202, Lot 094, Rural Agricultural & Commercial Zone. Application is for a two-lot subdivision, one containing 8.23 acres and the other containing 10.3 acres.

Dan Higginson, Higginson Land Services, Henniker, NH., presented for Francis and Nancy Burl's subdivision proposing an additional lot at their property. Because this is the fourth lot from this property, it becomes a major subdivision with fire suppression requirements. They are proposing a 15,000-gallon cistern off of Rockland Road. Dan is in receipt of the list of Fire Ward's concerns and will be working up a plan with Michie Corp., Henniker, NH. Corners have not been set.

Chairman Francisco and the Board requested cistern grading plans be sent to the Town's Engineer Keach-Nordstorm Associates for review.

Chairman Francisco asked the Board if there were any questions. There were none.

Chairman Francisco stated the waivers requested are Section 6.1c wetlands on the back of the plan, Section 6.2a topography map, signature of owner and professional stamps for initial submission only. Stamps and signature will be provided for the final plan.

Jack Meaney moved, Frank Bolton seconded to accept the waivers as submitted. Passed 4-0-0

Jack Meaney moved, Frank Bolton seconded to accept the application as being complete. Passed 4-0-0

Recording Sheet 1 overall, Sheet 2 bearing and distances, easement plan and cistern plan are needed.
Outstanding: bearing and distances missing and move/remove 4K lower end of Lot.

The Chair asked for public comments. A neighbor asked if Frank Burl will be selling the property as he is interested in buying the land. Dan suggested the neighbor talk to Frank.

**Jack Meaney moved, Secretary Stockhaus seconded to continue this discussion to September 23, 2021.
Passed 4-0-0**

III. OTHER BUSINESS

A resident in the audience, Jackie Pratt, 51 Winter Road, after watching the last PB meeting on tv noted the discussion on Airbnbs. She would also like to be a part of the discussion as she, too, is having issues with a neighbor renting out his property illegally. The Board invited her and any member of the public to their Work Session on September 9, 2021.

A discussion ensued, Airbnbs, grandfathered properties and the renting out of residential homes as commercial venues such as micro weddings and corporate retreats.

Secretary Stockhaus mentioned the Town of Madison, NH is dealing with the same issues as they are in close proximity to Conway, NH, which has strict short-term rental regulations.

Town Administrator Bolton relayed there is an issue with a Weare resident advertising on Airbnb websites. Depicting his two bedroom septic home for rent, sleeps eight, parking for three cars with additional parking on the road.

Secretary Stockhaus stated that is already in violation of our codes for on street parking.

Ultimately, it is noted this individual is renting out his main residence, eight to ten guests, and has built a storage unit, using it as a bunkhouse for up to six guests with accommodations that include full and half bathrooms, outdoor shower stalls, kitchen and laundry appliances.

Secretary Stockhaus points out this combines two issues that the Board discussed at their last meeting, mixed use and short-term rentals.

IV. MINUTES

August 12, 2021 Minutes: Secretary Stockhaus moved, Chairman Francisco seconded to accept the minutes of August 12th as written, passed 4-0-0.

V. OTHER BUSINESS

Chairman Francisco commented there may be a need for a subcommittee to delve into the Airbnb situation. Secretary Stockhaus raised the question of Room & Meals Tax. Are they being paid? Jack Meaney responded probably not, that would involve the NH Dept. of Revenue. Chairman Francisco stated the Town would have concerns for public safety and health.

Secretary Stockhaus asked what if the scenario mentioned tonight, bunkhouse renting, has legitimate permits. Town Administrator Bolton explained that resident applied for a garage with storage. Though some plumbing changes permitted, the bunkhouse started as a shed and now has three queen size beds inside. No proper permitting for the conversion.

Secretary Stockhaus commented this ties into building permits and if they are based on square footage or estimated cost.

Jack Meaney stated the Building Inspector or Code Enforcement Officer needs to be involved.

Secretary Stockhaus bridged the discussion of the Townspeople voting in a part-time Building Inspector/Code Enforcement Officer, rejecting a fulltime position. Large building projects require multiple visits from a Code Enforcement Officer. Townspeople who are properly following protocol are held up, and those that choose to ignore policy slide through.

Jack Meaney stated our current Building Inspector is working very hard doing inspections, etc. and keeping up with permits. Town Administrator Bolton stated she asked the Selectmen to become involved with Code Enforcement.

Frank Bolton added the Town can only be involved to a point, he suggested residents with neighbors renting illegally should hire a lawyer.

Secretary Stockhaus commented the residents, a gentleman from last week and tonight's couple, are being proactive, coming forward, and doing their due diligence stating the Town needs to make changes.

Jack Meaney stated they are bringing attention to these situations.

Town Administrator Bolton shared the couple's attorney has already contacted the Town; she in turn has contacted our Town Counsel. She explained further our Town is experiencing some frustration with time constraints and some failed inspections; our part-time Building Inspector is uncovering many things. During re-evaluations, items are noted and because of Covid last year, no home visits, there is "a lot of mileage to cover."

Frank Bolton stated near his camp, he is experiencing an Airbnb where renters pay big bucks, run jet skis and play loud music. He understands the problem, not sure how to deal with it.

Jack Meaney noted the increase of Marine Patrol at Horace Lake. They deal with many violations such as running jet skis after dark, loud radios, etc.

Town Administrator Bolton added they could be checking boats for registration and operators under the influence.

Chairman Francisco responded the renting of residences is a serious problem, no easy fix.

VI. NEXT MEETING

September 9, 2021

Being there was no further business to come before the Board, Secretary Stockhaus moved, Jack Meaney seconded to adjourn the meeting at 7:52 pm. Passed 4-0-0

A True Record

Karen Nelson

Karen Nelson transcribed from

You Tube Recording, TA Bolton notes