

Town of Northumberland  
Planning Board  
Accepted by the Planning Board  
Monday, September 10, 2018  
7:00 pm  
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**Planning Board Members Present:** Wayne Durr, Chairperson, Susan Martindale, Jeff King, Lisa Black, and James Heber, Vice Chairperson

**Members Absent:** Holly Rippon-Butler, Melanie Eggleston, Chad Reinemann and Brit Basinger

**Town Employees Present:** Richard Colozza, Code Enforcement Officer and Tia Kilburn, Clerk

Chairman Durr opened the meeting at 7: pm; all in attendance stood to salute the flag.

Application #: 0007-18, Aspenedge, LLC, Chris Riccardi

Chairman Durr requested Mr. Riccardi to explain his application to the Board, Mr. Riccardi stated he purchased the “Mansion” about 1 ½ years ago. He explained he would like to change it from a single-family residence to a boarding house. Chairman Durr asked if there were a difference was between a boarding house and a bed and breakfast, Mr. Colozza responded yes, Mr. Heber wanted to see the differences, stated he could not find the boarding house in the Zoning Book, Mr. Colozza stated it is on the Attachment A. Discussion ensued on a boarding house vs. bed and breakfast, it was determined both had to be private dwelling with limited rooms for rent.

**Bed & Breakfast;** A private dwelling in which at least one (1) and not more than five (5) rooms are offered for rent for transient occupancy, in which overnight lodging and breakfast are offered to such occupant and in which no public restaurant is maintained.

**Boarding House;** A private dwelling in which at least three (3) but no more than six (6) rooms, with or without meals, are offered for rent. This term shall be deemed to include Inns.

Chairman Durr asked if he planned on renovating and how many rooms would it contain, Mr. Riccardi responded it is currently rented, the top floor has 6 rooms with private bathrooms and there is one full bath for sharing. He added there is a large kitchen with 2 gas stoves and 2 refrigerators for use of the occupants.

Chairman Durr reiterated there can are no more than six (6) rooms for rent, Mr. Riccardi responded no. Chairman Durr asked if he lived there, Mr. Riccardi responded no. Chairman Durr asked if he planned to live there, Mr. Riccardi responded no.

Mr. Heber asked how many rooms for rent were proposed, Mr. Riccardi responded 10. Mr. Heber stated the Zoning Book says no more than 6 are allowed, which means he would need a variance. He then asked if they are rented by the month, week or different, Mr. Riccardi responded 3 people have been there a year and added he asked they rent for 6 months minimum.

Chairman Durr stated the hurdle is *private dwelling*, Mr. Heber added and it has to be owner occupied and the number of rooms exceeds what is in the definition. Chairman Durr stated he will need a variance or more than one, going from 6 to 10 rooms it is not a bed and breakfast and without living there he would need the variance because he would be changing the allowed use.

Mr. King asked if they would reiterate from the beginning so he could understand, Chairman Durr explained the

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application is for a boarding house however it is a private dwelling that is not owner occupied. Mr. Heber stated with the number of rooms it is more like an apartment house. Mr. King reviewed the definitions in the Zoning Book and stated there is nothing it would fall under.

Ms. Martindale stated she thought it was stopped as a bed and breakfast because of the septic, Mr. Colozza responded it was approved for the bed and breakfast because it was owner occupied and only had 4 rooms for rent. Mr. King stated the bed and breakfast cannot have more than 5 rooms offered for rent and owner occupied. Mr. Colozza stated a septic system is designed for the number of bedrooms, Chairman Durr asked if he knew how many bedrooms the current system was designed for, Mr. Colozza responded 5 bedrooms and the owner's dwelling there. Mr. Heber stated it would have to be approved by the Board of Health due to the service of food.

Chairman Durr stated he didn't see how they could recommend this to the Zoning Board of Appeals because it is not owner occupied.

Discussion ensued on what the definition of an apartment complex would be, it is not listed in the definitions within the Zoning Book and not allowed in any zone.

Chairman Durr asked what the definition of a hotel was, Mr. King read the definition aloud.

*Hotel or Motel*; An establishment which provides overnight sleeping accommodations for transient guests, and is commonly known as a "hotel" or motel", it provides customary hotel services such as maid service, the furnishing and laundering of linens, telephone and secretarial or desk service and the use and upkeep of furniture. A "hotel" or "motel" may also include dining and laundromat facilities located on the premises. The term shall not be deemed to include an Inn, Bed and Breakfast, Boarding or Rooming House, or other such accommodations.

Mr. King then stated this application does not appear to fit in that definition. Chairman Durr stated in his opinion they can't or shouldn't send it to the Zoning Board of Appeals, Mr. Heber stated it doesn't fit because it is not owner occupied, Mr. King stated they could ask the Town's Attorney, Mr. Heber agreed they are trying to make it fit, but they will ask the Attorney for his interpretation. Chairman Durr agreed they will ask the Attorney if it could fall under a Bed and Breakfast or a Boarding House without being owner occupied. Mr. Riccardi stated if the Attorney goes against the determination of a boarding house then he will have to sell it, however he asked if he would be able to market it as a bed and breakfast. Mr. Colozza responded yes it is approved for a bed and breakfast but with a maximum of 5 rooms and owner occupied.

Chairman Durr asked if there were any other business for the Board? None was noted.

Mr. Heber made a motion to adjourn the monthly meeting at 7:23pm,  
Ms. Martindale 2nd the motion,  
All in attendance unanimously agreed.

Respectfully Submitted,  
Tia Kilburn, Planning Board Clerk