

HULL ZONING BOARD OF APPEALS

Applicant: Jeffrey Millen

Property: 5 Q Street

Date: Thursday, February 6, 2014

Time Meeting Began: 7:42 p.m.

Time Meeting Concluded: 7:54 p.m.

Place of Meeting: Hull Municipal Building, Main Meeting Room

Zoning Board Members Present for Hearing:

Alana Swiec, Chair	Sitting	Attending	Absent	Abstain
Dr. Roger Atherton, Clerk	Sitting	Attending	Absent	Abstain
Atty. Mark Einhorn, Member	Sitting	Attending	Absent	Abstain
Phillip Furman, Associate	Sitting	Attending	Absent	Abstain
Jason McCann, Associate	Sitting	Attending	Absent	Abstain
Patrick Finn, Associate	Sitting	Attending	Absent	Abstain

Others in Attendance:

Jeffrey Millen, Applicant

Jodi Millen, Applicant's Spouse

Karen Morgan, Recording Secretary

General Relief Sought: Opening – of a Public Hearing on an application filed by Jeffrey Millen regarding property at 5 Q Street, Hull, MA which according to the application seeks: To apply for a Special Permit to Operate a Bed & Breakfast.

General Discussion:

Ms. Swiec – We actually approved this two years ago.

Mr. Atherton – In 2011 and I still have your comments.

Mr. Einhorn – I distinctly remember them coming in.

Ms. Swiec – Roger has the full file, I remember it distinctly, the application, I was only concerned with the driveway, the buffer between the two properties.

Mr. Millen – My name is Jeff Millen, I live at 5 Q Street, Hull, MA. I just want to reapply for an existing B&B license that lapsed. We had a great season and nothing has changed. We got something from the Town of Hull for fees to be paid to the Board of Health for the new license and we thought we did. We

paid all the fees and turned it over to the Inspector and Town of Hull and the Board of Health and while we were waiting for Board of Health, someone told us we need to go in front of the Zoning Board of Appeals.

Mr. Finn – Is that every year?

Mr. Atherton – No, it is two years, and then after that, five years.

Mr. Millen – We get people from all over the world and get great reviews on line and some who expressed interest in buying homes in Hull.

Ms. Swiec – Your home is lovely; anyone is lucky to stay there.

Mr. Atherton – The last time, Alana had reservations about the screening and last time there were people opposed and who wrote letters, from three different people, and one person who spoke in favor besides themselves, but the decision said that those opposed were told that the application must be reviewed in 2 years and they should keep track of any issues or problems. Obviously it speaks for itself that no one is here in opposition, so there must not have been problems.

Mr. Millen – One neighbor that was opposed in the beginning, she is very friendly now and when she goes to FLA, we watch her house for her. She just moved in when we first started, now she knows us a little better. The property is well-maintained.

Mr. Atherton – The house itself is very nice, we worried about the parking and there was a big debate in the parking in that corner of Cadish and Q Street, but all of that is in the setbacks and we didn't want anyone parking there that was staying at the B&B and there have been no complaints.

Mr. Einhorn – There are three bays in the garage.

Mr. Atherton – Two garages and at least four spaces out front. When we went there, we decided there was ample parking.

Mr. Finn – What about the food, do you have to serve breakfast? Or do they just call it a B&B?

Mr. Millen – We can't really cook breakfast, you need commercial appliances to do so. We put out cereals, bagels, etc. Most of the people that come have come multiple times.

Mr. Finn – If you had a B&B permit, you can rent for the week, right?

Mr. Einhorn – They (the Millens) have to live there which they do.

Mr. Atherton – It's an approved use.

Mr. Millen – We go up to 2 weeks at a time. If it was more than 2 weeks, my lawyer said it becomes residency and we'd have to go to court to get them out.

Ms. Swiec – The hotel tax, do you as a B&B pay to the Town that hotel tax, like 3%, are you charged that?

Mr. Millen – By law, you can only have three rooms in your house and we're covered under that, if you go over three rooms that would change everything and it would become a different entity.

Mr. Finn – The DOR exempts B&B from the room taxes. That is a state law.

Ms. Swiec – Are there any questions from the Board?

Mr. Einhorn – I think it's a great location.

Motion: Mr. Einhorn made a motion to accept the application for a Bed and Breakfast for 5 Q Street for an additional maximum of five years.

Member	Motion	Second	For	Against
Alana Swiec, Chair			X	
Dr. Roger Atherton, Clerk		X	X	
Atty. Mark Einhorn, Member	X		X	
Phillip Furman, Associate				
Jason McCann, Associate				
Patrick Finn, Associate				

Action Taken, if any:

Mr. Atherton will write the decision.

Recorded by Karen Morgan

Approved by Roger Atherton

All actions taken:

All action taken includes not only votes and other formal decisions made at a meeting, but also discussion or consideration of issues for which no vote is taken or final determination is made. Each discussion held at a meeting must be identified; in most cases this is accomplished by setting forth a summary of each discussion. A verbatim record of discussion is not required.