

Scott Pelchat

From: nancy.sousa@nm.com
Sent: Wednesday, February 15, 2023 6:32 PM
To: City Manager; Planning
Cc: nancyesousa@gmail.com
Subject: Sousa 485 Endicott St E Unit #12 -Special Exception Application for ST Lodging

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Good evening,

As a follow up to my discussion with Kirk Beattie, Town Manager, on 2/10 and on 2/15, I wanted to emphasize my position and clarify your attorneys mis-representation of the use of my home and the relationship it has regarding the city's ST Lodging Ordinance.

Facts:

1. Nancy Sousa lives and resides full-time, year round in Massachusetts and is gainfully employed on a full time basis by a Massachusetts company located in Wellesley, MA. My 2 children attend public school in Tyngsboro, Massachusetts where my primary residence is located currently and has been for the past 25 years.

Attorney Spector-Morgan's primary assumption, for Sousa needing a special exception, is that I occupy the property the majority of time on a year round basis and therefore the unit doesn't fit the definition of a seasonal dwelling is grossly incorrect.

First and foremost, I do no such thing. I have gone to my place 3 times in the past 4 months for a quick overnight simply to check on the place, which with 2 school age kids, a full time job and a primary home to take care of, is really just a burden that I don't need. I bought this unit full well knowing it was a seasonal unit as the legal documents indicate such.

And if it was only so simple to change Declarations and By-Laws with one persons actions, what is the purpose of even having the legal documents. The documents from 1982 which are recorded with the registry of deeds state that all the unit(s) in Gatehouse Colony are seasonal. Those documents are referenced in my deed which my property is subject to and any applicable to any subsequent purchaser should I ever decide to sell.

- a. The city's ordinance for ST Lodging is allowed for seasonal dwellings between 5/1 and 10/31 and rentals do not exceed 120 night or 15 different rentals, whichever occurs first provided 3 criteria are met:
 - Seasonal unit
 - Less than 1400 sq ft
 - 1 unit on 1 lot

My unit meets all 3 criteria. Specific documents supporting all 3 criteria given to and copied by Kirk Beattie, Town Manager, on February 10th.

Not sure why I am being pushed to go before the ZBA when not necessary nor why the planning technician didn't want to accept my application and kept referring me to the Ken Levy, President of the Association. This is a matter between Sousa and the City of Laconia and seems straight forward to me. Regardless of issues neighbors had with Unit #17, this application stand on its own merit. The circumstances as far as proximity, parking, use and number of rentals are vastly different between the 2 properties. I have rented all of 27 nights to 7 different parties without 1 complaint. That is far below what the City actually allows per the ordinance.

I would appreciate a call from Dean Trefethen, Planning and Code Director, to discuss this matter prior to the scheduled ZBA meeting on February 21, 2023 at 6:30 so I understand fully the City's issue with my application.

Thank you,
Nancy Sousa
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