TOWN OF HEATH
PLANNING BOARD

Public Hearing and Planning Board Meeting Minutes

June 24, 2026 | Zoom | 7:08–7:43 PM

Attendance and Call to Order

Board members present: Douglas Mason (Chair), Will Emmet, Robert (Bob) Dane, and Peter Charow. Applicant: Maria Topitzer. Public participants included an abutter identified in the source notes as Patrick Morrissey and Diane Potter.

Chair Douglas Mason called the meeting to order at 7:08 PM via Zoom.

Public Hearing — Maria Topitzer Special Permit, 204 Route 8A

The Board considered Maria Topitzer's application to change the use of an existing barn/studio at 204 Route 8A to residential use, including possible short-term rental. The applicant resides at 206 Route 8A. The hearing notice was reported to have been published twice in the Greenfield Recorder. The Building Inspector had referred the application for special permit review based on the zoning provisions applicable to a change of use of a nonconforming structure.

Property and Proposed Work

The applicant described the barn parcel as a separately subdivided lot, 2.5 acres with 250 feet of road frontage, from an original property of just over seven acres. Board members discussed whether the lot's apparent conformity affected the need for a special permit. The proposed dwelling would include a kitchen, living area, bathroom, and bedroom, with no change to the existing building footprint. The applicant described a replacement rear deck, foundation reinforcement, an existing drilled but unconnected well, and planned septic installation. Building and safety approvals would be addressed through the applicable permitting processes.

Public Comment

Nearby abutters expressed opposition based on potential noise, headlights, outdoor lighting, traffic, gatherings, and impacts on privacy and the quiet enjoyment of their property. They described adverse experiences with previous occupants of an RV at the property and concerns about property values. Allegations concerning the former occupants were disputed by the applicant; the Board did not make findings based on those allegations. The applicant noted that the barn was insulated and offered to consider window treatment to reduce light from the street-facing window.

Board Discussion

Members discussed the apparent zoning conformity of the subdivided parcel, whether special permit review was required, and the extent of the Board's authority to restrict otherwise permissible residential activity. Will Emmet asked about reducing street-facing impacts; the applicant described limitations imposed by the interior layout. Members also discussed the applicant's proximity to the building and the need to complete septic, water, building, and fire-safety requirements before lawful occupancy.

Decision

The Board voted 3–1 to grant the special permit for a change of use of the barn/studio at 204 Route 8A to residential use. Bob moved, Peter seconded, voting in favor: Douglas Mason, Robert Dane, and Peter Charow. Opposed: Will Emmet.

No additional restrictions on rental hours, event activity, or occupancy were identified in the supplied notes as conditions adopted by the Board. Applicable septic, water, building, fire, and occupancy approvals remain separate legal requirements; consult the signed special permit decision for the authoritative conditions and findings.

Other Planning Board Business

The Board agreed to skip its July meeting and schedule the next meeting for Wednesday, August 5, 2026, at 7:00 PM via Zoom. Battery energy storage systems and energy-related zoning were identified as subjects for further discussion. Members were encouraged to share relevant informational materials in advance.

Adjournment

The meeting concluded at 7:43 PM. Bob moved, Peter seconded, passed unanimously