

**TOWN OF NEW HAMPTON
ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
TOWN OFFICES
NEW HAMPTON, NH 03256**

July 8, 2020

MEMBERS PRESENT

Regular members: Mr. Tierney, Mrs. Belanger, Mrs. Arsenault.
Alternate members – Mr. Livernois & Mr. Newman.

OTHERS PRESENT

Administrative Assistant Mrs. Vose

CALL TO ORDER

Mr. Tierney called the meeting to order at 7:00 PM.

Mr. Tierney appointed Mr. Livernois and Mr. Newman to vote for the vacant positions.

PUBLIC HEARING

*Thomas & Suzanne Cagle,
777 Coolidge Woods Road,
Tax Map R-1, Lot 19A, for
a Special Exception -Article
VI, Section A: 3 & 5, of the
New Hampton Zoning
Ordinance.*

Thomas & Suzanne Cagle were present to represent the application.

Mrs. Vose advised that the applicants, Thomas & Suzanne Cagle, have requested a Public Hearing in accordance with RSA 676:7, for a Special Exception request under Article IV, A., Sections 3 & 5 of the New Hampton Zoning Ordinance. The applicants' proposal is to construct an addition to the house, to create a one-bedroom accessory dwelling unit. To create an accessory dwelling unit (ADU) the applicants shall meet the definition and provisions under Article V, R. The property is located at 777 Coolidge Woods Road, Tax Map R-1, Lot #19A, in the General Residential, Agricultural, and Rural District.

Mrs. Vose advised that all abutters were notified but heard from none, noting one abutter Jeffrey Sawin, was present.

Mr. Tierney asked the members if they felt this application had any regional impact and they said it did not. Mr. Tierney asked the members if they had a chance to review the pertinent information that was previously sent to members relative to this application and they said they had.

Mrs. Cagle advised they have family living with them and intend to allow that to continue while creating an ADU for themselves to live in.

Mr. Tierney reviewed the provisions of an ADU in the zoning ordinance:

- i. Only 1 ADU would be permitted.*

Mrs. Cagle confirmed for the board that there were no other ADU's on the property and the only accessory structures were sheds and a chicken coop.

- ii. The ADU must provide independent living facilities, ie. sleeping, eating, cooking, and sanitation.*

Mrs. Cagle confirmed there would be a small kitchen and a full bathroom. Relative to the existing septic, they have obtained a septic design to handle the existing home and proposed ADU.

- iii. *The ADU shall have an independent means of ingress and egress through a common space.*

Mrs. Cagle explained there was a door to the existing house, and 2 additional doors which directly exit to the exterior of the ADU.

- iv. *The ADU shall be attached to or within the principal dwelling unit or accessory building.*

Mrs. Cagle stated the ADU would be connected to the existing home as shown on a sketch.

- v. *Either the ADU or principal dwelling unit is the owner's principal residence.*

The board agreed that the Cagle's had already indicated they'd be living in the ADU.

- vi. *An ADU in the principal dwelling shall not exceed 800 sq. ft. in habitable floor area.*

Mr. Tierney stated the calculations reflect the ADU is 800 sq. ft. based on the drawing.

- vii. *As this related to an ADU in an accessory building the board agreed this criterion did not apply.*

- viii. *The ADU shall have no more than 2 bedrooms.*

Mrs. Cagle confirmed it had only 1 bedroom.

- ix. *An ADU shall be provided a minimum of 2 off-street parking spaces, in addition to primary dwelling unit parking requirements.*

Mrs. Cagle said there was plenty of parking, which Mr. Newman confirmed as he was familiar with the property.

- x. *An ADU shall make provision for adequate water supply and sewage disposal service in compliance with NHDES.* Mr. Tierney said this has been shown to be true relative to the septic design. Mrs. Cagle confirmed they had an artesian well to accommodate the ADU.

Asked where the addition was in relation to the property lines, Mrs. Cagle advised that the addition was a great distance from the side property line, roughly 200+ feet and set back about 300 ft from the road.

The board reviewed the Special Exception requirements.

The specific site is an appropriate location for such use: There were

no questions.

There is adequate area for safe and sanitary sewage disposal: Mr. Livernois said this has been addressed during the discussion.

The use will not adversely affect the adjacent area: The board noted the property was large with a lot of road frontage.

There will be no nuisance or hazard created: There were no questions.

Adequate and appropriate facilities will be provided for the proper operation of the proposed use: There were no questions.

The use will not impair the aesthetic values exhibited by the surrounding neighborhood: Mrs. Cagle said the addition would be complimentary to the existing log home.

The building, parking/or driveway area will not exceed the maximum percentage of lot coverage in the applicable zoning district: It was noted the lot coverage limitation was 20% and as the lot is over 27 acres the board agreed this was not an issue.

Relative to the Agritourism criteria the board agreed this did not apply.

Mr. Sawin advised he was an abutter and was present to see what was being proposed and to understand the process. Mr. Sawin looked at the plan submitted.

As there were no further questions Mr. Tierney advised that the board would go into deliberations.

Mr. Livernois stated his opinion was that the Cagles met all the requirements under the definition of an ADU and met the criteria for a Special Exception. All board members agreed.

Mr. Livernois made a motion, seconded by Mr. Newman to approve the ADU, attached to the single-family home. Relative to any conditions Mr. Newman suggested some type of life safety inspection. Though there was concern that someone in the future could offer this rental through a platform such as Airbnb the board agreed there were regulations in place to address that. Mr. Livernois made a motion, seconded by Mr. Newman to strike the previous motion and to approve the application for the Special Exception for the ADU with the condition that the applicant meet with the Fire Dept to ensure the plans meet the life safety requirements prior to commencing building. Vote was unanimous.

ELECTION OF OFFICERS

Mr. Tierney suggested that the 2 alternate members, Mr. Livernois and Mr. Newman consider being regular members since there were 2 vacant

positions.

Mrs. Belanger asked for a nomination for Chairman. Mr. Livernois made a motion, seconded by Mrs. Arsenault to elect Mr. Tierney as Chair. Vote was unanimous.

Mr. Newman made a motion, seconded by Mr. Livernois to elect Mrs. Belanger as Vice-Chair. Vote was unanimous.

Mr. Livernois made a motion, seconded by Mrs. Belanger to elect Mrs. Arsenault as Clerk.

Mrs. Vose asked Mr. Livernois and Mr. Newman were willing to become regular members and they agreed. Mrs. Vose said she would ask the Selectmen to create appointments for them. Mr. Tierney said there will then be 2 vacancies for alternate members.

MINUTES

Mr. Livernois made a motion, seconded by Mrs. Belanger, to approve the minutes of 12/4/19 as written. Motion passed.

Mrs. Belanger made a motion, seconded by Mr. Livernois, to approve the minutes of 5/27/19 as written. Motion passed.

Relative to 6/3/20 Mr. Tierney advised that on Pg. 4 advising there was a “)” but no “(“. It was the consensus of the board to better review these minutes prior to voting on them. The board agreed to also table the minutes of 6/16/20 and 6/23/20.

Mrs. Belanger made a motion, seconded by Mr. Tierney to approve the minutes of 9/4/19 and 11/6/19 as written. Motion passed.

CORRESPONDENCE

There was none.

ADJOURNMENT

Mrs. Belanger made a motion, seconded by Mr. Livernois, to adjourn at 7:45 pm. Vote was unanimous.

Respectfully Submitted,

Pam Vose, Administrative Assistant