



**TOWN OF
BROOKLINE, NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT**

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**BOARD OF ADJUSTMENT
MINUTES**

Wednesday, August 14, 2013

Present: Peter Cook, Member, Chairman
George Foley, Member, Vice-Chair
Webb Scales, Member, Clerk
Marcia Farwell, Member

Absent: Kim Bent, Member & Charlotte Pogue, Alternate

General Business Meeting

Case 372

In attendance for this hearing Applicants Jeffrey and Tina McEvoy, Francis Gavin (Gavin Construction and Remodeling).

Peter read the hearing notice:

“Applicants Jeffrey & Tina McEvoy are requesting a Special Exception to allow an Accessory Dwelling Unit. Lot B-83-5 is located at 263 Route 13 containing 12.2 acres in the residential/agricultural zone. Brookline Zoning and Land Use Ordinance, Section 2000.00.”

Peter said we only have four full members in attendance tonight, you have a right to a five member board would you like to proceed or table this meeting. **Jeff** said he would like to continue tonight. **Jeff** said they are proposing a roughly 1,000 square foot addition to the back of the house which will be an in-law apartment for his wife’s parents.

Francis said has had very rough drawings and handed them out to the board. He stated that the addition will be a short extension of the side of the house then and extension to the back of the house with a full dormer. There will be a carport but it will only have a roof. The total size will be 1,000 square feet or less excluding the carport. He will add a bulkhead to the back of the house. **Webb** asked if this accessory dwelling unit will have access to the basement. **Francis** said yes. **Marcia** asked if the second floor will be a bedroom. **Francis** said this will be an unfinished area. **Jeff** said he would more than likely finish it at some point in future. **Marcia** said that would put this at well over 1,000 square feet. **Francis** said when it is all said and done this addition will be less than 1,000 square feet as it states in the ordinance. These plans are conceptual. **Peter** said without specific plans they will not be able to make a decision. **Webb** said they may not be able to grant this tonight but they could go through the points. **Marcia** said they shouldn’t need plans we could just grant this with conditions that they do not go over the allotted 1,000 square feet as it states in the zoning ordinance. **Peter** suggested they go through the points of the Zoning Ordinance Section 2002.01 through 2002.18.

2002.01 Accessory Dwelling Units shall be secondary and accessory to a principal single family dwelling

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unit or accessory building.

Peter said that is clearly what we have with this situation.

2002.02 *In granting a special exception, the Board of Adjustment must find that the secondary unit is developed in a manner which does not alter the character or appearance of the principal dwelling unit as a single family residence.*

Peter said they will make it look like the rest of the house. **Francis** said that after the addition is built they will roof and side the entire house including the addition so it all matches. **Marcia** agreed if you side the entire house it will not alter the appearance. **Francis** said all work will be done in the back of the house.

2002.03 *Only one accessory dwelling unit shall be allowed per principal dwelling unit and/or lot.*

Francis said yes only one Accessory Dwelling Unit.

2002.06 *Any necessary additional entrances or exits shall be located to the side or rear of the building whenever possible.*

Francis said all work will be done in the back of the house.

2002.07 *An Accessory Dwelling Unit shall not be considered to be an additional dwelling unit for the purpose of determining minimum lot size.*

Francis said this will be one single family home just extended.

2002.09 *Attached or detached accessory dwelling units shall have two (2) means of egress, other than a window, shown on a plan that shall be submitted and approved by the Fire Department and the Building Inspector prior to filing an application for special exception with the Zoning Board of Adjustment.*

Francis said they will have two exit doors, a bulkhead, and a door into the main house. **George** said all means of egress still has to be approved by the Fire Department. **Francis** agreed.

2002.11 *The gross living area of an accessory dwelling unit shall not be less than 350 square feet and not greater than 1,000 square feet.*

Francis said the Accessory Dwelling unit will be 1,000 square feet or less.

2002.12 *The above grade gross living area of the principal dwelling shall not be reduced to less than 1200 square feet.*

Francis said this will not change the amount of living space for the existing house.

2002.14 *A building permit for an accessory dwelling unit must be approved and issued prior to the construction. An attached accessory dwelling unit shall have an interconnected fire alarm system.*

Francis said this is also required by building codes.

2002.15 The Emergency Management Director shall determine the house number for the accessory dwelling unit at the time of building permit application.

Francis said he will discuss the house numbering with the Brookline Emergency Management Director Wes Whittier.

2002.17 The driveway shall be designed to appear as a driveway of a single family residence, and no new curb cut from the street shall be constructed. Adequate off-street parking shall be provided to support the vehicles of the primary and accessory units.

Francis said this is already a shared driveway with the neighbors. **Jeff** said he has spoken with his neighbor and he is fine with the addition of the in-law apartment. **George** asked if the same curb cut will be used. **Francis** said yes.

2002.18 The existing, replacement or proposed septic system must be certified by a licensed septic designer or engineer as adequate to support the accessory dwelling unit in accordance with New Hampshire RSA 485-A:38 and the Town of Brookline septic regulations.

Francis said he is still waiting for the septic plans to be approved by the state. **Jeff** said they are already approved for a three bedroom house. They have three bedrooms now and after the in-law is built they would like to break down a wall and make two bedrooms into one in the house. This will be 3 total bedrooms including the in-law apartment. **Francis** said Meridian Land Services is still working on the plans. When the final plan comes in they will submit it to the Building Inspector and the Fire Department for comments and approval.

George suggested that they table the meeting until the next month when they may have actual plans.

Marcia made a motion to grant the Special Exception with the condition that the septic is approved by the state and the plans are reviewed by the Building Inspector and the Fire Department.

Marcia said she didn't think they needed to have the applicant come back this could be approved with conditions.

Without a second to Marcia's motion **George** made a motion to table the discussion until the September meeting.

George makes a motion to table the discussion until the September 11, 2013 Zoning Board meeting to allow the applicant to get the plans finalized and address the outstanding issues which are zoning ordinance section 2002.09, 2002.11, 2002.18, and section 2004.01.

Without a second to **George's** original motion. **George made a motion to table the discussion until the September 11, 2013 meeting. Peter seconded. Vote yes 3-1. Peter, George, and Webb voted yes. Marcia voted no.**

Marcia made a motion to adjourn at 8:15 pm. George seconded. Vote yes 4-0.

Peter Cook, Member, Chairman _____

George Foley, Member, Vice-Chair _____

Webb Scales, Member, Clerk _____

Marcia Farwell, Member _____

Minutes submitted by Kristen Austin.

The next ZBA meeting will be held on September 11, 2013.