

Final

Are you in favor of the following changes to the Town's Zoning Ordinance?

Add under Article IV General Provisions Section O Detached Accessory Dwelling Unit as permitted under RSA 674:73 (Effective June 1, 2017)

1. One Detached Accessory Dwelling Unit (DADU) shall be allowed in all zoning districts that permit single-family dwellings. The following requirements apply:

A. No change in frontage or setbacks shall be required for a DADU, however, the minimum lot size for any given Zoning District shall be the following:

1. Residential District Type A minimum lot area shall be 80,000 square feet
2. Residential District Type B minimum lot area shall be 50,000 square feet
3. Rural/Agricultural minimum lot area shall be 80,000 square feet
4. Timberland not permitted

B. The maximum area for a Detached Accessory Dwelling Unit shall be 900 square feet of living space. A larger living space may be permitted by a variance granted by the Zoning Board of Adjustment.

C. No more than Three (3) bedrooms may be permitted in a Detached Accessory Dwelling Unit.

D. Detached Accessory Dwelling Unit must be within 150 feet of the principal dwelling unit.

E. Occupancy of the accessory or principal unit is limited to family members related by blood, marriage, adoption, foster children or, if unrelated, not more than two (2) unrelated individuals. (See 3C for maximum occupancy.)

2. The Detached Accessory Dwelling Unit may be within separate detached building on the property (such as a garage or barn).

3. Unless otherwise provided for herein, all existing regulations applicable to single family dwellings shall also apply to the combination of a principal dwelling unit and detached accessory dwelling unit, including the following:

- A. the state building code
- B. applicable sections of the state fire code
- C. the standards for maximum occupancy per bedroom consistent with policy adopted by the United States Department of Housing and Urban Development

4. Adequate provisions for water supply and sewage disposal for the detached accessory dwelling unit in accordance with RSA 485-A:38 shall be demonstrated by the applicant. Separate systems, including but not limited to plumbing, heating, electrical and sanitary disposal systems, are not required for the principal and detached accessory dwelling unit provided that occupants of both units have access to the electrical panel and circuit breakers serving their respective units.

5. All applications to create a detached accessory dwelling unit shall demonstrate to the Zoning Board of Adjustment that the property has ample parking for both the principal unit and DADU.

6. When the creation of an DADU requires an addition to or modification of the exterior of the existing detached structure, or the creation of a new detached structure, the architectural design and details to be used shall be aesthetically compatible with and maintain an aesthetic continuity with the principal dwelling unit as a single-family dwelling.

A. An addition to or exterior modification of an existing detached structure shall be designed to match within reason the architectural style, detail, and materials of the existing structure.

B. When constructing a new detached structure to accommodate an DADU, the exterior design may either reflect the architectural style, detail, and materials of the existing single family structure, or it may reflect the architectural style, details and materials that are commonly found in detached accessory structures associated with a single family dwelling, such as a barn, or a garage with apartment over.

7. The owner of the property shall occupy either the principal dwelling unit or the detached accessory dwelling unit as their "Principal Place of Residence." Whichever dwelling unit is not the property owner's principal place of residence may be rented to a person(s) unrelated to the property owner

A. The owner shall demonstrate to the Select Board that one of the units is his or her "Principal Place of Residence" prior to issuance of a Building Permit by the Select Board for the accessory dwelling unit.

B. The term "Principal Place of Residence" for purposes of determining owner occupancy shall mean the location where the property owner is domiciled and has a place of abode, and the location where the property owner has, through all of his or her actions, demonstrated a current intent to designate said residence as his or her principal place of physical presence.

Such an intent on the part of the property owner is evidenced by, among other things, his or her voter's registration, vehicle registration, driver's license, or the placement of his or her children in local public schools.

Any temporary lapse of owner occupancy in the primary residence caused by the death of a property owner shall be permitted for a period not to exceed 1 year.

C. The property owner shall submit to the Select Board a signed and notarized "memorandum of adequate notice", to be recorded at the registry of deeds at the applicant's expense.

A. The notice shall identify the property on which the detached accessory dwelling unit is located by source deed, and serve as a notice to successor owners that the accessory dwelling unit is subject to the provisions of this section of the zoning ordinance, and that owner occupancy of one of the two units is required by this subsection. This notice shall be recorded upon issuance of a Building Permit.

B. If the owner of the property is a trust, the term "property owner" shall mean the creator or beneficiary of the trust. If the owner of the property is a corporation, the term "property owner" shall mean the principal stockholder.

Under Section XVII, P. Add after "A one or two family dwelling will share the same foundation per lot."
Effective June 1, 2017 Attached Dwelling Units are to comply with RSA 674:71 – RSA 674:72