

TOWN OF EAST KINGSTON, NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT MEETING MINUTES
February 23, 2006

AGENDA

7:30 Brandon and Kelly Kobrenski
18 Sanborn Road
MBL #15-2-7
ZBA # 06-02

Members attending: **Chairman John V. Daly, David A. Ciardelli, Norman J. Freeman**

Alternate members: **Catherine Belcher, Paul Falman, Peter Riley**

Others attending: **Brandon and Kelly Kobrenski**

Chairman Daly opened the meeting of the East Kingston Zoning Board of Adjustment at the East Kingston Town hall on February 23, 2006, at 7:30PM to consider an application seeking a special exception from Article VIII – USES PERMITTED Paragraph F. for an accessory dwelling unit.

Mr. Daly went through the list of the five conditions that must be met before granting a special exception for an accessory dwelling.

1. Ownership. The owner of the property must occupy one of the units as a primary resident and be the owner/landlord of the accessory dwelling unit. This fact does not change in the event of the sale of the property. Mr. and Mrs. Kobrenski own the property and this is an actual in-law apartment.

Discussion ensued regarding inspections to make sure this is complied with by new owners. Mr. Daly stated that it is the Selectmen's duty to make sure they comply.

2. Living Area Configuration. Total living area for an accessory dwelling unit shall not exceed 500 square feet, and must consist of not more than one bedroom, one kitchen/living area and one bathroom. The accessory dwelling unit must be clearly secondary to the principal residence. Mr. Daly stated that this requirement is clearly satisfied.

3. Construction. One accessory dwelling unit is permitted per residential lot. It must be built within or attached to the principal dwelling to preserve the appearance of a single-family dwelling. There can be no outside entry way to the accessory unit on the front/street side of the principal residence. Interior passage through the dwelling's common wall(s) shall provide for safe egress. It was noted that the interior passage is

through the stairway. Mr. Daly stated that this will have to pass inspection in order to get a certificate of occupancy.

4. Parking. Off street parking shall be available for a minimum of two autos for the principal residence and two for its accessory dwelling unit. Room for vehicle ingress, egress and turn-around on-site shall be provided. A new curb cut for the accessory unit is prohibited. Mr. Day noted where the proposed parking is and that there is adequate space for a turn-around.

5. Pre-existing Conditions. A pre-existing accessory dwelling unit in existence before March 8, 2005 in a non-complying residence must comply within six months and the owner must obtain a certificate of occupancy. Mr. Daly stated that this requirement is not applicable.

Mr. Daly stated that the well and septic system will have to pass inspection. Mr. Kobrenski stated that the septic is a four-bedroom design. Mr. Daly added that they will have to get a certificate of occupancy from the building inspector.

Mrs. Belcher cited Article VIII – Uses Permitted Paragraph F. 8, “The owner shall provide documentation for the Board of Selectmen to establish that all tenants, and any change of tenants, conform to this requirement.” Mr. Belcher noted that there will be recording fees involved to the Registry of Deeds as well as a bill from the building inspector. Mr. Falman also added that a building permit is also required.

MOTION: Mr. Ciardelli **MOVED** that the Board approve the application for a special exception to Article VIII – Uses Permitted Paragraph F for an accessory dwelling. Mr. Freeman seconded and the motion carried unanimously.

MOTION: Mr. Ciardelli **MOVED** that the Board approve the minutes from January 18, 2006. Mrs. Belcher seconded and the motion carried unanimously.

Mr. Daly closed the hearing.

The meeting adjourned at 8:55 PM.

Respectfully submitted,

Helen M. ~~Lonek~~
Recording Secretary