

Town of East Kingston, New Hampshire  
Zoning Board of Adjustment Meeting Minutes

May 25, 2017  
7:00 pm

AGENDA

**Case #17-02.** Crazy Creek Realty Trust / Sheryl MacLeod Trustee, 17 Stumpfield Road, East Kingston, NH (MBL 015-03-02). The applicant is seeking a special exception under Article VIII - USES PERMITTED Paragraph F. for an accessory dwelling unit.

**Members Attending:** Chairman John Daly, Dave Ciardelli, Paul Falman, Tim Allen and Frank Collamore.  
**Also present:** Applicant Sheryl MacLeod Trustee. No abutters were present.

Mr. Daly opened the meeting of the East Kingston Zoning Board of Adjustment (ZBA) at 41 Depot Road (Pound School) on May 25, 2017 at 7:03 pm and appointed Mr. Collamore as a voting member.

**Public Hearing 17-2**

Crazy Creek Realty Trust / Sheryl MacLeod Trustee, 17 Stumpfield Road, East Kingston, NH (MBL 015-03-02). The applicant is seeking a special exception under Article VIII - USES PERMITTED Paragraph F. for an accessory dwelling unit.

Mr. Daly noted this Public Hearing had been continued from the original date of May 4 due to the necessity of the Board of Selectmen to first ratify the March 14, 2017 election results, thereby ensuring no conflicts with the new accessory dwelling ordinance and any decision made by the Zoning Board.

Mr. Daly opened this public hearing and acknowledged that Ms. MacLeod was in attendance. Chairman Daly reviewed that the information provided by Ms. MacLeod appeared to be complete.

Ms. MacLeod explained she wanted to build the accessory apartment to enable her mother to live there. She planned on constructing the accessory apartment in the lower level of the new home she was building and had provided plans to the Board. The proposed apartment was within the allowable square footage of 900 square feet, and had egress into the main dwelling and an exit to the outside which was not on the front side of the main house. She was only requesting one bedroom, although the new ordinance would have allowed her to have two if she wished. She showed where there was parking for both the primary dwelling and the accessory apartment, and had provided the required septic plan.

Mr. Daly reviewed the Special Exception Worksheet with the Board.

1. **Zoning District** - The property must be located in a Zoning District that allows single family dwellings.

The property card states it is in a zoning district where single family dwellings are allowed.

***This condition is satisfied.***

2. **Ownership** - *The owner of the property must occupy one of the units as a primary residence and be the owner/landlord of the accessory dwelling unit. This does not change in the event of the sale of the property.* [The Condominium form of ownership of either the principal dwelling or the accessory dwelling unit is not permitted.].

The property card shows that Crazy Creek Realty Trust / Sheryl MacLeod Trustee is the owner of the property and Ms. MacLeod stated she plans to continue living there.

***This condition is satisfied.***

3. **Living Area Configuration** Total living area for an accessory dwelling unit shall not exceed 900 square feet, and must not consist of more than 2 bedrooms. The accessory dwelling unit must be clearly secondary to the principal residence. Dormitory-style facilities are prohibited.

Ms. MacLeod noted the apartment will have one bedroom, one bath, a kitchen and a living area configured within the allowable 900 sf.

*This condition is satisfied.*

4. **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. Attached means having a shared wall or connected by a covered and enclosed structure. There can be no outside entryway to the accessory unit on the front/street side of the principal residence. There shall be a connecting door between the primary dwelling and the accessory dwelling unit.

Ms. MacLeod has shown the apartment meets these conditions; the apartment will be located in the lower level of the house with an entry way into the main house and an entrance at the rear of the primary dwelling.

*This condition is satisfied.*

5. **Parking** Off street parking shall be available for a minimum of 2 vehicles for the principal residence and 2 vehicles for the 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.

Ms. MacLeod has indicated parking for at 4 vehicles on her sketch.

*This condition is satisfied.*

6. **Septic Facilities and Water** An accessory dwelling unit shall comply with all applicable water and sanitary requirements.

Ms. MacLeod has provided a copy of an approved septic plan.

*This condition is satisfied.*

Mr. Falman asked if the septic system was installed; Ms. MacLeod noted it was not at this time. Mr. Ciardelli noted the property was at one time part of the Rosenberg property. Ms. MacLeod stated she had been given a brochure with pictures from the previous owner about the property.

Mr. Daly asked if the Board members had any questions for Ms. MacLeod; there were none.

Chairman Daly asked for a motion.

**MOTION:** Mr. Allen **MOVED** that the board grant the special exception under Article VIII – USES PERMITTED Paragraph F. for an accessory dwelling unit for Crazy Creek Realty Trust / Sheryl MacLeod Trustee, 17 Stumpfield Road, East Kingston, NH (MBL 015-03-02) based on satisfying the conditions for granting the special exception outlined in the ordinance. Seconded by Mr. Ciardelli; the vote was five “ayes” and the motion carried.

Mr. Daly closed the public hearing. Ms. MacLeod thanked members of the Board.

Mrs. White informed Ms. MacLeod there would be a \$12 fee for the decision to be recorded at the Registry of Deeds. Ms. MacLeod will provide a check made out to the Rockingham Country Registry of Deeds.

The meeting was adjourned at 7:17 PM.

Respectfully submitted,

*Barbara White*

Barbara White  
Recording Secretary

John Daly  
Chairman