

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

August 23, 2018  
7:00 pm

MINUTES

**Case #18-01.** Lisa Vlasich, 39 Haverhill Road, East Kingston, NH (MBL 09-08-24).

The applicant is seeking a special exception under Article VIII - USES PERMITTED Paragraph F. for an accessory dwelling unit.

**Members Attending:** Chairman John Daly, Paul Falman, Dave Ciardelli, Tim Allen, Frank Collamore and alternate Ed Robbins.

**Also Attending:** Applicant Lisa Vlasich and Linda MacLaren, her aunt.

Mr. Daly opened the meeting of the East Kingston Zoning Board of Adjustment at 7:00 pm.

Ms. Vlasich explained she wanted to build an attached accessory apartment to her existing home for her Aunt, Ms. MacLaren, to live in. Ms. Vlasich has supplied the required documents consisting of a new septic system design, where parking will be located, and drawn sketches of the accessory apartment configuration with measurements.

Mr. Daly reviewed the Special Exception Worksheet with the Board and there was Board discussion on the criteria.

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

The property card indicates it is located in the zone 1 residential zone, and the ordinance states accessory apartments may be approved on any legally existing parcel ... where single family dwellings are permitted.

*This condition is satisfied.*

2. **Ownership** - The ordinance states the owner of the property must reside in one of the units.

According to the deed recorded in the RCRD, Ms. Vlasich is the owner of the house. She explained she intends to continue living there.

*This condition is satisfied.*

3. **Living Area Configuration** - The ordinance states an accessory apartment cannot be larger than 900 sf. or have more than 2 bedrooms.

According to the plans submitted to the Board, the proposed apartment (a total of 680 sf) will have one bedroom, one bath, a kitchen, dining area and a living area configured within the allowable 900 sf., attached to the primary dwelling unit by a hallway.

*The accessory apartment has access to the main dwelling via the hallway, which satisfies being attached to the main dwelling. The slider door at the rear of the apartment from the living room (not at the front side of the house) will be the main entrance, and the exit into the hallway will satisfy the ordinance requirement for a connecting door to the primary dwelling unit.*

*This condition is satisfied.*

4. **Construction** - The ordinance states an accessory dwelling unit must be attached to the primary dwelling unit and cannot have an entry way on the front side of the house. There also must be an interior passage through the main house for safe egress.

The apartment meets these conditions; according to the plans submitted to the Board, it will be attached to the house by a hallway which attaches to the main house and the entrance to the accessory apartment is shown on the side of the new accessory apartment at the rear of the primary dwelling.

***This condition is satisfied.***

5. **Parking** - The ordinance states there will be a minimum of 2 off street parking spaces each for the main house and accessory apartment.

Ms. Vlasich has indicated on the sketch parking for the main house (in front of the garage) and two parking spaces on the side of the driveway for the accessory apartment, with adequate turn-around space.

***This condition is satisfied.***

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

Ms. Vlasich wants to use the existing septic system, but has supplied a replacement septic system plan as per Article VII F. g. of the zoning ordinance. The replacement system has been approved by the state and is for a 4 bedroom residence and a 1 bedroom ADU. Having an approved replacement system is a requirement for approval.

***This condition is satisfied.***

Mr. Daly reviewed the criteria:

1. Zoning District - The property must be located in a Zoning district that allows single-family dwellings.  
***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 for either the principal dwelling or the accessory dwelling unit is not permitted.]  
***This condition is satisfied.***
3. Living Area Configuration - Total living area for the accessory dwelling unit shall not exceed 900 square feet, and must consist of not more than 2 bedrooms. The accessory dwelling unit must be clearly secondary to the principal residence. Dormitory-style facilities are prohibited.  
***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 entry way 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.  
***This condition is satisfied.***
5. Parking - Off street parking shall be available for a minimum of 2 automobiles for the principal residence and 2 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.  
***This condition is satisfied.***
6. Septic Facilities and Water - An accessory dwelling unit shall comply with all applicable water and sanitary requirements.

The Board members reviewed the state-approved septic plan dated July 18, 2018.

***This condition is satisfied.***

Mr. Daly asked for a Motion.

Mr. Allen **MOVED** since all the criteria were met, the Board approve the Special Exception application under Article VIII - USES PERMITTED Paragraph F. for an accessory dwelling unit for Lisa Vlasich, 39 Haverhill Road, East Kingston, NH (MBL 09-08-24). Second by Mr. Ciardelli; unanimous approval.

Ms. Vlasich thanked members of the Board.

The meeting was adjourned at 7:30 PM.

Respectfully submitted,

*Barbara White*

Barbara White  
Recording Secretary

John Daly  
Chairman