

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

November 30, 2017

7:00 pm

**AGENDA**

**Case #17-04.** Brad and Karen Hoffmaster, 11 Greystone Road, East Kingston, NH (MBL 04-02-17). 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, Frank Collamore and Tim Allen.  
**Also present:** Applicants Brad and Karen Hoffmaster, and abutters Thomas Densford, 14 Greystone Road and Jean Furfari, 13 Greystone Rd.  
**Advisors Present:** East Kingston Building Inspector John Moreau

Mr. Daly opened the meeting of the East Kingston Zoning Board of Adjustment at 7:02 pm and appointed Mr. Collamore as a voting member.

***Public Hearing 17-4***

Brad and Karen Hoffmaster, 11 Greystone Road, East Kingston, NH (MBL 04-02-17).. The applicants are seeking a special exception under Article VIII - USES PERMITTED Paragraph F. for an accessory dwelling unit.

Mr. Daly opened this public hearing and acknowledged that Mr. and Mrs. Hoffmaster were in attendance.

Mr. Hoffmaster explained he wanted to build the attached accessory apartment to their existing home for his parents to live in. Mr. Hoffmaster 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.

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, the Hoffmaster's are the owners of the house and they plan 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 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 4-season room.

*Is the 4-season room part of the access apt? No, it will be part of the primary dwelling. The accessory apartment opens up to the 4-season room, which satisfies being attached to the main dwelling. The slider door on the side of the apartment (not the front side of the house) will be the main entrance, and the exit into the 4-season room 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 4-season room which attaches to the main house and the entrance to the accessory apartment is shown on the side of the new accessory apartment. Mr. Falman reminded the Board the applicant had included photos that show where the addition will be.

***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.*

Mr. Hoffmaster 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, 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.*

The Hoffmaster's want to use the existing septic system, but have supplied a replacement septic system plan as per Article VII F. g. of the zoning ordinance. The new plan will increase the size of the leach field. The replacement system has not been approved by the state. Having an approved replacement system is a requirement for approval.

There was Board discussion on this as they did not have a replacement septic system plan approved by the state before them. Mr. Hoffmaster explained he was waiting for approval of the accessory apartment before going to the expense of submitting it to the state. He had already spent \$1,500 for the replacement system design.

Mr. Allen noted a licensed septic designer drew up the replacement plan which shows that, in his opinion, the site meets all the requirements for a 5 bedroom system. Mr. Ciardelli opined this shows that it is in the works.

Mr. Daly asked Mr. Moreau what the timeframe for approval from the state would be; Mr. Moreau noted it should be within 30 days, but there is a holiday at the end of the month which could extend the timeframe.

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

The Board ascertained they could approve the application subject to receipt of an approved septic application from the state.

Chairman Daly asked if there were any abutters present that wanted to speak, and if so asked them to identify themselves.

Jean Furfari, 13 Greystone Rd. stated she had some questions for the applicants.

- **When will construction start?** Mr. Hoffmaster was not sure; it would depend on the approval of the septic system, when the contractor was available and if the weather cooperated. The contractor stated they could build in the wintertime.
- **How long will the construction take?** Again, that would depend on the contractor and the weather. Mr. Moreau stated that the applicant has 6 months to start construction, and then construction would need to be completed within one year from the issuance of the building permit.
- **Is there any statute that dictates what time construction could start and end?** Mr. Moreau noted there is no ordinance stating beginning and ending construction hours.

Mrs. Furfari had no more questions.

Mr. Daly opined they could give approval subject to the receipt of the state-approved septic design, with a continuance to December 28, if the approved design is not received. Mrs. White would inform the members when the approved system design is received at the Selectmen's Office.

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.***

Mr. Collamore asked if there would need to be separate building permits for the 4-season room and the accessory apartment, as the 4-season room was not part of the accessory dwelling unit. Mr. Moreau noted they could issue one or two building permits, depending on how the applicants wanted to proceed.

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.

Mr. Daly stated that when the septic plan is approved by and received back from the state, the special exception will be voted on by the Board. Mrs. White will notify the Board members when it is received.

Mr. Hoffmaster thanked members of the Board.

Mrs. White informed Mr. Hoffmaster there would be a \$12 fee for the decision to be recorded at the Registry of Deeds when everything is complete, and will let Mr. Hoffmaster know when the check is needed.. Mr. Hoffmaster will provide a check made out to the Rockingham Country Registry of Deeds.

Mrs. Furfari asked if a copy of the decision could be sent to her; Mrs. White will send this to her when the septic design is approved and received.

### ***Board Business***

Mr. Daly informed the Board that Cathy Belcher, Vice Chairman, no longer wishes to serve on the Zoning Board due to increased responsibilities at her workplace. Mr. Collamore will move to a position of regular member in March when the appointments are due. If members know of anyone who would like to serve on the Board as alternates, please ask them to submit a letter of interest. Mr. Daly will include the opening on the Board in the year-end report and put it on facebook. The meeting was adjourned at 7:30 PM.

Respectfully submitted,

*Barbara White*

Barbara White  
Recording Secretary

John Daly  
Chairman