

CANDIA ZONING BOARD OF ADJUSTMENT
Minutes of January 28, 2014
APPROVED

Place: Town Hall; Meeting room

Call to Order: 7:00 pm

Members Present: Boyd Chivers, Chairman; Judith Szot, Vice Chairman; Ron Howe, John Easter; Bob Petrin, Alt; Amanda Soares, Alt.

Members Absent: Ingrid Byrd

Pledge of Allegiance

Chair Chivers asked A. Soares to sit for I. Byrd.

Approval of Minutes October 22, 2013

Members Sitting for Approval of Minutes: B. Chivers; B. Petrin

MOTION: Motion made by B. Petrin, seconded by B. Chivers, to approve the minutes of October 22, 2013 as amended. The motion carried with a vote of 2-0-4. B. Chivers and B. Petrin were in favor. Judith Szot Vice Chair; Ron Howe; John Easter; Amanda Soares, Alt abstained.

Case 14-599 Applicant: Mr. & Mrs. Roland & Joan Tancrede 235 Main Street, Candia NH 03034; Owner: Same; Property Location: 235 Main Street; Map 409 Lot 038; for a Special Exception under Section 15.04 E: Accessory Dwelling Units: to permit the construction of an Accessory Dwelling Unit in a Residential Zone.

Members Sitting for this Hearing: Boyd Chivers, Chairman; J. Szot; R. Howe; J. Easter; A. Soares

Applicant/Agents Present: Mr. Roland Tancrede 235 Main Street Candia NH 03034

Abutters/Public Present: Mr. & Mrs. Charles Wheeler, 225 Main Street

Chairman Chivers asked J. Szot to read the Building Inspector's memo dated January 21, 2014 before the applicants presented their case;

"Dear Members of the ZBA,

The proposed apartment located at 235 Main Street owned by the Roland & Joan Tancrede has a different design than other "In-law" apartments that we have looked at in the past. It is not completely self contained as others have been due to the fact that the bathroom area will still be the existing one located in the main house. If it were not for the addition of a kitchenette it would only be an added bedroom to the main dwelling and I would not have brought this to the ZBA.

The proposed area to be re-constructed is located in the existing attached barn and will be 567 square feet, well within our ordinance requirements of 600 square feet or less. There is ample parking on site. The owners would be occupying the new unit and family members occupying the existing dwelling.

We do not have any records of the existing septic system that seems to be in working order however I suggest removing the use of one existing bedroom located in the main dwelling to limit the additional usage of the existing system. Annual pumping of the system would also assist in maintaining its performance.

Some structural improvements will need to be done to the barn in order to provide the structural integrity needed to accommodate the added weight of a finished area with adequate insulation and wall coverings, trim, cabinetry and furniture.

The design allows two ways of egress to the outside and a passageway through the main house. I have not had the opportunity to view the existing electrical service and it may need to be upgraded to allow additional circuits needed for the apartment.

The Tancredes realize that they have a lot of work ahead of them and I see no problem with the approval being granted for this special exception.”

A copy of the memo was given to R. Tancrede. Chairman Chivers asked him if he had any questions or issues with the memo and R. Tancrede replied no. R. Tancrede started his presentation by saying he had given the board the drawings which were in the Board Member's folders. Chairman Chivers said there will be no changes to the outside of the house and there isn't. R. Tancrede said the in-law apartment will be on the second floor of the barn. Chairman Chivers confirmed they would be sharing the bathroom with the house. J. Szot asked if the second floor was street level. R. Tancrede said it is on the same level coming into the main house but slopes off in the rear. Chairman Chivers asked the Building Inspector Dave Murray if the applicant met all the criteria in 15.04 E and D. Murray replied yes. D. Murray said the house is older and there are no records of the septic system being worked on or upgraded. A. Soares said a lot of the homes in Candia do not have septic plans unless they have been updated and continued their septic should be on file at the State. J. Szot said they had a daycare at some point maybe there is something up at the state on file about the septic. R. Tancrede said the system is at least 40 years old as long as they have been there. J. Szot asked the Building Inspector about the electrical and septic if approved would this be something that you would. D. Murray said he would make sure the electrical was all set but as far as the septic it is working. R. Howe, A. Soares, J. Easter did not have any questions. J. Szot said her only concern was the septic system. R. Howe said if a bedroom in the existing house is discontinued then the house would still have the same number of bedrooms and the same amount of usage.

Chairman Chivers asked if anyone in the audience had any concerns and the Wheelers did not and they are in support of it.

Chairman Chivers said he will read 15.04E requirements and see if the Board finds they meet the criteria to grant a special exception,

“Section 15.04E. Accessory Dwelling Units

1. *There shall be only one bedroom in the accessory dwelling unit.* It was verified one bedroom.
2. *Adequate sewer and water service shall be provided. One septic system shall serve the entire property.* It was verified.
3. *There shall be a maximum of 600 sq ft of heated living space in the accessory unit.* 567 sq ft.
4. *Onsite parking for one additional vehicle shall be provided.* It was confirmed adequate room.
5. *All existing set back ordinances must be met.* It was confirmed.
6. *The accessory unit shall be within or attached to the main dwelling unit or located in an accessory building that exists on March 15, 2003, located on the same lot as the main dwelling.* It was confirmed.
7. *The residential character of the area must be retained.* Nothing changes on the exterior.
8. *Density requirements of Article 15.04C will not apply.*
9. *So long as an accessory dwelling is occupied, either the primary dwelling unit or the accessory dwelling unit shall be occupied by the owner of the property.* It was confirmed.

Chairman Chivers said the applicant has met all the criteria and then closed the Public Hearing at 7:15 pm. He then asked if the Board wished to make a decision on the case.

MOTION: Motion made by J. Easter, seconded by A. Soares, to grant the Special Exception as presented. All were in favor except J. Szot asked if she could add to it. Chairman Chivers asked if J. Easter would withdraw the motion to add additional wording to the motion and he said yes.

MOTION: Motion made by J. Szot, seconded by J. Easter, to grant the Special Exception because the Board has determined that the applicant meets all the requirements of section 15.04. All were in favor. The motion carried with a unanimous vote of 4-0-0. J. Szot said she wanted to add this because the Board did not take a vote on the applicant meeting all the requirements in 15.04E.

Other Business

Chairman Chivers asked if there any other matters to come before the board and hearing none asked for a motion to adjourn

Adjournment

MOTION: Motion made by J. Szot, seconded by R. Howe, to adjourn. The motion carried with a unanimous vote of 0-0-0. The meeting adjourned at approximately 7:25 pm.

Respectfully submitted,
Sharon Robichaud
Recording Secretary