

CANDIA ZONING BOARD OF ADJUSTMENT
Minutes of May 22nd, 2018
UNAPPROVED

Place: Town Hall; Meeting room

Call to Order: 7:00 pm following the Pledge of Allegiance

Members Present: Bob Petrin, Chairman; Judith Szot, Vice Chair; Boyd Chivers; and Ron Howe.

Absent: Ingrid Byrd.

Present: Dave Murray, Building Inspector

Approval of Minutes: March 27, 2018

MOTION:

B. Petrin **motioned** to approve the minutes from March 27, 2018 as presented. B. Chivers **seconded**. R. Howe was **in favor**. J. Szot **abstained**. The **motion carried with a vote of (3-0-1)**.

Case 18-630 Applicant: Jeaninne Boisclair, 176 Currier Road, Candia NH 03034; Owner: Jeaninne & Lindsay Boisclair, 176 Currier Road, Candia, NH 03034; Property Location: 176 Currier Road; Map 402 Lot 86; for a Special Exception under Article XV Section 15.04E Accessory Dwelling Units. Intent: To refinish the lower level (basement) into an in-law apartment.

Present: Applicant Jeaninne Boisclair.

Abutters Present: None

B. Petrin introduced the Board. We have some missing personnel but we still have a quorum so we can proceed that way if you would like. J. Boisclair agreed. B. Petrin asked have abutters been notified. A. Bickum replied yes.

B. Petrin asked J. Boisclair to state your case for us please; if you have drawings for us to help us through this...J. Boisclair said I don't have drawings I have a picture of the house. This was the home inspection before we bought it and I just wanted to show you what it looked like to let you know that we're not putting any additions on we're just re-finishing the house the way it should have been. It was a foreclosure when we bought it and somebody had gone in and pulled the...it did originally have a finished basement and somebody pulled all the suspended ceilings and all the copper out of the house so it was a mess. It still is. There was carpeting on the floor. There is a 3/4 bath down there and we just want to put it back the way it was. B. Petrin asked is there full basement under the house and the garage or just the house? J. Boisclair replied just the house portion. B. Petrin asked and the garage is a slab? J. Boisclair agreed, yes the garage is a slab. B. Chivers asked what's the size of the house. J. Boisclair replied I want to say 1,500 square feet I think. B. Chivers said do you realize you're limited to 750 square feet for an in-law apartment. J. Boisclair replied yes but there's a boiler room down there too.

J. Szot said Mr. Chairman could I interrupt for a minute? B. Petrin agreed, yes you may. J. Szot continued I really hate to throw some water on this but I went into the office on Thursday to look at the plans and our application states specifically that you have to have a scaled drawing for us to look at. I went in specifically to look at the plans and there was no scaled drawing and I asked our secretary, I said do you have a drawing and she said "no, I called and left a message and I told her we had to have a scaled drawing". This comes out to 1,150 square feet. We don't know what you're going to do down there. You've got 1,150 square feet, you're limited to 750 square feet, and we need to see your plan. I asked the secretary and I said if she doesn't have a plan we can't see, hear her. It states right on our application

you've got to have some kind of plan. We have to see it. You don't have to get an architect. You take a piece of graph paper and one square is a foot and if you've got 20 feet this way, you've got 20 squares, this is your bedroom, this is the other bedroom, this is the kitchen area, this area's going to be storage. J. Boisclair said okay. J. Szot continued we have to have that plan to see it. The other thing we have to have is a certification from a septic designer that you're septic is suitable to put an apartment in there. I know that it's probably confusing because it's not something that you've done before and it's confusing but we can't proceed without the drawing and I don't know if you have a certification from a septic designer that says your septic is suitable. It's a basement, how are you getting in and out, and what's it going to look like? B. Petrin said I recognize your concern and it is valid. J. Boisclair said I have pictures. It's a 1,500 gallon septic. B. Chivers asked how big is the leach field. J. Boisclair said how big is it? J. Szot said the problem is you have to have a designer that says this septic can take, you've got 2 bedrooms. B. Chivers said 3. J. Szot continued you're septic is designed for a house for so many bedrooms so you have so many bedrooms in your house. Usually they design the septic to meet whatever bedrooms you have in the house. If you add 2 more bedrooms, then now you have to have a bigger leach field. The tank isn't as important as the leach field because you have to have a place for that water to go. J. Boisclair said okay. J. Szot continued a septic engineer has to come in and say, if you're adding 2 bedrooms with your in-law apartment, now you've got to have a septic system designed for 5 bedrooms instead of 3 bedrooms and you have to have an engineer that gives you a piece of paper that says...and I don't know how they do it but they come out and measure your field or something and it says this is adequate for this particular house. Without a picture that shows...you've got 1,150 square feet and you said we're going to fix the basement the way it was, well if it's a rumpus room. J. Boisclair replied it's all open. J. Szot continued but I mean if at one time it was a playroom or something down there and they took everything out. None of that matters to us, what matters to us is we need to see what you have and I don't really think that we can proceed tonight if we don't have that drawing. B. Petrin said yeah. J. Szot continued I don't feel comfortable. I went in the office twice and I asked Andrea. Did you get a call from Andrea because she said she called you and left a message that said we would not hear you if you did not have these drawings. A. Bickum said I left two messages. J. Boisclair said when? A. Bickum replied last week. J. Boisclair replied no, I don't have any messages on my cell phone. A. Bickum replied I called the same number, do you remember when I called you and you called me back on that same number about 3 weeks ago about not needing the affidavit. J. Boisclair said right. A. Bickum continued it was that same phone number and I called and got your voice mail and I left two messages regarding the plans. J. Boisclair replied I didn't know that. I didn't get them, I'm sorry. A. Bickum said okay. B. Chivers asked is it clear to you now what you need to come back. J. Boisclair replied um, yeah I guess so.

D. Murray commented could we touch base on the septic a little bit here. I know that you have a 3 bedroom septic design now in place. J. Boisclair said its 3 bedroom? Yeah, okay. D. Murray confirmed its 3 bedroom. How many bedrooms do you have in the house right now? J. Boisclair replied 3. D. Murray said so you'll be adding another one with this apartment. J. Boisclair said well no. What constitutes a bedroom? D. Murray replied a bed. It used to be a closet but now it's a bed. J. Boisclair replied that's crazy. D. Murray agreed, welcome to my world.

B. Petrin said as part of the drawing; see what space do you have to work within that basement, it measures this many feet by this many feet and it's going to have this kind of entrance and egress, there's windows, no windows. J. Boisclair said okay. B. Petrin continued is there plumbing, is there a bathroom and have it all measured out so we can look at it and say oh now we see what we've got. J. Boisclair replied okay, alright, fine. J. Szot said if you have bedrooms down there, if someone's going to be sleeping down there. J. Boisclair replied yeah, someone was sleeping down there. J. Szot continued but you said you wanted an accessory dwelling unit so that means you're having an apartment down there. You came in under accessory dwelling unit. If you're going to have a bedroom down there it has to have egress windows. It has to have a window that someone can get out of. It can't be one of those little basement windows. J. Boisclair said it's not a basement window. It's about yeah big. J. Szot said so that's an egress window. J. Boisclair agreed, yes. J. Szot continued it's an egress window; it's big enough that someone could get out the window. B. Petrin said or a fireman can get in with a fire pack. J. Boisclair

responded sure. B. Petrin said I don't know what the square inches is on that. J. Szot said I don't know but that's one of the things. The bedroom has to be wherever that big window is so that the person who is...if someone is sleeping and there's a fire they can get out that window. Maybe Dave can help you with it. The plan, you don't have to go to an architect or anything, just on a piece of graph paper and I know that Andrea has graph paper in the office that she can give you, a sheet of graph paper and you measure out your 750 square feet and measure in where your bedrooms are, where the windows are, how people are going to get in and out of there. In the back, if there's an entrance out to the back now...J. Boisclair said yes. J. Szot continued or if you're going to put an entrance out there. J. Boisclair said there's entrances. You come in the front door. B. Petrin said we don't know that because we don't have the drawing to see that. When you make that drawing we'll be able to see. R. Howe asked is there a ground level entrance. J. Boisclair said yes. R. Howe continued or do you have to go upstairs. J. Boisclair replied well you have to take a step up, there's a small step. It's a split ranch okay. You come in the front door and the stairs go down to the basement and right across you can see that there's double French doors in the back and it opens up and then there's, like I said, the windows down there are not quite that big but they're not the little skinny basement windows either. R. Howe said I'm looking at this drawing and I'm having trouble visualizing this. This thing that says WDK. Obviously it's the back of the house. What is that? J. Szot said wood deck. J. Boisclair agreed, wood deck, that's correct. R. Howe continued so that's not part of the basement, that's just a deck. A. Bickum said that's just the tax card. J. Boisclair said correct (*to the deck*). B. Petrin said but if we could have that drawing show us where the door comes out, that would be great. R. Howe said the rest of this that says basement and then URB, whatever that is, unfinished. What is this space in here? J. Boisclair replied that's the utility room. J. Szot said so there's 1,150 square feet and then 200 square feet in the utility room so it's 1,350 square feet down there and you can only have 750 square feet in your...J. Boisclair responded but that was the whole idea for the...we are applying for a variance or whatever we're here for. B. Petrin said for an accessory dwelling. J. Boisclair agreed, correct. B. Petrin reiterated that's correct. An accessory dwelling has a limit of 750. J. Boisclair said right but we don't have an accessory dwelling. B. Petrin replied that's what you're proposing. J. Boisclair said we're just finishing the basement. J. Szot asked are you wanting to put an apartment down there or just add a basement down there. And a bedroom down there. J. Boisclair said we're going to finish the basement. I was staying down there before. B. Petrin said and you say there's a bathroom down there. J. Boisclair said yes, a 3/4 bath. B. Petrin said a 3/4 bath and you're going to have another apartment down there that is separate living quarters from the main house. J. Boisclair said no. B. Chivers asked are you going to have a kitchen facility. J. Boisclair replied no, no not yet. J. Szot said but you want to put a kitchen facility in there. J. Boisclair said well a facility; it's going to be like a small counter. J. Szot said okay, which would fit in a 750 square foot apartment, you'd have a small...what's you're making then is an apartment down there. If you've got a place to cook down there, you've got a bathroom, you're making an apartment; you fall under the accessory dwelling which means you have to meet the requirements. I don't know if Andrea gave you the...B. Chivers said she did. J. Szot continued but I would assume you got that with your application which tells you...J. Szot read:

1. *There shall be no more than one accessory dwelling unit for any single family (J. Szot said home) dwelling.*
2. *There shall be no more than two bedrooms in the accessory dwelling unit.*
3. *Adequate sewer and water service shall be provided. One septic system shall serve the entire property and the adequacy of the system shall be certified by a licensed septic installer.*
4. *There shall be a maximum of 750 square feet (J. Szot said of heated living space-note this is not in the current regulation and was removed) for the accessory dwelling unit.*
5. *On-site parking for one additional vehicle shall be provided.*
6. *All existing set back requirements shall be met. (That doesn't apply here)*
7. *The accessory unit shall be within or attached to the main dwelling unit.*

8. *Architectural enhancements will be employed for the purpose of maintaining aesthetic continuity with the principal dwelling unit resulting in both units appearing as a single family dwelling unit.*
9. *Either the primary or the accessory dwelling unit shall be occupied by the owner of the property.*
10. *The current State Building and Fire Codes for two family dwellings shall apply.*

J. Szot said so what concerns us is first of all the size. Because you've got 1,150 square feet and you can only use 750 square feet of that for this apartment that you're building that has the small kitchen. I understand what you're trying to do. I don't know if you live with other family members but you have your own space. J. Boisclair replied my daughter. J. Szot continued yes, I have daughters so I understand what you're trying to do and it makes sense. J. Boisclair replied okay. J. Szot continued that you want a little kitchen; you want a place to have your own space and be by yourself but you're protected by your family but unfortunately it has to meet these standards. To help us we need to have a graph paper that shows that you counted out...if this says that the utility room is 8 feet you've got 46 feet so you just put a dot and count 46 squares, this is how big it is, so it's 46 feet this way and then you have to figure out, you can only end up with 750 square feet that you're using of that basement.

B. Petrin said which means walls have to go up. Do we need a motion to determine this to be incomplete? R. Howe said I'm still a little confused here. This is something more than just finishing the basement. B. Chivers said right. B. Petrin replied it's an accessory dwelling. R. Howe said it really is going to be a separate apartment, ultimately right? B. Chivers said cooking facility. J. Boisclair said well it's...yeah. B. Chivers commented that's the application. B. Petrin said do we deem this incomplete and let her come back. J. Szot said continue next month...B. Chivers said sure. J. Szot continued and give you a chance to do everything you need to do to get someone to come in and check your septic system and see if it's adequate to add another...you don't have to put 2 bedrooms in that apartment. J. Boisclair replied it's not going to be, no, yeah, it's not going to be 2 bedrooms, it's not going to be. J. Szot said so if you're only adding one place to sleep down there, maybe your septic system is big enough to take care of 4 bedrooms instead of 3. J. Boisclair replied like I said, we're not adding a bathroom or a shower or an extra toilet, there is already one in there. J. Szot replied yes. We understand that. J. Boisclair replied I'm assuming that the septic should be fine because it was that way when we bought the house. R. Howe said but you have more people using...B. Chivers agreed, right. J. Boisclair replied no, no. R. Howe said you don't but you could. B. Chivers agreed, right. R. Howe said that's the point, that's why they figured this based on bedrooms rather than bathrooms. You could have 6 bathrooms and have 1 bedroom and the septic could be a small septic system and be legal. J. Szot replied here's the other problem that we run into. This variance runs with your property, it's not exclusive to you and when you move out of that property it goes away. This stays with this property forever. So you have a particular idea and you want to have...you're saying but I'm living in the house anyway, we're not using any more water, I'm just going to have my own little space and I totally understand what you're saying. But the problem is when you leave, if you and your daughter sell the house and you leave 2 years from now, the next family that comes in can go into that property and say I'm going to rent that basement. I've got 750 square feet I can put another small bedroom in here, I can rent this as a small apartment and they don't need to come to us or do anything because what we do for you stays with that property. So even though you're saying but I'm already living there and we're not using any more water, someone else could come in there and you could put a family of 4 down in that 750 square feet and yeah it would be tight but you could do it and have 4 extra people living in that house where you're saying you have none. Because once we grant you that variance, it stays with that property forever. J. Boisclair replied okay. B. Petrin so what's the disposition then?

R. Howe asked I do have one more question. I sense that you've got a problem with this 750 square foot and I can understand the problem...J. Boisclair replied I don't know how to make it smaller. R. Howe continued you're going to have 2/3rds of the basement you can use; how do you block off the other 1/3; how do you even get to it going through the apartment and that's one of the reasons that we really need to see a floor plan of how you plan on designing this. I understand your problem. J. Boisclair replied

like I said, we weren't planning on designing anything, we were going to put carpet, not carpeting but we're putting flooring down because that was all ripped up, it was disgusting when we moved in and I can show you what they did to the ceilings. The Board all said no, that's alright. B. Petrin said all we need is a drawing. We do need a drawing. B. Chivers said put it on quarter inch graph paper; follow the instructions stated in this letter. J. Boisclair replied not a problem. B. Chivers continued and we'll hear you in another month.

MOTION:

J. Szot **motioned** that we continue this to our next meeting. B. Petrin added and we consider it incomplete at this time. J. Szot agreed, yes and give Mrs. Boisclair a chance to get this together. R. Howe **seconded**. **All were in favor. Motion carried with a vote of (4-0-0).**

B. Petrin said so we'll continue this to next month and Mrs. Boisclair has the opportunity to dot the i's and cross the t's by way of photos and scaled drawings. And if you need graph paper we can provide that. J. Boisclair said no I have graph paper that's not the problem.

Other Business:

B. Petrin said most recently me, Ron and Ingrid were reappointed to the ZBA through the Board of Selectmen and now's come the time to vote to re-elect Chair and Vice Chair. I think we can't do that today because of the absence of Ingrid is that correct? B. Chivers said we have a quorum. J. Szot said we could.

MOTION:

J. Szot **motioned** that Bob continue as the Chair if no one has any objections. B. Chivers **seconded**. **All were in favor**. B. Petrin abstained. **Motion carried with a vote of (3-0-1).**

B. Petrin said I don't mind doing it; it's a pleasure to do it. I would defer if anyone else wanted to but I don't mind doing it and it is a pleasure. I abstain. Motion carries and I will continue on as Chair of the Zoning Board. Now for nominations for Vice Chair, I thought we had some good continuity going and if nobody objected I'd like to reappoint Judith Szot as the Vice Chair.

MOTION:

B. Petrin **motioned** to re-appoint Judith Szot as Vice Chairman. B. Chivers **seconded**. **All were in favor**. J. Szot abstained. **Motion carried with a vote of (3-0-1).**

Zoning Ordinance Log:

B. Chivers said I'd like to announce an initiative we started at the Land Use Office last week to identify any contradictions or discrepancies in the Zoning Ordinance and maintain an ongoing log so that we can present our concerns from Dave and Andrea to the Planning Board every year on a regular basis so they can make up some of these either typographical errors or contradictions or deficiencies that we see in the zoning ordinance that make it hard to administer. So Dave had a case this week that presented him with a problem and we said here's a potential fix to the zoning ordinance to eliminate that in the future. Andrea made a record of it, she's got it on a log so as we meet every month maybe we can identify stuff in that ordinance that can be fixed and then present our recommendations to the Planning Board. J. Szot said I used to do that. B. Petrin said Andrea's got an electronic log that you have folder on your computer maybe? A. Bickum replied Boyd sent it to me; it's in Word, yes. B. Chivers said Dave runs across stuff occasionally and says holy cow this doesn't work, time to come up with a fix is then, not forget about it and wait 3 weeks because then you forget about it. So Dave and Andrea and me we go over this stuff and keep it going on and on, we're not going to propose any zoning changes, go to 5 acre lots or anything like that. It's the detail stuff that trips us up. B. Petrin said with an eye to the future, that's a great idea. B. Chivers continued I would encourage this Board as you read through the ordinance if you see something

in there that could be done better, identify it and we'll put it together. D. Murray said let's make the corrections.

Zoning Board Applications and Policy:

J. Szot said I would like to...we have an application. The application is very clear about what's needed and time and time again we've had people come in here without any plans or with inadequate plans. Before every case I go to the office and I look at the plans. Some of them are simple. Like this, if she had had something, this would have been fairly simple. R. Howe said but this isn't simple. She wants to do something totally alien to what the ordinance is. She just wants to finish the whole basement off and live in it. That's really what she wants to do and I got that sense and I'm sure as a split level house, it's very hard. How do you block off a 1/3 of the cellar and say okay I'm not going to use it and furthermore, how are we ever going to enforce the fact that they're not using it. B. Petrin said because we don't have a drawing that says we approved. R. Howe said but even with that. Once Dave approves occupancy down there, we have no reason to be back in there again. J. Szot said and he's not going to go through when the assessor's down there and say and notice that there's 2 more bedrooms down there. D. Murray said well actually. B. Chivers said well there is a chain now that goes from there to the assessor and the card gets updated. J. Szot said the point I wanted to make is I go in and I want to look at these things. If we don't have those drawings by the time it gets posted, that it doesn't post. The application is incomplete and it doesn't post. If you go before the Planning Board (*meant Zoning?*), you have to get your stuff in.

B. Chivers commented in defense of the Land Use Office a lot of people come in there and Andrea tells them what they need and they're desperate to get on the agenda and they always promise her well I don't have it today but if you put notice in the paper I'll have it next week. And Andrea and Dave want to accommodate. We're in the business of helping people out so the next week comes, the thing gets in the paper, they still don't have the plans and we call them up and leave a message and all of a sudden we are where we are today. J. Szot said and I didn't get a message. D. Murray said two. B. Chivers continued so we're trying to help these people out and expedite their application and we do it and it's going to be on the agenda but you gotta come in with the plans and when they don't show up with the plans, this is what happens tonight. B. Petrin asked so what do we do then? B. Chivers replied we do what we're doing. You have no choice; you have to give them the benefit of the doubt because most people will come in with the plans next week. Occasionally you're going to get one fish through the net here. B. Petrin said I don't think she knew what we wanted. I think she was confused by saying graph paper how do you measure out 750 square feet. A. Bickum commented I think she's very confused. R. Howe said I think she knew more than you think she did. J. Szot said I agree with you Ron. B. Chivers said if you look at the letter that Dave sent out. Both sides of this letter was a road map of what you had to do; if she didn't read that. R. Howe reiterated she wants to refinish the basement to the condition it was originally and move in. J. Szot said but was it bedrooms and living space? It could have been bedrooms. We don't know what was in there.

B. Chivers said we can't come up with a policy that says you have to have everything today before we post it. J. Szot replied why not? D. Murray said especially if you only meet once a month, time is of the essence but it didn't work out for her did it. J. Szot commented if the stuff isn't there you end up and it just gets thrown up (*or thrown out-unintelligible*), we're all here, none of us needed to be here and we get thrown up (*thrown out?*), none of us had a chance to look at it before and I think it's very clear in the application, it says, the application says you need to have it. Your application is incomplete. So if you want to come in here say you're application is incomplete or they come in with something, a scribbled drawing and we look at it and say are we going to take this or not. B. Chivers asked Andrea would it make it easier for you if we had a hard and fast rule that if the application is incomplete then we don't post notice. And you could tell them that. You can say look it's incomplete and the Board will not accept it. A. Bickum agreed, yes. B. Chivers said let's make a motion and we'll try that for awhile. B. Petrin said before you do that, I agree with what you're saying but we're in the people business and we're not here to make it hard for them. So I hear that part of it. But I also hear the part if it's not complete, it's not complete. B. Chivers said so where's the middle. It's one or the other here Bob. B. Petrin agreed. B. Chivers said so why don't we try this hard ass policy if it's not complete you don't notice in the paper,

you don't have a meeting. She wouldn't have to come back a second time if we had that policy. She would have all the paper in there and it would have been done the first time. J. Szot agreed. B. Petrin said that's correct. B. Chivers reiterated so why don't we try that and see how it goes and see if anybody comes in and *beats (unintelligible)* on Andrea.

J. Szot asked about the letter. B. Petrin said it's from Dave. It says here's what you need. J. Szot said yes, I saw that letter. B. Petrin so are we making the motion to support Andrea, she's going to be the gatekeeper that says I'm sorry it's incomplete and you're going to have a checklist that says there are 5 things or 10 or 20 things and you don't have them. B. Chivers said and don't post the notice until the application is complete. B. Petrin added and say those are just the rules. D. Murray commented we're doing the same thing with the Planning Board too and tightening that up, they come in with half an application and how much do I owe and off they go. R. Howe said it really isn't much different if they come in and ask for a building permit. You're not going to give them a building permit and they say well we'll bring a plan in next week. Is this any different? It really isn't.

B. Chivers said that's my motion. J. Szot said I thought I made the motion. It doesn't matter.

MOTION:

J. Szot **motioned** that if the application is incomplete then we don't post notice. If it's incomplete the Board will not accept it. B. Chivers **seconded**. **All were in favor. Motion carried with a vote of (4-0-0).**

B. Petrin said the gatekeeper is now going to; whatever number of criteria we need and I'll look at the applications and see if we can make sure, we need 8 things, we need 12 things. J. Szot said if you want someone to come in and look at something, call me. B. Petrin agreed. If you can't, I'll come. One of us will come. D. Murray said we've already got two on the agenda for next month so that may not apply for next month. J. Szot said do we have all the stuff we need, a completed application? A. Bickum replied no because he's revising the plan that he submitted today. I need that before I can post this. B. Chivers asked if it was posted yet. A. Bickum replied no, he just dropped it off today. I haven't done anything with it yet. B. Petrin said as a matter of discussion if the residents aren't happy with that answer saying no it must be complete, they need to have some relief and their relief would probably be the Board of Selectmen saying hey I went to the Zoning Board and they wouldn't accept my..and they'll say well those are the rules. We need to let the Selectmen know that we've done this and we look for their support. Do I need to go to them or send them a letter that says here's what we're doing? If a resident needs relief when they don't agree with our policy, they need somewhere to go. J. Szot commented they do have somewhere to go; Superior Court. B. Chivers replied no. B. Petrin said not BOS? J. Szot said they come before us, they can appeal our decision. B. Petrin said with decisions, we didn't accept their application. B. Chivers said Superior Court isn't going to hear administrative quarrels in Town. J. Szot replied I understand that. B. Chivers continued they're going to hear decisions we made they feel are in violation of state law they're not going to hear this; that we won't accept the application because they didn't have..it's not going to go that far Judy. J. Szot said I know it's not going to go that far but their relief from the ZBA is that they appeal it, they have 30 days to appeal any decision we make and then if the decision doesn't go their way, then they're appeal is Superior Court. Because we're a quasi judicial body and the only appeal from us is Superior Court. I agree with Boyd, this is not something that's going to go to the court and honestly if you took it to a lawyer, the lawyer would say make the drawing for God's sakes.

Alternates:

R. Howe said on another subject I have a couple of questions, with the change with Mark Laliberte. I understand that he couldn't be on the Board of Selectmen because of his position with Pinkerton. Is it possible that he could serve as an alternate on this Board? I would think that it would be a possibility, it's not an elected position, it's appointed and I just wondered if it would be worth asking him if he would be interested in doing that. B. Chivers said sure. D. Murray said he resigned from all his other duties. B. Chivers said we need to get more people interested in being alternates, how do we do that? B.

Petrin said I run into residents and ask them to get involved. J. Szot asked how were we lucky enough to get you. B. Petrin said I called Frank Albert.

Accessory Dwelling Square Footage:

R. Howe asked about the state statute for in-law apartments saying he didn't think there was a square foot limit on that. B. Chivers said minimum, you can't have fewer than 750 square feet. You can't say we have in-law apartments but it's only, it used to be 600, that's why it came to 750 so that's the minimum. J. Szot said I thought the state was 800 but you could make it less. B. Chivers said no, 750.

Discussion ensued about the state regulation on square footage for accessory dwelling units which resulted in the consensus that the maximum is 750. B. Petrin said we're all in line with that. J. Szot said this was changed when the state changed that law. B. Petrin said January, a year and a half ago. J. Szot agreed and made that crazy thing that we get duplexes everywhere. They mandated you could have 2 bedrooms. B. Chivers said anyplace in the R district. Do you know what that means? Every house in Candia could be a multi-family dwelling. J. Szot agreed. B. Chivers said a principal occupant upstairs and tenants downstairs, kids in school. You're no longer getting the tax revenue from the land; it's still sitting on 3 acres so the only improvement to that property is the additional bedrooms. D. Murray said they can do an addition to as long as it's attached. There's some value there. B. Chivers said that's a big change in the zoning statewide and once people catch onto that you're going to find most houses built with that 750 square foot in-law apartment built right into it. Build everything but the kitchen and then someday in the future just come in and put the kitchen in. D. Murray commented if you don't put in a kitchen, it's not an apartment. The Board agreed, that's right. B. Chivers continued just rough plumbing in, with the drain and then a year or so, come in and see Dave and put a kitchen in and you're done. You've got an apartment; you've got someone paying your mortgage payment down there.

MOTION:

J. Szot **motioned** to adjourn at approximately 7:38 pm. R. Howe **seconded**. **All were in favor. Motion carried (4-0-0).**

Respectfully submitted from recording,
Andrea Bickum
Recording Secretary

Cc: file