

PEMBROKE ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
May 22, 2023
(ADOPTED)

MEMBERS PRESENT: Bruce Kudrick, Chairman, Thomas Hebert, Vice Chairman, Dana Carlucci, Natalie Glisson, Paul Paradis

ALTERNATES PRESENT: Robert Bourque, Wendy Chase

EXCUSED: Blakely Miner III

STAFF PRESENT: Paul Bacon, Code Enforcement Officer, Jocelyn Carlucci, Reporting Secretary

Chairman Kudrick called the public hearing to order at 7:00 p.m.

Roll call was taken by the Reporting Secretary.

PUBLIC HEARINGS

Case 23-10-Z A request has been made for a **Special Exception under Article IV Use Regulations § 143-18.1 Accessory Dwelling Units**. The applicant, Meghan Largy, of 646 Haleigh's Ct., is requesting a **Special Exception** to construct an ADU. A **Special Exception** is required under **§ 143-18.1**. The property is located at 646 Haleigh's Ct., Map 561, Lot 110-8, in the R-3D Rural/Agricultural-Residential District, and is owned by Brad and Meghan Largy, 646 Haleigh's Ct., Pembroke, NH.

Applicant: Meghan Largy

Property Owner(s): Brad and Meghan Largy

Property Address: 646 Haleigh's Court
Tax Map 561, Lot 110-8 in the R-3D Rural/Agricultural-Residential District

Included in the Member Packets: Letter of Intent dated April 18, 2023 from Meghan and Brad Largy, tax map, assessing card, CAI Technologies area map, barn sketch and floor plans of 1st and 2nd floors, photograph of yard, Fee Schedule Worksheet.

Present: Meghan Largy

The Reporting Secretary read the case aloud.

Chairman Kudrick read aloud the rules governing the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed to the application will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak.

He stated that anyone wishing to speak must first give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts

presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider its approval.

As requested by Chairman Kudrick, the Applicant read the application aloud:

Please give a detailed description of your proposal below: We propose to build a 24' x 28' ADU. See attached documentation for proposed plans, please.

1. **Please describe how the requested use is essential or desirable to the public convenience or general welfare.** My father cannot live alone. He needs care. He cannot afford a single family home or HOA for condo, etc. This is not a rental. It will serve as a pool house when he passes, not an income property.
2. **Please state how the requested use will not impair the integrity or character of the district or adjoining zones, nor be detrimental to the health, morals or general welfare.** It will look like a barn – matching the aesthetic appeal. It cannot be viewed from street or neighbors. Land already clear here – no privacy removed.
3. **Please describe how the specific site is an appropriate location for the proposed use and that the character of adjoining uses will not be affected adversely.** See attached letter, please. We will need a special exception for this to be detached due to hardship.
4. **Please show that no factual evidence is found that the property value in the district will be adversely affected by such use.** This will increase value as an ADU and eventually pool house. It cannot be seen from neighbors and does not overcrowd.
5. **Will undue traffic, nuisance or unreasonable hazard result from your proposed use? Yes or no and please explain your answer.** No.
6. **Please explain how adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.** My husband and I take great pride in our property and will maintain it. Builder will provide all utility hookups.
7. **Please show that there are no valid objections from abutting property owners based on demonstrable facts.** We have spoken with neighbors and there are no objections.
8. **Please show that the proposed use has an adequate water supply and sewerage system and meets applicable requirements of the State.** Our home is a 3-bedroom with 4-bedroom septic. Our well has 23 gallons per minute. Depth over 300 feet.
9. **If the proposed use is for multi-family dwellings, will it be served by the Town water system and by the Town sewerage system.** No.

The Applicant read the April 18, 2023 Letter of Intent aloud.

There were no questions from the Board and no one spoke in favor or in opposition to the case.

Chairman Kudrick summarized the case as follows:

Case 23-10-Z is a request for a special exception for an Accessory Dwelling Unit at 646 Hailey's Court. It is a 24' x 28' unit. It will be a two-story building, where the second floor will be a loft and storage space. The living space will be on the first floor. The reason the Applicant is requesting an ADU is because her father can no longer live independently and it presently takes them 30 minutes to travel from their home to his house which makes it difficult to care for him. The neighbors are in agreement with the proposal. They have a 4-bedroom septic system and the existing house has 3 bedrooms. The well provides 23 gallons a minute.

Chairman Kudrick stated that the Board will decide all cases within 30 days. The Notice of Decision will be posted for public inspection within 5 business days of the decision and will be sent to the applicant. The Board will either approve, deny, or continue deliberation on the case. No comments will be taken from the audience.

Chairman Kudrick officially closed the hearing at 7:15 p.m.

DELIBERATIONS: The Zoning Board of Adjustment reviewed the Special Exception criteria:

1. **Please describe how the requested use is essential or desirable to the public convenience or general welfare.** Member Carlucci said that ADUs are important. They eliminate sprawl and gives an opportunity for another set of eyes on a property for vandalism, etc. He felt that the proposal is valid. All members agreed.
2. **Please state how the requested use will not impair the integrity or character of the district or adjoining zones, nor be detrimental to the health, morals or general welfare.** Alternate Member Chase said that it aligns with the structure of the property and is not viewable by any neighbors. Chairman Kudrick pointed out that the Applicant provided a map of the lot showing the property and where all structures are presently located. She also provided pictures showing the contour of the land and the site difficulties. All members agreed that it would not be detrimental to the general public.
3. **Please describe how the specific site is an appropriate location for the proposed use and that the character of adjoining uses will not be affected adversely.** All members agreed that the site would be appropriate and not affect the character of the neighborhood.
4. **Please show that no factual evidence is found that the property value in the district will be adversely affected by such use.** Chairman Kudrick said that no evidence of diminished property values was brought forward. All members agreed.
5. **Will undue traffic, nuisance or unreasonable hazard result from your proposed use? Yes or no and please explain your answer.** All members agreed that no additional traffic would be

created. It was noted that traffic would be reduced since there would be no need for the Applicant to travel to her father's home to care for him.

6. **Please explain how adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.** Member Carlucci said that water, sewer, and electricity will be supplied by the existing source. All members agreed.
7. **Please show that there are no valid objections from abutting property owners based on demonstrable facts.** Chairman Kudrick stated that no abutters were present to object to the ADU. All members agreed.
8. **Please show that the proposed use has an adequate water supply and sewerage system and meets applicable requirements of the State.** Chairman Kudrick noted that the Applicant has stated such.
9. **If the proposed use is for multi-family dwellings, will it be served by the Town water system and by the Town sewerage system.** N/A

Vice Chairman Hebert said that, in reference to Case 23-10-Z, a request for a special exception having been presented to the Board for consideration. A special exception is required to construct an ADU. After discussion and deliberation by the Board, he presented the following motion.

MOTION: Member Hebert moved to approve a special exception to construct an ADU as defined by the New Hampshire Planning and Land Use Regulations RSA 674:71, 674:72, as well as §143-18.1 of the Town of Pembroke Zoning Regulations with the following condition of approval: (1) The Applicant must follow all state and local regulations. Seconded by Member Carlucci.

VOTE: B. Kudrick – Y T. Hebert – Y D. Carlucci – Y
 N. Glisson – Y P. Paradis – Y

MOTION TO APPROVE A SPECIAL EXCEPTION TO CONSTRUCT AN ADU AS DEFINED BY THE NEW HAMPSHIRE PLANNING AND LAND USE REGULATIONS RSA 674:71, 674:72, AS WELL AS §143-18.1 OF THE TOWN OF PEMBROKE ZONING REGULATIONS WITH THE FOLLOWING CONDITION OF APPROVAL: (1) THE APPLICANT MUST FOLLOW ALL STATE AND LOCAL REGULATIONS PASSED ON A 5-0 VOTE

Case 23-11-Z A request has been made for a **Variance under Article IV Use Regulations § 143-18.1 Accessory Dwelling Units “B”**. The applicant, Meghan Largy, of 646 Haleigh's Ct., is requesting a **Variance** to construct an ADU which will be detached from the single-family dwelling, where ADU's that are attached or within, only, are allowed. The property is located at 646 Haleigh's Court, Map 561, Lot 110-8, in the R-3D Rural/Agricultural-Residential District, and is owned by Brad and Meghan Largy, 646 Haleigh's Court, Pembroke, NH.

Applicant: Meghan Largy
Property Owner(s): Brad and Meghan Largy
Property Address: 646 Haleigh's Court
Tax Map 561, Lot 110-8 in the R-3D Rural/Agricultural-Residential District

Included in the Member Packets: Letter of Intent dated April 18, 2023 from Meghan and Brad Largy, tax map, assessing card, CAI Technologies area map, 5 photographs of property, Drawing of Exterior of Barn, Fee Schedule Worksheet, and Lot Layout.

Present: Meghan Largy

Chairman Kudrick called the meeting to order at 7:21 p.m.

The Reporting Secretary read the case aloud.

Chairman Kudrick read aloud the rules governing the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed to the application will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak.

He stated that anyone wishing to speak must first give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider its approval.

As requested by Chairman Kudrick, the Applicant read the application aloud:

Please give a detailed description of your proposal below. We propose to build a detached ADU. The footprint is 24' x 28' and would be less than 750 sq. ft. (See attached proposed plans.)

She added that they have a steep hill in the front yard which is not usable. The driveway cuts across the front, so they cannot use any of that land. On the side of the home, closer to Fourth Range Road, there is only a 40' setback and is the only way to get from the front yard to the back yard because of the steepness of the other side. On the other side of the house, they have a drive-under garage and the property drops off significantly at the edge of the driveway. She said it would also hinder them from getting to the existing barn where lawnmowers, etc. are stored. In the rear of the house, they have plans to enlarge the kitchen, add a four-season porch and a pool. If they add an ADU on the rear, they would not be able to proceed with those projects. Because her father cannot go up stairs, he cannot live in their home and climb the stairs from the drive-under garage to the first floor.

1. **The variance will not be contrary to the public interest.** The proposed does not pose any health or safety concerns and does not impact any neighbors. The location we propose is with great care and conscientiousness of abutters as they cannot view it from their homes. This also allows our home, which can be viewed from the street, to stay in alignment with the other homes.
2. **The spirit of the ordinance is observed.** The structure would look like a barn from the outside aligning with our neighborhood. It would not look like someone resided there. The land is already clear here – no privacy removed.
3. **Substantial justice is done.** The ADU would not be viewable from street or abutter’s homes. The structure is consistent with the neighborhood. Detaching allows our home, which is viewable from the street, to remain consistent with the other homes on our road.
4. **The values of surrounding properties are not diminished.** Adding an ADU increases value. This will serve as a pool house someday, again increasing value. The proposed detached ADU cannot be seen from any abutters. It does not overcrowd or take away the privacy from any of our abutters.
5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. (A) For purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one.** Left side of home is 40 feet from property line so we cannot attach there. We have a drive-under garage and the property drops off quickly to the right of driveway. We cannot add on to the right as we would not have enough room for the driveway due to topography.

(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

The Board agreed that the April 18, 2023 Letter of Intent would not have to be read aloud.

Alternate Member Bourque asked the distance between the house and the proposed ADU structure.

The Applicant called her husband and was told that it was approximately 150’.

Member Carlucci asked how wide the deck was.

The Applicant said that the deck was 14’ x 14’.

Alternate Member Bourque asked if all the utilities (water, sewer, electricity) would come from the main house.

The Applicant said yes.

There were no further questions from the Board. No one spoke in favor or in opposition to the case. There were no rebuttals.

Chairman Kudrick summarized the case as follows:

Case 23-11-Z, is a Variance to construct a detached ADU at 646 Haleigh Court. They propose to build a 24'x 28' detached unit, approximately 150' away from the main house. Water, sewer, and electricity will be brought from the main house to the ADU. Because of the topography, the only flat spot on the lot is where the house and barn is located which is the area that they would like to build the ADU. It is a narrow piece of property.

The Applicant clarified that they have plans to enlarge the kitchen on the rear of the house and build a four-season porch. If they added the ADU to the rear of their home, they would not be able to enlarge the kitchen, etc.

Chairman Kudrick stated that the Board will decide all cases within 30 days. The Notice of Decision will be posted for public inspection within 5 business days of the decision and will be sent to the applicant. The Board will either approve, deny, or continue deliberation on the case. No comments will be taken from the audience.

Chairman Kudrick officially closed the hearing at 7:34 p.m.

ZONING BOARD MEMBER DELIBERATIONS:

1. **The variance will not be contrary to the public interest.** Member Carlucci said that it would not be contrary to the public interest. It is in the Planning and Land Use Guide and Pembroke's ordinance. All members agreed.
2. **The spirit of the ordinance is observed.** All members agreed that the spirit of the ordinance is observed.
3. **Substantial justice is done.** Vice Chairman Hebert said that the Applicant is utilizing their property to the fullest extent and there is no harm to the general public. All members agreed.
4. **Property values are not diminished.** Chairman Kudrick said that it will not diminish any property values in the area.
5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the**

area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one.

Chairman Kudrick said that the Applicant has a hardship of land where one side is 40' from the property line, the other side is sloped, and the front has a steep slope. The back yard is the only level space. Beyond the barn, the property also slopes away from the house. The Applicant chose the only spot that they can build an ADU and still maintain their property. All members agreed.

(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

Vice Chairman Hebert said that, in reference to Case 23-11-Z, request for a variance having been presented to the Board for consideration. A variance is required to allow a detached ADU where ADUs attached or within only are allowed. After discussion and deliberation by the Board:

MOTION: Vice Chairman Hebert moved to approve the application as presented with the following condition: (1) The applicant must follow all state and local regulations except those that pertain to the specific condition being addressed through this hearing – that being the detached feature of it. Seconded by Member Carlucci.

VOTE: B. Kudrick – Y T. Hebert – Y D. Carlucci – Y
 N. Glisson – Y P. Paradis – Y

MOTION TO APPROVE THE APPLICATION AS PRESENTED WITH THE FOLLOWING CONDITION: (1) THE APPLICANT MUST FOLLOW ALL STATE AND LOCAL REGULATIONS EXCEPT THOSE THAT PERTAIN TO THE SPECIFIC CONDITION BEING ADDRESSED THROUGH THIS HEARING – THAT BEING THE DETACHED FEATURE OF IT PASSED ON A 5-0 VOTE.

Case 23-12-Z A request has been made for a **Variance under Article V Dimensional and Density Regulations, § 143-21, Minimum Setbacks, Side Setback.** The applicant, Meghan Largy, of 646 Haleigh’s Ct., is requesting a **Variance to construct a 24 ft. x 28 ft. ADU 15 feet from the side property line where 30 feet is required.** The property is located at 646 Haleigh’s Ct., Map 561, Lot 110-8, in the R-3D Rural/Agricultural-Residential District, and is owned by Brad and Meghan Largy, 646 Haleigh’s Ct., Pembroke, NH.

Applicant: Meghan Largy

Property Owner(s): Brad and Meghan Largy

Property Address: 646 Haleigh's Court
Tax Map 561, Lot 110-8 in the R-3D Rural/Agricultural-Residential
District

Included in the Member Packets: Letter of Intent dated April 18, 2023 from Meghan and Brad Largy, tax map, assessing card, CAI Technologies area map, 5 photographs of the property, Drawing of Exterior of Barn, Fee Schedule Worksheet, and Lot Layout.

Present: Meghan Largy

Chairman Kudrick called the meeting to order at 7:40 p.m.

The Reporting Secretary read the case aloud.

Chairman Kudrick read aloud the rules governing the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed to the application will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak.

He stated that anyone wishing to speak must first give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider its approval.

As requested by Chairman Kudrick, the Applicant read the application aloud:

Please give a detailed description of your proposal below. We propose to build a 24' x 28' structure approximately 15 feet from the property line abutting 653 Fourth Range Road. The structure cannot be viewed from the home at 653 Fourth Range Road or from the street.

She added that the land is narrow in the back and wide in the front. They are very limited where they can put anything. The back also drops off significantly. The fourth Range Road neighbor has approximately 25 wooded acres which creates privacy. The Applicant also said that they plan to use the structure for her dad and once he passes, it would be used as a pool house.

1. **The variance will not be contrary to the public interest.** The proposed does not cause any increased traffic or health or safety concerns. Our street is a quaint dead end. The location we propose is chosen with great care and conscientiousness of our neighbors. It does not overcrowd in any way as it cannot be viewed from the street. Land already cleared here.
2. **The spirit of the ordinance is observed.** The proposed is in alignment with the aesthetic of current neighborhood. While it cannot be viewed from the street or any neighboring homes, the structure matches the quaint country feel of our street. The exterior will align with current home/barn.

3. **Substantial justice is done.** The location we propose does not negatively impact any neighbors. It cannot be viewed from any abutters' homes. The request is consistent as it aligns with the neighborhood and will look barn-like.
4. **The values of surrounding properties are not diminished.** The structure will increase value to our home and serve as a valuable comp. The location we propose is to provide a greater setback to 648 Haleigh's and closer to 653 Fourth Range Road as it cannot be seen through the thickly wooded acreage.
5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one.** Our front yard is a very steep hill with a driveway that cuts across diagonally, making it unusable space. Our backyard slants downward as well as sideways and drops off substantially to 648 Haleigh's Court. Plot is long and narrow – limiting space that meets side setbacks, zoning interferes with ability to reasonably use property. Please see attached.

(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

The Board agreed that it was not necessary to read the Letter of Intent again.

No one spoke in favor or in opposition of the Case. There were no rebuttals.

Chairman Kudrick asked for clarification on the distance of the left and right side abutters.

The Applicant said that the neighbor lives on Fourth Range Road and owns approximately 24 wooded acres. They cannot see his home. On the right side of the property, there is a house down the hill from them. She said that by moving it away from that property line, the neighbor would be less apt to see the ADU in the winter. The ADU will be off the back corner of the existing barn and, once the pool is built, it would be used as a pool house with the lean-to portion used as a patio area.

Chairman Kudrick asked Mr. Bacon if anything would have to be done when the Applicant changes the use from an ADU to a pool house.

Mr. Bacon said that she would only have to apply for a building permit – change of use of the building will not be an issue.

There were no questions from the Board and no one spoke in favor or in opposition to the case.

Chairman Kudrick summarized the case as follows:

Case 23-12-Z, a request for a Variance at 646 Haleigh's Court to construct a 24' x 28' ADU 15' from the property line where 30' is required. She has read through all the questions. There is a mistake on the application, where 10' was stated and it should have been 15'. It was corrected. To the left of the proposed location, the abutter would not see the structure because their house is on Fourth Range Road and own many wooded acres. The abutter on the right side of property is set below the Applicant's home and the ADU would not be seen because it will be covered by the existing barn. This is a variance to go in 15' of the 30' side setback.

Chairman Kudrick stated that the Board will decide all cases within 30 days. The Notice of Decision will be posted for public inspection within 5 business days of the decision and will be sent to the applicant. The Board will either approve, deny, or continue deliberation on the case. No comments will be taken from the audience.

Chairman Kudrick officially closed the hearing at 7:49 p.m.

ZONING BOARD MEMBER DELIBERATIONS:

1. **The variance will not be contrary to the public interest.** Vice Chairman Hebert said that there will be no harm to the public. All members agreed.
2. **The spirit of the ordinance is observed.** Member Carlucci said that ADUs are a benefit to the town and felt that the spirit of the ordinance is observed. All members agreed.
3. **Substantial justice is done.** Vice Chairman Hebert said that it allows her to use the property to the fullest extent and there is no harm to the public. All members agreed.
4. **Property values are not diminished.** Chairman Kudrick said that no one has brought evidence that property values would be diminished. All members agreed.
5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.** (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one. Chairman Kudrick said that this is a hardship of the land. All sides contain steep slopes except for a portion of the rear. All members agreed.

(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

Vice Chairman Hebert said that, in reference to Case 23-12-Z, a request for a variance having been presented to the Board for consideration. A variance is required because the proposed construction is closer to a side setback than allowed by code. After discussion and deliberation by the Board, he presented the following motion:

MOTION: Vice Chairman Hebert moved to approve the application as presented. The conditions of approval are as follows: (1) Must follow all state and local regulations except those that pertain to the specific condition being address through this hearing; (2) Prior to the start of construction, the Applicant must coordinate for a site inspection with the Code Enforcement Officer. The purpose of this inspection is to identify the side lot line where the encroachment will occur and verify the exact location of the construction in relation to that lot line. The actions of this Board allow for a maximum encroachment into the side setback of 15'. Seconded by Member Carlucci.

VOTE: B. Kudrick – Y T. Hebert – Y D. Carlucci – Y
 N. Glisson – Y P. Paradis – Y

MOTION TO APPROVE THE APPLICATION AS PRESENTED. THE CONDITIONS OF APPROVAL ARE AS FOLLOWS: (1) MUST FOLLOW ALL STATE AND LOCAL REGULATIONS EXCEPT THOSE THAT PERTAIN TO THE SPECIFIC CONDITION BEING ADDRESS THROUGH THIS HEARING; (2) PRIOR TO THE START OF CONSTRUCTION, THE APPLICANT MUST COORDINATE FOR A SITE INSPECTION WITH THE CODE ENFORCEMENT OFFICER. THE PURPOSE OF THIS INSPECTION IS TO IDENTIFY THE SIDE LOT LINE WHERE THE ENCROACHMENT WILL OCCUR AND VERIFY THE EXACT LOCATION OF THE CONSTRUCTION IN RELATION TO THAT LOT LINE. THE ACTIONS OF THIS BOARD ALLOW FOR A MAXIMUM ENCROACHMENT INTO THE SIDE SETBACK OF 15' PASSED ON A 5-0 VOTE.

Approval of Minutes – April 24, 2023

Because the April 24, 2023 minutes were not included in the member packet, Chairman Kudrick asked that their approval be postponed until the next meeting, giving the members time to read them.

V. Other Business / Correspondence

There was no correspondence.

Chairman Kudrick said that he learned that all workshops must be recorded and minutes taken. He announced that he would now like to go into a workshop.

Workshop:

The following ordinance changes were suggested:

- (1) Expand the definition of a private road
- (2) Add “ADU shall not be changed to a condo”
- (3) Add language to ADU information to follow new Town policy for building permits on Class VI or private roads
- (4) Outline the Town permit process for building on a Class VI road (i.e. porch, fence, swimming pool, garage)
- (5) Rescind the Special Exception for an ADU and only require a building permit if it follows §143-18.1. If the ADU deviates from the ordinance requirements, then the Applicant would appear before the Zoning Board for a Variance.
- (6) Determine distance requirements from the main residence for a detached ADU.
- (7) Discuss “Lot of Record” vs. “Buildable Lot”

Chairman Kudrick said that all recommendations are given to Mr. Bacon, who then passes them on to the Planning Board for subsequent approval at Town meeting by the voters.

Alternate Member Bourque said that the Planning Board would like to invite members of the ZBA to meet and discuss detached ADUs. Alternate Member Bourque will notify the ZBA members when the workshop is scheduled.

The Workshop ended at 8:32 pm

Election of Officers:

MOTION: MEMBER CARLUCCI NOMINATED BRUCE KUDRICK AS CHAIRMAN AND TOM HEBERT AS VICE CHAIRMAN. SECONDED BY MEMBER GLISSON. UNANIMOUSLY APPROVED.

VI. Adjournment

MOTION: Vice Chairman Hebert moved to adjourn the meeting at 8:45 pm. Seconded by Member Paradis. Unanimously approved.

Respectfully submitted,
Jocelyn Carlucci
Recording Secretary