

Town of Swanzey, New Hampshire
Swanzey Zoning Board of Adjustment
Meeting Minutes – October 19, 2015

Note: Draft Minutes are subject to review, correction and approval by the Board. Review and approval of Minutes generally takes place at the next regularly scheduled meeting of the Board.

A meeting of the Swanzey Zoning Board of Adjustment (ZBA) was called to order at 7:00 p.m. by Vice Chair Keith Thibault. Also present were Bryan Rudgers, Sarah Tatro, Bob Mitchell, Alternate Shane Bryant, Alternate Marty Geheran and Beverly Bernard, Recording Secretary. The Recording Secretary called the roll and the Agenda for the meeting.

Absent: Chair W. William Hutwelker, III, and Alternate Charles Beauregard, Sr.

Others Present: Director of Planning and Community Development Sara Carbonneau, and Residents Marcie Black and Ronald Cormier

Minutes:

- Meeting Minutes for July 20, 2015 were considered. **Motion** was made by Mitchell to approve the meeting minutes of July 20, 2015. There was a second to the motion by Tatro. No further discussion was held and all were in favor except Geheran who abstained. The ***motion passed.***

PUBLIC HEARINGS

Public Hearing (Special Exception)

Marcie Black requests a special exception from Section III-AA to permit the construction of an accessory dwelling unit (ADU) in the residence situated at 137 Marcy Hill Road. The property is situated in the Residence District and is shown at Tax Map 20, Lot 58.

The Vice Chair seated himself, Tatro, Mitchell, Geheran for Hutwelker, and Bryant for Rudgers for the Public Hearing.

Public Hearing opened at 7:03 p.m.

Carbonneau provided the application summary and she spoke about notices that were provided to the public, to abutters and to Department Heads. She said she received responses from Code Enforcement Officer Mike Jasmin noting the building does meet the square footage requirements, and that the application would require a building permit before construction could begin. Carbonneau noted the dwelling has a three bedroom septic system and there will be no more than a total of three bedrooms in both the main house and accessory unit.

Ronald Cormier spoke on behalf of Black. He said that the ADU is anticipated to be a dwelling place for Black's mother. Cormier said that one bedroom in the building is now part of an expanded kitchen. He said the third bedroom has physically gone away. He said the ADU will be attached and there will be an entrance between the existing unit and the ADU.

Mitchell asked a question of Carbonneau: in the Swanzezy ordinance in reference to total floor area, he asked which spaces were counted for calculating an ADU that cannot be more than 25% of total floor area. Carbonneau said the Town counts the garage as part of the total floor area when the garage is attached and includes the basement area as well. Cormier noted that the house is a raised ranch. Thibault asked if there were any further questions or comments. There were no other questions but Cormier added that the ADU will be completely finished not half finished. He said they want to make the place look nice.

Public Hearing closed at 7:15 p.m. by the Vice Chair.

Vice Chair Thibault asked the members to consider the request of Marcie Black for a special exception from Section III-AA to permit the construction of an accessory dwelling unit in the residence situated at 137 Marcy Hill Road on property in the Residence District and shown at Tax Map 20, Lot 58. The number of bedrooms was the only concern and those concerns were addressed.

He reviewed the Checklist for Granting a Special Exception:

1. *Is the exception allowed by the ordinance?* **All said: yes**
2. *Are the specified conditions present under which the exception may be granted?* **All said: yes**
 - a. *Is the proposed use similar to one or more of the uses already authorized in that District and is it an appropriate location for such use?* – **all said: yes**
 - b. *Will such approval reduce the value of any property within the district, or otherwise be injurious, obnoxious, or offensive to the neighborhood?* **All said: no**
 - c. *Will there be a nuisance or serious hazard to vehicles or pedestrians?* **All said: no**
 - d. *Will adequate and appropriate facilities be provided for the proper operation of the proposed use?*
All said: yes

The Vice Chair entertained a motion to approve the request based on the responses to the checklist for granting a special exception.

Mitchell **moved** to grant to Marcie Black a special exception from Section III-AA to permit the construction of an accessory dwelling unit in the residence situated at 137 Marcy Hill Road on property in the Residence District and shown at Tax Map 20, Lot 58. Tatro seconded the motion and discussion continued about downsizing; Thibault said that so long as the dwelling doesn't go below 300 square feet it will remain appropriate. All were in favor. No one opposed. **Motion passed.**

The residents left at 7:20 p.m.

DISCUSSION/OTHER MATTERS

Meeting the Town Administrator

Carbonneau recommended that the ZBA members stop into Town Hall and meet Town Administrator Michael Branley.

Motion to adjourn was made by Mitchell, seconded by Tatro and all were in favor. ***Motion passed.***
Adjournment occurred at 7:21 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Beverly Bernard".

Beverly Bernard, Recording Secretary