



TOWN OF
BROOKLINE, NEW HAMPSHIRE
BOARD OF ADJUSTMENT

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BOARD OF ADJUSTMENT
MINUTES

Wednesday, August 13, 2008

Present:

Peter Cook, Chair
George Foley, Vice-Chair
David Beauchamp, Member
John Ganos, Member
Webb Scales, Alternate

Absent:

Marcia Farwell, Clerk, **Charlotte Pogue**, Alternate, and **William Owens**, Alternate.

Mail

Bill Owens submitted a letter of resignation as an alternate due to health reasons.

The minutes from the previous meeting were signed.

Case 345

Peter read the hearing notice this hearing is concerning a request by Ronald & Sharon Dean for a Special Exception to allow an accessory dwelling unit in the existing residence on a 3.410 acres lot. Brookline Zoning and Land Use Ordinance, Section 2001 and 2002. **Peter** asked if the abutters have been notified and the fees paid. **Kristen** said yes.

Sharon said when they bought the house in 1986 the apartment was already there but we never used it as an apartment. They would like to use it now so someone is there when they travel.

Peter asked if the land was subdivided off of a larger lot. **Sharon** said yes it was. **Peter** said so original before the subdivision occurred there was enough land to have a two family residence there. When the case went before the Planning Board they should have figured for the ADU and asked that the smaller lot contain 3.6 minimum acres of land not 3.4 acres. The 3.6 acres would have allowed the existence of an ADU. **John** said so the subdivision was approved with the apartment in the home, does this make it grandfathered. **George** said they are trying to meet today's ordinances by asking for a special exception. **Peter** said we should go through the criteria and see what applies.

2002.01 *Accessory Dwelling Units shall be secondary and accessory to a principal single family dwelling unit.*

Peter said the ADU is secondary to the home.

2002.02 *In granting a special exception, the Board of Adjustment must find that the secondary unit is developed in a manner which does not alter the character or appearance of the principal dwelling unit as a single family residence.*

Peter said this is not applicable.

2002.03 *Only one accessory dwelling unit shall be allowed per principal dwelling unit and/or lot.*

Peter said there is only one ADU

2002.06 *Any necessary additional entrances or exits shall be located to the side or rear of the building whenever possible.*

Peter said this is not applicable.

2002.09 *Attached or detached accessory dwelling units shall have two (2) means of egress, other than a window, shown on a plan that shall be submitted and approved by the Fire Department and the Building Inspector prior to filing an application for special exception with the Zoning Board of Adjustment. Any necessary additional entrances or exits shall be located to the side or rear of the building whenever possible.*

Sharon said there are two exits from the apartment, one in the left of the home and one towards the back of the home. **Peter** said two means of egress that meets criteria 2002.09.

2002.11 *The gross living area of an accessory dwelling unit shall not be less than 350 square feet or not greater than 1,000 square feet.*

Sharon showed the Board where the ADU is located on the tax card. **Peter** said it is between 350 and 1000 square feet.

2002.12 *The above grade gross living area of the principal dwelling shall not be reduced to less than 1200 square feet.*

Peter said this is not applicable.

2002.14 *A building permit for an accessory dwelling unit must be approved and issued prior to the construction. An attached accessory dwelling unit shall have an interconnected fire alarm system.*

Sharon said they have battery operated fire alarms in place now. **Webb** said with interconnected alarms if the alarm goes off in the ADU it will also sound off in the main house. **Peter** said for health and safety purposes we should require the fire alarms be interconnected. **George** said they should also be inspected and approved by the Fire Department.

2002.15 *The Emergency Management Director shall determine the house number for the accessory dwelling unit at the time of building permit application.*

George said we can make this a condition of approval.

2002.17 *The driveway shall be designed to appear as a driveway of a single family residence, and no new curb cut from the street shall be constructed. Adequate off-street parking shall be provided to support the vehicles of the primary and accessory units.*

George said it does.

2002.18 *The existing, replacement or proposed septic system must be certified by a licensed septic designer or engineer as adequate to support the accessory dwelling unit in accordance with New Hampshire RSA 485-A:38 and the Town of Brookline septic regulations.*

Webb said he was concerned with the septic. **David** asked if the septic system was based on the number of bedrooms. **Webb** said yes. **Sharon** said there won't be anymore people in the house then there were when our kids were home. **John** said the tax card shows three bedrooms is this correct? **Sharon** said yes, two in the main house and one in the ADU. **Webb** said he would like the septic to be certified as a condition of the approval.

George motioned to grant the special exception subject to the following conditions:

- 1. Submit a plan showing the two means of egress, other than a window, approved by the Fire Department and the Building Inspector.**
- 2. Installation of an interconnected fire alarm system that is approved by the Fire Department.**
- 3. House number issued for the ADU issued by the Emergency Management Director.**
- 4. Septic System must be certified by a licensed septic designer or engineer as adequate to support the ADU.**

Seconded by David. Vote yes 5-0.

Webb suggested to Sharon and Ronald call concord and see if they have a certified septic plan on file for their home.

George motioned to adjourn the meeting at 8:25. Seconded by David. Vote yes 5-0.

Minutes submitted by Kristen Austin.

_____ **Peter Cook, Chair**

_____ **George Foley, Vice-Chair**

_____ **David Beauchamp, Member**

_____ **John Ganos, Member**

_____ **Webb Scales, Alternate**