

Town of Albany, New Hampshire
Planning Board Work Session
Monday September 26, 2016 7:05 P.M.
Approved as written October 17, 2016

Next Monthly Meeting Monday, October 17, 2016 7:00 P.M.

These minutes were prepared by the recording secretary as a reasonable summary of the essential content of the meeting, not as a transcription.

Work Session was called to order at 7:05 P.M.

Present: Leah Valladares- Chair, Adrian Simons, Peter Carboni and Rick Hiland– Select Board Rep.

Absent: Dan Sdankus

Public Attending: Steve Knox

- Chair Valladares outlines the 5 points that create a dwelling. The 5 points are space for living, sleeping, eating, cooking and sanitation.
- Discussion is held on updates to the Zoning Ordinance to be proposed for the 2017 Town Meeting.
- The new State law regarding Accessory Dwelling units (ADU) and regulation of these units is reviewed and discussed. The NH Municipal Association has produced language which may be used for development of ordinance wording regarding ADU's.
- Wording for a draft to be proposed for an ordinance update regulating ADU's is discussed as follows:

Proposed update to the Zoning Ordinance:

Section 1. Definitions: As used in this article, the following term shall have the meaning indicated: Accessory Dwelling Unit. An "accessory dwelling unit" (or "ADU") is a residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

Section 2. Provisions.

An attached accessory dwelling unit shall be permitted in all zoning districts that permit single family dwellings, subject to the following:

- A. Only one (1) ADU shall be permitted for each single-family dwelling.
- B. The ADU must provide independent living facilities for one or more persons containing the four elements of sleeping, eating, cooking, and sanitation.
- C. The ADU shall have an independent means of ingress and egress, or shall have ingress and egress through a common space such as a shared hallway to an exterior door.

- D. The ADU shall be attached to the principal dwelling unit. In order to be considered an attached ADU there must be a common wall between the principal dwelling unit and the ADU.
- E. Detached accessory dwelling units are prohibited.
- F. Either the ADU or the principal dwelling unit shall be the principal residence and legal domicile of the owner of the property.
- G. The ADU shall not exceed 800 square feet in habitable floor area.
- H. An ADU shall be provided a minimum of two (2) off-street parking spaces without creation of an additional driveway or curb cut.
- I. An ADU shall make provision for adequate water supply and sewage disposal service in compliance with RSA 485-A:38 and regulations adopted by the New Hampshire Department of Environmental Services.
- J. The ADU shall be limited to a 2-bedroom maximum.
- K. The ADU shall match in design and aesthetic appearance to the principal dwelling and neighborhood.
- L. An ADU created under this ordinance shall qualify as meeting the provisions of RSA 674:59; units for workforce housing.
- M. No new exterior entrance shall be constructed at the front of a residence for access to the ADU.
- N. A familial relationship shall exist between a minimum of 1 resident in the ADU with a resident of the primary residence.
- O. A property owner must obtain a building permit as required by the Town prior to creation of an ADU within or attached to the principal residence.

Section 3. Minimum Lot Dimension Requirements: An attached ADU shall not be required to meet additional lot area requirements other than already provided for the principal dwelling unit. An ADU shall comply with all lot setback requirements.

A motion was made by Rick Hiland, seconded by Adrian Simons to adjourn at 9:05 pm. Passed unanimously. (4-0)

Respectfully submitted,

Nancy Cole
Albany Planning Board Secretary