

NARRATIVE FOR SPECIAL EXCEPTION FOR ACCESSORY DWELLING UNIT (“ADU”)
MERIDIAN PROPERTIES, LLC (“Applicant”)
END OF LAFAYETTE ST. (ADJACENT TO 153 LAFAYETTE ST.)
TAX MAP LOT NUMBER: 446-126-2 (“the Property”)

The Applicant respectfully requests that the ZBA grant Applicant’s Special Exception Application for an ADU at the Property pursuant to Zoning Ordinance Section 235:41(A) and Section 235-70(C)(2)(b) as the Applicant has met all of the conditions contained in the Zoning Ordinance as set forth below:

a. The use requested is specifically authorized in this chapter.

True. The Property is located in the RS Zone; and the Table of Permitted Uses (235 Attachment 2) expressly lists ADUs as allowed in this Zone by Special Exception.

b. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

True. The Property is located at the end of Lafayette Street adjacent to the PSNH/Eversource Substation and Power Line Right of Way. This is a residential use in a residential zone and will not create undue traffic congestion or pedestrian safety issues any more than any other residential use in this neighborhood.

c. The requested use will not overload any public water, drainage or sewer system or any other municipal system, nor will there be any significant increase in stormwater runoff onto adjacent property or streets.

True. This is a residential use in a residential zone and will not overload any municipal services or significantly increase stormwater runoff any more than any other residential use in this neighborhood.

d. The requested use will not create excessive demand for municipal police, fire protection, schools or solid waste disposal services.

True. This is a residential use in a residential zone and will not overload any municipal services any more than any other residential use in this neighborhood.

e. Any special provisions for the use as set forth in this chapter are fulfilled.

Pursuant to Zoning Ordinance Section 235-41(A), the following provisions apply and are met as follows:

(1) Accessory dwelling units shall be permitted only on properties containing an owner-occupied single-family dwelling. There shall be not more than one accessory dwelling per lot.

True. This ADU will be attached to a new single family home, which upon completion and contemporaneously to the issuance of a Certificate of Occupancy, will be owner-occupied by the Longs’ daughter, Cassandra L. Long. There will not be more than one ADU on the Property.

(2) An ADU shall not be considered to be an additional dwelling unit for the purposes of determining minimum lot size or development density of the property.

True. This is a matter of Zoning language and not questioned by the Applicant.

(3) The property owner must occupy either the primary residence or the ADU as his or her permanent residence. A temporary leave of absence by the property owner is allowed, provided the owner-occupied unit is not rented or occupied by anyone other than the property owner during the temporary leave of absence. The owner shall provide documentation demonstrating to the satisfaction of the City that one of the units is his or her principal residence.

True. The Property is intended to be conveyed to the Longs' daughter contemporaneously to the issuance of a Certificate of Occupancy. Documentation of principle residency will be provided by the Longs' daughter at that time; and the Applicant suggests that this be a condition of approval of this Special Exception.

(4) The ADU must be located in the same building as the primary residence unless the lot meets or exceeds the minimum required lot size for the respective zoning district. If the lot meets or exceeds the required minimum lot size, the ADU may be located in a separate detached structure such as a garage or barn, provided the existing structure conforms to required yard setbacks for the respective zoning district.

True. See the Plans attached to this Application as "Exhibit A". This ADU is part of the structure containing the primary residence.

(5) The ADU shall contain fully self-sufficient living quarters, consisting of adequate sleeping, bathing, and eating accommodations. If the ADU is located within an addition to the existing single-family dwelling, the ADU must be connected to the same utilities (except telephone and television) as the existing dwelling. If the ADU is located in a detached structure, then connections to municipal utilities (i.e., municipal water/sewer) may be separate.

True. See the Plans attached to this Application as "Exhibit A". This ADU is part of the structure containing the primary residence.

(6) Where municipal water or sewer service is not provided, the 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.

True. This Property is serviced by City water and sewer.

(7) An interior door shall be provided between the principal dwelling unit and the

accessory dwelling unit.

True. See the Plans attached to this Application as “**Exhibit A**”.

(8) The ADU shall not have more than two bedrooms, shall not be less than 300 square feet, and shall not exceed 750 square feet. If the primary unit is greater than 3,000 square feet, the ADU can exceed 750 square feet, provided the ADU is no greater than 25% of the gross living area of the primary unit.

True. See the Plans attached to this Application as “**Exhibit A**”.

(9) The ADU shall be subsidiary in size, height, and function to the principal dwelling and shall be consistent with the principal dwelling in appearance, design, colors, and materials.

True. See the Plans attached to this Application as “**Exhibit A**”.

(10) Any necessary additional entrances or exits to the primary residence, to serve the ADU, shall be located to the side or rear of the building. Any new or altered structures, intended to be used as an ADU, must be located behind the building line of the existing primary residence, except when the Zoning Board of Adjustment finds that the placement of the ADU on the lot will not adversely affect the character of the neighborhood, traffic or the safety of pedestrians and will not create a hazard or nuisance to abutting property owners.

True. See the Plans attached to this Application as “**Exhibit A**”.

(11) There shall be one parking space in the rear or side yard for the accessory dwelling and no additional curb cut. The additional parking space shall comply with the parking standards contained in the Zoning Ordinance.

True. See the Plans attached to this Application as “**Exhibit A**”.

(12) The structure and lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the principal single family dwelling.

True. This is a matter of Zoning language and not questioned by the Applicant.

(13) A zoning/building permit application for the ADU must be approved and issued prior to its construction, and a certificate of occupancy, specifying that the dwelling unit is an ADU, must be obtained prior to its occupancy. The ADU constructed within a primary residence shall have an interconnected fire alarm system. All ADU's shall meet all safety and building codes.

True. This is a matter of Zoning language and not questioned by the Applicant.

f. The requested use will not create hazards to the health, safety, or general welfare of the public, nor be detrimental to the use of or out of character with the adjacent neighborhood.

True. This is a residential use in a residential zone and will not create any such hazards any more than any other residential use in this neighborhood.

g. The proposed location is appropriate for the requested use.

True. This is a residential use in a residential zone and is appropriate for this Property.

h. The requested use is consistent with the spirit and intent of this chapter and the Master Plan.

True. This is a residential use in a residential zone and expressly allowed by the Zoning Ordinance in this zone.