

NOTICE OF DECISION

Special Exception – GRANTED with CONDITIONS

Town of Stoddard Zoning Board of Adjustment

Case #2024-0401

Hearing Date: April 18, 2024

You are hereby notified that the appeal of Tracy Keating Gunn for a Special Exception concerning Article III, Section 3.E. of the Stoddard Community Planning Ordinance to request use of an existing detached structure as an Accessory Dwelling Unit (ADU) located at 537 Aten Road, Munsonville, NH, Tax Map 424 Lot 08, has been **GRANTED with CONDITIONS** by the affirmative vote of at least three members of the Zoning Board of Adjustment.

Findings: The Board determined that all 9 conditions as listed in the Ordinance for an ADU Special Exception are met or will be met, as follows:

- 1.) As a matter of applicability of the ADU Ordinance, the ZBA determined that the ADU Ordinance was applicable to this existing “treehouse” structure.
- 2.) There will be only one ADU on the property. To support of this finding, the property owner attests that she will cease to use previously converted basement space in the Primary Dwelling Unit (PDU) as a separate rental apartment as evidenced by conditions imposed below.
 - A. A new septic system for a 4-bedroom home and a 1-bedroom treehouse will be installed, which plan has been approved by the NHDES (#eCA2023120406) a copy of which was provided to the ZBA. Applicant attested the treehouse will not be used until the septic is completed.
- 3.) The treehouse has existing kitchen and bathroom facilities separate from the PDU.
- 4.) The ADU has 384 square feet and 1.5 stories. The first level is 16’x16’ and the loft (comprising bedroom) is 8’x16’.
- 5.) Both the PDU and ADU have a safe and proper means of ingress and egress from the front door. The ADU is not attached to the PDU.
- 6.) The ADU has only one bedroom located in the loft.
- 7.) Per the site plan sketch in the application and as attested by applicant, the ADU has dedicated off-street parking for two passenger vehicles. The sketch shows space for two passenger vehicles for the PDU as well. It also shows both buildings as accessible for Fire and Emergency vehicles.
- 8.) Applicant indicated in writing in the application and attested during hearing the PDU will continue to be occupied solely by the property owner of record.
- 9.) The conditions of this subsection apply equally to detached ADUs as well as attached ADUs:
 - A. Applicant attests she will seek a building permit for the existing treehouse;
 - B. The treehouse has a “pier and beam foundation” which meets requirement for a permanent foundation structure;
 - C. The ADU meets the requirement of continuity with the PDU; the PDU and ADU are a country design, both exteriors being wood and with a wood-stained color.

CONDITIONS: Applicant must: 1.) Secure all Building Permits from Town of Stoddard; 2.) Obtain a septic system Permit for Operation from the NHDES for all bedrooms in PDU and ADU; 3.) Permanently remove kitchen facilities from existing basement apartment within the PDU.

Herbert C. Healy

Chairperson, Zoning Board of Adjustment

Date: ____04/24/24____

The approval shall be valid is exercised within 2 years from the date of final approval and shall not expire with 6 months after the resolution of a planning application filed in reliance upon this decision, as per RSA 674:33, IV. Note: The selectmen, any party to the action or any person directly affected has a right to appeal this decision. See New Hampshire Revised Statutes Annotated, Chapter 677, available for public inspection in the records of the ZBA. Copies of this notice have been distributed to the applicant, Planning Board, Board of Selectmen, Town Clerk and Property Tax Assessor.