

Town of Stoddard Planning Board
January 9, 2018
Preliminary Minutes

Present: Dian Mathews, Jane McOsker, Alice Hutchinson, Ruth Ward and Chris Madden
Alternate: Harry Power
Absent: Ben Wilder
Guest: Mr Casey Hayes

Pledge of Allegiance

Correspondence – Our budget – we have 92 percent left

Previous Minutes – December 5, 2017 – accepted and approved as distributed

Started Public Meeting on ADU @ 7:15pm

All towns in NH have or will update their ADU ordinances pursuant to H136 which went into effect in June 2017. This is Stoddard Planning Board ordinance to amend and replace section 3E of the CPO. It will be on the town ballot in May 2018.

Items we clarified:

1. #6 – An ADU shall contain no more than 2 bedrooms.
2. Changed #2 to include A – the primary structure, along with the ADU, must meet the septic loading requirement from the NH DES for the total number of bedrooms.
3. Retained 1000sq ft because of our original concerns for ADU space, wheelchair requirements or caregiver needs.
4. Fire department #7 Ingress and Egress for emergency vehicles is a good element.

At the October 21, 2017 PB meeting attended by the ZBA – Were asked if there was anything else they wanted?

1. Are we mirroring what state has on this? Answered “Yes, we did exactly what the state is doing.”
2. Decided to allow the 1000sq ft to allow enough room for people with disabilities.
3. Allowing 4 people to a bedroom – this verbiage was removed.
4. We are allowing detached ADU’s.
5. The amended version was sent to Jason Kovarik ZBA Chair and distributed to the ZBA. We have received no comments back from them as of yet.
6. Mr Casey Hayes questioned whether this document would be allowed in all zones. The answer was – It would but all criteria must be met, and have accessibility by the Fire Department.

Also Discussed:

1. The maximum square footage is 1000sq ft. total including mechanical and living space.

2. Emergency situations would have to be dealt with on a case by case basis.
3. Sonotubing could be considered a durable form of foundation “as per the wording of the new ordinance.
4. Conversion of seasonal homes to all year round homes is a separate issue. With both the ADU and a seasonal to all year house the NH DES controls the septic supervision.
5. Our town ZBA will be the agent responsible for limiting the number of ADU’S.
6. When we spoke to the Attorney at the Municipal Association, he said you really cannot restrict the ADU from being detached as long as the ADU meets the minimum requirements of the state. If someone wants to put their parent in this unit but they do not want it attached to the house, and they meet all setbacks and other ordinance guidelines. He said you could put in the ordinance not to have detached, but that would open the town up to litigations and you would have to rewrite the ordinance.
7. From the Municipal Law Association. “If your ordinance is silent on the ADU’S they will automatically be deemed permitted without limitation under the law so you must amend the ordinances to retain any control whatever. The new law allows to be placed on the ADU’S but those limitations must be included in the ordinance otherwise one attached accessory dwelling unit shall be deemed a permitted accessory use as a matter of right to any single family dwelling in the municipality.”
8. Right now, in our town ordinances (CPO) we don’t have the new minimum state requirements. We need to put the correct verbiage in this new ordinance now. Jane on pg 3 of the CPO Article 3-3E an existing dwelling may be converted to allow one conversion apartment provided the following conditions are met. 1. Each dwelling must have a separate kitchen and bathroom. 2. Each dwelling unit shall have a minimum of 400sq ft.

The ADU ordinance is being reviewed by our Attorney Silas Little. The Secretary will send to the Town Clerk – Linda Clark to have it put on the ballot for Town Elections in May 2018.

Public Meeting closed 8PM.

New Business: Dates for Public Meetings

1. ADU – January 9, 2018
2. Fireworks – February 6, 2018
3. Home Business – March 6, 2018

Discussion of Fireworks document. It consists of a permit (2pgs) and ordinance (4pgs).

Unfinished Business

1. Letter from Richard Sears, giving to the PB at the December meeting. Copies were distributed to the PB. He suggested a zoning classification change for West side of Shed Hill Road from Walker Road to Harper Road from Rural to Lakeside district. Center Pond was considered to be added for protection, but is protected by wetland regulations. We may be able to include this as a zoning amendment at this years town meeting. Chris will work on it.

Motion Ruth/Alice “We move that the wording be changed in the Subdivision regulations to read. Subdivision regulations verbiage change: “All driveways shall ingress and egress from the approved frontage and all driveways shall be where they are shown on the Mylar presented to the Stoddard Planning Board.”

Discussion: We need to change in the Subdivision regulations to show the driveways. If there is a change, the Mylar will have to be resubmitted

FYI: House #s are given to the lots by 911 – we use the company CIA.

Motion Carried

New Business:

1. Alice Hutchinson volunteered to step into Dale Smith’s vacated seat. Question: Does she have to run for the seat in May 2018? No, not until the 3 year term is up. Chair appointed Alice Hutchinson to the fill Dale Smith’s vacated seat for 3 years, Until the 2019 elections. Point of Information – ZBA members are not elected; they are appointed by the Selectmen.
2. Forest Road: Select Board is considering renaming the north and south portions of the road for the Fire Department and EMS.
3. Chair will send a Certified Letter to PB member, Ben Wilder who has missed quite a few PB meetings asking if he intends to continue on the Board.

Meeting Adjourned 8:55 pm

Vickie Williams - Secretary