**NOTICE OF DECISION**

**SPECIAL EXCEPTION – GRANTED**

**Town of Stoddard Zoning Board of Adjustment**

**Case #2024-0301 Hearing Date: March 21, 2024**

You are hereby notified that the appeal of Donall Healy for a Special Exception to Article III, Section 3E of the Stoddard Community Planning Ordinance to construct a new residence and garage with an integral ADU on the property located off Aten Road, Tax Map 417, Lot 07, in the Rural District has been **GRANTED** by the affirmative vote of at least three members of the Zoning Board of Adjustment.

**Finding of facts:**

The ADU is proposed as an integral part of new construction of a residence dwelling, for intended use of future caregiver or family member. All 9 criteria as listed in the Ordinance have been met and/or exceeded in this project.

**1**.As a matter of applicability of the ADU Ordinance, the ZBA determined that the ADU Ordinance was applicable to new construction as well as conversion of existing structures, as the Town ordinance cannot be more restrictive than the related State Statute, so a Special Exception is required for this project. **2.** There is only one ADU within the 19- acre parcel. It has an approved septic, which includes the primary dwelling & ADU. **3**. Both PDU and ADU have separate kitchen and bathroom facilities. **4.** The ADU is approximately 900 square feet, less than the allowed area of 1,000 sq. ft. **5.** The ADU has a separate and safe means of ingress & egress as well as a door separating it from the PDU. **6.** The ADU has one bedroom. **7**. It has two dedicated off-street parking spaces for passenger vehicles. **8.** The owner of record will be residing in the Primary dwelling unit. **9**. This ADU is not an “addition” but an integral part of the new house design. The project has a Building Permit which has been approved by the Town of Stoddard.

CONDITIONS: None

Herbert C. Healy

Chairperson, Zoning Board of Adjustment

Date: March 26, 2024

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 Statues 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.