



TOWN OF LITCHFIELD

LITCHFIELD ZONING BOARD OF ADJUSTMENT
Litchfield, New Hampshire
May 9, 2012
DRAFT

Regular meetings are held at the Town Hall at 7:00pm on the 2nd Wednesday of each month.

ZBA Members in Attendance (indented if absent):

Richard Riley, Chairperson
Laura Gandia, Vice-Chairperson
Albert Guilbeault
John Regan
 Thomas Cooney (alternate)
John Devereaux (alternate)
 Eric Cushing, Clerk

Also present:

Kevin Lynch, Building Inspector & Code Enforcement Officer

I. CALL TO ORDER AND ROLL CALL

Richard Riley called the meeting to order at 7:15 pm. Meeting was properly posted and published in the Hudson-Litchfield News. Laura took attendance.

II. NEW APPLICATIONS

There were no new applications.

III. COMMUNICATIONS AND MISCELLANEOUS BUSINESS

Kevin Lynch was invited to the meeting to tell the board about the new zoning ordinance pertaining to Accessory Dwelling Units. The Town, after voting on 3/12/12, adopted the zoning article, Section 507, Accessory Dwelling Units, which will allow flexibility in living arrangements and will provide alternative “not-for-rent” housing opportunities for an owner occupant’s family member or family caregiver. This ordinance will permit single family residences to construct a secondary dwelling unit that is subordinate and internally connected to the principal dwelling unit and limited in size to between 500 and 650 square feet. Any renovations or additions shall maintain the existing single family character of the dwelling and neighborhood.

The purpose of the zoning amendment is to allow “in-law apartments” to provide alternative housing opportunities for the owner occupant and family members wanting to reside in the Town. The owner shall occupy the principal or secondary dwelling unit and the remaining dwelling unit shall be occupied by a family member. Detached and multiple ADUs are not permitted. ADUs will be administered by the Building Inspector in accordance with this ordinance. ADUs require a Building Permit and an initial Certificate of Occupancy. The owner shall file with the Town and the Town shall record an approved “Notice of Limited Occupancy” in the form of a deed restriction with Hillsborough County Registry of Deeds prior to issuance of a Certificate

of Occupancy from the Town. The deed restriction shall indicate the presence of an ADU, the requirement for owner-occupancy and other standards for maintaining the unit. A Certificate of Compliance (which may be a Certificate of Occupancy) is required for each change of ownership, if the owner chooses to continue an ADU. The ADU shall not be occupied without a Certificate of Compliance issued by the Building Inspector.

As a side note, Richard Riley mentioned that he and Kevin worked together to develop a Special Exception Application template. The current Special Exception Application used by the ZBA is old and needed to be updated. The new one follows the same format used for the Variance Application.

IV. OTHER BUSINESS

Richard Riley appointed John Devereaux to the board for the remainder of the meeting.

V. ANNUAL ELECTION OF OFFICERS

Chairperson & Vice-Chairperson

Richard Riley communicated that in accordance with the ZBA By-Laws the annual election of Chair and Vice-Chair positions should be completed before the meeting adjourns. Motion was made by Albert Guilbeault and seconded by John Regan to keep Richard Riley as Chairperson and Laura Gandia as Vice-Chairperson. Motion carried 3-0-2, with Richard Riley and Laura Gandia abstaining.

VI. COMMUNICATIONS AND MISCELLANEOUS BUSINESS

Revisions to the ZBA By-Laws

Richard Riley reviewed the work he has done to complete the previously agreed upon revisions to the ZBA By-Laws. John Regan read aloud the proposed changes for Section 4.7 – Deliberations, and Section 4.8 – Decisions, as noted on the copy dated 2/10/12.

At next month's meeting, the board members will vote on whether or not to adopt these proposed changes.

The need for an additional board member

Richard Riley expressed his concern about lack of attendance by Eric Cushing over the last 18-24 months. The last communication from Eric over a year ago indicated he was having health issues. Richard Riley suggested that the board determine Eric Cushing's present status and availability and if need be find someone to replace him. Richard Riley asked John Devereaux if he would be interested in filling the opening if it became available. John Devereaux indicated he would. Laura Gandia took the action item to try to contact Eric Cushing to determine his current status and ability to continue as a full member of the ZBA.

VII. ADJOURNMENT

Richard Riley motioned and Albert Guilbeault seconded the motion to adjourn the meeting. Motion carried 5-0-0. Meeting adjourned at 7:58 pm.

Respectfully submitted,

Gisele Mercier