



BOARD of ADJUSTMENT
Town of Hollis
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Minutes of July 27, 2017

Meeting was held in the Community Room, Hollis Town Hall, and was called to order by Chairman Brian Major at 7:00pm.

MEMBERS OF ZONING BOARD OF ADJUSTMENT: Brian Major, Chairman; Regular Members –Cindy Robbins-Tsao; Alternate Members – Drew Mason, Kat McGhee and Bill Moseley.

Major explained the policies and procedures.

Major appointed Mason, McGhee and Mosely as voting members for the case tonight.

Case ZBA 2017-008

The application of Brian Wilmot, property owner, for a Special Exception to Section IX, General Provisions, Paragraph K Accessory Dwelling Unit of the Zoning Ordinance to permit the construction of a 552 square foot Accessory Dwelling Unit located above the existing garage, located at 106 Depot Road, Map 013, Lot 057-001, in the Residential and Agricultural Zone.

Wilmot stated the primary dwelling was built in 2014 and was designed to have a family room above the garage. Circumstances have changed and Wilmot is asked the Zoning Board of Adjustment (ZBA) for approval of a 552 square foot accessory dwelling unit (ADU) above the existing garage so that his mother in-law can move into the home but have her own separate space. Wilmot stated the ADU meets the Hollis zoning ordinance as follows;

Criteria 1-

- As required in K.3.a, the proposed single in-law apartment will not alter the character of the principal dwelling unit, as the living areas will be separate, and constructed in the space over the existing attached garage.
- There will be no exterior changes to the existing structure on the property, and no new entrance will be constructed as stated in K.3.b
- The size of the proposed in-law apartment will be approximately 24' x 23', or 552 SF. This falls between the 300 SF and 800 SF limits stated in K.3.e of the ordinance. When considering the existing 2,688 SF of above grade floor area in the principal dwelling unit, these two units will create a combined area of 3,240 SF. The 552 SF in-law apartment will make up about 17% of this total heated, above grade floor area, which is below the 30% limit stated in K.3.e of the ordinance
- A proposed staircase from the mudroom of the primary dwelling unit to access the accessory dwelling unit will allow for re-incorporation into the principal dwelling unit in the future, and these units will share internal heated living space access through a common wall, as stated in K.3.f.
- A septic design has been approved by a licensed septic designer as adequate to handle the increased waste volume as described in K.3.g.
- Adequate off-street parking is available with a long driveway, and an existing turn-around area exists adjacent to the garage, as required in K.3.h, and K.3.i.
- As stated in K.3.j, this ADU will not be used for short-term rentals.

Criteria 2 – The construction of the ADU will add one vehicle that is garaged, or based at this property. One passenger vehicle that makes an additional round-trip from the property will have a negligible effect on the physical condition of the town roads.

The ADU will included a kitchen and a 3/4 bath will be constructed in the space above the existing attached garage. This studio will be accessible via an enclosed staircase from the mudroom of the primary dwelling unit, where a doorway header was previously installed during initial construction.

A new interior wall will be constructed within the mudroom to create a shared mudroom, accessible via the existing door at the rear of the house. A lockable door at the base of the staircase will provide access to the apartment from the mudroom and a second interior door will provide the primary unit with access to the backyard through the shared mudroom.

To maintain mudroom closet access, the existing bi-fold doors will be relocated from the mudroom to the laundry room, and the wall closed off to provide a secure space.

Within the studio apartment, a 3/4 bath will be constructed along the shared interior wall to the house, where water supply and plumbing lines are readily available. A fan will exhaust air to the exterior via the rear wall of the house.

A small kitchen will also be constructed along the shared interior wall, where plumbing and electrical supply is available.

Knee walls will be constructed, and built-in shelving will be used to maximize space and provide storage.

A short header is proposed to maximize headroom in the area above the stairway. This area is adjacent to a shared, existing, full-height interior wall, and will maximize the space between the existing roof joists and the adjacent full height ceiling, and make space for a 3/4 bathroom.

The rest of the finished room will provide space for sleeping and living within this studio apartment.

All walls will be insulated, dry-walled, and painted, and electrical work will be completed to bring the apartment into compliance with the required electrical code.

To heat and cool this unit, the existing HVAC system will be tied into and a new zone will be installed to control the apartment.

Major asked should the ZBA consider the wall between the primary dwellings master bathroom and the kitchen of the ADU as the shared internal heated living space. Wilmot replied yes however, the requirement would also be met using the first floor mudroom. Even if the mud room area was added to the ADU square footage the ADU would still meet the 800 square foot requirement. Mason asked if the mudroom was heated. Wilmot replied yes.

Robbins-Tsao asked how the re-incorporation back into the primary dwelling would be accomplished. If the ADU was not needed. Wilmot replied the wall would be removed and the area would be a family room with a bathroom.

No Further Questions from the Board and none from the floor – hearing portion of the case closed.

DELIBERATION AND DECISION

The ZBA had a brief discussion and decided the application met the zoning ordinance as submitted.

Questions/Special Exception

Question 1 Is the Exception specified in the Ordinance?

Question 2 Are the specified conditions under which the Exception may be granted present?

Question 3 Should the Exception be granted?

Board Member	Question #1	Question #2	Question #3	Total-Yes	Total-No
Major	Yes	Yes	Yes	3	0
Robbins-Tsao	Yes	Yes	Yes	3	0
Mason	Yes	Yes	Yes	3	0
McGhee	Yes	Yes	Yes	3	0
Mosely	Yes	Yes	Yes	3	0

THEREFORE THE SPECIAL EXCEPTION WAS GRANTED.

Other Business

McGhee stated she will be contacting Jeff Moffitt to see if he has any interest in sitting on the ZBA as an alternate member.

Review of Minutes

Mason moves to approve the minutes of May 25, 2017.

Seconded by Mosely.

Motion unanimously approved with Robbins-Tsao abstaining.

Meeting Adjourned

The ZBA meeting adjourned at 7:20 pm.

Respectfully submitted, Donna L. Setaro, Building & Land Use Coordinator