

APPROVED
ANDOVER PLANNING BOARD
MEETING MINUTES
January 10, 2017

Members present: Nancy Teach, Chair; Jon Warzocha, Vice Chair; Randall Costa; Paul Currier; Art Urie; Doug Phelps; and David Blinn, Ex-Officio

Also present for duration of appropriate items: Dave Powers, Zoning Administrator; Pat Moyer, Planning & Zoning Coordinator; Tina Cotton; Susan Chase

Public Hearing – Accessory Dwelling Units (ADU) – to consider the Board’s proposed ADU ordinance, the subject of a Warrant Article at Andover’s 2017 Town Meeting.

Teach opened the public hearing at 7:00 p.m. and asked for public comments, concerns and input. The Board noted in its proposed ADU ordinance it sought to meet the goals of complying with the new NH State requirements, providing reasonable flexibility to Andover residents, but also preserving the rural single family residential character of our community.

The following are public comments at the meeting and written comments received by the Chair prior to the meeting

The first comment asked that detached ADUs be permitted in the same way as attached ADUs. And that the size of any detached ADU, if permitted, be determined only with relation to the single family house and not the detached structure it is a part of, and that the building permit and certificate of completion requirement for an ADU be dropped.

The second comment raised a concern that allowing ADUs would potentially increase the population of the Town too rapidly and lead to a strain on school resources.

The third comment voiced by a number of people and was also voiced in the first public meeting on this topic, was that the size limit for an ADU of 1600 square feet written in the Board’s initial proposed ordinance was too large and could have the effect of altering the character of the Town and diminishing property values.

The addressed public comments as follows

The Board noted the State statute does not provide for detached ADUs at all or require Towns to allow them. In formulating the proposed ordinance, the Board tailored the size and appearance requirements for ADUs in substance to provide that the single family character of the Town is not altered, and gave the Town the means to enforce these requirements. While the Board extended flexibility by permitting detached ADUs through special exception granted by the Zoning Board of Adjustment, it wanted to ensure that any detached ADU was part of a detached building that has an independent purpose consistent with the rural single family

character of the Town, such as a barn, versus appearing as a second and independent housing unit on a single property, which would in turn give the appearance of multi-family or multi-unit housing.

The Board views the building permit and certificate of completion requirement as a key means of ensuring appropriate consultation with the Board and compliance with the spirit and substance of the ordinance.

The Board noted the requirement to allow ADUs as a matter of right becomes effective as a matter of New Hampshire State Law as of June 2017. This ordinance is a way to comply with the law's requirements but also balance or limit them in ways that are appropriate for the Town. The Board does believe it is consistent with the Andover Master Plan and beneficial for the Town to support the care of aging relatives and allow for affordable housing for individuals or families starting out provided this can be done in a way that preserves the character of the Town.

The Board also noted that current population projections, including those used for reference by the Capital Improvements Committee in evaluating capital proposals, indicate that Andover's population is likely to be largely flat for the foreseeable future. The Board believes that some growth, especially of younger tiers of the community, is likely to be beneficial to offset the overall predicted aging of the Town's population, should not strain school resources and is important to the vitality of the Town in future decades.

The public hearing was closed at 7:45 p.m.

The Board's actions

On reflection, the Board agreed to reduce the maximum size in the ordinance to 1000 square feet, which the Board feels is still adequate to support a two bedroom ADU. The Board noted that State law prohibits a Town from requiring any ADU to be smaller than 750 square feet, though any resident may voluntarily make an ADU that is this small or smaller. The Board does not believe it is feasible or appropriate to apply a limit to the number of persons in an ADU, but it is believed that the size limit will constrain ADUs to their intended uses. So long as the State statute mandating ADUs is in effect, the Town would not be able to prohibit them, but the proposed ordinance does require all ADUs to have a building permit and certificate of completion. There were no further comments on the substance of ordinance, though the Board took the opportunity to review the text and make certain clarifying revisions of the proposal which will be reflected in the final revised text.

Minutes of December 13, 2016 meeting

Currier – Motion to approve as amended
Warzocha – Second
Vote – Unanimous

Zoning Administrator & Planning and Zoning Coordinator

1. Powers received a request for the regulation for operating a dog kennel in the Village District in East Andover. Powers will refer the property owner to the Planning Board for a non-binding consultation.
2. Powers has not met with John Guiheen yet.
3. Powers has begun his work to cross-reference current businesses in town with prior owners and matched them up with Tax Map and Lot Number.
4. Powers will follow up with property owner at 474 Main Street regarding an in-law apartment.
5. Moyer will confer with Town Administrator Marj Roy regarding complaint forms.
6. Driveway Permits have been approved by the Selectboard and copies need to be made. Each board member will be provided with a copy.
7. The schedule of fees has been approved by the Selectboard.
8. All town files are now being labelled.

Announcements / Correspondence

1. The Lakes Region Planning Commission map project should be complete. Teach and Phelps will review the maps.
2. The Lakes Region Planning Commission is working on mapping Andover's transportation destination. Teach will get more details before working on this request.
3. The new owner Val Somers dba Claremont Properties at 519 Main Street, (formerly Dalbello Sports), has new tenants - Bird's Eye View operating as aerobatics wholesalers. The new tenant will attend the January 24, 2017 meeting at 7:30 for a non-binding consultation. Teach will request a write-up of their intentions. Moyer will email the owner a Site Plan Review Application to help him with the write-up.
4. The board will work on Subdivision Application, PUD & Conservation Subdivisions at their January 24, 2017 meeting.
5. The owner of property of the Ambrose Subdivision is inquiring on the size of the fire pond needed for his lot. This question was relayed to Chief Lefebvre; however, a response has not been received. It was discussed that the property owner and Chief Lefebvre should attend a Planning Board meeting for a discussion.

There being no further discussion, the meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Lisa Meier, Recording Secretary