



Dublin Planning Board  
**Public Hearing**  
February 1, 2024

In person and via ZOOM

The Planning Board met at 7:00pm in the basement of the Town Hall. Present were Don Primrose- Chair, Susan Peters, Select Board Representative, Members: Francis McKenna, Caleb Niemela, Alternates: Brie Morrissey, Neil Sandford, Karl Eckilson and Archie McIntyre. Absent were Donna Garner- Vice Chair, Members: Kirsten Colantino, Katy Wardlaw and Alternate: Bob Sardinkas.

A list of other attendees attached.

**Call to Order:** Don opened the meeting at 6:02pm appointing Karl, Brie and Archie to sit in for Katy, Kirsten and Donna, respectively.

Don opened the Public Hearing by reviewing the proposed Article XXVIII Accessory Dwelling Units. In April, the Planning Board set up a sub-committee to this end. HOP research showed that State regulations fell short of what many of our residents thought prudent. Work began to change the wording of the town's ordinance to bring it more inline with current goals. Don read the changes that have been proposed (document attached). The discussion was then opened to public comments:

John Morris-Barney Road: stated that this was an improper Public Hearing because it was not held under proper notice, and that "the Planning Board Hearing is a sham" and nothing anyone says will change the Planning Board's vote. He stated that information on the proposed changes was not readily available. He thought that it was premature to propose ADU language changes this year and wants it kept off the ballot.

Joan Griffin-Barney Road: Reminded the Board that she wrote a letter, Nov. 27<sup>th</sup> raising concerns about the ability to build ADU's on private roads/non-conforming lots. She cited that the Southwest Regional Planning Commission recommends that Dublin consider 8-9 new homes, not "doubling the population". A better alternative would be to consider the "village district" for potential growth.

Chris Raymond-Learned Road: expressed concerns with voting tonight citing that there might not have been enough time to hear and consider all the issues. He questions enforcement of the new definition of owner occupancy. He realizes that the intent of the new definition is to discourage investment corporations, but feels more work needs to be done on the definition.

**Public Participation Closed:** The Board once again reviewed Joan Griffin's letter and noted that they are not trying to double the population, nor were ADUs the same as a subdivision. But, that by adopting ADU language, we can add controls that would benefit our local community.

Joan's Nov 27<sup>th</sup> letter was read on Dec 7<sup>th</sup> and responded to by noting that the HOP committee's work is not to make ADU's a subdivision. Both the Planning Board and HOP debated "by right" and "special exception" especially concerning Private Road/driveway/right of way. The HOP committee recommended "by right". No one is rushing an ADU article through. The ADU statute was adopted by the NH Legislature in 2017. Owner Occupancy seems to be the primary question. Chris asked a clarifying question: "Even on existing, non-conforming property, a new building must still conform to current regulations." The answer is yes.

Susan made a "motion to replace Article IV, Section N of Dublin's "Zoning Ordinance and Land Use Regulations" with the new proposed Article XXVIII, titled- Accessory Dwelling Units- as written and read earlier by Don." Caleb seconded. Roll call vote: Susan, abstained. Caleb, yes. Francis, yes. Don, yes. Brie, yes. Karl, yes. Archie, yes. The motion carried.

Susan made a "motion to replace Article II, Number 2's current definition, "Accessory Living Unit" with Accessory Dwelling Unit as written and read by Don." Archie seconded. Roll call vote: Susan, abstained. Caleb, yes. Francis, yes. Don, yes. Brie, yes. Karl, yes. Archie, yes. The motion carried.

Susan made a "motion to add a new definition to Article II of "Owner Occupancy" as written and read by Don and to change Table of Use Regulations, replacing #2 with Accessory Dwelling Unit and "see Article XXVIII". Francis seconded the motion. Further discussion: Archie asked if the new definition of Owner Occupancy does not pass, does that then negate the ADU definition? Answer, no. Roll call vote: Susan, abstained. Caleb, yes. Francis, yes. Don, yes. Brie, yes. Karl, yes. Archie, yes. The motion carried.

**Adjournment:** There being no further business, Don made a "motion to adjourn the Public Hearing at 8:13pm". Caleb seconded.

Minutes respectfully submitted by Pamela J. Celko

#### List of Non-Board Member Attendees

Date: February 1, 2024

Emily Primrose

June Brening

Nina McIntire

Joan Griffin

John Morris

Judy Knapp

Chris Raymond-Select Board Member

**(Article XXVIII)**  
**Accessory Dwelling Units**

1. One Accessory Dwelling Unit (ADU) shall be allowed as a matter of right in all zoning districts that permit single-family dwellings.
2. An ADU may be within or attached to an existing structure or be a detached purpose-built structure.
3. Accessory Dwelling Unit Size:
  - A. No ADU shall be larger than the gross living area of the principal unit.
  - B. No ADU shall be larger than 1200 square feet in gross living area.
4. No increase in lot size, frontage, or setbacks shall be required beyond what would be required for a single-family dwelling without an ADU.
5. Owner occupancy is required of one of the dwelling units; either the ADU or the principal dwelling.
6. Unless otherwise provided for, herein, all existing regulations applicable to single-family dwellings shall also apply to the combination of a principal dwelling and an ADU.
7. For an ADU that is located within or attached to the principal dwelling unit, in compliance with RSA 674:71-73, an interior door shall be provided between the principal unit and the ADU, but there is no requirement that the interior door shall remain unlocked.

Should RSA 674:71-73 be revoked, this requirement shall be revoked.
8. Adequate provisions for water supply and sewage disposal for the accessory dwelling unit, in accordance with RSA 485-A:38, shall be demonstrated by the applicant. But separate systems, including, but not limited to plumbing, heating, electrical, and sanitary disposal systems, are not required for the principal and accessory dwelling units provided that occupants of all units have access to the electrical panel and circuit breakers serving their respective unit.

## **Article II**

### **Definitions**

To replace “ACCESSORY LIVING UNIT” definition in its entirety with:

#### **ACCESSORY DWELLING UNIT**

A residential living unit that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

New Definition

#### **Owner Occupancy**

The physical person that owns the property or a person with a material interest in another legal entity (e.g. partnership or corporation) that owns the property.

### **TABLE OF USE REGULATIONS**

Under A. Residential Uses

Replace #2. With: “2. Accessory Dwelling Unit.”

“See Article XXVIII

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New Definition

#### **Owner Occupancy**

The physical person that owns the property or a person with a material interest in another legal entity (e.g. partnership or corporation) that owns the property.

# Town of Dublin

## PLANNING BOARD

### NOTICE OF PUBLIC HEARING

Notice is hereby given that the Dublin Planning Board will hold a public hearing on February 01, 2024 at 7:00 pm in the meeting room lower level of the Dublin Town Hall to consider a proposal by the Planning Board to make amendments to the Dublin Zoning Ordinance and Land Use Regulations:

**1. Amend Article II - Definitions;**

- \* Remove the term - Accessory Living Unit and its definition.

- \* Add new term and definition - Accessory Dwelling Unit

- \* Add new term and definition Owner Occupancy

**2. Amend Article X Table of Use Regulations A:2. Replace with Accessory Dwelling Unit**

**3. Amend Article IV, Remove section "N" Primary and Accessory Living Units**

**4. Proposed new Article - Article XXVIII Accessory Dwelling Units**

The complete text of the proposals can be found on the town website and available for inspection at the Town offices.

Don Primrose - Chair

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## New Dublin Policy on Accessory Dwelling Units

BY DON PRIMROSE

Over the past 10 months, the Planning Board has worked with consultants Ivy Vann and Carol Ogilvey to form a Housing Committee to assist in reviewing Dublin's Zoning Ordinance and Land Use Regulation Manual as it pertains to housing. The Housing Committee conducted public workshops, individual interviews, community surveys, focus groups, and public educational events. The Committee is made up of 10 individuals, including four Dublin Planning Board members, and is chaired by Margot Sprague.

Early on, we saw that Dublin's "Accessory Living Unit" regulations fell short of New Hampshire state RSAs. The Planning Board decided to write its own Accessory Dwelling Unit (ADU) policy, following New Hampshire state guidelines, as a first step in creating more local housing options.

The definition of ADU is "A residential living unit that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel

of land as the principal dwelling unit it accompanies."

By adopting our own ADU policy, we can apply some criteria and/or controls that benefit our local community. We have added the following to the state minimum:

- One ADU shall be allowed by right;
- No ADU shall be larger than 1,200 square feet;
- No ADU shall be larger than the principal living unit;
- An ADU may be within or attached to an existing structure or be a detached purpose-built structure;
- Owner occupancy is required of one of the dwelling units, either the ADU or the principal dwelling.

If you have any questions about the Planning Board's ADU proposal, please contact me or another member of the Planning Board or Housing Committee. A vote on the town's ADU policy is anticipated at the Planning Board meeting on Thursday, February 1, at 7 pm.

DON PRIMROSE is chair of the Planning Board.

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