

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Application for Accessory Dwelling Unit

Section IV-14 of the Hampstead Zoning Ordinance concerns the permitting and use of Accessory Dwelling Units (ADU). This provision has been adopted as an innovative land use control under RSA 674:21. The Planning Board is vested with sole authority to administer it and to grant conditional use permits for ADUs. Residents of Hampstead who wish to add an ADU to their dwelling will be required to submit a completed Accessory Dwelling Unit application with all requested information to the Hampstead Planning Office. Applications with sections left blank and/or missing required information will not be accepted or noticed until all information has been submitted to the Hampstead Planning Board prior to the notice deadline.

In addition to the information below, the Planning Board, at its discretion, may request additional information to support Section IV-14 of the Hampstead Zoning Ordinance or any section of the Hampstead Site Plan Regulations.

Applicant Name: _____

Owner Name (if not Applicant): _____

Applicant Phone Number: _____

Applicant Email (optional): _____

Property Map and Lot Number: _____

Property Address of Requested ADU: _____

Will you be adding any bedrooms?

- Yes (If Yes, how many? _____) (See Section IV-14-2(A)(2) of this form.)
- No (If No, how many bedrooms are permitted in your dwelling currently? _____
How many will be converted to the ADU? _____)

Will you be making any modifications to the structure of your dwelling?

- Yes. If Yes, please describe planned changes. _____

- No (Floor Plan Sketches will be required.)

Please describe any existing limitations in place for the property, including but not limited to:

- Well/Water Supply _____
- Septic _____
- Set-backs _____
- Business and Hours of Use _____
- Variance / Special Exception _____

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IV-14.1 Definition

Accessory Dwelling Unit (ADU) means a residential living unit that is within or attached to a single-family dwelling and 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 primary dwelling unit (PDU) it accompanies.

IV-14.2 Conditional Use Permit Requirements

A. Approval

ADUs must receive a conditional use permit from the Planning Board before construction or use. Applications for a conditional use permit shall be subject to the same procedures as Site Plan Review. The Planning Board may grant a conditional use permit for an ADU provided the Planning Board finds all of the following criteria are met:

1. Location

ADUs are only allowed in Residential Zone A and Recreational Zone B.

What zone is your property in?

- Residential Zone A
- Recreational Zone B
- Other (ADUs not allowed in other zones)

2. Lot Size

The lot with an ADU must meet the full lot size requirements for the residential zone in which the lot is located. (See Hampstead Zoning Ordinance Part II-Land Use Regulations, Subsection 1 - Soil Based Lot Size for information that is required.)

- If bedrooms are being added, provide documentation that proves your lot meets the full lot size requirements.** (If lot was created after 3/10/1987, the required calculation may be available from the Planning Office.)
- No bedrooms are being added.**

3. Septic

The septic system for a lot with an ADU must be of sufficient size to handle all bedrooms in the primary and accessory dwelling units and comply with RSA 485-A:38. This fact must be verified by a State of New Hampshire licensed septic designer with a signed letter stating that the system can accommodate the change, accompanied by the New Hampshire Department of Environmental Services (NHDES) Construction Approval, Operational Approval, and Approved Plan. (NHDES approvals and plans may be available at the Hampstead Building Department or can be obtained at NHDES by calling 603-271-3501 or at 29 Hazen Drive, Concord, NH 03302 or by filling out and submitting the archive request form found on the NHDES website using the following link:

<https://www.des.nh.gov/organization/divisions/water/ssb/categories/forms.htm>.

- Provide documentation that proves the septic system can support the total number of bedrooms in both the PDU and ADU combined.**

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4. Well/Water Source

The lot must have an adequate well/water source to serve the combined needs of the PDU and ADU. The lot may have off-site public-use water supply, or have an on-site well that is tested regularly for NH state environmental requirements.

What is the water source?

- Private well.
 - If private, provide a copy of recent water test results.
- Off-site public-use water supply

5. Structure and Use

- a. The ADU is contained within or will be an addition to an existing or proposed single family dwelling.
- b. The ADU shall be less than 50% of the square area of the PDU and shall be incidental and subordinate to the PDU.
- c. The ADU must be designed such that the appearance of the structure remains that of a single-family dwelling.
- d. The primary and accessory units shall be connected by an interior door.
- e. Only one Accessory Dwelling Unit is permitted per lot.
- f. No more than two bedrooms are permitted in the Accessory Dwelling Unit.
- g. Occupancy in the ADU is limited to the use of two people per bedroom unless the septic system is designed and installed to accommodate more occupants per bedroom.
- h. The owner of the lot must occupy either the PDU or the ADU as the owner's primary place of residence. The owner must provide evidence that the lot is the owner's principal place of residence.
- i. Any lot with an ADU must have sufficient off-street parking to meet the combined needs of the PDU and ADU.
- j. The PDU, ADU, and lot shall be owned by the same person.

Include a copy of the Approved Septic Plan

Provide color photos of:

- Four sides of house
- Driveway access from street toward house
- Existing parking area(s)

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For ADUs within footprint of existing structure:

1. Provide a basic floor plan drawing that includes:

- Outline and dimensions of all rooms on all levels
- Labels identifying kitchens, dining areas, bedrooms, and bathrooms
- Labels identifying which rooms belong to the PDU and which belong to the ADU
- Entrance doors
- Location of door connecting PDU with ADU
- Total square footage of PDU
- Total square footage of ADU

2. Provide a basic plot plan drawing of lot that includes:

- Property lines
- Required setbacks to property lines
- Footprint of existing structure
- Driveway plus existing and proposed parking spaces

For ADU's expanding existing footprint or adding bedrooms:

1. Provide a set of drawings of the existing structure and proposed expansion that includes:

- Street view elevation
- Outline and dimensions of all rooms on all levels
- Labels identifying kitchens, dining areas, bedrooms, and bathrooms
- Labels identifying which rooms belong to the PDU and which belong to the ADU
- Location of the connecting door
- Entrance doors: Existing and Proposed
- Total square footage of PDU
- Total square footage of ADU

2. Provide a basic plot plan drawing of lot that includes:

- Copy of Approved Septic Plan
- Property lines
- Required setbacks to property lines
- Footprint of existing structure and proposed expansion
- Driveway plus existing and proposed parking spaces

The plans required above are in addition to the information required to prove Soil Based Lot Sizing as stated in IV-14.2 Conditional Use Permit Requirements (A)(2).

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IV-14.3 Detached Accessory Dwelling Units

Detached Accessory Units are not allowed. A detached unit includes but is not limited to a connection from one structure with an ADU to another structure with the PDU by a breezeway.

IV-14:4 Certification

Any owner who applies to build an accessory dwelling unit in either an existing single-family home or proposed single-family home must sign a certification that the owner will occupy either the PDU or ADU as the owner's principal place of residence. When a lot with an existing approved ADU or in-law apartment is sold or conveyed to a new owner, the new owner must sign the same certification. The signed certification shall be recorded at the owner's expense in the Rockingham County Registry of Deeds. The certification for a lot with an existing approved ADU or in-law apartment shall be filed in the Rockingham County Registry of Deeds at the time title is transferred and a failure to do so will invalidate the previous approval.

- Include a signed Certification of Ownership (attached).**

IV-14:5 Restrictions

The PDU, ADU, or lot cannot be converted to a condominium or any other form of legal ownership distinct from the ownership of the single family dwelling.

Fee Schedule

- ADU Application Fee: \$250
- Abutter Notification Cost: \$10.00 per abutter

*Applications may be subject to the Town's Consulting Engineer Review Fee.

I certify that this application is complete and all required supporting documentation is provided.

Print Applicant Name

Signature of Applicant

Date

Signature of Planning Board

Date Received

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An abutter, as defined in RSA 672:3, is any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the Board. Professionals whose stamp appears on documents submitted to the Board and holders of conservation easements on abutting properties shall be notified as abutters.

For purposes of receipt of notification by the Board of a hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B:3, XXIII.

For purposes of receipt of notification by the Board of a hearing, in the case of an abutting property being under a manufactured housing park form of ownership, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing, as defined in RSA 205-A:1, II.

Provide a list of abutters to the property:

(Add additional pages if needed.)

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____