

GILSUM PLANNING BOARD
Proposed Zoning Amendments for 2024 Town Meeting

Amendment #1: Are you in favor of Amendment #1 as proposed by the Planning Board for the Gilsum Zoning Ordinance to delete Article VII – Board of Adjustment, Paragraph H. and amend Article II – General Provisions, Paragraph K. Accessory Apartments.

Explanation: The purpose of this amendment is to: (1) remove the requirement that an accessory apartment receive ZBA approval; (2) increase the minimum square footage; (3) clarify that they are allowed in detached structures; and (4) otherwise bring the ordinance into compliance with state law.

_____ YES _____ NO (Put "X" on Yes or No)

Amendment #2: Are you in favor of the adoption of the amendment as proposed by the planning board for the Town of Gilsum zoning ordinance as follows?

To amend ARTICLE XIII – DEFINITIONS by deleting the definition of Accessory Apartment and replacing it with a new definition, as follows:

Existing:

~~**ACCESSORY APARTMENT.** 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 principal dwelling unit it accompanies. (Amended March 17, 2017)~~

New:

ACCESSORY DWELLING UNIT (ADU) means a residential living unit that is within or attached to a single-family dwelling, or is in a separate structure on the property, 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 principal dwelling unit it accompanies.

Explanation: The purpose of this amendment is to bring the definition into compliance with state law.

_____ YES _____ NO (Put "X" on Yes or No)

Amendment #3: Are you in favor of the adoption of the amendment as proposed by the planning board for the Town of Gilsum zoning ordinance as follows?

To amend Article XIII – Definitions, by deleting the definition of "Family", as follows:

~~14. **FAMILY.** Any number of persons all of whom are related by blood, adoption or marriage, or no more than four persons who are living together as a single housekeeping unit and any one of which is not related by blood, adoption or marriage to all the others. (Added March 10, 2009)~~

Explanation: The purpose of this amendment is to eliminate a definition from the ordinance for a term that is no longer used in the ordinance.

_____ YES _____ NO (Put "X" on Yes or No)

Amendment #1- detailed explanation

[Note: New language is shown as ***bold italic*** and language to be deleted is shown with a ~~strikethrough~~.]

ARTICLE VII – BOARD OF ADJUSTMENT

~~H. ACCESSORY APARTMENTS~~ (Added March 9, 1999 ; amended March 14, 2017)

- ~~1. Only one accessory apartment is permitted per single family dwelling, which must be owner-occupied by a permanent resident of Gilsum.~~
- ~~2. The accessory apartment may not exceed 750 square feet of floor area. The original dwelling may not be reduced to less than 750 square feet through the addition of the accessory apartment.~~
- ~~3. If attached, the accessory apartment shall be attached to the principal dwelling unit by a common wall with a common door that may be locked.~~
- ~~4. The accessory apartment shall share the water and sewage disposal systems of the principal dwelling unit. Both systems must meet all applicable state standards for the proposed usage.~~
- ~~5. Parking shall be accommodated off-street for all residents.~~
- ~~6. The addition of an accessory apartment may not result in any exterior change to the residential character of the neighborhood or property.~~
- ~~7. A permit must be received prior to occupancy from the Selectmen or the Building Inspector and, if necessary, the Fire Chief. A change in ownership requires a new permit.~~

ARTICLE II – GENERAL PROVISIONS

K. ACCESSORY APARTMENTS DWELLING UNITS (ADU): To implement recommendations contained within the Population & Housing section of the Master Plan, provisions are hereby adopted that are intended to ~~provide housing opportunities for elderly and/or handicapped persons who need assistance in daily living.~~ ***expand the supply of housing without further land development, as well as to encourage efficient use of existing housing stock and infrastructure, and provide an affordable housing option.*** One accessory apartment is allowed per single family dwelling by Special Exception in all districts subject to the following: subject to the conditions of Article VII, F. & H. ***ADU's are permitted in all districts subject to the following:***

- 1. Only one ADU is permitted per single family (principal) dwelling, either of which must be owner-occupied by a permanent resident of Gilsum.***
- 2. The ADU may not exceed 1,000 square feet of floor area. Regardless of the size of an ADU, it must be smaller, therefore secondary and incidental, to the principal dwelling unit.***
- 3. If attached, the ADU shall be attached to the principal dwelling unit by a common wall with a common door that may, but is not required to be, locked.***
- 4. The ADU may share the water and sewage disposal systems of the principal dwelling unit. Both systems must meet all applicable state standards for the proposed usage.***
- 5. Parking shall be accommodated off-street for all residents.***
- 6. The addition of an ADU may not result in any exterior change to the residential character of the neighborhood or property.***
- 7. A building permit must be received prior to occupancy .***