



39 Tyson talked about specific language relating to kitchens and bathrooms and some  
40 other specifics in the proposed State law. Jim felt we didn't need to include specifics.

41 There was discussion about owner occupancy, and minimum/maximus sizes per unit. If  
42 we leave ours at 600 square feet, we have it the way we proposed, and if the State  
43 goes to up to 750 square feet, then it defaults to that automatically.

44 Art said the State's final amendment relates to detached accessory dwelling units and  
45 increased lot sizes. He said we should think about not allowing detached accessories.  
46 Art said we could end up with a detached cottage on a 2 acre parcel in town and  
47 wondered how the town assesses that. Jim said that isn't our issue to deal with. Tyson  
48 said they would deal with that on a comparable basis.

49 Art had a concern about adding accessory units and its conformance with a current  
50 septic system. Jim said you can't get a building permit without that requirement being  
51 met, so that isn't an issue.

52 Art felt we in Canterbury should not allow detached units and should only allow  
53 accessory apartments to an existing structure. It has to be either in the house or in an  
54 unattached existing structure. Right now an accessory unit has to be connected by  
55 heated space. He felt we need to be careful about the detached units. Someone with  
56 40 acres could put 10 cottages there. That's not our intention. Art felt the reason  
57 Canterbury doesn't have the growth is that we're all concerned about the draw on the  
58 taxes. Tyson felt it's the property tax that deters growth. Art said if you can figure out  
59 how to assess a detached unit to get revenue equal to a home, then fine. You could  
60 have a family living in a 750 square foot cottage sending their kids to school without the  
61 revenue to support it.

62 Tyson feels the June 1, 2017 gives us another year to tweak it and not bring anything to  
63 the Town Meeting right now.

64 Art felt that changing the proposed verbiage from private living unit to dwelling unit is a  
65 harmless change.

66 Jim made motion that we make the following changes and decide on a second hearing:

- 67 1. Change private living unit to dwelling unit;
- 68 2. Change 600 square feet to 750 square feet.

69 Kent seconded the motion.

70 Discussion: Jim thinks the only question in terms of a second hearing is changing the  
71 square footage from 600 to 750, which is a 25% increase. Someone could challenge it.  
72 Art asked if the 750 is more than what we would like to see. Tyson didn't think it was a

73 big deal. The proposed State law will say you can't require it to be less than 750  
74 square feet. We are saying it can't be more than 750. Jim said we could leave it at 600  
75 square feet and add the language "or whatever limit is set by State law." If they change  
76 it - ours changes, if they don't change it - ours doesn't. That way we don't need a  
77 second hearing.

78 Art said we could leave it at 600 and let it ride. If 750 becomes law, it becomes law.

79 Kent said the bigger it is, the more revenue we get. Tyson felt we should change it to  
80 750 and have a second meeting.

81 A vote was held on the amended proposed language and it passed by a unanimous  
82 vote.

83 Jim argued against holding a second hearing. The only substantive change made is to  
84 be in line with proposed State law, and also, nobody showed up at this public hearing.  
85 Art said based on the fact that nobody showed up at this hearing, he doesn't feel we  
86 need another one. Tyson disagrees and wants a second hearing.

87 A vote was held to decide if the Board was comfortable not holding a second meeting.  
88 The vote was 4 yes, 1 no. No second meeting will be held.

89 Jim moved to put the zoning change regarding accessory apartments, as amended, to  
90 the Town Meeting. Kent seconded.

91 Vote: Unanimous.

92 Tyson will send the language to Jan for inclusion at Town Meeting. (See attached for  
93 language)

94 **Other Business:**

95  
96 Steve Henninger wants to move forward with additional language. Lori forwarded an  
97 email with new documents and language from Steve. The Board will review the  
98 documents.

99 George Glines spoke about a problem the Selectmen have been presented with. Years  
100 ago the Town took lots for taxes around the Sherwood Forest area. There is one which  
101 is a ¼ acre lot on Blue Boar Lane that was taken from the owner, but a deed was never  
102 recorded. The Town sold it to a young couple and annexed the lot to their house lot.  
103 The couple wants to sell the house now and don't have clear title. They can't sell their  
104 house and buy another house, which they're looking to do in Canterbury. The  
105 Selectmen could unmerge the lots and if they separate them, there is clear title to the lot  
106 the house is on. Then the owner could sell it. The Selectmen wouldn't take the lot

107 away from them, they would just unmerge the lots. Art felt the taking of the land was a  
108 legal action way back when, and that should give you clear title automatically.

109 Jim said if we need to unmerge it, he thinks we have the ability to do it. Art thinks they  
110 have clear title. George will pass it on to the Selectmen.

111 Jim mad a motion to adjourn. Kent seconded.

112 Vote: Unanimous

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114 Meeting adjourned at 7:50 p.m.

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116 Lori Gabriella, Secretary

**Next meeting: January 26, 2016 at 7:00 p.m.**

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**Proposed Amendment to Zoning Ordinance Relating to Accessory Apartments  
 To Appear on the 2016 Warrant for the  
 Annual Town Meeting Tuesday, March 8, 2016**

Are you in favor of the adoption of the following amendment to the existing Canterbury Zoning Ordinance as proposed by the Planning Board?

In ARTICLE 3 DEFINITIONS, amend ACCESSORY APARTMENT

1. To allow an accessory dwelling unit in an unattached accessory structure by adding the phrase "or in an existing accessory structure".
2. To remove the phrase "The primary single family unit must have in excess of 1,500 square feet of gross floor area, not including the accessory apartment."
3. To Increase the allowable size of the second dwelling unit from 600 to 750 square feet.
4. To add the phrase "Either the primary single family unit or the accessory apartment must be owner occupied".

Change the first current paragraph to read as follows: (Additions are indicated below in italics, removals by strike thru.)

ACCESSORY APARTMENT

An accessory apartment is a second completely private ~~living~~ *dwelling* unit that is located in the same structure as a single family residence *or in an existing accessory structure*, and not requiring increased acreage or frontage. ~~The primary single family unit must have in excess of 1,500 square feet of gross floor area, not including the accessory apartment.~~ The second dwelling unit (the accessory apartment) shall have no more than ~~600~~ 750 square feet of gross floor area and contain no more than two rooms in addition to a kitchen and bathroom. Only one such accessory apartment shall be permitted per lot. *Either the primary single family unit or the accessory apartment must be owner occupied.*