

## Zoning Board of Adjustment Meeting Minutes

**Location:** Strafford Town Hall Conference Room

**Date & Time:** May 16, 2024 6:30PM

**Voting Board Members Present:**

Ashley Rowe – Chairman  
Aaron Leff  
Scott Hodgdon  
Jean Chartrand-Ewen

**Non-Voting Board Members Present:**

Charlie Burnham

**Others Present:**

Robert Fletcher, Minutes Recorder

The Chairman called the meeting to order at 6:32PM and indicated the closing date for new applications to be filed for the agenda for the regular June 20, 2024 meeting is Thursday, May 30, 2024. He recognized Board members Aaron Leff, Scott Hodgdon, Jean Ewen, and Charlie Burnham as present.

**Continuing Business**

Ted Karahalios is requesting a Special Exception under Article 1.4.1, Section K, and Variance to Article 1.4.1 Section K, Paragraph V (h), Accessory Dwelling Unit (ADU) of the Zoning and Land Use Ordinances in order to convert the second floor of a detached garage currently under construction into an ADU. The proposed 920 square foot ADU exceeds the maximum square foot requirement of the ordinance by 170 square feet. The new garage and Accessory Dwelling Unit meets all structure setback requirements and has a new approved septic disposal system. (42 Ricky Nelson Road, Tax Map 8, Lot 75-1)

Ted Karahalios was present to address the requests. He previously provided the Board with a modified floor plan of the second story of the garage which indicated a total of 749 square feet of residential living area. With the ADU square footage now less than the maximum for an ADU, a Variance to Article 1.4.1 Section K is no longer needed. The Chairman indicated that the Strafford Building Inspector had inspected the interior framing and confirmed the living area square footage did not exceed the maximum for an ADU.

The Chairman asked if the Board had any questions or concerns. Jean Ewen referred to the Ordinance criteria, which indicates that an ADU may not be greater than 750 square feet in area. The Ordinance does not specifically indicate this maximum to be composed of living area. She is not sure the applicant is meeting the requirement for an ADU in accordance with the Ordinance, because the second story has 920 square feet of available area. She questions whether eliminating space within the total available area by creating numerous non-living areas (dead space) satisfies the criteria. The

Chairman acknowledged that the Ordinance does not specifically indicate living area; however, for at least four years, the Board has approved Special Exceptions for ADUs based on a maximum of 750 square feet of living space. He also indicated that the Board specifically advised the Mr. Karahalios when approving the Variance for a detached ADU at the April 18, 2024 Zoning Board meeting that he would need to reduce the ADU living area in order to meet the Ordinance criteria. The Board agreed that the Ordinance area reference needed to be clarified, but the Chairman believed it would be problematic to interpret this differently now. The Chairman asked for a motion to grant the Special Exception for the ADU, which was so moved by Aaron Leff, seconded by Scott Hodgdon, and voted upon verbally in the affirmative by all Board members, except Jean Ewen who abstained. The motion passed.

**Other Business**

The Chairman asked the Board to review the minutes from the April 18, 2024 meeting. Jean Ewen made a motion to accept the April 18, 2024 meeting minutes as written, which was seconded by Charlie Burnham and voted upon verbally in the affirmative by all Board members.

There being no further business before the Board, the Chairman called for a motion to adjourn. Aaron Leff moved to adjourn, which was seconded by Jean Ewen, and voted on in the affirmative by all Board members. The meeting adjourned at 7:51PM.