

Kathleen Morris, 30 Durham Point Road
DRAFT CONDITIONS OF APPROVAL

1. There currently is one accessory dwelling unit on the property, and two additional ones are proposed to be constructed. None of the three accessory dwelling units will be used as rental apartments.
2. The daycare facility previously located on site will not be reinstated.
3. Prior to the issuance of a certificate of occupancy for the two proposed accessory dwelling units, the applicant will provide evidence satisfactory to the Town Building Inspector that a septic system exists on site sufficiently sized to serve all bedrooms located in the existing house and accessory dwelling unit together with the two accessory dwelling units to be constructed.
4. This variance is approved without evidence of hardship based on representations of the applicant that four of the existing family members, three minor children and one adult child, have recognized physical disabilities requiring reasonable accommodation and relief from the terms of the zoning ordinance. To protect the interests of the Town, the applicant agrees that when all four of the referenced family members cease their status as permanent residents of the property, that two of the accessory dwelling units will be decommissioned.
5. Should the three minor children, either currently, or when they reach adulthood, need to temporarily reside off the property for medical, educational or seasonal or long term residential program, then the decommissioning requirements shall not be triggered provided that their intent is to return to the property and to be permanent residents, and provided that during any temporary off site residence of the three children, no accessory dwelling units are to be used as rental apartments.
6. Should the adult child who will be residing in one of the accessory dwelling units move off the property for any reason other than medical needs for a period of more than eighteen months, then the decommissioning requirements will be triggered and one of the three accessory dwelling units must be decommissioned for use as such. During any absence

of the adult child, the accessory dwelling unit shall not be rented.

7. To ensure that there are adequate funds to pay for the decommissioning of one or both of the accessory dwelling units, the applicant will post either a passbook savings account or some other instrument satisfactory to the Town in the amount of \$10,000.
8. The term "decommissioning" means that, for the accessory dwelling unit being decommissioned, that the refrigerator, stove/oven and dishwasher shall be removed along with such cabinets and countertops that would be customary for a kitchen in an independent living unit. Further, the physical space which is decommissioned shall have such flooring or sheetrock installed as is necessary to create the sense that the decommissioned accessory dwelling unit is now simply part of the living area of the main home. No other structural or cosmetic changes are required to complete the decommissioning and subsequent to the decommissioning, the applicant may use the area as living space in the same manner and with the same rights as would otherwise be enjoyed for any other portion of the main home.
9. Notice of these conditions of approval shall be recorded at the Strafford County Registry of Deeds.