

Town of Salem, New Hampshire
 Community Development Department
 Building & Code Enforcement
 33 Geremonty Drive, Salem, New Hampshire 03079
 (603) 890-2020 – Fax (603) 898-1223

APPLICATION FOR IN-LAW APARTMENT PERMIT

Date _____ Eff. Date _____ Permit # _____
 Owner: _____ Phone _____
 Address: _____
 Map _____ Lot _____ Location: _____
 Setbacks from property lines: Front _____ Side _____ Rear _____
 Zone: _____
 Other Permits required:
 ___ Electrical ___ Plumbing ___ Chimney ___ Septic ___ Well ___ Fire ___ Building ___ Oil Burner/woodstove

The following must be completed for an In-Law Apartment:

Is structure a single family dwelling?	_____	_____
Will area be occupied by family member?	_____	_____
Same utility connections?	_____	_____
Apartment has less than 750 sf floor area?	_____	_____
Does septic system meet requirements for combined use?	_____	_____
Will structure's exterior appearance and entrances to dwelling be consistent with single family residence?	_____	_____
Do you understand the structure and lot cannot be converted to to any other form of legal ownership distinct from the ownership of the existing single family?	_____	_____
Do you understand the requirements for deed addendum?	_____	_____
Will there be common access between units?	_____	_____
Has a plan been submitted?	_____	_____

Note: Building Department will draw up the deed addendum. You must sign it, have it notarized and pay recording fees at the same time the building permit is issued.

Town Planner Signature _____
 Estimated Cost: _____

Town Engineer Signature: _____
 Permit Fee: \$10.00

Additional information: Include square footage of accessory apartment area/list rooms.

Signature of Owner/Contractor

Building Official

PROCEDURE TO BE FOLLOWED FOR IN-LAW APARTMENT PERMITS

Prior to a permit being issued for an in-law apartment, the applicant shall provide a floor layout showing how the in-law unit will be located inside the single family dwelling.

Before a permit is granted for an addition to a single family dwelling that will create an in-law apartment, an elevation and/or drawing showing the physical appearance of the home with the addition must be submitted along with a floor layout.

Zoning allows a single family dwelling in Residential & Rural Districts to have an in-law apartment providing the following conditions are met:

1. *In-law use shall be recorded by Deed Addendum* –this means your deed as recorded in Exeter, NH will have a supplement added to it. It will contain all the requirements of zoning. You will swear to the truthfulness of the statement. The addendum shall be signed by you and a Building Official. It will be notarized as true and accurate. The recordings fees are \$15.00 for one page, \$20.00 for two pages. The addendum will be sent to the Registry of Deeds. When it is recorded, it is returned to the Town of Salem. We will mail a copy of the recorded document and send the original document to you for safe keeping along with your property deed.
2. *Separate utility service connections shall not be allowed* -this means you have to maintain the same electric and heating systems.
3. *Common access between units shall be provided* -this means there shall be an interior access doorway from the main unit to the in-law unit
4. *The structure's exterior appearance and the entrances to the dwelling shall be consistent with the primary residence* – Your front door is the main entrance to your home facing the street. This may also be a common entrance for the in-law unit. However, additional entrances must be reviewed by the Building inspector to ensure the property has the appearance of a single family dwelling.
5. *Where municipal sewer is not provided, the septic system shall meet requirements for the combined use. In new construction, the septic system shall be designated for duplex use.* The Engineering Department must be contacted. If you are on Town sewer, they will be able to "sign off" on your application. If you are served by a private septic system, the Engineering Department will explain what is required to allow the in-law apartment in your single family dwelling.

6. *Use shall be by members of the immediate family of the principal owner-occupant of the dwelling.* This means that a family member of the property owner must be occupying the in-law apartment.

7. *It shall be contrary to this ordinance to provide in-law use in duplexes or multi-family dwellings.* The intent is to limit in-law apartments to single family dwellings only. It is not in the spirit of the ordinance to allow expanding uses of a duplex or multi-family dwellings.

8. *The apartment shall not exceed 750 s.f. of floorspace.* This limits the floor area of the in-law apartment which will be calculated by outside dimensions of the total area.

ONCE IT IS DETERMINED YOU MEET THE CRITERIA FOR IN-LAW USE, the property owner may make application. The application form must be completed and it will be necessary to obtain signatures of the Planning and Engineering Departments prior to seeing the Building Inspector. A diagram must be attached to application showing the area to be used with all measurements. You must submit a complete set of plans with your application. There will be a requirement to hard wire both units.

Permits Required: It will be necessary to secure 2 building permits -one for the alterations and/or addition and one for the in-law requirements -as well as electrical and plumbing permits

Building Official: Warren Winter is available during the hours of 8:30to 9:30 AM and 4:00 to 5:00 PM

Notarization: Your deed addendum will be notarized by a notary in the Municipal Building and then mailed for recording.

c: building/forms/InLaw Apt