Barrington Zoning Board of Adjustment

Zoning Ordinance Variance and Special Exemption

Application Checklist

Please schedule a meeting with staff before submitting your application.

This checklist has been prepared to assist you in submitting a complete application to the Town of Barrington. At the Pre-Application meeting, staff will check off the items on this list that are required with your submission.

This document constitutes a public disclosure under RSA Chapter 91 – A, Access to Governmental Records and Meetings.

Date May 28, 2014 Case No. 115-48+50-GR-14-ZBA

PART I – GENERAL REQUIREMENTS

All Graphics shall be to Scale and Dimensioned

Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.

Req'd	Rec'd	
X	✓	1. Zoning Board of Adjustment Application Checklist *(this form)*
		2. ZBA General Information (Article(s) and Section(s) of Ordinance)
		3. Appeal and Decision
X	✓	4. Fees - $150.00 Application ☐ $ 75.00 Legal Notice ☐ $ 7.00 per US Post Office Certified Letter ☐ Eleven
X	✓	5. Completed Project Application Form X Variance ☐ Special Exception ☐ Appeal
	N/a	6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)
X	✓	7. Project Narrative
	N/a	8. HOA Approval *(if applicable)*

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 115-48+50-GR-14-ZBA

Project Name Lot Line Revision, Kevin D Roy & Carrie Vaich

Location Address 39 & 42 Knowles Drive, Barrington, NH 03825

Map and Lot 115, Lot 48 & 50

Zoning District (Include Overlay District if Applicable) General Residential

Property Details:

☒ Single Family Residential ☐ Multifamily Residential ☐ Manufactured Housing
☐ Commercial ☐ Mixed Use ☐ Agricultural ☐ Other

Use: Residential

Number of Buildings: One Existing Height: Two Story

Setbacks: Front 40 Back 30 Side 30 Side 30

Description of Request

Cite the Section of the Zoning Ordinance you are requesting a Variance or Special Exemption for. If this is an Appeal from an Administrative Enforcement Order, Planning Board Decision, or Zoning Board of Adjustment Decision, please attach pertinent documentation:

4.1.1 Minimum Standards, Request that Lot 50 be allowed to be reduced from 57,462 sq. ft. to 33,741 sq. ft.

Project Narrative: *(Please type and attach a separate sheet of paper)*

Lot 48 would be increased in size from 14,745 sq. ft. to 38,467 sq. ft. becoming less non-conforming.

Barrington Zoning Ordinance Requirements:

Zoning Ordinance requires that the minimum lot size be 80,000 sq. ft.

Request: *(You may type and attach a separate sheet of paper)*

That the Zoning Board of Adjustment grant a Variance to allow Lot 50, as an existing non-conforming lot, be reduced in size from 57,462 sq. ft. to 33,741 sq. ft. The minimum lot size required by NHDES Subsurface Bureau is 33,000 sq. ft.

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☐ 4. No excessive demand on municipal services and facilities, including, but not limited to waste disposal, police and fire protection, and schools.

☐ 5. The proposed use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site that would result in the loss of significant habitat or flood control protection.

In addition to the guiding principles specified above, the ZBA may condition the granting of a special exception upon more stringent standards if the Board determines that such conditions are necessary to protect the health and welfare of the town and its residents. Such conditions may include the following and should be addressed in the Narrative:

☐ 1. Front, side, or rear yards in excess of the minimum requirements of this Ordinance.

☐ 2. Screening of the premises from the street or adjacent property by walls, fences, or other devices.

☐ 3. Limitations on the size of buildings and other structures more stringent than minimum or maximum requirements of this Ordinance.

☐ 4. Limitations on the number of occupants and methods and times of operation.

☐ 5. Regulation of the design and location of access drives, sidewalks, and other traffic features.

☐ 6. Location and amount of parking and loading spaces in excess of existing standards.

☐ 7. Regulation of the number, size, and lighting of signs in excess of existing standards.

Signature of Applicant — Date: 5-28-14

Signature of Owner — Date: 5-28-14

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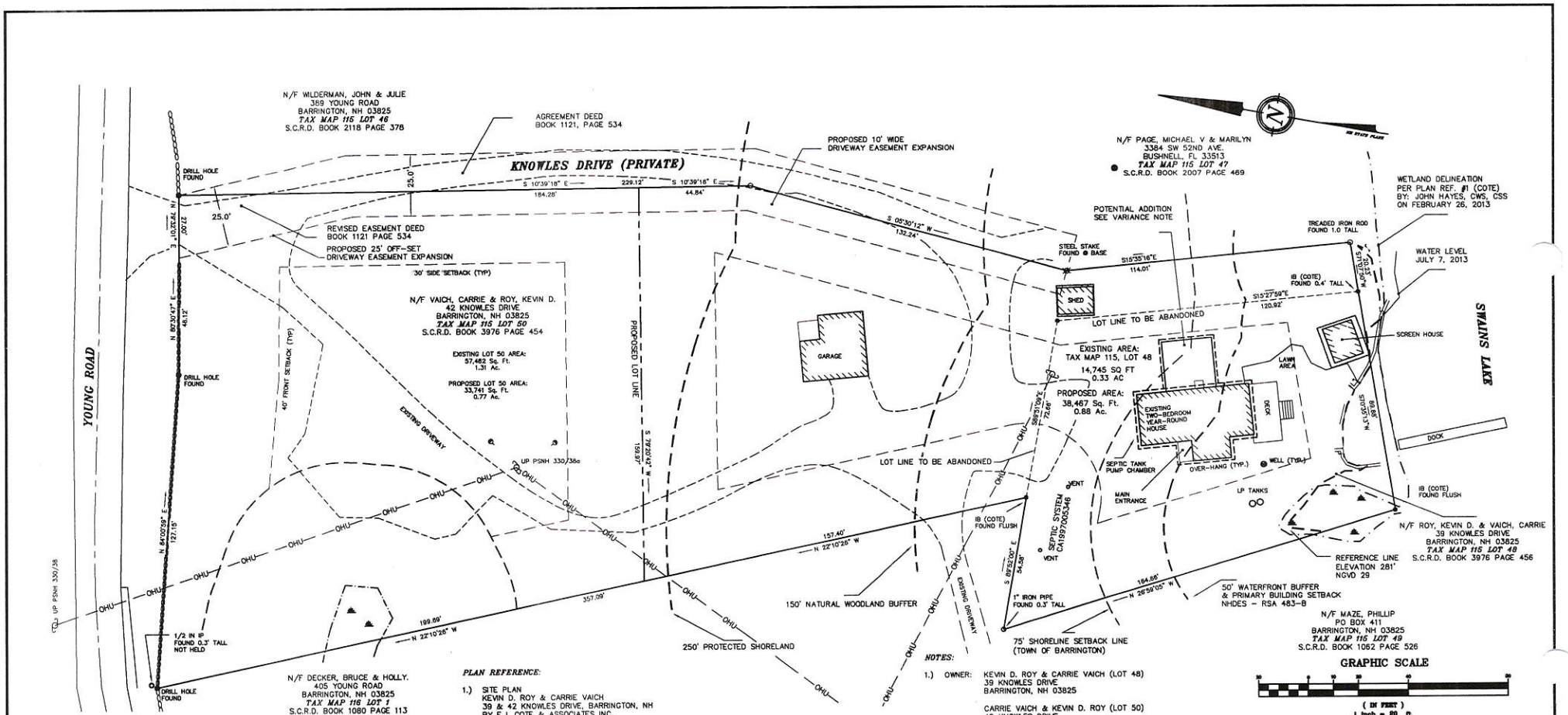

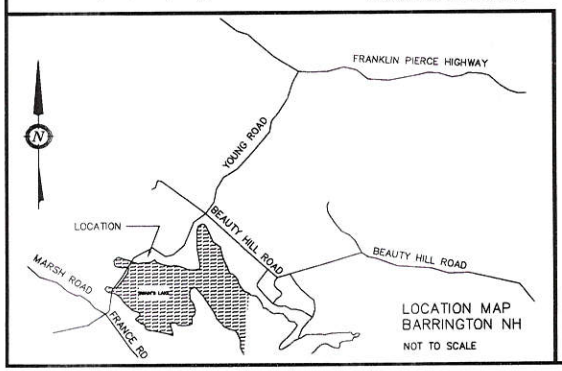

PLAN REFERENCE:

1.) SITE PLAN
KEVIN D. ROY & CARRIE VAICH
39 & 42 KNOWLES DRIVE, BARRINGTON, NH
BY E.J. COTE & ASSOCIATES INC.
DATED FEBRUARY 12, 2013
PLAN NO.: 3-121-6478 NOT RECORDED

2.) SUBDIVISION PLAN - RICHARD KNOWLES
YOUNG ROAD, BARRINGTON, NH
BY: FREDERICK E. DREW ASSOCIATES
DATED JULY 1978
S.C.R.D. PLAN 17A-88

3.) PHYSICAL EVIDENCE PLAN
BARBARA NEWTON
YOUNG ROAD, BARRINGTON, NH
BY: DRVS / DREW, LLC
DATED: NOVEMBER 1996
S.C.R.D. BOOK 2867, PAGE 280

4.) BOUNDARY SURVEY
KEVIN D. ROY & CARRIE VAICH
39 & 42 KNOWLES DRIVE, BARRINGTON, NH
TAX MAP 115, LOT 48 & 50
BY: BERRY SURVEYING & ENGINEERING
DATED: JULY 10, 2013

I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF NH STANDARD BOUNDARY SURVEY AND OF THE TOWN OF BARRINGTON. 1:10,000

KENNETH A. BERRY LLS 805 DATE

WETLAND DELINEATION:

THE WETLANDS ON SITE WERE DELINIATED BY JOHN HAYES, CWS, CSS, ON FEBRUARY 26, 2013 AND LOCATED BY E.J. COTE & ASSOC., INC. AND BY BERRY SURVEYING & ENGINEERING AS A PART OF THIS SURVEY.

NOTES:

1.) OWNER: KEVIN D. ROY & CARRIE VAICH (LOT 48)
39 KNOWLES DRIVE
BARRINGTON, NH 03825

CARRIE VAICH & KEVIN D. ROY (LOT 50)
42 KNOWLES DRIVE
BARRINGTON, NH 03825

2.) TAX MAP 115 LOT 48 & 50

3.) LOT AREA: LOT 48 - 0.33 AC / 14,745 SQ FT
LOT 50 - 1.31 AC / 57,462 SQ FT

4.) S.C.R.D. BOOK 3976 PAGE 456
S.C.R.D. BOOK 3976 PAGE 454

5.) ZONE: GENERAL RESIDENTIAL (GR)
WETLANDS PROTECTION DISTRICT OVERLAY (WDO)
50' BUFFER REQUIRED
SHORELAND PROTECTION DISTRICT OVERLAY (SDO)
75' SHORELINE SETBACK
MINIMUM AREA - 80,000 Sq. Ft.
MINIMUM FRONTAGE - 200 FEET
FRONT SETBACK - 40 FEET
SIDE SETBACK - 30 FEET
REAR SETBACK - 30 FEET
BOTH LOTS ARE EXISTING NON-CONFORMING

6.) PLAN INTENT: THE INTENT OF THIS PLAN IS TO RETRACE THE PERIMETER BOUNDARY OF BOTH TAX MAP 115, LOT 48 & 50. TO DEMONSTRATE A PROPOSED LOT LINE REVISION INCREASING LOT 48 TO 38,467 Sq. Ft. AND REDUCING LOT 50 TO 33,741 Sq. Ft.

7.) VARIANCE GRANTED SEPTEMBER 18, 2013 TOWN OF BARRINGTON ZONING BOARD OF ADJUSTMENT. CASE 115-48-GR-13-ZBA-SEE RECORD AND PLAN REFERENCE #1.

REVISION	DATE	DESCRIPTION

draft LOT LINE REVISION
KEVIN D. ROY & CARRIE VAICH
39 & 42 KNOWLES DRIVE
BARRINGTON, NH
TAX MAP 115 LOT 48 & 50

STATE OF NEW HAMPSHIRE LICENSED LAND SURVEYOR NO. 805 KENNETH A. BERRY SIGNATURE

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : 1 IN. EQUALS 20 FT.
DATE : MAY 28, 2014
FILE NO. : DB 2013 - 058

PAGE 1 OF 2

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N/F WILDERMAN, JOHN & JULIE
389 YOUNG ROAD
BARRINGTON, NH 03825
TAX MAP 115 LOT 46
S.C.R.D. BOOK 2118 PAGE 378

KNOWLES DRIVE (PRIVATE)

YOUNG ROAD

SWAINS LAKE

N/F PAGE, MICHAEL V & MARILYN
3384 SW 52ND AVE.
BUSHNELL, FL 33513
TAX MAP 115 LOT 47
S.C.R.D. BOOK 2007 PAGE 469

WETLAND DELINEATION
PER PLAN REF. #1 (COTE)
BY: JOHN HAYES, CWS, CSS
ON FEBRUARY 26, 2013

WATER LEVEL
JULY 7, 2013

N/F VAICH, CARRIE & ROY, KEVIN D.
42 KNOWLES DRIVE
BARRINGTON, NH 03825
TAX MAP 115 LOT 50
S.C.R.D. BOOK 3976 PAGE 454

EXISTING LOT 50 AREA:
57,462 Sq. Ft.
1.31 Ac.

PROPOSED LOT 50 AREA:
33,741 Sq. Ft.
0.77 Ac.

EXISTING AREA:
TAX MAP 115, LOT 48
14,745 SQ FT
0.33 AC

PROPOSED AREA:
38,467 Sq. Ft.
0.88 Ac.

LOT LINE TO BE ABANDONED

150' NATURAL WOODLAND BUFFER

250' PROTECTED SHORELAND

75' SHORELINE SETBACK LINE
(TOWN OF BARRINGTON)

50' WATERFRONT BUFFER
& PRIMARY BUILDING SETBACK
NHDES – RSA 483-B

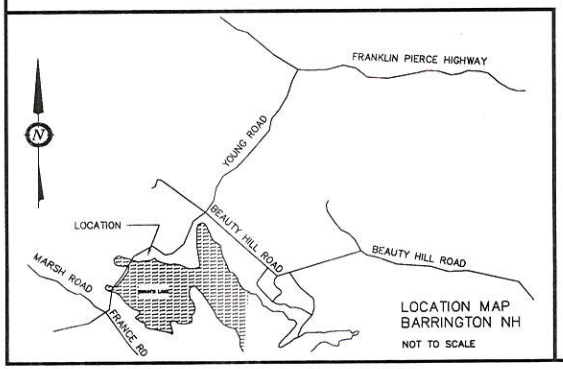
REFERENCE LINE
ELEVATION 281'
NGDV 29

N/F ROY, KEVIN D. & VAICH, CARRIE
39 KNOWLES DRIVE
BARRINGTON, NH 03825
TAX MAP 115 LOT 48
S.C.R.D. BOOK 3976 PAGE 456

N/F MAZE, PHILLIP
PO BOX 411
BARRINGTON, NH 03825
TAX MAP 115 LOT 49
S.C.R.D. BOOK 1062 PAGE 526

N/F DECKER, BRUCE & HOLLY.
405 YOUNG ROAD
BARRINGTON, NH 03825
TAX MAP 115 LOT 1
S.C.R.D. BOOK 1080 PAGE 113

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.



WETLAND DELINEATION:

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NOTES:

1.) OWNER: KEVIN D. ROY & CARRIE VAICH (LOT 48)
39 KNOWLES DRIVE
BARRINGTON, NH 03825

CARRIE VAICH & KEVIN D. ROY (LOT 50)
42 KNOWLES DRIVE
BARRINGTON, NH 03825

2.) TAX MAP 115 LOT 48 & 50

3.) LOT AREA: LOT 48 – 0.33 AC / 14,745 SQ FT
LOT 50 – 1.31 AC / 57,462 SQ FT

4.) S.C.R.D. BOOK 3976 PAGE 456
S.C.R.D. BOOK 3976 PAGE 454

5.) ZONE: GENERAL RESIDENTIAL (GR)
WETLANDS PROTECTION DISTRICT OVERLAY (WDO)
50' BUFFER REQUIRED
SHORELAND PROTECTION DISTRICT OVERLAY (SDO)
75' SHORELINE SETBACK
FRONT SETBACK – 40 FEET
SIDE SETBACK – 30 FEET
REAR SETBACK – 30 FEET

6.) PLAN INTENT: THE INTENT OF THIS PLAN IS TO DEMONSTRATE THE TERRAIN OF TAX MAP 115, LOT 48 & 50, TO DEMONSTRATE A PROPOSED LOT LINE REVISION.

REVISION	DATE	DESCRIPTION

TOPOGRAPHIC SURVEY – LOT LINE REVISION
KEVIN D ROY & CARRIE VAICH
39 & 42 KNOWLES DRIVE
BARRINGTON, NH
TAX MAP 115 LOT 48 & 50

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : 1 IN. EQUALS 20 FT.
DATE : MAY 28, 2014
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BERRY SURVEYING & ENGINEERING
335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com

May 28, 2014

Zoning Board of Adjustment
Town of Barrington
333 Calef Highway
Barrington NH 03825

RE: Variance Application
Kevin D. Roy & Carrie Vaich

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Dear Chairman & Board Members:

Kevin D. Roy and Carrie Vaich own two parcels of land located on and adjacent to Knowles Drive known as Tax Map 115, Lot 48 and Lot 50. Lot 48 currently consists of 0.33 acres or 14,745 square feet and Lot 50 currently consists of 1.31 acres or 57,462 square feet. Both are existing non-conforming lots of record, Lot 50 by subdivision in 1976 and Lot 48 in 1956. Lot 48 has a two story residence located on the parcel which was the subject of a Variance request last year and Lot 50 has a garage located on the parcel.

Kevin Roy and Carrie Vaich are proposing a Lot Line Revision between the two parcels taking land from Lot 50 and adding it to Lot 48. Lot 48 will be increased in size to 0.88 acres or 38,467 square feet and Lot 50 will be reduced to 0.77 acres or 33,741 square feet. Because the pending application to the Planning Board further reduces an existing non conforming lot, this proposed action requires relief from this Board.

As a note of interest, due to the Group 1, Gloucester soil, the minimum land area required by the NHDES Subsurface Bureau is 33,000 square feet. Although the state considers both of the lots to be legal building lots, the proposal before this Board and subsequently the Planning Board, will make both of the lots conforming by their standards.

The proposed Lot Line Revision results in the existing structure on Lot 48, and proposed addition, to become conforming regarding the set-back lines. The parking spaces for the existing residence are primarily on Lot 50 at the present time. The Lot Line Revision will relocate the parking spaces and garage onto the same lot as the residence. The remaining land on Lot 50 will have access over the existing driveway and there is ample room for a home and septic system to contemporary standards. Lot 48 will have access over Knowles Drive and as a result of this proposal will have ten-

feet of additional width reserved for the private road. As a part of the Lot Line Revision, Kevin and Carrie also be upgrading of Knowles Drive to a certain extent. Lot 50 will no longer require easement rights on abutting land but will utilize Knowles Drive at the curb-cut off Young Road.

Variance Criteria

Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law. There is less than a third of one acre of land with the residence on Lot 48. As a stand-alone parcel the land area makes reasonable utilization of the land very restrictive. As stated above, the parking is substantially on other land and the garage and shed intended to support the residence are completely on other land. There are no other alternative to obtain more land except Lot 50 which is likewise owned by Kevin and Carrie. The buildability of Lot 50 is not diminished by the Lot Line Revision yet Lot 48 would be greatly benefitted and it would be a hardship to the owners to not allow this action.

Granting the variance would be consistent with the spirit of the Ordinance. The spirit of the Ordinance is to allow building lots that are safe to the public in their operation as a building lot. As stated earlier, NHDES standards require 33,000 square feet of land area for a buildable lot. As both of the lots exist today, it would be within the spirit of the Ordinance to balance the land area making both closer to the minimum standard and both in excess of other jurisdictions.

Granting the variance will not result in diminution of surrounding property values. As the buildable status of the parcels will not change, there will be no effect to surrounding properties. The primary structure setbacks of Lot 48 will go from non-conforming to conforming, additional width will be added to the private driveway Knowles Drive, and suitable area is retained for contemporary construction on Lot 50.

Granting the variance would do substantial justice. Kevin and Carrie own both of the parcels involved in this application and are looking to balance the areas of parcels created years ago in two separate actions. Both parcels are technically buildable lots and will continue to be so. Allowing the transfer of land allows for better utilization of the land, better conformance with NHDES standards, and therefore would do substantial justice.

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BERRY SURVEYING & ENGINEERING
335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

Granting the variance would not be contrary to the public interest. The perimeter lot lines will not be altered and additional width will be granted to the private driveway, Knowles Drive. The proposal would only be a benefit to Lot 48 and Lot 50 will not have the contemporary building capabilities diminished. There will be nothing done that would be contrary to the public interest.

We look forward to addressing the Zoning Board of Adjustment in June and invite your questions in the interim.

Very truly yours,
BERRY SURVEYING & ENGINEERING

Kenneth A. Berry, PE, LLS, JP
CPESC, NH Septic Designer
Principal: VP – Technical Operations

KBerry@BerrySurveying.Com
Cell: (603) 978-0358

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Fax: (603) 335-4623
www.BerrySurveying.Com

May 27, 2014

Abutters List

Owner of Record

Tax Map 115, Lot 48

Kevin D Roy
Carrie Vaich
39 Knowles Drive
Barrington, NH 03825
Book 3976 Page 456

Tax Map 115, Lot 50

Carrie Vaich
Kevin D Roy
42 Knowles Drive
Barrington, NH 03825
Book 3976 Page 454

Abutters

Tax Map 115, Lot 46

John & Julie Wilderman
389 Young Road
Barrington, NH 03825

Tax Map 115, Lot 47

Michael V & Marilyn Page
3384 SW 52nd Ave
Bushnell, FL 33513

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Tax Map 115, Lot 49

Phillip Maze
P O Box 411
Barrington, NH 03825

Tax Map 115, Lot 51

David R Culbert
396 Young Road
Barrington, NH 03825

Tax Map 115, Lot 52

Jeanette M Kuroly
388 Young Road
Barrington, NH 03825
Book 3948 Page 0067

Tax Map 116, Lot 1

Bruce & Holly Decker
405 Young Road
Barrington, NH 03825

Tax Map 116, Lot 22

Aubrey E Mead, Jr
37 Orchard Street
Cos Cob, CT 06807
Book 2764 Page 0951

Professionals

Jack P Hayes III, CWS, CSS
33 Third Street #2
Dover, NH 03820

Kenneth A. Berry, PE, LLS, JP
Berry Surveying & Engineering
335 Second Crown Point Road
Barrington, NH 03825

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