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 10/5/2015 Case No. 220-57-RC-15-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	
☐	☐	1. Zoning Board of Adjustment Application Checklist *(this form)*
☐	☐	2. ZBA General Information (Article(s) and Section(s) of Ordinance)
☐	☐	3. Appeal and Decision
☐	☐	4. Fees - $150.00 Application ☐ $ 75.00 Legal Notice ☐ $ 7.00 per US Post Office Certified Letter ☐
☐	☐	5. Completed Project Application Form ☐ Variance ☐ Special Exception ☐ Appeal
☐	☐	6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)
☐	☐	7. Project Narrative
☐	☐	8. HOA Approval *(if applicable)*

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☐ ☐ 9. Context or Locus Map (Show Surrounding Zoning Districts)

☐ ☐ 10. Existing Conditions Site Plan or Recorded Subdivision Plan to include well and septic location (may be found at Strafford County Registry of Deeds).

☐ ☐ 11. Existing Conditions Photo Exhibit *(See instruction page for submitting photos)*
Up to four photos may be shown per 8 ½" X 11" page size
a. Show all existing structures on site

☐ ☐ 12. List of Certified Abutters (Include Applicant and all licensed professionals, i.e., engineer, architect, land surveyor, or soil scientist, whose seals are affixed to the plan, as well as any holder of a conservation or agricultural easement)

☐ ☐ 13. Mailing Labels (4 sets)

PART II – REQUIRED PLANS AND RELATED DATA

All Graphics and Plans Shall be to Scale and Dimensioned

☐ ☐ 1. Site Plan - ***Drawn and Stamped by Registered Land Surveyor***
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy

☐ ☐ 2. Elevations: Show all sides of building and indicate building heights
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy

☐ ☐ 3. Floor Plans
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy

☐ ☐ 4. All drawings and any revised drawings must be submitted in PDF format

☐ ☐ 5. OTHER: _____

☐ ☐ 6. Your Appointment Date and Time for Submitting the Complete Application is:

_____

Barbara Irwine 10/5/15
Staff Signature Date

Land Use Department
Town of Barrington; 137 Ramsdell Lane; Barrington, NH 03825
planner.cbrawders@barrington.nh.gov **Phone: 603.664.5798**

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 220-57-RC-15-ZBA

Project Name Tolend Rd Subdivision Variance

Location Address Tolend Road

Map and Lot Map 220, Lot 57

Zoning District (Include Overlay District if Applicable) Regional Commercial

Property Details:

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

Use: Residential subdivision

Number of Buildings: 17 Height: 35'

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:

Requesting a variance from the Table 1 - Table of Uses and from § 6.2.5(5).

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

Barrington Zoning Ordinance Requirements:
The Barrington Zoning Ordinance does not permit a conservation cluster subdivision in the Regional Commercial zoning district and requires driveway access to cluster groups on interior streets.

Request: *(You may type and attach a separate sheet of paper)*
The applicant requests a variance from the Table of Uses and § 6.2.5(5) of the Zoning Ordinance. Specifically, applicant requests a variance from the restriction on conservation cluster subdivisions in the Regional Commercial zoning district to permit a 17-lot cluster subdivision and from § 6.2.5(5) to allow driveway access from a main road.

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PART IV – If this is a JUSTIFICATION FOR VARIANCE

The Zoning Board of Adjustment may not authorize a zoning ordinance variation unless ALL of the following criteria are met. Please provide evidence that the requested Variance complies by addressing the issues below.

☒ 1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.

The topography of the site is such that it is better to preserve as much open space as possible and to conserve wetlands. Residential use is allowed, and the proposed configuration preserves more open space by eliminating the need for an interior road, as well as providing a larger buffer between residential and commercial uses.

☒ 2. Granting the variance would be consistent with the spirit of the Ordinance.

The proposed subdivision preserves open space and safeguards natural resources, it protects property values in the area, it preserves the character of the community, and it is a reasonable and judicious use of the land. Granting the variance would be in the public interest as it preserves natural resources.

☒ 3. Granting the variance will not result in diminution of surrounding property values.

Granting the variance will not result in the diminution of surrounding property value as the development is in keeping with the neighboring General Residential dimensional requirements, will provide separation between residential and commercial uses, and protects a large parcel of open space.

☒ 4. Granting of the variance would do substantial justice.

Granting the variance is consistent with the area's present use, is appropriate for the area, does not harm the abutters, and protects natural resources on the subject property.

☒ 5. Granting of the variance would not be contrary to the public interest.

Granting the variance would not be contrary to the public interest because it preserves a large area of space in a conservation state and separates residential and commercial uses.

PART V – If this is a JUSTIFICATION FOR SPECIAL EXCEPTION

Please provide evidence that the requested Special Exemption complies by addressing the issues below.

☐ 1. No detriment to property values in the vicinity of the proposed development will result on account of: the location or scale of buildings, structures, parking areas, or other access ways; the emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or unsightly outdoor storage of equipment, vehicles, or other materials.

☐ 2. No hazard will be caused to the public or adjacent property on account of potential fire, explosion, or release of toxic materials.

☐ 3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity of the proposed development.

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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.

Joseph Fabrizio 10/5/15

Signature of Applicant Date

Signature of Owner Date

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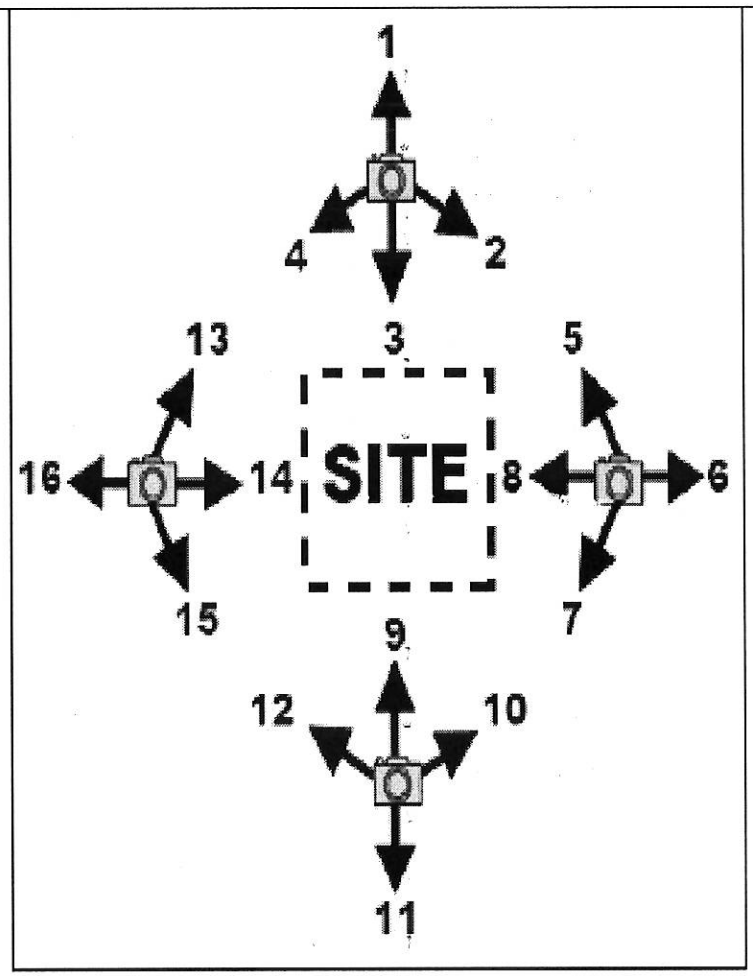
SITE / CONTEXT PHOTOS

Using Guidelines Below

Provide color photographs showing the site and surrounding buildings/properties in order to provide staff, boards and commissions with a visual impression of the current site conditions.

1. Photos are to be taken looking toward the site and adjacent to the site.
2. Photos should show adjacent improvements and existing on-site conditions.
3. Number the photographs according to view.



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Project Narrative

The applicant proposes to develop a 103.2 acre parcel, located near the southeast corner of the intersection of Route 125 and Tolend Road, into 3 commercial Lots along Route 125 and a conservation cluster subdivision (fronting on Tolend Road). The property is in the Regional Commercial zoning district. It is anticipated that the subdivision will include 17 lots and meet or exceed all applicable setback requirements. Each lot will house a detached single-family home. The subdivision will meet or exceed the open space requirement of the conservation cluster by law and planning board regulations

Although the residential use is permitted in the zoning district, the conservation cluster subdivision use is not. The applicant believes that this may have been an oversight. The applicant therefore requests a variance from Table 1 – Table of Uses, which restricts conservation cluster subdivisions in the Regional Commercial District. The proposed development is in keeping with the general development of the area. Attached as the "Design Review Site Plan" is a potential as-of-right subdivision plan, containing two cul-de-sacs. Attached as "Open Space Review Plan" is the proposed conservation cluster subdivision, which preserves more open space.

The applicant also requests a variance from § 6.2.5(5) of the Zoning Ordinance which requires that "All cluster groups shall obtain driveway access from interior streets." The driveways of the proposed conservation cluster subdivision have access from an existing main road, Tolend Road. Waiver of this requirement allows the land that otherwise would be used for an interior street to be maintained as conservation open space, thereby increasing the buffer between the commercial uses along Route 125 and the existing residential neighborhood.

The anticipated cluster subdivision will allow for the better comprehensive development of this site by reducing or eliminating new street construction and the amount of paved surfaces, it will provide for the protection of the existing natural features of the site.

The applicant believes the Town planner, highway department, and fire department are all in favor of the proposed conservation cluster subdivision and its additional open space. The applicant has discussed the project with some of the direct abutters, who support the project.

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100' Abutt List Report

Barrington, NH
August 24, 2015

Subject Property:

Parcel Number:	220-0057	Mailing Address:	MYHRE RINA, HELFGOTT PAUL C LEDOUX CAROL H (1/3 EA) 4364 ADMIRABALE DR RANCHO PALOS VERDES, CA 90275
CAMA Number:	220-0057		
Property Address:	TOLEND RD		

Abutters:

Parcel Number:	220-0058	Mailing Address:	PIERCE PATRICIA 11 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0002		
Property Address:	11 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	ARABIA CONSTANCE POST 15 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0003		
Property Address:	15 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	MORGAN MARLENE M 21 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0004		
Property Address:	21 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	WILKINS GENE & MADLYN 27 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0005		
Property Address:	27 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	WELLS THOMAS R JR 33 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0006		
Property Address:	33 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	BRAGG PAULINE 39 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0007		
Property Address:	39 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	SHANNON SHARON COOLEY PAUL 45 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0008		
Property Address:	45 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	DOYLE BARBARA 50 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0009		
Property Address:	50 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	MCGOVERN CYNTHIA A 44 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0010		
Property Address:	44 CORTLAND WAY		
Parcel Number:	220-0058	Mailing Address:	DOUGLASS HAVEN E 38 CORTLAND WAY BARRINGTON, NH 03825
CAMA Number:	018-0011		
Property Address:	38 CORTLAND WAY		

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Barrington, NH
August 24, 2015

Parcel Number:	220-0058	Mailing Address:	SMITH DAVID & ANNA MARIE
CAMA Number:	018-0012		34 CORTLAND WAY
Property Address:	34 CORTLAND WAY		BARRINGTON, NH 03825
Parcel Number:	220-0058	Mailing Address:	PIKE DEBRA
CAMA Number:	018-0013		28 CORTLAND WAY
Property Address:	28 CORTLAND WAY		BARRINGTON, NH 03825
Parcel Number:	220-0058	Mailing Address:	BROOKS ROBERT JR & JOANNE
CAMA Number:	018-0014		22 CORTLAND WAY
Property Address:	22 CORTLAND WAY		BARRINGTON, NH 03825
Parcel Number:	220-0058	Mailing Address:	PURINGTON JOHN
CAMA Number:	018-0015		16 CORTLAND WAY
Property Address:	16 CORTLAND WAY		BARRINGTON, NH 03825
Parcel Number:	220-0058	Mailing Address:	WALKER BLANCHE
CAMA Number:	018-0016		12 CORTLAND WAY
Property Address:	12 CORTLAND WAY		BARRINGTON, NH 03825
Parcel Number:	220-0058	Mailing Address:	GREENHILL MHP LLC
CAMA Number:	018-0017		66 CATE RD
Property Address:	26 BALDWIN DR		BARRINGTON, NH 03825
Parcel Number:	220-0058	Mailing Address:	ADH LEASING & SALES
CAMA Number:	018-0018		66 CATE RD
Property Address:	24 BALDWIN DR		BARRINGTON, NH 03825
Parcel Number:	220-0058	Mailing Address:	ADH
CAMA Number:	018-0019		66 CATE RD
Property Address:	22 BALDWIN DR		BARRINGTON, NH 03825
Parcel Number:	220-0001	Mailing Address:	EMMERLING THOMAS TRS FAM REV TR
CAMA Number:	220-0001		146 CALEF HWY
Property Address:	146 CALEF HWY		BARRINGTON, NH 03825
Parcel Number:	220-0002	Mailing Address:	DUTTON PETER N
CAMA Number:	220-0002		PO BOX 69
Property Address:	136 CALEF HWY		BARRINGTON, NH 03825
Parcel Number:	220-0003	Mailing Address:	LANDRY DARYL
CAMA Number:	220-0003		23 GREENHILL RD
Property Address:	23 GREENHILL RD		BARRINGTON, NH 03825
Parcel Number:	220-0052	Mailing Address:	SOUKUP MICHAEL J & JULIET A
CAMA Number:	220-0052		21 TOLEND RD
Property Address:	21 TOLEND RD		BARRINGTON, NH 03825

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August 24, 2015

Parcel Number:	220-0053	Mailing Address:	FULTON TARA L MARSHALL JOHN D
CAMA Number:	220-0053		45 TOLEND RD
Property Address:	45 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	220-0054	Mailing Address:	FITZSIMMONS BADEN & DENISE
CAMA Number:	220-0054		71 TOLEND RD
Property Address:	71 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	220-0054-0001	Mailing Address:	MILL FALLS RE LLC
CAMA Number:	220-0054-0001		240 LONGHILL RD
Property Address:	TOLEND RD		DOVER, NH 03820
Parcel Number:	220-0054-0002	Mailing Address:	ESTES MICHAEL & JULIEANNE
CAMA Number:	220-0054-0002		49 TOLEND RD
Property Address:	49 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	220-0054-0003	Mailing Address:	MENDOZA ARTEMIO J REV TR 50%
CAMA Number:	220-0054-0003		MENDOZA SONITA E REV TR 50%
Property Address:	55 TOLEND RD		55 TOLEND RD
			BARRINGTON, NH 03825
Parcel Number:	220-0054-0004	Mailing Address:	HENDERSON DAVID & DENISE
CAMA Number:	220-0054-0004		59 TOLEND RD
Property Address:	59 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	220-0054-0005	Mailing Address:	BUSTAMANTE CHRISTOPHER GARCIA
CAMA Number:	220-0054-0005		MARGRET
Property Address:	69 TOLEND RD		69 TOLEND RD
			BARRINGTON, NH 03825
Parcel Number:	220-0054-0014	Mailing Address:	MORGAN VALERIE J
CAMA Number:	220-0054-0014		4 MILLS FALLS RD
Property Address:	4 MILLS FALLS RD		BARRINGTON, NH 03825
Parcel Number:	220-0054-0015	Mailing Address:	BIANCHI TORY T
CAMA Number:	220-0054-0015		8 PACIFIC DR
Property Address:	93 TOLEND RD		DOVER, NH 03820
Parcel Number:	220-0054-0016	Mailing Address:	RUSSELL ROBERT & ALLISON
CAMA Number:	220-0054-0016		99 TOLEND RD
Property Address:	99 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	220-0054-0017	Mailing Address:	HELLER RANDAL & PAMELA TRS FAM
CAMA Number:	220-0054-0017		REV TR
Property Address:	113 TOLEND RD		113 TOLEND RD
			BARRINGTON, NH 03825
Parcel Number:	220-0054-0018	Mailing Address:	BACZEWSKI MATTHEW M NATASHA H
CAMA Number:	220-0054-0018		115 TOLEND RD
Property Address:	115 TOLEND RD		BARRINGTON, NH 03825

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Barrington, NH
August 24, 2015

Parcel Number:	220-0056	Mailing Address:	OLSEN BJORN & MARGARET
CAMA Number:	220-0056		110 TOLEND RD
Property Address:	110 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	220-0058	Mailing Address:	GREENHILL MHP LLC
CAMA Number:	220-0058		66 CATE RD
Property Address:	28 BALDWIN DR		BARRINGTON, NH 03825
Parcel Number:	220-0060	Mailing Address:	BRULOTTE WAYNE & JENNIFER
CAMA Number:	220-0060		66 CATE RD
Property Address:	8 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	223-0012	Mailing Address:	LRT PROPERTY MGMT LLC
CAMA Number:	223-0012		PO BOX 703
Property Address:	SCRUTON POND RD		BARRINGTON, NH 03825
Parcel Number:	223-0013	Mailing Address:	LRT PROPERTY MGMT LLC
CAMA Number:	223-0013		PO BOX 703
Property Address:	174 CALEF HWY		BARRINGTON, NH 03825
Parcel Number:	223-0017	Mailing Address:	STALEY RONALD & L KATHRYN
CAMA Number:	223-0017		144 TOLEND RD
Property Address:	144 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	223-0018	Mailing Address:	D'EON PHILIP & KENDRA
CAMA Number:	223-0018		138 TOLEND RD
Property Address:	138 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	223-0020	Mailing Address:	HODGDON BARRY
CAMA Number:	223-0020		126 TOLEND RD
Property Address:	126 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	223-0021	Mailing Address:	WHEELER DELMORE
CAMA Number:	223-0021		120 TOLEND RD
Property Address:	120 TOLEND RD		BARRINGTON, NH 03825
Parcel Number:	223-0022	Mailing Address:	BARRINGTON TOWN OF
CAMA Number:	223-0022		PO BOX 660 333 CALEF HWY
Property Address:	SCRUTON POND RD		BARRINGTON, NH 03825
Parcel Number:	223-0023	Mailing Address:	CONNICK JAMES E & STEVEN E
CAMA Number:	223-0023		CONNICK KIMBERLY D
Property Address:	136 ORCHARD HILL RD		324 DAN QUARRY RD
			LYNN, MA 01904
Parcel Number:	223-0026	Mailing Address:	MYHRE RINA, HELFGOTT PAUL C
CAMA Number:	223-0026		LEDOUX CAROL H (1/3 EA)
Property Address:	CALEF HWY		4364 ADMIRABLE DR
			RANCHO PALOS VERDES, CA 90275

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PROFESSIONAL NOTIFICATION LIST
(BEALS # NH-859)

DEVELOPER:
JOSEPH FALZONE
7B EMERY LANE
STRATHAM, NH 03885

ENGINEERS:
BEALS ASSOCIATES PLLC
70 PORTSMOUTH AVENUE
STRATHAM, NH 03885

SURVEYORS:
DOUCET SURVEY INC
102 KENT PLAVE
NEWMARKET , NH 03857

WETLAND/SOIL SCIENTIST:
GOVE ENVIRONMENTAL SERVICES INC.
8 CONTINENTAL DRIVE,
BLDG 2 UNIT H
EXETER, NH 03833
1-603-778-0644

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