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 12/1/2014 Case No. 121-40-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	
☐	☐	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	X	4. Fees - $150.00 Application ☐ $ 75.00 Legal Notice ☐ $ 7.00 per US Post Office Certified Letter ☐
X	X	5. Completed Project Application Form X Variance ☐ Special Exception ☐ Appeal
☐	☐	6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)
X	X	7. Project Narrative
☐	☐	8. HOA Approval *(if applicable)*

150.00
75.00
7x7 = 49.00
$264.00

LAND USE OFFICE
DEC 01 2014
RECEIVED

☐ ☐ 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 Irwin 12/1/2014
Staff Signature Date

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

LAND USE OFFICE
DEC 01 2014
RECEIVED

PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 121-40-GR-14-ZBA

Project Name David Newhall

Location Address Rosemary Lane

Map and Lot 121, lot 40

Zoning District (Include Overlay District if Applicable) _____

Property Details:

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

Use: Residential

Number of Buildings: 2 Height: Less than 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:

11.2(1) & TABLE 2 - DIMENSIONAL REQUIREMENTS, FRONT AND SIDE SETBACKS

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

The intent of this project is to demolish and replace the existing house and garage on the property with a house and garage that closely match in size and type. There will be slight expansions to each, as can be seen on the plan.

Barrington Zoning Ordinance Requirements:

75' from lake, 30' from side boundaries, 40' from front boundary line.

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

We request to place the footprint of the house exactly where it currently lies, and the same with the garage. There will be slight increase to the house size as the house will be squared off and a deck added. There will be a slight addition to the garage to make it a more useable space.

LAND USE OFFICE
DEC 01 2014
RECEIVED

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 lot is of very small size and the placement of the lot on Swains lake leave no space on the lot that would be allowable to build under current zoning.

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

The spirit of the ordinance is to allow for the responsible development of lots in the town. This request will be a responsible re-development of outdated buildings.

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

Surrounding property values will not be diminished since an old run down cottage and garage will be replaced with an updated, modern, house and garage.

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

Granting this variance will do substantial justice because it will allow for the redevelopment of this existing lot and will allow a useable and safe lot for the use and enjoyment of the owners.

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

This variance will not be contrary to the public interest as it will remove a cottage and garage with potential safety issues and replace them with modern counterparts.

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.

LAND USE OFFICE
DEC 01 2014
RECEIVED

☐ 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 11-29-14 Date

Signature of Owner Date

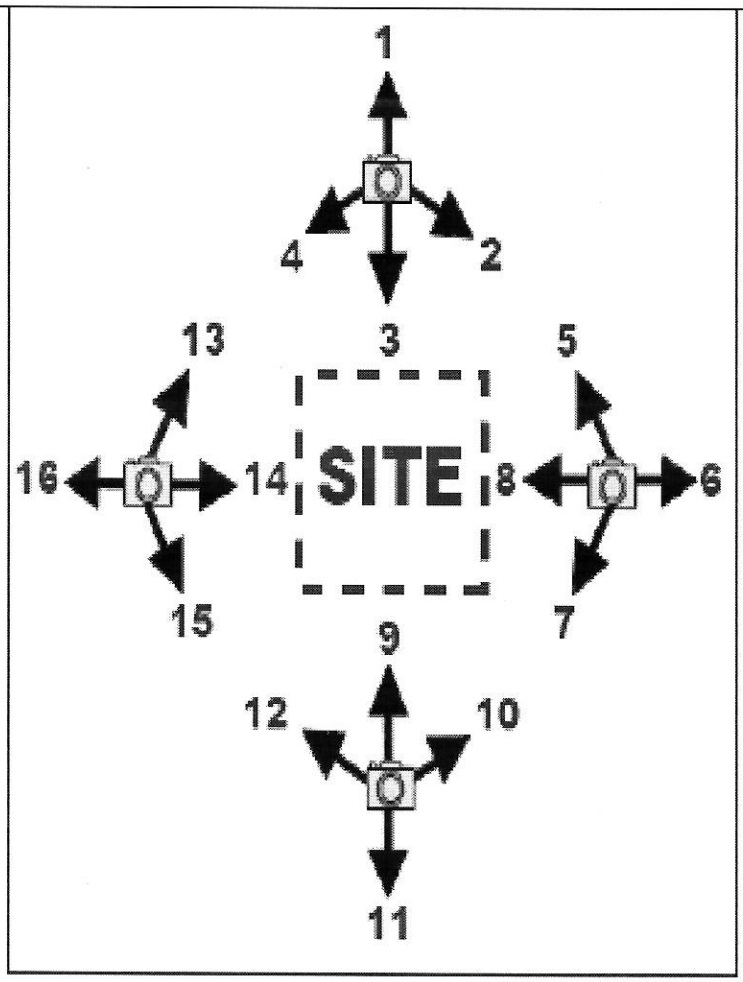
LAND USE OFFICE
DEC 01 2014
RECEIVED

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.



LAND USE OFFICE
DEC 01 2014
RECEIVED

#1

#2

#3

#4

#5

#6

PROJECT PHOTOS
LAND OF
DAVID NEWHALL
ROSEMARY LANE
BARRINGTON, N.H.
TAX MAP 121, LOT 40

LAND USE OFFICE
DEC 01 2014
RECEIVED

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

SCALE :	NONE
DATE :	NOVEMBER 25, 2014
FILE NO. :	DB 2014 - 089

#7

#8

#9

#10

#11

#12

PROJECT PHOTOS
LAND OF
DAVID NEWHALL
ROSEMARY LANE
BARRINGTON, N.H.
TAX MAP 121, LOT 40

LAND USE OFFICE
DEC 01 2014
RECEIVED

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

SCALE :	NONE
DATE :	NOVEMBER 25, 2014
FILE NO. :	DB 2014 – 089

#13

#14

#15

#16

PROJECT PHOTOS
LAND OF
DAVID NEWHALL
ROSEMARY LANE
BARRINGTON, N.H.
TAX MAP 121, LOT 40

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

SCALE :	NONE
DATE :	NOVEMBER 25, 2014
FILE NO. :	DB 2014 – 089

BERRY SURVEYING & ENGINEERING
335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com

November 25, 2014

Abutters List

Owner of Record

Tax Map 121, Lot 40

David Newhall
23 Rosemary Lane
Barrington, NH 03825

Abutters

Tax Map 121, Lot 41

Robert Mulrooney
44 Rosemary Lane
Barrington, NH 03825

Tax Map 121, Lot 39

Eugene & Laura Risso
104 Palfrey Street
Watertown, MA 02472

Tax Map 121, Lot 35

Glen & Alice Perry
67 Rosemary Lane
Barrington, NH 03825

Tax Map 121, Lot 34

Richard & Theresa McKenney
84 Goodwin Road

LAND USE OFFICE
DEC 01 2014
RECEIVED

Eliot, ME 03903

Tax Map 121, Lot 33

Brie anna & Michael Delisi
PO Box 46
Northwood, NH 03261

Professionals

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

LAND USE OFFICE
DEC 01 2014
RECEIVED

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

BERRY SURVEYING & ENGINEERING
335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com

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

December 1, 2014

RE: Zoning Variance Request for David Newhall
Project Narrative
Rosemary Lane
Tax Map 121, Lot 40

Dear Chairman and Members of the Barrington ZBA,

Tax Map 121, Lot 40 is comprised of 0.22 acres of land abutting the shore of Swains Lake on the Rosemary Lane. Rosemary Lane is a private road located off Hall Road. Currently existing on this property is a 2 bedroom single level cottage with attached covered porch and a single level garage/shed.

Berry Surveying & Engineering has prepared a plan which shows the existing conditions of the property. The cottage and garage existing on the property would require much renovation work and repair to make them a viable, useable structure which could safely house a family. Therefore, it is Mr. Newhall's intention to demolish both structures and replace them, nearly in place and in kind, with modern structures built to current building and safety code.

There will be slight increase in size for both the cottage and garage, to make both structures a more useable size and shape. There will be a new septic system designed for the cottage, which will be approved by NHDES. This project will also fall under the jurisdiction of the NHDES Shoreland Bureau, therefore we will be obtaining a permit from them as well.

We are requesting a variance to allow the proposed house to be located within the front and side setbacks as shown on the plan. Also, nearly all of the lot falls within the 75' building setback from Swains Lake, therefore we are requesting a variance to increase the footprint of the building within that area.

It is our opinion that this proposal will be a benefit to the Town of Barrington, the abutters and owners of real property on Rosemary Lane and the waters of Ayers Lake. The abutters, owners, and the town will benefit by the removal of a dilapidated structure and garage which are no longer viable for use and the replacement of them by a new, modern house and garage. The waters of Ayers Lake will benefit from the removal of the existing septic tank/leach field as these items are of unknown size, type, and quality. A new, NHDES approved system to be placed in its stead will reduce the amount of nitrogen and contaminants which potentially reach the lake when the existing system experiences use.

Thank you for your time and attention to this matter.

Berry Surveying & Engineering

Christopher R. Berry - President

LAND USE OFFICE
DEC 01 2014
RECEIVED