



Barrington Zoning Board of Adjustment Zoning Ordinance Variance and Special Exception 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 2/3/17 Case No. 238-7-TC/SDOA-17-ZBA
Owner George Tsoukalas Mailing Address P.O. Box 684, Barrington, NH 03825
Phone 603-337-5233 Email nicholas.Tsoukalas@gmail.com

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 | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Zoning Board of Adjustment Application Checklist (<i>this form</i>) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. ZBA General Information (Article(s) and Section(s) of Ordinance) |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Appeal and Decision |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Fees - \$150.00 Application <input checked="" type="checkbox"/> \$ 75.00 Legal Notice <input checked="" type="checkbox"/> \$ 7.00 per US Post Office Certified Letter <input checked="" type="checkbox"/> x 17 abutters = \$119.00 Total: \$344.00 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Completed Project Application Form <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Appeal |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. Project Narrative |

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- ☐ ☐ 8. HOA Approval (*if applicable*)
- ☒ ☐ 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 1/2" 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
Staff Signature

2/6/2017
Date

Land Use Department
Town of Barrington; 137 Ramsdell Lane; Barrington, NH 03825
barrplan@metrocast.net Phone: 603.664.5798

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 238-7-TC/SDOA-17-ZBA

Project Name Millo's Pizza & Grill Building Addition

Location Address 575 Franklin Pierce Highway

Map and Lot Map 238, Lot 7

Zoning District (Include Overlay District if Applicable) Town Center and Stratified Drift
Aquifer

Property Details:

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

Use: Restaurant

Number of Buildings: 1 **Height:** 24'

Setbacks: Front 50 Back 15 Side 15 Side 15

Description of Request

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

Article 4.1.1 Table 2 Dimensional Requirements - to allow 40' where 50' required

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

This proposal is to enclose the existing concrete patio. When the building was approved and constructed, the front setback was 20'.

The zone has since changed and the front setback is now 50'.

Barrington Zoning Ordinance Requirements:

The front setback is 50'.

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

To allow the construction/enclosure of the existing concrete pad to 40' front setback where 50' is required by zoning.

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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 existing site and building predate current zoning and the hardship would diminish the useable building s.f.
- ☒ 2. Granting the variance would be consistent with the spirit of the Ordinance.
The addition would be no closer than the existing building.
- ☒ 3. Granting the variance will not result in diminution of surrounding property values.
The addition/enclosure would enhance the building addition aesthetics and useable building s.f.
- ☒ 4. Granting of the variance would do substantial justice.
The addition would allow efficient use of the space available with no impact to the site.
- ☒ 5. Granting of the variance would not be contrary to the public interest.
The addition would maintain the existing building character.

PART V – If this is a JUSTIFICATION FOR SPECIAL EXCEPTION

Please provide evidence that the requested Special Exception 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.

☐ 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.



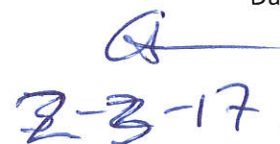
Signature of Applicant

2-3-17

Date



Signature of Owner



2-3-17.

Date

9238

MILLO'S PIZZA AND GRILL, LLC

575 FRANKLIN PIERCE HWY
BARRINGTON, NH 03825

DATE 2-3-17

54-7001/2114

PAY
TO THE
ORDER OF

Town of Barrington

\$344.00

Three hundred forty four

DOLLARS



Security Features
Indicated
On Back

**FEDERAL SAVINGS
BANK**
DOVER, NEW HAMPSHIRE 03820

FOR

MP

⑈009238⑈ ⑆211470018⑆ 66003005⑈

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Letter of Authorization

February 3, 2017

Re: Map 238 Lot 7
575 Franklin Pierce Highway (Route 9)

SITE PLAN AMENDMENT
"Millo's Pizza & Grill"

To whom it may concern:

I, George Tsoukalas, the owner of the above referenced lot do hereby authorize Civilworks New England of Dover, NH, to present plans and pursue permits for the development of the above referenced lot on my behalf.

Sincerely,



George Tsoukalas

2-3-17

Date

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CIVILWORKS NEW ENGLAND

181 WATSON ROAD
P.O. BOX 1166
DOVER, NH 03821-1166
PHONE: (603) 750.4266 FAX: (603) 749.7348

PROJECT LOCATION

The project site is Lot 7, as shown on Tax Map 238. Lot 7 contains approximately 98,446 s.f. or 2.26 acres, and has been owned and occupied by the project proponent George Tsoukalas (Millo's Pizza & Grill) for the last 10 years. The parcel is located on the northeastern corner at the intersection of Franklin Pierce Highway/Route 9 and Calef Highway/Route 125 directly adjacent to the Citizen's Bank parcel.

BACKGROUND

The current site plan for Milo's Pizza was approved in 2007. At that time the zoning for the parcel was Village District which had a 20' front setback. The closest part of the building is currently 31.6' from the front property line.

The area was rezoned to Town Center which has a 50' front yard setback.

PURPOSE

Mr. Tsoukalas is proposing to enclose the existing concrete patio on the west side of the building to increase the indoor seating area for his restaurant. The concrete patio is currently setback 38.8' from the front lot line. This setback will be maintained with the renovation to enclose the patio'.

VARIANCE REQUEST: ARTICLE 4.1.1 TABLE 2: DIMENSIONAL STANDARDS

To allow a 38.8' front setback for the proposed addition where 50' is required by current zoning.

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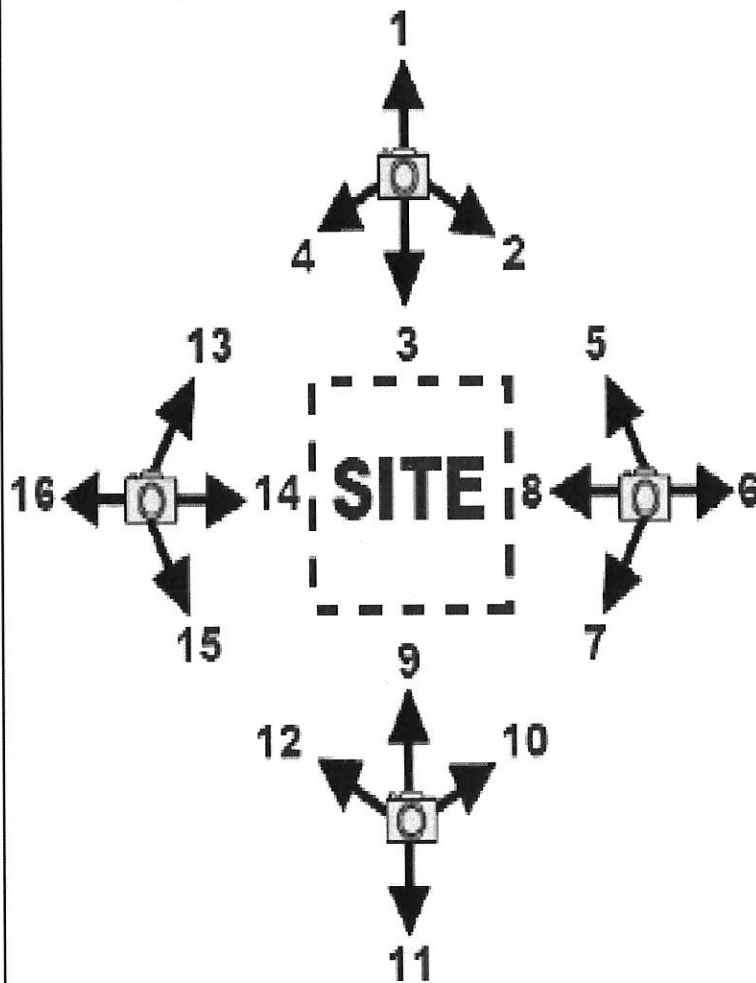
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SITE / CONTEXT PHOTOS

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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Photo 1



Photo 3

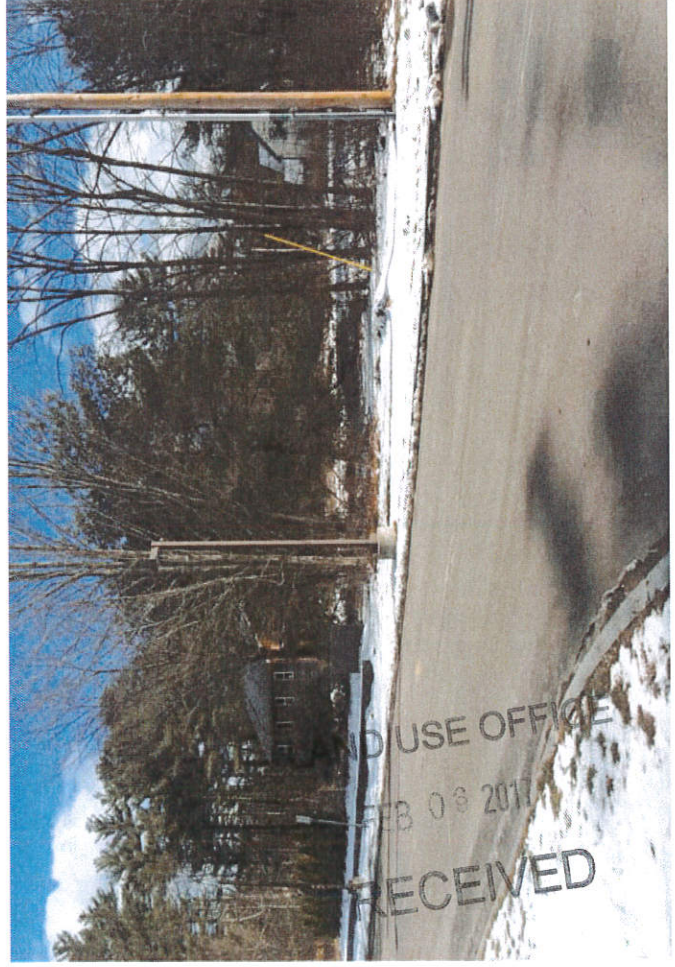


Photo 4

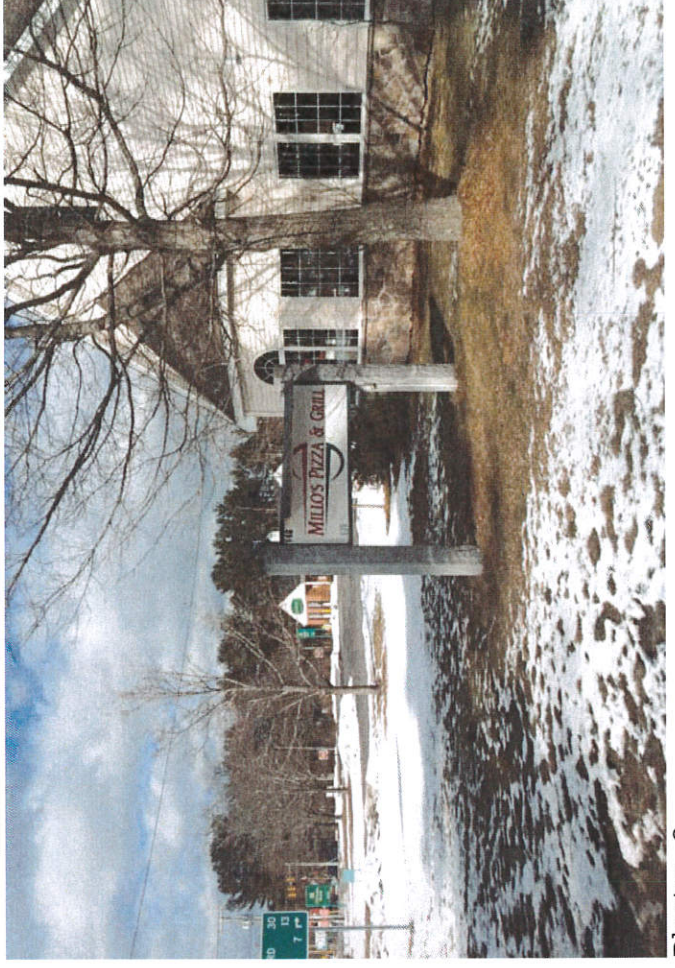


Photo 2



Photo 5

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Photo 6



Photo 7



Photo 8



Photo 9



Photo 12

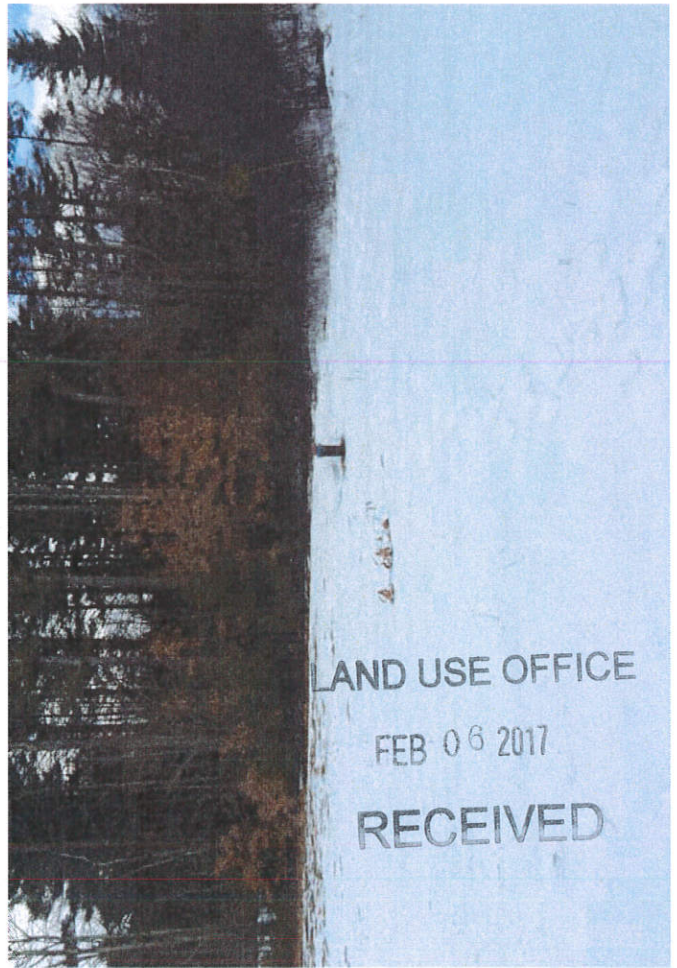


Photo 11



Photo 10



Photo 15



Photo 13

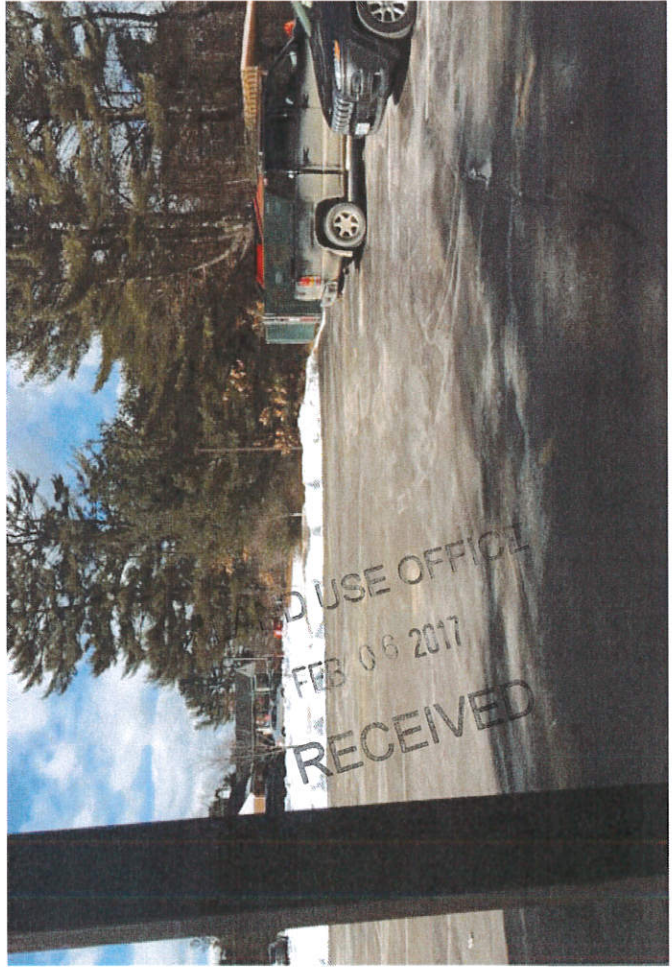


Photo 14



Photo 16

Abutters List – February 8, 2017
Millo's Pizza & Grill
575 Franklin Pierce Highway, Barrington, NH
Tax Map 238, Lot 7

| <u>Map-Lot-Unit</u> | <u>Owner Name & Address</u> |
|---------------------|--|
| 238-0007 | George Tsoukalas P.O. Box 684 Barrington, NH 03825 |
| 235-0081-0001 | William C. Galloway 33 Eastern Avenue, Unit 1 Barrington, NH 03825 |
| 235-0081-0002 | Anne H. Melvin 33 Eastern Avenue, Unit 2 Barrington, NH 03825 |
| 235-0081-0003 | Paul H. Ouellette 33 Eastern Avenue, Unit 3 Barrington, NH 03825 |
| 235-0081-0004 | James M. & Karen C. O'Day 33 Eastern Avenue, Unit 4 Barrington, NH 03825 |
| 235-0081-0005 | Julie & Michael Anderson 2 Cassily Lane Dover, NH 03820 |
| 235-0081-0006 | Matthew Thomas Hurst 35 Eastern Avenue, Unit 1 Barrington, NH 03825 |
| 235-0081-0007 | Nina Locwin 35 Eastern Avenue, Unit 2 Barrington, NH 03825 |
| 235-0081-0008 | Cynthia Nelson 35 Eastern Avenue, Unit 3 Barrington, NH 03825 |

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Dot 2/2/17

235-0081-0009

Jennifer J. Corbin
P.O. Box 3
Stratham, NH 03885

235-0083

The Journey Baptist Church
P.O. 707
Barrington, NH 03825

238-0004

Three Socios, LLC
321D Lafayette Road
Hampton, NH 03842

238-0006

CRE JV Five Branch Holdings LLC
C/O Ryan
P.O. Box 460049
Houston, TX 77056

238-0008

William & Terri Melville
26 1/2 Charles Street
Rochester, NH 03867

238-0016-0021

Barrington Village Place LLC
7B Emery Lane
Stratham, NH 03885

238-0038

Frederick & ~~Angel~~ Bussiere
9 Colonial Way STE E
Barrington, NH 03825

238-0039

Irving Oil Properties NH Corp.
ATTN: Corp Real Estate
P.O. Box 868
Calais, ME 04619

Engineer:

Civilworks New England
P.O. Box 1166, 181 Watson Road
Dover, NH 03821

Surveyor:

Land Surveying Services
P.O. Box 1622
Dover, NH 03821

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