



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-15-2BA

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
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- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Zoning Board of Adjustment Application Checklist (<i>this form</i>) |
| <input 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 type="checkbox"/> | <input type="checkbox"/> | 4. Fees - \$150.00 Application <input type="checkbox"/>
\$ 75.00 Legal Notice <input type="checkbox"/>
\$ 7.00 per US Post Office Certified Letter <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Completed Project Application Form
<input type="checkbox"/> Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Appeal |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form) |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Project Narrative |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. HOA Approval (<i>if applicable</i>) |

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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 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 Irvine
 Staff Signature

10/5/15
 Date

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

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 220-57-RC-15-23A

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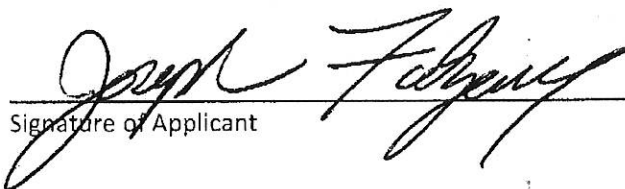
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☐ 4. No excessive demand on municipal services and facilities, including, but not limited to waste disposal, police and fire protection, and schools.

☐ 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

10/5/15
Date

Signature of Owner

Date

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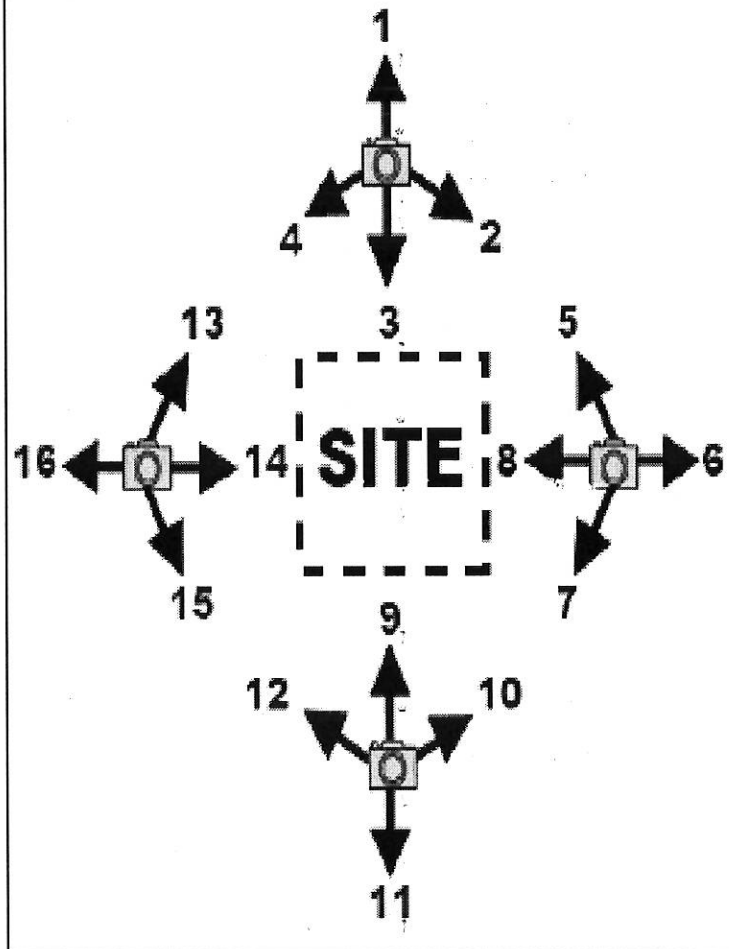
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SITE / CONTEXT PHOTOS

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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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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Barrington, NH
August 24, 2015

Subject Property:

Parcel Number: 220-0057
CAMA Number: 220-0057
Property Address: TOLEND RD

Mailing Address: MYHRE RINA, HELFGOTT PAUL C
LEDOUX CAROL H (1/3 EA)
4364 ADMIRABALE DR
RANCHO PALOS VERDES, CA 90275

Abutters:

Parcel Number: 220-0058
CAMA Number: 018-0002
Property Address: 11 CORTLAND WAY

Mailing Address: PIERCE PATRICIA
11 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0003
Property Address: 15 CORTLAND WAY

Mailing Address: ARABIA CONSTANCE POST
15 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0004
Property Address: 21 CORTLAND WAY

Mailing Address: MORGAN MARLENE M
21 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0005
Property Address: 27 CORTLAND WAY

Mailing Address: WILKINS GENE & MADLYN
27 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0006
Property Address: 33 CORTLAND WAY

Mailing Address: WELLS THOMAS R JR
33 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0007
Property Address: 39 CORTLAND WAY

Mailing Address: BRAGG PAULINE
39 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0008
Property Address: 45 CORTLAND WAY

Mailing Address: SHANNON SHARON COOLEY PAUL
45 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0009
Property Address: 50 CORTLAND WAY

Mailing Address: DOYLE BARBARA
50 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0010
Property Address: 44 CORTLAND WAY

Mailing Address: MCGOVERN CYNTHIA A
44 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0011
Property Address: 38 CORTLAND WAY

Mailing Address: DOUGLASS HAVEN E
38 CORTLAND WAY
BARRINGTON, NH 03825

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August 24, 2015

Parcel Number: 220-0058
CAMA Number: 018-0012
Property Address: 34 CORTLAND WAY

Mailing Address: SMITH DAVID & ANNA MARIE
34 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0013
Property Address: 28 CORTLAND WAY

Mailing Address: PIKE DEBRA
28 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0014
Property Address: 22 CORTLAND WAY

Mailing Address: BROOKS ROBERT JR & JOANNE
22 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0015
Property Address: 16 CORTLAND WAY

Mailing Address: PURINGTON JOHN
16 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0016
Property Address: 12 CORTLAND WAY

Mailing Address: WALKER BLANCHE
12 CORTLAND WAY
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0017
Property Address: 26 BALDWIN DR

Mailing Address: GREENHILL MHP LLC
66 CATE RD
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0018
Property Address: 24 BALDWIN DR

Mailing Address: ADH LEASING & SALES
66 CATE RD
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 018-0019
Property Address: 22 BALDWIN DR

Mailing Address: ADH
66 CATE RD
BARRINGTON, NH 03825

Parcel Number: 220-0001
CAMA Number: 220-0001
Property Address: 146 CALEF HWY

Mailing Address: EMMERLING THOMAS TRS FAM REV TR
146 CALEF HWY
BARRINGTON, NH 03825

Parcel Number: 220-0002
CAMA Number: 220-0002
Property Address: 136 CALEF HWY

Mailing Address: DUTTON PETER N
PO BOX 69
BARRINGTON, NH 03825

Parcel Number: 220-0003
CAMA Number: 220-0003
Property Address: 23 GREENHILL RD

Mailing Address: LANDRY DARYL
23 GREENHILL RD
BARRINGTON, NH 03825

Parcel Number: 220-0052
CAMA Number: 220-0052
Property Address: 21 TOLEND RD

Mailing Address: SOUKUP MICHAEL J & JULIET A
21 TOLEND RD
BARRINGTON, NH 03825



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August 24, 2015

Parcel Number: 220-0053
CAMA Number: 220-0053
Property Address: 45 TOLEND RD

Mailing Address: FULTON TARA L MARSHALL JOHN D
45 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0054
CAMA Number: 220-0054
Property Address: 71 TOLEND RD

Mailing Address: FITZSIMMONS BADEN & DENISE
71 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0054-0001
CAMA Number: 220-0054-0001
Property Address: TOLEND RD

Mailing Address: MILL FALLS RE LLC
240 LONGHILL RD
DOVER, NH 03820

Parcel Number: 220-0054-0002
CAMA Number: 220-0054-0002
Property Address: 49 TOLEND RD

Mailing Address: ESTES MICHAEL & JULIEANNE
49 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0054-0003
CAMA Number: 220-0054-0003
Property Address: 55 TOLEND RD

Mailing Address: MENDOZA ARTEMIO J REV TR 50%
MENDOZA SONITA E REV TR 50%
55 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0054-0004
CAMA Number: 220-0054-0004
Property Address: 59 TOLEND RD

Mailing Address: HENDERSON DAVID & DENISE
59 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0054-0005
CAMA Number: 220-0054-0005
Property Address: 69 TOLEND RD

Mailing Address: BUSTAMANTE CHRISTOPHER GARCIA
MARGRET
69 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0054-0014
CAMA Number: 220-0054-0014
Property Address: 4 MILLS FALLS RD

Mailing Address: MORGAN VALERIE J
4 MILLS FALLS RD
BARRINGTON, NH 03825

Parcel Number: 220-0054-0015
CAMA Number: 220-0054-0015
Property Address: 93 TOLEND RD

Mailing Address: BIANCHI TORY T
8 PACIFIC DR
DOVER, NH 03820

Parcel Number: 220-0054-0016
CAMA Number: 220-0054-0016
Property Address: 99 TOLEND RD

Mailing Address: RUSSELL ROBERT & ALLISON
99 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0054-0017
CAMA Number: 220-0054-0017
Property Address: 113 TOLEND RD

Mailing Address: HELLER RANDAL & PAMELA TRS FAM
REV TR
113 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0054-0018
CAMA Number: 220-0054-0018
Property Address: 115 TOLEND RD

Mailing Address: BACZEWSKI MATTHEW M NATASHA H
115 TOLEND RD
BARRINGTON, NH 03825

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Barrington, NH
August 24, 2015

Parcel Number: 220-0056
CAMA Number: 220-0056
Property Address: 110 TOLEND RD

Mailing Address: OLSEN BJORN & MARGARET
110 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 220-0058
CAMA Number: 220-0058
Property Address: 28 BALDWIN DR

Mailing Address: GREENHILL MHP LLC
66 CATE RD
BARRINGTON, NH 03825

Parcel Number: 220-0060
CAMA Number: 220-0060
Property Address: 8 TOLEND RD

Mailing Address: BRULOTTE WAYNE & JENNIFER
66 CATE RD
BARRINGTON, NH 03825

Parcel Number: 223-0012
CAMA Number: 223-0012
Property Address: SCRUTON POND RD

Mailing Address: LRT PROPERTY MGMT LLC
PO BOX 703
BARRINGTON, NH 03825

Parcel Number: 223-0013
CAMA Number: 223-0013
Property Address: 174 CALEF HWY

Mailing Address: LRT PROPERTY MGMT LLC
PO BOX 703
BARRINGTON, NH 03825

Parcel Number: 223-0017
CAMA Number: 223-0017
Property Address: 144 TOLEND RD

Mailing Address: STALEY RONALD & L KATHRYN
144 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 223-0018
CAMA Number: 223-0018
Property Address: 138 TOLEND RD

Mailing Address: D'EON PHILIP & KENDRA
138 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 223-0020
CAMA Number: 223-0020
Property Address: 126 TOLEND RD

Mailing Address: HODGDON BARRY
126 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 223-0021
CAMA Number: 223-0021
Property Address: 120 TOLEND RD

Mailing Address: WHEELER DELMORE
120 TOLEND RD
BARRINGTON, NH 03825

Parcel Number: 223-0022
CAMA Number: 223-0022
Property Address: SCRUTON POND RD

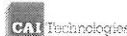
Mailing Address: BARRINGTON TOWN OF
PO BOX 660 333 CALEF HWY
BARRINGTON, NH 03825

Parcel Number: 223-0023
CAMA Number: 223-0023
Property Address: 136 ORCHARD HILL RD

Mailing Address: CONNICK JAMES E & STEVEN E
CONNICK KIMBERLY D
324 DAN QUARRY RD
LYNN, MA 01904

Parcel Number: 223-0026
CAMA Number: 223-0026
Property Address: CALEF HWY

Mailing Address: MYHRE RINA, HELFGOTT PAUL C
LEDOUX CAROL H (1/3 EA)
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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