



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 February 13, 2018

Case No. 124-43-GR/SPDO-18-ZBA Variance

Owner Stephen S. & Barbara P. Kresge Mailing Address 118 Main St, W. Newbury, MA 01985

Phone 978-387-7370 Email sscottkresge@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 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 checked="" 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 type="checkbox"/>
<i>Receipt # 21328</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Completed Project Application Form
<input checked="" type="checkbox"/> Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Appeal |
| <input type="checkbox"/> | <input checked="" 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 |

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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 Arvine
Staff Signature

2/15/2018
Date

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

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Letter of Authorization

February 13, 2018

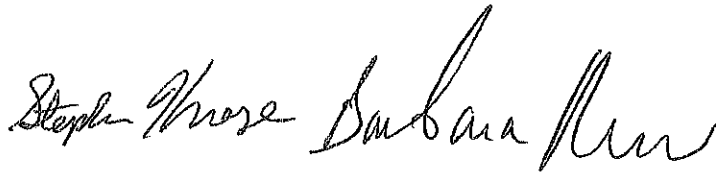
To Barrington Zoning Board:

We the undersigned, hereby authorize Raymond Bisson from Stonewall Surveying and his appointees to act on our behalf in all manners relating to local and state permitting, including the signing of all documents related to these matters for our property located 352 Hemlock Lane, Barrington, NH, Tax Map 124 Lot 43. Any and all acts carried out by Raymond Bisson and appointees on our behalf shall have the same effect as acts of our own.

This authorization is valid until further written notice from myself, Stephen & Barbara Kresge.

Sincerely,

Stephen & Barbara Kresge
118 Main Street
West Newbury, MA 01985

Handwritten signatures of Stephen and Barbara Kresge in cursive script.

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 124-43-GR/SPDO-18-2BA Variance

Project Name Stephen S. & Barbara P. Kresge

Location Address 352 Hemlock Lane, Barrington, New Hampshire

Map and Lot Tax Map 124 Lot 43

Zoning District (Include Overlay District if Applicable) General Residential
Shoreland Protection District Overlay

Property Details:

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

Use: Residential

Number of Buildings: 2 (House & Barn) Height: Existing 35'+/-, Proposed Addition 25'

Setbacks: Front 40' Back 30' Side 30' Side Shore 75'

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:

- Variance #1: Article 11 Shoreland Protection District Overlay, Subsection 11.2(2) District Defined**
- Variance #2: Article 4 Dimensional Requirements, Subsection 4.1.1 Minimum Standards**

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

See Attached

Barrington Zoning Ordinance Requirements:

Variance #1: 75' is required from Shore, Existing Structure is 53.4'+/-, Proposed Addition is 57.0'+/-; Variance #2: 40' is required, existing retaining wall to be removed is 9.5', proposed new retaining wall is 23.9'+/-

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

See Attached

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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.

See Attached _____

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

See Attached _____

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

See Attached _____

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

See Attached _____

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

See Attached _____

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.

See Attached _____

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

See Attached _____

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

See Attached _____

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

See Attached _____

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.

See Attached _____

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


Signature of Owner

13-Feb-2018

Date

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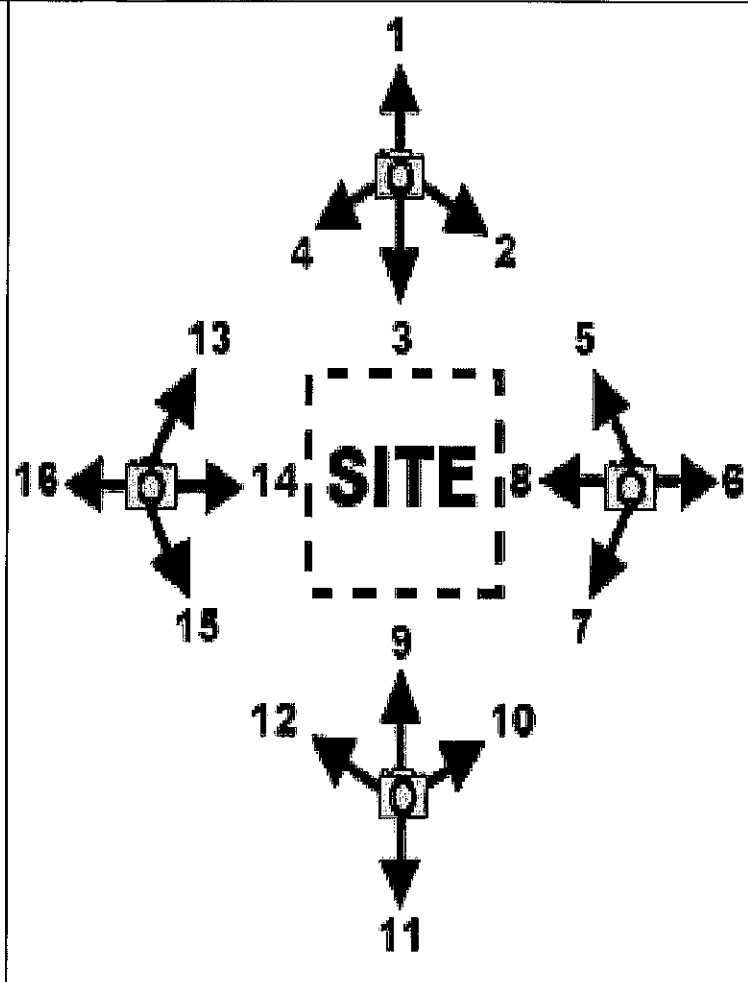
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SITE / CONTEXT PHOTOS

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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February 13, 2018

Town of Barrington
Zoning Board of Adjustment
333 Calef Highway
PO Box 660
Barrington, NH 03825

RE: Stephen S. & Barbara P. Kresge

Location: **352 Hemlock Lane, Barrington, Strafford County, New Hampshire**

Tax Map & Lot Number: **Map 124 Lot 43**

Job No: **17041**

Dear Members of the Zoning Board,

On behalf of Stephen & Barbara Kresge, Stonewall Surveying is submitting an application for variances for a proposed addition to an existing structure at the end of Hemlock Lane. The proposed addition is a two-car garage with a family room above. A new retaining wall would be installed replacing an existing retaining wall.

This project would require NHDES Shoreland approval and had been submitted at this time.

Background:

Tax Map 124 Lot 43 was a remainder piece of property obtained by the State of NH from PSNH in 1955. Steve and Ellen Conklin purchased the property from the State of New Hampshire in 1984 and in 1985, the Conklin's built their 30' x 34' house on the 0.47 acre parcel of land. In 2013, the Conklin's had a survey done to adjust the property line between the two properties they owned to incorporate the existing barn and leach field with the existing house lot and creating a 1.08 acre parcel. Stephen & Barbara purchased this property on December 15th, 2016. See Strafford County Registry of Deeds Book 4442 Page 437.

The existing house and proposed addition meets all Town required setbacks except for the shoreland protection zone, which was prior to the Shoreland Protection District being enacted in 1988. There are mature trees between the parking area and the shore which will limit the visibility of the addition from the Pond. The existing wood stairs are steep and get extremely slippery with bad weather. Having the entry at ground level with stairs to the main floor will eliminate this hazard. The existing parking area is limited for multiple vehicles and boat trailers since access to the rear of the property and barn had been eliminated by sale of the abutting parcel. Having the garage space with help with parking and storage. The re-grading behind the retaining wall will provide access between the front and back of the house.

Variations Requested:

My clients wish to build an addition on their house. The addition would entail a two-car garage with a family room above that connects to the main floor of the house. Also, access to the rear of the property is difficult because the gravel driveway to access the barn was on the adjacent lot before the new home was built. The existing retaining wall would be relocated, and the slope would be graded to allow for access to the back of the lot.

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Variations requested:

- Variance #1: Relief from Shoreland setbacks from 75 feet to 57.0'+/- from the shore. The existing structure is 53.4'+/- from the shore of Mendums Pond.
- Variance #2: Relief from front setback from 40 feet to 23.9'+/- feet for the new retaining wall. The existing retaining wall is 9.5' from the property line.

Reason for Variance Request:

Variance #1: Article 11 – Shoreland Protection District Overlay

Article 11.2(1) States,

“No structure of any type including, by way of example and not by way of limitation, all buildings, garages, sheds, parking lots and driveways, may be constructed within 75 feet of the shoreline of any year-round stream, or any lake or pond over 2 acres.” Under the definition of “Structure” means “Anything constructed, installed, placed or erected, whether above or below grade”.

Part IV – Justification for Variance

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

Due to the slope of the property and the existing septic tank location, the proposed addition would be difficult to slide farther to the rear of the property. If the proposed addition was slide farther from the shore, it would then fall within the front setback and therefore require another variance. The existing house, overhangs, decks and parking all fall within the Shoreland Protection District. Relocating the septic tank and excavating the amount necessary for the garage and driveway would greatly disturb the natural ground around the addition. The existing ground where the addition is proposed consists of retaining walls and gardens. The State guideline is no structure within 50 feet of the shore.

- 2.) *“Granting the variance would be consistent with the spirit of the Ordinance”*

The intent of the ordinances is to protect abutting land owners. The proposed improvement protects the closet neighbor by maintaining the minimum front setback requirement of 40 feet. Being waterfront parcels, many structures along Hemlock Lane and Mendums Pond fall within the 75 foot shoreland buffer zone (see attached GIS map), so the request is consistent with abutting parcels.

- 3.) *“Granting the variance will not result in diminution of surrounding property values”*

The surrounding Mendums Pond area has allowed property improvements. Many camps have been renovated or removed and year-round residences have been built. Due to the existing slope of the property, access to the rear is tough. Having a garage for storage of boats, water related activities and vehicles helps with the limited parking on the property and a more pleasant waterfront appeal. The granting of the variances will not hurt property values for the neighboring properties.

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4.) *"Granting of the variances would do substantial justice"*

Again, due to the existing slope of the property, access to the rear is tough. Having a garage for storage of boats, water related activities and vehicles helps with the limited parking on the property. The existing house is not very large, and the extra space gained by the finished room over the garage will be an added benefit. Substantial justice would be to allow the land owner to build the addition while maintaining the required front setback and the existing structure setback from the shore.

5.) *"Granting the variances would not be contrary to the public interest."*

The ordinances are in place to protect other land owners and the Town while allowing for the improvements of someone's property. The Addition request is not out of line with many additions added to existing structures throughout the Town. The hardship with this parcel is the existing house built in 1985 is already within the 75' setback established after the original home was constructed and the slope of the property limits the placement of the attached garage. The proposed improvement does not get closer to the shore than the existing structure and still maintains the required front setback.

Variance #2: Article 2 – Dimensional Requirements

Article 4.1.1 Minimum Standards States,

"No building or structure shall be erected, enlarged, altered or moved, nor shall any existing lot size be changed, or new lot created, except in accordance with the standards prescribed in Table 2, Table of Dimensional Standards or as otherwise specified herein." Table 2, General Residential minimum front yard requirement in 40 feet. Under the definition of "Structure" means "Anything constructed, installed, placed or erected, whether above or below grade". Exempt (g): Retaining Walls that are over four feet in height.

Part IV – Justification for Variance

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

Prior to the Lot Line Adjustment in 2013, access to the rear of the property was across other than owned by the said Conklin, Tax Map 124 Lot 44. Once the current owners, Eberhard and Hannelore Moebius, built their new home, access was cut off. There is no access around the opposite side of the house due to the existing deck and gazebo along with the rocky terrain. The existing retaining wall is too close to the property line. Without cutting vegetation separating the visibility from the neighbor and the potential encroachment of the property line with the new grading. The proposed addition and relocation of the existing retaining way allows for the re-grading of the slope behind the wall to provide access to the back of the property by foot, wheelbarrow, tractor, etc.

2.) *"Granting the variance would be consistent with the spirit of the Ordinance"*

The intent of the ordinances is to protect abutting land owners. Allowing the new retaining wall to be installed protects the terrain and vegetation to the closest abutter.

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3.) *"Granting the variance will not result in diminution of surrounding property values"*

The relocation of the retaining wall will have no impact on surrounding property values.

4.) *"Granting of the variances would do substantial justice"*

Again, due to the existing slope of the property, access to the rear is tough. The existing retaining wall proximity to the property line will make it tough to regrade the slope behind it or access. Substantial justice would be to allow the land owner to relocate the retaining wall, which would be more conforming than the existing wall, allowing for easier access to their entire property.

5.) *"Granting the variances would not be contrary to the public interest."*

The ordinances are in place to protect other land owners and the Town. This improvement will have no impact on the Town or land owners nor will it be contrary to the public interest. The use of a retaining wall currently exists at 9.5' from the property line while the proposed is 23.9'+/- from the property line. This would make the use more conforming to the public interest.

Photographs

Photo #1



Photo #2



Photo #1: Looking Northeast into driveway and right of way. Straight ahead is Tax Map 124 Lot 42.

Photo #2: Looking Southeast, existing deck to right of photo. Trees protecting view from the water.

Photo #3

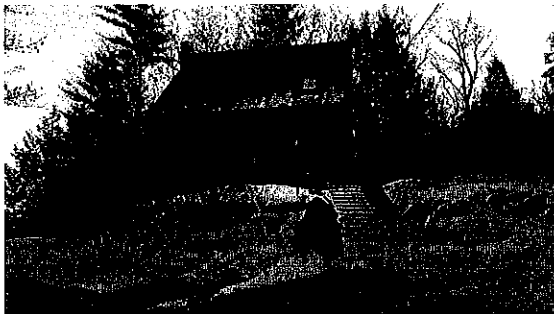


Photo #4



Photo #3: Looking Southwest at where the proposed addition would be built to connect to the house.



Photo #4: Looking West. Retaining wall would be relocated and ground to be graded towards the propane tank to allow for access to the back yard.

Photo #5



Photo #6



Photo #5: Looking North towards the driveway.

Photo #6: Looking East from the house to Mendums Pond.

Photo #7



Photo #8



Photo #7: Looking Southwest towards Tax Map 124 Lot 44.

Photo #8: Looking Northwest from Mendums Pond to House.
Proposed Addition to connect to the right of the house.

Photo #9



Photo #10



Photo #9: Looking North from Tax Map 124 Lot 44 towards house. Gazebo to left.

Photo #10: Looking Northeast towards Mendums Pond. Gazebo to left.

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Photo #11



Photo #12



Photo #11: Looking Southeast at gazebo from house towards Tax Map 124 Lot 44.

Photo #12: Looking Northwest from next to gazebo towards the backyard.

Photo #13



Photo #14



Photo #13: Looking Northeast from behind house towards the driveway. House to right.

Photo #14: Looking East at house, proposed addition to the left of house.

Photo #15



Photo #16



Photo #15: Looking Southeast towards the gazebo and Tax Map 124 Lot 44.

Photo #16: Looking West from house up the hill towards the barn.

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Photo #17



Photo #18



Photo #17: Looking Northwest at the new house on Tax Map 124 Lot 44. Retaining wall to be relocated is to the left.

Photo #18: Looking Northeast at the stairs to access house. Retaining wall to be relocated is to the left.

Photo #19



Photo #19: Looking North from behind house at propane tank to be relocated. Septic tank is behind propane tank. Grading to take place from the existing driveway to the existing propane tank.

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ARTICLE 4 DIMENSIONAL REQUIREMENTS

4.1 General Provisions

4.1.1.....Minimum Standards

No building or structure shall be erected, enlarged, altered or moved, nor shall any existing lot size be changed or new lot created, except in accordance with the standards prescribed in Table 2, Table of Dimensional Standards or as otherwise specified herein.

Table 2 Table of Dimensional Standards (a)

Zoning District	Min. Lot Size (sq.ft.) (b)	Min. Lot Frontage (ft.) (b)	Min. Yard Setbacks (ft.)(i)			Max. Bldg. Height		Max. Lot Coverage (f)
			Front	Side	Rear	Feet	Stories	
General Residential	80,000(c)	200	40	30	30	35	2.5	40%
Neighborhood Residential	80,000(c)	200	40	30	30	35	2.5	40%
Village District (Residential)	80,000(c)	200	40	30	30	35	2.5	40%
Village District (Non-Residential)	30,000(g)	75	20	15	15	40(j)	3	60%
Town Center	20,000(h)	40	20(k)	15	15	40(j)	3	80%
Regional Commercial	40,000(d)	200	75(e)	30	30	40(j)	3	50%

Footnotes:

- (a) All development is subject to the additional and supplemental dimensional standards prescribed in Article 4 of this Ordinance.
- (b) Refer to Article 4.2 for calculating the minimum lot size per dwelling unit within each district.
- (c) Minimum lot sizes and frontage may be reduced as part of a Conservation Subdivision in accordance with Article 6 of this Ordinance.
- (d) Minimum lot sizes for residential dwelling units in the RC district shall be in accordance with Section 4.2 of this Ordinance.
- (e) A greenbelt shall be maintained along the frontage of parcels on Route 125 in accordance with Subsection 4.2.3, Paragraph 4), of this Ordinance.
- (f) Maximum lot coverage means the area of the lot covered by an impervious surface. Calculation of maximum lot coverage in a Planned Unit Development (PUD) shall be in accordance with Subsection 16.3.3. All development is subject to the provisions of Article 12, Groundwater Protection, with regard to the creation of impermeable surfaces.
- (g) The minimum lot size for single-family dwelling units must comply with the provisions of Subsection 4.2.1 of this Ordinance, which are the same requirements for constructing a single-family dwelling in the GR and NR districts, as well as all other applicable provisions. Refer to section 4.2.2 for further specifications regarding minimum lot size and building size requirements in the VD district.
- (h) Refer to Section 4.2.4 for additional provisions regarding minimum lot size and building size in the TC district.
- (i) Increases in the Minimum Yard Setbacks may be required as part of the Site Plan Review or building permit process in order to comply with Life Safety Code requirements. Additional buffers may also be required between residential and nonresidential uses in the VD, RC, and TC districts as specified in Article 4, as well as other sections of this Ordinance.
- (j) No structure may contain occupied residential building space above 35 ft. unless said structure contains a sprinkler system.
- (k) The setback for all new structures shall be fifty (50) feet from the edge of the right-of-way along Route 125 and Route 9. No new structures (except signs) may be placed within this setback area.

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**ARTICLE 11 SHORELAND PROTECTION DISTRICT OVERLAY
(SDO)**

11.1 ...Purpose and Intent

The purpose of the Shoreland Protection District is to preserve the overall quality of surface waters, and their adjacent environs, in the Town of Barrington in order to protect the public health and maintain the ecological integrity associated with these resources. More specifically, the intent of the regulations established in this Article are:

- 11.1(1).....Maintain the quality of surface waters to insure protection of groundwater and drinking water supplies; and
- 11.1(2).....Conserve and protect the aquatic and terrestrial habitat associated with the town’s rivers, lakes and ponds; and
- 11.1(3).....Preserve and enhance the aesthetic values associated with shoreline areas in order to maintain the town’s rural character; and
- 11.1(4).....Encourage those uses that can be appropriately located adjacent to the town’s surface water resources.

11.2 ...District Defined

- 11.2(1).....No structure of any type including, by way of example and not by way of limitation, all buildings, garages, sheds, parking lots and driveways, may be constructed within seventy-five (75) feet of the shoreline of any year-round stream, or any lake or pond over two (2) acres.
- 11.2(2).....For the Isinglass River this overlay zone shall consist of all properties located within one hundred (100) feet of the mean high water mark of the river, wherein no structure of any type including by way of example and not by way of limitation, all buildings, garages, sheds, parking lots, and driveways, may be constructed.

11.3 ...Exemptions from Regulations

- 11.3(1).....Lots of record that existed prior to July 28, 1988 (which was the effective date of the original version of this provision) are exempt from these shoreland setback provisions to the extent that it can be demonstrated that conformance is impossible; however, any structure on such lots must conform as fully as possible.
- 11.3(2).....Exemptions to the setback provisions of Section 11.2 of this Article shall be made for the installation of docks, floats and other structures that are customarily associated with the recreational use of water.

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Stream Areas of flowing water occurring for sufficient time to develop and maintain defined channels but may not flow during dry portions of the year. Includes but is not limited to all perennial and intermittent streams located on U.S. Geological Survey Maps.

Street A road, thoroughfare or way that affords the means of access to adjacent lots and is devoted to vehicular travel, and measured from property line to property line. It includes any street, avenue, road, lane, viaduct, boulevard, alley, highway or other way, whether public or private.

Structure (for purposes of Floodplain Management Regulations) For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Structure (3/8/2010) Anything constructed, installed, placed or erected, whether above or below grade. Unless otherwise stated in this Ordinance, the following structures are exempt from the building permit requirements set forth in Section 15.4.1 and shall not be construed as structures for purposes of setback requirements, but shall be so construed for all other purposes. Sheds may require an Administrative Zoning Permit, see Article 9.4.5.

- (a) Signs,
- (b) Stonewalls,
- (c) Septic systems,
- (d) Driveways, sidewalks, parking lots,
- (e) Home propane and heating oil tanks,
- (f) One story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, providing the floor area does not exceed 200 square feet,
- (g) Retaining walls that are not over four feet in height measured from the top of the footing to the top of the wall, unless supporting a surcharge, the differential in grade shall be no more than four feet,
- (h) Water tanks supported directly upon grade if the capacity does not exceed 5000 gallons and the ratio of height to diameter or width does not exceed 2 to 1,
- (i) Prefabricated swimming pools that are less than 24 inches deep,
- (j) Swings and other playground equipment,
- (k) Window awnings supported by an exterior wall that does not project more than 54 inches from the exterior wall,
- (l) Heating or cooling equipment,
- (m) Fences,
- (n) Cisterns,
- (o) Wells, provided they meet NHDES requirements, including ancillary equipment,
- (p) Drainage facilities,
- (q) Such structures as are authoritatively deemed required for the Safety of the community and its citizens and
- (r) Utility service lines.

Structure, Accessory A detached structure, the use of which is customarily incidental and subordinate to that of the principal use, principal building or principal structure, and which is located on the same lot as that occupied by the principal use, principal building or principal structure.

Subdivision A "subdivision" means any activity defined in RSA 672:14.

Substantial Completion of Development For determining whether an approved subdivision or site plan is vested under the terms of RSA 674:39 the following conditions must be met. At least fifty percent (50%) of the total cost of all public and private improvements approved by the town

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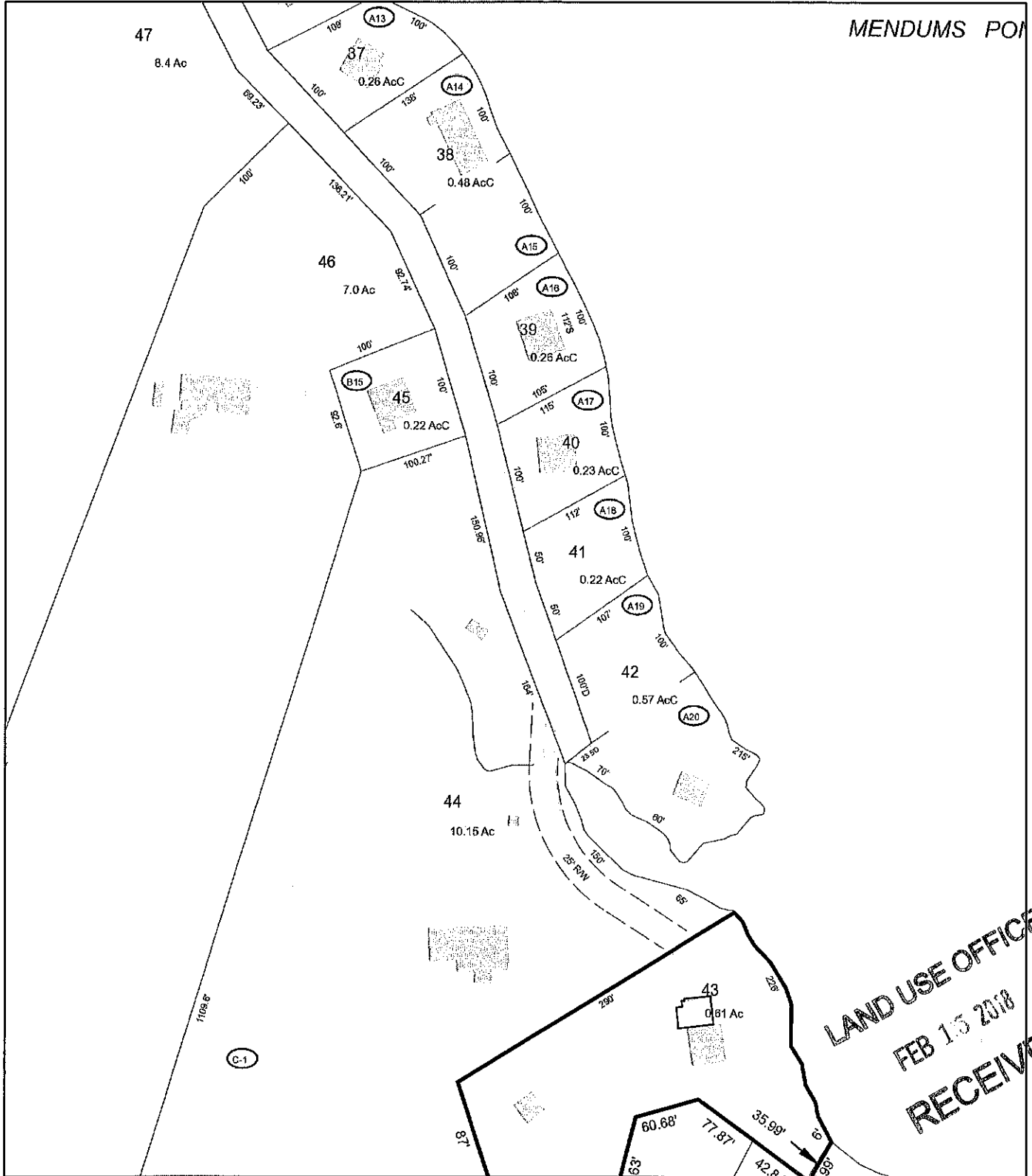
February 12, 2018

1 inch = 120 Feet

www.cai-tech.com

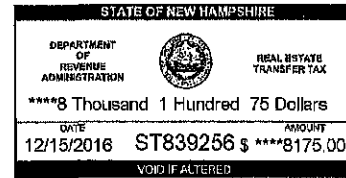


MENDUMS PO



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The property data available on this site is updated periodically. The Town of Barrington makes no warranties with regard to its accuracy or completeness and assumes no liability associated with the use of this data.



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **GABRIEL A. GOLDBERG**, as **TRUSTEE** of the **GABRIEL A. GOLDBERG REVOCABLE TRUST**, u/t/a dated October 21, 2011 and **AMY K. GOLDBERG**, as **TRUSTEE** of the **AMY K. GOLDBERG REVOCABLE TRUST**, u/t/a dated October 21, 2011, both with an address of 325 Hemlock Lane, Barrington, New Hampshire 03825, for consideration paid, grant to **STEPHEN S. KRESGE** and **BARBARA P. KRESGE**, husband and wife, as joint tenants with rights of survivorship, with an address of 118 Main Street, West Newbury, Massachusetts 01985, with **WARRANTY COVENANTS**, the following described premises:

A certain lot or parcel of land, with the buildings and improvements thereon, situate on Mendums Pond, so-called, in the Town of Barrington, County of Strafford, State of New Hampshire, more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

Meaning and intending to describe and convey the same premises conveyed to Gabriel A. Goldberg, as Trustee of the Gabriel A. Goldberg Revocable Trust, u/t/a dated October 21, 2011 and Amy K. Goldberg, as Trustee of the Amy K. Goldberg Revocable Trust, u/t/a dated October 21, 2011 by deed of Steven B. Conklin and Ellen M. Conklin, dated April 30, 2014, and recorded in the Strafford County Registry of Deeds on April 30, 2014 in Book 4210, Page 180.

Gabriel A. Goldberg, individually as Settlor of the Gabriel A. Goldberg Revocable Trust, u/t/a dated October 21, 2011, hereby releases all rights of homestead and other interests therein.

Amy K. Goldberg, individually as Settlor of the Amy K. Goldberg Revocable Trust, u/t/a dated October 21, 2011, hereby releases all rights of homestead and other interests therein.

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PURSUANT TO RSA 564-A:7, II, the undersigned trustee, Gabriel A. Goldberg, as Trustee under the Gabriel A. Goldberg Revocable Trust, created by Gabriel A. Goldberg as grantor/settlor under trust agreement dated October 21, 2011, and thereto has full and absolute power in said trust agreement to convey any interest in real estate and improvements thereon held in said trust and no purchaser or third party shall be bound to inquire whether the trustee has said power or is properly exercising said power or to see to the application of any trust asset paid to the Trustee for a conveyance thereof.

The undersigned Trustee, Gabriel A. Goldberg, upon oath, does depose and say that the said Trust is in full force and effect; that the same has not been amended, altered, dissolved or liquidated; and that he is the sole Trustee of said Trust.

PURSUANT TO RSA 564-A:7, II, the undersigned trustee, Amy K. Goldberg, as Trustee under the Amy K. Goldberg Revocable Trust, created by Amy K. Goldberg as grantor/settlor under trust agreement dated October 21, 2011, and thereto has full and absolute power in said trust agreement to convey any interest in real estate and improvements thereon held in said trust and no purchaser or third party shall be bound to inquire whether the trustee has said power or is properly exercising said power or to see to the application of any trust asset paid to the Trustee for a conveyance thereof.

The undersigned Trustee, Amy K. Goldberg, upon oath, does depose and say that the said Trust is in full force and effect; that the same has not been amended, altered, dissolved or liquidated; and that she is the sole Trustee of said Trust.

EXECUTED this 21 day of Nov., 2016.

Neil Tobey
Witness

Gabriel A. Goldberg Revocable Trust,
u/t/a dated October 21, 2011
Gabriel A. Goldberg, TTE
Gabriel A. Goldberg, Trustee

Neil Tobey
Witness

Amy K. Goldberg Revocable Trust,
u/t/a dated October 21, 2011
Amy K. Goldberg, TTE
Amy K. Goldberg, Trustee

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Gabriel A. Goldberg and Amy K. Goldberg hereby execute this Warranty Deed solely for the purpose of releasing their rights of homestead in the within described premises.

[Signature]
Witness

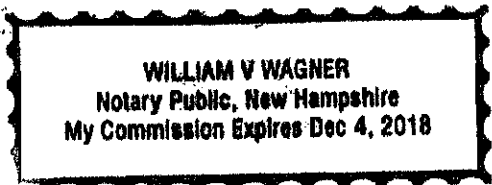
[Signature]
Witness

[Signature]
Gabriel A. Goldberg, Individually

[Signature]
Amy K. Goldberg, Individually

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

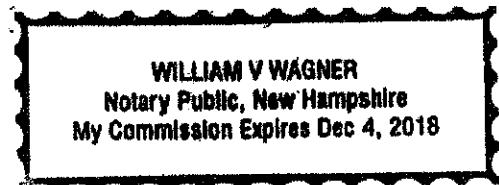
On this 21 day of Nov., 2016, before me, personally appeared Gabriel A. Goldberg, Individually and as Trustee of the Gabriel A. Goldberg Revocable Trust, known to me, or proven to me through satisfactory evidence of identification, to be the individual whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained as Trustee on behalf of the Trust.



[Signature]
Notary Public/Justice of the Peace
Printed Name: William V. Wagner
My Commission expires: 12/4/2018

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM, ss.

On this 21 day of Nov., 2016, before me, personally appeared Gabriel A. Goldberg, Individually, known to me, or proven to me through satisfactory evidence of identification, to be the individual whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.



[Signature]
Notary Public/Justice of the Peace
Printed Name: William V. Wagner
My Commission expires: 12/4/2018

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LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF STRAFFORD, CITY OF BARRINGTON, STATE OF NEW HAMPSHIRE AND IS DESCRIBED AS FOLLOWS:

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON, SITUATE ON MENDUMS POND, SO-CALLED, IN THE TOWN OF BARRINGTON, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE, BEING TAX MAP 124, LOT 43 AS SHOWN ON A PLAN ENTITLED "LOT LINE ADJUSTMENT PLAN, LOCATED AT: TAX MAP 124 LOTS 43 & 44, HEMLOCK LANE, BARRINGTON, NEW HAMPSHIRE, OWNED BY STEVEN B. & ELLEN M. CONKLIN, 352 HEMLOCK LANE, BARRINGTON, NH 03825", SAID PLAN RECORDED IN THE STRAFFORD COUNTY REGISTRY OF DEEDS AS PLAN 106-051. SAID LOT BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A DRILL HOLE FOUND IN A BOULDER AT THE HIGH WATER MARK OF SAID MENDUMS POND, SAID POINT BEING THE NORTHEASTERLY CORNER OF THE WITHIN DESCRIBED LOT; THENCE RUNNING ALONG TAX MAP 124, LOT 44, AS SHOWN ON SAID PLAN, THE FOLLOWING COURSES AND DISTANCES, ALL DISTANCES BEING MORE OR LESS:

S 76° 00' 00" W A DISTANCE OF TWO HUNDRED NINETY AND NO HUNDREDTHS (290.00) FEET TO A 5/8" IRON ROD SET; S 00° 00' 00" E A DISTANCE OF EIGHTY-SEVEN AND NO HUNDREDTHS (87.00) FEET TO A 5/8" IRON ROD SET; S 36° 00' 00" E A DISTANCE OF EIGHTY AND NO HUNDREDTHS (80.00) FEET TO A 5/8" IRON ROD SET; S 89° 00' 00" E A DISTANCE OF FORTY SIX AND NO HUNDREDTHS (46.00) FEET TO A 5/8" IRON ROD SET; N 32° 00' 00" E A DISTANCE OF EIGHTY-NINE AND SIXTY-THREE HUNDREDTHS (89.63) FEET TO A 5/8" IRON ROD SET; S 88° 00' 00" E A DISTANCE OF SIXTY AND SIXTY-EIGHT HUNDREDTHS (60.68) FEET TO A 5/8" IRON ROD SET; S 36° 38' 14" E A DISTANCE OF SEVENTY-SEVEN AND EIGHTY-SEVEN HUNDREDTHS (77.87) FEET TO A 1" IRON PIPE W/HUB & TACK FOUND AT TAX MAP 260, LOT 56; THENCE CONTINUING S 36° 38' 14" E A DISTANCE OF FORTY-TWO AND EIGHTY-FOUR HUNDREDTHS (42.84) FEET, MORE OR LESS, ALONG SAID TAX MAP 260, LOT 56 TO A 1/2 INCH IRON ROD; THENCE TURNING AND RUNNING N 48° 25' 17" E A DISTANCE OF THIRTY-FIVE AND NINETY-NINE (35.99) FEET, MORE OR LESS, ALONG SAID TAX MAP 260, LOT 56 TO A DRILL HOLE FOUND IN A BOULDER SIX FEET FROM THE SHORE OF SAID MENDUMS POND; THENCE CONTINUING N 48° 25' 17" E A DISTANCE OF SIX AND NO-HUNDREDTHS (6.00) FEET TO THE SHORE OF SAID MENDUMS POND; THENCE TURNING AND RUNNING IN A NORTHERLY DIRECTION A DISTANCE OF TWO HUNDRED TWENTY SIX AND NO-HUNDREDTHS (226.00) FEET, MORE OR LESS, ALONG THE HIGH WATER LINE OF SAID MENDUMS POND TO THE POINT OF BEGINNING.

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SAID LOT IS CONVEYED TOGETHER WITH A 25 FOOT WIDE RIGHT OF WAY FOR INGRESS AND EGRESS FROM SAID LOT TO HEMLOCK LANE, AS SHOWN ON SAID PLAN; AND OWNERS OF RECORD WILL BE RESPONSIBLE FOR A SHARE OF THE UPKEEP AND MAINTENANCE OF SAID RIGHT OF WAY. SEE NOTE "PROPOSED RIGHT OF WAY DESCRIPTION" ON PLAN 106-51.

MEANING AND INTENDING TO DESCRIBE AND CONVEY A PORTION OF THE SAME PREMISES CONVEYED TO STEVEN B. CONKLIN AND ELLEN M. CONKLIN BY DEED DATED 10/10/1981 AND RECORDED IN THE STAFFORD COUNTY REGISTRY OF DEEDS AT BOOK 1072 AND PAGE 89; THE SAME PREMISES CONVEYED TO STEVEN B. CONKLIN AND ELLEN M. CONKLIN BY DEED DATED 08/07/1985 AT BOOK 1182, PAGE 447; AND A PORTION OF THE SAME PREMISES CONVEYED TO STEVEN B. CONKLIN AND ELLEN M. CONKLIN BY DEED DATED 09/28/1984 AT BOOK 1156, PAGE 61.

PARCEL ID #000124 000043 000000

THIS BEING THE SAME PROPERTY CONVEYED TO GABRIEL A. GOLDBERG, TRUSTEE OF GABRIEL A. GOLDBERG REVOCABLE TRUST U/T/A DATED OCTOBER 21, 2011, ONE-HALF TENANT IN COMMON INTEREST AND AMY K. GOLDBERG, TRUSTEE OF AMY K. GOLDBERG REVOCABLE TRUST U/T/A DATED OCTOBER 21, 2011, ONE-HALF TENANT IN COMMON INTEREST FROM STEVEN B. CONKLIN AND ELLEN M. CONKLIN, HUSBAND AND WIFE IN A DEED DATED APRIL 30, 2014 AND RECORDED APRIL 30, 2014 IN BOOK 4210 PAGE 0180.

Property Commonly Known As: 352 Hemlock Lane, Barrington, NH 03825
Parcel ID: 000124 000043 000000

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Abutters / Professionals List

OWNERS:

STEPHEN S. KRESGE
BARBARA P. KRESGE
118 MAIN STREET
WEST NEWBURY, MA 01985

PROFESSIONALS:

STONEWALL SURVEYING
C/O RAYMOND BISSON
PO BOX 458
BARRINGTON, NH 03825

NEWMARKET PLAINS, LLC.

C/O PAUL LeBEAU
165 MAIN STREET, UNIT 102
NEWMARKET, NH 03857

BAILEY ENVIRONMENTAL SERVICES

C/O SCOTT BAILEY
PO BOX 301
MELVIN VILLAGE, NH 03850

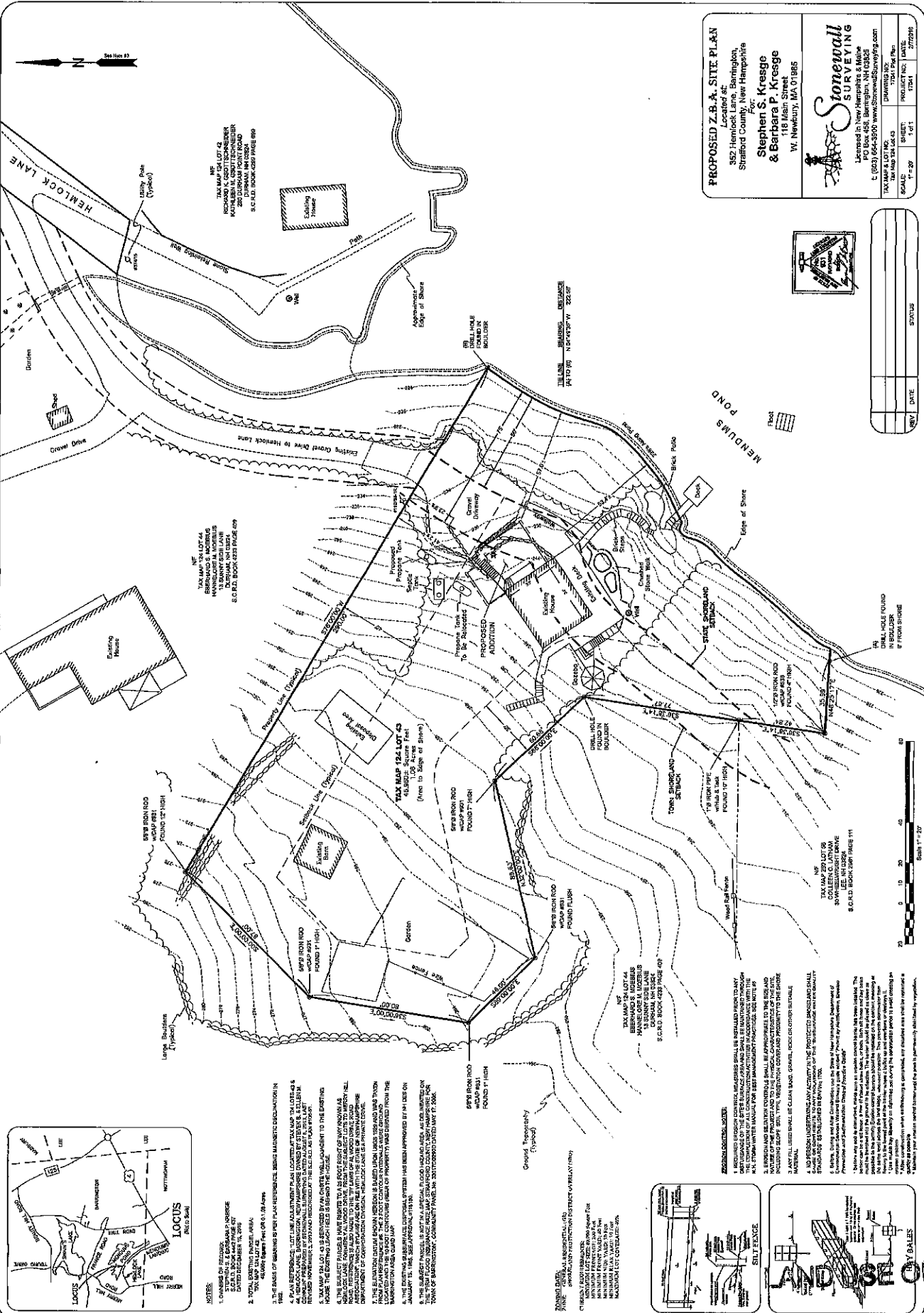
ABUTTERS:

TAX MAP 124 LOT 44
EBERHARD S. MOEBIUS
HANNELORE M. MOEBIUS
13 SUNNY SIDE LANE
DURHAM, NH 03824

TAX MAP 124 LOT 42
RICHARD K. GSOTTSCHEIDER
KATHLEEN M. GSOTTSCHEIDER
280 DURHAM POINT ROAD
DURHAM, NH 03824

TAX MAP 260 LOT 56
COLLEEN O. LATHAM
30 WHEELWRIGHT DRIVE
LEE, NH 03824

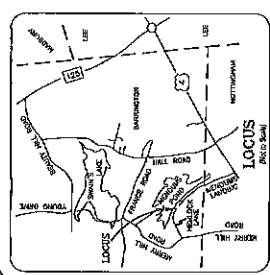
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FEB 15 2016
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PROPOSED Z.B.A. SITE PLAN
 Located at:
 182 Hemlock Lane, Mendham,
 Stafford County, New Hampshire
 For:
**Stephen S. Kresge
 & Barbara P. Kresge**
 118 Main Street
 W. Newbury, MA 01885

Stonewall SURVEYING
 Licensed in New Hampshire
 PO Box 458, Brentsville, NH 03825
 C: (603) 664-3900 www.StonewallSurveying.com

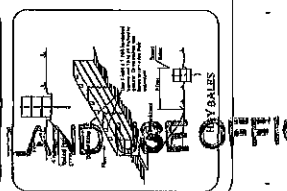
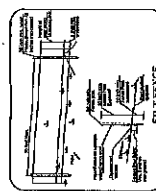
TAX MAP & LOT NO.: DIMENSIONED MAP
 PROJECT NO.: 2772938
 SCALE: 1" = 20' SHEET: 1 OF 1 DATE: 5/11/12



- NOTES:**
1. CONVEYANCE OF INTEREST IN THE SUBJECT PARCELS TO THE STATE OF NEW HAMPSHIRE BY DEED DATED DECEMBER 11, 2011.
 2. TOTAL EXISTING PAVED AREA: 45,812.00 SQ. FT. (SEE PLAN 01-20-APR)
 3. THE BASIS OF BEARING IS PER PLAN INSTRUMENTS BEING MAGNETIC DECLINATION IN 1983.
 4. A REAR ACCESSORY DRIVEWAY WAS LOCATED AT THE CORNER OF THE SUBJECT PARCELS TO THE EAST OF THE SUBJECT PARCELS. THE DRIVEWAY WAS LOCATED AT THE CORNER OF THE SUBJECT PARCELS TO THE EAST OF THE SUBJECT PARCELS. THE DRIVEWAY WAS LOCATED AT THE CORNER OF THE SUBJECT PARCELS TO THE EAST OF THE SUBJECT PARCELS.
 5. TAX MAP 124-43 IS REVISED BY CHUTE WELLS TO THE EXISTING HOUSE. THE EXISTING HOUSE IS BEING REBUILT.
 6. THE SUBJECT PARCELS HAVE BEEN REBUILT TO THE EXISTING HOUSE. THE SUBJECT PARCELS HAVE BEEN REBUILT TO THE EXISTING HOUSE. THE SUBJECT PARCELS HAVE BEEN REBUILT TO THE EXISTING HOUSE.
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ADDITIONAL NOTES:

1. THE SUBJECT PARCELS ARE BEING REBUILT TO THE EXISTING HOUSE. THE SUBJECT PARCELS ARE BEING REBUILT TO THE EXISTING HOUSE. THE SUBJECT PARCELS ARE BEING REBUILT TO THE EXISTING HOUSE.
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FEB 15 2012

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MEMBER
AI
BD
 AMERICAN INSTITUTE OF
 BILLING DESIGNERS

NEUMARKET PLANS, LLC.
 HOME DESIGN SERVICE
 WWW.NPFI.COM/ARKETPLANS1LLC.COM
 73-859-0985

DATE	DESCRIPTION
12/19/11	DRAFT PLAN
1/22/12	REVISED PLAN
1/30/12	PLANS FOR ZONING APPROVAL

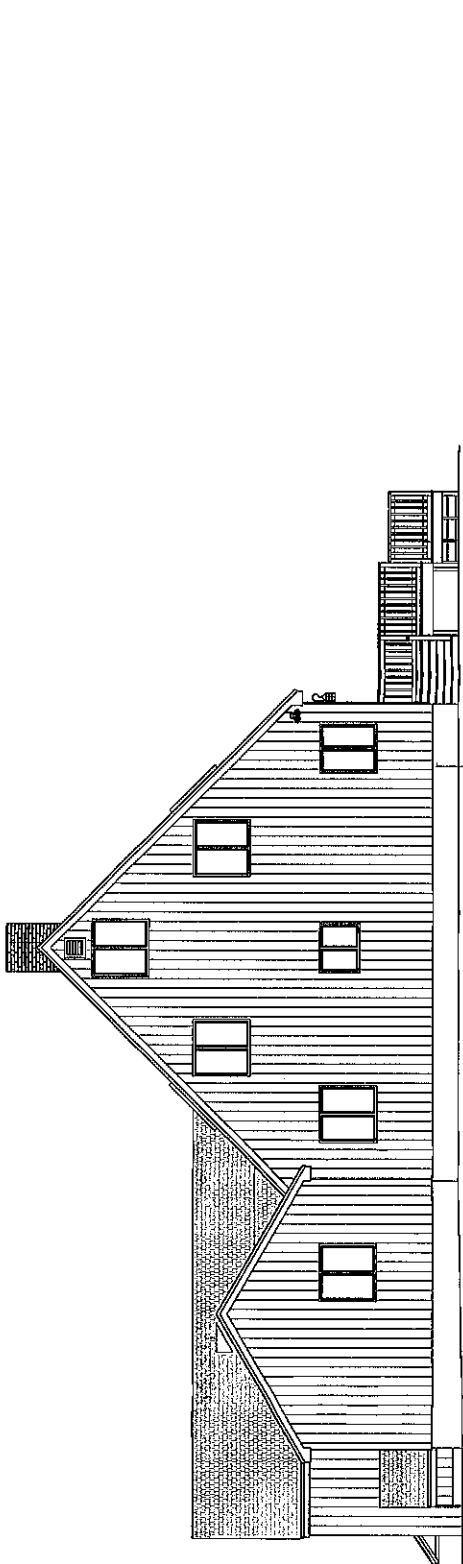
SCOTT & BARB KRESGE
 352 HEMLOCK LANE
 BARRINGTON, NH 03825

SHEET NUMBER

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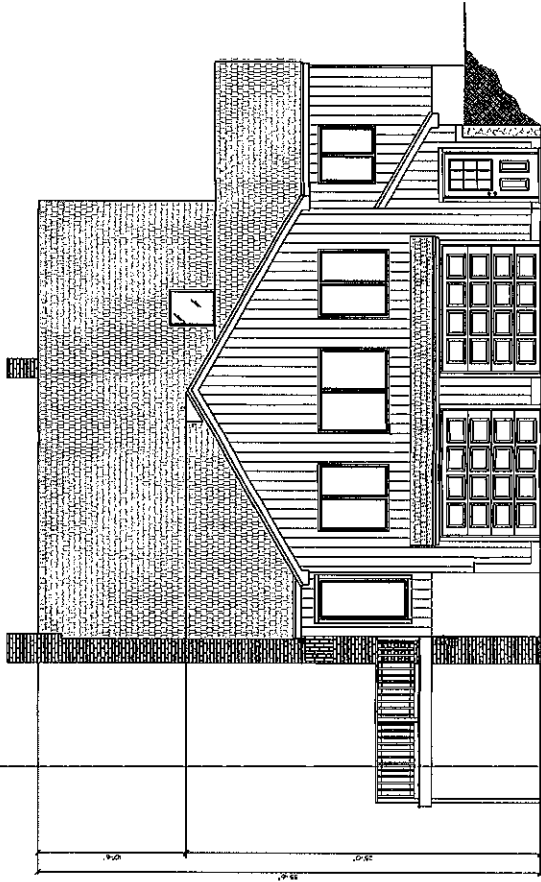
PLAN NUMBER

931



NORTH ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

SCALE: 1/4" = 1'-0"

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ELEVATION GRADES AND FOUNDATION DROPS SHOWN
 ARE CONCEPTUAL. FOUNDATION DROPS AND GRADE
 WILL BE DETERMINED ON SITE BY CONTRACTOR

21066 ARCH D

MEMBER
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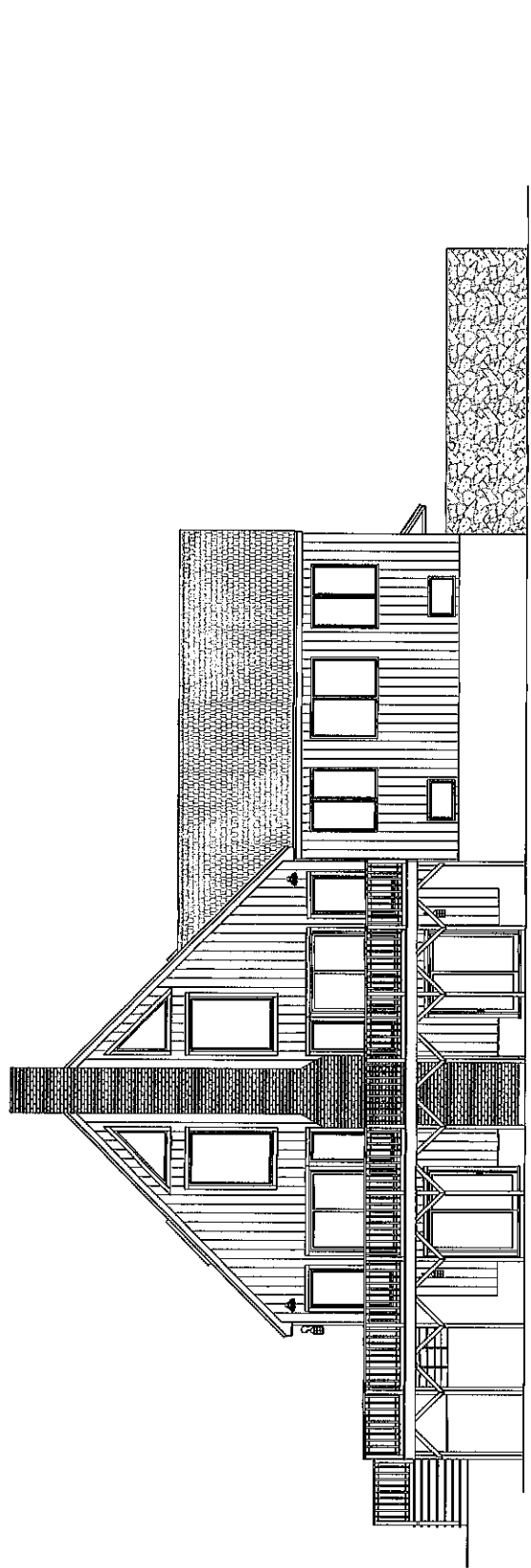
NEWMARKET PLANS, L.L.C.
 HOME DESIGN SERVICE
 NEWMARKETPLANSLLC.COM
 WWW.NEWMARKETPLANSLLC.COM
 603-659-0985

DATE	DESCRIPTION
1/13/11	DRAFT PLAN
1/22/16	REVISED PLAN
1/30/16	PLAN FOR ZONING APPROVAL

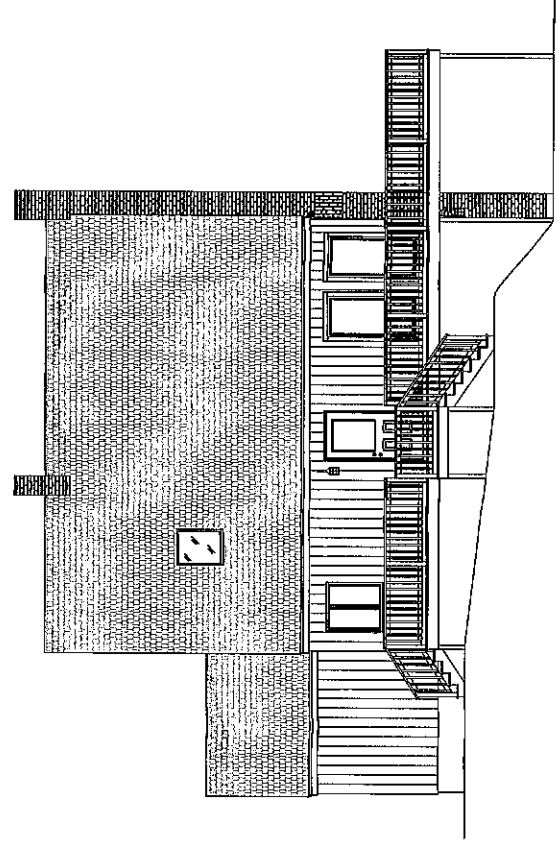
SCOTT & BARB KRUEGE
 352 HEMLOCK LANE
 BARRINGTON, NH 03825

SHEET NUMBER
A2

PLAN NUMBER
931



SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"



WEST ELEVATION
 SCALE: 1/4" = 1'-0"

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ELEVATION GRADES AND FOUNDATION DROPS SHOWN
 ARE CONCEPTUAL. FOUNDATION DROPS AND GRADE
 WILL BE DETERMINED ON SITE BY CONTRACTOR

MEMBER
AI
BD
 ARCHITECTS &
 BUILDING DESIGN

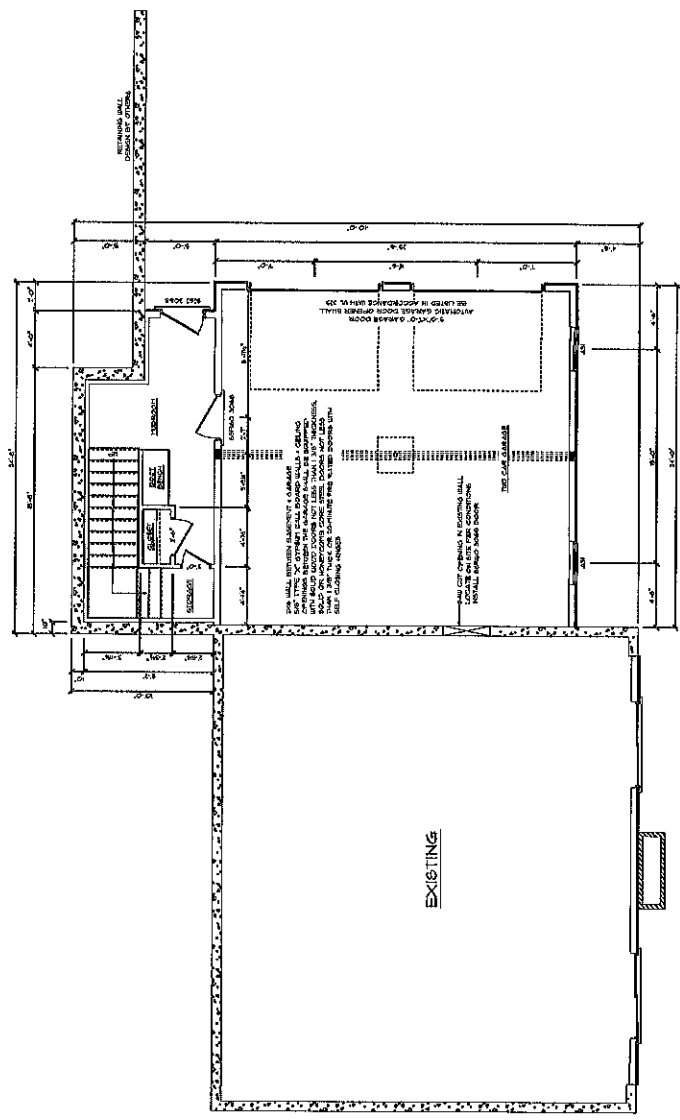
NEWMARKET PLANS, LLC
 HOME DESIGN SERVICE
 WWW.NEWMARKETPLANS.COM
 603-659-0985

DATE	DESCRIPTION
12/18/17	DRAFT PLAN
1/22/18	REVISED PLAN
1/30/18	PLAN FOR ZONING APPROVAL

9001 + BARB KREGE
 382 HEMLOCK LANE
 BARRINGTON, NH 03825

SHEET NUMBER
A3

PLAN NUMBER
931



WALK-OUT BASEMENT/
 DRIVE UNDER GARAGE PLAN
 SCALE: 1/4" = 1'-0"

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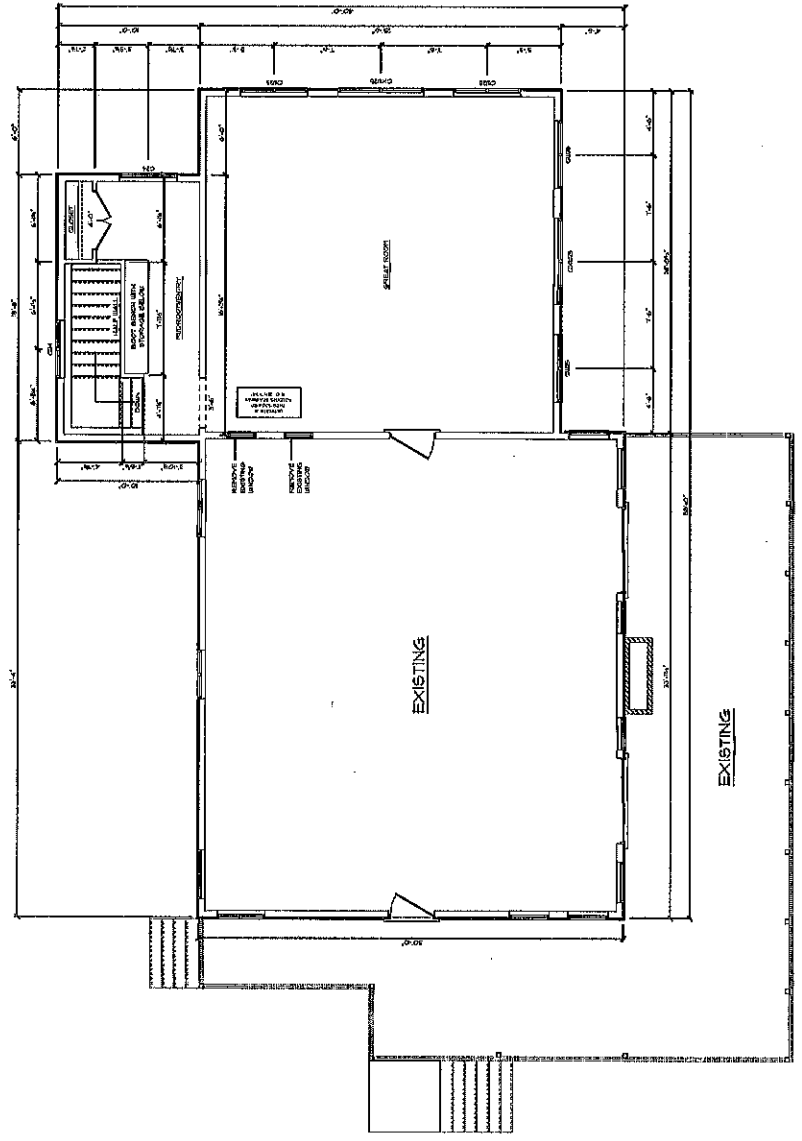
MEMBER
A I
B D
 ASSOCIATES
 BILLYANN DESIGN

NEUMARKET PLANS, LLC
 HOME DESIGN SERVICE
 WWW.NEUMARKETPLANS.LLC.COM
 603-659-0985

DATE	DESCRIPTION
1/30/18	PLANS FOR ZONING APPROVAL
1/27/18	REVISED PLAN
1/24/17	DRAFT PLAN

SCOTT & BARB KREGE
 352 HEMLOCK LANE
 BARRINGTON, NH 03025

SHEET NUMBER	A4
PLAN NUMBER	931



LEVEL ONE PLAN
 SCALE: 1/4" = 1'-0"

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