



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 9/25/2018 Case No. 223-24+26-RC-18-ZBA Variance
 Owner Rina Myhre, Carol H. LeDoux and Paul C. Helfgott

Mailing Address 4216 Alta Vista Oceanside, CA 92057 Phone Applicant – Joseph Falzone 617-510-6565 Email jfalzone@weininvestinland.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	Req'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 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) <small>if property owner did not sign the application form</small>) |

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- 7. Project Narrative
- 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 Irvine
Staff Signature

9/25/2018
Date

Land Use Department
Town of Barrington; 333 Calef Highway; Barrington, NH 03826

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Case No. 223-24+26-RC-18-ZBA Variance

Project Name Rt-125

Location Address-RT-125
Map #223 and Lots #0024 and 0026

Zoning District (Include Overlay District if Applicable) – Reginal Commercial

Property Details:

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

Use: Residential Subdivision

Number of Buildings: Between 70 and 80 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 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:

Requesting a Variance from Article #19 – Table #1 to allow a conservation subdivision

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

The 212+/- acres are in the Reginal Commercial district that allows commercial uses from 500' of the centerline of Rt-125. The land owner has the lawful right beyond the 500' to develop the remaining 185+/- acres under General Residential (GR) which Cluster subdivisions are allow in GR. By oversite it was omitted to allow a Conservation Subdivision in the RC beyond the 500'. A Conservation Subdivision allows no more lots than a GR subdivision but provides 50% of the land for open space with much larger buffers to abutting property owners affording better protection to wetlands and site features, also resulting in considerably less road for the town to maintain. It was my understanding this oversight was to be resolved with other zoning changes in 2017 but the town did not get to correcting it.

Barrington Zoning Ordinance Requirements:

The Barrington Zoning Ordinance by oversite does not allow Conservation Subdivisions in the RC district but they do allow GR beyond the 500'.

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Request: *(You may type and attach a separate sheet of paper)* The applicant request a Variance from the restriction for a conservation cluster subdivisions in the RC zone.

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 wetland features. Residential use is allowed and a cluster configuration results in 50% of the parcel to be protected as open space. This results for much larger buffers to abutting properties.

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's a reasonable and judicious use of 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.

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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.

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Signature of Applicant

Date

Signature of Owner

Date

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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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.

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Signature of Applicant

9/25/2018
Date

Signature of Owner

Date

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200 foot Abutters List Report

Barrington, NH
September 25, 2018

\$161. = 7 X 23 Abutters
75.00
150.00

Subject Property:

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)
4216 ALTA VISTA CT
OCEANSIDE, CA 92057

386. ✓

Abutters:

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

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

Parcel Number: 223-0001
CAMA Number: 223-0001
Property Address: CALEF HWY

Mailing Address: WRIGHT BARTON LOREN & DARRYL
38 CALIFORNIA ST #3
WATERTOWN, MA 02472 ✓

Parcel Number: 223-0002
CAMA Number: 223-0002
Property Address: 264 CALEF HWY

Mailing Address: SBA TOWERS III LLC
8051 CONGRESS AVE
BOCA RATON, FL 33487 ✓

Parcel Number: 223-0003
CAMA Number: 223-0003
Property Address: 262 CALEF HWY

Mailing Address: SMITH ANTHONY
262 CALEF HWY
BARRINGTON, NH 03825 ✓

Parcel Number: 223-0006
CAMA Number: 223-0006
Property Address: 248 CALEF HWY

Mailing Address: 248 CALEF HIGHWAY LLC
679 FIRST NH TPK
NORTHWOOD, NH 03261 ✓

Parcel Number: 223-0007
CAMA Number: 223-0007
Property Address: 246 CALEF HWY

Mailing Address: 246 REAL ESTATE HOLDINGS LLC
24 SERENITY WAY
BARRINGTON, NH 03825 ✓

Parcel Number: 223-0008
CAMA Number: 223-0008
Property Address: 232 CALEF HWY

Mailing Address: ATLANTIC TRADE PARK LLC
PO BOX 451
NEW CASTLE, NH 03854 ✓

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: 223-0022
CAMA Number: 223-0022
Property Address: CALEF HWY

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 DEN QUARRY RD
LYNN, MA 01904 ✓



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200 foot Abutters List Report

Barrington, NH
September 25, 2018

Parcel Number: 223-0024 CAMA Number: 223-0024 Property Address: CALEF HWY	Mailing Address: MYHRE RINA, HELFGOTT PAUL C LEDoux CAROL H (1/3 EA) 4216 ALTA VISTA CT OCEANSIDE, CA 92057
Parcel Number: 223-0025 CAMA Number: 223-0025 Property Address: ORCHARD HILL RD	Mailing Address: LAFRANCE RAYMOND 1030 LUCAS WAY PALMER, AK 99645
Parcel Number: 223-0028 CAMA Number: 223-0028 Property Address: BARR TO GONIC	Mailing Address: BOSTON & MAINE RR GUILFORD TRANSPORT IND HIGH ST IRON HORSE PK NORTH BILLERICA, MA 01862
Parcel Number: 223-0029 CAMA Number: 223-0029 Property Address: CALEF HWY	Mailing Address: CHESTNUT WOODS LLC 7B EMERY LN STRATHAM, NH 03885
Parcel Number: 235-0019 CAMA Number: 235-0019 Property Address: 47 DEER RIDGE DR	Mailing Address: PHOFOLOS BASIL & DONNA 47 DEER RIDGE DR BARRINGTON, NH 03825
Parcel Number: 235-0020 CAMA Number: 235-0020 Property Address: 53 DEER RIDGE DR	Mailing Address: COCHRAN CALLUM 53 DEER RIDGE DR BARRINGTON, NH 03825
Parcel Number: 235-0021 CAMA Number: 235-0021 Property Address: 63 DEER RIDGE DR	Mailing Address: SARTORIUS DAVID J & KATHLEEN M 63 DEER RIDGE DR BARRINGTON, NH 03825
Parcel Number: 235-0022 CAMA Number: 235-0022 Property Address: 67 DEER RIDGE DR	Mailing Address: LACHAPELLE KIP & KAREN 67 DEER RIDGE DR BARRINGTON, NH 03825
Parcel Number: 235-0023 CAMA Number: 235-0023 Property Address: 81 DEER RIDGE DR	Mailing Address: BISSON DAVID DOTY MARY 81 DEER RIDGE DR BARRINGTON, NH 03825
Parcel Number: 235-0024 CAMA Number: 235-0024 Property Address: 95 DEER RIDGE DR	Mailing Address: JAMES TIMOTHY & SAMANTHA 95 DEER RIDGE DR BARRINGTON, NH 03825
Parcel Number: 235-0025 CAMA Number: 235-0025 Property Address: 103 DEER RIDGE DR	Mailing Address: JAGIELSKI JIM & SUSANNE 103 DEER RIDGE DR BARRINGTON, NH 03825
Parcel Number: 235-0026 CAMA Number: 235-0026 Property Address: 111 DEER RIDGE DR	Mailing Address: WEHRMAN TYSON ROBERTS ALLISON 111 DEER RIDGE DR BARRINGTON, NH 03825



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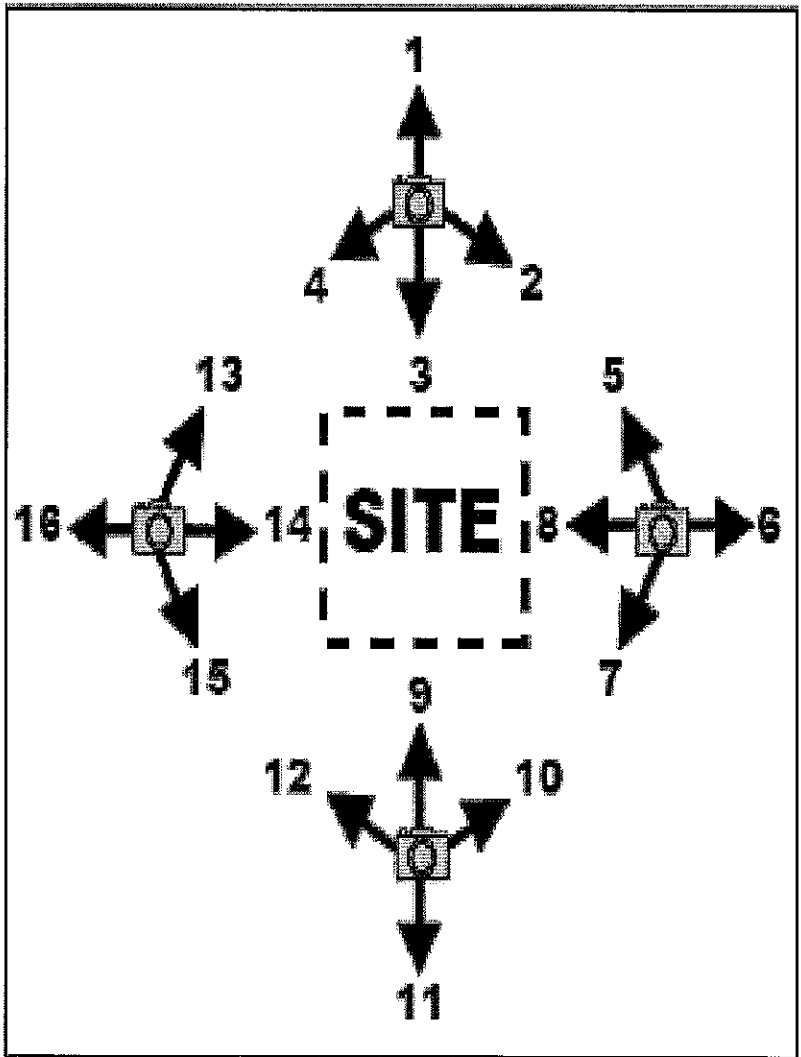


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9/25/2018

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OWNER INFORMATION

CROFT STEPHEN C

311 CALEF HWY UNIT A

BARRINGTON, NH 03825

SALES HISTORY

Date	Book	Page	Type	Price	Grantor
12/01/2016	4438	94	Q1	188,266	DEL POZO ANDRES M
10/17/2013	4173	735	U138		DEDOMINICIS YOLANDA
08/05/2003	2820	0047	Q1	200,500	WCV, INC

LISTING HISTORY

08/03/16 CW/CM
 06/18/14 MW/R
 01/03/12 RERM
 01/04/07 KCRM
 02/27/04 SMRL

NOTES

OLD MAP/LOT 012-0096-0003-0001 PVT WTR/SPTC 2007-ADD WDK @BACK OF CONDO LND-1/2 INT IN PRPTY & 1/2 INT IN LND TTL ACR 5.18 (FKA 438 RT 125) 2013-CHG LND COND FOR CONDX CHG QUAL GRADE FOR CNSTNCY ADJ DCK MEAS 2013-INVVALSALFAM 8/16-HSE UNNOC FOR SALE COLDWELL BANKER OVERALL EXT AVG FOR AGE ADD PAVING 2016-VALSAL

EXTRA FEATURES VALUATION

Feature Type	Units	Length	Width	Size	Adj	Rate	Cond	Market Value	Notes
PAVING 500	1				100	500.00	100	500	500

MUNICIPAL SOFTWARE BY AVIAR

BARRINGTON ASSESSING OFFICE

PARCEL TOTAL TAXABLE VALUE

Year	Building	Features	Land
2016	\$ 134,500	\$ 500	\$ 33,100
	Parcel Total: \$ 168,100		
2017	\$ 149,200	\$ 500	\$ 33,100
	Parcel Total: \$ 182,800		
2018	\$ 149,200	\$ 500	\$ 33,100
	Parcel Total: \$ 182,800		

LAND VALUATION

Land Type	Units	Base Rate	NC	Adj	Site	Road	DW/way	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
IF RES	2,000	65,000	1	100	100	100	100		50	32,500	0	N	32,500	ROW
IF RES	0,590	x 2,000	X	100					50	600	0	N	600	
	2,590									33,100			33,100	

Zone: RURAL RTE 125 Minimum Acreage: 2.00 Minimum Frontage: 200 Site: Driveway: PAVED Road: PAVED

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OWNER INFORMATION

HUNTRESS JOEL L
LATHROP ZOE P
311 CALEF HWY UNIT 1
BARRINGTON, NH 03825

SALES HISTORY

Date	Book	Page	Type	Price	Grantor
05/23/2017	4477	819	Q 1	188,933	PARKINSON CLIFFORD &
07/02/2003	2790	0628	Q 1	204,700	WCV INC

LISTING HISTORY

03/22/18 CWPR
08/10/16 CWCL
08/03/16 CWCM
06/18/14 MWRR
01/03/12 BERM
01/04/07 KCRM
02/27/04 SMRL

NOTES

OLD MAP/LOT 012-0096-0003-0002 PVT WTR/SPTC 2007-ADD WDK @BACK OF CONDO LND-1/2 INT IN PRPTY & 1/2 INT IN LND TTL ACR 5.18 (FKA 440 RT 125) 2012 ADJ FLR CVR, ADD AC, ADJ DCK MEAS 2013-CHG LAND COND FOR CONDEX CHG QUAL GRADE FOR CONSISTANCY 8/2016-OVERALL, AVG FOR AGE ADDED PAVING, NO INT UPDATES KIT SOLID CTPS/REG CABS BTH SAME ADJ SKETCH 2017-VALSAL; 3/18- EST BMG HEATED NV CHING NAH LEFT CARD

MUNICIPAL SOFTWARE BY AVIAR

BARRINGTON ASSESSING OFFICE

PARCEL TOTAL TAXABLE VALUE

Year	Building	Features	Land
2016	\$ 138,600	\$ 500	\$ 33,100
	Parcel Total: \$ 172,200		
2017	\$ 153,700	\$ 500	\$ 33,100
	Parcel Total: \$ 187,300		
2018	\$ 153,700	\$ 500	\$ 33,100
	Parcel Total: \$ 187,300		

EXTRA FEATURES VALUATION

Feature Type	Units	Length x Width	Size Adj	Rate	Cond	Market Value	Notes
PAVING 500	1		100	500.00	100	500	

LAND VALUATION

Zone: RURAL RTE 125 Minimum Acreage: 2.00 Minimum Frontage: 200 Site: Driveway: PAVED Road: PAVED

Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
IF RES	2,000	65,000	1	100	100	100	100	50	50	32,500	0	N	32,500	ROW
IF RES	0,590	x 2,000	X	100				50	50	600	0	N	600	
	2.590 ac													
	33,100													

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03/20/2018 14:40 700 433 1001 FEDERAL OFFICE 2004 PAGE 01

LETTER OF AUTHORIZATION

I, Rina Myhre, Carol H. LeDoux and Paul C. Helfgott owners of property located at Rt-125 in Barrington, NH, consisting of 212+/- acres ±, do hereby authorize Beal's Associates, PLLC, 70 Portsmouth Avenue, Stratham, NH, and Joseph Falzone of Office Account LLC. of Stratham, NH to act on my behalf in all matters to be discussed at the Planning Board hearings and any other Land Use Board approval hearings, or State/Federal Permitting Agencies concerning the property previously mentioned.

I hereby appoint Beal's Associates, PLLC and Joseph Falzone to act on my behalf in the permitting process.

Rina Myhre

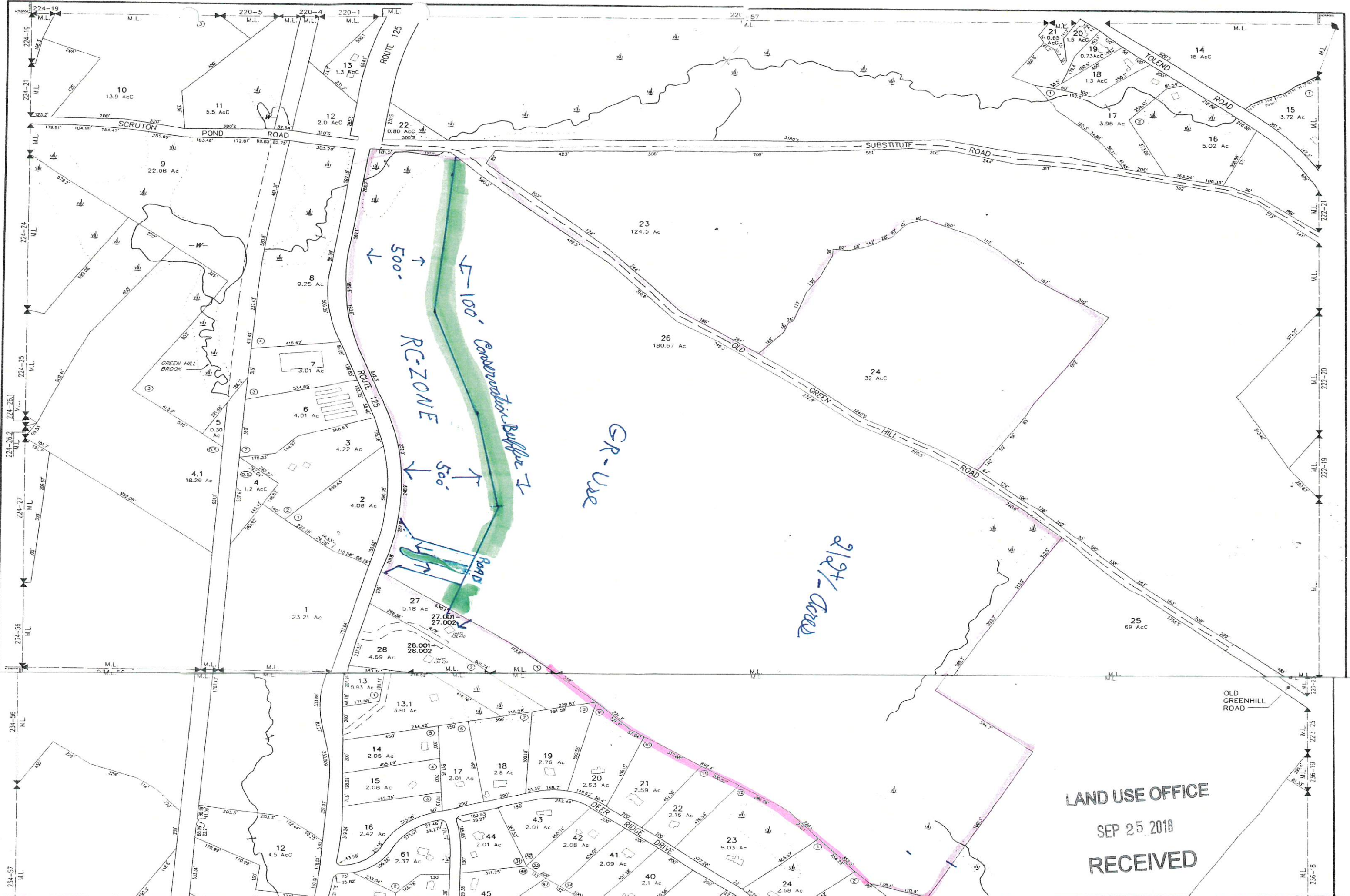
09/25/2018

Carol H LeDoux

09/25/2018

Witness

Date



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