

DEC 23 2019



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# 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 12-23-19 Case No. 116-7-NR-20-Appeal/ZBA  
Owner Daryn Gladstone Mailing Address 21 Westwood Circle, Dover, NH 03820  
Phone 603-834-0518 Email darynglad@yahoo.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 checked="" 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"/><br>\$ 75.00 Legal Notice <input type="checkbox"/><br>\$ 7.00 per US Post Office Certified Letter <input type="checkbox"/> |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 5. Completed Project Application Form<br><input type="checkbox"/> Variance <input type="checkbox"/> Special Exception <input checked="" 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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 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 Arwing  
Staff Signature

received by  
J. Hucksins Date 12/23/2019

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

PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 116-7-NR-20-Appeal ZBA

Project Name Renovate structure

Location Address 2 Harper Island

Map and Lot 116/7 (access from 116/10)

Zoning District (Include Overlay District if Applicable) General Residential

Property Details:

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

Use: \_\_\_\_\_

Number of Buildings: 1 Height: 12'

Setbacks: Front \_\_\_\_\_ Back \_\_\_\_\_ Side \_\_\_\_\_ Side \_\_\_\_\_

existing ↗

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:

\_\_\_\_\_

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

looking for Building Permit to renovate existing structure

Island Property does not have road frontage on a class S(V) Road

Portion of property fronts on young rd.

Barrington Zoning Ordinance Requirements:

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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.

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

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

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

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

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*See attached from legal for questions to answer*

**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.

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

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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.

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

12-23-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Owner

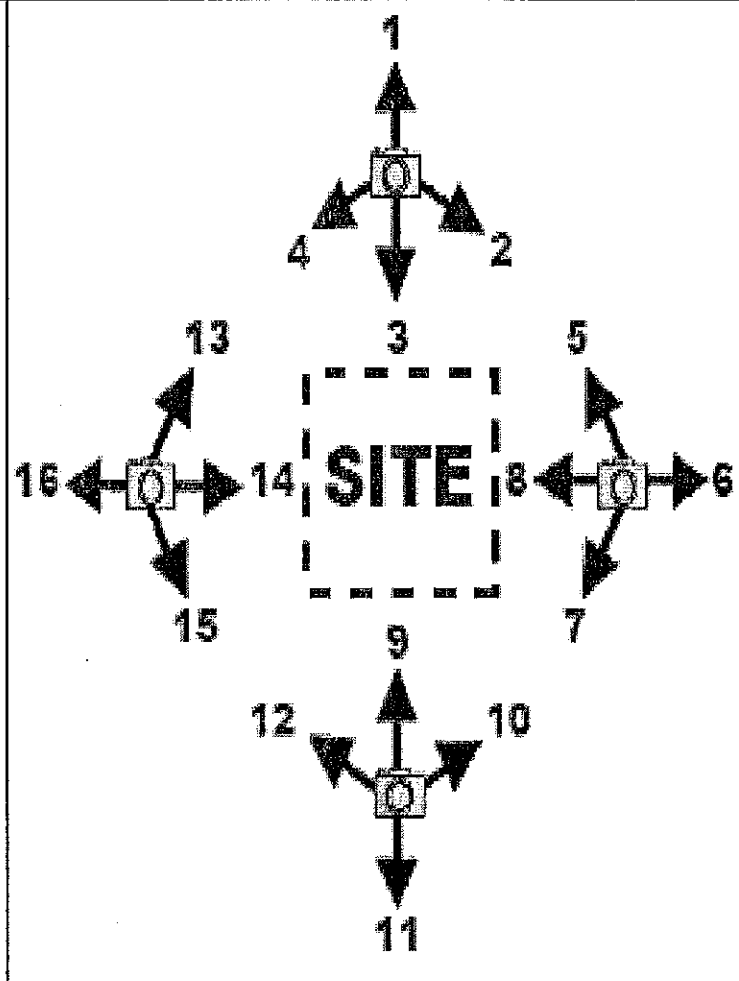
12-23-19  
\_\_\_\_\_  
Date

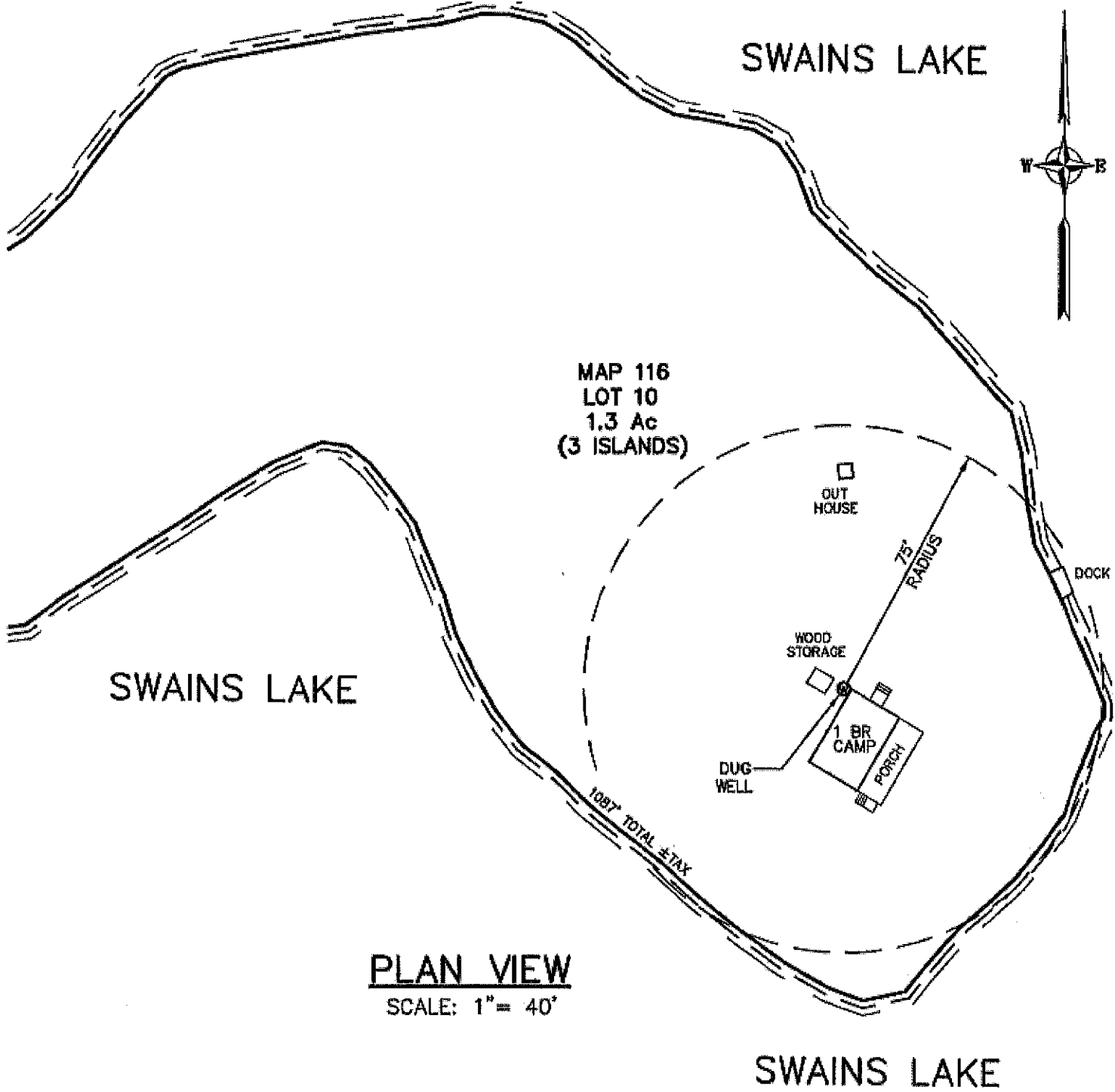
## SITE / CONTEXT PHOTOS

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.





**PLAN VIEW**  
SCALE: 1" = 40'

REVISIONS:  
1.  
\_\_\_\_\_  
DATE: 8/05/19 FILE 1969

**SITE ASSESSMENT PLAN**  
**HARPER ISLAND—YOUNG ROAD**  
**MAP 116 LOT 10**  
**BARRINGTON, NH**

for **SARA E HARPER**  
**19 WALKER ROAD**  
**MANCHESTER, NH 01944**

**GROOVER SEPTIC DESIGN**

MICHAEL A. GROOVER  
455 HALL ROAD  
BARRINGTON, N.H. 03825

VOICE: (603) 878-1141  
CELL: (603) 878-1141  
E-MAIL: groove@metrocast.net

**GENERAL NOTES:**

1. PROPERTY LINES SHOWN ARE APPROXIMATE AND DO NOT REPRESENT A PROPERTY SURVEY. LINES ARE TAKEN FROM TAX MAP, & ON SITE OCCUPATION.
2. 1 BEDROOM FRAME CAMP WITH COVERED PORCH, DOCK, AND A DUG WELL.
3. NO STATE APPROVED SEPTIC PLANS FOUND.
4. LOT HAS TOTAL 1.3 AC. WITH 5% SLOPE AVERAGE TO LAKE.
5. BUILDING AND UTILITIES VERIFIED BY GROOVER SEPTIC DESIGN 8/08/19.
7. SCR D DEED 2757/0466 DATED 5/23/03.
8. SOILS BY SSSC SHEET 45 SHOWS THE LOT TO BE GID GLOUCESTER VERY STONY FINE SANDY LOAM 8-25% SLOPES.
9. ANY CONSTRUCTION WITHIN 250' OF THE LAKEFRONT REQUIRES SHORELINE PERMITS FROM BOTH STATE AND TOWN OF BARRINGTON.

### **Building on Class VI and Unapproved Private Roads**

RSA 674:41, II authorizes appeals of administrative decisions relative to permits to build on class VI roads or other unapproved private roads.

If a permit to build on a class VI road is denied, an appeal of this administrative decision can be taken to the board of adjustment. In considering this type of appeal, the ZBA has the authority to grant the permit subject to any reasonable conditions. The statute lists standards that must be met before the permit may be granted. To allow the building, the board must find all of the following:

1. That the enforcement of RSA 674:41's minimum frontage requirements would "entail practical difficulty or unnecessary hardship"; and
2. That the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets; and
3. That the erection of the building will not tend to distort the official map or increase the difficulty of carrying out the master plan; and
4. That erection of the building will not cause hardship to future purchasers or undue financial impact on the municipality.

### **Historic District Commission Appeals**

RSA 677:17 empowers the board of adjustment, in municipalities that have enacted a zoning ordinance, to hear appeals from decisions of the historic district commission and provisions of the district regulations. Applicable provisions of RSA 677:1-14 govern where there is no zoning ordinance.

**"The ZBA's greatest fact-finding challenge comes when it hears an appeal to a decision of the historic district commission. Under RSA 677:17, all appeals of HDC decisions are heard by the ZBA as administrative appeals. Unlike other administrative appeals, though, when hearing an appeal to an HDC decision, the ZBA is considering the historic district ordinance, not the zoning ordinance, and this is conducted as a de novo review. In essence, it is as if the HDC did not make a decision, and the ZBA is compelled to hear the entire case from its beginning to its end." NHMA Municipal Law Lecture #3, Fall 1999, "Getting the Facts Straight," Benjamin Frost, Esq. and Clayton Mitchell, Esq.**

### **Appeals of Decisions of the Governing Body Relating to the Restoration of Involuntarily Merged Lots**

RSA 674:39-aa, II empowers the board of adjustment to hear appeals of decision of the governing body relating to the restoration of involuntarily merged lots. These appeals should be handled in the same fashion as would any appeal of an administrative decision under RSA 676:5.

### **Waivers for Agricultural Uses of Land**

Under the provisions of RSA 674:32-c, II, an applicant can seek a waiver from the zoning board of adjustment, building code board of appeals (if the municipality has one), or "other applicable land use board" – which would include the planning board – if the applicant can show that compliance with the requirements effectively prohibit an agricultural use allowed under this subdivision of Chapter 674, or that the requirements are otherwise unreasonable in the context of the agricultural use.



