



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 May 26, 2020

Case No. 125-5-GR-20-2BA

Owner R. Daniel & Nancy K. Bergeron Mailing Address 389 McDaniel Shore Drive, Barrington, NH 03825

Phone 603-942-7035 Email rdb@metrocast.net

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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- 1. Zoning Board of Adjustment Application Checklist (*this form*)
- 2. ZBA General Information (Article(s) and Section(s) of Ordinance)
- 3. Appeal and Decision
- 4. Fees - \$150.00 Application
 \$ 75.00 Legal Notice
 \$ 7.00 per US Post Office Certified Letter
- 5. Completed Project Application Form
 Variance Special Exception Appeal
- 6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)
- 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 Irvine
Staff Signature

5/26/2020
Date

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

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 125-5-6R-20-2BA

Project Name Convert portion of enclosed porch to a bedroom

Location Address 389 McDaniel Shore Drive

Map and Lot 125-5

Zoning District (Include Overlay District if Applicable) McDaniel/Al Wood *General Residential*

Property Details:

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

Use: Residence

Number of Buildings: 2: house and shed House Height: ~19' road side, ~23' lake side

Existing House
Setbacks: Front 31.4' Back 51' Side 70' Side 76'

Description of Request

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

Article 4-Dimensional Requirements, 4.1.1 Minimum Standards

Front setback: New 4' deck on house front will access new house entrance; decreases front setback from 31.4' to about 28'.

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

1. Convert approx. 125 sq. ft. of enclosed unheated porch into a heated bedroom. 2. Remodel adjoining entrance hall, small bedroom and 1/2 bath into new house entrance, full bath, and closet. 3. Extend existing deck structure to access relocated porch entrance and new house entrance. See attached diagrams showing current and proposed deck and room layouts.

Barrington Zoning Ordinance Requirements:

Front setback requirement.

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

The new house entry location requires a raised deck in order to reach the door location that will be 6' above ground level. Because of the angle between the lot line and the house front, the new deck will be somewhat less than 4' closer to the road at its closest point. The current setback is 31.4'; the new setback will be about 28'.

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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 lot is already non-conforming. The major renovation approved in 1995 moved a 32'x32' camp that was about 30' from the water to the center of a double lot, and put it on a 32'x45' foundation. The ZBA at that time agreed that the placement should maximize distance from water at the expense of an increased violation of the front setback and that the huge boulder 25-30' from the front lot line was an appropriate boundary for the front side of the house. The new renovation gives us one-floor living and only works if we can enter the house from the front.

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

The existing setback area in front of the house is mostly in its natural state with multiple large and small trees and other vegetation, none of which will need to be removed to add the deck. Visually, the effect of the decrease in setback will be hard to notice. In addition we will still have nearly 28' of setback, which is more than many of the residences on this road.

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

Our lot is one of very few lakefront lots on the road that is over 1/2 acre and our lot has retained far more land in its natural state than most others, especially those properties near us on the road. The physical and visual changes incurred by this change will in not detract from neighboring properties.

4. Granting of the variance would do substantial justice.

As we age, we want to insure that we can live independently here as long as we can. Having our bedroom and full bath on the same floor as our kitchen, dining and living areas will help us achieve that goal. Similarly, extending the current deck to provide access to the new front door requires only 3 stair steps for us to access the house.

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

Besides the very minimal visual change, we estimate that only about 15 sq ft of the new front deck will be closer than current 31.4' front setback. This is because of the angle between the front edge of the house and the nearest lot boundary.

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.

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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

May 25, 2020

Date



Signature of Owner

May 25, 2020

Date

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Abutters 389 McDaniel Shore Drive

May 26, 2020

R. Daniel and Nancy K. Bergeron
389 McDaniel Shore Dr.
Barrington, NH 03825

Haley-Rizzo Vanessa & Mark TRS R
James Haley
14 Shakespeare Rd
Nashua, NH 03062

Charles & Kathleen Varn
17 Hampton Rd
Exeter, NH 03833

James & Susan Varn
106 Drinkwater Rd.
Kensington, NH 03833

Jan Ball
39 Emerald Ct.
Tewksbury, MA 01876

Raymond A. Bisson
PO Box 458
Barrington, NH 03825

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MCDANIEL SHORE DRIVE

107.3'±
S 66°16' E

95.0'±
N 28°01' E

APPROX. SHED

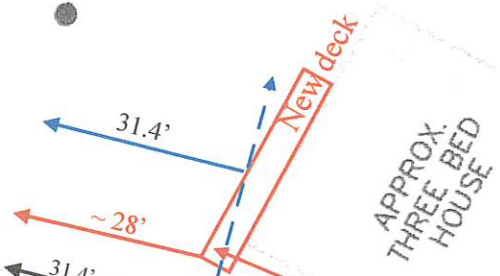
APPROX. WELL

⑥ & ⑦

TAX MAP 125-5
0.5± ACRES

APPROX. D

100.0'± (TIE)
S 15°51' W



This portion of new deck is outside the existing front setback of 31.4'. This is about 15 sq ft.

Current front setback: closest point of house structure to roadside lot boundary

95.0'±
N 14°14' E

APPROX. DRIVE
APPROX. E.D.A.
CA#1995001621

ME
F

MEAN HIGH WATER (APPROX)

103.4'±
N 60°37' W

100.0'± (TIE)
S 29°12' W

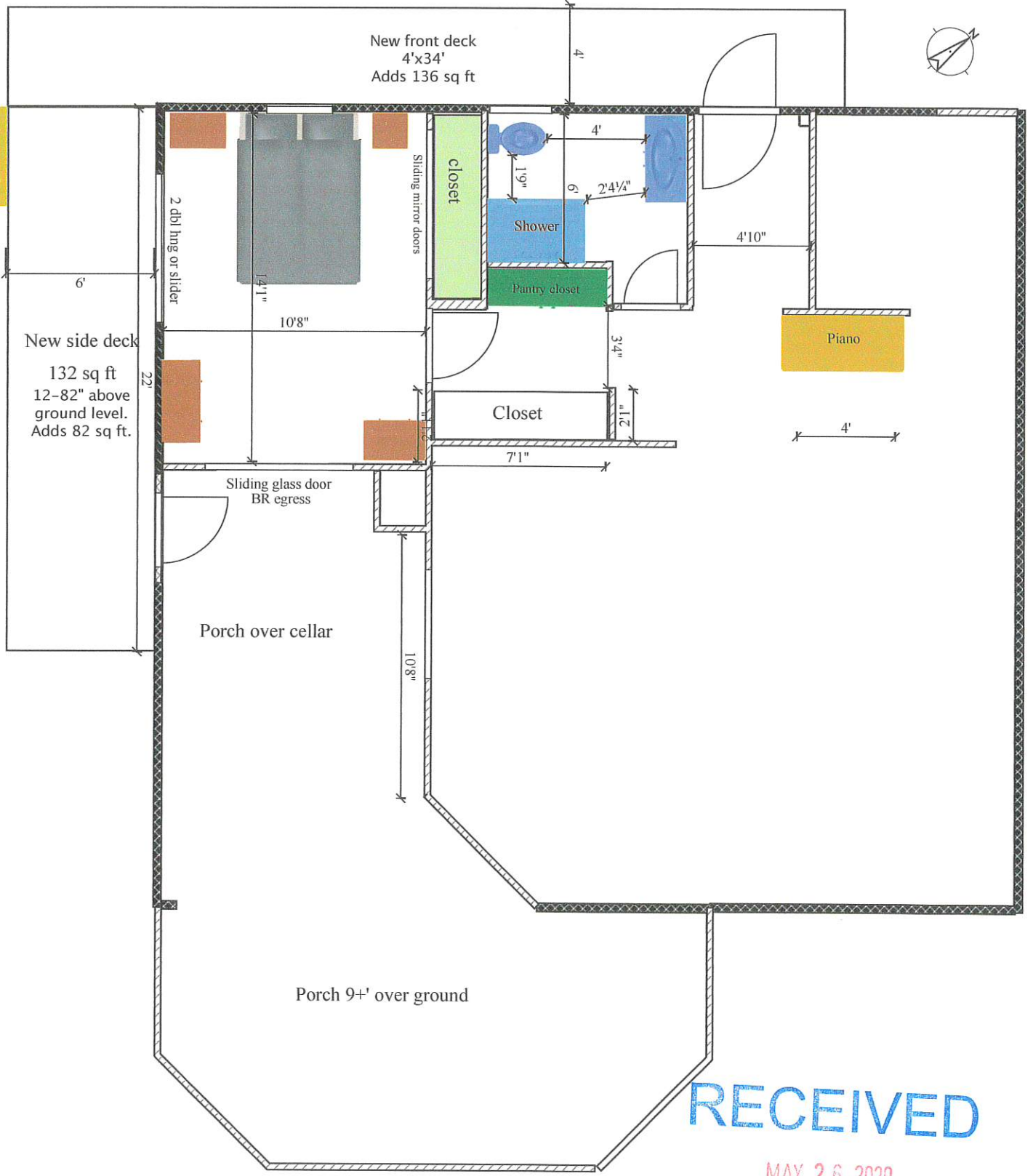
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Scale: 1" = 25'

New stairs
3 steps
12 sq ft
6 sq ft less

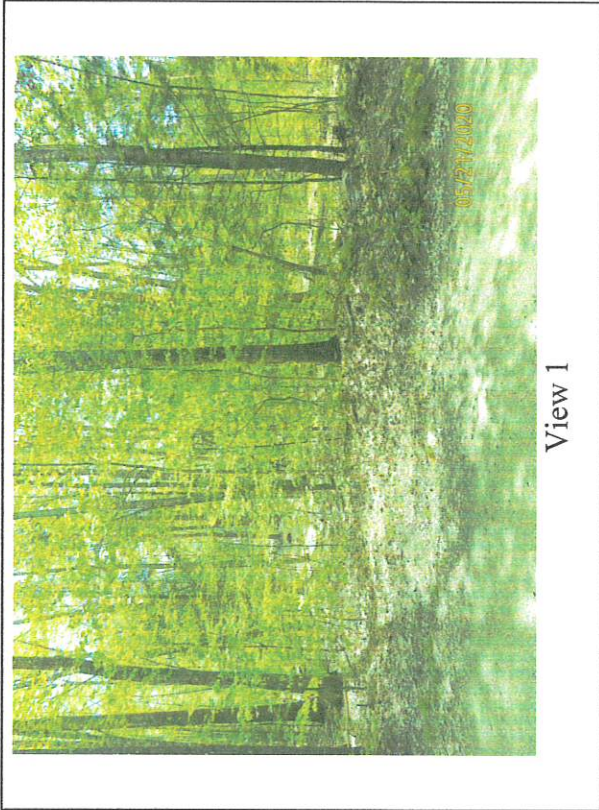


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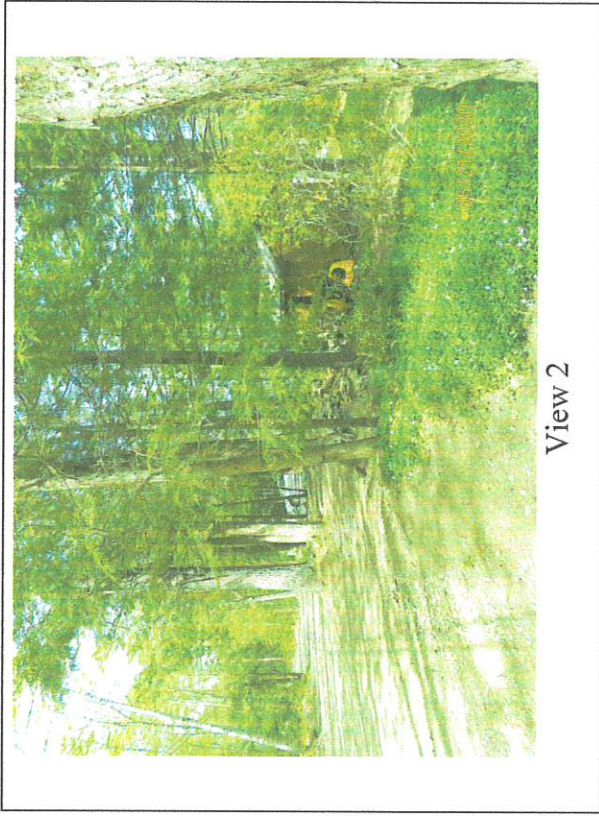
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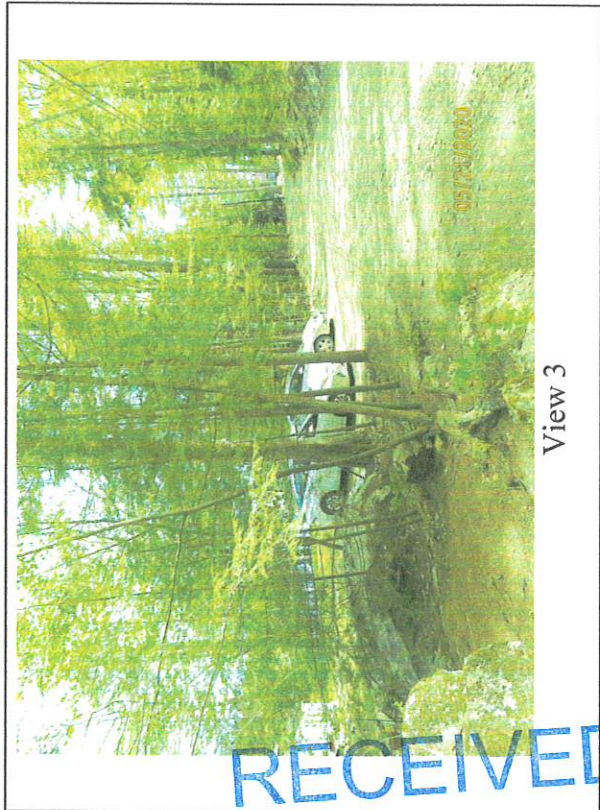
389 McDaniel Shore Drive Photos



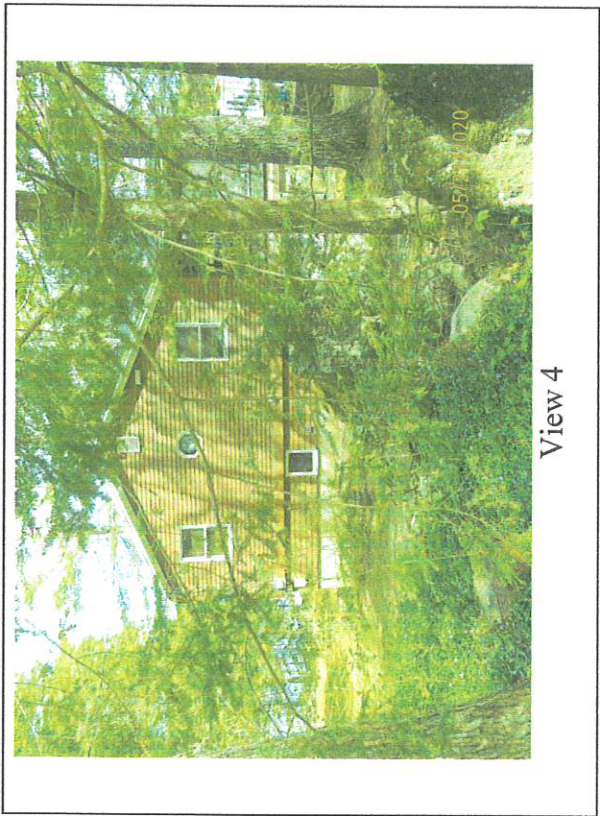
View 1



View 2



View 3

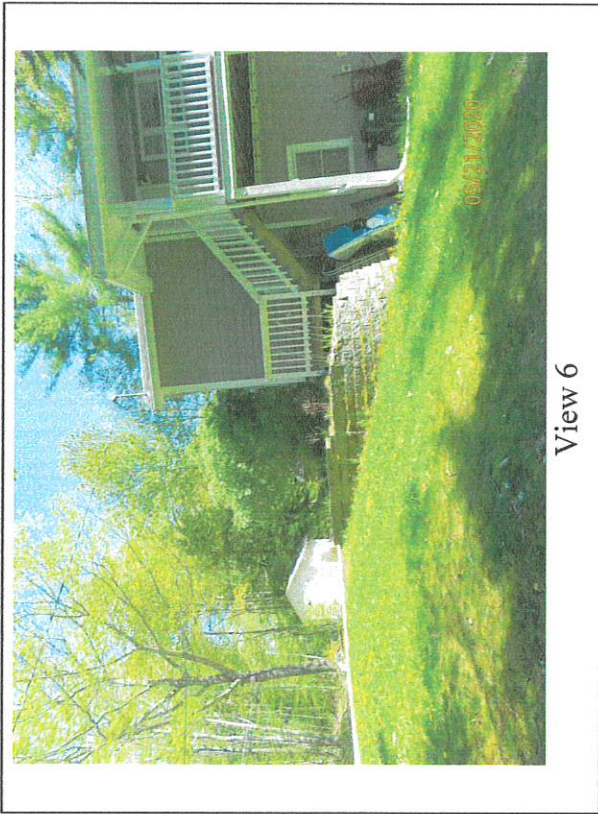


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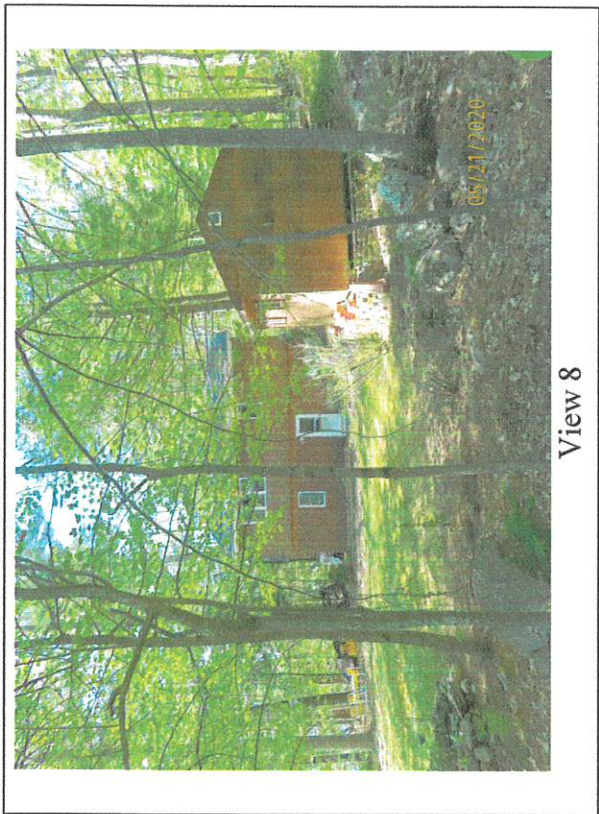
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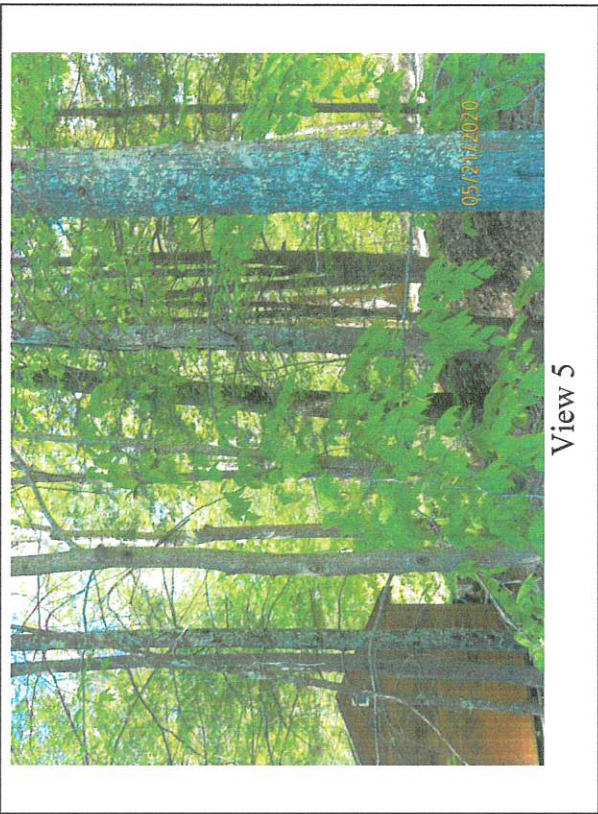
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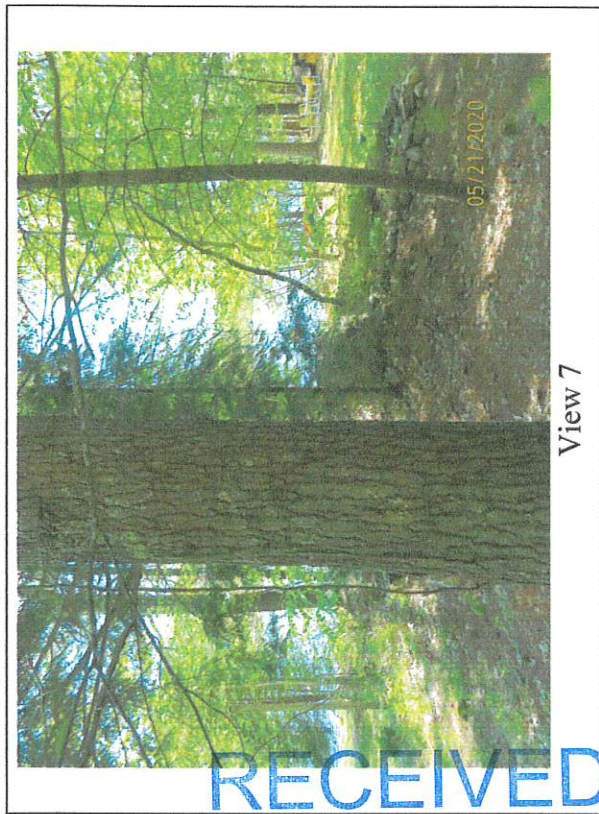
View 6



View 8



View 5

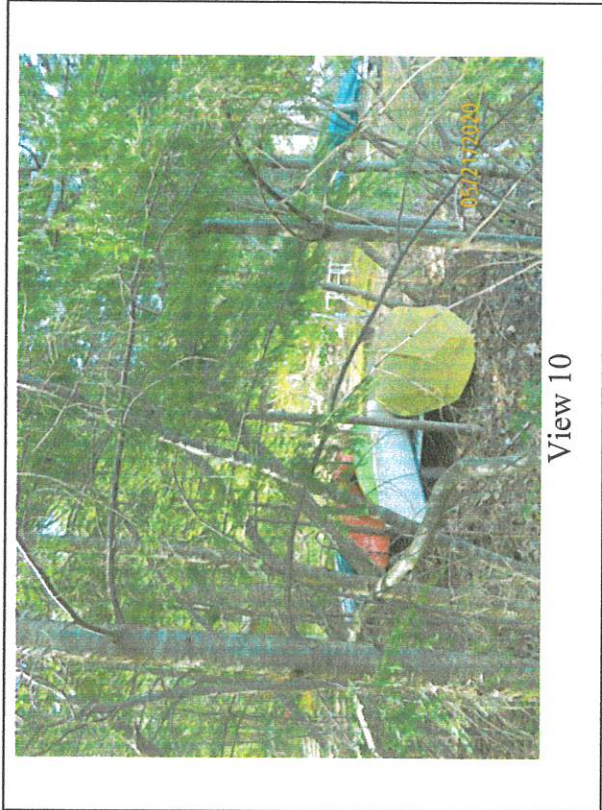


View 7

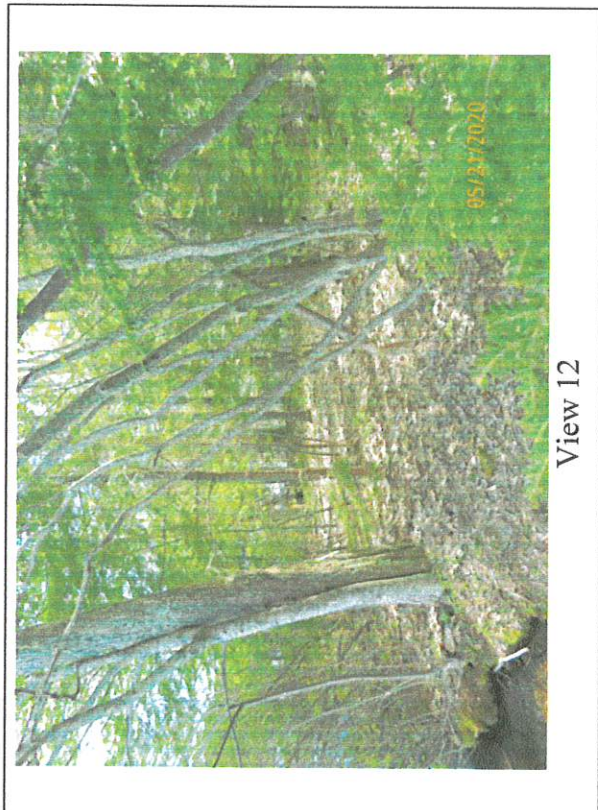
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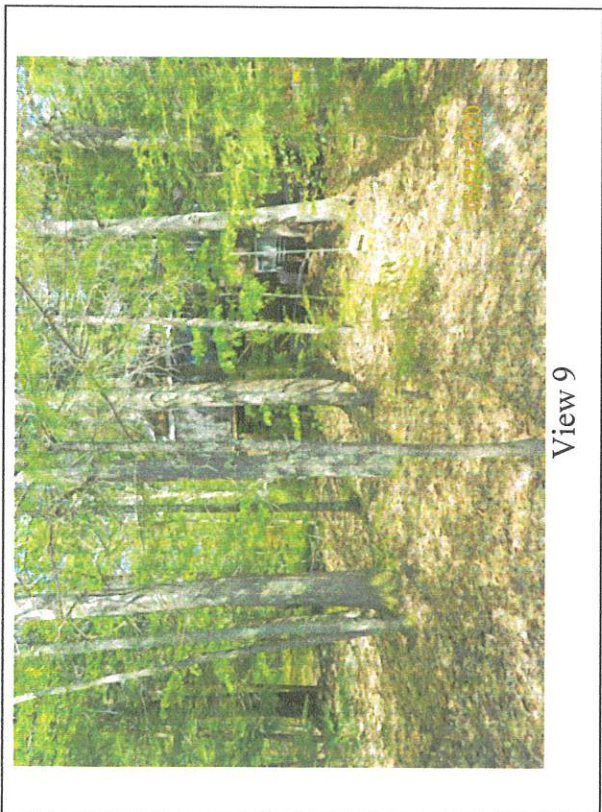
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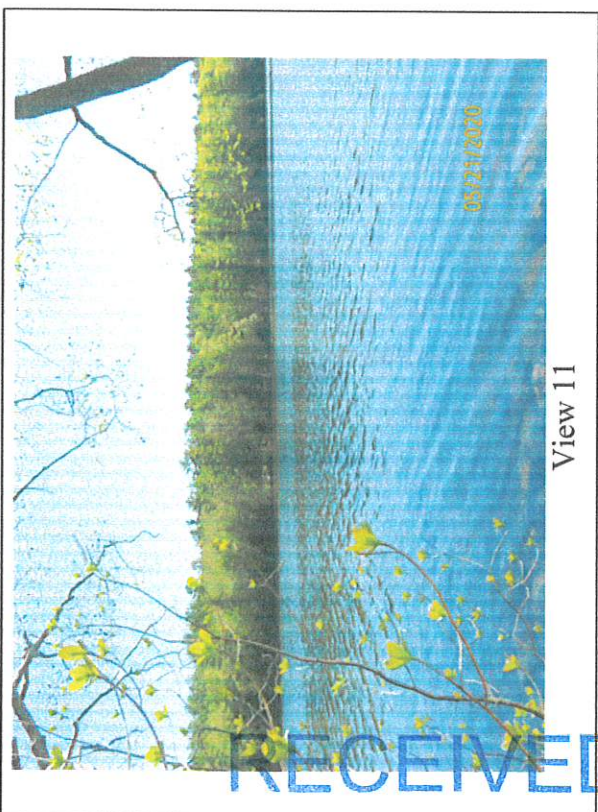
View 10



View 12



View 9

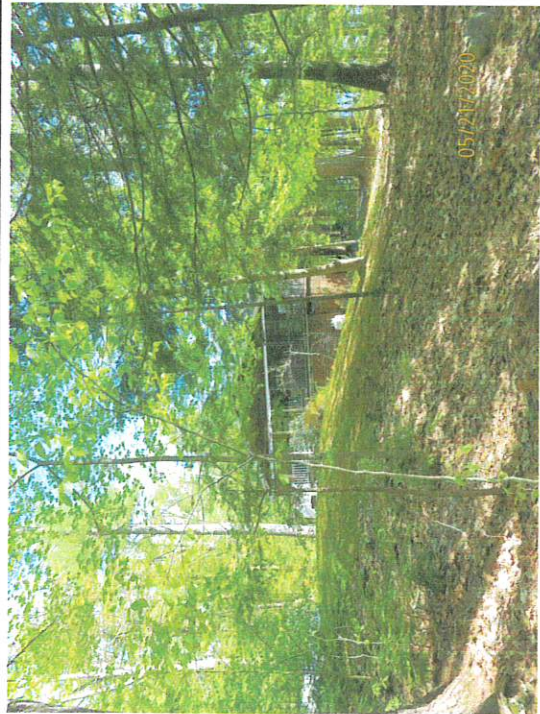


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View 14



View 16



View 13



View 15

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ZONING DATA:

ZONE: GENERAL RESIDENTIAL
 SETBACKS:
 FRONT: 40 Feet
 SIDE: 30 Feet
 REAR: 30 Feet
 COVERAGE CALCULATIONS
 ALLOWED: 40%
 EXISTING: 2,370 Sq. Ft. = 9.5%
 PROPOSED: 2,580 Sq. Ft. = 10.4%

NOTES:

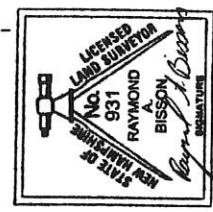
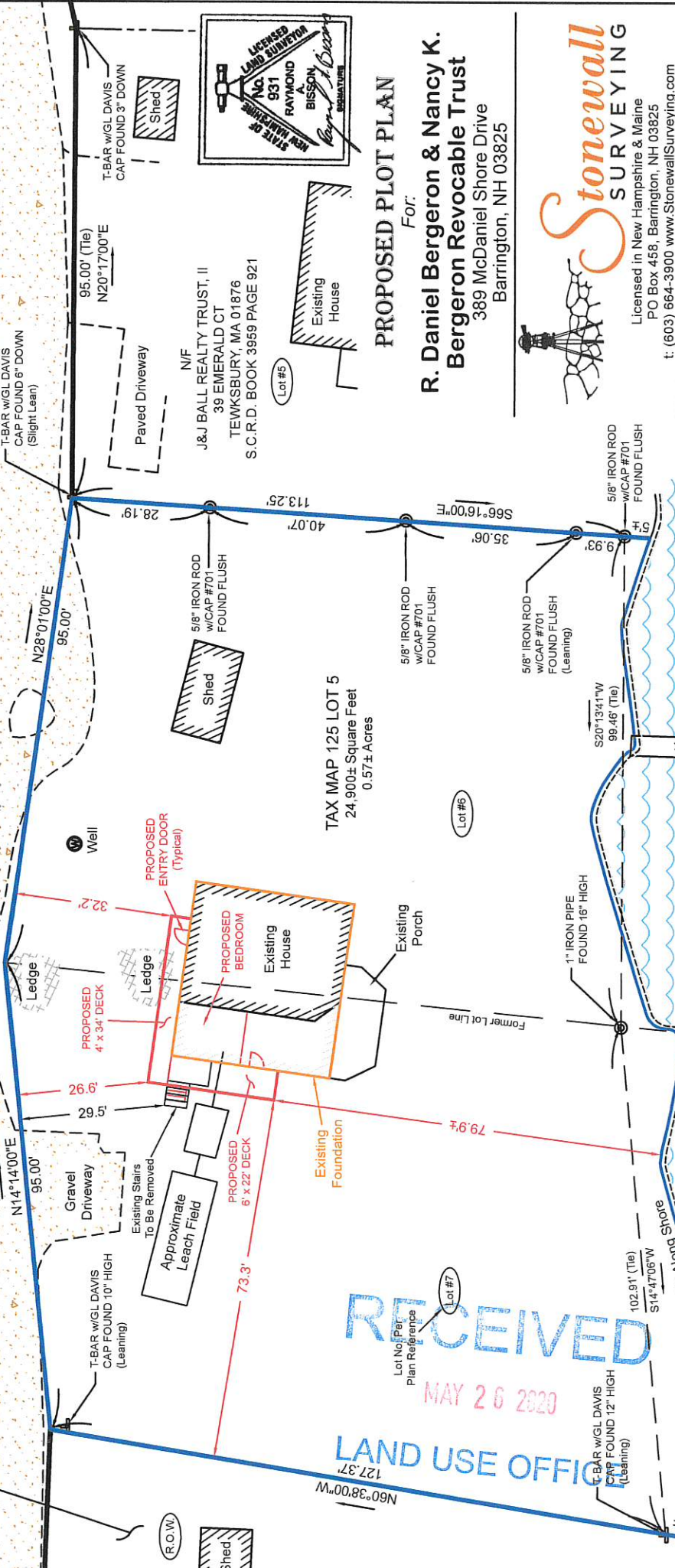
- OWNER OF RECORD:
 R. DANIEL BERGERON & NANCY K.
 BERGERON REVOCABLE TRUST
 S.C.R.D. BOOK 4591 PAGE 375
 DATED AUGUST 9, 2018
- TOTAL PARCEL AREA:
 24,900± Square Feet
 0.57± Acres
- PLAN REFERENCE:
 S.C.R.D. POCKET 5 FOLDER 1
 PLANS 20 & 21

N/F
 RIZZO FAMILY REVOCABLE TRUST OF 2013
 TAX MAP 123 LOT 13
 14 SHAKESPEARE RD
 NASHUA, NH 03062
 S.C.R.D. BOOK 4434 PAGE 924

N/F
 TRUST OF CHARLES E. VARN
 & KATHLEEN P. VARN
 17 HAMPTON ROAD, APT 206
 EXETER, NH 03833
 S.C.R.D. BOOK 4223 PAGE 100



MCDANIEL SHORE DRIVE



PROPOSED PLOT PLAN

For:
R. Daniel Bergeron & Nancy K.
Bergeron Revocable Trust
 389 McDaniel Shore Drive
 Barrington, NH 03825



Licensed in New Hampshire & Maine
 PO Box 458, Barrington, NH 03825
 t: (603) 664-3900 www.StonewallSurveying.com

SCALE: 1" = 20'	Map / Lot 125 / 5	PROJECT NO: 20064	DATE: 6/8/2020
0	20	40	

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