

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 20, 2020 Case No. 118-68-GR-20-ZBA Var
Owner Thomas B Clarke
Mailing Address 6 Ambler Way, Durham, NH 03824
Phone (603) 978-4120 Email tobyclarke@comcast.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'	Rec'	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Zoning Board of Adjustment Application Checklist (<i>this form</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. ZBA General Information (Article(s) and Section(s) of Ordinance)
<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> \$246.00
<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 type="checkbox"/>	6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)
<input 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

118-08-08-40-80-811

- 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 Irving
Staff Signature

3/12/2020
Date

Land Use Department
Town of Barrington; 333 Calef Highway; Barrington, NH 03825
barrplan@metrocast.net Phone: 603.664.5798

PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 118-66-GR-2021BA Var

Project Name Clarke metal Quonset Hut replacement

Location Address 439 Mica Point Road

Map and Lot Map 118, Lot 68

Zoning District (Include Overlay District if Applicable) _____

Property Details:

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

Use: 1 car garage with storage/home office space above

Number of Buildings: 1 Height: 22' (25' if cupola is added)

Setbacks: Front >40' Back 82' Side 16'6" Side 25'7"

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 section 4.1.1 side setback change on 1 side _____

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

Please see attached project summary as submitted to NHDES for Shoreland Permit. _____

Project includes replacing existing metal Quonset hut with 1 bay garage with storage/home office space above. Existing structure has side setbacks of 16.6' and 29.3'. Proposed 16.6' and 25.7' _____

Barrington Zoning Ordinance Requirements:

_____ side setbacks of 30' _____

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

Reduction in one side setback on one side from existing 29.3' to 25.7' _____

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.
Existing conditions are already less than current ordinance. Lot width does allow for positioning another way to eliminate problem.

2. Granting the variance would be consistent with the spirit of the Ordinance.
Project will improve the waterfront protection, utilization and aesthetics of the area.

3. Granting the variance will not result in diminution of surrounding property values.
This and surrounding property values will increase as the result of removal of metal building.

4. Granting of the variance would do substantial justice.
The request for variance is minimal, is approved by the adjacent property owners, and will improve the area both scenically and in value.

5. Granting of the variance would not be contrary to the public interest.
This variance will not materially change the existing conditions.

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.



Signature of Applicant

3/10/20

Date



Signature of Owner

3/10/20

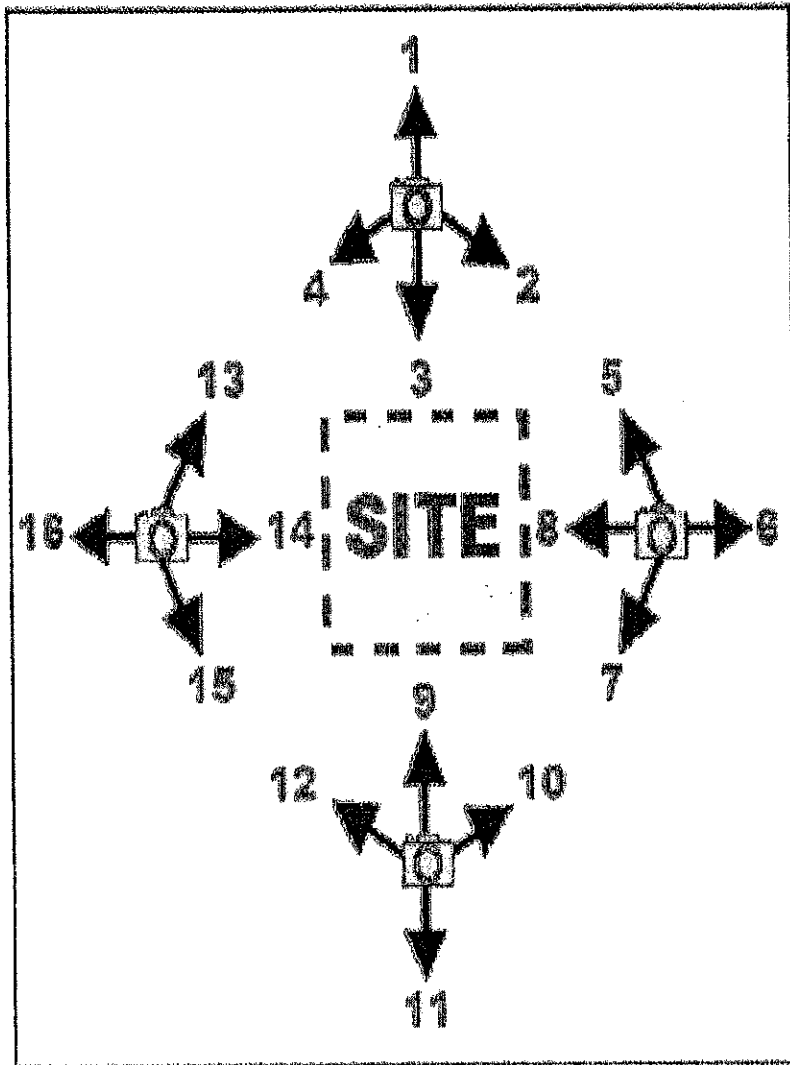
Date

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.



Photos on following 4 pages per above pattern.

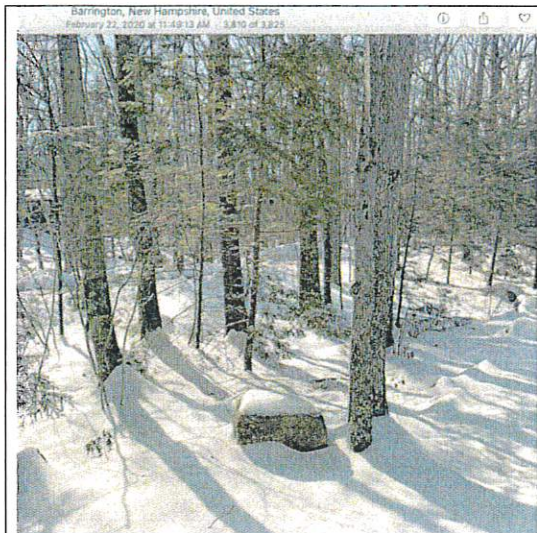


Photo 1

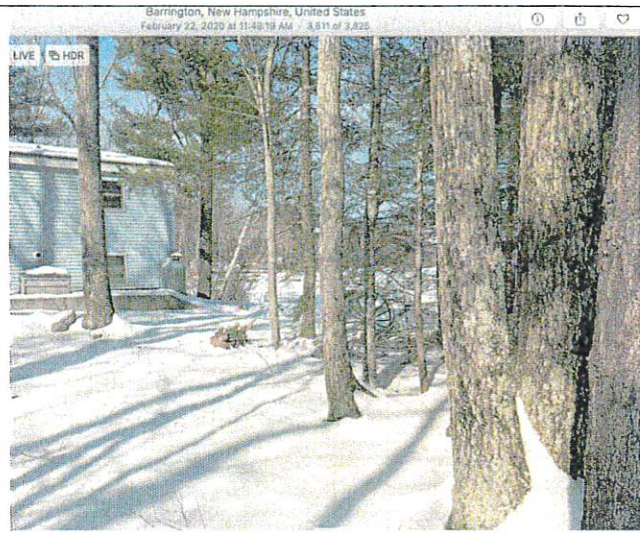


Photo 2

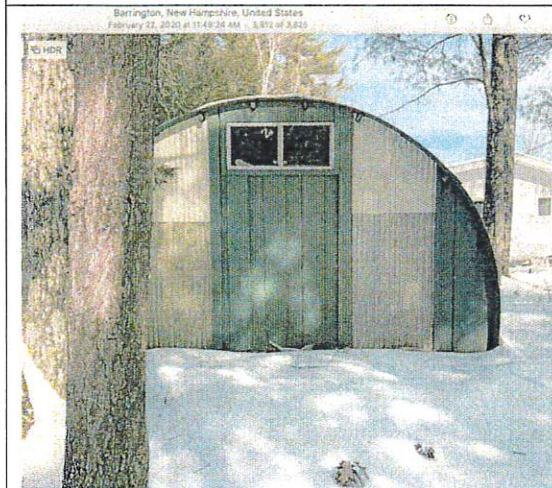


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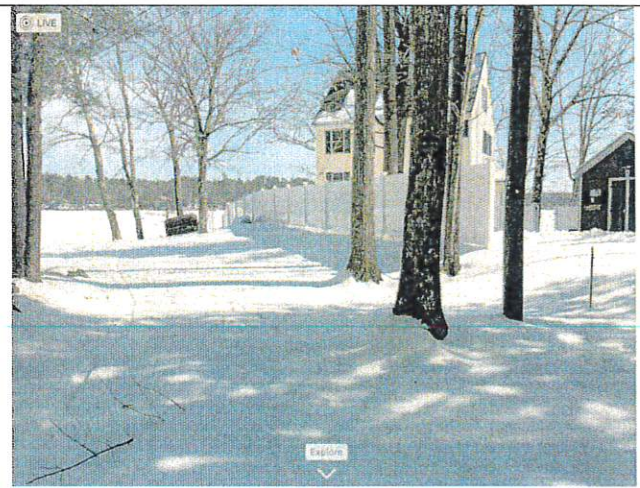


Photo 4

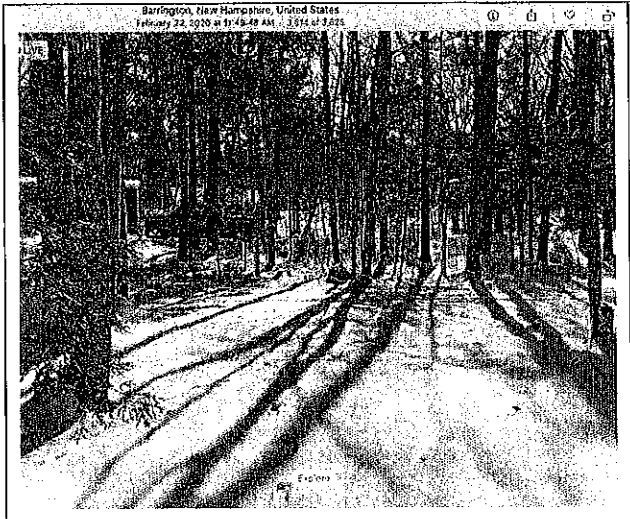


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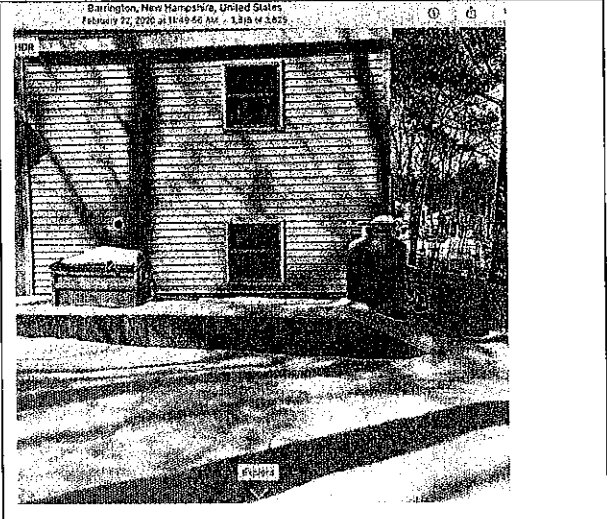


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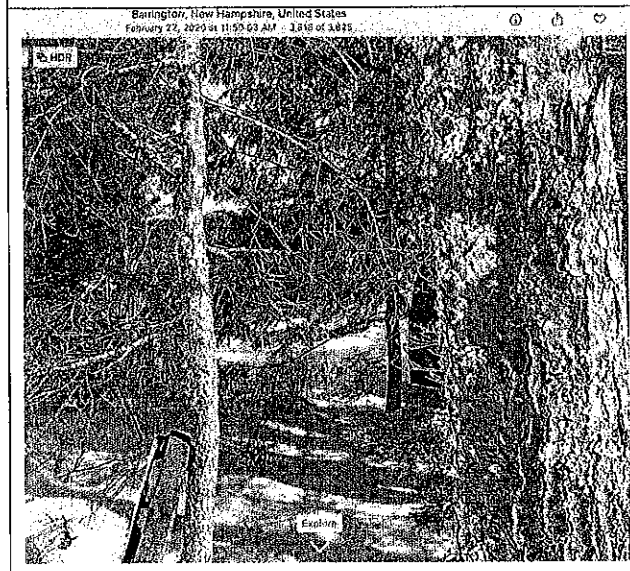


Photo 7



Photo 8

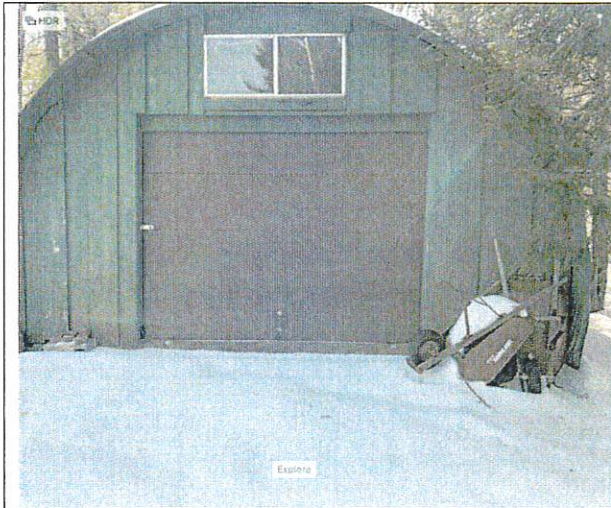


Photo 9

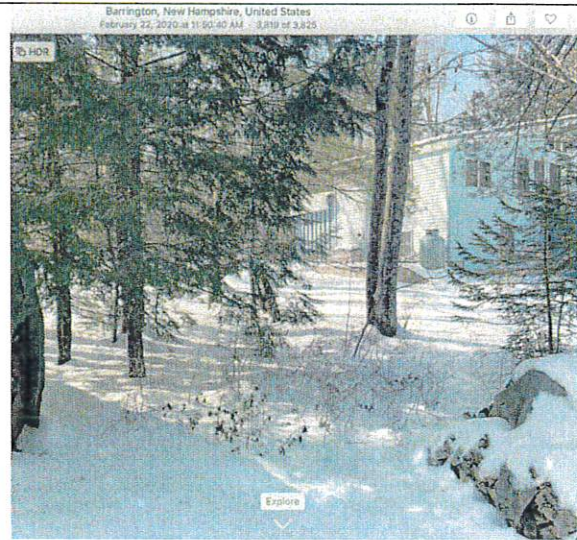


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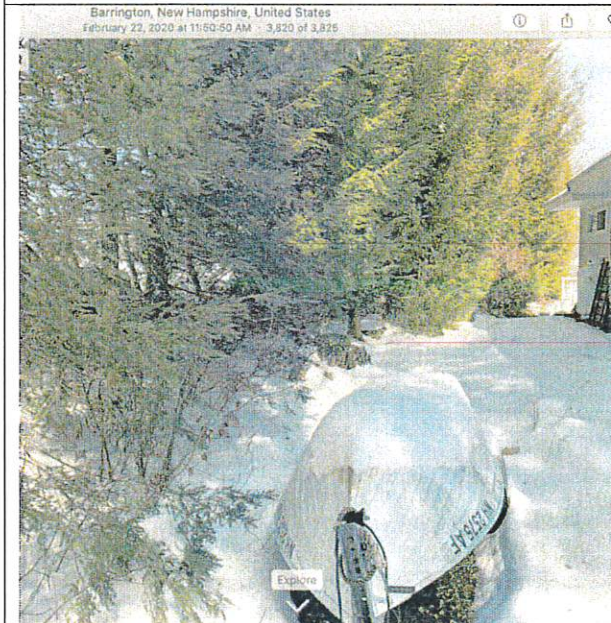


Photo 11



Photo 12



Photo 13

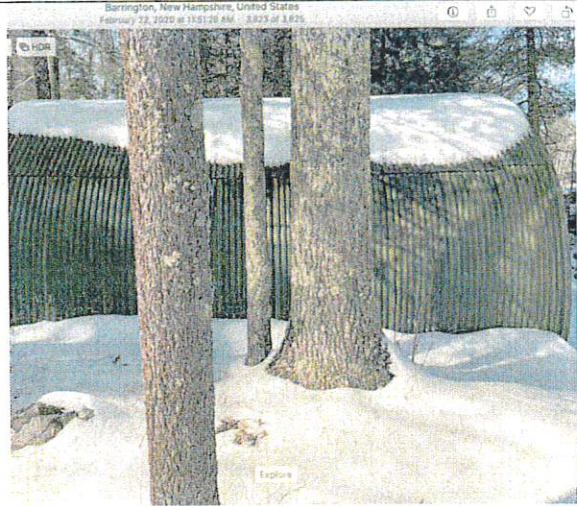


Photo 14

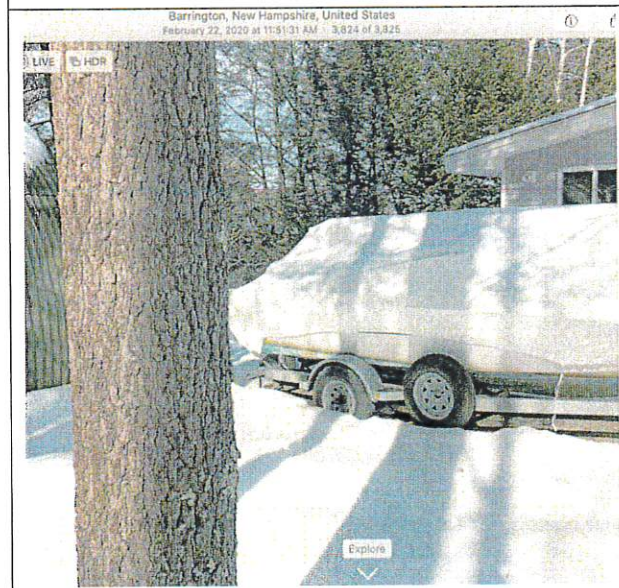


Photo 15

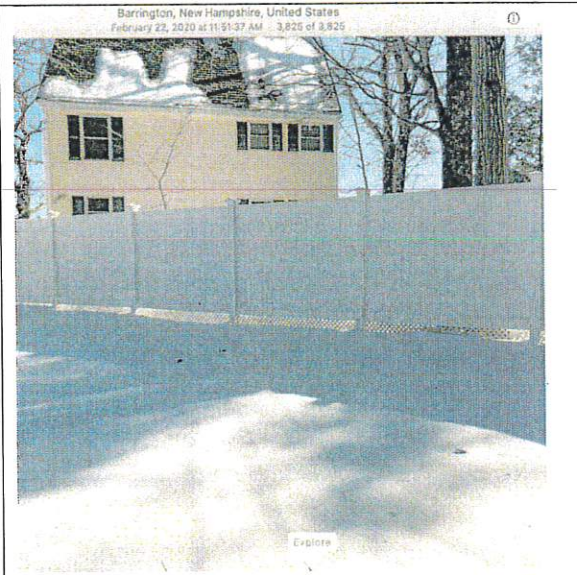


Photo 16

SHORELAND PERMIT BY NOTIFICATION (PBN)



Water Division/ Shoreland Program
Land Resources Management

Check the status of your PBN: <https://www.des.nh.gov/onestop/>

RSA/Rule: RSA 483-B, Env-Wq 1400

	<input checked="" type="checkbox"/> PBN Accepted, Expires: <u>CWD 2/24/2025</u>	Reviewer Initials: <u>CWD</u>
	<input type="checkbox"/> PBN Rejected	Admin Initials: <u>DCF</u>
	File Number: <u>2020-00293</u>	Amount: <u>\$400.00</u>
	Check No. <u>4129</u>	

This form requests authorization to excavate, fill, or construct new structures within the protected shoreland, which is 250 feet landward of the reference line, as regulated under RSA 483-B. Refer to the cover sheet to determine your eligibility to use this form in lieu of the standard Shoreland Permit Application. Please type or print clearly. **Please note:** Notification packages missing required components will be rejected and the fee will not be returned.

1. PROPERTY OWNER			
LAST NAME, FIRST NAME, M.I.: Clarke, Thomas, B			
ADDRESS: 6 Ambler Way	TOWN/ CITY: Durham	STATE: NH	ZIP CODE: 03824
PHONE: (603) 978-4120	EMAIL: tobyclarke@comcast.net		
2. PROJECT LOCATION			
ADDRESS: 439 Mica Point	TOWN/ CITY: Barrington	STATE: NH	ZIP CODE: 03825
WATERBODY NAME: Swains Lake	TAX MAP: 118	LOT NUMBER: 68	
3. CONTRACTOR OR AGENT			
LAST NAME, FIRST NAME, M.I.: Clarke, Thomas, B			
ADDRESS: 6 Ambler Way	TOWN/ CITY: Durham	STATE: NH	ZIP CODE: 03824
PHONE: 603 978 4120	EMAIL: tobyclarke@comcast.net		
4. PROJECT DESCRIPTION			
Provide a brief description of the proposed project including square footage of impacts and dimensions of new structures. Replace approximately 50 year old metal Quonset hut structure with single car garage built on a slab. Existing structure is 19' x 24' and proposed replacement structure is 20' x 24' (with drip edges 21' x 26')			
TOTAL SQUARE FEET OF IMPACT: 480 TOTAL SQUARE FEET OF NEW IMPERVIOUS AREA: 108			
Total impact area is determined by the sum of all areas disturbed by excavation, filling, and construction. Examples include, but are not limited to: constructing new driveways, constructing new structures, removing or replacing structure foundations, grading, and installing a new septic system or well.			

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lrm@des.nh.gov or (603) 271-2147
NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
www.des.nh.gov

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LAND USE OFFICE Page 1 of 3

5. PBN CRITERIA: Check one of the following project type criteria. (RSA 483-B:5-b)

<input checked="" type="checkbox"/> 1. STANDARD PBN Project	This project impacts less than 1,500 square feet of which no more than 900 square feet is a net increase in impervious area.
<input type="checkbox"/> 2.	This project is directly related to stormwater management improvements, erosion control, or environmental restoration or enhancement. PBN Impact Limit: None / Fee: \$200.
<input type="checkbox"/> 3.	Per Env-Wq 1406.05, this project consists of geotechnical borings, test wells, drinking water wells or is a site remediation project. PBN Impact Limit: None / Fee: Capped at \$400.

6. FEE

The base PBN fee is \$200 for restoration of water quality improvement projects, and \$400 for all other PBN projects. The special project types in Section 5 have alternate fee schedules as listed above.

Checks and money orders payable to "Treasurer - State of NH".

TOTAL FEE: \$ 400

7. PHOTOS

Required for all projects.	Dated photographs of <u>each</u> area proposed to be impacted.
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8. PLAN REQUIREMENTS: Check Yes or No to all statements, and review the applicable plan requirements. If your plans do not include the information that is required, your notification will be rejected.

Required for all projects.	A clear and detailed plan of work depicting, at a minimum, all the impact areas, the <u>reference line</u> and property lines. Plans that are not to scale must show all relevant distances from the reference line and dimensions.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project proposes an increase in <u>impervious</u> (i.e. non-permeable) area. Plans must include the dimensions and locations of all existing and proposed <u>impervious surfaces</u> within 250 feet of the <u>reference line</u> . Decks are typically considered impervious.	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	< 20%	This project proposes an increase in <u>impervious area</u> , and the total post-construction impervious area within 250 feet of the <u>reference line</u> will not exceed 20%.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	20 – 30%	This project proposes an increase in impervious area such that the total <u>impervious area</u> within 250 feet of the reference line will be greater than 20% but less than 30%. Plans must include a <u>stormwater management system</u> that will infiltrate increased stormwater runoff from development per <u>RSA 483-B:9, V(g)(2)</u> and in accordance with <u>Env-Wq 1500</u> .
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	> 30%	This project proposes an increase in <u>impervious area</u> such that the total impervious area within 250 feet of the <u>reference line</u> will be greater than 30%. Plans must include a <u>stormwater management system</u> designed and certified by a professional engineer to account for all new development, <u>and</u> plans must demonstrate how the vegetation point score is met per <u>RSA 483-B:9, V(g)(1,3)</u> .
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project proposes impacts within 50 feet of the reference line. Plans and photos must show each area of the <u>Waterfront Buffer</u> that will be impacted, including groundcover, and calculate the tree point scores in accordance with the <u>Vegetation Management Fact Sheet</u> .	

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project proposes impacts between 50 and 150 feet of the <u>reference line</u> . Plans must depict the 25% area of the Woodland Buffer to be designated and maintained as natural woodland. See the <u>Vegetation Management Fact Sheet</u> .
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project proposes to install or expand an <u>accessory structure</u> , such as a patio or shed, within 50 feet of the <u>reference line</u> . All plans <i>must</i> demonstrate that the height, size, and setback limitations for accessory structures will be met. These limitations are described within the <u>Accessory Structure Fact Sheet</u> . The <u>shoreland frontage</u> on this lot is: _____ linear feet. <input type="checkbox"/> N/A – There is no direct frontage on this lot.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project proposes a pervious (i.e. permeable) surface technology. Plans must include the location and type of the surface and a cross-section depicting the construction method, materials and specifications as to how this surface will be maintained as a pervious technology.

9. CONDITIONS: Initial each of the required conditions below. (Env-Wq 1406.20)

TBC 1. Erosion and siltation control measures shall: be installed prior to the start of work; be maintained throughout the project; and remain in place until all disturbed surfaces are stabilized.

TBC 2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

TBC 3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

TBC 4. Any fill used shall be clean sand, gravel, rock, or other suitable material.


TBC 5. For any project where mechanized equipment will be used, orange construction fence shall: be installed prior to the start of work at the limits of the temporary impact area as shown on the plans approved as part of a permit or accepted as part of the permit by notification; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

10. CERTIFICATIONS: Initial each of the required certifications below. (Env-Wq 1406.18)

TBC 1. The property owner shall sign the notification form below.

TBC 2. The signature(s) shall constitute certification that: the information provided is true, complete, and not misleading to the knowledge and belief of the signer; the signer understands that any permit by notification obtained based on false, incomplete, or misleading information is not valid; the project as proposed complies with the minimum standards established in RSA 483-B:9, V and will be constructed in strict accordance with the proposal; the signer accepts the responsibility for understanding and maintaining compliance with RSA 483-B and these rules; the signer understands that an accepted shoreland permit by notification shall not exempt the work proposed from other state, local, or federal approvals; and the signer understands that incomplete notifications shall be rejected and the notification fee shall not be returned. The signer is subject to the applicable penalties in RSA 641, *Falsification In Official Matters*.

11. SIGNATURE OF OWNER

OWNER SIGNATURE:		PRINT NAME LEGIBLY: Thomas B Clarke	DATE: 2/17/20
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Mail your complete application form and supporting materials to: NHDES Shoreland Program, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

irm@des.nh.gov or (603) 271-2147
 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
 www.des.nh.gov

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 Durham, NH 03824
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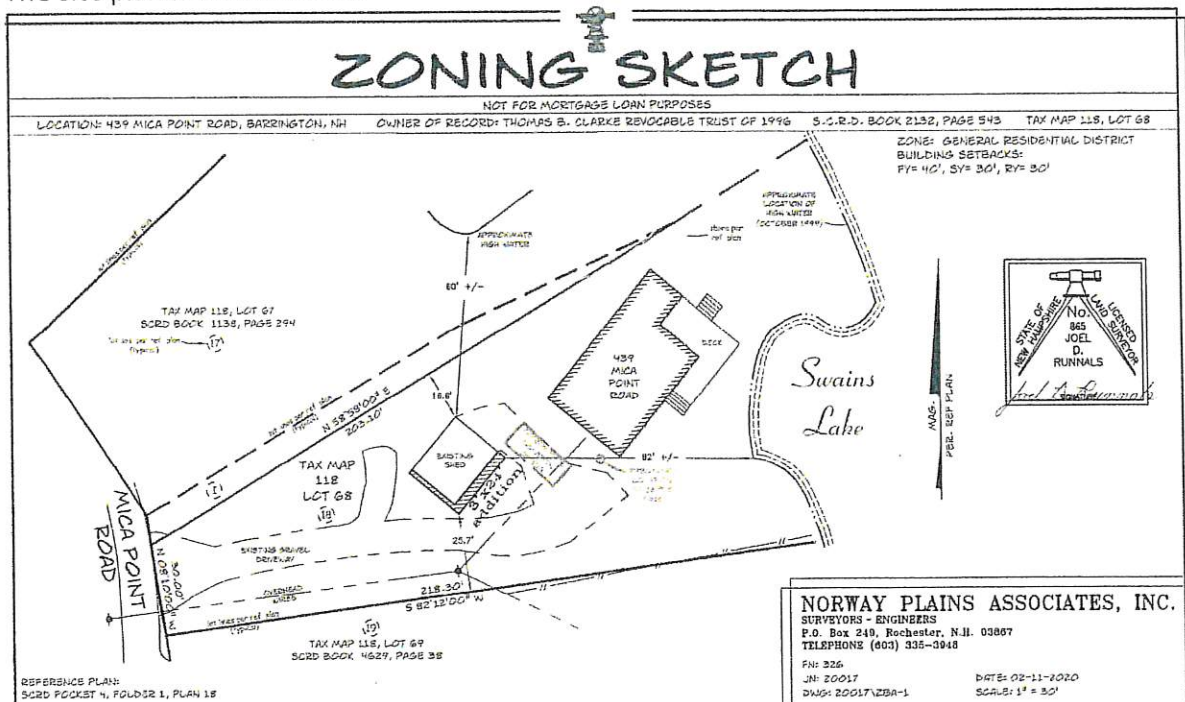
Project summary and
 STORMWATER MANAGEMENT PLAN

February 14, 2020

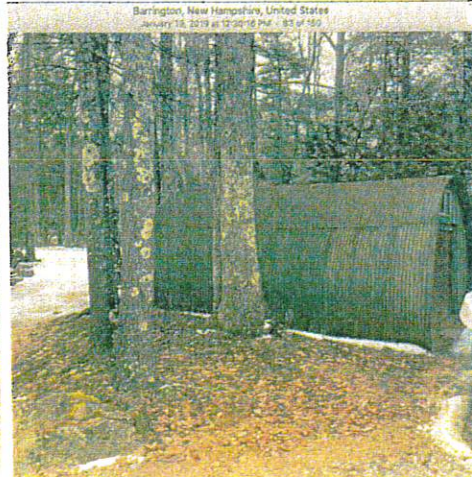
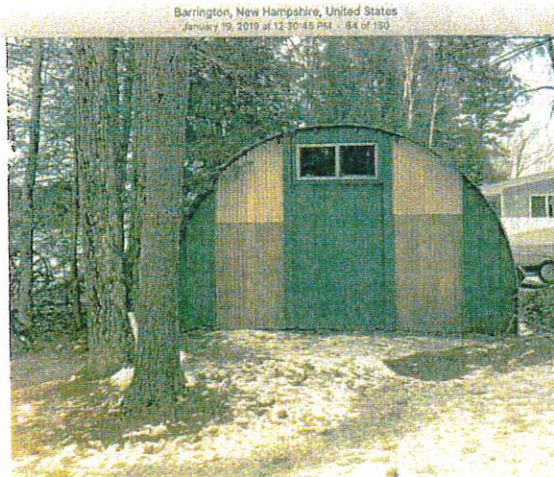
Site: 439 Mica Point
 Barrington, NH 03825

Project: Replace ~50-year-old metal Quonset Hut shed with 1 car garage with storage above
 Timing: Project is planned for fall of 2020

The site plan is shown below:

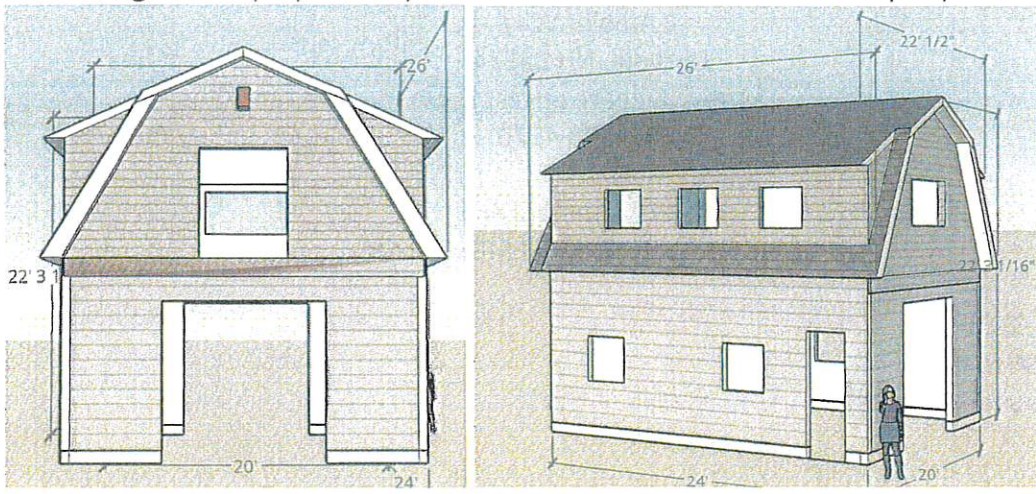


Below photos show existing conditions:

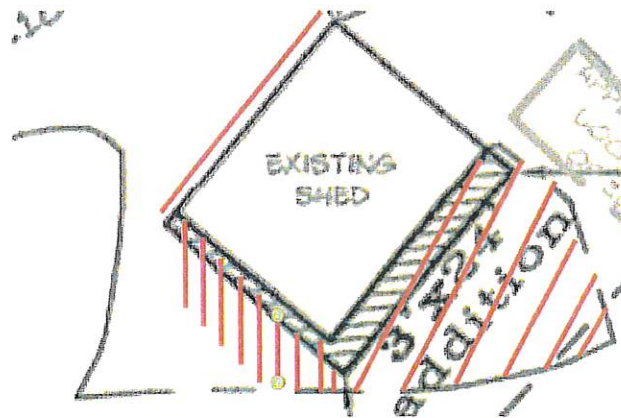


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 MAR 12 2020
 LAND USE OFFICE

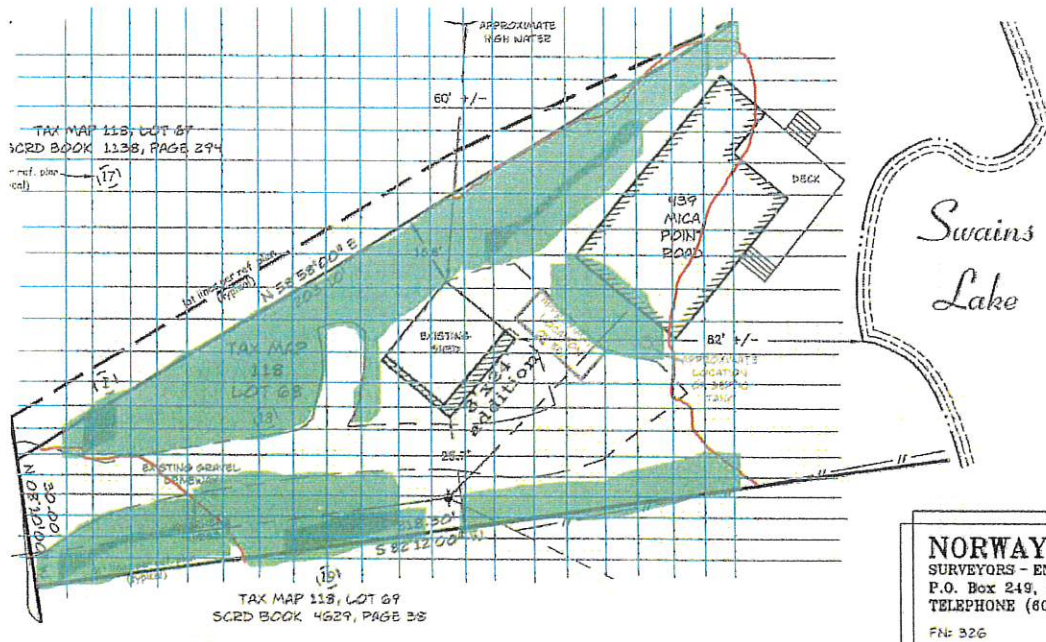
Below images show proposed replacement structure shown from same perspectives:



The area impacted during the project which is fully contained within the Woodland Buffer area is highlighted below. This totals approximately 480 ft².



Within the Woodland Buffer area of the property a grid method calculates the area of the Natural Woodland as approximately 41% and this will be undisturbed as part of this project.



Stormwater Management System

As part of the construction process a Dripline Infiltration Trench on both sides of the structure will direct excess stormwater to the Natural Woodland for infiltration away from the lake as per below. This will be an improvement on the existing situation as currently stormwater from this area flows down the driveway towards the lake.

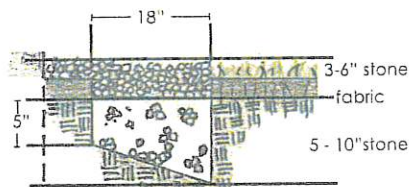
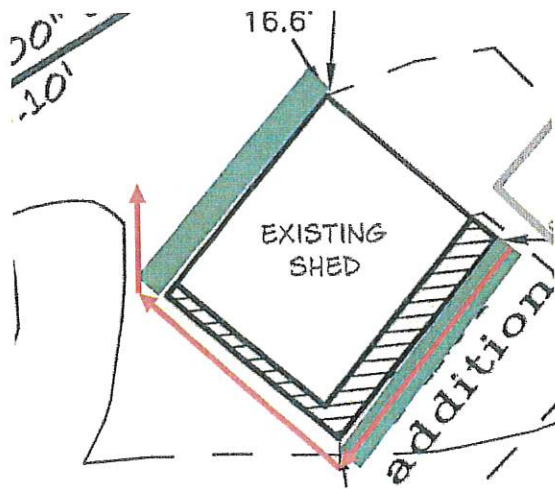


Figure 1. Profile for well drained soils.

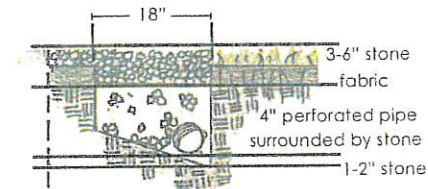
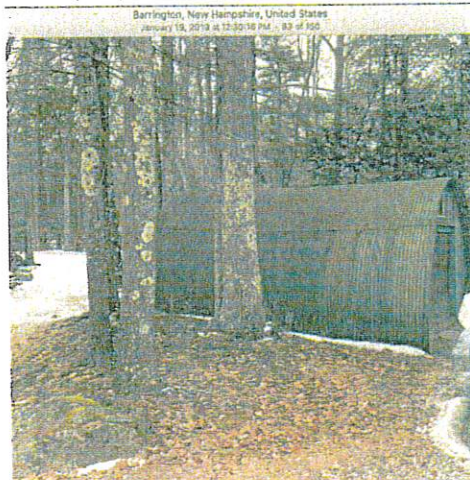
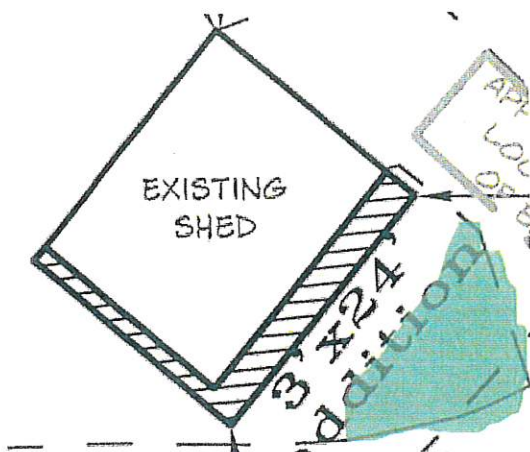


Figure 2. Profile for slowly draining soils.

A vegetated swale will be created in the area noted below to allow for infiltration from the existing driveway area reducing unfiltered flow towards the lake. Four existing trees in this area will be removed to allow for the swale creation and proper clearance from the structure.



Please advise if there are any questions relative to this plan.

Thank you.

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6 Ambler Way
Durham, NH 03824
tobyclarke@comcast.net
(603) 978-4120

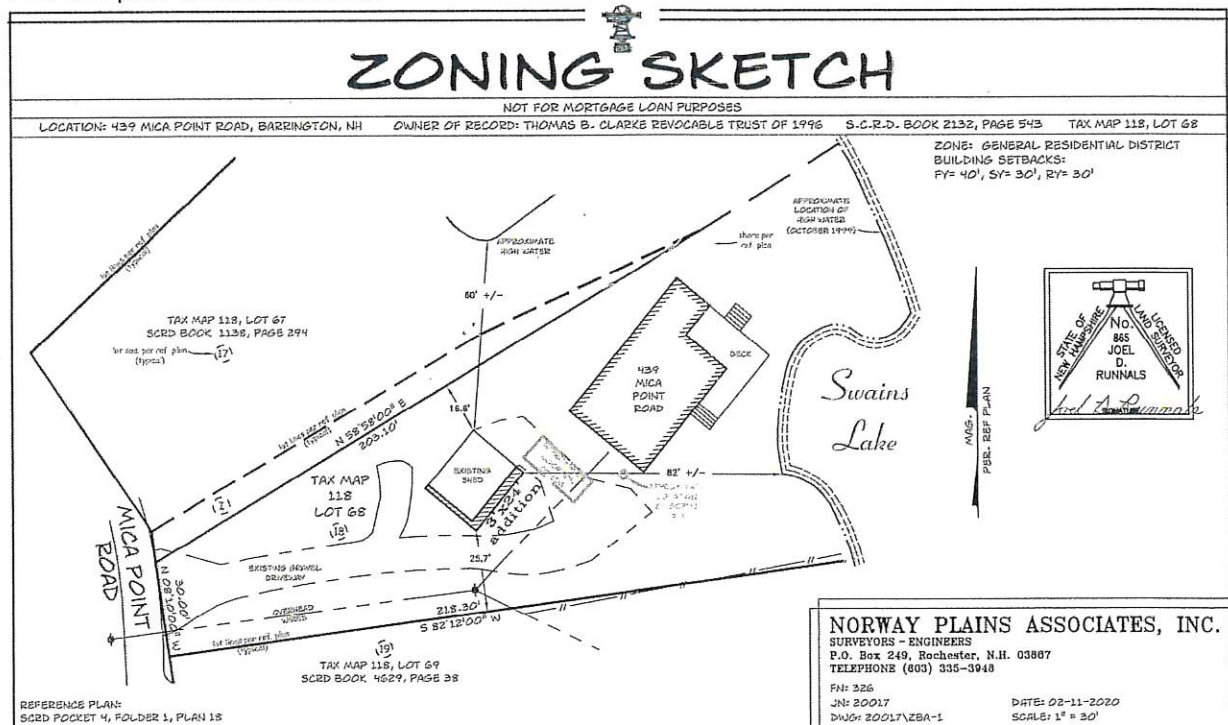
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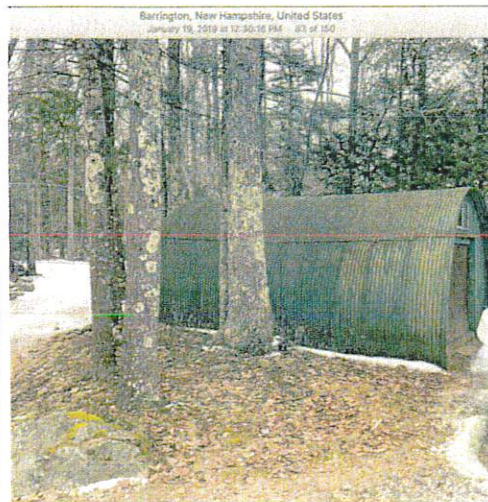
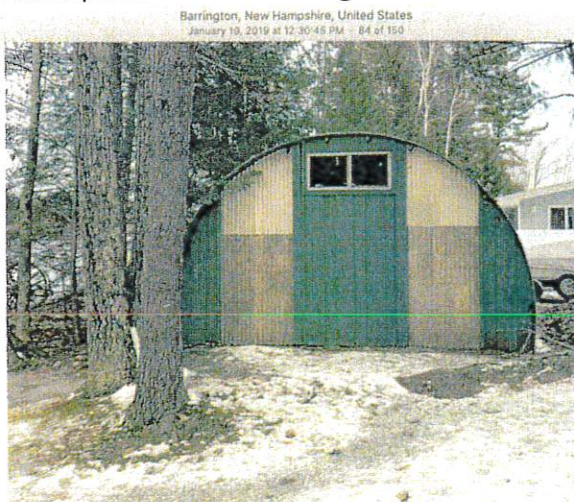
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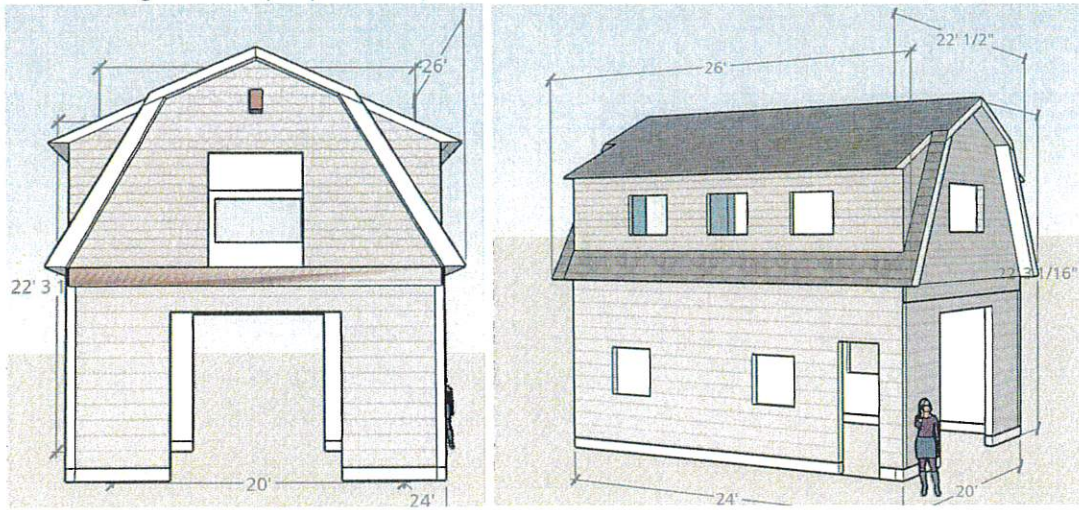


Below photos show existing conditions:

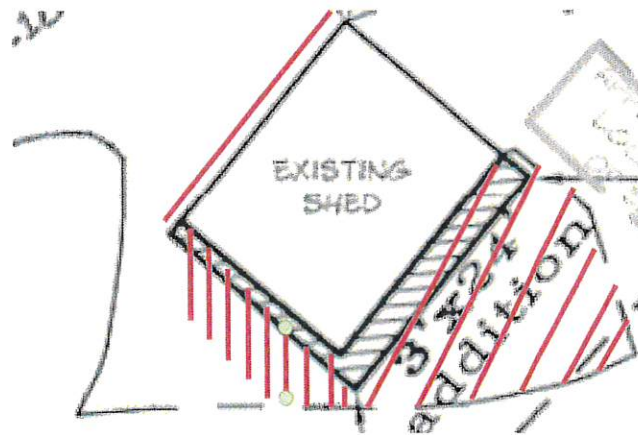


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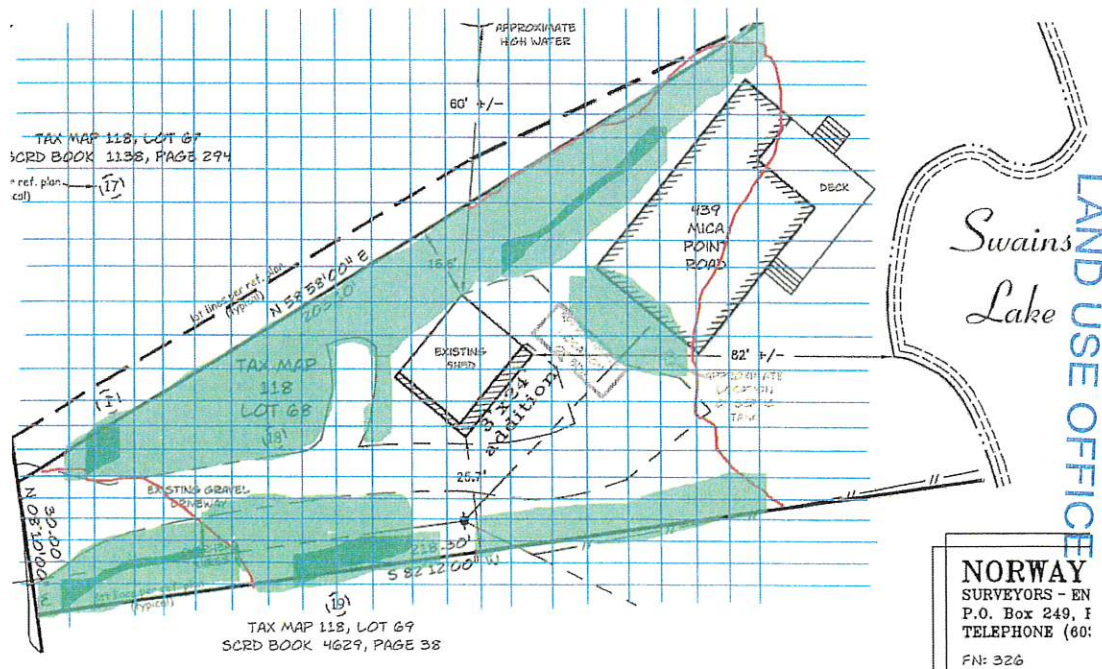
Below images show proposed replacement structure shown from same perspectives



The area impacted during the project which is fully contained within the Woodland Buffer area is highlighted below. This totals approximately 480 ft².



Within the Woodland Buffer area of the property a grid method calculates the area of the Natural Woodland as approximately 41% and this will be undisturbed as part of this project.



Stormwater Management System

As part of the construction process a Dripline Infiltration Trench on both sides of the structure will direct excess stormwater to the Natural Woodland for infiltration away from the lake as per below. This will be an improvement on the existing situation as currently stormwater from this area flows down the driveway towards the lake.

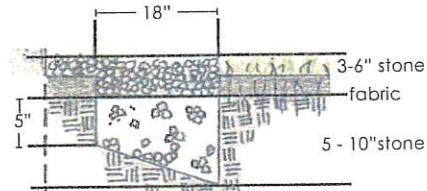
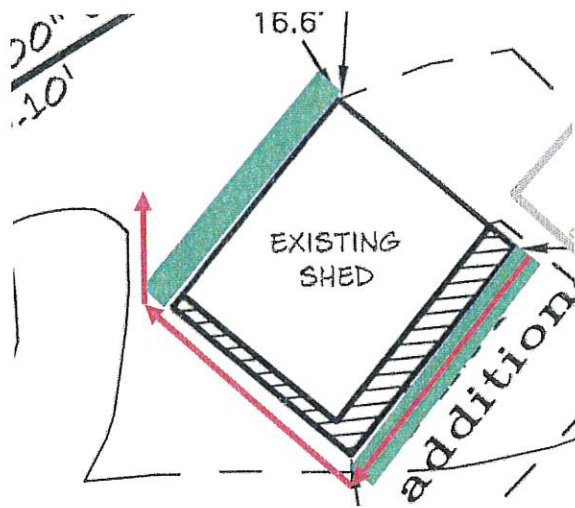


Figure 1. Profile for well drained soils.

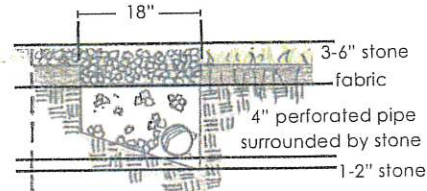
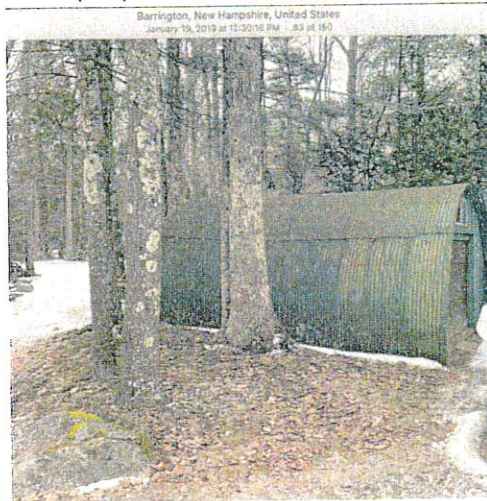
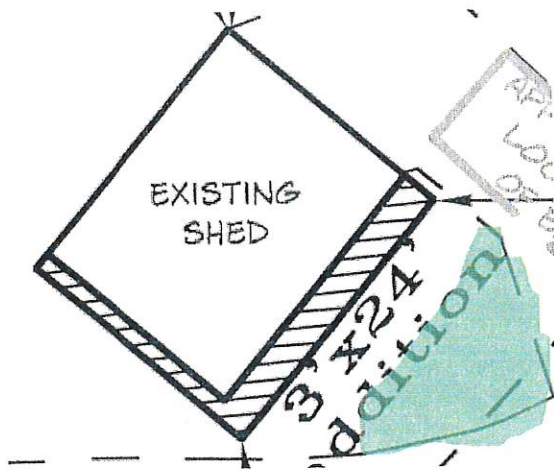


Figure 2. Profile for slowly draining soils.

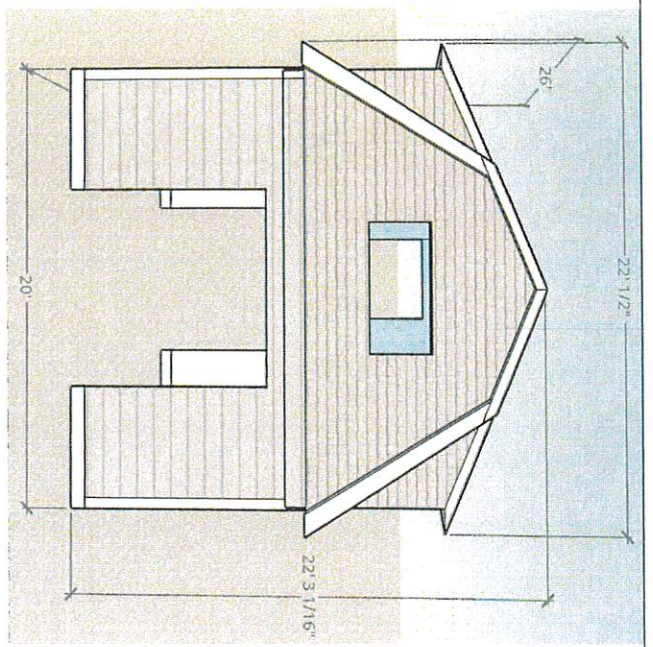
A vegetated swale will be created in the area noted below to allow for infiltration from the existing driveway area reducing unfiltered flow towards the lake. Four existing trees in this area will be removed to allow for the swale creation and proper clearance from the structure.



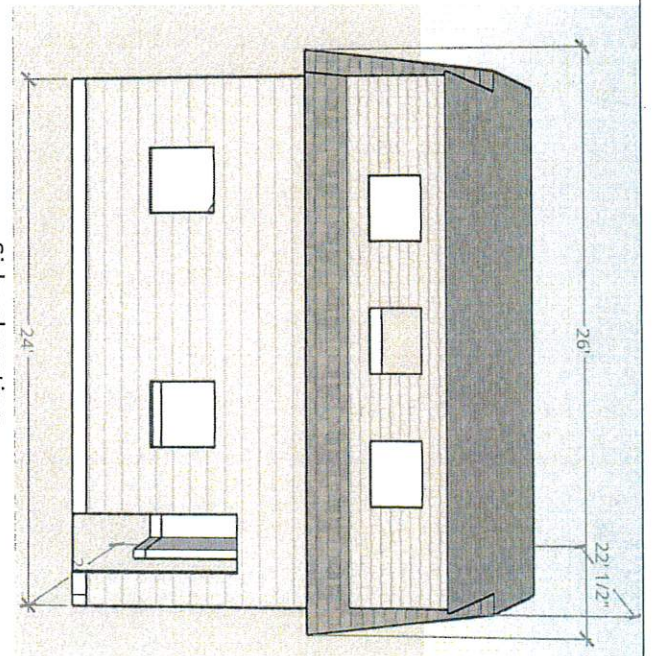
Please advise if there are any questions relative to this plan.

Thank you.

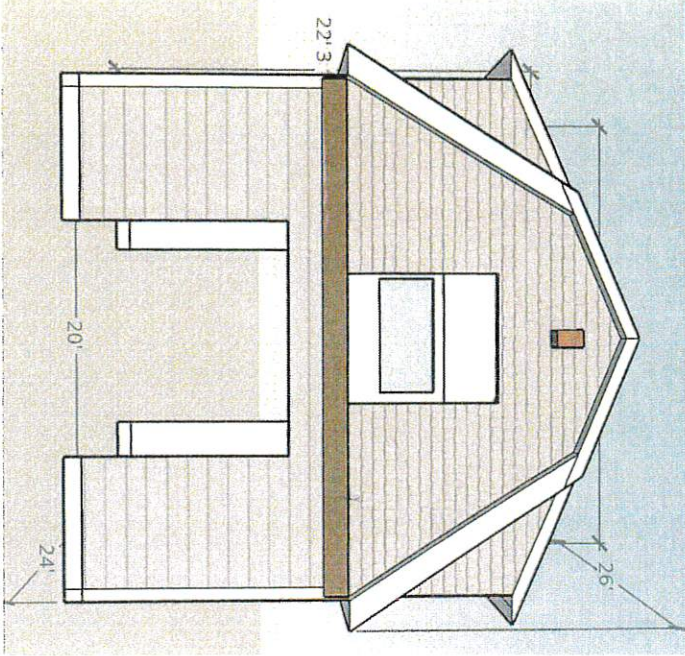
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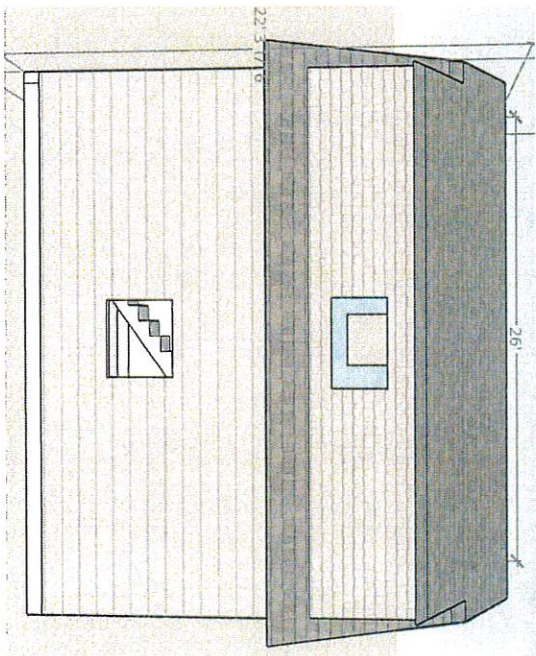
Rear elevation



Side elevation



Front elevation



Side elevation

Clarke garage project at 439 Mica Point, Barrington, NH

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