



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 5/26/21

Case No. 122-22-GR/SUWM-21-Day

Owner Steven Lambert & Margo Clark Mailing Address 8 Lakeview Heights, Tolland, CT 06084

Phone 1-860-871-1850 Email slambert36@yahoo.com hayabusagirl170@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	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 Arvine
Staff Signature

5/26/2021
Date

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. 122-22-GR/SUWM-21-Var
Project Name 40 Stadig Road Variance
Location Address 40 Stadig Road

Map and Lot Map 122, Lot 22

Zoning District (Include Overlay District if Applicable) General Residential
Swains Lake Village Water Management

Property Details:

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

Use: Single Family

1 ex. house w/

Number of Buildings: proposed garage Height: Less than 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:

Article 4 Dimensional Standards Table 2

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

See Attached.

Barrington Zoning Ordinance Requirements:

40' Minimum front setback.

30' Minimum side setback.

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

Request relief to the front and side setbacks. 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.

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

05/25/2021

Date



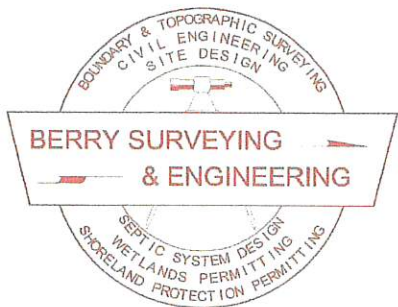
Signature of Owner

05/25/2021

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BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

May 25, 2021

Barrington Planning Board
Attention: Marcia Gasses
PO Box 660
333 Calef Highway
Barrington, NH 03825

Re: Variance Application
Steven Lambert & Margo Clark
Tax Map 122, Lot 22
Proposed Garage
40 Stadig Road

Chairperson and Members of the Barrington Zoning Board,

On behalf of Steve and Margo, Berry Surveying and Engineering is submitting a variance request for the front (17.6' to the overhang where 40' is required) and side setbacks (18.3' to the overhang where 30' is required) in the General Residential zone for the construction of an average size garage at 40 Stadig Road.

Steve and Margo own the parcel known as Map 122, Lot 22. The site contains 74.66' road frontage along Stadig Road and has 75.57' of water frontage on Swains Lake. The lot tappers a bit inward from the road to the shoreline and has an average width of 75' and is approximately 155' feet deep. The lot contains an existing 2 bedroom house that sits on posts and has a deck towards the water's edge. There is a substandard septic system on the lot which is likely along the north westerly edge of the structure. As can be witnessed on the enclosed plans, the lot slopes towards the lake at an average slope of approximately 15% with the steepest section being along the frontage of Stadig Road. There is a flat parking area which ranges from 19 feet to 23 feet in width from the front boundary to the top of a steeper constructed slope.

The applicants are proposing to move to this property and utilize it as their residence. They are proposing some major renovations to the existing house on site which will include the installation of a new, state approved septic system. Based on the sites constraints and meeting the required setback to Swains Lake, the septic is proposed to be situated between the house and Stadig Road. The applicants will have water brought to the house from the public water supply in Stadig Road. Given the modest size of the existing house to be renovated, the applicants require a garage to be built. This will afford them space for storage of vehicles and, based on the topography, will provide them the ability to have storage space below the parking deck. The garage will be equipped with a full foundation to make up the elevation change between the street and the location of the rear wall.

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The proposed garage structure is placed within the 40' front setback and therefore a variance is requested. In looking at the best placement for the structure, the chosen place seems to be the best, and only, place for it. With respect to the proposed distance from the front boundary line and Stadig Road, the position offers a full car length outside the garage at the narrowest point to allow for a car to be parked outside without interfering with traffic or maintenance vehicles. Based on the fact that a new septic is proposed, which is an enhancement to this water front property, the garage cannot be slid further away from the street whereas there is a separation requirement between the system and the garage wall.

With respect to the placement of the garage within the sideline setbacks, there is a balance that was chosen for the site. The garage is generally centered however is favored to the east by a few feet. The existing parking area lends itself to this approach into the front of the garage. Additionally the grades on the east side of the proposed garage are steeper than they are on the west. Sliding it east is preferred to allow for a flatter and wider grade to the west which allows a gradual area for pedestrian access from the garage to the house. This can be done with low impact development style stairs and patios. The steeper grades would require a steeper straighter stair case and will direct traffic over the septic system, tank and other utilities. Allowing the applicants to keep the structure as positioned, keeps the steeper land untouched, therefore more stable, and allows the Natural Woodland Buffer requirement to be met onsite without impacting the usable tillage area between the garage and house or to the west of both structures.

Article 4 Dimensional Standards Table 2, front setback of 40' within the general residential zone.

1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicants as defined under applicable law.
The lot is special in that it was created well before the zoning ordinance. Due to this, there is little space to place a new septic system and create usable space on the lot. The topographic break on site creates a hardship to the applicants in that sliding the structure towards the lake only generates a situation where the proposed structure would tower above the existing home with a much shorter breadth. Between the septic requirements and the topography of the lot, denial of the variance would pose an unnecessary hardship to the applicants whereas there is no other option to create rational usable space for a continued single family residential use.
2. Granting the variance would be consistent with the spirit of the Ordinance.
The spirit of the ordinance is to create a uniformity of rural nature within the town. Given the nature of the roadway and the fact that other garages have been built along the road in the same format, likely for the same reasons stated above, it is our opinion that the spirit of the ordinance will be met. Every effort has been made to keep the structure far enough from the road to ensure there are no maintenance issues in the future and it is a practical use of the land when considering turning radii, parking arrangement and backing into Stadig Road.
3. Granting the variance will not result in diminution of surrounding property values.



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The proposed use is allowed in the underlying zone and is congruent with other uses in the immediate neighborhood. The proposed garage is not obtrusive on either of the abutting boundary lines and will not be over powering from the roadway. It is our opinion that given the modest use, congruency with the neighborhood, coupled with it being a permissible use in the underlying zone, that this garage will not detract from existing property values.

4. Granting the variance would do substantial justice.
Granting the variance would do substantial justice because it will allow the applicants to reasonably develop the lot with a use that's allowed in the zone. The gain to the applicants far outweighs any potential detriment to the ordinance given the congruency of the proposal with the surrounding neighborhood.
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 will allow for residential use within a residential zone that is congruent with abutting development on the same roadway. Given the special circumstances of the parcel, granting this variance will not erode the public interest within the zoning ordinance.

Article 4 Dimensional Standards Table 2, side setback of 30' within the general residential zone.

1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicants as defined under applicable law.
The lot has a special conditions which make compliance with the ordinance not practical. This lot is a non-conforming lot of record created prior to the ordinance that happens to be substandard in width and oddly shaped. Due to this special condition, the sideline setbacks cannot be met and the literal enforcement of the Ordinance will result in unnecessary hardship on the applicants. Requiring the garage to be non-constructible, would severely limit the functionality of the site and lot for full time single family use. Due to the topography of the site, the best position was chosen for the use. Denial of the variance would pose an unnecessary hardship to the applicants whereas there is no other reasonable expansion that could be undertaken that meets the ordinance.
2. Granting the variance would be consistent with the spirit of the Ordinance.
The spirit of the ordinance is to create a uniformity of rural nature within the town. Given this lot is pre-existing, non-conforming and contains topographic constraints, it is our assessment that the spirit of the ordinance is observed with the proposals general adherence with the neighborhood in general.
3. Granting the variance will not result in diminution of surrounding property values.
Granting the variance will not result in diminution of surrounding property values. New construction increases surrounding property values and the proposed project will provide for a more functional use congruent with single family living.
4. Granting the variance would do substantial justice.



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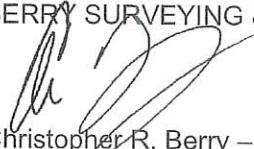
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Granting the variance would do substantial justice because it will allow the applicants to reasonably develop an appropriately sized structure that isn't any closer to the side setbacks than other structures on this site or other abutting structures are to their lot lines. The gain to the applicants far outweighs any potential harm to the ordinance, whereas this neighborhood contains non-conforming lots and structures throughout.

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 will allow for a residentially constructed building, an allowed use within a residential zone, that is congruent with abutting development on the same roadway to be reasonably built. Given the special circumstances of the parcel, granting this variance will not erode the public interest within the zoning ordinance.

Please let us know if you have further questions.

BERRY SURVEYING & ENGINEERING



Christopher R. Berry – Project Manager
Principal, President



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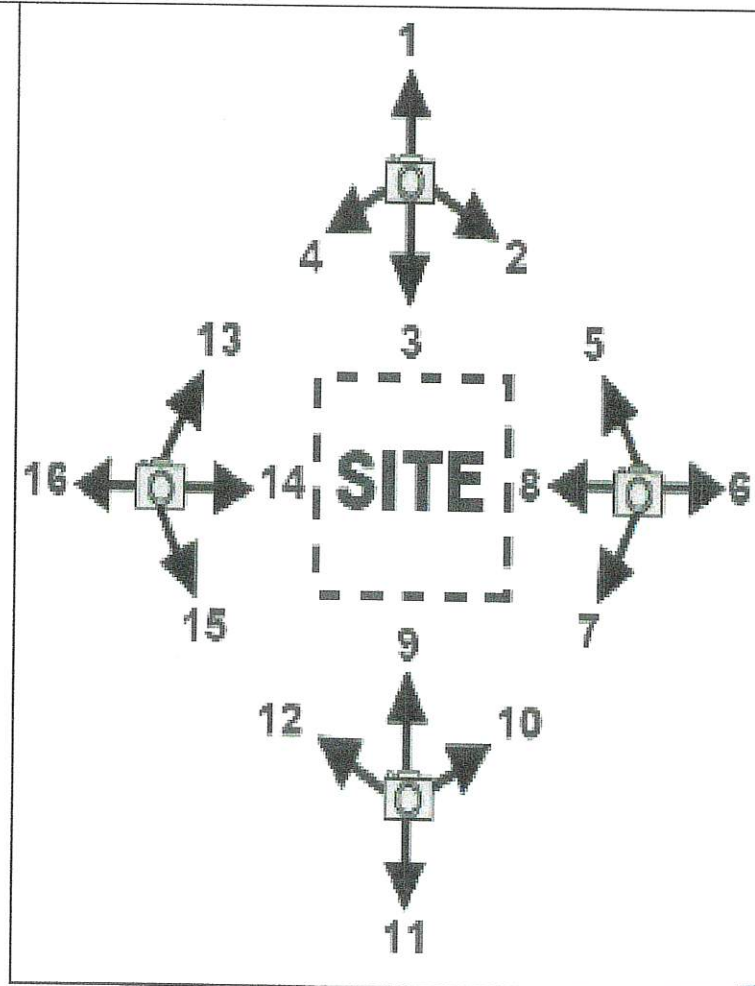
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SITE / CONTEXT PHOTOS

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.

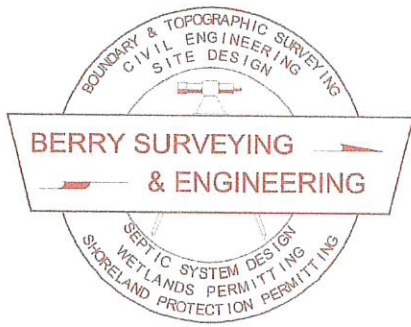
1. Photos are to be taken looking toward the site and adjacent to the site.
2. Photos should show adjacent improvements and existing on-site conditions.
3. Number the photographs according to view.



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May 26, 2021

Abutters List

Owner of Record

Tax Map 122, Lot 22

Steven A & Margo G Lambert
8 Lakeview Heights
Tolland, CT 06084
Book 4762, Page 864

Abutters

Tax Map 122, Lot 21

Marie Crowley
Katherine Swain
48 Isaac Lucas Cir
Dover, NH 03820
Book 1895, Page 311

Tax Map 122, Lot 23

Karen L & Clifton W McKenney
32 Stadig Rd
Barrington, NH 03825
Book 3728, Page 341

Tax Map 122, Lot 6

William & Helene Kapsimalis
27 Stadig Rd
Barrington, NH 03825
Book 4712, Page 860

Professionals

Kenneth A. Berry PE LLS
Christopher R. Berry, Project Manager
Berry Surveying & Engineering
335 Second Crown Point Road
Barrington, NH 03825

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GARAGE PLAN
 100 STADLE RD
 BARRINGTON NJ
 07825
 STEVE A LAMBERT
 AND
 MARCO S CLARK
 SCALE 1/4" = 1'

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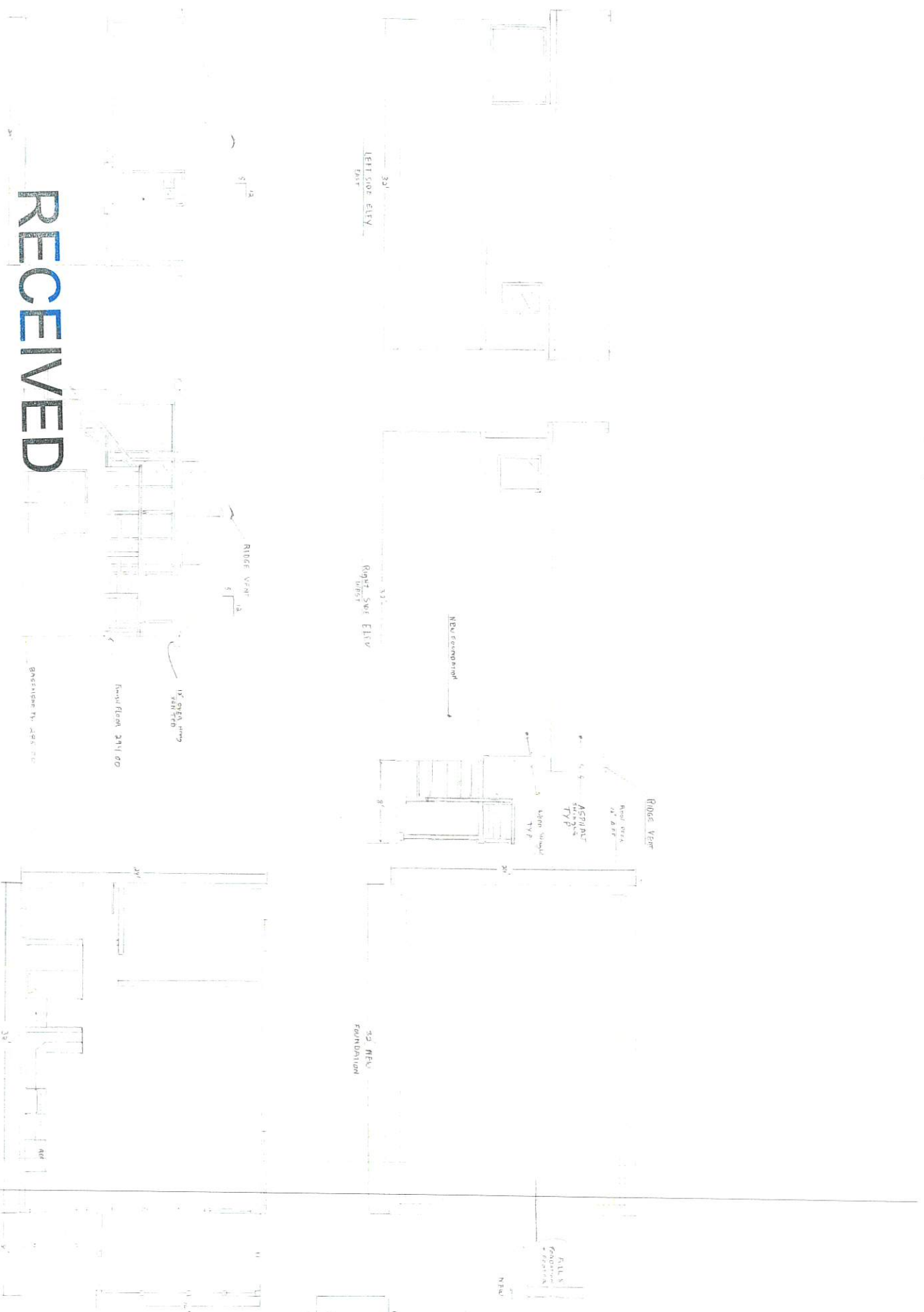
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NEAR ELEV
5/26/21

RIGHT ELEV
5/26/21

RIGHT SIDE ELEV
5/26/21

FRONT ELEV
5/26/21



HOUSE PLAN
 46 STADIS RD.
 BARROWTON NH.
 OSFAC
 STEVE A LAMBERT
 AND
 MARGO G CLARK
 SCALE 1/8" = 1'