



# 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 3/30/2021 Case No. 126-12.1/12.2-GB-21-3 Vars.  
Owner Stephen & Joy Potter Mailing Address 323 North State St., Concord, NH 03301  
Phone \_\_\_\_\_ Email \_\_\_\_\_

## 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	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1. Zoning Board of Adjustment Application Checklist ( <i>this form</i> )
<input checked="" 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 checked="" 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"/>
<input checked="" 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 checked="" 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

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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 ½" 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:

\_\_\_\_\_ *April 21, 2021* \_\_\_\_\_

*Barbara Truini*  
Staff Signature

*3/31/2021*  
Date

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

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**PART III – PROJECT DESCRIPTION/VARIANCE DETAILS**

Case No. 126-12.1/12.2-GR-2130as

Project Name Jillette Road

Location Address Jillette Road, Barrington

Map and Lot Map 126 Lot 12.1,12.2

Zoning District (Include Overlay District if Applicable) General Residential

**Property Details:**

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

Use: Residential

Number of Buildings: 1                      Height: \_\_\_\_\_

Setbacks: Front 171.78'    Back 82'                      Side 5.0'                      Side 19.02'

**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:

Section 4.1.1 Minimum Standards; Rear and Side Setbacks  
Section 5.1.1(2) and Section 5.1.1(3) Non-Conforming Lots  
Project Narrative: *(Please type and attach a separate sheet of paper)*  
See attached

**Barrington Zoning Ordinance Requirements:**

Side Setback is 30'

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

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

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

See attached

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

See attached

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4. Granting of the variance would do substantial justice.

See attached

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

See attached

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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.
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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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March 30, 2021

Town of Barrington  
Barrington Zoning Board of Adjustment  
333 Calef Highway  
Barrington, New Hampshire 03825

**Re: Jillette Road ZBA Plan**  
**Tax Map 126; Lot 12.1 & 12.2**  
**Jillette Road - Barrington, New Hampshire 03825**  
**KNA Project # 20-0713-1**

Dear Chairman and Board Members:

The above referenced parcel is being submitted for three (3) Variance from the Town of Barrington Zoning Board of Adjustment. The property is located next to 52 Jillette Road and is currently undeveloped. The applicant is requesting a Variances from **Article 4: Dimensional Requirements; Sub-Section 4.1.1 Table of Dimensional Standards and Article 5 Nonconforming Lots, Structures, and Uses; Subsections 5.1.1 (2) and 5.1.1 (3) Development on Nonconforming Lots**; which are all related to setbacks and size of the existing lots of record to allow the applicant to construct a building within the 30' side setback and a well on the abutting parcel, per the enclosed documents. KNA will be present to further discuss the Variance at the scheduled hearing.

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 applicant is seeking relief from the required side setbacks. As stated in the project narrative, these properties exist as non-conforming lots. When combined they would be 14,976 SF, which is just about 18 percent of the required lot size in the General Residential District. If this variance is approved the applicant will merge the two existing lots that connect Jillette Road to North River Lake. If those lots are merged, the total area is still small, 14,976 SF. The lot shape also creates special conditions. The lot width is 50 feet meaning that the required 30' side setbacks overlap each other from either side. The lot width also effects a necessary 75' well radius around a new well and as such the applicant would like to construct a well on the abutting property, also owned by this applicant and share a well for both properties. Therefore, if the Zoning Ordinance were to be strictly followed this lot would be un-buildable and yield an unnecessary hardship to the applicant.***
2. *Granting the variance would be consistent with the spirit of the Ordinance; **The applicant believe the reason for setback requirements is to curb overcrowding of streets and waterways as well as have adequate space between abutting properties. This project's proposed building is 82 feet away from North River Lake and 171 feet away from Jillette***

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Road with natural woodland buffers between each. The reduction in side setbacks will also not produce overcrowding. The typical lot layouts surrounding a lake in New Hampshire were originally geared towards cabins and summer homes. This resulted in slim rectangular parcels. In the case of properties around North River Lake in Barrington, there already exists multiple properties that have structures within side setback requirements. In the case of this specific parcel, the abutting property to the southwest is a large parcel with structures scattered throughout a dense woodland. The reduction in side setback on this side of the property will not cause an incumbrance to the abutter. The 19.02 foot setback to the northeast would not cause overcrowding either due to existing woodland and as such we believe this variance would be in the spirit of the ordinance. Also currently with no well on the adjacent property the applicant is requesting to be allowed to construct a well on the abutting property to be used by both buildings which again we believe is in the spirit of the ordinance.

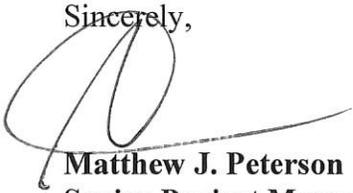
3. *Granting the variance will not result in diminution of surrounding property values;* The parcel in question is located within the General Residential Zone as mentioned in previous sections. This proposed design is a single-family house and a well which is the same as most of the surrounding properties. Construction of a single-family home is in keeping with surrounding buildings and uses. Based on this application and the surrounding properties the applicant believes this variance would not diminish the surrounding properties.
4. *Granting of the variance would do substantial justice.* As mentioned before, the subject property is unique in shape. If the Zoning Ordinance were to be literally followed the parcel would lie vacant. The opportunity lost by the applicant should the Zoning Board of Adjustment decide not to grant the requested dimensional variance, far outweighs any gain that could be realized by the public as result of the same decision. The setback reduction in this case does and placement of a well do not produce any unwanted overcrowding, as stated previously. There will also be no negative impact done to the surrounding properties, but instead will create a residential house that is similar to many properties along North River Lake. Substantial justice is achieved through granting the requested variance in that such approval would afford the applicant the opportunity to provide a residential house on an otherwise un-useable piece of land.
5. *Granting of the variance would not be contrary to the public interest:* This project would in no way be contrary to public interest. The public would like to see their town grow through thoughtful planning and in a way that does not put a burden on existing systems throughout the town. This parcel would use on-site septic and off site well as to not put any strain on the existing town systems. This project does not propose a new curb cut, and therefore would not cause interference with existing traffic along Jillette Road. As mentioned in the previous sections, the residential house will have a similar lot layout as many properties along the lake. Due to the unique size of this property this proposed building has been designed with the public interest in mind.

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For the reasons cited in this application and accompanying documents, the applicant respectfully requests that the Application for Variances be granted.  
If you have any questions or comments, please contact me at (603) 627-2881.

Sincerely,



**Matthew J. Peterson**  
**Senior Project Manager**  
Keach Nordstrom Associates  
10 Commerce Park North, Suite 3B  
Bedford, NH 03110

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*Civil Engineering*

*Land Surveying*

*Landscape Architecture*

10 Commerce Park North, Suite 3B

Bedford, NH 03110

Phone (603) 627-2881

Fax (603) 627-2915

3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity of the proposed development.

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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.

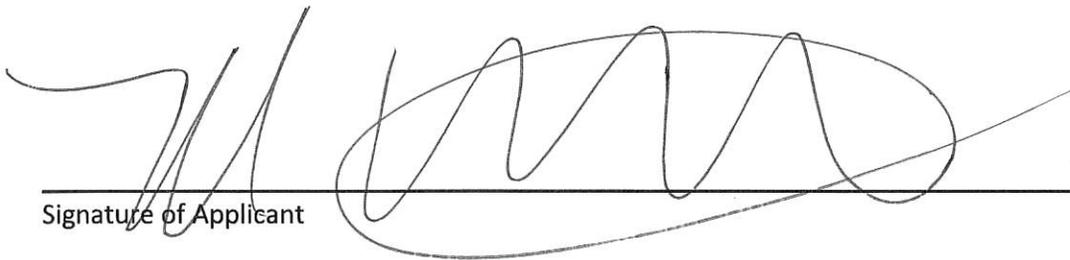
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5. The proposed use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site that would result in the loss of significant habitat or flood control protection.

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**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 3/17/2021  
Date

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

**RECEIVED** 3/26/2021  
Date

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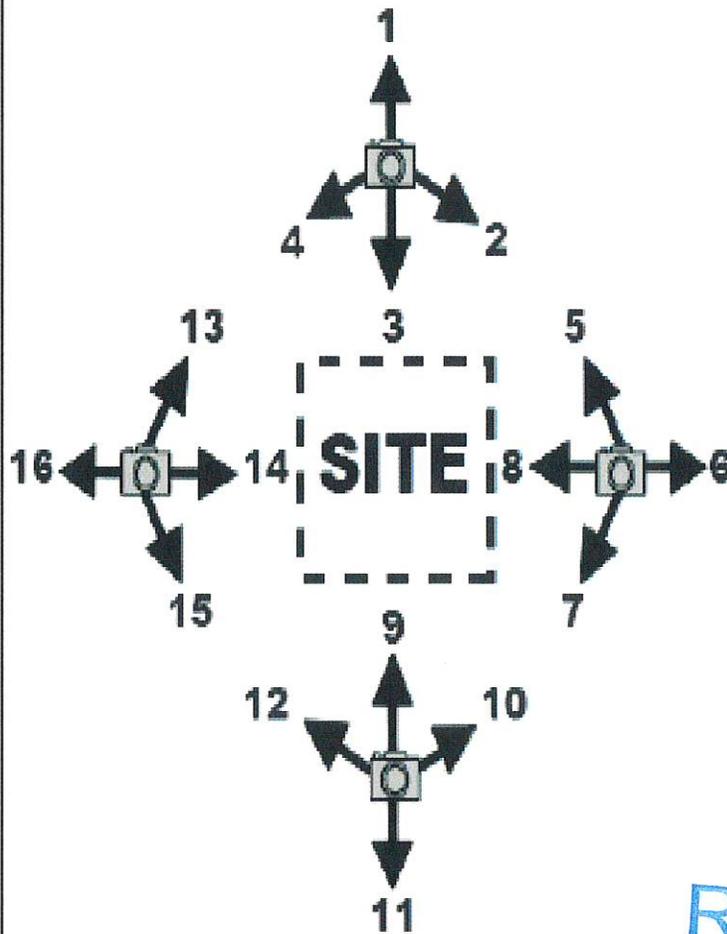


## SITE / CONTEXT PHOTOS

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.

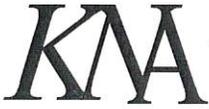
1. Photos are to be taken looking toward the site and adjacent to the site.
2. Photos should show adjacent improvements and existing on-site conditions.
3. Number the photographs according to view.



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Owner Affidavit

Stephen B. Potter and Joy W. Potter, Owners of Tax Map 26 Lots 12, located at Jillette Road in Barrington, New Hampshire hereby verify that we have authorized Keach-Nordstrom Associates, Inc., to submit on our behalf, any, and all applicable Local, State and/or Federal permit applications as they pertain to improvements on said property required by or otherwise associated with the development.

Additionally, we authorize Keach-Nordstrom Associates, Inc., to aid in the representation of these applications throughout the approval process.

Signature of Owner: Stephen B Potter Date: 3-26-2021

Printed Name of Owner: Stephen B. Potter

Signature of Owner: Joy C W Potter Date: 3-26-2021

Printed Name of Owner: Joy C.W. Potter

Address of Owner: 323 North State Street

Concord, NH 03301

*Jane Turkshing*  
my commission expires 11/5/21

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**Abutters List  
Jillette Road  
ZBA Application  
Barrington, NH - KNA#20-0713-1**

<b>Tax Map</b>	<b>Lot</b>	<b>Owner/Applicant</b>
126	12, 12.1, & 12.2	Stephen & Joy Potter 323 North State Street Concord, NH 03301
<b>Tax Map</b>	<b>Lot</b>	<b>Abutters</b>
126	13	David & Mira Frase 44 Jillette Road Barrington, NH 03825
126	20 & 20.1	John & Janice O'Neil P.O. Box 171 W. Nottingham, NH 03291
126	1.3	Cynthia & Timothy Blazek 20 Hawks View Barrington, NH 03825
126	7	Martin & Jessica Horkan 179 Highland Road Andover, MA 01810
126	10	John & Julie Bayiates 95 Lincoln Street Dedham, MA 02026
126	11	Thomas C. Gowen Revocable Trust 325 Great Bay Road Greenland, NH 03840
126	1 & 1.1	Tyler M. Splett 19 Hawks View Barrington, NH 03825
126	1 & 1.2	Daniel & Kristin Gebers 11 Hawks View Barrington, NH 03825

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<b>Tax Map</b>	<b>Lot</b>	<b>Abutters</b>
126	1 & 2	Jason & Sarah Ebner 30 Cooper Road Barrington, NH 03825
126	1 & 3	Shawn & Amy Jerome 24 Cooper Road Barrington, NH 03825
126	1 & 3.1	Larry & Chrisraina Phoubaykham 5 Jillette Road Barrington, NH 03825
126	1 & 14	Nathan & Shantel Bastille 2108 Franklin Pierce Hwy Barrington, NH 03825

Professionals to be notified:

Engineer/Surveyor  
Keach-Nordstrom Associates Inc.  
10 Commerce Park North, Suite 3  
Bedford, NH 03110

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March 30, 2021

Town of Barrington  
Barrington Zoning Board of Adjustment  
333 Calef Highway  
Barrington, New Hampshire 03825

**Re: Jillette Road ZBA Plan  
Tax Map 126; Lot 12.1 & 12.2  
Jillette Road - Barrington, New Hampshire 03825  
KNA Project # 20-0713-1**

Dear Chairman and Board Members:

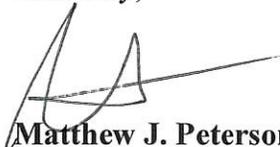
The above referenced parcel is being submitted for three (3) variance request for approval from the Town of Barrington Zoning Board of Adjustment. The property is located along Jillette Road and is currently undeveloped. There is an existing gravel drive that curves through the property that provides access to the abutting property.

This project proposes a 625 SF footprint residential building with a 520 SF deck facing North River Lake. This project does not propose to remove the existing gravel drive, but to instead use the same existing drive to access this property. As such, no new access drive will need to be installed along Jillette Road. The proposed building is placed 171.78 feet away from Jillette Road with enough existing vegetation to provided adequate screening from the roadway.

The existing lots are already a non-conforming lot. The minimum lot size for the General Residential District is 80,000 SF, when the 2 lots are combined, they will be 14,976 SF. This much smaller lot means that the setback requirements laid out in section 4.1.1 of Zoning Ordinance cannot be fulfilled. As such, this application looks for a variance from the Minimum Standards, section 4.1.1, 5.1.1(2), & 5.1.1(3), of the Barrington Zoning Ordinance.

If you have any questions or comments, please contact me at (603) 627-2881.

Sincerely,



**Matthew J. Peterson**  
**Senior Project Manager**  
Keach Nordstrom Associates  
10 Commerce Park North, Suite 3B  
Bedford, NH 03110

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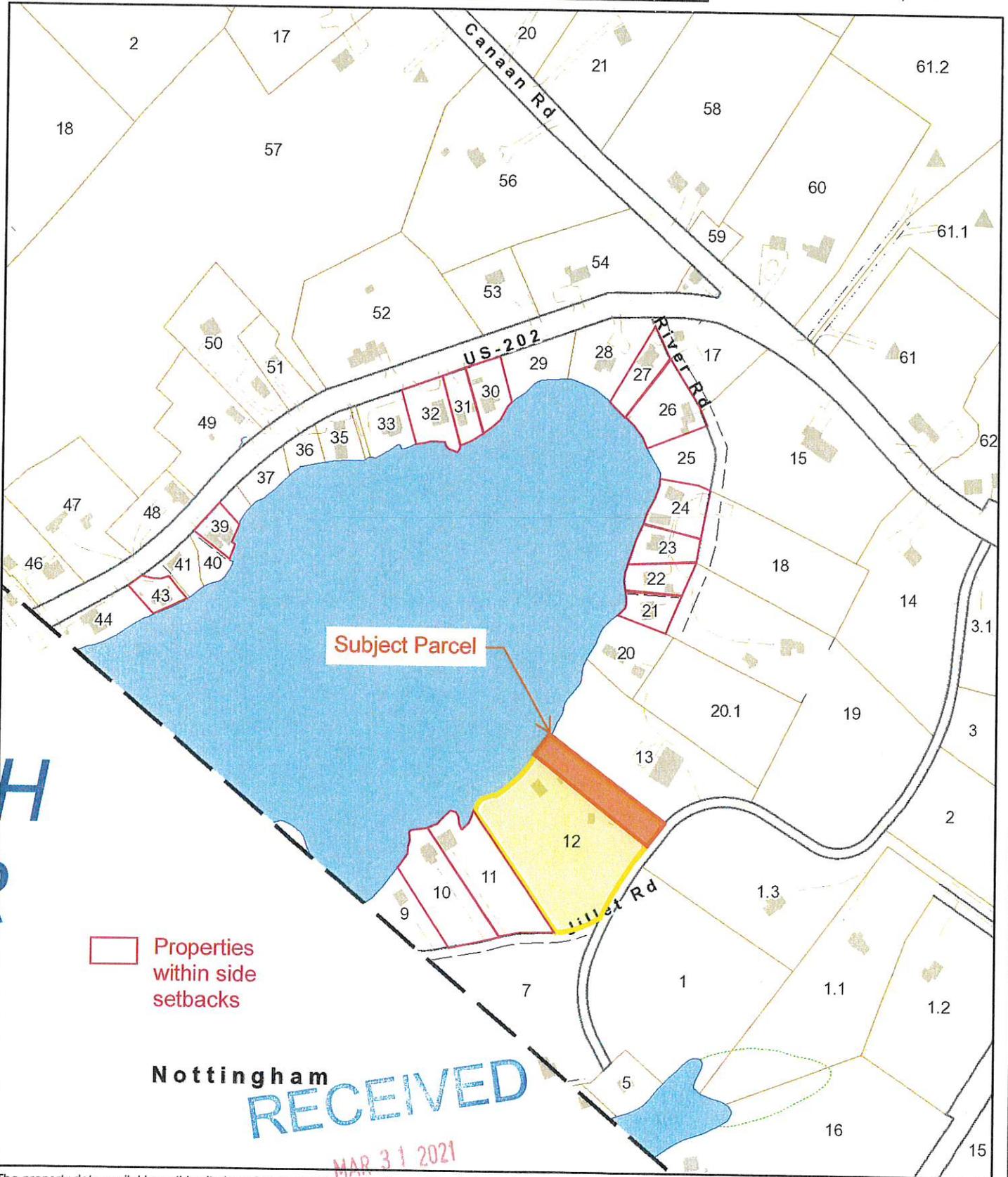
# North River Lake

Barrington, NH

1 inch = 274 Feet



March 8, 2021



 Properties within side setbacks

Nottingham

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The property data available on this site is updated periodically. The Town of Barrington makes no warranties with regard to its accuracy or completeness and assumes no liability associated with the use of this data.

**ARTICLE 4 ..... DIMENSIONAL REQUIREMENTS**

**4.1 .... General Provisions**

**4.1.1.....Minimum Standards**

No building or structure shall be erected, enlarged, altered or moved, nor shall any existing lot size be changed or new lot created, except in accordance with the standards prescribed in Table 2, Table of Dimensional Standards or as otherwise specified herein.

Zoning District	Min. Lot Size (sq.ft.) (b)	Min. Lot Frontage (ft.) (b)	Min. Yard Setbacks (ft.)(i)			Max. Bldg. Height		Max. Lot Coverage (f)
			Front	Side	Rear	Feet	Stories	
<b>General Residential</b>	80,000(c)	200	40	30	30	35	2.5	40%
<b>Neighborhood Residential</b>	80,000(c)	200	40	30	30	35	2.5	40%
<b>Village District (Residential)</b>	80,000(c)	200	40	30	30	35	2.5	40%
<b>Village District (Non-Residential)</b>	30,000(g)	75	20	15	15	40(j)	3	60%
<b>Town Center</b>	20,000(h)	40	20(k)	15	15	40(j)	3	80%
<b>Regional Commercial</b>	40,000(d)	200	75(e)	30	30	40(j)	3	50%

**Footnotes:**

(a) All development is subject to the additional and supplemental dimensional standards prescribed in Article 4 of this Ordinance.

(b) Refer to Article 4.2 for calculating the minimum lot size per dwelling unit within each district.

(c) Minimum lot sizes and frontage may be reduced as part of a Conservation Subdivision in accordance with Article 6 of this Ordinance.

(d) Minimum lot sizes for residential dwelling units in the RC district shall be in accordance with Section 4.2 of this Ordinance.

(e) A greenbelt shall be maintained along the frontage of parcels on Route 125 in accordance with Subsection 4.2.3, Paragraph 4), of this Ordinance.

(f) Maximum lot coverage means the area of the lot covered by an impervious surface. Calculation of maximum lot coverage in a Planned Unit Development (PUD) shall be in accordance with Subsection 16.3.3. All development is subject to the provisions of Article 12, Groundwater Protection, with regard to the creation of impermeable surfaces.

(g) The minimum lot size for single-family dwelling units must comply with the provisions of Subsection 4.2.1 of this Ordinance, which are the same requirements for constructing a single-family dwelling in the GR and NR districts, as well as all other applicable provisions. Refer to section 4.2.2 for further specifications regarding minimum lot size and building size requirements in the VD district.

(h) Refer to Section 4.2.4 for additional provisions regarding minimum lot size and building size in the TC district.

(i) "Setbacks apply to ground mounted Solar Collection Systems. Increases in the Minimum Yard Setbacks may be required as part of the Site Plan Review or building permit process in order to comply with Life Safety Code requirements. Additional buffers may also be required between residential and nonresidential uses in the VD, RC, and TC districts as specified in Article 4, as well as other sections of this Ordinance.

(j) No structure may contain occupied residential building space above 35 ft. unless said structure contains a sprinkler system.

(k) The setback for all new structures shall be fifty (50) feet from the edge of the right-of-way along Route 125 and Route 9. No new structures (except signs) may be placed within this setback area.

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**ARTICLE 5 ..... NONCONFORMING LOTS, STRUCTURES, AND USES**

**5.1 ..... Nonconforming Lots**

**5.1.1.....Development on Nonconforming Lots**

Structures shall be permitted on a lot having frontage or area that is less than required by the Table of Dimensional Regulations in this Ordinance if said structure is permitted by right within the zoning district and if the following provisions are met:

- 5.1.1(1).....The lot was a legal lot of record and duly recorded at the Strafford County Registry of Deeds prior to adoption of this Ordinance;
- 5.1.1(2).....The lot is capable of supporting a well and septic system designed and installed in compliance with all applicable town and state regulations; and
- 5.1.1(3).....All proposed uses, buildings, and structures, shall comply with the setback requirements in the Table of Dimensional Regulations.

**5.1.2.....Repealed 03/08/2011**

**5.1.3.....Certified Plan Required For Building on One Acre or Smaller Lots**

Before a building permit is issued for the erection of any structure or construction otherwise permitted on a nonconforming lot of one (1) acre or less in area, a plan stamped and certified by a licensed land surveyor must be submitted to the Building Inspector. The plan must show the exact location of all existing and proposed property lines, wells, septic tanks and leach fields, and structures on the lot in question. The plan must be drawn to a scale of not less than one (1) inch equaling fifty (50) feet (1" = 50').

**5.1.4.....Lot Line Adjustments Involving Non-Conforming Lots (3/9/2010)**

Lot line adjustments involving one or more contiguous lots, of which one or more lots are nonconforming in area, are permitted if one of the two following set of circumstances exists:

- 5.1.4(1).....The first set of circumstances being:
  - 5.1.4(1)(a) .....The lot line adjustment does not create a new violation of the zoning ordinance or increase an existing nonconformity; and
  - 5.1.4(1)(b) .....The lot line adjustment does not decrease the size of a nonconforming lot or render a conforming lot nonconforming; and
  - 5.1.4(1)(c) .....The lot line adjustment does not result in a change of the total oarea of any of the involved lots.
- 5.1.4(2).....The second set of circumstances being:
  - 5.1.4(2)(a) .....The lot line adjustment does not create a new violation of the zoning ordinance or increase an existing nonconformity; and
  - 5.1.4(2)(b) .....The lot line adjustment does not decrease the size of a nonconforming lot or render a conforming lot nonconforming; and
  - 5.1.4(2)(c) .....The lot line adjustment results in an increase in the size of one or more nonconforming lots.

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