



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 October 22, 2021 Case No. 126-24-GB-21-ZBAUa
 Owner Nicholas Mitropoulos
 Mailing Address 315 Rochester Hill Road
 Phone 603-866-0429 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	Rec
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- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Zoning Board of Adjustment Application Checklist (<i>this form</i>) |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. ZBA General Information (Article(s) and Section(s) of Ordinance) |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Appeal and Decision |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Fees - \$150.00 Application <input type="checkbox"/>
\$ 75.00 Legal Notice <input type="checkbox"/>
\$ 7.00 per US Post Office Certified Letter <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input 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) <small>If property owner did not sign the application form</small>) |
| <input checked="" type="checkbox"/> | <input 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 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 Aruin's
Staff Signature

10/26/2021
Date

Land Use Department
Town of Barrington; 333 Calef Highway; Barrington, NH 03825
mgasses@barrington.nh.gov Phone: 603.664.5798

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 126-24-GR-21-ZBA Van

Project Name Nicholas Mitropoulos

Location Address River Road

Map and Lot Map 126, Lot 24

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: 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:

Section 5.1.4

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

To adjust the boundary lines between Tax Map 126, Lots 19 and 24.

Barrington Zoning Ordinance Requirements:

Minimum Lot size 80,000 sq.ft. 200' Frontage

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

To reduce the lot size and frontage of Map 126, Lot 24. Both making Lot 24 more non-conforming.

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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.

Special Conditions (See attached letter from the Town Administrator)

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

Special Conditions (See attached letter from the Town Administrator)

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

Special Conditions (See attached letter from the Town Administrator)

4. Granting of the variance would do substantial justice.

Special Conditions (See attached letter from the Town Administrator)

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

Special Conditions (See attached letter from the Town Administrator)

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.

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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.

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

Date


Signature of Owner

10-26-21
Date

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SITE / CONTEXT PHOTOS

Using Guidelines Below

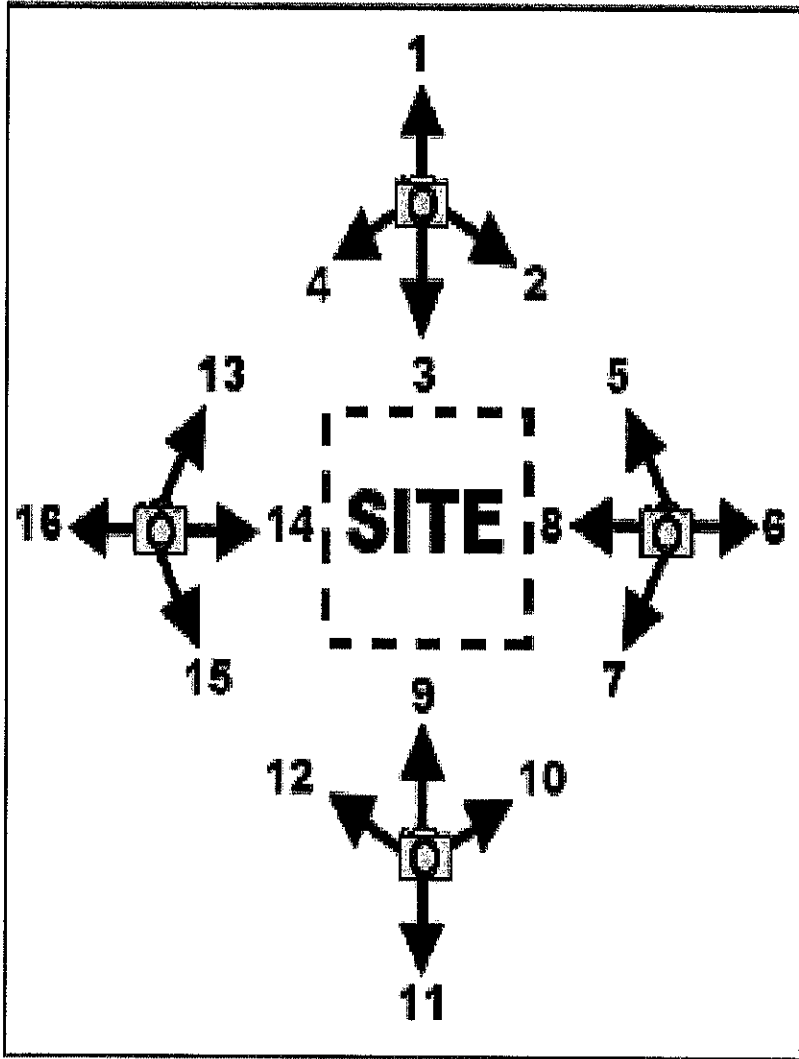
Provide color photographs showing the site and surrounding buildings/properties in order to provide staff, boards and commissions with a visual impression of the current site conditions.

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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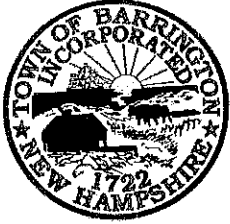
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TOWN OF BARRINGTON
NEW HAMPSHIRE

Office of the Town Administrator

TO: Barrington Zoning Board of Adjustment
FROM: Conner MacIver, Town Administrator
SUBJECT: Mitropoulos Variance Request – Map 126, Lot 18
DATE: Monday, March 22, 2021

Members of the Zoning Board of Adjustment,

Executive Summary

Although Nicholas and Shana Mitropoulos' intentions were clear, they were misadvised by a Town employee and merged their new lot (purchased from the Town) prior to performing the intended lot line adjustment. As a result, the lot line adjustment would require a variance from Section 5.1.4, even though their lot will remain larger than it was prior to the February 18, 2021 merger. The Town was aware, and supportive, of the intentions when selling the lot.

Narrative

In early 2020, the Town Lands Committee began reviewing Town-owned land to be sold later that year. They identified certain properties which they recommended for sale directly to abutters. In general, these were smaller lots in densely developed areas where larger lots would be in the Town's best interest. Included in that list was Map 126, Lot 18 on River Road. The Select Board supported the Town Lands Committee's recommendation and letters were sent to the abutting property owners with the offer for sale. Nicholas and Shana Mitropoulos (Map 126, Lot 24) and Christopher and Carol Reilly (Map 126, Lot 19) both responded with interest to purchase Map 126, Lot 18.

After becoming aware of the shared interest, the two parties agreed to split the cost and divide the property with a lot line adjustment. Procedurally, the Reilly's withdrew their interest in buying the property, because the Town was only interested in performing one real estate transaction. The Town Lands Committee, Conservation Commission, Planning Board, and Select Board all reviewed the proposed sale with full understanding of the intended division (lot line adjustment). After two public hearings and a vote, the Select Board authorized the sale on November 30, 2020. Nicholas and Shana Mitropoulos closed on Map 126, Lot 18 on January 21, 2021.

After purchasing the lot, Mr. and Mrs. Mitropoulos began working with the Planning and Land Use Department to begin the procedural steps necessary to divide and merge the lot. It was during this process that they were ill-advised and merged the lots prior to pursuing the lot line adjustment. The lots were voluntarily merged on February 18, 2021. This was a mistake and now the lot line adjustment will require a variance from Section 5.1.4.

I am hopeful that this information will help the Zoning Board of Adjustment understand the circumstances leading up to the variance request from Mr. and Mrs. Mitropoulos. If you have any questions or would like additional information, please do not hesitate to contact me directly.

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ABUTTER LIST
Town of Barrington, NH
Please Print or Type

Applicant: Nicholas Mitropoulos

Phone 603-866-0429

Project Address: River Road

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
126	24	GR	Nicholas Mitropoulos	315 Rochester Hill Road, Rochester, NH

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
126	1.3	Timothy & Cynthia Blazek	20 Hawks View, Barrington, NH
126	2	Jason & Sarah Ebner	30 Cooper Road, Barrington, NH
126	3	Shawn & Amy Jerome	24 Cooper Road, Barrington, NH
126	13	David & Mira Frase	44 Jillette Road, Barrington, NH
126	14	Nathan & Shantel Bastille	2108 Franklin Pierce Hwy, Barrington, NH
126	15	Dean Grondin & Lisa Enman	2120 Franklin Pierce Hwy, Barrington, NH
126	19	Christopher & Carol Reilly	59 River Road, Barrington, NH
126	20	Peter Phillip & Paul Kozlowski	60 River Road, Barrington, NH
126	20.1	Peter Phillip & Paul Kozlowski	60 River Road, Barrington, NH
126	21	Linda Blaquiere & Linda Matheson	68 River Road, Barrington, NH

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address
Robert J. Stowell	755 Central Avenue, Dover, NH 03820

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the Town of Barrington Assessing Office

on this date: 10/26/21, This is page 1 of 2 pages.

Applicant or Agent: [Signature]

Planning Staff Verification: _____ Date: OCT 27 2021

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ABUTTER LIST
Town of Barrington, NH
Please Print or Type

Applicant: Nicholas Mitropoulos **Phone** 603-866-0429

Project Address: River Road

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
126	24	GR	Nicholas Mitropoulos	315 Rochester Hill Road, Rochester, NH

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
126	22	Peter Phillip & Paul Kozlowski	60 River Road, Barrington, NH
126	23	Sharon McKinney & John Peyser	46 River Road, Barrington, NH
126	25	Dean Grondin & Lisa Enman	2120 Franklin Pierce Hwy, Barrington, NH

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address

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on this date: 10/26/21. This is page 2 of 2 pages.

Applicant or Agent:  NICHOLAS MITROPOULOS

Planning Staff Verification: _____ Date: _____

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