



TOWN OF NOTTINGHAM

139 Stage Road, P.O. Box 114, Nottingham, NH 03290
www.nottingham-nh.gov

Planning & Zoning
Tel (603) 679-9597 Fax (603) 679-1013

APPLICATION FOR A SPECIAL EXCEPTION

To: Zoning Board of Adjustment
Town of Nottingham

FOR OFFICE USE ONLY	
Case No.	_____
Date Filed	_____
Meeting Date	_____
Fee Amount	_____
Date Paid	_____
Outcome	_____

Name of Applicant Gary M. Potavin

Mailing Address 6 Tuckaway Shores Rd, Nottingham

Home Phone _____ Work Phone _____

Cell _____

Name of Owner same
(if same as applicant, write "same")

PROPERTY INFORMATION

Location of property 6 Tuckaway Shores Rd Tax Map 70 Lot 32

Lot Dimensions: Front 115' +/- Rear 72' +/- Side 155' +/- Side 204' +/-

Lot Area: Acres .37 +/- Square Feet 16,117 +/-

Present Use of Property Single Family Residence

Proposed Use of Property same - proposed addition

NOTE: This application is not acceptable unless all statements below have been completed. Additional information may be supplied on a separate sheet if the space provided is not adequate.

SPECIAL EXCEPTION REQUEST

A special exception is requested from Article II Section (c) (2) of the zoning ordinance to permit:

new septic system to be located within approximately 10' from front lot line

SUPPORTING INFORMATION

Explain how the proposal meets the special exception criteria as specified in the above noted Article/Section of the Nottingham Building Code & Zoning Ordinances: (List all criteria from ordinance).

Criteria 1 – *whether the goal set forth in NH RSA 674:17 I will be infringed by granting such special exception;*

See attached

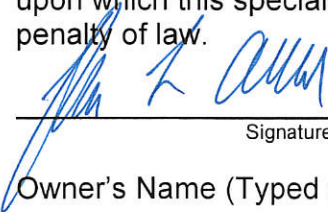
Criteria 2 – *whether the terrain or configuration of the lot make it more appropriate than not for such a special exception to be granted; and*

See attached

Criteria 3 – *whether the granting of such special exception would adversely impact the neighboring parcels or rural character of the Town.*

See attached

I hereby certify that I am the owner in fee or the authorized agent of the owner in fee of the property upon which this special exception is sought and that all information provided by me is true under penalty of law.



Signature of Owner(s) or Authorized Agent

9/12/16

Date

Owner's Name (Typed or Printed) John L. Arnold, Attorney for Gary M. Potavin

NARRATIVE IN SUPPORT OF SPECIAL EXCEPTION APPLICATION
OF GARY POTAVIN

This special exception application, submitted by Gary Potavin, is related to property located at 6 Tuckaway Shores Road (the "Property"). The Potavin family has been using the Property seasonally for several years, but recently moved in full-time. They have applied for a variance to construct an addition containing additional living space and a garage. That application provides additional background information, and is hereby incorporated by reference.

In connection with the upgrades to the Property, Mr. Potavin also seeks to replace the existing outdated septic system with a new system. The existing system is believed to have been installed in the 1960s. It is not being enlarged or expanded.

Pursuant to Article II, Section (C)(2) of the Zoning Ordinance, the system is required to comply with a 20' setback from all lot lines. The new system will comply with the side setback, but will not comply with the front setback. It will be located approximately 10.7' from the front lot line. As can be seen on the plan, there is no other location on the Property for the septic system which would comply with the setbacks. The proposed location minimizes the encroachment into the front setback as much as possible, and keeps the septic system as far away as possible from the Lake and the wetlands. Accordingly, Mr. Potavin seeks a Special Exception to allow a reduced setback of approximately 10.7' from the front lot line for the septic system.

1. The Goals Set Forth in RSA 674:17, I Will Not Be Infringed Upon By Granting the Special Exception

The goals set forth in RSA 674:17, I are:

- (a) To lessen congestion in the streets;
- (b) To secure safety from fires, panic and other dangers;
- (c) To promote health and the general welfare;
- (d) To provide adequate light and air;
- (e) To prevent the overcrowding of land;
- (f) To avoid undue concentration of population;
- (g) To facilitate the adequate provision of transportation, solid waste facilities, water, sewerage, schools, parks, child day care;
- (h) To assure proper use of natural resources and other public requirements;
- (i) To encourage the preservation of agricultural lands and buildings and the agricultural operations described in RSA 21:34-a supporting the agricultural lands and buildings; and
- (j) To encourage the installation and use of solar, wind, or other renewable energy systems...

None of these goals are infringed upon by granting the special exception. Allowing an upgraded septic system will help to serve several of the goals set forth above, including (c) and (g). More specifically, the new system, using modern technology, will be an improvement for

waste treatment at the property, providing greater confidence in environmental protection of the Lake and surrounding area.

2. The Terrain and Configuration of the Property Make it More Appropriate Than Not for the Special Exception to be Granted

The Property is a very small lot, consisting of approximately .37 acres. When the lot line setbacks are taken into account, together with the setbacks from the wetlands and Lake, there is very little buildable area. As can be seen on the Plan, there is no better location on the Property to locate the septic system.

3. Granting the Special Exception will not Adversely Impact the Neighboring Parcels or Rural Character of the Town

The proposed location of the septic system complies with the side lot line setbacks, such that neighbors will not be impacted. The reduced setback relates only to the front lot line. Nor will the new system impact the rural character of the Town in any way.

For these reasons, Mr. Potavin requests that a special exception be granted to allow the septic system to be installed within approximately 10.7 feet of the front lot line where a 20 foot setback is required.

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P.O. Box 114
139 Stage Road
Nottingham NH 03290



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plan.zone@nottingham-nh.gov
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OWNER'S AUTHORIZATION FOR REPRESENTATION

I, the undersigned owner of the property at 6 Tuckaway Shores Rd
hereby verify that I have authorized Hinckley, Allen & Snyder, LLP to
represent me/us and apply for the required approval(s) from the Zoning Board in the Town of
Nottingham, New Hampshire for the following:

- | | |
|---|---|
| <input type="checkbox"/> Subdivision/Lot Line Adjustment | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Backlot Subdivision | <input type="checkbox"/> Design Review |
| <input checked="" type="checkbox"/> Other <u>Variance & Special Exception</u> | |

FOR: _____

NAME OF OWNER (Typed or printed) Gary M. Potavin

Address of Owner 6 Tuckaway Shores Rd

Signature of Owner  Date 9/16/16

NAME OF OWNER (Typed or printed) _____

Address of Owner _____

Signature of Owner _____ Date _____

NAME OF OWNER (Typed or printed) _____

Address of Owner _____

Signature of Owner _____ Date _____

NAME OF OWNER (Typed or printed) _____

Address of Owner _____

Signature of Owner _____ Date _____