

139 Stage Road, P.O. Box 114, Nottingham, NH 03290 - email: plan.zone@nottingham-nh.gov Tel (603) 679-9597 Fax (603) 679-1013

Zoning Board of Adjustment Application for Appeal-VARIANCE

PLEASE READ THE APPLICATION RULES AND GUIDELINES BEFORE COMPLETING THE APPLICATION LOCATION OF PROPERTY: Street Address 000 Tax Map Lot Sub-Lot Applicant's information: Kevin Bassett Name(s): Phone # 603-895-4204 101 Shore Drive Address: Nottingham, NH 03290 E-mail Owner(s) information (if same as applicant write same): Name(s): Address: Phone #: E-mail: Representative's information (if applicable): Name(s): Address: Phone #: E-mail: **Property information:** Lot Dimensions: Front Rear Side Side Lot Area: Acres Square Feet Current use Present Use of Property Proposed Use of Property Please provide a copy of the recent deed and tax card for this property. The signer shall be the owner; or the signer shall provide a letter signed by all the property owners giving the signer permission to represent the owner in presentation of this application. I certify that the information provided is to the best of my knowledge, complete and correct. OWNER(S) Printed name Signature Date Printed name Signature Date Printed name Signature Date

| dditional information may be supplied | VARIANCE REQUEST |
|--|---|
| A variance is requested from Article | Section 1a, 1b, 1c, 1d of the zoning ordinance to permit: |
| Previous Zoning Board action on this pro | perty: |
| SUI | PPORTING INFORMATION |
| The variance would not be contrary The variance would not negatively affectively. The variance would not negatively affectively. The variance would not negatively affectively. | y to the public interest because: ect any abbutter |
| The spirit of the ordinance is observed. The variances would not reconstruction. | ved: esult in overcrowding or violate the current use of that property |
| Substantial justice is done: The variance does not impinge on the rights | of the general public or cause loss to any individual |
| | of the general public or cause loss to any individual |

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| I understand that I MUS' | $\underline{\mathbf{T}}$ appear in person a | ut the public hearing | | |
| | | OR | | |
| ☐ If I cannot appear in pers | | | | |
| I will designate the rep I hereby designate | resentative or agent | , in writing below, to a | ct on my behalf: | |
| After any production of the second of the se | | | | |
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| to represe | ent me as a represe | ntative/agent in the p | oursuance of this appeal. | • |
| Property Owner(s) | | | | |
| | Signature | Date | Signature | Date |
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LIST OF ABUTTERS

The following is a list of all abutting property owners concerned in this appeal. An abutter is any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration. The Land Use Office can assist you in determining your abutters, but YOU ARE RESPONSIBLE FOR OBTAINING THE CORRECT OWNER AND MAILING INFORMATION. When verifying the correct owner and mailing information, you are required to use the assessing information. You are ultimately responsible for your own list of abutters. This information is necessary to properly notify all interested parties with certified notices. FAILURE TO PROVIDE COMPLETE INFORMATION ON ABUTTERS WILL RESULT IN THE APPLICATION BEING RETURNED AND MAY DELAY THE SCHEDULING OF YOUR HEARING.

**PRINT THREE ADDRESS LABELS PER ABUTTER INCLUDING THE APPLICANT, OWNER & PROFESSIONAL(S) **

| 1. Applicant(s) Name Kevin Bassett | | Address | |
|--|--|--|-------------------------------|
| Kevin Bassett | | 101 Shore Dr | ive, Nottingham, NH 03290 |
| 2. Owner Name Kevin Bassett | | Address 101 Shore Drive, Nottingham, NH (| |
| 3. Professional(s) Name Kevin Bassett | | Address 101 Shor | e Drive, Nottingham, NH 03290 |
| MAP/ LOT/ SUB-LOT | ABUTTER(| S) NAME | MAILING ADDRESS |
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ZONING BOARD OF ADJUSTMENT

139 Stage Road, P.O. Box 114, Nottingham, NH 03290 - email: plan.zone@nottingham-nh.gov Tel (603) 679-9597 Fax (603) 679-1013

AUTHORIZATION TO ENTER UPON SUBJECT PROPERTY

The property owner(s), by the filing of this application, hereby give permission for the members of the Nottingham Planning Board and such agents or employees of the Town as the Nottingham Planning Board may authorize, to enter upon the property which is the subject of this application at any reasonable time for the purpose of such examinations, surveys, tests and/or inspections as may be appropriate to enable this application to be processed.

I/We hereby waive and release any claim or right I/we may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on my/our property in connection with this application. This authorization expires in one year from date of signature

| Property Owner(s) _ | Rei Bossetto Signature | 11/29/19 Date | Signature | Date |
|---------------------|---------------------------|------------------|-----------|------|
| Property Owner(s) _ | Signature | Date | Signature | Date |
| Property Owner(s) _ | Signature | Date | Signature | Date |
| Property Owner(s) _ | Signature | Date | Signature | Date |



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ZONING BOARD OF ADJUSTMENTS FEE SCHEDULE

Fee's collected at time of application:

| APPLICATION FEE \$100.00 | | \$100.00 | DATE PAID |
|--|-------|----------|-----------|
| ABUTTER NOTIFICATION X \$10.00/PER ABUTTER | | TBD | |
| PUBLIC NOTICE FEE \$75.00 | | \$75.00 | |
| | TOTAL | \$175.00 | |



TOWN OF NOTTINGHAM 139 Stage Road, P.O. Box 114, Nottingham, NH 03290 - email: plan.zone@nottingham-nh.gov Tel (603) 679-9597 Fax (603) 679-1013 Zoning Board of Adjustment Application for Appeal- VARIANCE

| Note |
|--|
| Tax Map |
| Applicant's information: Name(s):MATTHEW & SEONAID EATON Address: 6 LAMPREY DRIVE Phone #: NOTTINGHAM, NH E-mail: MEATON@NORTHEASTPLANNING.COM Owner(s) information (if same as applicant write same): Name(s): SAME Address: Phone #: E-mail: Representative's information (if applicable): Name(s): JAMES E FRANKLIN Address: 143 RAYMOND RD., UNIT 4 Phone #:603-483-3096 CANDIA, NH 03034 E-mail: JEFLS@COMCAST.NET Property information: Lot Dimensions: Front 100+- Rear 90+- Side 160+- Side |
| Name(s):MATTHEW & SEONAID EATON Address: 6 LAMPREY DRIVE Phone #: NOTTINGHAM, NH E-mail: MEATON@NORTHEASTPLANNING.COM Owner(s) information (if same as applicant write same): Name(s): SAME Address: Phone #: E-mail: Representative's information (if applicable): Name(s): JAMES E FRANKLIN Address: 143 RAYMOND RD., UNIT 4 Phone #:603-483-3096 CANDIA, NH 03034 E-mail: JEFLS@COMCAST.NET Property information: Lot Dimensions: Front 100+- Rear 90+- Side 160+- Side |
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| Property information: Lot Dimensions: Front 100+- Rear 90+- Side 160+- Side |
| Lot Dimensions: Front 100+- Rear 90+- Side 160+- Side |
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| Lot Area: Acres 0.36+- Square Feet |
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| Present Use of Property RESIDENTIAL |
| Proposed Use of Property RESIDENTIAL |
| Please provide a copy of the recent deed and tax card for this property. |
| The signer shall be the owner; or the signer shall provide a letter signed by all the property owners giving |
| signer permission to represent the owner in presentation of this application. |
| • |
| I certify that the information provided is to the best of my knowledge, complete and correct. OWNER(S) MATTHEW EATON |
| Printed name Signature Date |
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| SEONAID EATON / // // // // // // // // // // // // |
| Printed name Signature Date |
| 2 Summer |
| |
| Printed name Signature Date |



ZONING BOARD OF ADJUSTMENT

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AUTHORIZATION TO ENTER UPON SUBJECT PROPERTY

The property owner(s), by the filing of this application, hereby give permission for the members of the Nottingham Planning Board and such agents or employees of the Town as the Nottingham Planning Board may authorize, to enter upon the property which is the subject of this application at any reasonable time for the purpose of such examinations, surveys, tests and/or inspections as may be appropriate to enable this application to be processed.

I/We hereby waive and release any claim or right I/we may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on my/our property in connection with this application. This authorization expires in one year from date of signature

| Property Owner(s) | l hefs Signature | 11/17/3019 Date | x Hichel Feff | #/19/2019 Date |
|-------------------------|---------------------|--------------------|---------------------|-------------------|
| Property Owner(s) Bassa | None Signature | /// 18/19 Date | Jestin Signature | 11/18/19 Date |
| Property Owner(s) M/C | Signature | 11/18/19 Date | 73 A Signature | 1/18/19 Date |
| Property Owner(s) | Signature | 11-16-19 Date | Signature Signature | 11-18-1 Date |

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|---|
| □ I understand that I MUST appear in person at the public hearing |
| OR |
| □ If I cannot appear in person, |
| I will designate the representative or agent, in writing below, to act on my behalf: I hereby designate JAMES E FRANKLIN |
| 173 DEERFIELD ROAD, CANDIA, NH 03034 |
| |
| Property Owner(s) Signature Date Signature Date Date |
| |
| Property Owner(s) May help 11/1/2019 Signature Date Signature Date |
| Signature Date Signature Sant 1 |
| Property Owner(s) Suba Thom 11/18/19 Let Shirt Shirt 1/18/19 Signature Date |
| Property Owner(s) MC 1/18/19 93 93 94 95 11/18/19 Signature Date Signature Date |
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Zoning Board of Adjustment Application for Appeal- VARIANCE

| *PLEASE READ | THE APPLICAT | TION RULES AND G | UIDELINES BEI | FORE COMPLETING | THE APPLICATION* |
|---------------------|---------------------------------------|-------------------------|-------------------|-----------------------|----------------------|
| LOCATION OF | PROPERTY: | Street Address | 40 LAMPRE | Y DRIVE | |
| | | 68 | 6 | | |
| | | Tax Map | | Lot | Sub-Lot |
| Applicant's infor | | | | | |
| | | & BETH PHILLIPS | | | |
| | AMPREY DRIVE | | Phone #: | | |
| NOTTINGHAM NH | | | E-mail: MC | DOUGHERTYNH1@YA | AHOO.COM |
| Owner(s) informs | ntion (if same a | s applicant write sa | me)• | | |
| Name(s): SAME | teron (ij same a | в аррисані тис ва | me). | | |
| Address: | | | Phone #: | | |
| riddress. | · · · · · · · · · · · · · · · · · · · | | E-mail: | | |
| | | | D man. | | |
| Representative's | | applicable): | | | |
| Name(s): JAMES I | | | | | |
| Address: 143 RA | | NIT 4 | | 03-483-3096 | |
| CANDI | A, NH 03034 | | E-mail: JEI | FLS@COMCAST.NET | Γ |
| Property informa | tion: | | | | |
| Lot Dimensions: F | | Rear 120 |)+- | Side 160+- | Side |
| | | | | | |
| Lot Area: Acres 0. | 331- | | Square Feet | | |
| Present Use of Pro | perty RESIDEN | TIAL | | | |
| Proposed Use of P | roperty RESIDE | NTIAL | | | - |
| Please provide a c | ony of the rece | ent deed and tax ca | rd for this pro | nerty | |
| The signer shall be | the owner: or t | he signer shall prov | ide a letter sion | ned by all the proper | ty owners giving the |
| | | owner in presentati | | | ty owners giving the |
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| | | to the best of my knowl | edge, compléte an | d correct. | 11/18/19 |
| OWNER(S) MIC | Printed nam | | 11100 | wax t | |
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Zoning Board of Adjustment Application for Appeal-VARIANCE

| I LEASE R | EAD THE AFFLICAT | TON RULES AND GU | IDELINES DEFORE COMPLETING IN | LAPPLICATION" |
|--|---|---|---|--|
| LOCATION | OF PROPERTY: | Street Address | 18 INDIAN RUN | |
| | | 70 | 11 | ************************************** |
| | | Tax Map | Lot | Sub-Lot |
| Applicant's i | nformation: | | | |
| | RK & MICHELE LEFE | | | |
| Address: | 7119 HACIENDA DRIVI | = | Phone #: | |
| GRANT, FLA. | 32949 | | E-mail: MPLAFAVE@GMAIL.COM | |
| Owner(s) inf | ormation (if same a | s applicant write san | ne): | |
| Name(s): SA | VIE | Market State Company of the Company | | |
| Address: | | | Phone #: | |
| | | | E-mail: | |
| Representati | ve's information (if | annlicable). | | 3 |
| Market Street Street | MES E FRANKLIN | арричано). | | |
| | 43 RAYMOND RD., UI | NIT A | Phone #: 603-483-3096 | |
| C | ANDIA, NH 03034 | W11 -7 | E-mail: JEFLS@COMCAST.NET | |
| Lot Area: Acr | ns: Front 100+- | S | Side 160+- | |
| Proposed Use | of Property RESIDE | NTIAL | | |
| The signer sha signer permiss I certify that the | all be the owner; or t sion to represent the | he signer shall provious owner in presentation to the best of my knowledge. | de a letter signed by all the property on of this application. dge, complete and correct. Signature | owners giving the /////2013 Date |
| | MICHELE LEFEBVE Printed name | | Huchel Fefilic Signature | |
| | Printed nam | ie . | Signature | Date |





TOWN OF NOTTINGHAM

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Zoning Board of Adjustment Application for Appeal- VARIANCE

| | | * | IDELINES BEFORE COMPLI | DIANO MILITARI DICITION |
|---|---|--|--|----------------------------|
| LOCATION C | OF PROPERTY: | Street Address | 38 LAMPREY DRIVE | * |
| | | 68 | 5 | |
| | | Tax Map | Lot | Sub-Lot |
| Applicant's in | formation: | | | |
| Name(s): LESI | LIE & BARBARA TH | OMPSON | | |
| Address: 3 | 8 LAMPREY DRIVE | | Phone #: | |
| NOTTINGHAM | NH | | E-mail: BARB.THOMPSON | @COMCAST.NET |
| Owner(s) info | rmation (if same a | s applicant write san | 10)• | |
| Name(s): SAMI | | s applicant write san | <i>ie</i>). | |
| Address: | | | Phone #: | |
| 714410551 | | | E-mail: | |
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| | e's information (if | applicable): | | |
| | ES E FRANKLIN | | | |
| | RAYMOND RD., UI | NIT 4 | Phone #: 603-483-3096 | |
| CAI | NDIA, NH 03034 | | E-mail: JEFLS@COMCAS | ST.NET |
| Property infor | mation: | | | |
| | s: Front 200+- | Rear 105- | F- Side 160+- | Side |
| Lot Area: Acre | | | quare Feet | |
| Present Use of | Property RESIDEN | TIAL | | |
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| Proposed Use of | of Property RESIDE | | | |
| Please provide | of Property RESIDE | ENTIAL ent deed and tax car | d for this property. | property owners giving the |
| Please provide The signer shal | of Property RESIDE e a copy of the reco | ENTIAL ent deed and tax can the signer shall provide | de a letter signed by all the | property owners giving the |
| Please provide The signer shal signer permissi | of Property RESIDE a copy of the receil be the owner; or to on to represent the aformation provided is | ent deed and tax can the signer shall provide owner in presentation to the best of my knowle | de a letter signed by all the period of this application. dge complete and correct. | |
| Please provide The signer shal signer permissi | of Property RESIDE a copy of the recell be the owner; or to no to represent the aformation provided is LESLIE THOMPSON | ent deed and tax can the signer shall provide owner in presentation to the best of my knowle | de a letter signed by all the period of this application. dge complete and correct. | 11/18/19 |
| Please provide The signer shal signer permissi | of Property RESIDE a copy of the receil be the owner; or to on to represent the aformation provided is | ent deed and tax can the signer shall provide owner in presentation to the best of my knowle | de a letter signed by all the period of this application. | |
| Please provide The signer shal signer permissi I certify that the in OWNER(S) | of Property RESIDE a copy of the recell be the owner; or to no to represent the aformation provided is LESLIE THOMPSON | ent deed and tax can the signer shall provide owner in presentation to the best of my knowle | de a letter signed by all the period of this application. dge complete and correct. | 11/18/19 |
| Please provide The signer shal signer permissi I certify that the in OWNER(S) | of Property RESIDE e a copy of the rece l be the owner; or to on to represent the aformation provided is LESLIE THOMPSON Printed name | ent deed and tax can the signer shall provide owner in presentation to the best of my knowle to the best of my knowle the best of my | de a letter signed by all the part of this application. dge complete and correct. Signature | 11/18/19 Date |
| Please provide The signer shal signer permissi I certify that the in OWNER(S) | of Property RESIDE a copy of the rece be the owner; or the con to represent the aformation provided is LESLIE THOMPSON Printed name BARBARA THOMPS | ent deed and tax can the signer shall provide owner in presentation to the best of my knowle to the best of my knowle the best of my | de a letter signed by all the part of this application. dge complete and correct. Signature Signature | 11/18/79 Date |

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| NOTE: This application is not acceptable unless all statements following have been completed. |
| Additional information may be supplied on a separate sheet if needed. |
| VARIANCE REQUEST |
| A variance is requested from ArticleSectionof the zoning ordinance to permit: ARTICLE II-C.1 LOT SIZE; ARTICLE II-C.1a FRONTAGE ON CL. V ROAD |
| ARTICLE II-C.1c CONTIGUOUS BUILDABLE AREA; |
| ARTICLE II-C.1b MORE THAN TWO RESIDENCES ON A SINGLE DRIVEWAY |
| Previous Zoning Board action on this property: |
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| SUPPORTING INFORMATION |
| SUPPORTING INFORMATION 1. The variance would not be contrary to the public interest because: |
| THE VARIANCES WILL NOT NEGATIVELY AFFECT ANY ABUTTER |
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| 2. The spirit of the ordinance is observed: |
| BECAUSE THE VARIANCES WILL NOT RESULT IN OVERCROWDING NOR CHANGE THE CURRENT USE OF THE PROPERTY |
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| 3. Substantial justice is done: THE VARIANCES DO NOT IMPINGE ON THE RIGHTS OF THE GENERAL PUBLIC |
| THE THE WAY TO BE THE WIN HADE ON THE KIGHTS OF THE GENERAL PUBLIC |
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.4. The values of the surrounding properties are not diminished: THE VARIANCES WILL NOT REDUCE THE VALUES OF THE ADJACENT PROPERTIES

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| 5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship: A. For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area: |
| (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and |
| ENFORCEMENT OF THE ORDINANCE IS AN UNNECESSARY HARDSHIP BECAUSE THE LOT WAS CREATED PRIOR TO THE PRESENT ZONING, AND DENIAL OF THE VARIANCES WILL PREVENT THE LAND OWNERS FROM INCREASING THE SIZE OF THE LOT, AND BRINGING THE LOT MORE INTO COMPLIANCE WITH PRESENT ZONING. |
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| ii) The prepared was in a research to a re- |
| ii) The proposed use is a reasonable one. |
| BECAUSE THERE WILL NOT BE A CHANGE IN USE OF THE EXISTING LOT. |
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| B. If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it. |
| THE SPECIAL CONDITIONS OF THE LOT ARE THAT IT IS A PRE-EXISTING, NON-CONFORMING LOT OF RECORD, AND IS APPROXIMATELY 1/4 OF THE PRESENT MINIMUM LOT SIZE. |
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34 DOLLOFF DAM LLC 34 DOLLOFF DAM ROAD NOTTINGHAM, NH 03290

DELUCA, DANA, DARYL, DAVID DELUCA, DINA M., DANIEL 21 WICKLOW DRIVE WESTWOOD, MA 02090

MCGLONE, PHILIP MCGLONE, MICHAEL 198 WELLESLEY STREET MANCHESTER, NH 03104

ALGER, JAMES JOSEPH ALGER, LOIS PATRICIA PO BOX 10185 BEDFORD, NH 03110

DIONNE, BRUCE PO BOX 163 NOTTINGHAM, NH 03290 MILLS JR., JOHN G 30 TUCKAWAY SHORE ROAD NOTTINGHAM, NH 03290

ALGER, JR JAMES J ALGER, LOIS P PO BOX 10185 BEDFORD, NH 03110 DOUGHERTY, MICHAEL C TRUS PHILLIPS, BETH L 40 LAMPREY DRIVE MICHAEL C DOUGHERTY REV TRUST NOTTINGHAM, NH 03290 EATON, MATTHEW H EATON, SEONAID EC 6 LAMPREY DRIVE TRUSTEES MATTHEW SEONAID

NOTTINGHAM REALTY TRUST C/O ZYLA, CHERYL 4 LAMPREY DRIVE NOTTINGHAM, NH 03290

BASSETT, KEVIN S 101 SHORE DRIVE NOTTINGHAM, NH 03290

EATON NOTTINGHAM, NH 03290 OVENS, ANDREAK. 28 LAMPREY DRIVE NOTTINGHAM, NH 03290

BEEMAN, JEFFREY S BEEMAN, MARY E 39 BOSTON STREET GUILFORD, CT 06437

FARRINGTON, PATRICIA J **PO BOX 255** NOTTINGHAM, NH 03290

SANDERSON, DAVID TRUSTEE THE FORGOTTEN MTN REALTY 33 HOBBS ROAD NORTH HAMPTON, NH 03862

BERNARD, HERBERT E BERNARD, DIANE E TRUSTEES BERNARD IRREV TRUST **5 CLOVER COURT SALEM, NH 03079**

HATT, BRIAN P ZINER, ANDREW 56 BURNING BUSH DR BOXFORD, MA 01921

SHERIDAN, ROBERT SHERIDAN, MARTHA G. 34 LAWRENCE ROAD LEXINGTON, MA 02421

BERNIER REVOCABLE TRUST BERNIER, LEO - TRUSTEE P. O. BOX 52 BERNIER, PATRICIA TRUSTEE EPPING, NH 03042

KIMBALL, STEPHEN J DARLENE E REV TRUST 28 MEDITATION LANE ATKINSON, NH 03811

ST LAURENT, MICHAEL R ST LAURENT, LINDA A 18 RIVERBEND ROAD NEWMARKET, NH 03857

BRAUN, MARY F. BATES, DOUGLAS C. 30 LAMPREY DRIVE NOTTINGHAM, NH 03290

KOTOWSKI, EDWARD T KOTOWSKI, ELIZABETH S 14 INDIAN RUN NOTTINGHAM, NH 03290

STATE OF NEW HAMPSHIRE DES WATER RESOURCES DIVISION PO BOX 95 CONCORD, NH 03302

BYRNES III, CHARLES R 8 LAMPREY DRIVE NOTTINGHAM, NH 03290 LEFEBVRE, MARK P LEFEBVRE, MICHELE A 7119 HACIENDA DRIVE TRUSTEES, MICHELE A LEFEBVRE **GRANT, FL 32949**

STEVENSON, CAROL 8 INDIAN RUN NOTTINGHAM, NH 03290

CHRISTENSEN, JEAN L TRUSTEE CHRISTENSEN FAM T 800 LAKE PORT BLVD APT H211 LEESBURG, FL 34748

LOCONZOLO, WILLIAM 19 WHITE CIRCLE WAKEFIELD, MA 01880

SZAFRAN, CAROLINE J REV SZAFRAN, CAROLINE J, TRUS 47 CHERRYWOOD DRIVE **DOVER, NH 03820**

THOMPSON, LESLIE S THOMPSON, BARBARA A 38 LAMPREY DRIVE NOTTINGHAM, NH 03290

TUCKER, MARGUERITE S 32 DOLLOFF DAM ROAD NOTTINGHAM, NH 03290

WALKER, DUANÉ WALKER, PAMELA S TRUSTEES D&P WALKER REV TR 36 DOLLOFF DAM ROAD NOTTINGHAM, NH 03290

WHITE, NATHAN D. WHITE, ANDREA E. 15 DOLLOFF DAM ROAD NOTTINGHAM, NH 03290

JAMES & FRANKUN 143 RAYMOND RD LINIT 4 CANDIA NH 03034

Franklin Associates, LLC 143 Raymond Road, Unit 4, Candia, New Hampshire 03034 New Hampshire ~ Massachusetts ~ Connecticut

Town of Nottingham Code Enforcement Nottingham Town Office 139 Stage Road, PO Box 114 Nottingham, NH 03290

12/1/19

Regarding lands of Kevin Bassett (70-25 LLC), Leslie & Barbara Thompson, Michael Dougherty Rev. Trust, Mark & Michael Lefebvre, Matthew & Seonaid Eaton

Administrative Appeal

The Applicants contend the administrative decision requiring a variance to increase the size of existing, non-conforming lots, is in error. The Applicants seek to acquire segments or a large parcel of land to increase the size of their existing lakeside lots. The intent is not to create independent lots as all land parcels created by subdivision and/or lot line adjustment will be consolidated with the existing lots. The Applicants are receptive to a condition of planning board approval that requires immediate consolidation of the parcels created to enhance the existing non-conforming lots. The error appears to arise from confusion about the intended process and a perceived intermediate step where the parcels will exist independently for a period of time. There is no intermediate step. The Plan to be approved by the Planning Board will require consolidation. There also appears to be a conflict between non-conforming uses and non-conforming lots. Non-conforming uses can be expanded within reason without further variance as a matter of state law which trumps any local ordinance. If a structural addition is made to an existing non-conforming building that increases the non-conformity, a new variance is required. In this case, the process will improve the status of each of the non-conforming lots as they are nonconforming due to size. The process will increase the size and not the non-conformity. The Applicants contend a variance is not required. The Applicant respectfully requests that the Zoning Board of Adjustment ("ZBA") find a variance is not required and reverse the decision of the Administrative Official.

Continued on next page

Franklin Associates, LLC 143 Raymond Road, Unit 4, Candia, New Hampshire 03034 New Hampshire ~ Massachusetts ~ Connecticut

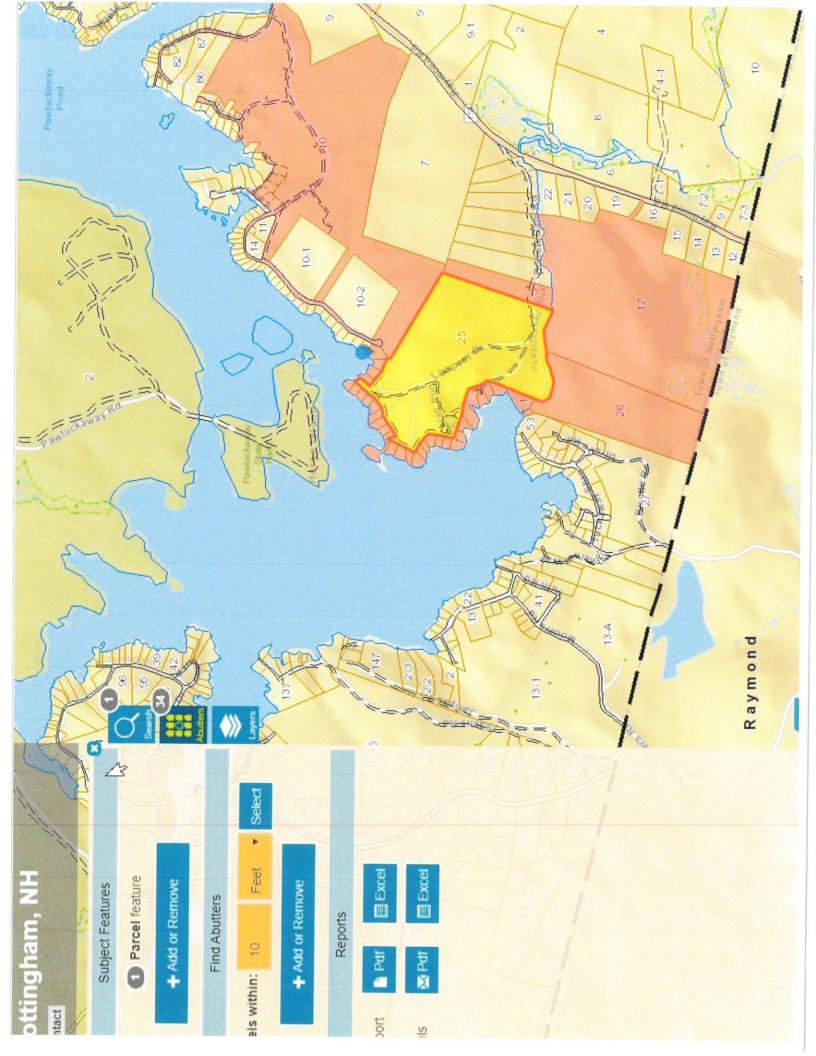
Bartlett Review

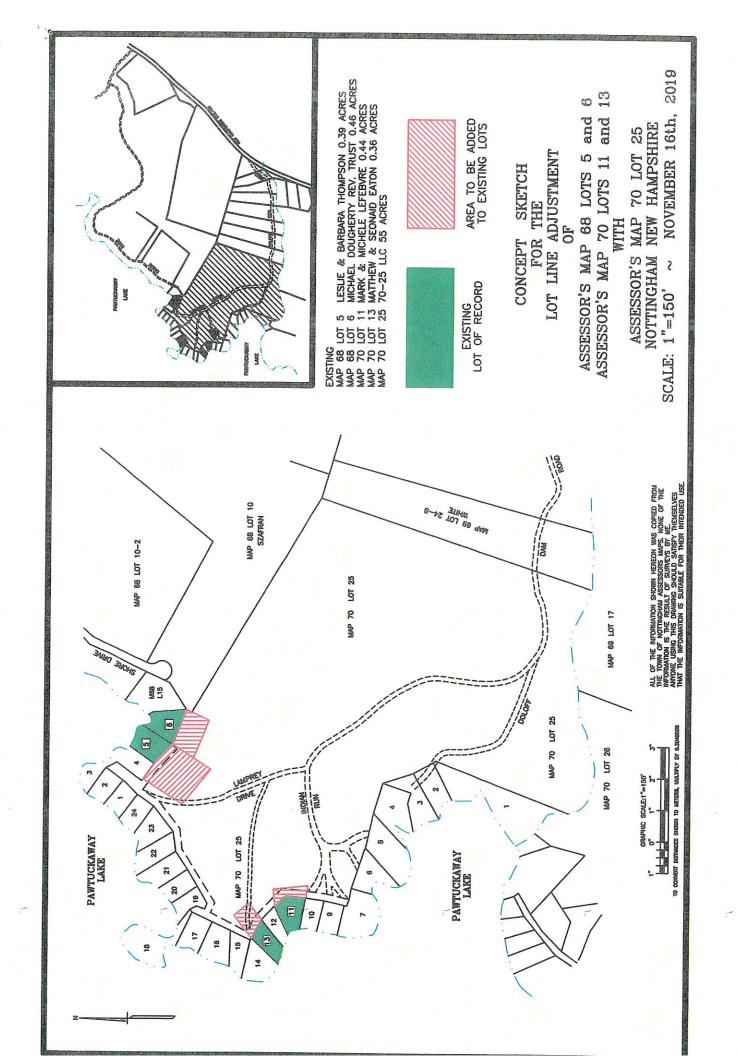
Pursuant to the standard developed by the New Hampshire Supreme Court, the Applicant's request a "Bartlett" review at the start of the hearing to make findings why a variance is needed. Bartlett v. Brookside Church, 164 N.H. 634 (2013). The Applicants contend a variance or variances are not required as the proposed subdivision/lot line adjustment and consolidation diminishes the nonconformities of the existing lots. The Applicants seek to acquire segments or a large parcel of land to increase the size of their existing lakeside homes. The intent is not create independent lots as all land parcels created by subdivision and/or lot line adjustment will be consolidated with the existing lots. The Applicants are receptive to a condition of planning board approval that requires immediate consolidation or the parcels created to enhance the existing non-conforming lots. The error appears to arise from confusion about the intended process and a perceived intermediate step where the parcels will exist independently for a period of time. There is no intermediate step. The Plan to be approved by the Planning Board will require consolidation. There also appears to be a conflict between non-conforming uses and non-conforming lots. Non-conforming uses can be expanded within reason without further variance as a matter of state law which trumps any local ordinance. If a structural addition is made to an existing non-conforming building that increases the non-conformity, a new variance is required. In this case, the process will improve the status of each of the non-conforming lots as they are nonconforming due to size. The process will increase the size and not the non-conformity. The Applicants contend a variance is not required. The Applicant respectfully requests that the Zoning Board of Adjustment ("ZBA") find a variance is not required.

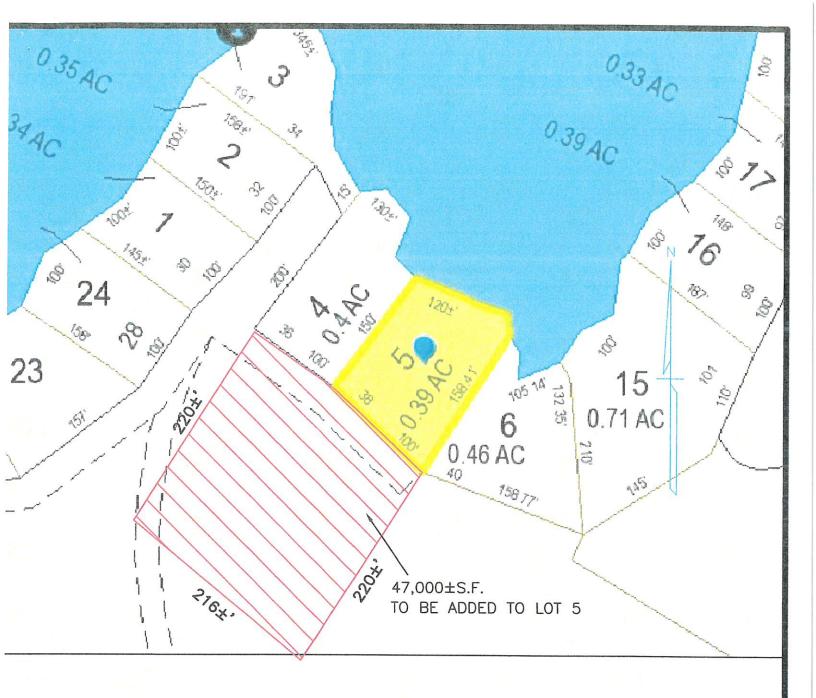
Sincerely,

James E Franklin

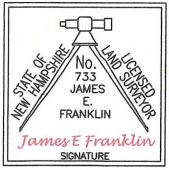
James E Franklin, Surveyor







VARIANCE APPLICATION SKETCH
LAND OF
LESLIE & BARBARA THOMPSON
ASSESSOR'S MAP 68 LOT 5
SCALE:1"=100' ~ NOVEMBER 16th, 2019



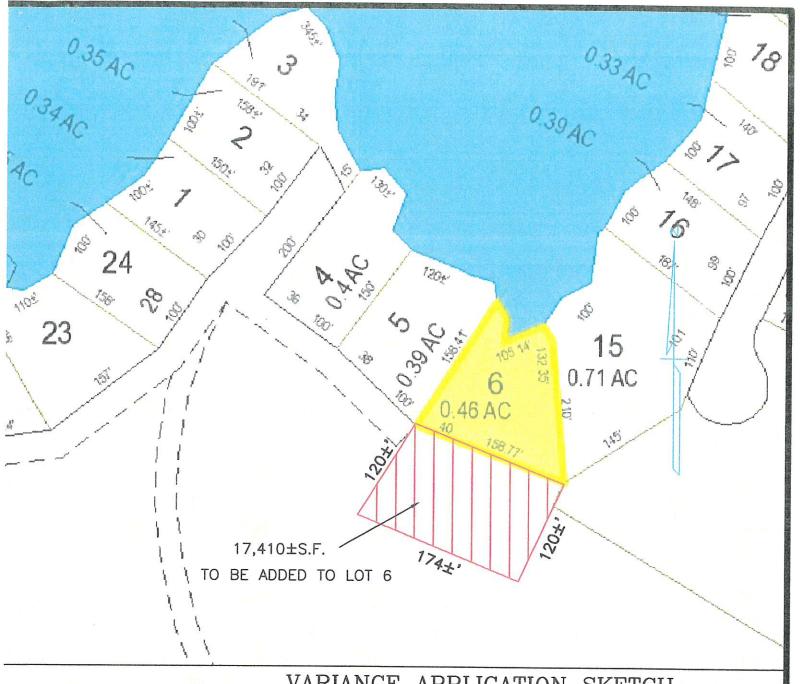
VARIANCE FROM ARTICLE II—C.1 TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE THE REQUIRED MINIMUM LOT SIZE OF 2 ACRES
VARIANCE FROM ARTICLE II—C.1a TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE 200' OF FRONTAGE ON A CLASS V ROAD
VARIANCE FROM ARTICLE II—C.1c TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE THE REQUIRED CONTIGUOUS BUILDABLE AREA OF 30,000 S.F. EXCLUSIVE OF SETBACKS VARIANCE FROM ARTICLE II—C.1b TO INCREASE THE SIZE OF A LOT THAT SHARES A DRIVEWAY WITH MORE THAN TWO RESIDENCES

FRANKLIN ASSOCIATES, LLC

NEW HAMPSHIRE ~ MASSACHUSETTS ~ CONNECTICUT

LAND SURVEYOR

143 RAYMOND ROAD, CANDIA, NH 03034 (603) 483-3096



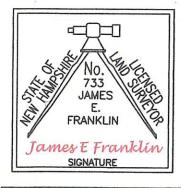
VARIANCE APPLICATION SKETCH

LAND OF

MICHAEL DOUGHERTY REVOCABLE TRUST

ASSESSOR'S MAP 68 LOT 6

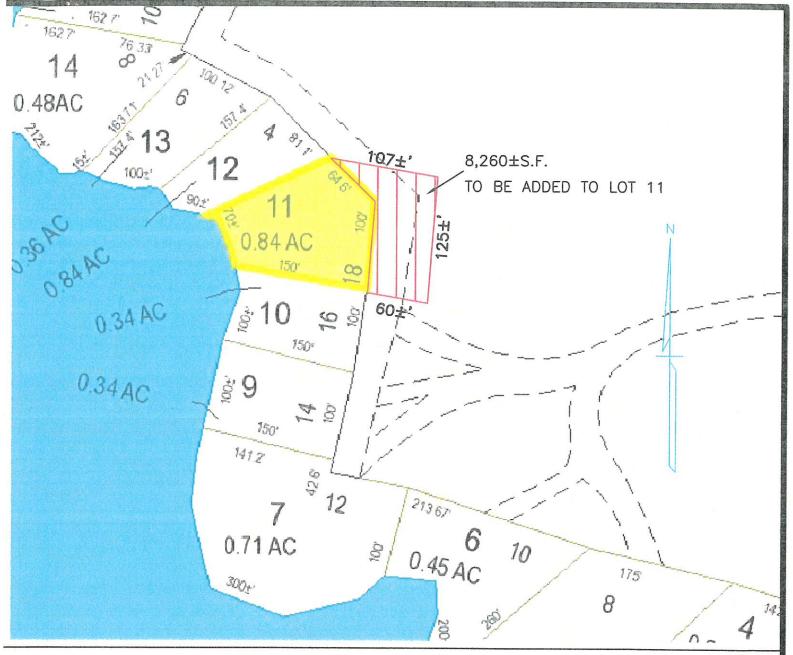
SCALE:1"=100' ~ NOVEMBER 16th, 2019



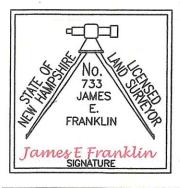
VARIANCE FROM ARTICLE II—C.1 TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE THE REQUIRED MINIMUM LOT SIZE OF 2 ACRES

VARIANCE FROM ARTICLE II—C.1a TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE 200' OF FRONTAGE ON A CLASS V ROAD

VARIANCE FROM ARTICLE II—C.1c TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE THE REQUIRED CONTIGUOUS BUILDABLE AREA OF 30,000 S.F. EXCLUSIVE OF SETBACKS VARIANCE FROM ARTICLE II—C.1b TO INCREASE THE SIZE OF A LOT THAT SHARES A DRIVEWAY WITH MORE THAN TWO RESIDENCES



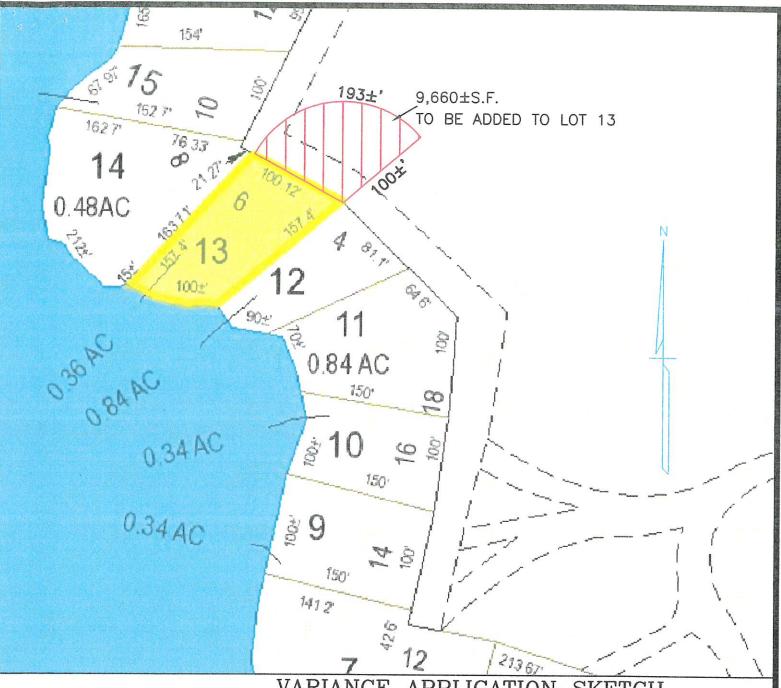
VARIANCE APPLICATION SKETCH
LAND OF
MARK & MICHELE LEFEBVRE
ASSESSOR'S MAP 70 LOT 11
SCALE:1"=100' ~ NOVEMBER 16th, 2019



VARIANCE FROM ARTICLE II—C.1 TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE THE REQUIRED MINIMUM LOT SIZE OF 2 ACRES

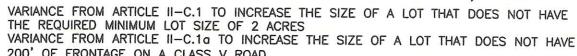
VARIANCE FROM ARTICLE II—C.1a TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE 200' OF FRONTAGE ON A CLASS V ROAD

VARIANCE FROM ARTICLE II—C.1c TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE THE REQUIRED CONTIGUOUS BUILDABLE AREA OF 30,000 S.F. EXCLUSIVE OF SETBACKS VARIANCE FROM ARTICLE II—C.1b TO INCREASE THE SIZE OF A LOT THAT SHARES A DRIVEWAY WITH MORE THAN TWO RESIDENCES



VARIANCE APPLICATION SKETCH
LAND OF
MATTHEW & SEONID EATON
ASSESSOR'S MAP 70 LOT 13

SCALE:1"=100' ~ NOVEMBER 16th, 2019



200' OF FRONTAGE ON A CLASS V ROAD VARIANCE FROM ARTICLE II—C.1c TO INCREASE THE SIZE OF A LOT THAT DOES NOT HAVE THE REQUIRED CONTIGUOUS BUILDABLE AREA OF 30,000 S.F. EXCLUSIVE OF SETBACKS VARIANCE FROM ARTICLE II—C.1b TO INCREASE THE SIZE OF A LOT THAT SHARES A DRIVEWAY WITH MORE THAN TWO RESIDENCES

