



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

PLEASE READ THE APPLICATION RULES AND GUIDELINES BEFORE COMPLETING THE APPLICATION

LOCATION OF PROPERTY: Street Address 37 North River Lake Road
Tax Map 1 Lot 43 Sub-Lot _____

Applicant's information:

Name(s): Jill Carney
Address: 10 Mountain Village Rd Phone #: 603-893-1114
Windham, NH 03087 E-mail: Jilc2@AOL.com

Owner(s) information (if same as applicant write same):

Name(s): Jill Carney
Address: 10 Mountain Village Rd Phone #: 603-893-1114
Windham, NH 03087 E-mail: Jilc2@AOL.com

Representative's information (if applicable):

Name(s): Louis Milano
Address: 17 Scotland Ave Phone #: 617-999-0528
Belham, NH 03076 E-mail: lov.milano@gmail.com

Property information:

Lot Dimensions: Front 50.71' Rear 51.08' Side 268.69' Side 253.96'
Lot Area: Acres .23 Square Feet 13,668
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 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) Jill Carney x Jill Carney 8/6/18
Printed name Signature Date

Printed name Signature Date

Printed name Signature Date

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 Article 2 Section C1A of the zoning ordinance to permit:
the demolition of a derelict camp and construction
of a single family dwelling on a private road

Previous Zoning Board action on this property: _____

SUPPORTING INFORMATION

1. The variance would not be contrary to the public interest because:

There is currently an existing home on this footprint.
The current home is not inhabitable and requires
at least this level of improvement for habitation.

2. The spirit of the ordinance is observed:

The spirit of the ordinance is observed because
the resulting structure is consistent with
its current state and consistent with
abutters and their abutters.

3. Substantial justice is done:

Substantial justice is done because it
allows for a currently derelict property
to be more like other improved properties
in this neighborhood.

4. The values of the surrounding properties are not diminished:

In fact the surrounding property values will
be positively impacted.

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

Replacing home would not impact public because footprint of home has not been substantially altered.

ii) The proposed use is a reasonable one.

The proposed use, residential dwelling, is reasonable because it is consistent with all abutters.

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 current property does not now and has never had a septic system or well. The septic design has been approved by the state and is considered preferable to a holding tank.

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 Louis Milano
□ Scotland Ave
Pelham, NH 03076

to represent me as a representative/agent in the pursuance of this appeal.

Property Owner(s) Gill Carney 8/6/18 _____
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date

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	Address
Jill Carney	10 Mountain Villages Rd Windham, NH 03076
2. Owner Name	Address
Jill Carney	10 Mountain Villages Rd Windham, NH 03076
3. Professional(s) Name	Address
Louis Milano	17 Scotland Ave

MAP/ LOT/ SUB-LOT	ABUTTER(S) NAME	MAILING ADDRESS
4. 1/45	Sherman Elliot	35 N. River Lake Road
5. 1/40	Richard Moland	39 N River Lake Road
6. 1/37	Courtney Amador	38 North River Lake Rd
7.		
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20.		



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

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SHORELAND IMPACT PERMIT 2018-00737

NOTE CONDITIONS

PERMITTEE: JILL CARNEY
10 MOUNTAIN VILLAGE RD
WINDHAM NH 03087

PROJECT LOCATION: 37 NORTH RIVER LAKE RD, NOTTINGHAM
TAX MAP #1, LOT #43

WATERBODY: NORTH RIVER POND

APPROVAL DATE: APRIL 19, 2018

EXPIRATION DATE: April 19, 2023

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Based upon review of the above referenced application, in accordance with RSA 483-B, a Shoreland Impact Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Impact 2,637 square feet (SF) of protected shoreland in order to install a septic system and demolish and replace existing primary structure.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by Brown Engineering & Surveying LLC., dated March 15, 2018 and received by the NH Department of Environmental Services (DES) on March 20, 2018.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 36% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 1,169 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

GENERAL CONDITIONS THAT APPLY TO ALL NHDES SHORELAND IMPACT PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This permit shall not be extended beyond the current expiration date;
7. This project has been screened for potential impacts to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.

APPROVED:



Calvin G. Diessner
Shoreland Program
Land Resources Management

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BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

**APPROVAL FOR CONSTRUCTION
OF INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS)**

AS AUTHORIZED BY THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES, WATER DIVISION PURSUANT TO RSA 485-A, WATER POLLUTION AND WASTE DISPOSAL AND ENV-WQ 1000, SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES.

APPLICATION APPROVAL DATE: 4/24/2018

APPROVAL NUMBER: eCA2018042413

I. PROPERTY INFORMATION

Address: 37 NORTH RIVER LAKE ROAD
NOTTINGHAM NH 03290
Subdivision Approval No.: PRE-1967
Subdivision Name:
County: ROCKINGHAM
Tax Map/Lot No.: 1/43

II. OWNER INFORMATION

Name: JILL CARNEY
Address: 10 MOUNTAIN VILLAGE ROAD
WINDHAM NH 03087

III. APPLICANT INFORMATION

Name: DARRELL F DUNN
Address: 168 OAK HILL RD
NORTHFIELD NH 03276

IV. DESIGNER INFORMATION

Name: DARRELL F DUNN
Address: 168 OAK HILL RD
NORTHFIELD NH 03276
Permit No.: 01781

V. SPECIFIC TERMS AND CONDITIONS: Applicable to this Approval for Construction

- A. TYPE OF SYSTEM:** ADVANCED ENVIRO-SEPTIC
- B. NO. OF BEDROOMS:** 2
- C. APPROVED FLOW:** 300 GPD
- D. OTHER CONDITIONS AND WAIVERS:**

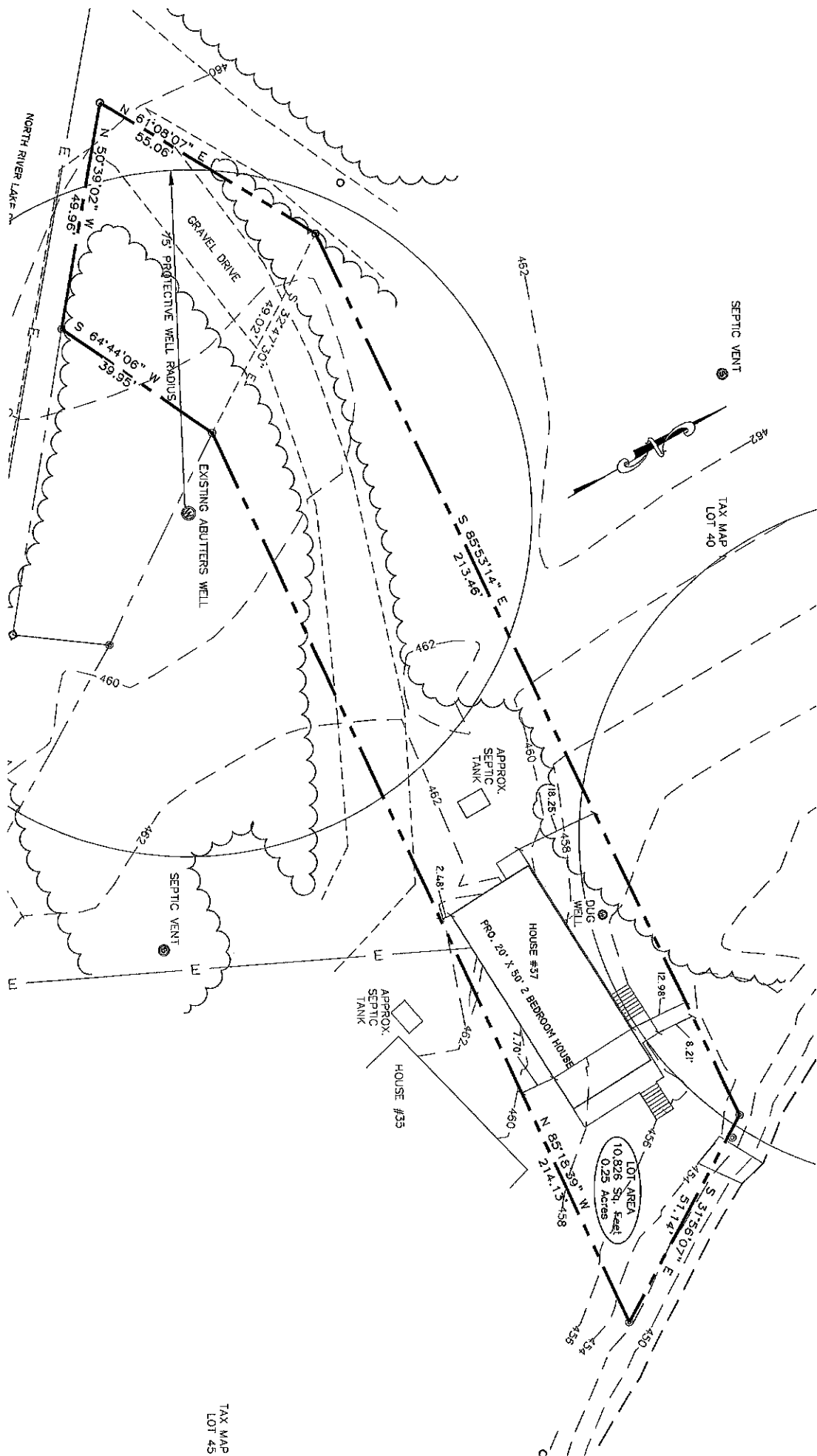
1. This approval is based on complying with Env-Wq 1004.21 "When Installation of a replacement ISDS is Required" and obtaining an approval for operation of the ISDS prior to the approval expiration date.
2. This approval is valid for 4 years from date of approval, per Env-Wq 1004.13.
3. No waivers have been approved.

Benjamin N. Giorgi
Subsurface Systems Bureau

VI. GENERAL TERMS AND CONDITIONS: Applicable to all Approvals for Construction

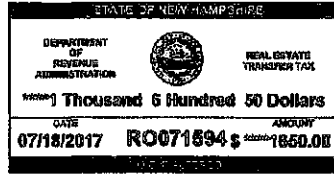
- A. This Approval for Construction is issued to construct the ISDS as identified on Page 1 of this Approval.
- B. This Approval is valid until 4/24/2022, unless an Approval for Operation has been granted.
- C. By exercising any rights under this approval, the parties have agreed to all terms and conditions.
- D. No liability is incurred by the State of New Hampshire by reason of any approval of any Approval for Construction. Approval by the Department of Environmental Services of sewage and waste disposal systems is based on plans and specifications supplied by the Applicant.
- E. The system must be constructed in strict accordance with the approved plans and specifications.
- F. The installed system must be left uncovered and cannot be used after construction until it is inspected and has received an Approval for Operation of Individual Sewage Disposal System (ISDS) by an authorized agent of the Department.
- G. This system must be installed by an installer holding a valid permit. An owner may install the system for his/primary domicile.
- H. This Approval for Construction does not supersede any equivalent or more stringent local ordinances or regulations. State standards are minimal and must be met statewide.

WORK NUMBER: 201800524-1
APPROVAL NUMBER: eCA2018042413
RECEIVED DATE: February 26, 2018
**TYPE OF SYSTEM: ADVANCED ENVIRO-
SEPTIC**



TAX MAP LOT 45

Return to:
Jill Carney
37 North River Road
Nottingham, NH 03290



029857

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that JoAnn Ganong and Fredric L. Ganong, wife and husband, of 5 Plympton Road, Sudbury, MA 01776 , for consideration paid grant(s) to Jill Carney, of 10 Mountain Village Road, Windham, NH 03087, with WARRANTY COVENANTS:

A certain tract or parcel of land, with the buildings and improvements thereon, situate in the Town of Nottingham, County of Rockingham and State of New Hampshire, bounded and described as follows:

Beginning at the northerly corner of said lot and land now or formerly of William Morris; thence running northeasterly by said Morris land to an iron hub near North River Lake a distance of two hundred (200) feet; thence southeasterly by said lake fifty (50) feet to an iron hub; thence southwesterly by land now or formerly of Ralph S. Colcord two hundred (200) feet to an iron hub; thence northwesterly by said Ralph S. Colcord's land fifty (50) feet to an iron hub, being the point begun at, said Lot being No. 4 as laid out by said Ralph S. Colcord.

Also conveying herein the right of way to said lot over the private road to said lots.

Also a certain tract or parcel of land, with the buildings and improvements thereon, situate in the Town of Nottingham, County of Rockingham and State of New Hampshire bounded and described as follows:

Beginning at an iron pipe driven in the ground at the northerly corner of other land of said Cormier; thence running in a westerly direction by and along other land now or formerly of said Howard a distance of fifty-five (55) feet and six (6) inches to an iron pipe driven in the ground at the public road; thence turning and running in a southerly direction by and along said public road a distance of fifty (50) feet to an iron pipe driven in the ground; thence turning and running in an easterly direction by and along other land of said Howard a distance of thirty-nine (39) feet and (10) inches to an iron pipe driven in the ground; thence turning and running in a northerly direction by and along other land of said Cormier a distance of fifty (50) feet to the point of beginning.

2017 JUL 18 AM 10: 57

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

Subject to restrictions of record.

Meaning and intending to describe and convey the same premises conveyed to Fredric L. Ganong and JoAnn Ganong by deed dated May 19, 1988 and recorded in the Rockingham County Registry of Deeds in Book 2740, Page 2140.

I/We, the grantor(s) hereby release all rights of homestead in the above described premises.

Executed this 14th day of July, 2017.

JoAnn Ganong

JoAnn Ganong

Fredric L. Ganong

Fredric L. Ganong

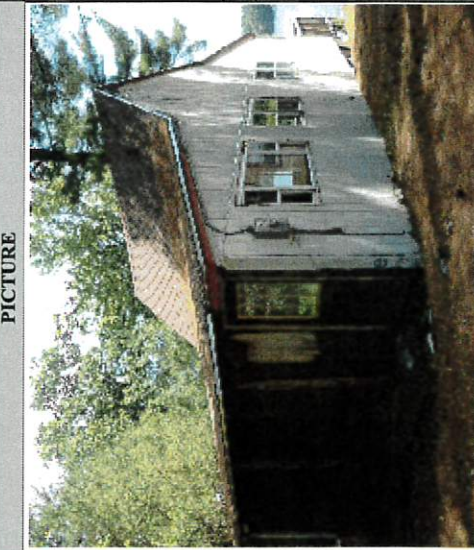
State of New Hampshire
County of Strafford

Then personally appeared before me on this 14th day of July, 2017, the said JoAnn Ganong and Fredric L. Ganong and acknowledged the foregoing to be his/her/their voluntary act and deed.

Jaime C. Lynch

Notary Public/Justice of the Peace
Commission expiration:





CARNEY, JILL
 10 MOUNTAIN VILLAGE ROAD
 WINDHAM, NH 03087

TAXABLE DISTRICTS	
District	Percentage

PERMITS

Date	Project Type	Notes
02/26/18	SEPTIC DESIGN APPRO	INSTALL NEW SEPTIC

BUILDING DETAILS

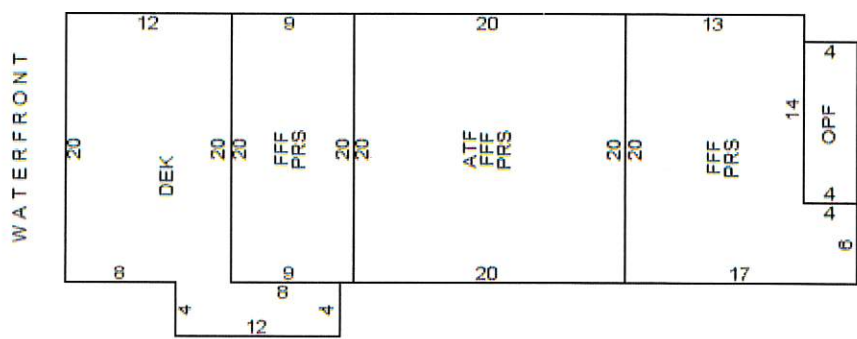
Model: 1.00 STORY CAMP
 Roof: GABLE OR HIP/ASPHALT
 Ext: PREFAB WD/TI-11
 Int: DRYWALL
 Floor: HARDWOOD/CARPET
 Heat: GAS/CONVECTION
 Bedrooms: 3 Baths: 1.0 Fixtures: 3
 Extra Kitchens: Fireplaces:
 A/C: No Generators:
 Quality: A0 AVG
 Com. Wall:
 Size Adj: 1.3393 Base Rate: RSA 80.00
 Bldg. Rate: 1.1786
 Sq. Foot Cost: \$ 94.29

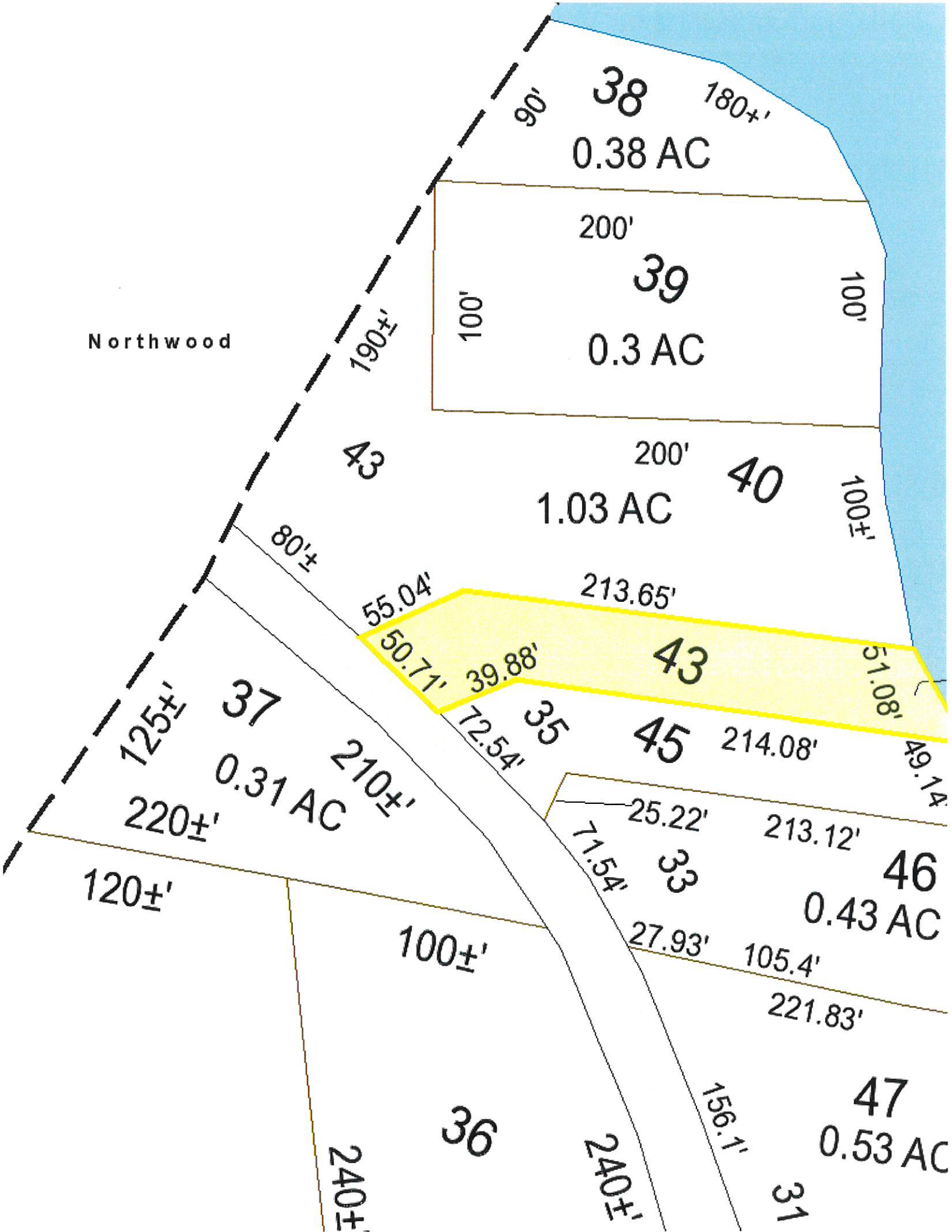
BUILDING SUB AREA DETAILS

ID	Description	Area	Adj.	Effect.
DEK	DECK/ENTRANCE	288	0.10	29
FFF	FST FLR FIN	864	1.00	864
PRS	PIERS	864	-0.05	-43
ATF	ATTIC FINISHED	400	0.25	100
OPF	OPEN PORCH	48	0.25	12
GLA:	964	2,464		962

2015 BASE YEAR BUILDING VALUATION

Market Cost New:	\$ 90,707
Year Built:	1947
Condition For Age:	GOOD 16 %
Physical:	
Functional:	
Economic:	
Temporary:	UC-2015 20 %
Total Depreciation:	36 %
Building Value:	\$ 58,100





Northwood

38
0.38 AC

39
0.3 AC

40
1.03 AC

43
0.43 AC

37
0.31 AC

45
0.45 AC

46
0.43 AC

47
0.53 AC

36

31

33

35

43

90'

180+'

200'

100'

100'

200'

100±'

80±'

55.04'

213.65'

50.71'

39.88'

51.08'

125±'

210±'

220±'

214.08'

49.14'

25.22'

213.12'

46

0.43 AC

71.54'

27.93'

105.4'

221.83'

120±'

100±'

156.1'

240±'

240±'