

Town of Nottingham

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

•Office 603-679-9597 x1 •Fax 603-679-1013 •E-Mail plan.zone@nottingham-nh.gov

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING NOTICE

Notice is hereby given that the Nottingham Zoning Board of Adjustment will hold a public hearing at 7:00 PM on Tuesday September 17, 2019 in Conference Room 1, at the Town Municipal Office to hear the following application:

Case 19-008-VA-VA

Application from Thomas Duffy requesting two Variances from the Nottingham Zoning Ordinance. One Variance request from Article II Section C.1(a) to permit construction of a property with less than 200ft. of frontage on a class V road or better (there is 204.3ft of frontage on a private road). The second Variance request is from Article II Section C.2 to permit construction of a septic system 10ft. from the setback on a non-conforming lot where 20ft. is required (meets state requirement of 10ft). The property is located on Cove Road in Nottingham, NH and is identified as Tax Map 68 Lot 65.

Questions? Contact the Land Use Clerk, JoAnna Arendarczyk
Ph.: (603) 679-9597 ext. 1 E-mail: plan.zone@nottingham-NH.gov
Mail written comments to the Nottingham Planning Board: PO Box 114, Nottingham, NH 03290
For materials pertaining to the hearing go to: https://www.nottingham-nh.gov/zoning-board-adjustment
THE PUBLIC IS WELCOME TO ATTEND

Town of Nottingham P.O. Box 114 Nottingham NH 03290

Code Administration



Office (603) 679-9597 x2 Fax (603) 679-1013

E-mail: <u>dsylvia@nottingham-nh.gov</u> www.nottingham-nh.gov

Building Permit Application Denial

Date:

8/5/19

Owner:

Thomas Duffy

Address:

Cove Road

Map/Lot

68/65

Applicant has filed for a new 2 bedroom home on a .2 acre lot.

\$

Denials:

Article II(C) (1) (a): Each lot shall have a minimum contiguous frontage of two (200) feet, including curb cut for approved access. This lot has 0' on a public road (note there is 204.3' frontage along Cove Rd. however that is a private road and does not meet the definition of frontage)

Article II(C) (2): There shall be between the property line, water's edge ("reference line" as described in RSA 483-B: 4 XVII), and any dwelling, and septic system(s), a minimum distance of fifty (50') feet, twenty (20') feet for grandfathered non-conforming lots of less than two (2) acres, as of the date of passage (03/08/94), in all directions. Meets State requirement of 10' but not the town setback of 20'.

Note:

It is an undersized lot, but does have an approved PLAT prior to our zoning ordinance, therefore is not denial.

Respectfully submitted,

Dale Sylvia

Code Enforcement



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 APPLICA	TION RULES AND GUII	DELINES BEFORE COMPLETIN	G THE APPLICATION
*PLEASE READ THE APPLICA' LOCATION OF PROPERTY:	Street Address 18	cove Rd	
	68	65	-
	Tax Map	Lot	Sub-Lot
Applicant's information:			
Name(s): Thomas DUFF Address: 28 Tucknury	2/		
Address: 28 Tucknury	Shore Rd	Phone #: 603 303	3039
		E-mail: TOM, DUFFY &	EVERANI, com
Owner(s) information (if same a	ıs applicant write same	?):	
Name(s): 5 AMC	30000		
Address:		Phone #:	
		E-mail:	
Representative's information (i	f applicable):		
Name(s):			
Address:		Phone #:	
		E-mail:	
Property information: Lot Dimensions: Front 128 Lot Area: Acres 20			
Present Use of Property <u>Res 14</u>			
Proposed Use of Property	SAME		
Please provide a copy of the rec The signer shall be the owner; or signer permission to represent the certify that the information provided is OWNER(S)	the signer shall provide cowner in presentation to the best of my knowledge	e a letter signed by all the proper of this application.	erty owners giving the
Printed nar	ne	Signature	Date
Printed nar	ne	Signature	Date
Printed nar	ne	Signature	Date

		CE REQ	UEST	
variance is requested from A	Article // (C) (Section	on_	of the zoning ordinance to permit:	
anstruction	of a prop.	erty w	vith less then 200 Report	wri]
Previous Zoning Board action	on this property:	NONE	۷	
	SUPPORTIN	IG INFOF	RMATION	<u></u>
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1128' of the	intrae on	Cove	Ed and continues	
ON CORNER +	o Another	R 76	Rely1960'S. Property ha Rel, AND continues 6 ft on Cove Rd.	
2. The spirit of the ordinal Single ON A lot of	nce is observed: FAMILY NOME RECOID:	2 15	Allower IN The Zone	
3. Substantial justice is do PII other I	nomes on stre	eet N	ND SUBDIVISION ORCE	
NOW NOW CONFOIN	NING IN LOAD	o fae to A	entage. Similar to	

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 flooped as Affiliated private to 1972. Towning DEDIDINER WAS THE FLOOT AT THAT TIME. Trappsing UPDAGED Strudments makes for unabuldable and D 15 A hard Ship: ii) The proposed use is a reasonable one. The prefesce Building of A 2 Bedem home is A milliplicated as a finite 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. I specify is Not a Herent From O Thous in the property is a confirmance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.		
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I understand that I MU	ST appear in person	at the public hearing		
	***	OR		
□ If I cannot appear in pe	rson,			
		nt, in writing below, to act		
I hereby designate			**************************************	
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· · · · · · · · · · · · · · · · · · ·	esent me as a repres	sentative/agent in the pu		•
Property Owner(s)	WI Suffy	Hy. 25,2019 Date	Signature	Date
		/ 2	S.g.ma.v	2544
Property Owner(s)				
	Signature	Date	Signature	Date
Property Owner(s)				
Topcity Owner(s)	Signature	Date	Signature	Date
Property Owner(s)	Signature	Date	Signature	Date

NOTE:	This application is	not acceptable unless	all statements	following have b	een completed.
Addition	ial information may	y be supplied on a sep	arate sheet if n	reeded.	_

VARIANCE REQUEST
A variance is requested from Article (C) Section of the zoning ordinance to permit: Onstruction of Septia System on a Non Conforming lote
TOWN RESUREMENT 15 20 FROM PROPERTY/INESETBACK
State Requirement 15 10' From Projecty line for Set Back of Awasks for Previous Zoning Board action on this property: None 10'sets
Building dept has Denier Building Applicable pending
VARIANCE BECAUSE Plan shows 10 ft. Set Back
SUPPORTING INFORMATION
1. The variance would not be contrary to the public interest because: All Weighboring and Abutting lots in this Town Ayfroved
SUBDIVISION OU NIN CONFIRMING. MANY lots have set back
1550es. Please note that SctBACK VARIANCE IS FROM The
ROAD AND NOT ANOTHER ABUTTER
2. The spirit of the ordinance is observed: 548ACK VARIANCE REQUEST IS FOR DISTANCE FROM
The ROAD. Actual Distances to Abotting paperty /was are 1) 23 feet from Lot 68-66, and
a) 46 feet from Lot 68-81
Thus meeting set BACKS from property lines
3. Substantial justice is done: If graves The Affrica NON CONFINING OF CAN NOW BUILD A home SIMILAR to Those IN Neighborhood.
Build A home similar to those in Neighborhood.
NOT homes have Been Burdined.
4. The values of the surrounding properties are not diminished: VA/VES RE NOT DIMINISHED, NEW CONSTRUCTIONS ENHANCES POOK OF Neighbor hood

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5. Liter	al enforcement of the provisions of the ordinance would result in an unnecessary hardship: 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
PM	OpeRty WAS Approved AS A pot of Record PRIOR to 1972
Z0	operty was Approved AS A bt of fecus prink to 1972 NING ORDINANCE, Imposing a higher Standard on A 1984 ZENING ORDINANCE IS A hardship AND VENTS Construction.
fRO	M A 1994 ZONING ORDINANCE IS A hAIDShip AND
PAUL	vents constructions.
1	
	ii) The proposed use is a reasonable one. Homes need State Approved Supfice Systems,
L'	specially within 250' of what Body.
В	If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed 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.
	with hon-state approved septics built
some	with hom-state approved septics built
PR	10R to 1994.
<i>y</i>	



Subject Property:

Parcel Number:

068-0065-000

CAMA Number:

068-0065-000

Property Address: COVE ROAD

Mailing Address: DUFFY, THOMAS

28 TUCKAWAY SHORES RD

NOTTINGHAM, NH 03290

Abutters:

Parcel Number:

068-0010-000

CAMA Number:

068-0010-000

Property Address: RAYMOND ROAD

Parcel Number:

068-0064-000

CAMA Number:

068-0064-000

Property Address: 16 COVE ROAD

Parcel Number:

068-0066-000

CAMA Number: Property Address: 20 COVE ROAD

068-0066-000

Parcel Number:

068-0081-000

CAMA Number: Property Address: 17 COVE ROAD

068-0081-000

Mailing Address:

SZAFRAN, CAROLINE J REV TRUST SZAFRAN, CAROLINE J, TRUSTEE,

47 CHERRYWOOD DRIVE

DOVER, NH 03820

Mailing Address:

NOETH, III, WILLIAM H. + NOETH TRUSTEES ANNE D. NOETH REVOCA

60 QUARRY RD **ACTON. MA 01720**

Mailing Address:

LEWIS, WALTER-REV TRUST-TRUSTE

LEWIS, KATHERINE REV TRUST

P.O. BOX 422 NOTTINGHAM, NH 03290

Mailing Address:

LAPOINTE, PRISCILLA C

17 COVE ROAD

NOTTINGHAM, NH 03290

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 <u>THREE</u> ADDRESS LABELS PER ABUTTER INCLUDING THE <u>APPLICANT</u>, <u>OWNER</u> & <u>PROFESSIONAL(S)</u> **

Applicant(s) Name	Address
Thomas DUFFY	28 TUCKAWAY Shoke Rd
/	NO HING ham
2. Owner Name	Address
Thomas Doffy	28 TUCKNWAY Shere Rd
,,	No Hidighmer
3. Professional(s) Name	Address

MAP/ LOT/ SUB-LOT	ABUTTER(S) NAME	MAILING ADDRESS
4. 068-0010-000	SZAFRIN, Canolines	47 Cherryward DRIVE
5.	Rev. TRUST	DOVEL, NH 03820
6. 068-0064-000	North, III, William of Anne	60 QUARRAY Rd
7.		Acton Ma 61720
8. 068-0066-000	Lewis, Walter + Kotherine	PO BOX422
9.	/	Nothinghom, NHU3290
10. 068-0081-000	LA pointe, PRISCILLA	17 cove Rd
11.		Nottinghom, NI+ 03290
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		



TOWN OF NOTTINGHAM

ZONING BOARD OF ADJUSTMENT

139 Stage Road, P.O. Box 114, Nottingham, NH 03290 - email: <u>plan.zone@nottingham-nh.gov</u> 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)	Signature	6-12-19 Date	Signature	Date
Property Owner(s)	Signature	Date	Signature	Date
Property Owner(s)	Signature	Date	Signature	Date
Property Owner(s)	Signature	Date	Signature	Date



TOWN OF NOTTINGHAM

139 Stage Road P.O. Box 114 Nottingham, NH 03290 SEPTIC PERMIT

Permit	Number:	201	9000183	Date:	05/30/2019
Map: _	000068	Lot:	000065	Sub Lot:	000000
Permit issue	ed to: DUFFY, THON	MAS			
at: COVE R	OAD				- 1
Permission	to: GET STATE APP	ROVAL FOR 2 B	EDROOM APPROVA	IL.	
	ess: 28 TUCKAWAY		OTTINGHAM, NH 0329	90 Phone:	
Permit Fee:	\$75.00 Estimated Co	st: \$0			
BEING CON		VED FOR THE P	URPOSES OF STATE	ES NOT MEET NOTTINE APPROVAL, HOWEV	NGHAM ZONING. IT IS ER A WAIVER FROM
BED BOTTO	M INSPECTION WIL	L BE CONDUCT	ED BY THE TOWN O	F NOTTINGHAM	

Signed: Telephone: 603-679-9597 EXT 2

CODE ADMINISTRATOR

NOTE: THIS PERMIT EXPIRES MAY 30, 2020.



The State of New Hampshire Department of Environmental Services

Robert R. Scott, Commissioner



NOTICE OF ACCEPTANCE OF PERMIT APPLICATION LAND RESOURCES MANAGEMENT SHORELAND PROGRAM

July 25, 2019

NOTTINGHAM MUNICIPAL CLERK/CON COM PO BOX 114 NOTTINGHAM NH 03290

Re:

Shoreland Permit Application (RSA 483-B); NHDES File Number: 2019-02306 Subject Property: 18 Cove Rd, Nottingham, Tax Map #68, Lot #65

Dear Sir or Madam:

Pursuant to RSA 541-A:39, please be advised that the New Hampshire Department of Environmental Services (NHDES) accepted an application on **July 25, 2019** for the permit program and subject property referenced above.

The application requests a permit for impacts to jurisdictional shoreland at the subject property. A detailed technical review of the application package will be completed within the applicable timeframe: 30 days of receipt of an application for a permit or 30 days of receipt of an application for a permit that will require a waiver of the minimum standards of RSA 483-B:9.

Pursuant to RSA 483-8:5-b, IV-a and Env-Wq 1406.13(a), the applicant is required to have notified the municipality by certified mail and provided a completed and signed copy of the permit application. If you have not received the required information, please contact the applicant or their agent at the following address:

S & H LAND SERVICES LLC PETER STODDARD 1600 CANDIA RD STE 5 MANCHESTER NH 03104

Please provide a copy of this notice to all interested departments, boards and commissions. Also note that under current state law and regulations, NHDES is not authorized to consider local zoning and regulatory issues pertaining to a project; these must be addressed at the local level.

If you have any questions, please contact the NHDES Shoreland Program at (603) 271-2147.

Sincerely,

Shoreland Program Land Resources Management

cc:

Thomas Duffy 🗸

Peter Stoddard, S&H Land Services, LLC

	Sub: 000000	び	Card: 1 of 1	1		COVE ROAD		NO	NOTTINGHAM		Printed:	11/29/2018	oc.
· i · · OWNER INFORMATION			**	SALI	SALES HISTORY					PICTURE	j.		
DUFFY, THOMAS 28 TUCKAWAY SHORES RD	Date 08/06/2018 09/10/2003 11/28/1990	Book 5935 4152 2859	50 15	Type Q V U V 23 Q V	Price Grantor 60,000 SYMONS, SHARON A COX, ALEXIS J. 18,500 UNKNOWN	S, SHARON A EXIS J. WN	4						
NOTTINGHAM, NH 03290 LISITNG HISTORY					NOTES								
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