



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 October 15, 2019** in Conference Room 1, at the Town Municipal Office to hear the following application:

Case 19-010-VA-VA

Application from Christopher Evans on behalf of the current owners, Steven Musial and Dania Jackson for two (2) Variance requests from Article II Section C.1(a) of the Nottingham Zoning Ordinance. One request is to permit construction of a single family dwelling on a non-conforming lot of record, Map 70 Lot 30, which meets all zoning criteria except the lot has 200 feet of frontage (noncontiguous) on a private road; not class V or better as provided in the definitions for "frontage". The second request is to permit construction of a single family dwelling on a non-conforming lot of record, Map 70 Lot 31, which meets all zoning criteria except the lots has 200 feet minimum frontage on a private road; not class V or better as provided in the definitions for "frontage". The properties are located on Tuckaway Shores Road in Nottingham, NH and are identified as Tax Map 70 Lots 30&31.

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

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 TUCKAWAY SHORES RD
70 30 8
 Tax Map Lot Sub-Lot

Applicant's information:

Name(s): <u>CHRISTOPHER EVANS</u>	
Address: <u>13 FERRY RD</u> <u>BOW NH 03304</u>	Phone #: <u>603-759-9777</u>
	E-mail:

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

Name(s): <u>STEVEN MUSIAL / DANIA JACKSON</u>	
Address: <u>388 ELGIN AVE</u> <u>MANCHESTER, NH 03104</u>	Phone #: <u>603 491 5757</u>
	E-mail:

Representative's information (if applicable):

Name(s):	
Address:	Phone #:
	E-mail:

Property information:

Lot Dimensions: Front 200 Rear 8 Side 190.6 Side 154.4
 Lot Area: Acres .39 Square Feet 16988 (.39 x 43560)
 Present Use of Property VACANT LAND
 Proposed Use of Property SINGLE FAMILY DWELLING

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) Steven Musial [Signature] 9-23-19
 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 11(c) Section (1)(a) of the zoning ordinance to permit: construction of a single family dwelling on a non-conforming lot of record which meet all criteria of zoning except lot has 200 feet of frontage (noncontiguous) on a private road, not class V or better is provided in definitions for "frontage"

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

THE HARSHIP in this circumstance, is that the owner purchased lots of record anticipating to build in the future, to use his property in a way similar to others in this area. The zoning regulations change unfairly restricting his rights to use his property in a way that other properties in the area are used.

NO FAIR & SUBSTANTIAL RELATIONSHIP exist between this property & other similar properties & uses. Others are permitted to have reasonable use of their properties, the zoning when applied to this property creates a restriction not equally & fairly imposed upon others.

ii) The proposed use is a reasonable one.

THE PROPOSED USE - single family dwelling on a private road is permitted in this area. It is consistent with other established uses in this area, with identical road access & conditions, to find that this use is "not" reasonable, would be to find that all other homes in this area, and for that matter, on any other private road or near the lake to be all unreasonable. It would be unreasonable to restrict one owner from having the same or equal rights as all others.

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 UNIQUE & special circumstances & condition of this property that distinguish it from others in this area, are that it was not built upon before zoning changed, as other properties in this area were. The zoning in this area would likely not permit most of the other homes in this area, applying a higher standard to this property than to others severely limits or precludes any rightful use of this property. A variance is the minimum relief from this undue / unjustified restriction, the use proposed is reasonable, permitted, consistent with the zoning consistent with the neighborhood.

to be equal or higher than other properties, thereby not adversely affecting values but likely to increase overall average value of surrounding homes. The use is consistent with other uses in this area. The use will not diminish values of other homes.

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

THE HARSHSHIP in this circumstance, is that the owner purchased lots of record anticipating to build in the future, to use his property in a way similar to others in this area. The zoning regulations change unfairly restricting his rights to use his property in a way that other properties in the area are used.

NO FAIR & SUBSTANTIAL RELATIONSHIP exist between this property & other similar properties & uses. Others are permitted to have reasonable use of their properties, the zoning when applied to this property creates a restriction not equally & fairly imposed upon others.

- ii) The proposed use is a reasonable one.

THE PROPOSED USE - SINGLE FAMILY DWELLING ON A PRIVATE ROAD is permitted in this area. It is consistent with other established uses in this area, with identical road access & conditions. To find that this use is not REASONABLE, would be to find that all other homes in this area, and for that matter, on any other private road or near the lake to be all UNREASONABLE. It would be unreasonable to restrict one owner from having the same or equal rights as all others.

- 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 UNIQUE & special circumstances & condition of this property that distinguish it from others in this area, are that it was not built upon before zoning changed, as other properties in this area were. The zoning in this area would likely not permit most of the other homes in this area, applying a higher standard to this property than to others severely limits or precludes any rightful use of this property. A variance is the minimum relief from this undue / unshared restriction. The use proposed is reasonable, permitted, consistent with the zoning consistent with the neighborhood.

Lot 4 D
= 30

MAIL TO

9K 5458 PG 2300

Brenna C. H. I.

036981



FIDUCIARY DEED

Steven Musial, Executor of the Estates of Henry Musial, 9th Circuit Court, Probate Division, Docket No. 318-2012-ET-0785 and the Estate of Priscilla Musial, 9th Circuit Court, Probate Division, Docket No. 316-2012-1054, for consideration grants to Steven Musial of 388 Elgin Avenue, Manchester, New Hampshire and Dania Jackson of 8 Whitehall Terrace, Hooksett, New Hampshire as joint tenants with rights of survivorship:

A certain parcel lot of land situated in Nottingham, in the County of Rockingham, State of New Hampshire, and being shown as Lot 3, Section B on a certain plan entitled "Plan of Tuckaway Shores, Nottingham, N.H. Scale 1 inch=100 feet, April, 1957," plan and survey by J.B. Folsom, recorded with Rockingham County Registry of Deeds, Plat 82 Page 13, bounded and described as follows:

Commencing at a bound at the Southwesterly corner of said Lot and near the northerly side of a right of way which leads through said Development known as "Tuckaway Shores" and at the Southeasterly corner of Lot 4, Section B as shown on said Plan, thence running S 74°E 84 feet to a bound, thence N 71°E 65 feet, and 5 inches to a bound, thence N 23 1/4°E 58 feet and 8 inches to a bound, thence N 45°W 100 feet to a bound, thence S 38°W 154 feet and 4 inches along Lot 4 Section B on said plan to point of beginning.

Together with all rights and interests in and to that parcel of land which may lay within described bounds and said right of way.

Meaning and intending hereby to convey the same premises conveyed to Henry J. Musial and Priscilla C. Musial by deed of Johan Brustla dated October 8, 1982 and recorded in the Rockingham County Registry of Deeds at Book 1647, Page 016.

2013 JUL 11 AM 9:54

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

Meaning and Intending hereby to convey the same premises conveyed to Henry J. Musial and Priscilla C. Musial by deed of Johan Bruelle dated August 26, 1989 and recorded in the Rockingham County Registry of Deeds at Book 3189, Page 0878.

WITNESS my hand and seal on this Fiduciary Deed this 26 day of June, 2013.

Debbie L. Laroche
Witness

By: Steven Musial
Steven Musial, as Executor of
The Estate of Henry Musial and
The Estate of Priscilla Musial

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me on June 26 2013, by Steven Musial, Executor of the Estate of Henry Musial, 9th Circuit Court, Probate Division, Docket No. 318-2012-ET-0786 and the Estate of Priscilla Musial, 9th Circuit Court, Probate Division, Docket No. 318-2012-1054.

Michelle L. Laroche
Notary Public/Justice of the Peace

Michelle L. Laroche, Justice of the Peace
My Commission Expires September 6, 2014



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 TUCKAWAY SHORES ROAD
70 31 0
 Tax Map Lot Sub-Lot

Applicant's information:

Name(s): <u>CHRISTOPHER EVANS</u>	
Address: <u>13 FERRY RD</u> <u>BOW NH 03304</u>	Phone #: <u>603-759-9777</u>
	E-mail:

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

Name(s): <u>STEVEN MUSIAL / DARIA JACKSON</u>	
Address: <u>388 ELGIN AVE</u> <u>MANCHESTER NH 03104</u>	Phone #: <u>603 491 5757</u>
	E-mail:

Representative's information (if applicable):

Name(s):	
Address:	Phone #:
	E-mail:

Property information:

Lot Dimensions: Front 308.9 Rear 154.4 Side 0 Side 0
 Lot Area: Acres .30 Square Feet 13050 (0.3 x 43560)
 Present Use of Property VACANT LAND
 Proposed Use of Property SINGLE FAMILY DWELLING

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) Steven Musial SA Musial 9-23-19
 Printed name Signature Date

 Printed name Signature Date

 Printed name Signature Date

lot 31

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 II (C) Section (1)(a) of the zoning ordinance to permit:

CONSTRUCTION OF A SINGLE FAMILY DWELLING ON A NON-CONFORMING LOT OF RECORD
WHICH MEET ALL ZONING CRITERIA - EXCEPT - LOT HAS 200 FEET MINIMUM FRONTAGE
BUT IT IS LOCATED ON A PRIVATE ROAD / NOT CLASS V OR BETTER AS PROVIDED IN

Previous Zoning Board action on this property: DEFINITIONS FOR "FRONTAGE".

NONE

SUPPORTING INFORMATION

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

PROPERTY RIGHTS ARE PROTECTED UNDER US & STATE CONSTITUTION - UPHOLDING PROPERTY RIGHTS AND LAWS IS OF PUBLIC INTEREST.
NOTTINGHAM ZONING ORDINANCE & MASTER PLAN PERMIT SINGLE FAMILY DWELLINGS IN THIS DISTRICT. THE PURPOSES STATED IN ZONING & MASTER PLAN PROVIDE FOR SAFE, MODERN HOUSING & PROTECTION OF PUBLIC PEACE, SAFETY & WELFARE.
PERMITTING SAFE HOUSING IS CONSISTENT WITH THE ZONING & MASTER PLAN. HOUSING NEEDS IN NOTTINGHAM ARE OF PUBLIC INTEREST. THE PUBLIC HAS TO LIVE SOMEWHERE.
DENYING OR RESTRICTION OF THE RIGHTS OF THE PROPERTY OWNER DOES NOT SERVE ANY PUBLIC INTEREST. THERE IS NO ADVERSE IMPACTS ON THE TOWN OR TOWN FACILITIES OR UTILITIES OR SERVICES AS ALL THESE PRESENTLY EXIST IN THIS LOCATION.

2. The spirit of the ordinance is observed:

THE ZONING ORDINANCE PROVIDES FOR HOUSING NEEDS OF THE PUBLIC.
DWELLINGS ARE PERMITTED IN THIS DISTRICT, OTHER EXISTING DWELLINGS EXIST IN THIS DISTRICT. THE PROPOSAL IS CONSISTENT WITH THE ZONING, SPIRIT OF THE ZONING, USES IN THIS LOCATION.

3. Substantial justice is done: DENIAL OF THE VARIANCE WOULD UNJUSTLY, UNFAIRLY, UNJUSTLY LIMIT THE CONSTITUTIONAL RIGHTS OF THE OWNER TO USE THIS PROPERTY, WOULD DEPRIVE THE OWNER OF THE MINIMUM OR ANY USAGE OF THIS PROPERTY. USAGES OF OTHER PROPERTIES IN THIS AREA SHARING IN SIMILAR FRONTAGE & CONFIGURATION ARE ALLOWED. IT WOULD BE FAIR & JUST TO PERMIT SIMILAR RIGHTS & USAGES AS THOSE CURRENTLY ENJOYED BY NEIGHBORS & PROPERTIES IN THIS DISTRICT. VARIANCE RELIEF WOULD BE FAIR, JUST & REASONABLE.

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

THE PROPOSED SINGLE FAMILY DWELLING IS ANTICIPATED TO BE NEWER, SAFER MORE MODERN THAN OTHER HOMES IN THE AREA. THE VALUE IS ANTICIPATED

to be equal or higher than other properties, thereby not adversely affecting values but likely to increase overall average values of surrounding homes. The use is consistent with other uses in this area. The use will not diminish values of other homes.

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

THE HARSHNESS IN THIS CIRCUMSTANCE, IS THAT THE OWNER PURCHASED LOTS OF RECORD ANTICIPATING TO BUILD IN THE FUTURE, TO USE HIS PROPERTY IN A WAY SIMILAR TO OTHERS IN THIS AREA. THE ZONING REGULATIONS CHANGE UNFAIRLY RESTRICTING HIS RIGHTS TO USE HIS PROPERTY IN A WAY THAT OTHER PROPERTIES IN THE AREA ARE USED.

NO FAIR & SUBSTANTIAL RELATIONSHIP EXIST BETWEEN THIS PROPERTY & OTHER SIMILAR PROPERTIES & USES. OTHERS ARE PERMITTED TO HAVE REASONABLE USE OF THEIR PROPERTIES, THE ZONING WHEN APPLIED TO THIS PROPERTY CREATES A RESTRICTION NOT EQUALLY & FAIRLY IMPOSED UPON OTHERS.

ii) The proposed use is a reasonable one.

THE PROPOSED USE - SINGLE FAMILY DWELLING ON A PRIVATE ROAD IS PERMITTED IN THIS AREA. IT IS CONSISTENT WITH OTHER ESTABLISHED USES IN THIS AREA, WITH IDENTICAL ROAD ACCESS & CONDITIONS. TO FIND THAT THIS USE IS NOT REASONABLE, WOULD BE TO FIND THAT ALL OTHER HOMES IN THIS AREA, AND FOR THAT MATTER, ON ANY OTHER PRIVATE ROAD OR NEAR THE LAKE TO BE ALL UNREASONABLE. IT WOULD BE UNREASONABLE TO RESTRICT ONE OWNER FROM HAVING THE SAME OR EQUAL RIGHTS AS ALL OTHERS.

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 UNIQUE & SPECIAL CIRCUMSTANCES & CONDITION OF THIS PROPERTY THAT DISTINGUISH IT FROM OTHERS IN THIS AREA, ARE THAT IT WAS NOT BUILT UPON BEFORE ZONING CHANGED. AS OTHER PROPERTIES IN THIS AREA WERE, THE ZONING IN THIS AREA WOULD LIKELY NOT PERMIT MOST OF THE OTHER HOMES IN THIS AREA, APPLYING A HIGHER STANDARD TO THIS PROPERTY THAN TO OTHERS SEVERELY LIMITS OR PRECLUDES ANY RIGHTFUL USE OF THIS PROPERTY. A VARIANCE IS THE MINIMUM RELIEF FROM THIS UNFAIR / UNSHARED RESTRICTION. THE USE PROPOSED IS REASONABLE, PERMITTED, CONSISTENT WITH THE ZONING CONSISTENT WITH THE NEIGHBORHOOD.

Bureau 641

lot 3 D
= 31

036982



FIDUCIARY DEED

2013 JUL 11 AM 9:56

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

Steven Musial, Executor of the Estates of Henry Musial, 9th Circuit Court, Probate Division, Docket No. 316-2012-ET-0785 and the Estate of Priscilla Musial, 9th Circuit Court, Probate Division, Docket No. 316-2012-1054, for consideration grants to Steven Musial of 388 Elgin Avenue, Manchester, New Hampshire and Dania Jackson of 8 Whitehall Terrace, Hooksett, New Hampshire as joint tenants with rights of survivorship

A certain lot of land situate in Nottingham, County of Rockingham, State of New Hampshire, near Pawtuckaway Lake so-called and being shown as Lot 4, Section B on "Plan of Tuckaway Shores, Nottingham, N.H. April, 1957" recorded in Rockingham County Registry of Deeds as Plat Book 22, Page 13 bounded and described as follows:

Beginning at the Westerly corner of said lot on the Northerly side of an access road shown on said Plan and land now or formerly of Peter Meindl and running S 74° E along or near said access road 100.0 feet to the Westerly corner of Lot No. 3 Section B on said Plan; thence running N 36° E along said Lot No. 3 Section B 154 feet 4 inches to the Northerly corner of said Lot No. 3 Section B; thence running N 45° W along or near a private road or right-of-way 100.0 feet to said land now or formerly of Peter Meindl; thence running S 35° W along said Meindl land 100 feet 6 inches to the point of beginning.

Together with all right, title, and interest in and to those strips of land lying between the above-described premises and said access road and said private road or right-of-way.

Said premises are a portion of those acquired by Johan Brustle by deed of Peter Meindl dated July 27, 1935 recorded in said Registry, Book 906, Page 490.

BK 5450 PG 2301

WITNESS my hand and seal on this Fiduciary Deed this 26 day of
June, 2013.

[Signature]
Witness

By: [Signature]
Steven Musial, an Executor of
The Estate of Henry Musial and
The Estate of Priscilla Musial

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me on June 26
2013, by Steven Musial, Executor of the Estate of Henry Musial, 9th Circuit Court,
Probate Division, Docket No. 316-2012-ET-0785 and the Estate of Priscilla Musial,
9th Circuit Court, Probate Division, Docket No. 316-2012-1054.

[Signature]
Notary Public/Justice of the Peace

NICHOLE WILLACOURT, Justice of the Peace
My Commission Expires September 3, 2016

☐ 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 CHRISTOPHER EVANS

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

Property Owner(s) Ad Murrent 9.23.19 _____
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
CHRISTOPHER EVMS	13 FERRY RD BOW NH 03304
2. Owner Name	Address
STEVEN MUSIAL / DANIA JACKSON	388 ELGIN AVE MANCHESTER NH 03104
3. Professional(s) Name	Address

MAP/LOT/SUB-LOT	ABUTTER(S) NAME	MAILING ADDRESS
4. 70/32/0	GARY M POTVIN	48 JUNIPER RD BOFFSTOWN NH 03045
5. 70/33/0	STEVEN MUSIAL DANIA JACKSON	388 ELGIN AVE MANCHESTER NH 03104
6. 70/31/0	" "	" "
7. 70/36/0	JAY AND SANDY SHEPARD FAMILY TRUST	20 COURTNEY LANE HAMPSHIRE NH 03841
8. 70/28/0	ANNIELLO A COLLINS JUDITH H COLLINS	PO BOX 784 RAYMOND NH 03077
9. 70/83/0	NEIL A COLLINS JUDITH A COLLINS	PO BOX 784 RAYMOND NH 03077
10. 70/48/0	EDWARD J HARRISON JR PATRICIA PURCELL	PO BOX 185 PEASODY MASS 01960
11. 70/97/0	HERBERT M CALVITTO DEBRA S CALVITTO	2 TUCKAWAY SHORES RD NOTTINGHAM NH 03290
12. 70/96/0	MEAGAN E FISHER	5 MEINDL RD EAST NOTTINGHAM NH 03298
13. 70/94/0	KEVIN R KEMP KELLY KEMP	9 MEINDL RD EAST NOTTINGHAM NH 03290
14. 70/34 BOAT RAMP	TUCKAWAY SHORES ASSOC INC ERIC DANKS, PRES	PO BOX 64 NOTTINGHAM NH 03290
15.		
16.		
17.		
18.		
19.		
20.		

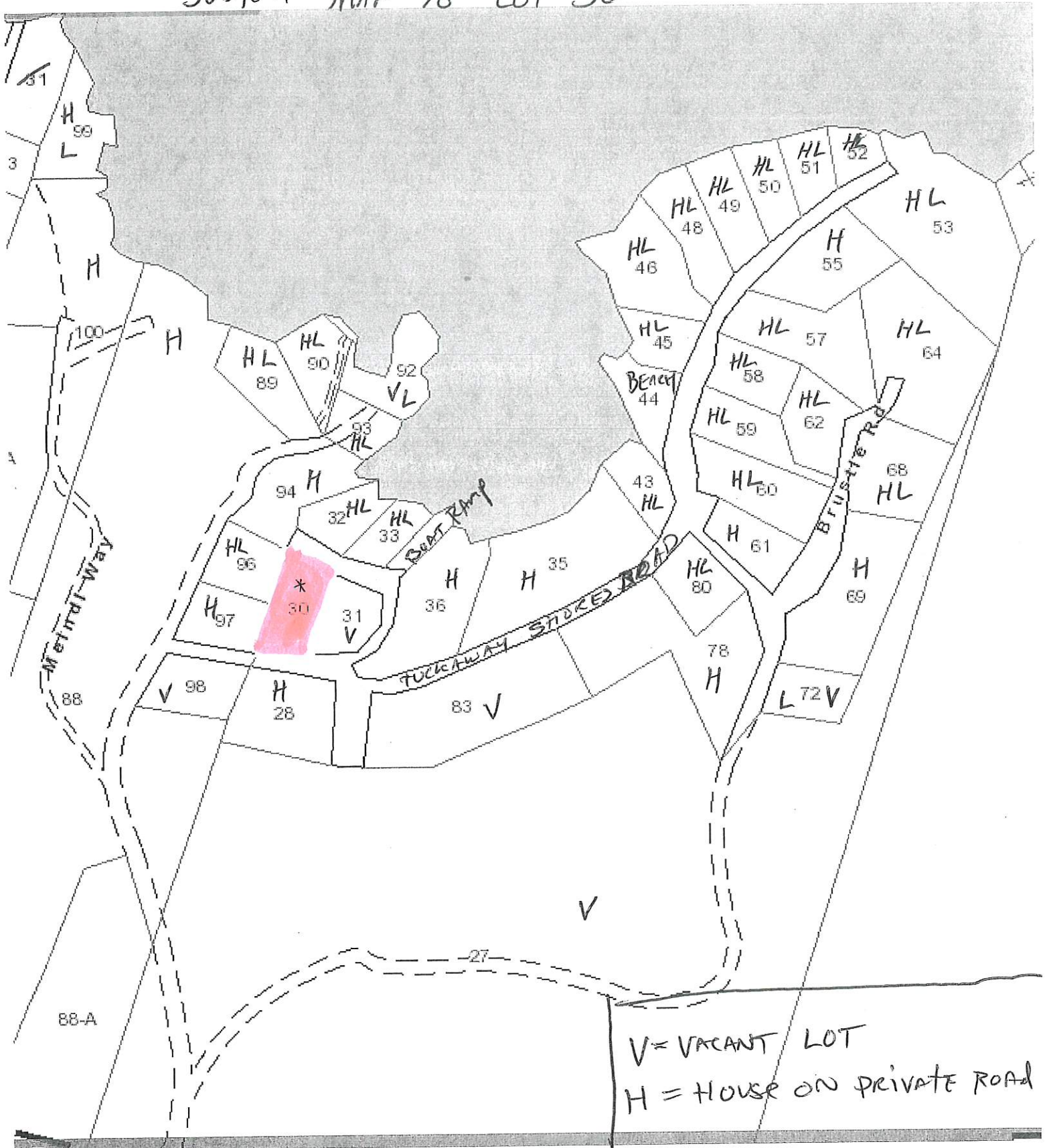
ZONING BOARD OF ADJUSTMENT

AUTHORIZATION TO ENTER UPON SUBJECT PROPERTY

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 _____ Date _____

SUBJECT MAP 70 LOT 30

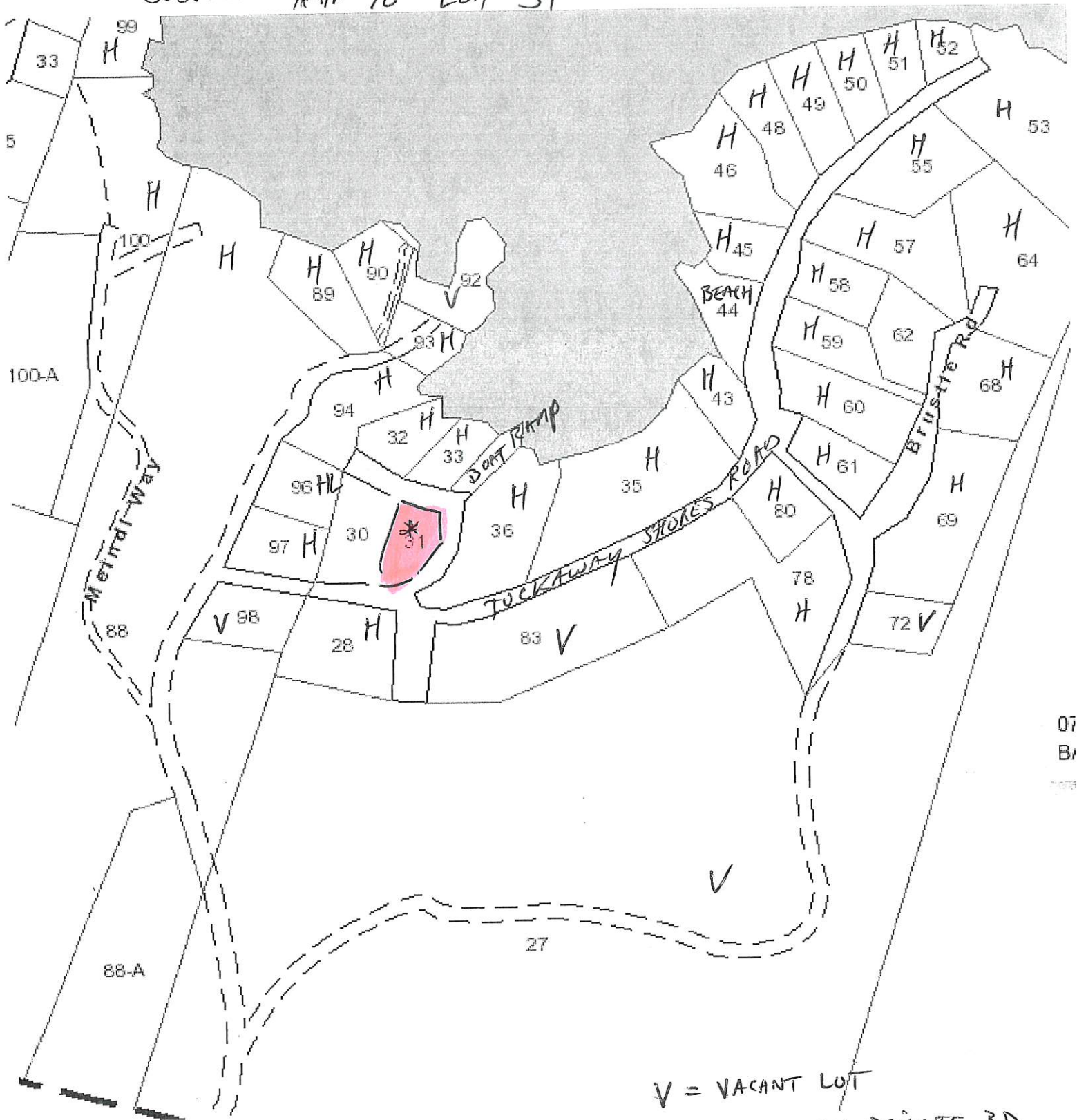


V = VACANT LOT
H = HOUSE ON PRIVATE ROAD

41 LOTS COUNTED (NOT BEACH & RAMP
SUBJECT LOT)
100% 35 HOUSES ON PRIVATE RD
66% 23 OF 35 HOUSE > 200' CONTIGUOUS
FRONTAGE

L = LESS THAN 200 FEET
CONTIGUOUS FRONTAGE
*(CORNER LOTS WITH FRONTAGE ON 2+

SUBJECT MAP 70 LOT 31



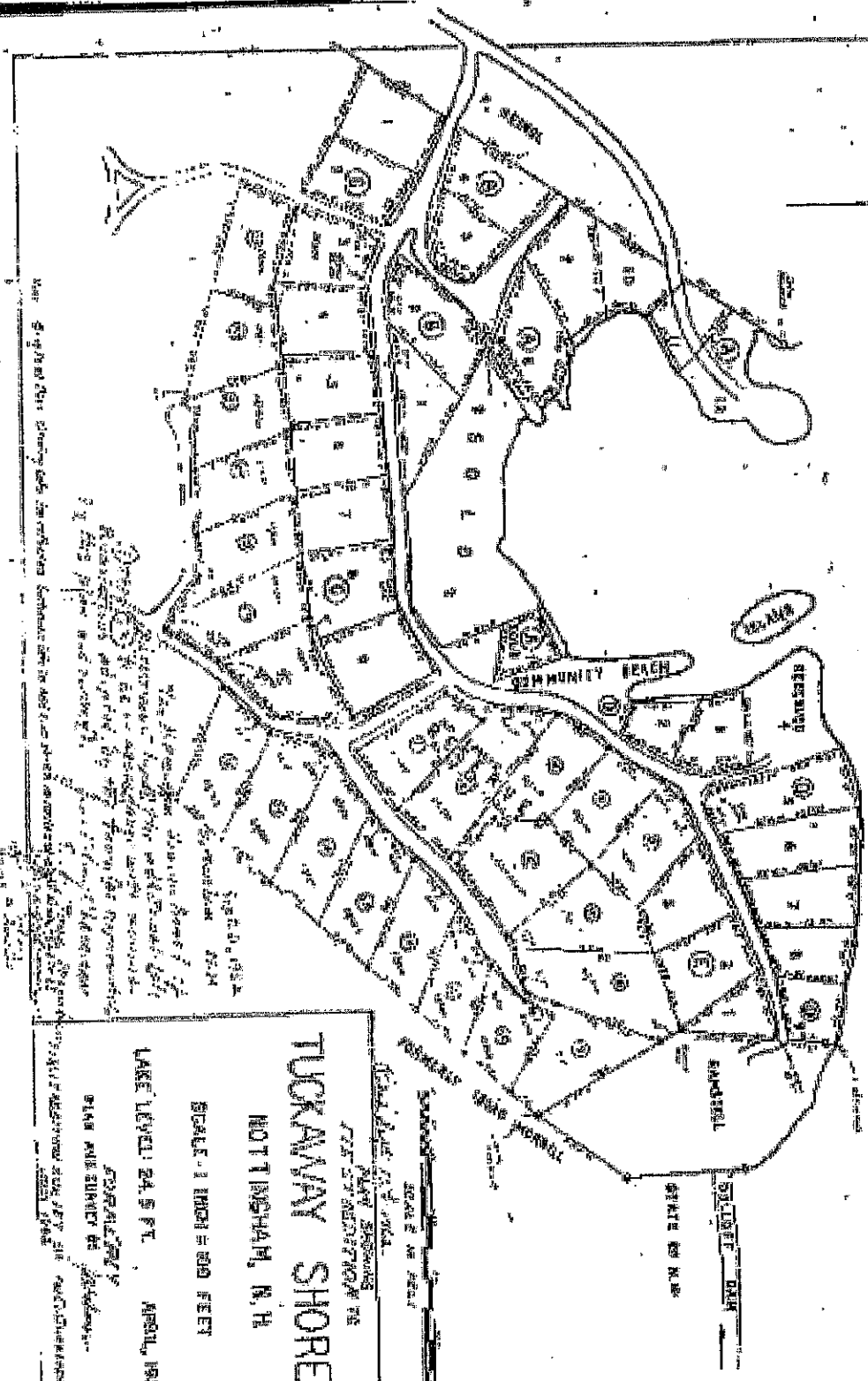
- 35 HOMES / 100% on
PRIVATE ROAD

- 1 ON MORE THAN 2 ACRES

Original Subdivision recorded, approved by Town

03315
 Plan #

PAW TUCKAWAY LAKE



TUCKAWAY SHORES

NOTTINGHAM, N.H.

SCALE - 1 INCH = 100 FEET

LAKE LEVEL 24.5 FT. APRIL, 1957

PLAN AND SURVEY BY [illegible]

RECORDED IN [illegible] BOOK [illegible] PAGE [illegible]

C. Residential - Agricultural District

This zoning district shall encompass most of the Town of Nottingham as shown on the Zoning Map, as amended. It shall be a zone of low density residential and agricultural uses consistent with the Vision of the Master Plan to retain Nottingham's rural landscape.

1. No lot shall be less than two (2) acres in area;

-1-

~~X~~ a) Each lot shall have a minimum contiguous frontage of two hundred (200') feet, including a curb cut for approved access, except to the extent with regard to frontage of back lots approved in accordance with Article IV, Section T.

b) Each single parcel of land is required to contain a driveway (curb cut) within the required minimum frontage. The required driveway may be either a single or common/shared driveway serving no more than two residences;

(1) Shared driveways will be kept to the common boundary.

(2) Shared driveways will be put in each owner's deed of record.

c) Each lot must contain a 200' x 200' square fit for building or a thirty thousand (30,000') square foot contiguous area lot envelope in which a house and septic system shall be placed to meet all existing setbacks ordinances, consisting of upland soils. However, a nonconforming lot shall be exempt from these provisions, provided it was legal under the provisions in effect immediately prior to the passage of this Ordinance or substantial amendments thereto, where approval can be granted without substantial detriment to the public interest and without substantially detracting from or nullifying the provisions and purpose of this Ordinance.

suicidality.

FOSTER HOME - homes for the care of more than four non-related people.

* FRONTAGE - The length of the lot bordering on a Class V road or better.

GROUNDWATER - all the water below the land surface in the zone of saturation or in rock fractures capable of yielding water to a well.

GROUNDWATER RECHARGE - the infiltration of precipitation through surface soil materials into groundwater. Recharge may also occur from surface water, including lakes, streams, and wetlands.

HOME OCCUPATION - means an accessory use of a residential property for gainful employment involving provision or sale of goods and/or services. A home occupation is incidental to the primary use of the property as a residence.

1. Minor Home Occupation is a home occupation in which no persons other than members of the family residing on the premises are engaged in the occupation, which has no visible exterior evidence of the conduct of the occupation, which does not create a need for off-street parking beyond normal dwelling needs, which does not generate additional traffic. Minor home occupations shall not require a permit.
2. Major Home Occupation is a home occupation in which not more than one person other than members of the family residing on the premises is employed on the premises, and which accommodates both dwelling and home occupation parking needs off the street. A major home occupation shall require a permit from the Planning Board.

HOMEOWNERS' ASSOCIATION: A private corporation, association, or other legal entity organized in accordance with state law and established by the applicant or the member individuals for the benefit and enjoyment of its members, including oversight and management of common open space, designated open space, and/or shared facilities.

HOME PRODUCE - includes everything of an agricultural nature grown, produced or conditioned on the property of the resident; also, such an article as is manufactured or altered by members of the household or the bona fide resident of any property.

HOTEL OR INN - any building or portion thereof where lodging is offered to transient guests for compensation and in which there are more than five sleeping rooms with no installed cooking facilities in an individual room

Town of
From NOTTINGHAM-Town Roads MAP
WEBSITE



Roads in Nottingham 2019

with Web AppBuilder for ArcGIS



Find address or place



Layer



Layers

☒ Emergency Lanes (green)

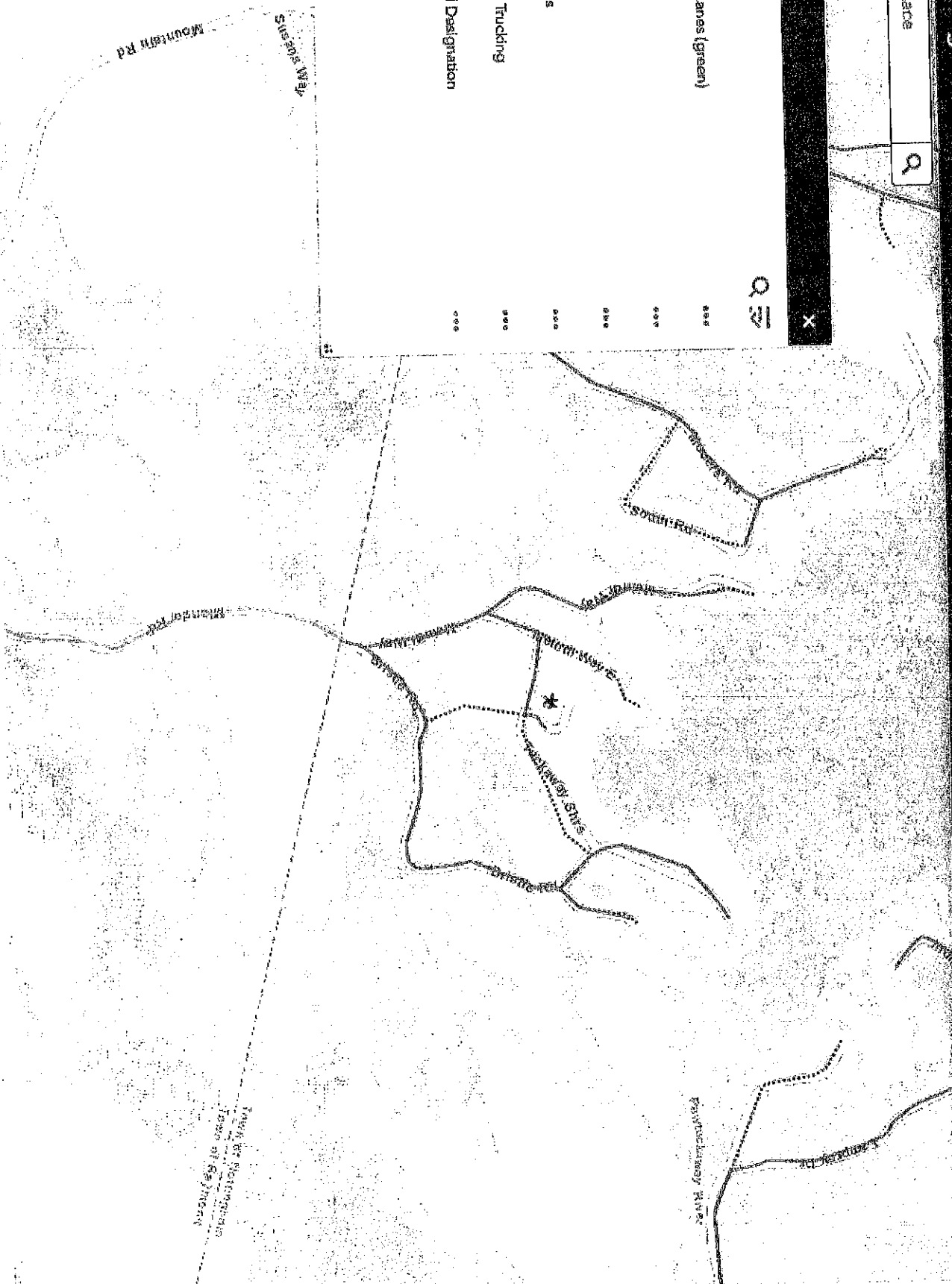
☐ State Roads

☐ Town Roads

☐ Private Roads

☐ No Through Trucking

☐ Scenic Road Designation



Town of Nottingham Newcastle - Town Roads

South Summer Street	39,40,41	Town		<1980
Stage Road (Route 152)	16-19,20,28-30,32,36-38,41-43	State Route		
Stepping Stones Road	8	Town		<1980
Stevens Hill Road	45,46,47,48,49,52	Town	Scenic, 1974	<1980
Strawberry Lane	4	Town		2018
Sunrise Lane	1	Private		
Sutton Street	7	Town		1992
Swan Drive (W. Shore Dr.)	24	Town		<1980
Tayla Way	55	Town		2005
Tower Road (State Park Rd)	76	State		
Tremblay Drive	5	Town		1991
Tuckaway Shores Road	70	Private	EL, 1995	
Union Street	1	Private		
Washington Lane	4	Town		2006
Water Street	1	Private	EL, 1995	
West Lane (Kelsey)	25	Town		<1980
White Oak Lane	43	Private		
White's Grove Road	63	Private	EL, 1995	
Winter Street	12,20,21	Private		

TITLE XX

TRANSPORTATION

CHAPTER 231

CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Repair of Highways by Towns

Section 231:59-a

231:59-a Emergency Lanes. -

I. Notwithstanding RSA 231:59 or any other provision of law, a town may raise and appropriate, and the selectmen may expend, money for the repair of any class VI highway or private way which has been declared an emergency lane under paragraph II. Such repair may include removal of brush, repair of washouts or culverts, or any other work deemed necessary to render such way passable by firefighting equipment and rescue or other emergency vehicles. A capital reserve fund under RSA 35 or a trust fund under RSA 31:19-a may be established for this purpose.

II. No expenditures shall be made under paragraph I unless the selectmen, following a public hearing, declare the relevant class VI highway, private way, or portion thereof, as an emergency lane, and make written findings, recorded in the minutes of the meeting, that the public need for keeping such lane passable by emergency vehicles is supported by an identified public welfare or safety interest which surpasses or differs from any private benefits to landowners abutting such lane.

III. In the case of a private way, notice shall be mailed to all persons known to have a legal interest in the way, 10 days prior to the hearing, and the emergency lane shall not be declared if permission is denied by any person with a legal right to deny such permission. Neither the appearance nor non-appearance of such persons at the hearing shall prevent such permission from later being denied or withdrawn.

IV. A declaration under this section may be rescinded or disregarded at any time without notice. This section shall not be construed to create any duty or liability on the part of any municipality toward any person or property. Utilization of this section shall be at the sole and unfettered discretion of a town and its officials, and no landowner or any other person shall be entitled to damages by virtue of the creation of emergency lanes, or the failure to create them, or the maintenance of them, or the failure to maintain them, and no person shall be deemed to have any right to rely on such maintenance. This section shall not be deemed to alter the classification or legal status of any highway or private way, or to limit or restrict the authority of towns to regulate the use of class VI highways pursuant to such statutes as RSA 41:11, RSA 236:9-13, and RSA 674:41, or to authorize any person to pass over any private way when permission has been denied. This section shall not be deemed to alter the duties or powers of any party under RSA 227-L concerning forest fires.

Source, 1994, 80:1, 1995, 299:12, eff. Jan. 1, 1996.

