

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



Office (603) 679-9597 x2  
Fax (603) 679-1013  
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[www.nottingham-nh.gov](http://www.nottingham-nh.gov)

Code Administration

### Building Permit Application Denial

Date: 1/27/2020  
Owner: John Morin  
Address: 23 Cove  
Map/Lot 68/78

Applicant has filed to move his septic system.

Denials:

#### Article II(C)(3)(a):

Setbacks: Setbacks between property lines or the water's edge and primary use buildings, septic system, or accessory buildings shall be as follows:

- Between side and rear property lines and accessory buildings and septic systems shall be 20 feet.

The proposed septic's new location is 10 feet from the rear property line whereas 20 feet is required.

Note:

1. This denial is based on the 2020 proposed changes.
2. This should be considered as a failed system because of the circumstances. If so, a failed system cannot be denied a replacement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dale Sylvia", is written over a horizontal line.

Dale Sylvia  
Code Enforcement



## **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](mailto: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 February 18, 2020** in Conference Room 1, at the Town Municipal Office to hear the following application:

### **Case 20-004-VA**

Application from John Morin for Variance request from Article II (C)(3)(a) of the Nottingham Zoning Ordinance to permit the placement of a new septic system 10 feet from the rear property line whereas 20 feet is required. The property is located at 23 Cove Road in Nottingham, NH and is identified as Tax Map 68 Lot 78.

**Questions?** Contact the Land Use Clerk, JoAnna Arendarczyk

**Ph.:** (603) 679-9597 ext. 1 **E-mail:** [plan.zone@nottingham-nh.gov](mailto: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**

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**Zoning Board of Adjustment Application for Appeal- VARIANCE**

**\*PLEASE READ THE APPLICATION RULES AND GUIDELINES BEFORE COMPLETING THE APPLICATION\***

**LOCATION OF PROPERTY:** Street Address 23 Cove Rd  
68 Tax Map 78 Lot Sub-Lot

**Applicant's information:**

Name(s): John Morin  
Address: 23 Cove Rd Phone #: 603 520 0064  
Nottingham NH 03290 E-mail: morin123@comcast.net

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

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

**Representative's information (if applicable):**

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

**Property information:**

Lot Dimensions: Front 75' Rear 75' Side 100' Side 100'  
Lot Area: Acres .17 Square Feet 7500  
Present Use of Property Home  
Proposed Use of Property Home

**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)** John Morin [Signature] 1-20-2020  
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 (C)(3)(a) of the zoning ordinance to permit:

10ft Set backs from property line for a  
(replacement) new septic system

Previous Zoning Board action on this property: None

SUPPORTING INFORMATION

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

I need a approved septic system to maintain living in my house and to put it all on my land

2. The spirit of the ordinance is observed:

Yes without a septic house is unlivable and it is fixing the problem with my existing septic not being entirely on my land

3. Substantial justice is done:

Yes

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

No

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

Due to the size of the lot. this is the only placement  
Plus existing septic is not on this property

ii) The proposed use is a reasonable one.

There is no other place to put the system

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.

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** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

Property Owner(s) \_\_\_\_\_  
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
John Morin	23 Cove Rd Nottingham NH 03290
2. Owner Name	Address
John Morin	23 Cove Rd Nottingham NH 03290
3. Professional(s) Name	Address
John Morin	23 Cove Rd Nottingham NH 03290

MAP/ LOT/ SUB-LOT	ABUTTER(S) NAME	MAILING ADDRESS
4. 68 72	John P Kane	26 Cove Rd
5. 68 79	Richard Morrissey	41 Lakeview Dr
6. 68 70	Thomas O'Keefe	24 Cove Rd
7. 68 77	Lance Parquette	25 Cove Rd
8. 68 10	Caroline Szafran	47 Cherrywood Dr Dover NH 03820
9. <del>68 68</del>	<del>Edward Chaput</del>	
10. 68 68	Edward Chaput	22 Cove Rd
11.		
12.		
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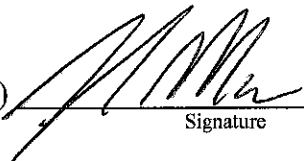
TOWN OF NOTTINGHAM  
**ZONING BOARD OF ADJUSTMENT**

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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)	<u></u>	<u>1-21-2020</u>	_____	_____
	Signature	Date	Signature	Date

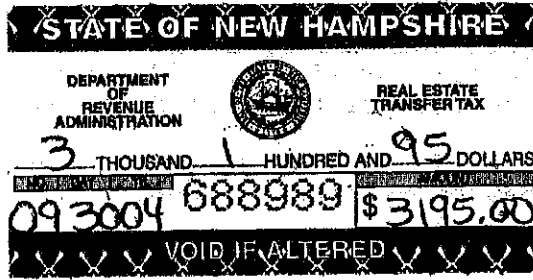
Property Owner(s)	_____	_____	_____	_____
	Signature	Date	Signature	Date

Property Owner(s)	_____	_____	_____	_____
	Signature	Date	Signature	Date

Property Owner(s)	_____	_____	_____	_____
	Signature	Date	Signature	Date



BK 4370 PG 2213



Return to:

\$213,000  
M68  
L7B

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT I, Walter C. Horak, Jr., an unmarried person, of 23 Cove Road, Nottingham, New Hampshire 03290 for consideration paid, grant to John A. Morin and Lisa R. Morin, husband and wife, of 112 Middle Street, Apt. 3, Manchester, new Hampshire 03101, as joint tenants with rights of survivorship, with **WARRANTY COVENANTS**,

A certain tract of land situate in Nottingham, County of Rockingham, State of New Hampshire, known as Lot 21 in Cahill's Cove Development which is otherwise known as "Composite Plan of Land of John Cahill, Nottingham, N.H.", surveyed by T.W. Chesley Eng. Co., Northwood, N.H., scale 1" = 100', survey dated 1945, 1948, 1953 and 1957, and said Composite Plan being recorded at the Rockingham County Registry of Deeds and more particularly bounded and described as follows:

Beginning at the juncture point of Lot 21 and Lot 22 of said Plan, and point being at the sideline of the roadway; thence running along Lot 22 in a generally Easterly direction 100' to the point; thence turning in running South 79 degrees 45' West (1957) a distance of 75 feet to a point at the juncture of Lot 21 and Lot 20; thence turning and running along Lot 20 in a generally Westerly direction 100 feet to a point at the roadway; thence turning and running North 79 degrees 45' East along the roadway a distance of 75 feet to the point of beginning.

Together with a right to pass and repass over land reserved on said Plan for right of way to the beach on lake Pawtuckaway situated nearest Lot 21 and right of way over the driveway roads and usual traveled paths as shown on said Plan.

The above described parcel of land being a portion of the premises conveyed to Cahill realty, Inc., by John J. Cahill, deed recorded in the Rockingham County Registry of Deeds in 1958. For more accurate references see the restrictions at Volume 1466, Page 96 at the Rockingham County Registry of Deeds. Exception to filed restriction:

Article One to read:

Article One: That no structure of a temporary character, no trailer or mobile home whether affixed to the land or mobile home shall be used as a residence; this provision shall not be construed to exclude pre-manufactured homes which meet the standards set forth in the restriction of town planning and zoning laws and the Cahill Realty restrictions.

081640

2004 SEP 30 PM 2:46

ROCKINGHAM COUNTY  
REGISTRY OF DEEDS

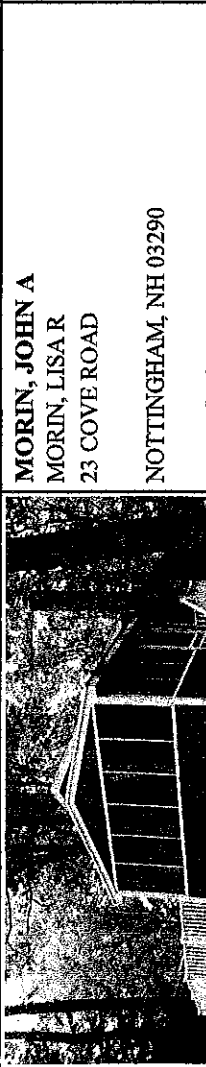
OWNER MORIN, JOHN A  
MORIN, LISA R  
23 COVE ROAD  
NOTTINGHAM, NH 03290

**PERMITS**

Date	Project Type	Notes
05/13/15	ELECTRICAL	NEW 200 AMP PANEL & METER
04/04/06	ADDITION	DECK AND 3 SEASON ROOM (12 X 1

**TAXABLE DISTRICTS**

District	Percentage



**BUILDING DETAILS**

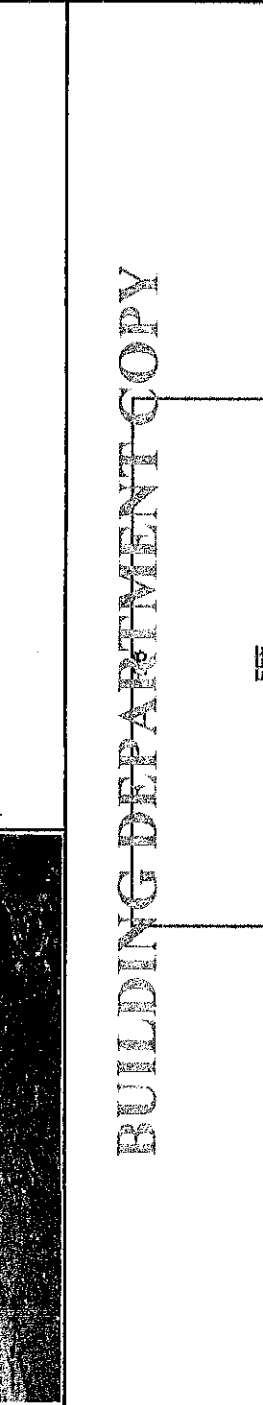
Model: 1.00 STORY CONVENTION  
 Roof: GABLE OR HIP/ASPHALT  
 Ext: PREFAB WD/T1-11  
 Int: WALL BOARD/DRYWALL  
 Floor: LINOLEUM OR SIM/CARPET  
 Heat: GAS/HOT WATER  
 Bedrooms: 2 Baths: 1.0 Fixtures: 3  
 Extra Kitchens: Fireplaces: 3  
 Generators:  
 A/C: No  
 Quality: A0 AVG  
 Com. Wall:  
 Size Adj: 1.2194 Base Rate: RSA 80.00  
 Bidg. Rate: 1.0731  
 Sq. Foot Cost: \$ 85.85

**BUILDING SUB AREA DETAILS**

ID	Description	Area	Adj.	Effect.
FFF	FST FLR FIN	780	1.00	780
BMU	BSMNT	364	0.15	55
RBF	RAISED BSMNT	416	0.50	208
OPF	OPEN PORCH	408	0.25	102
DEK	DECK/ENTRANCE	260	0.10	26
PAT	PATIO	108	0.10	11
ENT	ENTRY WAY	16	0.10	2
<b>GLA:</b>	<b>780</b>	<b>2,352</b>		<b>1,184</b>

**2015 BASE YEAR BUILDING VALUATION**

Market Cost New: \$ 101,646  
 Year Built: 1962  
 Condition For Age: VERY GOOD 11 %  
 Physical:  
 Functional:  
 Economic:  
 Temporary:  
 Total Depreciation: 11 %  
 Building Value: \$ 90,500



BUILDING DEPARTMENT COPY