

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

Code Administration



Office (603) 679-9597 x2
Fax (603) 679-1013
E-mail: dsylvia@nottingham-nh.gov
www.nottingham-nh.gov

Building Permit Application Denial

Date: 8/18/2020
Owner: Victor Pisinski
Address: 39 Gebig
Map/Lot 18/3.2

Applicant seeks a variance for a 1500 square foot ADU.

Article II(c)(7)(b)(5):

The gross living area of an AADU shall not exceed 750 square feet

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Sylvia", is written over the text "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 APPLICATION RULES AND GUIDELINES BEFORE COMPLETING THE APPLICATION

LOCATION OF PROPERTY: 39 Gebig Road
18 3-2
Tax Map Lot Sub-Lot

Applicant's information:

Name(s): Victor J Pisinski Rev. Trust	
Address: P.O. Box 172, 39 Gebig Road Nottingham, NH 03290	Phone #: 603-475-3307 E-mail:

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

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

Representative's information (if applicable):

Name(s): Scott R Frankiewicz (New Hampshire Land Consultants)	
Address: 683C First NH Turnpike Northwood, NH 03261	Phone #: 603-833-5913 E-mail: scott@nhlandconsultants.com

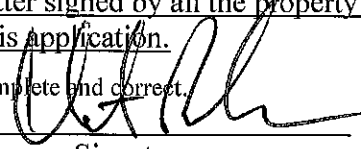
Property information:

Lot Dimensions: Front 413' Rear 398' Side 1092' Side 1198'
 Lot Area: Acres 10.5 Square Feet 457,380
 Present Use of Property Single family - Residential
 Proposed Use of Property Single family - Residential with attached accessory dwelling unit

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) Victor Pisinski  8/23/20
 Printed name Signature Date

 Printed name Signature Date

 Printed name Signature Date

existing home with none of modifications visible from the outside.

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 Section C.7.b.5 of the zoning ordinance to permit:
 An Accessory Dwelling Unit that has more than the allowed 750 sq. ft per the article noted above.

Previous Zoning Board action on this property: No known action

SUPPORTING INFORMATION

1. The variance would not be contrary to the public interest because:
 Accessory Dwelling Units are allowed in the Residential/Agricultural Zone. the Accessory Dwelling Unit
 will be located within the existing dwelling in which the owner resides and will continue to reside.

2. The spirit of the ordinance is observed:
 By allowing a conversion of an existing indoor pool into an Accessory Dwelling Unit (ADU) with no expansion of the
 existing structure. The entire area of the existing indoor pool is being converted into an Accessory Dwelling Unit.

3. Substantial justice is done:
 By allowing the owner to modify the area of the indoor swimming pool into an Accessory Dwelling Unit (ADU) and not
 require the unit to be held to the 750 sq ft maximum. If the owner was required to conform to the 750 sq ft maximum
 additional interior walls and unique spaces within the existing dwelling would be created.

4. The values of the surrounding properties are not diminished:
 The proposed use will not diminish the surrounding properties as it is an allowed use within the Residential/

5
Agricultural Zone. No expansion of the existing structure is proposed. It would allow construction to occur within the existing structure with no modifications visible from the outside.

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

If the owner was required to stay at 750 sq ft or less the existing living quarters would need to be modified creating unique and unnecessary walls and rooms. There is no affect on the general public by allowing the ADU to be more than 750 sq. ft.

ii) The proposed use is a reasonable one.

The house has ample square footage to allow the accessory dwelling unit to be more than 750 sq ft and there will be no expansion of the existing structure . The owner will continue to reside in house while a family member will reside in the accessory dwelling unit. The existing structure is 9,226 sq ft of living per the Town of Nottingham tax cards.

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 Scott R Frankiewicz of New Hampshire Land Consultants, PLLC

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

Property Owner(s) _____
Signature Date Signature Date

W. Frankiewicz *8/23/20*

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
Victor Pisinski	P.O. Box 172 Wes Nottingham, NH 03290
2. Owner Name	Address
Same as Applicant	
3. Professional(s) Name	Address
New Hampshire Land Consultants, PLLC Scott R Frankiewicz	683C First NH Turnpike Northwood, NH 03261

MAP/ LOT/ SUB-LOT	ABUTTER(S) NAME	MAILING ADDRESS
4. 18/3-4	Barbara Draper	31 Gebig Road, Nottingham, NH 03290
5. 18/3-1	Conor Benoit/Carrie Fyfe	43 Gebig Road, Nottingham, NH 03290
6. 18/7	Steven & Kaitlyn Guilherme	40 Gebig Road, Nottingham, NH 03290
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18.		
19.		
20.		



TOWN OF NOTTINGHAM
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.

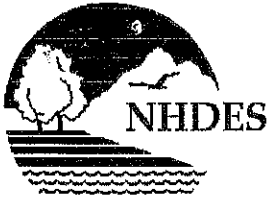
I/We hereby waive and release any claim or right I/we may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on my/our property in connection with this application. This authorization expires in one year from date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

Property Owner(s) _____
[Handwritten Signature] *8/23/20*
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



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: 7/30/2020

APPROVAL NUMBER: eCA2020073015

I. PROPERTY INFORMATION

Address: 39 GEBIG ROAD
P.O. BOX 172
NOTTINGHAM NH 03291
Subdivision Approval No.: 5 PLUS ACRES
Subdivision Name:
County: ROCKINGHAM
Tax Map/Lot No.: 18/3-2

II. OWNER INFORMATION

Name: VICTOR J PISINSKI
Address: 39 GEBIG ROAD
P.O. BOX 172
WEST NOTTINGHAM NH 03291

III. APPLICANT INFORMATION

Name: SCOTT R FRANKIEWICZ
Address: 26 CORBETT RD
BARRINGTON NH 03825

IV. DESIGNER INFORMATION

Name: SCOTT R FRANKIEWICZ
Address: 26 CORBETT RD
BARRINGTON NH 03825
Permit No.: 01348

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

A. TYPE OF SYSTEM: ADVANCED ENVIRO-SEPTIC

B. NO. OF BEDROOMS: 3

C. APPROVED FLOW: 675 GPD

D. OTHER CONDITIONS AND WAIVERS:

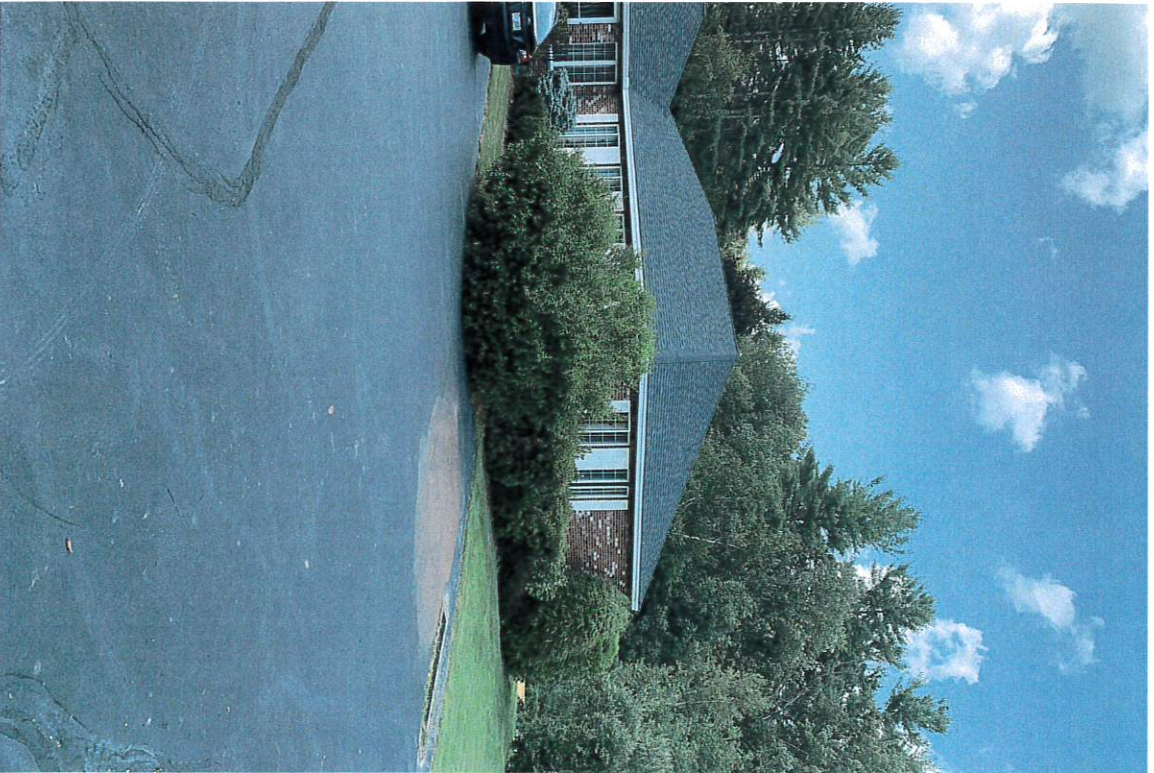
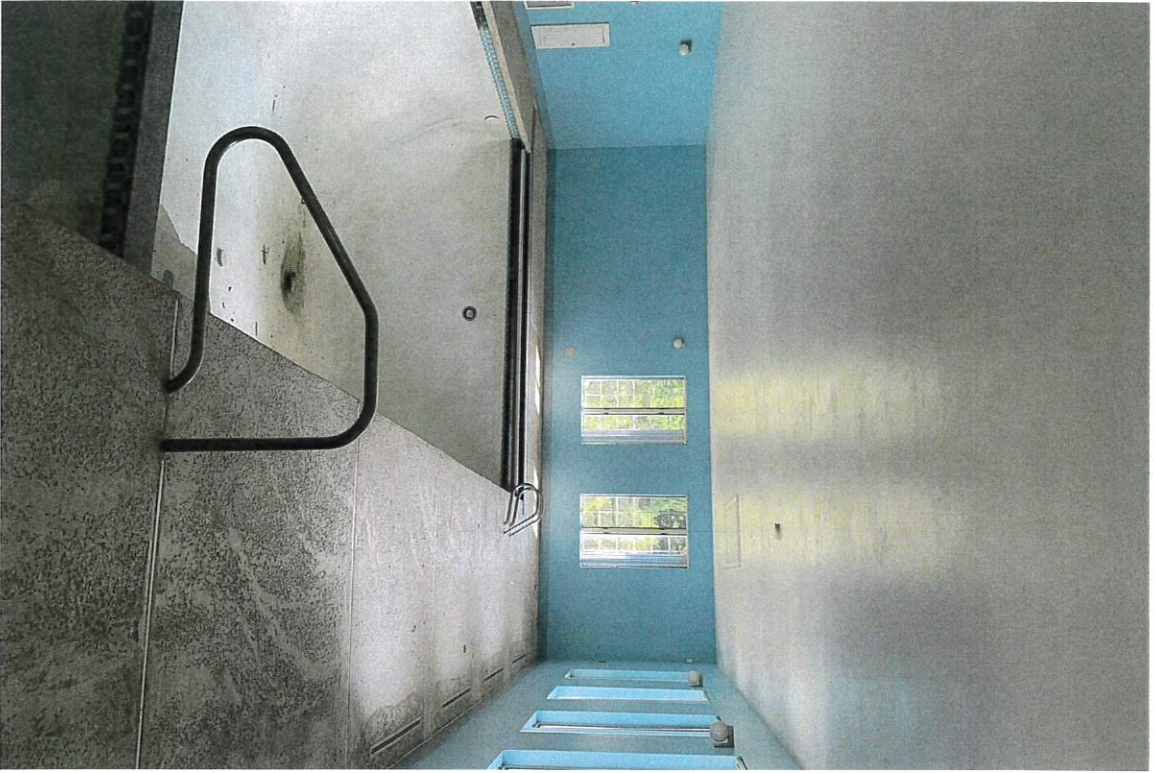
1. This approval is valid for 4 years from date of approval, per Env-Wq 1004.13.
2. Design for a 3-bedroom house (450gpd) and 1-bedroom ADU (225gpd).
3. No waivers have been approved.

Darren K. King
Subsurface Systems Bureau

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

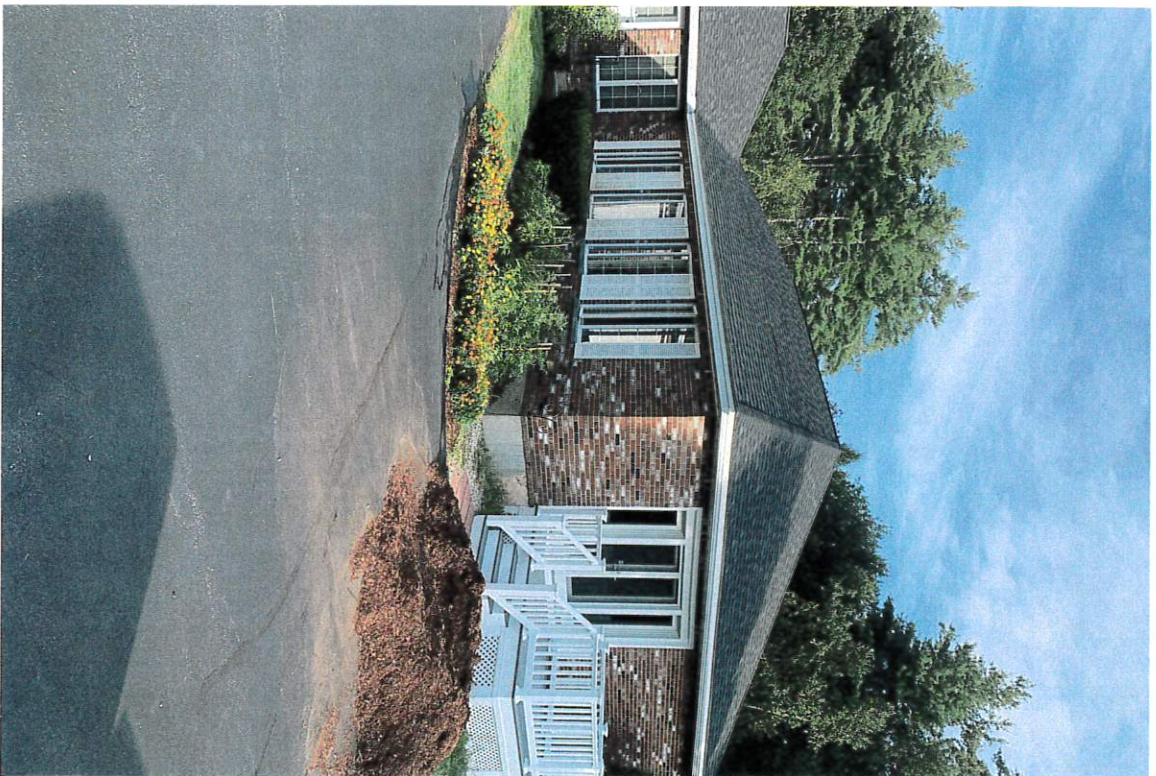
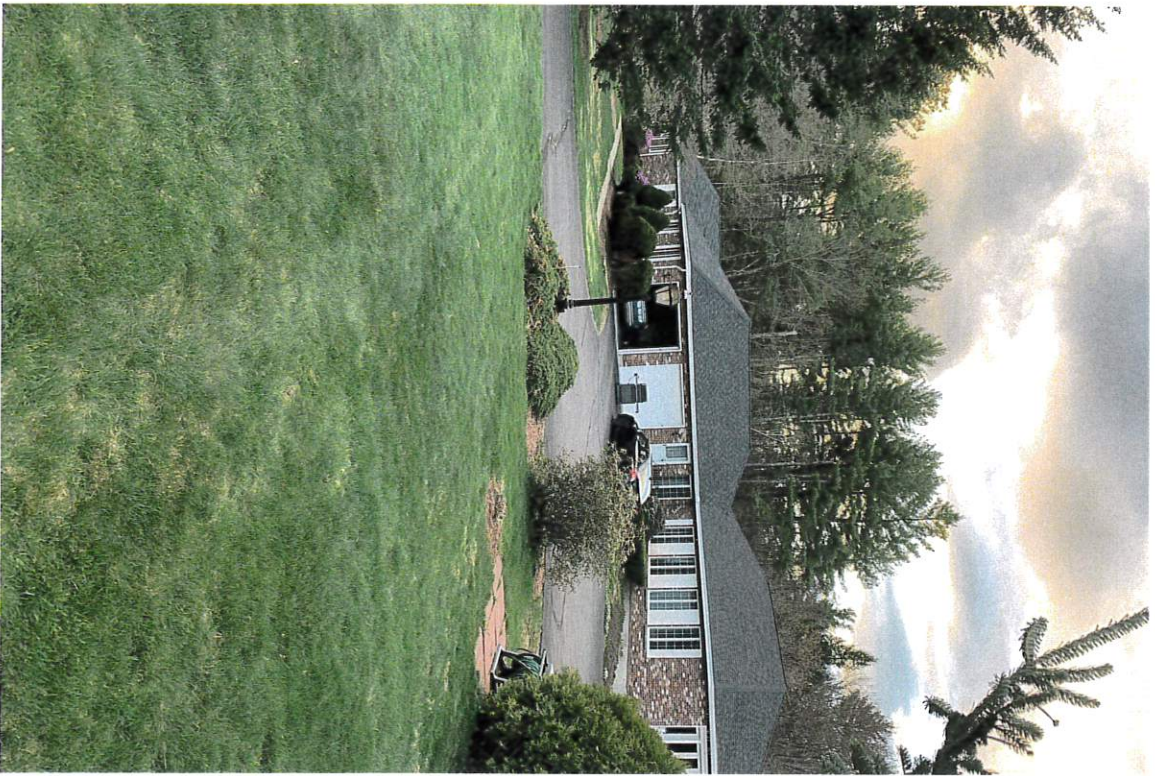
- A. This Approval for Construction is issued to construct the ISDS as identified on Page 1 of this Approval.
- B. This Approval is valid until 7/30/2024, unless an Approval for Operation has been granted.
- C. By exercising any rights under this approval, the parties have agreed to all terms and conditions.
- 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.

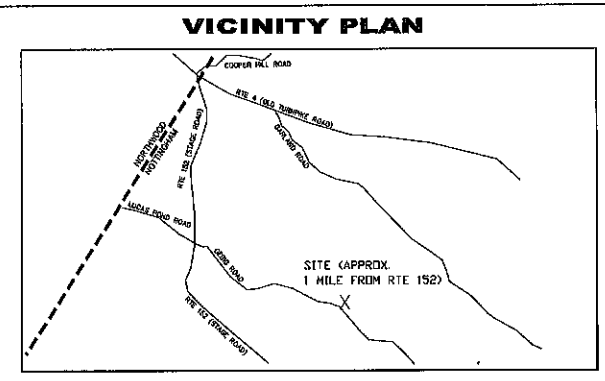
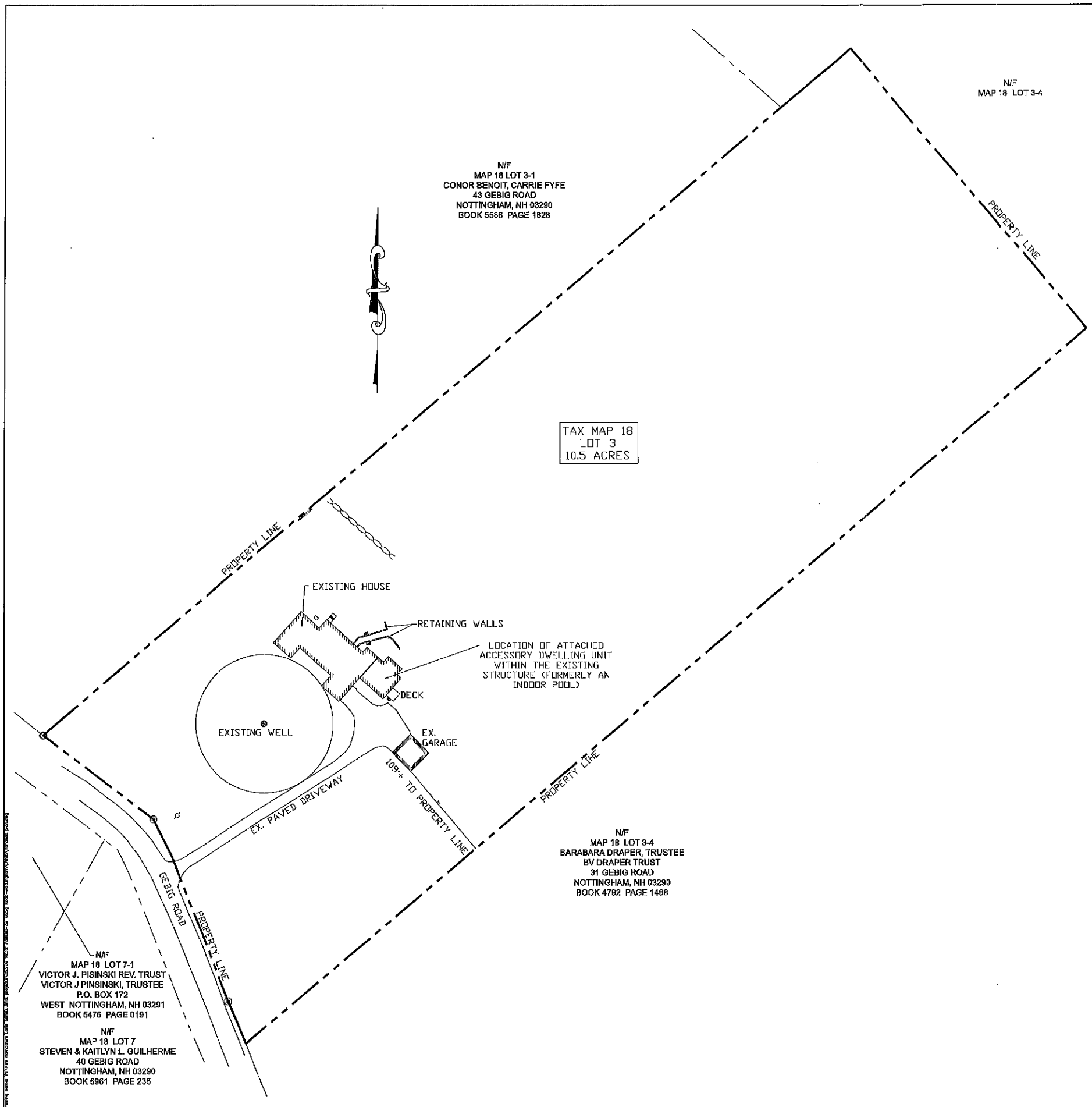
WORK NUMBER: 202003669
APPROVAL NUMBER: eCA2020073015
RECEIVED DATE: July 30, 2020
**TYPE OF SYSTEM: ADVANCED ENVIRO-
SEPTIC**











NOTES:

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATION OF THE EXISTING STRUCTURES AND PROPOSED ACCESSORY DWELLING UNIT.
2. THE PROPERTY IS DESIGNATED AS MAP 18, LOT 3.
3. THE AREA OF THE EXISTING LOT 3 IS 10.5 ACRES.
4. THE CURRENT OWNER FOR LOT 3, VICTOR J. PISINSKI TRUST, VICTOR J. PISINSKI, TRUSTEE, P.O. BOX 172, WEST NOTTINGHAM, NH 03290.
5. THE ZONING DESIGNATION FOR THE PROPERTY IS XXXX DISTRICT.
6. DIMENSIONAL REQUIREMENTS PROVIDED FOR ZONE RESIDENTIAL-AGRICULTURAL DISTRICT: THE BUILDING SETBACKS REQUIRED PER NOTTINGHAM ZONING
 - MIN. ROAD FRONTAGE = 200'
 - MIN. LOT SIZE = 2 ACRES
 - MIN. ROAD SETBACK = 50'
 - MIN. SIDE/REAR SETBACK = 50'
 - WETLAND/WATERBODY SETBACK = 50'
7. SEWER TO BE PROVIDED BY ON-SITE SEPTIC SYSTEMS.
8. WATER TO BE PROVIDED BY ON-SITE WELLS.

ENGINEER

NO.	DATE	DESCRIPTION

GRAPHIC SCALE
30 15 0 60
SCALE: 1"=60'

N.H. LAND Consultants
SURVEYING-LAND PLANNING-REAL ESTATE
A Veteran Owned Company

100 FIRST NH. LINDSAY, NORTHWOOD, NH 03291 PH. 603-949-9270 WEBSITE: NH.LANDCONSULTANTS.COM

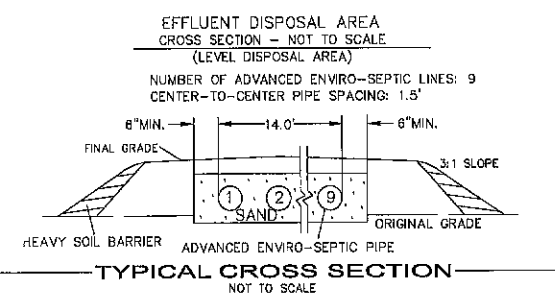
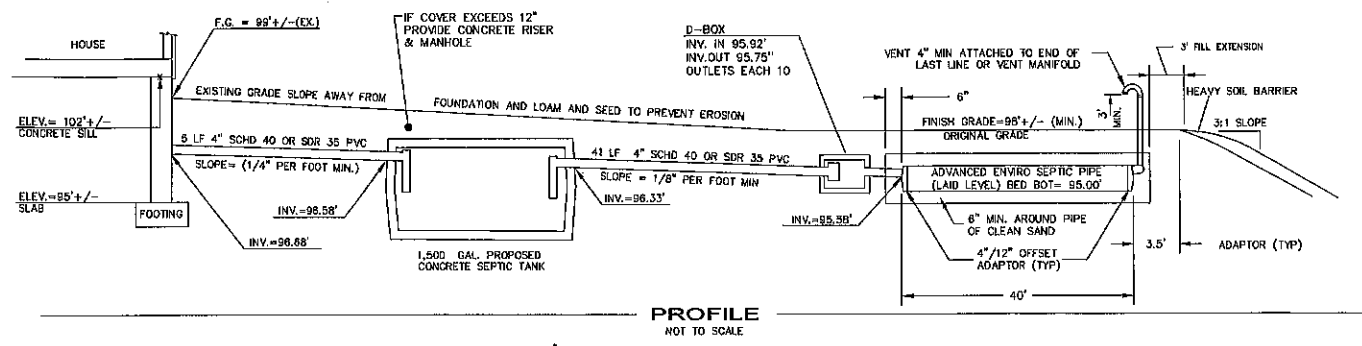
VARIANCE PLAN
TAX MAP 18 LOT 3
OWNED BY
VICTOR J. PISINSKI REV. TRUST
P.O. BOX 172, WEST NOTTINGHAM NH 03290
PROJECT ADDRESS:
38 GEBIG ROAD, WEST NOTTINGHAM NH 03290
BOOK 5459 PAGE 2756

JOB NO: 253.00
ROCKINGHAM CO.
DATE: AUGUST 20, 2020

VP-1
SHT. 1 of 1

LEGEND

EXISTING STONEWALL	⊘⊘⊘⊘⊘⊘	WETLANDS	⊘⊘⊘⊘⊘⊘
ADJUTERS PROPERTY LINES	⊘⊘⊘⊘⊘⊘	WETLAND FLAG	⊘⊘⊘⊘⊘⊘
SUBJECT PROPERTY LINES	⊘⊘⊘⊘⊘⊘	DRILL HOLE FOUND	⊘⊘⊘⊘⊘⊘
EDGE OF PAVEMENT	⊘⊘⊘⊘⊘⊘	REBAR W/ CAP FOUND	⊘⊘⊘⊘⊘⊘
EDGE OF GRAVEL	⊘⊘⊘⊘⊘⊘	STONE BOUND FOUND	⊘⊘⊘⊘⊘⊘
EXISTING TREELINE	⊘⊘⊘⊘⊘⊘	EXISTING POWER POLE	⊘⊘⊘⊘⊘⊘
EXISTING CONTOUR (MNR)	-572-		
EXISTING CONTOUR (MJR)	-570-		
SOIL BOUNDARY/TYPE	42B		



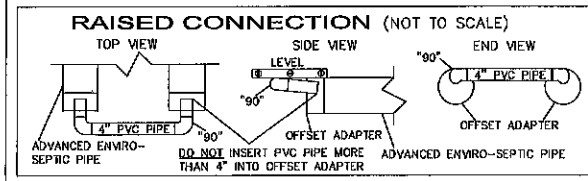
- NOTES:**
- THIS IS NOT A PROPERTY LINE SURVEY. NO CERTIFICATION OR OPINION AS TO THE ACCURACY OF PROPERTY LINES IS EITHER EXPRESSED OR IMPLIED. DATA SHOWN HEREON IS BASED UPON IMMEDIATE PUBLIC RECORDS AND MAY NOT BE ACCURATE. ALL PROPERTY LINES ARE TO BE VERIFIED BY THE CONTRACTOR OR OWNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 - THE INSTALLER SHALL NOT ALLOW ANY VEHICULAR TRAVEL TO OCCUR ACROSS THE PROPOSED LEACH FIELD AREA AT ANY TIME EXCEPT DURING THE CONSTRUCTION OF THE LEACH FIELD.
 - THERE ARE NO OPEN WATER OR HYDRIC "A" SOILS WITHIN 75' OF THIS PROPOSED SYSTEM OR ITS COMPONENTS, AND THERE ARE NO HYDRIC "B" SOILS WITHIN 50' OF THIS PROPOSED SYSTEM OR ITS COMPONENTS.
 - FIELD IS TO BE REBUILT IN PLACE IF REPLACEMENT BECOMES NECESSARY.
 - ALL CONNECTIONS BETWEEN A SEPTIC TANK AND THE PIPES LEADING TO AND EXITING FROM THE SEPTIC TANK SHALL BE SEALED WITH WATER-TIGHT, FLEXIBLE JOINT CONNECTOR.
 - ALL INVERT ELEVATIONS AND GRADES ARE REFERENCED FROM T.B.M. DEPICTED HEREON.
 - CAUTION TO BE EXERCISED DURING FILL PLACEMENT/SITE PREPARATION TO AVOID COMPACTION OR SMEARING OF THE INFILTRATIVE SURFACE.
 - MAINTAIN 8-12 INCHES OF FILL BETWEEN EQUIPMENT TRACKS AND PREPARED SURFACE.
 - FILL MATERIAL SHALL BE A MEDIUM TO COARSE TEXTURED SAND, AS DEFINED BY THE USDA, SCS CLASSIFICATION, WITH AN EFFECTIVE SIZE OF 0.25 TO 2.0 mm.
 - SOILS DATA AT THE LEACH FIELD: 66C - PAXTON, 8-15% SLOPES, FINE SANDY LOAM, NHDES GROUP 3
 - SUBDIVISION APPR. NO.: NA - OVER 5 ACRES
 - PREVIOUS CONSTRUCTION APPR.: 203056 MARCH 8, 1994
 - DEED REFERENCE: BK. 5459 PG. 2758 REGISTRY OF DEEDS; ROCKINGHAM
OWNER: VICTOR J. PISINSKI REV. TRUST
P.O. BOX 172
NOTTINGHAM, NH 03291
 - WATER IS SUPPLIED BY ON-SITE WELL
 - REMOVE ANY RESTRICTIVE LAYERS FOUND DURING CONSTRUCTION TO THE ESHWT.
 - REMOVE TREES WITHIN 10' OF THE LEACHFIELD.
 - ANY DISCREPANCIES OF DESIGN INFORMATION FOUND DURING CONSTRUCTION SHALL BE REPORTED.
 - THE PROPOSED SYSTEM IS NOT WITHIN 100' OF ANY KNOWN BURIAL SITES OR CEMETERIES.
 - ENVIRO-SEPTIC WASTEWATER TREATMENT SYSTEM ARE APPROVED BY NHDES AS ITS IN ACCORDANCE WITH PART ENV-WS 1024. THE SYSTEM IS DESIGNED IN ACCORDANCE WITH THE ENVIRO-SEPTIC & SIMPLE SEPTIC LEACHING SYSTEMS DESIGN AND INSTALLATION MANUAL AND THE ENVIRO-SEPTIC WASTEWATER TREATMENT SYSTEMS DESIGN AND INSTALLATION MANUAL NEW HAMPSHIRE STATE ATTACHMENT.
 - NO WETLANDS WITHIN 75' OF SYSTEM

Test Pit

0"-40" Loam Fill
40"-70" Sand Fill
70"+ Original top soil

ESHWT = 70"+
NO OBSERVED WATER
NO OBSERVED LEDGE
Perc Rate = 14 min./inch (PER FORMER DESIGN)

DESIGNER:
NEW HAMPSHIRE
Scott R. Frankiewicz
No. 1348
Subsurface Disposal Systems
Department of Environmental Services

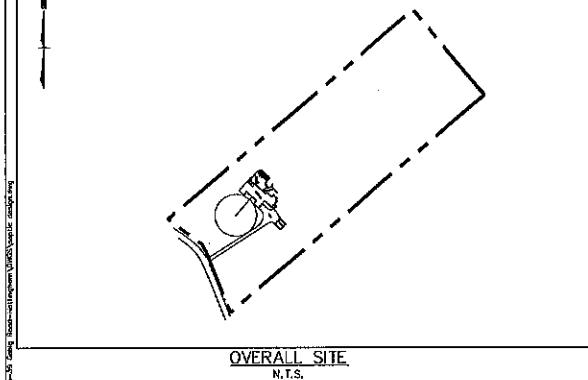


SYSTEM DESIGN CALCULATION:

3 BEDROOMS AT 150 GPD EACH = 450 GPD TOTAL
ACCESSORY DWELLING UNIT (1 BEDROOM) = 300 GPD
TOTAL GPD = 750 GPD
ACCESSORY DWELLING UNIT = 140 LF OF ENVIRO-SEPTIC PIPE
3 BEDROOM HOUSE = 210 LF OF ENVIRO-SEPTIC PIPE
14 MINUTES PER INCH PERC. RATE = 350 LF REQUIRED 360 LF PROVIDED
PIPE SPACING (CENTER-TO-CENTER) = 1.5'
LENGTH OF FIELD = 15'; WIDTH OF FIELD = 41' (9 LINES)
ALL LINES TO BE LAID LEVEL AT THE SAME ELEVATION

DESIGN INTENT:

THE BOTTOM OF THE EFFLUENT DISPOSAL SYSTEM (EDS) SHALL BE CONSTRUCTED AT 95.00' ELEVATION, WHICH IS APPROXIMATELY 3.00 FEET BELOW ORIGINAL HIGH GROUND ON THE HIGH CONTOUR OF THE DESIGNED EDS (98.00').



LOT LOADING CALCULATION:

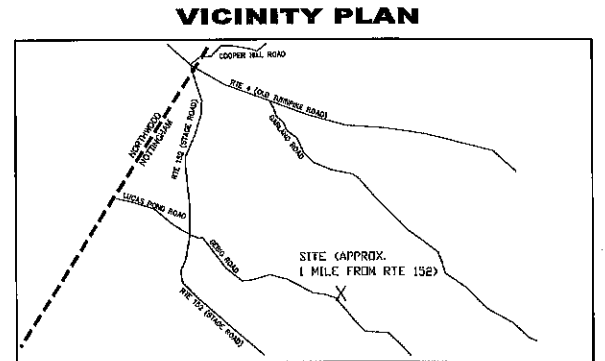
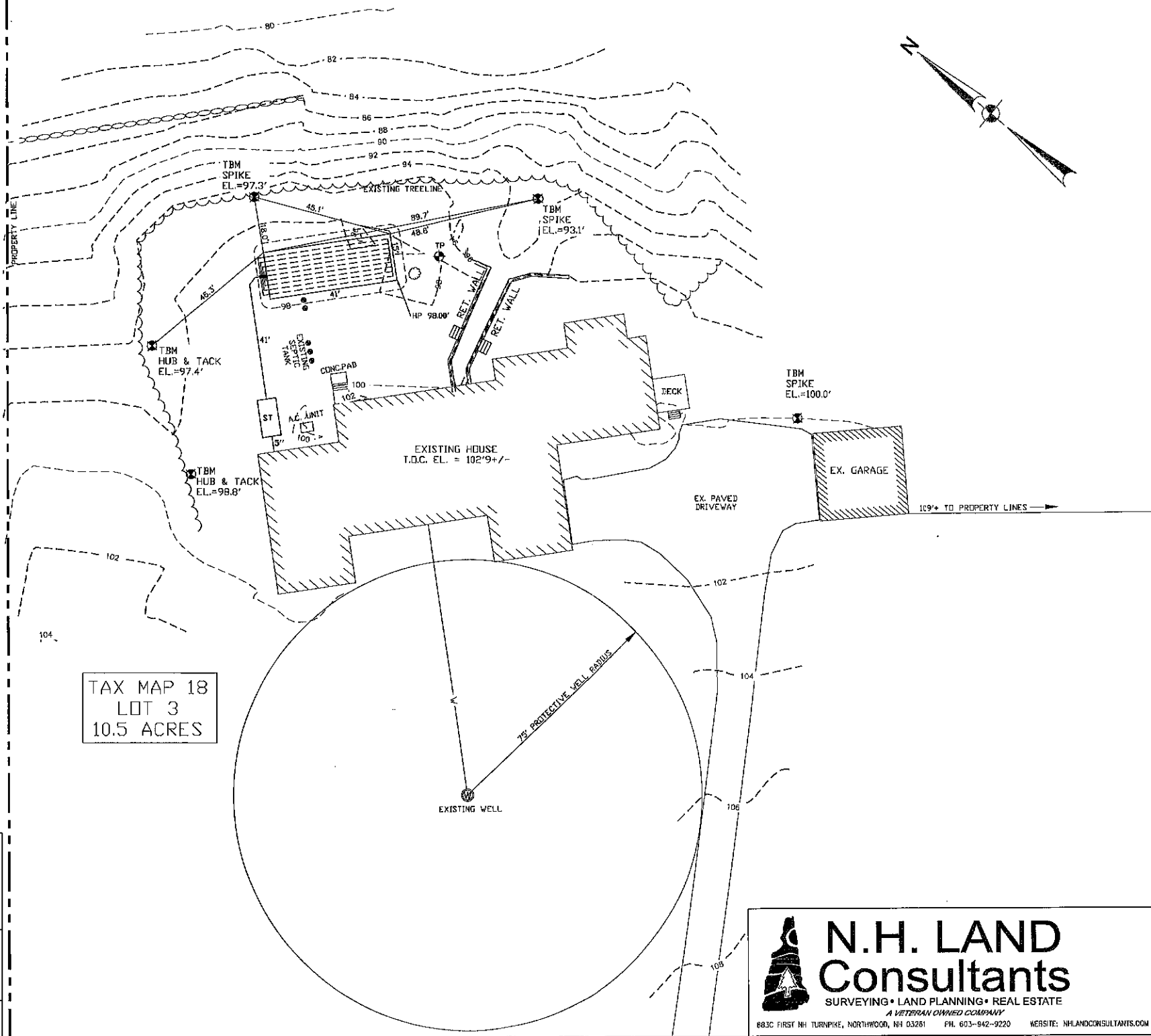
COMPOSITE AVERAGE SLOPE OF LOT = 10%
SOIL GROUP = 3 (MODERATELY WELL DRAINED)
FACTOR = 1.76
LOT SIZE = 0.2000 * FACTOR
= 750/2000 * 1.76
= 0.66 ACRES / 27,750 SF (MIN.)

REVIEWED AND APPROVED 439,520 SF

IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBSURFACE SANITARY DESIGNER ASSUMES NO LIABILITY TO ANY PERSONS FOR THE CONSTRUCTION OF A SUBSURFACE SANITARY SYSTEM (TM), DESIGN AND INSTALLATION HANDBOOK PREPARED BY PRESBY ENVIRONMENTAL INC. PUBLISHED IN 2019.

DATE: 7/20/2020

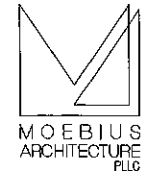
PROJECT NO: 2020073015



N.H. LAND Consultants
SURVEYING • LAND PLANNING • REAL ESTATE
A VETERAN OWNED COMPANY
683C FIRST NH TURNPIKE, NORTHWOOD, NH 03261 PH. 603-942-9220 WEBSITE: NHLANDCONSULTANTS.COM

SEPTIC PLAN
TAX MAP 18 LOT 3
OWNED BY
VICTOR J. PISINSKI REV. TRUST
P.O. BOX 172, WEST NOTTINGHAM NH 03290
PROJECT ADDRESS:
39 GEBIG ROAD, WEST NOTTINGHAM NH 03290
BOOK 5459 PAGE 2756

SCALE: 1"=20'
JOB NO: 253.00
ROCKINGHAM CO.
DATE: JULY 24, 2020
SEPTIC-1
SHT. 1 of 1



Moebius Architecture PLLC
 135 Glenview Ave #2
 Brooklyn NY 11206
 tel 633.969.8001
 design@moebiusarchitecture.com
 www.moebiusarchitecture.com

**NOT FOR
 CONSTRUCTION
 —
 FOR REVIEW
 PURPOSES ONLY**

Pisinski Residence

RENOVATION
 39 Geblg Road
 Nottingham, NH 03290

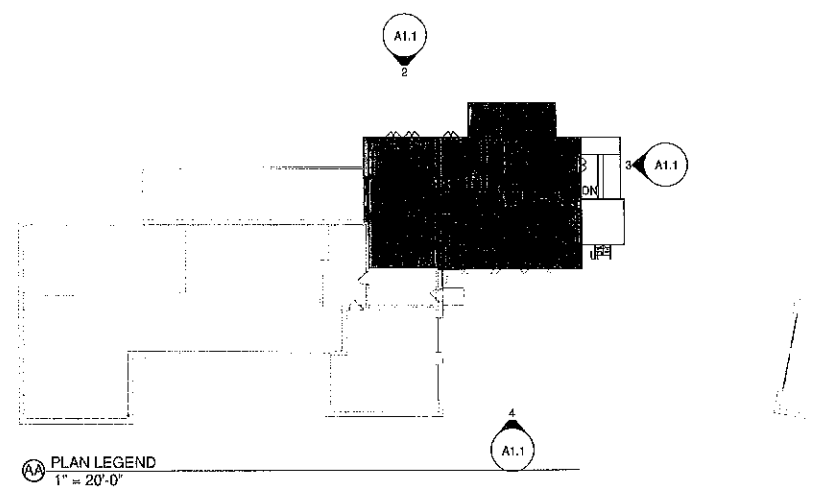
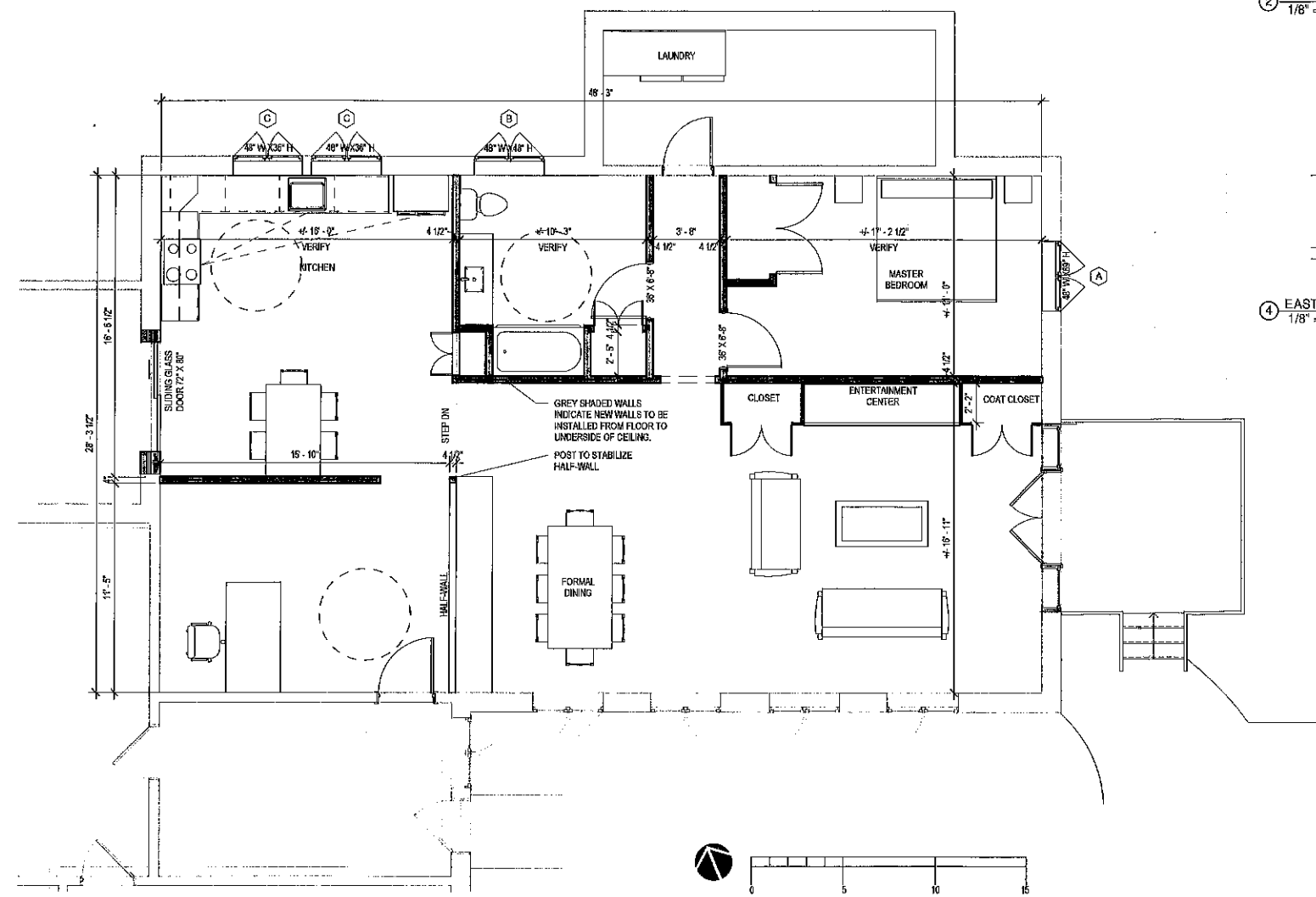
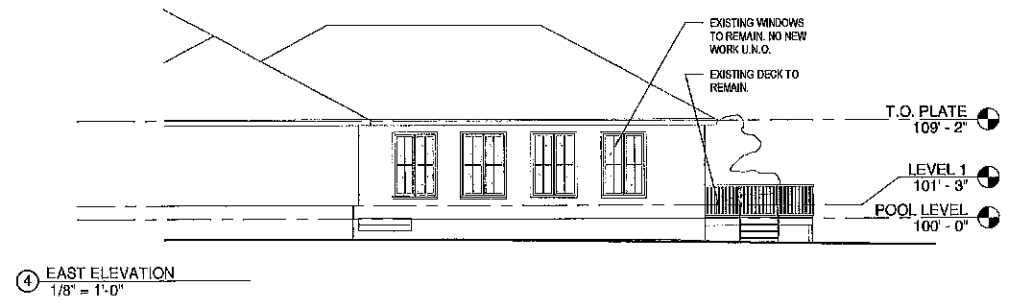
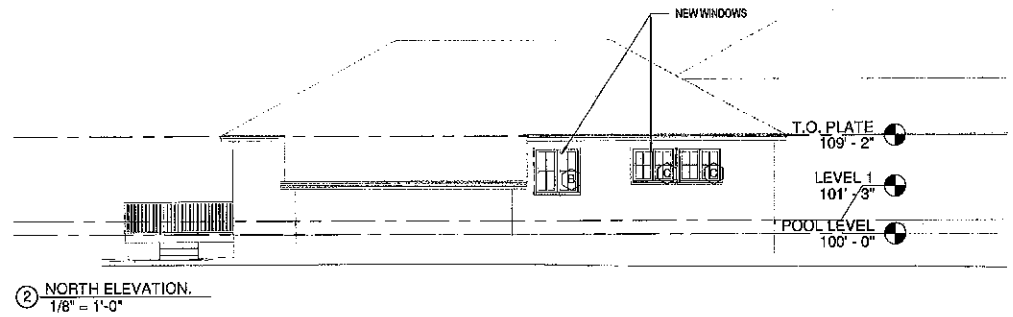
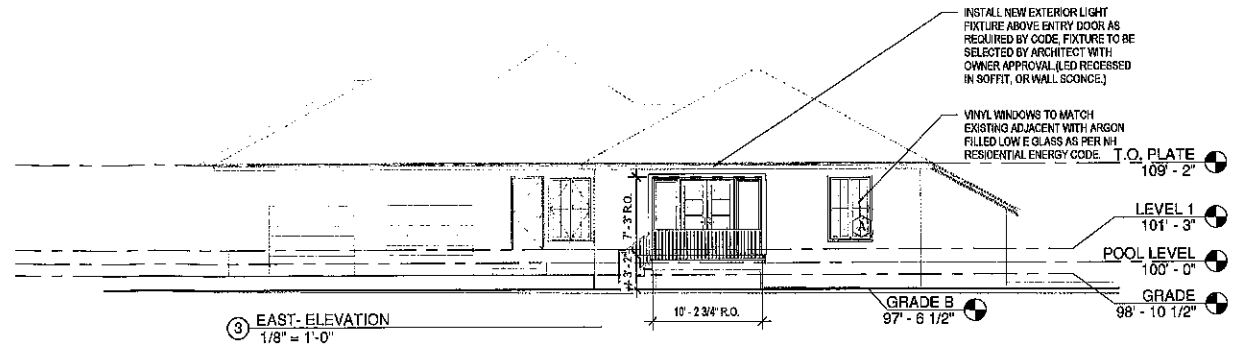
Victor Piskind
 39 Geblg Rd
 Nottingham, NH 03290

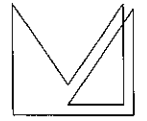
Revision Schedule		
Rev #	Description	Date

SHEET TITLE:
**PROPOSED PLANS & EXTERIOR
 ELEVATIONS**

Date: 6/23/2020
 Project No: MA-1809
 Drawn by: DCM
 Drawing No:

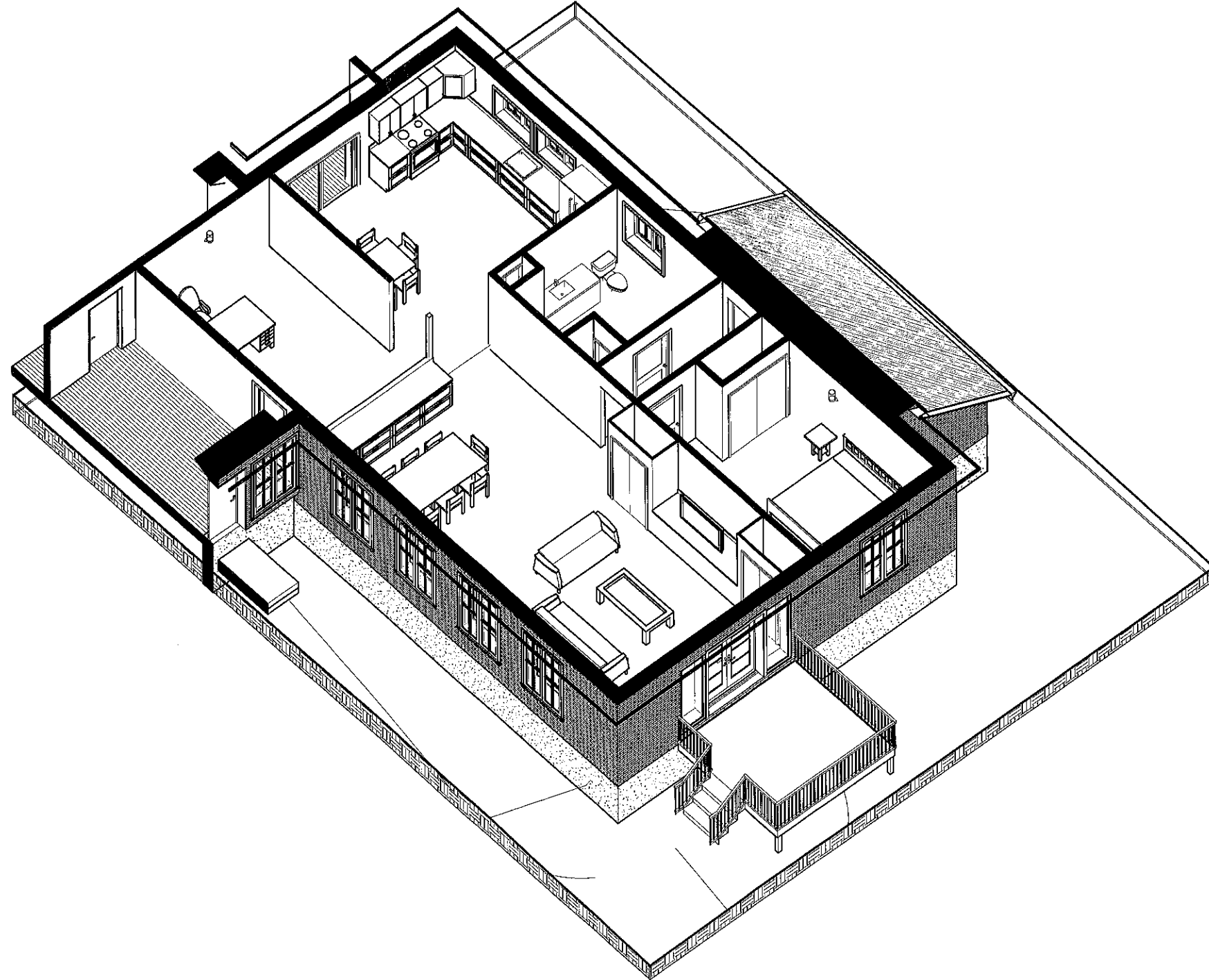
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MOEBIUS
ARCHITECTURE
PLLC

www.moebiusarchitecture.com
dan@moebiusarchitecture.com
803.969.8001



**NOT FOR
CONSTRUCTION
—
FOR REVIEW
PURPOSES ONLY**

Plinski Residence

RENOVATION

Victor Plinski
39 Gallop Rd
Nashgahon, VA 01250

Date: 8/22/2020

Revision Schedule		
Rev #	Description	Date

3D VIEW
A9.1

MA-1809
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