

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

Code Administration



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

Building Permit Application Denial

Date: 4/15/19
Owner: Marjorie Starkey
Address: 19 Lakeview
Map/Lot 71/76

Article II(C)(2) Setbacks

Applicant has filed for a permit to replace a failed septic, in a new location 6.1 feet from the property line on a non-conforming lot (.301 acres).

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.

Note:

1. A replacement septic system must be approved for an existing failed system somewhere on the property, however there are other options.
2. The State requires 10' setback, the town requires 20' setback. The proposal for the structure is 6.1' from the property line, with an overflow of fill (non-structure) onto the neighbor's property. Edward Lynch (neighboring property owner) has attached a letter of support that this is acceptable. We do not regulate the fill, only the actual structure but included for informational purposed only.

Respectfully submitted,

Dale Sylvania
Code Enforcement



Edward Lynch

21 Lakeview Dr.
Nottingham, NH 03290



April 6, 2019

Marjorie Starkey
19 Lakeview Dr.
Nottingham, NH 03290

Subject: Authorization to add Fill to boundary

I approve the addition of fill in the low area of 19 Lakeview Drive, Nottingham, NH where the property borders the stone and soil retaining wall on 21 Lakeview Drive. The fill may extend beyond the surveyed property line onto 21 Lakeview Dr.

Sincerely,

 4/6/19

Edward Lynch

Property Owner



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 19 Lakeview Drive
Tax Map 000071 Lot 000076 Sub-Lot 000000

Applicant's information:

Name(s): Marjorie A Starkey Cell: 603-234-1561
Address: 19 Lakeview Drive Phone #: 603 895 6864
Nottingham, NH 03290 E-mail: marjorie.starkey@comcast.net

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

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

Representative's information (if applicable):

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

Property information:

Lot Dimensions: Front 75' Rear 87.7' Side 185.41 Side 157.18
Lot Area: Acres .301 Square Feet 13,141 ft²
Present Use of Property Year Round Residential
Proposed Use of Property Same

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) Marjorie A Starkey Marjorie A Starkey 4/15/2019
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 Section c(2) of the zoning ordinance to permit:

septic leach field within set back from 21
lakeview Drive. Proposed septic will be 6.10' from
property line.

Previous Zoning Board action on this property: _____

SUPPORTING INFORMATION

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

the variance will not alter the character
of the neighborhood or the health and safety
of others. Replacing the ageing septic will
prevent potential detrimental impact to
the lake.

2. The spirit of the ordinance is observed:

The proposed septic will be placed in
better terrain, with better soil conditions
and avoiding ledge. By avoiding the ledge
there will be a lower bed, less of a
mound in front of the house. This mound
impacts road run off currently traveling down
the driveway.

3. Substantial justice is done:

The health of the community will improve due to
The ^{installation of a fully functional septic} gully ^{between} the 2 properties
will be put to better use and the steep
grade resulting from the location of the
current potentially failing septic will be
removed. (see pictures)

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

there will be no impact to the surrounding

properties. An eyesore will be removed (the gully) and part of the existing mound will be knocked down improving the terrain, including the road runoff that currently flows down the driveway.

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

There is limited space available on lake side non-conforming lots. This plan will utilize a currently unusable portion of the property. I will enjoy the property more if I do not have to maintain the gully.

ii) The proposed use is a reasonable one.

The proposed septic redesign is reasonable for a non conforming lot. Lots of this size often receive a variance from the state 10' setback requirement. Any other location places the septic too close to wells on this property and the property at 21 Lakeview Drive.

- 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 property will remain similar to other properties in the neighborhood.

Locating the septic elsewhere on the lot places it too close to wells on this property or neighboring properties.

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) _____
Margaret A. Harvey *4/15/2019*
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 *See attached list*

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
2. Owner Name	Address
3. Professional(s) Name	Address

MAP/ LOT/ SUB-LOT	ABUTTER(S) NAME	MAILING ADDRESS
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		



Abutters List Report

Nottingham, NH
April 11, 2019

Subject Property:

Parcel Number: 071-0076-000
CAMA Number: 071-0076-000
Property Address: 19 LAKEVIEW DRIVE

Mailing Address: STARKEY, MARJORIE A
19 LAKEVIEW DRIVE
NOTTINGHAM, NH 03290

1

Abutters:

Parcel Number: 071-0003-000
CAMA Number: 071-0003-000
Property Address: 12 LAKEVIEW DRIVE

Mailing Address: HAYMAN, CAROLINE S
12 LAKEVIEW DRIVE
NOTTINGHAM, NH 03290

2

Parcel Number: 071-0075-000
CAMA Number: 071-0075-000
Property Address: 21 LAKEVIEW DRIVE

Mailing Address: LYNCH, MICHAEL E LYNCH, EDWARD F
21 LAKEVIEW DRIVE
NOTTINGHAM, NH 03290

3

Parcel Number: 071-0077-000
CAMA Number: 071-0077-000
Property Address: 17 LAKEVIEW DRIVE

Mailing Address: O'CONNELL, RYAN S O'CONNELL,
DEBRA A
17 LAKEVIEW DRIVE TRUSTEES R&D
REVOCABLE TRUST
NOTTINGHAM, NH 03290

4

Parcel Number: 071-0086-000
CAMA Number: 071-0086-000
Property Address: 20 LAKEVIEW DRIVE

Mailing Address: GAGNON LILIYA S LILIYA S GAGNON
REV TRUST
20 LAKEVIEW DRIVE
NOTTINGHAM, NH 03290

5

one to Rosco if he represents me.



www.cai-tech.com

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BK 3366 PG 2035

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, Robert S. Kuegel, a married person, of 24 Amesbury Road, Kensington, County of Rockingham and State of New Hampshire,

FOR CONSIDERATION PAID,

GRANT TO: Marjorie A. Starkey, a married person, of 74 Kingston Road, Exeter, County of Rockingham and State of New Hampshire;

With WARRANTY COVENANTS the following described property:

A certain parcel of land together with the buildings thereon, situate in Nottingham, Rockingham County, New Hampshire shown as lot 10 on plan entitled "Supplementary Plan of Land in Nottingham, N.H. owned and developed by Pawtuckaway Lake Shores, Inc.", dated March 1961, prepared by Alden S. Marble & Assoc., Reg. Engrs. & Survs., 24 Columbia St., Leominster, Massachusetts and recorded with the Rockingham County Registry of Deeds on March 31, 1961, Plan 90, Page 10.

M71
L 76

Subject to restrictions and conditions in deed of Pawtuckaway Lake Shores, Inc. to George E Eggleton and Jeannette Eggleton dated March 5, 1964, and recorded in Rockingham County Registry of Deeds, Book 1709, Page 012.

Meaning and intending to convey the same premises conveyed to within grantor by Warranty Deed of Robert S. Kuegel and Barbara S. Kuegel, dated May 18, 1995, and recorded in the Rockingham County Registry of Deeds at Book 3100, Page 2591.

I, Barbara S. Kuegel, wife of the within Grantor, do hereby release my life estate interest in said property as reflected in deed recorded at Book 3100, Page 2591 as recorded in the Rockingham County Registry of Deeds.

THIS IS NOT A HOMESTEAD PROPERTY

Dated this 27 day of January, 1999.

0010771

FEB 12 2 46 PM '99

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

STATE OF NEW HAMPSHIRE

DEPARTMENT OF REVENUE ADMINISTRATION

REAL ESTATE TRANSFER TAX

1 THOUSAND 2 HUNDRED AND 50 DOLLARS

MO. DAY YR. AMOUNT

02-12-99 361642 \$1250.00

VOID IF ALTERED

BK 3366PG2036

[Signature]
Witness

[Signature]
Robert S. Kuegel

[Signature]
Witness

[Signature]
Barbara S. Kuegel

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM. SS.

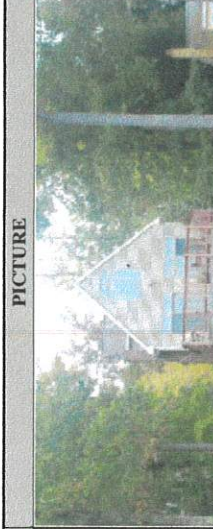
January 27, 1999.

Personally appeared Robert s. Kuegel and Barbara S. Kuegel, known to me , or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained.

Before me,

[Signature]
Justice of the Peace/Notary Public

MARY ANN ROSSI
★ NOTARY PUBLIC - NEW HAMPSHIRE ★
My Commission Expires September 29, 2003



OWNER INFORMATION
STARKEY, MARJORIE A
 19 LAKEVIEW DRIVE
 NOTTINGHAM, NH 03290

SALES HISTORY

Date	Book	Page	Type	Price	Grantor
02/02/1999	3366	2035	Q1	125,000	KUEGEL, ROBERT
11/23/1993	3020	1964	Q1	83,000	GEORGE EGGLETON

LISTING HISTORY

Date	Agent
07/29/14	JBVL
10/12/07	LMHN
10/09/06	DMCL
06/16/06	DSVM
04/13/01	THPM
04/12/01	ALR

NOTES
 TAN; WELL DRILLED; U-DOCK; 87.7 FT OF WF PER SURVEY; 06-EST PATIO IRR SHAPE, INT=GOOD, HSF MEASURED 12 FT; 7/14 NO UPDATES. 1 DUCTLESS A/C FOR HSF. MOVED PAT TO SKETCH. DNP HOT TUB ON PAT. SANDY BEACH W/BOAT RAMP. DRVWY=CONCRETE.

EXTRA FEATURES VALUATION

Feature Type	Units	Length x Width	Size Adj	Rate	Cond	Market Value	Notes
SHED-WOOD	48	6 x 8	393	7.00	60	792	
FIREPLACE 1-STAND	1		100	3,000.00	100	3,000	GAS
SHED-WOOD	48	6 x 8	393	7.00	60	792	
						4,600	

MUNICIPAL SOFTWARE BY AVITAR

TOWN OF NOTTINGHAM
NEW HAMPSHIRE

PARCEL TOTAL TAXABLE VALUE

Year	Building	Features	Land
2016	\$ 148,700	\$ 4,600	\$ 322,900
Parcel Total: \$ 476,200			
2017	\$ 148,700	\$ 4,600	\$ 322,900
Parcel Total: \$ 476,200			
2018	\$ 148,700	\$ 4,600	\$ 322,900
Parcel Total: \$ 476,200			

LAND VALUATION

Zone: R-AG PAWTUCKAWAY Minimum Acreage: 2.00 Minimum Frontage: 200 Site: AVERAGE Driveway: PAVED Road: PAVED

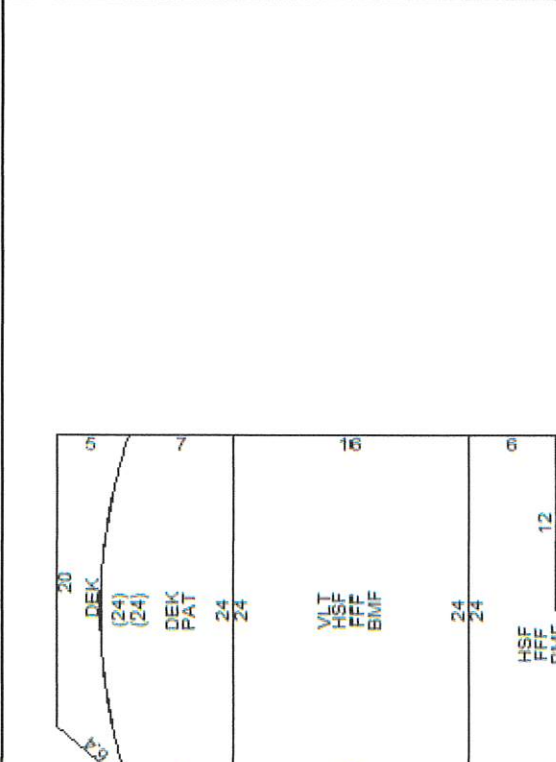
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
1F RES WTRFRNT	0.301 ac	67,040	E	100	100	100	100	95 -- MILD	100	63,700	0	N	63,700	
1F RES WTRFRNT	1.000 wf	x 220,000	X	100				95 -- MILD	124	259,200	0	N	259,200	88'/AVG/BCH/CV/Y W
													322,900	
													0.301 ac	

OWNER		TAXABLE DISTRICTS	
STARKEY, MARJORIE A	District	Percentage	
19 LAKEVIEW DRIVE			
NOTTINGHAM, NH 03290			

PERMITS	
Date	Project Type
	Notes



BUILDING SUB AREA DETAILS			
ID	Description	Area	Adj. Effect.
DEK	DECK/ENTRANCE	278	0.10 28
PAT	PATIO	200	0.10 20
VLT	VAULTED	384	0.05 19
HSF	1/2 STRY FIN	960	0.50 480
BMU	BSMNT	360	0.15 54
ENT	ENTRY WAY	45	0.10 5
FFF	FST FLR FIN	960	1.00 960
BMF	BSMNT FINISHED	600	0.30 180
GLA:	1,440	3,787	1,746



2015 BASE YEAR BUILDING VALUATION	
Market Cost New:	\$ 161,645
Year Built:	2000
Condition For Age:	GOOD
Physical:	8 %
Functional:	
Economic:	
Temporary:	
Total Depreciation:	8 %
Building Value:	\$ 148,700

BUILDING DETAILS	
Model:	1.5 STORY CONVENTION
Roof:	GABLE OR HIP/ASPHALT
Ext:	VINYL SIDING
Int:	DRYWALL
Floor:	CARPET/HARDWOOD
Heat:	OIL/HOT WATER
Bedrooms:	2
Baths:	2.0
Fixtures:	7
Fireplaces:	
Generators:	
A/C:	Yes 100.00 %
Quality:	A1 AVG+10
Com. Wall:	
Base Rate:	RSA 80.00
Bldg. Rate:	1.1573
Sq. Foot Cost:	\$ 92.58



April 11, 2019

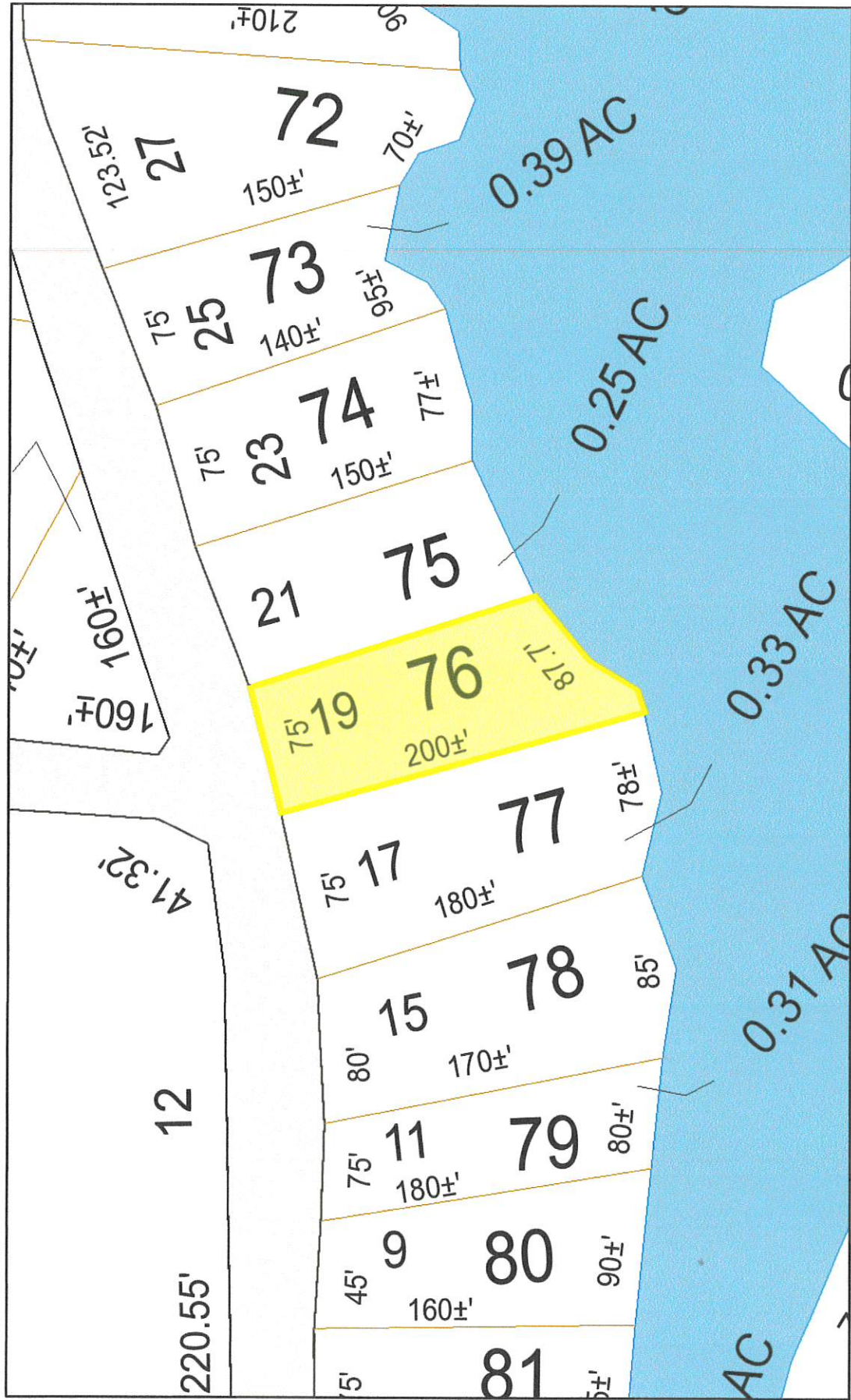
Nottingham, NH

1 inch = 67 Feet



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