



# TOWN OF NOTTINGHAM

139 Stage Road, P.O. Box 114, Nottingham, NH 03290  
[www.nottingham-nh.gov](http://www.nottingham-nh.gov)

Planning & Zoning [plan.zone@nottingham-nh.gov](mailto:plan.zone@nottingham-nh.gov)  
Tel (603) 734-4881

## APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment  
Town of Nottingham

### FOR OFFICE USE ONLY

Case No. 24-003  
Date Filed 3/19/24  
Meeting Date 4/16/24  
Fee Amount \$ 370  
Date Paid 3/19/24  
Outcome \_\_\_\_\_

Name of Applicant William M. & Donna M. Gillespie

Mailing Address 30 Forest Street, Rowley MA

Phone 978-948-7958 E-Mail dmgslinky@comcast.net

Name of Owner(s) Linda E. Hodgdon  
(if same as applicant, write "same")

Owner's Address 5 Kenison Pond Rd., Nottingham NH 03290 Mailing: PO Box 58 West Nottingham, NH 03291  
(if same as applicant, write "same")

## PROPERTY INFORMATION

Location of property 0 Kenison Pond Road Tax Map 32 Lot 4

Lot Dimensions: Front 45' Rear 730'+/- Side West 1832' +/- Side East 1296' +/-

Lot Area: Acres 22 Square Feet 958,320

Present Use of Property Land registered in Current Use (primarily wooded)

Proposed Use of Property Single Family Home 2 + acres with balance left in Current Use

**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)(2)(b,c,e) of the zoning ordinance to permit: Single Family Home. Note: (C)(2)(e) shall be furnished if variance is approved (see attached permit application denial)

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](mailto:dsylvia@nottingham-nh.gov)  
[www.nottingham-nh.gov](http://www.nottingham-nh.gov)

### Building Permit Application Denial

Date: 3/11/24  
Owner: William and Donna Gillespie  
Address: Stage road  
Map/Lot 32/4

Applicant has applied for a building permit for a single family home.

#### Denial 1:

Article II(C)(2)(b) Each lot must have a minimum contiguous frontage of 200 feet. This lot has 45 feet. Does not meet the exception of Article IV(T) backlots.

#### Denial 2:

Article II(C)(2)(c) Each single parcel of land is required to contain a driveway (curb cut) within the required minimum frontage. The required driveway may be either single or common shared driveway serving no more than two residences.

- Note: The driveway already serves two residences and this would be the third.

#### Denial 3:

##### Article II(C)(2)(e)

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.

- Note: does not have an approved septic yet.

Note: The Gillespies have written authorization to act on behalf of the owner, Linda Hodgdon (attached)

Respectfully submitted,

Dale Sylvia  
Code Enforcement

**SUPPORTING INFORMATION**

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

Granting the variance would allow the residence to be constructed on a 22 acre, mostly wooded lot. The addition of one home in Nottingham would not alter the rural character of the town, neighborhood or threaten the health, safety or welfare of the community.

2. If the Variance were granted, the spirit of the ordinance would be observed because:

This is an existing lot prior to the establishment of zoning bylaws. It was not subdivided post bylaws ordinances. The addition of the single residence and shared drive does not affect the rural character of the town, or in any other way affect the health, safety, convenience and welfare of the citizens of Nottingham.

3. Granting the variance would do substantial justice because:

The gain to the petitioner is not outweighed by a loss to the general public, since there is no loss to the public. There is a gain to the petitioner who will build a residence, a gain to the seller and a gain to the abutting property owners who will have a low impact project and improvements to the land.

4. If the variance is granted, the values of the surrounding properties would not be diminished because:

Granting the variance for the single family home will not diminish the value of the surrounding property due to its limited scale, traditional area design, strategic concealment, and contemplated improvements to the driveway.

5. Unnecessary Hardship

a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

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 because:

With respect to this particular lot, there is no substantial relationship. The enumerated purposes of Article 1 Section B and the frontage and shared driveway requirements because this is a large lot with an unusual shape; a large lot will be rendered useless by strict adherence to frontage requirements.

**-AND-**

ii. The proposed use is a reasonable one because:

A single family home would be low impact use for the lot and to the Town services as the majority of the property will remain

remain undeveloped and in use. A subdivision would impact the abutters and drastically change the character of the property.

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B. Explain how, 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.

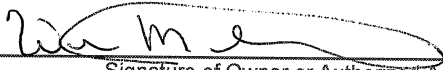
In the event the above is not established, an unnecessary hardship would be created by strict adherence to the applicable zoning rules because the property is distinguished from other comparable properties in the area by its large size and unusual shape. A variance is necessary to enable a reasonable use of the land.

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I hereby certify that I am the owner in fee or the authorized agent of the owner in fee of the property upon which this variance is sought and that all information provided by me is true under penalty of law.



Signature of Owner or Authorized Agent

3/19/2024

Date

Please Print Name William M. Gillespie (Authorized Agent)

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## OWNER'S AUTHORIZATION FOR REPRESENTATION

I, the undersigned owner of the property at Kenison Pond Rd. Nottingham, NH 03290 (map 32, lot 4), hereby verify that I have authorized William M. & Donna M. Gillespie to represent me/us and apply for the required approval(s) from the Planning Board in the Town of Nottingham, New Hampshire for the following:

- |   |   |
|---|---|
| <input type="checkbox"/> Subdivision/Lot Line Adjustment          | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Backlot Subdivision                      | <input type="checkbox"/> Design Review    |
| <input checked="" type="checkbox"/> Other <u>Variance Request</u> |   |

FOR: Variance request from Article II Section (C)(2)(b,c,e) of the zoning ordinance to permit a single family home Map 32 Lot 4

NAME OF OWNER (Typed or printed) Linda E. Hodgdon

Address of Owner P.O. Box 58 West Nottingham, NH 03291

Signature of Owner *Linda Hodgdon* Date 02/23/2024

NAME OF OWNER (Typed or printed) \_\_\_\_\_

Address of Owner \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

NAME OF OWNER (Typed or printed) \_\_\_\_\_

Address of Owner \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

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Address of Owner \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

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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) Linda Hodg 02/23/2024  
Signature Date Signature Date

Property Owner(s) \_\_\_\_\_  
Signature Date Signature Date

Property Owner(s) \_\_\_\_\_  
Signature Date Signature Date

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## ABUTTER(S) LIST

**\*\*PLEASE PRINT THREE (3) ADDRESS LABELS PER ABUTTER- INCLUDING THE APPLICANT, OWNER AND PROFESSIONAL(S)\*\***

**1. APPLICANT INFORMATION:**

Printed Name: William M. & Donna M. Gillespie Contact Telephone: 617-212-2284 Cell  
Address: 30 Forest Street, Rowley MA 01969

**2. OWNER INFORMATION:**

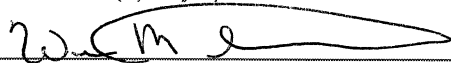
Printed Name: Linda E. Hodgdon  
Address: 5 Kenison Pond Rd., Nottingham NH 03290 Mailing: PO Box 58 West Nottingham, NH 03291

**3. PROFESSIONAL(S) INFORMATION:**

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Abutter(s) Information				
4.	Map: 32	Lot: 16	Name: Linda E Hodgdon	Address: PO Box 58 West Nottingham NH 03291 5 Kenison Pond Rd Nottinham NH 03290
5.	Map: 32	Lot: 5	Name: Autio Living Trust of 2009 Fanny S. Autio, Trustee	Address: 1025 Riverland Woods Place Ste 320 Charleston, SC 29412-4136
6.	Map: 32	Lot: 17	Name: Nathan & Kimberly Davies	Address: PO Box136 West Nottingham NH 03291 12 Demerit Pond Rd, Nottingham NH 03290
7.	Map: 32	Lot: 2	Name: Avery Family Revocable Trust Dale Armand & Melissa Ann Trustees	Address: PO Box 73 West Nottingham NH 03291 356 Stage Rd Nottingham NH 03290
8.	Map: 17	Lot: 1	Name: Michael G. Sanders & Shawna A. Sammis	Address: 360 Stage Road Nottingham NH 03291
9.	Map: 17	Lot: 39-02	Name: Joseph & Sandra Beaudry	Address: 359 Stage Rd Nottingham NH 03291
10.	Map: 29	Lot: 8	Name: Mulligan Forest, LLC	Address: (Property Stage Rd) 16 Stevens Hill Rd, Nottingham NH 03290
11.	Map:	Lot:	Name:	Address:
12.	Map:	Lot:	Name:	Address:
13.	Map:	Lot:	Name:	Address:

I, William M. Gillespie, the undersigned, certify that to the best of my knowledge, the above is an accurate and complete abutter(s) list and that the information was obtained from the Nottingham Assessing Office no more than five (5) days prior to the date of this application..

  
Applicant's Signature

3/19/2024  
Date

William & Donna Gillespie  
30 Forest Street  
Rowley, MA 01969

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Autio Living Trust  
C/O Fanny S. Autio, Trustee  
1025 Riverland Woods Pl. St 320  
Charlestown, SC 29412-4136

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Charlestown, SC 29412-4136

Autio Living Trust  
C/O Fanny S. Autio, Trustee  
1025 Riverland Woods Pl. St 320  
Charlestown, SC 29412-4136

Nathan & Kimberly Davies  
PO Box 136  
West Nottingham, NH 03291

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West Nottingham, NH 03291

Nathan & Kimberly Davies  
PO Box 136  
West Nottingham, NH 03291

Avery Family Revocable Trust  
Dale Armand & Melissa Ann  
PO Box 73  
West Nottingham NH 03291

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PO Box 73  
West Nottingham NH 03291

Avery Family Revocable Trust  
Dale Armand & Melissa Ann  
PO Box 73  
West Nottingham NH 03291

Michael G. Sanders &  
Shawna A. Sammis  
360 Stage Road  
Nottingham, NH 03291

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Joseph & Sandra Beaudry  
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Mulligan Forest, LLC  
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## ZONING BOARD OF ADJUSTMENTS FEE SCHEDULE

### Fee's collected at time of application:

	TOTAL CHARGE	DATE PAID
APPLICATION FEE \$100.00	<u>\$100.00</u>	_____
ABUTTER NOTIFICATION <u>7</u> X \$10.00/PER ABUTTER	<u>\$70.00</u>	_____
PUBLIC NOTICE FEE \$200.00	<u>\$200.00</u>	_____
TOTAL	<u>\$370.00</u>	_____