

**TOWN OF SUNAPEE - ZONING BOARD OF ADJUSTMENT**  
**A PUBLIC MEETING WILL BE HELD THURSDAY,**  
**JANUARY 4<sup>th</sup>, 2024, AT 6:30 PM,**  
**AT THE SUNAPEE TOWN MEETING ROOM ON THE FOLLOWING CASE(S):**  
Join Zoom Meeting:  
<https://us06web.zoom.us/j/89631266560?pwd=IU5Bt7mNbtmWgYYGEZlZNnyK6d3qdg.1>  
Passcode: 802767

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**NEW CASES**

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Case #VA 23-16  
Parcel ID: 0104-0057-0000

*Hugh & Sarah McCann*  
*46 Oak Ridge Road*  
*Residential District*

Requesting a Variance from Article III, Section 3.10 to allow an increase of 48 square feet to replace the current 6' x 8' shed with an 8' x 12' shed within the 50-foot road setback. Reducing the 50-foot setback to 30 feet.

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Case #VA 23-16-A  
Parcel ID: 0104-0057-0000

*Hugh & Sarah McCann*  
*46 Oak Ridge Road*  
*Residential District*

Requesting a Variance from Article III, Section 3.10 to allow an increase of 48 square feet to replace the current 6' x 8' shed with an 8' x 12' shed within the 15-foot side setback. Reducing the 15-foot setback to 6 feet.

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Case #SE 23-04  
Parcel ID: 0238-0038-0000

*JACK Properties LLC*  
*Casey D. Yantosca*  
*286 Nutting Road*  
*Rural Residential District*

Requesting a Special Exception from Article IV, Section 4.95 to allow for a Short-Term Rental Owner-Not-in-Residence in the Rural Residential District.

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Case #VA 23-17  
Parcel ID: 0104-0001-0000

*Kimberly & Robert Hofeldt*  
*1040 Main Street*  
*Village Commercial District*

Requesting a Variance from Article III, Section 3.10 to allow a 16' x 30' deck to be built within the 75-foot road setback, reducing the road setback to 67 feet.

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Case #VA 23-18  
Parcel ID: 0149-0030-0000

*Kimberly & Scott Rouleau*  
*775 Route 103*  
*Rural Residential District*

Requesting a Variance from Article III, Section 3.10 to reduce the 15-foot side setback to 11' 2" for an addition of a pre-existing nonconforming structure.

**NOTE:** In the event the meeting is canceled, the agenda will be continued to the next scheduled Zoning Board meeting.

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Case #VA 23-19  
Parcel ID: 0149-0030-0000

*Kimberly & Scott Rouleau  
775 Route 103  
Rural Residential District*

Requesting a Variance from Article II, Section 2.30 to reduce the 25' wetland setback to 18' 8" with a total of 375 square feet to be within the 25' setback.

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## **CONTINUED CASES**

Case #VA 23-09  
Parcel ID: 0133-0087-0000

*Sunapee Harbor Riverway  
Quack Shack  
72 Main St.  
Village Commercial District*

Requesting a Variance from Article III, Section 3.40(c) to allow a 9.5' x 9.5' panelized freezer to be placed within the 50-foot shoreline setback of Sugar River.

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Case #VA 23-15  
Parcel ID: 0104-0022-0000

*Growth Cap Management, LLC  
27 Prospect Hill Rd  
Village Residential District*

Requesting a Variance from Article III, Section 3.10 to reduce the 10,000 square foot requirement per dwelling unit to allow the addition of 5 dwelling units. Reducing the 10,000 sq. ft requirement to 6,075 sq. ft.

**\*NOTE: Any and all submissions must be provided 5 days prior to the meeting.**

**NOTE:** In the event the meeting is canceled, the agenda will be continued to the next scheduled Zoning Board meeting.



Town of Sunapee  
23 Edgemont Rd., Sunapee NH  
Phone (603) 763-2212 ext. 1023 / Email [zoning@town.sunapee.nh.us](mailto:zoning@town.sunapee.nh.us)  
Website [www.town.sunapee.nh.us](http://www.town.sunapee.nh.us)

CASE# \_\_\_\_\_

**Zoning Board of Adjustment (ZBA)  
Variance Application**



Questions? Please contact the Land Use & Assessing Coordinator or the Planning & Zoning Director. All dates and deadlines are published on the ZBA calendar; see Page 6. For helpful guidelines on completing this application, see page 4-5.

**Attach additional sheets of paper as necessary.**

1. Landowner(s) Name(s): Hugh and Sarah McCann
2. Parcel ID: 104 / 057 / 000 3. Zoning District: Res
4. Project Location (Street & #): 46 Oak Ridge R.D. Georges Mills
5. Mailing Address: P.O. Box 540
6. Phone Number: 203-545-8857
7. Email: Hughmccannjr@gmail.com

☐ **ABUTTERS LIST:** You must prepare a list of all abutting property owners and attach it to your application. If you have any difficulty, consult the town office, but the accuracy of the list is your responsibility. You can download an abutters list by using the Tax Maps/GIS on the Town's website (under Assessing Department).

☐ **FEES:**      Application Fee: \$ \_\_\_\_\_ \* Make check payable to Town of Sunapee.  
                 Abutter Notification Fee: \$ \_\_\_\_\_ \* per abutter.      Make payable to US Post Office.

\* NOTE: Rates and fees are subject to change. For the most current rate, please check with the Town Office.

☐ **ATTACHMENTS:** To assist the board, please attach sketches, photos, surveys, plot plans, pictures, construction plans, or whatever may help explain the proposed use. Include copies of any prior Zoning or Planning decisions concerning the property. If you have something in writing stating that your proposed project does not meet zoning, please attach that to this application; it may be a letter, email or denied permit. A professional survey by a licensed surveyor is strongly recommended for variances related to setback requirements. For properties located in the Shoreline Overlay District, a professional survey is required. Supplemental materials for the Board must be submitted no later than five (5) days before the scheduled hearing, however, adequate plans and exhibits must accompany the application. This includes, but is not limited to: lot dimensions, dimensions of proposed and existing structures, identification of abutting properties and roads, locations of water bodies, wetlands, septic systems, etc.

*Applications will not be considered complete unless all the questions are answered, the fees are paid, and an Abutters Mailing List is attached.*

Lois Konan

Simon Hung

Josh Monroe

**GENERAL DESCRIPTION:** This is a place to give a general summary of the proposed project as an introduction and overview for the public hearing. For example, where is the property located? Describe the property. Give area, frontage, side and rear lines, slopes, natural features, etc. What do you propose to do? Why does your proposal require an appeal to the board of adjustment?

Remove existing tool shed  
Replace with slightly larger shed

**Attach additional sheets of paper as necessary.**

**SPECIFIC REASON THE VARIANCE IS NECESSARY:** A Variance is requested from Zoning

Ordinance, Article 3, Section 3.10 to permit

To increase shed frontage on  
Road side and on Lois Ronen  
Property Side

**Facts in support of granting the variance:**

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

change of shed foot print

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

New shed will not impact environmental  
or neighbors concerns

3. Granting the variance would do substantial justice because:

Limited storage ability on property  
No other location suitable for storage.

4. If the variance were granted, the values of the surrounding properties would not be diminished because: New shed will be in same

location just slightly larger

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: ordinances limit other location  
options

- and -

ii. The proposed use is a reasonable one because:

garden / out door tool storage


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. only location to

allow compliance with other  
requirements

NOTE:

For person(s) with physical disabilities,  
please see RSA 674:33 regarding alternative hardship criteria for a Variance.

**SIGNATURE:** I understand that the public hearing will be held at the scheduled date and time unless a request is made by me for a new hearing. Any rehearing will require a new public notice and notification to abutters, the cost of which will be borne by the applicant. Further, I hereby give permission to the ZBA members and zoning officials to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

other   
Landowner(s) Signature(s)

12/1/23  
Date

## APPENDIX A

### Helpful Guidelines for Completing the Variance Application, Part 1

**This information shall not be construed as legal advice  
or interpretation of the law in any way or form.**

**PURPOSE OF ZONING:** For more information about the “Purpose of Zoning” see Sunapee Zoning Ordinance Article I, Section 1.20 “Purpose”; Article II, Section 2.30 “District Purposes and Description”; and NH RSA 674:17 “Purposes of Zoning Ordinances” (as may be amended).

**ABOUT THE 5 VARIANCE QUESTIONS: (SEE APPENDIX B)** A variance is an authorization which may be granted under special circumstances to use your property in a way that is not permitted under the strict terms of the zoning ordinance. The Zoning Board of Adjustment (ZBA) must determine that the variance request satisfies the following 5 criteria. Please note that all criteria must be satisfied in order for a variance to be granted. Please provide a written response along with any other supporting documentation for each of the following criteria. Attach additional pages if necessary. Failure to satisfactorily prove any single criteria will result in denial of the application. The Applicant has the burden of proof. Applicants should be prepared to present information pertinent to the variance being requested. To obtain a legally granted variance, you must demonstrate/prove that the proposal satisfies ALL FIVE of the variance criteria.

**MORE INFORMATION:** It is recommended that you become familiar with the Sunapee Zoning Ordinance, as well as the state statutes that cover planning and zoning (New Hampshire RSA Chapters 672- 678). You can purchase a copy of the Sunapee Zoning Ordinance at the town office, or download a copy from the town’s website ([www.town.sunapee.nh.us](http://www.town.sunapee.nh.us)). The State’s RSAs can be viewed online at <http://www.gencourt.state.nh.us/rsa/html/indexes/default.html>.

**WHAT HAPPENS NEXT:** The board will promptly schedule a public hearing upon receipt of your properly completed application. Public notice of the hearing will be posted and printed in a newspaper and notice will be mailed to you and to all abutters at least five days before the date of the hearing. You and all other parties are invited to appear in person (or by agent or counsel) to state reasons why the appeal should or should not be granted. After the public hearing, the board will reach a decision. An official Notice of Decision will be made available within 5 business days, along with the minutes of the hearing.

**IF THE VARIANCE IS GRANTED, HOW LONG DO I HAVE TO BUILD IT?** If after a period of twenty-four (24) months from the date a Variance or Special Exception is granted by the Zoning Board of Adjustment, the applicant has neither applied for nor received a Certificate of Compliance from the Board of Selectmen, the Variance or Special Exception will become void. An extension may be granted by the Zoning Board of Adjustment. Reference Article X, Section 10.16 (e).

**WHAT IF I DISAGREEE WITH THE BOARD’S DECISION?** Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty (30) days of the date of the hearing. The necessary first step before any appeal may be taken to the courts, is to apply to the Zoning Board for a rehearing. The motion for a rehearing must set forth all the grounds on which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677 for details.

## APPENDIX B

### Helpful Guidelines for Completing the Variance Application – Part 2

**This information shall not be construed as legal advice  
or interpretation of the law in any way or form.**

SOURCE: State of NH Office of Strategic Initiatives, 2020 Handbook for Local Officials  
for The Board of Adjustment in New Hampshire.

<b><u>VARIANCE CRITERIA GUIDELINES</u></b>	
<b>Statutory Requirements (RSA 674:33, I(b))</b>	<b>Explanation</b>
<b><i>APPLICANT MUST SATISFY ALL OF THE FOLLOWING</i></b>	
1. The variance is not contrary to the public interest.	The proposed use must not conflict with the explicit or implicit purpose of the ordinance, and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights."
2. The spirit of the ordinance is observed.	As it is in the public's interest to uphold the spirit of the ordinance, these two criteria are related.
3. Substantial justice is done.	The benefit to the applicant should not be outweighed by harm to the general public.
4. The values of surrounding properties are not diminished.	Expert testimony on this question is not conclusive, but cannot be ignored. The board may also consider other evidence of the effect on property values, including personal knowledge of the members themselves.
5. Literal enforcement of the ordinance would result in unnecessary hardship. Unnecessary hardship can be shown in either of two ways:  First is to show that because of special condition of the property that distinguish it from other properties in the area: (a) There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (b) The proposed use is a reasonable one.  <i>Alternatively</i> , unnecessary hardship exists 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 applicant must establish that the property is burdened by the zoning restriction in a manner that is distinct from other land in the area.  (a) Determine the purpose of the zoning restriction in question. The applicant must establish that, because of the special conditions of the property, the restriction, as applied to the property, does not serve that purpose in a "fair and substantial" way.  (b) The applicant must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood.  <i>Alternatively</i> , the applicant can satisfy the unnecessary hardship requirement by establishing that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

**TOWN OF SUNAPEE  
ZONING BOARD  
2023 APPLICATION DEADLINES  
FOR PUBLIC HEARINGS**

<u>MEETING DATE</u>	<u>DEADLINE DATE</u>
JANUARY 5, 2023	DECEMBER 1, 2022
FEBRUARY 2, 2023	JANUARY 5, 2023
MARCH 2, 2023	FEBRUARY 2, 2023
APRIL 6, 2023	MARCH 2, 2023
MAY 4, 2023	APRIL 6, 2023
JUNE 1, 2023	MAY 4, 2023
JULY 6, 2023	JUNE 1, 2023
AUGUST 3, 2023	JULY 6, 2023
SEPTEMBER 7, 2023	AUGUST 3, 2023
OCTOBER 5, 2023	SEPTEMBER 7, 2023
NOVEMBER 2, 2023	OCTOBER 5, 2023
DECEMBER 7, 2023	NOVEMBER 2, 2023
JANUARY 4, 2024	DECEMBER 7, 2023

**ALL APPLICATIONS *MUST* BE IN BY 3 O'CLOCK ON THE DEADLINE DATE. THIS WILL BE STRICTLY OBSERVED.**

**THE CHAIRMAN RESERVES THE RIGHT TO CALL SPECIAL MEETINGS TO SATISFY RSA REQUIREMENTS REGARDING TIMELINES OF THE ZONING BOARD.**

RECEIVED SEP 15 2023

**Certificate of Zoning Compliance (CZC)  
Permit Application**

**TOWN OF SUNAPEE**

23 Edgemont Rd., Sunapee, New Hampshire 03782  
(603) 763-2212 ext. 1023

Email [zoning@town.sunapee.nh.us](mailto:zoning@town.sunapee.nh.us)

Website [www.town.sunapee.nh.us](http://www.town.sunapee.nh.us)

DATE APPLICATION REC'D: \_\_\_\_\_

FEE PAID: \$ \_\_\_\_\_ METHOD: \_\_\_\_\_

ZONE: \_\_\_\_\_

PARCEL ID: \_\_\_\_\_

PERMIT APPROVAL # \_\_\_\_\_

Revised 7/21/2023



**Thank you for applying for a permit!** A Certificate of Zoning Compliance (CZC) is required for most construction in Sunapee (see 1-8 below). Your project will be reviewed to make sure it meets the town's zoning regulations. All references (in parentheses and underlined) refer to a specific regulation in the Zoning Ordinance. The complete ordinance is available on our website and at the town office.

**NEXT STEP:** After staff review, the application will be moved to the next Board of Selectmen's meeting for final approval. ✓

**PICK UP:** Your permit will be ready to pick up starting the afternoon after the Board of Selectmen meeting. If you want it mailed to you, please let us know.

**EXPIRATION:** Permits will expire in 12 months if no earnest or substantial effort has been made to carry out the construction or alteration (8.23 & 8.25). ✓

**QUESTIONS?** Please contact the Planning & Zoning Department anytime with questions.

**WHEN IS A CZC PERMIT REQUIRED?** A CZC is required prior to beginning any of the following activities (8.21)

1. Will a new structure be constructed or installed? ..... ☒ YES ☐ NO
2. Will an existing structure be expanded? ..... ☐ YES ☒ NO
3. Will a dwelling unit be added to an existing structure? ..... ☐ YES ☒ NO  
A "dwelling unit" is like an apartment or additional house. It includes independent cooking, sleeping, and sanitary facilities. (X)
4. Does the project involve a structure owned by the Town of Sunapee (municipal building)? ..... ☐ YES ☒ NO
5. Will a bedroom or kitchen be added to an existing structure? ..... ☐ YES ☒ NO
6. Will an existing structure be demolished? ..... ☒ YES ☐ NO
7. Did the Planning Board approve a Site Plan for this proposal? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of the board's Notice of Decision.
8. Does the project involve interior renovations in excess of \$25,000? ..... ☐ YES ☒ NO

**DISCUSSION**

PROPERTY STREET ADDRESS: 46 Oak Ridge Rd Lot Size: 2.3 acres

OWNER(s) Name(s): Sarah / Hugh McCann

Mailing Address: P.O. Box 540

Email: HughMcCannJr@gmail.com Phone #: 203-545-8857 C

Preferred method of contact: ☒ Phone ☐ Mail ☒ E-mail

NAME OF BUSINESS at this location (if applicable): \_\_\_\_\_

TYPE OF PROPERTY:

☒ Single-Family  
☐ Two-Family

☐ Multi-family (3+ units)  
☐ Commercial

☐ Municipal  
☐ Other \_\_\_\_\_

NAME OF RIVER / LAKE / POND abutting property (if any): Other Pond

Was any decision made by the Planning or Zoning Board regarding this project? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of the board's Notice of Decision.

WRITTEN DESCRIPTION of proposed project: \_\_\_\_\_

remove existing shed

replace with larger shed

Estimated value of construction \$ 12,000 Estimated start date: May 2024

#### WATER & SEWER

9. ☐ FOR PRIVATE SEPTIC: Will this project result in increased septic flow or water utilization? ☐ YES ☒ NO  
☐ IF YES, attach a copy of your State septic system approval. Contact State of NH Department of Environmental Services with questions at (603) 271-2147.

10. ☐ FOR PUBLIC SEWER OR PUBLIC WATER:

a. Will this project involve any new residential structure, or any change in living space to a residential building? (do not include a typical shed or garage, unless there is living space within it) ..... ☐ YES ☒ NO

b. Will this project involve any hook-up, disconnect, or demolition for a structure on the town water or sewer system? ..... ☐ YES ☒ NO

☐ IF YES, attach a copy of your Permit Connection Approval from the Sunapee Water & Sewer Department. Forms are available at the town office. Contact the Sunapee Water and Sewer Department with questions at (603) 763-2115, [sunws@town.sunapee.nh.us](mailto:sunws@town.sunapee.nh.us).

11. ☐ DRAWINGS: Attach a copy of any drawings, floor plans, or elevations showing dimensions and measurements.

12. Dimensions:

Current Structure

Maximum height: 8 ft.

Square footage: 48 sq. ft.

Proposed Structure

Maximum height: 10 ft.

Square footage: 96 sq. ft.



## ZONING QUESTIONS

16. **WETLANDS:** Will any wetlands be disturbed or impacted? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of your State Wetlands permit. NOTE: only certified specialists can delineate wetlands.  
 Contact State of NH Department of Environmental Services with questions at (603) 271-2147.
17. **DRIVEWAY:** Will a new driveway be altered or constructed? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of your town Driveway Permit approval or application. Applications are available at the town office and on the town website.
18. **ROUTE 11, 103, 103B:** Is this a new construction project on Routes 11, 103 or 103B? ..... ☐ YES ☒ NO  
 Note: see the requirements for maintaining or planting a 25-foot vegetative buffer. (3.40.o)
19. **RETAINING WALL:** Will this project involve a retaining wall over 42" high? ..... ☐ YES ☒ NO  
 Note: retaining walls over 42" must meet all setback requirements. (3.40.i)
20. **STEEP SLOPE:** Will any construction take place on a slope that exceeds 25% and has an elevation change of more than 20-feet? (3.40.l) ..... ☐ YES ☒ NO
21. **1,000 SF & 15% SLOPE:** Will 1,000 square feet of land be disturbed on a slope greater than 15%? ..... ☐ YES ☒ NO  
☐ IF YES, attach an Erosion Control Plans (3.40.n). Contact the Zoning Administrator with questions.
22. **100,000 SF IMPACT:** Will 100,000 square feet of land be cleared or disturbed? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of your State of NH Alteration of Terrain Permit, and a copy of an engineered Erosion Control Plan. (3.40.n). Contact the Zoning Administrator with questions.

**SHORELINES OVERLAY DISTRICT** – This section is ONLY for properties located within 250-feet of a public water body. Public Water Bodies include: Sugar River, Lake Sunapee, Ledge Pond, Mountain View Lake, Otter Pond and Perkins Pond.

CHECK HERE IF NOT APPLICABLE ☐

23. **FLOODPLAIN:** Is any portion of this property located in the 100-year FEMA floodplain? ..... ☐ YES ☒ NO  
 Note: this application will be reviewed per Sunapee Floodplain Development Ordinance. If you have a LOMA (Letter of Map Amendment) showing the project is outside the floodplain, you may attach a copy to this application.
24. **STATE PERMIT:** Have you applied or received a permit from the State for this project? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy. NH DES Permit # \_\_\_\_\_  
 Contact State of NH Dept. of Environmental Services with questions at (603) 271-2147.
25. **LAND DISTURBANCE / SHORELINES:** Will any Land Disturbance, Construction, Filling, Grading or Dredging occur within 250-feet of the lake, pond or river? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of your Land Disturbance Permit and Erosion Control plans. (4.33.B.8.a.i). Land Disturbance Permit applications are available at the town office and on the town website.
26. **150-FOOT WOODLAND BUFFER:** Will any trees or vegetation be removed within 150-ft of the lake, pond or river? ..... ☒ YES ☐ NO  
☒ IF YES, attach a copy of a Tree Cutting & Vegetation Removal permit. Permit applications are available at the town office and on the town website.
27. **50-FOOT WATERFRONT BUFFER:** Will this project involve any parking area or any structures within 50-feet of the lake, pond or river? (3.40.c) ..... ☐ YES ☒ NO
28. **LOT COVERAGE:** What percentage of the lot will be covered? SEE PAGE 6 for restrictions.

	Current	Proposed
Impermeable Surfaces	14.45 %	14.93 %
Permeable Surfaces ( )	%	%
TOTAL LOT COVERAGE	%	%

**DIMENSIONS & MEASUREMENTS** – This section is **ONLY** for new structures or expanding structures, including any change in the building envelope, height or footprint. **CHECK HERE IF NOT APPLICABLE** ☐

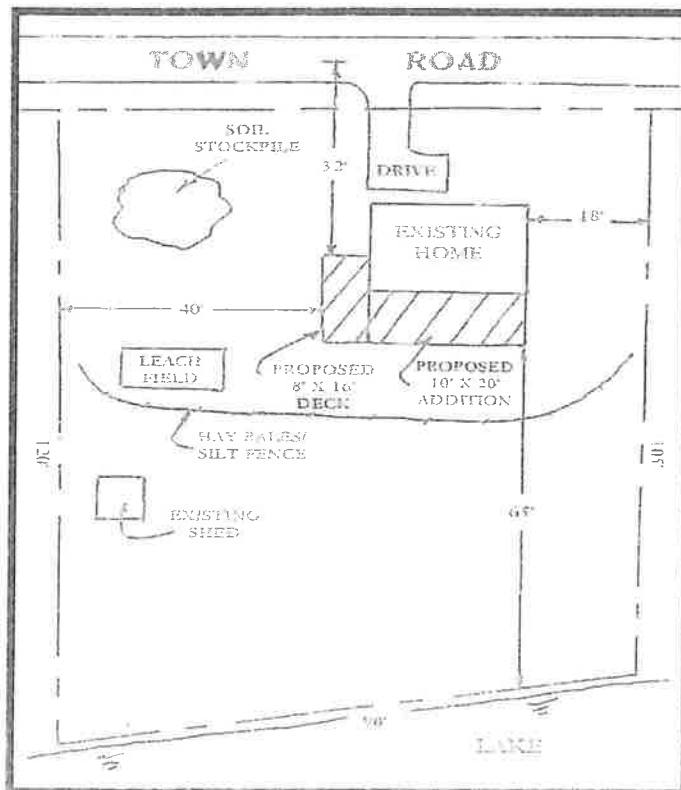
13. What are the setback measurements for the proposed structure?  
See Page 6 for Setback Requirements.

How to measure: Measure at right angles, between the property boundary and the furthest point of the structure.

	<u>Current Structure</u>	<u>Proposed Structure</u>
To center of road	30 ft	30 ft
Side 1	7'6" ft	6'6" ft
Side 2	25+ ft	25+ ft
Rear property line	N/A ft	N/A ft
Waterbody	50+ ft	50+ ft

14. ☒ **SURVEY:** If you have a Survey of the property, please attach a copy.

15. ☒ **ATTACH A SITE SKETCH / PLOT PLAN DRAWING.** See sample below.



### ABOUT HEIGHT RESTRICTIONS IN SUNAPEE

- Definition of "Maximum Structure Height": The vertical distance measured from the lowest ground elevation around the structure to the highest level of the roof (excluding cupolas, weathervanes, etc.). (XI)
- 40-feet is the maximum structure height allowed in all districts. (3.10)
- The maximum height of any windowsill or roof eaves shall be no more than 30 feet above the grade directly below it. Windows or eaves located in roof appendages such as cupolas or skylights shall be excluded from this ordinance. (3.40.i)
- If a structure is allowed a reduced side or rear setback due to inadequate lot size (see chart on p. 6), the portion of the structure in the area of reduced setback shall have a maximum height of 25'. (3.10)

## IMPORTANT INFORMATION FOR PROPERTY OWNERS

### About State Building Codes:

Property owners often ask "do I have to build things 'to code' in New Hampshire?" **Yes!** The State of New Hampshire has adopted state-wide building codes that are in effect in all towns and cities (see NH RSA 155-A, as may be amended). There are codes for electrical, plumbing, construction, mechanical, energy conservation, etc. Although the Town of Sunapee does not offer local inspection services, plan review, or enforcement of State building code compliance, we recommend that you contact your contractor or other professional to assist you with questions related to building codes. You may direct questions to the New Hampshire Department of Safety, Bureau of Building Safety & Construction, (603) 223-4289, [fmo@dos.nh.gov](mailto:fmo@dos.nh.gov).

### What is your Parking & Traffic Plan during construction?

Sunapee's Town Parking Ordinance prohibits parking on the road. Also, parking off the side of a road could cause damage to the Town's right-of-way, drainage ditches and infrastructure. The person who causes damage may be liable. In addition, no road may be blocked without first getting permission from the Police Department. To make special parking arrangements during construction, communication with the police and highway department about your plan is key. Contact Info: Police Department (603) 763-5555 / [david.cahill@sunapeepd.com](mailto:david.cahill@sunapeepd.com); Highway Director (603) 763-5060 [ScottH@town.sunapee.nh.us](mailto:ScottH@town.sunapee.nh.us).

### About Dig Safe®:

Be sure to contact Dig Safe® before you or your contractor does any digging, even for small projects. There are state laws and common-sense reasons why you must contact Dig Safe before you dig. Dig Safe® has a system to notify utility companies that might have underground services, so those companies can flag the utilities before someone starts digging. For more info, call 811 or visit [www.digsafe.com](http://www.digsafe.com).

### About Energy Code:

Did you know that the New Hampshire Public Utilities Commission (PUC) will review your proposal to make sure it meets with the State's energy code? They will review the insulation factors, types of window ratings, etc. See RSA 155:A10-a (as may be amended). To take advantage, contact the PUC. For more info, contact (603) 271-6306, e-mail [EnergyCodes@puc.nh.gov](mailto:EnergyCodes@puc.nh.gov) or website <http://www.puc.state.nh.us/energycodes/residential.htm>.

### About Asbestos:

The State of New Hampshire has established certain requirements for licensing asbestos contractors and addressing asbestos hazards. Many homeowners have asbestos-containing materials in their homes and there are requirements if a contractor or a homeowner disturbs or removes asbestos. The State has rules about where you can dispose of or how to get rid of materials that have asbestos. For more info, call the State of NH's Asbestos Management Division at (603) 271-1370 or visit [www.des.nh.gov](http://www.des.nh.gov) or [www.epa.gov/asbestos](http://www.epa.gov/asbestos).

## SIGNATURE(S) & AUTHORIZATION

### ALL OWNERS MUST SIGN THIS APPLICATION

BY SIGNING BELOW, I certify that the representations contained herein are true and accurate to the best of my knowledge and I hereby acknowledge that the town is relying on my representations contained within this application to evaluate whether to issue the permit or certificate. I acknowledge that in evaluating this request, the town is not independently verifying or certifying any representations made by the applicant. I hereby grant permission for site visits and inspections by zoning officials(s).

Owner Signature: Hugh F. McCann Jr Printed Name: Hugh F. McCann Jr Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

IF USING AN AUTHORIZED AGENT: If the property owner wishes to authorize someone else to apply on their behalf, they must submit a letter attached to this application. The authorization letter must be signed by all property owners and contain the following statement: "(name/company/contact info) has authority to act on my behalf regarding the property and this application and is authorized to submit, amend, alter or supplement this application."

Authorized Agent Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

**REFERENCE CHART**
**(3.10 & 3.20)**

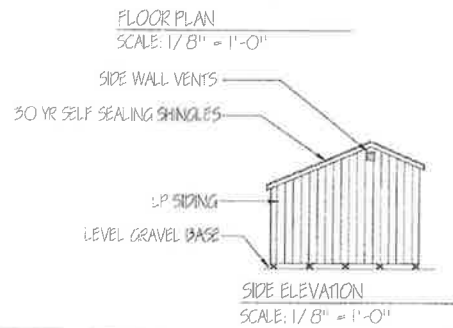
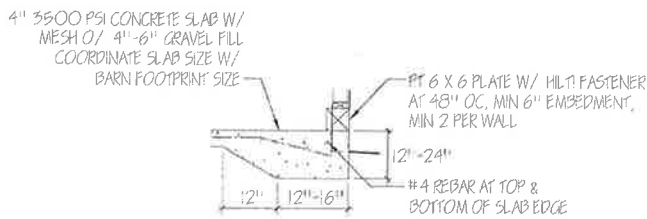
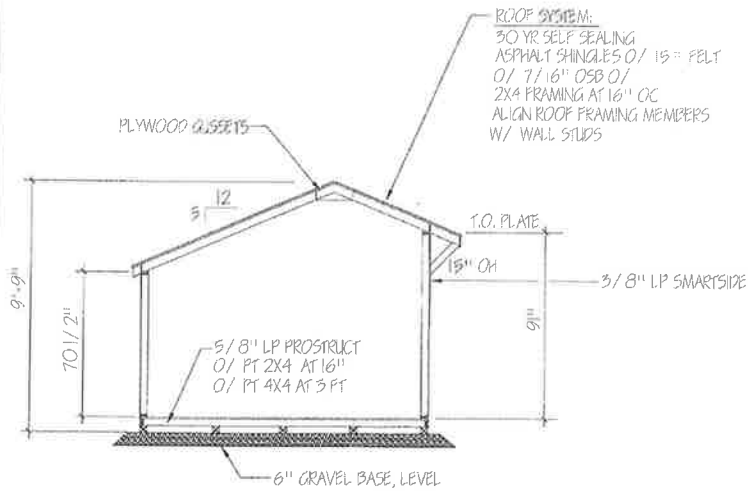
Requirement	Village Comm.	Village Residential	Mixed Use I	Mixed Use II	Mixed Use III	Residential	Rural Residential	Rural Lands
Minimum Lot Size	0.5 Acres	0.5 Acres	0.5 Acres	1.0 Acres	1.5 Acres	1.0 Acres	1.5 Acres	3.0 Acres
Maximum Residential Density (du=dwelling unit)	1du 10,000 Square Ft.	1du 10,000 Square Ft.	1du 0.5 Acres	1du 0.5 Acres	1 du / 1.5 Acres	1du 1.0 Acres	1du 1.5 Acres	1du 3.0 Acres
Minimum Road Frontage	75'	75'	75'	75'	100'	75'	100'	150'
Minimum Front Setback (Rt. 11,103, 103B)	75'	75'	75'	75'	75'	75'	75'	75'
Minimum Front Setback (All other roads as defined in Article XI)	40'	40'	40'	40'	50'	50'	50'	75'
Side & Rear Setbacks for Lots Meeting or exceeding minimum lot size or Lots which are not Pre-Existing	10'	15'	15'	25'	25'	15'	25'	50'
Side & Rear Setbacks for Pre-existing Lots Below Minimum Size	10'	10'	10'	15'	15'	10'	15'	25'
Maximum Lot Coverage	80%	60%	80%	50%	40%	50%	40%	30%
* Maximum Structure Height *	40'	40'	40'	40'	40'	40'	40'	40'

\* If a structure is allowed a reduced side or rear setback due to inadequate lot size, the portion of the structure in the area of reduced setback shall have a maximum height of 25'.

Requirement	Village Comm.	Village Residential	Mixed Use I	Mixed Use II	Mixed Use III	Residential	Rural Residential	Rural Lands
<b>MINIMUM LOT SIZE (FOR PROPERTIES IN A SPECIAL OVERLAY DISTRICT):</b>								
1) Shoreline	1.0 Acres	1.0 Acres	1.0 acres	N/A		1.0 Acres	1.5 Acres	1.5 Acres
2) Aquifer	2.0 Acres	2.0 Acres	2.0 Acres	2.0 Acres		2.0 Acres	2.0 Acres	2.0 Acres
3) Wetlands	1.5 Acres	1.5 Acres	1.5 Acres	1.5 Acres		1.5 Acres	1.5 Acres	1.5 Acres
<b>MAXIMUM LOT COVERAGE (FOR PROPERTIES IN A SPECIAL OVERLAY DISTRICT):</b>								
1) Shoreline Impermeable	60%	30%	N/A	N/A		30%	25%	20%
Shoreline Permeable & Impermeable combined	80%	60%	N/A	N/A		50%	40%	30%
2) Aquifer	20%	20%	20%	20%		20%	20%	20%
3) Wetlands	0%	0%	0%	0%		0%	0%	0%

2019 INTERNATIONAL RESIDENTIAL CODE W/ 2017 NYS UNIFORM CODE SUPP. E.A.

SCOPE:	RESIDENTIAL ACCESSORY BLDG (STORAGE)
GROUND SNOW LOAD:	40 PSF (EASTERN ULSTER COUNTY)
WIND SPEED:	115 MPH
TOPOGRAPHIC EFFECTS:	NO
SPECIAL WIND REGION:	SEE WIND MAP
WIND BORN DEBRIS ZONE:	NO
SEISMIC DESIGN CATEGORY:	B
WEATHERING:	SEVERE
FROST LINE DEPTH:	48" (N/A FOR STORAGE SHEDS)
TERMINI:	MODERATE TO HEAVY
WINTER DESIGN TEMP:	2° (N/A FOR UNHEATED SHED)
ICE BARRIER UNDERLAYMENT:	REQ'D IF HABITABLE SPACE (N/A FOR SHE)
FLOOD HAZARDS:	AS PER PLANNING & ZONING
AIR FREEZING INDEX:	<1500 (N/A UNHEATED SHED)
MEAN ANNUAL TEMP:	48° (N/A UNHEATED SHED)





# 40 foot Abutters List Report

Tri Town, NH

September 15, 2023

RECEIVED SEP 15 2023

## Subject Property:

Parcel Number: Sun-0104-0057-0000  
CAMA Number: Sun-0104-0057-0000  
Property Address: 46 OAK RIDGE RD

Mailing Address: MCCANN JOINT REVOC TRUST, HUGH  
HUGH F & SARAH MCCANN, TRUSTEE  
1513 SAN YSIDRO WAY  
VENICE, FL 34285

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## Abutters:

Parcel Number: Sun-0103-0020-0000  
CAMA Number: Sun-0103-0020-0000  
Property Address: 57 OAK RIDGE RD

Mailing Address: HUNG, SIMON J AND FAYE K  
425 GEORGIANA DR  
MIDDLETOWN, DE 19709

Parcel Number: Sun-0104-0055-0000  
CAMA Number: Sun-0104-0055-0000  
Property Address: 49 OAK RIDGE RD

Mailing Address: MONROE FAMILY REVOC LIVING TRU  
EMILY & JOSHUA MONROE, TRUSTEE  
PO BOX 474  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0104-0057-0000  
CAMA Number: Sun-0104-0057-0000  
Property Address: 46 OAK RIDGE RD

Mailing Address: MCCANN JOINT REVOC TRUST, HUGH  
HUGH F & SARAH MCCANN, TRUSTEE  
1513 SAN YSIDRO WAY  
VENICE, FL 34285

Parcel Number: Sun-0104-0058-0000  
CAMA Number: Sun-0104-0058-0000  
Property Address: 44 OAK RIDGE RD

Mailing Address: KONON 2006 REVOC TRUST, LOIS J  
VALERIE KONON  
PO BOX 13  
GEORGES MILLS, NH 03751



www.cai-tech.com

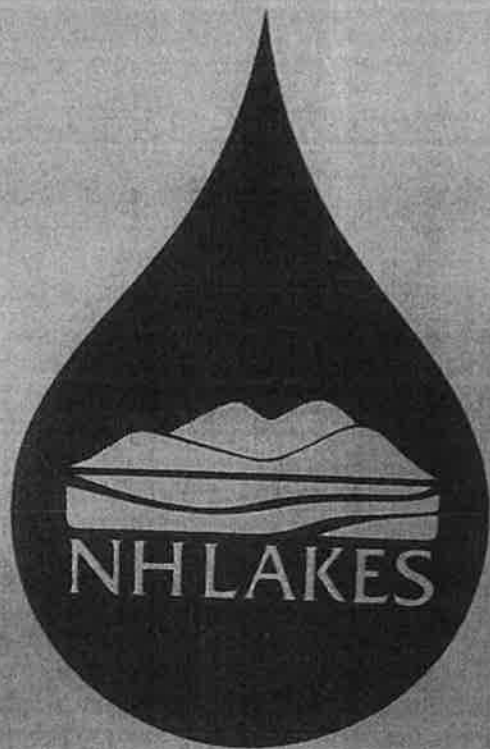
9/15/2023

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Page 1 of 1

# LakeSmart

Award for Lake-Friendly Living



Working together for the  
lakes we all love.

[nhlakes.org](http://nhlakes.org)

603.226.0299

corner  
Pin

Center of  
Road  
30'  
75'



147'

39'6"

24'6"

8'6"

8'

6'6"

7'6"

23'

26'6"

15'

House

current  
shed

23'3"



corner  
Pin

center of  
Road

75'

Enlarging  
By 1'6"  
AND  
3'6"

23'

130'

8'

8'

12'

6'6"

23'

29'6"

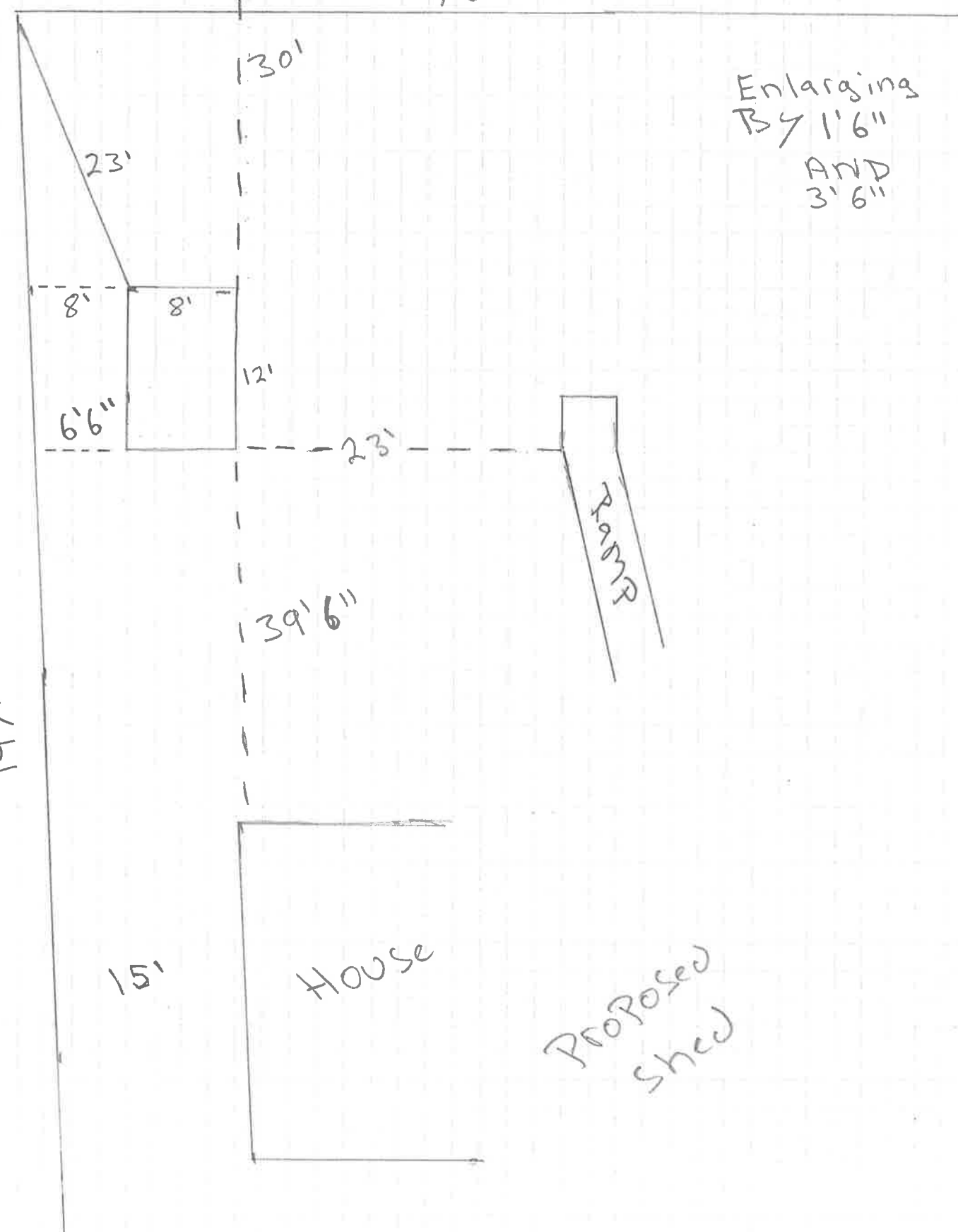
139'6"

147'

15'

House

Proposed  
Shed





46 OAK RIDGE

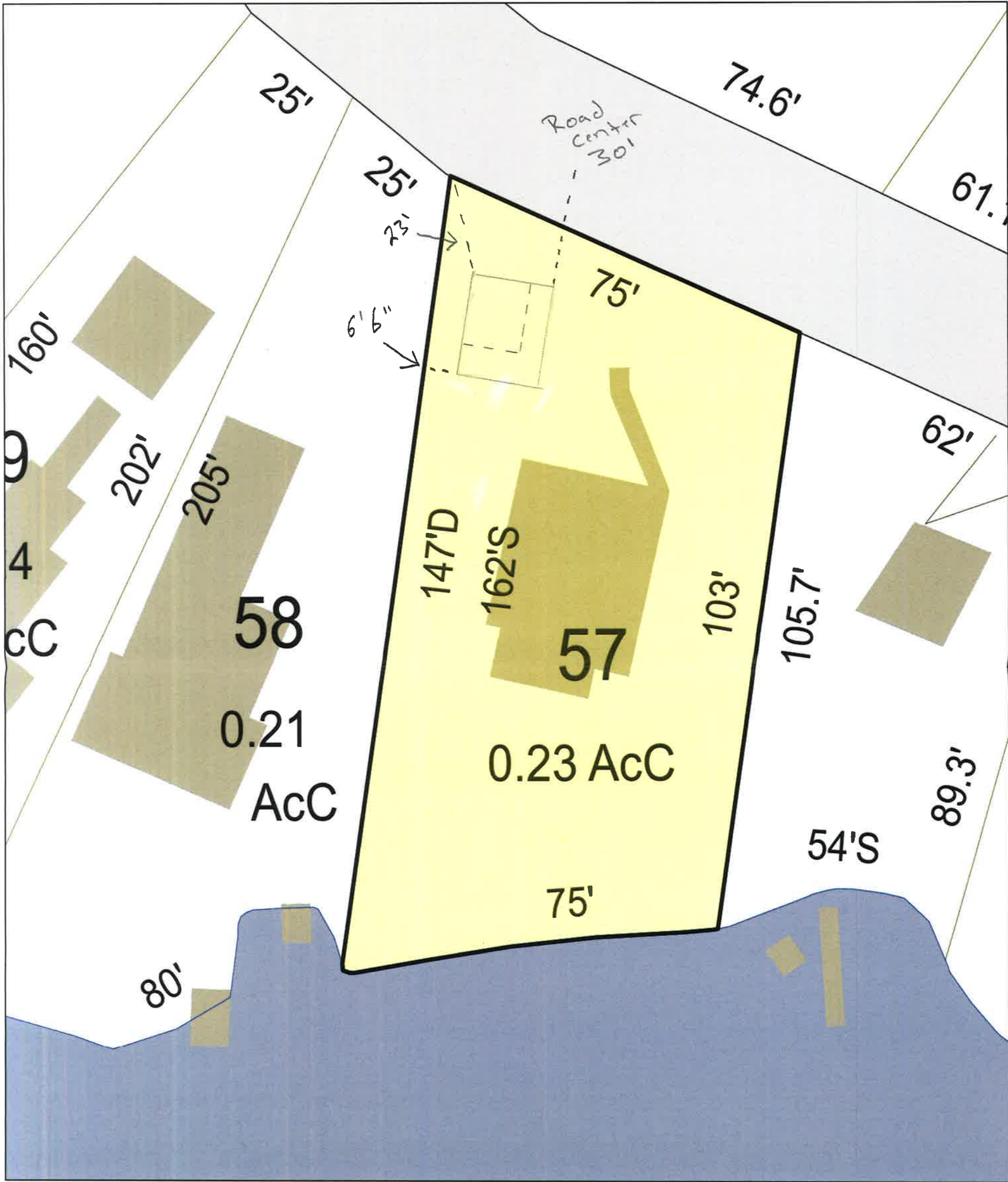
0104-0057-0000



December 1, 2023

1 inch = 20 Feet

www.cai-tech.com



	Sunapee Water-poly
	Sunapee
	100-HOOKS
	100-PROPERTYLINE
	PWATER
	ROAD

## Zoning Board of Adjustment (ZBA) Special Exception

Questions? Please contact the Land Use & Assessing Coordinator or the Planning & Zoning Director. All dates and deadlines are published on the ZBA calendar.

1. Landowner(s) Name(s): \_\_\_\_\_
2. Parcel ID: \_\_\_\_\_ 3. Zoning District: \_\_\_\_\_
4. Project Location (Street & #): \_\_\_\_\_
5. Mailing Address: \_\_\_\_\_
6. Phone Number: \_\_\_\_\_
7. Email: \_\_\_\_\_

\_\_\_ **ABUTTERS LIST:** You must prepare a list of all abutting property owners and attach it to your application. If you have any difficulty, consult the Town Office, but the accuracy of the list is your responsibility. You can download an abutters list by using the Tax Maps/GIS on the Town's website (under Assessing Department).

\_\_\_ **FEES:**      \_\_\_ Application Fee:                      \$ \_\_\_\_\_ \* Make check payable to Town of Sunapee.  
                  \_\_\_ Abutter Notification Fee:                \$ \_\_\_\_\_ \* per abutter.    Make payable to US Post Office.

\* NOTE: Rates and fees are subject to change. For the most current rate, please check with the Town Office.

\_\_\_ **ATTACHMENTS:** To assist the Board, please attach sketches, photos, surveys, plot plans, pictures, construction plans, or whatever may help explain the proposed use. Include copies of any prior Zoning or Planning decisions concerning the property. If you have something in writing stating that your proposed project does not meet zoning, please attach that to this application; it may be a letter, email or denied permit. A professional survey by a licensed surveyor is strongly recommended for variances related to setback requirements. For properties located in the Shoreline Overlay District, a professional survey is required. Supplemental materials for the Board must be submitted no later than five (5) days before the scheduled hearing, however, adequate plans and exhibits must accompany the application. This includes, but is not limited to: lot dimensions, dimensions of proposed and existing structures, identification of abutting properties and roads, locations of water bodies, wetlands, septic systems, etc.

*Applications will not be considered complete unless all the questions are answered, the fees are paid, and an Abutters Mailing List is attached.*

**GENERAL DESCRIPTION:** This is a place to give a general summary of the proposed project as an introduction and overview for the public hearing. For example, where is the property located? Describe the property. Give area, frontage, side and rear lines, slopes, natural features, etc. What do you propose to do? Why does your proposal require a Special Exception from the Board of Adjustment?

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Attach additional sheets of paper as necessary.

**EXPLAIN HOW THE PROPOSAL MEETS THE SPECIAL EXCETION CRITERIA AS SPECIFIED IN ARTICLE \_\_\_\_\_, SECTION \_\_\_\_\_ OF THE ZONING ORDINANCE** (list all criteria from the Ordinance)

Criteria 1: \_\_\_\_\_

\_\_\_\_\_

Criteria 2: \_\_\_\_\_

\_\_\_\_\_

Criteria 3: \_\_\_\_\_

\_\_\_\_\_

Criteria 4: \_\_\_\_\_

\_\_\_\_\_

Criteria 5: \_\_\_\_\_

\_\_\_\_\_

Criteria 6: \_\_\_\_\_

\_\_\_\_\_

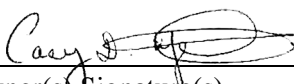
Criteria 7: \_\_\_\_\_

\_\_\_\_\_

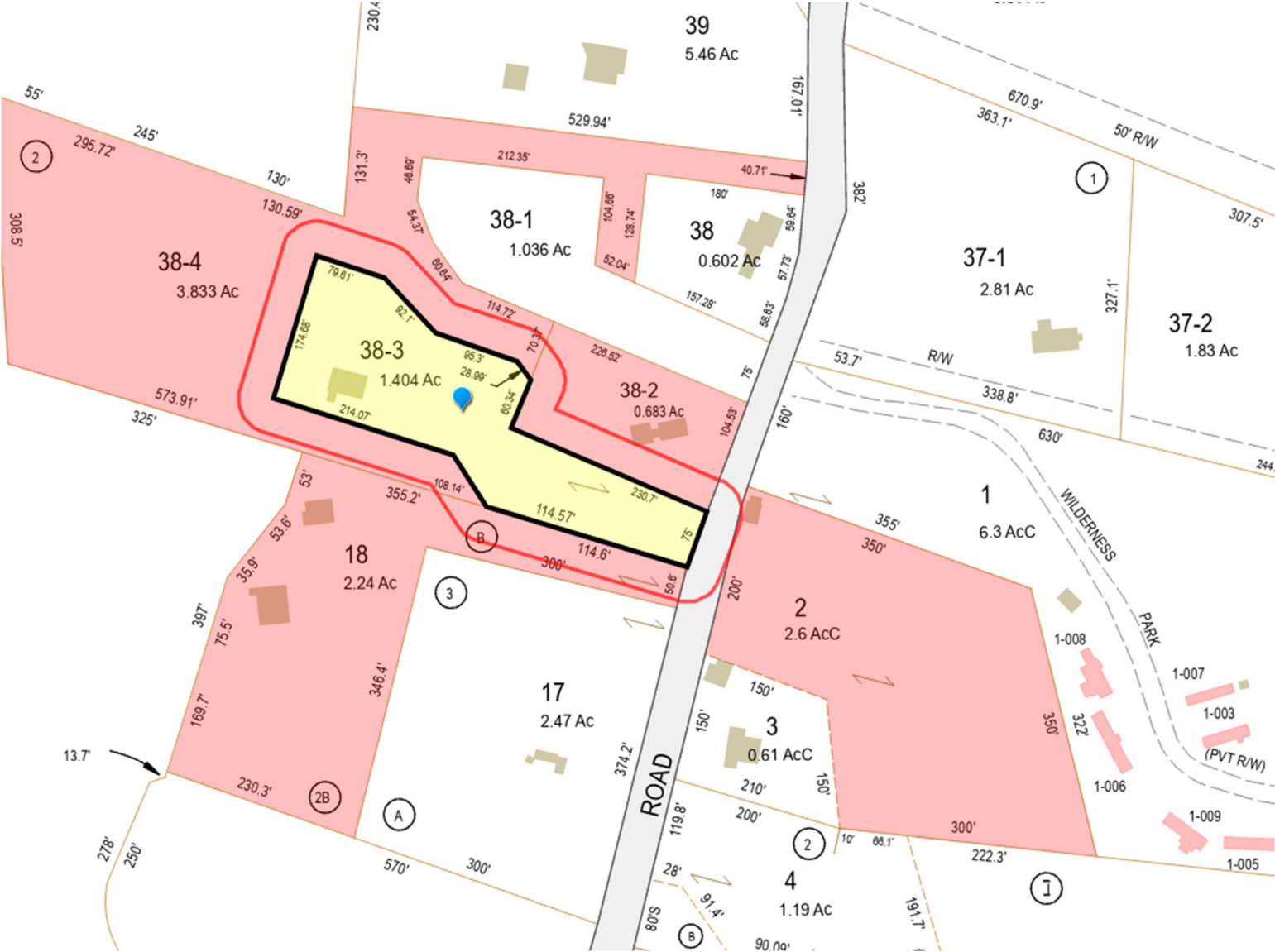
Criteria 8: \_\_\_\_\_

\_\_\_\_\_

**SIGNATURE:** I understand that the public hearing will be held at the scheduled date and time unless a request is made by me for a new hearing. Any rehearing will require a new public notice and notification to abutters, the cost of which will be borne by the applicant. Further, I hereby give permission to the ZBA members and zoning officials to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

	Casey D. Yantosca - sole member	12/05/2023
Landowner(s) Signature(s)	JACK Properties LLC	Date

ABUTTERS LIST



The above picture, screenshot from town website, shows 286 Nutting Road highlighted in yellow (parcel 38-3). Please refer to Exhibit A with the list of abutting property owners that I pulled from the Town of Sunapee website.

## **GENERAL DESCRIPTION**

I purchased the home at 286 Nutting Road with the intent of a) using it as a vacation home for my family and b) renting the property to other families looking to take advantage of the local recreation areas when we are not using it. The property is a fully functioning home 2,352 sq. ft. home set on 1.4 acres of land and is located on Nutting Road, off of Bradford Street, set back from the road with a long driveway. The property is located in the rural residential zoning district. Due to the location, a special exception is required for us to obtain a Short-Term Rental (“STR”) permit. To emphasize, Zoning Ordinance Article 4, Section 4.10 explicitly contemplates special permits being allowed for “Short-Term Rentals Owner Not in Residence”. This provision is relevant to my situation.

Further, it is important to note that I have hired a local management company, Dolan Real Estate, to oversee routine maintenance of the property, address urgent tenant requests, and ensure compliance with the policies we will put in place for tenants to be eligible to rent the home. These policies include but are not limited to:

- a) Ensuring the minimum age of anyone booking the rental is 25 years-old.
- b) Mandating a 3-night stay minimum.

Additionally, I will highlight that Dolan Real Estate, the management company I have hired, is owned and operated by long-standing members of the community, Jessica and Anthony Dolan. I purchased the home at 286 Nutting Road from Jessica and Anthony. They lived there with their children and moved as their family outgrew the property, but they can and have attested to the fact that they were never adversely impacted by STRs in the area, including the one at neighboring property 284 Nutting Road or others on Pennacook Path, a 0.3 mile walk from my property. The fact that they are representing me and my home as a prospective STR, via their business, is reflective of this.

The hiring of a local management company, as well as the mandate of the aforementioned policies, show a commitment to responsible usage of property located within the town, consistent with the purpose of zoning ordinance, per Section 1.20, including the preservation (and in this case enhancement) of the “atmosphere and varied economic forces of our town”.

## **EXPLAIN HOW THE PROPOSAL MEETS THE SPECIAL EXCEPTION CRITERIA AS SPECIFIED IN ARTICLE 4, SECTION 4.15 OF THE ZONING ORDINANCE**

### **Criteria 1: “That the selected site is an appropriate location for the proposed use.”**

As stated above, Zoning Ordinance Article 4, Section 4.10 explicitly contemplates special permits being allowed for “Short-Term Rentals Owner Not in Residence”. This provision is relevant to my situation and there are many STRs in the neighborhood that have operated in a manner that has been accretive to the local community and atmosphere. Specifically, Bonnie Arzuaga, owner of 284 Nutting Road, next-door neighbor to my property, has been using her home there as an STR for years.

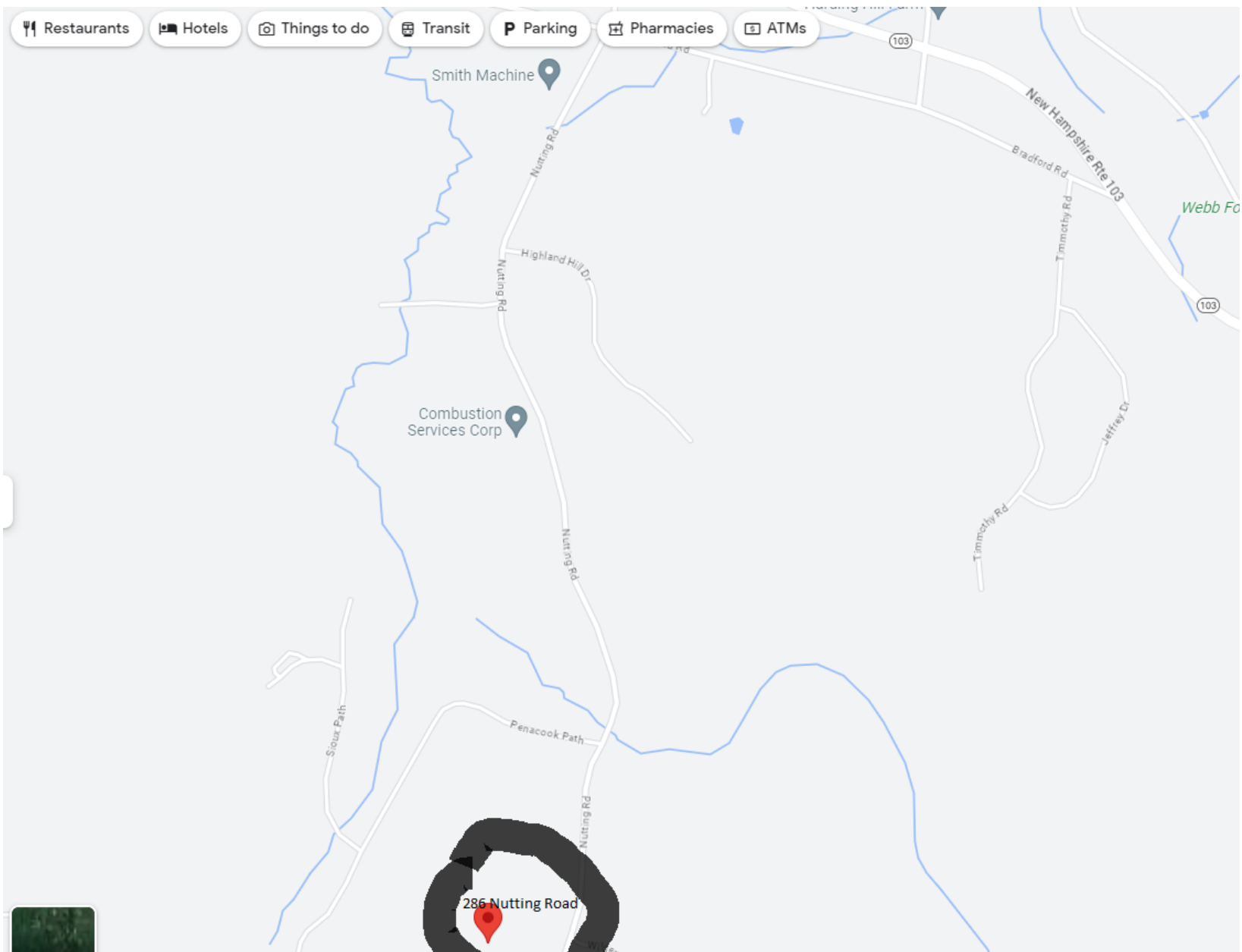
**Criteria 2: That adequate and safe highway access is provided to the proposed site and that there is adequate off-street parking provided for the proposed use.**

There is no obstruction to Nutting Road, as evidenced by the below picture. Nutting Road provides direct access to Bradford Street which runs into Route 103 (see second picture to this response below). There are no hazards that would obstruct or impair emergency response vehicles to access the home. Note the driveway has adequate space to allow for off-street parking necessary for a 4-bedroom home.









**Criteria 3: That adequate method of sewage disposal is available at the proposed site.**

Below is an excerpt from the New Hampshire Code of Administrative Rules, Chapter Env-Wq 1000 SUBDIVISIONS; INDIVIDUAL SEWAGE DISPOSAL SYSTEMS, which describes requirements for New Hampshire residence septic tank sizes:

**PART Env-Wq 1010 SEPTIC TANKS**

**Env-Wq 1010.01 Liquid Capacity of Septic Tanks: Residential Up To 10 Bedrooms.**

(a) The required minimum liquid capacity of a septic tank for an ISDS serving a residence having up to 10 bedrooms shall be determined in accordance with this section.

(b) For a single-family residence having no more than 4 bedrooms, minimum septic tank liquid capacity shall be 1,250 gallons.

Note that the property has a 2,000-gallon septic tank, 750 gallons more than that required by regulation, which was recently pumped and will continue to be pumped every 12-18 months. See below proof of service.



Further, it is important to note that I have hired a local management company, Dolan Real Estate, to oversee routine maintenance of the property, address urgent tenant requests, and ensure compliance with the policies we will put in place for tenants to be eligible to rent the home. These policies include but are not limited to:

- a) Ensuring the minimum age of anyone booking the rental is 25 years-old.
- b) Mandating a 3-night stay minimum.

Additionally, I will highlight that Dolan Real Estate, the management company I have hired is owned and operated by long-standing members of the community, Jessica and Anthony. I purchased the home at 286 Nutting Road from Jessica and Anthony. They lived there with their children and moved as their family outgrew the property, but they can and have attested to the fact that they were never adversely impacted by STRs in the area, including the one at neighboring property 284 Nutting Road or others on Pennacook Path, a 0.3 mile walk from my property. The fact that they are representing me as management company to the property is reflective of this.

The hiring of a local management company, as well as the mandate of the aforementioned policies, show a commitment to responsible usage of property located within the town, consistent with the purpose of zoning ordinance, per Section 1.20, including the preservation (and in this case enhancement) of the “atmosphere and varied economic forces of our town”.

**Criteria 5: That the proposed use is consistent with the spirit of the Ordinance and intent of the Master Plan.**

The proposed use is consistent with the spirit of the **Ordinance** and intent of the **Master Plan**.

**Master Plan Section IX: Economic Development**, within the “**Recommendations**” segment, states:

**Encourage home based occupations and businesses.** Home occupations and businesses in a community allow for job opportunities without the congested atmosphere of commercial areas. This is especially important in a community that thrives on maintaining a rural atmosphere. It is believed that home-based businesses will continue to grow as more people are finding it possible to work from home using modern communication systems.

Using my recently purchased home as an STR will bring in tax revenue (directly from the STR and indirectly through consumption in the community) but should not adversely impact the community’s rural atmosphere in light of the policies and eligibility requirements applicable to all prospective tenants of my home.

Further, **Master Plan Section IX: Economic Development**, within the “**Recommendations**” segment, states:

**Support mid-scale businesses and services where appropriate.** These businesses and services would include retail establishments, restaurants, offices, lodging, and other small to mid-size commercial establishments that are located in appropriate zoning districts.

Per the above, lodging is explicitly supported by the Master Plan, and the Zoning Ordinance (Article 4, Section 4.10) explicitly contemplates special permits being allowed for “Short-Term Rentals Owner Not in Residence”.

Also note that the **Vision Statement** of the **Master Plan** cites preservation of the quality of Lake Sunapee itself, school system with small class size, and ability to capitalize on various seasonal recreational opportunities as priorities that residents and property owners are willing to work for. Allowing 286 Nutting Road to be used as an STR would not have an adverse impact on any of these priorities.

Finally, I would like to draw attention to how I would comply, as applicable with Section 4.95 of the **Ordinance** as currently drafted, as well as with respect to proposed amendments to the Section 4.95 of the **Ordinance**. Below, in black, you will see text of Section 4.95 the **Ordinance** with my commentary on compliance with respect to my property at 286 Nutting Road, in **red**.

Short-term rentals shall meet the following standards:

- 1) Short-term Rentals Owner-in-Residence (STR-OIR) are allowed in all zoning districts. Short-term Rentals Owner-Not-in-Residence (STR-ONIR) are allowed in all the Mixed-Use Districts, Village-Commercial, Village-Residential, and Residential District. They are permitted only by Special Exception in the Rural-Residential District and prohibited in the Rural Lands District. **Special Exception required and applied for via this application.**
- 2) Occupancy shall be limited to two persons per approved bedroom plus one additional person per unit. **I will limit occupancy to 9-persons due to the home being a 4-bedroom residence. Please refer to Exhibit B: Excerpt From Town Property Card (summarizing tax assessment criteria)**
- 3) The number of bedrooms used at the property must conform to the permit requirements from either the State of New Hampshire Department of Environmental Services Water Division Subsurface Systems Bureau (property on a septic system) or the Sunapee Water and Sewer Department (property on municipal sewer). **As described above, the property's septic system meets requirements mandated by New Hampshire Code of Administrative Rules. Additional details available upon request.**
- 4) Short-term rentals of single-family dwellings in their entirety (STR-ONIR) do not require Site Plan Review. **This is relevant to my property.**
- 5) Short-term rentals with owners in residence (STR-OIR) do not require Site Plan Review. **N/A ("Not Applicable")**
- 6) Short-term rentals with owners not in residence (STR-ONIR) in either a single-family dwelling with an additional room for rent or a two-family dwelling requires Site Plan Review. **N/A**
- 7) Short-term rentals that require site plan review may apply via the Home Business requirements (Article V, Section D) in the Site Plan Review regulations. **N/A**
- 8) Parking shall be 1 space/bedroom and a parking plan shall be submitted for review and approval. **There is ample space to fit four cars in property driveway. Please refer to picture included as response to "Criteria 3" above.**
- 9) The exterior of the property must maintain residential character. **This criteria is met – please refer to picture of home in Exhibit B and this website: [https://www.zillow.com/homedetails/286-Nutting-Rd-Sunapee-NH-03782/92916257\\_zpid/?view=public](https://www.zillow.com/homedetails/286-Nutting-Rd-Sunapee-NH-03782/92916257_zpid/?view=public)**
- 10) Short-term rentals must comply with any registration process set forth by the Board of

Selectmen. **Special Exception required and applied for via this application as well as via GovOS system.**

11) A travel trailer, boat, or other mobile enclosure may not be used as a short-term rental. **N/A**

12) Outside trash receptacles must be screened and meet the building setbacks in the district in which they are located. **N/A**

Below, in black, you will see text of proposed amendments to Section 4.95 the **Ordinance** with my commentary on compliance with respect to my property at 286 Nutting Road, in **red**.

#### **Amendment #9**

Amend Article IV, Section 4.95 – Short-term rentals - to confirm the maximum allowed occupancy and parking, and to stipulate what accessory structures are allowed to be used as short-term rentals.

Full amended text of Section 4.95 will be as follows:

For the purposes of this section, Short-term rentals shall include any single-family residence, two-family residence, or single-family residence with an additional room for rent. It shall not include bed & breakfasts, inns, or hotels/motels.

Short-term rentals shall meet the following standards:

1) Short-term Rentals Owner-in-Residence (STR-OIR) are allowed in all zoning districts. Short-term Rentals Owner-Not-in-Residence (STR-ONIR) are allowed in all the Mixed-Use Districts, Village-Commercial, *Georges Mills Village-Commercial*, Village-Residential and Residential Districts. They are permitted only be *by* Special Exception in the Rural-Residential District and prohibited in the Rural Lands District. **Special Exception required and applied for via this application.**

2) Occupancy shall be limited to two persons per approved bedroom *the number of bedrooms shown on the town assessing property card* plus one additional person per unit. *At no time shall a STR have an occupancy greater than 16 persons.* **I will limit occupancy to 9-persons due to the home being a 4-bedroom residence. Please refer to Exhibit B: Excerpt From Town Property Card (summarizing tax assessment criteria)**

3) The number of bedrooms used at the property must conform to the permit requirements from either the State of New Hampshire Department of Environmental Services Water Division Subsurface Systems Bureau (property on septic system) or the Sunapee Water and Sewer Department (property on municipal sewer). **As described above, the property's septic system meets requirements mandated by New Hampshire Code of Administrative Rules. Additional details available upon request.**

4) Short-term rentals of single-family dwellings in their entirety (STR-ONIR) do not require Site Plan Review. **This is relevant to my property.**

5) Short-term rentals with owners in residence (STR-OIR) do not require Site Plan Review. **N/A**

6) Shore term rentals with owners not in residence (STR-ONIR) in either a single-family dwelling with an additional room for rent or a two-family dwelling requires Site Plan Review. **N/A**

7) Short-term rentals that require Site Plan Review may apply via the Home Business requirements (Article V, Section D) in the Site Plan Review regulations. **N/A**

8) Parking shall be 1 space/bedroom and a parking plan shall be submitted for review and approval. *The number of cars on the property during overnight quiet hours specified in the Sunapee Noise Ordinance shall not exceed the number of bedrooms in the STR.* **There is ample space to fit four cars in property driveway. Please refer to picture included as response to "Criteria 3" above.**

9) The exterior of the property must maintain a residential character. **This criteria is met – please refer to picture of home in Exhibit B and this website:**

**[https://www.zillow.com/homedetails/286-Nutting-Rd-Sunapee-NH-03782/92916257\\_zpid/?view=public](https://www.zillow.com/homedetails/286-Nutting-Rd-Sunapee-NH-03782/92916257_zpid/?view=public)**

10) Short-term rentals must comply with any registration process set forth by the Board of Selectmen. **Special Exception required and applied for via this application as well as via GovOS system.**

11) A travel trailer, boat, *recreational vehicle, tent*, or other mobile enclosure shall not be used as a short-term rental. *These mobile enclosures shall also not be used to increase occupancy of the STR.* **N/A**

12) Outside trash receptacles must be screened and meet the building setbacks in the district in which they are located. **N/A**

#### **Amendment #10**

Amend Article IV, Section 4.95 – Short-term rentals - to limit the amount of time a short-term rental with an owner not in residence (STR-ONIR) may be operated to 120 days during a 12-month period.

The full new text of Section 4.95(13) will be as follows:


13) *An STR-ONIR shall not be operated as a short-term rental more than 120 days in a 12-month period.* **I will not rent the property for more than 120 days in a 12-month period.**

Exhibit A: Abutting Property Owners

Parcel Number	GIS Number	Cama Number	Property Address	Owner Name	Co-Owner Name	Owner Address	Owner Address 2	Owner City	Owner State	Owner Zip
Sun-0238-0038-0002	Sun-0238-0038-0002	Sun-0238-0038-0002	284 NUTTING RD Unit 2	ARZUAGA, BONNIE HOPE	VASQUEZ, NATANIEL T	403 QUAKER MEETING HOUSE RD		EAST SANDWICH	MA	02537
Sun-0238-0038-0004	Sun-0238-0038-0004	Sun-0238-0038-0004	NUTTING RD Unit 4	NUTTING HILL - COMMON LOT		PO BOX 663		SUNAPEE	NH	03782
Sun-0239-0002-0000	Sun-0239-0002-0000	Sun-0239-0002-0000	285 NUTTING RD	WOODS, JOHN & SANDRA		291 NUTTING RD		SUNAPEE	NH	03782
Sun-0239-0018-0000	Sun-0239-0018-0000	Sun-0239-0018-0000	288 NUTTING RD	A & H LIVING TRUST		288 NUTTING ROAD		SUNAPEE	NH	03782



Exhibit B: Excerpt From Town Property Card (summarizing tax assessment criteria)

Map Block Sub: 000238 000038 000003		Card: 1 of 1	286 NUTTING RD	SUNAPEE	Printed: 11/14/2023				
PICTURE	OWNER		TAXABLE DISTRICTS		BUILDING DETAILS				
	JACK PROPERTIES LLC.		District	Percentage	Model: 2.00 STORY FRAME COLONIAL				
	3 SHAKER LN				Roof: GABLE OR HIP/ASPHALT				
	WALPOLE, MA 02081				Ext: VINYL SIDING				
					Int: DRYWALL				
					Floor: HARDWOOD/CARPET				
PERMITS					Heat: GAS/HOT WATER				
	Date	Permit ID	Permit Type	Notes	Bedrooms: 4				
	02/22/10	2766	NEW CONSTRUCT	2010 NEW CONSTRUCT 3 BR	Baths: 2.5				
	02/22/10	310D	DRIVEWAY	2010 DRIVEWAY	Fixtures:				
					Extra Kitchens:				
					A/C: No				
					Fireplaces:				
					Generators:				
					Quality: 06 A/D 06 BASE 150				
					Com. Wall:				
					Size Adj: 0.9487				
					Base Rate: RSA 125.00				
					Bldg. Rate: 1.3806				
					Sq. Foot Cost: \$ 172.58				
					BUILDING SUB AREA DETAILS				
					ID	Description	Area	Adj.	Effect.
					FUS	UPPER STORY,	1176	1.00	1176
					BAS	FIRST FLOOR,	1176	1.00	1176
					UBM	BASEMENT,	532	0.20	106
					UGR	GARAGE,	644	0.25	161
					WDK	DECK, WOOD	120	0.10	12
					GLA:	2,352	3,648		2,631

# APPROVAL FOR OPERATION

CA2006082307

N.H. DEPARTMENT OF ENVIRONMENTAL SERVICES  
SUBSURFACE SYSTEMS BUREAU  
P.O. BOX 95, 29 HAZEN DRIVE, CONCORD, NH 03302-0095

APPROVAL NO.

CA2006082307 - A

AMENDED DUE TO:

OWNER:

GEORGE NEUWIRT  
PO BOX 663  
SUNAPEE NH 03782-

Map No./Lot No.:

0238 / 38-3

Subd. Appvl. No.:

SA2006007244

Subd. Name:

SULLIVAN

County:

1518

Registry Book No.:

002

Registry Page No.:

Probate Docket No.:

(If Applicable)

0

Type of System:

3 BR

450 GPD

SUNAPEE

Town/City Location:

NUTTING ROAD

Street Location:

COPY SENT TO:

OFFICE OF SELECTMEN  
PO BOX 717  
SUNAPEE NH 03782

Installer

Permit No.

☐ Owner Installed For His/Her Domicile

Was Inspected On (Date)

Before Covering And Is Hereby Approved For Use.

Date Approved:

By:

Authorized Agent Of N.H. Department of  
Environmental Services

(OVER)

Subsurface waste disposal systems must be operated and maintained in a manner so as to prevent nuisance or health hazard due to system failure. (RSA 485-A:37)

It is unlawful to discharge any hazardous chemicals or substances into subsurface waste disposal systems. Included are paints, thinners, gasoline and chlorinated hydrocarbon solvents such as TCE, sometimes used to clean failed septic systems and auto parts. (Env-Ws 1503.04)

REVISED 8/01

200604860

NHDES, SSB FILE



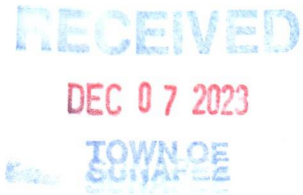




Town of Sunapee  
23 Edgemont Rd., Sunapee NH  
Phone (603) 763-2212 ext. 1023 / Email [zoning@town.sunapee.nh.us](mailto:zoning@town.sunapee.nh.us)  
Website [www.town.sunapee.nh.us](http://www.town.sunapee.nh.us)

CASE# VA 23-17

**Zoning Board of Adjustment (ZBA)  
Variance Application**



Questions? Please contact the Land Use & Assessing Coordinator or the Planning & Zoning Director. All dates and deadlines are published on the ZBA calendar; see Page 6. For helpful guidelines on completing this application, see page 4-5.

**Attach additional sheets of paper as necessary.**

1. Landowner(s) Name(s): Kimberly and Robert Hofeldt
2. Parcel ID: 0104-0001
3. Zoning District: Village Commercial
4. Project Location (Street & #): 1040 Main Street, Georges Mills
5. Mailing Address: PO Box 342, Georges Mills
6. Phone Number: 978-810-0793
7. Email: roberthofeldt@gmail.com

☒ **ABUTTERS LIST:** You must prepare a list of all abutting property owners and attach it to your application. If you have any difficulty, consult the town office, but the accuracy of the list is your responsibility. You can download an abutters list by using the Tax Maps/GIS on the Town's website (under Assessing Department).

☒ **FEES:**

\$150	Application Fee:	\$ <u>150</u>	* Make check payable to <u>Town of Sunapee</u> .
\$128.40	Abutter Notification Fee:	\$ <u>8.56</u>	* per abutter. Make payable to <u>US Post Office</u> .

\* NOTE: Rates and fees are subject to change. For the most current rate, please check with the Town Office.

☒ **ATTACHMENTS:** To assist the board, please attach sketches, photos, surveys, plot plans, pictures, construction plans, or whatever may help explain the proposed use. Include copies of any prior Zoning or Planning decisions concerning the property. If you have something in writing stating that your proposed project does not meet zoning, please attach that to this application; it may be a letter, email or denied permit. A professional survey by a licensed surveyor is strongly recommended for variances related to setback requirements. For properties located in the Shoreline Overlay District, a professional survey is required. Supplemental materials for the Board must be submitted no later than five (5) days before the scheduled hearing, however, adequate plans and exhibits must accompany the application. This includes, but is not limited to: lot dimensions, dimensions of proposed and existing structures, identification of abutting properties and roads, locations of water bodies, wetlands, septic systems, etc.

*Applications will not be considered complete unless all the questions are answered, the fees are paid, and an Abutters Mailing List is attached.*

**GENERAL DESCRIPTION:** This is a place to give a general summary of the proposed project as an introduction and overview for the public hearing. For example, where is the property located? Describe the property. Give area, frontage, side and rear lines, slopes, natural features, etc. What do you propose to do? Why does your proposal require an appeal to the board of adjustment?

PLEASE SEE ATTACHMENT Av1 FOR GENERAL DESCRIPTION OF PROJECT.

**Attach additional sheets of paper as necessary.**

**SPECIFIC REASON THE VARIANCE IS NECESSARY:** A Variance is requested from Zoning

Ordinance, Article 3, Section 3.10 to permit the building of a

12 16 foot by 30 foot first floor/ground level deck attached to the back of the house. The closest edge

of the proposed deck is 67 feet to the middle of Route 11, within the required minimum front

setback for Village Commercial of 75 feet. Reducing the front road setback to 67 feet.

**Facts in support of granting the variance:**

1. Granting the variance would not be contrary to the public interest because: \_\_\_\_\_  
because while it is 8 feet within the 75 ft set back requirement to Route 11,  
by reason of exceptional topographic conditions, the elevation from Route 11 to our property,  
the deck will be virtually unseen from the road thus not altering the essential character of the neighborhood,  
nor does it threaten public health, safety or welfare or otherwise injure public rights.

2. If the variance were granted, the spirit of the ordinance would be observed because: \_\_\_\_\_  
We understand that it is in the public's best interest to uphold the spirit of the ordinance. We strongly  
believe that building this deck will have no adverse impact, as stated above question #1.

3. Granting the variance would do substantial justice because: No harm will come to the  
general public or abutters. Due to the lot shape, being surrounded on 3 sides by roads, this is the only  
feasible location for the deck and aids in the creation of stormwater management plan which will shed  
water away from the foundation of our home.



4. If the variance were granted, the values of the surrounding properties would not be diminished because: The proposed deck cannot be seen from or across from Route 11. The one abutting property that will be able to see the deck will be greatly improved with an beautiful deck.  
We can provide a letter of support from the only abutter (1036 Main Street) who will have a view of the deck.

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: due to this property's unique location, it's proximity/elevation from Route 11, the .29 acres size of the lot, and the property being surround by three roads, the zoning restruction, as applied to this property, does not serve the purpose in a fair and substantial way.

- and -

ii. The proposed use is a reasonable one because: it does not conflict with the explicit or implicit purpose of the ordinance, does not alter the character of the neighborhood, nor does it threaten the health, safety or welfare of the public. It will allow us to improve the area by creating a stormwater management plan while creating an outdoor living space.

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. We have looked at multiple options for both stormwater management and creating a safe outdoor space. Due to the size of our property (.29 acres) after it was subdivided, the location of the home on the property and being surrounded by three roads, this proposal best meets the criteria/need to fix/improve our property while meeting the spirit of the ordinance.

NOTE:

For person(s) with physical disabilities,  
please see RSA 674:33 regarding alternative hardship criteria for a Variance.

**SIGNATURE:** I understand that the public hearing will be held at the scheduled date and time unless a request is made by me for a new hearing. Any rehearing will require a new public notice and notification to abutters, the cost of which will be borne by the applicant. Further, I hereby give permission to the ZBA members and zoning officials to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

RH Dec. 07/2023 King H. 125 12/07/2023  
Landowner(s) Signature(s) Date



## ATTACHMENT Av1: GENERAL DESCRIPTION

Our home at 1040 Main Street is a beautiful property perched up on a hill overlooking Route 11, Sunapee Cove Assisted Living, and the north end of Lake Sunapee in the Georges Mills neighborhood. This unique piece of land is in the Village Commercial district, surrounded on three sides by roads; Route 11, Main Street, and Cooper Street. There are three very different types of roads with extremely different uses and traffic patterns - all of which impact our land and its use. The property was also subdivided, creating a non conforming lot size of .29 acres which also creates challenges. Both the home and the property have been severely neglected in recent years and in need of much needed TLC, which we look forward to providing, ultimately restoring its beauty when built in 1903.

Our permit application for a back deck requires a variance to the property due to setbacks. The Minimum Front Setback requirement (Route 11) of 75 feet. The deck that we are proposing would be 68 feet from the center of Route 11.

The deck we are proposing to build will both aid in the much needed shedding and redirecting of water from the foundation of the home via a rain diversion system mounted between/under the joists while creating a usable and safe outdoor living space for our family, which includes our dog.

The outdoor space in the back has amazing potential as it enjoys morning and afternoon sunlight and has a view of the lake, but in its current state has enormous challenges due to its awkward shape, topography and proximity to Route 11. The actual backyard is flat with a steep downhill slope to Route 11 at the perimeter. The yard where we would like to build the deck is currently dirt, a damaged horseshoe pit, rotted wood landscape ties, many years of debris, much broken glass, crushed cans, buried and burned odd household items, and garbage.

The current space cannot be comfortably used without the addition of a wall/barrier or deck to protect people and/or pets from Route 11. We first explored a fencing option due to zoning setback requirements of the property for both Route 11. A fence does not seem to fit within the character of the neighborhood nor did it seem an appropriate option with the location of the hill and Route 11. It also does not solve our water problem. Given the relative elevation difference there would be no impact to Route 11 as a deck would virtually not be seen from that road. Building a back deck is the best option that would uphold the spirit of the ordinance while creating an outdoor living space and aid in shedding water away from the foundation of the home.

Our proposal is to add a new structure to be constructed, a <sup>12</sup>16ft x 30ft deck attached to the back of the home. As part of our stormwater management plan we would install a rain diverter under the deck to shed water away from the foundation to a pervious area on the side of the yard.

Please see permit application for construction plans, site plan, stormwater management plan, additional photos of proposed area, and New Hampshire Natural Heritage Bureau DataCheck results letter.

**ATTACHMENT Bv1: Photographs of Proposed Area Taken from Route 11**

*Note: Bob is standing on the corner of the proposed deck, wearing a bright orange sweatshirt to show visibility from the road.*

Image 1: Photograph taken from the middle point of road (on yellow lines) on Route 11.



Image 2: Image taken from the side of the road, closest to Main Street.

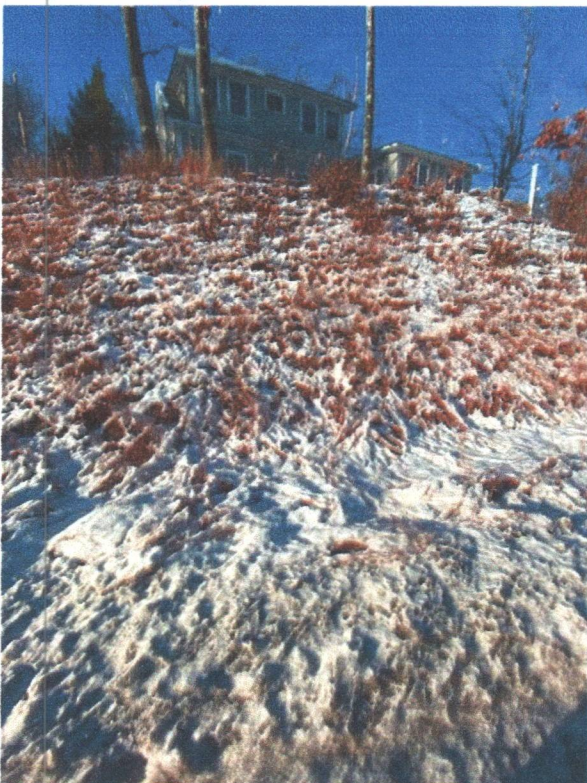




Image 3: Image taken from the side of the road, closest to Main Street.



Image 4: Image taken from the far side of the road, farthest from Main Street.







The State of New Hampshire  
Department of Environmental Services

Robert R. Scott, Commissioner



December 18, 2023

ROBERT L HOFELDT  
PO BOX 342  
GEORGES MILLS NH 03751

Re: **Accepted Shoreland Permit by Notification (RSA 483-B)**  
**NHDES File Number: 2023-03220**  
**Subject Property: 1040 Main Street, Georges Mills, Tax Map #0104, Lot #0001**

Dear Applicant:

On December 13, 2023, the New Hampshire Department of Environmental Services (NHDES) Shoreland Program received the above-referenced Shoreland Permit by Notification (SPBN). In accordance with RSA 483-B:5-b, I and Env-Wq 1406.19, on December 18, 2023, the NHDES accepted the SPBN. The enclosed SPBN form is your permit. Any individual conducting work under this permit is advised to post a copy of the enclosed SPBN form on site in a prominent location, visible to inspecting personnel, at all times during construction.

Only the impacts shown on the submitted plans and accepted by NHDES as part of the SPBN are authorized under RSA 483-B. Any and all impacts not shown on the accepted plans or permitted through another SPBN or Shoreland Permit Application will render this SPBN invalid and will be in violation of RSA 483-B.

Please note that this SPBN cannot be amended. Prior to any change to the size or location of the proposed impacts, please contact me at [Matthew.P.Faidell@des.nh.gov](mailto:Matthew.P.Faidell@des.nh.gov) or 603-271-0872 to determine the appropriate method to obtain any additional approval under RSA 483-B:5-b as may be required. Please do not hesitate to contact me as noted above if you have additional questions.

Sincerely,

Matthew Faidell  
Shoreland/Shoreline Specialist, Shoreland Program  
Wetlands Bureau, Land Resources Management  
Water Division

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588



# SHORELAND PERMIT BY NOTIFICATION (PBN) NOTIFICATION FORM

Water Division/Land Resources Management

Shoreland Program

Check the Status of your PBN



RSA/Rule: RSA 483-B/Env-Wq 1400

Administrative Use Only	Administrative Use Only	<input type="checkbox"/> PBN Accepted, Expires:	
		<input type="checkbox"/> PBN Rejected	Reviewer's Initials:
		File No.:	Admin's Initials:
		Check No.:	Amount:

This form requests authorization to excavate, fill, or construct new structures within the protected shoreland, which is 250 feet landward of the reference line of public waters, as regulated under RSA 483-B. Refer to the cover sheet to determine your eligibility to use this form in lieu of the standard Shoreland Permit Application. **Please note:** Notification packages missing required components will be rejected and the fee will not be returned.

## SECTION 1 - PROPERTY OWNER (RSA 483-B:5-b; Env-Wq 1406.17)

LAST NAME, FIRST NAME, M.I.: Hofeldt, Robert L.

MAILING ADDRESS: PO Box 342

TOWN/ CITY: Georges Mills

STATE: NH

ZIP CODE:  
03751

PHONE: 978-810-0793

EMAIL: roberthofeldt@gmail.com

## SECTION 2 - PROJECT LOCATION (RSA 483-B:5-b; Env-Wq 1406.17)

ADDRESS: 1040 Main Street

TOWN/ CITY: Georges Mills

STATE: NH

ZIP CODE:  
03751

WATERBODY NAME: Otter Brook

TAX MAP/ LOT: 0104-0001

## SECTION 3 - CONTRACTOR OR AGENT (Env-Wq 1406.17)

LAST NAME, FIRST NAME, M.I.:

MAILING ADDRESS:

TOWN/ CITY:

STATE:

ZIP CODE:

PHONE:

EMAIL:

## SECTION 4 - PROJECT DESCRIPTION (Env-Wq 1406.17)

Provide a **brief** description of the proposed project including square footage of impacts and dimensions of new structures.

Our permit request is for two attached ground level decks, on the front side and back side of the home, to both aid in the much needed redirecting of roof runoff water at the foundation of the home and to create an outdoor living space. Water currently collects along the foundation as this is directly below the drip edge of the roof and seeps into the basement. The back deck would be a 16 ft x 30 ft new construction. The front deck plan would remove the existing 4ft x 4ft front deck which is rotting at the threshold of the doorway and remove the brick patio. We would install a rain diversion system mounted between/under the joists under the deck to shed water away from the foundation to a pervious area of the yard. As part of this application process, we have submitted the proposal to the Town of Sunapee for approval.

TOTAL SQUARE FEET OF IMPACT: ~~508~~

TOTAL SQUARE FEET OF NET CHANGE IN IMPERVIOUS AREA: ~~480~~ 360



Total impact area is determined by the sum of all areas disturbed by excavation, fill, and construction. Examples include, but are not limited to: constructing new driveways, constructing new structures, removing or replacing structure foundations, grading, and installing a new septic system or well.

#### SECTION 5 - PBN CRITERIA (RSA 483-B:5-b; Env-Wq 1406.05)

Check one of the following project type criteria.

- ☒ 1. This project impacts less than 1,500 square feet in total, with a net increase in impervious area, if any, of no more than 900 square feet. *PBN Impact Limit: 1,500 square feet/ Fee: \$400.*
- ☐ 2. This project is proposed for the purpose of stormwater management improvements, erosion control, or environmental restoration or enhancement. *PBN Impact Limit: None/ Fee: \$200.*
- ☐ 3. The project is for the maintenance, repair, and improvement of public utilities, public roads, and public access facilities. *PBN Impact Limit: None/ Fee: \$400.*
- ☐ 4. The project consists of geotechnical borings, test wells, drinking water wells or is a site remediation project and meets the requirements of Env-Wq 1406.05. *PBN Impact Limit: None / Fee: \$400.*

#### SECTION 6 - FEE (RSA 483-B:5-b; Env-Wq 1406.16)

Consult Section 5 to determine fee. Make checks and money orders payable to "Treasurer - State of NH". Undated checks **cannot** be accepted. TOTAL FEE: \$ 400

#### SECTION 7 - PHOTOS (RSA 483-B:5-b; Env-Wq 1406.16)

- ☒ Dated photographs of each area proposed to be impacted are required for all projects.

#### SECTION 8 - PLAN REQUIREMENTS (RSA 483-B:5-b; Env-Wq 1406.16)

Check YES or NO to all statements, and review the applicable plan requirements. If your plans do not include the information that is required, your notification will be rejected.

<input checked="" type="checkbox"/> YES	<b>Required for all projects:</b> A clear and detailed plan of work depicting, at a minimum, all impact areas, the <u>reference line</u> , and property lines. Plans that are not to scale must show all relevant dimensions and distances from the reference line and dimensions.	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	This project proposes an increase in <u>impervious</u> (i.e. non-permeable) area. Plans must include the dimensions and locations of <b>all</b> existing and proposed impervious surfaces on the lot that are within 250 feet of the reference line. Decks are typically considered impervious.	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	< 20%	This project proposes an increase in impervious area, and the total post-construction impervious area on the lot within 250 feet of the reference line will not exceed 20%.
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	20 – 30%	This project proposes an increase in impervious area such that the total impervious area of the lot within 250 feet of the reference line will be greater than 20% but less than 30%. Plans must include a <u>stormwater management system</u> that will infiltrate increased stormwater runoff from development per <u>RSA 483-B:9, V(g)(2)</u> and in accordance with <u>Env-Wq 1500</u> .
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	> 30%	This project proposes an increase in impervious area such that the total impervious area on the lot within 250 feet of the reference line will be greater than 30%. Plans must include a <u>stormwater management system</u> designed and certified by a professional engineer to account for all new development, <b>and</b> plans must demonstrate how the vegetation point score is met per <u>RSA 483-B:9, V(g)(1,3)</u> .
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	This project proposes impacts within 50 feet of the reference line. Plans and photos must show each area of the <u>waterfront buffer</u> that will be impacted, including groundcover, and calculate the tree and sapling point scores in accordance with the <u>Vegetation Management Fact Sheet</u> .	



<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	This project proposes impacts between 50 and 150 feet of the reference line. Plans must depict the 25% area of the woodland buffer to be designated and maintained as natural woodland. See the <u>Vegetation Management Fact Sheet</u> .
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	This project proposes to install or expand an <u>accessory structure</u> , such as a patio or shed, within 50 feet of the reference line. All plans <i>must</i> demonstrate that the height, size, and setback limitations for accessory structures will be met. These limitations are described within the <u>Accessory Structure Fact Sheet</u> . The <u>shoreland frontage</u> on this lot is: <input type="text"/> linear feet. <input type="checkbox"/> N/A – There is no direct frontage on this lot.
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	This project proposes a pervious (i.e. permeable) surface technology. Plans must include the location and type of the surface and a cross-section depicting the construction method, materials, and specifications as to how this surface will be maintained as a pervious technology. The notification must also include a maintenance plan describing how the surfaces will be maintained pervious.

**SECTION 9 - CONDITIONS (Env-Wq 1406.20; RSA 483-B:9, V, (d))**

Initial each of the required conditions below.

- ☒ 1. Erosion and siltation control measures shall: be installed prior to the start of work; be maintained throughout the project; and remain in place until all disturbed surfaces are stabilized.
- ☒ 2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- ☒ 3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- ☒ 4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- ☒ 5. For any project where mechanized equipment will be used, orange construction fence shall: be installed prior to the start of work at the limits of the temporary impact area as shown on the plans approved as part of a permit or accepted as part of the permit by notification; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

**SECTION 10 - CERTIFICATIONS (Env-Wq 1406.18)**





Initial each of the required certifications below.

- ☒ 1. The property owner shall sign the notification form below.
- ☒ 2. The signature(s) shall constitute certification that: the information provided is true, complete, and not misleading to the knowledge and belief of the signer; the signer understands that any permit by notification obtained based on false, incomplete, or misleading information is not valid; the project as proposed complies with the minimum standards established in RSA 483-B:9, V and will be constructed in strict accordance with the proposal; the signer accepts the responsibility for understanding and maintaining compliance with RSA 483-B and these rules; the signer understands that an accepted shoreland permit by notification shall not exempt the work proposed from other state, local, or federal approvals; the signer understands that incomplete notifications shall be rejected and the notification fee shall not be returned; and the signer is subject to the applicable penalties in RSA 641, *Falsification In Official Matters*.
- ☐ 3. The signature of the property owner certifies that the property owner has authorized the agent to act on the property owner's behalf for purposes of the notification. (☒ Not Applicable)

**SECTION 11 - REQUIRED SIGNATURE (RSA 483-B:5-b; Env-Wq 1406.18)**

shoreland@des.nh.gov or (603) 271-2147

NHDES Shoreland Program, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

SIGNATURE (OWNER): 	PRINT NAME LEGIBLY: ROBERT L. HOFELDT	DATE: Dec. 07, 2023
SIGNATURE (AGENT, IF APPLICABLE): 	PRINT NAME LEGIBLY: 	DATE: 



We purchased our home at 1040 Main Street in December of 2022. Since that time, we have experienced water coming into our basement from both the front side and the back side of the house beginning in the month of March and continuing through December. This is caused from a thaw/rising of groundwater and saturation during wet weather, also known as hydrostatic pressure, which pushes against the foundation and pushes/leaks water through cracks and openings in the concrete. It is also caused by poor drainage and landscaping that allows the stormwater to accumulate and pool against the foundation, particularly the drip edge part of the sloped roof. This water has also caused the basement floor and walls to crack with mold and mildew proliferation.

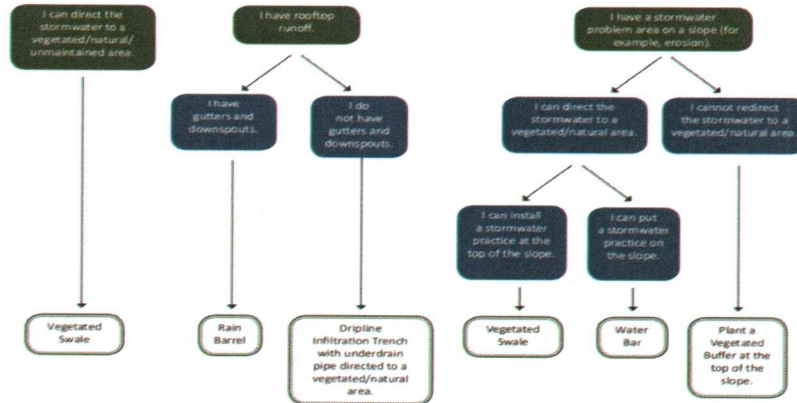
We propose to build two attached decks, one in the front of the house and one in the back of the house. We will install rain diverters mounted between/under the joists as part of the construction to intercept and redirect/shed runoff safely and to environmentally friendly location, away from the problem areas to pervious lawn. This green infrastructure strategy is a recognized technique that often works by slowing down stormwater runoff and creating places where it can soak back into the ground to be absorbed and any pollutants be filtered by the soils and plants.

[illegible]

### Site Plan for drywell

We will also add a rain barrel to our existing gutter system as a conservation measure which will also reduce overall stormwater runoff.

STORMWATER PRACTICE SELECTION FLOW CHART FOR  
STORAGE AND CONVEYANCE

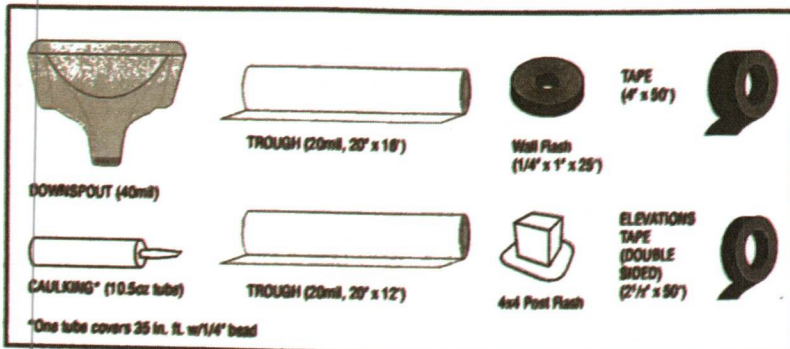


Stormwater Practice Selection Flowchart  
New Hampshire Department of Environmental Services, Soak of the Rain Guide to Stormwater  
Management

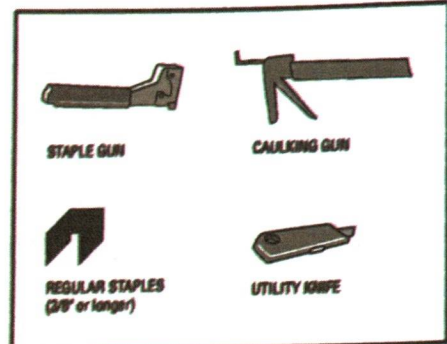


# BASIC INSTALLATION

## PARTS

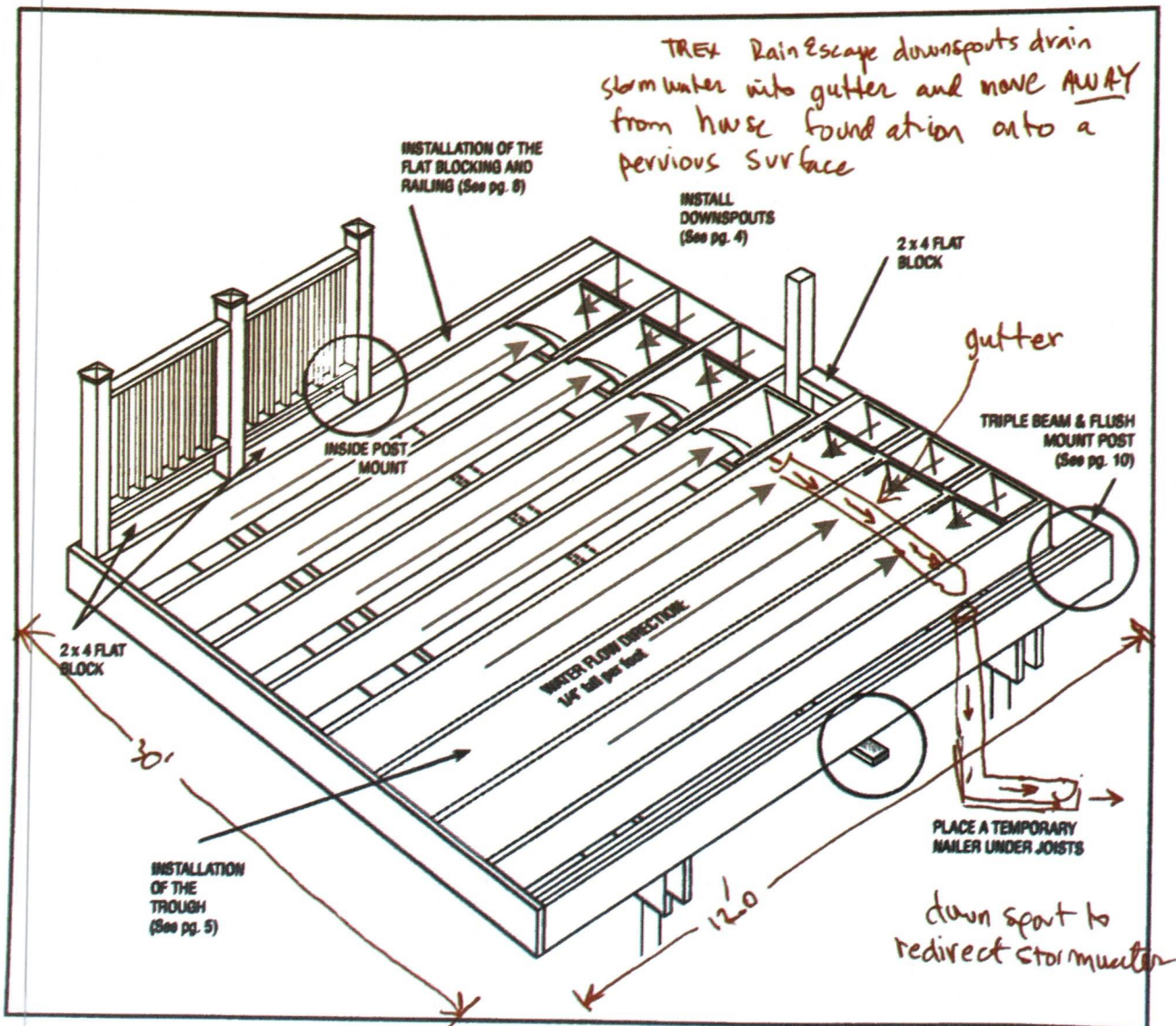


## TOOLS



## FRAMING DETAIL

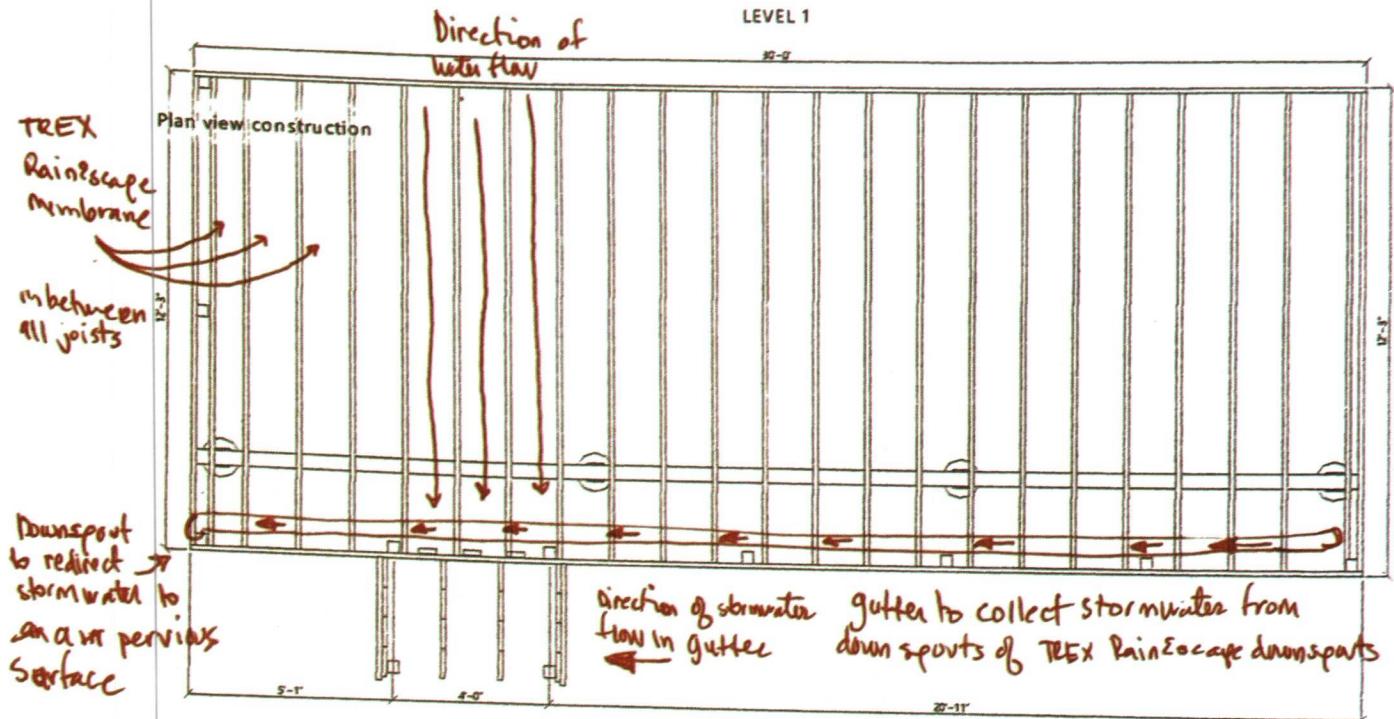
REAR DECK



stormwater drainage

## Permit Info

REAR DECK



## Structural Information: Level 1

Height of level (top of decking)	36"
Max. joist span	117"
Max. joist cantilever	27"
Max. beam span	114 1/8"
Max. beam cantilever	6"
Footing depth	36"
Footing area (ea.)	9 1/2" $\times$ 32"
Designed live load	40 lb/ft <sup>2</sup>
Designed dead load	10 lb/ft <sup>2</sup>

## Deck and Post Height

Your design height is 36" from the top of the decking to the ground level. The top of the deck support posts will therefore be 19" above ground level."

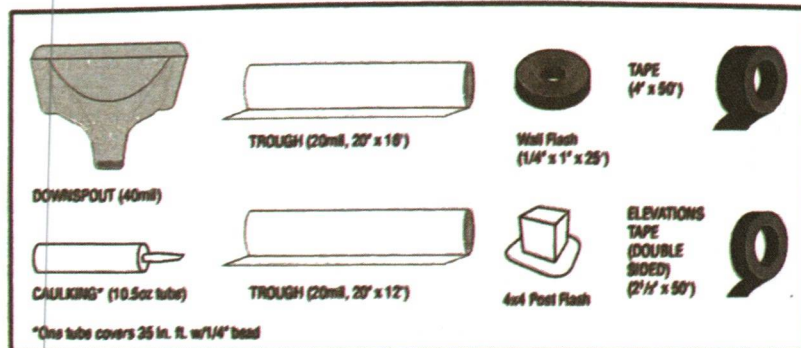
## Joists

Set joists on top of beams, 16" center-to-center.

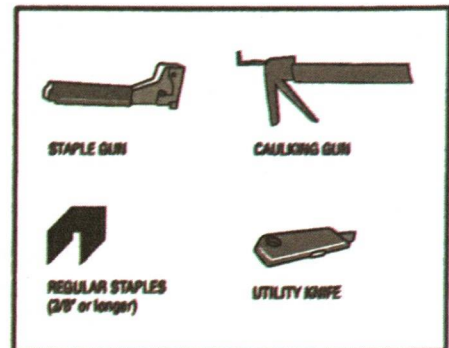


# BASIC INSTALLATION

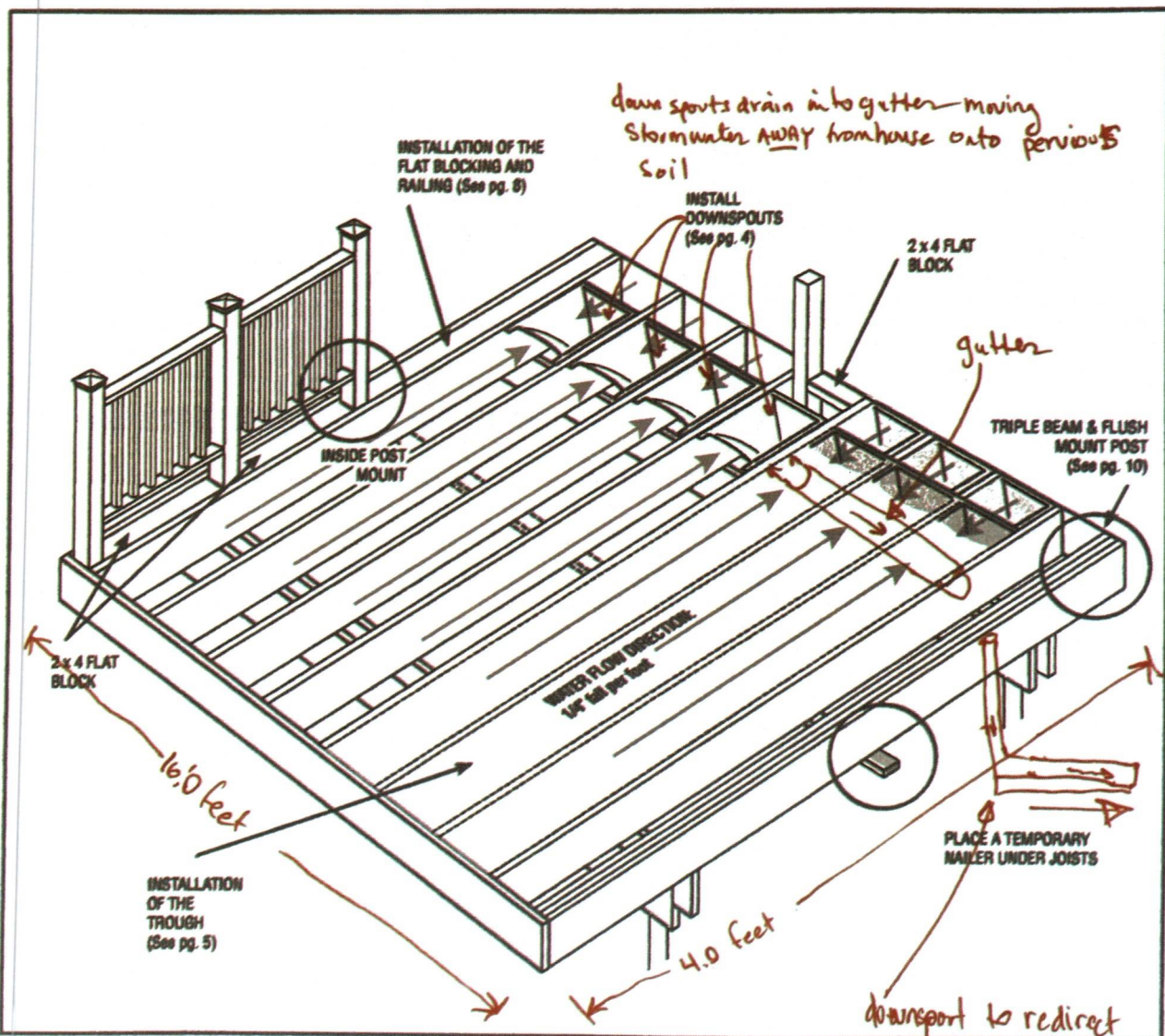
## PARTS



## TOOLS



## FRAMING DETAIL - FRONT DECK

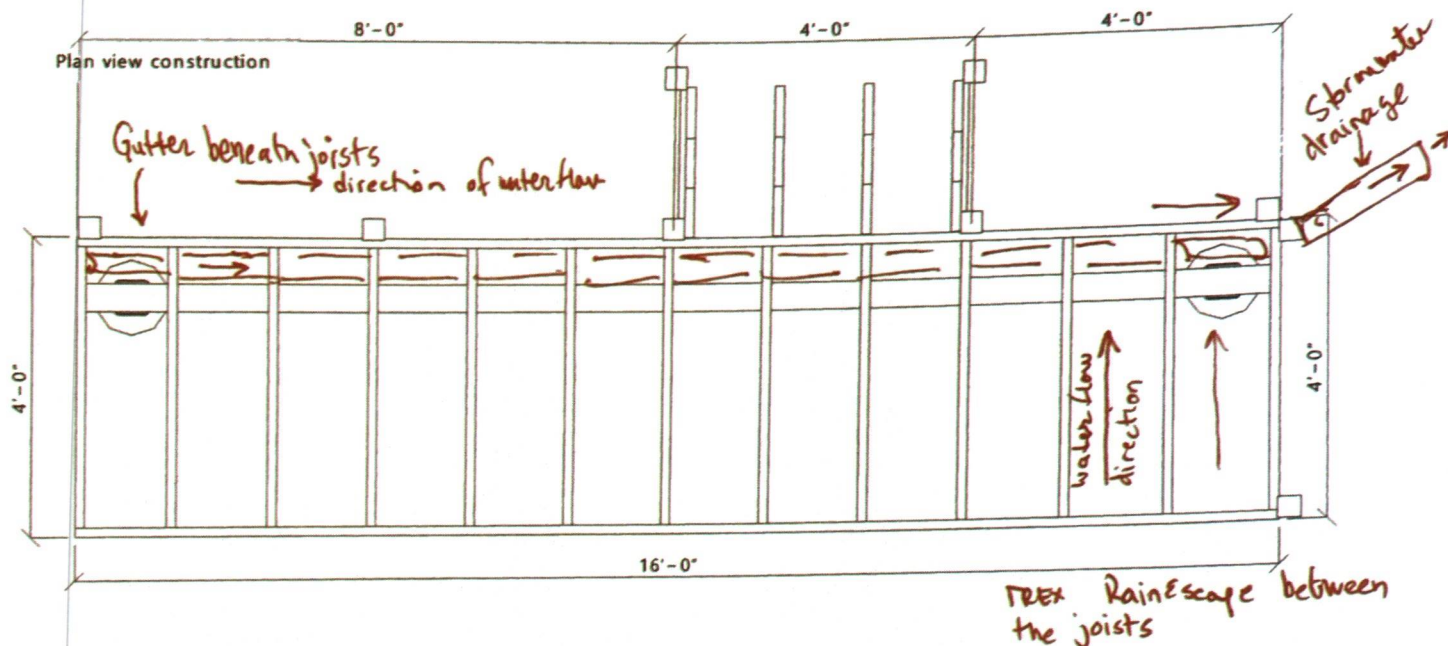


Stormwater drainage

## Permit Info

FRONT DECK

LEVEL 1



## Structural Information: Level 1

Height of level (top of decking)	24"
Max. joist span	36 7/8"
Max. joist cantilever	8 1/8"
Max. beam span	174 1/2"
Max. beam cantilever	6"
Footing depth	36"
Footing area (ea.)	9 1/2" $\text{ft}^2$
Designed live load	40 lb/ft <sup>2</sup>
Designed dead load	10 lb/ft <sup>2</sup>

### Deck and Post Height

Your design height is 24" from the top of the decking to the ground level. The top of the deck support posts will therefore be 1" above ground level."

### Joists

Set joists on top of beams, 16" center-to-center.





C

COOPER ST.

29.5'

29.8'

21.5'

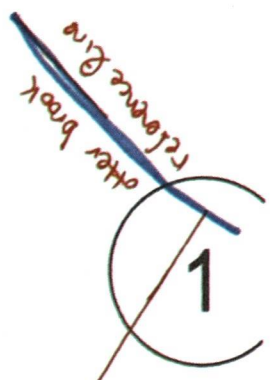
20.0'

1

0.29 Ac

116'

80.6'



22.4' to other break  
reference line

downspout into downspout adapter and flexible pipe

drywell, 30ft ±  
minimum.

underground flexible  
pipe from downspout to  
drywell

T&E rainescape membrane  
between joists

gutter to collect  
stormwater from  
T&E rainescape  
membrane

Bob Holcomb  
Dec 18, 2023

**ATTACHMENT B: Section 7.** Photos taken 12/06/23 of each area proposed to be impacted.

**DECK 1 (Front Deck):**

Image 1: Existing front deck (4 ft x 4ft) off of mudroom.



Image 2: Aerial view of front deck, taken from second floor window.





DECK 2 (Back Deck)

Image 3: Picture of the area that we would like to build the back deck. Picture taken from the corner of our property.



Image 4: Picture of the area that we would like to build the back deck. Picture taken from the second floor..





Image 5: Image of elevation/back yard taken from farside of Route 11



ATTACHMENT C: Section 8 Plan Requirements - Site Plan

December 6, 2023



TH TOWN, NH

1 inch = 43 Feet



WWW.C



Robert & Kimberly Hofeldt

ROBERT HILL ROAD

MAIN STREET

COOPER STREET

Front Deck.  
4' x 16' first floor  
18" off the ground  
currently 4' x 4'  
- 186' from reference  
line of Otter Brook

1040 Main St. Georges, NH  
1157 ELEVATION

186'  
center of front deck to  
reference line of Otter  
Brook

204'  
center of rear deck to  
reference line of Otter  
Brook

Rear Deck. 16' x 30', 4' off the ground  
- 204' from reference line of Otter Brook

OTTER BROOK REFERENCE LINE

ROUTE 11



Shared Dealer Locator  
Report



**1040 Front**

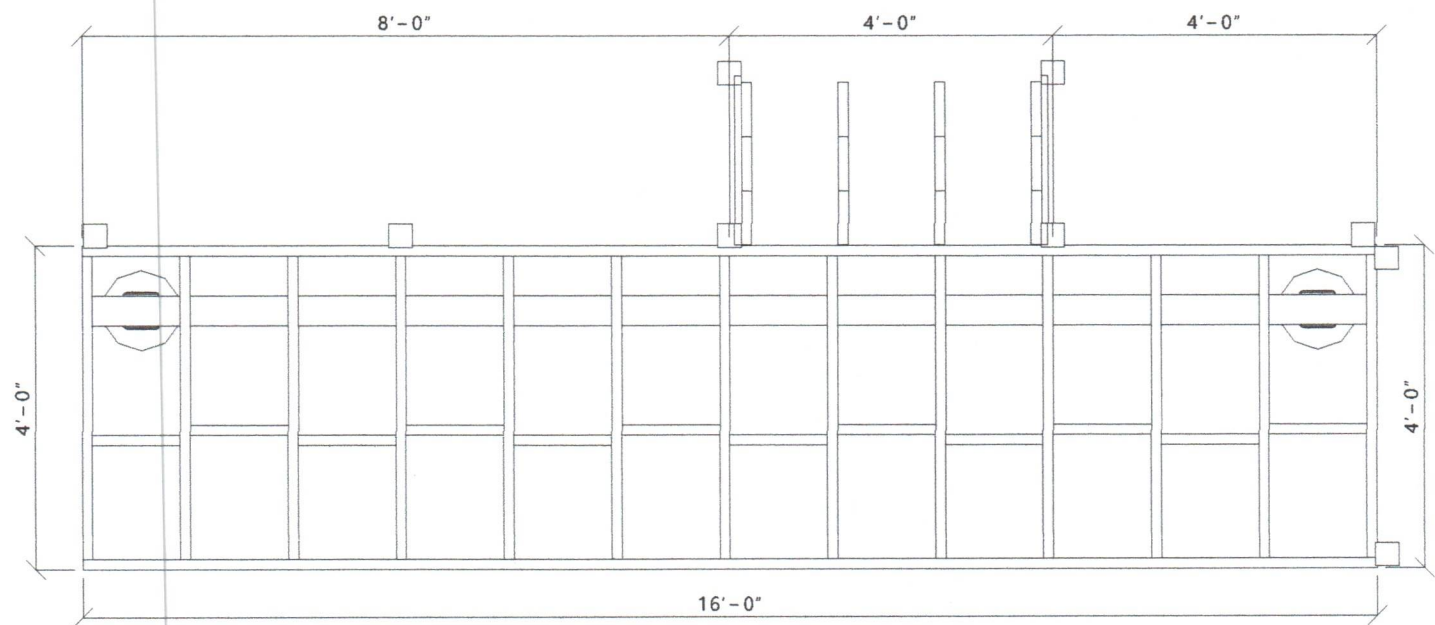
**Deck Planner Software™**

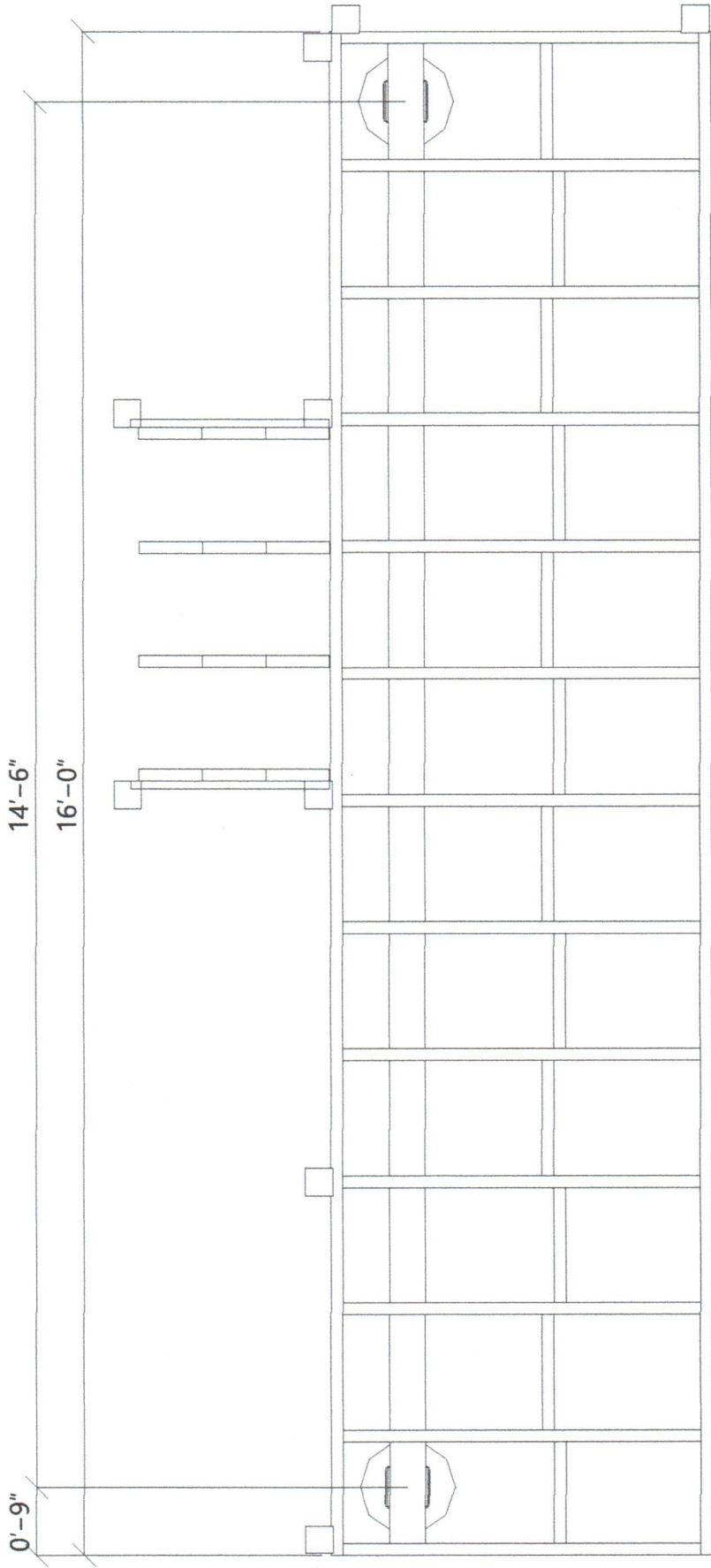
All lengths, areas, weights, masses and structural forces are expressed in U.S. Customary units unless otherwise specified.


12/6/2023 5:45 PM by Deck Planner Software™

Your Planned Deck Design

Plan view construction



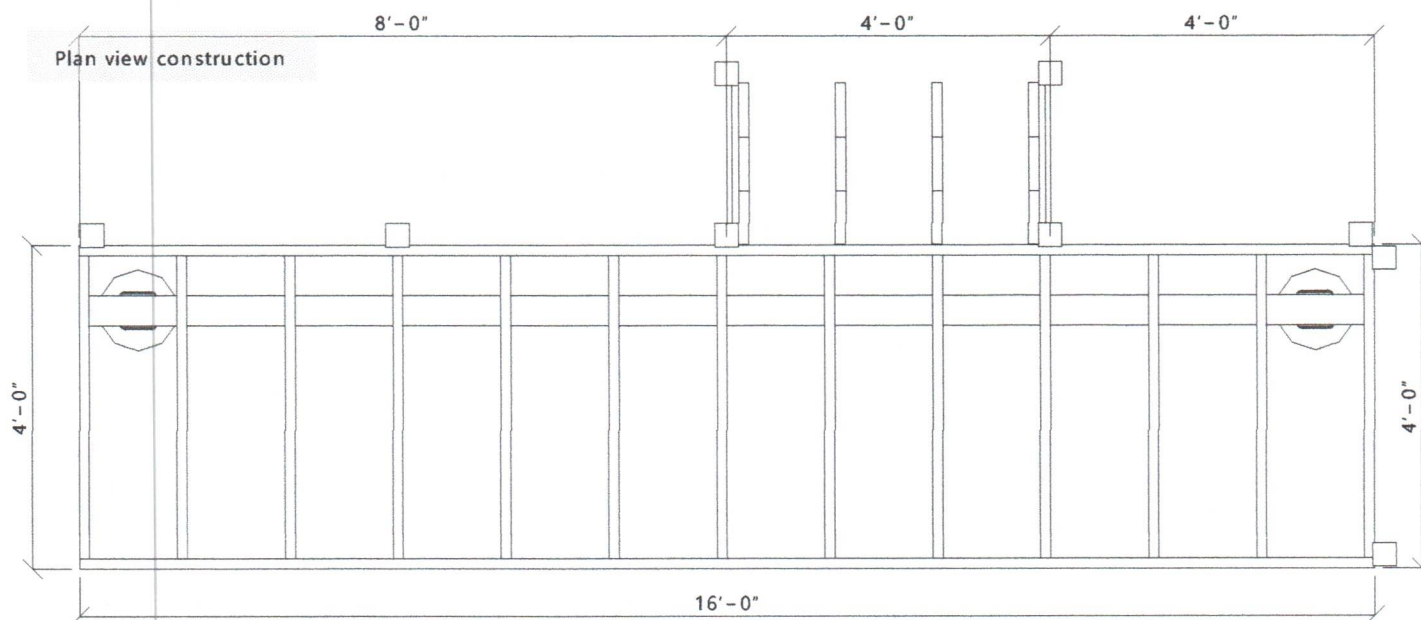


	NOTES FROM THE CUSTOMER	DESIGN TITLE <b>1040 FRONT</b>	DRAWING <b>1</b>		STORE  	JOB ID  
	THIS DRAWING WAS GENERATED BY DECK PLANNER SOFTWARE™	CUSTOMER NAME <b>Robert Hofeldt</b>	SCALE <b>NOT TO SCALE</b>	CHECKED BY		
		CUSTOMER EMAIL ADDRESS <b>RobertHofeldt@gmail.com</b>	DATE <b>12/6/2023 5:45 PM</b>	CHECK DATE		
		CUSTOMER PHONE NUMBER	CREATED BY	PAGE <b>8</b>		



## Permit Info

LEVEL 1



## Structural Information: Level 1

Height of level (top of decking)	24"
Max. joist span	36 7/8"
Max. joist cantilever	8 1/8"
Max. beam span	174 1/2"
Max. beam cantilever	6"
Footing depth	36"
Footing area (ea.)	9 1/2" <sup>32</sup>
Designed live load	40 lb/ft <sup>2</sup>
Designed dead load	10 lb/ft <sup>2</sup>

### Deck and Post Height

Your design height is 24" from the top of the decking to the ground level. The top of the deck support posts will therefore be 1" above ground level."

### Joists

Set joists on top of beams, 16" center-to-center.

PICTURE



OWNER

HOFELDT, ROBERT & KIMBERLY

PO BOX 342

GEORGES MILLS, NH 03751

TAXABLE DISTRICTS

District Percentage

PERMITS

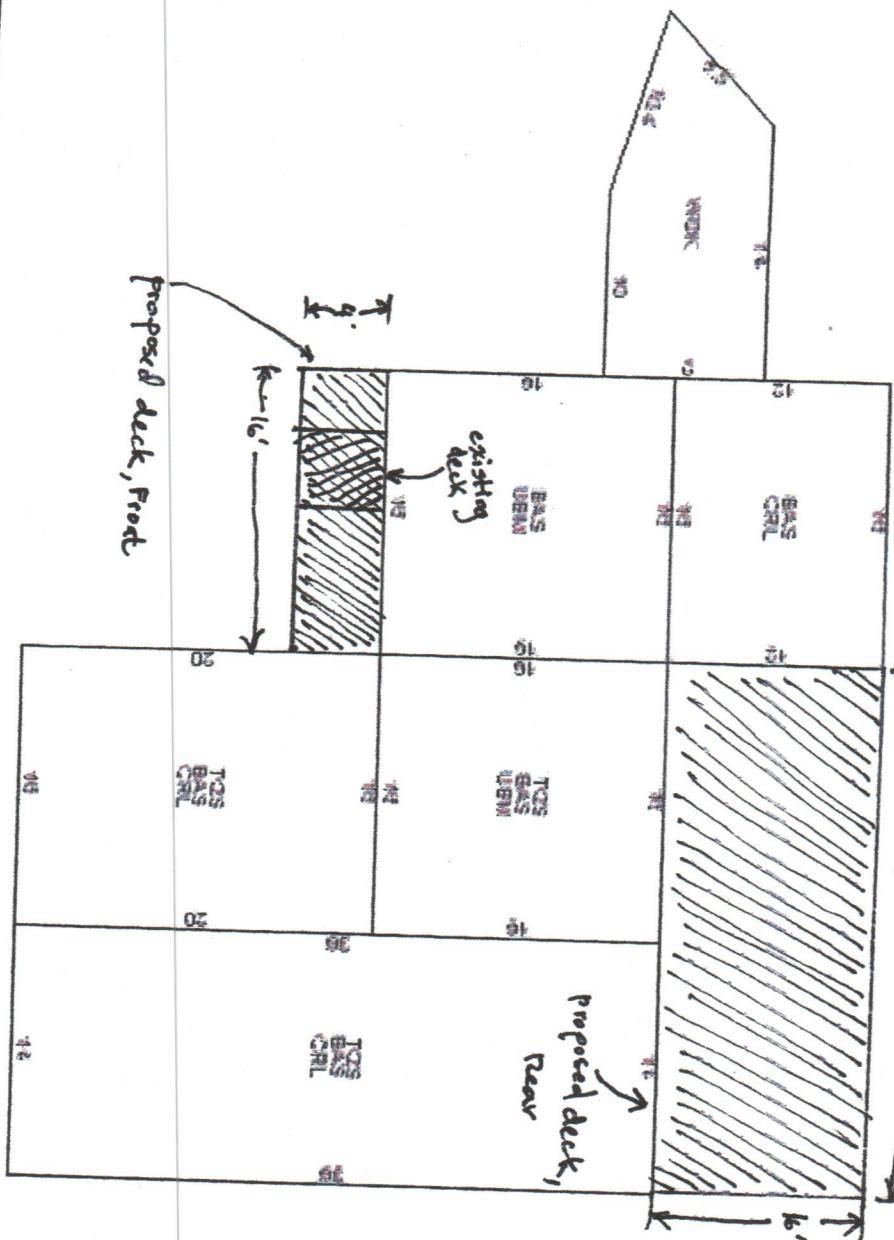
Date Permit ID Permit Type Notes

BUILDING DETAILS

Model: 1.75 STORY FRAME OFFICE/APT  
Roof: GABLE OR HIP/ASPHALT  
Ext: WOOD SHINGLE  
Int: DRYWALL  
Floor: HARDWOOD  
Heat: OIL/FA DUCTED  
Bedrooms: 4 Baths: 2.0  
Extra Kitchens: Fixtures:  
A/C: No Fireplaces: 1  
Generators:  
Quality: 04 A/D 04 BASE 115  
Com. Wall: WOOD, 12 FT.  
Size Adj: 1.0759 Base Rate: COA 11: 1.4  
Bldg. Rate: 1.2  
Sq. Foot Cost: \$131

BUILDING SUB AREA DETAILS

ID	Description	Area	Adj.	Est.
BAS	FIRST FLOOR	1528	1.00	1:
CRL	CRAWL SPACE	1016	0.00	
UBM	BASEMENT,	512	0.20	1
TQS	THREE QUARTER	1080	0.75	1
WDK	DECK, WOOD	147	0.10	
GLA:		2,338		2.4



2023 BASE YEAR BUILDING VALUATION

Market Cost New: \$ 342,325  
Year Built: 1920  
Condition For Age: GOOD 25 %  
Physical:  
Functional:  
Economic:  
Temporary:  
Total Depreciation: 25 %  
Building Value: \$ 256,700

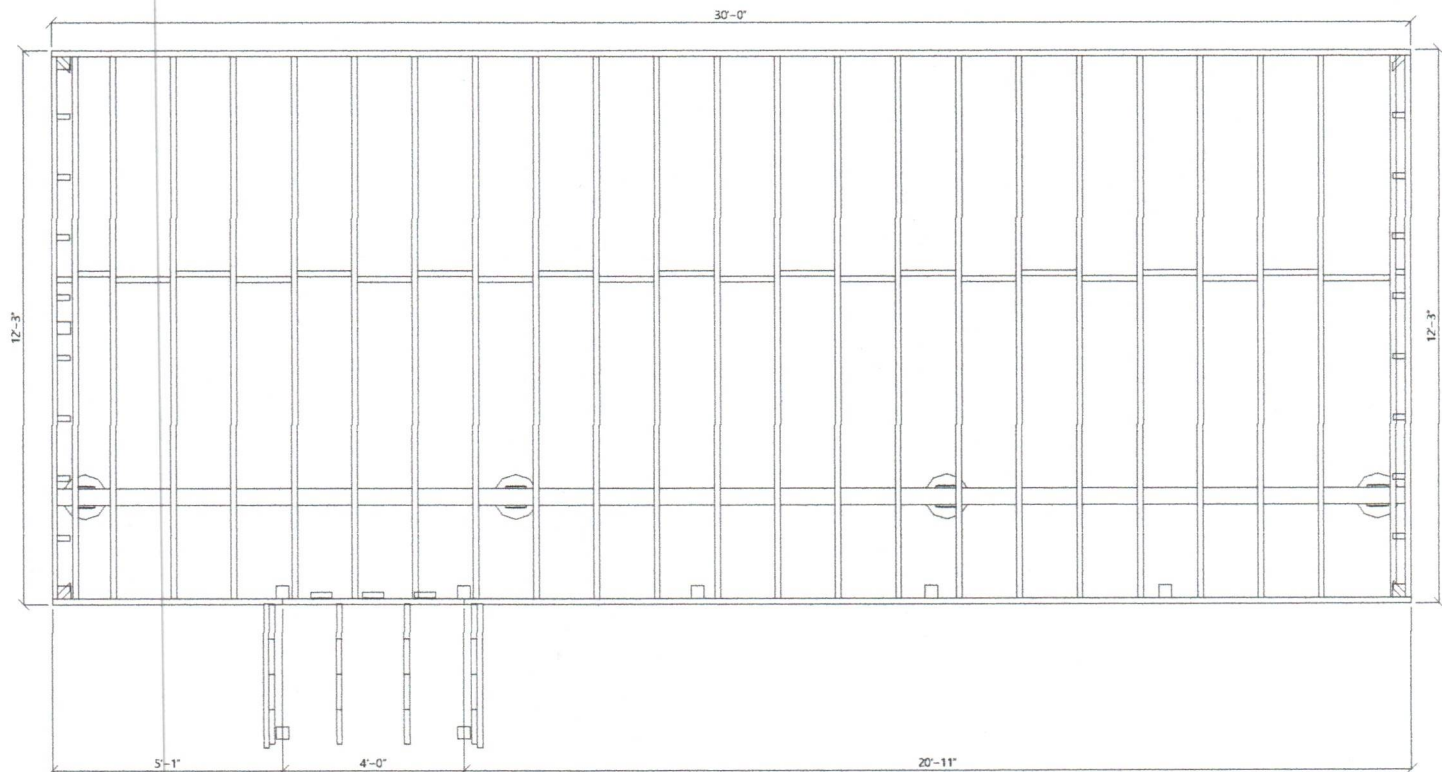




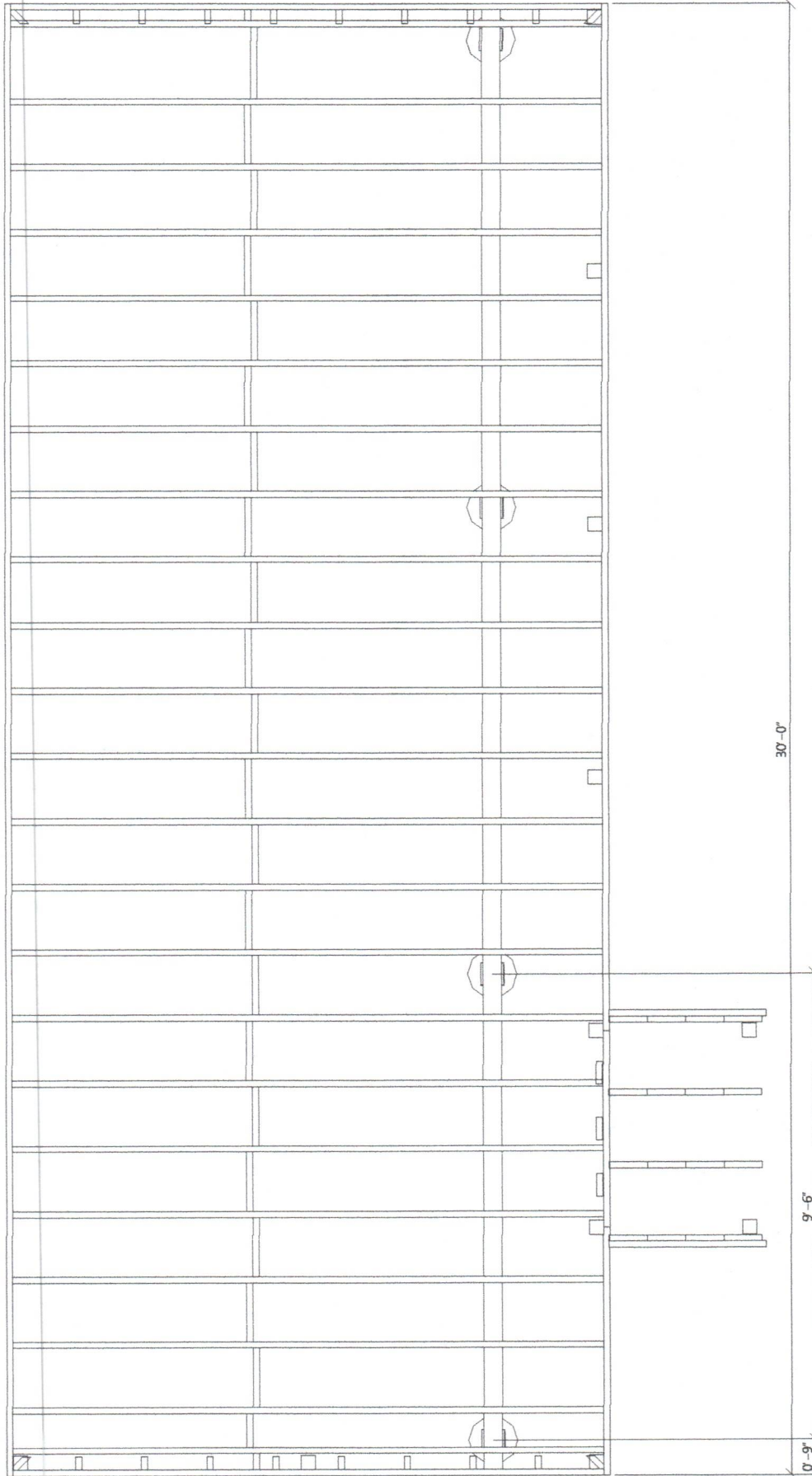
**1040 rear**

Your Planned Deck Design : BACK DECK

Plan view construction



BACK DECK  
1 of 3

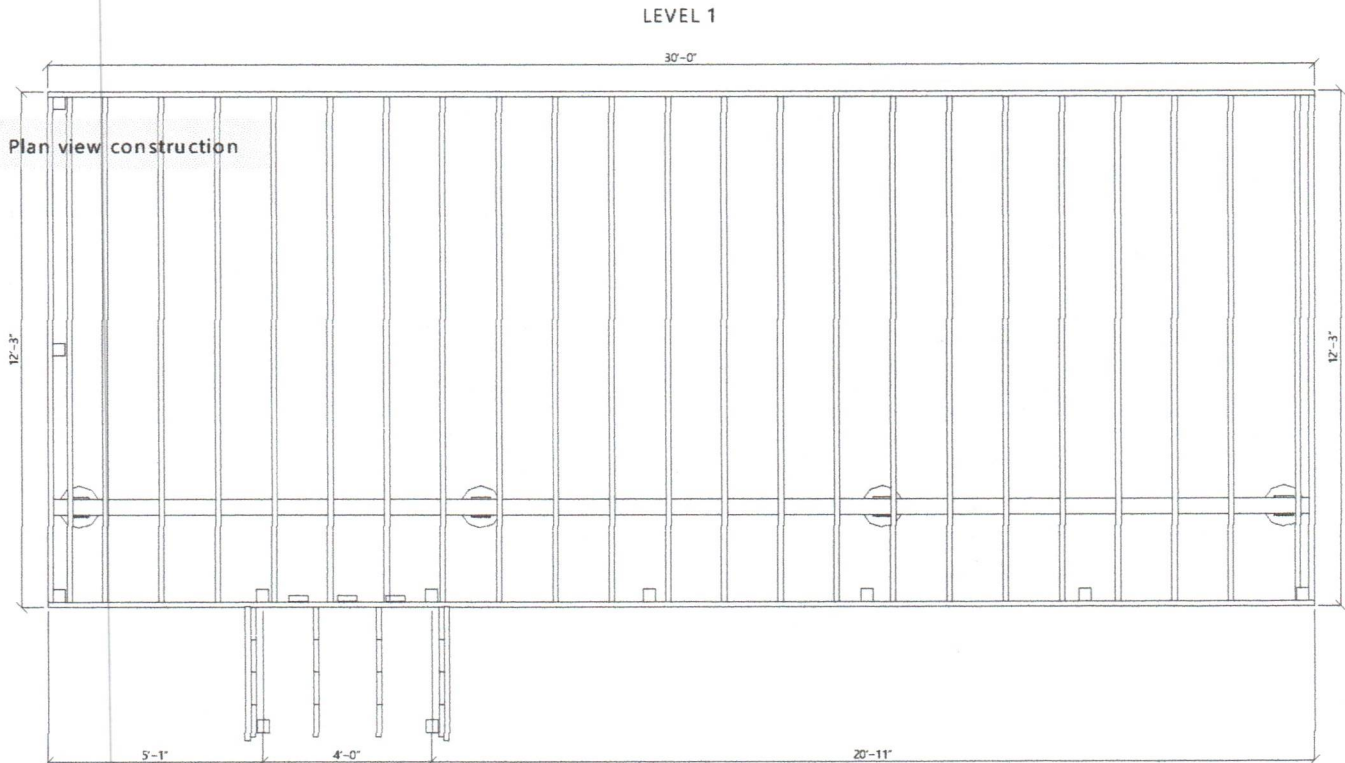


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		CUSTOMER NAME <b>Robert Hofeldt</b>	SCALE <b>NOT TO SCALE</b>	CHECKED BY  	STORE
CUSTOMER EMAIL ADDRESS <b>RobertHofeldt@gmail.com</b>		DATE <b>12/7/2023 1:05 PM</b>	CHECK DATE  	PAGE <b>7</b>	
CUSTOMER PHONE NUMBER		CREATED BY			

BACK DECK  
2 OF 3



## Permit Info



## Structural Information: Level 1

Height of level (top of decking)	36"
Max. joist span	117"
Max. joist cantilever	27"
Max. beam span	114 1/8"
Max. beam cantilever	6"
Footing depth	36"
Footing area (ea.)	9 1/2" <sup>32</sup>
Designed live load	40 lb/ft <sup>2</sup>
Designed dead load	10 lb/ft <sup>2</sup>

### Deck and Post Height

Your design height is 36" from the top of the decking to the ground level. The top of the deck support posts will therefore be 19" above ground level."

### Joists

Set joists on top of beams, 16" center-to-center.



Case #VA 23-18

RECEIVED

DEC 07 2023

TOWN OF  
SUNAPEE

**TABLE OF CONTENTS:**

**1. Permit Application**

**Attachment A: Description of Project (ref pg 3)**

**Attachment B: Drawings (ref pg 3, #11)**

**B1: Front Deck**

**B2: Rear Deck**

**Attachment C: Site Plan (ref pg 3, #15)**

**Attachment D: Stormwater Management Plan**

**Attachment E: Pictures of Proposed Areas**

**Attachment F: New Hampshire Natural Heritage Bureau  
DataCheck Results Letter**

**Attachment G: NH DES Shoreland Worksheet**

**2. Variance Application**

**Attachment Av1: General Description**

**Attachment Bv1: Pictures of Proposed Area taken from  
Route 11**

**Abutters Notification List**

**3. Copy of NH DES Shoreland Permit by Notification (PBN)**

## Craig Heino

---

**From:** Kimberly H <bkkimhofeldt@gmail.com>  
**Sent:** Wednesday, December 20, 2023 11:31 AM  
**To:** Allyson Traeger; Craig Heino  
**Cc:** Robert Hofeldt  
**Subject:** [EXTERNAL]1040 Deck Approval  
**Attachments:** 2023-12-20 10-40.pdf; 2023-03220\_ShorelandPBN.pdf; Stormwater Management Plan for 1040 Main Street, Georges Mill, NH.pdf; corrected page 1 NH DES filing .pdf; NH DES Approval Letter 1040 Main.pdf

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings, Allyson & Craig.

I just left a voicemail on Allyson's phone. Hopefully not too long & confusing - please feel free to give me a call to discuss further.

1. GREAT NEWS - The state approved our plans. Attached is their approval and the permit.
2. Per the NH DES, we have added a 30 cubic foot drywell to our stormwater management plan - so I have included that and some additional detail that the state had asked for about the rain diverters.
3. We made a mistake in our application. The deck that we would like to build is actually 12 ft by 30 ft, making the total square foot impact 388 feet (instead of 508) with the net change in impervious area 360 (instead of 480). The distance to the Route 11 was actually measured with a 12 foot deck - so we are the same/still within the 75 ft variance, it's just the site plans are marked incorrectly as 16 feet.

We made the correction with the state but they went ahead and approved us with our initial submission for a 16 x 30 foot deck, as they were fine with that. Building a smaller deck with this state permit is fine - we just can't go larger, if that makes sense. I have attached the corrected page 1 that we submitted to the state.

Would you like me to go through our permit and variance application and make those corrections?

Thank you.

Best,  
Kim

Attachments:  
NH DES Approval Letter  
NH DES Shoreland Permit  
Corrected Page 1 NH DES Application that was submitted  
Updated Stormwater Management Plan  
Front & Rear Deck Rain Diverter, Gutter, and Drywell Detail





# 100 foot Abutters List Report

Tri Town, NH  
November 28, 2023

## Subject Property:

Parcel Number: Sun-0104-0001-0000  
CAMA Number: Sun-0104-0001-0000  
Property Address: 1040 MAIN ST GM

Mailing Address: HOFELDT, ROBERT & KIMBERLY  
PO BOX 342  
GEORGES MILLS, NH 03751

---

## Abutters:

Parcel Number: Sun-0104-0001-0001  
CAMA Number: Sun-0104-0001-0001  
Property Address: 1042 MAIN ST GM Unit 1

Mailing Address: MATTSON, TERRY FAHEY, ALEXANDRIA  
PO BOX 215  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0104-0001-0001  
CAMA Number: Sun-0104-0001-0001  
Property Address: 1042 MAIN ST GM Unit 1

Mailing Address: ~~MATTSON, TERRY FAHEY, ALEXANDRIA~~  
~~PO BOX 215~~  
~~GEORGES MILLS, NH 03751~~

Parcel Number: Sun-0104-0002-0000  
CAMA Number: Sun-0104-0002-0000  
Property Address: 1036 MAIN ST GM

Mailing Address: KENDALL, JOHN A LIVING TRUST  
KENDALL JOHN A TRUSTEE  
PO BOX 454  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0104-0003-0000  
CAMA Number: Sun-0104-0003-0000  
Property Address: 6 HOLMES LN

Mailing Address: LEFT BRANCH REALTY, LLC  
PO BOX 1014  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0104-0018-0000  
CAMA Number: Sun-0104-0018-0000  
Property Address: 1 PROSPECT HILL RD

Mailing Address: JOHNSON, DAVID R & KINAM  
PO BOX 539  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0000  
Property Address: 104 PROSPECT HILL RD

Mailing Address: RUSSELL PLACE CONDO ASSOC. MAI  
4 PROSPECT HILL RD  
SUNAPEE, NH 03782

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0010  
Property Address: 4 PROSPECT HILL RD #10 Unit 10

Mailing Address: LORD, ANDY  
PO BOX 383  
SUNAPEE, NH 03782

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0012  
Property Address: 4 PROSPECT HILL RD #12 Unit 12

Mailing Address: HAYDEN, KIMBERLY A BLETHEN,  
DONNA S  
PO BOX 364  
SUNAPEE, NH 03782

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0014  
Property Address: 4 PROSPECT HILL RD #14 Unit 14

Mailing Address: ROPITZKY, AUTUMN HAUCK, ERIK  
PO BOX 124  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0016  
Property Address: 4 PROSPECT HILL RD #16 Unit 16

Mailing Address: DUGAN, CAROLYN J & LEONARD, RO  
347 SAGAMORE ST  
MANCHESTER, NH 03104



www.cai-tech.com

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11/28/2023

Page 1 of 2







# 100 foot Abutters List Report

Tri Town, NH

November 28, 2023

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0017  
Property Address: 4 PROSPECT HILL RD #17 Unit 17

Mailing Address: CANNELLOS TRUST, STEPHAN G.  
CANNELLOS TRUST, JEANNE S.  
5 SWANSON LANE  
WESTFORD, MA 01886

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0018  
Property Address: 4 PROSPECT HILL RD #18 Unit 18

Mailing Address: HALL, TAYLOR B  
PO BOX 171  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0020  
Property Address: 4 PROSPECT HILL RD #20 Unit 20

Mailing Address: WOBBE, DS SEP SHARE FBO CHRIST W  
MICHAEL TODD, TRUSTEE  
159 OLD MAIN ST  
NEW LONDON, NH 03257

Parcel Number: Sun-0104-0047-0000  
CAMA Number: Sun-0104-0047-0024  
Property Address: 4 PROSPECT HILL RD #24 Unit 24

Mailing Address: COCHRANE 2016 REVO TRUST, MARY  
MARY ANN COCHRANE, TRUSTEE  
347 WYLDEWOOD DRIVE  
MURPHYS, CA 95247

Parcel Number: Sun-0104-0048-0000  
CAMA Number: Sun-0104-0048-0000  
Property Address: 1043 MAIN ST GM

Mailing Address: ~~MATTSON, JOHN R & TERRY FAHEY~~  
~~PO BOX 215~~  
~~GEORGES MILLS, NH 03751~~

Parcel Number: Sun-0104-0085-0000  
CAMA Number: Sun-0104-0085-0000  
Property Address: 5 COOPER ST

Mailing Address: CAREY, JOHN P & MAUREEN  
34205 SOMERSET ROAD  
POCOMOKE, MD 21851



www.cai-tech.com

11/28/2023

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Page 2 of 2



November 24, 2023

Town of Sunapee  
Zoning Board of Adjustment  
23 Edgemont Road  
Sunapee, NH 03782

VA 23-18

RE: Rouleau Residence  
775 Route 103  
Sunapee, NH 03782  
Map 149 Lot 30

Enclosed you will find two Variance Applications prepared by Terrain Planning & Design, LLC on behalf of Scott T. and Kimberly A. Rouleau, owners of the above referenced project. The project site is an approximately 0.25-acre level lot with 50 lf of frontage on Central Road (Route 103) and 81 lf of navigable shoreland frontage on Mountain View Lake.

The goal of this project is to remove an existing non-conforming, single-family residence and construct a new single-family residence with attached garage. The proposed house will be constructed within the existing non-conforming footprint that lies within the 50' setback to Mountain View Lake and will be expanded further on the landward side of the 50' setback. A new deck will be constructed within the footprint of the existing attached deck on the lakeside of the house. Additionally, an existing patio and driveway are to be reconstructed and an entrance walkway installed using permeable materials. The existing shed will be relocated within the building setbacks. Finally, a stone drip edge and drywell will be installed to infiltrate stormwater runoff.

The Applicant submits this Variance Application seeking a variance from the below described articles of the Sunapee Zoning Ordinance. The subject parcel is located entirely within the Rural Residential Zoning District (RR) and the Shorelines Water Resources Overlay District. A portion of the site lies within the Wetland Water Resources Overlay District. Currently, the property contains a house which lies partially within the 50' setback from waterbodies, the eastern side setback from the property line, and the 25' Wetland Setback Buffer. It has no garage and a gravel parking area and driveway that accesses Route 103. The Applicant intends to remove the existing non-conforming structure and build a new single-family home with attached garage which will not increase the encroachment into any building setbacks. The Applicant will require two variances in order to proceed with the proposed building plan. Specifically, the Applicant will need variances from:

- Article III, Section 3.10 – Table of Dimensional Controls requiring structures be setback at least 15' from side property lines for pre-existing lots below minimum size.
- Article II, Section 2.30 – Water Resources Overlay Districts, Wetlands requiring a 25' wetlands setback buffer applied to delineated line of jurisdictional wetlands.

The Applicant is seeking a Variance from the building setback requirement to side property lines. The existing house currently lies within the eastern side setback line. The existing house is 4'-6" from the side setback line at its



closest point. The proposed house will be constructed within the existing house footprint so it will still be 4'-6" from the setback line at its closest point. The proposed house will have an attached garage that will be 11'-2" from the eastern property line, so it won't encroach further into the property setback than what currently exists. The existing shed will be relocated so it will be located entirely inside of the building setbacks where it currently lies partially within the western property line setback. Currently, there is 248 sf of non-conforming structure within the side setbacks. The proposed site improvements will reduce the amount of non-conforming structures within the side setbacks to 230 sf.

The Applicant is also seeking a Variance from the 25' wetland buffer setback. The existing house currently lies partially within the wetland buffer setback from a wetland complex that lies on abutting Map 149 Lot 31 located to the east of the subject parcel. The existing house is 12'-2" from the delineated wetland at its closest point. The proposed house will be constructed within the existing house footprint so it will still be 12'-2" from the delineated wetland at its closest point. The proposed house will have an attached garage that will be 18'-8" from the delineated wetlands at its closest point, so it won't encroach closer to the wetland than what currently exists. Currently, there is 352 sf of non-conforming structure within the wetland buffer setback. The proposed site improvements will increase the amount of non-conforming structure within the wetland buffer setback by 23 sf to 375 sf. However, it will decrease the amount of impervious area within the wetland buffer setback from 1,590 sf to 375 sf, a decrease of 1,215 sf.

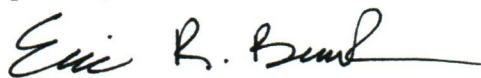
The small, non-conforming lot size limits the property such that encroachment into the building setbacks cannot be avoided. Once the required setbacks under the Rural Residential, Wetland and Shorelines Water Resources Overlay Districts are applied to the existing small lot, it prevents any reasonable building improvements on the property within the confines of the Ordinance.

The proposed site improvements will reduce the amount of impervious area on site by installing a permeable driveway, walkways, and patio. Currently there is 34.1% impervious area on site and the proposed plan will reduce that to 20.4%. This improvement, along with the stone drip edge under the roof eaves that infiltrates to a dry well, increases stormwater infiltration, thus reducing stormwater runoff and benefitting the lake and abutting properties.

A Shoreland Permit Applications has been approved by NH Department of Environmental Services, see attached permit #2023-02556.

Please feel free to contact me if you have any questions or concerns.

Respectfully Submitted,

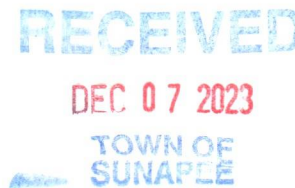


Eric R. Buck, PLA, ASLA  
Owner/Principal Landscape Architect  
Terrain Planning & Design LLC

Town of Sunapee  
23 Edgemont Rd., Sunapee NH  
Phone (603) 763-2212 ext. 1023 / Email [zoning@town.sunapee.nh.us](mailto:zoning@town.sunapee.nh.us)  
Website [www.town.sunapee.nh.us](http://www.town.sunapee.nh.us)

CASE# \_\_\_\_\_

**Zoning Board of Adjustment (ZBA)  
Variance Application**



Questions? Please contact the Land Use & Assessing Coordinator or the Planning & Zoning Director. All dates and deadlines are published on the ZBA calendar; see Page 6. For helpful guidelines on completing this application, see page 4-5.

**Attach additional sheets of paper as necessary.**

1. Landowner(s) Name(s): Scott T. and Kimberly A. Rouleau
2. Parcel ID: Map 149 Lot 30 3. Zoning District: RR & Shoreline
4. Project Location (Street & #): 775 Route 103, Sunapee, NH 03782
5. Mailing Address: 222 Danforth Corners Road, Hillsborough, NH 03244
6. Phone Number: 603-746-3512
7. Email: strouleau@outlook.com; kimarouleau@aol.com

☒ **ABUTTERS LIST:** You must prepare a list of all abutting property owners and attach it to your application. If you have any difficulty, consult the town office, but the accuracy of the list is your responsibility. You can download an abutters list by using the Tax Maps/GIS on the Town's website (under Assessing Department).

☒ **FEES:**             Application Fee:      \$        \* Make check payable to Town of Sunapee.  
                        Abutter Notification Fee:      \$        \* per abutter.      Make payable to US Post Office.

\* NOTE: Rates and fees are subject to change. For the most current rate, please check with the Town Office.

☒ **ATTACHMENTS:** To assist the board, please attach sketches, photos, surveys, plot plans, pictures, construction plans, or whatever may help explain the proposed use. Include copies of any prior Zoning or Planning decisions concerning the property. If you have something in writing stating that your proposed project does not meet zoning, please attach that to this application; it may be a letter, email or denied permit. A professional survey by a licensed surveyor is strongly recommended for variances related to setback requirements. For properties located in the Shoreline Overlay District, a professional survey is required. Supplemental materials for the Board must be submitted no later than five (5) days before the scheduled hearing, however, adequate plans and exhibits must accompany the application. This includes, but is not limited to: lot dimensions, dimensions of proposed and existing structures, identification of abutting properties and roads, locations of water bodies, wetlands, septic systems, etc.

*Applications will not be considered complete unless all the questions are answered, the fees are paid, and an Abutters Mailing List is attached.*



**GENERAL DESCRIPTION:** This is a place to give a general summary of the proposed project as an introduction and overview for the public hearing. For example, where is the property located? Describe the property. Give area, frontage, side and rear lines, slopes, natural features, etc. What do you propose to do? Why does your proposal require an appeal to the board of adjustment?  
See cover letter

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**Attach additional sheets of paper as necessary.**

**SPECIFIC REASON THE VARIANCE IS NECESSARY:** A Variance is requested from Zoning

Ordinance, Article III, Section 3.10 to permit

Encroachment into the side setback. The proposed house will be 11'-2" from the side property line where 15' is required. The existing house is 4'-6" from the side property line so we won't be increasing the non-conformity of the structure.

**Facts in support of granting the variance:**

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

2. If the variance were granted, the spirit of the ordinance would be observed because: see attached

3. Granting the variance would do substantial justice because: see attached

4. If the variance were granted, the values of the surrounding properties would not be diminished because: \_\_\_\_\_  
see attached \_\_\_\_\_  
\_\_\_\_\_

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: see attached \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- and -

ii. The proposed use is a reasonable one because: see attached \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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. see attached \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE:

For person(s) with physical disabilities,  
please see RSA 674:33 regarding alternative hardship criteria for a Variance.

**SIGNATURE:** I understand that the public hearing will be held at the scheduled date and time unless a request is made by me for a new hearing. Any rehearing will require a new public notice and notification to abutters, the cost of which will be borne by the applicant. Further, I hereby give permission to the ZBA members and zoning officials to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

Landowner(s) Signature(s)

Date



## **FACTS IN SUPPORT OF GRANTING VARIANCE:**

### **Article III Section 3.10**

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

A variance request is contrary to the public interest when it violates the Ordinance's basic objectives. In order to determine whether a variance would violate the basic zoning objectives, it's beneficial to examine whether granting the variance would alter the essential character of the area and/or threaten the general public's health, safety, and/or welfare. The Applicant respectfully submits that granting the requested variance will not change the essential character of the area and will not be contrary to the public interest. The overall improvements to the site will make the proposed new structure more nearly conforming by reducing the amount of non-conforming structure within the side setbacks by 18 sf. The public interest is to prevent the crowding of abutting properties and to preserve the quality of the lake. The proposed house will not encroach any further into the side setback than the existing structure does today. Also, the existing shed will be relocated so it's entirely within the building setbacks. Given the small, non-conforming size of lots along Mountain View Lake, many of the neighboring properties have structures that are located within the building setbacks, therefore the proposed encroachment would be consistent with the character of the surrounding area. The construction and the proposed site improvements have been carefully planned in such a way as to minimize any impacts on the environment that would adversely affect the public interest. There is no reason to expect that locating the house as shown on the enclosed plans will negatively impact the public and/or adversely alter the character of the neighborhood. Instead, the proposed project will actually support the public interest by replacing and removing an existing older, non-conforming structure with a new house that is more nearly conforming and could potentially be a benefit to the essential character and aesthetic of the area.

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

The Applicant respectfully submits that if the Variance is granted, the spirit of the Ordinance would be observed. Ordinance Article I, Section 1.2 states that the purpose of the Zoning Ordinance is to promote the health, safety, and general welfare of the community by encouraging the most appropriate use of land (RSA 674:16,17), thereby protecting our natural resources and preserving the vitality, atmosphere, and varied economic forces of the town. These objectives will be maintained and supported by the granting of the requested variance. The existing house is 4'-6" from the side setback line at its closest point. The proposed house will be constructed within the existing house footprint so it will still be 4'-6" from the setback line at its closest point. The proposed house will have an attached garage that will be 11'-2" from the eastern property line at its closest point, so it won't encroach further into the property setback than what currently exists. Currently, there is 248 sf of non-conforming structure within the side setbacks. The proposed site improvements will reduce the amount of non-conforming structures within the side setbacks to 230 sf. The construction process will follow appropriate guidelines and best practices and there is no reason to believe that the proposed house will negatively impact the quality of the lake or public health or welfare, nor do we believe that it will result in any changes to the property that will impact the water quality, wildlife, water flow, or the existing natural beauty of the area.



**3. *Granting the variance would do substantial justice because:***

Injustice occurs when any loss to the individual is not outweighed by a gain to the general public. The public has little, if anything, to gain by a denial of this request, whereas the loss to the Applicant would be great. The proposed project will improve, instead of harm the property. The Applicant proposes to reduce the amount of structure within the building setback, making it more nearly conforming. The variance would allow the applicant to obtain reasonable use of the lot that is substantially smaller than currently allowed in a manner that recognizes the need to reduce the impact on the lake by reducing impervious area on site and thus increasing stormwater infiltration.

Denial of the requested variance will prevent the Applicant from making the most effective use of their property. Constructing a new, more efficient and comfortable single-family house along with an attached garage and stormwater measures will allow the Applicant to get the most use and enjoyment out of their property while benefiting the surrounding character of the neighborhood and quality of the lake. Further, the small, non-conforming lot limits the property such that encroachment into the building setbacks is difficult to avoid. Once the required setbacks under the Rural Residential Zoning District (RR) and the Water Resources Overlay Districts are applied to the existing small lot, it prevents any reasonable building improvements on the property within the confines of the Ordinance. By granting the variance, substantial justice will be done and the Applicant will be able to improve the function of the property in a manner that is consistent with the Ordinance and that minimizes impact to the shorefront buffer, while ensuring that the new home will be more nearly conforming than the existing structure. The owners would be able to safely store their vehicles and tools out of the elements by having access to a garage. It would also allow the owners reasonable use of their property while protecting the abutting property owners by reducing structure within the side setbacks and reducing impervious area onsite which will promote public health, safety, and welfare and protect the essential character of the neighborhood.

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

The Applicant respectfully submits that the value of surrounding properties will not be negatively impacted by the proposed improvements to the property. Granting this variance will allow the property to be utilized in a manner supported by the Rural Residential District without disturbing the neighborhood. Given the small, non-conforming size of the lots along Mountain View Lake, many of the neighboring properties have structures that are located within the building setbacks, therefore the proposed encroachment would be consistent with the character of the surrounding area. Replacing an existing aging, non-conforming house with a new house that is more energy efficient and more-nearly conforming could potentially be a benefit to surrounding property values.

The new proposed residential structure will meet all Building and Life Safety Codes. The new structure will be more nearly conforming and the new structure will be in keeping with other new residential structures along Route 103 and Mountain View Lake. There is no reason to believe that permitting the Applicant to build the house as proposed will have any negative impact upon surrounding property values. The proposal is a natural progression to conversion

the area to modern residences and is not out of the ordinary, thus in keeping with changes already made in the neighborhood and enhancing the surroundings.

**5. Unnecessary Hardship:**

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

**i. *No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because:***

The general purpose of the Ordinance is to protect the public health, safety, and general welfare of the residents of the Town of Sunapee. No fair and substantial relationship exists between the general purpose of the proposed project and a denial of the Applicant's plan. Denial of the requested variance will do nothing to contribute to the public's health or safety. The proposed project would remove an existing aging, non-conforming structure and improve the property with a more efficient, more-nearly conforming structure that is consistent with the general character and aesthetic of the surrounding area. The plan was designed in such a way as to make the most efficient use of the property while protecting the environment, abiding by the Ordinance, and minimizing impact to Mountain View Lake. The existing house is 4'-6" from the side setback line at its closest point. The proposed house will be constructed within the existing house footprint so it will still be 4'-6" from the setback line at its closest point. The proposed house will have an attached garage that will be 11'-2" from the eastern property line, so it won't encroach further into the side setback than what currently exists. The Applicant's plan will construct a new, permeable driveway to access the garage. By taking these steps, the Applicant respectfully submits that the general purposes of the Ordinance will actually be served by the granting of the variance. By granting the requested variance, the Applicant will be able to use the lot efficiently and economically, while minimizing negative impacts to the surrounding area and making the structures more nearly conforming and improving the permeability of the land. Applying a rigid interpretation of the requirements of the Zoning Ordinance would make it impossible for the owners to have reasonable use of their property as has been allowed to other properties along Mountain View Lake.

**ii. *The proposed use is a reasonable one because:***

The proposed use is a reasonable one. The lot is zoned Rural Residential, as are the surrounding lots. The use will remain single family residential. The overall improvements to the site will make the structure more nearly conforming. It is reasonable for the applicant to want to install a garage to protect their vehicles and belongings from the weather. Given the small, non-conforming size of the lot, it prevents this to be done reasonably within the confines of the building setbacks. The town and public interests are to prevent the crowding of abutting properties and to preserve the quality of the lake. The proposed structure will be within most of the side and all of the front setbacks from the property lines and will not encroach further into any setback than what currently exists. The proposed design and location of the house is the best possible option to abide by the Ordinance while eliminating



encroachments into the property line building setbacks. The proposed plan will allow for an appropriate use of the property without significant adverse impact upon the environment, and, in some areas, improvements to the environment by the improved stormwater management resulting in an efficient use of the property consistent with the surrounding area.

The Zoning Ordinance was adopted, in part, to promote good civic design and the appropriate use of land and buildings. The ordinance recognizes the need to treat non-conforming lots in a manner different from conforming lots. The Applicant's proposal is designed to do exactly what the Zoning Ordinance promotes – good design to use the Applicants' property in a safe and appropriate manner and to do so in a way that improves overall safety and does not disturb the neighborhood or the neighbors.

Failure to recognize the relationship between the portions of the Ordinance that deal with non-conforming lots and the goals of protecting the shorefront to prohibit the construction of this replacement residence does not serve the goals and general purposes of the Zoning Ordinance.





**Abutters List:**

**Client:**

**Scott T. and Kimberly A. Rouleau**

**Mailing Address:**

222 Danforth Crns Road  
Hillsboro, NH 03244

**Site Location:**

775 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #30

**Abutters to client's property:**

**Regis Chilton, LLC**

**Mailing Address:**

8 Bloody Brook Road  
Amherst, NH 03031

**Abutting Property:**

769 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #29

**CHM Perkins, LLC**

**Mailing Address:**

200 Kearsarge Mountain Road  
Wilmot, NH 03287

**Abutting Property:**

Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #31

**Heath Family Trust**  
**Brianna Marino and Jared Heath Trustee**

Mailing Address:

200 Kearsarge Mountain Road  
Wilmot, NH 03287

Abutting Property:

Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot # 1

**Town Clerk:**

**Joshua Boone**  
**Town Clerk/Tax Collector**

Mailing Address:

23 Edgemont Road  
P.O. Box 303  
Sunapee, NH 03782

**Agent:**

**Eric R. Buck, PLA, ASLA**  
**Terrain Planning and Design, LLC**  
311 Kast Hill Road  
Hopkinton, NH 03229

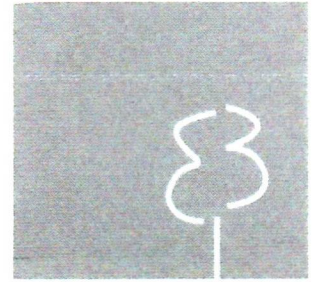
**Surveyor:**

**Kent Brown, P.E**  
**Brown Engineering LLC**  
63 West Street, PO Box 703  
Ashland, NH 03217

**Kevin French**  
**French Land Services, Inc.**  
581 School Street  
Rumney, NH 03266

**Wetland Scientist:**

**Luke Powell**  
**Powell Asset Mapping LLC**  
234 Crystal Lake Road  
Gilmanton Iron Works, NH 03837



**terrain**  
planning & design llc

November 17, 2023

Town of Sunapee  
23 Edgemont Road  
Sunapee, NH 03782

To Whom It May Concern:

We, Scott T. and Kimberly A. Rouleau, owners of property located at 775 Route 103 in Sunapee, NH do hereby authorize members of Terrain Planning & Design, LLC to act as an agent, on our behalf during any and all permitting processes.

Scott T. Rouleau

11/17/2023

Date

Kimberly A. Rouleau

11/17/2023

Date

Respectfully Submitted,

Romy N. Maurer, RLA, ASLA  
Landscape Architect  
Terrain Planning & Design LLC



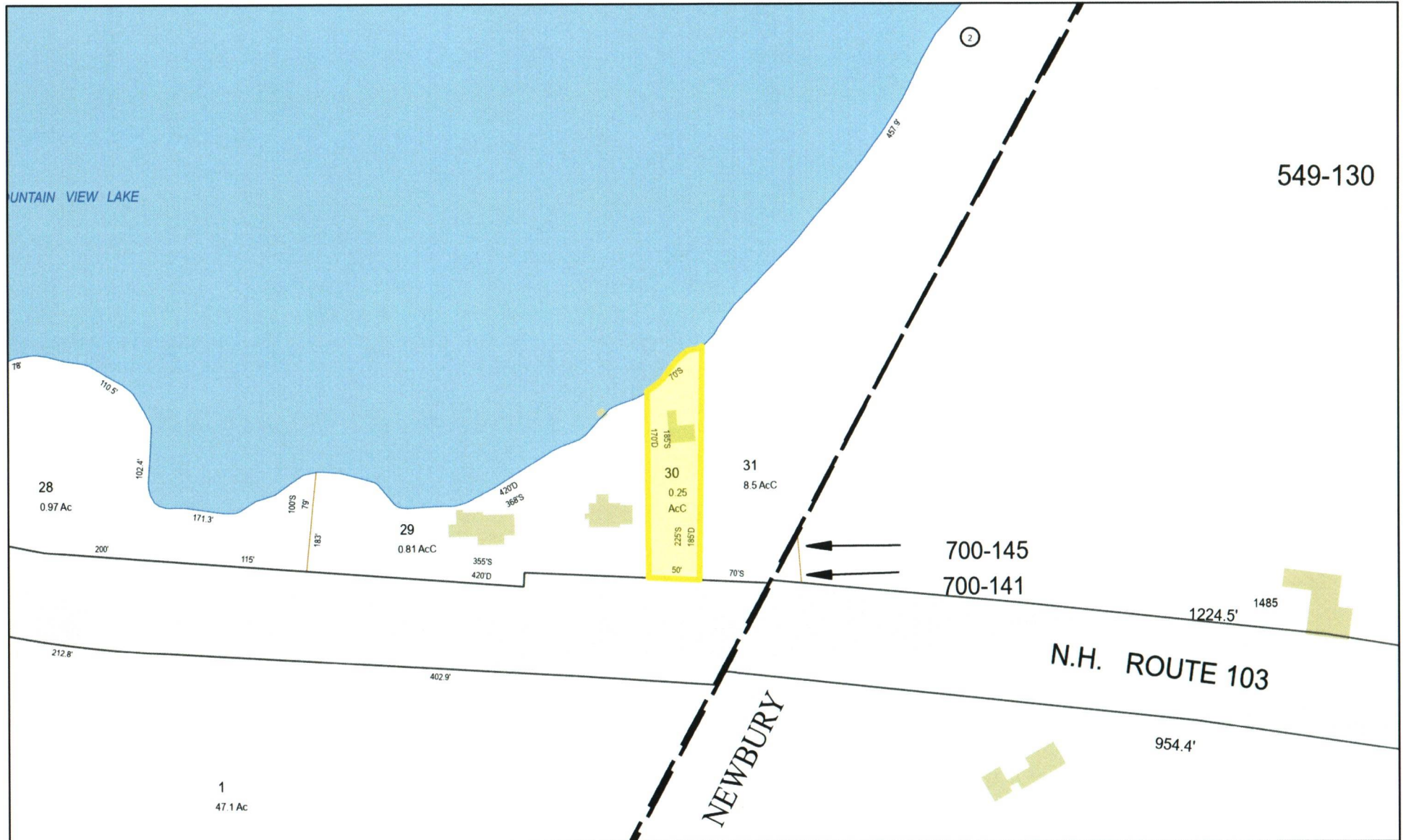


August 15, 2023

Tri Town, NH

1 inch = 136 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



All photos taken on site August 31, 2023



#1



#2



#3



#4





#5



#6



#7



#8





#9



#10



#11



#12





#13



#14



#15



All photos taken on site August 31, 2023



#18 (Red square is approximate location of #19)







The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



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**SHORELAND IMPACT PERMIT 2023-02566**

**NOTE CONDITIONS**

**PERMITTEE:** KIMBERLY A/SCOTT T ROULEAU  
22 DANFORTH CORNERS RD  
HILLSBOROUGH NH 03244

**PROJECT LOCATION:** 775 ROUTE 103, SUNAPEE  
TAX MAP #149, LOT #30

**WATERBODY:** MOUNTAIN VIEW LAKE

**APPROVAL DATE:** OCTOBER 23, 2023

**EXPIRATION DATE: OCTOBER 23, 2028**

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Shoreland Permit Application 2023-02566 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

**PERMIT DESCRIPTION:**

Impact 6,445 square feet of protected shoreland in order to demolish the nonconforming primary structure with 2 decks with steps and remove a detached shed, an impervious patio, and a portion of the driveway to construct within a reduced width in the same footprint a nonconforming structure with additional living space outside of the waterfront buffer with stormwater management, a pervious walkway, and the patio of pervious materials in same footprint, reconstruct the lakeside deck in kind, reorient the detached shed and construct a pervious walkway, and convert a portion of the remaining driveway to a pervious material.

**Impervious Surface Percentage Approved:** Reduced to 20.3%

**Natural Woodland Area Required per RSA 483-B:9, V(b):** 1,290 Square Feet

**THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):**

1. All work shall be in accordance with plans by Terrain Planning & Design LLC dated September 5, 2023 and received by the New Hampshire Department of Environmental Services (NHDES) on September 20, 2023 pursuant to Env-Wq 1406.15(f).
2. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15(c) in order to ensure compliance with RSA 483-B:9, V(g).
3. The proposed drip edging shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V(g).
4. Photographs documenting the construction of the proposed drip edging shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure as required per RSA 483-B:6, II and Rule Env-Wq 1406.15(c) in order to ensure compliance with RSA 483-B:9, V(g).

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964



5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
6. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I(b).
7. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:**

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700, and the requirements in Env-Wq 1404.01(a) and(b).
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

**ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:**

1. During construction, a copy of this permit should be posted on site in a prominent location visible to inspecting personnel.
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, NHDES.
4. This project has been screened for potential impact to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

APPROVED:



Rosemary E. Aures

Shoreland/Shoreline Specialist, Shoreland Program

Wetlands Bureau, Land Resources Management

Water Division

**THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE PARTIES BELOW (Env-Wq 1406.21(c))**

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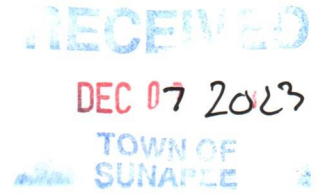
PERMITTEE SIGNATURE (required)

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PRINCIPAL CONTRACTOR SIGNATURE (required, if any)



**Zoning Board of Adjustment (ZBA)  
Variance Application**



Questions? Please contact the Land Use & Assessing Coordinator or the Planning & Zoning Director. All dates and deadlines are published on the ZBA calendar; see Page 6. For helpful guidelines on completing this application, see page 4-5.

**Attach additional sheets of paper as necessary.**

1. Landowner(s) Name(s): Scott T. and Kimberly A. Rouleau
2. Parcel ID: Map 149 Lot 30 3. Zoning District: RR & Shoreline & Wetlands
4. Project Location (Street & #): 775 Route 103, Sunapee, NH 03782
5. Mailing Address: 222 Danforth Corners Road, Hillsborough, NH 03244
6. Phone Number: 603-746-3512
7. Email: strouleau@outlook.com; kimarouleau@aol.com

☒ **ABUTTERS LIST:** You must prepare a list of all abutting property owners and attach it to your application. If you have any difficulty, consult the town office, but the accuracy of the list is your responsibility. You can download an abutters list by using the Tax Maps/GIS on the Town's website (under Assessing Department).

☒ **FEES:**               Application Fee:      \$          \* Make check payable to Town of Sunapee.  
                                  Abutter Notification Fee:      \$          \* per abutter.      Make payable to US Post Office.

\* NOTE: Rates and fees are subject to change. For the most current rate, please check with the Town Office.

☒ **ATTACHMENTS:** To assist the board, please attach sketches, photos, surveys, plot plans, pictures, construction plans, or whatever may help explain the proposed use. Include copies of any prior Zoning or Planning decisions concerning the property. If you have something in writing stating that your proposed project does not meet zoning, please attach that to this application; it may be a letter, email or denied permit. A professional survey by a licensed surveyor is strongly recommended for variances related to setback requirements. For properties located in the Shoreline Overlay District, a professional survey is required. Supplemental materials for the Board must be submitted no later than five (5) days before the scheduled hearing, however, adequate plans and exhibits must accompany the application. This includes, but is not limited to: lot dimensions, dimensions of proposed and existing structures, identification of abutting properties and roads, locations of water bodies, wetlands, septic systems, etc.

*Applications will not be considered complete unless all the questions are answered, the fees are paid, and an Abutters Mailing List is attached.*

**GENERAL DESCRIPTION:** This is a place to give a general summary of the proposed project as an introduction and overview for the public hearing. For example, where is the property located? Describe the property. Give area, frontage, side and rear lines, slopes, natural features, etc. What do you propose to do? Why does your proposal require an appeal to the board of adjustment?  
See cover letter

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**Attach additional sheets of paper as necessary.**

**SPECIFIC REASON THE VARIANCE IS NECESSARY:** A Variance is requested from Zoning

Ordinance, Article II \_\_\_\_\_, Section 2.30 \_\_\_\_\_ to permit \_\_\_\_\_

Encroachment into the Wetlands Overlay District. A portion of the proposed house will encroach into the 25' wetland

buffer setback. The existing house is 12'-2" from the delineated wetlands, the proposed house will not encroach

further into the buffer than what currently exists, therefore, we won't be increasing the non-conformity of the structure.

**Facts in support of granting the variance:**

1. Granting the variance would not be contrary to the public interest because: \_\_\_\_\_  
see attached

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2. If the variance were granted, the spirit of the ordinance would be observed because: \_\_\_\_\_  
see attached

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3. Granting the variance would do substantial justice because: \_\_\_\_\_  
see attached

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4. If the variance were granted, the values of the surrounding properties would not be diminished because: \_\_\_\_\_  
see attached \_\_\_\_\_  
\_\_\_\_\_

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: see attached \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- and -

- ii. The proposed use is a reasonable one because: see attached \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 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. see attached \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE:

For person(s) with physical disabilities,  
please see RSA 674:33 regarding alternative hardship criteria for a Variance.

**SIGNATURE:** I understand that the public hearing will be held at the scheduled date and time unless a request is made by me for a new hearing. Any rehearing will require a new public notice and notification to abutters, the cost of which will be borne by the applicant. Further, I hereby give permission to the ZBA members and zoning officials to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

Landowner(s) Signature(s)

Date

## **FACTS IN SUPPORT OF GRANTING VARIANCE:**

### **Article II Section 2.30**

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

A variance request is contrary to the public interest when it violates the Ordinance's basic objectives. In order to determine whether a variance would violate the basic zoning objectives, it's beneficial to examine whether granting the variance would alter the essential character of the area and/or threaten the general public's health, safety, and/or welfare. The Applicant respectfully submits that granting the requested variance will not change the essential character of the area and will not be contrary to the public interest. The overall improvements to the site will decrease the impervious area on site by 1,473 sf (13.7%). This will increase stormwater infiltration and decrease runoff flowing directly into the lake or wetlands. The proposed house will not encroach any further into the wetland buffer setback than the existing structure does today. The proposed garage will be constructed in the area of the existing gravel driveway so no additional unaltered or vegetated area will be disturbed. Having a garage in place of an existing gravel driveway would not be contrary to the public interest and would be consistent with the character of the surrounding area. The construction and the proposed site improvements have been carefully planned in such a way as to minimize any impacts on the environment that would adversely affect the public interest. There is no reason to expect that locating the house as shown on the enclosed plans will negatively impact the public and/or adversely alter the character of the neighborhood. Instead, the proposed project will actually support the public interest by replacing and removing an existing older, non-conforming structure with a new house that is more nearly conforming and could potentially be a benefit to the essential character and aesthetic of the area.

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

The Applicant respectfully submits that if the Variance is granted, the spirit of the Ordinance would be observed. Ordinance Article II, Section 2.3 states that the purpose of the Water Resources Overlay District is to protect our water resources and protect these parts of Sunapee that are particularly ecologically fragile. This objective will be maintained and supported by the granting of the requested variance. The overall improvements to the site will decrease the impervious area on site by 1,473 sf (13.7%). Specifically, it will decrease the amount of impervious area within the wetland buffer setback from 1,590 sf to 375 sf, a decrease of 1,215 sf. This will increase stormwater infiltration and decrease runoff flowing directly into the lake or wetlands. The existing house and gravel driveway is constructed within the wetland buffer setback, so any improvements to the house and access to it, will necessitate impacts within the wetland buffer. The proposed improvements will not impact any existing natural vegetative wetland buffer and will instead reduce impervious area and increase stormwater infiltration which will benefit the wetlands and uphold the spirit of the ordinance. The construction process will follow appropriate guidelines and best practices and there is no reason to believe that the proposed house will negatively impact the quality of the lake or wetlands, nor do we believe that it will result in any changes to the property that will impact the water quality, wildlife, water flow, or the existing natural beauty of the area.



**3. *Granting the variance would do substantial justice because:***

Injustice occurs when any loss to the individual is not outweighed by a gain to the general public. The public has little, if anything, to gain by a denial of this request, whereas the loss to the Applicant would be great. The proposed project will improve, instead of harm the property. The Applicant proposes to reduce the amount of impervious area on site, thus improving stormwater management. The variance would allow the applicant to obtain reasonable use of the lot that is substantially smaller than currently allowed in a manner that recognizes the need to reduce the impact on the lake by reducing impervious area on site and thus increasing stormwater infiltration.

Denial of the requested variance will prevent the Applicant from making the most effective use of their property. Constructing a new, more efficient and comfortable single-family house along with an attached garage and stormwater measures will allow the Applicant to get the most use and enjoyment out of their property while benefiting the surrounding character of the neighborhood and quality of the lake. By granting the variance, substantial justice will be done and the Applicant will be able to improve the function of the property in a manner that is consistent with the Ordinance and that minimizes impact to the shorefront buffer, while ensuring that the new home will be more nearly conforming than the existing structure. The owners would be able to safely store their vehicles and tools out of the elements by having access to a garage. It would also allow the owners reasonable use of their property while protecting the wetlands by reducing impervious area onsite which will promote public health, safety, and welfare and protect the essential character of the neighborhood.

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

The Applicant respectfully submits that the value of surrounding properties will not be negatively impacted by the proposed improvements to the property. Granting this variance will allow the property to be utilized in a manner consistent with the surrounding properties while improving stormwater infiltration. This will decrease stormwater runoff to the abutting wetlands and the lake, which is a benefit to the surrounding properties. Replacing an existing aging, non-conforming house with a new house that is more energy efficient and more-nearly conforming could potentially be a benefit to surrounding property values.

The new proposed residential structure will meet all Building and Life Safety Codes. The new structure will be more nearly conforming and the new structure will be in keeping with other new residential structures along Route 103 and Mountain View Lake. There is no reason to believe that permitting the Applicant to build the house as proposed will have any negative impact upon surrounding property values. The proposal is a natural progression to conversion the area to modern residences and is not out of the ordinary, thus in keeping with changes already made in the neighborhood and enhancing the surroundings.

**5. Unnecessary Hardship:**

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

**i. No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because:**

The general purpose of the Ordinance is to protect the water resources and ecologically fragile parts of Sunapee. No fair and substantial relationship exists between the general purpose of the proposed project and a denial of the Applicant's plan. Denial of the requested variance will do nothing to contribute to the public's health or safety. The proposed project would remove impervious area within the wetland buffer setback. The plan was designed in such a way as to make the most efficient use of the property while protecting the environment, abiding by the Ordinance, and minimizing impact to Mountain View Lake. The overall improvements to the site will decrease the impervious area on site by 1,473 sf (13.7%). Specifically, it will decrease the amount of impervious area within the wetland buffer setback from 1,590 sf to 375 sf, a decrease of 1,215 sf. This will increase stormwater infiltration and decrease runoff flowing directly into the lake or wetlands. By taking these steps, the Applicant respectfully submits that the general purposes of the Ordinance will actually be served by the granting of the variance. By granting the requested variance, the Applicant will be able to use the lot efficiently and economically, while minimizing negative impacts to the surrounding area and improving the permeability of the land. Applying a rigid interpretation of the requirements of the Zoning Ordinance would make it impossible for the owners to have reasonable use of their property as has been allowed to other properties along Mountain View Lake.

**ii. The proposed use is a reasonable one because:**

The proposed use is a reasonable one. Currently, the existing house and gravel driveway are located within the wetlands buffer setback. Any improvements to the property would necessitate impacts within the buffer. The overall improvements to the site will decrease impervious area and improve stormwater infiltration. So, the use will remain the same but be improved to better meet the objective of the ordinance and benefit the surrounding environment. It is reasonable for the applicant to want to install a garage to protect their vehicles and belongings from the weather. The proposed design and location of the house is the best possible option to abide by the Ordinance while improving stormwater infiltration and reducing runoff directly to the lake and wetlands. The proposed plan will allow for an appropriate use of the property without significant adverse impact upon the environment, and, in some areas, improvements to the environment by the improved stormwater management resulting in an efficient use of the property consistent with the surrounding area.

The Zoning Ordinance was adopted, in part, to promote good civic design and the appropriate use of land and buildings. The ordinance recognizes the need to treat non-conforming lots in a manner different from conforming lots. The Applicant's proposal is



designed to do exactly what the Zoning Ordinance promotes – good design to use the Applicants' property in a safe and appropriate manner and to do so in a way that improves overall safety and does not disturb the neighborhood or the neighbors.



**Abutters List:**

**Client:**

**Scott T. and Kimberly A. Rouleau**

**Mailing Address:**

222 Danforth Crns Road  
Hillsboro, NH 03244

**Site Location:**

775 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #30

**Abutters to client's property:**

**Regis Chilton, LLC**

**Mailing Address:**

8 Bloody Brook Road  
Amherst, NH 03031

**Abutting Property:**

769 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #29

**CHM Perkins, LLC**

**Mailing Address:**

200 Kearsarge Mountain Road  
Wilmot, NH 03287

**Abutting Property:**

Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #31



**Heath Family Trust**

**Brianna Marino and Jared Heath Trustee**

Mailing Address:

200 Kearsarge Mountain Road  
Wilmot, NH 03287

Abutting Property:

Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot # 1

**Town Clerk:**

**Joshua Boone**

**Town Clerk/Tax Collector**

Mailing Address:

23 Edgemont Road  
P.O. Box 303  
Sunapee, NH 03782

**Agent:**

**Eric R. Buck, PLA, ASLA**

**Terrain Planning and Design, LLC**

311 Kast Hill Road  
Hopkinton, NH 03229

**Surveyor:**

**Kent Brown, P.E**

**Brown Engineering LLC**

63 West Street, PO Box 703  
Ashland, NH 03217

**Kevin French**

**French Land Services, Inc.**

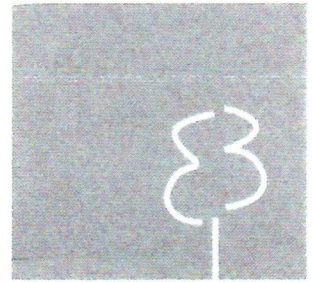
581 School Street  
Rumney, NH 03266

**Wetland Scientist:**

**Luke Powell**

**Powell Asset Mapping LLC**

234 Crystal Lake Road  
Gilmanton Iron Works, NH 03837



**terrain**  
planning & design llc

November 17, 2023

Town of Sunapee  
23 Edgemont Road  
Sunapee, NH 03782

To Whom It May Concern:

We, Scott T. and Kimberly A. Rouleau, owners of property located at 775 Route 103 in Sunapee, NH do hereby authorize members of Terrain Planning & Design, LLC to act as an agent, on our behalf during any and all permitting processes.

Scott T. Rouleau

11/17/2023

Date

Kimberly A. Rouleau

11/17/2023

Date

Respectfully Submitted,

Romy N. Maurer, RLA, ASLA  
Landscape Architect  
Terrain Planning & Design LLC



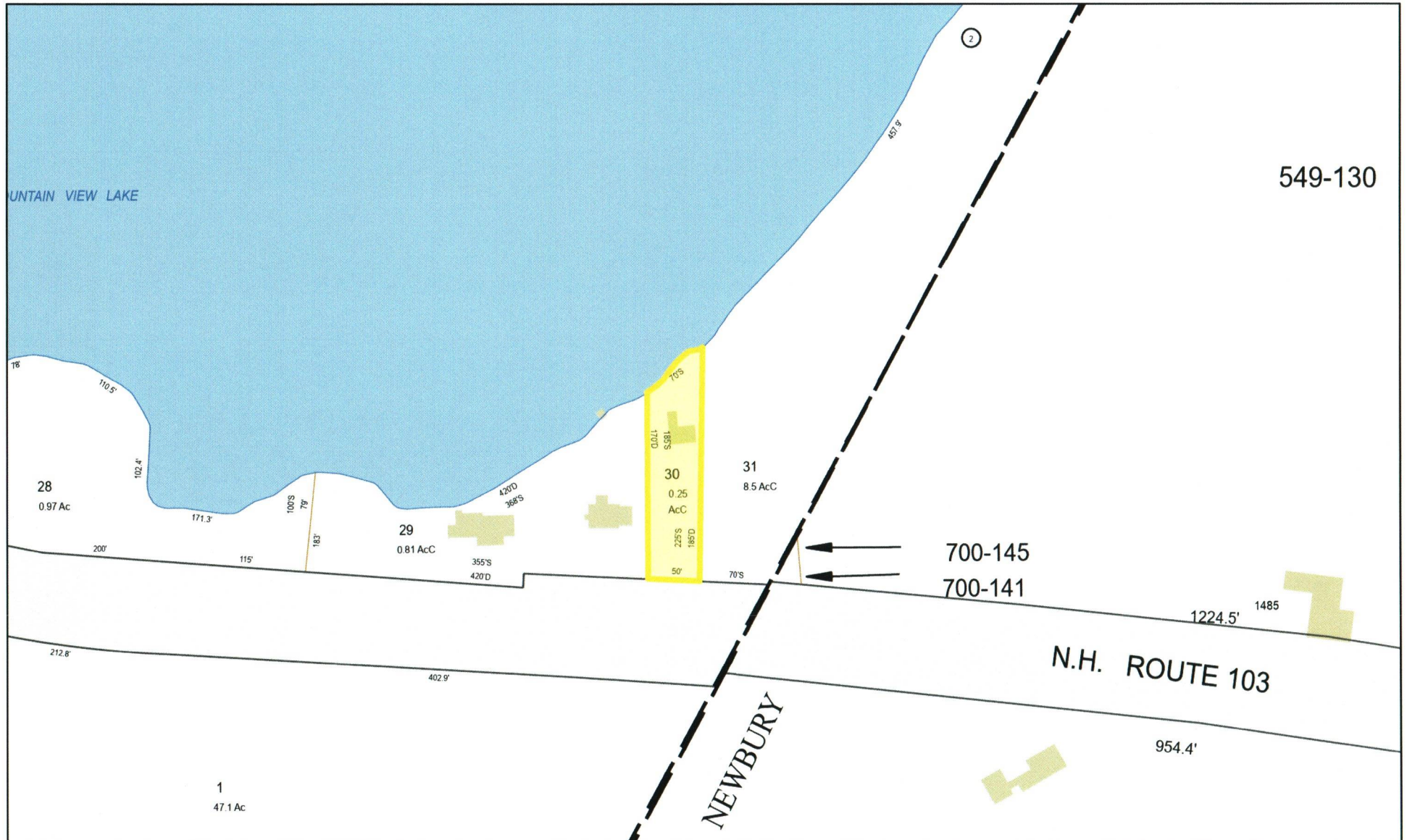


August 15, 2023

Tri Town, NH

1 inch = 136 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



All photos taken on site August 31, 2023



#1



#2



#3



#4





#5



#6



#7



#8





#9



#10



#11



#12





#13



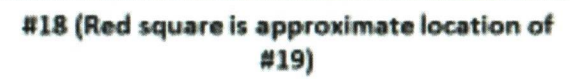
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#15



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The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



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**SHORELAND IMPACT PERMIT 2023-02566**

**NOTE CONDITIONS**

**PERMITTEE:** KIMBERLY A/SCOTT T ROULEAU  
22 DANFORTH CORNERS RD  
HILLSBOROUGH NH 03244

**PROJECT LOCATION:** 775 ROUTE 103, SUNAPEE  
TAX MAP #149, LOT #30

**WATERBODY:** MOUNTAIN VIEW LAKE

**APPROVAL DATE:** OCTOBER 23, 2023

**EXPIRATION DATE:** OCTOBER 23, 2028

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Shoreland Permit Application 2023-02566 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

**PERMIT DESCRIPTION:**

Impact 6,445 square feet of protected shoreland in order to demolish the nonconforming primary structure with 2 decks with steps and remove a detached shed, an impervious patio, and a portion of the driveway to construct within a reduced width in the same footprint a nonconforming structure with additional living space outside of the waterfront buffer with stormwater management, a pervious walkway, and the patio of pervious materials in same footprint, reconstruct the lakeside deck in kind, reorient the detached shed and construct a pervious walkway, and convert a portion of the remaining driveway to a pervious material.

**Impervious Surface Percentage Approved:** Reduced to 20.3%

**Natural Woodland Area Required per RSA 483-B:9, V(b):** 1,290 Square Feet

**THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):**

1. All work shall be in accordance with plans by Terrain Planning & Design LLC dated September 5, 2023 and received by the New Hampshire Department of Environmental Services (NHDES) on September 20, 2023 pursuant to Env-Wq 1406.15(f).
2. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15(c) in order to ensure compliance with RSA 483-B:9, V(g).
3. The proposed drip edging shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V(g).
4. Photographs documenting the construction of the proposed drip edging shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure as required per RSA 483-B:6, II and Rule Env-Wq 1406.15(c) in order to ensure compliance with RSA 483-B:9, V(g).

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
6. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I(b).
7. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:**

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700, and the requirements in Env-Wq 1404.01(a) and(b).
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

**ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:**

1. During construction, a copy of this permit should be posted on site in a prominent location visible to inspecting personnel.
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, NHDES.
4. This project has been screened for potential impact to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.



APPROVED:



Rosemary E. Aures

Shoreland/Shoreline Specialist, Shoreland Program

Wetlands Bureau, Land Resources Management

Water Division

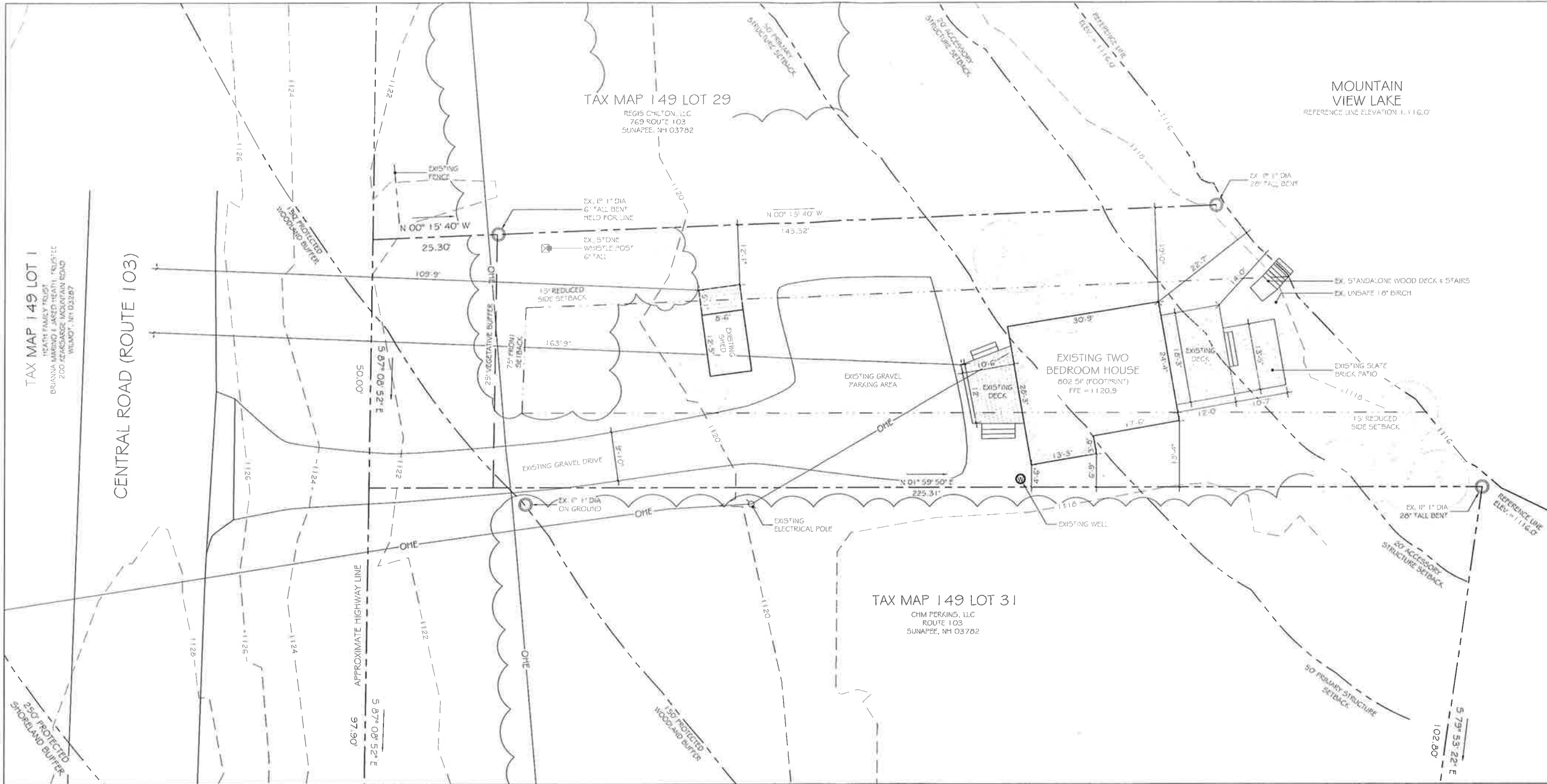
**THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE PARTIES BELOW (Env-Wq 1406.21(c))**

---

PERMITTEE SIGNATURE (required)

---

PRINCIPAL CONTRACTOR SIGNATURE (required, if any)



311 kast hill road  
hopkinton nh 03229  
603. 746. 3512  
terrainplanning.com

## ROULEAU RESIDENCE

Site Location:  
775 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #: 30

Prepared For:  
Scott & Kimberly Rouleau  
222 Danforth Corners Road  
Hillsborough, NH 03244

## EXISTING CONDITIONS PLAN

DATE: 09-05-2023

SCALE: 1" = 10'

PROJECT #: 23030

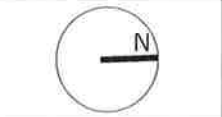
Drawn By: BDW

Checked By: ERB

REVISIONS: DATE:  
Revised per Town submittal  
11/17/23

This plan is the property of  
Terrain Planning & Design LLC.  
Use or reproduction of this plan  
by any means without  
permission or purchase from  
Terrain Planning & Design LLC  
is prohibited.

## EX - 01



**GENERAL NOTES**

1. BASE PLAN DEVELOPED FROM INFORMATION PROVIDED BY BROWN ENGINEERING LLC, DRAWING TITLE, "5442-01 ROULEAU RTE 103 SUNAPEE" RECEIVED 2023-07-05.

2. VERIFY LOCATIONS, ELEVATIONS, AND DIMENSIONS IN THE FIELD, PRIOR TO CONSTRUCTION. VERIFY FIELD CONDITIONS RELATING TO WORK TO BE INSTALLED. NOTIFY LANDSCAPE ARCHITECT OF ANY UNUSUAL OR DIFFICULT CONDITIONS IN A TIMELY FASHION PRIOR TO CONSTRUCTION CONCERNING THE CONDITION IN QUESTION.

3. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE TOWN OF SUNAPEE AND STATE OF NEW HAMPSHIRE. NOTIFY APPROPRIATE AGENCIES AT LEAST 48 HOURS PRIOR TO PERFORMING THE WORK UNDER THEIR JURISDICTION.

4. CONTRACTOR IS RESPONSIBLE FOR SECURING AND PAYING FOR ALL CONSTRUCTION PERMITS AND LICENSES REQUIRED TO COMPLETE SITE WORK. CONTRACTOR IS RESPONSIBLE FOR ALL APPROPRIATE INSPECTIONS OF HIS/HER WORK.

5. ALL WORK SHALL BE OF WORKMANLIKE QUALITY AND IN CONFORMANCE WITH ALL APPLICABLE CODES. CONTRACTOR SHALL READ ALL ZONING AND ENVIRONMENTAL PERMITS WHICH PERTAIN TO THE PROJECT AND SHALL COMPLY WITH ALL THE CONDITIONS THEREIN.

6. NOTIFY LANDSCAPE ARCHITECT AT LEAST 72 HOURS PRIOR TO ANY ROUTINE REQUIRED FIELD OBSERVATION. OBTAIN LANDSCAPE ARCHITECT'S APPROVAL OF THE LAYOUT OF ALL IMPROVEMENTS PRIOR TO CONSTRUCTION.

7. CONTRACTOR IS RESPONSIBLE FOR REPAIR OF DAMAGE OR DISTURBANCE TO OTHER AREAS WHICH MAY OCCUR AS THE RESULT OF HIS/HER WORK WHETHER WITHIN OR OUTSIDE OF THE CONTRACT LIMIT LINES.

8. CONSTRUCTION SHALL FOLLOW THE SEQUENCES AND CONDITIONS ESTABLISHED IN THE SPECIFICATIONS AND PERMITS.

9. IT IS INTENDED THAT THE WORK BE EXECUTED IN ACCORDANCE WITH THE BEST CUSTOMARY BUILDING PRACTICES. IF WORK IS REQUIRED IN A MANNER TO MAKE IT IMPOSSIBLE TO PRODUCE FIRST-CLASS WORK OR IF ERRORS, CONFLICTS OR DISCREPANCIES APPEAR AMONG THE CONTRACT DOCUMENTS, INFORM THE LANDSCAPE ARCHITECT IMMEDIATELY AND REQUEST INTERPRETATION BEFORE PROCEEDING WITH THE WORK.

10. IF CONTRACTOR FAILS TO MAKE SUCH A STATEMENT AND REQUEST, NO EXCUSE WILL THEREAFTER BE ENTERTAINED, NOR ADDITIONAL EXPENSE ACCEPTED, FOR FAILURE TO CARRY OUT WORK IN A SATISFACTORY MANNER. SHOULD CONFLICT OCCUR IN OR BETWEEN DRAWINGS AND SPECIFICATIONS, CONTRACTOR IS DEEMED TO HAVE ESTIMATED ON THE MORE EXPENSIVE WAY OF DOING WORK UNLESS HE/SHE SHALL HAVE OBTAINED A WRITTEN DECISION, BEFORE SUBMITTING HIS BID, AS TO WHICH METHOD OR MATERIALS WILL BE REQUIRED.

11. CONTRACTOR IS RESPONSIBLE FOR ALL MATERIALS AND EQUIPMENT STORED AT SITE.

12. EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE IN PLACE PRIOR TO THE COMMENCEMENT OF ANY WORK.

13. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE LANDSCAPE ARCHITECT FOR DIRECTION AND RESOLUTION PRIOR TO ANY FURTHER WORK.

14. VISIBLE EXISTING CONDITIONS WHERE FIELD LOCATED, AND UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE. SITE SUBCONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS, DIMENSIONS, AND GRADES PRIOR TO START OF ANY FOUNDATION OR UTILITY WORK.

15. WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS. THE CONTRACTOR SHALL USE CAUTION WHEN SCALING REPRODUCED PLANS. IN CASE OF CONFLICT BETWEEN THIS PLAN SET AND ANY OTHER DRAWING AND/OR SPECIFICATION, THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED IMMEDIATELY FOR CLARIFICATIONS.

16. THE CONTRACTOR IS RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND FOR CONDITIONS AT THE SITE. THESE PLANS, PREPARED BY TERRAIN PLANNING & DESIGN LLC, DO NOT EXTEND TO OR INCLUDE SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR OR THEIR EMPLOYEES, AGENTS OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK. THE SEAL OF THE SURVEYOR/ENGINEER OR LANDSCAPE ARCHITECT HERON DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEMS THAT MAY NOW OR HEREAFTER BE INCORPORATED INTO THESE PLANS. THE CONSTRUCTION CONTRACTOR SHALL PREPARE OR OBTAIN THE APPROPRIATE SAFETY SYSTEMS WHICH MAY BE REQUIRED BY THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) AND/OR LOCAL REGULATIONS.

17. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE HIMSELF WITH THE SITE AND ALL EXISTING CONDITIONS SURROUNDING IT AND THEREON. THE CONTRACTOR SHALL ADVISE THE APPROPRIATE AUTHORITY OF HIS INTENTIONS AT LEAST 48 HOURS IN ADVANCE.

18. THESE PLANS WERE PREPARED UNDER THE SUPERVISION OF A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT. TERRAIN PLANNING & DESIGN LLC ASSUMES NO LIABILITY AS A RESULT OF ANY CHANGES OR NON-CONFORMANCE WITH THESE PLANS EXCEPT UPON THE WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT OF RECORD.

19. TERRAIN PLANNING & DESIGN LLC ASSUMES NO LIABILITY FOR WORK PERFORMED WITHOUT AN ACCEPTABLE PROGRAM OF TESTING AND INSPECTION AS APPROVED BY THE LANDSCAPE ARCHITECT OF RECORD.

20. BASE PREPARATION UNDER ALL HARD SURFACES TO BE COMPACTED TO 98% STANDARD PROCTOR DENSITY.

21. SITE CONTRACTOR IS RESPONSIBLE FOR CONTACTING DIG SAFE PRIOR TO ANY EXCAVATION. 1-800-DIG-SAFE.

**LINE TYPE LEGEND**

	PROPERTY LINE
	PROPERTY SETBACKS
	REFERENCE LINE
	REFERENCE LINE SETBACKS
	TOPOGRAPHY MIN
	TOPOGRAPHY MAJ

**EXISTING IMPERVIOUS CALCULATIONS**

HOUSE	802 SF
DECKS	365 SF
SLATE BRICK PATIO	143 SF
SHED W/COVERHANG	149 SF
GRAVEL DRIVEWAY	2,166 SF
DETACHED DECK & STAIRS	29 SF
<b>TOTAL IMPERVIOUS</b>	<b>3,654 SF</b>
<b>TOTAL LOT AREA</b>	<b>10,708 SF</b>
	<b>34.1% IMPERVIOUS</b>

**EXISTING LOT COVERAGE CALCULATIONS**

HOUSE	802 SF
DECKS	365 SF
SLATE BRICK PATIO	143 SF
SHED W/COVERHANG	149 SF
GRAVEL DRIVEWAY	2,166 SF
DETACHED DECK & STAIRS	29 SF
<b>TOTAL COVERAGE</b>	<b>3,654 SF</b>
<b>TOTAL LOT AREA</b>	<b>10,708 SF</b>
	<b>34.1% COVERAGE</b>

WETLANDS WERE DELINEATED ON NOVEMBER 17, 2023 BY LUKE POWELL, CERTIFIED WETLAND SCIENTIST #50. ACCORDING TO THE STANDARDS PUBLISHED IN THE US ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL (TECHNICAL REPORT Y-87-1) ALONG WITH THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (NORTH-CENTRAL AND NORTHEAST REGION) VERSION 2.0 (MAY/JUNE 2012). HYDROSOILS WERE DETERMINED UTILIZING FIELD INDICATORS FOR IDENTIFYING HYDRO SOILS IN NEW ENGLAND (VERSION 4, APRIL 2019).



GENERAL NOTES

1. THE SITE IS LOCATED ENTIRELY WITHIN THE RURAL-RESIDENTIAL DISTRICT AND THE SHORELINES WATER RESOURCES OVERLAY DISTRICT (SP) AND IS SUBJECT TO THE FOLLOWING DIMENSIONAL REGULATIONS:

	REQUIRED	EXISTING	PROPOSED
MINIMUM LAND AREA	1.5 ACRES	0.25 ACRES	0.25 ACRES
FRONTAGE	100 FT	50 FT	50 FT
BUILDING SETBACKS:			
FRONT:	75 FT	109'-9"	104'-6"
SIDE:**	15 FT	4'-6"	4'-6"
REAR:	15 FT	N/A	N/A
WATERBODY:	50 FT	14'-0"	14'-0"
MAXIMUM LOT COVERAGE:	40%	34.1%	35.1%
MAX IMPERMEABLE COVERAGE:	25%(SHORELINE)	34.1%	20.4%
MAX STRUCTURE HEIGHT:**	40'	<25'	<25'

\* PRE-EXISTING LOT BELOW MINIMUM SIZE.  
\*\* IF A STRUCTURE IS ALLOWED A REDUCED SIDE OR REAR SETBACK DUE TO INADEQUATE LOT SIZE, THE PORTION OF THE PROPOSED STRUCTURE IN THE AREA OF REDUCED SETBACK SHALL HAVE A MAXIMUM STRUCTURE HEIGHT OF 25'.

TAX MAP 149 LOT 1  
HEATH FAMILY TRUST  
BRIANNA MARINO & JARED HEATH, TRUSTEES  
200 KANSAS/ MOUNTAIN ROAD  
WILMOT, NH 03267

CENTRAL ROAD (ROUTE 103)

TAX MAP 149 LOT 29

REGIS CHILTON, LLC  
769 ROUTE 103  
SUNAPEE, NH 03782

MOUNTAIN  
VIEW LAKE  
REFERENCE LINE ELEVATION 1,116.0'

PROPOSED  
HOUSE  
1,513 SF (FOOTPRINT)  
1,809 SF (WITH EAVES)

TAX MAP 149 LOT 31

CHM PERKINS, LLC  
ROUTE 103  
SUNAPEE, NH 03782

EROSION CONTROL NOTES

1. EXPOSED EARTHWORK SHALL BE CONFINED TO AS LIMITED AN AREA AS IS PRACTICAL AT ANY GIVEN TIME THROUGHOUT THE CONSTRUCTION SEQUENCE. LIMIT OF WORK IS NOTED ON THIS SHEET. CONTRACTOR TO WORK WITHIN THESE LIMITS AS SHOWN. NO AREA OF THE SITE SHALL BE LEFT IN AN UNSTABILIZED CONDITION FOR A PERIOD OF TIME EXCEEDING FIVE CALENDAR DAYS.
2. TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTALLED IN STRICT ACCORDANCE WITH PROJECT PLANS. IN ADDITION SIMILAR MEASURES SHALL BE INSTALLED WHERE AND WHEN THE FIELD CONDITION, OR FIELD OPERATION OF THE INDIVIDUAL SITE CONTRACTOR MAY WARRANT. ALL TEMPORARY EROSION CONTROL MEASURES USED SHALL BE INSPECTED WEEKLY AND WITHIN 24 HOURS AFTER 0.5" OF RAINFALL OR MORE, THEY SHALL BE CLEANED AND MAINTAINED AND OTHERWISE KEPT IN AN EFFECTIVE OPERATING MANNER THROUGHOUT THE CONSTRUCTION PERIOD.
3. ALL DISTURBED AREAS DESIGNATED TO BE TURF SHALL RECEIVE A MINIMUM OF 4" LOAM (COMPACTED THICKNESS), PRIOR TO SEEDING AND MULCHING.
4. ALL SWALES AND DITCH LINES SHALL BE PERIODICALLY CLEANED OF DEPOSITED SEDIMENT SO AS TO MAINTAIN AND EFFECTIVE GRADE AND CROSS SECTION. ALL SWALES AND DITCH LINES SHALL BE FULLY STABILIZED PRIOR TO HAVING STORMWATER DIRECTED TOWARDS THEM.
5. IN THE EVENT THAT, DURING CONSTRUCTION OF ANY PORTION OF THIS PROJECT, A WINTER SHUTDOWN IS NECESSARY, THE CONTRACTOR SHALL STABILIZE ALL INCOMPLETE WORK AND PROVIDE FOR SUITABLE METHODS OF DIVERTING RUNOFF IN ORDER TO ELIMINATE SHEET FLOW ACROSS FROZEN SURFACES.
6. AN AREA SHALL BE CONSIDERED STABILIZE IF ONE OF THE FOLLOWING HAS OCCURRED:  
A. BASE COURSE OF GRADES ARE INSTALLED IN AREAS TO BE PAVED;  
B. A MINIMUM OF 85% VEGETATIVE GROWTH HAS BEEN ESTABLISHED;  
C. A MINIMUM OF 3" OF NON-EROSIVE MATERIALS, SUCH AS STONE OR RIP-RAP HAS BEEN INSTALLED; AND/OR  
D. EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED.
7. DUST SHALL BE CONTROLLED BY THE USE OF WATER AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD.

8. IN NO WAY ARE THE TEMPORARY EROSION CONTROL MEASURES INDICATED ON THESE PLANS CONSIDERED ALL-INCLUSIVE. THE CONTRACTOR SHALL USE JUDGMENT IN INSTALLING SUPPLEMENTARY EROSION CONTROL MEASURES WHERE AND WHEN SPECIFIC SITE CONDITIONS AND/OR CONSTRUCTION METHODOLOGIES MAY WARRANT.

9. ALL EROSION CONTROL METHODS TO BE INSTALLED AS PER MANUFACTURERS SPECIFICATIONS AS WELL AS INDICATED IN THE NEW HAMPSHIRE STORMWATER MANUAL "EROSION AND SEDIMENT CONTROL DURING CONSTRUCTION."

10. ALL ROADS, PATHS, DRIVEWAYS, PATIOS AND POOL DECKS SHALL BE STABILIZED WITHIN 72 HOURS OF ACHIEVING FINISH GRADE.

11. ALL CUT AND FILL SLOPES SHALL BE STABILIZED WITHIN 48 HOURS OF ACHIEVING FINISH GRADE.

TREE PROTECTION NOTES

1. DIAMETER OF PROTECTION ZONE SHOULD BE ONE FOOT FOR EACH INCH OF TRUNK DIAMETER BREAST HEIGHT OR 1/2 HEIGHT OF TREE, WHICHEVER IS GREATER. FOR 2 INCH CAUPEE TREES OR SMALLER, THE PROTECTION ZONE SHALL BE 6 FOOT MINIMUM DIAMETER.
2. TEMPORARY FENCING (6FT HIGH) SHALL BE PLACED AT THE DRIPLINE OF THE TREE TO BE SAVED. FENCE SHALL COMPLETELY ENCIRCLE THE TREE(S), TO INSTALL FENCE POSTS, AVOID DRIVING POSTS OR STAKES INTO MAJOR ROOTS.
3. DEAD TREES, SCRUB, OR UNDERGROWTH SHALL BE CUT FLUSH WITH ADJACENT GRADE. THERE WILL BE NO SOIL DISTURBANCE UNDER THE DRIP LINE OF TREES TO BE PRESERVED.
4. PLACE 6 INCHES OF DARK MULCH AT AREAS NOT PROTECTED BY BARRIER.
5. TREATMENT OF ROOTS EXPOSED DURING CONSTRUCTION: FOR ROOTS OVER ONE INCH IN DIAMETER DAMAGED DURING CONSTRUCTION, MAKE A CLEAN STRAIGHT CUT TO REMOVE DAMAGED PORTION OF ROOT. ALL EXPOSED ROOTS SHOULD BE TEMPORARILY COVERED WITH DAMP BURLAP AND COVERED WITH SOIL OR MULCH AS SOON AS POSSIBLE TO PREVENT DRYING.
6. NO EQUIPMENT OR MACHINERY SHALL BE USED WITHIN THE PROTECTION FENCE. WORK WITHIN THE PROTECTION ZONE SHALL BE DONE MANUALLY.
7. NO STOCKPILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE IS ALLOWED WITHIN THE LIMIT OF FENCING.

TREE PLANTING SCHEDULE

BOTANICAL NAME / COMMON NAME	SIZE	QUANTITY	NOTES
<i>Betula papyrifera</i> "Oasis" / Oasis Paper Birch	3.0-3.5" CAL	3	MIN 3 STEMS, each >3.0" CAL

LINE/TYPE LEGEND

	EROSION CONTROL
	PROPERTY LINE
	PROPERTY SETBACKS
	REFERENCE LINE
	REFERENCE LINE SETBACKS
	TOPOGRAPHY MIN
	TOPOGRAPHY MAJ
	MESH FENCING / PARAMETERS OF WORK

PROPOSED IMPERVIOUS CALCULATIONS	
HOUSE	1,809 SF
DECK	194 SF
PERMEABLE PATIO	0 SF
SHED W/ OVERHANG	149 SF
DRIVEWAY	0 SF
DETACHED DECK & STAIRS	29 SF
TOTAL IMPERVIOUS	2,181 SF
TOTAL LOT AREA	10,708 SF
	20.4% IMPERVIOUS

PROPOSED LOT COVERAGE CALCULATIONS	
HOUSE	1,809 SF
DECK	194 SF
PERMEABLE PATIO	143 SF
SHED W/ OVERHANG	149 SF
PERMEABLE DRIVEWAY	1,580 SF
PERMEABLE WALKS	181 SF
DETACHED DECK & STAIRS	29 SF
TOTAL COVERAGE	4,085 SF
TOTAL LOT AREA	10,708 SF
	38.1% COVERAGE



311 kast hill road  
hopkinton nh 03229  
603. 746. 3512  
terrainplanning.com

ROULEAU  
RESIDENCE

Site Location:  
775 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #: 30

Prepared For:  
Scott & Kimberly Rouleau  
222 Danforth Corners Road  
Hillsborough, NH 03244

SITE LAYOUT  
PLAN

DATE: 09 - 05 - 2023

SCALE: 1" = 10'

PROJECT #: 23030

Drawn By: BDW

Checked By: ERB

REVISIONS: DATE:  
Revised per Town submittal  
11/17/23

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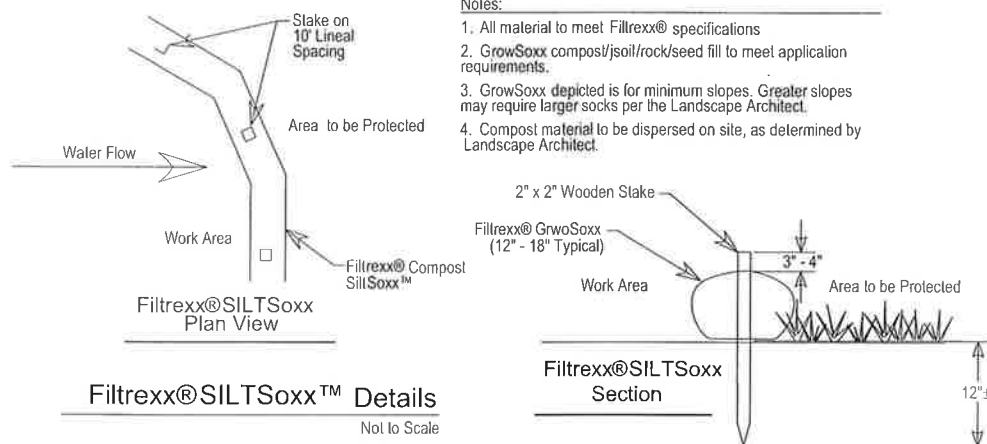
L - 01





- MAINTENANCE NOTES:
1. TO MAINTAIN PROPER WORKING CONDITION OF THE PVIOUS PAVEMENT REGULAR MAINTENANCE MUST BE CONDUCTED. BIENNIAL PREVENTATIVE MAINTENANCE IS REQUIRED AND SHOULD CONSIST OF VACUUMING THE ENTIRE PERMEABLE SURFACE AND ADJACENT NON-POROUS SURFACES, AS NECESSARY.
  2. CHECK FOR DEBRIS ACCUMULATING ON PAVEMENT, ESPECIALLY DEBRIS BUILDUP IN WINTER. FOR LOOSE DEBRIS, A POWER / LEAF BLOWER OR GUTTER BROOM CAN BE USED TO REMOVE LEAVES AND TRASH.
  3. POWER WASHING CAN BE EFFECTIVE TO CLEAN CLOGGED AREAS. USE A MID PRESSURE, TYPICALLY 500 PSI OR LESS, AT AN ANGLE OF 30° OR LESS.
  4. CHECK FOR DAMAGE TO POROUS PAVEMENT. DAMAGED AREAS MAY BE REPAIRED BY USE OF INFRARED HEATING AND RE-ROLLING OF PAVEMENT.

\* CELLULOSE, MINERAL OR POLYESTER FIBERS MAY BE USED TO REDUCE DRAWDOWN.  
\*\* IF THE TSR (RETAINED TENSILE STRENGTH) VALUES FALL BELOW 80% WHEN TESTED PER NAPA 15 131 (WITH A SINGLE FREEZE THAW CYCLE RATHER THAN 5), THEN IN STEP 4, THE CONTRACTOR SHALL EMPLOY AN ANTISTRIPE ADDITIVE, SUCH AS HYDRATED LIME (ASTM C977) OR A FATTY AMINE, TO RAISE THE TSR VALUE ABOVE 80%.



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Tax Map: 149  
Lot #: 30

Prepared For:  
Scott & Kimberly Rouleau  
222 Danforth Corners Road  
Hillsborough, NH 03244

## CONSTRUCTION DETAILS

DATE: 09 - 05 - 2023

SCALE: AS SHOWN

PROJECT #: 23030

Drawn By: BDW

Checked By: ERB

REVISIONS: \_\_\_\_\_ DATE: \_\_\_\_\_  
Revised per Town submittal  
11/17/23

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L - 02



I. THE SITE IS LOCATED ENTIRELY WITHIN THE RURAL RESIDENTIAL DISTRICT (RR) AND THE SHORELINES WATER RESOURCES OVERLAY DISTRICT AND IS SUBJECT TO THE FOLLOWING DIMENSIONAL REGULATIONS:

\* IF A STRUCTURE IS ALLOWED A REDUCED SIDE OR REAR SETBACK DUE TO INADEQUATE LOT SIZE, THE PORTION OF THE PROPOSED STRUCTURE IN THE AREA OF REDUCED SETBACK SHALL HAVE A MAXIMUM STRUCTURE HEIGHT OF 25'.

CENTRAL ROAD (ROUTE 103)

250' PROTECTED  
SHORELAND BUFFER

EXPOSED EARTHWORK SHALL BE CONFINED TO AS LIMITED AN AREA AS IS PRACTICAL AT ANY GIVEN TIME THROUGHOUT THE CONSTRUCTION SEQUENCE. LIMIT OF WORK IS NOTED ON THIS SHEET. CONTRACTOR TO WORK WITHIN THESE LIMITS AS SHOWN. NO AREA OF THE SITE SHALL BE LEFT IN AN UNSTABILIZED CONDITION FOR A PERIOD OF TIME EXCEEDING FIVE CALENDAR DAYS.

2. TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTALLED IN STRICT ACCORDANCE WITH PROJECT PLANS. IN ADDITION SIMILAR MEASURES SHALL BE INSTALLED WHERE AND WHEN THE FIELD CONDITION, OR FIELD OPERATION OF THE INDIVIDUAL SITE CONTRACTOR MAY WARRANT. ALL TEMPORARY EROSION CONTROL MEASURES USED SHALL BE INSPECTED WEEKLY AND WITHIN 24 HOURS AFTER 0.5" OF RAINFALL OR MORE. THEY SHALL BE CLEANED AND MAINTAINED AND OTHERWISE KEPT IN AN EFFECTIVE OPERATING MANNER THROUGHOUT THE CONSTRUCTION PERIOD.

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6. AN AREA SHALL BE CONSIDERED STABILIZE IF ONE OF THE FOLLOWING HAS OCCURRED:

- A. BASE COURSE OF GRADES ARE INSTALLED IN AREAS TO BE PAVED;
- B. A MINIMUM OF 85% VEGETATIVE GROWTH HAS BEEN ESTABLISHED;
- C. A MINIMUM OF 3" OF NON-EROSIVE MATERIALS, SUCH AS STONE OR RIP-RAP HAS BEEN INSTALLED; AND/OR
- D. EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED.

7. DUST SHALL BE CONTROLLED BY THE USE OF WATER AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD.

8. IN NO WAY ARE THE TEMPORARY EROSION CONTROL MEASURES INDICATED ON THESE PLANS CONSIDERED ALL INCLUSIVE. THE CONTRACTOR SHALL USE JUDGMENT IN INSTALLING SUPPLEMENTARY EROSION CONTROL MEASURES WHERE AND WHEN SPECIFIC SITE CONDITIONS AND/OR CONSTRUCTION METHODOLOGIES MAY WARRANT.

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2. TEMPORARY FENCING (6FT HIGH) SHALL BE PLACED AT THE DRIPLINE OF THE TREE TO BE SAVED. FENCE SHALL COMPLETELY ENCIRCLE THE TREE(S). TO INSTALL FENCE POSTS, AVOID DRIVING POSTS OR STAKES INTO MAJOR ROOTS.

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5. NO EQUIPMENT OR MACHINERY SHALL BE USED WITHIN THE PROTECTION FENCE. WORK WITHIN THE PROTECTION ZONE SHALL BE DONE MANUALLY.

7. NO STOCKPIILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE IS ALLOWED WITHIN THE LIMIT OF FENCING.

CHM PERKINS, LLC  
200 KEARSARGE MOUNTAIN ROAD  
WILMOT, NH 03287

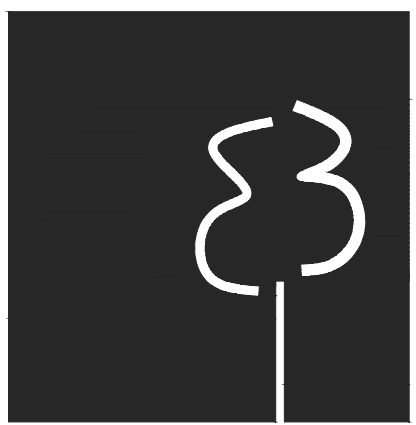
BOTANICAL NAME / COMMON NAME	SIZE	QUANTITY	NOTES
<i>Betula papyrifera</i> 'Oasis' / Oasis Paper Birch	3.0-3.5" CAL	3	MIN 3 STEMS, each >3.0" CAL

**LINETYPE LEGEND**

	EROSION CONTROL
	PROPERTY LINE
	PROPERTY SETBACKS
	REFERENCE LINE
	REFERENCE LINE SETBACKS
	TOPOGRAPHY MIN
	TOPOGRAPHY MAJ
	MESH FENCING / PARAMETERS OF WORK
	DELINEATED WETLANDS

PROPOSED IMPERVIOUS CALCULATIONS		
HOUSE	:	1,809 SF
DECK	:	194 SF
PERMEABLE PATIO	:	0 SF
SHED W/OVERHANG	:	149 SF
DRIVEWAY	:	0 SF
DETACHED DECK & STAIRS	:	29 SF
TOTAL IMPERVIOUS	:	2,181 SF
TOTAL LOT AREA	:	10,708 SF
20.4% IMPERVIOUS		

PROPOSED LOT COVERAGE CALCULATIONS		
HOUSE :	1,809 SF	
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PERMEABLE WALKS :	181 SF	
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38.1% COVERAGE		



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ROULEAU  
RESIDENCE

Site Location:  
775 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #: 30

Prepared For:  
Scott & Kimberly Rouleau  
222 Danforth Corners Road  
Hillsborough, NH 03244

## SITE LAYOUT PLAN

DATE: 09 - 05 - 2023

SCALE: 1" = 10'

PROJECT #: 23030

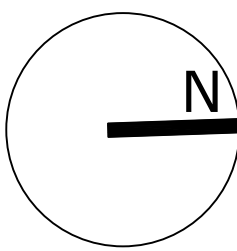
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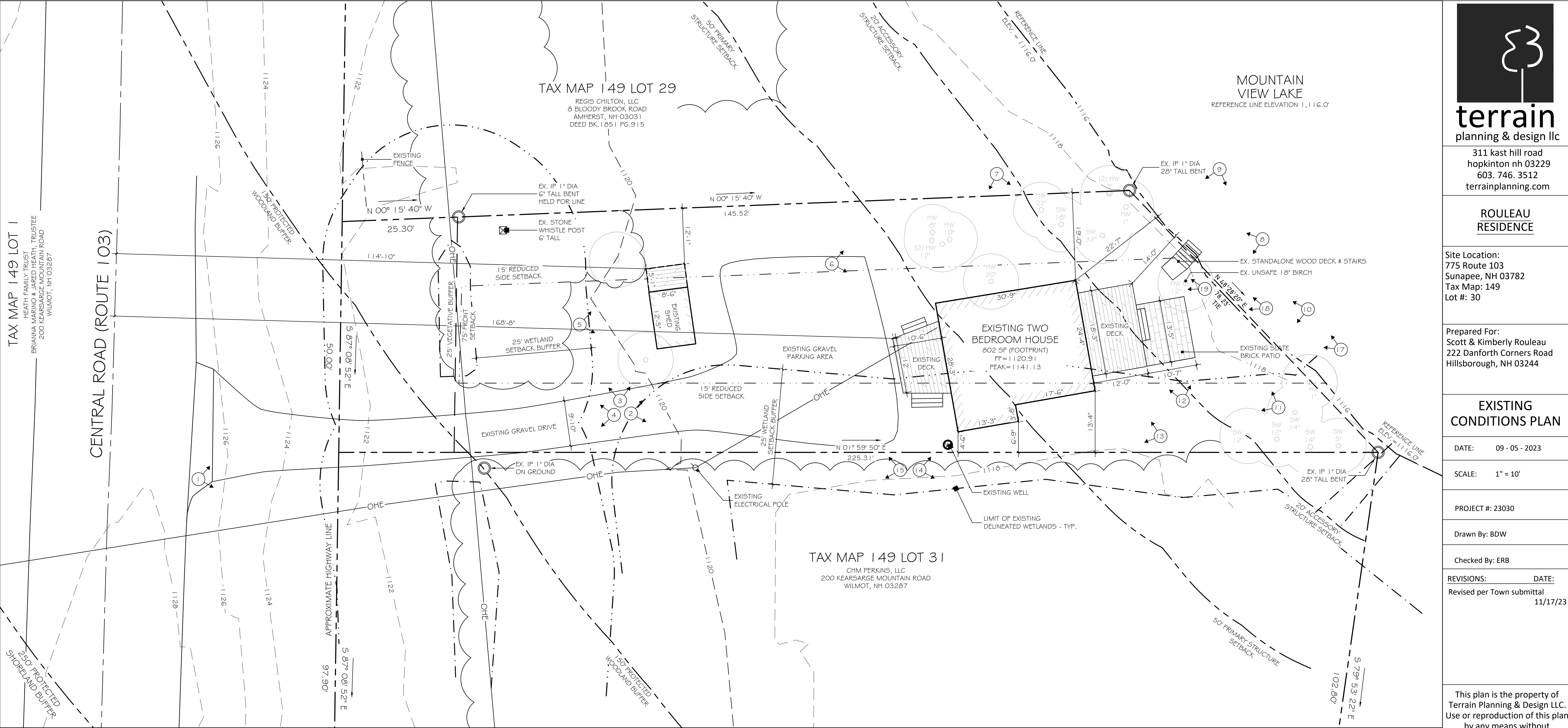
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Revised per Town submittal  
11/17/23

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L - 01







**GENERAL NOTES**

1. BASE PLAN DEVELOPED FROM INFORMATION PROVIDED BY BROWN ENGINEERING LLC, DRAWING TITLE, "5442-01 ROULEAU RTE 103 SUNAPEE" RECEIVED 2023-07-05.

2. VERIFY LOCATIONS, ELEVATIONS, AND DIMENSIONS IN THE FIELD, PRIOR TO CONSTRUCTION. VERIFY FIELD CONDITIONS RELATING TO WORK TO BE INSTALLED. NOTIFY LANDSCAPE ARCHITECT OF ANY UNUSUAL OR DIFFICULT CONDITIONS IN A TIMELY FASHION PRIOR TO CONSTRUCTION CONCERNING THE CONDITION IN QUESTION.

3. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE TOWN OF SUNAPEE AND STATE OF NEW HAMPSHIRE. NOTIFY APPROPRIATE AGENCIES AT LEAST 48 HOURS PRIOR TO PERFORMING THE WORK UNDER THEIR JURISDICTION.

4. CONTRACTOR IS RESPONSIBLE FOR SECURING AND PAYING FOR ALL CONSTRUCTION PERMITS AND LICENSES REQUIRED TO COMPLETE SITE WORK. CONTRACTOR IS RESPONSIBLE FOR ALL APPROPRIATE INSPECTIONS OF HIS/HER WORK.

5. ALL WORK SHALL BE OF WORKMANLIKE QUALITY AND IN CONFORMANCE WITH ALL APPLICABLE CODES. CONTRACTOR SHALL READ ALL ZONING AND ENVIRONMENTAL PERMITS WHICH PERTAIN TO THE PROJECT AND SHALL COMPLY WITH ALL THE CONDITIONS THEREIN.

6. NOTIFY LANDSCAPE ARCHITECT AT LEAST 72 HOURS PRIOR TO ANY ROUTINE REQUIRED FIELD OBSERVATION. OBTAIN LANDSCAPE ARCHITECT'S APPROVAL OF THE LAYOUT OF ALL IMPROVEMENTS PRIOR TO CONSTRUCTION.

7. CONTRACTOR IS RESPONSIBLE FOR REPAIR OF DAMAGE OR DISTURBANCE TO OTHER AREAS WHICH MAY OCCUR AS THE RESULT OF HIS/HER WORK WHETHER WITHIN OR OUTSIDE OF THE CONTRACT LIMIT LINES.

8. CONSTRUCTION SHALL FOLLOW THE SEQUENCES AND CONDITIONS ESTABLISHED IN THE SPECIFICATIONS AND PERMITS.

9. IT IS INTENDED THAT THE WORK BE EXECUTED IN ACCORDANCE WITH THE BEST CUSTOMARY BUILDING PRACTICES. IF WORK IS REQUIRED IN A MANNER TO MAKE IT IMPOSSIBLE TO PRODUCE FIRST-CLASS WORK, OR IF ERRORS, CONFLICTS OR DISCREPANCIES APPEAR AMONG THE CONTRACT DOCUMENTS, INFORM THE LANDSCAPE ARCHITECT IMMEDIATELY AND REQUEST INTERPRETATION BEFORE PROCEEDING WITH THE WORK.

10. IF CONTRACTOR FAILS TO MAKE SUCH A STATEMENT AND REQUEST, NO EXCUSE WILL THEREAFTER BE ENTERTAINED, NOR ADDITIONAL EXPENSE BE ACCEPTED, FOR FAILURE TO CARRY OUT WORK IN A SATISFACTORY MANNER. SHOULD CONFLICT OCCUR IN OR BETWEEN DRAWINGS AND SPECIFICATIONS, CONTRACTOR IS DEEMED TO HAVE ESTIMATED ON THE MORE EXPENSIVE WAY OF DOING WORK UNLESS HE/SHE SHALL HAVE OBTAINED A WRITTEN DECISION, BEFORE SUBMITTING HIS BID, AS TO WHICH METHOD OR MATERIALS WILL BE REQUIRED.

11. CONTRACTOR IS RESPONSIBLE FOR ALL MATERIALS AND EQUIPMENT STORED AT SITE.

12. EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE IN PLACE PRIOR TO THE COMMENCEMENT OF ANY WORK.

13. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE LANDSCAPE ARCHITECT FOR DIRECTION AND RESOLUTION PRIOR TO ANY FURTHER WORK.

14. VISIBLE EXISTING CONDITIONS WHERE FIELD LOCATED, AND UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE. SITE SUBCONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS, DIMENSIONS, AND GRADES PRIOR TO START OF ANY FOUNDATION OR UTILITY WORK.

15. WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS. THE CONTRACTOR SHALL USE CAUTION WHEN SCALING REPRODUCED PLANS. IN CASE OF CONFLICT BETWEEN THIS PLAN SET AND ANY OTHER DRAWING AND/OR SPECIFICATION, THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED IMMEDIATELY FOR CLARIFICATIONS.

16. THE CONTRACTOR IS RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND FOR CONDITIONS AT THE SITE. THESE PLANS, PREPARED BY TERRAIN PLANNING & DESIGN LLC, DO NOT EXTEND TO OR INCLUDE SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR OR THEIR EMPLOYEES, AGENTS OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK. THE SEAL OF THE SURVEYOR/ENGINEER OR LANDSCAPE ARCHITECT HEREON DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEMS THAT MAY NOW OR HEREAFTER BE INCORPORATED INTO THESE PLANS. THE CONSTRUCTION CONTRACTOR SHALL PREPARE OR OBTAIN THE APPROPRIATE SAFETY SYSTEMS WHICH MAY BE REQUIRED BY THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) AND/OR LOCAL REGULATIONS.

17. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE HIMSELF WITH THE SITE AND ALL EXISTING CONDITIONS SURROUNDING IT AND THEREON. THE CONTRACTOR SHALL ADVISE THE APPROPRIATE AUTHORITY OF HIS INTENTIONS AT LEAST 48 HOURS IN ADVANCE.

18. THESE PLANS WERE PREPARED UNDER THE SUPERVISION OF A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT. TERRAIN PLANNING & DESIGN LLC ASSUMES NO LIABILITY AS A RESULT OF ANY CHANGES OR NON-CONFORMANCE WITH THESE PLANS EXCEPT UPON THE WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT OF RECORD.

19. TERRAIN PLANNING & DESIGN LLC ASSUMES NO LIABILITY FOR WORK PERFORMED WITHOUT AN ACCEPTABLE PROGRAM OF TESTING AND INSPECTION AS APPROVED BY THE LANDSCAPE ARCHITECT OF RECORD.

20. BASE PREPARATION UNDER ALL HARD SURFACES TO BE COMPACTED TO 98% STANDARD PROCTOR DENSITY.

21. SITE CONTRACTOR IS RESPONSIBLE FOR CONTACTING DIG SAFE PRIOR TO ANY EXCAVATION, 1-888-DIG-SAFE.

LINETYPE LEGEND	
	PROPERTY LINE
	PROPERTY SETBACKS
	REFERENCE LINE
	REFERENCE LINE SETBACKS
	TOPOGRAPHY MIN
	TOPOGRAPHY MAJ
	DELINEATED WETLANDS
	SITE PICTURE LOCATION

EXISTING IMPERVIOUS CALCULATIONS	
HOUSE	: 802 SF
DECKS	: 365 SF
SLATE BRICK PATIO	: 143 SF
SHED W/OVERHANG	: 149 SF
GRAVEL DRIVEWAY	: 2,166 SF
DETACHED DECK & STAIRS	: 29 SF
<b>TOTAL IMPERVIOUS</b>	<b>: 3,654 SF</b>
<b>TOTAL LOT AREA</b>	<b>: 10,708 SF</b>
	<b>34.1% IMPERVIOUS</b>

EXISTING LOT COVERAGE CALCULATIONS	
HOUSE	: 802 SF
DECKS	: 365 SF
SLATE BRICK PATIO	: 143 SF
SHED W/OVERHANG	: 149 SF
GRAVEL DRIVEWAY	: 2,166 SF
DETACHED DECK & STAIRS	: 29 SF
<b>TOTAL COVERAGE</b>	<b>: 3,654 SF</b>
<b>TOTAL LOT AREA</b>	<b>: 10,708 SF</b>
	<b>34.1% COVERAGE</b>

WETLANDS WERE DELINEATED ON NOVEMBER 17, 2023 BY LUKE POWELL, CERTIFIED WETLAND SCIENTIST #50, ACCORDING TO THE STANDARDS PUBLISHED IN THE US ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL (TECHNICAL REPORT Y-87-1) ALONG WITH THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION (VERSION 2.0, JANUARY 2012). HYDRIC SOILS WERE DETERMINED UTILIZING FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND (VERSION 4, APRIL 2019).

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311 kast hill road  
hopkinton nh 03229  
603. 746. 3512  
terrainplanning.com

ROULEAU  
RESIDENCE

Site Location:  
775 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #: 30

Prepared For:  
Scott & Kimberly Rouleau  
222 Danforth Corners Road  
Hillsborough, NH 03244

EXISTING  
CONDITIONS PLAN

DATE: 09 - 05 - 2023

SCALE: 1" = 10'

PROJECT #: 23030

Drawn By: BDW

Checked By: ERB

REVISIONS: DATE:  
Revised per Town submittal  
11/17/23



1. THE SITE IS LOCATED ENTIRELY WITHIN THE RURAL RESIDENTIAL DISTRICT (RR) AND THE WETLANDS AND SHORELINES WATER RESOURCES OVERLAY DISTRICTS AND IS SUBJECT TO THE FOLLOWING DIMENSIONAL REGULATIONS:

\* IF A STRUCTURE IS ALLOWED A REDUCED SIDE OR REAR SETBACK DUE TO INADEQUATE LOT SIZE, THE PORTION OF THE PROPOSED STRUCTURE IN THE AREA OF REDUCED SETBACK SHALL HAVE A MAXIMUM STRUCTURE HEIGHT OF 25'.

CENTRAL ROAD (ROUTE 103)

250' PROTECTED  
SHORELAND BUFFER

1. EXPOSED EARTHWORK SHALL BE CONFINED TO AS LIMITED AN AREA AS IS PRACTICAL AT ANY GIVEN TIME THROUGHOUT THE CONSTRUCTION SEQUENCE. LIMIT OF WORK IS NOTED ON THIS SHEET. CONTRACTOR TO WORK WITHIN THESE LIMITS AS SHOWN. NO AREA OF THE SITE SHALL BE LEFT IN AN UNSTABILIZED CONDITION FOR A PERIOD OF TIME EXCEEDING FIVE CALENDAR DAYS.

2. TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTALLED IN STRICT ACCORDANCE WITH PROJECT PLANS. IN ADDITION SIMILAR MEASURES SHALL BE INSTALLED WHERE AND WHEN THE FIELD CONDITION, OR FIELD OPERATION OF THE INDIVIDUAL SITE CONTRACTOR MAY WARRANT. ALL TEMPORARY EROSION CONTROL MEASURES USED SHALL BE INSPECTED WEEKLY AND WITHIN 24 HOURS AFTER 0.5" OF RAINFALL OR MORE. THEY SHALL BE CLEANED AND MAINTAINED AND OTHERWISE KEPT IN AN EFFECTIVE OPERATING MANNER THROUGHOUT THE CONSTRUCTION PERIOD.

3. ALL DISTURBED AREAS DESIGNATED TO BE TURF SHALL RECEIVE A MINIMUM OF 4" LOAM (COMPACTED THICKNESS), PRIOR TO SEEDING AND MULCHING.

4. ALL SWALES AND DITCH LINES SHALL BE PERIODICALLY CLEANED OF DEPOSITED SEDIMENT SO AS TO MAINTAIN AN EFFECTIVE GRADE AND CROSS SECTION. ALL SWALES AND DITCH LINES SHALL BE FULLY STABILIZED PRIOR TO HAVING STORMWATER DIRECTED TOWARDS THEM.

5. IN THE EVENT THAT, DURING CONSTRUCTION OF ANY PORTION OF THIS PROJECT, A WINTER SHUTDOWN IS NECESSARY, THE CONTRACTOR SHALL STABILIZE ALL INCOMPLETE WORK AND PROVIDE FOR SUITABLE METHODS OF DIVERTING RUNOFF IN ORDER TO ELIMINATE SHEET FLOW ACROSS FROZEN SURFACES.

6. AN AREA SHALL BE CONSIDERED STABILIZE IF ONE OF THE FOLLOWING HAS OCCURRED:

- A. BASE COURSE OF GRADES ARE INSTALLED IN AREAS TO BE PAVED;
- B. A MINIMUM OF 85% VEGETATIVE GROWTH HAS BEEN ESTABLISHED;
- C. A MINIMUM OF 3" OF NON-EROSIVE MATERIALS, SUCH AS STONE OR RIP-RAP HAS BEEN INSTALLED; AND/OR
- D. EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED.

7. DUST SHALL BE CONTROLLED BY THE USE OF WATER AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD.

8. IN NO WAY ARE THE TEMPORARY EROSION CONTROL MEASURES INDICATED ON THESE PLANS CONSIDERED ALL INCLUSIVE. THE CONTRACTOR SHALL USE JUDGMENT IN INSTALLING SUPPLEMENTARY EROSION CONTROL MEASURES WHERE AND WHEN SPECIFIC SITE CONDITIONS AND/OR CONSTRUCTION METHODOLOGIES MAY WARRANT.

9. ALL EROSION CONTROL METHODS TO BE INSTALLED AS PER MANUFACTURERS SPECIFICATIONS AS WELL AS INDICATED IN THE NEW HAMPSHIRE STORMWATER MANUAL "EROSION AND SEDIMENT CONTROL DURING CONSTRUCTION."

10. ALL ROADS, PATHS, DRIVEWAYS, PATIOS AND POOL DECKS SHALL BE STABILIZED WITHIN 72 HOURS OF ACHIEVING FINISH GRADE.

11. ALL CUT AND FILL SLOPES SHALL BE STABILIZED WITHIN 48 HOURS OF ACHIEVING FINISH GRADE.

DIAMETER OF PROTECTION ZONE SHOULD BE ONE FOOT FOR EACH INCH OF TRUNK DIAMETER BREAST HEIGHT OR 1/2 HEIGHT OF TREE, WHICHEVER IS GREATER. FOR 2 INCH CALIPER TREES OR SMALLER, THE PROTECTION ZONE SHALL BE 6 FOOT MINIMUM DIAMETER.

2. TEMPORARY FENCING (6FT HIGH) SHALL BE PLACED AT THE DRIPLINE OF THE TREE TO BE SAVED. FENCE SHALL COMPLETELY ENCIRCLE THE TREE(S). TO INSTALL FENCE POSTS, AVOID DRIVING POSTS OR STAKES INTO MAJOR ROOTS.

3. DEAD TREES, SCRUB, OR UNDERGROWTH SHALL BE CUT FLUSH WITH ADJACENT GRADE. THERE WILL BE NO SOIL DISTURBANCE UNDER THE DRIP LINE OF TREES TO BE PRESERVED.

4. PLACE 6 INCHES OF BARK MULCH AT AREAS NOT PROTECTED BY BARRIER.

5. TREATMENT OF ROOTS EXPOSED DURING CONSTRUCTION: FOR ROOTS OVER ONE INCH IN DIAMETER DAMAGED DURING CONSTRUCTION, MAKE A CLEAN STRAIGHT CUT TO REMOVE DAMAGED PORTION OF ROOT. ALL EXPOSED ROOTS SHOULD BE TEMPORARILY COVERED WITH DAMP BURLAP AND COVERED WITH SOIL OR MULCH AS SOON AS POSSIBLE TO PREVENT DRYING.

5. NO EQUIPMENT OR MACHINERY SHALL BE USED WITHIN THE PROTECTION FENCE. WORK WITHIN THE PROTECTION ZONE SHALL BE DONE MANUALLY.

7. NO STOCKPIILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE IS ALLOWED WITHIN THE LIMIT OF FENCING.

CHM PERKINS, LLC  
200 KEARSARGE MOUNTAIN ROAD  
WILMOT, NH 03287

BOTANICAL NAME / COMMON NAME	SIZE	QUANTITY	NOTES
<i>Betula papyrifera</i> 'Oasis' / Oasis Paper Birch	3.0-3.5" CAL	3	MIN 3 STEMS, each >3.0" CAL

PROPOSED LOT COVERAGE CALCULATIONS		
HOUSE :	1,809 SF	
DECK :	194 SF	
PERMEABLE PATIO :	143 SF	
SHED W/ OVERHANG :	149 SF	
PERMEABLE DRIVEWAY :	1,580 SF	
PERMEABLE WALKS :	181 SF	
DETACHED DECK & STAIRS :	29 SF	
TOTAL COVERAGE :	4,085 SF	
TOTAL LOT AREA :	10,708 SF	
38.1% COVERAGE		



311 kast hill road  
hopkinton nh 03229  
603. 746. 3512  
terrainplanning.com

Site Location:  
775 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #: 30

Prepared For:  
Scott & Kimberly Rouleau  
222 Danforth Corners Road  
Hillsborough, NH 03244

DATE: 09 - 05 - 2023

SCALE: 1" = 10'

PROJECT #: 23030

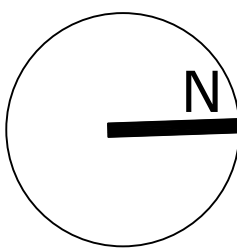
Drawn By: BDW

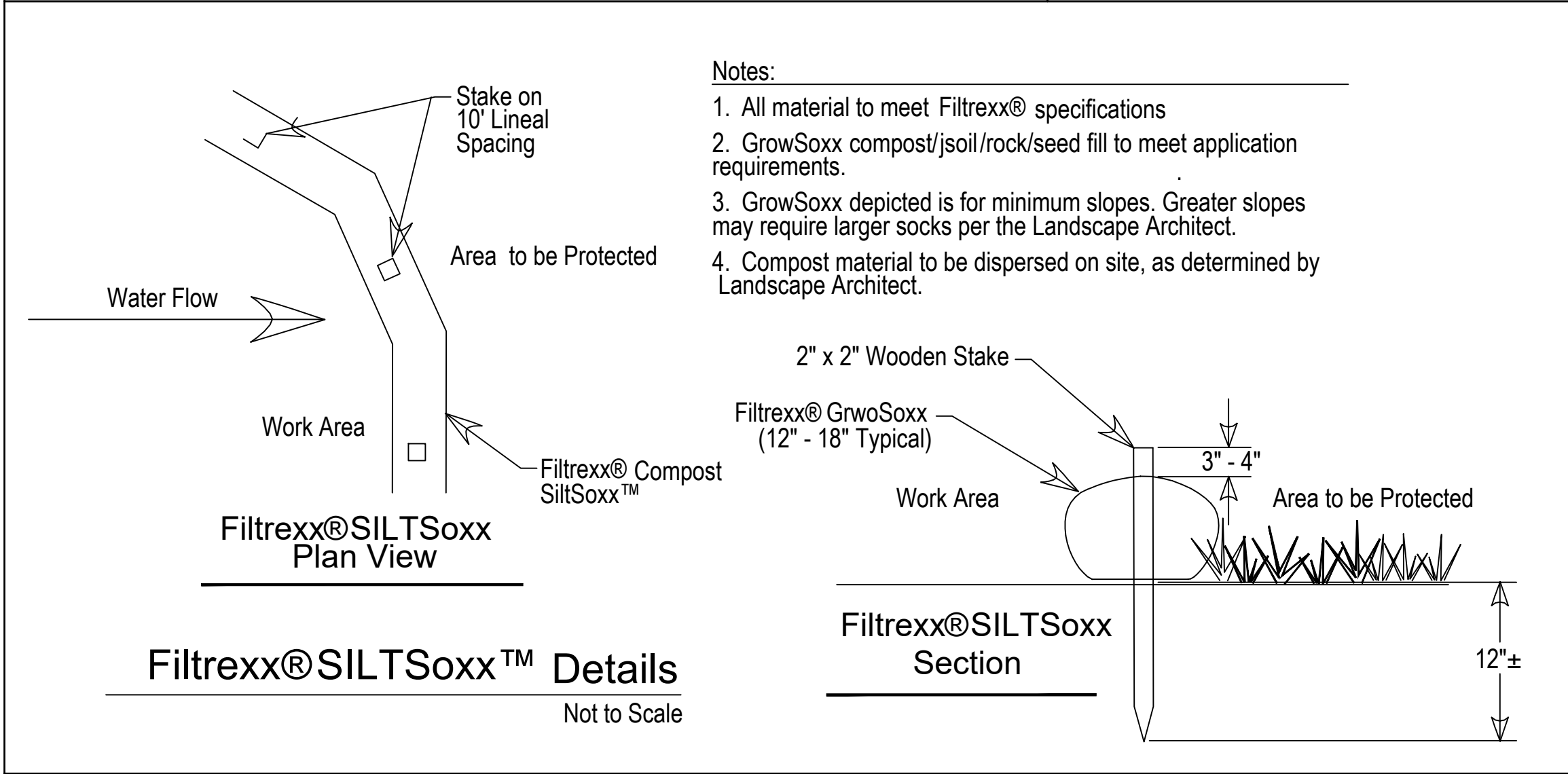
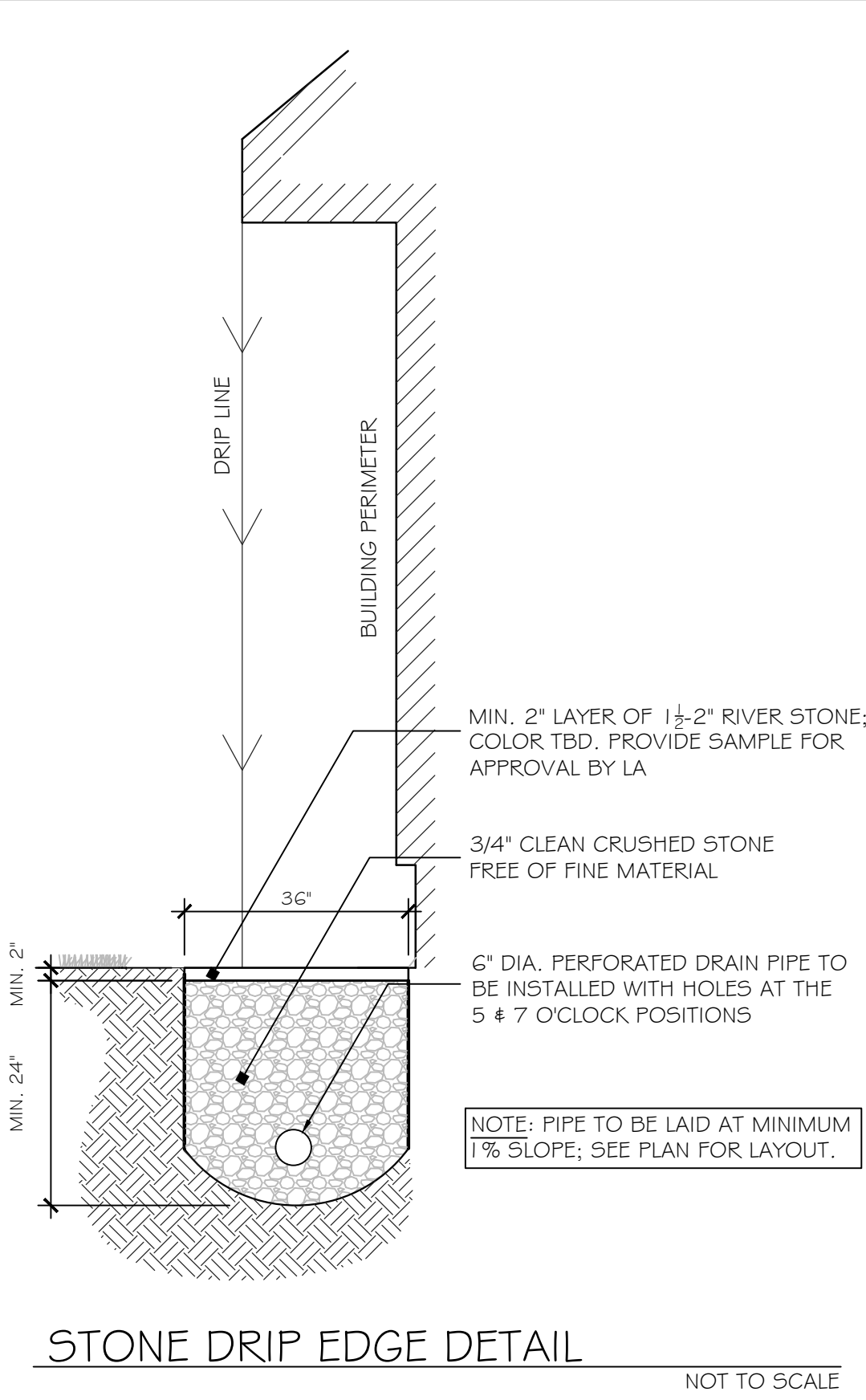
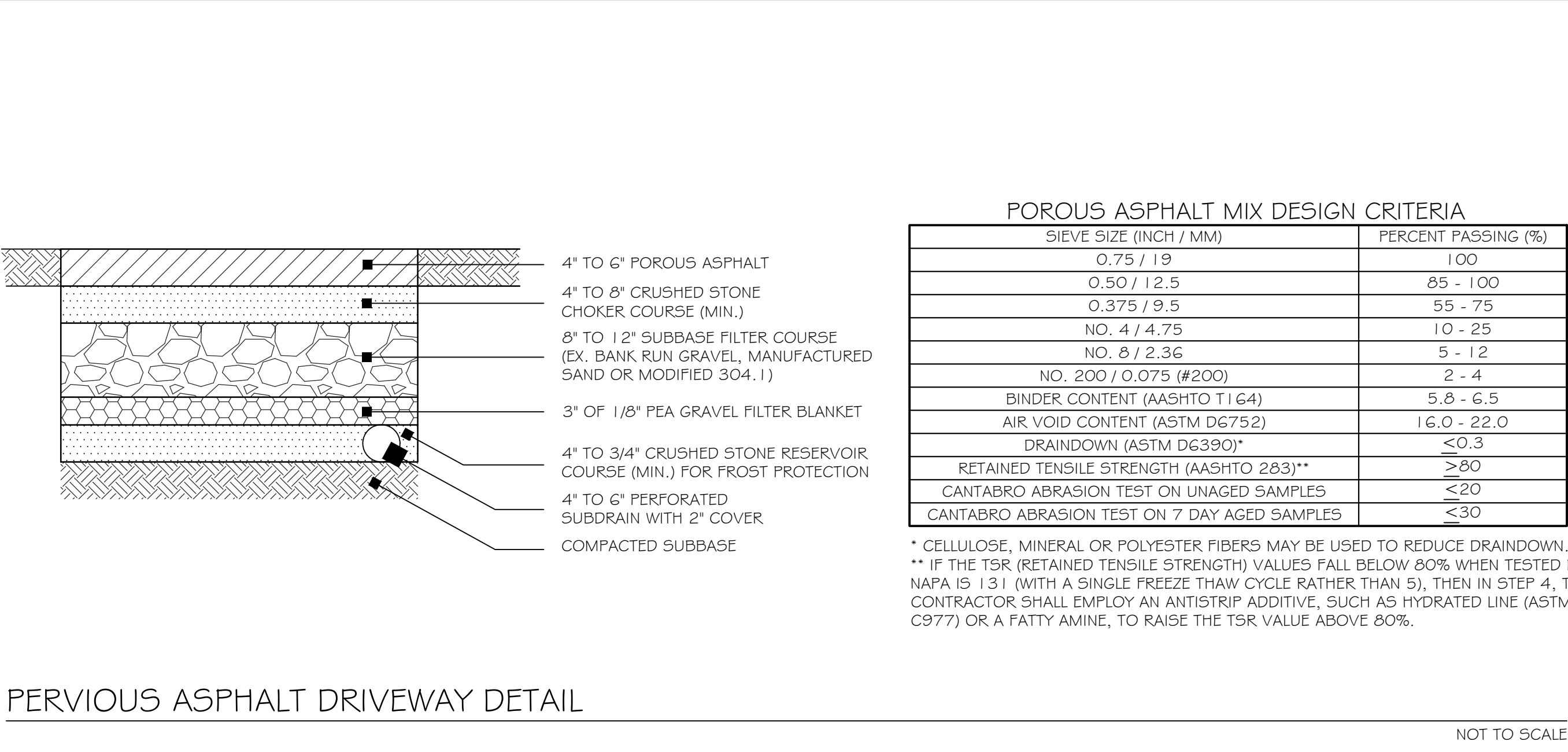
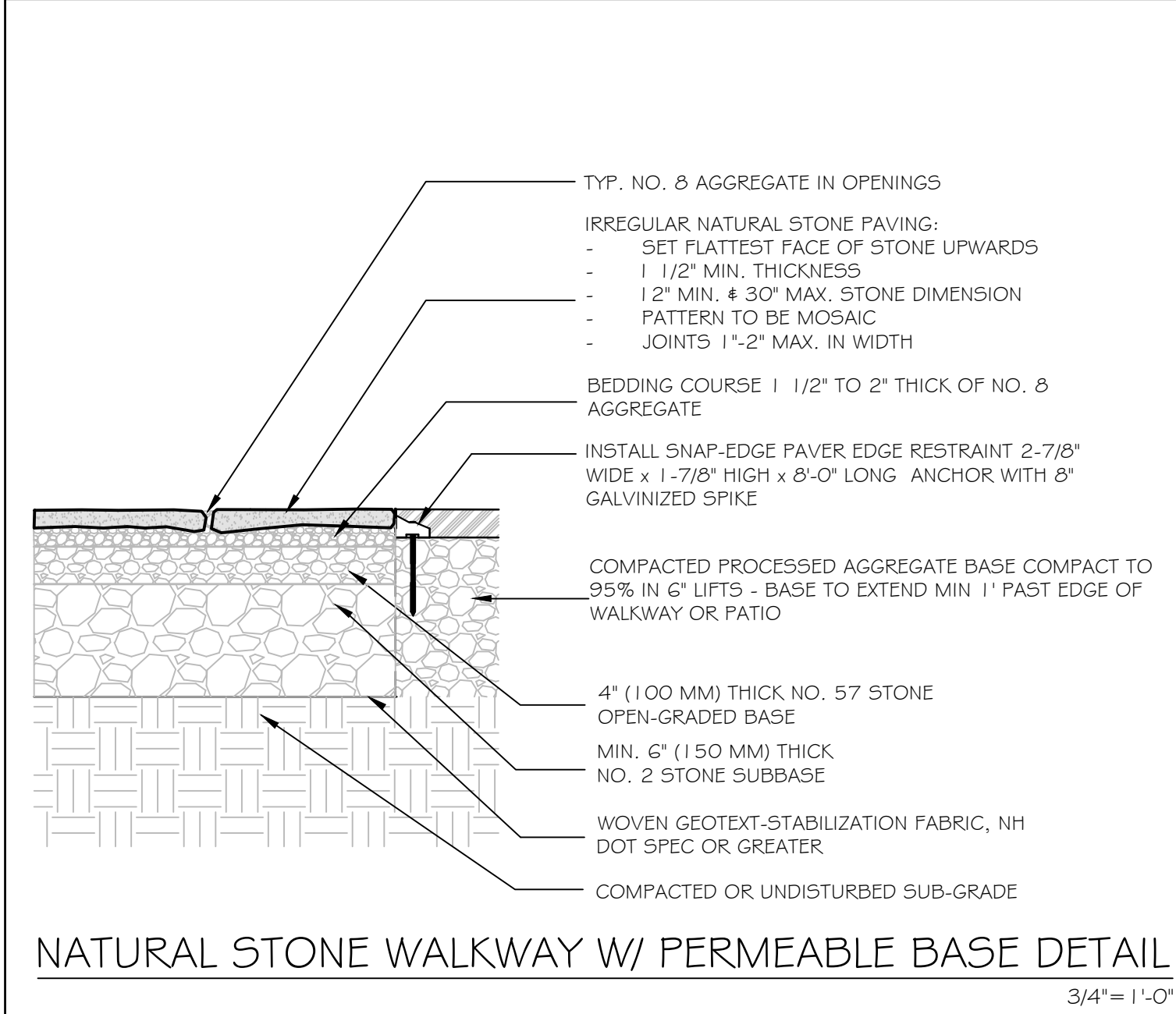
Checked By: ERE

REVISIONS: \_\_\_\_\_ DATE: \_\_\_\_\_  
Revised per Town submittal  
11/17/23

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L - 01





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hopkinton nh 03229  
603. 746. 3512  
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**ROULEAU  
RESIDENCE**

Site Location:  
775 Route 103  
Sunapee, NH 03782  
Tax Map: 149  
Lot #: 30

Prepared For:  
Scott & Kimberly Rouleau  
222 Danforth Corners Road  
Hillsborough, NH 03244

**CONSTRUCTION  
DETAILS**

DATE: 09 - 05 - 2023

SCALE: AS SHOWN

PROJECT #: 23030

Drawn By: BDW

Checked By: ERB

REVISIONS: DATE:  
Revised per Town submittal  
11/17/23

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**L - 02**



**Zoning Board of Adjustment (ZBA)  
Variance Application**

**RECEIVED**

**AUG 14 2023**

**TOWN OF  
SUNAPEE**

Questions? Please contact the Land Use & Assessing Coordinator or the Planning & Zoning Director. All dates and deadlines are published on the ZBA calendar; see Page 6. For helpful guidelines on completing this application, see page 4-5.

**Attach additional sheets of paper as necessary.**

1. Landowner(s) Name(s): Sunapee Harbor Riverway
2. Parcel ID: 0133-0087-0000 3. Zoning District: \_\_\_\_\_
4. Project Location (Street & #): 72 Main Quack Shack
5. Mailing Address: Po Box 850
6. Phone Number: 603-763-9988
7. Email: Shu @ Sunapeeharborriverway.com

☒ **ABUTTERS LIST:** You must prepare a list of all abutting property owners and attach it to your application. If you have any difficulty, consult the town office, but the accuracy of the list is your responsibility. You can download an abutters list by using the Tax Maps/GIS on the Town's website (under Assessing Department).

☒ **FEES:** 1 Application Fee: \$150.00 \* Make check payable to Town of Sunapee.  
6 Abutter Notification Fee: \$8.00 \* per abutter. Make payable to US Post Office.

\* NOTE: Rates and fees are subject to change. For the most current rate, please check with the Town Office.

☒ **ATTACHMENTS:** To assist the board, please attach sketches, photos, surveys, plot plans, pictures, construction plans, or whatever may help explain the proposed use. Include copies of any prior Zoning or Planning decisions concerning the property. If you have something in writing stating that your proposed project does not meet zoning, please attach that to this application; it may be a letter, email or denied permit. A professional survey by a licensed surveyor is strongly recommended for variances related to setback requirements. For properties located in the Shoreline Overlay District, a professional survey is required. Supplemental materials for the Board must be submitted no later than five (5) days before the scheduled hearing, however, adequate plans and exhibits must accompany the application. This includes, but is not limited to: lot dimensions, dimensions of proposed and existing structures, identification of abutting properties and roads, locations of water bodies, wetlands, septic systems, etc.

*Applications will not be considered complete unless all the questions are answered, the fees are paid, and an Abutters Mailing List is attached.*

**GENERAL DESCRIPTION:** This is a place to give a general summary of the proposed project as an introduction and overview for the public hearing. For example, where is the property located? Describe the property. Give area, frontage, side and rear lines, slopes, natural features, etc. What do you propose to do? Why does your proposal require an appeal to the board of adjustment?

PANELIZED FREEZER ON QUACK SHACK

Attach additional sheets of paper as necessary.

**SPECIFIC REASON THE VARIANCE IS NECESSARY:** A Variance is requested from Zoning

Ordinance, Article 4, Section 4.33 to permit

Within setback

**Facts in support of granting the variance:**

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

The work on this project will not be obtrusive and it will be beneficial as the business owner will have easy access to the ice cream supply w/o moving it through the harbor behind.

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

No alterations to the existing building building taking place. Panelized freezer unit meets requirements for height etc.

3. Granting the variance would do substantial justice because:

The addition of the unit is consistent with the present use of the building.



4. If the variance were granted, the values of the surrounding properties would not be diminished because: The area is business use and the addition of the packaged freezer unit will be in keeping with the current use of the building.

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:

The addition of the unit will not take away from the current use of the area. The area of placement is currently not used except for two 55 gal trash cans.

- and -

ii. The proposed use is a reasonable one because:

It will eliminate the need for transporting 5 gallon containers of ice cream through the harbor and give the business more space inside.

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.

The variance requirement is due to the proximity of the Sugar River. The unit will sit outside ~~at~~ current dock, which the building also sits on. No DES Shoreland ~~req~~ requirement needed.

NOTE:

For person(s) with physical disabilities,  
please see RSA 674:33 regarding alternative hardship criteria for a Variance.

**SIGNATURE:** I understand that the public hearing will be held at the scheduled date and time unless a request is made by me for a new hearing. Any rehearing will require a new public notice and notification to abutters, the cost of which will be borne by the applicant. Further, I hereby give permission to the ZBA members and zoning officials to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

Susan Mills  
Landowner(s) Signature(s)

8-3-2023  
Date

— = 1 foot

Deck

Roof Line

Deck Railing

COUNTER

Proposed  
Freezer

9'6"

9'6"

9'

3'6"

Quack  
Shack  
Building

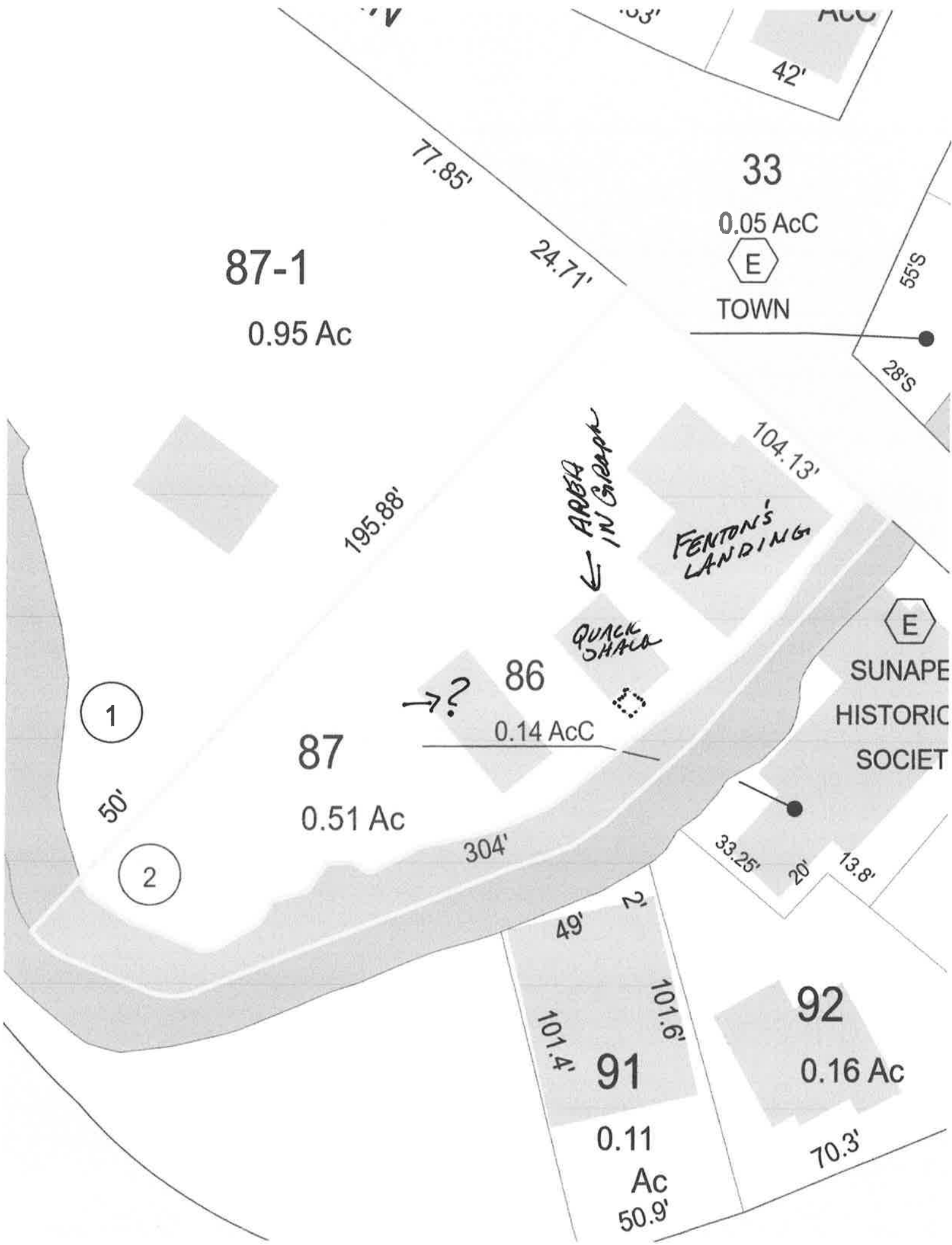
Fence

4'

10'6"

8'6"







# 68 foot Abutters List Report

Tri Town, NH  
August 14, 2023

## Subject Properties:

Parcel Number: Sun-0133-0087-0000  
CAMA Number: Sun-0133-0087-0000  
Property Address: 72 MAIN ST

Mailing Address: SUNAPEE HARBOR-RIVERWAY INC  
PO BOX 850  
SUNAPEE, NH 03782

## Abutters:

Parcel Number: Sun-0133-0025-0000  
CAMA Number: Sun-0133-0025-0000  
Property Address: 63 MAIN ST

Mailing Address: LAKE SUNAPEE PROTECTIVE ASSOCI  
PO BOX 683  
SUNAPEE, NH 03782

Parcel Number: Sun-0133-0026-0000  
CAMA Number: Sun-0133-0026-0000  
Property Address: 5 GARNET ST

Mailing Address: ROYCE ENTERPRISES, LLC  
PO BOX 50  
SUNAPEE, NH 03782

Parcel Number: Sun-0133-0033-0000  
CAMA Number: Sun-0133-0033-0000  
Property Address: MAIN ST

Mailing Address: TOWN OF SUNAPEE  
23 EDMONT ROAD  
SUNAPEE, NH 03782

Parcel Number: Sun-0133-0035-0000  
CAMA Number: Sun-0133-0035-0000  
Property Address: 77 MAIN ST

Mailing Address: SUNAPEE HARBOR-RIVERWAY INC  
PO BOX 850  
SUNAPEE, NH 03782 *dup*

Parcel Number: Sun-0133-0086-0000  
CAMA Number: Sun-0133-0086-0000  
Property Address: 74 MAIN ST

Mailing Address: SUNAPEE NH HISTORICAL SOCIETY  
PO BOX 501  
SUNAPEE, NH 03782

Parcel Number: Sun-0133-0087-0001  
CAMA Number: Sun-0133-0087-0001  
Property Address: 68 MAIN ST Unit 1

Mailing Address: SUNAPEE HARBOR-RIVERWAY INC  
PO BOX 850  
SUNAPEE, NH 03782 *dup*

Parcel Number: Sun-0133-0090-0000  
CAMA Number: Sun-0133-0090-0000  
Property Address: 1 RIVER RD

Mailing Address: TOWN OF SUNAPEE  
23 EDMONT ROAD  
SUNAPEE, NH 03782

Parcel Number: Sun-0133-0091-0000  
CAMA Number: Sun-0133-0091-0000  
Property Address: 31 RIVER RD

Mailing Address: F. E. CLARK HOLDINGS, LLC  
PO BOX 350  
SUNAPEE, NH 03782

Parcel Number: Sun-0133-0092-0000  
CAMA Number: Sun-0133-0092-0000  
Property Address: 33 RIVER RD

Mailing Address: SUNAPEE HARBOR-RIVERWAY INC  
PO BOX 850  
SUNAPEE, NH 03782



www.cai-tech.com

8/14/2023

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Page 1 of 1



ROYCE ENTERPRISES, LLC  
PO BOX 50  
SUNAPEE, NH 03782

SUNAPEE HARBOR-RIVERWAY I  
PO BOX 850  
SUNAPEE, NH 03782

SUNAPEE NH HISTORICAL SOC  
PO BOX 501  
SUNAPEE, NH 03782

TOWN OF SUNAPEE  
23 EDMONT ROAD  
SUNAPEE, NH 03782

F. E. CLARK HOLDINGS, LLC  
PO BOX 350  
SUNAPEE, NH 03782

LAKE SUNAPEE PROTECTIVE A  
PO BOX 683  
SUNAPEE, NH 03782

0133-0087-0000



July 14, 2023

Tri Town, NH

1 inch = 20 Feet



Precision Mapping Geospatial Solutions

www.cai-tech.com

87-1

0.95 AC

24.71'



TOWN

104.13'

195.88'

86

0.14 AcC

87

0.51 AC

304'

33.25'

13.8'

20'

49'

2'

101.6'

101.4'

91

0.11

AC

92

0.16 A

70.3'



RECEIVED

DEC 07 2023

TOWN OF  
SUNAPEE

OWNER AUTHORIZATION

Sunapee Harbor-Riverway, Inc. (the "Riverway"), owner of the property known as 72 Main Street, Sunapee, New Hampshire (Tax Map 133, Lot 87), hereby authorizes Brett W. Allard, Esq. of Shaughnessy Allard, PLLC, to appear before the Town of Sunapee Zoning Board of Adjustment on behalf of the Riverway in connection with pending Case #VA 23-09.

Dated: December 6, 2023



---

David Hoffman, LRPC Chair

1

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**From:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Sent:** Tuesday, July 18, 2023 2:58 PM  
**To:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Subject:** RE: Sunapee Harbor Riverway query

Hello,  
Thank you for contacting the Department. You are placing this on top of an existing structure (i.e. pavilion)? How far away from the water will the structure be placed?

**Calvin G. Diessner**  
Shoreland Section Supervisor, Land Resources Management  
Water Division, NH Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
Office: (603) 271-4067  
Email: [calvin.g.diessner@des.nh.gov](mailto:calvin.g.diessner@des.nh.gov)

*We greatly appreciate your feedback. Please take a moment to fill out our 3-minute [NHDES-LRM customer satisfaction survey](#).*

**From:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Sent:** Monday, July 17, 2023 3:11 PM  
**To:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Subject:** Sunapee Harbor Riverway query

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

Hello,

I'm trying to get a handle on whether we need a Shoreland Permit to place a panelized freezer unit (approx. 9x9 or less) on our pavilion located in Sunapee Harbor. The map/parcel # is 0133-0087 -0000. There are other buildings located on this site, this is the building furthest from the road.  
It is a completely enclosed outdoor freezer unit.

Regards,  
Sue Mills

Susan Mills, Manager  
Sunapee Harbor Riverway, Inc.  
PO Box 850  
Sunapee, NH 03782

603 763 9988

"To preserve and enhance the Harbor Village experience in the present and into the future."



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**From:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Sent:** Friday, July 21, 2023 3:03 PM  
**To:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Subject:** RE: Sunapee Harbor Riverway query

Hello,

No permit require to simply set the freezer on top of the deck. The freezer could not be converted to living space. The structure would need to be setback 20 feet from the water.

**Calvin G. Diessner**  
Shoreland Section Supervisor, Land Resources Management  
Water Division, NH Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
Office: (603) 271-4067  
Email: [calvin.g.diessner@des.nh.gov](mailto:calvin.g.diessner@des.nh.gov)

*We greatly appreciate your feedback. Please take a moment to fill out our 3-minute [NHDES-LRM customer satisfaction survey](#).*

**From:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Sent:** Friday, July 21, 2023 10:50 AM  
**To:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Subject:** RE: Sunapee Harbor Riverway query

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

Dear Calvin,

Thank you for your response. I've attached a simple drawing done by the business owner of the Quack Shack Ice Cream stand in the Harbor. The deck (pavilion) is an old footprint of a former building on that site. The ice cream building sits on the deck. This property borders the Sugar River.

Regards,  
Sue

Susan Mills, Manager  
Sunapee Harbor Riverway, Inc.  
PO Box 850  
Sunapee, NH 03782

603 763 9988

"To preserve and enhance the Harbor Village experience in the present and into the future."

[www.sunapeeharborriverway.com](http://www.sunapeeharborriverway.com)

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**From:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Sent:** Monday, July 24, 2023 2:43 PM  
**To:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Subject:** RE: Sunapee Harbor Riverway query

Hello,

We can not permit structures within 20 feet of the water other than decks and patios. This structure would need to be setback 20 feet from the water.

**Calvin G. Diessner**  
Shoreland Section Supervisor, Land Resources Management  
Water Division, NH Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
Office: (603) 271-4067  
Email: [calvin.g.diessner@des.nh.gov](mailto:calvin.g.diessner@des.nh.gov)

We greatly appreciate your feedback. Please take a moment to fill out our 3-minute [NHDES-LRM customer satisfaction survey](#).

**From:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Sent:** Monday, July 24, 2023 12:07 PM  
**To:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Subject:** RE: Sunapee Harbor Riverway query

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

Calvin, I've attached some photos of the area. The Pavilion railing is about 2' from the edge of the river as seen in picture 1. The area the freezer will sit is in picture 2. The counter shelf will be removed, and the freezer will be placed there. It's not 20' from the water. The building isn't 20' from the water.

Regards,

Susan Mills, Manager  
Sunapee Harbor Riverway, Inc.  
PO Box 850  
Sunapee, NH 03782

603 763 9988

"To preserve and enhance the Harbor Village experience in the present and into the future."



The information contained in this electronic message is privileged and confidential and is intended only for the use of the individual or entity named above. If the recipient of this message is not the above-named intended recipient, you are hereby notified that any dissemination, copy or disclosure of this communication is strictly prohibited. **If you have received this communication in error, please notify Sunapee Harbor Riverway 603 763 9988 and purge the communication immediately without making any copy or distribution.**

**From:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Sent:** Monday, July 24, 2023 10:29 AM  
**To:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Subject:** RE: Sunapee Harbor Riverway query

The freezer.

**Calvin G. Diessner**  
Shoreland Section Supervisor, Land Resources Management  
Water Division, NH Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
Office: (603) 271-4067  
Email: [calvin.g.diessner@des.nh.gov](mailto:calvin.g.diessner@des.nh.gov)

*We greatly appreciate your feedback. Please take a moment to fill out our 3-minute [NHDES-LRM customer satisfaction survey](#).*

**From:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Sent:** Friday, July 21, 2023 4:33 PM  
**To:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Subject:** RE: Sunapee Harbor Riverway query

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

Calvin,

I'm not sure what you mean by the structure would need to be 20' from the water. Which structure, a living quarters?

Thanks,  
Sue

Susan Mills, Manager  
Sunapee Harbor Riverway, Inc.  
PO Box 850  
Sunapee, NH 03782

603 763 9988

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**From:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Sent:** Friday, July 28, 2023 9:25 AM  
**To:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>; DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Cc:** [quackphoto@aol.com](mailto:quackphoto@aol.com)  
**Subject:** RE: Sunapee Harbor Riverway query

Nope, please see my email.

Hello,

No permit require to simply set the freezer on top of the deck. The freezer could not be converted to living space. The structure would need to be setback 20 feet from the water.

**Calvin G. Diessner**  
Shoreland Section Supervisor, Land Resources Management  
Water Division, NH Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
Office: (603) 271-4067  
Email: [calvin.g.diessner@des.nh.gov](mailto:calvin.g.diessner@des.nh.gov)

We greatly appreciate your feedback. Please take a moment to fill out our 3-minute [NHDES-LRM customer satisfaction survey](#).

**From:** Susan Mills <[sue@sunapeeharborriverway.com](mailto:sue@sunapeeharborriverway.com)>  
**Sent:** Thursday, July 27, 2023 3:22 PM  
**To:** DES: Shoreland <[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov)>  
**Cc:** [quackphoto@aol.com](mailto:quackphoto@aol.com)  
**Subject:** RE: Sunapee Harbor Riverway query

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Calvin,

Okay, so we need a Permit by Notification to put the freezer on the deck next to the building. Correct?

Sue

Susan Mills, Manager  
Sunapee Harbor Riverway, Inc.  
PO Box 850  
Sunapee, NH 03782

603 763 9988



## Susan Mills

---

**From:** DES: Shoreland <shoreland@des.nh.gov>  
**Sent:** Wednesday, October 11, 2023 3:11 PM  
**To:** Susan Mills  
**Subject:** RE: Sunapee Harbor Riverway query

No, this is not something at we can provide you. You can use the email chain as evidence of our discussion.

**Calvin G. Diessner**  
Shoreland Section Supervisor, Land Resources Management  
Water Division, NH Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
Office: (603) 271-4067  
Email: [calvin.g.diessner@des.nh.gov](mailto:calvin.g.diessner@des.nh.gov)

We greatly appreciate your feedback. Please take a moment to fill out our 3-minute [NHDES-LRM customer satisfaction survey](#).

**From:** Susan Mills <sue@sunapeeharborriverway.com>  
**Sent:** Wednesday, October 11, 2023 2:10 PM  
**To:** DES: Shoreland <shoreland@des.nh.gov>  
**Cc:** quackphoto@aol.com  
**Subject:** RE: Sunapee Harbor Riverway query

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

Hello Calvin,

We are going before the Sunapee Planning and Zoning Committee on the issue of the freezer we discussed earlier (please see email thread below). Could you please provide me with a letter attachment on DES letterhead stating that we do not need any special permit from DES Shoreland to put the freezer on the deck at the Quack Shack?

Thank you, your time is appreciated.

Regards,  
Sue

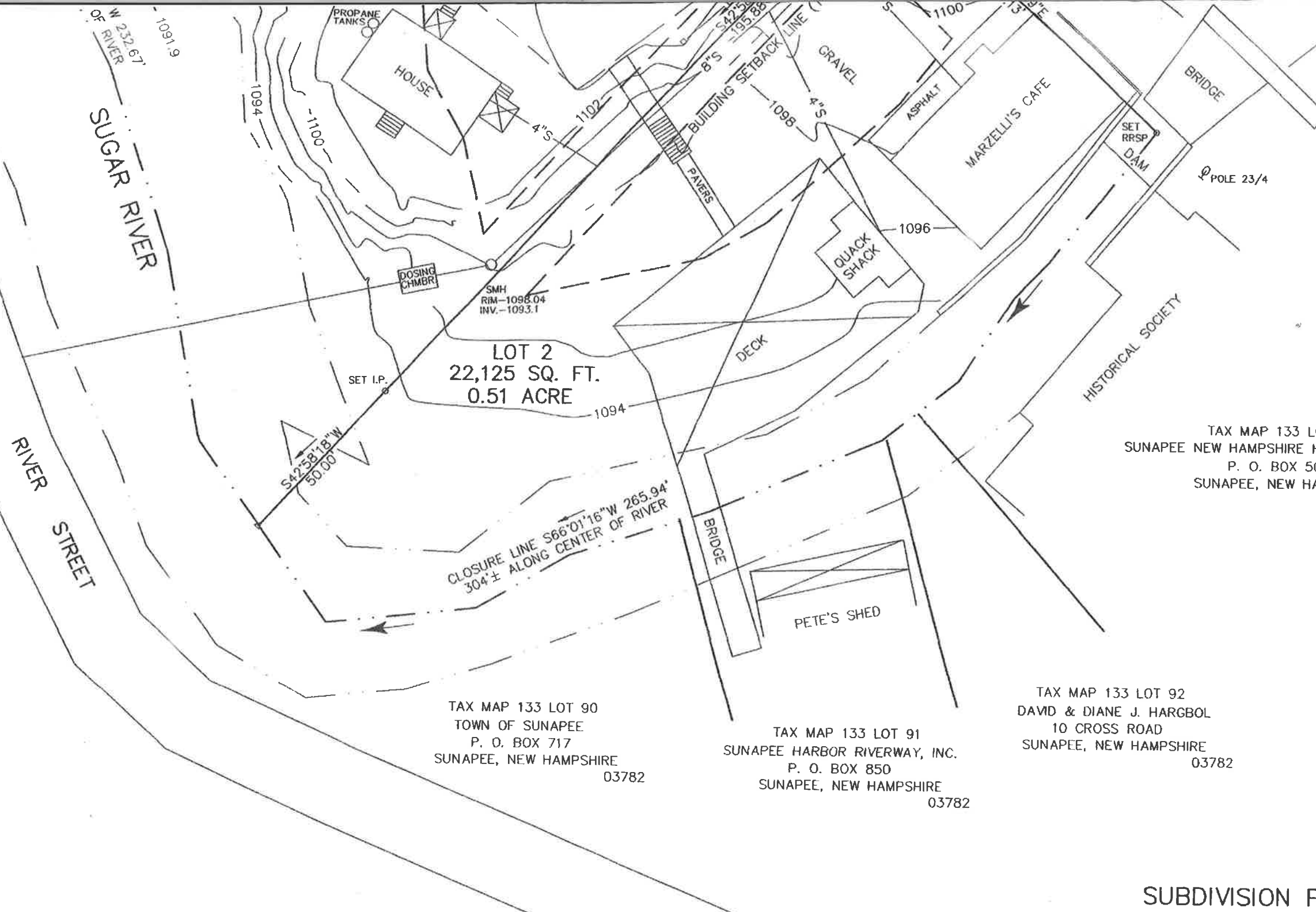
Susan Mills, Manager  
Sunapee Harbor Riverway, Inc.  
PO Box 850  
Sunapee, NH 03782

603 763 9988

"To preserve and enhance the Harbor Village experience in the present and into the future."

[www.sunapeeharborriverway.com](http://www.sunapeeharborriverway.com)

TAX MAP 133 LOT 120  
DANVILLE A. HUFF  
P. O. BOX 136  
SUNAPEE, NEW HAMPSHIRE  
03782

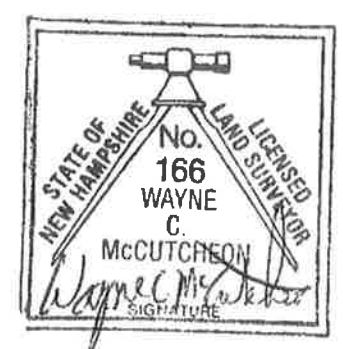


TAX MAP 133 LOT 86  
SUNAPEE NEW HAMPSHIRE HISTORICAL SOCIETY  
P. O. BOX 501  
SUNAPEE, NEW HAMPSHIRE  
03782

TAX MAP 133 LOT 90  
TOWN OF SUNAPEE  
P. O. BOX 717  
SUNAPEE, NEW HAMPSHIRE  
03782

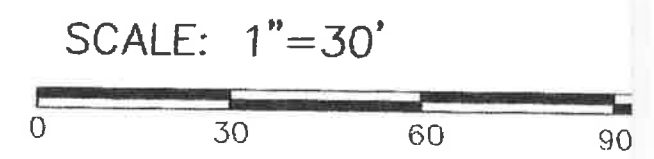
TAX MAP 133 LOT 91  
SUNAPEE HARBOR RIVERWAY, INC.  
P. O. BOX 850  
SUNAPEE, NEW HAMPSHIRE  
03782

TAX MAP 133 LOT 92  
DAVID & DIANE J. HARGBOL  
10 CROSS ROAD  
SUNAPEE, NEW HAMPSHIRE  
03782



I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE TRACT  
SHOWN HEREON, AND THIS PLAT IS MADE IN ACCORDANCE WITH  
THE FIELD NOTES OF SAID SURVEY.  
*Wayne C. McCutcheon*

SUBDIVISION PLAN OF LAND  
SUNAPEE HARBOR-RIVER  
SUNAPEE HARE  
SUNAPEE, NEW HAM







**TOWN OF SUNAPEE**  
***Water and Sewer Commission***

P.O. Box 347, Sunapee, NH 03782-0347  
(603) 763-2115

October 23, 2023

Sunapee Zoning Board  
23 Edgemont Road  
Sunapee, NH 03782

Re: Sunapee Harbor Riverway Quackshack/Fenton's Landing Property

Dear Members of the Board,

I have been speaking with the Sunapee Harbor Riverway in regards to the sewer department's siphon chamber that is located on the edge of the river at map 0133-0087. The Riverway is reporting that the Zoning Board has suggested that they place a cooler on the property adjacent to the Quack Shack deck.

There can't be anything located there that is not easily moved. The Sewer Department needs to maintain a 20' right of way along the sewer line through the property and to be able to access the siphon chamber to keep it cleaned out of grease.

Although I have not been able to locate a recorded easement yet for this right-of-way for the sewer line and siphon chamber. The Sewer Department can't allow a large cooler to be placed in the way of access to these sewer structures.

Sincerely,

David Bailey  
Superintendent

Cc:Sunapee Harbor Riverway



Open in Map Viewer Classic



Sunapee Water and Sewer

◆ = Siphon Chamber

— Sewer Main



VCGL, Maxar, Microsoft | Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, Powered by Esri



Town of Sunapee

CASE# \_\_\_\_\_

23 Edgemont Rd., Sunapee NH

Phone (603) 763-2212 ext. 1023 / Email [zoning@town.sunapee.nh.us](mailto:zoning@town.sunapee.nh.us)Website [www.town.sunapee.nh.us](http://www.town.sunapee.nh.us)

## Zoning Board of Adjustment (ZBA) Variance Application

Questions? Please contact the Land Use & Assessing Coordinator or the Planning & Zoning Director. All dates and deadlines are published on the ZBA calendar; see Page 6. For helpful guidelines on completing this application, see page 4-5.

**Attach additional sheets of paper as necessary.**

1. Landowner(s) Name(s): GROWTH CAP MANAGEMENT, LLC
2. Parcel ID: 104/22 3. Zoning District: \_\_\_\_\_
4. Project Location (Street & #): 27 PROSPECT HILL
5. Mailing Address: 7 HANSON DR, MERRIMACK, NH
6. Phone Number: 603-769-7521
7. Email: REBERT@RPPROCONTRACTING.COM

☒ **ABUTTERS LIST:** You must prepare a list of all abutting property owners and attach it to your application. If you have any difficulty, consult the town office, but the accuracy of the list is your responsibility. You can download an abutters list by using the Tax Maps/GIS on the Town's website (under Assessing Department).

☐ **FEES:**      Application Fee: \$ \_\_\_\_\_ \* Make check payable to Town of Sunapee.  
                  Abutter Notification Fee: \$ \_\_\_\_\_ \* per abutter.    Make payable to US Post Office.

\* NOTE: Rates and fees are subject to change. For the most current rate, please check with the Town Office.

☒ **ATTACHMENTS:** To assist the board, please attach sketches, photos, surveys, plot plans, pictures, construction plans, or whatever may help explain the proposed use. Include copies of any prior Zoning or Planning decisions concerning the property. If you have something in writing stating that your proposed project does not meet zoning, please attach that to this application; it may be a letter, email or denied permit. A professional survey by a licensed surveyor is strongly recommended for variances related to setback requirements. For properties located in the Shoreline Overlay District, a professional survey is required. Supplemental materials for the Board must be submitted no later than five (5) days before the scheduled hearing, however, adequate plans and exhibits must accompany the application. This includes, but is not limited to: lot dimensions, dimensions of proposed and existing structures, identification of abutting properties and roads, locations of water bodies, wetlands, septic systems, etc.

*Applications will not be considered complete unless all the questions are answered, the fees are paid, and an Abutters Mailing List is attached.*

**GENERAL DESCRIPTION:** This is a place to give a general summary of the proposed project as an introduction and overview for the public hearing. For example, where is the property located? Describe the property. Give area, frontage, side and rear lines, slopes, natural features, etc. What do you propose to do? Why does your proposal require an appeal to the board of adjustment?

NO ALTERATION OF FOOTPRINT OF THE EXTERIOR  
OF THE BUILDING, DIVIDING ONLY THE INTERIOR OF  
A FINISH AREA INTO 4 ONE BEDROOM APTS AND ONE STUDIO.

**Attach additional sheets of paper as necessary.**

**SPECIFIC REASON THE VARIANCE IS NECESSARY:** A Variance is requested from Zoning

Ordinance, Article III, Section 3.10 to permit TO REDUCE  
THE 10,000 SQ. FT ALLOWING THE ADDITION OF  
5 DWELLING UNITS AT 27 PROSPECT HILL RD

**Facts in support of granting the variance:**

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

THE PROPOSED PLAN DOES NOT CONFLICT  
WITH EXPLICIT PURPOSE OF ORDINANCE OR NOT  
ALTER THE ESSENTIAL CHARACTER OF NEIGHBORHOOD.

2. If the variance were granted, the spirit of the ordinance would be observed because: \_\_\_\_\_

AS IT IS THE PUBLIC'S INTEREST TO UPHOLD THE  
SPIRIT OF THE ORDINANCE.

3. Granting the variance would do substantial justice because: \_\_\_\_\_

THE BENEFIT  
TO THE APPLICANT SHOULD NOT BE OUTWEIGHED  
BY HARM TO THE GENERAL PUBLIC.



4. If the variance were granted, the values of the surrounding properties would not be diminished because: THE PROPERTY AT 27 PROSPECT HILL, WILL INCREASE ~~THE~~ VALUE BY ADDING 5 MORE UNITS SO ALL THE SURROUNDING HOUSES WILL INCREASE NOT DIMINISHED.

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: WE KNOW ABOUT THE POTENTIAL OF THE BUILDING BY ADDING 5 MORE UNITS IF THIS VARIANCE IS DENIED WILL BE A HARDSHIP BECAUSE WE WON'T BE ABLE TO PROVIDE MORE HOUSING FOR THE TOWN OF SUNAPEE, EVEN KNOWING THAT WE HAVE ENOUGH SPACE IN THE BUILDING, AND - and - PARKING LOT FOR POTENTIAL MORE TENANTS.

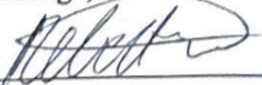
ii. The proposed use is a reasonable one because: IT DOES NOT ALTER THE ESSENTIAL CHARACTER OF NEIGHBORHOOD. ~~AND IT~~ WOULD BE ESSENTIAL TO HAVE MORE HOUSING FOR THE CITY SUNAPEE.

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. THE APPLICANT CAN SATISFY THE UNNECESSARY HARDSHIP REQUIREMENTS.

NOTE:

For person(s) with physical disabilities,  
please see RSA 674:33 regarding alternative hardship criteria for a Variance.

**SIGNATURE:** I understand that the public hearing will be held at the scheduled date and time unless a request is made by me for a new hearing. Any rehearing will require a new public notice and notification to abutters, the cost of which will be borne by the applicant. Further, I hereby give permission to the ZBA members and zoning officials to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

  
Landowner(s) Signature(s)

10/06/2023  
Date



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

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- and -

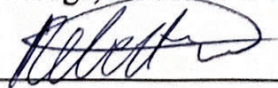
ii. The proposed use is a reasonable one because: IT DOES NOT  
ALTER THE ESSENTIAL CHARACTER OF  
NEIGHBORHOOD. ~~AND~~ IT WOULD BE ESSENTIAL TO  
HAVE MORE HOUSING FOR THE CITY SUNAPEE.

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. THE APPLICANT CAN SATISFY THE  
UNNECESSARY HARDSHIP REQUIREMENTS.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE:

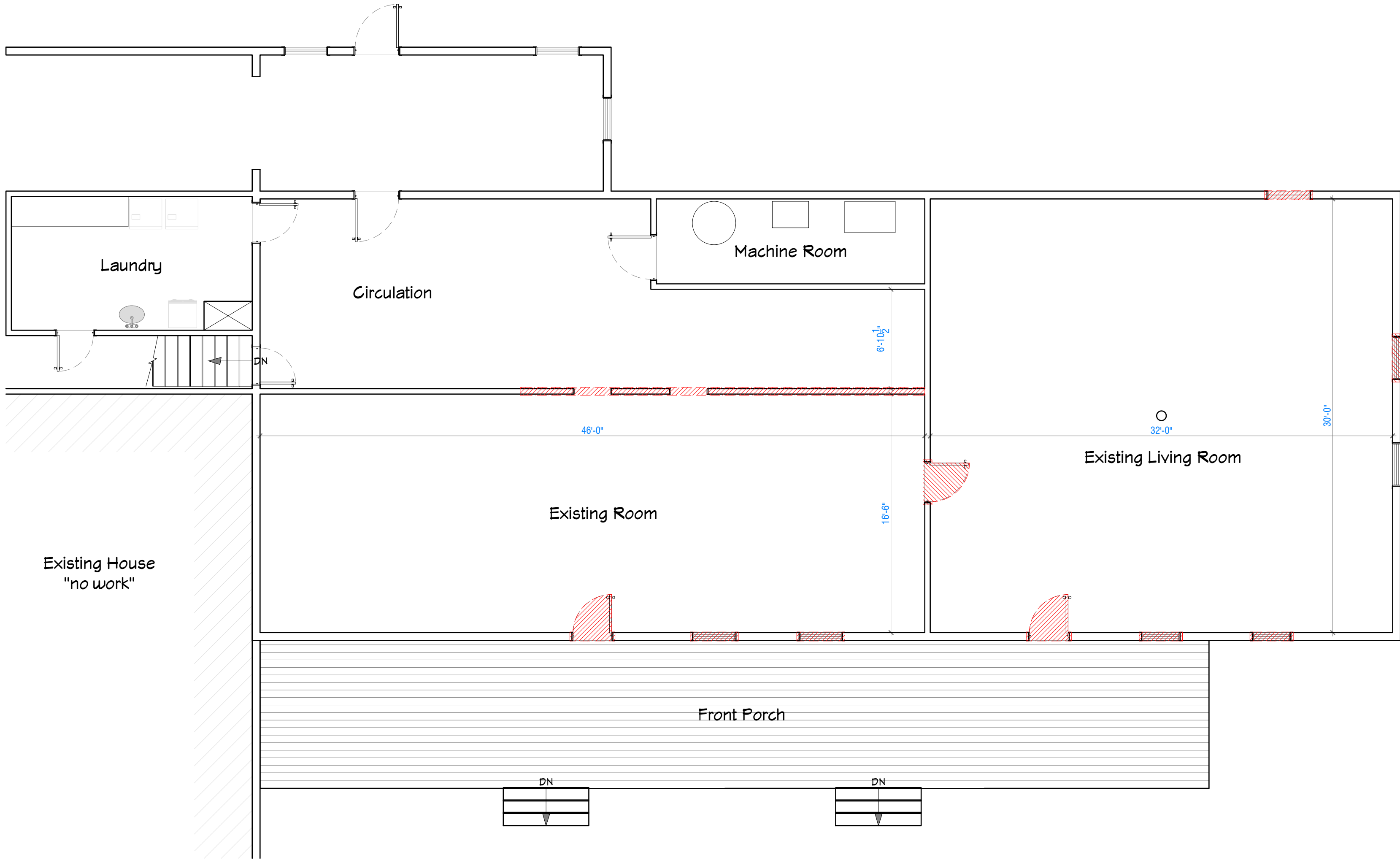
For person(s) with physical disabilities,  
please see RSA 674:33 regarding alternative hardship criteria for a Variance.

**SIGNATURE:** I understand that the public hearing will be held at the scheduled date and time unless a request is made by me for a new hearing. Any rehearing will require a new public notice and notification to abutters, the cost of which will be borne by the applicant. Further, I hereby give permission to the ZBA members and zoning officials to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

  
\_\_\_\_\_  
Landowner(s) Signature(s)

10/06/2023  
\_\_\_\_\_  
Date





1 Existing First Floor  
3/16" = 1'-0"

REVISION TABLE		DESCRIPTION
NUMBER	DATE	

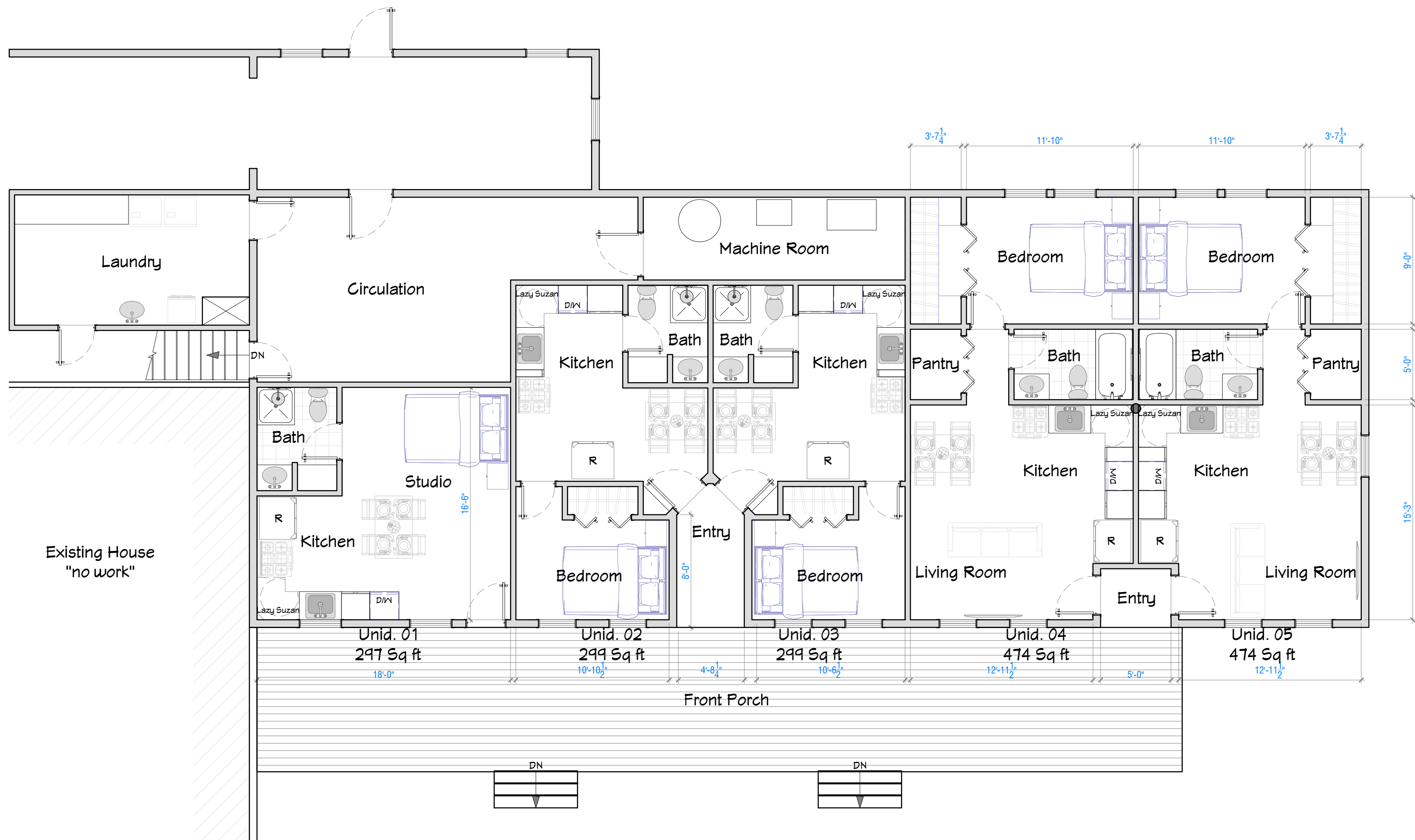
Existing 1st Floor Plan

DRAWINGS PROVIDED BY:  
**RP PRO PAINT & CONTRACTING LLC**  
7 Hansom Drive - Merrimack, NH 03054  
(603) - 769-7521

DATE:  
09/26/2023

SCALE:  
AS NOTED

SHEET:  
A1.00



1 Proposed First Floor  
3/16" = 1'-0"

REVISION TABLE		DESCRIPTION
NUMBER	DATE	REVISD BY

Proposed 1st Floor Plan

DRAWINGS PROVIDED BY:  
**RP PRO PAINT & CONTRACTING LLC**  
7 Hansom Drive - Merrimack, NH 03054  
(603) - 769-7521

DATE:  
09/26/2023

SCALE:  
AS NOTED

SHEET:  
**A2.00**



# Certificate of Zoning Compliance (CZC) Permit Application

## TOWN OF SUNAPEE

23 Edgemont Rd., Sunapee, New Hampshire 03782  
(603) 763-2212 ext. 1023

Email [zoning@town.sunapee.nh.us](mailto:zoning@town.sunapee.nh.us)

Website [www.town.sunapee.nh.us](http://www.town.sunapee.nh.us)

RECEIVED

SEP 29 2023

TOWN OF  
SUNAPEE

FOR TOWN USE ONLY  
DATE APPLICATION REC'D: 09/28/2023

FEE PAID: \$ METHOD:

ZONE:

PARCEL ID:

PERMIT APPROVAL #

Revised 7/21/2023

**Thank you for applying for a permit!** A Certificate of Zoning Compliance (CZC) is required for most construction in Sunapee (see 1-8 below). Your project will be reviewed to make sure it meets the town's zoning regulations. All references (in parentheses and underlined) refer to a specific regulation in the Zoning Ordinance. The complete ordinance is available on our website and at the town office.

**NEXT STEP:** After staff review, the application will be moved to the next Board of Selectmen's meeting for final approval.

**PICK UP:** Your permit will be ready to pick up starting the afternoon after the Board of Selectmen meeting. If you want it mailed to you, please let us know.

**EXPIRATION:** Permits will expire in 12 months if no earnest or substantial effort has been made to carry out the construction or alteration (8.23 & 8.25).

**QUESTIONS?** Please contact the Planning & Zoning Department anytime with questions.



**WHEN IS A CZC PERMIT REQUIRED?** A CZC is required prior to beginning any of the following activities (8.21):

1. Will a new structure be constructed or installed? ..... ☒ YES ☐ NO
2. Will an existing structure be expanded? ..... ☐ YES ☒ NO
3. Will a dwelling unit be added to an existing structure? ..... ☒ YES ☐ NO  
A "dwelling unit" is like an apartment or additional house. It includes independent cooking, sleeping, and sanitary facilities. (XI)
4. Does the project involve a structure owned by the Town of Sunapee (municipal building)? ..... ☐ YES ☒ NO
5. Will a bedroom or kitchen be added to an existing structure? ..... ☒ YES ☐ NO
6. Will an existing structure be demolished? ..... ☒ YES ☐ NO
7. Did the Planning Board approve a Site Plan for this proposal? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of the board's Notice of Decision.
8. Does the project involve interior renovations in excess of \$25,000? ..... ☒ YES ☐ NO

## DESCRIPTION

PROPERTY STREET ADDRESS: 27 PROSPECT HILL RD Lot Size: 2.65 acres

OWNER(s) Name(s): GROWTH CAP MANAGEMENT, LLC

Mailing Address: 7 HANSON DR MERRIMACK, NH, 03054

Email: REBERT@RPPROCONTRACTING.COM Phone #: 603-769-7521

Preferred method of contact: ☒ Phone ☐ Mail ☐ E-mail

NAME OF BUSINESS at this location (if applicable): \_\_\_\_\_

TYPE OF PROPERTY:

☐  
☐

Single-Family  
Two-Family

☒  
☐

Multi-family (3+ units)  
Commercial

☐  
☐

Municipal  
Other \_\_\_\_\_

NAME OF RIVER / LAKE / POND abutting property (if any): \_\_\_\_\_

Was any decision made by the Planning or Zoning Board regarding this project? ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of the board's Notice of Decision.

WRITTEN DESCRIPTION of proposed project: THE PROPOSED PROJECT WOULD  
BE ADDING 5 MORE UNITS ON THE FIRST FLOOR.

Estimated value of construction \$ 175,000 Estimated start date: 10/15/2023

**WATER & SEWER**

9. ☐ **FOR PRIVATE SEPTIC:** Will this project result in increased septic flow or water utilization? ☐ YES ☒ NO  
☐ IF YES, attach a copy of your State septic system approval. Contact State of NH Department of Environmental Services with questions at (603) 271-2147.

10. ☐ **FOR PUBLIC SEWER OR PUBLIC WATER:**

- a. Will this project involve any new residential structure, or any change in living space to a residential building? (do not include a typical shed or garage, unless there is living space within it) ..... ☒ YES ☐ NO
- b. Will this project involve any hook-up, disconnect, or demolition for a structure on the town water or sewer system? ..... ☐ YES ☒ NO

☐ IF YES, attach a copy of your Permit Connection Approval from the Sunapee Water & Sewer Department. Forms are available at the town office. Contact the Sunapee Water and Sewer Department with questions at (603) 763-2115, [sunws@town.sunapee.nh.us](mailto:sunws@town.sunapee.nh.us).

**DIMENSIONS & MEASUREMENTS** – This section is ONLY for new structures or expanding structures, including any change in the building envelope, height or footprint. **CHECK HERE IF NOT APPLICABLE** ☐

11. ☒ **DRAWINGS:** Attach a copy of any drawings, floor plans, or elevations showing dimensions and measurements.

12. **Dimensions:**

Current Structure

Maximum height: 3.50 ft.

Square footage: 12.628 sq. ft.

Proposed Structure

Maximum height: 3.00 ft.

Square footage: 1,843 sq. ft.



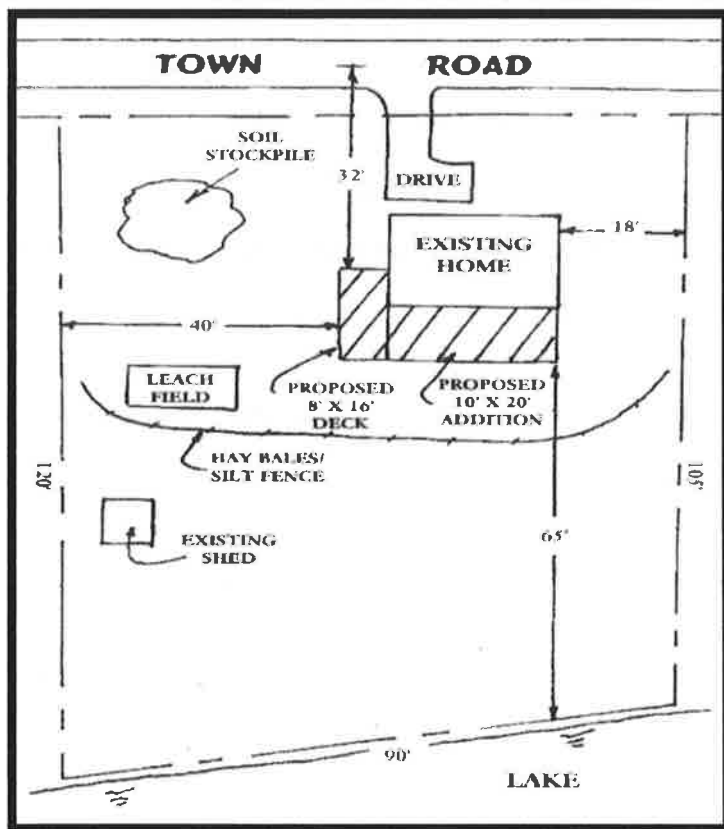
**13. What are the setback measurements for the proposed structure?**  
**See Page 6 for Setback Requirements.**

How to measure: Measure at right angles, between the property boundary and the furthest point of the structure.

	<u>Current Structure</u>	<u>Proposed Structure</u>
To center of road	_____ ft	_____ ft
Side 1	_____ ft	_____ ft
Side 2	_____ ft	_____ ft
Rear property line	_____ ft	_____ ft
Waterbody	_____ ft	_____ ft

14. ☐ **SURVEY:** If you have a Survey of the property, please attach a copy.

15. ☐ **ATTACH A SITE SKETCH / PLOT PLAN DRAWING.** See sample below.



**ABOUT HEIGHT RESTRICTIONS IN SUNAPEE**

- Definition of "Maximum Structure Height": The vertical distance measured from the lowest ground elevation around the structure to the highest level of the roof (excluding cupolas, weathervanes, etc.). (XI)
- 40-feet is the maximum structure height allowed in all districts. (3.10)
- The maximum height of any windowsill or roof eaves shall be no more than 30 feet above the grade directly below it. Windows or eaves located in roof appendages such as cupolas or skylights shall be excluded from this ordinance. (3.40.i)
- If a structure is allowed a reduced side or rear setback due to inadequate lot size (see chart on p. 6), the portion of the structure in the area of reduced setback shall have a maximum height of 25'. (3.10)

## ZONING QUESTIONS

16. **WETLANDS: Will any wetlands be disturbed or impacted?** ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of your State Wetlands permit. NOTE: only certified specialists can delineate wetlands.  
Contact State of NH Department of Environmental Services with questions at (603) 271-2147.
17. **DRIVEWAY: Will a new driveway be altered or constructed?** ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of your town Driveway Permit approval or application. Applications are available at the town office and on the town website.
18. **ROUTE 11, 103, 103B: Is this a new construction project on Routes 11, 103 or 103B?** ..... ☐ YES ☒ NO  
Note: see the requirements for maintaining or planting a 25-foot vegetative buffer. (3.40.o)
19. **RETAINING WALL: Will this project involve a retaining wall over 42" high?** ..... ☐ YES ☒ NO  
Note: retaining walls over 42" must meet all setback requirements. (3.40.i)
20. **STEEP SLOPE: Will any construction take place on a slope that exceeds 25% and has an elevation change of more than 20-feet? (3.40.l)** ..... ☐ YES ☒ NO
21. **1,000 SF & 15% SLOPE: Will 1,000 square feet of land be disturbed on a slope greater than 15%?** ..... ☐ YES ☒ NO  
☐ IF YES, attach an Erosion Control Plans (3.40.n). Contact the Zoning Administrator with questions.
22. **100,000 SF IMPACT: Will 100,000 square feet of land be cleared or disturbed?** ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of your State of NH Alteration of Terrain Permit, and a copy of an engineered Erosion Control Plan. (3.40.n). Contact the Zoning Administrator with questions.

**SHORELINES OVERLAY DISTRICT** – This section is ONLY for properties located within 250-feet of a public water body. Public Water Bodies include: Sugar River, Lake Sunapee, Ledge Pond, Mountain View Lake, Otter Pond and Perkins Pond.

**CHECK HERE IF NOT APPLICABLE** ☒

23. **FLOODPLAIN: Is any portion of this property located in the 100-year FEMA floodplain?** ..... ☐ YES ☒ NO  
Note: this application will be reviewed per Sunapee Floodplain Development Ordinance. If you have a LOMA (Letter of Map Amendment) showing the project is outside the floodplain, you may attach a copy to this application.
24. **STATE PERMIT: Have you applied or received a permit from the State for this project?** ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy. NH DES Permit # \_\_\_\_\_  
Contact State of NH Dept. of Environmental Services with questions at (603) 271-2147.
25. **LAND DISTURBANCE / SHORELINES: Will any Land Disturbance, Construction, Filling, Grading or Dredging occur within 250-feet of the lake, pond or river?** ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of your Land Disturbance Permit and Erosion Control plans. (4.33.B.8.a.i). Land Disturbance Permit applications are available at the town office and on the town website.
26. **150-FOOT WOODLAND BUFFER: Will any trees or vegetation be removed within 150-ft of the lake, pond or river?** ..... ☐ YES ☒ NO  
☐ IF YES, attach a copy of a Tree Cutting & Vegetation Removal permit. Permit applications are available at the town office and on the town website.
27. **50-FOOT WATERFRONT BUFFER: Will this project involve any parking area or any structures within 50-feet of the lake, pond or river? (3.40.c)** ..... ☐ YES ☒ NO
28. **LOT COVERAGE: What percentage of the lot will be covered? SEE PAGE 6 for restrictions.**

	Current	Proposed
<b>Impermeable Surfaces</b> (not allowing water to pass through)	_____ %	_____ %
<b>Permeable Surfaces</b> (having pores or openings that permit water to pass through)	_____ %	_____ %
<b>TOTAL LOT COVERAGE</b>	_____ %	_____ %



## IMPORTANT INFORMATION FOR PROPERTY OWNERS

### About State Building Codes:

Property owners often ask "do I have to build things 'to code' in New Hampshire?" Yes! The State of New Hampshire has adopted state-wide building codes that are in effect in all towns and cities (see NH RSA 155-A, as may be amended). There are codes for electrical, plumbing, construction, mechanical, energy conservation, etc. Although the Town of Sunapee does not offer local inspection services, plan review, or enforcement of State building code compliance, we recommend that you contact your contractor or other professional to assist you with questions related to building codes. You may direct questions to the New Hampshire Department of Safety, Bureau of Building Safety & Construction, (603) 223-4289, [fmo@dos.nh.gov](mailto:fmo@dos.nh.gov).

### What is your Parking & Traffic Plan during construction?

Sunapee's Town Parking Ordinance prohibits parking on the road. Also, parking off the side of a road could cause damage to the Town's right-of-way, drainage ditches and infrastructure. The person who causes damage may be liable. In addition, no road may be blocked without first getting permission from the Police Department. To make special parking arrangements during construction, communication with the police and highway department about your plan is key. Contact Info: Police Department (603) 763-5555 / [david.cahill@sunapeepd.com](mailto:david.cahill@sunapeepd.com); Highway Director (603) 763-5060 [ScottH@town.sunapee.nh.us](mailto:ScottH@town.sunapee.nh.us).

### About Dig Safe®:

Be sure to contact Dig Safe® before you or your contractor does any digging, even for small projects. There are state laws and common-sense reasons why you must contact Dig Safe before you dig. Dig Safe® has a system to notify utility companies that might have underground services, so those companies can flag the utilities before someone starts digging. For more info, call 811 or visit [www.digsafe.com](http://www.digsafe.com).

### About Energy Code:

Did you know that the New Hampshire Public Utilities Commission (PUC) will review your proposal to make sure it meets with the State's energy code? They will review the insulation factors, types of window ratings, etc. See RSA 155:A10-a (as may be amended). To take advantage, contact the PUC. For more info, contact (603) 271-6306, e-mail [EnergyCodes@puc.nh.gov](mailto:EnergyCodes@puc.nh.gov) or website <http://www.puc.state.nh.us/energycodes/residential.htm>.

### About Asbestos:

The State of New Hampshire has established certain requirements for licensing asbestos contractors and addressing asbestos hazards. Many homeowners have asbestos-containing materials in their homes and there are requirements if a contractor or a homeowner disturbs or removes asbestos. The State has rules about where you can dispose of or how to get rid of materials that have asbestos. For more info, call the State of NH's Asbestos Management Division at (603) 271-1370 or visit [www.des.nh.gov](http://www.des.nh.gov) or [www.epa.gov/asbestos](http://www.epa.gov/asbestos).

## SIGNATURE(S) & AUTHORIZATION

### ALL OWNERS MUST SIGN THIS APPLICATION

BY SIGNING BELOW, I certify that the representations contained herein are true and accurate to the best of my knowledge and I hereby acknowledge that the town is relying on my representations contained within this application to evaluate whether to issue the permit or certificate. I acknowledge that in evaluating this request, the town is not independently verifying or certifying any representations made by the applicant. I hereby grant permission for site visits and inspections by zoning officials(s).

Owner Signature:  Printed Name: ROBERT PARPINELLI Date: 09/28/2023

Owner Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

IF USING AN AUTHORIZED AGENT: If the property owner wishes to authorize someone else to apply on their behalf, they must submit a letter attached to this application. The authorization letter must be signed by all property owners and contain the following statement: "(name/company/contact info) has authority to act on my behalf regarding the property and this application and is authorized to submit, amend, alter or supplement this application."

Authorized Agent Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

THANK YOU FOR COMPLETING THE APPLICATION!

**REFERENCE CHART**

(3.10 &amp; 3.20)

Requirement	Village Comm.	Village Residential	Mixed Use I	Mixed Use II	Mixed Use III	Residential	Rural Residential	Rural Lands
Minimum Lot Size	0.5 Acres	0.5 Acres	0.5 Acres	1.0 Acres	1.5 Acres	1.0 Acres	1.5 Acres	3.0 Acres
Maximum Residential Density (du=dwelling unit)	1du 10,000 Square Ft.	1du 10,000 Square Ft.	1du 0.5 Acres	1du 0.5 Acres	1 du / 1.5 Acres	1du 1.0 Acres	1du 1.5 Acres	1du 3.0 Acres
Minimum Road Frontage	75'	75'	75'	75'	100'	75'	100'	150'
Minimum Front Setback (Rt. 11,103, 103B)	75'	75'	75'	75'	75'	75'	75'	75'
Minimum Front Setback (All other roads as defined in Article XI)	40'	40'	40'	40'	50'	50'	50'	75'
Side & Rear Setbacks for Lots Meeting or exceeding minimum lot size or Lots which are not Pre-Existing	10'	15'	15'	25'	25'	15'	25'	50'
Side & Rear Setbacks for Pre-existing Lots Below Minimum Size	10'	10'	10'	15'	15'	10'	15'	25'
Maximum Lot Coverage	80%	60%	80%	50%	40%	50%	40%	30%
* Maximum Structure Height *	40'	40'	40'	40'	40'	40'	40'	40'
* If a structure is allowed a reduced side or rear setback due to inadequate lot size, the portion of the structure in the area of reduced setback shall have a maximum height of 25'.								
Requirement	Village Comm.	Village Residential	Mixed Use I	Mixed Use II	Mixed Use III	Residential	Rural Residential	Rural Lands
<b>MINIMUM LOT SIZE (FOR PROPERTIES IN A SPECIAL OVERLAY DISTRICT):</b>								
1) Shoreline	1.0 Acres	1.0 Acres	1.0 acres	N/A		1.0 Acres	1.5 Acres	1.5 Acres
2) Aquifer	2.0 Acres	2.0 Acres	2.0 Acres	2.0 Acres		2.0 Acres	2.0 Acres	2.0 Acres
3) Wetlands	1.5 Acres	1.5 Acres	1.5 Acres	1.5 Acres		1.5 Acres	1.5 Acres	1.5 Acres
<b>MAXIMUM LOT COVERAGE (FOR PROPERTIES IN A SPECIAL OVERLAY DISTRICT):</b>								
1) Shoreline Impermeable	60%	30%	N/A	N/A		30%	25%	20%
Shoreline Permeable & Impermeable combined	80%	60%	N/A	N/A		50%	40%	30%
2) Aquifer	20%	20%	20%	20%		20%	20%	20%
3) Wetlands	0%	0%	0%	0%		0%	0%	0%





**TOWN OF SUNAPEE**  
**Water and Sewer Commission**

P.O. Box 347, Sunapee, NH 03782-0347  
(603) 763-2115

**Permit Application**

**Connection to Sunapee Municipal Water/Sewer System**

Name: GROWTH CAP MANAGEMENT Map/Lot: 000 30/6

Mailing Address: 7 HANSON DR Street Location of New Service:  
MERRIMACK, NH 27 PROSPECT HILL

Telephone: 603-769-7521 SUNAPEE, NH

Number of Units Proposed (0-5 Bedrooms=1 Unit) 5 UNITS

Approximate Date of Installation 10/15/2023

Name of Contractor RP PRO CONTRACTING, LLC

Address of Contractor 7 HANSON DR MERRIMACK

Phone # of Contractor 603-494-1974

Signature of Applicant [Signature]

09/28/2023  
Date

Sewer Attachment Fee \_\_\_\_\_ Sewer Bond Fee \_\_\_\_\_

Water Attachment Fee \_\_\_\_\_

Total Fee Due Prior to Connection to Municipal System \_\_\_\_\_

Total Fee Received By \_\_\_\_\_ Date \_\_\_\_\_

**PERMIT FEES**☐ **THERE IS NO CHARGE IF THE PROJECT ONLY INVOLVES INTERIOR RENNOVATIONS.**

To meet this requirement, the interior renovation may not include adding bedrooms, kitchens or dwelling units.  
NOTE: The Town does not require a permit application for interior renovations under \$25,000. (VIII.8.21)

**RESIDENTIAL PROJECTS** - (single family and two-family dwellings):

New Home - Including manufactured housing and prefabricated housing, etc. Finished space only.  
Be sure that you also add an additional fee below for each shed, deck, porch or garage.

.....Up to 2000 S/F	\$600	\$	_____
.....2000 – 5000 S/F	= \$1200	\$	_____
.....5000 S/F	= \$1,800	\$	_____

Residential Additions or Alterations - This section includes additions, expansion of footprints, or any project that involves the adding of a bedroom, kitchen or dwelling unit.

.....Up to 500 S/F	= \$180	\$	_____
.....500 S/F+	= \$360	\$	362.00

<u>Sheds / Decks / Porches/Permanent Pools</u> .....	\$60 / each	\$	_____
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<u>Garages</u> .....	\$300	\$	_____
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<u>After-the-Fact Zoning Compliance Permit</u> - Residential or other non-commercial projects ..	\$300	\$	_____
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A regular zoning compliance application must also be submitted with this permit.

**COMMERCIAL, INSTITUTIONAL, MULTI-FAMILY RESIDENTIAL (3+ Unit), & MUNICIPAL PROJECTS**

(including convalescent homes, nursing home, assisted living and other multi-person dwellings):

<u>New Structures, Accessory Structures and Additions or Alterations</u> <u>that involve a change of footprint</u> .....	\$240 + \$.60 S/F	\$	_____
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Alterations that do not involve a change of footprint

(SF will only apply to any additional floor area created by or occupied as a result of the alteration.)

This section includes projects that went to Site Plan, projects that do not involve a change of footprint, or any project that involves the adding of a bedroom, kitchen or dwelling unit.

.....	\$120 + \$.60 S/F	\$	_____
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<u>After-the-fact Zoning Compliance Permit</u> .....	\$330	\$	_____
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A regular zoning compliance application must also be submitted with this permit.

**OTHER FEES**

Alternative Energy Systems: Solar collectors, roof mounted energy producing systems, etc. ....	\$112.50	\$	_____
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Alternative Energy Systems: Tower Mounted systems .....	\$225	\$	_____
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Demolition Permit (unless associated with rebuilding projects).....	\$75	\$	_____
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Driveway Permit .....	\$75	\$	_____
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Land Disturbance Permit .....	\$50 (plus security)	\$	_____
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Meteorological Tower .....	\$225	\$	_____
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Permit to Excavate, Highways/Streets .....	\$75	\$	_____
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Sign Permit.....	\$30	\$	_____
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Telecommunications - Accessory Structures for Telecommunications Use .....	\$300	\$	_____
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Telecommunications Towers .....	\$1,500	\$	_____
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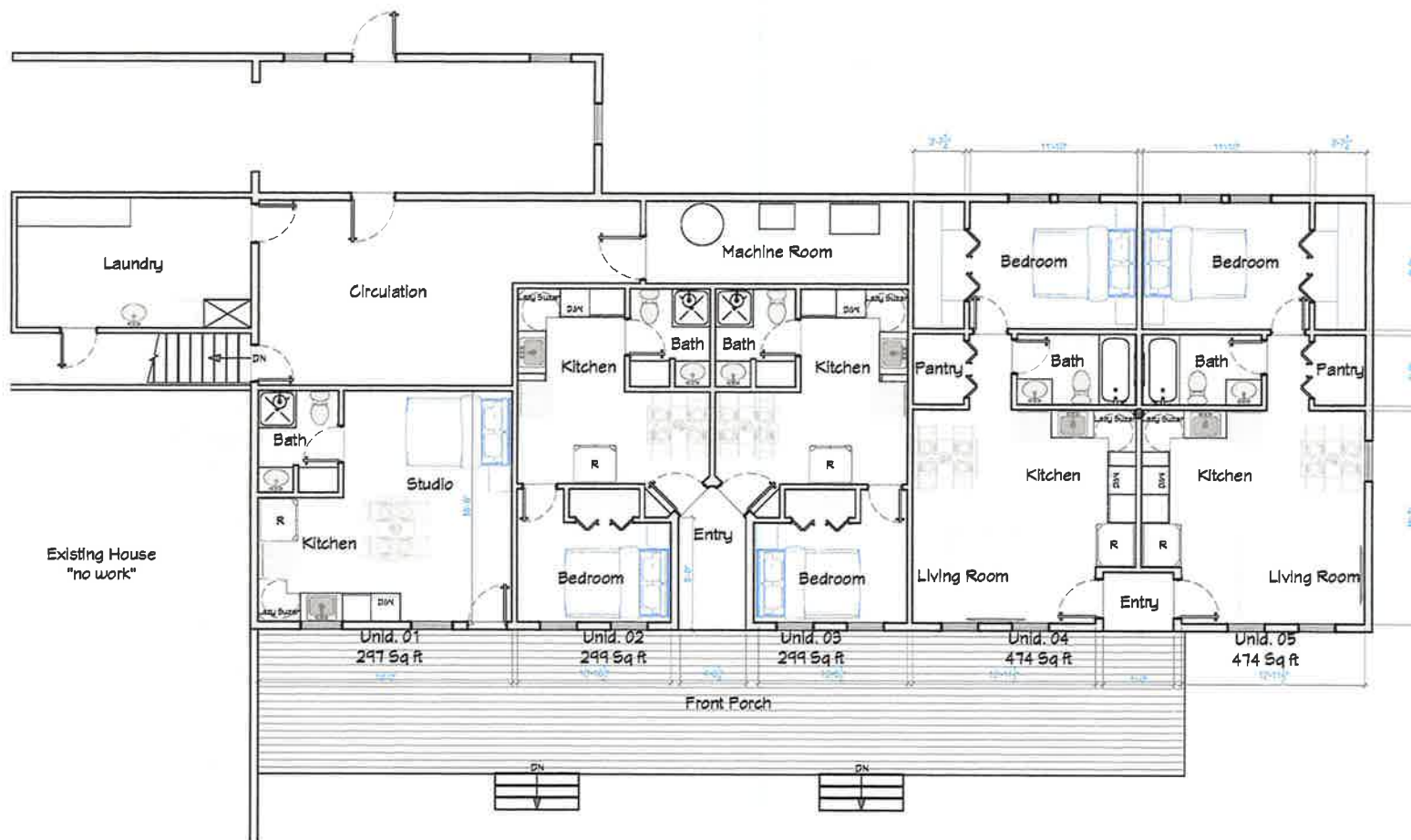
Temporary Structures, such as trailers and container boxes used for storage, construction offices, temporary living for use more than 60 consecutive days .....	\$75 each unit	\$	_____
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Tree Cutting Permit.....	\$75	\$	_____
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<b>TOTAL</b> .....	<b>AMOUNT DUE:</b>	\$	_____
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**Make check payable to Town of Sunapee.**





1 Proposed First Floor  
3/16" = 1'-0"

REVISION TABLE  
NUMBER DATE REVISION BY DESCRIPTION

Proposed 1st Floor Plan

DRAWINGS PROVIDED BY:  
RP PRO PAINT & CONTRACTING LLC  
1 Hanson Drive - Marlinton, WV 26054  
(843) 789-7921

DATE:

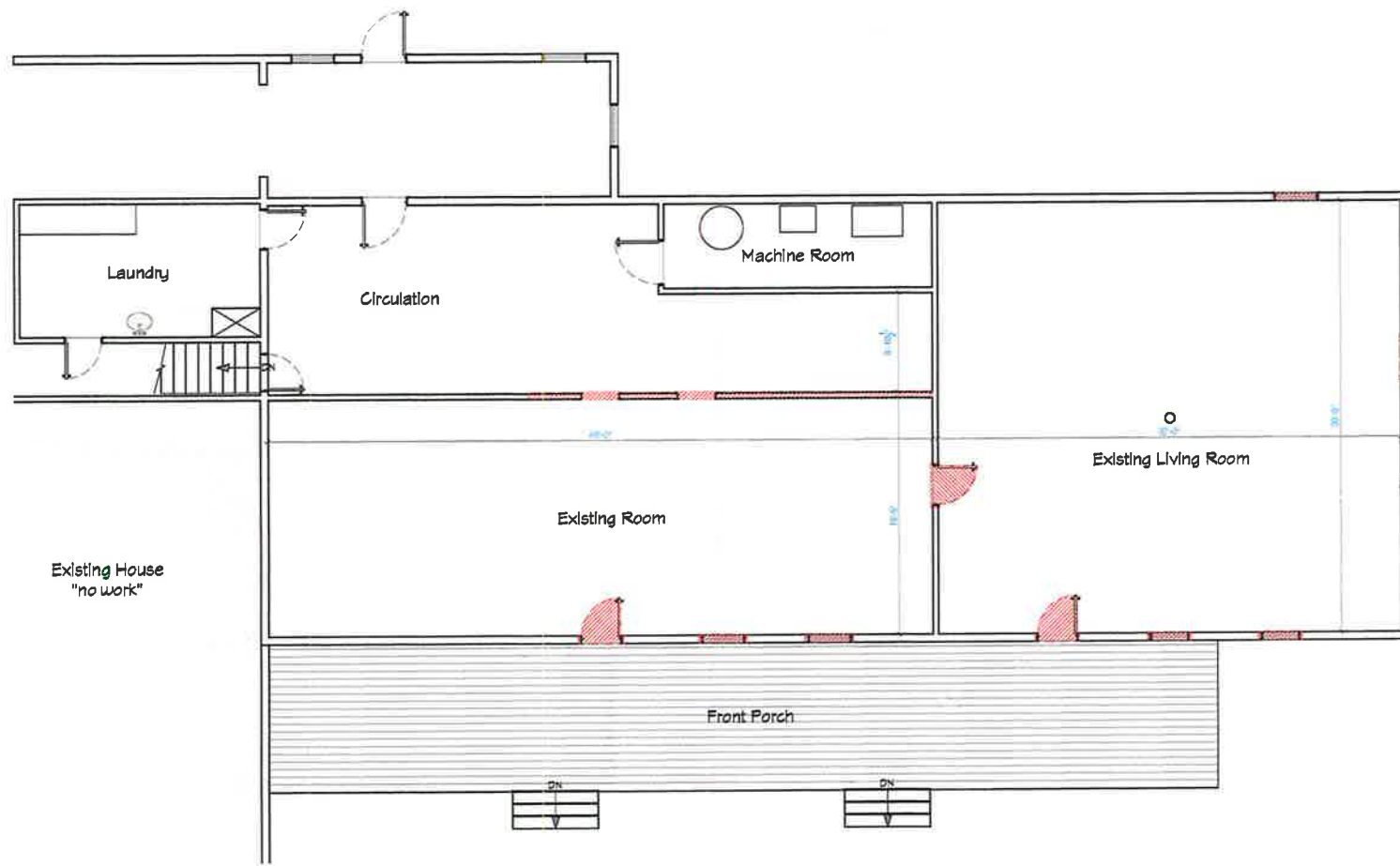
09/26/2023

SCALE:

AS NOTED

SHEET:

A2.00



1 Existing First Floor  
3/18/23

NUMBER	DATE	REVISION BY	DESCRIPTION

Existing 1st Floor Plan

DRAWINGS PROVIDED BY:  
RP PRO PAINT & CONTRACTING LLC  
7 Hixson Drive • Norwalk, CT 06851  
(860) 769-7523

DATE:

09/26/2023

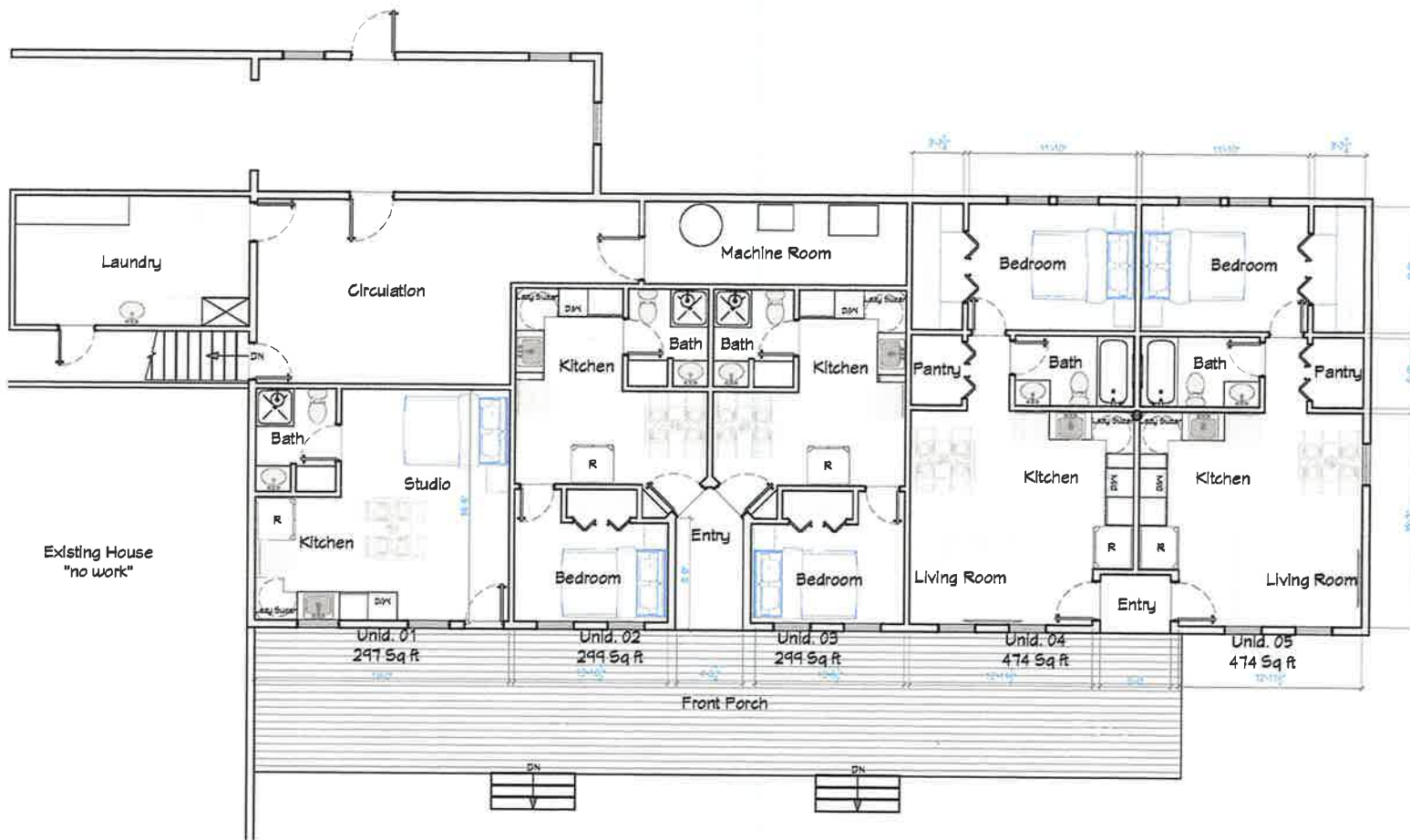
SCALE:

AS NOTED

SHEET:

A1.00





1 Proposed First Floor  
3/16" = 1'-0"

REVISION TABLE	DESCRIPTION
NUMBER	DATE

### Proposed 1st Floor Plan

DRAWINGS PROVIDED BY:  
**RP PRO PAINT & CONTRACTING LLC**  
 7 Harwood Drive - Marlborough, MA 01904  
 (800) 769-7321

DATE:

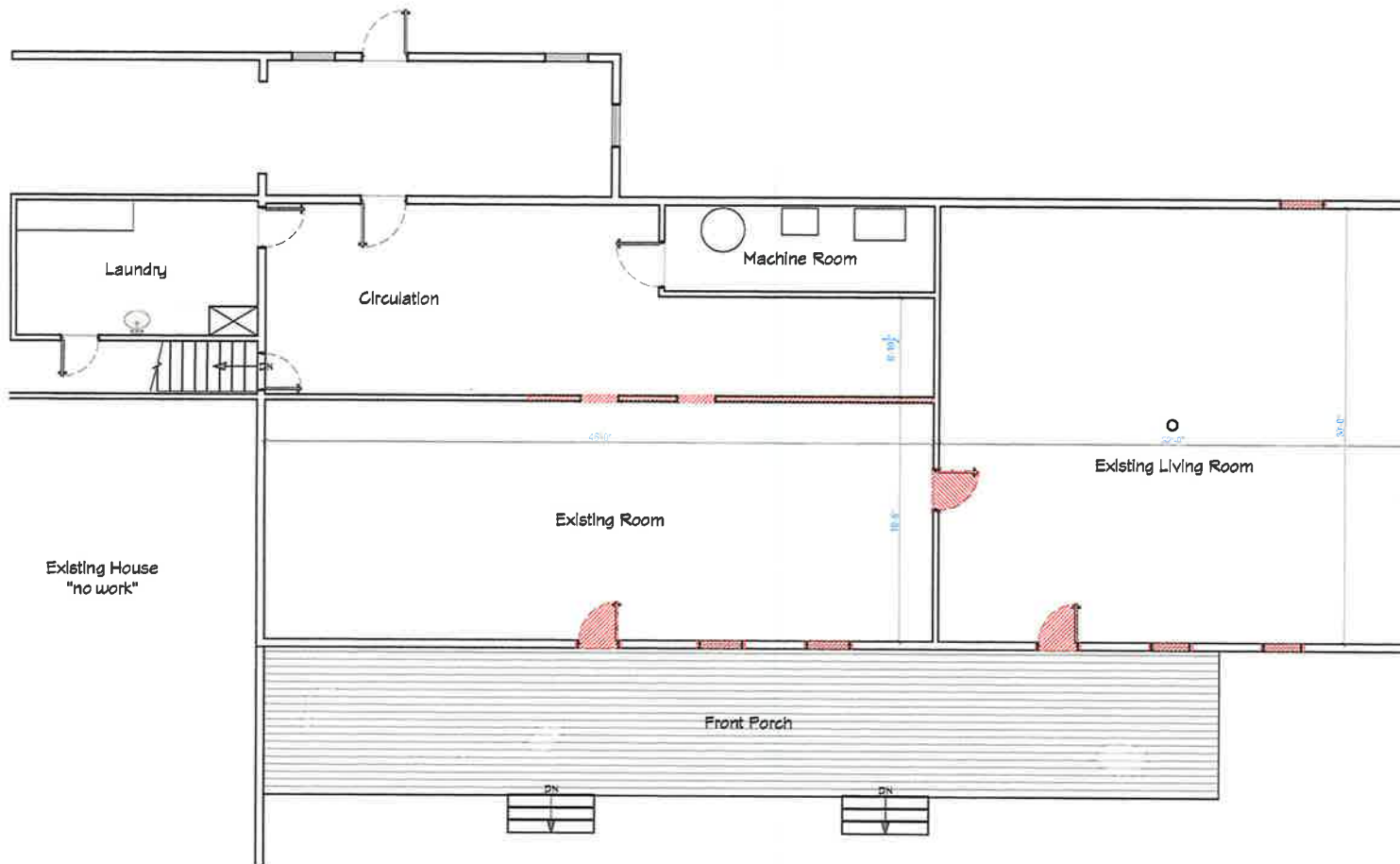
09/26/2023

SCALE:

AS NOTED

SHEET:

**A2.00**



1 Existing First Floor  
3/10/2023

DRAWINGS PROVIDED BY:  
RP PRO PAINT & CONTRACTING LLC  
7 Haddon Drive - Marlborough, MA 01754  
(978) 780-7521

Existing 1st Floor Plan

DATE:  
09/26/2023

SCALE:  
AS NOTED

SHEET:  
A1.00





# 200 foot Abutters List Report

Tri Town, NH  
October 23, 2023

## Subject Property:

Parcel Number: Sun-0104-0022-0000  
CAMA Number: Sun-0104-0022-0000  
Property Address: 27 PROSPECT HILL RD

Mailing Address: GROWTH CAP MANAGEMENT, LLC  
7 HANSOM DRIVE  
MERRIMACK, NH 03054 ✓

---

## Abutters:

Parcel Number: Sun-0104-0010-0000  
CAMA Number: Sun-0104-0010-0000  
Property Address: 11 PLEASANT ST

Mailing Address: 350 ENTERPRISES, LLC  
PO BOX 12  
GEORGES MILLS, NH 03751 ✓

Parcel Number: Sun-0104-0011-0000  
CAMA Number: Sun-0104-0011-0000  
Property Address: PLEASANT ST

Mailing Address: DASHNER, GARY M  
PO BOX 146  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0104-0012-0000  
CAMA Number: Sun-0104-0012-0000  
Property Address: 24 PLEASANT ST

Mailing Address: TOWN OF SUNAPEE  
23 EDMONT ROAD  
SUNAPEE, NH 03782 ✓

Parcel Number: Sun-0104-0013-0000  
CAMA Number: Sun-0104-0013-0000  
Property Address: 16 PLEASANT ST

Mailing Address: DASHNER, GARY M  
P.O. BOX 146  
GEORGES MILLS, NH 03751 ✓

Parcel Number: Sun-0104-0014-0000  
CAMA Number: Sun-0104-0014-0000  
Property Address: 8 PLEASANT ST

Mailing Address: GARCEAU, RONALD E & SUSAN L  
73 WINN HILL RD  
SUNAPEE, NH 03782 ✓

Parcel Number: Sun-0104-0020-0000  
CAMA Number: Sun-0104-0020-0000  
Property Address: 15 PROSPECT HILL RD

Mailing Address: LARROW FAMILY TRUST OF 2016  
WILLIAM & DONNA LARROW, TRUSTE  
PO BOX 362  
GEORGES MILLS, NH 03751 ✓

Parcel Number: Sun-0104-0021-0000  
CAMA Number: Sun-0104-0021-0000  
Property Address: 23 PROSPECT HILL RD

Mailing Address: OLDMAN TRUST, MICHELE MICHELLE  
OLDMAN TRUSTEE  
PO BOX 826  
MOSS BEACH, CA 94038 ✓

Parcel Number: Sun-0104-0023-0000  
CAMA Number: Sun-0104-0023-0000  
Property Address: 37 PROSPECT HILL RD

Mailing Address: ISHII, ALEX TOICHI ROGAK, LISA  
486 CANAAN ST  
CANAAN, NH 03741 ✓

Parcel Number: Sun-0104-0024-0000  
CAMA Number: Sun-0104-0024-0000  
Property Address: 41 PROSPECT HILL RD

Mailing Address: DUNBAR, BERNARD L  
PO BOX 426  
GEORGES MILLS, NH 03751 ✓

Parcel Number: Sun-0104-0025-0000  
CAMA Number: Sun-0104-0025-0000  
Property Address: 45 PROSPECT HILL RD

Mailing Address: GIONET, PATRICIA M  
PO BOX 85  
GEORGES MILLS, NH 03751 ✓



www.cai-tech.com

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10/23/2023

Page 1 of 2



# 200 foot Abutters List Report

Tri Town, NH  
October 23, 2023

Parcel Number: Sun-0104-0026-0000  
CAMA Number: Sun-0104-0026-0000  
Property Address: 57 PROSPECT HILL RD

Mailing Address: DONAHUE, SUSAN M & BRENDAN T  
PO BOX 278  
GEORGES MILLS, NH 03751 ✓

Parcel Number: Sun-0104-0040-0000  
CAMA Number: Sun-0104-0040-0000  
Property Address: 52 PROSPECT HILL RD

Mailing Address: HUTCHINSON FAMILY OF SANTA MON  
DAVID & LIZ HUTCHINSON, TRUSTE ✓  
1538 STANFORD ST #11  
SANTA MONICA, CA 90404

Parcel Number: Sun-0104-0041-0000  
CAMA Number: Sun-0104-0041-0000  
Property Address: 5 POCHELON ST

Mailing Address: TEMPLE, STEPHEN W & DEBORAH A  
QUARTO REVOC TRUST, SANDRA A ✓  
22 RIVER RD  
HEBRON, CT 06248

Parcel Number: Sun-0104-0042-0000  
CAMA Number: Sun-0104-0042-0000  
Property Address: 7 POCHELON ST

Mailing Address: SELLBERG, DYLAN  
7 POCHELON STREET ✓  
SUNAPEE, NH 03782

Parcel Number: Sun-0104-0044-0000  
CAMA Number: Sun-0104-0044-0000  
Property Address: 20 PROSPECT HILL RD

Mailing Address: WINTERS, EDWARD  
PO BOX 221 ✓  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0106-0004-0000  
CAMA Number: Sun-0106-0004-0000  
Property Address: ROUTE 11

Mailing Address: BERGERON, J ANTHONY & MURIEL T  
PO BOX 25 ✓  
GEORGES MILLS, NH 03751



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10/23/2023

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