

# JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885  
603.772.4746 - JonesandBeach.com

March 26, 2024

Wakefield Zoning Board  
Attn: Don Stewart, Chair  
2 High Street  
Sanbornville, NH 03872

**RE: Variance Application  
NH16/Governors Road & Crystal Lane, NH  
Tax Map 214, Lots 13, 14, & 14-1  
JBE Project No. 22282**

Dear Mr. Stewart:

Jones & Beach Engineers, Inc., respectfully resubmits Variance Application requesting two (2) variances on behalf of applicant, 80-82 Blossom Street Realty Trust.

Variance #1 is requested to allow parking within the front setback of Lots 13, 14, & 14-1. The applicant is requesting a variance to allow parking within 10' of the property line adjacent to a street where a 50' setback is required for Lot 13 and a 20' setback is required for Lots 14 & 14-1.

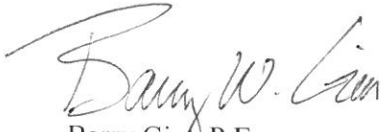
Variance #2 is requested to allow Building #3 to be located within the front setbacks of Lots 13 & 14. The applicant is requesting the building to be allowed within 10' of the property line adjacent to a street. The required setback on Lot 13 is 50' and the required setback for Lot 14 is 20'.

Five (5) copies of the following items are or were previously provided in support of this Application:

1. Completed Variance Application & Checklist.
2. Letter of Authorization. (previously provided)
3. Current Deed. (previously provided)
4. Fee Check.
5. Building Inspector Comments (previously provided)
6. Town Planner Comments (previously provided)
7. Abutters List & Mailing Labels (4 sets).
8. Tax Map. (previously provided)
9. One (1) Full Size Plan Set. (previously provided)
10. Five (5) Half Size Plan Sets. (previously provided)

If you have any questions or need any additional information, please feel free to contact our office. Thank you very much for your time.

Very truly yours,  
**JONES & BEACH ENGINEERS, INC.**



Barry Gief, P.E.  
Vice President

cc: Coleman McDonough (application and plans via email)

**TOWN OF WAKEFIELD  
ZONING BOARD OF ADJUSTMENT  
Land Use Department**  
2 High Street, Sanbornville, NH 03872  
Phone: (603) 522-6205 Ext. 312 Fax: (603) 522-2295

(For office use)

Case #: \_\_\_\_\_ Date Rec'd: 3/27/24 By: AM

FEES: **Application** - \$125 Amt. Pd \$ \_\_\_\_\_  
**Public Notice** - \$125 Amt. Pd \$ 125.00  
(Includes newspaper notice)

\***Cert. Mail** \$ 13 @ 8.64 = \$ 112.97  
\*(Owner, applicant, counsel/agent, abutters, interested parties) Cost per current USPS rates

Total Received: \$ 237.97 Check# 16428

**APPLICATION FOR VARIANCE** #1 - Parking

**Property Owner:** \* Kros Nest Holdings, Inc. - PO Box 836, Wakefield, NH 03872

Name: Coleman McDonough Telephone No. 603-339-5029  
Mailing Address: PO Box 532 Town: Plaistow  
State NH Zip 03865 E-mail: colemanpmcdonough@gmail.com

**Applicant (if different):**

Name: 80-82 Blossom Street Realty Trust Telephone No. 978-375-7001  
Mailing Address: PO Box 532 Town: Plaistow  
State NH Zip 03865 E-mail: colemanpmcdonough@gmail.com

If applicant is not the owner, please state applicant's interest in the property: \_\_\_\_\_  
Applicant is the owner of Lots 14 & 14-1. Applicant has Lot 13 under agreement

**Agent or Legal Counsel:**

Name: Roy Tinsley Firm: Bernstein Shur  
Mailing Address: 670 North Commercial St, Ste 108 Town: Manchester  
State NH Zip 03105 Telephone No. 603-665-8823  
E-mail: rtinsley@bernsteinshur.com

**Description of Property: Wakefield Tax Map #:** 214 **Lot #** 13, 14 & 14.1 \* Lot 13 different owner than 14 & 14-1  
The 911 street address, the acreage or square foot area, length of road and water frontage,  
and any special characteristics of property: Property contains 2.93 acres of land with frontage on Governor's Road & NH16.

**Driving Directions to Property:** (How do members and public find the property for a site walk?) Property is located at the north west corner of Governor's Road and NH16.

Applicant's Initials: Buck Owner's Initials: Buck Date: 3/26/24

Zoning District(s): (Please circle each district in which all or a portion of the property under consideration is located) 1. Residential I; 2. Residential II; 3. Residential III; 4. Business and Commercial; 5. Village/Residential; 6. Light Industrial; 7. Agricultural; 8. Aquifer Conservation (Overlay); 9. Wetland Conservation (Overlay); 10. Historic (Overlay); 11. Floodplain Development (Overlay); 12. Farming-Prime Soils (Overlay).

A. Existing Variances or Special Exceptions:

Are there any existing Variances or Special Exceptions on the property?  
Yes \_\_\_ No x . If yes, please explain when and why such was required:

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

B. Previous Denials:

Has an application for a Variance or Special Exception on this property ever been denied? (If you are unsure of the answer to this question, please ask the Zoning Board's Clerk or request that the Zoning Board Chairman be contacted) Yes \_\_\_ No \_\_\_ . If yes, please explain when and why: \_\_\_\_\_

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

C. Material Differences if Previously Denied: If you were denied previously, state how this particular application and use proposed is now materially different from that which was denied: \_\_\_\_\_

\_\_\_\_\_

D. Proposed Use: Applicant requests a variance to allow parking within the front setback for Lots 13, 14, & 14-1.

Please explain why you need a variance: The applicant requires a variance due to the grade of the lot and the existing size of the lot. The existing topography and wetland location require the development to be concentrated on the southern portion of the lot.

E. Applicable Zoning Ordinance Provision:

This application is for Variance to the following Ordinance Article(s) and Section(s):

Article 3, Section, Table 2 of the Zoning Ordinance.  
Article \_\_\_\_\_, Section, \_\_\_\_\_ of the Zoning Ordinance.

Applicant's Initials: BWL Owner's Initials: BCG Date: 5/26/24

F. **Criteria your application must meet for a Variance:** Complete sections 1 through 5 thoroughly and with facts and assertions in support of your position.

1. The proposed use would not diminish surrounding property values because:  
Variance will allow parking within the front setback, which is an oversized ROW. Due to the large ROW the parking in the setback will not adversely impact the value of surrounding properties.

2. Granting the Variance would not be contrary to the public interest because:  
The proposed location of the improvement will not adversely impact abutting properties nor will it create a public safety issue and is therefore not contrary to the public interest.

3. Granting the variance would do substantial justice because:  
Granting the variance would allow the applicant to efficiently develop this sloping site effectively.

4. The use is not contrary to the spirit of the ordinance because:  
It will allow development of a small lot with topographical constraint and prevent excessive impacts to wetlands and/or wetland buffer.

5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because:**  
It would limit the development potential due to the topographical and size restraints that developing these combined parcels would allow.

G. Does your proposed use also require Subdivision Approval by the Planning Board? Yes \_\_\_\_\_ No x \_\_\_\_\_

H. Does your proposed use also require a Site Plan Approval by the Planning Board? Yes x \_\_\_\_\_ No \_\_\_\_\_

I. Is this application required as a prerequisite to or otherwise necessary for a Site Plan Approval by the Planning Board? Yes x \_\_\_\_\_ No \_\_\_\_\_

Applicant's Initials: BW/A Owner's Initials: AW/A Date: 3/26/24

**CERTIFICATION**

I/We hereby certify that:

I/We have read the instructions for completing this application for Variance.

I/We have completed this application as completely and fully as possible.

I/We have completed the checklist provided in the instructions and have attached all evidence, including plans or sketches, I/We intend to discuss at the Public Hearing on the application.

I/We understand that if this application is incomplete, it will be returned within a reasonable time following its submission, and that this may delay the scheduling of a Public Hearing.

I/We understand that I/We must appear in person at the Public Hearing to present and discuss this application. If I/We cannot appear in person, I/We will notify the Chairperson of the ZBA, in writing, designating the name of the individual who will appear for me/us.

The ZBA has permission to enter the property to conduct scheduled site walks upon reasonable prior notice.

Applicant's Signature: Benny W. Cain Date 3/26/24  
Property Owner's Signature: Benny W. Cain Date 3/26/24  
Agent or Legal Counsel's Signature: Benny W. Cain Date 3/26/24

Applicant's Initials: BWC Owner's Initials: BWC Date: 3/26/24



**TOWN OF WAKEFIELD  
ZONING BOARD OF ADJUSTMENT  
Land Use Department**  
2 High Street, Sanbornville, NH 03872  
Phone: (603) 522-6205 Ext. 312 Fax: (603) 522-2295

(For office use)		
Case #:	Date Rec'd:	By:
<b>FEES:</b>	<b>Application</b> - \$125	Amt. Pd \$ _____
	<b>Public Notice</b> - \$125 (Includes newspaper notice)	Amt. Pd \$ _____
	<b>*Cert. Mail \$ _____ @ _____ = \$ _____</b>	
	*(Owner, applicant, counsel/agent, abutters, interested parties) Cost per current USPS rates	
Total Received: \$ _____	Check# _____	

**APPLICATION FOR VARIANCE** #2 - Building

**Property Owner:** \* Coleman McDonough, PO Box 532, Plaistow, NH 03865  
**Name:** Kros Nest Holdings, Inc. **Telephone No.** \_\_\_\_\_  
**Mailing Address:** PO Box 836- Kros Nest Holdings **Town:** Wakefield  
**State** NH **Zip** 03872 **E-mail:** \_\_\_\_\_

**Applicant (if different):**  
**Name:** 80-82 Blossom Street Realty Trust **Telephone No.** 978-375-7001  
**Mailing Address:** PO Box 532 **Town:** Plaistow  
**State** NH **Zip** 03865 **E-mail:** colemanpmcdonough@gmail.com

If applicant is not the owner, please state applicant's interest in the property: \_\_\_\_\_  
Applicant is the owner of Lots 14 & 14-1. Applicant has Lot 13 under agreement.

**Agent or Legal Counsel:**  
**Name:** Roy Tinsley **Firm:** Bernstein Shur  
**Mailing Address:** 670 North Commercial St, Ste108 **Town:** Manchester  
**State** NH **Zip** 03105 **Telephone No.** 603-665-8823  
**E-mail:** rtinsley@bernsteinshur.com

**Description of Property:** **Wakefield Tax Map #:** 214 **Lot #** 13, 14, <sup>\* Owner of Lot 14</sup> \_\_\_\_\_ **different**  
The 911 street address, the acreage or square foot area, length of road and water frontage, **from Lot 13**  
and any special characteristics of property: Property contains 2.93 acres of land with  
frontage on Crystal Lane, Governor's Road and NH16.

**Driving Directions to Property:** (How do members and public find the property for a site walk?) Property is located at the north east corner of Governor's Road  
and Crystal Lane.

Applicant's Initials: BW Owner's Initials: BC Date: 3/26/24



Zoning District(s): (Please circle each district in which all or a portion of the property under consideration is located) 1. Residential I; 2. Residential II; 3. Residential III; 4. Business and Commercial; 5. Village/Residential; 6. Light Industrial; 7. Agricultural; 8. Aquifer Conservation (Overlay); 9. Wetland Conservation (Overlay); 10. Historic (Overlay); 11. Floodplain Development (Overlay); 12. Farming-Prime Soils (Overlay).

**A. Existing Variances or Special Exceptions:**

Are there any existing Variances or Special Exceptions on the property?

Yes \_\_\_ No x . If yes, please explain when and why such was required:

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

**B. Previous Denials:**

Has an application for a Variance or Special Exception on this property ever been denied? (If you are unsure of the answer to this question, please ask the Zoning Board's Clerk or request that the Zoning Board Chairman be contacted) Yes \_\_\_ No \_\_\_ . If yes, please explain when and why: \_\_\_\_\_

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

**C. Material Differences if Previously Denied:** If you were denied previously, state how this particular application and use proposed is now materially different from that which was denied: \_\_\_\_\_

\_\_\_\_\_

**D. Proposed Use:** Applicant requests a 10' front setback for the proposed building #3 where 50' is required on Lot 13 and 20' is required on Lot 14.

Please explain why you need a variance:

The existing topography and wetland limits the location and size of the potential development. The topography drops steeply in the north east to existing wetlands limiting development potential and the potential location for storm water treatment features.

**E. Applicable Zoning Ordinance Provision:**

This application is for Variance to the following Ordinance Article(s) and Section(s):

Min setback to street  
Article 3, Section, Table 2 of the Zoning Ordinance.  
Article \_\_\_\_\_, Section, \_\_\_\_\_ of the Zoning Ordinance.

Applicant's Initials: BWG Owner's Initials: BWG Date: 3/26/24

**F. Criteria your application must meet for a Variance:** Complete sections 1 through 5 thoroughly and with facts and assertions in support of your position.

1. The proposed use would not diminish surrounding property values because:

Governor's Road has an oversized ROW in which the road is offset to the south side (away from the subject lots). Due to this, the development will not look different from the surrounding development and therefore fit into the neighborhood and not diminish the value of surrounding properties.

2. Granting the Variance would not be contrary to the public interest because:

The proposed location of the improvement will not adversely impact abutting properties nor will it create a public safety issue and is therefore not contrary to the public interest.

3. Granting the variance would do substantial justice because:

The existing site has severe topographical and wetland constraints. Granting the variance would allow the applicant to efficiently develop this sloping site in a manner similar to the surrounding properties.

4. The use is not contrary to the spirit of the ordinance because:

It will allow development of a small lot with topographical constraints, which is adjacent to a lot to be developed at the same time with smaller setbacks.

**5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because:**

It would limit the development potential due to topographical and size restraints that developing these combined parcels would allow.

G. Does your proposed use also require Subdivision Approval by the Planning Board? Yes \_\_\_\_\_ No x

H. Does your proposed use also require a Site Plan Approval by the Planning Board? Yes x No \_\_\_\_\_

I. Is this application required as a prerequisite to or otherwise necessary for a Site Plan Approval by the Planning Board? Yes x No \_\_\_\_\_

Applicant's Initials: BCB Owner's Initials: BCB Date: 3/2/24

**CERTIFICATION**

I/We hereby certify that:

I/We have read the instructions for completing this application for Variance.

I/We have completed this application as completely and fully as possible.

I/We have completed the checklist provided in the instructions and have attached all evidence, including plans or sketches, I/We intend to discuss at the Public Hearing on the application,

I/We understand that if this application is incomplete, it will be returned within a reasonable time following its submission, and that this may delay the scheduling of a Public Hearing.

I/We understand that I/We must appear in person at the Public Hearing to present and discuss this application. If I/We cannot appear in person, I/We will notify the Chairperson of the ZBA, in writing, designating the name of the individual who will appear for me/us.

The ZBA has permission to enter the property to conduct scheduled site walks upon reasonable prior notice.

Applicant's Signature: Ermy W. Crim Date 5/26/24  
 Property Owner's Signature: Ermy W. Crim Date 5/26/24  
 Agent or Legal Counsel's Signature: Ermy W. Crim Date 5/26/24

Applicant's Initials: EW Owner's Initials: EW Date: 5/26/24

**ABUTTERS LIST**

An abutter is defined as any property either directly adjacent to, diagonally across from, or across the street from the property in question.

Applicant's Name: 80-82 Blossom Street Realty Trust Telephone: 978-375-7001

Project Address: NE Corner of Crystal Lane & Governor's Road

**List the name and address of each abutter.**  
**It is the applicant's responsibility to ensure that all abutters are listed.**

TAX MAP/LOT #	OWNER'S NAME	OWNER'S MAILING ADDRESS
		SEE ATTACHED LIST
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(use additional pages if necessary)

**Holders of conservation/preservation or other easements to the subject property are as follows:**

- 1. Name: \_\_\_\_\_ Address: \_\_\_\_\_
- 2. Name: \_\_\_\_\_ Address: \_\_\_\_\_

Person who prepared this list (print name): NER  
Date Prepared: 5/26/24

I hereby certify that all information presented on this form is, to the best of my knowledge, correct.

Signature of Preparer Benny W. Cain

Signature of Applicant Benny W. Cain

Signature of Owner (if different from applicant) Benny W. Cain

Applicant's Initials: BWC Owner's Initials: BWC Date: 5/26/24



# 0.1 feet Abutters List Report

Wakefield, NH

March 26, 2024

## Subject Property:

Parcel Number: 214-014000 & 214-014001-000 Mailing Address: MCDONOUGH, COLEMAN  
 CAMA Number: 214-014000-000-000 PO BOX 532  
 Property Address: WHITE MOUNTAIN HGWY & GOVERNORS RD PLAISTOW, NH 03865

214-013000-000 CRYSTAL LANE KROS NEST HOLDINGS INC, PO BOX 836, WAKEFIELD, NH 03872

## Abutters:

Parcel Number: 211-011000 Mailing Address: NH NORTHCOAST CORPORATION  
 CAMA Number: 211-011000-000-000 PO BOX 429  
 Property Address: WHITE MOUNTAIN HGWY OSSIPEE, NH 03864

Parcel Number: 211-013000 Mailing Address: SBS NEW HAMPSHIRE 2020 LLC  
 CAMA Number: 211-013000-000-000 C/O SPAREBOX STORAGE LLC 4045  
 Property Address: 1607 WHITE MOUNTAIN HGWY PECOS STREET SUITE 201  
 DENVER, CO 80211

Parcel Number: 212-012001 Mailing Address: WAKEFIELD BUSINESS PARK ASSOC  
 CAMA Number: 212-012001-000-000 PO BOX 130  
 Property Address: CRYSTAL LANE SANBORNVILLE, NH 03872

Parcel Number: 213-002000 Mailing Address: AKERS, CYNTHIA L  
 CAMA Number: 213-002000-000-000 PO BOX 79  
 Property Address: 19 GOVERNORS ROAD SANBORNVILLE, NH 03872

Parcel Number: 213-012000 Mailing Address: HOWE TRUST, STEVEN E  
 CAMA Number: 213-012000-000-000 STEVEN E HOWE TRUSTEE PO BOX 642  
 Property Address: 31 CRYSTAL LANE SANBORNVILLE, NH 03872

Parcel Number: 214-007000 Mailing Address: GOSLIN, GARRY M GOSLIN, JANICE A  
 CAMA Number: 214-007000-000-000 1005 WAKEFIELD ROAD  
 Property Address: WHITE MOUNTAIN HGWY UNION, NH 03887

Parcel Number: 214-012000 Mailing Address: FROTHINGHAM, SCOTT A & KATHRYN  
 CAMA Number: 214-012000-000-000 23 CIRCUIT ROAD  
 Property Address: 44 CRYSTAL LANE OSSIPEE, NH 03864

Parcel Number: 214-015000 Mailing Address: MEYER FAMILY REVOCABLE TRUST  
 CAMA Number: 214-015000-000-000 FREDERICK & PATRICIA MEYER TRU PO  
 Property Address: 5 GOVERNORS ROAD BOX 292  
 SANBORNVILLE, NH 03872

Parcel Number: 214-023000 Mailing Address: ROGERS, GEORGE E & JESSICA M  
 CAMA Number: 214-023000-000-000 38 ACCESS ROAD  
 Property Address: 38 ACCESS ROAD SANBORNVILLE, NH 03872

Parcel Number: 214-024000 Mailing Address: MARCOUX JR, ROBERT MARCOUX,  
 CAMA Number: 214-024000-000-000 CONSTANCE  
 Property Address: 10 ACCESS ROAD PO BOX 855  
 SANBORNVILLE, NH 03872

JONES & BEACH ENGINEERS, ATTN. BARRY GIER, P.E., PO BOX 219, STRATHAM, NH 03885

80-82 BLOSSOM STREET REALTY TRUST, PO BOX 532, PLAISTOW, NH 03865

[www.cai-tech.com](http://www.cai-tech.com)

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3/26/2024

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