

TOWN OF WAKEFIELD
ZONING BOARD OF ADJUSTMENT
2 High Street, Sanbornville, NH 03872
603-522-6203

office use)	
Case Number:	APPLICATION FOR VARIANCE (Continued)
Date Received:	<u>3/13/24</u> for <u>4/11/24 Meeting</u>
Received by:	<u>UM</u>
Fees:	Application - \$125 Amt. Pd \$ <u>125</u>
	Public Notice - <u>\$125</u> Amt. Pd \$ <u>125</u> (includes newspaper notice)
	Cert. Mail <u>\$869 x 3 = 2607</u> Amt. Pd \$ <u>2607</u> <u>52.94</u> (owner, applicant, counsel/agent, abutters, interested parties)
	TOTAL RECEIVED: \$ <u>276.07</u> <u>326.41</u>
Check #:	<u>7729</u> Check date: <u>3/19/2024</u>

APPLICATION FOR VARIANCE

Property Owner:

Name: Ralph and Karen Eaves Telephone No. 617-645-2269
Mailing Address: 276 Grenier Road Town: Wakefield
State: NH Zip: 03872 E-mail: _____

Applicant (if different):

Name: _____ Telephone No. _____
Mailing Address: _____ Town: _____
State _____ Zip _____ E-mail: _____

If applicant is not the owner, please state applicant's interest in the property: _____

Agent or Legal Counsel:

Name: Kerry M. Fox Firm: Fox Survey Company
Mailing Address: PO Box 489 Town: Sanbornville
State: NH Zip: 03872 Telephone No. 603-522-6637
E-mail: foxsurvey@yahoo.com

Description of Property: Wakefield Tax Map #: 57 Lot # 21

The 911 street address, the acreage or square foot area, length of road and water frontage, and any special characteristics of property: This property is located @ 276 Grenier Road. The property has 100' of frontage on Grenier Road and approximately 111' of frontage along the shores of Pine River Pond.

Driving Directions to Property: (How do members and public find the property for a site walk?) Turn onto Lord Road located just easterly of the Knotty Pine Restaurant and follow Lord Road, taking your third right, this being the southeasterly end of Grenier Road. Follow Grenier Road, the home being the third on the left after coming to the bottom of the hill.

Applicant's Initials: KNF Owner's Initials: RWE Date: 2/19/24

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 X. 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:

Please explain why you need a variance: Like so many seasonal homes this home and property has now become the full time residence of Ralph and Karen Eaves. This is a pre-existing, non-conforming lot of record with many constraints and we cannot place a 24' by 28' garage on the property without encumbrances to the front and side yard setbacks.

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: KMF Owner's Initials: _____ Date: 03/27/24

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: Many of the surrounding homes also have some type of garage, either connected or detached from the home. The proposed garage would be connected via a breezeway to the home and would provide security for the vehicles and additional storage upstairs. This will be a plus for the Eaves and will only enhance the value of their property as well as neighboring properties.

2. Granting the Variance would not be contrary to the public interest because: As in all cases the question is whether the proposal creates any safety issues for the general public and in this particular proposal where we have only 53.2 sq.ft. of intrusion of the garage into the front yard buffer I don't personally see any issues.

3. Granting the variance would do substantial justice because: Because without the variance this pre-existing non-conforming lot, 0.19 acre in size, with minimal depth between reference line and road becomes impossible in placing a typical garage sized for two automobiles.

4. The use is not contrary to the spirit of the ordinance because: The Eaves would only like to enjoy the benefit of having a garage on their property. A garage is such an important accessory to have as a homeowner for so many reasons and here we have done our very best to fit a 24' by 28' garage on the property with only 277.7 square feet of impact into the adjacent setback buffer.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because: Unfortunately, with this particular lot 0.19 ac. in size, with very little available land between shore front and camp road as you can imagine leaves a very small buildable envelope that is unusable when applying both State and Town of Wakefield setback regulations. The variance is key in allowing the Eaves to continue with State permitting for this project.

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 ____ No X

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

KMF

03/27/24

This checklist must be completely filled out and submitted with your Application for Variance. Follow the following checklist to ensure you have properly filled out the application, as well as you have attached the required documents and fees.

- a. All "property owner" and "applicant" information is complete (Page 1)
- b. The correct Map # and Lot #, as well as 911 address, square foot and frontage information is included (Page 1)
- c. The "Driving Directions to Property" section is complete. Provide detailed directions from the Wakefield Town Hall, with mileage and landmarks, when needed (Page 1)
- d. The Zone is specified (check and circle the applicable zone) (Page 2)
- e. Questions A, B, C, and D are answered on page 2, completely and fully
- f. Complete the "Criteria" statements (paragraphs 1,2,3,4 and 5) on page 3, with all reasons and facts supporting each statement
- g. Answer questions G., H. and I. (Page 3)
- h. Read, sign & date the Certification (Page 4)
- i. Complete the Abutter's List, page 5, and/or attach an Abutters List – information (tax maps, etc.) to assist you in compiling this list is available at the Town Hall
- j. Provide the requested information, signatures, and date on the bottom of the Abutters List, page 5, whether or not the list is used or another listing, such as one obtained through information available at the Town Hall.
- k. Attach drawings, sketches, or plans which show detail of the property, all structures and specifically, the use for which this Variance is requested
- l. Attach the required fees for the application (Page 2 of these instructions) in the form of a check or money order payable to "Town of Wakefield"
- m. Attach copy of Code Enforcement letter or other denial notice
- n. Read "Plan or Sketch Requirements" (Page 3 of these instructions)
- o. Initial and date at the bottom of each page, where indicated
- p. Sign this page at the bottom, and include with your "Application for Variance"
- q. Include a copy of your current deed with the application
- r. Make a copy of these instructions and keep with a copy of your completed "Application for Variance"

Applicant or Agent's Signature:  **Date** 02/19/24

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: Ralph and Karen Eaves Telephone: 617-645-2269

Project Address: 276 Grenier Road, Pine River Pond, Wakefield, NH

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
<u>57</u> <u>20</u>	Paul and Anne Romano,	296 Grenier Rd., Sanbornville, NH
<u>57</u> <u>22</u>	Paul and Anne Romano,	296 Grenier Rd., Sanbornville, NH
<u>57</u> <u>36</u>	Paul and Anne Romano,	296 Grenier Road, Sanbornville, NH
<u>surveyor</u>	Kerry M. Fox ,	PO Box 489, Sanbornville, NH 03872
<u>57</u> <u>21</u>	Ralph and Karen Eaves,	276 Grenier Rd., Sanbornville, NH
<u>52</u> <u>01</u>	Jason Irving,	36R South Terrace, Beverly, MA 01919
<u>57</u> <u>35</u>	Dennis and Donna Tsakiris,	305 Green Street, Somersworth, MH 03878
<u>57</u> <u>34</u>	Richard and Marianne Russo,	5 Melody Lane, Lynnfield, MA 01940

(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): Kerry M. Fox

Date Prepared: January 30, 2024

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

Signature of Preparer _____

Signature of Applicant _____

Signature of Owner (if different from applicant) _____

Applicant's Initials: KE Owner's Initials: _____ Date: 03/27/24

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.

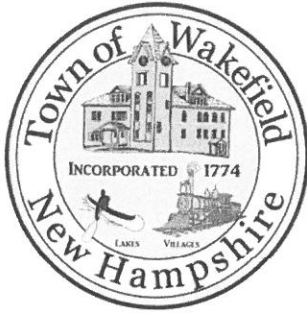
The ZBA has permission to enter the property in order to conduct scheduled site walks upon reasonable prior notice.

Applicant's Signature: _____ Date _____
 Property Owner's Signature: *Davey E. Gore* _____ Date 2/19/24
 Agent or Legal Counsel's Signature: *[Signature]* _____ Date 02/19/24

Applicant's Initials: KMF Owner's Initials: *DEG* Date: 2/19/24

Applicant's Initials: KIF Owner's Initials: [Signature] Date: 2/19/24

Revised 1 July 2013



TOWN OF WAKEFIELD, NEW HAMPSHIRE

CODE ENFORCEMENT OFFICE

2 HIGH STREET

SANBORNVILLE NH 03872

TELEPHONE: (603) 522-6205 X308

FAX: (603) 522-2295

BLDGINSPECTOR@WAKEFIELDNH.COM

LETTER OF DENIAL

February 23, 2024

Kerry Fox, Fox Survey Co.
PO Box 489
Sanbornville, NH 03872

Re: 276 Grenier Rd
Wakefield Tax Map 57-21

Dear Mr. Fox,

This office received a proposed site plan on February 6, 2024 to construct a 24x24 detached garage with connecting deck to the front stairs of the dwelling. Per Wakefield Zoning Ordinance Article 3 –Table 2- Minimum setbacks: Residential II Shoreland zone, shoreline set-back for a nonconforming lot is 50', street setback is 20' and sideline set back is 10'. Your proposed site plan shows the garage set-back from the shoreline is inside the 50' buffer as well as in violation of the sideline and street setbacks.

Please accept this letter as your letter of denial in order to trigger the ZBA variance application process to seek relief from the shoreline, sideline and street setbacks.

Please contact me by telephone if you should have any questions regarding this decision. I can be reached at (603) 522-6205, extension 312, or via email at bldginspector@wakefieldnh.com.

I look forward to hearing from you.

Very truly yours,

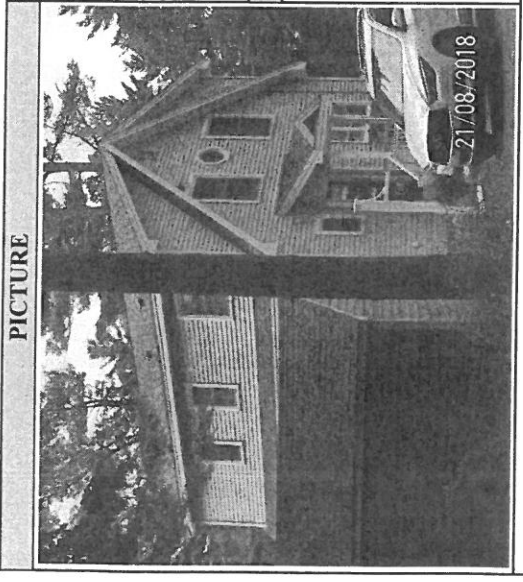
Peter Gosselin

Peter Gosselin
Building Inspector/Land Use
Shoreland/Code Enforcement
Health Officer

WAKEFIELD
Model: 2.00 STORY FRAME CONVENTION
Roof: GABLE HIP/ASPHALT
Ext: VINYL SIDING
Int: DRYWALL
Floor: LAMINATE
Heat: HEAT PUMP/RAD ELECT
Bedrooms: 3 **Baths:** 3.0 **Fixtures:**
 Extra Kitchens: Fireplaces:
A/C: Yes **100.00 %**
Generators: 1
Quality: AI AVG+10
Com. Wall:
Size Adj: 0.9735 **Base Rate:** RSA 195.00
Bldg. Rate: 0.997
Sq. Foot Cost: \$ 194.4

TAXABLE DISTRICTS	
District	Percentage

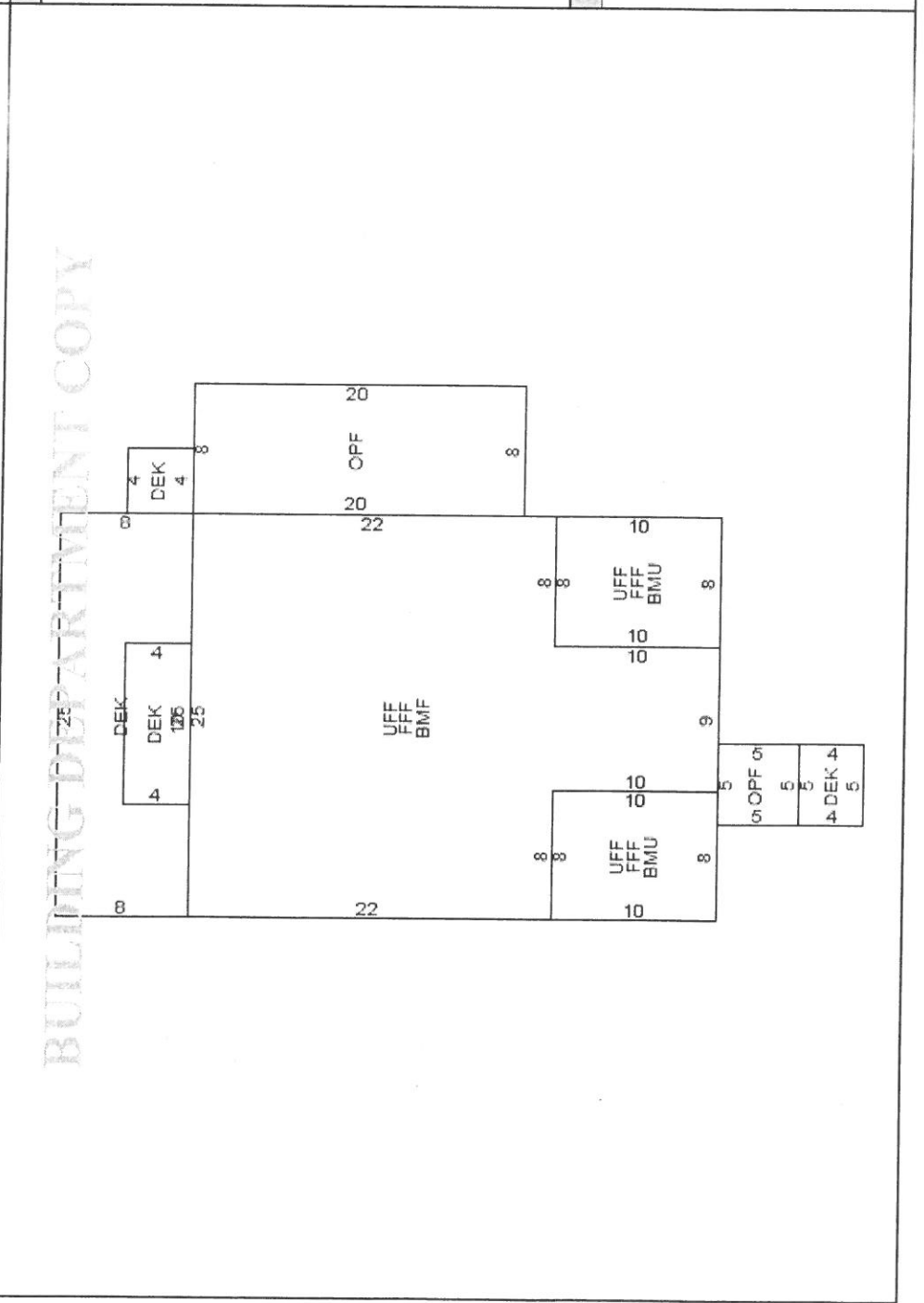
OWNER
EAVES FAMILY REVOCABLE TRUST
 EAVES, RALPH W & KAREN E, TRUSTEES
 276 GRENIER ROAD
 SANBORNVILLE, NH 03872



PERMITS
Date **Project Type** **Notes**
 02/08/18 GENERATOR GENERATOR:20KW RES STANDBY W/2
 08/17/16 DEMOLITION/REBUIL 25X32.63-BED3-BAW/8X28/8X20/4

BUILDING SUB AREA DETAILS

ID	Description	Area	Adj.	Effect.
FFP	FST FLR FIN	800	1.00	800
BMF	BSMNT FINISHED	640	0.30	192
BMU	BSMNT	160	0.15	24
OPF	OPEN PORCH FIN	185	0.25	46
DEK	DECK/ENTRANCE	276	0.10	28
UFF	UPPER FLR FIN	800	1.00	800
GLA:	1,600	2,861		1,890



BUILDING DEPARTMENT COPY

OWNER INFORMATION
 EAVES FAMILY REVOCABLE TRUST
 EAVES, RALPH W & KAREN E, TRUSTEES
 276 GRENIER ROAD

SALES HISTORY

Date	Book	Page	Type	Price	Grantor
02/02/2024	3758	78	U138		EAVES, RALPH & KAREN
11/01/2021	3630	326	U127		EAVES FAMILY
11/01/2021	3630	328	U138		EAVES%, RALPH
07/15/2019	3451	1138	U138		EAVES, RALPH & KAREN
07/15/2019	3452	1	U138		EAVES%, RALPH & KAREN

LISTING HISTORY

09/27/23 BLM1
 08/21/18 BJLO
 03/16/18 BJLX
 02/27/17 RWX
 07/05/12 BJLX
 01/31/08 FRRX
 08/26/02 BLO
 10/27/88 RB

NOTES

LT GREY (OLDPID:000077 000056 000000) 7/12 NOH P/U SHED B/L RW 2/17
 NOH REMOVE CAMP & P/U SHELL ONLY CHK 2018 RW 3/18 NOH OUTDOOR
 SHOWER EST HSE 100% B/L 8/18 P/U BMF, FIREPLACE, PTO & A/C B/L 12/18
 CORRECT STY HGT CODE RW 9/23 SPOKE W/O DNVI B/L

EXTRA FEATURES VALUATION

Feature Type	Units	Length x Width	Size Adj	Rate	Cond	Market Value	Notes
DOCKS PRIVATE	276	6 x 46	118	10.00	0	0	ALUM
SHED-WOOD	144	12 x 12	171	8.00	100	1,970	
FIREPLACE 1-1	1		100	2,500.00	100	2,500	GAS
PATIO AREA	500	500 x 1	92	7.00	100	3,220	
						7,700	

MUNICIPAL SOFTWARE BY AVITAR

WAKEFIELD ASSESSING OFFICE

PARCEL TOTAL TAXABLE VALUE

Year	Building	Features	Land
2022	\$ 205,300	\$ 6,400	\$ 241,600
		Parcel Total:	\$ 453,300
2023	\$ 341,800	\$ 7,700	\$ 593,400
		Parcel Total:	\$ 942,900
2024	\$ 341,800	\$ 7,700	\$ 593,400
		Parcel Total:	\$ 942,900

LAND VALUATION

Zone: R2PPP PINE RIVER PO **Minimum Acreage:** 1.00 **Minimum Frontage:** 150

Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
IF RES WTRFRNT	0.190 ac	55,100	S	140	100	100	100	95 -- 8 WF GOOD	100	73,300	0	N	73,300	
IF RES WTRFRNT	100.000 wf	x 7,300	X	100				95 -- 8 WF GOOD	75	520,100	0	N	520,100	COVE WEEDY WF
											0.190 ac		593,400	

Site: GOOD Driveway: PAVED Road: L

57-21
eaves
276 greener

