



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Tel: 603-485-4747

ZONING BOARD OF ADJUSTMENT MEETING AGENDA

July 29, 2019

7:00 P.M. Pembroke Town Hall 311 Pembroke St.

I, Call to Order

II, Attendance

III, Public Hearing

Case 19-07-Z A request has been made for a **Variance under Article V Use Regulations, § 143-21 Table of Dimensional and Density Regulations C Minimum lot frontage Duplex**. The applicant David Arsenault 441 6th Range Rd. lot 262-55 Pembroke NH 03275 is requesting a variance to create a new lot with a duplex on it with 130' of road frontage when 230' is required. The property is located at 441 6th Range Rd. in the R3 Zoning district and is owned by David Arsenault 441 6th Range Rd. lot 262-55 Pembroke NH 03275.

IV, Approval of Minutes

V, Other Business / Correspondence

VI, Adjournment

TOWN OF PEMBROKE
ZONING BOARD OF ADJUSTMENT
APPLICATION FOR A VARIANCE

(7-29-19)

CASE NO. 19-07-2

DATE FILED 7/1/19

Name of Applicant David Arsenault

Address 441 16th Range Road

Telephone 603-491-4418 Fax _____

E-mail Address da71197@aol.com

Owner of Property Same

Location of Property _____ Map 262 Lot 55

Signature of Owner of Property David Arsenault

If the property owner is not the applicant, the property owner **MUST** provide a notarized letter (original) authorizing the applicant to file an application.

You are applying to develop your property in a way that is prohibited by the requirements in the Zoning Ordinance. Please state the Article V and Section 143-21-C of the Zoning Ordinance from which you are requesting a variance.

Please give a detailed description of your proposal below.

to subdivide a 2ac lot with appropriate
road frontage for one lot but leaves main
house short on class VI of road frontage by
approx 100'.

Has this property received a Special Exception or Variance in the past? NO

If "YES", please provide copies of past Zoning Board of Adjustment Notices of Decision.

Please provide copies of the property tax card, plot plan, and any other information that you feel would be helpful for the Zoning Board to have when reviewing the application.

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

(A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and

(ii) The proposed use is a reasonable one.

unnecessary hardship - I have to move after 28 yrs.
The building already exists and needs interior
finishes & a well to be complete.
Proposed use is a reasonable one as it
would allow me to downsize to a
handicap accessible home.

(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

only short approx 100' on road frontage for
the other existing home & does not
conform to existing on a dimensional
limitation for road frontage.

Applicant David Orsman Date 7/1/19
(Signature)

Please describe how the requested variance would comply with the following criteria:

1. The variance will not be contrary to the public interest;

Owing to special conditions - preparing for medical ^{conditions} ~~conditions~~
ie: Nerve damage / 5 way bypass / Stroke / Glaucoma ect ect.
to worsen. With out your approval I would have
to Sell my home and leave Pembroke after 28yrs (Hardship)
So the spirit of the ordinance and substantial justice is done.

2. The spirit of the ordinance is observed;

The lot in question does have enough
width but narrows @ the road frontage
so it could be considered without violating
the spirit or intent of the ordinance. So
it would not result in overcrowding.

3. Substantial justice is done;

To deny this variance would cause me
hardship as I would have to sell my property
in the next yr. or so to attain handicap accessibility.
To grant such variance would also increase
the towns tax base. This is very important
for my future going forward to retirement

4. The values of surrounding properties are not diminished; and

I can only see an improvement and not to
diminish surrounding properties.

**TOWN OF PEMBROKE
ZONING BOARD of ADJUSTMENT**

FEE SCHEDULE WORKSHEET

NAME David Quisenberry CASE # _____

<u>DESCRIPTION</u>	<u>FEE</u>	<u>QUANTITY</u>	<u>TOTAL</u>
APPLICATION	\$100	<u>1</u>	<u>100</u>
NEWSPAPER LEGAL AD	\$120	<u>1</u>	<u>120</u>
CERTIFIED NOTICES	\$10 per Abutter	<u>8</u>	<u>80</u>
NOTICES OF DECISION	\$10 EA	<u>1</u>	<u>10</u>
TOTALS			

310⁰⁰

ABUTTER LIST

An abutter is defined as any person whose property adjoins or is directly across the street or stream from the land under consideration by the Zoning Board of Adjustment.

An abutter list must be provided that consists of the mailing address and map and lot numbers for all abutters.

Abutter information can be obtained from the Planning Department located upstairs in the Town Hall.

All fees must be paid at the time the application is submitted or the application will not be accepted.

Submissions must be made in accordance with the adopted Zoning Board of Adjustment submission deadline, which is posted at the Town Hall.

All applicants are encouraged to meet with the Code Enforcement Officer prior to submitting an application to avoid delays due to incomplete information.

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.



100 foot Abutters List Report

Pembroke, NH
April 08, 2019

Subject Property:

Parcel Number: 262-0055-000-000
CAMA Number: 262-0055-000-000
Property Address: 441 SIXTH RANGE RD

Mailing Address: ARSENAULT, DAVID
441A SIXTH RANGE RD
PEMBROKE, NH 03275

Abutters:

Parcel Number: 260-0005-000-000
CAMA Number: 260-0005-000-000
Property Address: 459 SIXTH RANGE RD

Mailing Address: LITTLEFIELD, CLAIRE I
459 SIXTH RANGE RD
PEMBROKE, NH 03275

Parcel Number: 262-0052-000-000
CAMA Number: 262-0052-000-000
Property Address: 437-449 FIFTH RANGE RD

Mailing Address: WHITEMORE, GAYLE T, TRUSTEE
GAYLE T WHITEMORE REV TRUST '92
578 BEAUTY HILL RD
CENTER BARNSTEAD, NH 03225

Parcel Number: 262-0054-000-000
CAMA Number: 262-0054-000-000
Property Address: 444 SIXTH RANGE RD

Mailing Address: QUINZANI, JAMES P & DONNA L
444 SIXTH RANGE RD
PEMBROKE, NH 03275

Parcel Number: 262-0056-000-000
CAMA Number: 262-0056-000-000
Property Address: 445 SIXTH RANGE RD

Mailing Address: LITTLEFIELD, THOMAS & DEIRDRE
445 SIXTH RANGE RD
PEMBROKE, NH 03275

Parcel Number: 937-0023-000-000
CAMA Number: 937-0023-000-000
Property Address: 401 SIXTH RANGE RD

Mailing Address: ARSENAULT, DAVID
441A SIXTH RANGE RD
PEMBROKE, NH 03275

Parcel Number: 937-0025-000-000
CAMA Number: 937-0025-000-000
Property Address: 428-448 SEVENTH RANGE RD

Mailing Address: LEAP, DANIEL N & LEE T
1 SOMERSWORTH PLAZA
SOMERSWORTH, NH 03878

Parcel Number: 937-0026-000-000
CAMA Number: 937-0026-000-000
Property Address: 464 SEVENTH RANGE RD

Mailing Address: BERUBE, RICHARD A & JEANNINE
464 SEVENTH RANGE RD
PEMBROKE, NH 03275



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4/8/2019

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19-07-Z/262-55

Claire Littlefield
459 Sixth Range Rd
Pembroke, NH 03275
19-07-Z/262-55

Gayle Whittemore, Trustee
578 Beauty Hill Rd
Center Barnstead, NH 03225
19-07-Z/262-55

James & Donna Quinzani
444 Sixth Range Rd
Pembroke, NH 03275
19-07-Z/262-55

Thomas & Deirdre Littlefield
445 Sixth Range Rd
Pembroke, NH 03275
19-07-Z/262-55

Daniel & Lee Leap
1 Somersworth Plaza
Somersworth, NH 03878
19-07-Z/262-55

Richard & Jeannine Berube
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Pembroke, NH 03275

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