

**TOWN OF SUNAPEE
ZONING BOARD OF ADJUSTMENT**

**A PUBLIC HEARING WILL BE HELD AT THE TOWN
MEETING ROOM LOCATED AT 23 EDGEMONT ROAD
ROOM ON THURSDAY, June 6, 2019 AT 7:00 PM ON THE
FOLLOWING CASES:**

**Case #ZBA19-10
Parcel ID:
0113-0021-000**

**Seeking a Variance from Article III,
Section 3.10 to permit reduction of
western side setback from 15' to 7'
from property line for a garage.
Zone RR w/ Shoreline Overlay
60 Ridgewood Dr.
Timothy & Bette Nowack**

**Case #ZBA19-11
Parcel ID:
0128-0016-0000**

**Seeking a Special Exception per
Article III, Section 3.50 (f) and 3.55
to replace a deck that falls between
the centerline and 50' road setback
with a larger deck.
Zone RS w/ Shoreline Overlay
25 Garnet St.
Morgan & Loretta Dewey**

MISC.

**Review Minutes from Previous
Meeting**

NOTE: In the event the meeting is cancelled, the Agenda will be continued to the next scheduled Zoning Board meeting.

Town of Sunapee
23 Edgemont Rd., Sunapee NH
Phone (603) 763-3194 / Website www.town.sunapee.nh.us
Email zoning@town.sunapee.nh.us

CASE# ZBA19-10

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



Questions? Please contact the Zoning Administrator. 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): Bette & Timothy Nowack
2. Parcel ID: 113/21 3. Zoning District: RR
1. Project Location (Street & #): 60 Ridgewood Rd
2. Mailing Address: 60 Ridgewood Rd, Sunapee
3. Phone Number: 603-491-9817 / 603-545-5707
4. Email: bette.nowack@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: \$150 * Make check payable to Town of Sunapee.
 Abutter Notification Fee: \$4.10 * per abutter. Make payable to US Post Office.
(6 x 6.85)

* 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 Shorelines Overlay District, a professional survey is required.

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

Revised 4/26/2019

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 supporting materials

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 reduction

of western side setback from 15' to
7' from property line.

Facts in support of granting the variance:

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

see supporting materials for remainder
of answers to questions

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

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

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: _____

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. _____

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.

Bette & Nowack, Timothy C Nowack _____
Landowner(s) Signature(s) Date 5/1/19

Nowack – 60 Ridgewood Road

ZBA Variance Application Supporting Materials

Accompanying Documents:

- Variance Application.
- Two (2) Full Size Site Plans showing existing conditions. Surveyed by licensed surveyor in August 2018.
- Two (2) Full Size Site Plans showing proposed garage details.
- **Exhibit A:** 8-1/2" x 11" Crop of Site Plan showing the area of the proposed garage and associated modifications.
- **Exhibit B:** 8-1/2" X 11" Crop of Impervious Area Calculations from Survey Plan of existing conditions.
- **Exhibit C:** 8-1/2" x 11" Crop of Impervious Area Calculations from Proposed Garage Plan.
- **Exhibit D:** Hand calculations of new impervious area.
- **Exhibit E-1 through E-4:** Conceptual renderings of garage from 4 viewpoints.
- **Exhibit F:** Tax Map showing 60 Ridgewood Rd and nearby Fernwood community properties with garages.
- **Exhibit G:** Tax Map showing location of proposed garage in relation to Fitzgerald's and Hack's houses.
- **Exhibit H:** Air Photo showing location of proposed garage in relation to Fitzgerald's and Hack's houses.
- **Exhibit I:** Photo showing view of Fitzgerald's house and space between house and property line.
- **Exhibit J:** Photo showing location of Fitzgerald's plasticized canvas shed in relation to proposed garage location.
- **Exhibit K:** Letter from Hacks – abutter at 58 Ridgewood.
- **Exhibit L:** Letter from Realtor Mr. Dave Smith of Harbor Light Realty.
- **Exhibit M:** Letter from Kris McAllister, Sunapee Tax Assessor.
- **Exhibit N:** Email from Jeff Fitzgerald/Mr. Calderwood of Four Seasons Sotheby Real Estate.
- **Exhibit O-1 and O-2:** Decisions from April 18, 2019 hearing, Case #s 19-07 and 19-08.
- CD with electronic files for complete application package.

Requirements for awarding a variance under the new RSA 674.33, I(b)(5):

(2) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:

- (A) The variance will not be contrary to the public interest;
- (B) The spirit of the ordinance is observed;
- (C) Substantial justice is done;
- (D) The values of surrounding properties are not diminished; and
- (E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

I(b)(1) For purposes of subparagraph I(a)(2)(E), "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

- (A) 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
 - (B) The proposed use is a reasonable one.
- (2) If the criteria in subparagraph (1) 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.
- (3) The definition of "unnecessary hardship" set forth in subparagraphs (1) and (2) 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.

General Description

The property (Map 113/Lot 21) is located at the end of Ridgewood Rd, in the Fernwood Association, and with frontage on Lake Sunapee. The property is 0.20 acres in area. The road frontage is 41.62 ft, and the lake frontage is 75 ft. The western boundary with 62 Ridgewood Rd is 146.47 ft, and the eastern boundary with 58 Ridgewood Rd is 167.06 ft. There is an 8 ft wide ROW along the eastern boundary for 57 Ridgewood to access a lakefront dock. One single family residence with a slab area of 1200 sq ft was constructed in 2000-2001. The side setbacks for the house are 12.5 ft on each side. The house is constructed 50 ft back from the lake. There is a 22% grade from the road to the level of the entrance to the house. Because of this steep grade, the existing driveway cannot be used in the winter. We park our 2 cars in the parking area bordering the road on south end of the property year round.

The proposed project is construction of a 2-car garage, with a 440 sq ft area (20 ft x 20 ft + 10 ft x 4 ft). The garage will have a concrete slab foundation with frost walls, wood frame construction with clapboard siding and asphalt shingle roofing, consistent with the house construction. The maximum height of the garage will be 16 ft. The garage will be set back 30 ft from the centerline of the road, in accordance with a variance approved on April 18, 2019 (Case #19-07). An impervious stairway/walkway will be constructed to connect the garage to the house and the bluestone driveway will be converted to pervious material.

Rationale for design of garage and selection of garage location:

A lot of thought and engineering was put into the design and selection of the location for the garage building because of the unusual constraints of the property. As discussed during our previous hearing on 4/18/19, there is no location on the lot for a 2-car garage that would not require at least one variance. From an engineering, environmental, practical, aesthetic, and cost perspective, locating the garage as close to the western property line (shared with Fitzgerald) as possible is the best location. Construction of the garage on the mounded area in the southwest corner of the lot will minimize the need to alter terrain and will preserve the stormwater drainage pattern. Altering the terrain could possibly exacerbating drainage issues on the road.

Side setback: A 20-ft wide garage is a minimum functional size to contain 2 standard size vehicles (example: Honda Accord 16.5' long by 6.5' wide). With road frontage of 42 ft, there is no location for a garage that would not require at least one variance for a side setback. We chose to place the garage 7 ft from the western property line for the following reasons:

1. Only one side variance would be needed. Due to the ROW, the lot is not wide enough to meet the 15-ft setback on the west side, even if the garage bordered the ROW.
2. A reduced setback of 7 ft is the maximum distance from the western property line that would not also require a variance for a reduced setback from the eastern property line.
3. A reduced setback of 7 ft from the western property line is the maximum distance the garage can be located from the western property line without extending the garage past the mounded area of the property.
4. In fairness to both neighbors, placement of the garage 7 ft from the western property line would result in it being 70 ft from Fitzgerald's house and only 50 ft from Hack's house (living quarters) at the nearest point, with only 33 ft between our proposed garage and the Hack's garage. Placing the garage even closer to the Hack's does not seem to be equitable to both abutters.
5. A review of recent projects that came before the ZBA indicated that there have been a number of approved setback reductions ranging from 2 ft to 10 ft (See Table 1 below).

6. Less alteration of the natural grade of the land would be needed to construct the garage on the western side of the lot. Less off-site fill and retaining wall construction will be needed. Drainage of stormwater runoff from the road can be better handled.
7. Although we plan to remove the impervious surface from the current driveway, we will occasionally need to bring vehicles down closer to the house to perform house maintenance (painting, roofing, etc.) and access our grinder pump, waste tank and well which are on the east side of the house. Placing the garage closer to the eastern property boundary would restrict access for maintenance.

We have an approved Shoreland Protection Permit for a 20 ft x 20 ft garage and associated stormwater management system. If the requested variances are approved by the ZBA, we will submit a request for a modification of the Shoreland Protection Permit to NHDES to increase the garage size by 40 sq ft and adjust the garage location. The proposed stormwater management system will be installed as previously approved by NHDES with no changes.

Table 1

Recent Projects with Reduced Side Setbacks Approved by Sunapee ZBA (minutes available)

Case #	Meeting Date	Structure	Approved Side Setback	Address	Map#/Lot#	Lot Size (Acres)
06-09	3/9/06	House	7.5'	10 Ridgewood Pt Rd	113/33	0.21
06-46	10/12/06	Garage (2 car, 2nd story for storage)	7'9"	101 Fernwood Pt Rd	121/43	0.52
05-68	11/10/06	Garage (2 car, living space above)	2'	98 Burma Rd	118/50	0.15
07-16	8/9/07	House with Garage (2 car, 28' x 24', living space above)	15'	48 Ridgewood Rd	113/25	0.24
07-17	8/9/07	Garage (2 car, 23' x 22', living space above)*	8'	69 Lake Ave	133/49	0.32
07-30	11/8/07	House Addition*	7.5'	39 Lake Ave	133/40	0.29
11-07	6/9/11	14' x 18' Stg Bldg	7.6'	40 Birch Pt Rd	136/61	0.31
11-12	7/14/11	Garage (18' x 22' garage with living space above)	10'	118 Fernwood Pt Rd	121/37	0.22
12-18	7/12/12	Stairs attached to Garage (2 car, living space above)	3.42'	233 Lake Ave	134/13	0.17
12-20	10/11/12	Garage (28' x 32' with living space above)	7'	4 Quarry Rd	133/62	0.6
13-11	7/11/13	New Deck (10' x 24')	5'	14 Hamel Rd	148/22	0.09
15-32	11/12/15	Dwelling Unit	5'6"	1282 Route 11, GM	104/84	0.9
17-10	10/12/17	Utility Shed (8' x 8')	5.8'	44 Burma Rd	118/63	0.33

*Abutters opposed project.

Specific Reason the Variance is Necessary:

A Variance is requested from Zoning Ordinance, Article III, Section 3.10, to permit construction of a 20 ft wide 2-car garage. A reduction of the 15-ft side setback to 7 ft is required on the west side of the lot. This application is a revision of our previous application for a reduced side setback variance of 5 ft (case #19-08) that was denied by the ZBA.

Facts in support of granting the variance:

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

Construction of our garage will not change the character of the community. Garages are a common feature of residences on Ridgewood Road. There are 8 houses on the same side of the street within 500 ft of 60 Ridgewood, 4 of these houses have garages facing the road. Three of the 4 garages do not meet the setback requirement of 50 ft from the centerline of the road (62, 58, and 50 Ridgewood Road). The garage will be a permanent structure on a concrete slab with frost walls. The wood frame structure will be an attractive building, consistent in style with our house, with similar siding, trim, and color and with a maximum height of 15 ft over the slab elevation. The garage will be within 7 ft from the western property line (shared with Fitzgerald's property), but will be approximately 70 ft away from the Fitzgerald's house at its closest point, or about the same distance that Fitzgerald's canvas garage is from our house.

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

The general public purposes of the ordinance provision and the specific application of that provision based on the description of the purposes in the *Zoning Board Handbook* is provided below.

“RSA 674:17 Purposes of Zoning Ordinances

- I. Every zoning ordinance shall be adopted in accordance with the requirements of RSA 674:18. Zoning ordinances shall be designed: (a) **To lessen congestion in the streets;** (b) **To secure safety from fires, panic and other dangers;** (c) **To promote health and the general welfare;** (d) **To provide adequate light and air;** (e) **To prevent the overcrowding of land;** (f) **To avoid undue concentration of population;** (g) **To facilitate the adequate provision of transportation,** solid waste facilities, water, sewerage, schools, parks, child day care; (h) **To assure proper use of natural resources and other public requirements;** (i) To encourage the preservation of agricultural lands and buildings and the agricultural operations described in RSA 21:34-a supporting the agricultural lands and buildings; and (j) To encourage the installation and use of solar, wind, or other renewable energy systems and protect access to energy sources by the regulation of orientation of streets, lots, and buildings; establishment of maximum building height, minimum set back requirements, and limitations on type, height, and placement of vegetation; and encouragement of the use of solar skyspace easements under RSA 477. Zoning ordinances may establish buffer zones or additional districts which overlap existing districts and may further regulate the planting and trimming of vegetation on public and private property to protect access to renewable energy systems.
- II. Every zoning ordinance shall be made with reasonable consideration to, among other things, the character of the area involved and its peculiar suitability for particular uses, as well as with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality.”

Our proposed garage will improve Subsection I, conditions a, b, and c. We are proposing to construct our garage 7 ft from the property line we share with the Fitzgeralds. At its closest point, our proposed garage will be 70 ft away from the Fitzgerald's house. In the Fernwood Point neighborhood this is

actually an unusually large distance between buildings. Therefore, our proposed garage will not prevent the Fitzgeralds' from having adequate light and air, or result in overcrowding of the area. It would be difficult for a typical individual to visually discern the difference between a 70 ft separation between buildings (resulting from the requested 7 ft reduced setback) and a 78 ft separation (if the garage was placed within the standard side setback for a non-conforming lot). Our project will have no effect on condition f or g, and will improve condition h by decreasing impervious surface from 27.2% to 26.4%, and infiltrating stormwater so that it does not flow into Lake Sunapee.

Our proposed garage will be consistent with the character of Ridgewood Rd. Two car garages have been constructed on the properties at 58 Ridgewood Rd and 48 Ridgewood Rd (within 500 ft of our property), although these 2 garages are larger in area and height, and also contain a second story. The lots at 58 and 48 Ridgewood Rd are similar in area to ours (0.23 and 0.24 acres, respectively).

3. Granting the variance would do substantial justice because:

The benefits to the Nowacks' (health and safety aspects of accessing cars) will not be outweighed by harm to the general public because the community will benefit from this project in several ways:

The proposed garage would be set back farther from the road than our current parking area, allowing additional space for road maintenance and plowing at the end of Ridgewood Road and would provide sufficient width for a turnaround for vehicles. The project would not impact the use of any of the abutting properties. Improved stormwater management and infiltration features (as approved by NHDES Shoreland Protection Program) will improve stormwater management on the road and reduce stormwater flow into the lake. The project will not obstruct the views or decrease privacy or quiet enjoyment of the abutting properties.

Although the proposed garage location is closer to the western property line (7 ft) than the eastern property line (15 ft), the garage will be 70 ft from the Fitzgeralds' house (62 Ridgewood) and 50 ft from the Hacks' house (58 Ridgewood) and 33 ft from the Hacks' garage. This proposed location is more equitable to both of our abutters from a visual perspective than placing the garage in the center of the lot frontage. In addition, it will provide a more distributed and spacious appearance for the community.

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

We have discussed our project and shared plans with two independent, unbiased third parties. Please refer to the letters prepared by Mr. Dave Smith of Harbor Light Realty and Ms. Kristen McAllister, Municipal Assessor for the Town of Sunapee. Neither of them found our project to be a detriment to the community or to negatively effect real estate values. Mr. Fitzgerald's claim of diminished property value during the April 18 hearing and the letter provided by his real estate agent do not stand up to scrutiny.

Mr. Fitzgerald provided a letter from Mr. Calderwood of Four Seasons Sotheby's Real Estate, specifically regarding his property. Mr. Calderwood's letter does not explicitly state that our project would reduce Mr. Fitzgerald's property value. Further, he indicates that his assessment was made without reviewing plans or drawings for the project. He has made vague assumptions regarding the location and height of the proposed garage that are not consistent with the actual plans. The concept that driving past a new garage of quality construction that is consistent with others in the neighborhood would make a bad first impression doesn't make sense.

There is a distance of 70 ft between our proposed garage location and Fitzgerald's house at the nearest point. The proposed garage will be low profile (maximum of 16 ft high). The characterization that this

garage will be “looming above” his house is not appropriate. It will be at no higher elevation or closer to his house than his canvas shed, which he voluntarily placed in that location.

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 lot at 60 Ridgewood Rd is slightly smaller in area and has less road frontage than any other property on Ridgewood Rd. (See Table 2 below). In addition, there is an 8 ft ROW along the eastern side of the lot further restricting use of the lot. Because of the dimensions of, and restrictions on, the property, there is no location on the property where a 2-car garage could be constructed without requiring at least one variance. Furthermore, the steepness of the lot (a drop in elevation of 10 ft from the road to the house) makes the current driveway inaccessible in the winter. Stormwater drainage from the road causes the driveway to ice over in the winter, making traversing from the house to the road and upper parking area treacherous.

Table 2
Lot Sizes & Road Frontage of Neighborhood Properties

Address	Owner	Area (acres)	Road Frontage (ft)
58 Ridgewood	Fitzgerald	0.71	NA
60 Ridgewood	Nowack	0.20	42
58 Ridgewood	Hack	0.23	56.32
56 Ridgewood	Howland	0.38	91.38
50 Ridgewood	Mulliken	0.42	92
48 Ridgewood	Rose	0.24	67
46 Ridgewood	Dunlap	0.22	71
42 Ridgewood	Patrick	0.23	72
30 Ridgewood	Libsch	0.44	95
24 Ridgewood	Holmes	0.34	65
22 Ridgewood	Bushueff	0.55	92
20 Ridgewood	Bushueff	0.53	86
6 Ridgewood	Kaufman	2.28	423

ii. The proposed use is a reasonable one because:

A 2-car garage is a reasonable use for a 4-bedroom year-round home, and the minimum parking spaces required by the ordinance for such a house. Few modern households in the Town of Sunapee own fewer than 2 vehicles. If we constructed a one-car garage, we would still require an additional parking space adjacent to the garage, resulting in essentially the same area of impervious surface.

Table 3 (below) is a listing of properties in the Fernwood neighborhood that have reduced side setbacks. Table 1 (above) lists reduced side setbacks approved by the ZBA in recent years. Approved reduced setbacks range from 2 ft to 10 ft.

There are several properties with garages in the neighborhood on Ridgewood Point Rd that have road frontages of 20 ft, 18.5 ft, and 25 ft. Variances or special exceptions were required for these garages on both sides. By contrast, the dimensions of our lot would allow us to construct a 20 ft wide, 2-car garage with a variance for only one side setback.

**Table 3
Fernwood Neighborhood Character Examples - Houses with Garages**

Lot ID	Owner	Address	Lot Size (acres)	Road Frontage	Structure	Dimensions	Sq. ft.
113/22	Hack	58 Ridgewood Rd	0.23	56.32	2 Car Garage + 2nd Story	22 x 28	616
113/24	Milliken	50 Ridgewood Rd	0.42	68	1 Car Garage + Storage	22 x 20	440
113/25	Rose	48 Ridgewood Rd	0.24	67	2 Car Garage + 2nd Story	28 x 24	672
113/29	Ridgewood Pt LLC	18 Ridgewood Pt Rd	0.14	20	1 Car Garage	15 x 17	255
113/30	Shields	16 Ridgewood Pt Rd	0.15	18.5	1 Car Garage	16 x 20	320
113/034	Dufault	8 Ridgewood Pt Rd	0.17	25	1 Car Garage	15 x 22	330
121/37	Watchel	101 Fernwood Pt Rd	0.22	57.5	1 Car Garage	18 x 22	396
121/34	Bettencourt	118 Fernwood Pt Rd	0.52	103	2 Car Garage + 2nd Story	28 x 36	1008

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.

A variance is required to enable reasonable use:

As a year-round property occupied by an aging retired couple in the winter, reasonable use includes safe access to the street from the house, and having a safe and secure area for parking cars and safe access to the house from the parking area. Our experience during the past two winters has demonstrated that icing of the parking area and the driveway makes for treacherous access to our cars. In fact, this winter, when we had a contractor working on repairing our deck, one of the workers slipped on the ice in the driveway, was injured, and went on workers comp. This demonstrates that safe access to the property is impaired by the steep slope.



50 foot Abutters List Report

Tri Town, NH

May 01, 2019

Subject Property:

Parcel Number: Sun-0113-0021-0000
CAMA Number: Sun-0113-0021-0000
Property Address: 60 RIDGEWOOD RD

Mailing Address: NOWACK, TIMOTHY L & BETTE L
60 RIDGEWOOD RD
SUNAPEE, NH 03782

Abutters:

Parcel Number: Sun-0113-0019-0000
CAMA Number: Sun-0113-0019-0000
Property Address: 57 RIDGEWOOD RD

Mailing Address: CASWELL, STUART
57 RIDGEWOOD RD
SUNAPEE, NH 03782

Parcel Number: Sun-0113-0020-0000
CAMA Number: Sun-0113-0020-0000
Property Address: 62 RIDGEWOOD RD

Mailing Address: FITZGERALD, JEFFREY J & DONNA M
PO BOX 259
SUNAPEE, NH 03782

Parcel Number: Sun-0113-0022-0000
CAMA Number: Sun-0113-0022-0000
Property Address: 58 RIDGEWOOD RD

Mailing Address: HACK, WILLIAM T & EMILY
21 CUSHING AVENUE
NASHUA, NH 03064

Parcel Number: Sun-0113-0023-0000
CAMA Number: Sun-0113-0023-0000
Property Address: 56 RIDGEWOOD RD

Mailing Address: HOWLAND, DAVID E
73 OAK HOLLOW DR.
LONGMEADOW, MA 01106

Parcel Number: Sun-0120-0010-0000
CAMA Number: Sun-0120-0010-0000
Property Address: FERNWOOD POINT RD

Mailing Address: WIGHT, ARTHUR
BOX 34
ELKINS, NH 03233-0034



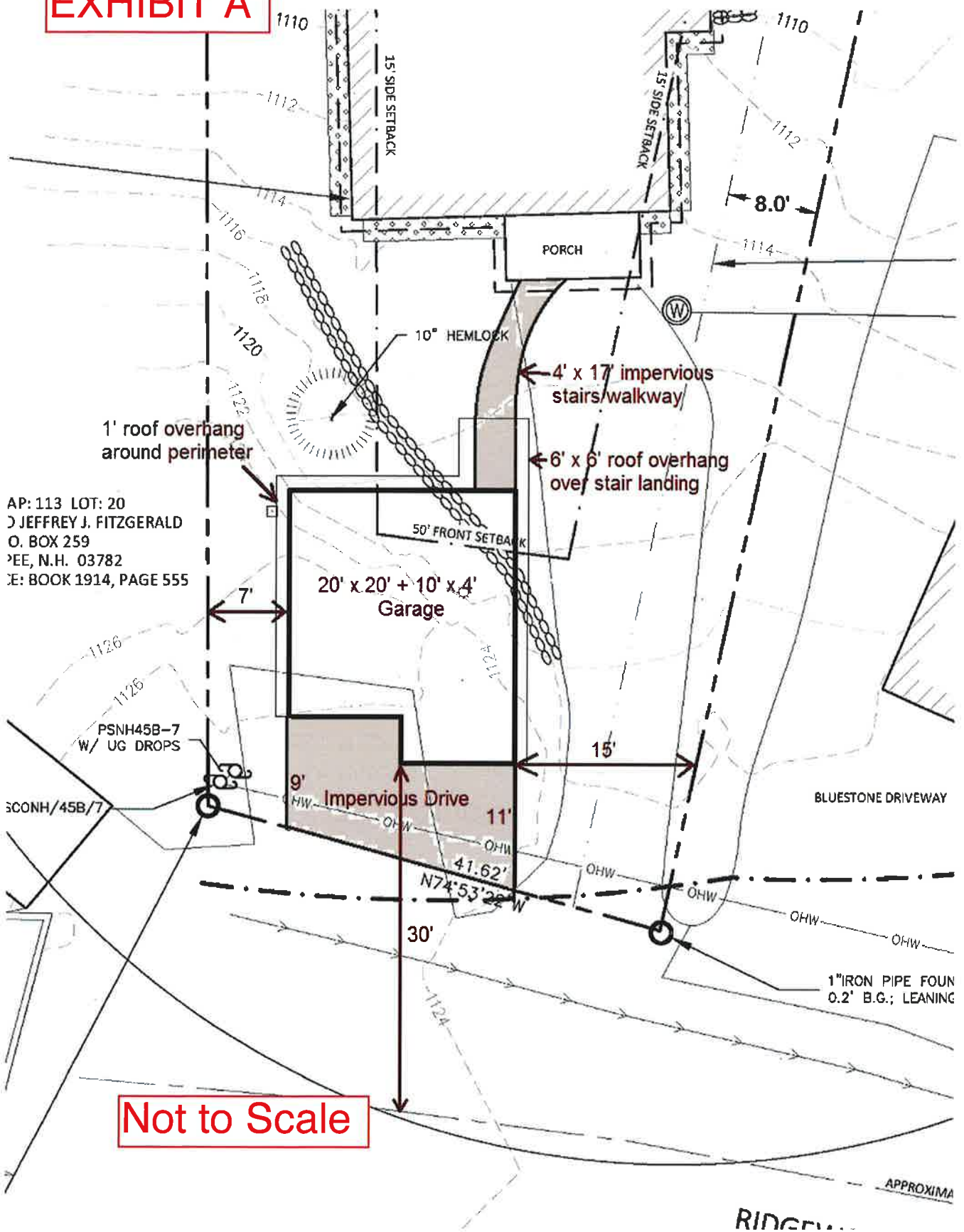
www.cai-tech.com

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.

5/1/2019

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EXHIBIT A



AP: 113 LOT: 20
J JEFFREY J. FITZGERALD
O. BOX 259
LEE, N.H. 03782
SEE: BOOK 1914, PAGE 555

Not to Scale

EXHIBIT B

Existing Conditions
Calculated by Fuss & O'Neill

IMPERVIOUS AREA CALCULATIONS (±SF)				
	SHORELAND SETBACK			
	0-50'	50-150'	150-250'	EXISTING TOTAL
Bluestone Driveway	0	635	21	656
Bluestone Parking Area	0	234	0	234
House & Porches	62	1,427	0	1,489
Dock	4	0	0	4
TOTAL AREA	3,598	5,135	22	8755
			% IMPERVIOUS	27.2

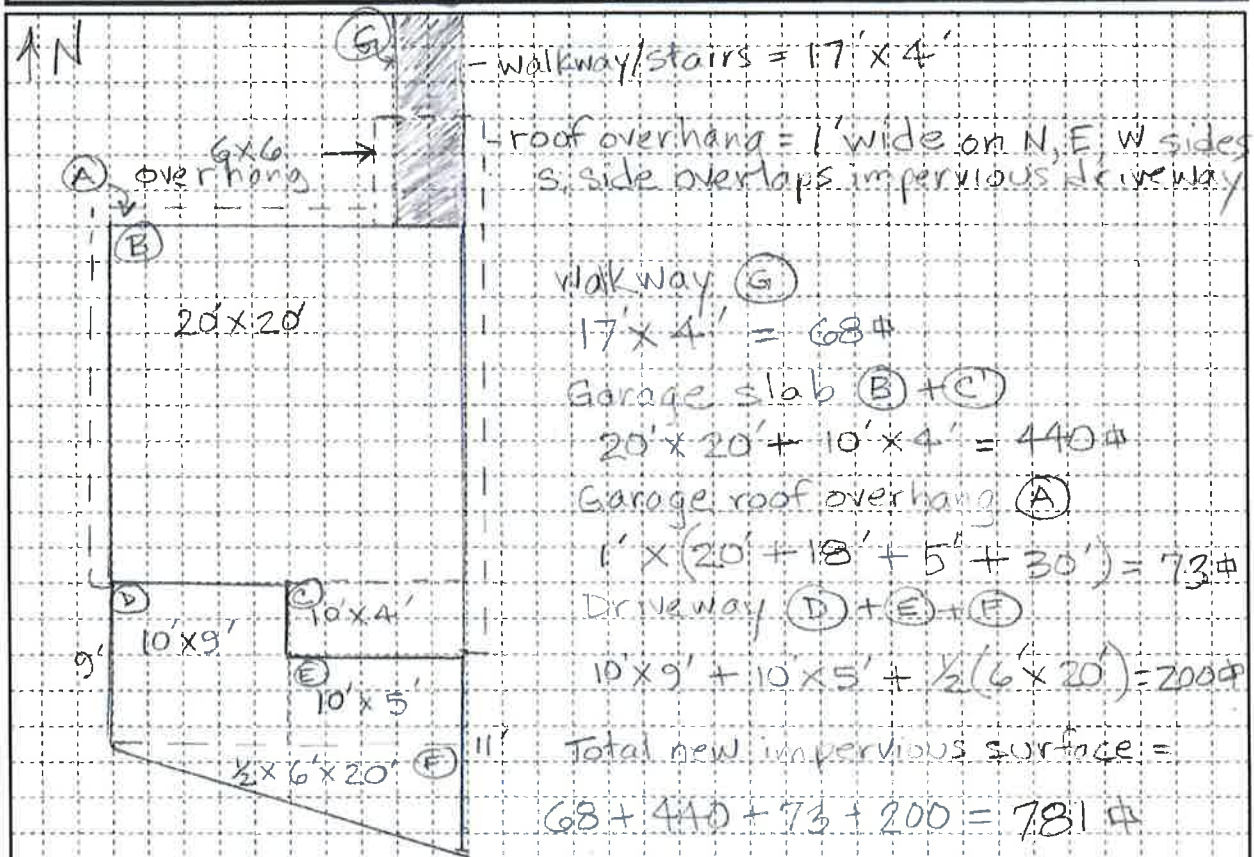
EXHIBIT C

IMPERVIOUS AREA CALCULATIONS (±SF)				
	SHORELAND SETBACK			NEW TOTAL
	0-50'	50-150'	150-250'	
New Stairs & Walkway	0	68	0	68
New Driveway	0	200	0	200
Garage & Overhang	0	513	0	513
House & Porches	62	1,427	0	1,489
New Deck Drip Edge	24	12	0	36
Dock	4	0	0	4
TOTAL AREA	3,598	5,135	22	8755
New Impervious Area		2,310	New % Impervious	26.4%

EXHIBIT D

OBSERVATIONS AND REMARKS

 STONE ENVIRONMENTAL INC 535 Stone Cutters Way Montpelier, Vermont 05602 USA Phone / 802.229.4541 Fax / 802.229.5417 Web Site / www.stone-env.com	Project Name/Description: IMPERVIOUS SURFACE CALCS
SEI Project #: Nowack Garage	Client/Sponsor: 7' side setback, 30' from rd E



- Refer to Fuss & O'Neill plan for existing impervious surfaces:
- Bluestone Driveway = 656 # (To BE Removed)
- Bluestone Parking Area = 234 # (To BE Removed)
- House & Patches = 1489 #
- Dock = 4 #

Note that late 2018 deck repair added 1' drip edge to deck perimeter 1' x (6' + 18' + 12') cert of zoning comp = 36 #

Total impervious coverage proposed = new area + existing = 781 # + 1489 # + 4 # + 36 # = 2310 #
 Impervious % proposed = 2310 / 8755 = 26.49% (revised from 27.2%)

Signed: _____

Date: 5/1/19

Page: 1 of 1

EXHIBIT E-1



EXHIBIT E-2

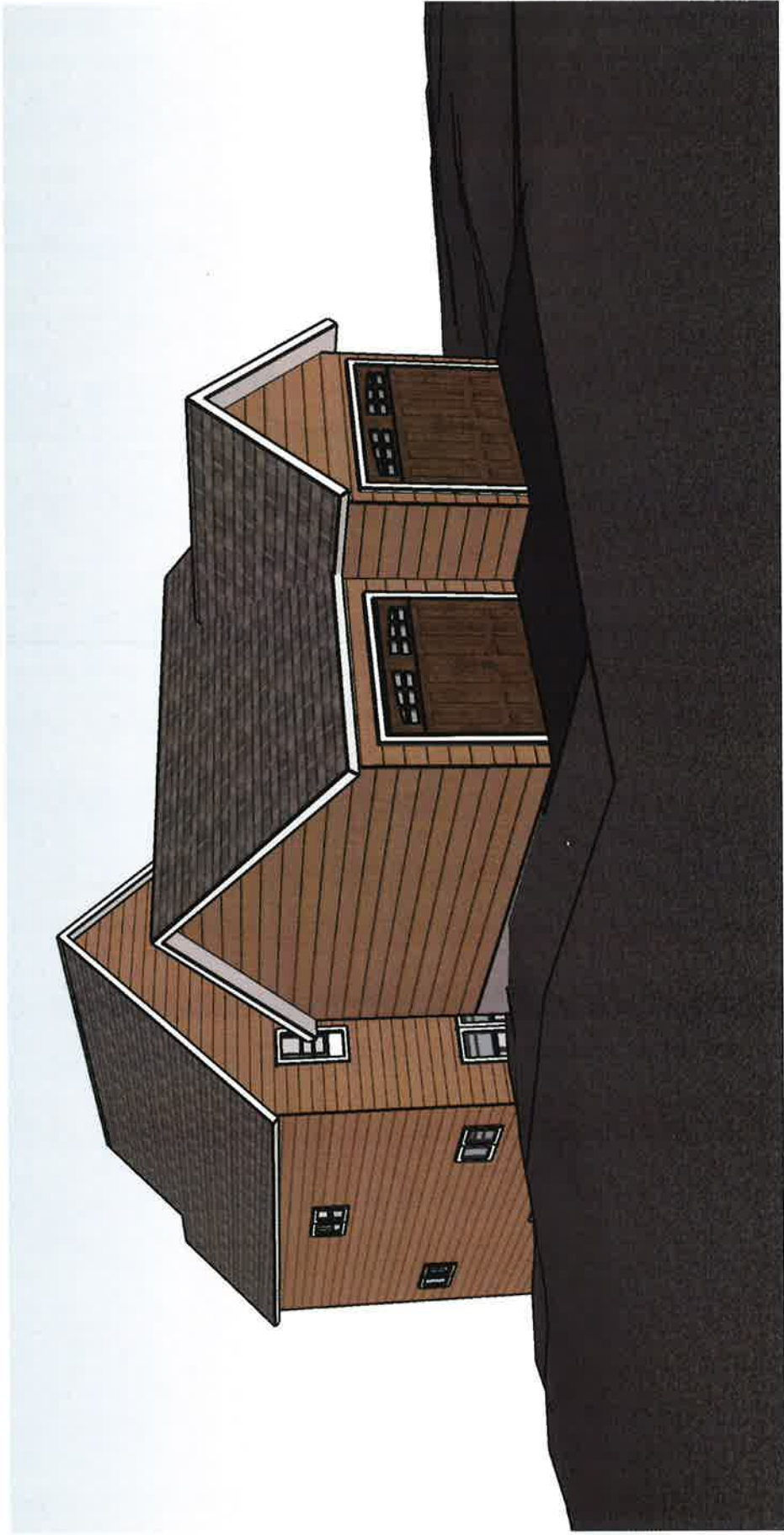


EXHIBIT E-3

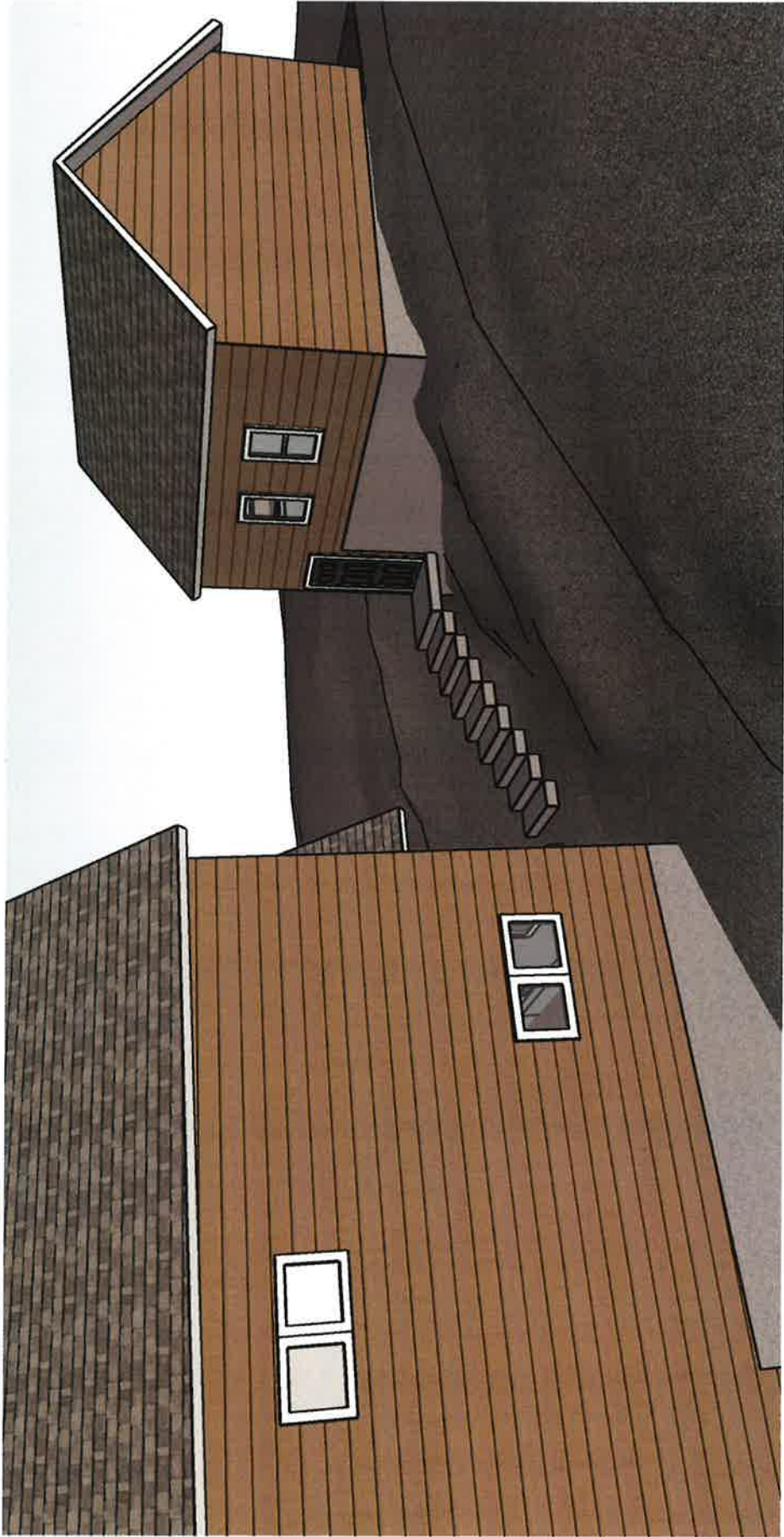


EXHIBIT E-4

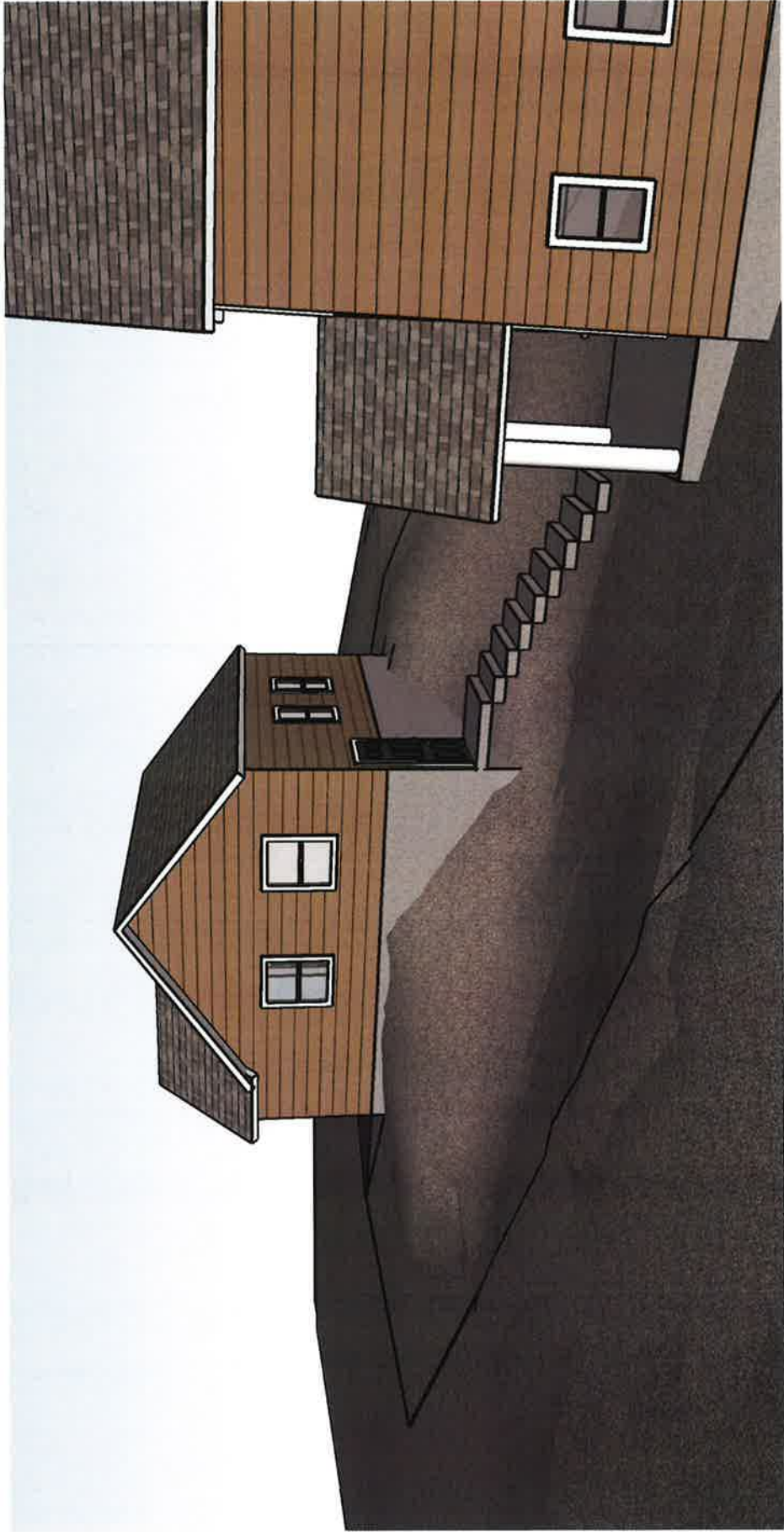


EXHIBIT F

SUNAPEE LAKE

AcC

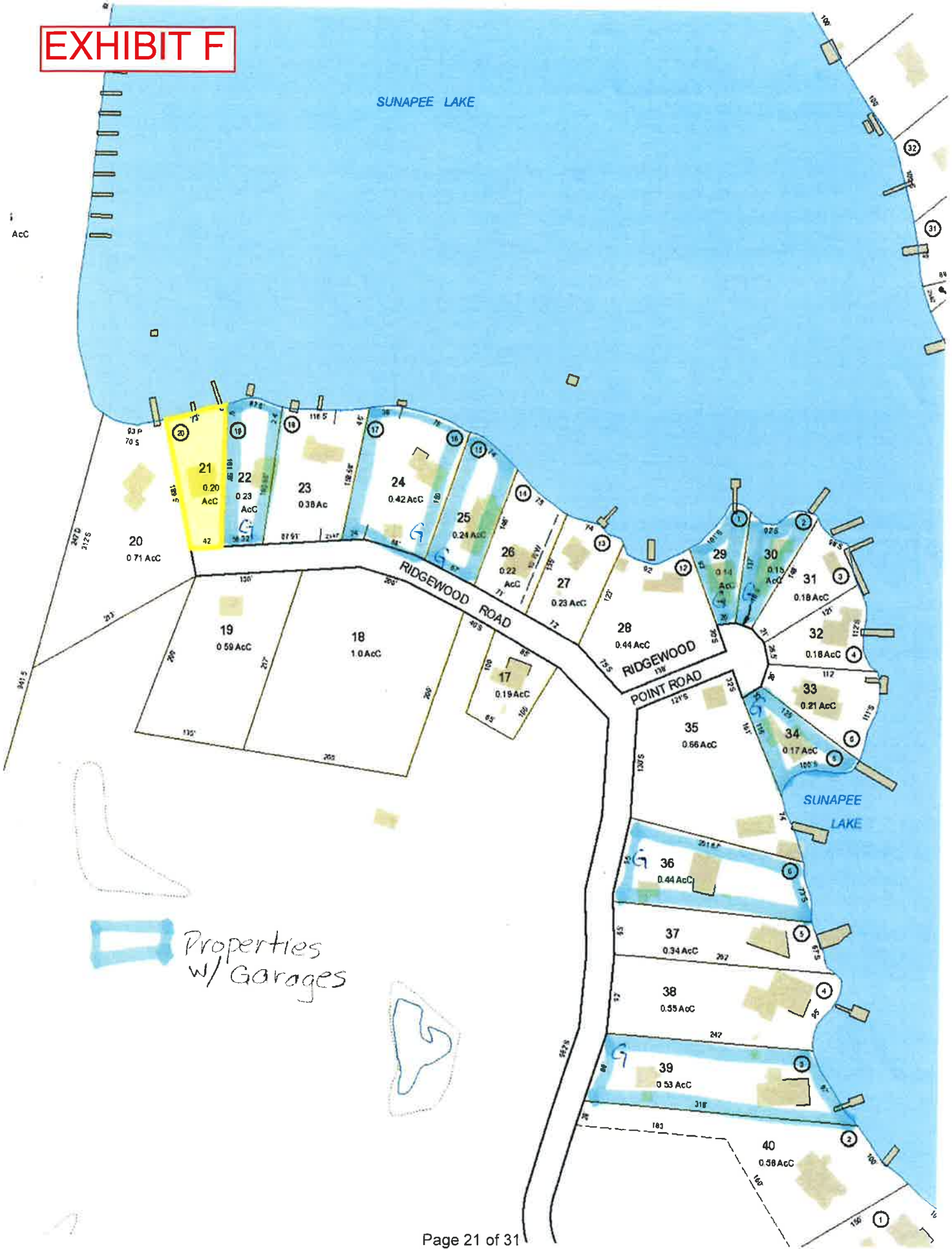


EXHIBIT G

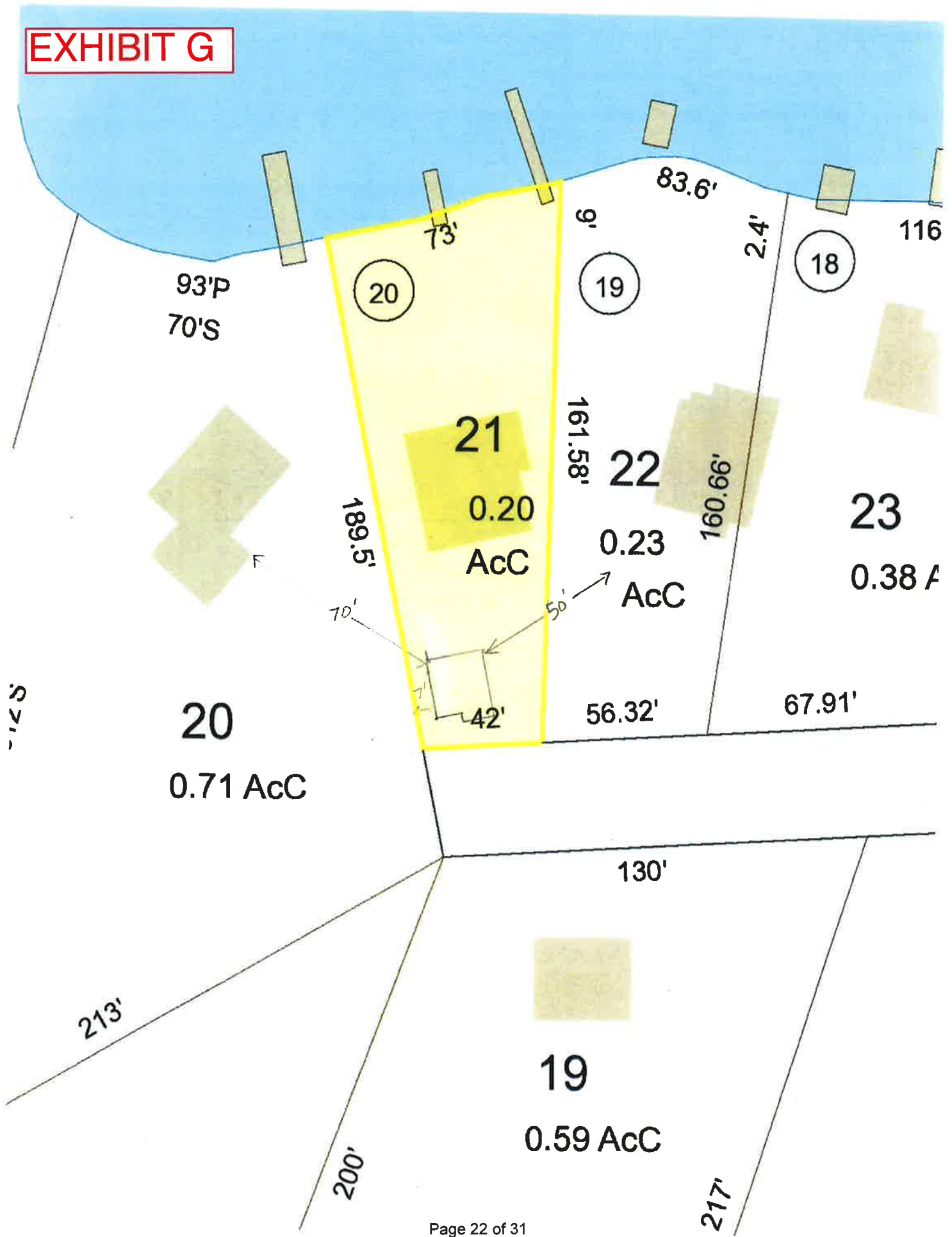
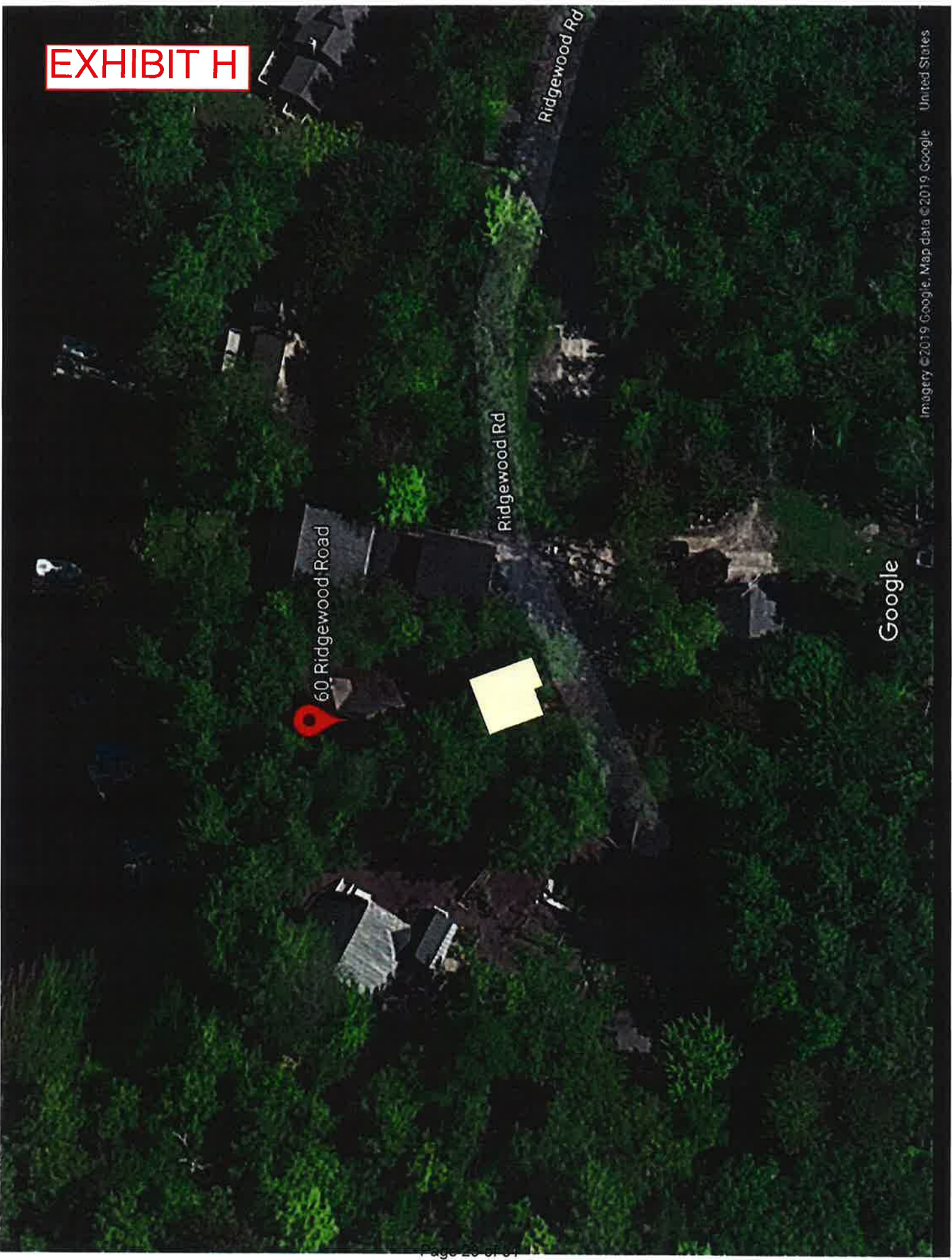
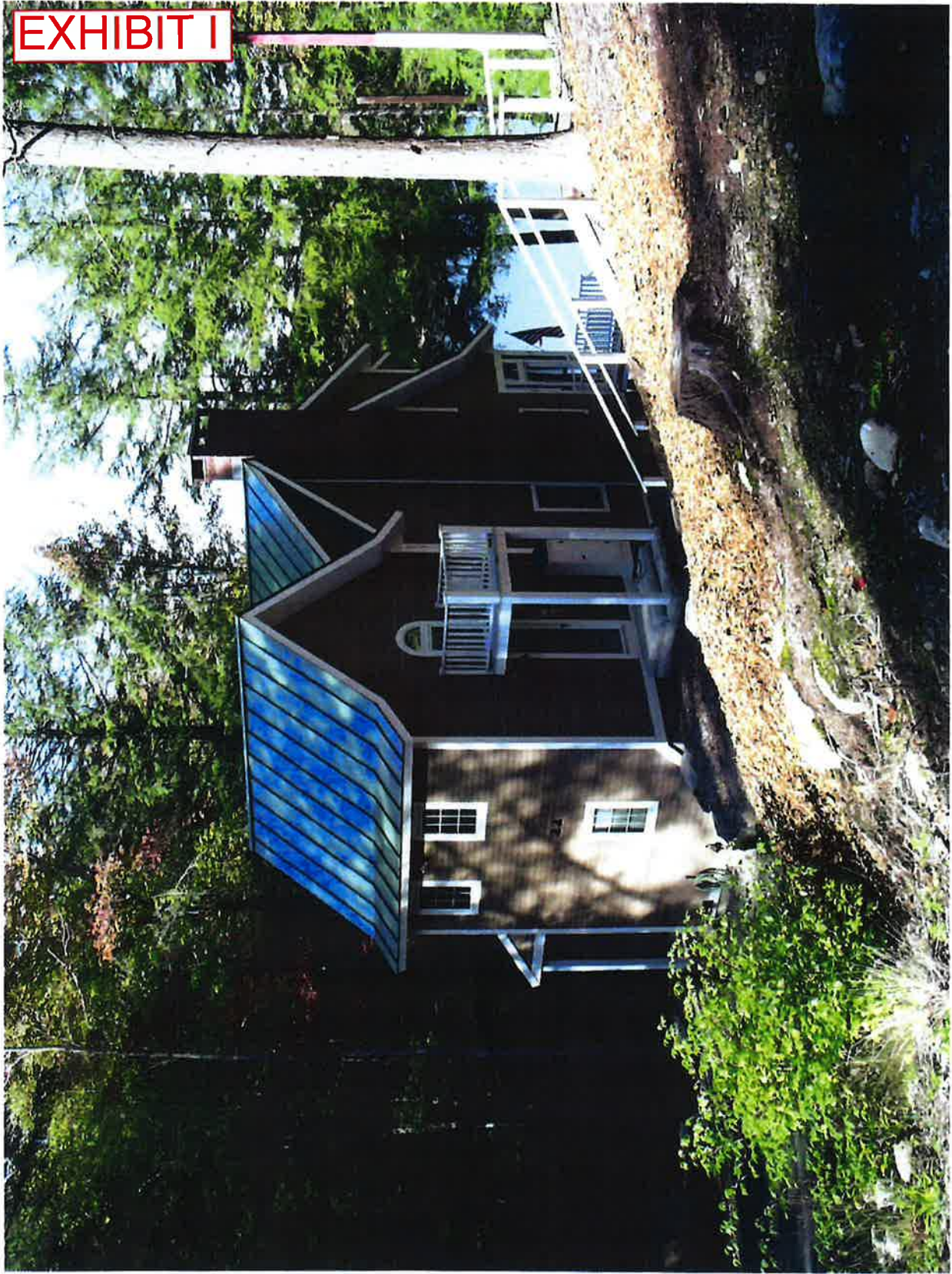


EXHIBIT H



4/25/2019

Tri_TownNH (2048x1536)



https://www.axi&gis.com/node/axisapi/document-view/Tri_TownNH?path=Docs/Build/BUILDING/Photo/Sumpec000001520.jpg

1/1

EXHIBIT K

April 13, 2019

Mr. Daniel Schneider
Chairman, Sunapee Zoning Board
23 Edgemont Road
Sunapee, NH 03782

Mr. Schneider and members of the Zoning Board:

We reside at 58 Ridgewood Road in Sunapee and are direct abutters to the east of the Nowak's property at #60 Ridgewood Road.

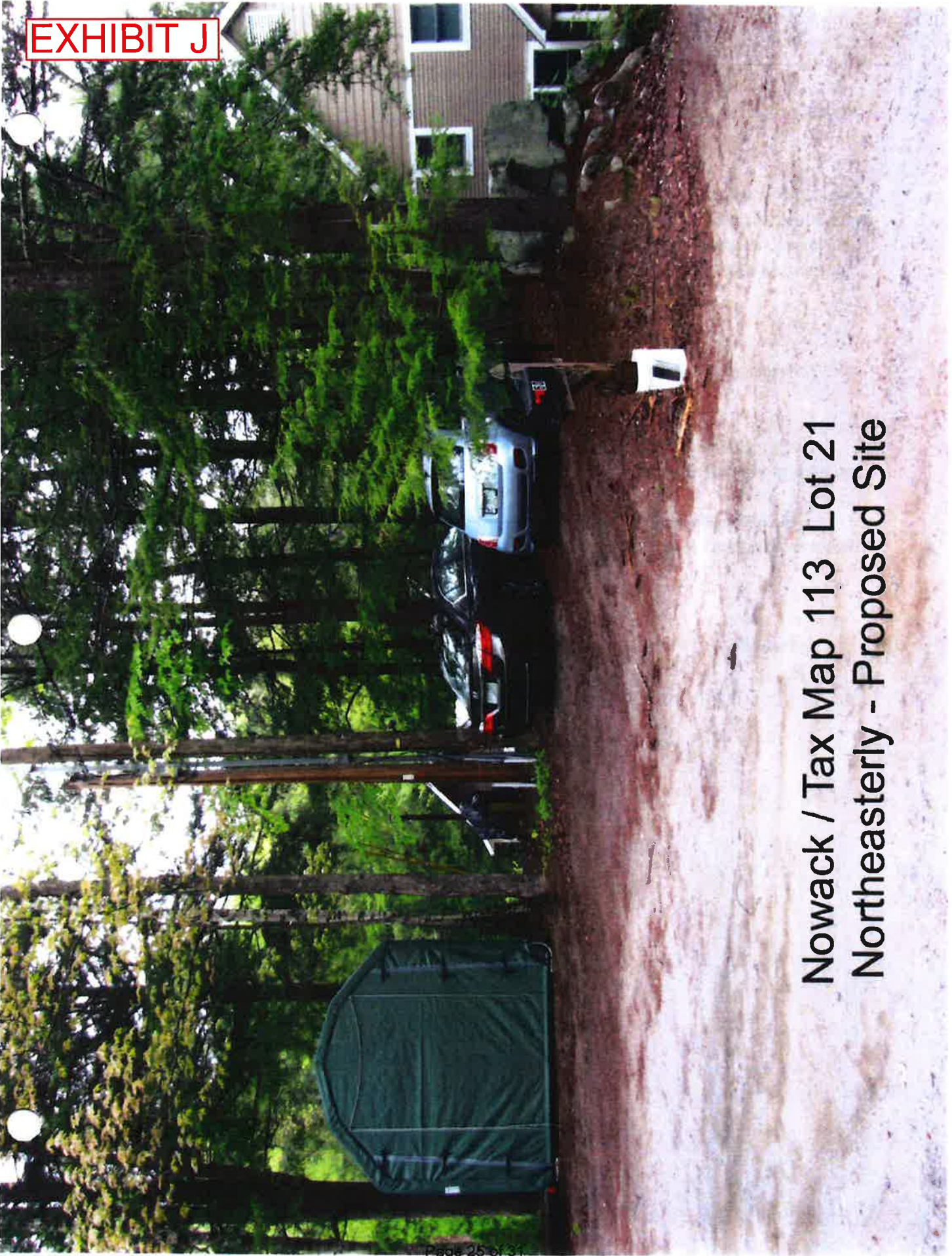
We have reviewed the plans for a garage that the Nowak's intend to present to the Zoning Board and have no objection to them.

Sincerely,

William + Emily Hack

William T. and Emily D. Hack

EXHIBIT J



**Nowack / Tax Map 113 Lot 21
Northeasterly - Proposed Site**

EXHIBIT L

April 17, 2019

To whom it may concern.

After reviewing the property and plans for a two-bay garage located at 60, Ridgewood Rd, owned by Bette and Timothy Nowack. It is my opinion that the proposed garage will have a positive impact on the neighborhood.

For these reasons:

1. Moves the parking area further away from the town plowed turn around.
2. Garage should protect cars and equipment and remove said items from the neighbor's view.
3. Would be similar in layout to the abutting neighbor to the south making the neighborhood more cohesive in design.
4. The garage floor elevation would be higher than surrounding road elevation protecting the property from snow plow banks, direct runoff and sanding intrusion from town trucks.
5. The garage will not impact or impede right of way located on the southerly side of current driveway.
6. The design of the garage will have stairs located internally to a lower level, with a single 3070 door facing existing house. This functional design will allow a safer transition to the house in the winter time. It will also reduce sanding and salt applications to existing steeper driveway access.
7. Houses with garage space are readily in demand in Sunapee with our Northeast climate.

For these reasons I support the proposed garage design I reviewed at the Mr. & Mrs. Nowacks property.

Thank you for your time.

Dave Smith

Harbor Light Realty

41 Main Street

Sunapee, NH.

TRI-TOWN ASSESSING



Sunapee



Newbury



New London

April 30, 2019

To whom this may concern,

Mrs Nowack of 60 Ridgewood Road reached out to me to ask my opinion on the effect of neighboring property values in the event a variance is granted for the construction of a 2 car garage at her property. There are numerous tight lots surrounding Lake Sunapee that have undergone redevelopment, additions and outbuildings and I cannot think of a single instance where market value has been diminished to an abutter.

58 Ridgewood Road underwent a similar circumstance in 2014 where a variance was requested due to the road setback. The variance was granted and a garage was constructed. This had no effect on the abutters market value.

Unless a view of the lake is diminished or run off / drainage issues are a problem to any abutter I don't see a negative impact to property value, especially with a well thought out design and drainage plan. If you need anything further please don't hesitate to reach out, e-mail is best- assessor2@nl-nh.com

Kristen McAllister, CNHA
Assessor, Town of Sunapee

Assessing for the towns of:
Sunapee – 23 Edgemont Rd, Sunapee, NH 03782 (603) 763-2212
Newbury – P.O. Box 296, Newbury, NH 03255 (603) 763-4940 x 209
New London – 375 Main St, New London, NH 03257 (603) 526-4821 x 17
e-mail: assessor@nl-nh.com

EXHIBIT N

Gmail - FW: Sunapee property

Jeff

----- Forwarded message -----

From: John Calderwood <john.calderwood@fourseasonssir.com>

Date: Wed, Apr 17, 2019 at 3:55 PM

Subject: Sunapee property

To: <jeffrey.j.fitzgerald@gmail.com>

Hi Jeff,

It was a pleasure speaking with you today.

As we discussed, I looked at your property today with an eye toward your neighbor and the space on which they plan to build their garage.

I am not a trained property assessor and am approaching this as a realtor. Looking at the space available to the garage I fear that once built, it will have an intrusive look. I can envision arriving at your property with a potential buyer and passing by the garage which, I imagine will be very close to the road. I am a believer in first impressions and I think that will be a bad one for many people. I also imagine, once at our property, being below your neighbor's, the garage will be looming over you. I am glad to hear of your plans to remove the temporary structure on your property as that will also improve the look approaching the property as well as the view up from your home.

I hope this is helpful. Please let me know if you have any questions or need any additional information.

Regards,

John

John Calderwood, REALTOR

Four Seasons Sotheby's International Realty

EXHIBIT O-1



CONFIDENTIAL

**Town of Sunapee
Zoning Board**

Decision

You are hereby notified that the application of: **TIMOTHY & BETTE NOWACK**

For **CASE #19-07: VARIANCE FROM ARTICLE III, SECTION 3.10 OF THE ZONING ORDINANCE TO PERMIT A REDUCTION OF FRONT SETBACK FROM 50 FT FROM CENTERLINE OF ROAD TO 30 FT FROM CENTERLINE OF ROAD FOR CONSTRUCTION OF GARAGE. 60 RIDGEWOOD RD.**

PARCEL ID: 0113-0021-0000

Has been **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

SUBJECT APPROVAL OF AND COMPLIANCE WITH ALL REQUIRED STATE DES SHORELAND PERMITS

The decision was made at the **APRIL 18, 2019 Zoning Board meeting.**

Zoning Board Chair

Date

Notes: 1) Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty 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.

2) 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).



COPY

**Town of Sunapee
Zoning Board**

Decision

You are hereby notified that the application of: **TIMOTHY & BETTE NOWACK**

For **CASE #19-08: VARIANCE FROM ARTICLE III, SECTION 3.10 OF THE ZONING ORDINANCE TO PERMIT A REDUCTION OF THE WESTERN SIDE SETBACK FROM 15 FT TO 5 FT FOR CONSTRUCTION OF A GARAGE. 60 RIDGEWOOD RD.**

PARCEL ID: 0113-0021-0000

Has been **DENIED** FOR THE FOLLOWINGS REASONS:

1. A 1-CAR GARAGE COULD FIT WITHOUT ANY REDUCTION OF THE SIDE SETBACK (LINE 598);
2. HAVING SOMETHING SO CLOSE TO THE PROPERTY LINE CREATES A REDUCTION OF THE QUALITY OF THE ABUTTER'S PROPERTY AND POSSIBLY A REDUCTION IN PROPERTY VALUES (LINES 602-603);
3. IT DOES NOT MEET THE CRITERION OF 3(C) THAT THE VARIANCE WOULD NOT INJURE THE PUBLIC OR PRIVATE RIGHTS OF OTHERS BECAUSE IT INJURES THE RIGHTS OF THE ABUTTERS (LINES 606-607);

The decision was made at the **APRIL 18, 2019 Zoning Board meeting.**

Zoning Board Chair

29 April 2015

Date

Notes: 1) Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty 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.

2) 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).

IMPERVIOUS AREA CALCULATIONS (±SF)

	SHORELAND SETBACK			NEW TOTAL
	0-50'	50-150'	150-250'	
New Stairs & Walkway	0	88	0	88
New Driveway	0	200	0	200
Garage & Overhang	0	513	0	513
House & Porches	62	1,427	0	1,489
New Deck Drip Edge	24	12	0	36
Dock	4	0	0	4
TOTAL AREA	3,598	5,135	22	8,755
New Impervious Area		2,310	New % Impervious	26.4%

PLAN REFERENCES:

1. SURVEY TITLED "PROPERTY OF BETTE L. AND TIMOTHY L. NOWACK ON RIDGEWOOD RD., SUNAPEE, N.H." FROM THE OFFICE OF THOMAS C. DOMBROSKI, LLS LOCATED AT 19 MYRTLE ST., CLAREMONT N.H. AND DATED 07/19/2000. PLAN OBTAINED FROM CLIENT.

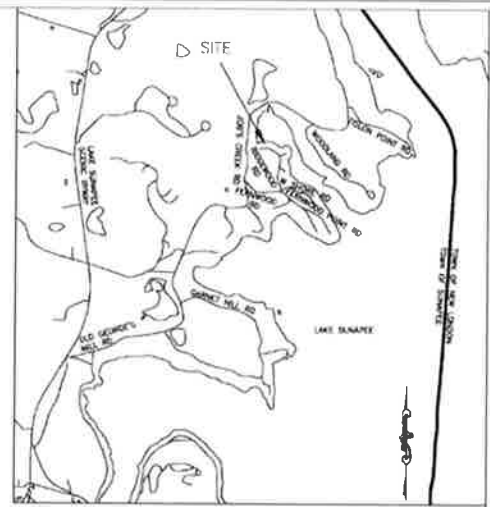
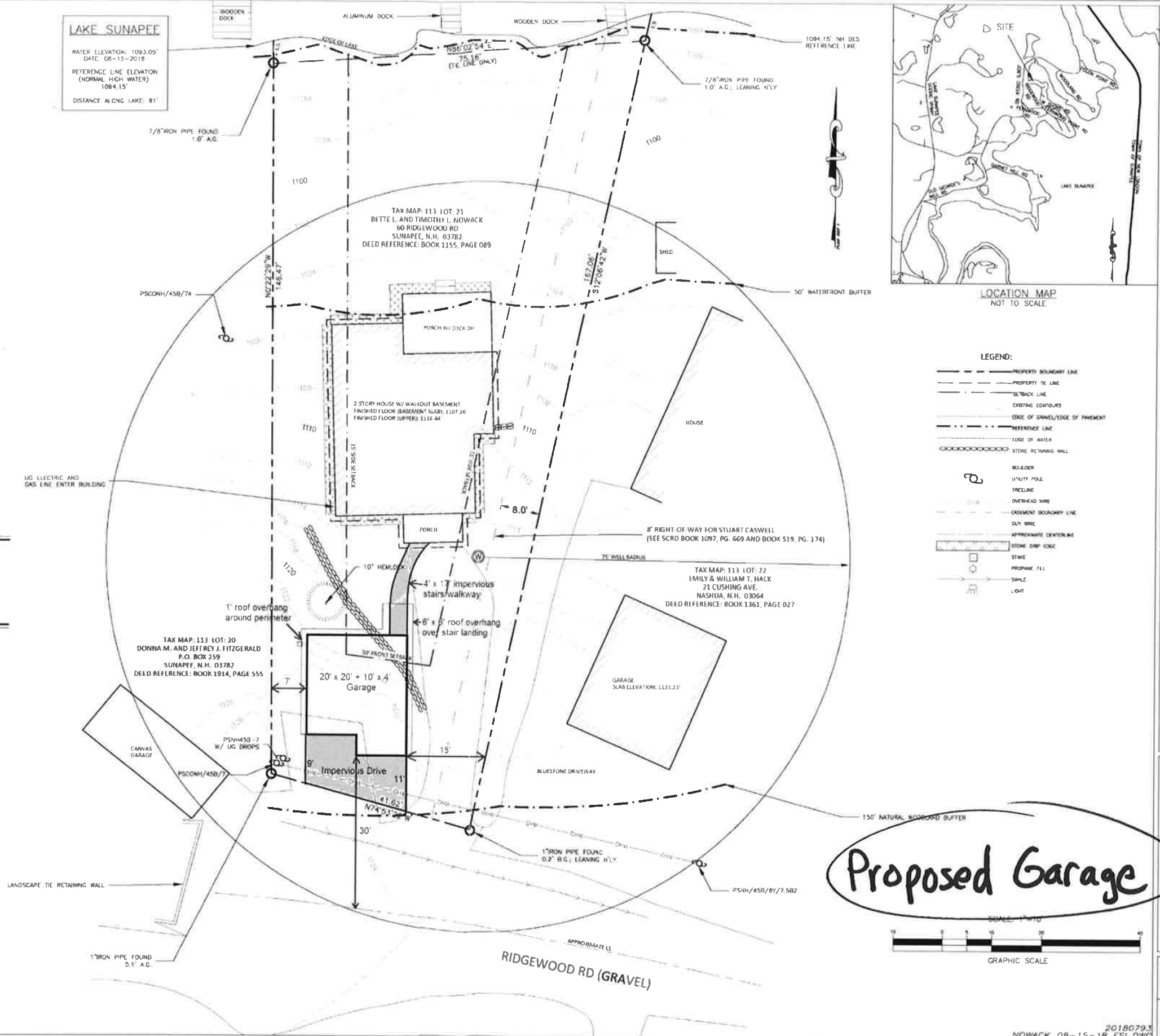
SURVEY NOTES:

- THE INTENT OF THIS PLAN IS TO SHOW EXISTING SITE CONDITIONS AT TAX MAP 113, LOT 21 (60 RIDGEWOOD RD., SUNAPEE, N.H.).
- TAX MAP: 113 LOT: 21
LOT AREA: 8756 SF ± (0.20 AC ±)
ZONING DISTRICT: RURAL RESIDENTIAL
FRONT SETBACK: 50' (FROM CENTERLINE OF ROAD)
SIDE SETBACK: 15'
ZONING OVERLAY DISTRICT: SHORELINE
MAX. IMPERVIOUS LOT AREA: 25%
- OWNER OF RECORD:
BETTE L. & TIMOTHY L. NOWACK
60 RIDGEWOOD DR
SUNAPEE, N.H. 03782
DEED REFERENCE: BOOK 1155, PG. 089
- TOPOGRAPHIC AND PLANIMETRIC INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY FUSSELL & O'DELL, INC. ON 08-15-2018.
- BOUNDARY INFORMATION IS PER PLAN REFERENCE 1.
- ELEVATIONS PER NOVO 1928 LAKE SUNAPEE ELEVATION WAS DETERMINED FROM A GAUGE READING PROVIDED BY NH DES ON 08-15-2018 AT 2:00 P.M.
- UTILITIES SHOWN DO NOT BURROUT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT, OWNER, AND ENGINEER.
- THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233) A MINIMUM OF AT LEAST 3 BUSINESS DAYS (72 WORKING HOURS) PRIOR TO ANY CONSTRUCTION.



THE LOCATION OF ANY UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. CUD ENG. INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN 72 HOURS PRIOR TO ANY EXCAVATION ON SITE. THE CONTRACTOR SHALL CONTACT DIG-SAFE AT 1-888-DIG-SAFE.

LAKE SUNAPEE
WATER ELEVATION: 1093.05'
DATE: 08-15-2018
REFERENCE LINE ELEVATION (NORMAL HIGH WATER): 1084.15'
DISTANCE ALONG LAKE: 81'



- LEGEND:**
- PROPERTY BOUNDARY LINE
 - PROPERTY DE LINE
 - SETBACK LINE
 - EXISTING CONTOURS
 - EDGE OF GRAVEL/EDGE OF PAVEMENT
 - REFERENCE LINE
 - EDGE OF WATER
 - STONE RETAINING WALL
 - BOULDER
 - UTILITY POLE
 - TRAILLINE
 - OVERHEAD WIRE
 - EASEMENT BOUNDARY LINE
 - OUT WIRE
 - APPROXIMATE CENTERLINE
 - STONE CURB EDGE
 - STONE
 - PROPANE FILL
 - SPRINKLE
 - LIGHT



NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	APPROVED:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	CHECKED:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	DESIGNED:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	DRAWN:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	DATE:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	NO.:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	PROJECT NO.:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	20180793
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	DATE:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	5/1/19
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	DWG. NO.:
NOV 9-4-18 Update Sl. info	NOV 9-4-18 Update Sl. info	EX SL

CLIENT:
BETTE L. & TIMOTHY L. NOWACK
60 RIDGEWOOD RD
SUNAPEE, N.H. 03782

PROJECT:
NOWACK RESIDENCE
60 RIDGEWOOD RD
SUNAPEE, N.H. 03782
EX. SHORELAND PLAN

20180793
NOWACK 08-15-18 ESL.DWG

IMPERVIOUS AREA CALCULATIONS (±SF)				
	SHORELAND SETBACK			EXISTING TOTAL
	0-50'	50-150'	150-250'	
Bluestone Driveway	0	635	21	656
Bluestone Parking Area	0	234	0	234
House & Porches	62	1,427	0	1,489
Dock	4	0	0	4
TOTAL AREA	3,598	5,135	22	8755
			% IMPERVIOUS	27.2

UNALTERED AREA CALCULATIONS (±SF)	
TOTAL AREA (50'-150')	5135
EXISTING UNALTERED AREA (50'-150')	308
% UNALTERED	6.0

PLAN REFERENCES:

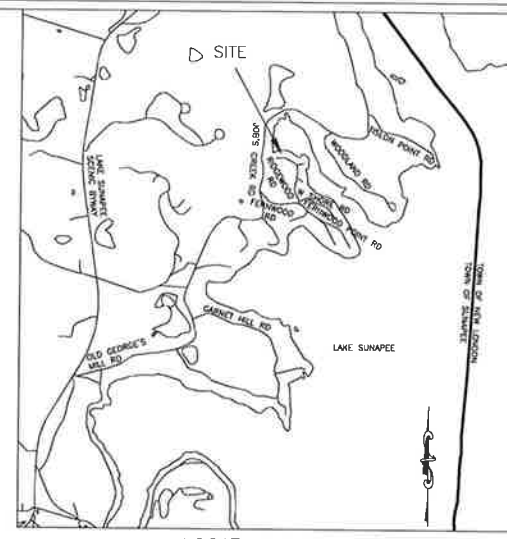
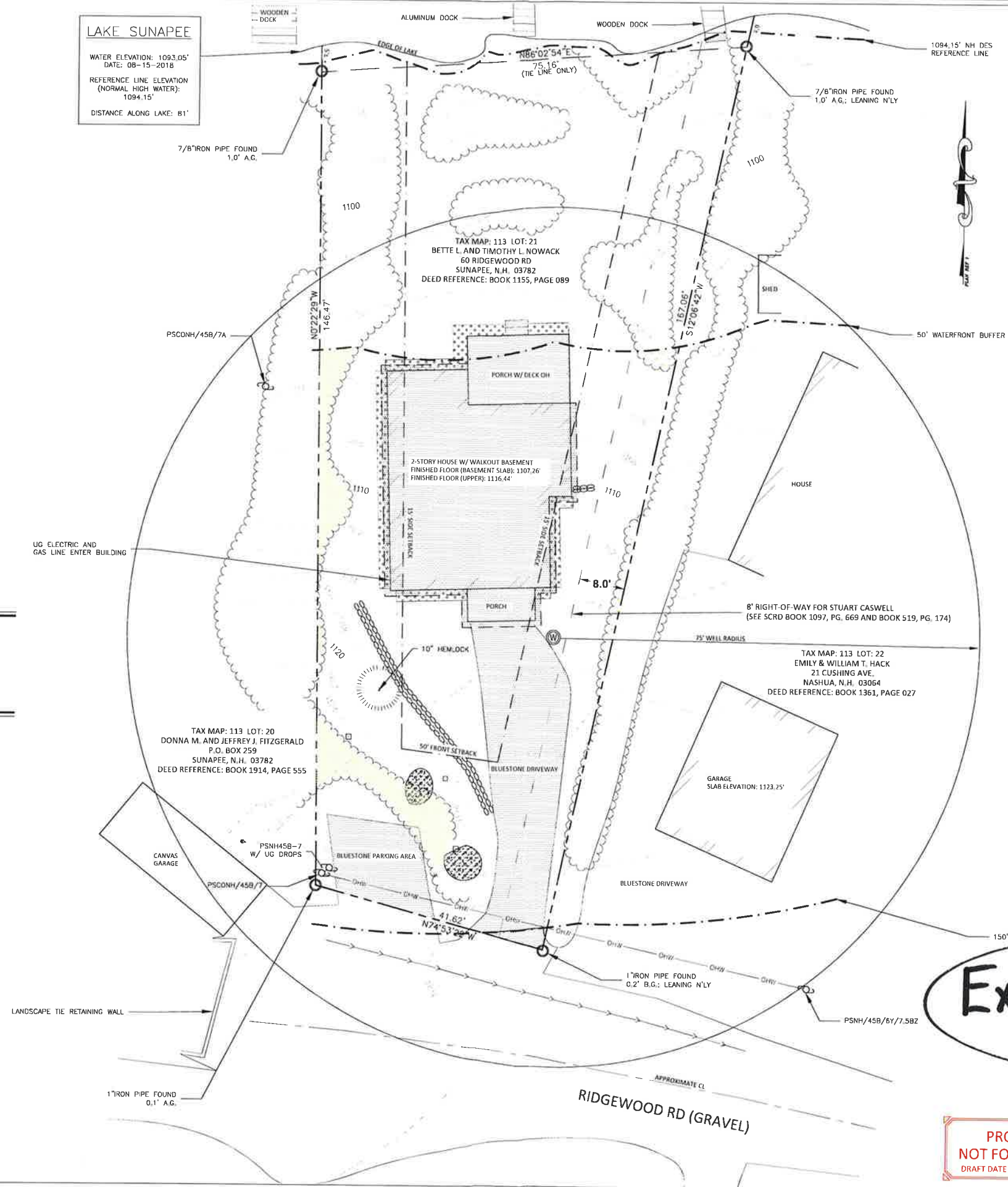
1. SURVEY TITLED "PROPERTY OF: BETTE L. AND TIMOTHY L. NOWACK ON RIDGEWOOD RD., SUNAPEE, N.H." FROM THE OFFICE OF THOMAS C. DOMBROSKI, LLS LOCATED AT 19 MYRTLE ST., CLAREMONT N.H. AND DATED 07/18/2000, PLAN OBTAINED FROM CLIENT.

SURVEY NOTES:

1. THE INTENT OF THIS PLAN IS TO SHOW EXISTING SITE CONDITIONS AT TAX MAP 113, LOT 21 (60 RIDGEWOOD RD, SUNAPEE, N.H.).
2. TAX MAP: 113 LOT: 21
LOT AREA: 8755 SF± (0.20 AC ±)
ZONING DISTRICT: RURAL RESIDENTIAL
FRONT SETBACK: 50' (FROM CENTERLINE OF ROAD)
SIDE SETBACK: 15'
3. ZONING OVERLAY DISTRICT: SHORELINE
MAX. IMPERVIOUS LOT AREA: 25%
3. OWNER OF RECORD:
BETTE L. & TIMOTHY L. NOWACK
60 RIDGEWOOD DR
SUNAPEE, N.H. 03782
DEED REFERENCE: BOOK 1155, PG. 089
4. TOPOGRAPHIC AND PLANIMETRIC INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY FUSS & O'NEILL, INC. ON 08-15-2018.
5. BOUNDARY INFORMATION IS PER PLAN REFERENCE 1.
6. ELEVATIONS PER NYVD 1929. LAKE SUNAPEE ELEVATION WAS DETERMINED FROM A GAUGE READING PROVIDED BY NH DES ON 08-15-2018 AT 2:00 P.M.
7. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT, OWNER, AND ENGINEER.
8. THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233) A MINIMUM OF AT LEAST 3 BUSINESS DAYS (72 WORKING HOURS) PRIOR TO ANY CONSTRUCTION.



LAKE SUNAPEE
 WATER ELEVATION: 1093.05'
 DATE: 08-15-2018
 REFERENCE LINE ELEVATION (NORMAL HIGH WATER): 1094.15'
 DISTANCE ALONG LAKE: 81'



- LEGEND:**
- PROPERTY BOUNDARY LINE
 - PROPERTY TIE LINE
 - SETBACK LINE
 - EXISTING CONTOURS
 - EDGE OF GRAVEL/EDGE OF PAVEMENT
 - REFERENCE LINE
 - EDGE OF WATER
 - STONE RETAINING WALL
 - BOULDER
 - UTILITY POLE
 - TREELINE
 - OVERHEAD WIRE
 - EASEMENT BOUNDARY LINE
 - GUY WIRE
 - APPROXIMATE CENTERLINE
 - STONE DRIP EDGE
 - STAKE
 - PROPANE FILL
 - SMILE
 - LIGHT

EXISTING UNALTERED AREA WITHIN 50'-150' REFERENCE LINE SETBACKS: 308 SF ±

EXISTING IMPERVIOUS AREA WITHIN PROTECTED SHORELAND (WITHIN 250' OF REFERENCE LINE): 2,413 SF ±

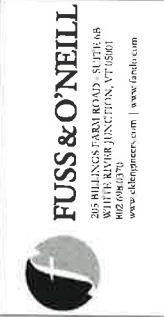
Existing Conditions

SCALE: 1"=10'

GRAPHIC SCALE

PROGRESS PRINT
NOT FOR CONSTRUCTION
 DRAFT DATE: 08-24-18

NO.	DATE	REVISION	DESIGNED:	CHECKED:	APPROVED:
JAU	9-4-18	Update SL info			



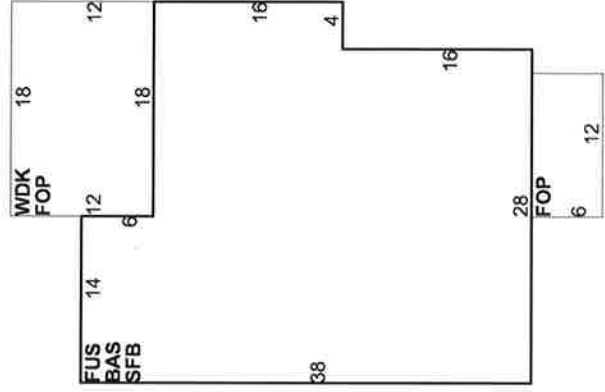
BETTE L. & TIMOTHY L. NOWACK
 60 RIDGEWOOD RD
 SUNAPEE, N.H. 03782

NOWACK RESIDENCE
 60 RIDGEWOOD RD
 SUNAPEE, N.H. 03782
EX. SHORELAND PLAN

SCALE:	PROJECT NO.
1" = 10'	20180793
DATE:	DWG. NO.
08-24-18	EX SL

NOWACK 08-15-18 ESL.DWG 20180793

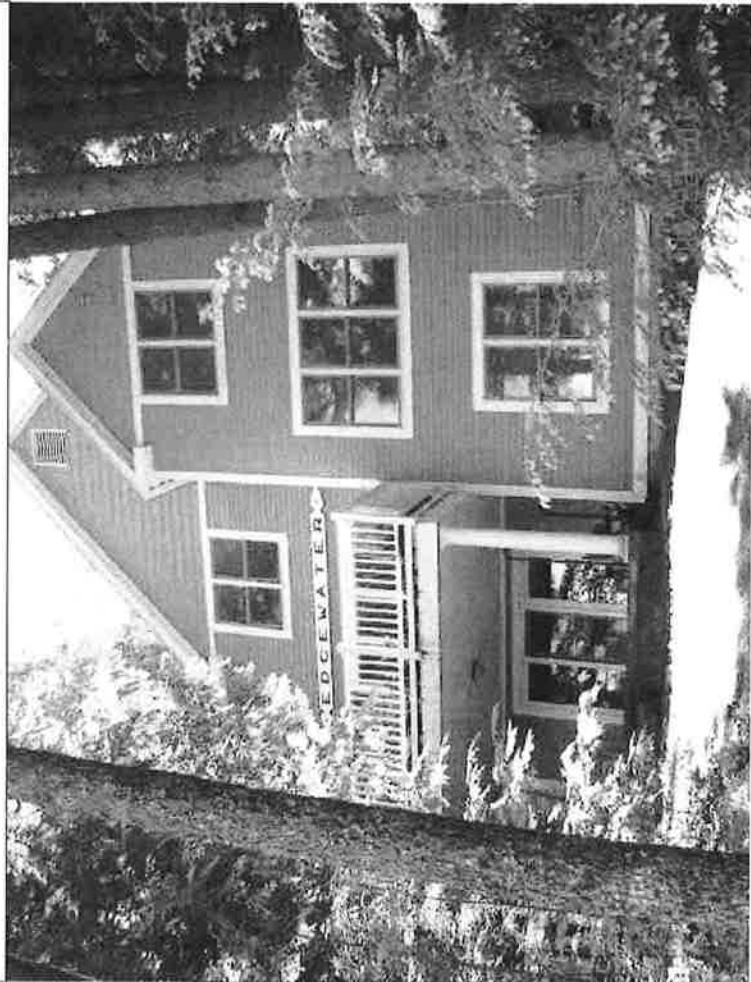
CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Description	Element	Description
03	Colonial		
01	Residential		
DESIGN/APPEAL	Above Avg		
2	Stories		
1	Occupancy		
11	Exterior Wall 1		
	Exterior Wall 2		
03	Roof Structure		
03	Roof Cover		
05	Interior Wall 1		
	Interior Wall 2		
12	Interior Flr 1		
	Interior Flr 2		
03	Heat Fuel		
08	Heat Type		
01	A/C		
04	Total Bedrooms		
3	Total Bthrms		
1	Total Half Baths		
7	Total Xtra Fixtrs		
02	Total Rooms		
02	Bath Style		
02	Kitchen Style		



COST/MARKET VALUATION	
Adj. Base Rate:	111.00
Net Other Adj:	310,126
Replace Cost	20,250.00
AYB	330,376
EYB	1998
Dep Code	2002
Remodel Rating	A
Year Remodeled	
Dep %	13
Functional Obslnc	0
External Obslnc	0
Cost Trend Factor	1
Condition	
% Complete	87
Overall % Cond	287,400
Apprais Val	0
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	0
Misc Imp Ovr Comment	
Cost to Cure Ovr	0
Cost to Cure Ovr Comment	

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Description	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Chd	%Cnd	Apr Value
FPL3	2 STORY CHN	B	1		4,000.00	2002	1			1	100	3,500

BUILDING SUB-AREA SUMMARY SECTION								
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprac. Value		
BAS	First Floor	1,044	1,044	1,044		115,881		
FOP	Porch, Open, Finished	0	288	58		6,438		
FUS	Upper Story, Finished	1,044	1,044	1,044		115,881		
SFB	Basement Raised Finished	0	1,044	626		69,484		
WDK	Deck, Wood	0	216	22		2,442		
Ttl. Gross Liv/Lease Area:					2,088	3,636	2,794	330,376





TOWN OF SUNAPEE
23 Edgemont Road
Sunapee, New Hampshire 03782-0717
www.town.sunapee.nh.us

DATE: May 10, 2019
TO: ZBA
FROM: Nicole Gage, Zoning Administrator
RE: Case #ZBA19-10 / Variance
60 Ridgewood Dr., 0113-0021-0000, Tim & Bette Nowack

Comments:

1. Zoned RR (Rural Residential) w/ Shorelines Overlay District
2. Planning/Zoning History - See attached Notice of Decisions.
 - a. On August 10, 2000, a Special Exception was granted from 3.50(c) with the Conditions: reduce side setbacks to 12.5' for a new home at 60 Ridgewood Road as per plans presented; the lake front setback must be a minimum of 50-feet.
 - b. On April 18, 2019, a Variance was granted from 3.10 to permit a reduction of front setback from 50-feet centerline of road to 30-feet from centerline of road for construction of garage, with the following condition: subject to approval of and compliance with all required state DES shoreland permits.
 - c. On April 18, 2019, a Variance was denied for a reduced side setback. (See attached Notice of Decision)

ZONING BOARD OF ADJUSTMENT

SUNAPEE, N.H.

CASE # 00-18

MAP # 16 LOT # 5

You are hereby notified that the appeal of

Timothy L. and Bette L. Nowack

for a Special Exception

regarding section Art. III. 3:50 (C) has been

GRANTED

subject to the conditions listed below, by the majority vote of the members of the Zoning Board of Adjustment at the regular meeting held Aug. 10, 2000.

CONDITIONS: Reduce side setbacks to 12.5' for a new home at 60 Ridgewood Rd. Sunapee as per plans presented. The lake front setback must be a minimum of 50 feet.

William J. Price
Chairman

August 23 2000
Date

Note: Any person affected has a right to appeal this decision. If you wish to appeal, you must act within twenty days of the date of this notice. The necessary first step, before any appeal may be taken to the courts, is to apply to the board of adjustment for a rehearing. The motion for rehearing must set forth all the grounds on which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677. for details.



Town of Sunapee
Zoning Board

Decision

You are hereby notified that the application of: TIMOTHY & BETTE NOWACK

For CASE #19-07: VARIANCE FROM ARTICLE III, SECTION 3.10 OF THE ZONING ORDINANCE TO PERMIT A REDUCTION OF FRONT SETBACK FROM 50 FT FROM CENTERLINE OF ROAD TO 30 FT FROM CENTERLINE OF ROAD FOR CONSTRUCTION OF GARAGE. 60 RIDGEWOOD RD.

PARCEL ID: 0113-0021-0000

Has been APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

SUBJECT APPROVAL OF AND COMPLIANCE WITH ALL REQUIRED STATE DES SHORELAND PERMITS

The decision was made at the APRIL 18, 2019 Zoning Board meeting.

Zoning Board Chair

Date

Notes: 1) Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty 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.

2) 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).



Town of Sunapee
Zoning Board

Decision

You are hereby notified that the application of: TIMOTHY & BETTE NOWACK

For CASE #19-08: VARIANCE FROM ARTICLE III, SECTION 3.10 OF THE ZONING ORDINANCE TO PERMIT A REDUCTION OF THE WESTERN SIDE SETBACK FROM 15 FT TO 5 FT FOR CONSTRUCTION OF A GARAGE. 60 RIDGEWOOD RD.

PARCEL ID: 0113-0021-0000

Has been DENIED FOR THE FOLLOWINGS REASONS:

1. A 1-CAR GARAGE COULD FIT WITHOUT ANY REDUCTION OF THE SIDE SETBACK (LINE 598);
2. HAVING SOMETHING SO CLOSE TO THE PROPERTY LINE CREATES A REDUCTION OF THE QUALITY OF THE ABUTTER'S PROPERTY AND POSSIBLY A REDUCTION IN PROPERTY VALUES (LINES 602-603);
3. IT DOES NOT MEET THE CRITERION OF 3(C) THAT THE VARIANCE WOULD NOT INJURE THE PUBLIC OR PRIVATE RIGHTS OF OTHERS BECAUSE IT INJURES THE RIGHTS OF THE ABUTTERS (LINES 606-607);

The decision was made at the APRIL 18, 2019 Zoning Board meeting.

Zoning Board Chair

Date

Notes: 1) Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty 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.

2) 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).

Check # 753
\$ 150.00

RECEIVED

MAY 07 2019



CASE# ZBA19-11

Town of Sunapee
Zoning Board of Adjustment

Special Exception

1. Landowner(s) Name(s): Morgan + Loretta Dewey 2. Parcel ID# 0128/0016/0000
3. Zoning District: _____
4. Project Location (Street & #): 25 Garnet St.
5. Mailing Address: P.O. Box 717, 7B Indian Cave Landing, Sunapee, NH 03782
6. Phone Number (C) 508-397-9140 (H) 603-763-0129
7. Reason the Special Exception is necessary: Property is non-conforming with centerline setback. We are replacing a deck that falls between centerline and 50'. The proposed deck is larger than existing deck.

•All applications seeking relief from setback requirements on lakefront properties must be accompanied with a professional recorded survey of the property and building location(s).

•Important-Your property has to be identified with your street number or name-without this identification your hearing may be continued to a later date.

•Please use the abutter list form, which is attached, for your abutters' mailing list.

•IMPORTANT: Review application deadline dates for a timely submission.

•Base Fee-See Zoning Administrator for Fee Schedule.

Please sign the following statement: 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 to visit the subject property prior to the public hearing. To the best of my knowledge, the above is true and correct.

Morgan Dewey
Loretta Dewey
Landowner(s) Signature(s)

5/7/19
5/7/19
Date

Description of proposed use, showing justification for a Special Exception as specified in the Zoning Ordinance, Article 111 Section 3.50(f) and 3.55

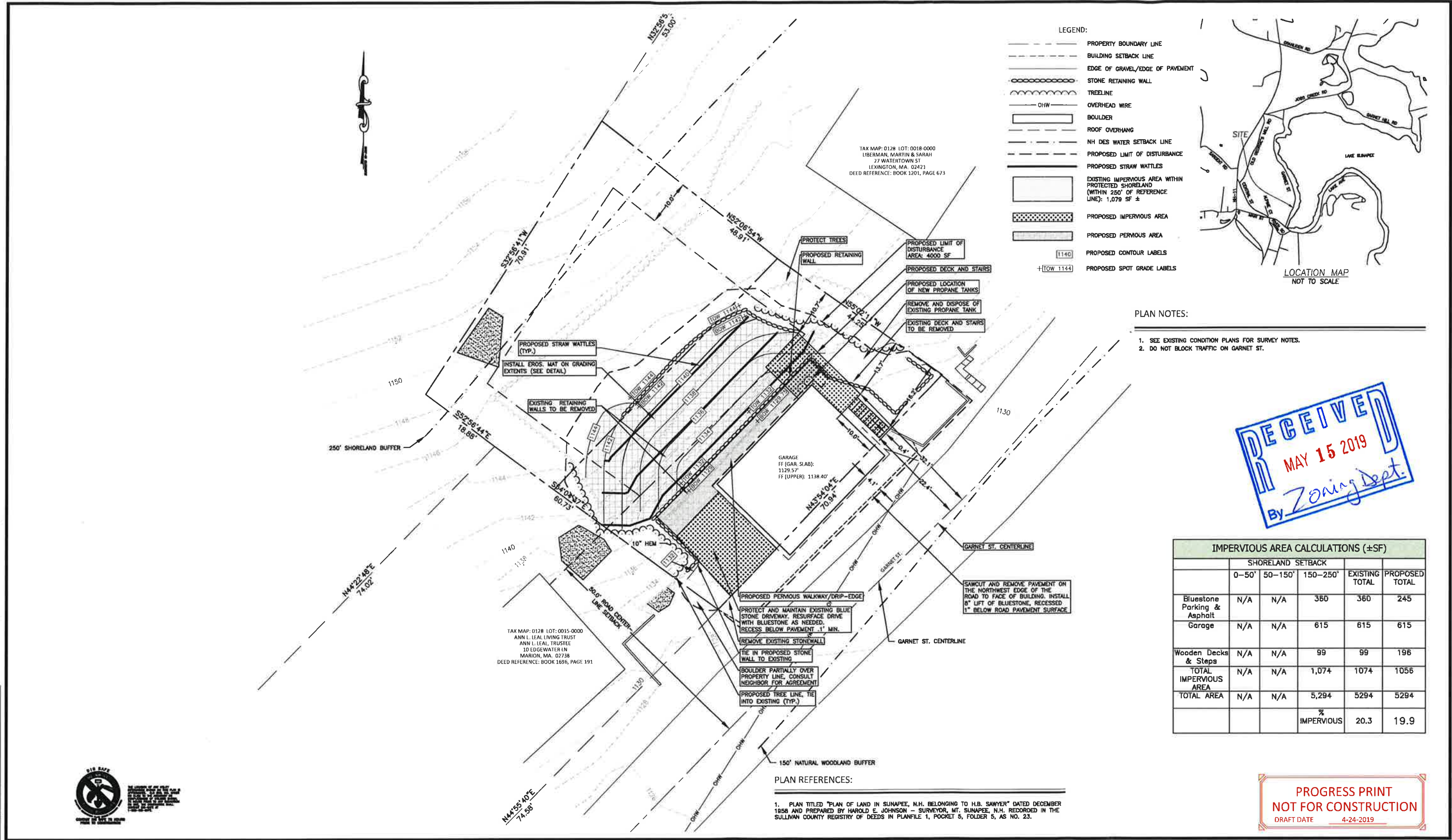
See attached
"Supplement to Page 2"

Supplement to Page 2 of Special Exception Application

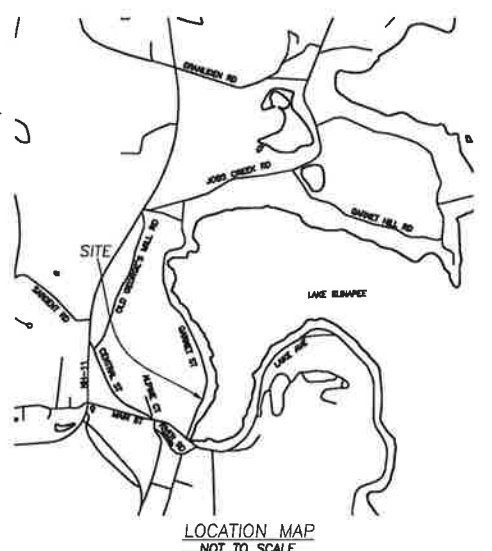
Project involves demolition of a deck (110 sq ft) and construction of a new deck (172 sq ft) that would be located farther away from the right-of-way than the existing deck. The new deck would wrap around the back of the house. (away from the road)

The addition does not further decrease the front setback. Also the addition is at least 10' from the right-of-way at all points. The addition is no higher than the predominant ridge line of the existing deck. The deck will enhance the property without farther decreasing the front setback and it will be conforming with side setback.

File Path: F:\P20180566\A20\G\w20180566\Drawings\3-21-19.dwg Layout: CS-102 Plotted: Tue, May 14, 2019 - 4:06 PM User: cheng
 Layer State: LAYER STATE: MS VIEW:



- LEGEND:
- PROPERTY BOUNDARY LINE
 - BUILDING SETBACK LINE
 - EDGE OF GRAVEL/EDGE OF PAVEMENT
 - STONE RETAINING WALL
 - TREE LINE
 - OHW
 - OVERHEAD WIRE
 - BOULDER
 - ROOF OVERHANG
 - NH DES WATER SETBACK LINE
 - PROPOSED LIMIT OF DISTURBANCE
 - PROPOSED STRAW WATTLES
 - EXISTING IMPERVIOUS AREA WITHIN PROTECTED SHORELAND (WITHIN 250' OF REFERENCE LINE): 1,079 SF ±
 - PROPOSED IMPERVIOUS AREA
 - PROPOSED PERVIOUS AREA
 - PROPOSED CONTOUR LABELS
 - PROPOSED SPOT GRADE LABELS



- PLAN NOTES:
- SEE EXISTING CONDITION PLANS FOR SURVEY NOTES.
 - DO NOT BLOCK TRAFFIC ON GARNET ST.



IMPERVIOUS AREA CALCULATIONS (±SF)					
	SHORELAND SETBACK			EXISTING TOTAL	PROPOSED TOTAL
	0-50'	50-150'	150-250'		
Bluestone Parking & Asphalt	N/A	N/A	360	360	245
Garage	N/A	N/A	615	615	615
Wooden Decks & Steps	N/A	N/A	99	99	196
TOTAL IMPERVIOUS AREA	N/A	N/A	1,074	1074	1056
TOTAL AREA	N/A	N/A	5,294	5294	5294
			% IMPERVIOUS	20.3	19.9

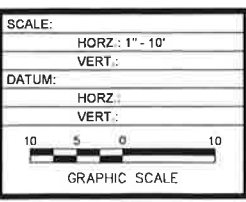
- PLAN REFERENCES:
- PLAN TITLED "PLAN OF LAND IN SUNAPEE, N.H. BELONGING TO H.B. SAWYER" DATED DECEMBER 1958 AND PREPARED BY HAROLD E. JOHNSON - SURVEYOR, MT. SUNAPEE, N.H. RECORDED IN THE SULLIVAN COUNTY REGISTRY OF DEEDS IN PLANFILE 1, POCKET 5, FOLDER 5, AS NO. 23.

PROGRESS PRINT
 NOT FOR CONSTRUCTION
 DRAFT DATE 4-24-2019



No.	DATE	DESCRIPTION	DESIGNER	REVIEWER
1.			XX/XX	XX

SEAL	SEAL		
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FUSS & O'NEILL

205 BOLLINGS FARMS ROAD, SUITE 6B
 WHITE RIVER JUNCTION, VT 05001
 802.698.0370
 www.fando.com

DEWEY RESIDENCE
 PROPOSED CONDITIONS PLAN
 25 GARNET ST.
 SUNAPEE, NH 03782

PROJ. No.: 20180566
 DATE: 4/24/19
CS-102

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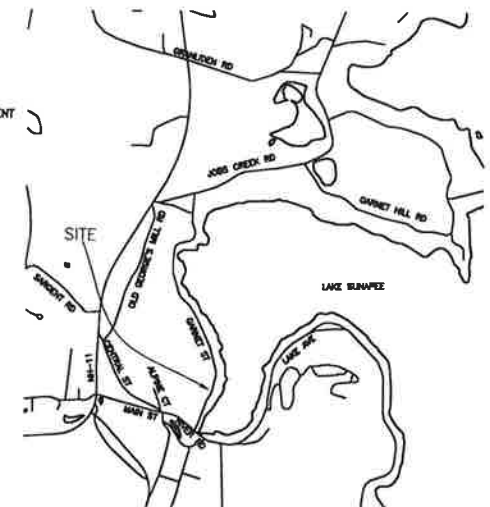
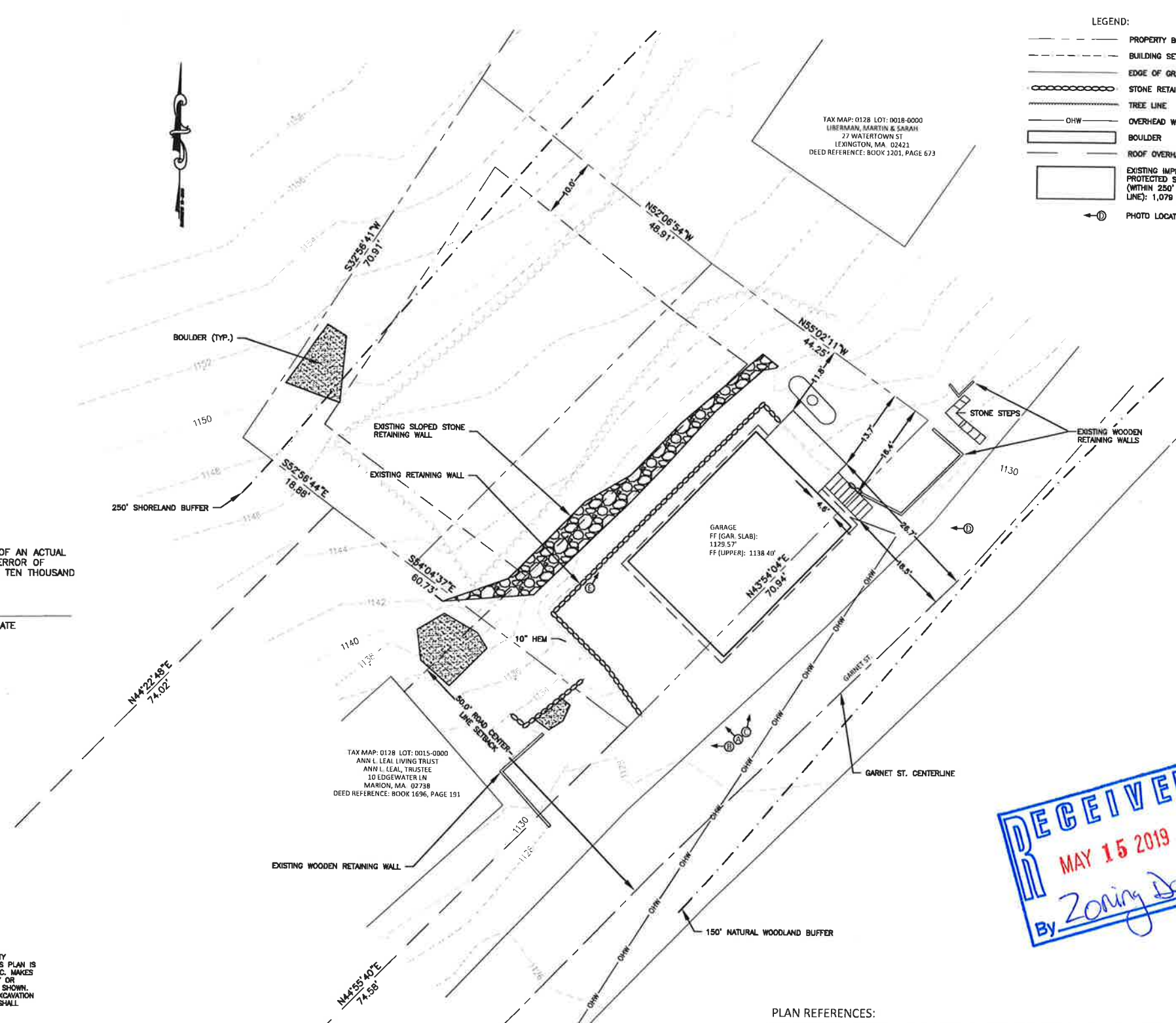
"I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS AN ERROR OF CLOSURE OF GREATER ACCURACY THAN ONE PART IN TEN THOUSAND (1:10,000)."

RAYMOND T. CRITCH, L.L.S. # 858 DATE



THE LOCATION OF ANY UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. CLD ENG. INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. 72 HOURS PRIOR TO ANY EXCAVATION ON SITE, THE CONTRACTOR SHALL CONTACT DIG-SAFE AT 1-888-DIG-SAFE.

CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION



- SURVEY NOTES:**
- OWNER OF RECORD: MORGAN & LORETTA DEWEY
 P.O. BOX 717
 SUNAPEE, N.H. 03782
 DEED REFERENCE: SULLIVAN COUNTY RECORDS BOOK 2029, PAGE 408
 - TAX MAP: 0128 LOTS: 0018-0000 (SEE LOT MERGER SCRD BOOK 2043 PAGE 598)
 LOT AREA: 8,050 SF ± (0.14 AC ±)
 ZONING DISTRICT: RESIDENTIAL
 FRONT SETBACK: 50' (FROM CL OF ROAD)
 SIDE AND REAR SETBACK: 10'
 ZONING OVERLAY DISTRICT: SHORELINE
 MAX. IMPERVIOUS LOT AREA: 30%
 - ELEVATIONS PER NOV 1928. WATER ELEVATION OF LAKE SUNAPEE WAS DETERMINED FROM A GAUGE READING PROVIDED BY NH DES ON 10-10-2018 AT 3:30 P.M. AND SURVEY READINGS OF THE WATER LEVEL OF LAKE SUNAPEE TAKEN AT THAT TIME.
 - TOPOGRAPHIC AND PLANIMETRIC INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY FUSS & O'NEILL, INC. ON 10-10-2018.
 - THE INTENT OF THIS PLAN IS THE THE EXISTING CONDITIONS AT 25 GARNET ST, SUNAPEE, N.H.
 - UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT, OWNER, AND ENGINEER.
 - THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233) A MINIMUM OF AT LEAST 3 BUSINESS DAYS (72 WORKING HOURS) PRIOR TO ANY CONSTRUCTION.

	SHORELAND SETBACK			EXISTING TOTAL
	0-50'	50-150'	150-250'	
Bluestone Parking & Asphalt	N/A	N/A	360	360
Garage	N/A	N/A	615	615
Wooden Decks & Steps	N/A	N/A	99	99
TOTAL AREA	N/A	N/A	5,294	5294
			% IMPERVIOUS	20.3

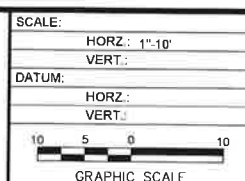


PROGRESS PRINT
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- PLAN REFERENCES:**
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No.	DATE	DESCRIPTION	DESIGNER	REVIEWER
1.			XX/XX	XX

SEAL	SEAL	
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DEWEY RESIDENCE
 EXISTING CONDITIONS PLAN
 25 GARNET ST.
 SUNAPEE, NH 03782

PROJ No.: 20180566
 DATE: 04/24/19
CS-101

CURRENT OWNER DEWEY, MORGAN & LORETTA PO BOX 717 SUNAPEE, NH 03782 Additional Owners:		UTILITIES 2 Public Water 3 Public Sewer		STRT./ROAD 1 Paved 3 Rural		LOCATION		CURRENT ASSESSMENT	
Other ID: 0128-0016-0000 SEPTIC APPR UTILITY DES PERMITS Routing # 0641 SUBDIVISION GIS ID: 0128-0016-0000		SUPPLEMENTAL DATA		PP LAKE FRON LOT DEPTH MULTIPLE		RESIDENTIAL RES LAND		Assessed Value 52,900 130,400	
RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		SALE PRICE		V.C.	
DEWEY, MORGAN & LORETTA		2029/408		01/18/2018		163,000		1G	
HUMPREY, MARK		1048/196		02/14/2017				FD	
TWYON, BRUCE & CAROL		1048/196		11/14/1994					

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Description	Amount	Comm. Int.
Total:		156,700	

ASSESSING NEIGHBORHOOD
 Street Index Name: Tracing Batch

NOTES
 OWNS ABUTTING REAR LOT # 17
 8/15- CREATE PROPERTY CARD AS DWELLING
 FUNC.5 % NO BSMNT
 3/19 LOT MERGER ABSORBED LOT 128-017
 .07 ACRE ADDED DOC # 1803362 RECR'D
 7/19/18

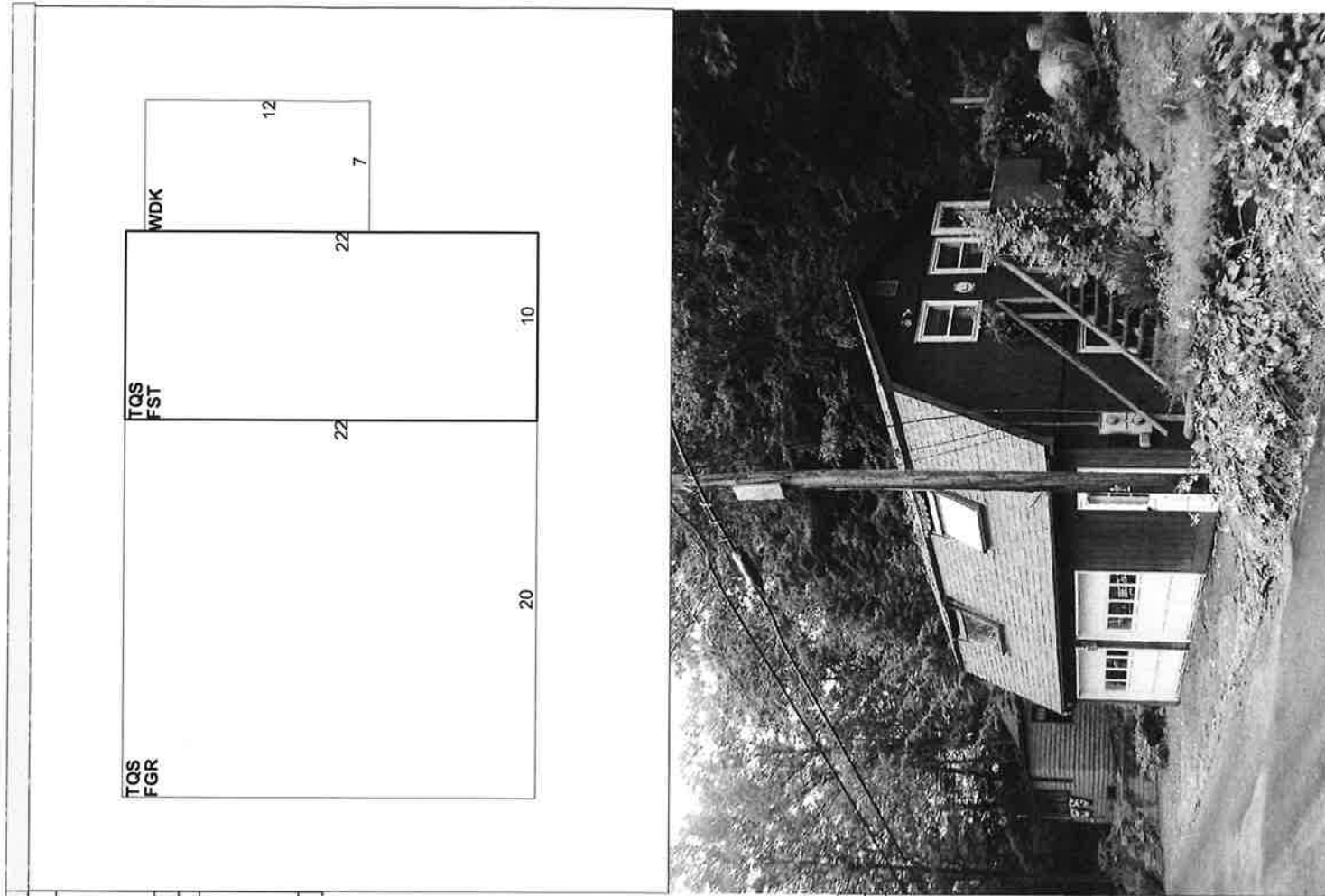
APPRAISED VALUE SUMMARY
 Appraised Bldg. Value (Card) 52,900
 Appraised XF (B) Value (Bldg) 0
 Appraised OB (L) Value (Bldg) 0
 Appraised Land Value (Bldg) 130,350
 Special Land Value 0
 Total Appraised Parcel Value 183,250
 Valuation Method: C
 Adjustment: 0
Net Total Appraised Parcel Value 183,250

BUILDING PERMIT RECORD		VISIT/CHANGE HISTORY	
Permit ID	Issue Date	Type	Description

LAND LINE VALUATION SECTION		Special Pricing	
B Use Code	Zone	D Front	Depth
1 1010 Single Fam MDL-01	RS		
Units	6,098 SF	Unit Price	7.31
Factor S.A.	8	Disc	1.0000
Acre	1.0000	Adj	0.00
ST. Factor	1.00	Notes-Adj	
ST. Idx		S Adj Fact	1.50
Adj		Unit Price	14.25
Land Value		Land Value	130,350
Total Card Land Units: 0.14 AC		Parcel Total Land Area: 0.14 AC	
Total Land Value:		Total Land Value:	
		130,350	

VISION

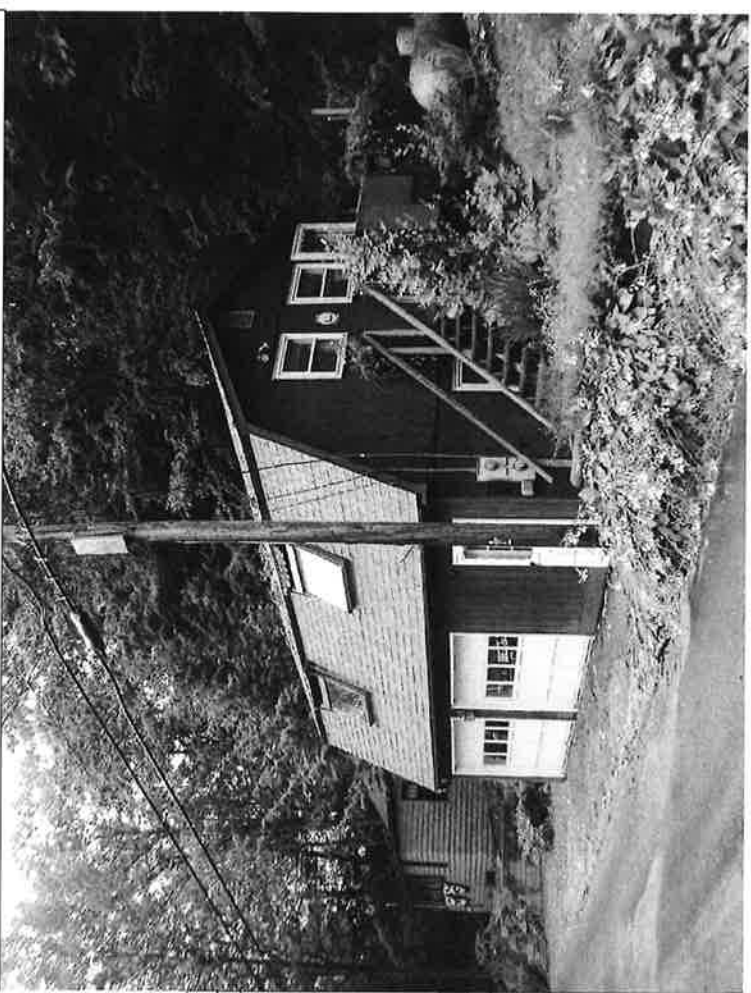
2413
SUNAPEE, NH



CONSTRUCTION DETAIL		Element	Cd.	Ch.	Description
06	Style	Conventional			
01	Model	Residential			
02	DESIGN/APPEAL	Below Average			
1.75	Stories				
1	Occupancy				
13	Exterior Wall 1	Pre-Fab Wood			
	Exterior Wall 2				
07	Roof Structure	Gambrel			
03	Roof Cover	Asph/F GlS/Cmp			
05	Interior Wall 1	Drywall/Sheet			
	Interior Wall 2				
14	Interior Flr 1	Carpet			
	Interior Flr 2				
03	Heat Fuel	Gas			
03	Heat Type	Hot Air-no Duc			
	A/C				
01	Total Bedrooms	1 Bedroom			
1	Total Bthrms				
3	Total Half Baths				
02	Total Rooms	Average			
02	Bath Style	Average			
02	Kitchen Style				

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Description	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
	Adj. Base Rate:											90.05
	Net Other Adj:											65,109
	Replace Cost											4,500.00
	AYB											69,609
	EYB											1980
	Dep Code											1996
	Remodel Rating											A
	Year Remodeled											
	Dep %											19
	Functional Obslnc											5
	External Obslnc											0
	Cost Trend Factor											1
	Condition											
	% Complete											76
	Overall % Cond											52,900
	Apprais Val											0
	Dep % Ovr											0
	Dep Ovr Comment											
	Misc Imp Ovr											0
	Misc Imp Ovr Comment											
	Cost to Cure Ovr											0
	Cost to Cure Ovr Comment											

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprrec. Value
FGR	Garage, Framed	0	440	154		13,868
FST	Utility, Finished	0	220	66		5,944
TQS	Three Quarter Story	495	660	495		44,577
WDK	Deck, Wood	0	84	8		720
Ttl Gross Liv/Lease Area:		495	1,404	723		69,609





TOWN OF SUNAPEE
23 Edgemont Road
Sunapee, New Hampshire 03782-0717
www.town.sunapee.nh.us

DATE: May 15, 2019
TO: ZBA
FROM: Nicole Gage, Zoning Administrator
RE: Case #ZBA19-11 / Special Exception
25 Garnet St., 0128-0016-0000, Morgan & Loretta Dewey

Comments:

1. Zoned RS (Residential) w/ Shorelines Overlay District
2. The exterior stairs that lead up to the deck are being replaced in a same or smaller envelope, and is not part of this Zoning application (it's allowed by right per 6.12).
3. This Zoning application is specific to tearing down the deck, along the back & rear of the house, and putting up a slightly larger deck.
4. Note: the owners are also working with an engineering firm to replace the retaining walls and rework the slope directly behind the house, which is not part of this zoning application.
5. The highway director asked to review the plans and noted there is an intention to disturb the driveway/right-of-way on the plan. The highway director asked for more detailed engineering notes on the scope of the change to the driveway. However, I spoke with the highway director and noted that needs to be taken care of through a Driveway and Excavation Permit with the Highway Department. I spoke with the owner, Morgan Dewey, on May 15th and he is aware that a Driveway/Excavation Permit will be needed for the project.
6. Planning/Zoning History (may not be complete)
 - a. In June 2018, a Lot Merger was approved by the Planning Board, combining two lots of approx. 0.7 acres each to create a 0.14 acre lot.