

**The Meeting is postponed until
Thursday, May 7th**

**TOWN OF SUNAPEE
ZONING BOARD OF ADJUSTMENT**

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

Any continued cases from previous meeting

ZBA20-02

Parcel ID: 0115-0038-0000

**Special Exception per Article III
Section 3.50(g) to permit a fence
over 5-feet with a setback 2-feet
from the boundary.**

Location: 57 North Shore Rd.

Zone: RR w/ Shorelines Overlay

Owner: Jennifer & Agnes Slavin

Applicant: Jennifer Slavin

MISC.

**Review Minutes from Previous
Meeting(s); Other business**



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

DATE: March 5, 2020 (for the hearing 4/2/2020)
TO: Zoning Board of Adjustment
FROM: Nicole Gage, Zoning Administrator
CASE: Case #ZBA20-02 – Special Exception
Owner/Applicant: Jennifer & Agnes Slavin / Jennifer Slavin
Parcel ID: 01115/ 0038/ 0000/
57 North Shore Road
Zoned RR (Rural Residential) w/ Shoreline Overlay – Perkins Pond

Summary of Case: The applicant is applying for a Special Exception per Article III Section 3.50(g) to permit a fence over 5-feet with a setback 2-feet from the boundary. The Planning Board required a 6-foot fence when they approved the Site Plan for the home-day care on February 13th (see attached decision). In January, the ZBA approved a Special Exception for Ms. Slavin to run a home-based day care. She had the property professionally surveyed after that ZBA hearing.

References to the Zoning Ordinance:

Page	Article	Section	
14*	III*	3.50 (g)*	
	Dimensional Controls	Special Exception	
15	(same)	3.55	
		Additional Criteria for Dimensional Special Exceptions	

*Appeal for Current Application

Description of Property:

- The lot is 0.19 acres
- Served by town sewer and private well.
- Zoned RR (Rural Residential) with Shoreline Overlay for being within 250-feet of Perkins Pond.
- Built approximately 1950.
- Frontage on North Shore Road – an “emergency way” which is plowed by the town and is considered a Side Setback

Land Use History: (may be incomplete)

1968 Approval for Construction, 3-bedroom septic
2002 Approval for Construction & Operation, 3-bedroom septic (CA2002044876)
2015 Connected to town sewer system
1/2/2020 Special Exception approved by ZBA for home-base day care, with conditions (see attached decision)
2/13/2020 Site Plan approved by Planning Board for home day care business, with conditions (see attached decision)



COPY

**Town of Sunapee
Planning Board**

DECISION

You are hereby notified that the application of JENNIFER SLAVIN

For: SITE PLAN REVIEW: HOME DAY CARE BUSINESS; 57 NORTH SHORE ROAD

PARCEL ID: 0115-0038-0000


Has been: APPROVED

Conditions:

1. THE TYPE OF BUSINESS STATED IS A FAMILY CHILDCARE HOME
2. TWO PARKING SPACES ARE REQUIRED
3. A TEMPORARY FENCE IS TO BE INSTALLED INSIDE THE SLAVIN'S PROPERTY, PRIOR TO OPERATION OF THE BUSINESS, THAT MEETS STATE REQUIREMENTS
- ➔ 4. CONSTRUCTION OF A 6 FT SCREEN FENCE IS TO BE INSTALLED AT A LATER DATE PER SPECIFICATIONS OF THE ZONING BOARD
5. MAXIMUM AGE WILL BE 13
6. THE MAXIMUM NUMBER OF CHILDREN ALLOWED WILL BE NINE PER THE LICENSE
7. THERE WILL BE NO OUTSIDE EMPLOYEES EXCEPT FAMILY MEMBERS PERMITTED TO WORK AT THE FACILITY
8. ONLY THE HOUSE AND PLAY AREAS ARE TO BE USED FOR THE BUSINESS AND BY CHILDREN OF THE SAID BUSINESS
9. A NEW PLAN WILL BE SUBMITTED FROM THE SURVEYOR
10. A TIME LIMIT OF 6 MONTHS FOR THE CONDITIONS TO BE MET

The decision was made at the FEBRUARY 13, 2020 Planning Board meeting.


Planning Board Chair


Date

Note: Per NH RSA 677:15: Any person aggrieved by any decision of the Planning Board concerning a plat or subdivision may present to the Superior Court a petition, duly verified, setting forth that such decision is illegal or unreasonable in whole or in part and specifying the grounds upon which the same is claimed to be illegal or unreasonable. Such petition shall be presented to the court within 30 days after the date upon which the Board voted to approve or disapprove the application.

At least two (2) weeks prior to the completion of site plan improvements, the property owner shall apply for a Certificate of Site Plan Compliance. The purpose of the application is to allow site visits, project review and signoffs by the Planning/Zoning Department and any applicable Department Heads noted in Article V A (3) as to adherence and completion of the approved Site Plan (per Sunapee Site Plan Regulations Article XII).



COPY

Town of Sunapee
Zoning Board

Decision

~~You are hereby notified that the application of: AGNES H & JENNIFER SLAVIN~~

For CASE #ZBA 19-24: SPECIAL EXCEPTION, PER ARTICLE IV, SECTION 4.15, TO PERMIT A HOME-BASE DAYCARE IN THE RR DISTRICT; 57 NORTH SHORE RD; ZONED RR W/SHORELINELINE OVERLAY

PARCEL ID: 0115-0038-0000

Has been APPROVED with the following conditions:

1. THERE WILL BE NO PARKING ON THE STREET FOR DAYCARE USE
2. ALL ACCESS TO THE PROPERTY FOR DAYCARE USES WILL BE FROM THE NORTHERLY ENTRANCE OF NORTH SHORE ROAD OFF PERKINS POND RD
3. TO COMPLY WITH ALL STATE REGULATIONS AND SITE PLAN REVIEW

The decision was made at the JANUARY 2, 2020 Zoning Board meeting.

David M. Schreier
Zoning Board Chair

January 10, 2020
Date *DMS*

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).

Property Location: 57 NORTH SHORE RD

Vision ID: 642

Account # 1294

MAP ID: 0115/0038/0000/ /

Bldg #: 1 of 1

Bldg Name:

Sec #: 1 of 1

1 Card 1 of 1

State Use: 1016

Print Date: 10/17/2019 15:01

CURRENT OWNER SLAVIN, AGNES H SLAVIN, JENNIFER 57 NORTH SHORE RD SUNAPEE, NH 03782 Additional Owners:		TOPO. 4 Rolling	UTILITIES 5 Well 3 Public Sewer	STRT./ROAD 3 Unpaved	LOCATION 7 Waterfront	CURRENT ASSESSMENT Description RESIDENTIAL RES LAND RESIDENTIAL		Code 1016 1016 1016	Appraised Value 86,700 152,300 10,200	Assessed Value 86,700 152,300 10,200	2413 SUNAPEE, NH		
SUPPLEMENTAL DATA Other ID: 0115-0038-0000 SEPTIC APPR CA2002044876 UTILITY DES PERMITS Routing # 1192 SUBDIVISION GIS ID: 0115-0038-0000 ASSOC PID#						VISION							
RECORD OF OWNERSHIP SLAVIN, AGNES H SLAVIN, RICHARD & AGNES		BK-VOL/PAGE 2008/ 884 768/ 814	SALE DATE 06/06/2017 11/13/1984	SALE PRICE V.C. 1A	Yr. 2019 2019	Code 1016 1016	Assessed Value 86,700 152,300	Yr. 2018 2018	Code 1016 1016	Assessed Value 86,700 152,300	Yr. 2018 2018	Code 1016 1016	Assessed Value 86,700 152,300
EXEMPTIONS Year Type Description 2006 11 VETERAN'S EXEMPTION		Amount 500.00		Description Number 1		Amount Comm. Int.		Total: 249,200		Total: 249,200		Total: 249,200	
ASSESSING NEIGHBORHOOD NBHD/ SUB 0001/A		Amount 500.00		Description Number 1		Amount Comm. Int.		Total: 249,200		Total: 249,200		Total: 249,200	
NOTES SFB-2 BD, 1 1/2 BATH; SHD = NV - SIZE FGRI IS GARAGE OVER GARAGE WDK FOUND NEAR WATER 9/12 - VINYL SHED = NV		Amount 500.00		Description Number 1		Amount Comm. Int.		Total: 249,200		Total: 249,200		Total: 249,200	
APPROAISED VALUE SUMMARY Appraised Bldg. Value (Card) Appraised XF (B) Value (Bldg) Appraised OB (L) Value (Bldg) Appraised Land Value (Bldg) Special Land Value Total Appraised Parcel Value Valuation Method: Adjustment:		Amount 500.00		Description Number 1		Amount Comm. Int.		Total: 249,200		Total: 249,200		Total: 249,200	
Net Total Appraised Parcel Value		Amount 500.00		Description Number 1		Amount Comm. Int.		Total: 249,200		Total: 249,200		Total: 249,200	
BUILDING PERMIT RECORD Permit ID Issue Date Type Description		Amount 500.00		Description Number 1		Amount Comm. Int.		Total: 249,200		Total: 249,200		Total: 249,200	
VISIT/ CHANGE HISTORY Date Type IS ID Cd Purpose/Result 06/16/2017 MP AC ADMIN DATA ENTRY 05/05/2016 MP AC ADMIN DATA ENTRY 08/17/2015 NB FR IN FIELD REVIEW 09/13/2012 RE M MEASURE 12/03/2004 DG M MEASURE		Amount 500.00		Description Number 1		Amount Comm. Int.		Total: 249,200		Total: 249,200		Total: 249,200	
LAND LINE VALUATION SECTION B Use Code Use Description Zone D Front Depth Units Unit Price 1 1016 OTH LAKE WF RR 8,712 SF 5.41 4.0000 9 1.0000 0.85 PP 0.95 LACK W/F-10-5 TOPO		Amount 500.00		Description Number 1		Amount Comm. Int.		Total: 249,200		Total: 249,200		Total: 249,200	
Total Card Land Units:		0.20 AC		Parcel Total Land Area: 0.2 AC		Total Land Value:		152,300		Total Land Value:		152,300	

Property Location: 57 NORTH SHORE RD
Vision ID: 642

Account # 1294

MAP ID: 0115/0038/0000/ /

Bldg Name:
Sec #: 1

1 Card 1 of 1

State Use: 1016
Print Date: 10/17

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)				
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	01		Ranch				
Model	01		Residential				
DESIGN/APPEAL	03		Average				
Stories	1						
Occupancy	1						
Exterior Wall 1	13		Pre-Fab Wood				
Exterior Wall 2							
Roof Structure	03		Gable/Hip				
Roof Cover	03		Asph/F GlS/Cmp				
Interior Wall 1	05		Drywall/Sheet				
Interior Wall 2							
Interior Flr 1	14		Carpet				
Interior Flr 2							
Heat Fuel	02		Oil				
Heat Type	05		Hot Water				
A/C	01		None				
Total Bedrooms	02		2 Bedrooms				
Total Bthrms	1						
Total Half Baths	1						
Total Xtra Fixtrs							
Total Rooms	4						
Bath Style	02		Average				
Kitchen Style	02		Average				
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
FGR1	GARAGE-AVE			L	440	25.00	2005 0 0 75 8,300
WDK	WOOD DECK		12 X 12	L	144	13.00	2005 0 0 50 900
RPV1	RES PAV SMA			L	1	1,000.00	2005 0 0 100 1,000
BUILDING SUB-AREA SUMMARY SECTION							
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value	
BAS	First Floor	918		918		92,360	
FBM	Basement, Finished	0	792	238		23,945	
FEP	Porch, Enclosed, Finished	0	25	18		1,811	
WDK	Deck, Wood	0	60	6		604	
Tot. Gross Liv/Land Area:		918	1,795	1,180		125,720	

BAS	1	5																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		</
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CASE# ZBA 20-02

hearing date
4/2/2020

Town of Sunapee
Zoning Board of Adjustment

Special Exception

1. Landowner(s) Name(s): Jennifer Slavin 2. Parcel ID# 0115-0038-0000
3. Zoning District: RR w/ Shoreline Overlay
4. Project Location (Street & #): 57 North Shore Rd Sunapee NH
5. Mailing Address: 57 North Shore Rd Sunapee
6. Phone Number 603 372 6181

7. Reason the Special Exception is necessary: fencing for preschool
above the 5 feet in request of the neighbors to be
6 ft with a set back of 2 feet. Privacy fence
to keep children from looking onto neighbor property and to

•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). help keep children in further.

•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.

Jennifer Slavin
Landowner(s) Signature(s)

2/13/2020
Date

Description of proposed use, showing justification for a Special Exception as specified in the Zoning Ordinance, Article 3.50 Section g.

Fence with a set back ^{3.55} 2 feet from the boundaries
over the 5 ft. without affecting neighboring
properties

N1BE@JUNO.COM

Privacy
Fencing 978-562-
4733

Andover Fence Company
Dale Dukette owner
603-735-5813

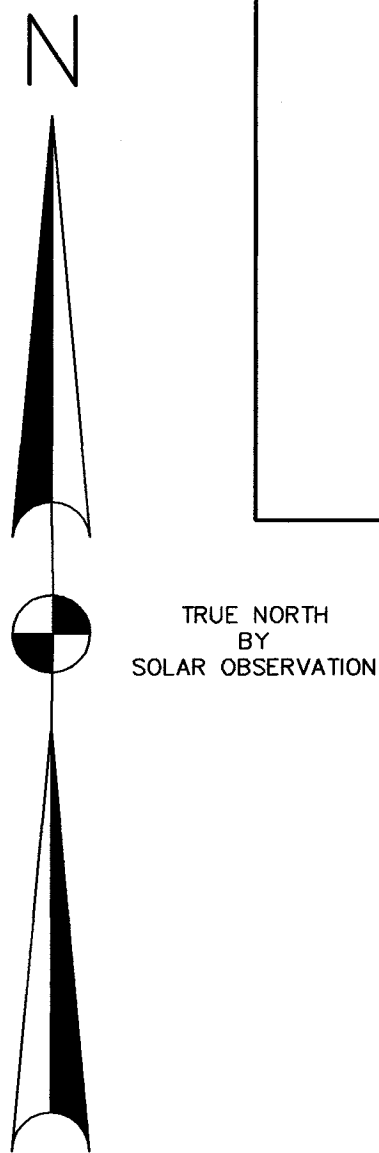
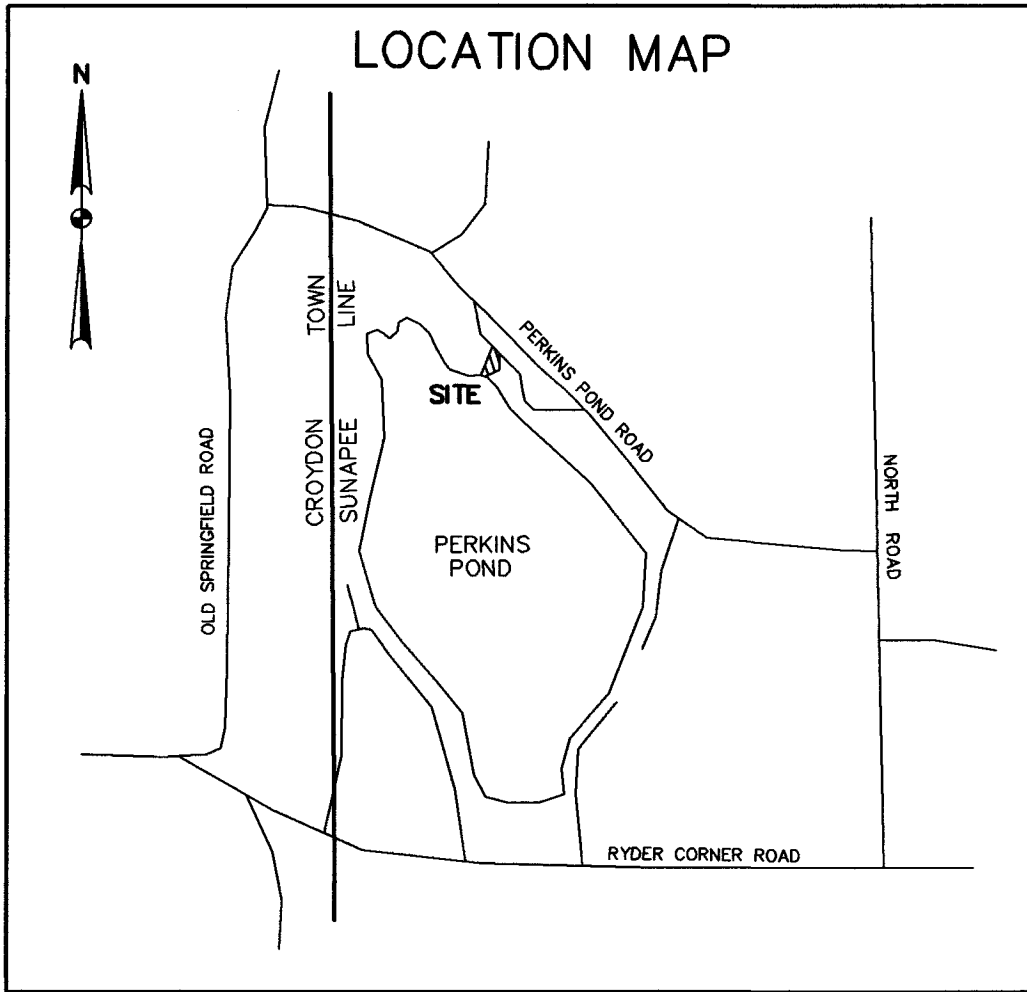
Andover Fence sells and installs



<https://illusionsfence.com/>



*Dale estimated for 64 feet of fencing, cost in vicinity of \$2500 for materials and installation.
Cost will vary by style and color. He can install with rocks and roots.*



TAX MAP 115 LOT 39
ROBERT N. & ANNE D. VANTINE

CONSTRUCT 1
PARKING SPACE

TAX MAP 115 LOT 45
AGNES H. SLAVIN

NOTES
ZONED RESIDENTIAL
SETBACKS:
50' FROM POND
50' FROM CENTER OF ROAD
25' FROM SIDE BOUNDARY
PARKING IS ONLY TO BE AT THE
TWO SPACES SHOWN ON THE PLAN

APPROVED BY TOWN OF SUNAPEE PLANNING BOARD

DATED: _____
CHAIRPERSON: _____

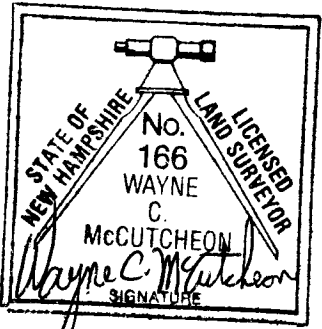
THE SITEPLAN REGULATIONS OF THE TOWN OF SUNAPEE ARE A
PART OF THIS PLAT AND APPROVAL OF THIS PLAT IS CONTINGENT ON
COMPLETION OF ALL REQUIREMENTS OF SAID SITEPLAN REGULATIONS
EXCEPTING ONLY ANY VARIANCES OR MODIFICATIONS MADE IN WRITING
BY THE BOARD AND ATTACHED HERETO.

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION
PURSUANT TO N.H.R.S.A. TITLE LXIV AND THAT THE LINES OF
STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE
STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW
WAYS ARE SHOWN. RSA 676:18,III

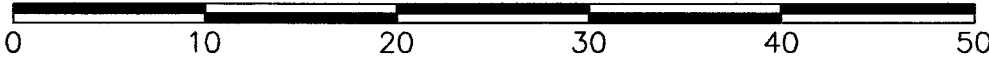
DATE _____ LICENSED LAND SURVEYOR (SEAL)

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

Wayne C. McCutcheon



SITE PLAN PRERARED FOR
AGNES H. SLAVIN AND JENNIFER SLAVIN
57 NORTH SHORE ROAD
SUNAPEE, NEW HAMPSHIRE
SCALE: 1"= 10' JANUARY 16, 2020



WAYNE McCUTCHEON ASSOCIATES, INC
492 WASHINGTON STREET
CLAREMONT, NEW HAMPSHIRE
PROJ. NO. 1644020

- DEED REFERENCES
1. AGNES H. SLAVIN TO AGNES H. SLAVIN AND JENNIFER SLAVIN
DATED: JUNE 5, 2017, RECORDED IN VOL. 2008 PG. 844.
 2. VIRGINIA Q. FONTAINE TO ROBERT N. & ANNE D. VANTINE
DATED: JUNE 22, 2007, RECORDED IN VOL. 1645 PG. 842.
 3. MAUREEN C. SALDARINI TO MATHEW J. & GAIL B. MAZGELIS
DATED: DECEMBER 9, 2017, RECORDED IN VOL. 2026 PG. 779.

- PLAN REFERENCES
1. PLAN ENTITLED " PLAN OF LAND OWNED BY NORMAN E. & VIRGINIA Q. FONTAINE
PERKINS POND, SUNAPEE, NEW HAMPSHIRE " DATED: DECEMBER 14, 1981
PREPARED BY: WAYNE MCCUTCHEON ASSOCIATES, RECORDED IN PLANFILE 2,
POCKET 6, FOLDER 1, NUMBER 24.
 2. PLAN ENTITLED " TRANSFER OF & EXCHANGE OF PLOTS OF LAND BY & BETWEEN
ARTHUR A. DAVIS & B. READ LEWIN AND ROBERT DARLING AT PERKINS POND,
TOWN OF SUNAPEE, COUNTY OF SULLIVAN, N.H. " DARED: NOVEMBER 6, 1950
PREPARED BY: A. D. PARSONS P.E. CIVIL ENGR. CLAREMONT, N.H. RECORDED IN
PLANFILE 1, POCKET 2, FOLDER 1, NUMBER 4.