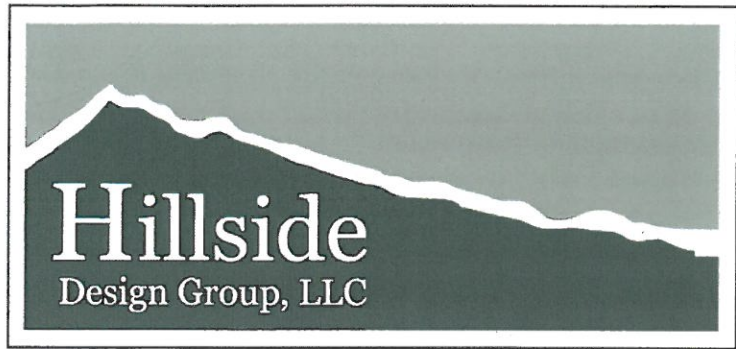


Letter of Transmittal



To:

Town of Allenstown

Zoning Board of Adjustments

16 School Street

Allenstown, NH 03275

CC:

From: Hillside Design Group, LLC

Matthew J. Peterson

Date: May 14, 2019

Project #: 2018 -1115-1

Re: Pine Acres Subdivision

Tax Map 102; Lot 8

Allenstown, New Hampshire

We are sending the following:

Prints Shop Drawings Displays

Plans Specifications Photographs

Reports Correspondence _____

The enclosed are being transmitted:

Approved per notes For your use As requested

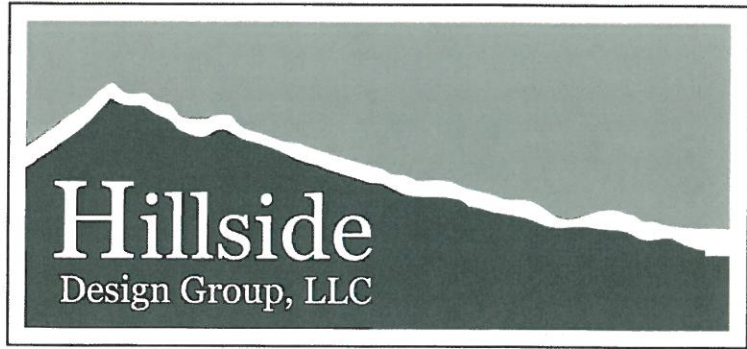
For approval For your review & comments For bid(s) due

Returned for correction _____

No.	Date	Copies	Description
1	5-14-19	1	Application for a Variance.
2	5-14-19	1	Abutter Fee (TBD), Newspaper Fee (TBD)
3	5-14-19	1	Cover Letter.
4	5-14-19	1	ZBA Exhibit plan.
5	5-14-19	1	Tax Map Exhibit

Remarks: Please contact Matthew Peterson at (603) 496-3684 if you have any questions or require additional information.

May 14, 2019



Town of Allenstown
Zoning Board of Adjustments
16 School Street
Allenstown, New Hampshire 03275

**Re: Variance Cover Letter – Pine Acres Subdivision
Tax Map 102; Lot 8
Allenstown, New Hampshire 03275
HDG Project # 2018-1115-1**

Dear Chairman and Board Members:

The above referenced parcel is being submitted for Variance from the Allenstown Zoning Board. The property is located off Pine Acres Road and is approximately 26 acres. The Variance requested is from **Article XI: Supplemental Regulations; Section 1113: Lot Access; Sub-Section 5: Sideage**; to allow the applicant to construct a driveway within 500' from the intersection of Pine Acres Road and Route 28 on future Lot 102/8, as shown on the submitted potential subdivision plan. The included documents outline the applicants request for the Special Exception. All required information has been included within the submittal package. HDG will be present to further discuss the Varinace at the scheduled hearing

Enclosed is the following material for your review and approval:

1. Application for a Variance.
2. Application fee:

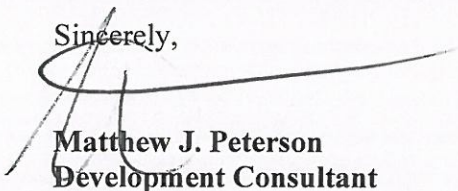
Total Fee Submitted:

Newspaper Fee:	= \$TBD
Abutters TBD @ 6.80 per Fee:	= \$TBD
Total Fee:	= \$TBD

3. Cover Letter & ZBA Exhibit Plan.
4. Tax Map Exhibit.
5. Photo's

If you have any questions or comments please contact me at (603) 496-3684.

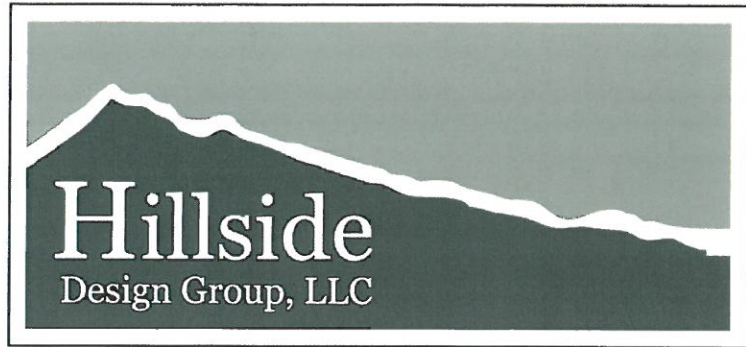
Sincerely,


Matthew J. Peterson
Development Consultant
Hillside Design Group, LLC
746 D.W. Highway, Unit B
Merrimack, NH 03054

501 D.W. Highway, Unit F • Merrimack NH, 03054 • Office 603-424-1132 • Fax 603-424-8998

May 14, 2019

Town of Allenstown
Zoning Board of Adjustments
16 School Street
Allenstown, New Hampshire 03275



**Re: Variance Cover Letter – Pine Acres Subdivision
Tax Map 102; Lot 8
Allenstown, New Hampshire 03275
HDG Project # 2018-1115-1**

Dear Chairman and Board Members:

The above referenced project is being submitted for a variance from the Allenstown Zoning Board. The applicant is requesting a variance from the zoning board from **Article XI: Supplemental Regulation; Section 1113: Lot Access; Sub-Section 5: Sideage**; of the Town of Allenstown Zoning Ordinance. The variance request is to allow the applicant to construct a driveway closer than 500' from the intersection of Pine Acres Road and Route 28 for the benefit of a new lot.

The applicant would like to install a new driveway on Pine Acres approximately 75 feet from the intersection. Currently there is an existing driveway on the East side of Pine Acres that is approximately 35 feet from the intersection. HDG will be present to further discuss the variance request at the scheduled hearing. The following is a breakdown of the conditions:

1. *That there will not be a diminution of value of the surrounding properties as a result of the granting of this variance because; **This request would allow the applicant to construct a driveway within 500' of the existing intersection where currently there are 4 driveways built within 500' of the intersection on the opposite side of the roadway. As such the applicant does not see how allowing them to add a driveway within 500' of the intersection would affect the surrounding property values.***
2. *That the granting of the variance will not be contrary to the public interest because: **Based on the fact that the Town has already allowed 4 driveways on the East side of Pine Acres Road within 500' of the intersection the applicant doesn't see how this variance would be contrary to the public's interest as the requirement has already been ignored/allowed on the East side of the roadway.***
3. *That enforcement of the zoning ordinance will create an unnecessary hardship in that the zoning restriction:
 - a. *As applied to the petitioner's property will interfere with the petitioner's reasonable use of their property, considering the unique setting of the property in its environment for the following reasons: **The applicant would argue that because this same regulation wasn't applied to the homes directly across the street from this property, in that they were allowed 4 driveway curb cuts within 500' of the intersection, would outline the unique setting of this parcel, as the last to be developed in the development, and does interfere with the petitioner's reasonable use of the land.****

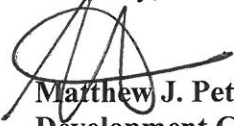
b. *As specifically applied to the petitioner's property has no fair and substantial relationship to the general purposes of the zoning ordinance for the following reasons: As outlined thought out this variance application the fact that there are already 4 driveway's within 500' of the intersection on the East side of Pine Acres Road would mean by requiring this applicant to adhere to the regulation would not be fair to this applicant when across the street the impact to the 500' is already there.*

4. *That through the granting of relief by a variance substantial justice will be done because; Substantial justice would be done by granting of relief by a variance because it would allow the applicant the same criteria that was allowed across the street from this parcel.*

5. *The use, for which the variance is requested, will not be contrary to the spirit of the ordinance because, Lastly based on the fact that there are currently 4 driveway on the east side of Pine Acres Road that are within 500' of the intersection the applicant believes that by allowing them to construct a driveway within 500' of the intersection would not be contrary to the spirit of the ordinance.*

If you have any questions or comments please contact me at (603) 496-3684.

Sincerely,



Matthew J. Peterson
Development Consultant
Hillside Design Group, LLC
746 D.W. Highway, Unit B
Merrimack, NH 03054



Zoning Board of Adjustment

Town of Allenstown

16 School Street

Allenstown, NH 03275

Tel: (603)-485-4276

Fax: (603) 485-8669

APPLICATION FOR VARIANCE OF USE OR AREA

Before you undertake completing this application we strongly encourage you to read the entire application first. Upon reading the entire application go back and answer the questions 1 through 5 with as much specific factual detail as required. The obligation of demonstrating facts sufficient to support your appeal is your responsibility. Use the "Required Documentation Checklist" to assist you in properly collecting the necessary data and providing responses that factually support your position.

The undersigned hereby requests a variance of USE or AREA to the terms of Article XI Section 1113.5 and asks that said terms be waived to permit: A DRIVEWAY WITHIN 500' OF INTERSECTION

You are required by law to demonstrate:

1. That there will not be a diminution of value of the surrounding properties as a result of the granting of this variance because: _____

see enclosed letter

2. That the granting of the variance will not be contrary to the public interest because: _____

See enclosed Letter

3. That enforcement of the zoning ordinance will create an unnecessary hardship in that the zoning restriction:

Answer a-c if your application is for a "USE" variance:

a. As applied to the petitioner's property will interfere with the petitioner's reasonable use of their property, considering the unique setting of the property in its environment for the following reasons: _____

See enclosed Letter

b. As specifically applied to the petitioner's property has no fair and substantial relationship to the general purposes of the zoning ordinance for the following reasons: _____

c. If relieved by a variance, will not injure the public or private rights of others for the following reasons: _____

see enclosed letter

Answer aa-bb if your application is for an "AREA" variance:

aa. An area variance is needed to enable the applicants proposed use of the property given the special conditions of the property because: _____

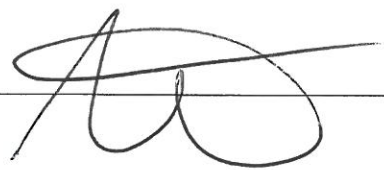
bb. The benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance because: _____

4. That through the granting of relief by a variance substantial justice will be done because: _____

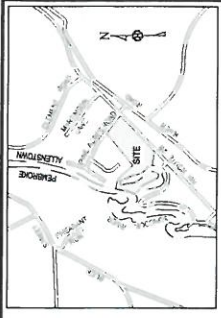
see enclosed letter

5. The use, for which the variance is requested, will not be contrary to the spirit of the ordinance because: _____

see enclosed letter

Signature:  _____

Date: 5/22/19 _____



SOILS LEGEND:

- M4 - ADVANK - MINOR FINE SANDY LOAMS 3.9%
- WELL DRAIN N.H.D.E.S. GROUP 2
- 318A - MANHIRE SAND 0.4%
- M3S - MINOR FINE SANDY LOAM 0.6%
- POORLY DRAIN N.H.D.E.S. GROUP 3
- PA - SANDY SILTY CLAY 0.3%
- EXCESSIVELY DRAIN N.H.D.E.S. GROUP 1
- BA - SANDY SILTY CLAY 0.3%
- VERY POORLY DRAIN N.H.D.E.S. GROUP 8

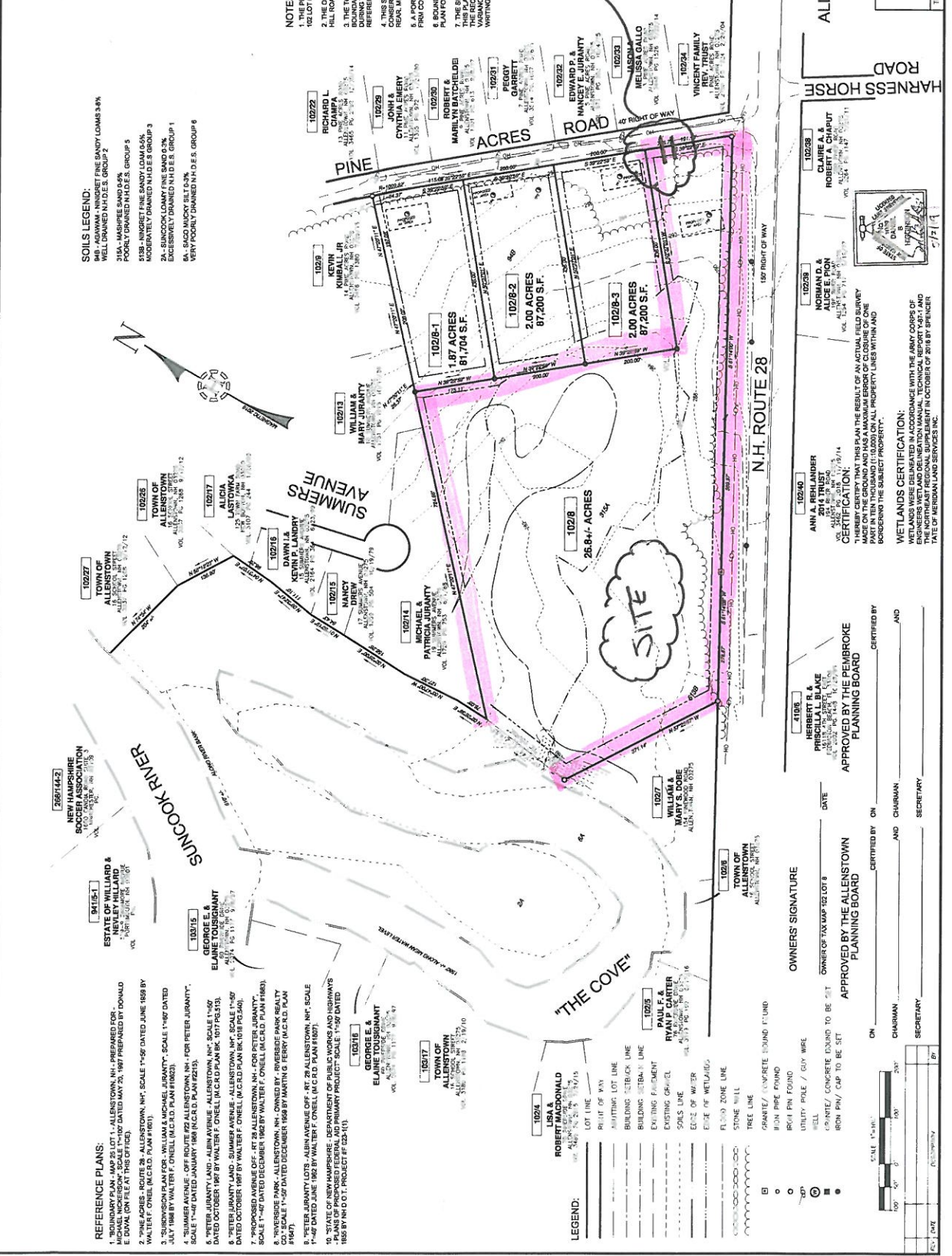
NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEPICT A FOUR LOT SUBDIVISION OF TAX MAP 10219. THE AREA OF SAID TAX MAP IS 100 ACRES AND IS SITUATED IN THE TOWN OF ALLENSTOWN, NEW HAMPSHIRE. THE SUBJECT PROPERTY IS A 26.84 ACRES PARCEL LOCATED ON THE EAST SIDE OF PINE ACRES ROAD, APPROXIMATELY 1/2 MILE SOUTH OF THE INTERSECTION OF PINE ACRES ROAD AND N.H. ROUTE 28.
2. THE TOTAL AREA OF TAX MAP 10219 IS 100 ACRES, 0.42 ACRES OF WHICH ARE EXCLUDED FROM THIS SURVEY AS SHOWN ON THE BOUNDARY INFORMATION PER A FIELD SURVEY PERFORMED BY THIS OFFICE ON OCTOBER 18, 2018.
3. THIS SITE IS WITHIN THE R3 ZONE AS WELL AS THE AERIAL TRANSPORTATION OVERLAY AREA. BUILDING SETBACKS ARE 30' FRONT, 10' SIDE 30' REAR. MINIMUM ROAD FRONTAGE IS 200' AND MINIMUM LOT SIZE IS 40,000 S.F.
4. A PORTION OF THIS SITE IS WITHIN THE SPECIAL FLOOD HAZARD ZONE PER FEMA COMMUNITY DEVELOPMENT MAP NO. 16066 EFFECTIVE DATE APRIL 18, 2010.
5. A PORTION OF THIS SITE IS WITHIN THE COVE PER REFERENCE PLAN #1, SEE THE BOUNDARY INFORMATION FOR THIS COVE.
6. THE SUBDIVISION REGULATIONS OF THE TOWN OF ALLENSTOWN ARE IN EFFECT AND THE REQUIREMENTS OF SAID SUBDIVISION REGULATIONS, EXCEPTING ONLY ANY REQUIREMENTS THAT ARE IN CONFLICT WITH ANY CITY ORDINANCES MADE IN WRITING BY THE BOARD AND ATTACHED HERETO.

Approx
Driveway
Location

SUBDIVISION PLAN
PREPARED FOR:
4NH HOMES, LLC.
TAX MAP 10219 AND PINE ACRES ROAD
ALLENSTOWN, NEW HAMPSHIRE

MAY 2, 2019
HIGGINSON
LAND SERVICES
LAND SURVEYING - CAD/CADD SYSTEM DESIGN - PERMITTING
78 PATEL AVENUE, SUITE 100, ALLENSTOWN, NH 03822
TEL: 603-552-8412 | FAX: 603-552-8413 | SHEET 1 OF 1



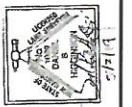
REFERENCE PLANS:

1. BOUNDARY PLAN, MAP 25, LOT 1, ALLENSTOWN, NH, PREPARED FOR MICHAEL NICKERSON, SCALE 1"=100' DATED MAY 20, 1997 PREPARED BY DONALD E. DOWAL (ON FILE AT THIS OFFICE).
2. PINE ACRES, ROADS, ALLENSTOWN, NH, SCALE 1"=50' DATED JUNE 1989 BY JOHN C. MOORE (ON FILE AT THIS OFFICE).
3. PETER JURANTY LAND - ALBIN AVENUE, ALLENSTOWN, NH, SCALE 1"=50' DATED JANUARY 1989 (M.C.R.D. PLAN #215).
4. SUMMER AVENUE - OFF ROUTE 28 ALLENSTOWN, NH, FOR PETER JURANTY, SCALE 1"=50' DATED JANUARY 1989 (M.C.R.D. PLAN #215).
5. PETER JURANTY LAND - SUMMER AVENUE - ALLENSTOWN, NH, SCALE 1"=50' DATED OCTOBER 1987 BY WALTER F. ONELL (M.C.R.D. PLAN BK. 1017 PL. 513).
6. PETER JURANTY LAND - SUMMER AVENUE - ALLENSTOWN, NH, SCALE 1"=50' DATED OCTOBER 1987 BY WALTER F. ONELL (M.C.R.D. PLAN BK. 1017 PL. 540).
7. PROPOSED AVENUE OFF - RT 28 ALLENSTOWN, NH - FOR PETER JURANTY, SCALE 1"=50' DATED DECEMBER 1983 BY WALTER F. ONELL (M.C.R.D. PLAN #185).
8. PETER JURANTY LOTS - ALBIN AVENUE OFF - RT 28 ALLENSTOWN, NH, SCALE 1"=50' DATED JUNE 1982 BY WALTER F. ONELL (M.C.R.D. PLAN #187).
9. STATE OF NEW HAMPSHIRE - DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS - 1882 BY N.H. DOT - PROJECT # 622-1(1).

OWNERS SIGNATURE
OWNER OF TAX MAP 10219 _____ DATE _____

APPROVED BY THE ALLENSTOWN PLANNING BOARD
CERTIFIED BY _____ ON _____ AND CHAIRMAN _____ AND SECRETARY _____

NO.	DATE	DESCRIPTION



WETLANDS CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN 10,000. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH ALL APPLICABLE PROFESSIONAL STANDARDS AND REGULATIONS GOVERNING THE SUBJECT PROPERTY.

WETLANDS CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN 10,000. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH ALL APPLICABLE PROFESSIONAL STANDARDS AND REGULATIONS GOVERNING THE SUBJECT PROPERTY.

APPROVED BY THE PEMBROKE PLANNING BOARD
CERTIFIED BY _____ ON _____ AND CHAIRMAN _____ AND SECRETARY _____



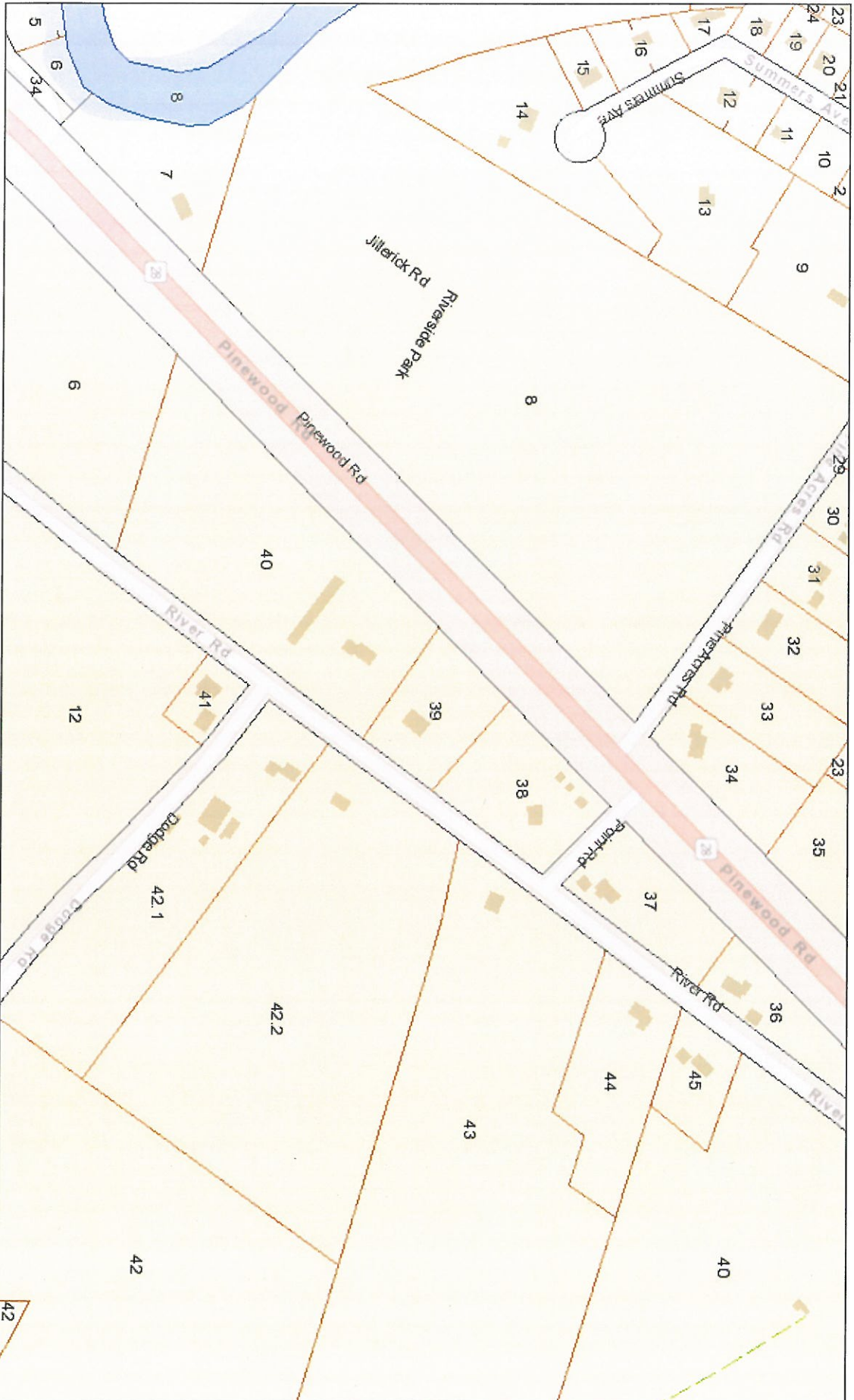
February 27, 2019

Allenstown, NH

1 inch = 268 Feet



www.cai-tech.com



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