

NEW DURHAM ZONING BOARD OF ADJUSTMENT
APPEAL FROM an ADMINISTRATIVE DECISION

Case No.	<u>2024-002</u>
Date Filed	<u>APR 22 2024</u>
Received By	<u>[Signature]</u>

Name of Applicant:

Andrew St. Godard DBA Common Cents Const. Pca - Mr. Mrs Rabbitt

Applicant's Street Address with town and state:

9536 Whetstone Dr. Montgomery Village MD 20886

Mailing Address (If different)

1465 Hooksett Rd unit 315 Hooksett, NH 03106

Preferred Telephone Number (603) 254-2200 Email Contact.SPM.Enterprises@gmail

Property Owner: Eric & Amanda Rabbitt
(If same as Applicant, write same)

Street Address of property: 276 Kings Highway New Durham
NH 03855

Map 209 Lot 008

Property Description to include frontage of lot; side and rear lines of lot; slopes and natural features of lot etc:

See building permit application

Which Zoning District is the property located in?

- Town Center Mixed Use Residential, Agricultural, Recreational

Check all Overlay Districts that Cover Any Part of the Property:

- Aquifer Protection Overlay
- Conservation Focus Area District
- Shore Front Conservation Area
- Steep Slopes Conservation District
- Water Quality Protection
- Wetlands Conservation Overlay

**INSTRUCTIONS FOR INDIVIDUALS APPEALING TO THE ZONING BOARD
APPEAL FROM an ADMINISTRATIVE DECISION**

Applicants must be familiar with the latest revision of the New Durham Zoning Ordinance and the Procedural Rules for the Town of New Durham Zoning Board of Adjustment. Applicants should be familiar with New Hampshire Statutes RSA Chapters 672 – 677.

ALL APPLICANTS

- Speak with the Land Use Administrative Assistant to determine if a review by the Planning Board should be completed prior to appealing to the Zoning Board of Adjustment.
- Ensure all requirements are met by using the appropriate checklist.
- Deliver completed application, attachments, and fees (checks payable to Town of New Durham) to the Land Use office at the Town Hall at least 21 days before the next scheduled ZBA meeting.
- A Public Hearing will be scheduled within 45 days of receiving a completed application.
- Any party affected by a decision has the right to appeal such decision by requesting a rehearing.

APPEAL FROM AN ADMINISTRATIVE DECISION

Any person aggrieved by any decision of an Administrative Officer may appeal the decision. The Applicant must follow the Zoning Board of Adjustment’s Rules of Procedure, and comply with RSA 676 and RSA 677. An Appeal of an Administrative Decision must be made within 30 days of the date the decision is reached.

REQUESTING A REHEARING

A motion for rehearing may be in the form of a letter to the Zoning Board of Adjustment and must set forth the reason the decision is believed to be unlawful or unreasonable. The motion must be made within 30 days of the decision being filed and available for public inspection.

The Zoning Board of Adjustment may grant a requested rehearing if it believes good reason is stated in the motion for rehearing. A case will not be reopened on the same set of facts unless an injustice would be created by not doing so. A rehearing must be requested prior to appealing to the courts. Rehearings follow the same Rules of Procedure as initial hearings.

Usual Costs

Administrative Fee	\$100.00
Appeal from Administrative Decision Application Fee	\$150.00
Public Notice in Newspaper	\$150.00 to \$300.00
Public Notice to ALL Abutters, Applicant(s), Applicant(s) Representative, Identified Professionals Involved with the Property and Holders of Easements via Certified Mail	\$ 13.69 per Notice
ZBA Decision sent to Applicant(s), Applicant(s) Representative and Strafford County Registry of Deeds via Certified Mail	\$ 13.69 per Notice
Strafford County Registry of Deeds Notice of Decision	\$ 20.68 (up to 3 pages)

APPLICATION for an APPEAL OF AN ADMINISTRATIVE DECISION

Appeals to the ZBA may be made by any person aggrieved by any decision of an administrative officer. "Administrative Officer" means any official or board who, in New Durham, has responsibility for issuing permits or certificates under the ordinance, or for enforcing the ordinance. This may include a building inspector, fire inspector, board of selectmen, or other official or board. "Decision of the Administrative Officer" includes any decision involving construction, interpretation or application of the terms of the ordinance.

Date the Administrative Decision was reached: 4-22-24

Article ~~XIV~~ VI Section (E) of the Zoning Ordinance in question.

(C:2) (C:7B) (G:3A)
Decision of the Administrative Official to be reviewed:

- ~~XIV~~ VI E - Flood Hazard area and water body Setbacks
- ~~XIV~~ (C:2) - Dimensional Requirements & Building Setbacks
- ~~XIV~~ (C:7B) - conforming Structures & Existing Structures
- ~~XIV~~ (G:3A) - Design Standards/Erosion Control & Alteration of existing use

Explain why you feel that the Administrative Official made an error in applying or interpreting the zoning ordinance in a particular case.

- VI E - non-conforming structures are exempt pursuant to VIIA
- XIV (C:2) - references non-conforming lots - non-conforming structures pursuant to Article ~~XIV~~ - 7: A-D
- XIV (C:7B) - ordinance contradicts Article ~~XX~~ C:1-4
- XIV (G:3A) - moot point - use is not being altered

An Appeal of an Administrative Decision must be made within 30 days of the date that the decision is reached.

CERTIFICATION of APPLICATION and AGREEMENT TO PAY ALL COSTS

APR 22 2024

I/We, the undersigned Applicant(s), hereby certify that the information contained within this Appeal of an Administrative Application is complete and accurate. I/We agree to pay, in full, all costs incurred by the Town of New Durham for engineering and or other professional services deemed necessary by the ZBA to obtain third party review and consultation during the review process.

Signature of Applicant(s) or Agent: *Andrew J. St. Godard (POA)* *DBA - Common Costs*

Printed Name of Applicant(s) or Agent Andrew J. St. Godard (POA)

Date: 4/18/24

AUTHORIZATION to ENTER SUBJECT PROPERTY

I/We, and my successors, hereby authorize members of the New Durham Zoning Board of Adjustment, Building Inspector and or Code Enforcement Officer to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property. *Permise By Appointment*

Signature of Applicant Owner(s): *Andrew J. St. Godard (POA)*

Printed Name of Applicant(s): Andrew J. St. Godard

Date: _____

AUTHORIZATION to SERVE AS APPLICANT(S) REPRESENTATIVE

I/We *See power of Attorney filed w/ Building Dept* give permission to serve as our agent and to represent us before the New Durham Zoning Board of Adjustment in reference to the attached application. Our agent may present our case and answer any questions for the Board or the public.

Signature of Applicant Owner(s): *Andrew J. St. Godard (POA)*

Printed Name of Applicant(s): SEE ATTACHED

Date: _____

PUBLIC NOTICE LIST

APR 22 2024

Please list all abutters on this form. List names and mailing address of all abutters or the holders of conservation, preservation or agricultural easements (pursuant to RSA 676:7). Include street numbers, street names and zip codes; Tax Map and Lots numbers (taken from the town tax records). This list is to be submitted with the application. Include abutters across the street, brook or stream on any lot line.

Map 209 Lot 009
Andrea K Schreck
31 Chandler Circle
Andover MA 01810

Map _____ Lot _____

Map 209 Lot 007
Robert M Fontaine
20 Montgomery dr.
Framington MA 01710

Map _____ Lot _____

Map 209 Lot 110
Arthur L. Taylor Jr.
479 Tovar Dr
San Jose CA 95123

Map _____ Lot _____

Map _____ Lot _____

Map _____ Lot _____

Map _____ Lot _____

Map _____ Lot _____

Map _____ Lot _____

Map _____ Lot _____

Add additional pages if needed

Application Check List for Administrative Appeal

- Application is on a form prescribed by the Board.
- The complete application has been submitted within 30 days of the date that decision being appealed was made.
- Land Use Administrative Assistant or other Town Official has recorded the date of receipt.
- Application has all required sections completed.
- A completed form that is signed and dated by the applicant or their representative.
- A form signed by all property owners authorizing the representative to act on their behalf if an applicant's representative signs the application.
- A copy of the current Assessing Card.
- A list of all abutters, including Map, Lot and mailing addresses.
- A list of any holders of conservation, preservation, or agricultural preservation restriction and their mailing address.
- A copy of all materials submitted to the administrative officer(s) that resulted in the decision being appealed.
- One original copy of the application package for the official file and a sufficient number of additional packages (Currently = 6 copies) so all elected and alternate members of the Board have a complete application package;
- Legal size envelopes with a return address of New Durham ZBA, PO Box 207, New Durham, NH and certified mail documents as pictured in Appendix A addressed to:
 - All abutters, as defined by RSA 672:3;
 - Any holder of a conservation, preservation, or agricultural preservation restriction as defined in RSA 477:45;
 - Identified professionals involved with the property (two envelopes for each professional);
 - All property owners (two envelopes for each property owner if not at the same mailing address); and
 - Strafford County Registry of Deeds.
- Any other materials the applicant feels are relevant to their request.
- All fees
- An electronic copy
- Payment

CURRENT OWNER		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT	
ANDREASEN IRENE M	3 Below Street	5 Well	1 Paved	7 Waterfront	Code	Assessed	Assessed	Assessed	2309
C/O ADREASEN DAVID	5 Steep	6 Septic			1013	56,300	56,300	56,300	
276 KINGS HIGHWAY					1013	175,600	175,600	175,600	
<p>NEW DURHAM NH 03855</p> <p>NEW DURHAM, NH</p> <p>VISION</p>									

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)							
ANDREASEN IRENE M	2375	322	03-06-2020	U	I	0	38	Year	Code	Assessed V	Year	Code	Assessed		
ANDREASEN, IRENE M	2375	0322	09-13-2001	U	V	0	00	2023	1013	56,300	2022	1013	56,300		
IMA TRUST OF APRIL 1979	0	0				0			1013	175,600		1013	175,600		
Total		0.00						Total		231,900		Total		231,900	

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Description	Code	Description
		Amount	Number
		Amount	Comm Int

ASSESSING NEIGHBORHOOD	
Nbhd	B
PD4	Tracing

BUILDING PERMIT RECORD	
Permit Id	89-115
Issue Date	10-13-1989
Type	RE
Description	Remodel
Amount	26,500
Insp Date	
% Comp	0
Date Comp	
Comments	REPAIRS

LAND LINE VALUATION SECTION	
B Use Code	1013
Description	SFR WATER M
Zone	RAR
Land Type	
Land Units	12,632 SF
Unit Price	1.93
Size Adj	1.20000
Site Index	6
Cond.	1.00
Nbhd.	SP
Nbhd. Adj	100 WF
Location Adjustment	1.0000
Adj Unit P	13.9
Land Value	175,600

APPRaised VALUE SUMMARY	
Appraised Bldg. Value (Card)	54,900
Appraised Xf (B) Value (Bldg)	1,400
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	175,600
Special Land Value	0
Total Appraised Parcel Value	231,900
Valuation Method	C

VISIT / CHANGE HISTORY	
Date	11-04-2021
Id	JB
Type	EO
Is	PM
Cd	SC
Purpost/Result	Measur+1Visit
	Measur+Listed
	Field Review
	Measur+2Visit - Info Card I
	Measur+1Visit
	Measur+Listed
	Measur+2Visit - Info Card I

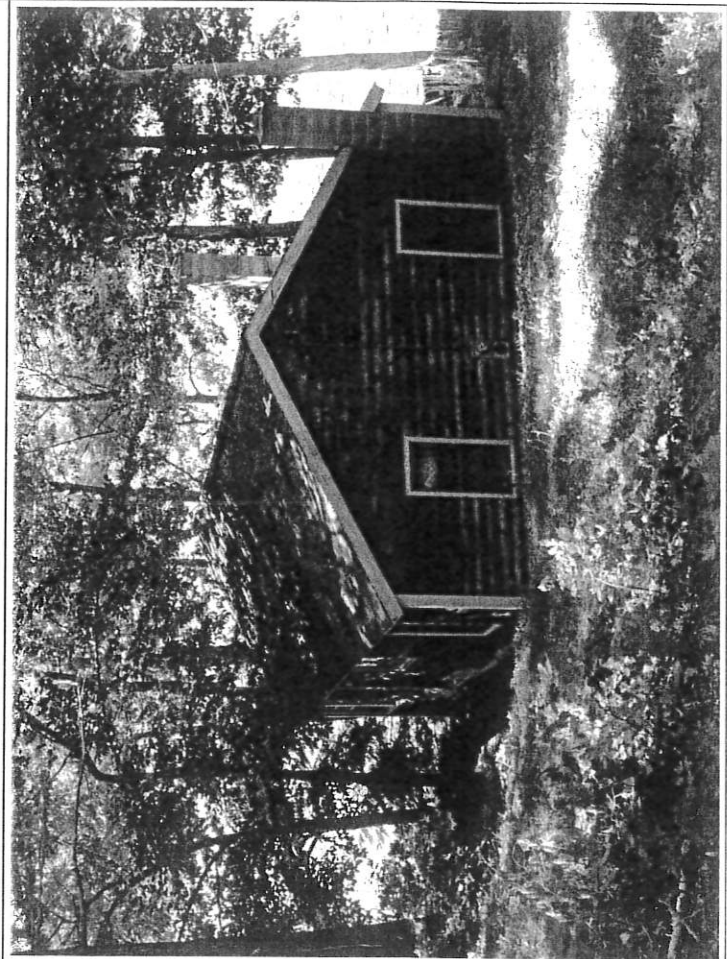
This signature acknowledges a visit by a Data Collector or Assessor

Total Appraised Parcel Value 231,900

Total Card Land Units 0.290 SF Parcel Total Land Area 0.2900

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cat	Description	Element	Cd	Description	Element	Cd
Style:	30	Camp					
Model:	01	Residential					
Grade:	03	Average					
Stories:	1	1 Story					
Occupancy:	1	Wood on Sheath					
Exterior Wall 1:	03	Wood on Sheath					
Exterior Wall 2:							
Roof Structure:	03	Gable/Hip					
Roof Cover:	03	Asph/F Gls/Cmp					
Interior Wall 1:	07	K Pine/A Wd					
Interior Wall 2:							
Interior Floor:	09	Pine/Soft Wood					
Interior Floor:							
Heat Fuel:	01	Coal or Wood					
Heat Type:	01	None					
AC Type:	01	None					
Total Bedrooms:	02	2 Bedrooms					
Total Bathrooms:	1						
Total Xtra Rooms:	0						
Total Rooms:	4						
Bath Style:	02	Average					
Kitchen Style:	01	Old Style					
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)							
Code	Description	L/B T Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade
HRT	HILARITH	B	1	2000.00	1990	70	0.00
							1,400
BUILDING SUB-AREA SUMMARY SECTION							
Code	Description	Living Area	Floor Area	Eiff Area	Unit Cost	Undeprec Value	
BAS	Floor Floor	768	768	768	83.73	64,304	
UBM	Basement, Unfinished	0	768	154	16.79	12,894	
WDK	Deck & Wood	0	144	14	8.14	1,172	
	Total Gross Liv / Lease Area	768	1,680	936		78,370	

Parcel Id	C	Owne	0.0
Adjust Type	B	S	
Condo Flr	Description	Factor%	
Condo Unit			
COST / MARKET VALUATION			
Building Value New			78,371
Year Built			1948
Effective Year Built			1995
Depreciation Code			G
Remodel Rating			25
Year Remodeled			5
Depreciation %			0
Functional Obsol			1
External Obsol			70
Trend Factor			54,900
Condition			
Condition %			
Percent Good			
RCNLD			
Dep % Ovr			
Misc Imp Ovr			
Misc Imp Ovr Comment			
Cost to Cure Ovr			
Cost to Cure Ovr Comment			



WDK 12 12 24 32



Town of New Durham
 4 Main Street- PO Box 207
 New Durham, NH 03855

APR 22 2024

buildinginspector@newdurhamnh.us - phone (603) 859-2091*6

CERTIFICATION OF ZONING COMPLIANCE

Applicant name: Eric & Amanda Rabbit Date: 4/22/24
 Street Address: 276 Kings Highway
 Town: New Durham NH 03855 State: NH Zip: 03855
 Email Address: Contact, SPM. ENTERPRISES@ Phone: 603-254-2200
Gmail.com
 Parcel location: _____
 Tax Map & Lot: 209 - 08 Zone: Residential

Description of intended use (attach additional information, drawings or plans, if helpful):

See Building Application

FOR OFFICE USE BELOW

Review of request:

Appeal of Administrative Decision

Application Denied

Variances Needed

Determination:

I/E

XIV C:2, C:7B, G:3A

[Signature]
 Building Inspector

4/18/24
 Date

This document may be appealed to a decision of the Building Inspector, the appeal commission. Please appeal with the Zoning Board of Adjustment. It is alleged that there was an error in an inspection, and a decision of determination made in violation of the enforcement of the zoning regulations. The applicant has provided a copy of the zoning board of adjustment. The zoning board of adjustment is the final authority on the zoning board of adjustment. The zoning board of adjustment is the final authority on the zoning board of adjustment.



Town of New Durham
 4 Main Street- PO Box 207
 New Durham, NH 03855
 buildinginspector@newdurhamnh.us - phone (603) 859-2091*6

APR 23 2024

CERTIFICATION OF ZONING COMPLIANCE

Applicant name: ERIC & AMANDA RABBITT Date: 4/22/24
 Street Address: 276 Kings Highway
 Town: New Durham NH 03855 State: NH Zip: 03855
 Email Address: Contact, SPM. ENTERPRISES @ Phone: 603-254-2200
Gmail.com
 Parcel location: _____
 Tax Map & Lot: 209 - 08 Zone: Residential

Description of intended use (attach additional information, drawings or plans, if helpful):

See Building Application

FOR OFFICE USE BELOW

Review of request:

Appeal of Administrative Decision

Application Denied

Variances Needed

Determination:

V(E)

XIV C:2, C:7B, G:3A

[Signature]
 Building Inspector

4/18/24
 Date

Should any party be aggrieved by a decision of the Building Inspector, the aggrieved party may file an appeal with the Zoning Board of Adjustment if it is alleged that there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of the zoning ordinance adopted pursuant to NH RSA 674:33 - Powers of Zoning Board of Adjustment and NH RSA 676:5 - Appeals to the Board of Adjustment. Please see the Zoning Board of Adjustment Rules of Procedure 4 - Application for Appeal. This appeal must be filed within 30 days of the date of decision that is complained of.

APR 23 2024



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Plans

- Architectural Layout – Overview
 - Basement Floor
 - Ground Floor
 - Loft Floor
 - Roof Frame
 - Front Elevation
 - Back Elevation
 - Left Elevation
 - Right Elevation
- Foundation
- Basement
- First Floor
- Loft



Town of New Durham

Building Inspector/Code Enforcement Officer/Health Officer

APR 23 2024

PO Box 207, 4 Main St, New Durham, NH 03855

Office 603-859-2091 Ext#110 Fax 603-859-6644

Web Site: www.newdurhamnh.us

E-mail: buildinginspector@newdurhamnh.us

(Permits can be scanned and emailed, please fill out all sections)

BUILDING PERMIT APPLICATION

***Map** 209 **Lot** 08

Physical Address 276 Kings Hwy New Durham

Owner Information:

Name Eric & Amanda Rabbitt

Address 276 Kings Hwy New Durham NH 03855

Phone # 502.416.6393

Email Address: aerabbitt@gmail.com

Building Lot Information

Base Zoning District:

Description of Proposed Construction:

Remove/Replace Structure

Permit # _____

Date _____

Contractor Information:

Name Common Cents Construction

Address 11 Avery Street Ashland NH 03217

Phone # 603.254.2200

Email Address: Contact.SPM.Enterprises

Overlay Zoning District:

Occupancy/Use Information:

- Residential
- Residential/Seasonal Only
- Accessory/Storage
- Commercial/Industrial
- Business
- Mixed Use
- Institutional/Assembly

New Building Plan Information:

Living Space 1872 Sq Ft
 Non-Living Space 936 Sq Ft
 Remodeling _____ Sq Ft
 Porches, Decks, Sheds 372 Sq Ft
 Number of Bedrooms 2 Baths 1.5
 Septic Permit # 176588

Other Permits Required:

- Planning Board Approval / Date _____
- Zoning Board Approval / Date _____
- Floodplain Permit
- Driveway on Town, State or Private Road Association
- Department of Environmental Services
- After-the-Fact

- Electrical
- Plumbing
- Mechanical as
- Sign
- Historic Commission
- Seasonal Conversion

***** **FOR OFFICE USE ONLY** *****

Building Inspector/Code Enforcement Officer

Date

APR 23 2024



Town of New Durham

Building Inspector/Code Enforcement Officer/Health Officer

PO Box 207, 4 Main St, New Durham, NH 03855

Office 603-859-2091 Ext#110 F a x 603-859-6644

Web Site: www.newdurhamnh.us

E-mail: buildinginspector@newdurhamnh.us

(Permits can be scanned and emailed)

BUILDING PERMIT SITE PLAN

For our mapping purposes a sketch of the site plan must be on this page and include the following:

1. Identify the dimension of the lot.
2. Proposed and existing structures on the property.
3. Location of the Driveway from Property Line to Center of Driveway.
4. All distances from: Property Lines, Edge of Right of Ways, Water Bodies and Wetlands.

MAP 209 **LOT** 08 **PROPERTY ADDRESS** 276 Kings Hwy New Durham

Estimated Cost of Construction: \$ 260,000

I hereby certify that all the information on this application is correct:

Signature of Applicant _____

***** **FOR OFFICE USE ONLY** *****

Granted Fee \$ _____

Denied Reason for Denial: _____

Building Inspector/Code Enforcement Officer

Date

Town of New Durham

Building Inspector/Code Enforcement Officer/Health Officer

PO Box 207, 4 Main St, New Durham, NH 03855

Office 603-859-2091 Ext#110 F a x 603-859-6644

Web Site: www.newdurhamnh.us

E-mail: buildinginspector@newdurhamnh.us

(Permits can be scanned and emailed)



BUILDING PERMIT ATTESTMENT FORM

Notice

1. Construction must start from issuance of Building Permit within six (6) months.
2. Building Permit must be displayed visibly on location.
3. When all rough carpentry (electrical and plumbing) is complete, call the building inspector's office for a rough-in inspection.
4. To obtain an Occupancy Certificate, contact the building inspector. All work must be completed.
5. If a return inspection trip is necessary for failing an inspection, an additional fee of \$25.00 will be charged.

Important Considerations

I Andrew St. Godard, Common Cents hereby attest that all of the information/measurements stated on the building permit application /site plan are accurate and in compliance with the Town of New Durham Zoning Ordinance.

Furthermore, I understand that any variance from these measurements that encroaches upon the minimum setbacks requirements as set forth in the New Durham Zoning Ordinance, will be corrected through the direction of the Town of New Durham Code Enforcement Officer. In addition, I also agree to pay, in full, all costs incurred by the Town of New Durham to bring into conformance any violation that this structure/use may create.

All permits are subject to appeal or revocation for 30 days after issuance. Commencement of work within the 30-day period shall be at the risk of the permit holder/property owner.

Owner Signature

Date

Andrew St. Godard 4/15/24

 Contractor Signature Date
POA Common Cents Const.

***** **FOR OFFICE USE ONLY** *****

Building Inspector/Code Enforcement Officer

Date



Town of New Durham

Building Inspector/Code Enforcement Officer/Health Officer

PO Box 207, 4 Main St, New Durham, NH 03855

Office 603-859-2091 Ext#110 F a x 603-859-6644

Web Site: www.newdurhamnh.us

E-mail: buildinginspector@newdurhamnh.us

BUILDING PERMIT INSTRUCTIONS

No Building Permit for any building or structure on any lot shall be issued except to the owner of record or his authorized agent. The proposed construction or alteration of a building or structure shall comply in all respects with the provisions of the Town of New Durham Zoning Ordinance, or with a decision rendered by the Zoning Board of Appeals or the Planning Board. Any application for such a permit shall be accompanied by some or all of the following required documents as required.

1. If other than property owner applying for permit, a letter of authorization.
2. 2 copies of plans (11"x17") drawn to scale to include elevations, showing cross sections of all parts of the structure including roof, walls and foundation. Must include spans and must be scalable.
3. A completed Building Permit Application, with a site plan showing required setbacks.
4. "Approval for Construction" by DES for a Waste Water Disposal System if applicable.
5. Mechanical, Plumbing, and Electrical Permits issued with Building Permit if applicable.
6. Driveway Permit Application if applicable.
7. DES/ Shoreline Impact Permit approval if applicable.

All new structures and driveways must be staked out in the location where they are to be constructed.

Inspections – 36 hour notice. Please call the building inspector at 859-2091 to schedule an inspection.

New Durham has Construction Job Site Policy.

1. Portable toilets, if there is no available on site facility available to workers.
2. Roll-off dumpster or container or remove demolition and scrap material from site daily.

All Permits are subject to appeal or revocation for 30 days after issuance. Commencement of work within the 30-day period shall be at the risk of the permit holder/property owner.

REQUIREMENTS

1. Map and Lot
2. Please make Inspection requests via email if possible

E-mail: buildinginspector@newdurhamnh.us

APR 23 2024

APR 23 2024

different
r system.

s a result
ow)



Construction

Making Sense Out Of Chaos
(603) 254-2200

Executive Summary

Common Cents Construction

11 Avery St. Ashland NH 03217
603.254.2200

Eric and Amanda Rabbitt

276 Kings Hwy New Durham, NH 03855
aerabbitt@gmail.com
502.416.6393

RE: 276 King Hwy New Durham, NH 03855 **Map# 209 lot 8**

Property Evaluation:

Upon a site visit conducted on March 14th, 2024 there are significant concerns that need to be addressed to prevent further deterioration of the property and/or resulting damage to the structure:

- Structural integrity of the retention walls
- Integrity of the foundation wall on the northeast side
- Concerns with the wooden frame structure of the first floor

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as





The above pictures show the deterioration and rot of the wooden timbers as well as the structural failures of the retention walls themselves.

Scope of Project:

Whereas all non-conforming properties can continue in their use pursuant to New Durham Town Ordinance (NDTO-XX:A) and that non-conforming

structures can be expanded upwards (NDTO-XIV:C;7(a)), and non-conforming structures can be demolished and rebuilt (NDTO-XIV:C;7(b)), We intend to demolish the structure and rebuild it.

Where all non-conforming structures within 75 ft of waterfront shall be moved as far back from the property as possible per pursuant to (NDTO-XIV:C;7(c)), as well as N.H. Rev. Stat. 483-B:11(I). We intend to bring the structure back from the water line an additional 5 ft as limited by the 10 ft setback of the septic tank and raise the foundation elevation by 4 ft to comply with the limitations of (NDTO-XI). We also intend to move the footprint away from the southwestern property line 2.5 ft to make a 15.5 ft setback where a 10 ft setback now exist in order to comply with NDTO-XX:G; appendix B where there is a 30 ft setback from abutters building is requested.

Whereas the existing structure is 26'x34' we intend to enlarge the footprint by 2' in the direction of the road as allowed by NDTO XX:C;1-4.

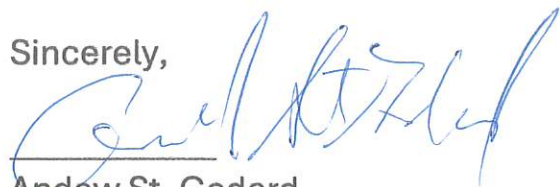
The deck facing the waterfront is 12' perpendicular to the building and span 15' of the 26' gable end, we intend to extend it the full 26' of the building pursuant to NDTO:C;7(d) & N.H Rev. Stat. 483-B:11(V).



The site will be upgraded to Allen block style retention walls with ge-structural fabric and 3 quarter inch stone backing to comply with NDTO XVI even though we are exempt from article 16 because we are repairing and replacing existing retention walls and disturbing less than 2,000 sq ft on a 10% slope further the retention walls aid in the compliance of N.H Rev. Stat. 483-B:11(II) “ Methods for achieving greater conformity include, without limitation, reducing the overall square footage of structural footprints, enhancing stormwater management, adding infiltration areas and landscaping.”

APR 23 2024

Sincerely,



Andrew St. Godard
Common Cents Construction

CC:

Eric and Amanda Rabbitt (property owner)
Rick Therrien (Town of New Durham building inspector-code enforcement officer)

Supplemental documents:

- Town of New Durham building permit application
- Site plan
- Architectural plans
- Window index
- Material index
- IRC-Code references
- Approved septic plans (as built)
- State certificate-septic approval for usage
- Ordinance references
- POA-Mr. & Mrs. Rabbitt
- Application Fee

APR 23 2024

APPROVAL FOR OPERATION

N.H. DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER SUPPLY & POLLUTION CONTROL DIVISION
P.O. BOX 95, 6 HAZEN DRIVE, CONCORD, NH 03301

THE INDIVIDUAL SEWAGE OR WASTE DISPOSAL SYSTEM CONSTRUCTED FOR:

OWNER:

APPROVAL NO.

100-401-1000-1000
100-401-1000-1000
100-401-1000-1000

COPT SENT TO:

Lot Numbers: 44
Subd. Appvl. No.:
Subd. Name:

Type of System:

Town/City Location:

Street Location:

Installer

Owner Installed For His Domicile

Was Inspected On (Date)

Before Covering And Is Hereby Approved For Use.

Date Approved:

By:

James V. Mc Givels
Authorized Agent Of N.H. Water Supply And
Pollution Control Division

Subsurface waste disposal systems must be operated and maintained in a manner so as to prevent nuisance or health hazard due to system failure. (RSA 149-E:3-b)

It is unlawful to discharge any hazardous chemicals or substances into subsurface waste disposal systems. Included are paints, thinners, gasoline and chlorinated hydrocarbon solvents such as TCE, sometimes used to clean failed septic systems and auto parts. (WS 410.05)

REVISED 2/87

NHDES, WSPCD FILE

(OVER)

APPROVAL FOR CONSTRUCTION

N.H. DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER SUPPLY & POLLUTION CONTROL DIVISION
P.O. BOX 95, 6 HAZEN DRIVE, CONCORD, NH 03301

THE PLANS AND SPECIFICATIONS FOR SEWAGE OR WASTE DISPOSAL SYSTEM SUBMITTED FOR:

OWNER:

214 MAIN STREET
DUNSTON
DUNSTON NH 03825

APPROVAL NO.

176502

Lot Numbers:
Subd. Appl. No.:
Subd. Name:

Type of System:

Town/City Location:

Street Location:

COPY OF PLAN & APPROVAL SENT TO:

400 W. JEFFERSON
DUNSTON NH 03825

BY APPLICANT: PERMIT NO.

038000 4

400 W. JEFFERSON
DUNSTON NH 03825

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ADVISE YOUR CONTRACTOR OF REQUIRED CHANGES IN PLANS AS INDICATED BELOW CONDITIONS

Approved this date:

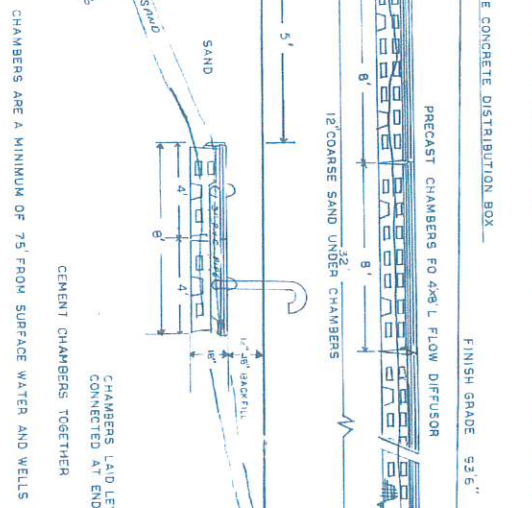
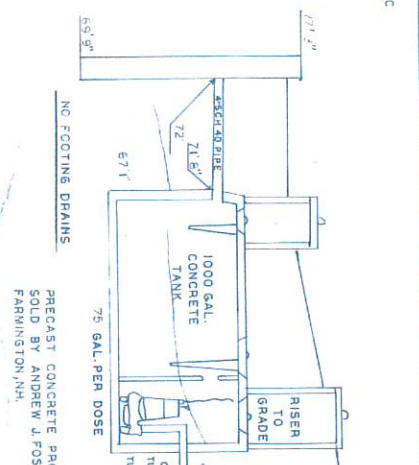
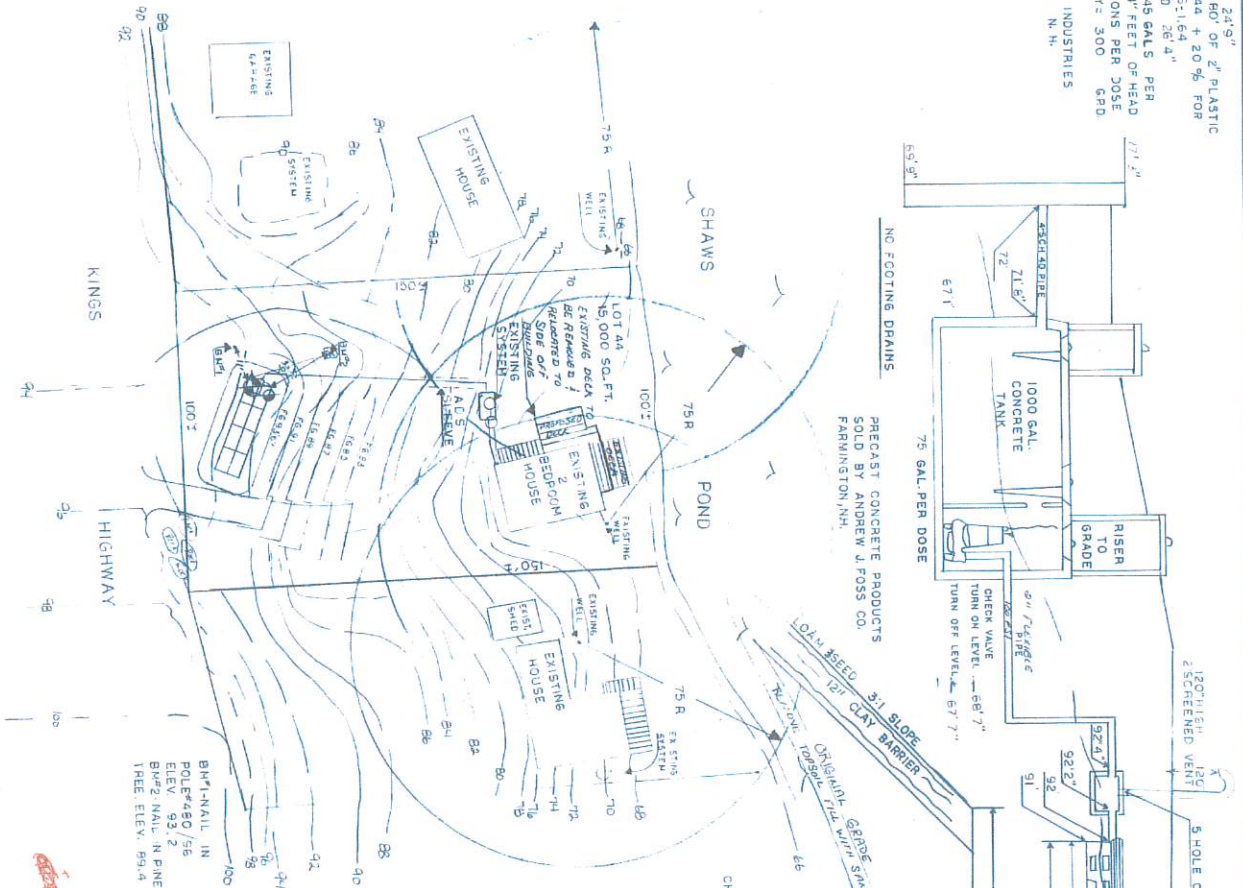
04/23/24

By:

BRENDA COFFEY

N.H. Water Supply & Pollution Control
Division Staff

VERTICAL HEIGHT 24'9"
 FRICTION LOSS IN 80' OF 2" PLASTIC PIPE .80 X 1.6 F144 + 20% FOR FITTING & VALUES: 1.64
 TOTAL PUMP HEAD 26.4"
 HEADERS WITH 5 PUMPS 45 GALS. PER MINUTE WITH 25' FEET OF HEAD DOING 75 GALLONS PER DOSE 4 TIMES A DAY = 300
 SOLD BY: WATER INDUSTRIES ALTON, N. H.



TEST PIT AUG 10, 1989
 BROWN FINE SANDY LOAM - 3"
 YELLOW BROWN LOAMY SAND 12"
 YELLOW SAND - 60"
 FIRM GRAY LOAMY SAND - 108"
 NO WATER
 NO LOGGE
 SEASONAL HIGH WATER TABLE - 60"

PERCOLATION TEST DATE 5-10-89
 RESULTS: 1.7 MIN AT 36 DEEP 1 SOIL TYPE: GYD SLOUGHIER SCSS 1
 2. BEDROOM AREA REQUIRED: 400 SQ. FT. - 40% 240 SQ. FT. 6' X 32' = 256 SQ. FT. PROVIDED
 CHAMBER BOTTOM TO BE NO LESS THAN 12" BELOW ORIGINAL GRADE ON THE HIGH CONTOUR.

NOTES:
 ALL TREES, BUSHES, BOLLERS AND DEBRIS MUST BE REMOVED PRIOR TO PLACING ACCEPTABLE FILL THROUGHOUT THE CHAMBER AREA INCLUDING THE AREA BELOW THE CHAMBER. THE 5' EXTENSION AND THE 3:1 SLOPE SAND FILL MUST BE A MEDIUM TO COARSE SAND 0.5 TO 1.0 MM.
 THE CLAY BARRIER MAY BE A 1/2" BLANKET OF IMPERVIOUS SOIL UPON SLOPED EMBANKMENTS THE SYSTEM MUST BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. FAILURE OCCURS.
 APPLICANT DOES NOT GUARANTEE ACCURACY ON LOT LINES
 APPLICANT CAN NOT BE HELD ACCOUNTABLE FOR SYSTEM FAILURE AS LONG AS CONSTRUCTION IS NOT UNDER OUR DIRECT SUPERVISION
 THE INSTALLER MUST NOTIFY THE APPLICANT DESIGNER OF ANY CONDITIONS CONTRARY TO THE INFORMATION SHOWN ON THIS PLAN.

CROSS SECTION
 NO SCALE

SCALE: 1"=20'

SEWAGE DISPOSAL SYSTEM PLAN

OWNER
 THOMAS ANDREASEY / C/O
 W.E. BROWN & SONS
 3400 W. 100th ST.
 SARDONVILLE, NH 03872
 LOCATION
 NEW DURHAM

FOR
 LOT 44
 KINGS HIGHWAY
 NEW DURHAM, NH

APPLICANT
 PAUL R. GELINAS JR.
 100 DURIHAM, NH 03855
 DESIGNER # 74

Aug. 11, 1989

Windows

QTY (10)	Single DH (egress window)	Aprox---	40"W X 70" H
QTY (4)	Double DH (egress window)	Aprox---	40"W X 70"H (80" W X 70" H)
QTY (8)	Single DH	Aprox.	42"W X 36" H
QTY (2)	Double DH	Aprox	(2)36" W X 70"H (72"W X 70"H)

Ext. Doors

QTY (2)	Full glass French Door	6'0" X 6'8" LH
QTY (2)	Full glass French Door	6'0" X 6'8" RH
QTY (1)	Full Glass Door	3'0" X 6'8" RH

Int. Doors

QTY (1)	Ladder Missionary Pannel	3'0" X 6'8" LH
QTY (1)	Ladder Missionary Pannel	3'0" X 6'8" RH
QTY (2)	Ladder Missionary Pannel	2'8" X 6'8" LH
QTY (2)	Ladder Missionary Pannel	2'8" X 6'8" RH
QTY (1)	Ladder Missionary Pannel	2'6" X 6'8" LH
QTY (1)	Ladder Missionary Pannel	2'0" X 6'8" RH

APR 23 2024



Quotation

Quote No **474969**
 Quote Date **04/09/2024**
 Expiration Date 04/16/2024
 Customer 07196
 Contact Name
 Contact Number
 Job MISCELLANEOUS PURCHASES
 Contract - No Contract -
 Your Ref MON CENTS CONSTRUCTION
 Delivery P 04/09/24
 Taken By 248
 Sales Rep DANIEL YEATON

BELLETETES - PEMBROKE
 129 Sheep Davis Road Pembroke, NH 03275
 Phone: 603-224-7483

Invoice Address

Delivery Address
 DAN YEATON COD ACCOUNT
 COMMON CENTS CONSTRUCTION



Page 1 of 1

Special Instructions			Notes			
Line	Product Code	Description	Qty/Footage	Price	UOM	Total
1	zz_SO-LUMBER_1476 8	14" AJS25 X 26' 28/26' PCS - 22' CLEAR SPAN	728 EA	4.69	EA	3,414.32
2	RIM1412	14" X 12' OSB RIM-BOARD	11 EA	57.48	EA	632.28

Prices in this estimate are valid for 10 DAYS only from the quote date! There's NO implied or expressed warranty on the material / spec needed to comply with project requirements. There is NO guarantee of any kind as to the accuracy of the type estimate. Buyer assumes responsibility for their needs. Pricing is based on complete purchase of the estimate. Any change or reduction in the value of this estimate will require a review and repricing based on the new value. Sales Tax will be added to any DELIVERY made into a state requiring collection.

Total Amount	\$4,046.60
Sales Tax	\$0.00
Quotation Total	\$4,046.60

Buyer _____ Date _____

Subject to our terms and conditions of sale. Further copies available on request.

Pg 16

APR 23 2024



Single 14" AJS® 25

PASSED

J01 (Joist)

BC CALC® Member Report

Dry | 2 spans | No cant. | 16" OCS | Repetitive | Glued & nailed

April 9, 2024 19:59:03

Build 16959

Job name:

File name:

Address:

Description:

City, State, Zip:

Specifier:

Customer:

Designer: Tim Patterson

Code reports:

ESR-1144

Company: A&B Barns



Reaction Summary (Down / Uplift) (lbs)

Bearing	Live	Dead	Snow	Wind	Roof Live
B1, 3-1/2"	492 / 1	184 / 0			
B2, 3-1/2"	1366 / 0	512 / 0			
B3, 3-1/2"	110 / 581	0 / 177			

Load Summary

Tag	Description	Load Type	Ref.	Start	End	Loc.	Live	Dead	Snow	Wind	Roof Live	OCS
1	Standard Load	Unf. Area (lb/ft²)	L	00-00-00	26-00-00	Top	40	15				16"

Controls Summary

Value	% Allowable	Duration	Case	Location
Pos. Moment	2968 ft-lbs	35.4%	100%	2 09-03-04
Neg. Moment	-3026 ft-lbs	36.1%	100%	1 22-00-00
End Reaction	677 lbs	54.1%	100%	2 00-00-00
Int. Reaction	1878 lbs	67.8%	100%	1 22-00-00
End Shear	763 lbs	42.6%	100%	2 25-08-08
Cont. Shear	930 lbs	52.0%	100%	1 22-01-12
Total Load Deflection	L/908 (0.288")	26.4%	n/a	2 10-02-01
Live Load Deflection	L/1248 (0.209")	38.5%	n/a	5 10-02-01
Total Neg. Defl.	L/999 (-0.005")	n/a	n/a	2 23-07-00
Max Defl.	0.288"	28.8%	n/a	2 10-02-01
Span / Depth	18.7			

Bearing Supports

Dim. (LxW)	Value	% Allow Support	% Allow Member	Material
B1 Wall/Plate 3-1/2" x 3-1/2"	677 lbs	n/a	54.1%	Unspecified
B2 Wall/Plate 3-1/2" x 3-1/2"	1878 lbs	n/a	67.8%	Unspecified
B3 Wall/Plate 3-1/2" x 3-1/2"	0 lbs	n/a	n/a	Unspecified
B3 Uplift	757 lbs			

BC FloorValue® Summary

BC FloorValue®: Subfloor: 3/4" OSB, Glue + Nail
 Minimum Enhanced Premium Subfloor Rating: Premium
 Controlling Location: 09-09-01

Cautions

Uplift of -757 lbs found at bearing B3.

N.H. Rev. Stat. § 483-B:11

[Download](#)
[PDF](#)

Current through Chapter 5 of the 2024 Legislative Session

Section 483-B:11 - Nonconforming Structures**I.** Except as otherwise prohibited by law or applicable municipal ordinance, nonconforming structures located within the protected shoreland may be repaired, replaced in kind, reconstructed in place, altered, or expanded. Repair, replacement-in kind, or reconstruction in place may alter or remodel the interior design or existing foundation of the nonconforming structure, but shall result in no expansion or relocation of the existing footprint within the waterfront buffer. However, alteration or expansion of a nonconforming structure may expand the existing footprint within the waterfront buffer, provided the structure is not extended closer to the reference line and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property. This provision shall not allow for the enclosure, or conversion to living space, of any deck or open porch located between the primary structure and the reference line and within the waterfront buffer.**II.** For the purposes of this section, a proposal that is "more nearly conforming" means alteration of the location or size of the existing footprints, or redevelopment of the existing conditions of the property, such that the structures or the property are brought into greater conformity with the design standards of this chapter. Methods for achieving greater conformity include, without limitation, reducing the overall square footage of structural footprints, enhancing stormwater management, adding infiltration areas and landscaping, upgrading wastewater treatment, improving traffic management, or other enhancements that improve wildlife habitat or resource protection.**III.** An expansion that increases the sewerage load to an onsite septic system, or changes or expands the use of a septic system, shall require a subsurface approval issued by the department.**IV.** Under paragraph I, and except as otherwise prohibited by law or applicable municipal ordinance, primary nonconforming structures may be entirely demolished and reconstructed, with continued encroachment into the waterfront buffer, provided the replacement structure is located farther back from the reference line than the preexisting nonconforming structure.**V.** Notwithstanding paragraphs I and IV, between the primary building line and the reference line, no alteration shall extend the structure closer to the public water, except that a deck or open porch extending a maximum of 12 feet towards the reference line may be added to nonconforming structures erected prior to July 1, 1994.

RSA 483-B:11