

RECEIVED  
MAR 23 2022

ZONING BOARD of ADJUSTMENT APPLICATION

BY: .....

Mail To: BOARD OF ADJUSTMENT  
TOWN OF GILMANTON  
PO BOX 550  
GILMANTON, NH, 03237

Do not write in this space.

Case# 2022-12  
Date Filed 3/23/22  
Amount Paid \$141. check #1269  
Map/Lot 419-29

- Check One:
- APPLICATION FOR APPEAL FROM ADMINISTRATIVE DECISION
  - APPLICATION FOR A VARIANCE
  - APPLICATION FOR A SPECIAL EXCEPTION

This application must be completed accurately and in its entirety in order for it to be processed.  
**PLEASE PRINT**

NAME OF APPLICANT Loon Lake Beach Cooperation (LLBC): Agent: Don Harris, VP

PHONE # 908-391-9280 EMAIL DonHarrisCE@gmail.com

MAILING ADDRESS PO Box 457, Gilmanton, NH 03237

PROPERTY OWNER Same

(If same as above, write same)

PHONE # \_\_\_\_\_ EMAIL \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

PROPERTY ADDRESS and/or LOCATION of property: Include directions to assist Board members in locating your property, Vacant property MUST be identified with stakes and ribbon at the site.

14 Kitchen Lane, Gilmanton, NH 03237 (Rt 107 @ Gardner Cove Rd)

HAS A PREVIOUS ZBA APPLICATION/APPEAL been made with respect to this property? No Yes

IF YES, list date(s), type of request(s), and decision(s): from RSA 36:26 which is now repealed. Variance was granted in 1983

**NOTE:**

1. A site plan drawn to scale, must be submitted with this application giving the length of frontage, dimensions of the lot, dimensions and location of all buildings (existing and proposed), rights of way, any wetlands and streams, and setback distances to all boundaries. Failure to provide this information may delay your hearing or the Board's decision on your hearing, together with a check for \$85.00 with the addition of \$7.00 per abutter listed (including applicant and owner). The application fee is non-refundable and payable to the Town of Gilmanton.
2. Legal names and mailing addresses of owners of properties abutting this property, as listed in the Town's assessing records, must be supplied with this application,

**ABUTTER'S LIST :**

(or attached abutter's list from online tax mapping: [www.axisgis.com](http://www.axisgis.com) \GilmantonNH)

Map/Lot	Abutting Property Owner	Mailing Address
	<del>See Attached</del>	
419/93000	Gardner Cove Cons.	Po Box 331 Gilmanton
419/90000	King ETAL, Cindy L	27 Gardner Cove Gilmanton
419/91000	Gardner Cove Corp	Po Box 331 Gilmanton
419/94000 & 419/92000	Larose, Michael	38 So main St Laconia

**FILL OUT SECTION 1, 2 or 3 AS APPLICABLE**

PLEASE ADD ADDITIONAL PAGES AS REQUIRED

**SECTION 1. APPEAL FROM AN ADMINISTRATIVE DECISION**

Relating to the interpretation and enforcement of the provisions of the Zoning Ordinance:

Decision of the enforcement officer to be reviewed: \_\_\_\_\_

The undersigned alleges that an error has been made in the decision, determination, or requirement,

by: \_\_\_\_\_ on: \_\_\_\_\_  
(title) (date)

to: \_\_\_\_\_  
(person requesting permit)

in relation to Article \_\_\_\_\_ Section \_\_\_\_\_, of the Gilmanton Zoning Ordinance and hereby appeals said decision for the following reasons (use additional sheets if necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SECTION 2. APPLICATION FOR VARIANCE**

As provided in Article IX, Section C of the Gilmanton Zoning Ordinance, a variance is required from Article IV \_\_\_\_\_, Section/Table 2 \_\_\_\_\_ of the Zoning Ordinance to permit:

**To build a shade structure 50' from the high water mark.**

1. Granting the variance would not be contrary to the public interest because:  
There is no threat to public health, safety or welfare in the building of this shade structure.

2. Describe how the spirit of the Ordinance would be observed by the granting of this variance:  
Building this shade structure within 50' of the high water mark would still be within state guidance.  
In building this in this area we would not have to disturb the ground and proper silt fencing would be installed prior.

3. Describe how substantial justice would be done by granting of this variance:  
Building this would allow the property owner and members to better utilize this area.  
It would not cause any detriment to surrounding properties.

4. The values of surrounding properties would not be diminished because:  
The construction of this shade structure would enhance the property.  
This shade structure will not obstruct any views from any abutters.

5. 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\* as:

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 because:

The proposed structure site was chosen specifically because it requires no alteration to the

natural woodland buffer. Any other site would have required either

regrading of the surface or tree/shrub removal. Proper silt fencing would be installed prior.

b. AND the proposed use is a reasonable one because:

this shade structure does not abstract any views from the public or abutters.

This would be a great area for the club owners and members to enjoy this property.

This is also a flat area where we would not have to alter the terrain by putting it in this location.

\* The definition of "unnecessary hardship" as set forth in #5 above 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. [See RSA 674:33,1(b)]

As Amended 01/01/2010

**SECTION 3. APPLICATION FOR A SPECIAL EXCEPTION**

The undersigned hereby requests a Special Exception from Article IV, Table 1, as provided in Article IX, Section B, of the Zoning Ordinance:

Proposed Use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The applicant alleges that the following circumstances exist which legally justifies the Special Exception:

1. The site is an appropriate location for such a use because: \_\_\_\_\_

\_\_\_\_\_

2. The use as developed will not adversely affect the neighborhood because: \_\_\_\_\_

\_\_\_\_\_

3. The following adequate & appropriate facilities will be provided for the proper operation of the proposed use: \_\_\_\_\_

\_\_\_\_\_

**SECTION 4: IF YOU HAVE APPLIED FOR A VARIANCE OR SPECIAL EXCEPTION THE FOLLOWING QUESTIONS NEED BE ANSWERED**

1. Is the land, building or structure in question located on a class v road? Access via Private Rd but
2. What is the frontage of the lot? 1750' Province Rd has road frontage Rte 107
3. What is the height of the structure? \_\_\_\_\_
4. Does the proposed construction involve the addition of any bedrooms to an existing home? No
5. Is a septic system design approval from the NH Department of Environmental services necessary for the proposed construction? No  
If so, what is the State approval number? \_\_\_\_\_

As Amended 07/21/05

**If the previous questions are not answered completely, the applicant may be notified that this appeal could be rejected for lack of information.**

I understand that I must appear in person or be represented by my agent at the public hearing. The agent who represents me at this hearing must be familiar with the case and I agree to be bound by his or her testimony.

By signing this application, you as owner or applicant representing the owner, hereby gives permission for any member of the Zoning Board of Adjustment or Conservation Commission, to enter onto the property in order to make a decision based on attributes of the property.

Date: 20th-Mar-2022

Signed: David H. [Signature], VP Lion Lake  
(Applicant) Beach Corp

\*\*\*\*\*

**If your variance or special exception is granted, the building permit will be issued no sooner than 30 days following the decision in order for the appeal process to expire.**

Loon Lake Beach Corp  
14 Kitchen Lane  
Gilmanton  
Map/Lot: 000419/089000  
908-391-9280  
DonHarrisCE@gmail.com  
Title-1: Photo of proposed shade structure site  
Date: 12/17/2021  
Scale: \_\_\_\_\_

Photos of proposed shade structure site, taken 12/17/2021:



Stakes (with pink flags) marking the 4 corners of proposed extension:

North corner:

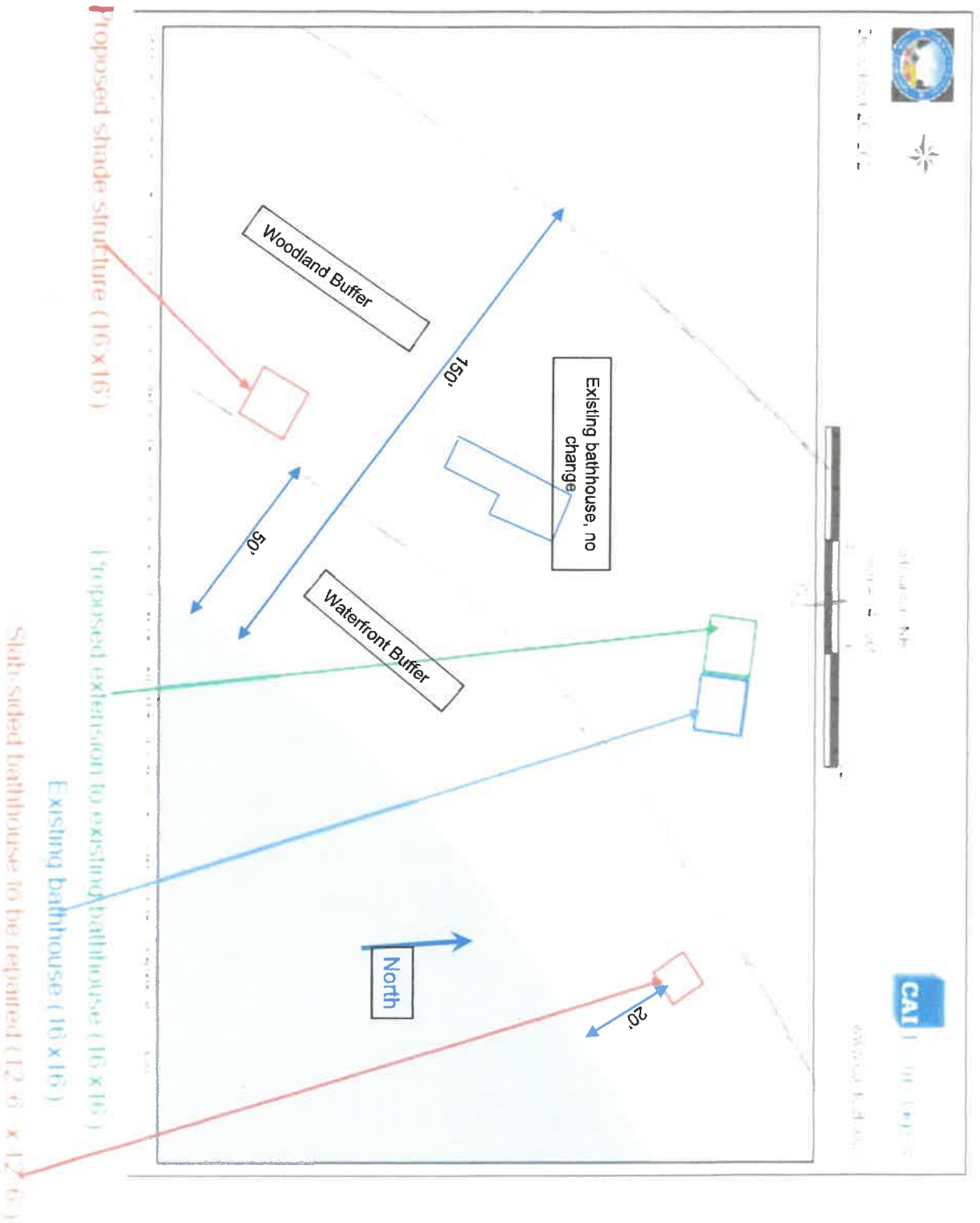
East corner:

West corner:

South corner:

Exposed stumps to be ground to grade level.

Detail of construction area:



Shade Structure  
Loop Lake Beach 2nd

2

89

39 Acc

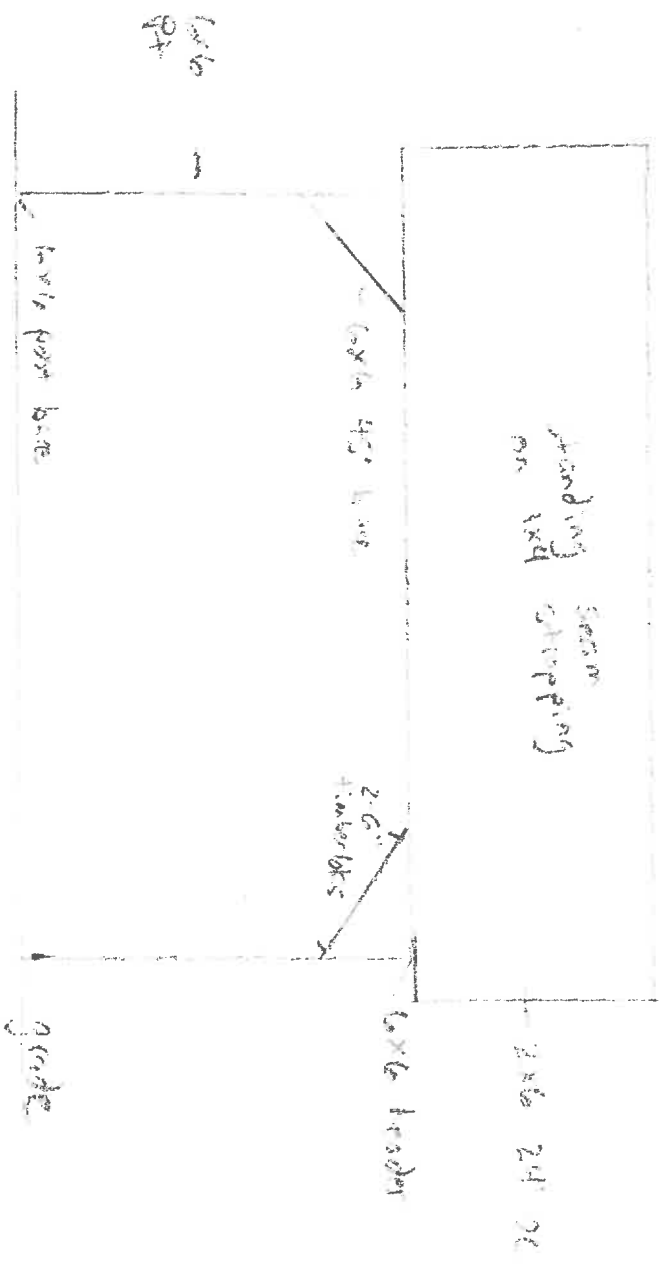
KITCHEN  
LANE R/W



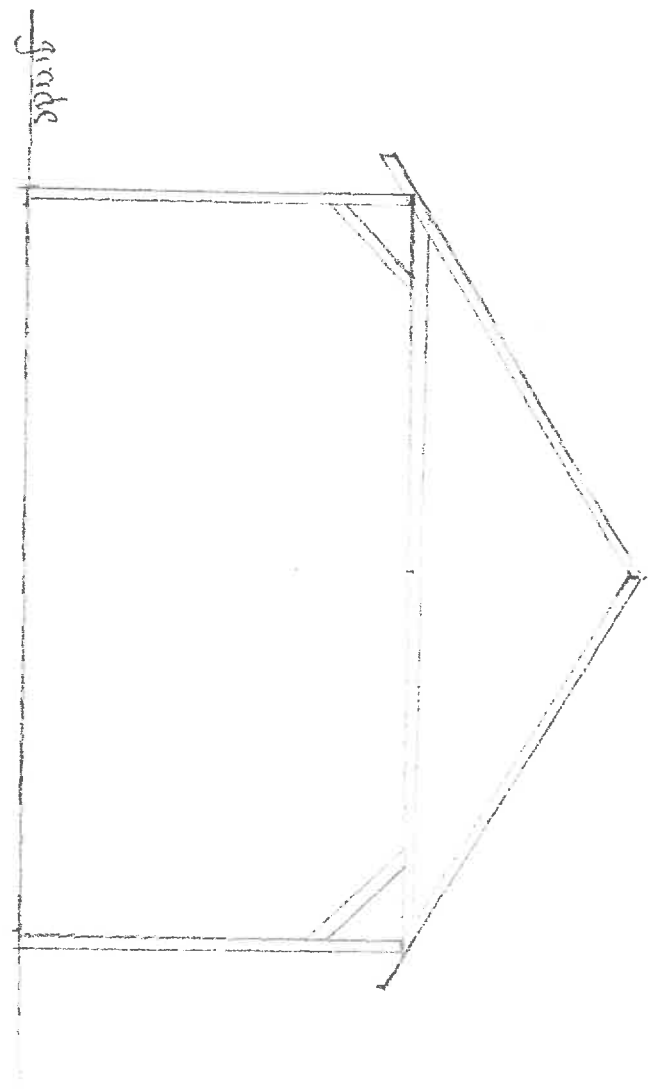


used shade structure long line construction  
1/2021 1/4" scale East View

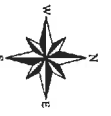
N →



0520 SHOCK STRUCTURE LONG LOWE HOUSE PROJECT  
1/2021 1/4" SCALE SOUTH VIEW



1/20

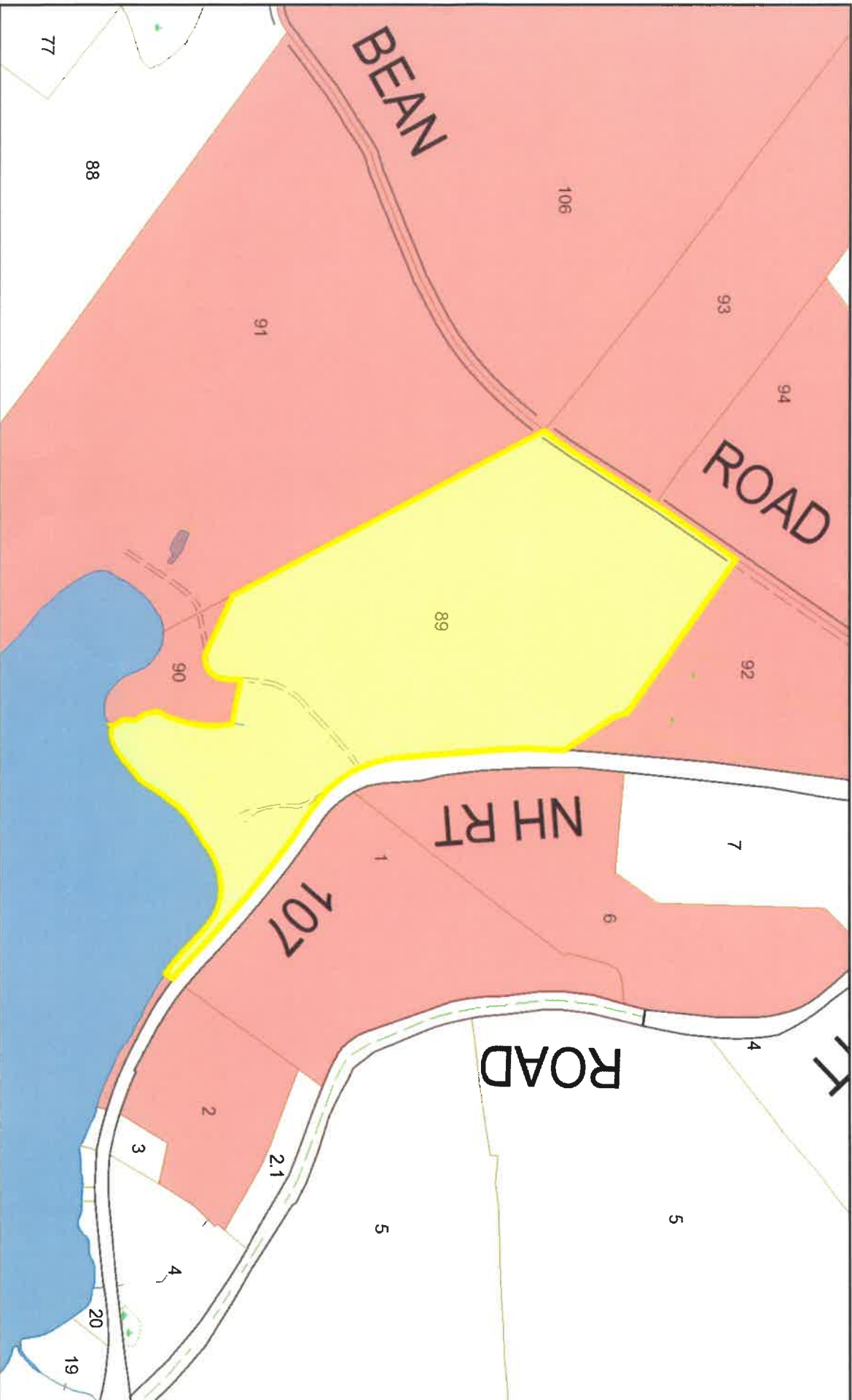


March 23, 2022

Gilmanton, NH



[www.cai-tech.com](http://www.cai-tech.com)



Data shown on this map 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 map.



# Abutters List Report

Gilmanton, NH  
March 23, 2022

## Subject Property:

Parcel Number: 419-089-000  
CAMA Number: 419-089-000-000-000  
Property Address: 14 KITCHEN LN

Mailing Address: LOON LAKE BEACH CLUB  
PO BOX 457  
GILMANTON, NH 03237

## Abutters:

Parcel Number: 135-001-000  
CAMA Number: 135-001-000-000-000  
Property Address: PROVINCE RD

Mailing Address: LOON LAKE BEACH CLUB  
PO BOX 457  
GILMANTON, NH 03237

1

Parcel Number: 135-002-000  
CAMA Number: 135-002-000-000-000  
Property Address: 1035 & 1037 PROVINCE RD

Mailing Address: HOWLAND TR, BARRY G B HOWLAND  
FAMILY TR 10/23/95  
1035 PROVINCE RD  
GILMANTON, NH 03237

2

Parcel Number: 135-025-000  
CAMA Number: 135-025-000-000-000  
Property Address: PROVINCE RD

Mailing Address: HOWLAND TR, BARRY G B HOWLAND  
FAMILY TR 10/23/95  
1035 PROVINCE RD  
GILMANTON, NH 03237

Parcel Number: 414-106-000  
CAMA Number: 414-106-000-000-000  
Property Address: PROVINCE RD

Mailing Address: TELOIAN, PETER J TRUSTEE TELOIAN  
PROPERTY MANAGEMENT TR  
21 TOM BERRY RD  
BARNSTEAD, NH 03225

3

Parcel Number: 419-006-000  
CAMA Number: 419-006-000-000-000  
Property Address: 44 PRESCOTT RD

Mailing Address: WILLIS LIFE ESTATE, DAVID T & WILLIS  
TST, TYLER D  
WILLIS FAMILY IRREVOCABLE TRUS 44  
PRESCOTT RD  
GILMANTON, NH 03237

4

Parcel Number: 419-090-000  
CAMA Number: 419-090-000-000-000  
Property Address: 27 GARDNER COVE RD

Mailing Address: KING ET AL, CINDY L & KENNETH W  
27 GARDNER COVE RD  
GILMANTON, NH 03237

5

Parcel Number: 419-091-000  
CAMA Number: 419-091-000-000-000  
Property Address: 34 & 40 GARDNER COVE RD

Mailing Address: GARDNER COVE CORP  
PO BOX 331  
GILMANTON, NH 03237

6

Parcel Number: 419-092-000  
CAMA Number: 419-092-000-000-000  
Property Address: 896 PROVINCE RD

Mailing Address: LAROSE, MICHAEL  
38 SO MAIN ST  
LACONIA, NH 03246

7

Parcel Number: 419-093-000  
CAMA Number: 419-093-000-000-000  
Property Address: BEAN RD

Mailing Address: GARDNER COVE CONSERVATION ASSO  
PO BOX 331  
GILMANTON, NH 03237

8

Parcel Number: 419-094-000  
CAMA Number: 419-094-000-000-000  
Property Address: 892 PROVINCE RD

Mailing Address: LAROSE, MICHAEL  
38 SO MAIN ST  
LACONIA, NH 03246



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.

3/23/2022

Page 1 of 1