

APPLICATION FOR A VARIANCE

Do not write in this space.

Case No. 2023-14

Date Filed RECEIVED

AUG 21 2023
(signed - ZBA)

BY:

To: Zoning Board of Adjustment,

Town of Gilmanton

Name of Applicant Justin Chojnacki

Address 31 Fletcher St Ayer, MA, 01432

Owner Same

(if same as applicant, write "same")

Location of Property Map 119 Lot 46-47 53
(property address) (map & lot number)

NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

Application for a Variance

A variance is requested from article ~~IV~~ VII section ~~two~~ C:1-a of the zoning ordinance to permit Building on a developable lot on a class B Road.

Facts in support of granting the variance:

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

It does not or would not impact the character of the neighborhood.

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

All criteria of the ordinance would not be negatively impacted

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

It would allow me to realize the potential value of the lot that I own.

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

My plan for a single family building would not negatively effect surrounding properties.

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:

of the unique physical characteristics of the lot

- and -

ii. The proposed use is a reasonable one because:

the surrounding properties are residential and fit my proposed use

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.

Surrounding properties and lots have similar challenges for development

Please provide the following information regarding the subject property:

- 1. Is the land, building or structure in question located on a Class V road? NO
- 2. What is the frontage of the lot? 60 ft
- 3. What is the height of the structure? TBD
- 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? yes
If so, what is the State approval number? not yet applied

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 give 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.

Applicant Le Chap Date Aug 21, 2023
(Signature)

Applicant _____ Date _____
(Signature)

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



100 feet Abutters List Report

Gilmanville, NH
August 23, 2023

Subject Property:

Parcel Number: 119-053-000
CAMA Number: 119-053-000-000-000
Property Address: LOCUST AVE

Mailing Address: CHOJNACKI, JUSTIN ALEXANDER
31 FLETCHER ST
AYER, MA 01432

Abutters:

Parcel Number: 119-043-000
CAMA Number: 119-043-000-000-000
Property Address: SAWYER LAKE RD

Mailing Address: SAWYER LAKE VILLAGE DIST
104 SAWYER LAKE RD
GILMANTON, NH 03237

Parcel Number: 119-045-000
CAMA Number: 119-045-000-000-000
Property Address: IRIS AVE

Mailing Address: CHOJNACKI, JUSTIN ALEXANDER
31 FLETCHER ST
AYER, MA 01432

Parcel Number: 119-046-000
CAMA Number: 119-046-000-000-000
Property Address: 20 IRIS AVE

Mailing Address: FORSTER, STEPHEN J & STACEY L
20 IRIS AVE
GILMANTON, NH 03237

Parcel Number: 119-047-000
CAMA Number: 119-047-000-000-000
Property Address: 16 IRIS AVE

Mailing Address: D'AGOSTINO TST, JAMES A
D'AGOSTINO 2014 TRUST, JAMES A
11 SOUTHER RD
DORCHESTER, MA 02122

Parcel Number: 119-052-000
CAMA Number: 119-052-000-000-000
Property Address: LOCUST AVE

Mailing Address: D'AGOSTINO TST, JAMES A
D'AGOSTINO 2014 TRUST, JAMES A
11 SOUTHER RD
DORCHESTER, MA 02122

Parcel Number: 119-055-000
CAMA Number: 119-055-000-000-000
Property Address: LOCUST AVE

Mailing Address: GRIFFIN, MICHAEL F
158 HEMLOCK DR
GILMANTON, NH 03237

Parcel Number: 119-056-000
CAMA Number: 119-056-000-000-000
Property Address: 1 APPLEWOOD AVE

Mailing Address: THOMPSON, ALISON & BRETT
1 APPLEWOOD AVE
GILMANTON, NH 03237



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OWNER INFORMATION

SALES HISTORY

Date	Book	Page	Type	Price Grantor
11/10/2022	3541	227	U V 50	5,000 GILMANTON, TOWN OF
08/11/2021	3439	289	U V 50	324 JUST ANOTHER LLC

LISTING HISTORY

NOTES

03/30/23	BD	EX-M TO IF RES WA	2018 SEPARATE LOT OF RECORD PER LOT RESTORATION APPROVED BY BOS ON 5/17/17, WOODED, GULLY-LIKE; 2022 TAX SALE; 2023 REMOVED
09/13/21	GWH	IF RES WA TO EX-M	
12/20/18	GWH	CORRECTED ZONE	EXEMPT STATUS; S#4290 (11/2/52)
01/09/18	GWH	LOT RESTORATION	

EXTRA FEATURES VALUATION

MUNICIPAL SOFTWARE BY AVITAR

GILMANTON ASSESSING OFFICE

PARCEL TOTAL TAXABLE VALUE			
Year	Building	Features	Land
2022	\$ 0	\$ 0	\$ 4,700
		Parcel Total:	\$ 4,700
2023	\$ 0	\$ 0	\$ 4,700
		Parcel Total:	\$ 4,700

LAND VALUATION

LAST REVALUATION: 2019

Zone: RES L RES LAKE DIST		Minimum Acreage: 1.00		Minimum Frontage: 125		Site:		Driveway:		Road: GRAVEL/DIRT		
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI R	Tax Value Notes
IF RES WTR ACS	0.480 ac	55,636	E	100	100	100	100	85 -- SEVERE	10	4,700	0 N	4,700 GULLY/LW/WET
	0.480 ac									4,700		4,700

PICTURE		OWNER		TAXABLE DISTRICTS		BUILDING DETAILS	
		CHOJNACKI, JUSTIN ALEXANDER 31 FLETCHER ST AYER, MA 01432		District Percentage		Model: Roof: Ext: Int: Floor: Heat: Bedrooms: Baths: Extra Kitchens: A/C: Quality: Com. Wall: Stories: Fixtures: Fireplaces: Generators: Base Type:	
		PERMITS					
		Date Project Type Notes					

BUILDING SUB AREA DETAILS	
(This area contains a grid of small dots, likely representing a detailed floor plan or site layout.)	

2019 BASE YEAR BUILDING VALUATION	
Year Built: Condition For Age: Physical: Functional: Economic: Temporary:	% % % % %

OWNER INFORMATION

SALES HISTORY

Date	Book	Page	Type	Price Grantor
06/29/2023	3574	414	U V 38	1 VOLUNTARY LOT MERGER
11/10/2022	3541	223	U V 50	6,500 GILMANTON, TOWN OF
05/07/2019	3235	570	U V 50	90 FERGUSON, FRANCIS O

LISTING HISTORY

NOTES

03/30/23	BD	EX-M TO IF RES WA	STEEP, WOODED TOPO, ROAD NOT IN, 08 ADJUSTED NEIGHBORHOOD
05/07/19	GWH	CHANGED TO EX-M	CODE DUE TO LACK OF ROAD; 2022 TAX SALE; 2023 REMOVED EXEMPT
06/05/08	GWH		STATUS; S#891 (10/3/2200)
09/11/03	SMRL		
04/18/90	JM		

EXTRA FEATURES VALUATION

MUNICIPAL SOFTWARE BY AVITAR

GILMANTON ASSESSING OFFICE

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		Parcel Total: \$ 2,500
2023	\$ 0	\$ 2,500
		Parcel Total: \$ 2,500

LAND VALUATION

LAST REVALUATION: 2019

Zone: RES L RES LAKE DIST	Minimum Acreage: 1.00	Minimum Frontage: 125	Site:	Driveway: N/A	Road: N/A
Land Type	Units	Base Rate	NC	Adj	Site
IF RES WTR ACS	0.140 ac	46,330	A	60	100
					100
					90
					STEEP
					10
					2,500
					0
					N
					2,500
					SIZE/ACC
					2,500

