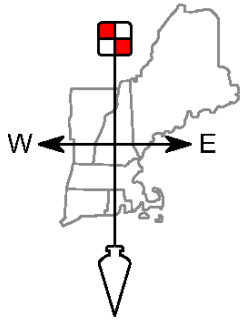


LETTER OF TRANSMITTAL



FIELDSTONE

Surveying ♦ Engineering
 Land Planning ♦ Septic Designs

LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
 www.FieldstoneLandConsultants.com

To: Chesterfield Zoning Board of Adjustment
 490 Route 63
 P.O. Box 175
 Chesterfield, NH 03443

Date: January 3, 2024

Re: Variance Application for Map 5B, Lot A13; Hutchins Stone

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
8	1/3/24		Town of Chesterfield ZBA Completed Application and Packet & Fee
1	1/3/24		Property Tax Card
1	1/3/24		Copy of deed
1	1/3/24		Tax Map
1			Abutter Notice
1	1/3/24		Elevation drawing of proposed structure Prepared by Architect (Full-Size)
8	1/3/24		Elevation drawing of proposed structure Prepared by Architect (Half-Size)
1	1/3/24		Plot Plan Prepared by Fieldstone (Full-Size)
8	1/3/24		Plot Plan Prepared by Fieldstone (Half-Size)

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit ____ copies for approval
 For review and comment _____
 FOR BIDS DUE: _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

Hello, Please accept this submission for two variance on the above referenced property for the redevelopment of the subject property with a residence that will meet all current building code requirements and building standards. Please contact me with any questions or concerns.

Thank you,

Chad E. Branon, PE

TIMOTHY P SAMPSON
DBA SAMPSON ARCHITECTS
103 ROXBURY STREET SUITE 206
KEENE, NH 03431

54 7009
2117

623

DATE 12/28/23

PAY TO THE ORDER OF

One Hundred of Chesterfield NH

\$ 150.00

DOLLARS



MEMO Stone 28A app

Twp P&S

⑆211770093⑆ 301388741⑆

00623

ERIC S EKLOF SR
861 ROUTE 63
SPOFFORD, NH 03462

1188

Date 12-28-23

80-568/1012

Pay to the Order of U.S. P.S.

\$ 119.84

One Hundred Nineteen & 84/100

Dollars



United Missouri Bank
Warsaw, Missouri

14 CERTIFIED MAILERS TO ASILTERS FOR STOKES & ZBA APPRIS. Eric Eklof

⑆10120568⑆⑆1188⑆⑆7710785328952⑆



Chesterfield Zoning Board of Adjustment Notice and Instructions to Applicants

Overview "Zoning" refers to land use controls approved and amended at the local level as a legislative function (i.e. Town Meeting). Zoning regulations are intended to guide and control the direction of future growth in the community. Acting in a quasi-judicial capacity, the Zoning Board of Adjustment (ZBA) functions as a "constitutional safety valve" for the protection of the citizens. Generally, the ZBA evaluates whether an applications merits relief (in the form of variance or special exception) from the ordinary application of the zoning ordinance. Additionally, the ZBA considers appeals of zoning related administrative decisions. The express powers of the ZBA are defined by several state statutes including, but not limited to, RSA 674:33. Processes by which the ZBA conducts its affairs are governed by both state statutes and Rules of Procedure (by-laws) adopted by the ZBA. It is strongly recommended that before making any application to the ZBA applicants become familiar with the types of appeals made to the ZBA and the criteria set forth for any zone as well as town wide in Chesterfield Zoning Ordinance, "The Board of Adjustment in New Hampshire A Handbook for Local Officials both found at <https://chesterfield.nh.gov/zoning-board-of-adjustment/> , and the NH Statutes (RSA Chapters 672-677) found at <http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-LXIV.htm> **It is the applicant's responsibility to be properly prepared and familiar with applicable laws and regulations pertaining to their appeal. Applicants having questions regarding the applicability of the Zoning Ordinance, application requirements, or the application process are encouraged to contact a professional.**

Application Requirements/Complete Applications: The ZBA has established basic application requirements which collectively constitute a complete application. These requirements are set forth in checklist fashion within the respective application forms to be completed by the applicant. The ZBA requires that only complete applications be scheduled for public hearing. Photographs showing the area of the property for which relief is sought are not necessarily required as part of an application but are encouraged. Applicants may choose to submit photographs in support of their application.

Plot Plans One of the application requirements is a plot plan. The plot plan provides a visual presentation of the applicant's intentions. Accuracy and completeness are particularly important. The ZBA has established the content requirements of the plot plan.

Plot plan requirements are also included in the application in checklist fashion to be completed by the applicant. If a plot plan is submitted that does not address each of the plot plan checklist requirements the application will be deemed "incomplete" and will not be scheduled for public hearing.

The ZBA requires that in instances of dimensional relief for wetlands setback is sought or if there is uncertainty of a lot dimension, the plot plan shall be prepared by a NH licensed land Surveyor.

There may be circumstances when it is appropriate to depict only a portion of the subject property on the plot plan. This is acceptable PROVIDED the scope of the plot plan sufficiently and clearly depicts the entirety of the applicant's intentions.

Topographic information is not a requirement of all plot plans. However, topographic information may be provided to clarify when runoff may be an issue or if topography is relevant to the reasoning in support of an application.

Plot plans are not required of applications pertaining to: A) appeals of an administrative decision (provided the appeal is not dimensional in nature); and B) appeals seeking a variance to permit a land use not provided for in the Zoning Ordinance.

Notwithstanding the above, the ZBA reserves the right to require additional information as it determines necessary to make an informed decision.

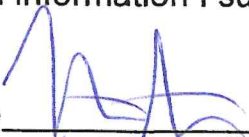
Application Deadlines & Filing the ZBA has established deadlines for the filing of applications in anticipation of future meeting/hearing dates. Complete applications are due by noon twenty-one (21) calendar days before a meeting. Meetings are generally the second Thursday of each month. Be sure to check the town website for current meeting dates. If required information is not filed by the application deadline the board and /or abutters do not have sufficient review opportunity. This will result in the rejection of the application as incomplete. Complete applications must be filed with the Clerk of the Zoning Board at the Selectman's office located at 490 Rt 63 by noon at least 21 calendar days ahead of a regularly scheduled meeting.

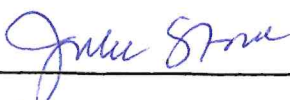
Supplemental information, provided the original application has been deemed complete, may be submitted no later than noon three days before the scheduled hearing. Please refer to the Chesterfield ZBA Schedule and Application Due Dates as approved by the Board. Any changes to application plans should be appropriately signed and dated and reflect the appropriate plan/document revision.

Application Review The Zoning Clerk, or in his/her absence, the Chairman of the ZBA or the Chairman's designee shall review all ZBA applications to determine whether all requirements for filing have been met (whether all required forms have been fully completed and all items on the checklists have been signed and submitted). If such person determines that an application is complete it will be placed on the agenda for consideration and hearing by the ZBA at a regularly scheduled public meeting. If an application is determined to be incomplete, it will not be scheduled for public hearing. Incomplete applications will be returned to the applicant with an explanation of the outstanding items. Such decisions regarding incomplete applications may be appealed as a decision of an administrative official under RSA674:33, 1 (a). Applications filed and deemed incomplete will experience delay. To avoid delay applicants are strongly encouraged to file the application well in advance of the deadline. Doing so provides an opportunity for an administrative review of completeness and an explanation of outstanding items, if any. Filing an application well in advance of a deadline allows an applicant to address application deficiencies prior to the deadline, thus avoiding delay.

Approvals Required for both Land Use Boards In instances where Special Exception is required of projects which are subject to site plan approval by the Planning Board the Conditional Approval Notice of Decision from the Planning Board shall be filed with the ZBA as part of any application for Special Exception. Example GS precision <https://chesterfield.nh.gov/wp-content/uploads/2018/09/ZBA-August-14-2018.pdf>

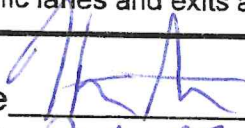
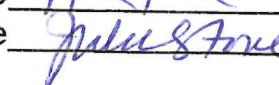
I have read the above instructions and understand that it is my responsibility to ensure all information I submit is accurate and complete.

Signature  Print Hutchin Stone
Date 11/29/23

Signature  Print Julie Stone
Date 11/29/23

Chesterfield Zoning Board of Adjustment Application Checklist

ITEM	REQUIRED	SUBMITTED
1. Completed Application and packet. Signed by owner(s) ✓	X	X
2. Abutters list with envelopes, certified postage, and labels ✓	X	X
3. Payment of Application and Notification Fees ✓	X	X
4. Property Tax Sheets (http://gis.vgsi.com/chesterfieldnh/) <i>≈ 5B</i> ✓	X	X
5. Copies of any previous applications to ZBA for property regardless of ownership <i>≈ NONE</i> ✓	X	X
6. Computed existing & proposed lot coverage including % lot area of structure & impermeable surfaces	X	X
7. Eight hard copies of entire packet including 11" X 17" plans	X	X
8. Digital copy of entire signed packet and plans (as PDF email attachment)	X	X
9. Elevation drawings for all proposed structures including critical dimensions	X	X
10. One or more 18" X 24" or larger copies of plot plan	X	X
11. Signed permission for Site Visit	X	X
12. Letter authorizing another individual to present application ✓		X
PLOT PLAN CHECKLIST		
A. Eight 11" X 17" paper, one 18" X 24" paper, and one digital plot plan as noted above, signed & dated.	X	X
B. Name and signature of preparer	X	X
C. Plan prepared by NH licensed surveyor including signature, date, and professional seal when any dimensional relief is requested	X	X
D. Owners of record (include deed) ✓	X	X
E. Scale, North Arrow, and date on plan	X	X
F. Tax map and lot number (include copy of map separate sheet) https://chesterfield.nh.gov/tax-maps/	X	X
G. Street Address	X	X
H. Zoning District where property is located	X	X
I. Lot lines with dimensions and any bounding streets and their right of way and widths or elevations	X	X
J. Lot line setbacks as per Zoning District	X	X
K. Location and dimensions of all existing and proposed structures. Must be distinguishable	X	X
L. Dimensions for all existing and proposed setback encroachments. Must be distinguishable	X	X
M. Indications of the direction(s) of proposed surface run off where earth disturbance is proposed	X	X
N. Other site features as may be present including but not limited to utilities, septic system, well, driveways, existing easements, streams, wetlands, buffer zones, exposed ledge, accessory structures, parking areas, location and dimensions of existing or required service areas, buffer zones, landscaped areas, recreation areas, safety zones, signs, rights-of-way, streams, drainage, easements, and any other requirements	X	X
If Required -Elevations, curb heights and contours. Location and numbering of parking spaces and lanes with their dimensions. Indicate how required parking spaces are computed Dimensions and directions of traffic lanes and exits and entrances		

Signature  Print Hutchin Stone Date 11/29/23
 Signature  Print Julie Stone Date 11/29/23



Chesterfield Zoning Board of Adjustment
Abutter Information and Requirements
Payment Information

Abutters Provide a complete list of all abutters of the property involved in this appeal with their current mailing address and tax map numbers. Include the names and addresses of all abutters, including those to the rear, sides, and front of the property including those across the street, roads, and right of ways and within 200 feet of the property in question (Failure to provide complete information on all abutters will result in application being returned as incomplete).

For each abutter, owner, applicant, and agent provide:

1. A plain, white #10 envelope with the name and address of the abutter(s), applicant(s), owner(s), and agent(s) and current certified postage affixed parts affixed, but not finalized by post office.
2. 1 set of 1" X 2 1/2" labels with abutter(s), applicant(s), owner(s), and agent(s) names and addresses. These will go on the certified mail slips so must be that size.
3. A check for total postage made out to the Postmaster of Town of Chesterfield.

The following page will give an example and further description of an abutter.

Payment: A check for \$150.00 made out to the Town of Chesterfield.

Funds to be disbursed as follows:

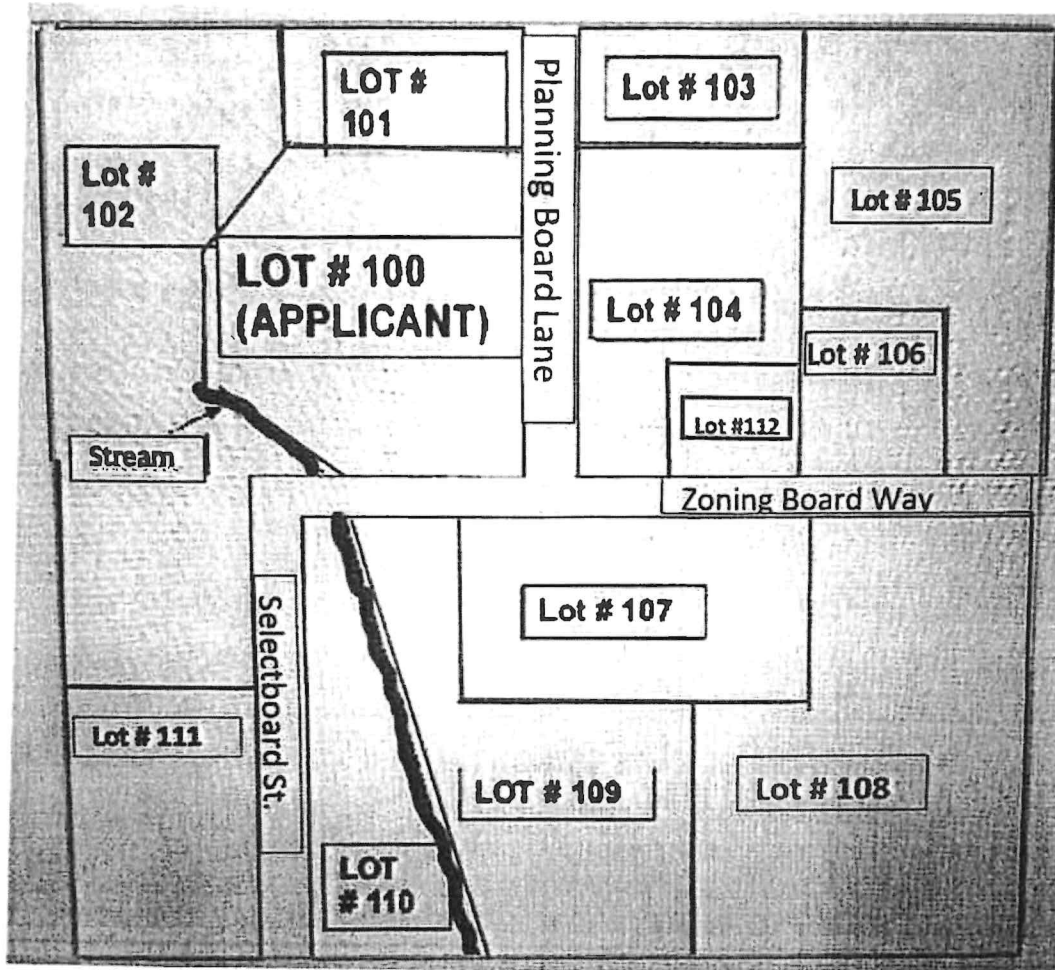
Newspaper ads, notice and notice of decision - \$100.00

Board of Adjustment filing fee \$50.00

Total - \$150.00



Chesterfield Zoning Board of Adjustment Abutters List Example



"Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream or within 200 feet from the land under consideration by the local land use board. In the example above with the lot in question being #100 the abutters would be the following: #101, #102, #103, #104, #107, #109, #110 and #112 (112 is within 200 feet). See RSA 672:3 for reference



Chesterfield Zoning Board of Adjustment

Abutters List

Name _____
Address _____

Name ** SEE ATTACHED ** _____
Address _____

Map & Lot # _____

Map & Lot # _____

Name _____
Address _____

Name _____
Address _____

Map & Lot # _____

Map & Lot # _____

Name _____
Address _____

Name _____
Address _____

Map & Lot # _____

Map & Lot # _____

Name _____
Address _____

Name _____
Address _____

Map & Lot # _____

Map & Lot # _____

Name _____
Address _____

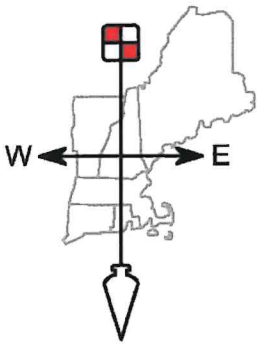
Name _____
Address _____

Map & Lot # _____

Map & Lot # _____

Name _____
Address _____

Name _____
Address _____



FIELDSTONE

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

Date: December 27, 2023
FLC#3392.01 / From Client

List of Abutters
Tax Map 5B Lot Number A13
Spofford, New Hampshire

Map 5B Lot A13
Hutchin G. & Julie A. Stone
400 N Park Ave., 10B
Breckenridge, CO 80424

Map 5B Lot A9 & B8
Jozefa B Johnson Trust
59 Maple Ave Apt 2
Keene, NH 03431

Map 5B Lot A10 & B9
Heerman Revocable Trust
865 Rte 63
Spofford, NH 03462

Map 5B Lot A11 & B10
Mark C. & Wendy S. Swartz
10 Sand Hill Dr
Windsor, CT 06095

Map 5B Lot A12 & B11
Eric Eklof
196 Old Swanzey Rd
Spofford, NH 03462

Map 5B Lot A12-1
Snow Trust Agreement
546 Tall Pines Dr
Mantor, FL 33568

Map 5B Lots A14 & B13
Joseph Deluca
P.O. Box 503
Port Richey, FL 34673

Map 5B Lot A15 & B14
James O'Donnell
34 Roosevelt Way
Robbinsville, NJ 08698

Map 5B Lot A16
Peter A. & Michell Michaud
25 Bayberry Dr.
East Hampton, MA 01027

Map 4A Lot C15
Hertford Family Rev Trust
831 Route 63
Spofford, NH 03462

Map 5B Lot B16
Thomas C & Patricia A Dreyer
108 Violet Ave
Floral Park, NY 11001

Map 5B Lot A15 & B14
Sharon M O'Donnell
73 Point Court
Lawrenceville, NJ 08648

Map 5B Lot A15 & B14
Darlynn A Marsh
5 Nobadrer Dr
Pennington, NJ 08534

Map 5B Lot A15 & B14
Kathleen Wozniak
19 Lyons Ave
Roseland, NJ 07068

Architect:
Tim Sampson Architects
103 Roxbury St., Suite 206
Keene, NH 03431

Engineer:
Fieldstone Land Consultants, PLLC
206 Elm Street
Milford, NH 03055



Zoning Board of Adjustment
Building/Structure and Lot Impermeable Surface
Lot Coverage Calculation - SAMPLE

Calculating Building and Lot Coverage Percentages

Structure - Any temporary or permanently constructed, erected or placed material or combination of materials in or upon the ground, including, but not limited to buildings, manufactured housing units, radio towers, sheds and storage bins, storage tanks, portable carports, stairs, decks, patios, solar panels swimming pools, tennis courts, parking lots, driveways, dumpsters, and on-site waste disposal systems.

Building/Structure Coverage – The aggregate cross-sectional area of all buildings/structures on the lot including accessory buildings.

Impermeable/impervious Coverage – All that horizontal area of a lot, parcel, or ~~lot~~ due to manmade alterations to the natural surface of the land including structures, parking lot, and driveway areas or other development. All area beneath a structure is impervious. All portions of any ground mounted solar panels other than the portion in direct contact with the ground are considered permeable. All portions of underground waste disposal systems, along with necessary access cover, vents, and risers for pump out and inspection are considered permeable.

Lot Coverage – The percentage of lot area (which may not include any part of the street right-of-way) that is covered by impervious/impermeable cover.

Lot dimension	Lot Area	
200'X200'	40,000 SF	
How to calculate building/structure coverage percentage		
Building/Structure	Dimension	Square Footage (SF)
House	30'X60'	1800 SF
Garage	10'X12'	120 SF
Shed	10'X10'	100SF
Deck	14'X30'	420SF
Pool	20'X40'	800SF
Driveway		300SF
Total building Coverage		3240SF
Structure Coverage Percentage	Total Structure coverage/Lot areaX100	3240/40000X100= 8.1%
How to Calculate Total Lot Impervious Coverage Percentage		
All Impervious Items	Dimension	Square Footage (SF)
Crushed Stone Garden		1400SF
Driveway		300SF
Side Walks		288SF
Building Coverage		3240SF
Total Lot Coverage		5228SF
Lot Coverage Percentage	Total lot coverage/lot areaX100	5228SF/40000X100=13.1%



Chesterfield Zoning Board of Adjustment

Building Coverage Calculation Sheet

(To be completed by homeowner, licensed architect, or engineer only)

Map 5B Lot A13

Property Address 859 NH Route 63
Spofford

Select one (or more if property is in two zones) of the following:

Zone R, R/A, V and Lake District: Building coverage shall not exceed ten percent (10%) of the area of a lot (B). Total impermeable coverage (including building coverage) shall not exceed twenty percent (20%) of the lot (C).

Zone O/R/S District: Building shall not exceed twenty (20%) of the area of a lot (B). Total impermeable coverage (including building coverage) shall not exceed fifty percent (50%) of the lot (C).

Zone C/I District: Building shall not exceed fifty (50%) of the area of a lot (B). Total impermeable coverage (including building coverage) shall not exceed seventy percent (70%) of the lot (C).

The following page contains the worksheet for calculating building/structure lot coverage as well as total impermeable lot coverage and percentage. Please take special care to assure accuracy.



Chesterfield Zoning Board of Adjustment

Application for Variance

A variance is requested from Article II Section 203.6B
503.1 of the zoning ordinance to permit THE EXPANSION OF A NOW CONFORMING STRUCTURE AND A FURTHER 2 FOOT ENCROACHMENT INTO THE SIDE SETBACK
Facts supporting this request:

1 The variance is not contrary to the public interest because: SEE ATTACHED

2. The variance will not be contrary to the spirit and intent of the ordinance because: SEE ATTACHED

3. Substantial justice is done because: SEE ATTACHED

4. The variance will not diminish the values of surrounding properties because: SEE ATTACHED

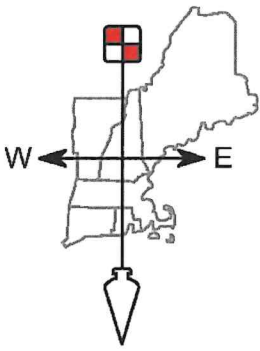
5. Literal enforcement of the ordinance would result in unnecessary hardship-
A) Because of the special conditions of the property that distinguish it from other properties in the area:
a) There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property SEE ATTACHED

AND b) The proposed use is a reasonable one SEE ATTACHED

B) If the criteria in subparagraph A are not established, an unnecessary hardship will be deemed if and only if owing to the 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. SEE ATTACHED

List any prior variance requests for this property including date regardless of owner _____

Applicant(s) signature(s) [Signature] Date 11/29/23



FIELDSTONE

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

VARAINCE CRITERIA

Non-Conforming Structure Expansion

Tax Map 5b, Lot a13

859 N.H. Route 63, Spofford, NH

December 28, 2023

Prepared For:
Hutchin Stone

As agent for Hutchin Stone, Fieldstone Land Consultants, PLLC is submitting this variance application for Zoning Board of Adjustment approval. The proposed project consists of rebuilding the existing, non-conforming, single family dwelling at Tax Map parcel 5B-A13 generally within the existing footprint with minor modifications to address building code standards.

VARIANCE REQUEST: The proposed non-conforming structure expansion on the property requires two variances pursuant to Article V, Section 503.1 *Expansion* and Article II, Section 203.6b *Setbacks*, to rebuild the structure to the standards outlined in NH RSA 155-A (Section 2, State Building Code) as required by the Town of Chesterfield 2011 Building Ordinance (Article 1, Section 13.02). The structure will be rebuilt with increased volume and depth to meet these standards. The volume of the existing structure is 16,850 cubic feet; the side setback of the existing structure is 8.5 feet. The proposed volume is 22,000 cubic feet; proposed side setback, 7.0 feet.

This property is located in the Residential District and the Spofford Lake District. Below are the support statements for the variance request. The numbered items below correlate to the variance criteria outlined in the Chesterfield Zoning Board of Adjustment Application for a Variance.

1. The variance is not contrary to the public interest because:

Granting the proposed variance is not contrary to the public interest. The proposed reconstruction of the single-family residence located at 859 NH Route 63 will expand the footprint four feet to the rear, and maintain the number of stories as the existing structure. To rebuild the structure to modern standards, it is not possible to maintain the existing height and footprint. The expanded footprint is necessary to fit a modern staircase that meets building code minimum standards. The subject property slopes approximately 20 feet between the rear of the lot to the area where the existing house is located. A small increase in structure height and footprint to comply with the Town of Chesterfield Building Ordinance would be negligible to nearby property owners, having

Hutchin Stone
859 NH Route 63 – Spofford, NH
Variance Application

no substantial impact on views of the lake nor changing the basic character of the neighborhood. The increased property tax revenue as a result of the proposed expansion would be a benefit to the public interest. The proposed expansion of this structure will not create any health or safety problems. For these reasons granting this variance would not be contrary to the public interest.

2. The variance will not be contrary to the spirit and intent of the ordinance because:

The spirit and intent of the ordinance is to prevent over development of properties, thereby altering the character of the community. The proposed expansion of a non-conforming structure will not alter the character of the community or overdevelop the property. The expansion is requested exclusively to comply with modern building standards. Since this proposal will result in no negative impacts to the public, we believe that granting these variances would observe the spirit of the ordinance.

3. Substantial justice is done because:

Substantial justice is done by granting the proposed variance because it allows the Stones to invest in modernizing their property. The public would realize no appreciable gain from denying this variance. Granting this variance would do substantial justice because it would allow for the productive use of this property. In other words, a denial of this variance request would be an injustice to the Stones as there would be no apparent gain to the general public by denying this application.

4. The variance will not diminish surrounding property values because:

The proposed variance will not diminish surrounding property values. The topography of the property slopes from west to east, with Spofford Lake to the east of the property. The existing structure to be rebuilt is located at the front, eastern area of the parcel. An increase in structure height sufficient to comply with the Town of Chesterfield Building Ordinance would not likely be above the grade of Old County Road (bordering the rear of the property). Because of this, the increase in structure height will not obstruct the view of Spofford Lake to uphill abutters or passerby. The four-foot expansion beyond the existing footprint to the rear (west) of the property will encroach 1.5 feet further into the side setback. There is no evidence that the increase in structure height or footprint would diminish surrounding property values. It has been our experience that new development and investment in communities will often result in positive impacts to property values.

5. Literal enforcement of the ordinance would result in unnecessary hardship –

- A) Because of the special conditions of the property that distinguish it from other properties in the area:
 - a) There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property:

The subject property has special conditions which distinguish it from other properties in the area. The entire property is located within the Spofford Lake District and within the limits of the protected shoreland. The

Hutchin Stone
859 NH Route 63 – Spofford, NH
Variance Application

Page 3 of 3

property also has slopes in excess of 20% over the rear two-thirds of the property. The total area of the building envelope within the setbacks is 256 square feet. Because of these distinguishing features, relief is sought for the rebuild of this structure. The general public purpose of the ordinance is to prevent over development, maintain the character of the area, and to prevent diminished property values. Granting this variance is not antithetical to that purpose. Specific application of these zoning restrictions to this property does not serve the purpose of the ordinance. There is no fair and substantial relationship between the purpose of the ordinance and the specific application to this property. Redevelopment of this property will result in improvements to the land and surroundings including new septic, grading, drainage and other site improvements.

AND b) The proposed use is a reasonable one:

The proposed variance is reasonable because it will allow the Stones to rebuild as near to their existing footprint as possible while complying with building code requirements and improving the site and its impacts to the surrounding area.

- B) **If the criteria in paragraph A are not established**, an unnecessary hardship will be deemed if and only if owing to the 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 the variance is therefore necessary to enable a reasonable use of it.

Because of the special conditions which exist on this property, it cannot be reasonably used in strict conformance with the ordinance. To modernize this residence, the Stones must comply with the building code. It is not possible to replace the existing structure, conform with the Zoning Ordinance and conform with the Building Ordinance; therefore, relief is sought.



Chesterfield Zoning Board of Adjustment

Permission for Site Visit

This document must be signed by all landowners as listed on the deed(s)

I/we Hutchin Stone and Julie Stone as landowner(s) and/or Trustees of the land listed below, authorize the members of the Chesterfield Zoning Board of Adjustment, it's agents and assignee to enter the premises for purposes of site review in conjunction with the ZBA VARIANCE application submitted on 12/28/23. I/we further acknowledge that any site visit attended by a quorum of the Chesterfield Zoning Board of Adjustment constitutes a public meeting. Any such meeting shall be noticed and open to the non-board public. I/we authorize public access to the site under such circumstances where an onsite meeting is called for by the Chesterfield Zoning Board of Adjustment.

Location of land: 859 ROUTE 63
SPOFFORD, NH 03462

Map 5B Lot A 13 = COTTAGE LOT
Map 5B Lot B 12 = WATERFRONT SILVER LOT

Signature [Signature] Date 11/29/23
Print Hutchin Stone

Signature [Signature] Date 11/29/23
Print Julie Stone



**Chesterfield Zoning Board of Adjustment
Authorization form for Representation
(Individual or Joint Owner)**

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, Hutchin Stone Julie Stone authorize
Please Print Name(s) of Owner(s) as appears on the deed

Jim Sampson and for Chad Bannon ~~ADD/ERIK EKLOF~~
Please Print Name of Representative 603-769-7736 603-499-5799 603-381-9695

to be the representative for this application and act on my/our behalf before the Town of Chesterfield.

[Signature]
Signature of Owner

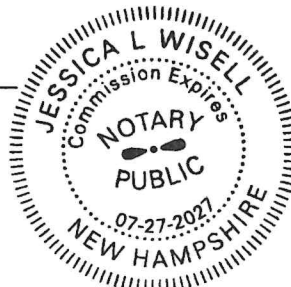
[Signature]
Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on this 11/29/2023
Date

by Hutchin Stone
Name of Owner

He/She is personally known to me or has presented Driver License as identification.

Jessica Wisell
Notary's Signature and Seal



11

PO Box 175
Chesterfield, NH 03443



603-363-4624
www.nhchesterfield.com

WAIVER TO BE HEARD BY FULL ZONING BOARD OF ADJUSTMENT

The Chesterfield Zoning Board of Adjustment recognizes in its Rules and Procedures, the allowance of applicants to be heard by less than five (5) voting board members or continuing to the next scheduled meeting.

- B.** In the event it is not feasible to constitute a five (5) member Board, the Chair shall, prior to the commencement of any hearing, allow the applicant the opportunity to elect to either proceed with the Board then sitting and sign a waiver waiving their rights to a five (5) member Board, or table the application until the next regularly scheduled meeting of the Board.

By completing and signing this form, the applicant (or representative) is entering into the agreement that they have waived the right to be heard by a five (5) member Board.

I (applicant(s) or representative party) formally waive my right to have my Chesterfield Zoning Board of Adjustment application heard and debated by a full board of voting members.

Applicant: Hutchinson Stone JAH

Applicant: Julie Stone Julie Stone

Date of Hearing: _____

If the applicant(s) (or representative) wish to be heard by a full board, they have the choice to request **before deliberation begins**, to have their hearing continued to the next scheduled meeting of the Zoning Board. By completing and signing this form, the applicant is formally requesting for the allowance stated below:

If it is not feasible to constitute a five (5) member board, I (applicant(s) or representative party) formally request to have my Zoning Board of Adjustment application heard and debated by a full board of voting members at the next regularly scheduled board meeting.

Applicant: Hutchin Stone HA

Applicant: Julie Stone Julie Stone

Date of Hearing: _____

Date of Next Scheduled ZBA Meeting: _____

Parcel ID: 00005B 00A013 000000 (CARD 1 of 1)
 Owner: STONE, HUTCHIN G.
 STONE, JULIE A
 Location: 859 ROUTE 63
 Acres: 0.172

General

Valuation		Listing History		Districts	
Building Value:	\$95,600	<u>List Date</u>	<u>Lister</u>	<u>District</u>	<u>% In Dist.</u>
Features:	\$3,700	08/19/2021	DMHC	SPOFFORD FIRE DISTRICT	100
Taxable Land:	\$166,200	04/13/2021	LMDE		
<hr/>		01/04/2021	DMSR		
Card Value:	\$265,500	08/03/2018	DM17		
Parcel Value:	\$265,500	07/28/2012	JD00		

Notes: WATERFRONT LOT ACROSS ST. CAMPSTYLE INT INSP W/NEIGHBOR 12 M&L: ADJ FOP TO FSP. 2020SALE=MULTI-PARCEL HOUSE LOT ACROSS FROM LAKE. WF LOT=SMALL SLIVER LOT. 2021INF HEARING= NHBD REVIEW.

History Of Taxable Values

Tax Year	Building	Features	Land	Value Method	Total Taxable
2022	\$95,600	\$3,700	\$166,200	Cost Valuation	\$265,500
2021	\$95,600	\$3,700	\$166,200	Cost Valuation	\$265,500
2018	\$46,100	\$3,100	\$147,600	Cost Valuation	\$196,800
2015	\$46,100	\$3,100	\$147,600	Cost Valuation	\$196,800
2014	\$46,100	\$3,100	\$147,600	Cost Valuation	\$196,800
2013	\$59,300	\$3,700	\$147,600	Cost Valuation	\$210,600
2012	\$44,700	\$2,500	\$188,600	Cost Valuation	\$235,800
2010	\$44,700	\$2,500	\$188,600	Cost Valuation	\$235,800
2007	\$36,800	\$1,700	\$67,700	Cost Valuation	\$106,200
2002	\$31,500	\$400	\$51,900	Cost Valuation	\$83,800
1995	\$17,300	\$500	\$28,700	Cost Valuation	\$46,500
1992	\$17,300	\$500	\$28,700	Cost Valuation	\$46,500

Sales

Sale Date	Sale Type	Qualified	Sale Price	Grantor	Book	Page
09/18/2020	IMPROVED	NO - MPC-CAN SELL SEPRTLY	\$295,000	MANTER WILLIAM P	3128	138
08/17/1999	IMPROVED	YES	\$75,000	UNKNOWN	1715	279
07/26/1948	VACANT	NO - UNCLASSFYD EXCLUSION	\$0	UNKNOWN	540	410

Land

Size: 0.172 Ac. **Site:** AVERAGE
Zone: 01 - RESIDENTIAL 1F **Driveway:**
Neighborhood: BRATTLEBORO ROW **Road:** PAVED
Land Use: 1F RES

Taxable Value: \$166,200

Land Type	Units	Base Rate	NC	Adj	Site	Road	Dway	Topo	Cond	Ad Valorem	SPI	R	Tax Value	Notes
1F RES	0.172 AC	63,600	P	275	100	100	100	100	95	166,200	0	N	166,200	TOPO

Building

1.75 STORY FRAME CAMP Built In 1900

Roof:	GABLE HIP ASPHALT	Bedrooms:	4	Quality:	AVG+10
Exterior:	BOARD/BATTEN CLAP BOARD	Bathrooms:	1.0	Size Adj.	1.0425
Interior:	WOOD PANEL	Fixtures:	0	Base Rate:	75.00
Flooring:	PINE/SOFT WD CARPET	Extra Kitchens:	0	Building Rate:	1.0331
Heat:	WOOD/COAL NONE	Fireplaces:	0	Sq. Foot Cost:	77.48
		Generators:	0	Effective Area:	1,387
		AC:	NO	Cost New:	\$107,465

Depreciation						
Normal GOOD	Physical	Functional	Economic	Temporary	Total Dpr.	Assessment
11%	0%	0%	0%	0%	11%	\$95,600

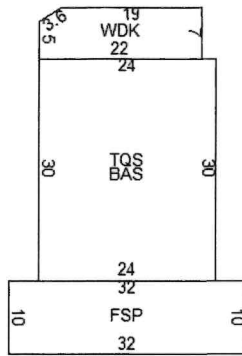
Features

Feature Type	Units	Length x Width	Size Adj	Rate	Cond	Value	Notes
BARN - 1 STORY	280		100	20.00	50	\$2,800	Year: 1992 - 14X20
BRICK	2		100	900.00	50	\$900	Year: 1990
Total:						\$3,700	

Photo



Sketch



Code	Description	Area	Eff Area
TQS	THREE QUARTER STORY	720	540
BAS	FIRST FLOOR	720	720
FSP	PORCH, SCREEN, FRAME	320	112
WDK	DECK, WOOD	151	15
Totals			1,387

E Doc # 2008028 09/18/2020 02:10:42 PM
Book 3128 Page 138 Page 1 of 2
Register of Deeds, Cheshire County
LCHIP CHA95284 25.00
TRANS TAX CH849716 4,425.00

Transfer Tax
\$4,425.00

Anne Z. Tift

KNOW ALL MEN BY THESE PRESENTS:

THAT we, **William P. Manter and Lyle A. Foley**, husband and wife, of 178 Main Street in the Town of Boylston in the County of Worcester and State of Massachusetts 01505, for consideration paid, grant to **Hutchin G. Stone and Julie A. Stone**, husband and wife, as joint tenants with rights of survivorship and not as tenants in common, of 400 N. Park Avenue, Suite 10B, Breckenridge, CO 80424-8710 with **WARRANTY COVENANTS**,

A certain piece or parcel of land, with the buildings thereon, situate, lying or being in the Town of **CHESTERFIELD**, in the County of Cheshire and State of New Hampshire, on the West shore of Chesterfield Lake (otherwise known as Spofford Lake), described as follows:

Commencing at a stake marked "13" near the water's edge and thence running in a Southerly direction fifty (50) feet on the shore of said Lake to a stake marked "14";
thence in a Westerly direction across the new road to a corner on the "old highway" so-called;
thence in a Northerly direction on said highway fifty (50) feet to a corner and thence in an Easterly direction across the said new road to the place of beginning.

Being all of the premises conveyed to the within named Grantors, William P. Manter and Lyle A. Foley, by deed of Mary Elizabeth Golden Michaud and Mary Elizabeth Golden Michaud and Peter F. Michaud, Trustees under the will of Elizabeth K. Golden for the benefit of Thomas W. Golden, III said deed being dated August 17, 1999 and recorded in Vol. 1715, Pg. 279 of the Cheshire County Registry of Deeds.

Dated this 18th day of September, 2020.

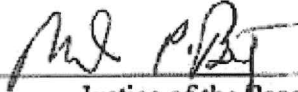
William P. Manter

William P. Manter
Lyle A. Foley

Lyle A. Foley

STATE OF NEW HAMPSHIRE, COUNTY OF CHESHIRE

The foregoing instrument was acknowledged, before me, this 18th day of September, 2020 by William P. Manter and Lyle A. Foley.



Justice of the Peace

Printed Name: Michael P. Bentley

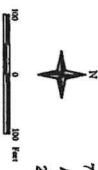
My Commission expires: 5/20/2025



NOT TO BE USED FOR CONVEYANCE



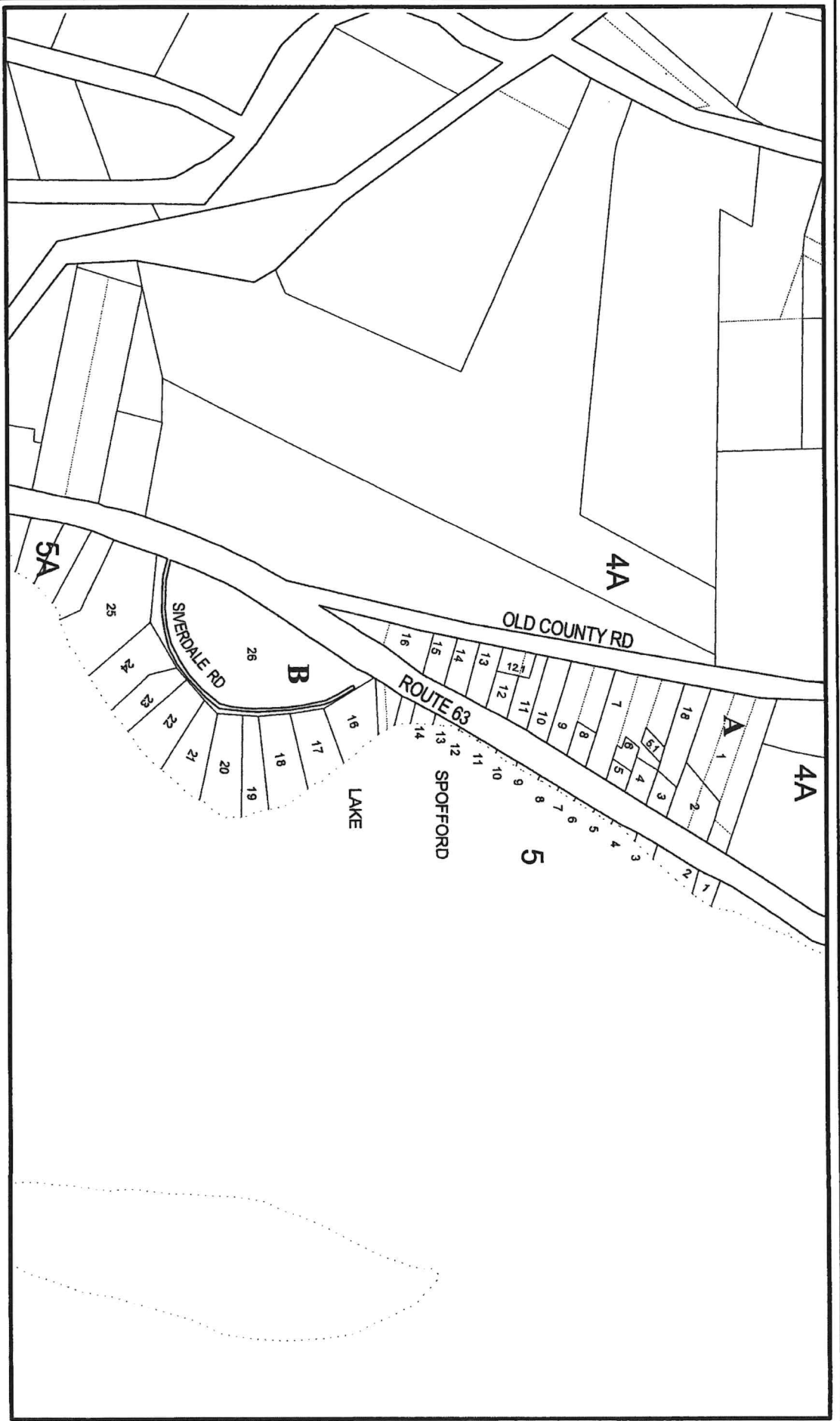
SWRPC
20 Canal Square, 2nd floor
Keene, New Hampshire 03431
(603) 357-0377
http://www.swrpc.org/
email: admin@swrpc.org



77 Lot Number
A Block Letter
23 Surrounding Maps

Municipal Boundaries
Parcel Boundaries
Roadways
Original Parcel Boundaries
Utility Corridor

Zoning Districts
Commercial
Office/Retail Space
Residential
Village



Town of Chesterfield, NH

Tax Property Map #5B

June 2004

PO Box 175
Chesterfield, NH 03443



603-363-4624
www.nhchesterfield.com

**TOWN OF CHESTERFIELD, NH
ZONING BOARD OF ADJUSTMENT**

ABUTTER NOTICE

**Thursday, January 18, 2024
6:45 P.M. at the Town Offices and via Zoom**

You are hereby notified that a public hearing will be held at the Chesterfield Town Offices and via Zoom on Thursday January 18, 2024 at 6:45 PM to hear the following request:

Hutchin & Julie Stone are requesting a variance. The proposed non-conforming structure expansion on the property requires two variances pursuant to Article V, Section 503.1 *Expansion* and Article II, Section 203.6b *Setbacks*, to rebuild the structure to the standards outlined in NH RSA 155-A (Section 2, State Building Code) as required by the Town of Chesterfield 2011 Building Ordinance (Article 1, Section 13.02). The structure is 16,850 cubic feet; the side setback of the existing structure is 8.5 feet. The proposed volume is 22,000 cubic feet; proposed side setback, 7.0 feet. The property is located at 859 N.H. Route 63, Spofford, NH 03462. (Tax Map 5B, Block A, Lot 13)

All documents submitted with the application are available to be viewed at the Chesterfield Selectmen's Office between 8 AM and 4 PM Monday through Thursday, and Friday 9 AM to 12 or on our website at chesterfield.nh.gov. Please see the town website calendar for the link to the virtual meeting.

Erin Cintron

Planningandzoning@nhchesterfield.com

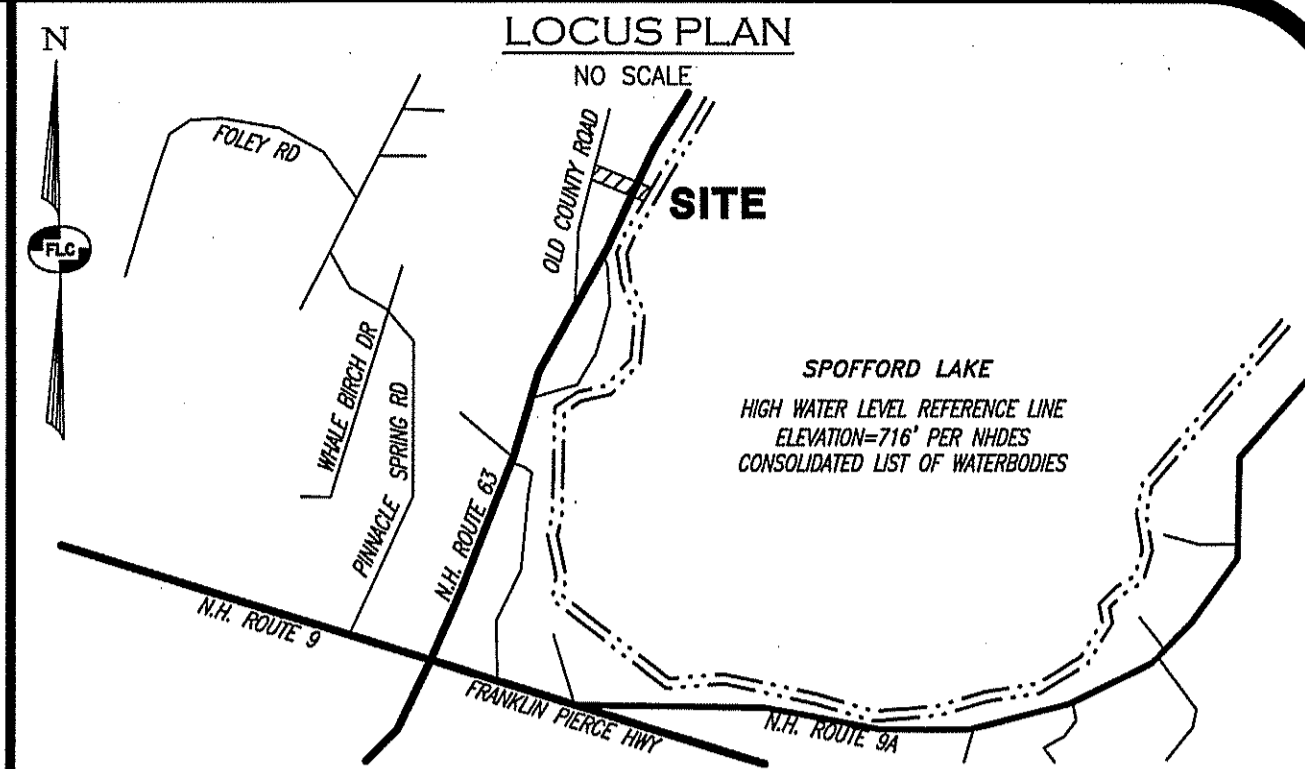
603-363-4624 x10

REFERENCE PLANS

- "PLAN OF COTTAGE LOT #15 OF CARL A. & SHIRLEY M. FAIRBANKS TO BE CONVEYED TO JAMES M. & AGNES A. O'DONNELL SPOFFORD LAKE CHESTERFIELD, N.H.", DATED MAY 21, 1992 BY EDWARD C. GOODRICH JR. RECORDED IN C.C.R.D. AS CAB 11-SR. 3 #272.
- "BOUNDARY ADJUSTMENT PLAN PREPARED FOR HAROLD 'CURT' NOWILL & ALICE J. NOWILL 853 ROUTE 63 CHESTERFIELD, NH", DATED APRIL 17, 2004, REVISED MAY 5, 2004, PREPARED BY DAVID A. MANN RECORDED IN C.C.R.D. AS CAB. 12-DR.9 #173.
- "PLAN SHOWING PROPERTY OF HUTCH G. & JULIE A. STONE, 400 N. PARK AVE, 10B, BRECKENRIDGE, CO 80424, TAX MAP 5B LOT 13" SCALE: 1"=10', DATED MARCH 19, 2021, PREPARED BY DIBERNARDO ASSOCIATES, LLC. DRAWING #3382, NOT RECORDED WITH C.C.R.D.

LEGEND:

- RIGHT-OF-WAY LINE
- BOUNDARY LINE
- - - ABUTTING LOT LINE
- - - BUILDING SETBACK LINE
- - - EDGE OF PAVED ROAD
- - - EDGE OF GRAVEL ROAD
- STONE WALL
- - - 700' — 5' CONTOUR INTERVAL
- - - 701' — 1' CONTOUR INTERVAL
- OH — OVERHEAD UTILITY LINE
- W — WATER LINE
- (PIN(F)) UTILITY POLE & GUY
- CATCH BASIN (SQUARE)
- (PIPE(F)) IRON PIN FOUND
- (PIPE(F)) IRON PIPE FOUND
- (WELL) WELL
- (TANK) ABOVEGROUND PROPANE TANK
- (ELEV) SPOT ELEVATION
- ▭ BUILDING
- 5B-A13 TAX MAP & LOT NUMBER



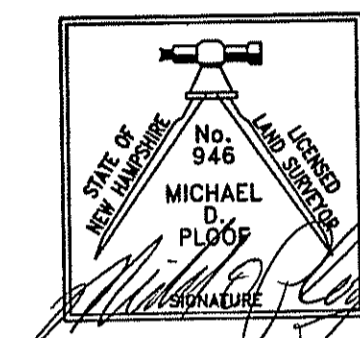
NOTES

- THE OWNER OF RECORD FOR TAX MAP 5B PARCEL A13 ARE HUTCHIN G. STONE AND JULIE A. STONE, 400 N. PARK AVENUE, SUITE 10B, BRECKENRIDGE, CO 80424-8710. SEE C.C.R.D. BK. 3128 PG. 138 DATED 9/18/2020.
- THE PURPOSE OF THIS PLAN IS TO DEPICT EXISTING CONDITIONS AND STRUCTURES TO BE REPLACED WITHIN EXISTING FOOTPRINTS AT TAX MAP 5B LOT A13.
- THE TOTAL AREA OF TAX MAP 5B LOT A13 IS 0.172 ACRES OR 7,492.3 SQ.FT. WITH 52.05 FT OF FRONTAGE ON N.H. RT. 63 AND 50.0 FT OF FRONTAGE ON OLD COUNTY ROAD.
- ZONING FOR THE PARCEL IS RESIDENTIAL DISTRICT AND SPOFFORD LAKE DISTRICT. REQUIREMENTS INCLUDE:
 LAND AREA 2 ACRES
 LOT FRONTAGE 200 FT.
 LOT COVERAGE <10%
 IMPERMEABLE COVERAGE <20%
 ROAD SETBACK 50 FT.
 SIDE SETBACK 20 FT.
 LAKE SETBACK
 PRIMARY STRUCTURE 50 FT.
 ACCESSORY STRUCTURE 20 FT.
 NO BUILDING OR STRUCTURE WITHIN 50 FT. OF N.H. RT. 9
 CEMETERY & BURIAL GROUND SETBACK 50 FT.
- BOUNDARY INFORMATION SHOWN IS PER THE REFERENCE PLANS NOTED HEREON. THIS IS NOT TO BE CONSIDERED A BOUNDARY SURVEY BY THIS OFFICE.
- THE SURFACE FEATURES AND SITE TOPOGRAPHY SHOWN ARE THE RESULT OF A FIELD SURVEY BY THIS OFFICE DURING THE MONTH OF OCTOBER, 2022.
- OWNER AND CONTRACTOR ARE RESPONSIBLE FOR CONTACTING DIGSAFE FOR MARKING OF UNDERGROUND UTILITIES PRIOR TO BREAKING GROUND. ANY UTILITIES SHOWN HEREIN ARE APPROXIMATE ONLY.
- TAX MAP PARCEL 5B-A13 LIES WITHIN ZONE X OF THE 100 YEAR FLOOD HAZARD AREA AS DETERMINED FROM THE FLOOD INSURANCE STUDY (FIRM) CHESHIRE COUNTY, NEW HAMPSHIRE, TOWN OF CHESTERFIELD, COMMUNITY NUMBER 330183, PANEL 33005C0240E, EFFECTIVE 5/23/2006.
- TOTAL EXISTING IMPERVIOUS AREA IS 3,830 SQUARE FEET OR 51.1%. THE PROPOSED IMPROVEMENTS WILL NOT INCREASE THE TOTAL IMPERVIOUS SURFACE OF TAX MAP PARCEL 5B-A13.

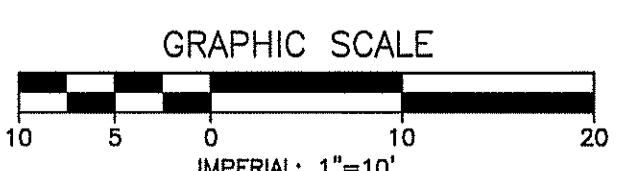
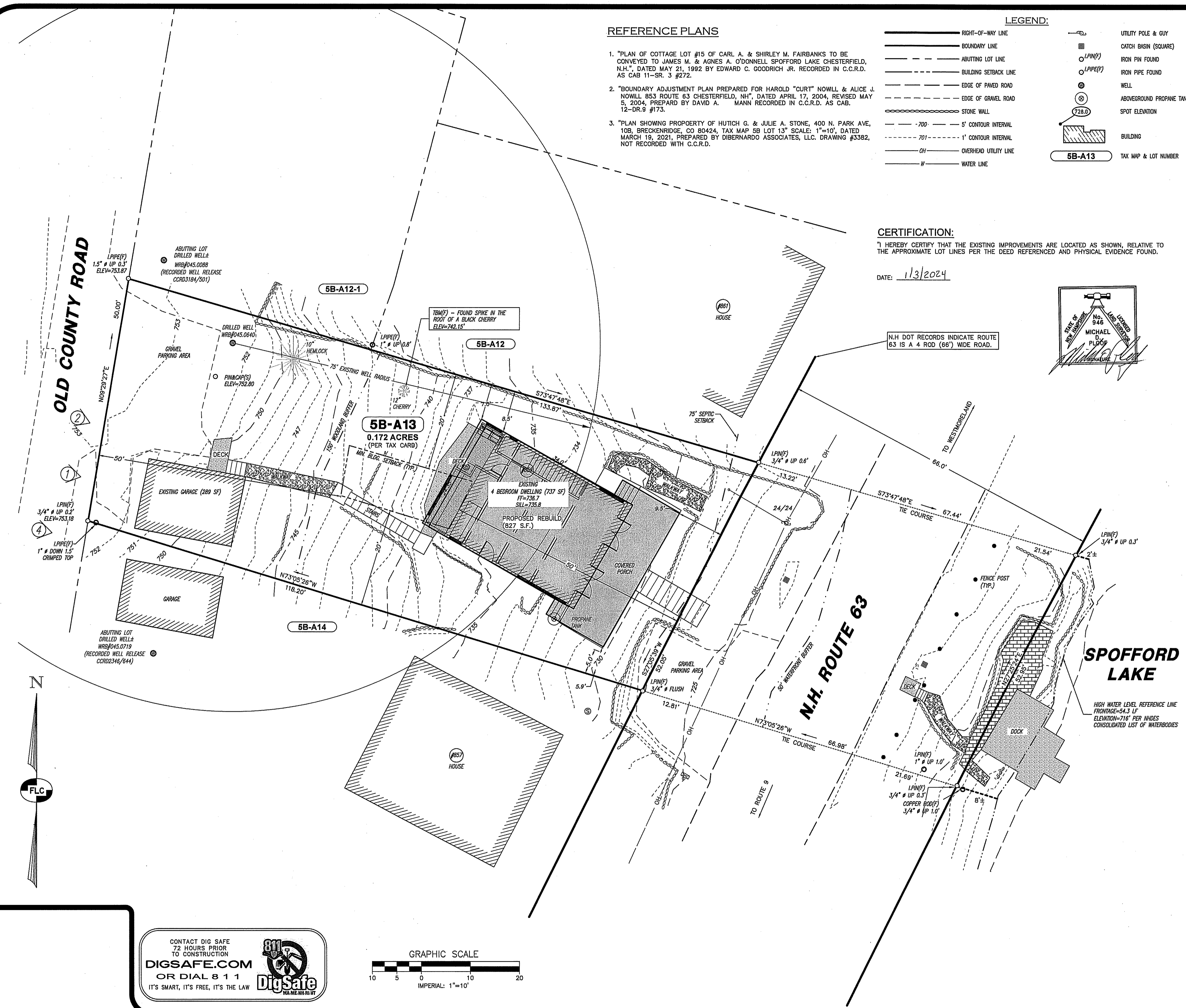
CERTIFICATION:

I HEREBY CERTIFY THAT THE EXISTING IMPROVEMENTS ARE LOCATED AS SHOWN, RELATIVE TO THE APPROXIMATE LOT LINES PER THE DEED REFERENCED AND PHYSICAL EVIDENCE FOUND.

DATE: 11/3/2024



N.H. DOT RECORDS INDICATE ROUTE 63 IS A 4 ROD (66') WIDE ROAD.



CONTACT DIG SAFE
72 HOURS PRIOR
TO CONSTRUCTION
DIGSAFE.COM
OR DIAL 8 1 1
IT'S SMART, IT'S FREE, IT'S THE LAW

ZONING EXHIBIT PLAN
TAX MAP 5B LOT A13
SPOFFORD, NEW HAMPSHIRE
(859 N.H. ROUTE 63)
LAND OF:
HUTCHIN & JULIE STONE
400 N. PARK AVENUE, 10B - BRECKENRIDGE, CO 80424

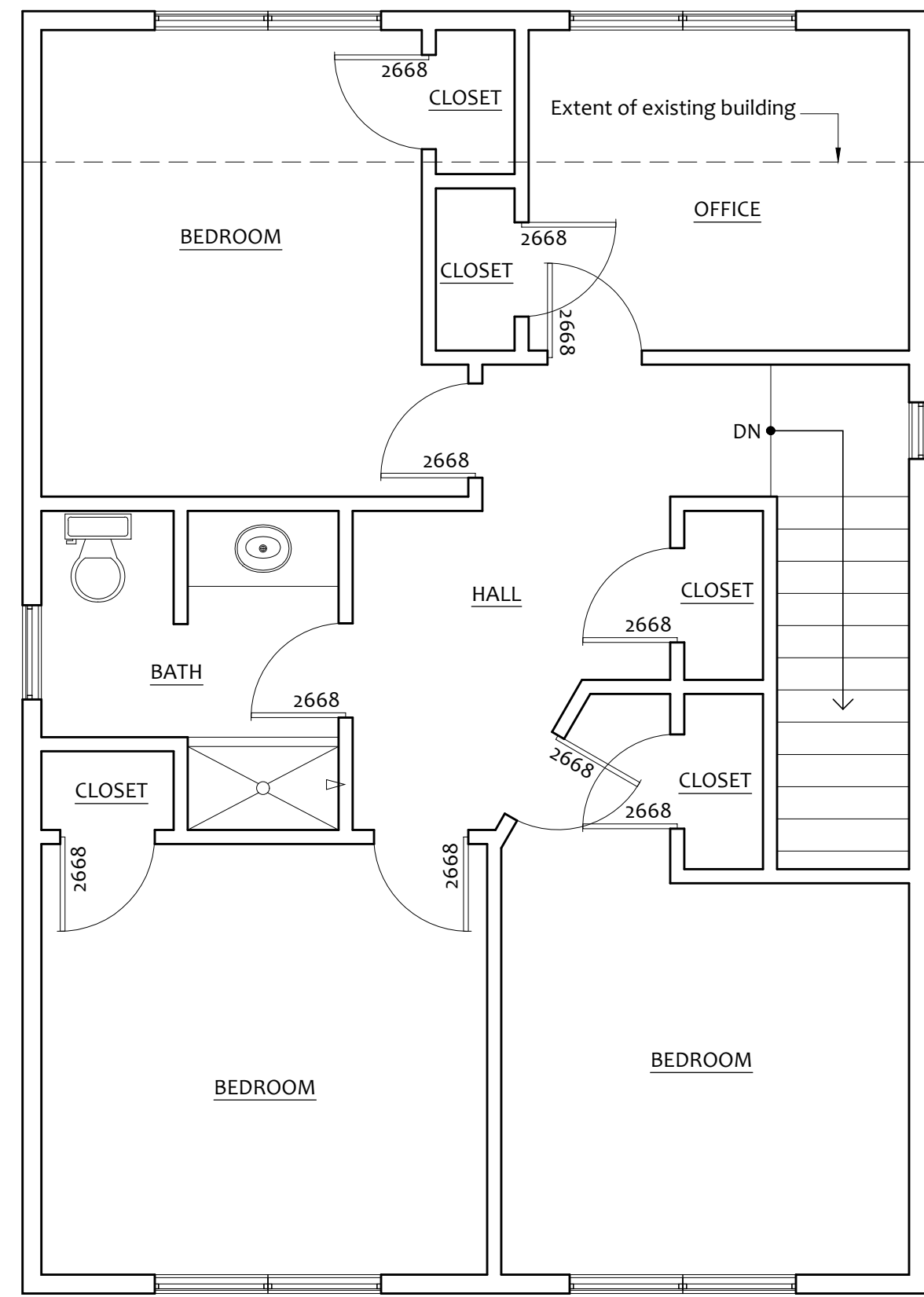
SCALE: 1" = 10' DECEMBER 27, 2023

Surveying ♦ Engineering ♦ Land Planning ♦ Permitting ♦ Septic Designs

206 Elm Street, Milford, NH 03055
45 Roxbury Street, Keene, NH 03431
Phone: (603) 672-5456 Fax: (603) 413-5456
www.FieldstoneLandConsultants.com

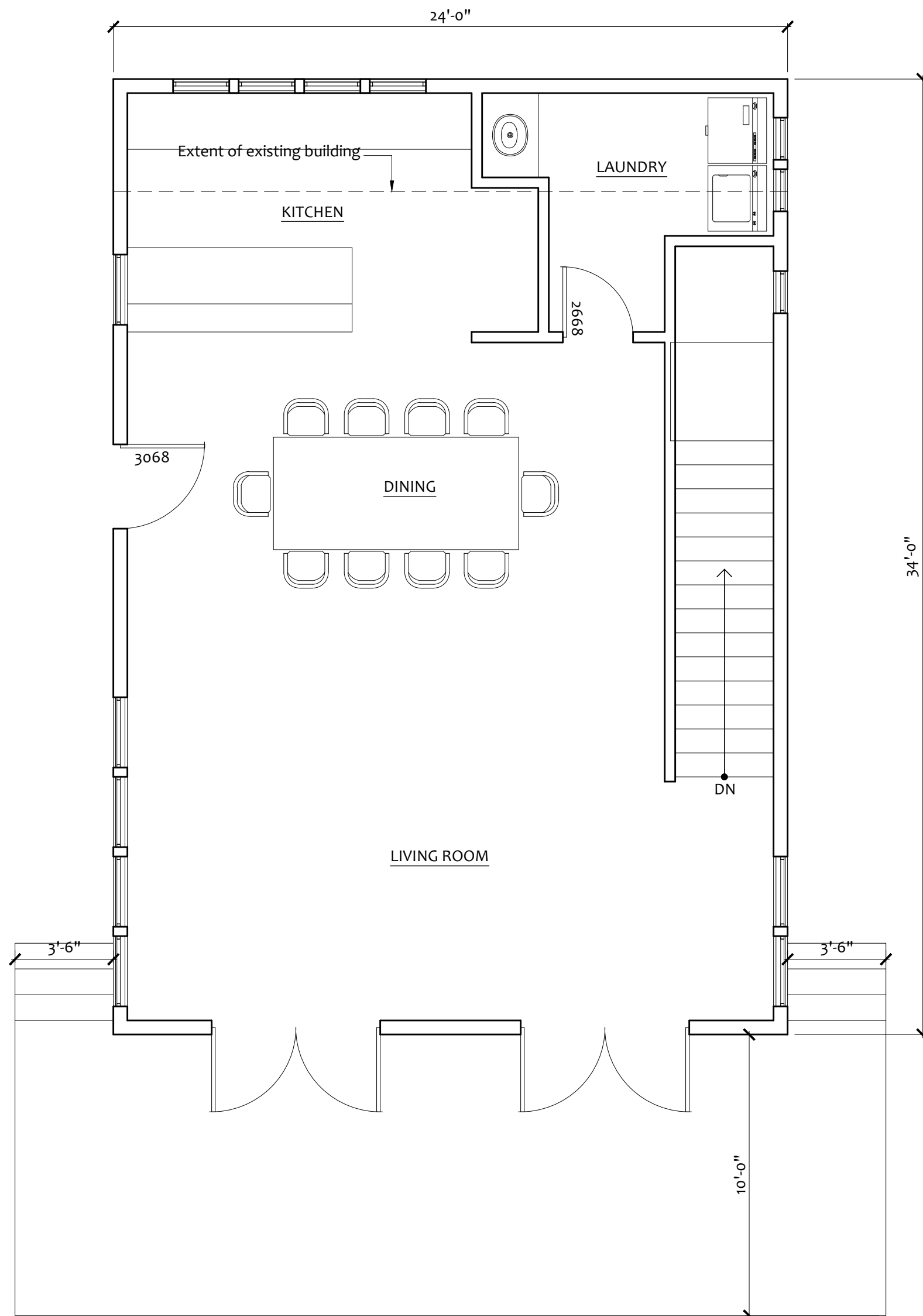
FILE: 3392ZE01.dwg PROJ. NO. 3392.001 SHEET NO. 1 OF 1

A



Proposed Second Floor
Scale: 1/4" = 1'-0"

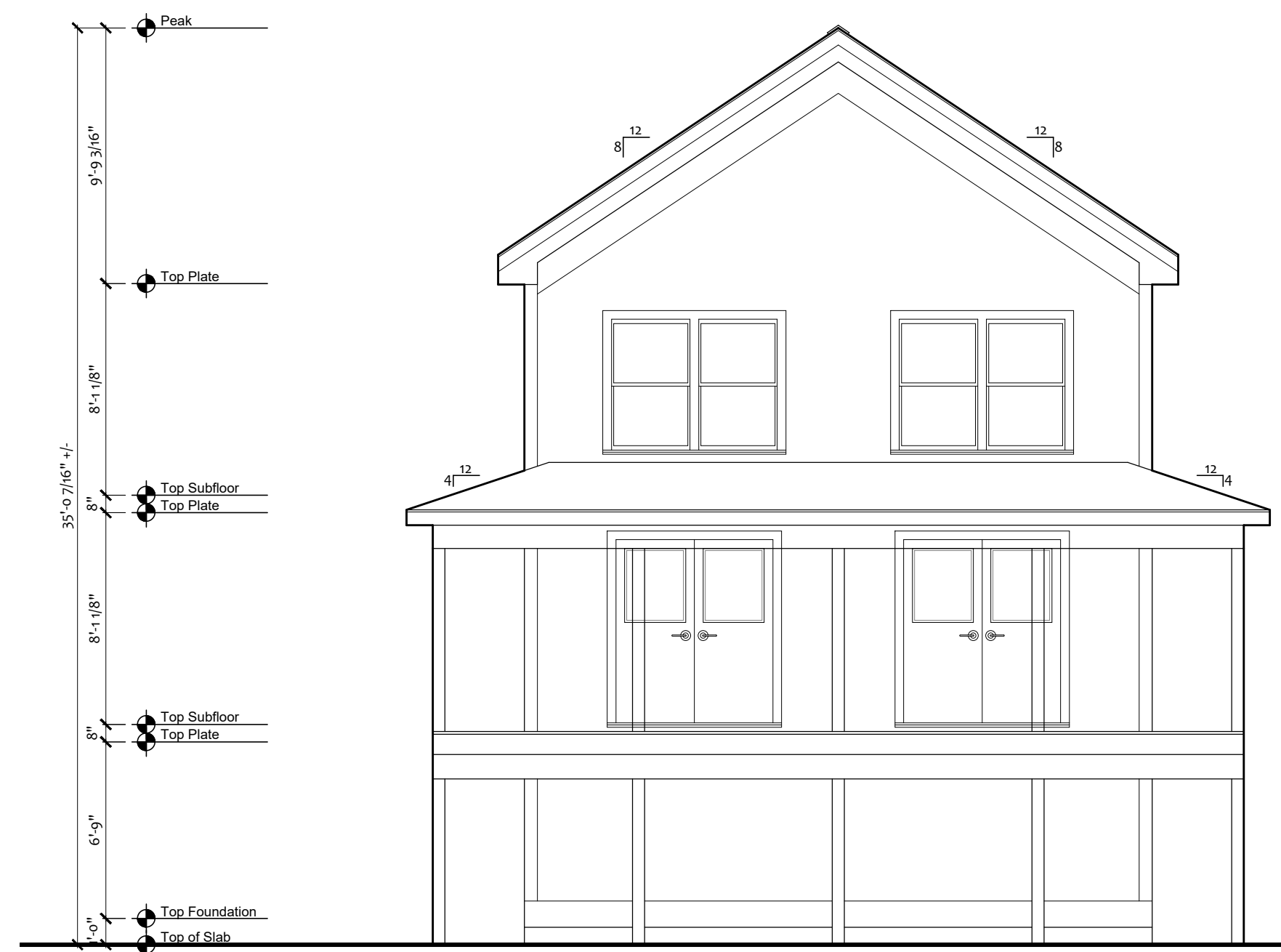
B



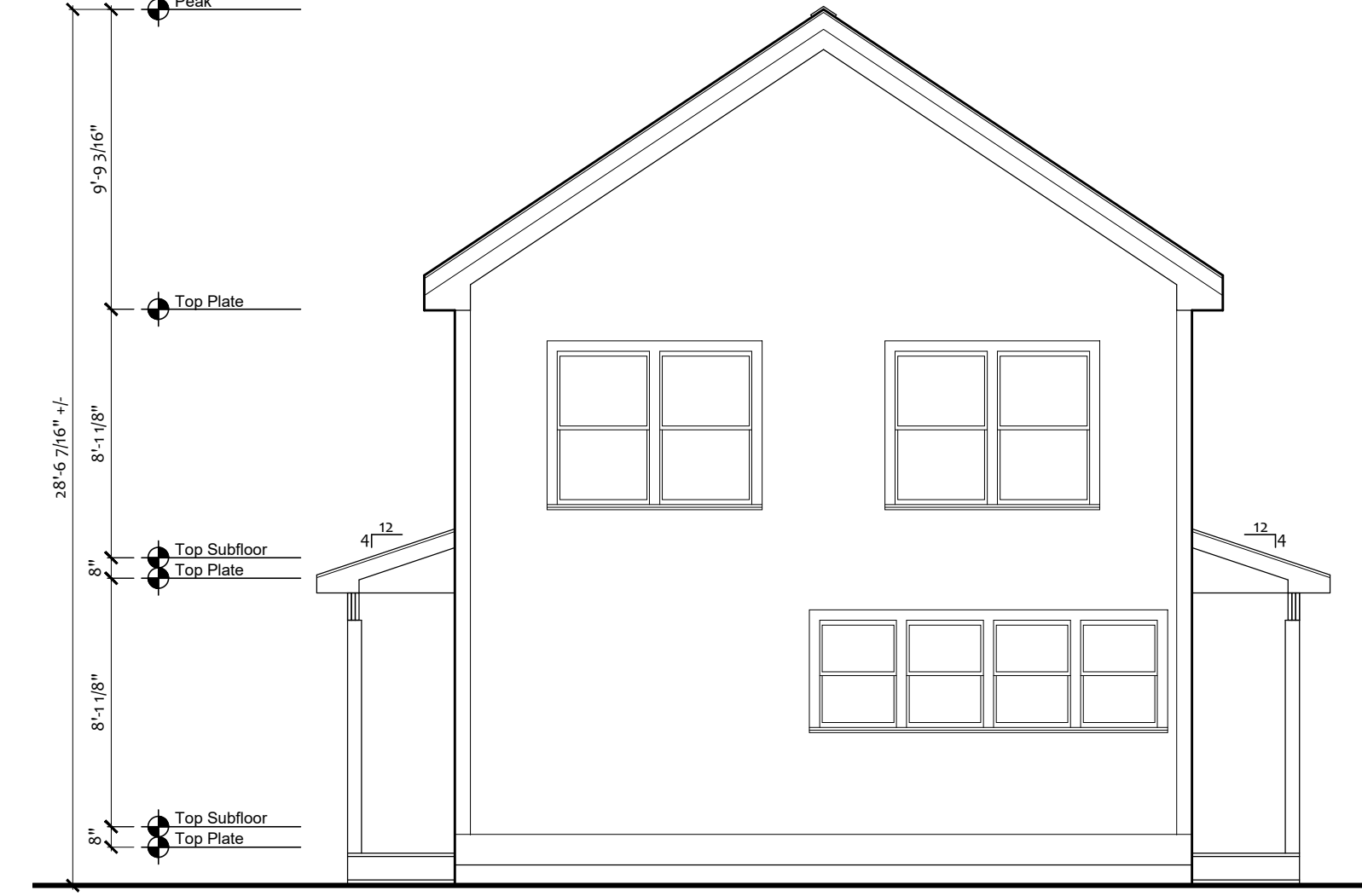
Proposed First Floor
Scale: 1/4" = 1'-0"

C

D



Front Elevation
Scale: 3/16" = 1'-0"



Rear Elevation
Scale: 3/16" = 1'-0"



Left Side Elevation
Scale: 3/16" = 1'-0"

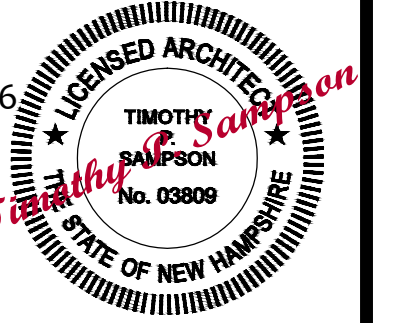


Right Side Elevation
Scale: 3/16" = 1'-0"

These drawings are LIMITED SCOPE and are intended only to describe general design intent, scale, overall spatial relationships and material where indicated. These drawings shall be considered preliminary for purposes of design review, comment, or budget pricing only, unless expressly released for other purposes as indicated in the issue log. The architect assumes responsibility for errors in the information provided, and not for omissions.

Architect:
Sampson Architects

Timothy Sampson
NCARB, LEED AP
11 King Court
Suite 1E
Keene, NH
603 769 7736



Engineer:

SAMPSON ARCHITECTS
2023 WOF#25-045

Prepared For
Hutchin Stone
Route 63
Spofford, NH 03462

PROJECT
Proposed Reconstruction
Route 63
Spofford, NH 03462

TITLE
Proposed Plans Elevations

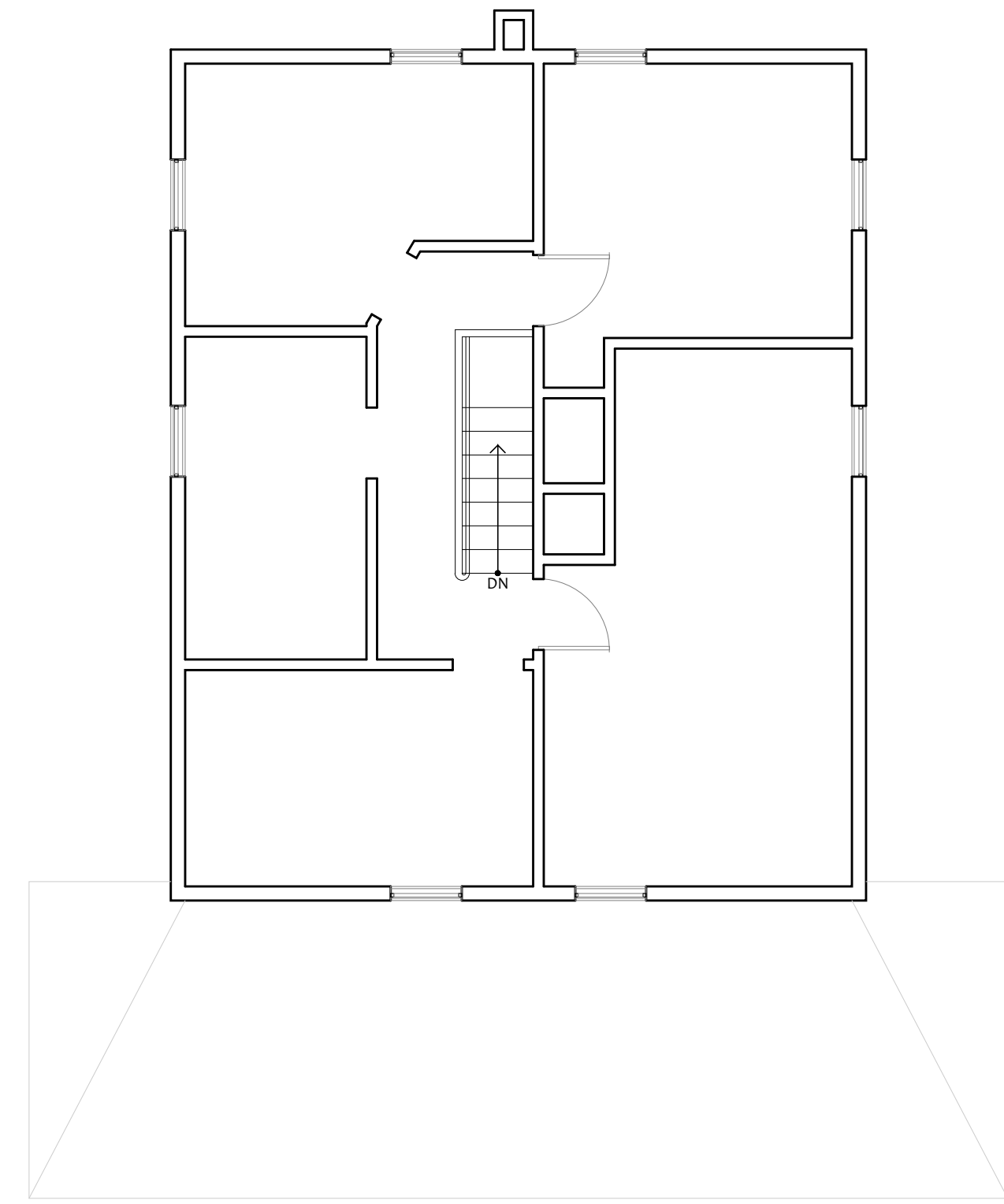
Date:	Revisions:
12.28.23	ZBA Submission
-	-
-	-

SCALE as noted

DATE 12.28.23

SHEET NUMBER

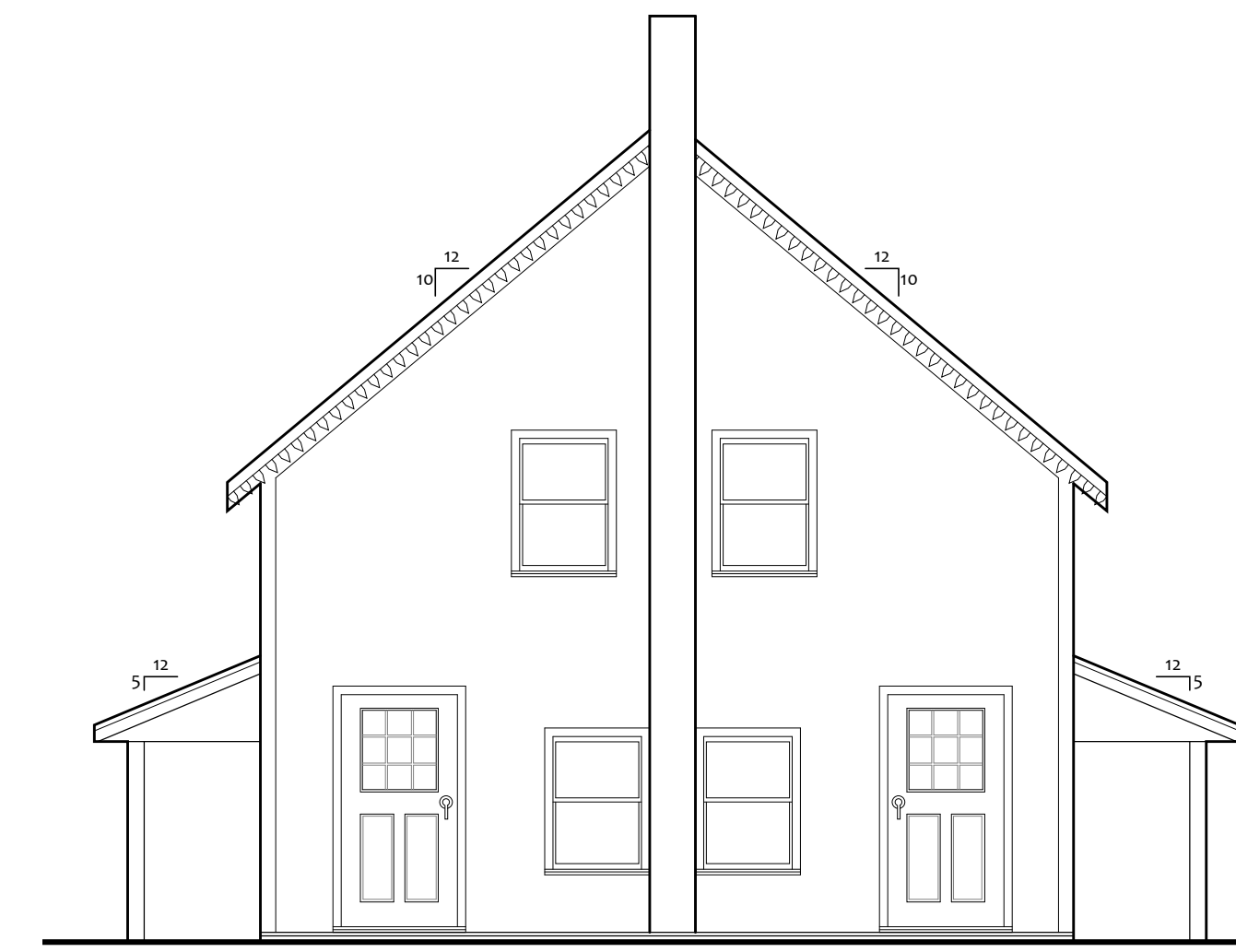
A1



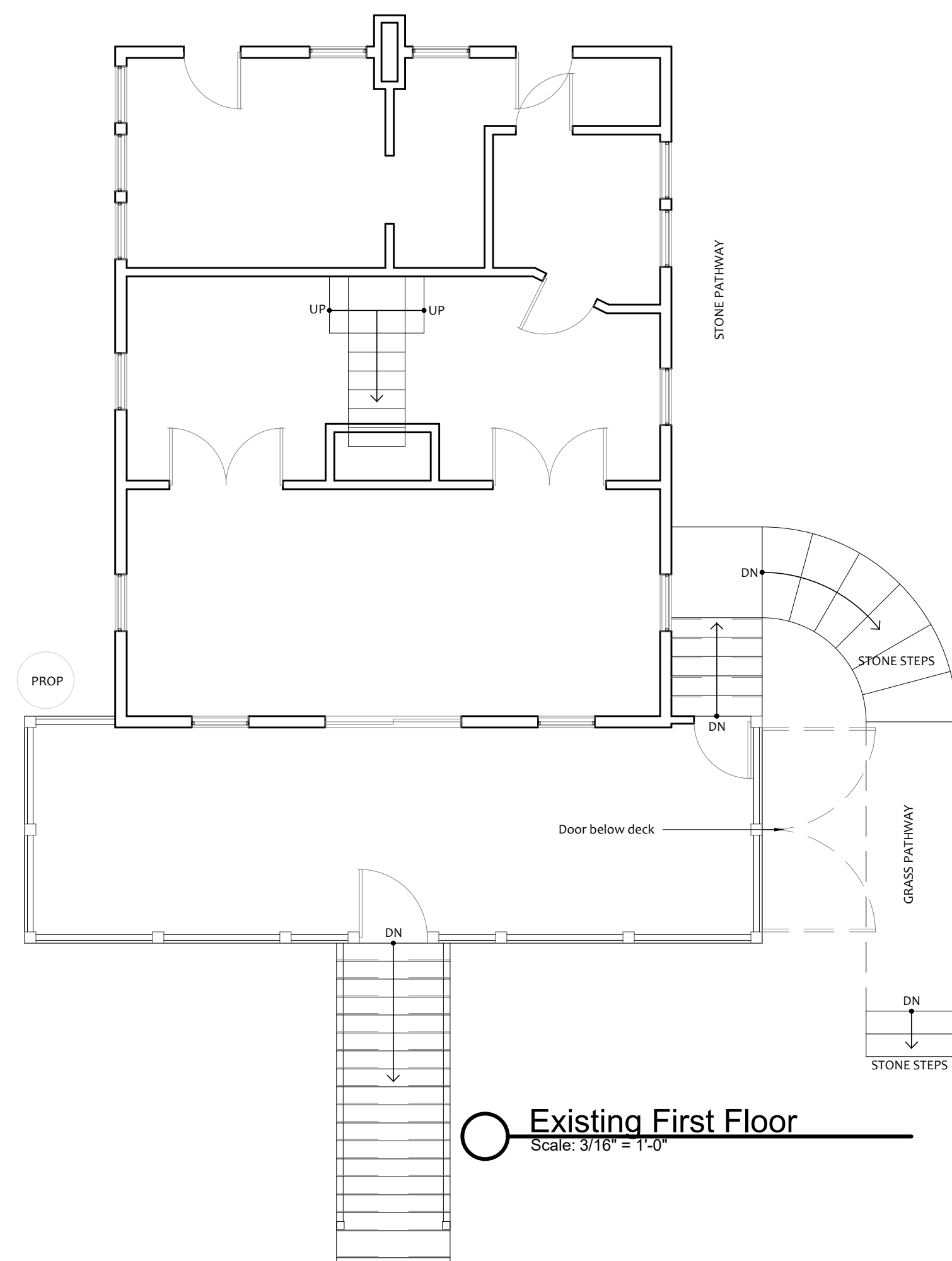
Existing Second Floor
Scale: 3/16" = 1'-0"



Existing Front Elevation
Scale: 3/16" = 1'-0"



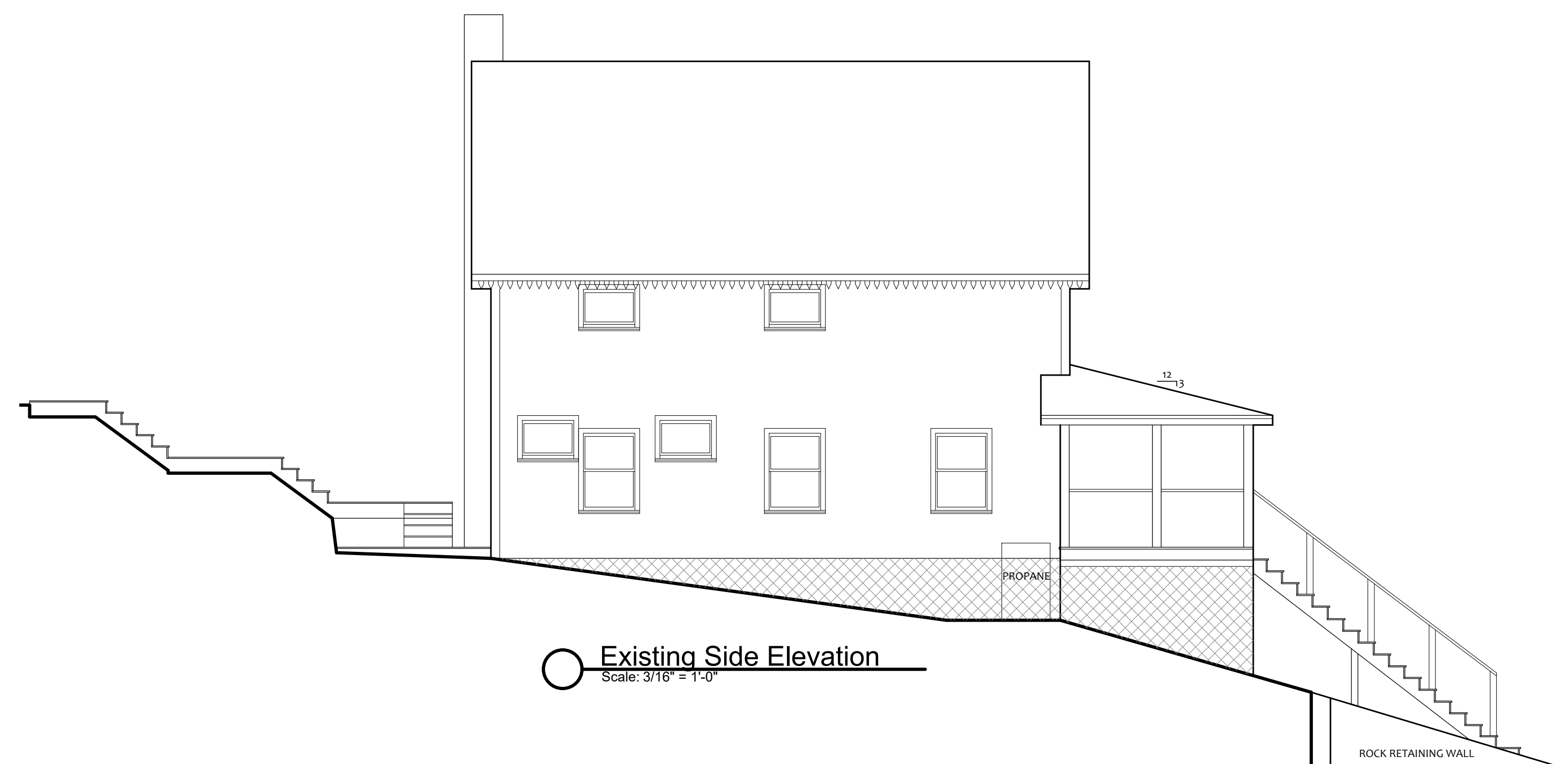
Existing Rear Elevation
Scale: 3/16" = 1'-0"



Existing First Floor
Scale: 3/16" = 1'-0"



Existing Right Side Elevation
Scale: 3/16" = 1'-0"

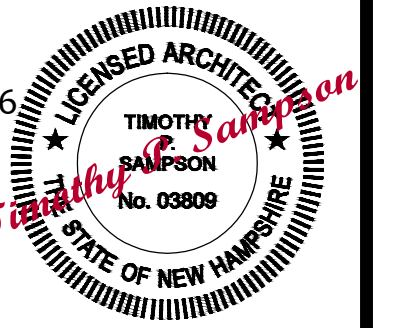


Existing Side Elevation
Scale: 3/16" = 1'-0"

These drawings are LIMITED SCOPE and are intended only to describe general design intent, scale, overall spatial relationships and material where indicated. These drawings shall be considered preliminary for purposes of design review, comment, or budget pricing only, unless expressly released for other purposes as indicated in the issue log. The architect assumes responsibility for errors in the information provided, and not for omissions.

Architect:
Sampson Architects

Timothy Sampson
NCARB, LEED AP
11 King Court
Suite 1E
Keene, NH
603 769 7736



Engineer:

SAMPSON ARCHITECTS
2023 WQ# 25-045

Prepared For
Hutchin Stone
Route 63
Spofford, NH 03462

PROJECT
Proposed Reconstruction
Route 63
Spofford, NH 03462

TITLE
Existing Plans Elevations

Date:	Revisions:
12.28.23	ZBA Submission
-	-
-	-

SCALE as noted

DATE 12.28.23

SHEET NUMBER

X1