

ABUTTER NOTICE
ZONING BOARD OF ADJUSTMENT
WOLFEBORO, NEW HAMPSHIRE

Notice is hereby given that the Zoning Board of Adjustment will meet on **Monday, 4 April 2016** at **7:00 PM** in the Wolfeboro Public Library Meeting Room to conduct the following business:

TM# 234-16-Unit 9

Case # 03-SE-16

Owner: Pleasant Valley Lodges Corp.

Applicant: Karen Grogin

Public Hearing for a Special Exception from Section 175-43 A (1) of the Wolfeboro Planning & Zoning Ordinance to remove an existing 5' x 7' deck and stairs and install a new 5' x 27' deck and stairs. *This property is located at 1-9 PVL Lane, Unit 9.* A site visit will be held at approximately 6:15 pm prior to the hearing.

Copies to:

- Town Manager
 - Codes Officer
 - Police Chief
 - Fire Chief
 - Conservation Commission
 - Assessor
 - Public Works Department
 - Municipal Electric
 - Department of Water & Sewer
 - Planning Department
 - File
- Grogin
Eaton
Pleasant Valley Lodges Corp.
Carpenter/Warner
Heath Shore Trust 1996
Pleasant Valley Lodge Corp.

V. PUBLIC HEARING

The conduct of the public hearing shall be governed by the following rules:

- A. The Chair shall call the hearing in session.
- B. The Clerk shall read the notice and report on how public notice and personal notice was given and if a site visit was held the clerk will report such.
- C. Members of the Board may ask questions at any time during testimony.
- D. Each person who appears shall be required to state her/his name and address, and indicate whether he/she is a party to the case or an agent or counsel of a party to the case.
- E. Any member of the Board, through the Chair, may request any party to the case to speak a second time.
- F. Any party to the case, who wants to ask a question of another party of the case, must do so through the Chair, but only at the discretion of the Chair.
- G. The applicant shall be called to present her or his appeal and those appearing in favor of the appeal shall be allowed to speak.
- H. Those in opposition to the appeal shall be allowed to speak.
- I. The applicant and those in favor of the appeal shall be allowed to speak in rebuttal.
- J. Those in opposition to the appeal shall be allowed to speak in rebuttal.
- K. When the public portion of the hearing is declared closed, no further testimony will normally be received from the applicant or any other party or interested person. However, to avoid the appearance of injustice, the Chair shall have the authority on a majority vote of the board to reopen the hearing to allow such limited additional testimony as may in the Chair's judgment be thought necessary to clarify one or more questions that may have arisen during the board's deliberations, provided that the applicant(s) and all interested parties are still present and in attendance. The board may continue the public hearing to a subsequent meeting if all interested parties are not still present and in attendance Notice shall be given of the continuance.

The Board has the authority to reopen the hearing at the next board meeting if the board feels that reopening the hearing is necessary because the applicant and/or any interested party has departed. Notice shall be required and the cost of said notice shall be the responsibility of the applicant.

VI. DECISIONS

The Board will endeavor to decide all cases immediately after the public hearing. The Board may approve with conditions, deny the application, or defer its final decision. The Board's Notice of Decision will be made available within 5 business days as required by RSA 676:3, and will be sent in a timely manner to the applicant and other appropriate parties in interest. If the application is denied, the notice shall include the reasons for the denial.

17 March 2016

Dear Applicant;

The Wolfeboro Zoning Board of Adjustment has scheduled a meeting on Monday, April 4, 2016, 2016 at 7 pm in the Wolfeboro Public Library Meeting Room relative to your submitted application(s). A site visit has been scheduled at approximately 6:15 pm the day of the meeting. It is advisable that either you or a representative be present at the time of the site visit to answer questions the Board may have. As a site visit is not a public hearing and no additional comments will be accepted,

If you have any questions, please feel free to contact me at 603-569-5970.

Sincerely,

Robin Kingston
Administrative Assistant

TOWN OF WOLFEBORO
ZONING BOARD OF ADJUSTMENT

SPECIAL EXCEPTION

Section II-- (To be prepared by Applicant)

Date: 3/3/2016

NOTE: Additional information may be supplied on separate sheet if the space provided is not inadequate.

TO: Zoning Board of Adjustment
Town of Wolfeboro
P.O. Box 629
Wolfeboro, New Hampshire 03894-0629

1. Having been denied a permit by the Wolfeboro Building Official for the reason specified in Section I: NOTICE OF ZONING DECISION (Copy Attached). I hereby appeal the decision and request the Board of Adjustment to schedule a public hearing to consider this appeal.
2. I realize that providing the complete information requested below is the responsibility of the undersigned applicant and must be provided before a public hearing can be scheduled by the Board. I understand that it is my responsibility to present this appeal to the Board.

- a. Type of Appeal: Special Exception X
- b. Basis for Appeal is Article 175, Section 43A⁽¹⁾ of the Wolfeboro Planning and Zoning Ordinance
- c. Location of property in question: 338 Pleasant Valley Lane
- d. Tax Map number: 234 Lot Number: 16 Sub Lot: Unit 9
- e. Zoning District: SFR
- f. Name of Applicant: Amy Luff Temple, Officer
Pleasant Valley Lodges

TOWN OF WOLFEBORO

ZONING BOARD OF ADJUSTMENT

g. Mailing Address of Applicant: 6 OAK Ridge Rd.
White Plains, N.Y. 10607

h. Phone Number of Applicant: _____

i. E-mail Address: _____

j. Name of Company (if applicable): _____

k. Legal Owner of the Property: Pleasant Valley Lodges Corp.

l. Mailing Address of Property Owner: 6 OAK Ridge Rd.
White Plains, N.Y. 10607

m. Proposed use of property or modification of existing use: _____
Remove existing 5 FT. X 7 FT. Deck + STAIRS
INSTALL new 5 FT. X 27 FT. Deck + STAIRS

n. Directions to the property from the Wolfeboro Town Hall: _____

PROCEED South on S. MAIN ST.
TURN left on Pleasant Valley Rd.
TURN left on PUL LANE.
LAST COTTAGE before lake.

I understand that I must appear in person at the public hearing scheduled by the Board of Adjustment to present this appeal. If I cannot appear in person, I will notify the Board in writing of the name of the individual I designate to represent me at the hearing. I also understand that it is my sole responsibility, as the applicant, to provide ALL of the information required to the Secretary of the Board of Adjustment before a hearing can be scheduled.

Amy Leff Temple, Officer 3/3/2016
Applicant's Signature Date
Pleasant Valley Lodges Corp.

TOWN OF WOLFEBORO
ZONING BOARD OF ADJUSTMENT

6. Immediate neighborhood integrity: That the uses and established use patterns be weighed with recent change trends in the neighborhood.

No change

7. Impact on property values: That the proposed use will not cause or contribute to decline in property values of adjacent properties.

None

8. The proposed use or structure is consistent with the spirit of the ordinance and the intent of the Master Plan.

Consistent with Spirit & Intent

Applicant: Amy Luff Temple Officer Date: 3/3/2016
Pleasant Valley Lodges Corp.

Memo

To: Robert Houseman – Director of Planning & Development

RE: Pleasant Valley Lodges Corp. Tax Map #234-16

August 15, 1961 a Zoning permit # 52 was issued to build a new cottage

ZONING PERMIT

8-2-30 ✓

Elevation Drawings or pictures and a plot plan having been filed with and approved by the

WOLFEBORO PERMIT OFFICER

Permission is hereby granted to Pleasant Valley Lodges

To build a new cottage

In compliance with said submitted material

Permit fee \$ 5.00 received

No. 52

A

Date Aug 15, 1961

Robert W. Murphy
Permit Officer

This permit is valid for a period of one year from the date of issue, and may be renewable upon application.

Board Resolution

**Organization: Pleasant Valley Lodges Corporation
Board of Directors**

The undersigned hereby certifies that a meeting of the Board of Directors of Pleasant Valley Lodges Corporation, a corporation organized under the laws of the State of New Hampshire, held on January 16, 2016 at 629 Kappock Street, Bronx, NY 10463 the following resolution was duly adopted by unanimous vote and is now in full force and effect.

Whereas, the Board of Directors affirmed that the following officers are authorized to conduct any and all business on behalf of the corporation:

Name

Amy Leff Temple

President & Treasurer



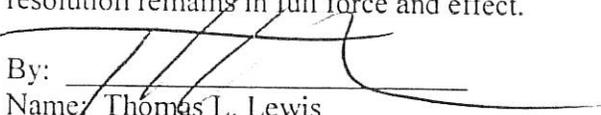
Lynn L. Mazzola

Vice President



Certification

The aforesaid is a true copy of the resolutions duly adopted by the Board of Directors of Pleasant Valley Lodges Corporation meeting on January 16, 2016, and that the aforesaid resolution remains in full force and effect.

By: 

Name: Thomas L. Lewis

Title: Secretary & Board of Directors Chairperson

Corporate Seal





State of New Hampshire
Department of State
2015 NONPROFIT REPORT

Filed
Date Filed: 12/31/2015
Effective Date: 12/31/2015
Business ID: 81329
William M. Gardner
Secretary of State

BUSINESS NAME: PLEASANT VALLEY LODGES CORPORATION
BUSINESS TYPE: Domestic Nonprofit Corporation
BUSINESS ID: 81329
CITIZENSHIP: Domestic
STATE OF INCORPORATION: New Hampshire

CURRENT PRINCIPAL OFFICE ADDRESS	CURRENT MAILING ADDRESS
% BARTON MENZIN 16 BIRCHWOOD LANE HARTSDALE, NY, 10530, USA	NONE

PRINCIPAL PURPOSE(S)	
NAICS CODE	NAICS SUB CODE
OTHER / MANAGE AND MAINTAIN LODGES	

OFFICER / DIRECTOR INFORMATION		
NAME	BUSINESS ADDRESS	TITLE
Barton Menzin	16 Birchwood Lane, Hartsdale, NY, 10530, USA	President
Amy Leff Temple	629 Kappock Street, Bronx, NY, 10463, USA	Director

I, the undersigned, do hereby certify that the statements on this report are true to the best of my information, knowledge and belief.

<u>Barton Menzin</u> SIGNATURE	<u>President</u> TITLE
-----------------------------------	---------------------------



State of New Hampshire
Department of State
2015 NONPROFIT REPORT



ONLINE NONPROFIT REPORT CONFIRMATION RECEIPT

Business Name: PLEASANT VALLEY LODGES CORPORATION
Type of Request: Nonprofit Report

Payment Received: \$27.00
Request Date/Time: 12/31/2015 11:04:00 AM

PAYMENT RECEIPT

Payment Type: Credit Card
Payment #: #####3467
Billing Amount: \$27.00

Payment Transaction #: 41329
Authorization: 06587C
Billing Date / Time: 12/31/2015 11:04:00 AM

Filing Fee: \$25.00
Electronic Filing Fee: \$2.00
Late Filing Fee: \$0.00
Total Fees: \$27.00

TOWN OF WOLFEBORO

ZONING BOARD OF ADJUSTMENT

RECEIVED

NOTICE OF ZONING DECISION OF CODES OFFICER

FEB 8 2016

Section I -- (To be prepared by the Wolfeboro Building Official)

ZONING BOARD OF ADJUSTMENT

To: Name: Karin Grogin

Address: 6 Oak Ridge Road White Plains, NY 10607

Your request for a permit to (specify use): replace existing Stairs Deck 4ft x 8ft to 5ft x 4ft Deck + stairs.

on property located at: 338 Pleasant Valley Lane

is DENIED for the following reason: Increasing the square footage of existing deck and stairs

You have the right to appeal this decision under Article 175.187 of the Wolfeboro Planning and Zoning Ordinance after completing the Section II of this form.

Cory Ruhl Building Official

10/15/15 Date

Karen Johnson Grogin



6 Oak Ridge Road
White Plains, NY 10607
Karen.johnson@havasmedia.com

To Whom It May Concern,

I am authorizing Rick Eaton from Eaton Bros. Construction to act as my agent to represent us at the hearing before the Board of Adjustment.

Thank you,

Karen Johnson Grogin



NUMBER
10



SERIES
one (1)

INCORPORATED UNDER THE LAWS OF THE STATE OF NEW HAMPSHIRE

PLEASANT VALLEY LODGES CORPORATION

The Corporation is authorized to issue 9 Common Shares Without Par Value

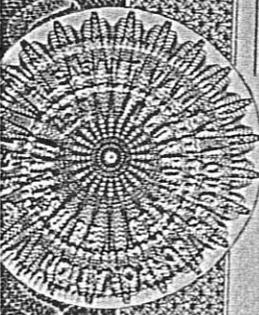
This Certificate that Karen Grogin
one (1)

is the owner of
fully paid and

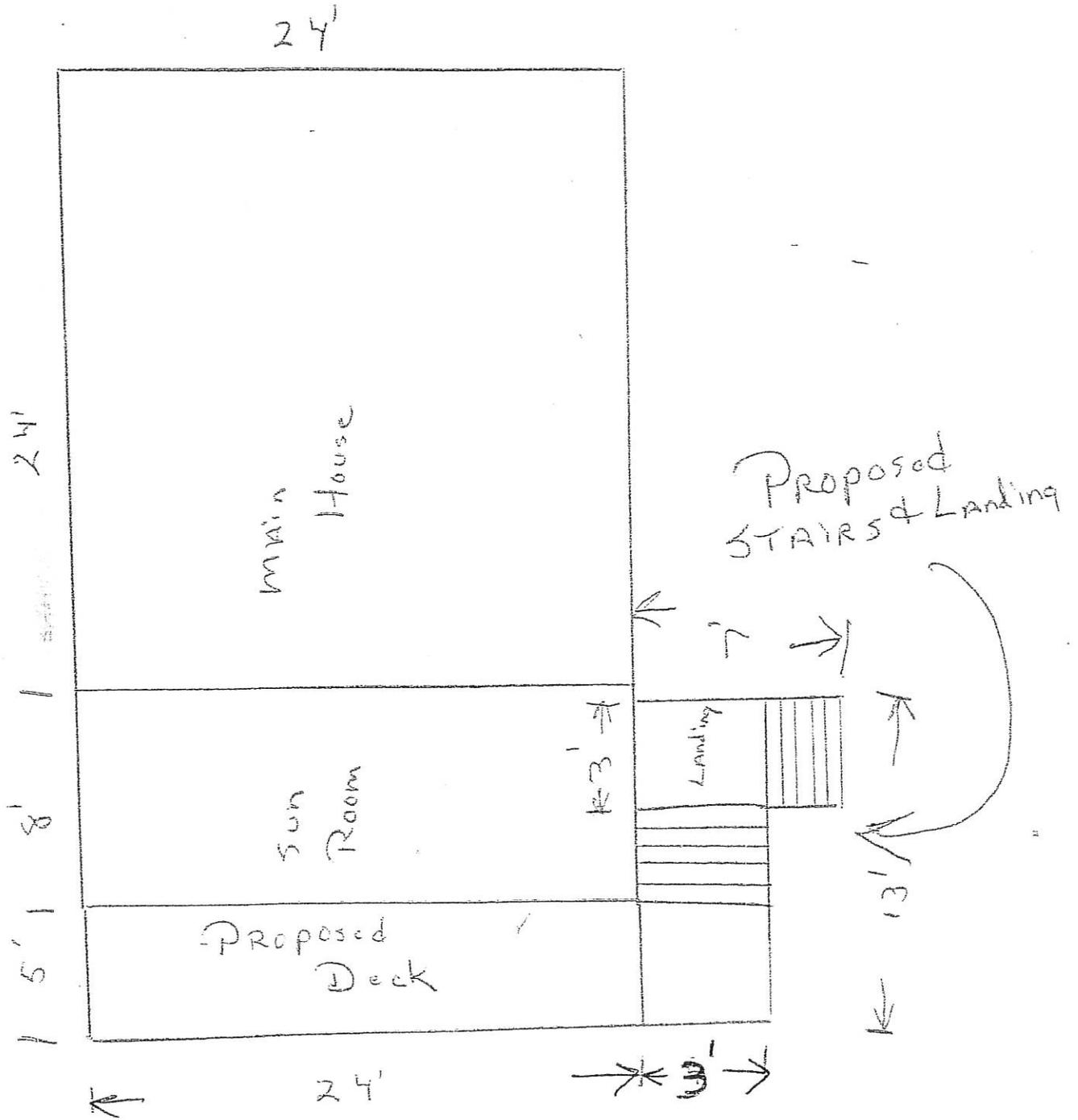
non-assessable Shares of the above Corporation transferable only on the
books of the Corporation by the holder hereof in person or by duly authorized
Attorney upon surrender of this Certificate properly endorsed.

Sho Witness Whereof, the said Corporation has caused this Certificate to be signed
by its duly authorized officers and to be sealed with the Seal of the Corporation.
Dated August 5, 1992

[Signature]
SECRETARY
[Signature]
PRESIDENT



NOT TO SCALE!

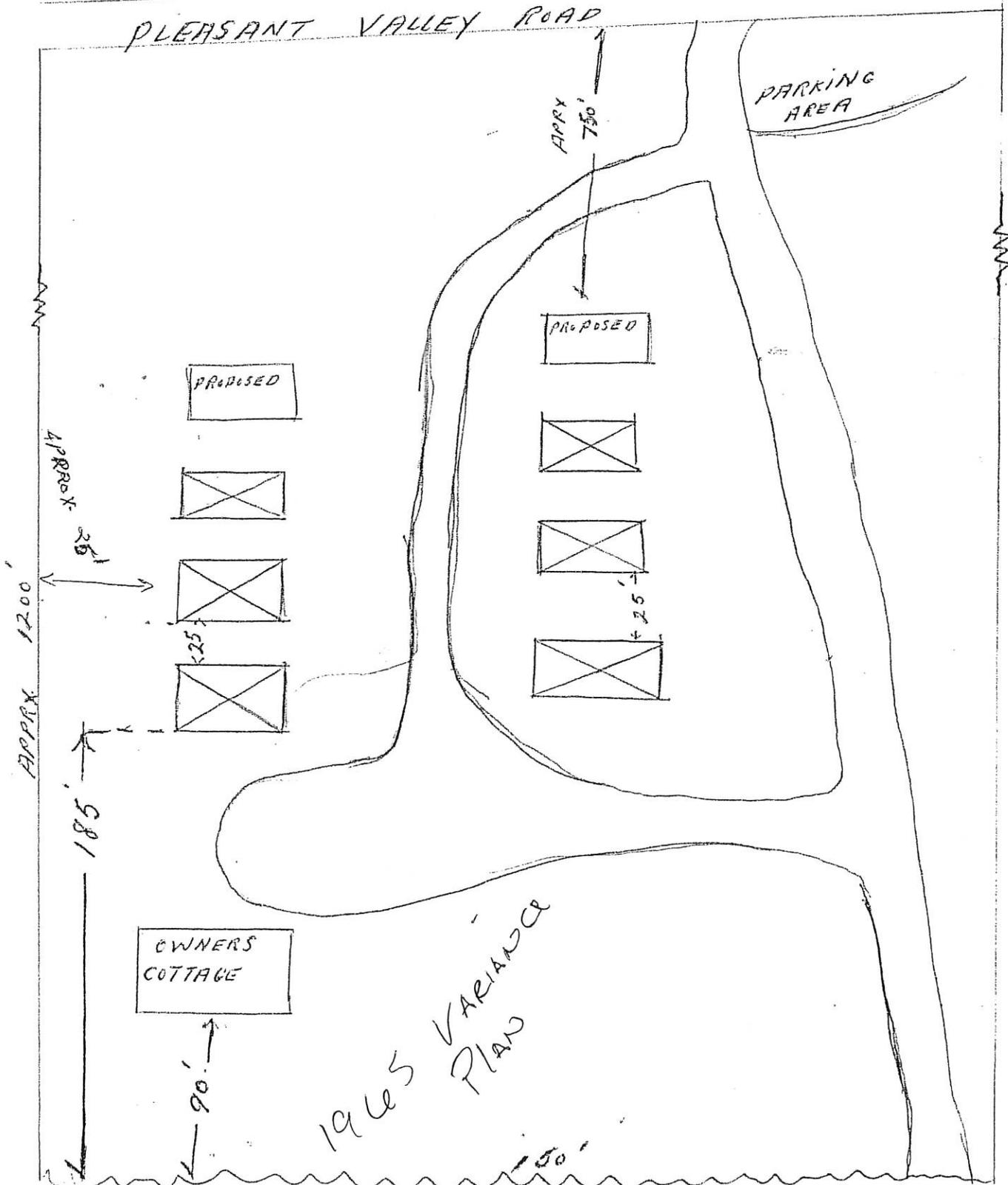


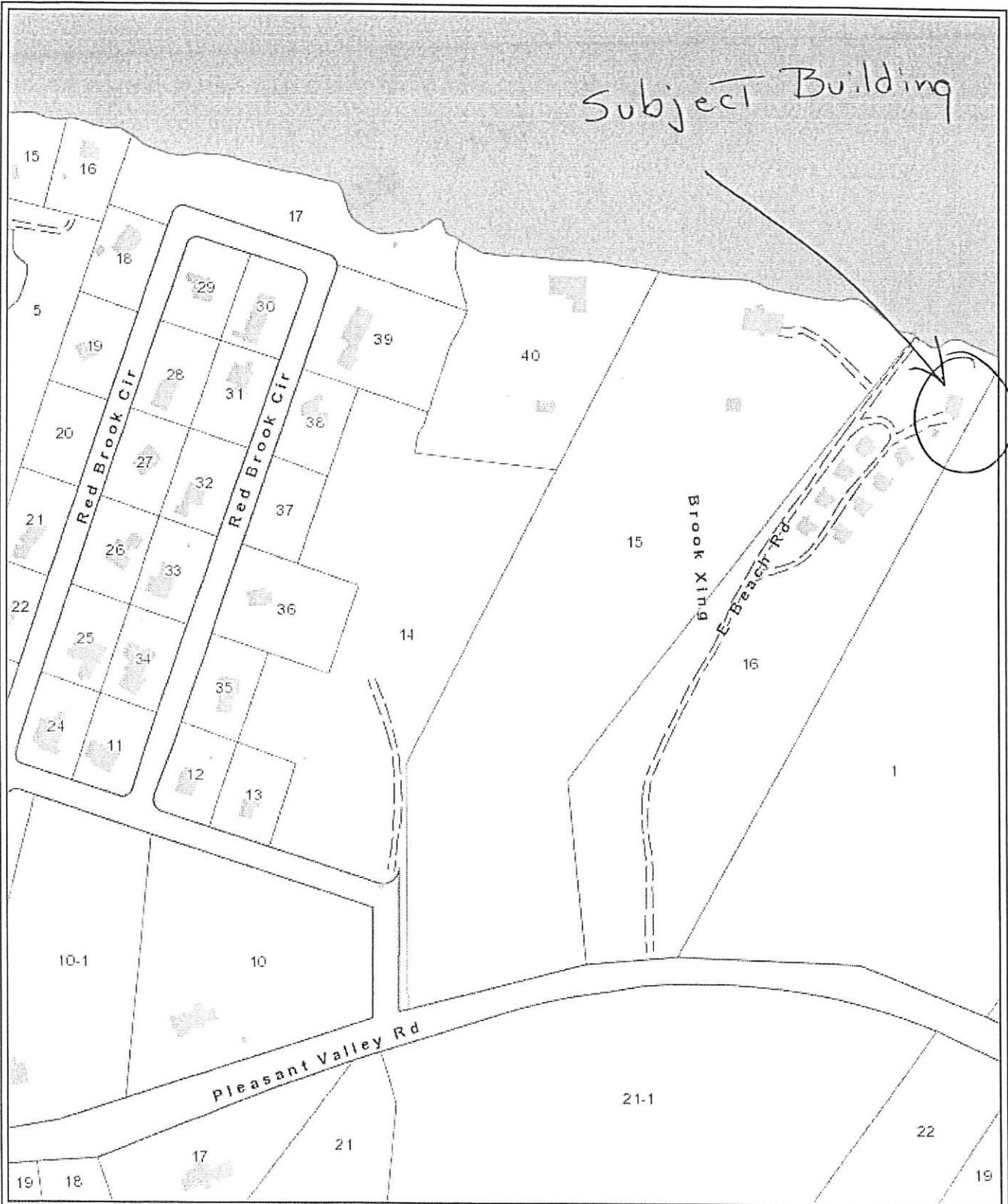
Pleasant Valley Lodges

on Lake Wentworth

PLEASANT VALLEY ROAD
WOLFEBORO, NEW HAMPSHIRE

TELEPHONE 879-R

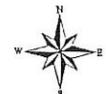




Subject Building



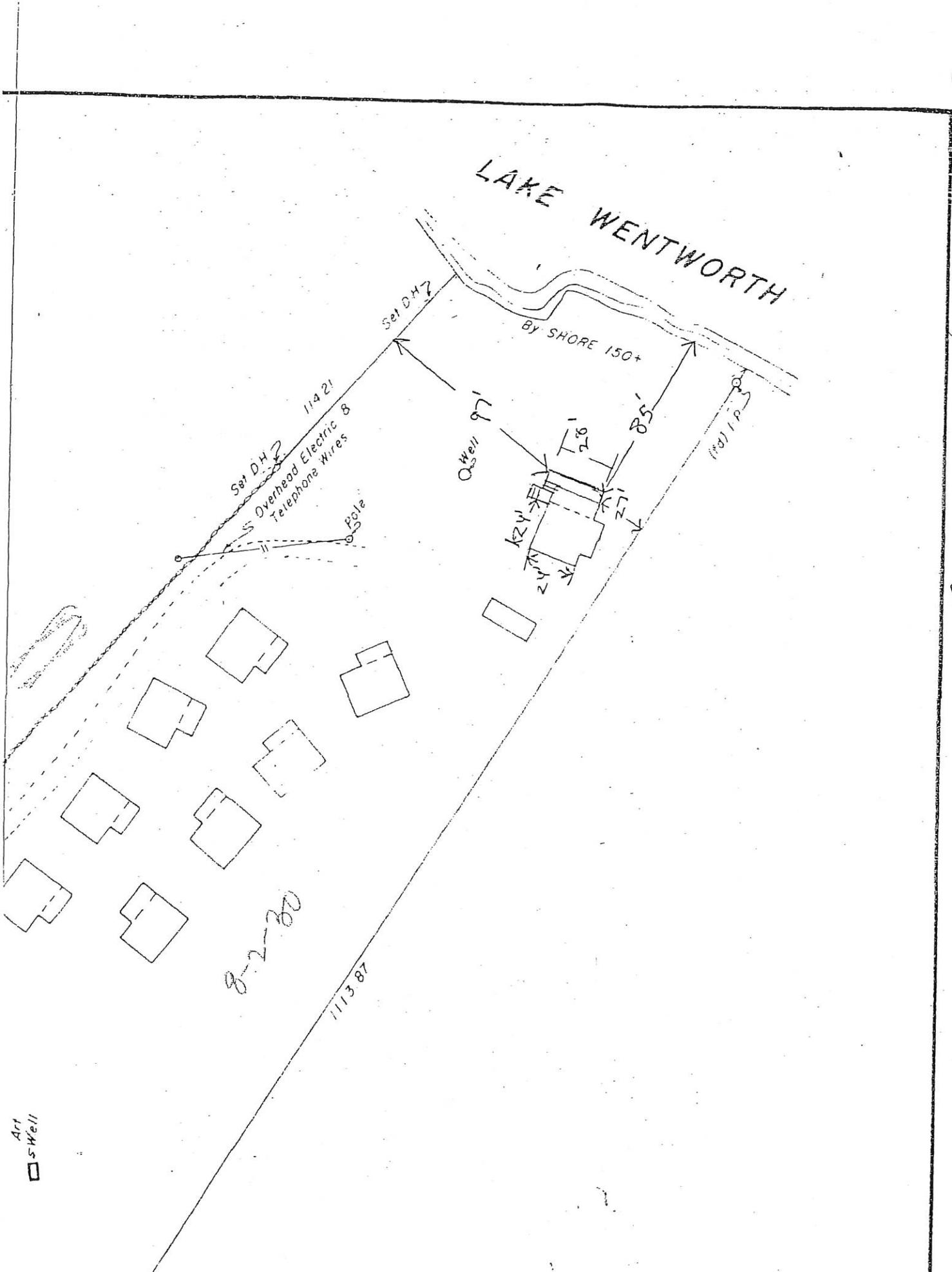
Wolfeboro, NH
 1 Inch = 220 Feet
 October 28, 2015



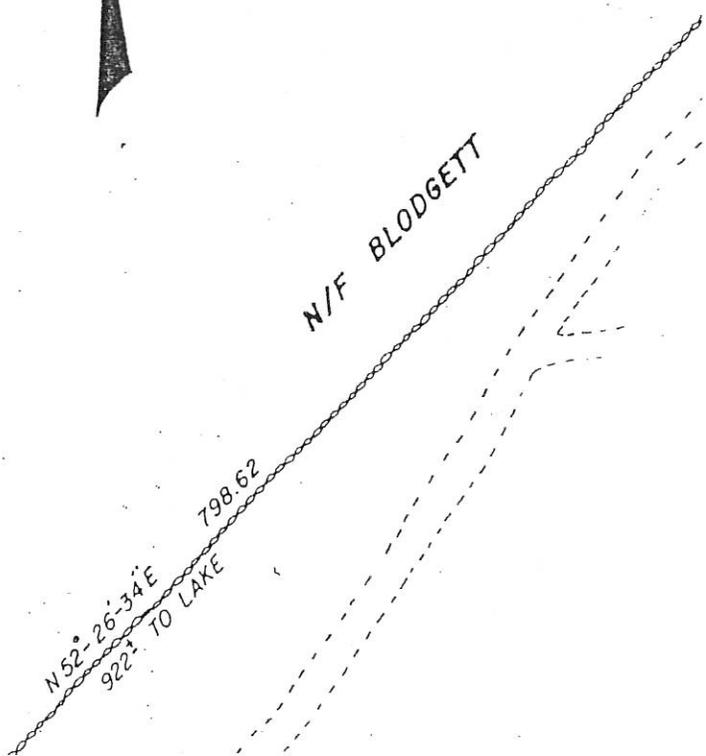
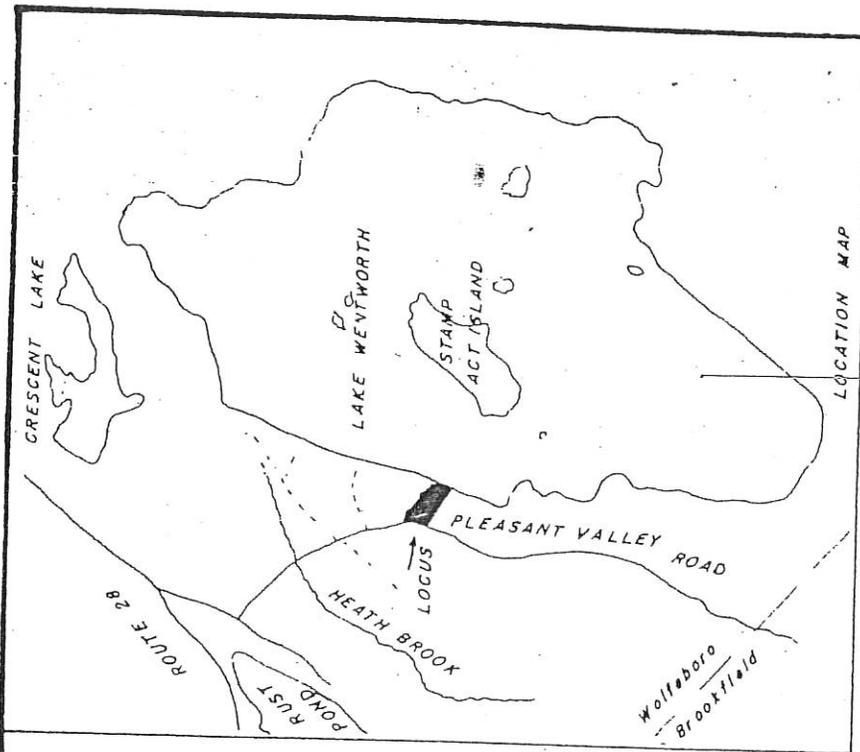
Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

www.cai-tech.com





RESERVED BY MR. JOHNSON
 14 BIRCHWOOD LANE
 - AS-7



RECEIVED

FEB 16 2016

WOLFEBORO
BUILDING DEPT.

OWNER:

Karen Grogin
6 Oak Ridge Rd.
White Plains, N.Y. 10607
Parcel No. 234-016-000

AGENT:

Richard Eaton
49 Turtle Island Rd.
Wolfeboro, N.H. 03894

ABUTTERS:

Anne & Philip Holberton
P.O. Box 877
Wolfeboro, N.H. 03894
Parcel No. 234-015-000

Andrew Carpenter & Paula Warner
P.O. Box 453
Wolfeboro Falls, N.H. 03896
Parcel No. 234-021-001

Francis M. Blodget III
P.O. Box 667
Wolfeboro Falls, N.H. 03896
Parcel No. 235-001-000



100 foot Abutters List Report

Wolfeboro, NH
February 19, 2016

Subject Property:

Parcel Number: 234-016-000
CAMA Number: 234-016-000
Property Address: 1-9 PVL LANE

Mailing Address: PLEASANT VALLEY LODGES CORP
JOHNSON MITCHELL
14 BIRCHWOOD LANE
HARTSDALE, NY 10530

Abutters:

Parcel Number: 234-015-000
CAMA Number: 234-015-000
Property Address: 11 BROOK CROSSING

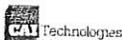
Mailing Address: HOLBERTON, ANNE B. HOLBERTON,
PHILIP V.
PO BOX 877
WOLFEBORO, NH 03894

Parcel Number: 234-021-001
CAMA Number: 234-021-001
Property Address: 325 PLEASANT VALLEY ROAD

Mailing Address: CARPENTER ANDREW R WARNER
PAULA M
PO BOX 453
WOLFEBORO FALLS, NH 03896

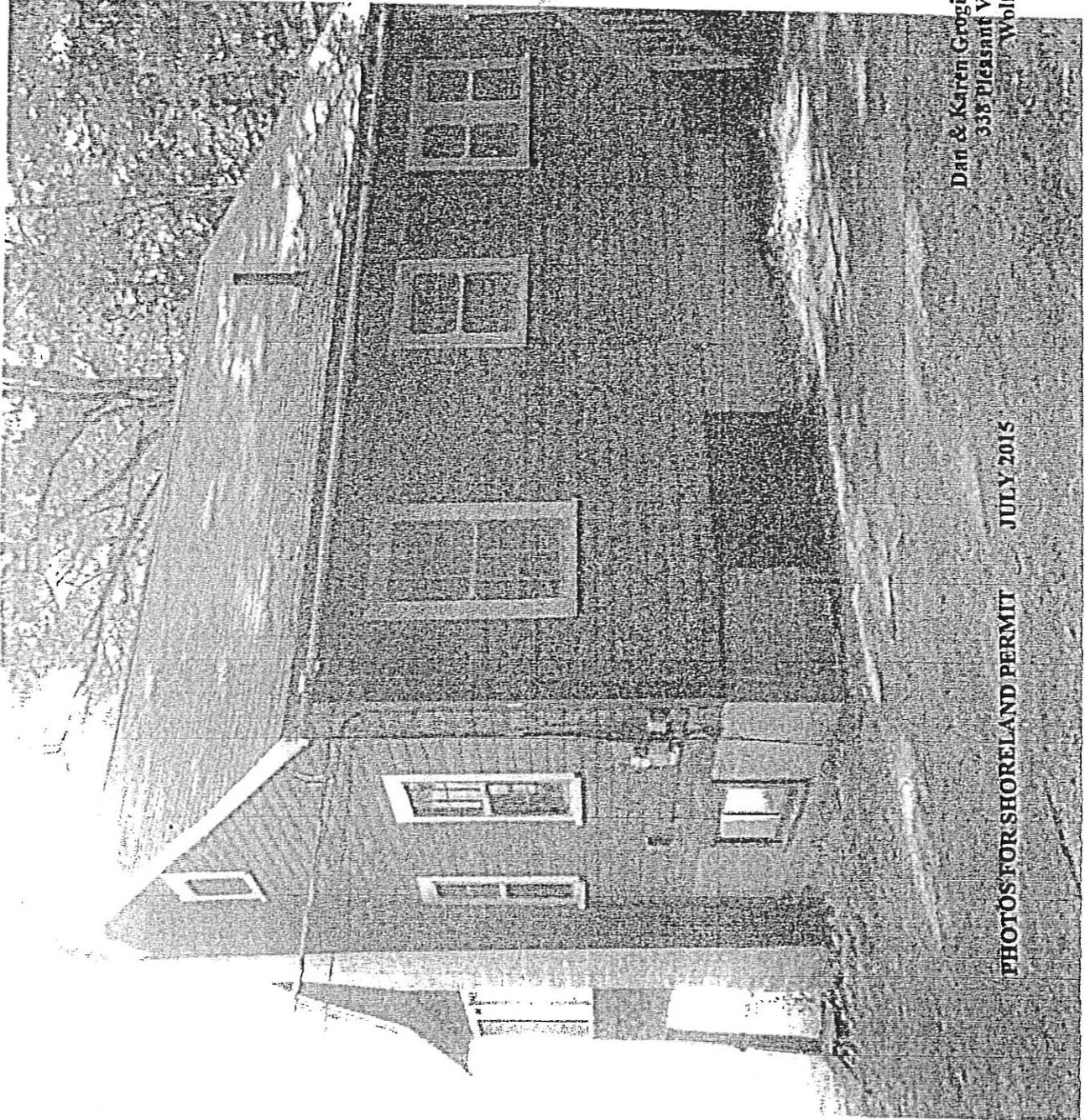
Parcel Number: 235-001-000
CAMA Number: 235-001-000
Property Address: PLEASANT VALLEY ROAD

Mailing Address: HEATH SHORE TRUST 1996 BLODGET
FRANCIS M III TRT
PO BOX 667
WOLFEBORO FALLS, NH 03896



www.cai-tech.com

7

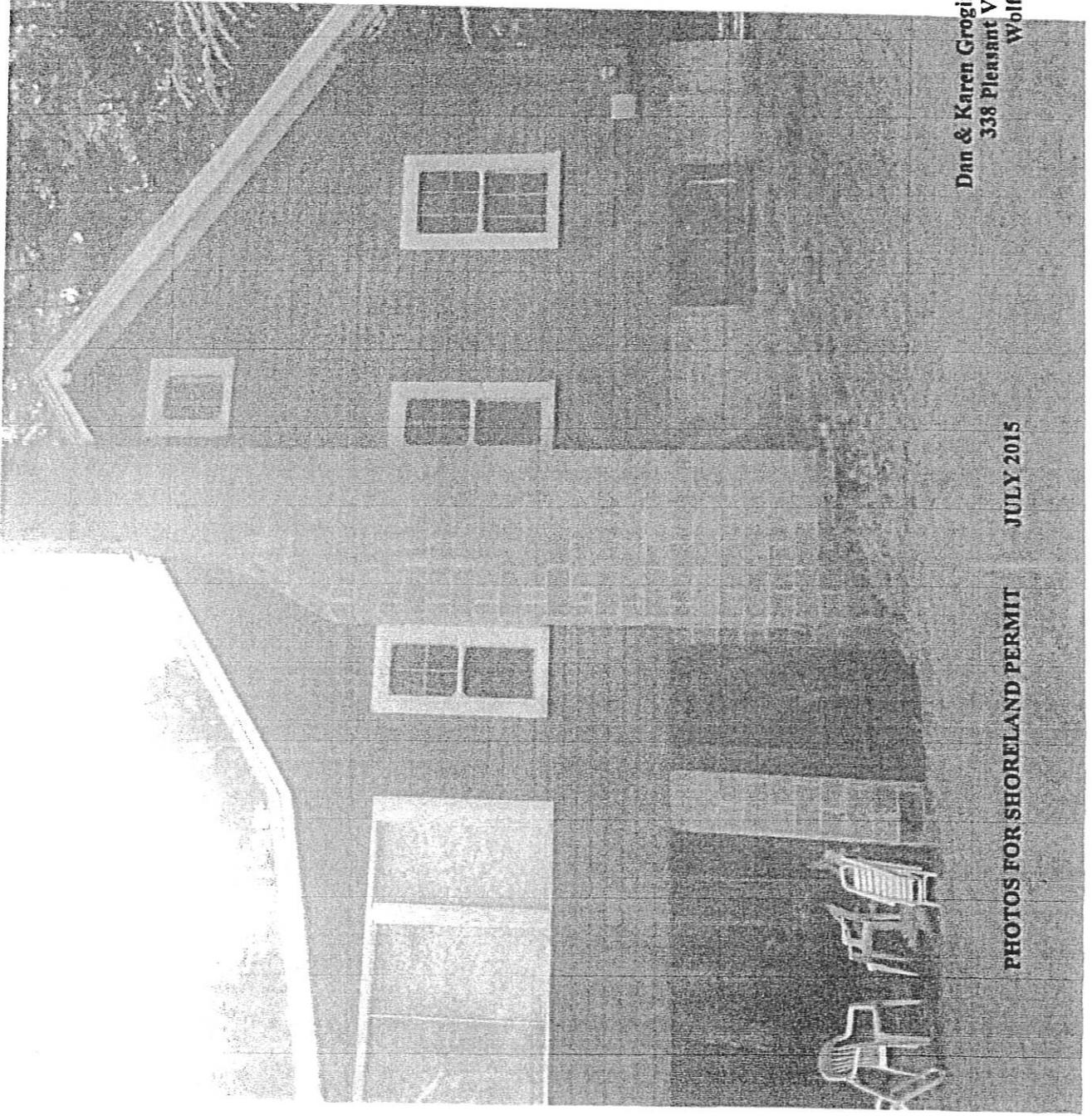


Dan & Karen Grogin Property
338 Pleasant Valley Road
Wolfeboro, NH

JULY 2015

PHOTOS FOR SHORELAND PERMIT

2

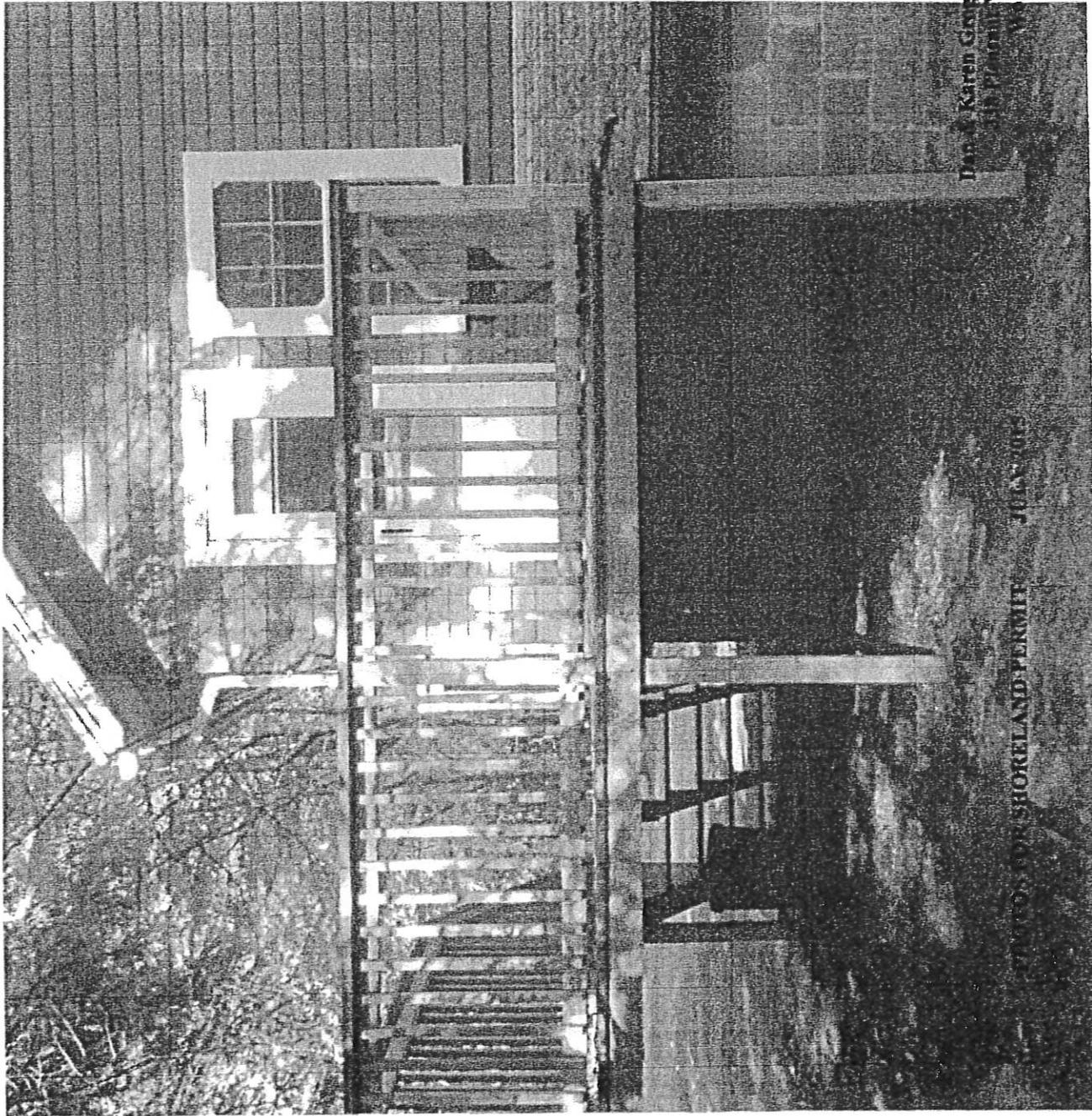


Dan & Karen Grogin Property
338 Pleasant Valley Road
Wolfeboro, NH

JULY 2015

PHOTOS FOR SHORELAND PERMIT

3



Don & Karen Grogan Property
118 Pleasant Valley Road
Walfeboro, NH

JUL 2008

PHOTO FOR SHORELAND PERMIT



Dan & Karen Grogan Property
338 Pleasant Valley Road
Walfeboro, NH

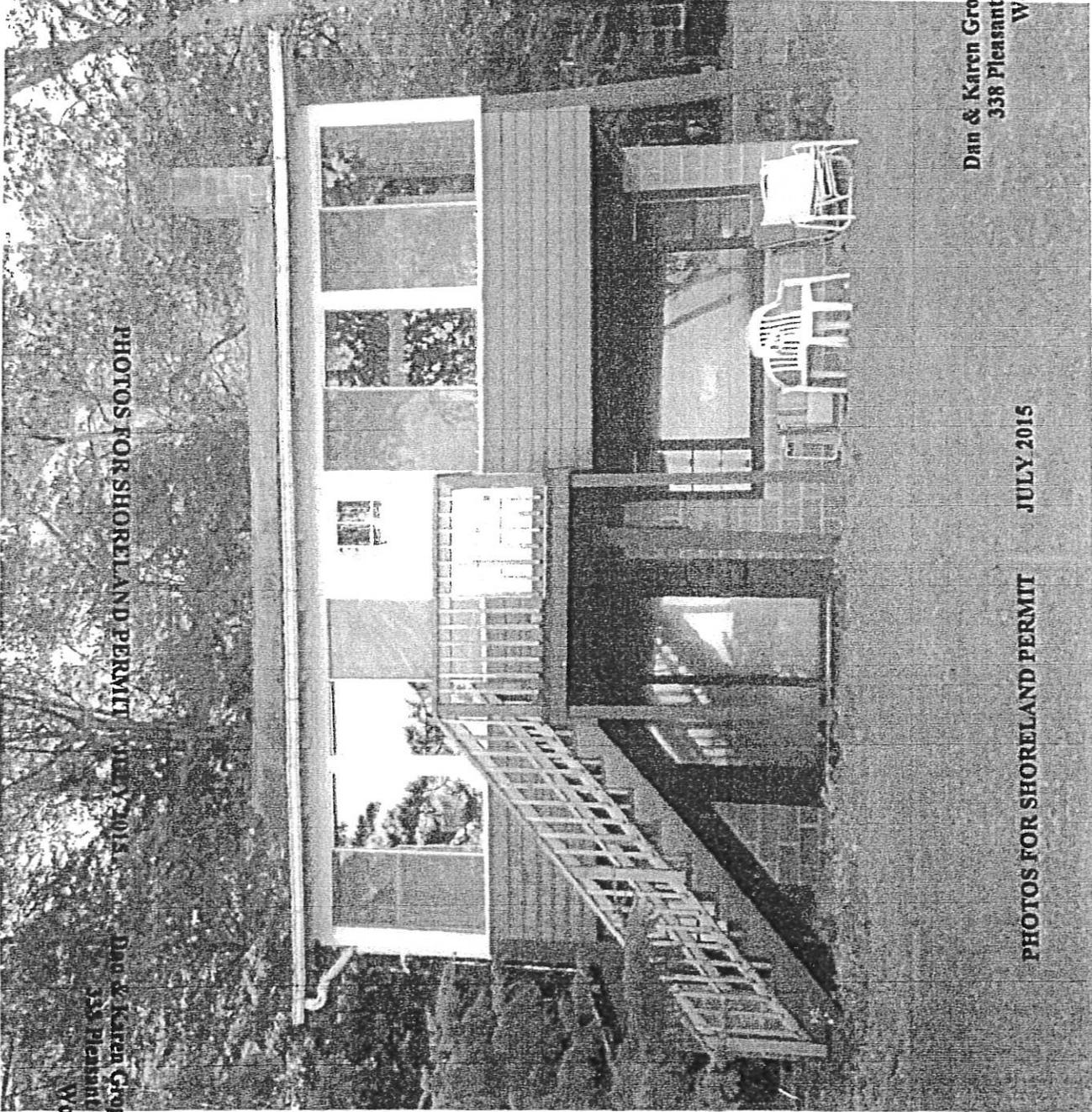
JULY 2015

PHOTOS FOR SHORELAND PERMIT

7

PHOTOS FOR SHORELAND PERMIT JULY 2015 Dan & Karen Grogin Property
338 Pleasant Valley Road
Wolfeboro, NH

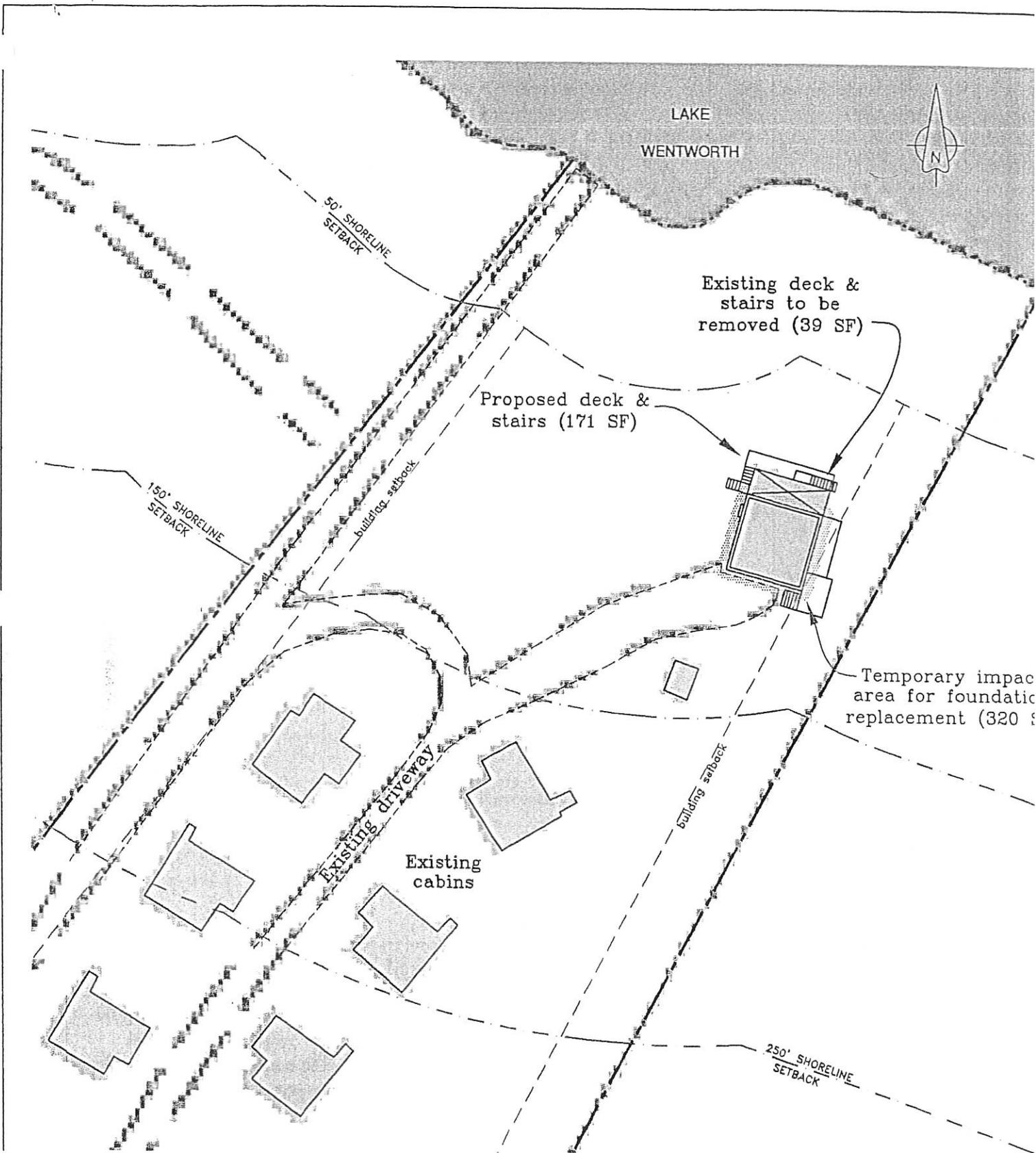
5



Dan & Karen Grogin Property
338 Pleasant Valley Road
Wolfeboro, NH

JULY 2015

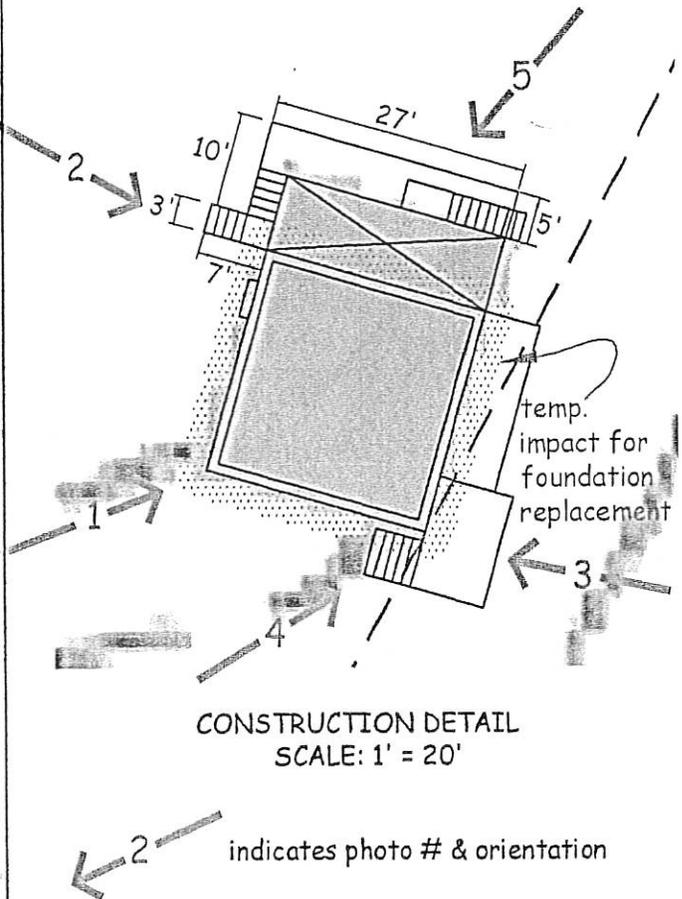
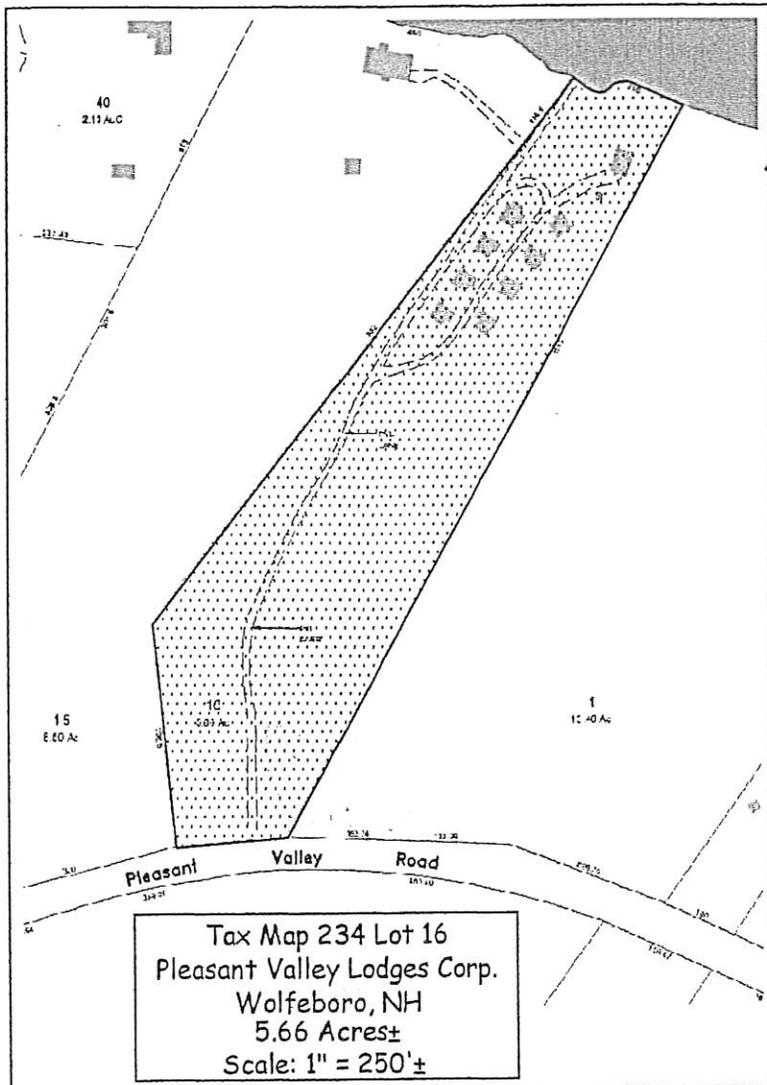
PHOTOS FOR SHORELAND PERMIT



SITE PLAN



SCALE: 1' = 40'



Area within protected shoreland = 44,168 SF

Existing Driveway = 5600 SF
Existing Buildings = 3124 SF
Existing impervious = 8724 SF
Existing percent impervious = 19.8%

Proposed Driveway = 5600 SF
Proposed Buildings = 3256 SF
Proposed impervious = 8856 SF
Proposed percent impervious = 20.0%

Note: This project consists of replacing the foundation and adding a deck and stairs onto the lake side of the cabin.

PLAN FOR SHORELAND PERMIT

prepared for
Dan & Karen Grogin
for property located at
338 Pleasant Valley Road
(Pleasant Valley Lodges)

March 15, 2016

Prepared by:
Joanne K. Coppinger, P.E.
coppinger@roadrunner.com
(603)986-3271



Planning and Development

*Town of
Wolfeboro*

MEMORANDUM

DATE: 28 March, 2016

TO: Zoning Board of Adjustment
FROM: Robert Houseman, Director of Planning and Development

SUBJECT: Special Exception

INITIATED BY: Karen Grogin, shareholder (Pleasant Valley Lodges Corp., Owner)

TM #: 234-16 (cottage #9)

Case #: 03-SE-16

Agent: Richard Eaton

DESCRIPTION: The applicant is a shareholder in Pleasant Valley Lodges, a nine-unit cottage colony on a single lot of record. Please note that the treasurer for Pleasant Valley Lodges has signed the application. The treasurer is an officer of the Corporation. All of the cottages are considered lawfully existing nonconforming uses since the property contains multiple seasonal dwelling units. The applicant is seeking a Special Exception to allow the expansion of a nonconforming use by 25%. The existing building is 770 sq. ft. and the proposed addition is 177 sq. ft. (less than a 25% expansion).

Below please find applicable section of the Wolfeboro Zoning Ordinance:

§ 175-43. Nonconforming uses.

A. Expansion.



(1) A nonconforming building or structure may be maintained or rebuilt as it existed at the time of the passage of this section and may, by special exception, be expanded by no more than 25% of its existing area at that time.

(2) A nonconforming use occupying a portion of a parcel of land or a portion of a building may, by special exception, be expanded by no more than 25% of the portion of the parcel of land or building dedicated to the nonconforming use at the time of passage of this section; provided, however, that nonconforming signs may not be expanded.

B. Abandonment. Any nonconforming use that is discontinued or abandoned for a period of one year or more cannot be resumed.

C. The following are allowed:

[Added 3-10-2015 ATM by Art. 3]

(1) Routine maintenance.

(2) Completion of projects under construction which subsequently become not permitted by a zoning amendment.

(3) Change of a nonconforming use to another, less conforming use, subject to site plan approval if the use is nonresidential.

Below please find the Special Exception standards:

ARTICLE XXI, Special Exception Criteria

§ 175-127. Review of conditions for grant of permit.

The Board of Adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, such as but not limited to site plan review by the Planning Board, control of outside display of merchandise, hours of operation, and duration of use, grant permits for the following uses as special exceptions in the respective districts set forth. Before reaching a decision under this article, three members of the Board shall have viewed jointly the subject area. Said viewing shall be noted in their records. The Board shall also notify abutters in accordance with NH RSA 676:7. The Board, in acting on the application for a special exception, shall take into consideration the following conditions:

A. Site suitability: that the specific site is an appropriate location for the proposed use or structure. This includes:

(1) Adequate usable space.

(2) Adequate access.

(3) Absence of environmental constraints (floodplain, steep slope, etc.).

B. Immediate neighborhood impact: that the proposal is not detrimental, injurious, obnoxious or offensive to abutting properties in particular and to the neighborhood in general. Typical negative impacts which extend beyond the proposed site include:

(1) Excessive trip generation.

- (2) Noise or vibration.
- (3) Dust, glare or heat.
- (4) Smoke, fumes, gas or odors.
- (5) Inappropriate hours of operation.

C. That there will be no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of accessways and off-street parking.

D. Availability of public services and facilities: that the following services and facilities are available and adequate to serve the needs of the use as designed and proposed:

- (1) Sewer.
- (2) Water.
- (3) Stormwater drainage.
- (4) Fire protection.
- (5) Police protection.
- (6) Streets.
- (7) Parks.
- (8) Schools.

E. Appropriateness of site plan. Consideration shall include:

- (1) Parking scheme.
- (2) Traffic circulation.
- (3) Open space.
- (4) Fencing/screening.
- (5) Landscaping.
- (6) Signage.
- (7) Commercial vehicles.
- (8) Lighting impact.

F. Immediate neighborhood integrity: that the historical uses and established use patterns be weighed with recent change in trends in the neighborhood.

G. Impact on property values: that the proposed use will not cause or contribute to a decline in property values of adjacent properties.

H. That the proposed use or structure is consistent with the spirit of Part 1 and the intent of the Master Plan.

If the Board, after its deliberations on the case, considers approving this application, Staff would recommend that the ZBA consider the following conditions of approval:

1. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

2. The application, as submitted to the ZBA, does not satisfy all applicable requirements for a building permit or Shoreland Permit.
3. The applicant shall pay all recording fees.
4. This Special Exception shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the Zoning Board of Adjustment for good cause.

I hope this information provides you with some assistance. Please call me if you have any questions or need additional information.