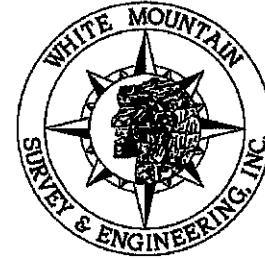


2023-0622.B

Variance



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

June 22, 2023

Via Hand Delivery

Bernard Volz, Chairman
Center Harbor Zoning Board
36 Main Street
Center Harbor, NH 03226

Re: Allison G. Cargile & Christopher C. Johnson
Special Exception and Variance Applications
6 West Bay Circle - Tax Map 101 Lot 21

Dear Chairman Volz and members of the Board:

Enclosed you will find completed Special Exception and Variance application packages for Allison Cargile and Christopher C. Johnson for the redevelopment of an existing nonconforming property to permit the construction of a new, replacement home which is more-nearly conforming. The lot redevelopment will result in work being conducted within 50 feet of non-designated wetlands and the installation of a modern, pre-treatment sewage disposal system within 75 feet of non-designated wetlands.

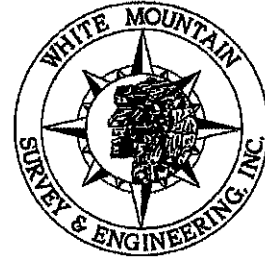
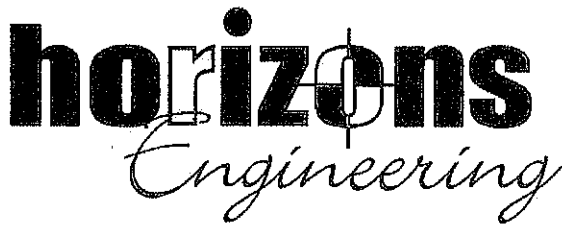
The owners are also seeking a variance from Section 10:8:1, Table 3 of the Center Harbor Zoning Ordinance to permit the construction of a new effluent disposal area (EDA aka leach field) within 75 feet of a non-designated wetland, and a variance from Section 5:3:1 to permit the construction of a landscape wall within the 15-foot side setback. The proposed wall will be 8.5 feet from the northerly boundary line. The house on the abutting lot, Tax Map 101, Lot 22, is 8.3 feet from the same boundary line, with a woodshed 0.2 feet from the boundary line.

In addition to these two variances, the owners are also seeking a special exception in accordance with Section 10:7, Table 2, item g, to permit the construction of their replacement home and associated improvements within the 50-foot Protective Buffer of a non-designated wetland.

The intent of this application is to redevelop this existing nonconforming lot by constructing a new home and sewage disposal system that will be further away from the Lake and fully compliant with the waterfront setback. The existing home is 33.1 feet from the lake, 8.7 feet from non-designated wetlands. The new home will be 84.1 feet from the lake, 2.1 feet from non-designated wetlands. Similarly, the existing effluent disposal area (EDA), also referred to as a leach field, is 87 feet from the lake and 19.6 feet from non-designated wetlands. The proposed EDA will be 182.5 feet from the lake, 12.3 feet from non-designated wetlands.

Horizons Engineering, Inc.

New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

The proposed sewage disposal system will be a Clean Solution pretreatment system, which will treat the effluent inside the tank, discharging cleaner effluent to EDA. Moving the home further from the lake and constructing the Clean Solution sewage disposal system will enhance the water quality and allow for more green space within 75 feet of the lake.

This redevelopment plan also reduces the percentage of impervious lot coverage from 22.3% to 19.8%.

Please refer to the supplemental special exception and variance applications and supporting documentation for these requests.

Once you have had an opportunity to review this application, if you have any questions, please feel free to contact James Hayden or me directly at 603-539-4118, extension 5002 or 5008.

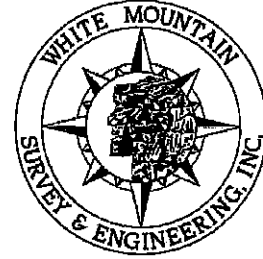
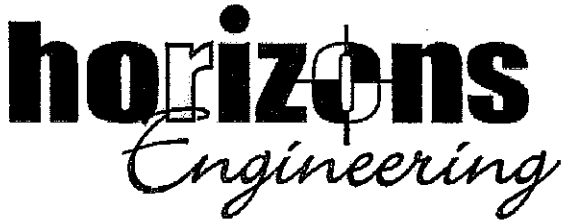
Sincerely,
Horizons Engineering, Inc.
White Mountain Survey & Engineering Div.

A handwritten signature in cursive script that reads "James F. Rines".

James F. Rines, PE, LLS, CPESC
VP Land Surveying Group

Horizons Engineering, Inc.

New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

APPOINTMENT OF AGENT

I, Alison Cargile and Christopher Johnson, hereby appoint and authorize Horizons Engineering, Inc., to represent us before such boards and agencies in the Town of Center Harbor and the State of New Hampshire as may be necessary to complete applications on our behalf. Horizons Engineering, Inc., is further authorized to sign applications as may be required to complete such representations on our behalf.

Date: 6/22/2023

By: *Allison Cargile and Chris Johnson*

Alison Cargile & Christopher Johnson

Horizons Engineering, Inc.

New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH

James Hayden

From: Jacob Lilley <jakel@jlaarchitects.com>
Sent: Thursday, June 22, 2023 8:54 AM
To: James Hayden
Subject: RE: Cargile

John,

Let me know if you want me to adjust any of the letter from below or if I am missing any key points?

In mid December of 2022 Jacob Lilley Architects reached out to Mr. Bill Doucette and Mrs. Maureen Criasia, Chairman Center Harbor Conservation Commission to inform them a new house was to be planned for this lot. We therefore wanted to introduce ourselves and learn their perspective on approach this project ,about the agencies involved, confirm limitations and the process.

There is an old existing house on the lot that was built close to the water as was common before protection bylaws were enacted. This house was not conforming with regards to its set backs straddling the 75 foot buffer and with an antiquated buried septic system that was most likely not ideal for a wet site such as this. We therefore, forwarded on to Mr. Doucette and Mrs Criasia for discussion a sketch that reflected a new compliant house and septic location. The house could have been suggested at the existing location as a grandfathered solution and closer to the water, but the client and team chose to do the right thing and remediate this not conforming condition.

Recognizing that the lot was completely enveloped by the wetlands buffer we looked for the least intrusive and compliant location at which to site the house. This meant shifting the new house back from the waters edge about 20 feet to reside outside of the 75' buffer. It also provided an opportunity to rebuild the septic system in a favorable location and with a more well suited system.

That said the lot is still very tight with regards to the wetlands edge and the house though out of the buffer is nestled in between these conditions. In earlier conversations with Mr. Doucette, he suggested that we maintain at least 6 feet of buffer for a skid steer to navigate the site. We have been able to achieve this on the Southern side of the building. We have also had extensive conversations with the Builder to game plan how to have a light touch on the site while constructing the house.

Recognizing the site has its challenges, the landscape firm of Pellettieri was brought on board to advise, design and help navigate the project in a thoughtful manner such that the landscape is protected and respected.

We hope our thoughtful approach is warmly received by the respective boards.

Regards,
Jacob Lilley AIA

Jacob Lilley, AIA LEED
Principal

103 Central Street Wellesley, MA 02482
781.431.6100

APPLICATION FOR A VARIANCE
TOWN OF CENTER HARBOR - ZONING BOARD OF ADJUSTMENT

Name of Applicant: Allison G. Cargile & Christopher C. Johnson

Owner: Same

(If different from applicant)

Physical Address: 6 West Bay Circle

Mailing Address if different: 1710 Payne Avenue Austin TX 78757

Email: acargile@gmail.com Phone: 202-253-5899

Map 101 Lot: 21

Town Office Section Only

Case No. _____

Date Filed: _____

Received By: _____

****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. According to the Center Harbor Zoning Board of Adjustment By-Laws, Section 6 (b), the application shall be read into the record by the applicant, applicant's designee or clerk ****

A variance is requested from article 5 section 5.3.1 of the zoning ordinance to permit The construction of a new landscape wall within the sideline setback.

Facts in support of granting the variance:

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

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

3. Granting the variance would do substantial justice because:
See attached sheet

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

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:

See attached sheet

and:

ii. The proposed use is a reasonable one because:

See attached sheet

B. Explain how, if the criteria in subparagraph (A) are not established, and 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.

N/A

AGENT
Applicant Signature: by James J. Quire Date: 6/22/2023

HORIZONS ENGINEERING, INC.

ABUTTERS LIST

Name of Applicant: Allison G. Cargile & Christopher C. Johnson

Address: 6 West Bay Circle

Property Concerned: Tax Map 101 Lot 21

The following are the abutters to the above property. Please include those across the street.

Tax Map _____ Lot _____ Name: See attached sheet

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

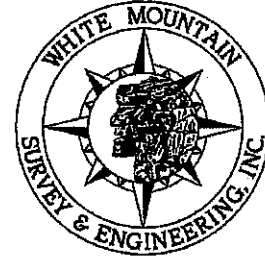
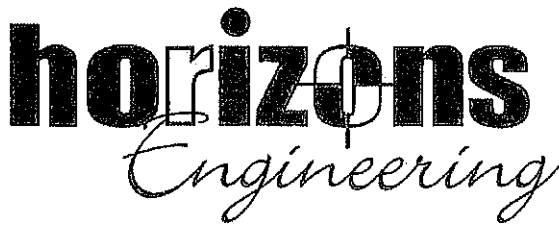
Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

APPLICATION FOR A VARIANCE

Facts to support this request:

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

The Zoning Board of Adjustment In New Hampshire - A Handbook for Local Officials dated 2022 states that:

"(f)or the variance to be contrary to the public interest, it must unduly and to a marked degree violate the basic zoning objectives of the zoning ordinance. To determine this, does the variance alter the essential character of the neighborhood or threaten the health, safety, or general welfare of the public?"

By this test, the requested variance will not alter the essential character of the neighborhood. The requested variance will not alter the essential character of the neighborhood because the proposed landscape wall will be set back further from the boundary line than the northerly abutting house and their woodshed.

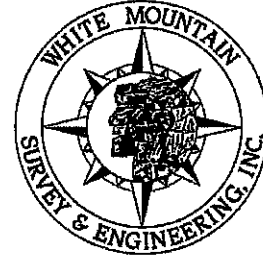
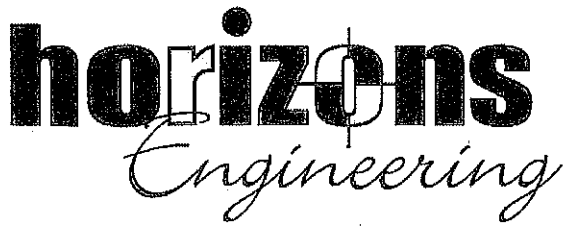
2. If the variance were granted, the spirit of the zoning ordinance would be observed because:

The Zoning Board of Adjustment In New Hampshire - A Handbook for Local Officials dated March 2022 states this regarding public interest and spirit of the ordinance:

"[T]o be contrary to the public interest... the variance must unduly, and in a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives. One way to ascertain whether granting the variance would violate the basic zoning objectives is to examine whether it would alter the essential character of the locality... Another approach to [determine] whether granting the variance would violate the basic zoning objectives is to examine granting the variance would threaten the public health, safety or welfare."

It is our opinion that, based on these two tests that the courts have used in rendering a decision upon whether the spirit of the ordinance is observed, the essential character of the neighborhood will not be altered as expressed in the paragraph 1, above, nor will the granting of the variance threaten the public health, safety, or welfare of the public.

Horizons Engineering, Inc.



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

3. Granting the variance would do substantial justice because:

Granting the requested variance will allow the applicant to add landscape features to the property without jeopardizing the character of the neighborhood or surrounding properties.

The Zoning Board of Adjustment In New Hampshire - A Handbook for Local Officials dated March 2022 states that:

Any loss to the individual which is not outweighed by a gain to the general public is an injustice.

Losing the ability to construct the wall would be a greater loss to the property owners than any gain to the general public. In fact, there is an argument that denial of the variance would harm the applicant because the abutting property has a woodshed and house that are closer to the boundary than the proposed wall.

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

New construction, which is consistent with development patterns in the neighborhood has been found to have a neutral or positive impact in property values and that would be the case in this instance. It certainly would not have a negative impact on surrounding property values.

5. Unnecessary Hardship.

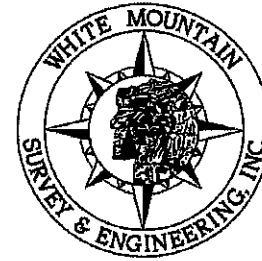
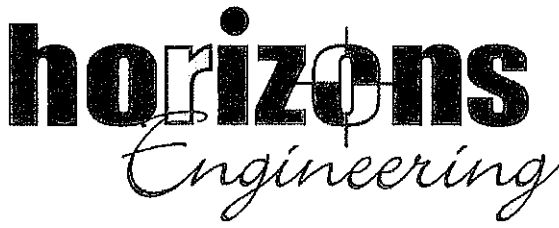
(A) Owing to the special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:

(i) No fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

There are special circumstances of this lot that distinguish it from other properties similarly zoned which include the unique configuration of the lot and the location of the existing non-conforming structure that was built prior to the adoption of the Zoning Ordinance. Also, there is no portion of the lot that is outside the non-designated wetland protective buffer. It is these unique circumstances which distinguish it from other parcels similarly zoned. When the setback regulations contained in the Zoning Ordinance, which were designed for vacant, newly created lots which comply with geometric lot sizing and shape of the Zoning Ordinance are applied to this uniquely configured parcel with an existing nonconforming structure, it creates the unnecessary hardship in the land that distinguishes it from other similarly zoned.

Horizons Engineering, Inc.

New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

The Zoning Board of Adjustment In New Hampshire - A Handbook for Local Officials dated 2022 has this to say about this paragraph:

Is the restriction on the property necessary in order to give full effect to the purpose of the ordinance, or can relief be granted to this property without frustrating the purpose of the ordinance? Is the full application of the ordinance to this particular property necessary to promote a valid public purpose? Once the purposes of the ordinance provision have been established, the property owner needs to establish that, because of the special conditions of the property, application of the ordinance provision to his property would not advance the purposes of the ordinance provision in any "fair and substantial" way.

According to Article 10 - the following is the General Purpose of the Center Harbor Zoning Ordinance Conservation Overlay District:

"The guiding principles for this ordinance are two-fold: First, to help landowners develop and use their property for their desired purpose while protecting the water resources that drive Center Harbor's economy and wellbeing. This will be achieved through clear, concise and simple common sense regulations based on sound environmental principles. Second, to establish a practical set of standard guidelines that ensure the town and citizens of Center Harbor maintain local control over their water resources. To achieve this, the following purposes and intents apply to this ordinance:"

Based on our reading of the Zoning Ordinance General Purpose of the Center Harbor Zoning Ordinance Conservation Overlay District, it is our position that granting the requested variance from the non-designated and designated wetland buffers, would not alter the character of the neighborhood or jeopardize the health, safety, or general welfare of the inhabitants of the town of Center Harbor. Nor would it frustrate the purpose of the Zoning Ordinance or advance the purpose of the Ordinance in a fair and substantial way due to the special circumstances of the property articulated above. This is because of the "special circumstances" of this property identified above.

Therefore, it is our position that we satisfy these criteria required for the granting of the requested relief.

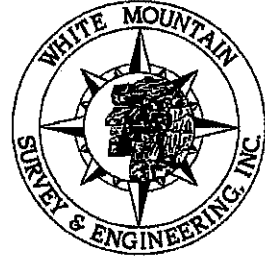
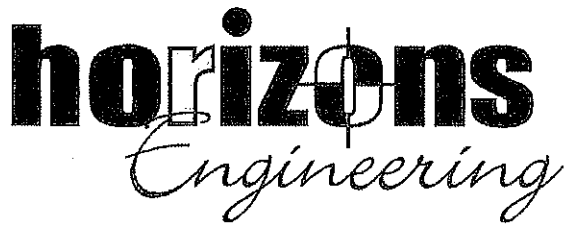
AND

(ii) The proposed use is a reasonable one because:

It is a residential use, which is allowed in the zone.

Horizons Engineering, Inc.

New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

(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.

Not applicable.

Horizons Engineering, Inc.

New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH

APPLICATION FOR A VARIANCE
TOWN OF CENTER HARBOR - ZONING BOARD OF ADJUSTMENT

Name of Applicant: Allison G. Cargile & Christopher C. Johnson

Owner: Same

(If different from applicant)

Physical Address: 6 West Bay Circle

Mailing Address if different: 1710 Payne Avenue Austin TX 78757

Email: acargile@gmail.com Phone: 202-253-5899

Map 101 Lot: 21

Town Office Section Only

Case No. _____

Date Filed: _____

Received By: _____

****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. According to the Center Harbor Zoning Board of Adjustment By-Laws, Section 6 (b), the application shall be read into the record by the applicant, applicant's designee or clerk ****

A variance is requested from article 10 section 8:1 Table 3 of the zoning ordinance to permit The construction of a new leach field within 75' of a non designated wetland.

Facts in support of granting the variance:

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

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

3. Granting the variance would do substantial justice because:
See attached sheet

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

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:

See attached sheet

and:

ii. The proposed use is a reasonable one because:

See attached sheet

B. Explain how, if the criteria in subparagraph (A) are not established, and 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.

N/A

AGENT HORIZONS ENGINEERING, INC.
Applicant Signature: by James F. Smei Date: 6/22/2023

ABUTTERS LIST

Name of Applicant: Allison G. Cargile & Christopher C. Johnson

Address: 6 West Bay Circle

Property Concerned: Tax Map 101 Lot 21

The following are the abutters to the above property. Please include those across the street.

Tax Map _____ Lot _____ Name: See attached sheet

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

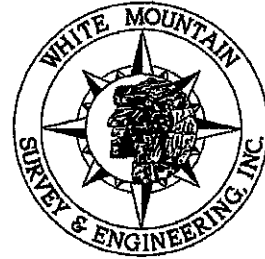
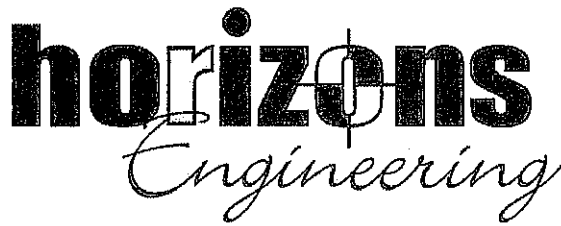
Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____

Tax Map _____ Lot _____ Name: _____

Address: _____



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

APPLICATION FOR A VARIANCE

Facts to support this request:

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

The Zoning Board of Adjustment In New Hampshire - A Handbook for Local Officials dated 2022 states that:

"(f)or the variance to be contrary to the public interest, it must unduly and to a marked degree violate the basic zoning objectives of the zoning ordinance. To determine this, does the variance alter the essential character of the neighborhood or threaten the health, safety, or general welfare of the public?"

By this test, the requested variance will not alter the essential character of the neighborhood. The requested variance will not alter the essential character of the neighborhood because the surrounding homes all have their EDA's, which appear to be conventional systems, within the non-designated Protective Wetlands buffer. The existing EDA on this lot also lies within the Protective Buffer. The proposed effluent disposal area (EDA or "leach field") will be set back further from the reference line than the existing on-site EDA and it will be an advanced pre-treatment system enhancing the health, safety, and general welfare of the public.

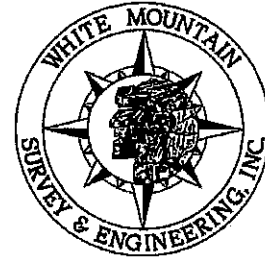
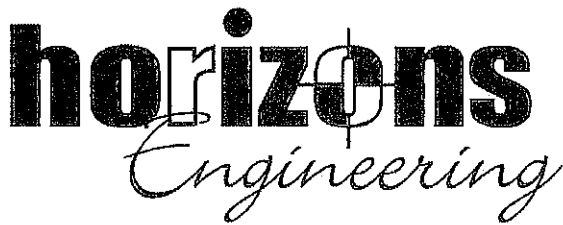
2. If the variance were granted, the spirit of the zoning ordinance would be observed because:

The Zoning Board of Adjustment In New Hampshire - A Handbook for Local Officials dated March 2022 states this regarding public interest and spirit of the ordinance:

"[T]o be contrary to the public interest... the variance must unduly, and in a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives. One way to ascertain whether granting the variance would violate the basic zoning objectives is to examine whether it would alter the essential character of the locality... Another approach to [determine] whether granting the variance would violate the basic zoning objectives is to examine granting the variance would threaten the public health, safety or welfare."

It is our opinion that, based on these two tests that the courts have used in rendering a decision upon whether the spirit of the ordinance is observed, the essential character of the neighborhood will not be altered as expressed in the paragraph 1, above, nor will the granting of the variance threaten the public health, safety, or welfare of the public. In fact, by moving the EDA further from the shoreline, and installing a pre-treatment sewage disposal system, there is an argument to

Horizons Engineering, Inc.



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

be made that it will enhance the public health, safety, and welfare, by making improvements to water quality, which everyone benefits from. Additionally, the proposed sewage disposal system will be a clean solution system. The effluent from the home will be treated in the proposed tank, discharging clean effluent to the EDA. This will be a benefit to the groundwater quality and add a level of protection that does not presently exist.

3. Granting the variance would do substantial justice because:

Granting the requested variance will allow the property owners to redevelop their property by constructing a new replacement home that is more nearly conforming and NHDES permitted sewage disposal system on the lot. There is no portion of the property that is outside of the non-designated wetland buffer.

The Zoning Board of Adjustment In New Hampshire - A Handbook for Local Officials dated March 2022 states that:

Any loss to the individual which is not outweighed by a gain to the general public is an injustice.

Losing the ability to redevelop the property by constructing the new sewage disposal system as depicted on this plan in while increasing the waterfront setback, would be a greater loss to the property owners than any gain to the general public. In fact, there is an argument that denial of the variance would harm both the property owners and the public by preventing greater setback from the shoreline with the proposed sewage disposal system.

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

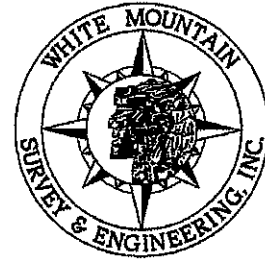
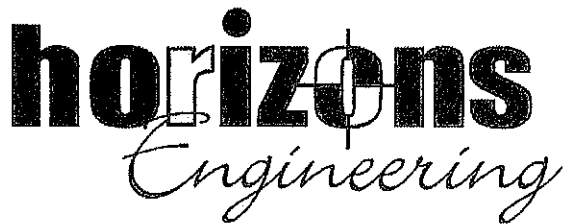
New construction, which is consistent with development patterns in the neighborhood, and which improves water quality has been found to have a neutral or positive impact in property values and that would be the case in this instance. It certainly would not have a negative impact on surrounding property values.

5. Unnecessary Hardship.

(A) Owing to the special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:

(i) No fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

Horizons Engineering, Inc.



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

There are special circumstances of this lot that distinguish it from other properties similarly zoned which include the unique configuration of the lot, the location of the existing non-conforming home, and the fact that there is no portion of the lot that is outside the non-designated wetland buffer. It is these unique circumstances which distinguish it from other parcels similarly zoned. When the setback regulations contained in the Zoning Ordinance, which were designed for vacant, newly created lots which comply with geometric lot sizing and shape of the Zoning Ordinance are applied to this uniquely configured parcel with an existing nonconforming structure and EDA, it creates the unnecessary hardship in the land that distinguishes it from other similarly zoned.

The Zoning Board of Adjustment In New Hampshire - A Handbook for Local Officials dated 2022 has this to say about this paragraph:

Is the restriction on the property necessary in order to give full effect to the purpose of the ordinance, or can relief be granted to this property without frustrating the purpose of the ordinance? Is the full application of the ordinance to this particular property necessary to promote a valid public purpose? Once the purposes of the ordinance provision have been established, the property owner needs to establish that, because of the special conditions of the property, application of the ordinance provision to his property would not advance the purposes of the ordinance provision in any "fair and substantial" way.

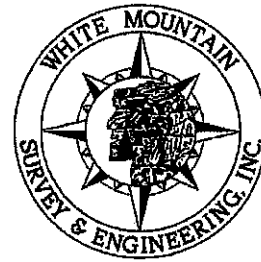
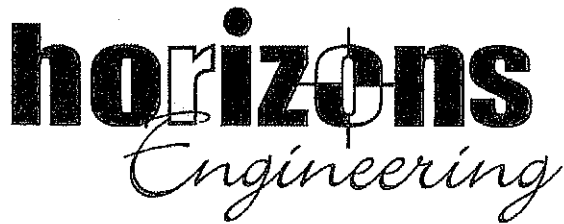
According to Article 10 - the following is the General Purpose of the Center Harbor Zoning Ordinance Conservation Overlay District:

"The guiding principles for this ordinance are two-fold: First, to help landowners develop and use their property for their desired purpose while protecting the water resources that drive Center Harbor's economy and wellbeing. This will be achieved through clear, concise and simple common sense regulations based on sound environmental principles. Second, to establish a practical set of standard guidelines that ensure the town and citizens of Center Harbor maintain local control over their water resources. To achieve this, the following purposes and intents apply to this ordinance:"

Based on our reading of the Zoning Ordinance General Purpose of the Center Harbor Zoning Ordinance Conservation Overlay District, it is our position that granting the requested variance from the non-designated protective buffers, would not alter the character of the neighborhood or jeopardize the health, safety, or general welfare of the inhabitants of the town of Center Harbor. Nor would it frustrate the purpose of the Zoning Ordinance or advance the purpose of the

Horizons Engineering, Inc.

New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

Ordinance in a fair and substantial way due to the special circumstances of the property articulated above. This is because of the "special circumstances" of this property identified above. This is because we are not altering the use since we are exchanging the existing sewage disposal system for a new advanced pre-treatment sewage disposal system. The proposed system will be a clean solution system and will require NHDES approval.

Therefore, it is our position that we satisfy these criteria required for the granting of the requested relief.

AND

(ii) The proposed use is a reasonable one because:

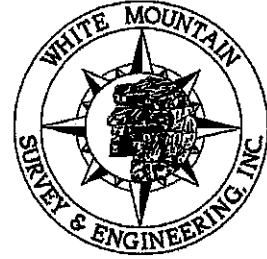
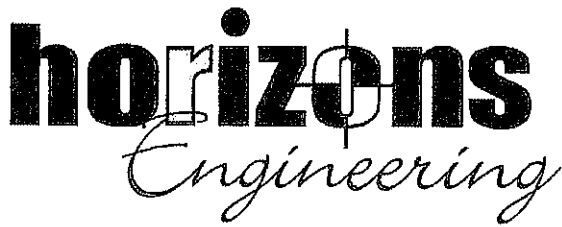
It is a residential use, which is allowed in the zone.

(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.

Not applicable.

Horizons Engineering, Inc.

New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH



1270 NH Route 16, P.O. Box 440, Ossipee, NH 03864 • Ph 603-539-4118 • Fax 603-539-7912 • www.horizonsengineering.com

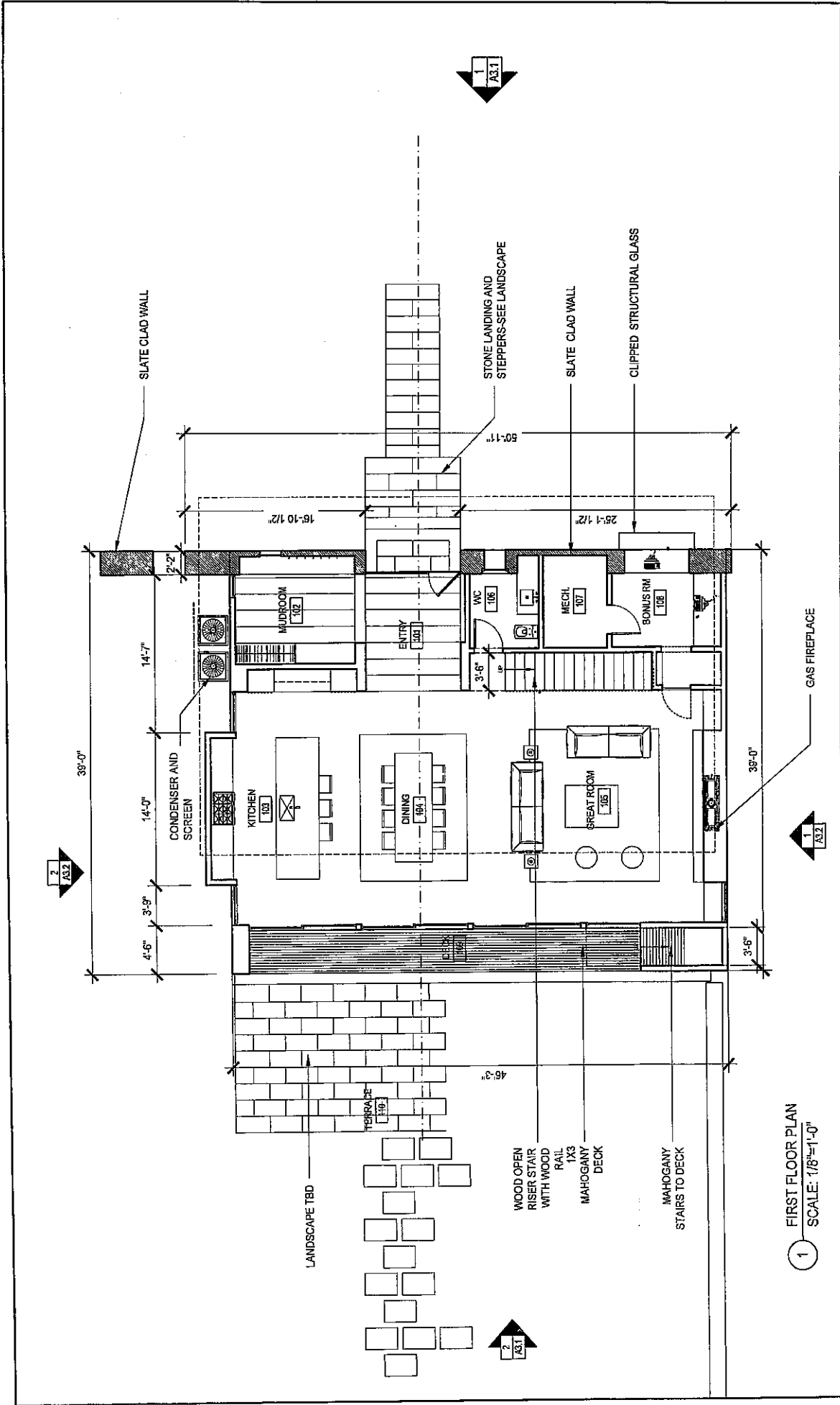
June 21, 2023
Abutter List
Town of Center Harbor
Cargile/Johnson

List of Abutters

<u>Tax Map</u>	<u>Parcel</u>	<u>Name</u>	<u>Address</u>
SUBJECT			
101	21	Allison Gay Cargile & Christopher Carroll Johnson	1710 Payne Avenue Austin, TX 78757
101	6	Michael Latulippe	PO Box 729 Ashland, NH 03217
101	8	Charles G & Christine J Buhrman Revocable Trust Charles G. & Christine J Buhrman Trustees	27 West Bay Circle Center Harbor, NH 03226
101	20	Alison Frye Cabot Richard A. Cabot	PO Box 1252 693 Stowe, VT 05672
101	22	Beverly L Lafoley	43 Bay Road Center Harbor, NH 03226
101	23	Martha S & Michael J Hathaway	31 Waverly Avenue Newton, MA 02458
Agent		Horizons Engineering Inc	PO Box 440 Ossipee, NH 03864

Horizons Engineering, Inc.

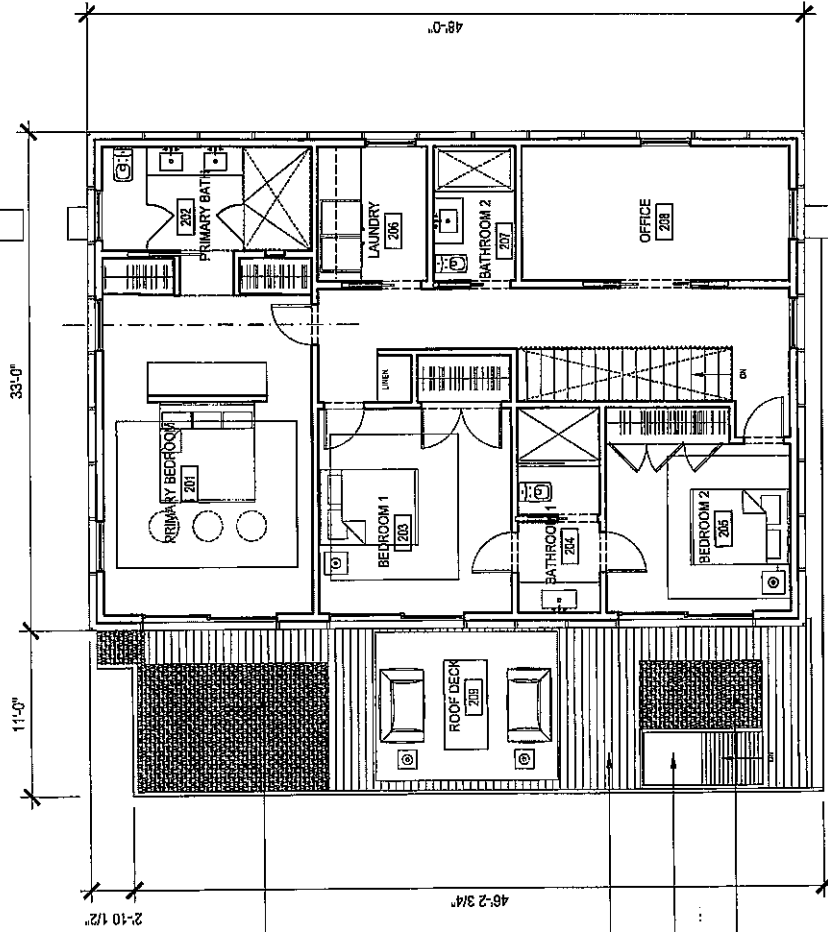
New London, NH • Newport, VT • Littleton, NH • Sharon, VT • Saco, ME • Conway, NH • Newmarket, NH • Ossipee, NH



1 FIRST FLOOR PLAN
SCALE: 1/8"=1'-0"

PROJECT NAME CARGILE-JOHNSON	SCALE 1/8" = 1'-0"	DRAWING NO. A1.1
	DATE 06.20.2023	PC NO.
LOCATION CENTER HARBOR, NH		
JACOBLILEY ARCHITECTS	SHEET TITLE FIRST FLOOR PLAN	

FIRST FLOOR WALL (BELOW)



LAVA ROCK TBD

IPE MAHOGANY DECK

OPENING TO STAIR BELOW

LAVA ROCK TBD

1 SECOND FLOOR PLAN
SCALE: 1/8"=1'-0"

PROJECT NAME	CARGILE-JOHNSON	SCALE	3/8" = 1'-0"	DRAWING NO.	A1.2
LOCATION	CENTER HARBOR, NH	DATE	06.20.2023	PCNO.	

SHEET TITLE	SECOND FLOOR PLAN
JACOB LILLEY ARCHITECTS	

FIRST FLOOR
WALL (BELOW)

SKY
LIGHT

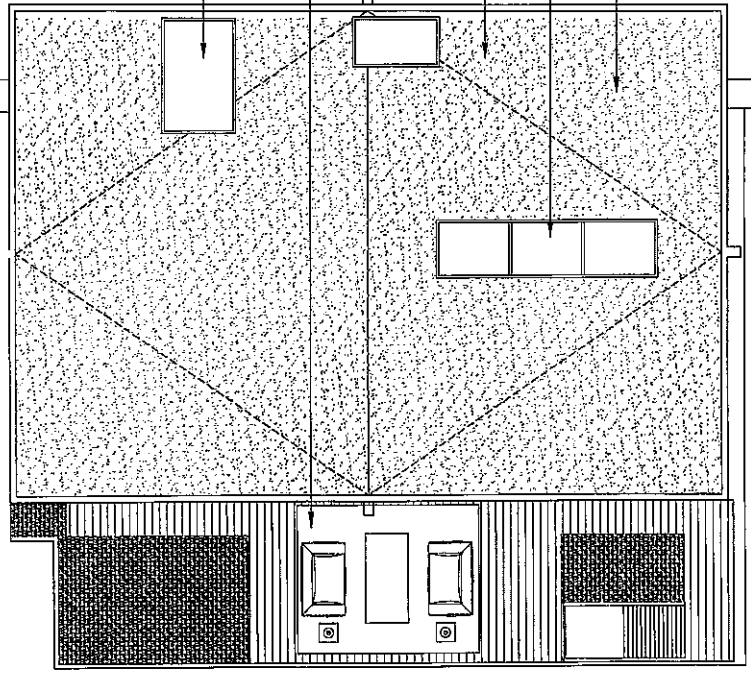
TERRACE (BELOW)

PITCHED
ROOF
TO
SCUPPER

PITCHED
ROOF
TO
SCUPPER

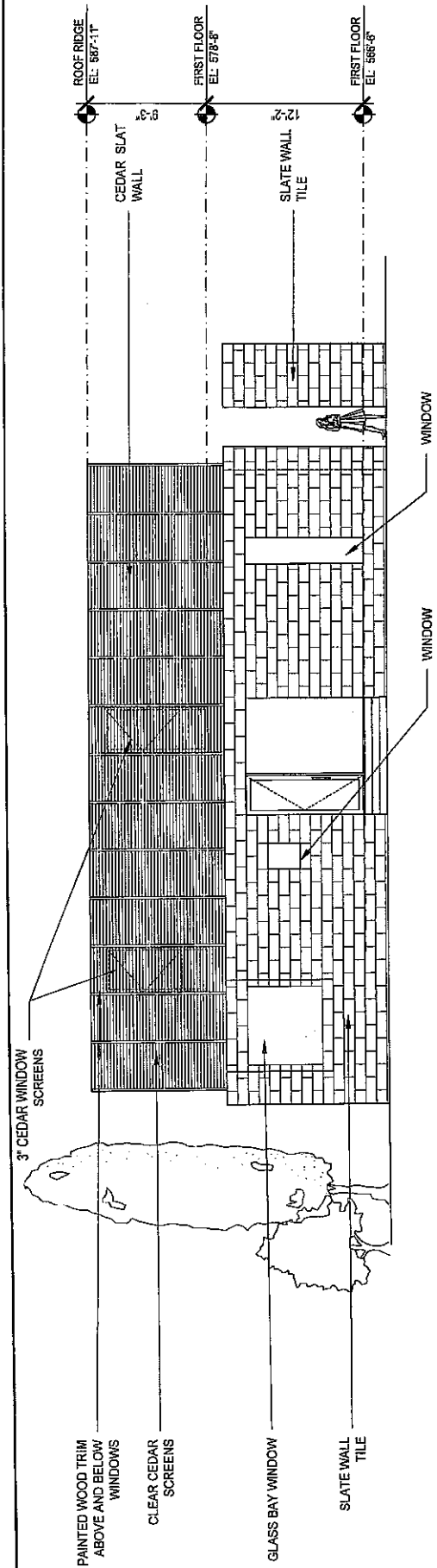
SKY
LIGHT

EPDM ROOF SEE ROOF TYPE 1

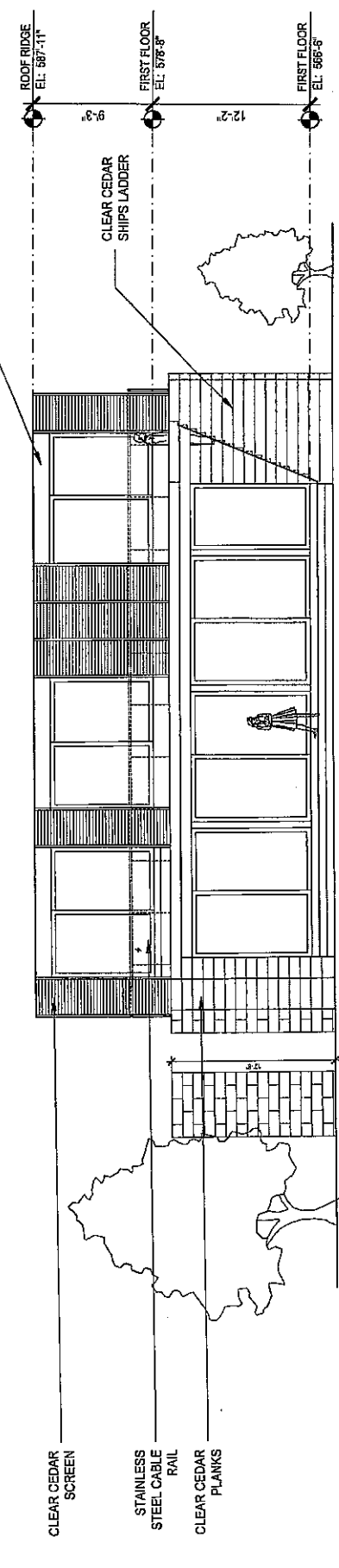


1 ROOF PLAN
SCALE: 1/8"=1'-0"

PROJECT NAME CARGILE-JOHNSON	SCALE 1/8" = 1'-0"	DRAWING NO. A1.3
	LOCATION CENTER HARBOR, NH	DATE 06.20.2023
JACOB LILLEY ARCHITECTS	SHEET TITLE ROOF PLAN	

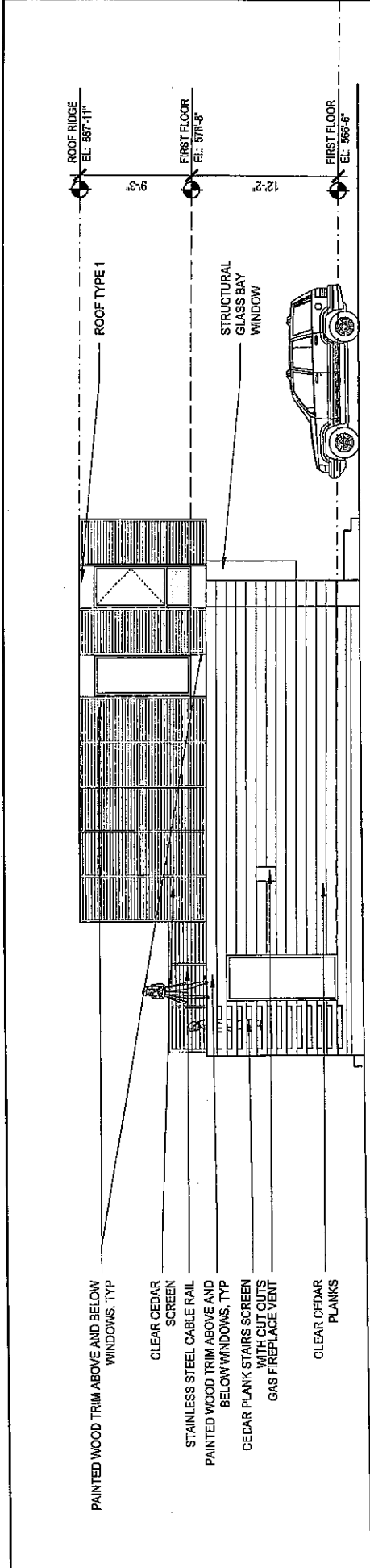


1 EAST ELEVATION
SCALE: 1/8"=1'-0"

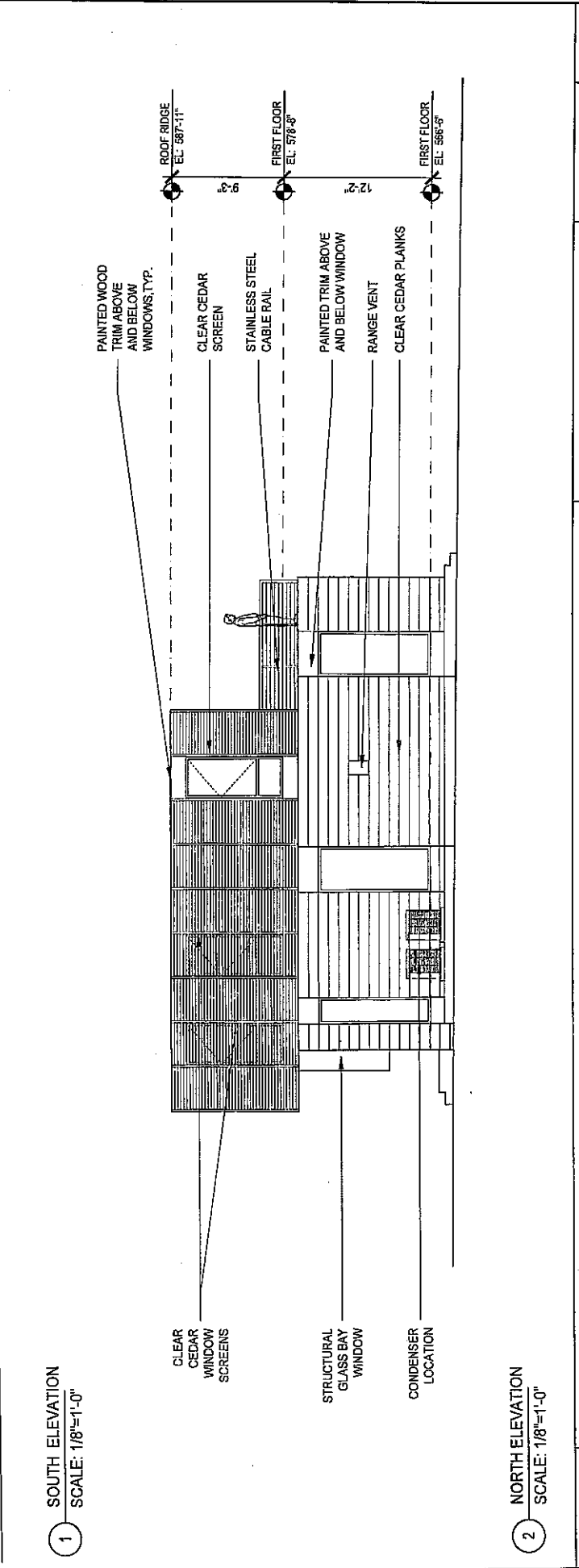


2 WEST ELEVATION
SCALE: 1/8"=1'-0"

PROJECT NAME CARGILE-JOHNSON	SCALE 1/8" = 1'-0"	DRAWING NO. A3.1
	LOCATION CENTER HARBOR, NH	DATE 05.20.2023
SHEET TITLE ELEVATIONS		JACOB LILLEY ARCHITECTS



1 SOUTH ELEVATION
SCALE: 1/8"=1'-0"



2 NORTH ELEVATION
SCALE: 1/8"=1'-0"

SHEET TITLE JACOB LILLEY ARCHITECTS	PROJECT NAME CARGILE-JOHNSON		SCALE 1/8" = 1'-0"	DRAWING NO. A3.2
	LOCATION CENTER HARBOR, NH		DATE 06.20.2023	