

ADDENDUM A: APPLICATION FOR A SPECIAL EXCEPTION – APPLICANTS ERIC & AMBER SIRLES, 12 MATHES COVE ROAD

A Special Exception is being requested under Article XIII, Section 175-62 in accordance with the provisions and standards of Article IX Section 175-29.B. Requirements for Individual Nonconforming Vacant Lots in the WCO and SPO Districts of the Zoning Ordinance to permit the construction of a single family residence and septic system. This request for a Special Exception meets the applicable requirements as follows:

*Note, this application is only for the area within the WCO district.

- 1) The lot upon which the exception is sought was an official lot of record, as recorded in the Strafford County Registry of Deeds, prior to the date on which this Article was posted and published in the Town:
The lot was originally created in 1966 in the subdivision by White Enterprises, and the plan is recorded at the S.C.R.D. at Pocket 3, Folder 2, Plan 45. The relevant zoning article was created by an amendment to the Wetlands Chapter in 1985.
- 2) The use for which the exception is sought cannot be carried out on a portion or portions of the lot which are outside of the WCO or SPO District without undue hardship:
As can be seen on the site plan, there is a significant amount of wetlands along the frontage which extends back into the lot about 200' requiring a significant setback into the remaining upland buildable area. Once all the side and rear yard setbacks are added the buildable area is small and triangle shaped making it difficult to fit rectangular building footprints and septic system components within the setbacks. In addition, the upland area has a significant amount of ledge.
- 3) Due to the provisions of the WCO or SPO district, no reasonable and economically viable use of the lot can be made without this exception: This lot was specifically developed for residential use and was subdivided prior to the existing setbacks. The remainder of the lots within the subdivision have been successfully developed as single family residential lots.
- 4) The location and design of the building(s) and all structures shall provide for the maximum setback from the reference line consistent with reasonable use of the property considering the size, shape, slope and natural conditions of the lot including, but not limited to, soils, flood hazard areas and wetlands: The building is within the setbacks but the buildable area is not large enough to fit the building and septic system all within the setbacks. This septic system has been placed in the best location given the restrictive soils and slope of the lot. This location provides adequate separation from the wetlands, property lines and is the best location for effluent dispersement.
- 5) The design and construction of the proposed septic system will, to the extent practical be consistent with the purpose and intent of this Article: The septic system design uses the best treatment technology available. In addition, the

leachfield design is setback 90' from the wetlands within the WCO District, which is more than adequate for the type of advanced treatment system being used. The system is known as the Clean Solutions™ treatment system. The design meets or exceeds the intent of the zoning Article. The NHDES requirements are 50' from wetlands (poorly drained).

- 6) The proposed septic system will not create a threat to individual or public health, safety and welfare, such as the degradation of ground or surface water, or damage to surrounding properties: The septic system is a state of the art aerated treatment system that treats effluent to a significantly higher level than a standard system, which would still provide adequate treatment in most cases. This system however, reduces, to a greater extent, any threat to the degradation of ground or surface water and provides an advanced alternative for sewage treatment in environmentally sensitive areas.
- 7) All other state, federal and local approvals required for the septic system have been obtained: The NHDES approval for the septic system will be submitted prior to the meeting.
- 8) Where site review is required, prior approval shall be obtained from the Planning Board: Site review is not required for this residential construction.