

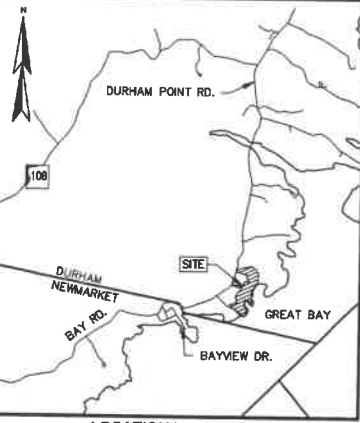
I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION AND FALLS UNDER THE URBAN SURVEY CLASSIFICATION OF THE NH CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. RANDOM TRAVERSE SURVEY BY TOTAL STATION, WITH A PRECISION GREATER THAN 1:15,000.

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.

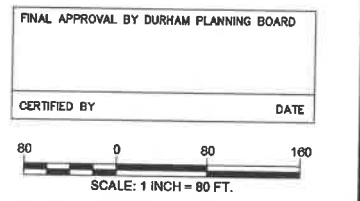
PROPOSED CONVEYANCE TABLE			
AREA	FROM	TO	SQ. FT.
A	20-3-2	20-6-0	89,238
B	20-3-2	20-7-2	75,435
C	20-3-2	20-7-3	130
D	20-3-2	20-7-3	321
E	20-7-2	20-6-0	31,200
F	20-7-2	20-6-0	1,853
G	20-7-2	20-6-0	31,780
H	20-7-2	20-7-3	7,169

PARCEL AREA TABLE				
L.D.	EXISTING AREA		PROPOSED AREA	
	SQ. FT.	AC.	SQ. FT.	AC.
20-3-2	315,100	7.23	150,000	3.44
20-6-0	76,854	1.76	230,700	5.3
20-7-2	216,500	5.02	222,100	5.1
20-7-3	300,113	6.89*	307,700	7.06

*PER REF. PLAN 5



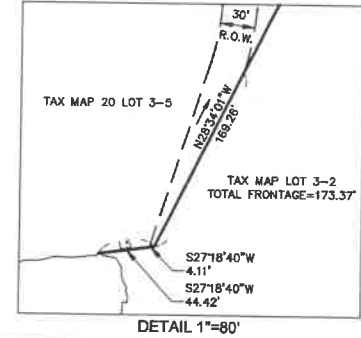
- LEGEND**
- EXISTING LOT LINE
 - EXISTING LIMITED COMMON AREA LINE
 - EXISTING RIGHT OF WAY LINE
 - EXISTING LOT LINE TO BE ABANDONED
 - PROPOSED LOT LINE
 - SURVEY TIE LINE
 - APPROXIMATE ABUTTERS LOT LINE
 - EDGE OF POND
 - STONE WALL
 - UTILITY POLE
 - WELL
 - IRON PIPE/ROD FOUND
 - DRILL HOLE FOUND
 - 5/8" REBAR W/ID CAP TO BE SET
 - TYP.
 - D.H.F.
 - DRILL HOLE FOUND



LOT LINE REVISION PLAN
 FOR
 WOODEN NUTMEG FARM CONDOMINIUM
 CHENEY REVOCABLE TRUST
 TAX MAP 20 LOT 3-2A
 ALAN H. BENNETT & SUSAN MCCULLOCH BENNETT
 TAX MAP 20 LOT 3-2B
 SHANKHASSICK SHOREFRONT ASSOCIATION INC.
 TAX MAP 20 LOT 3-2C
 AND FOR
 DONALD & TRACEY E. GOLINI
 TAX MAP 20 LOT 6-0
 KATRAK BAY ROAD REALTY TRUST
 TAX MAP 20 LOT 7-2
 CHRISTOPHER J. & STEPHANIE T. DALY
 TAX MAP 20 LOT 7-3
 BAY ROAD
 DURHAM, NEW HAMPSHIRE

EXISTING LOT CONFIGURATION

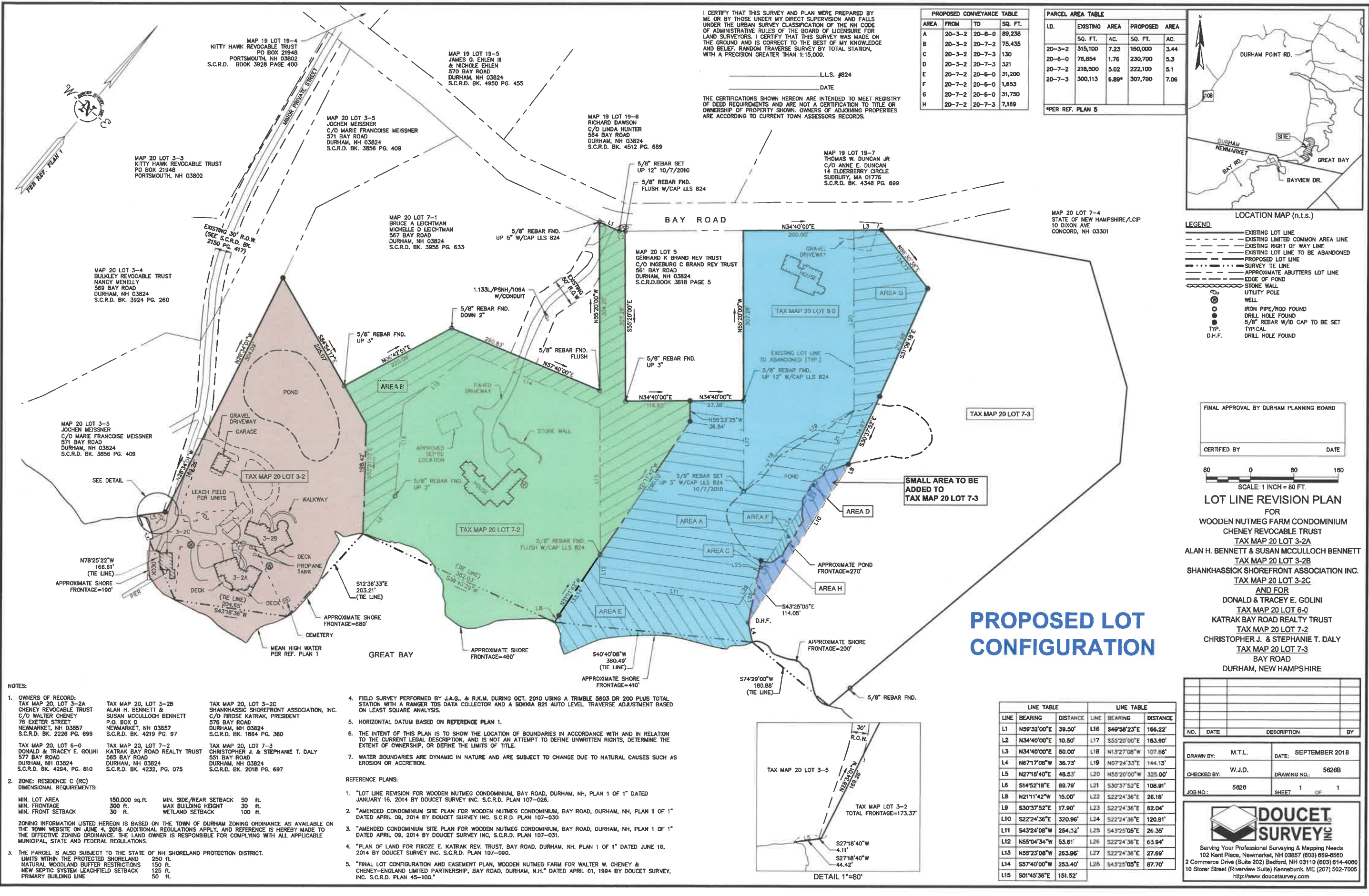
LINE TABLE		LINE TABLE	
LINE	BEARING	LINE	BEARING
L1	N59°32'00"E	L18	S49°58'23"E
L2	N34°40'00"E	L17	S55°20'00"E
L3	N54°40'00"E	L18	N13°27'08"W
L4	N87°17'08"W	L19	N07°24'33"E
L5	N27°18'40"E	L20	N55°20'00"W
L6	S14°52'18"E	L21	S30°37'52"E
L8	N21°11'42"W	L22	S22°24'36"E
L9	S30°37'52"E	L23	S22°24'36"E
L10	S22°24'36"E	L24	S22°24'36"E
L11	S43°24'08"W	L25	S43°25'05"E
L12	N55°04'34"W	L26	S22°24'36"E
L13	N55°23'08"W	L27	S22°24'36"E
L14	S57°40'00"W	L28	S43°25'05"E
L15	S01°45'36"E	L15	S01°45'36"E



- NOTES:**
- OWNERS OF RECORD:
 TAX MAP 20, LOT 3-2A
 CHENEY REVOCABLE TRUST
 C/O WALTER CHENEY
 76 EXETER STREET
 NEWMARKET, NH 03857
 S.C.R.D. BK. 2226 PG. 696
 TAX MAP 20, LOT 6-0
 DONALD & TRACEY E. GOLINI
 577 BAY ROAD
 DURHAM, NH 03824
 S.C.R.D. BK. 4294, PG. 810
 TAX MAP 20, LOT 3-2B
 ALAN H. BENNETT &
 SUSAN MCCULLOCH BENNETT
 P.O. BOX D
 NEWMARKET, NH 03857
 S.C.R.D. BK. 4219 PG. 97
 TAX MAP 20, LOT 7-2
 KATRAK BAY ROAD REALTY TRUST
 551 BAY ROAD
 DURHAM, NH 03824
 S.C.R.D. BK. 4232, PG. 075
 TAX MAP 20, LOT 3-2C
 SHANKHASSICK SHOREFRONT ASSOCIATION, INC.
 576 BAY ROAD
 DURHAM, NH 03824
 S.C.R.D. BK. 1864 PG. 380
 TAX MAP 20, LOT 7-3
 CHRISTOPHER J. & STEPHANIE T. DALY
 551 BAY ROAD
 DURHAM, NH 03824
 S.C.R.D. BK. 2018 PG. 697
 - ZONE: RESIDENCE C (RC)
 DIMENSIONAL REQUIREMENTS:
 MIN. LOT AREA 150,000 sq.ft.
 MIN. FRONTAGE 300 ft.
 MIN. FRONT SETBACK 30 ft.
 MIN. SIDE/REAR SETBACK 50 ft.
 MIN. BUILDING HEIGHT 30 ft.
 WETLAND SETBACK 100 ft.
 - ZONING INFORMATION LISTED HEREON IS BASED ON THE TOWN OF DURHAM ZONING ORDINANCE AS AVAILABLE ON THE TOWN WEBSITE ON JUNE 4, 2018. ADDITIONAL REGULATIONS APPLY, AND REFERENCE IS HEREBY MADE TO THE EFFECTIVE ZONING ORDINANCE. THE LAND OWNER IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE MUNICIPAL, STATE AND FEDERAL REGULATIONS.
 - THE PARCEL IS ALSO SUBJECT TO THE STATE OF NH SHORELAND PROTECTION DISTRICT. LIMITS WITHIN THE PROTECTED SHORELAND 250 ft.
 NATURAL WOODLAND BUFFER RESTRICTIONS 150 ft.
 NEW SEPTIC SYSTEM LEACHFIELD SETBACK 125 ft.
 PRIMARY BUILDING LINE 50 ft.
 - FIELD SURVEY PERFORMED BY J.A.G. & R.K.M. DURING OCT. 2010 USING A TRIMBLE 5603 DR 200 PLUS TOTAL STATION WITH A RANGER TDS DATA COLLECTOR AND A SOKKIA B21 AUTO LEVEL. TRAVERSE ADJUSTMENT BASED ON LEAST SQUARE ANALYSIS.
 - HORIZONTAL DATUM BASED ON REFERENCE PLAN 1.
 - THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH AND IN RELATION TO THE CURRENT LEGAL DESCRIPTION, AND IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE.
 - WATER BOUNDARIES ARE DYNAMIC IN NATURE AND ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES SUCH AS EROSION OR ACCRETION.

- REFERENCE PLANS:**
- "LOT LINE REVISION FOR WOODEN NUTMEG CONDOMINIUM, BAY ROAD, DURHAM, NH, PLAN 1 OF 1" DATED JANUARY 16, 2014 BY DOUCET SURVEY INC. S.C.R.D. PLAN 107-026.
 - "AMENDED CONDOMINIUM SITE PLAN FOR WOODEN NUTMEG CONDOMINIUM, BAY ROAD, DURHAM, NH, PLAN 1 OF 1" DATED APRIL 09, 2014 BY DOUCET SURVEY INC. S.C.R.D. PLAN 107-030.
 - "AMENDED CONDOMINIUM SITE PLAN FOR WOODEN NUTMEG CONDOMINIUM, BAY ROAD, DURHAM, NH, PLAN 1 OF 1" DATED APRIL 09, 2014 BY DOUCET SURVEY INC. S.C.R.D. PLAN 107-031.
 - "PLAN OF LAND FOR FROISE E. KATRAK REV. TRUST, BAY ROAD, DURHAM, NH, PLAN 1 OF 1" DATED JUNE 16, 2014 BY DOUCET SURVEY INC. S.C.R.D. PLAN 107-090.
 - "FINAL LOT CONFIGURATION AND EASEMENT PLAN, WOODEN NUTMEG FARM FOR WALTER W. CHENEY & CHENEY-ENGLAND LIMITED PARTNERSHIP, BAY ROAD, DURHAM, N.H." DATED APRIL 01, 1994 BY DOUCET SURVEY, INC. S.C.R.D. PLAN 45-100."

FILE NAME: \\V:\PROJECTS\2018\201809\20180915\20180915_1121.dwg



I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION AND FALLS UNDER THE URBAN SURVEY CLASSIFICATION OF THE NH CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. RANDOM TRAVERSE SURVEY BY TOTAL STATION, WITH A PRECISION GREATER THAN 1:15,000.

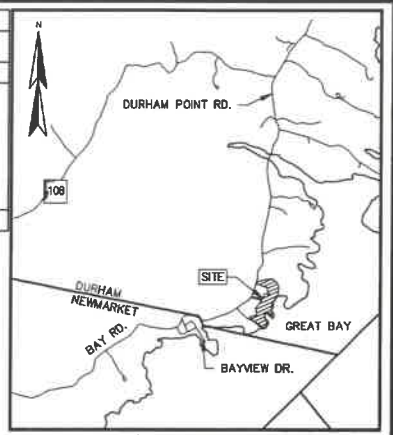
LL.S. #824
DATE _____

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.

AREA	FROM	TO	SQ. FT.
A	20-3-2	20-6-0	89,238
B	20-3-2	20-7-2	75,435
C	20-3-2	20-7-3	130
D	20-3-2	20-7-3	321
E	20-7-2	20-6-0	31,200
F	20-7-2	20-6-0	1,853
G	20-7-2	20-6-0	31,750
H	20-7-2	20-7-3	7,169

LD.	EXISTING AREA		PROPOSED AREA	
	SQ. FT.	AC.	SQ. FT.	AC.
20-3-2	315,100	7.23	160,000	3.44
20-6-0	76,854	1.76	230,700	5.3
20-7-2	218,500	5.02	222,100	5.1
20-7-3	300,113	6.89*	307,700	7.06

*PER REF. PLAN 5



- LEGEND**
- EXISTING LOT LINE
 - - - EXISTING LIMITED COMMON AREA LINE
 - - - EXISTING RIGHT OF WAY LINE
 - - - EXISTING LOT LINE TO BE ABANDONED
 - - - PROPOSED LOT LINE
 - - - SURVEY TIE LINE
 - - - APPROXIMATE ADJUTTERS LOT LINE
 - - - EDGE OF POND
 - STONE WALL
 - UTILITY POLE
 - WELL
 - IRON PIPE/ROD FOUND
 - DRILL HOLE FOUND
 - 5/8" REBAR W/D CAP TO BE SET
 - TYP.
 - D.H.F. DRILL HOLE FOUND

FINAL APPROVAL BY DURHAM PLANNING BOARD

CERTIFIED BY _____ DATE _____

SCALE: 1 INCH = 80 FT.

PROPOSED LOT CONFIGURATION

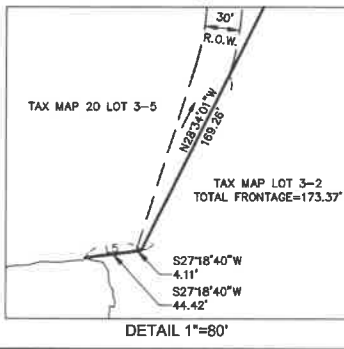
LOT LINE REVISION PLAN
FOR
WOODEN NUTMEG FARM CONDOMINIUM
CHENEY REVOCABLE TRUST
TAX MAP 20 LOT 3-2A
ALAN H. BENNETT & SUSAN MCCULLOCH BENNETT
TAX MAP 20 LOT 3-2B
SHANKHASSICK SHOREFRONT ASSOCIATION, INC.
TAX MAP 20 LOT 3-2C
AND FOR
DONALD & TRACEY E. GOLINI
TAX MAP 20 LOT 6-0
KATRAK BAY ROAD REALTY TRUST
TAX MAP 20 LOT 7-2
CHRISTOPHER J. & STEPHANIE T. DALY
TAX MAP 20 LOT 7-3
BAY ROAD
DURHAM, NEW HAMPSHIRE

- NOTES:**
- OWNERS OF RECORD:
TAX MAP 20, LOT 3-2A CHENEY REVOCABLE TRUST C/O WALTER CHENEY 76 EXETER STREET NEWMARKET, NH 03857 S.C.R.D. BK. 2228 PG. 696
TAX MAP 20, LOT 3-2B ALAN H. BENNETT & SUSAN MCCULLOCH BENNETT P.O. BOX D NEWMARKET, NH 03857 S.C.R.D. BK. 4219 PG. 97
TAX MAP 20, LOT 6-0 DONALD & TRACEY E. GOLINI 577 BAY ROAD DURHAM, NH 03824 S.C.R.D. BK. 4294, PG. 810
TAX MAP 20, LOT 3-2C SHANKHASSICK SHOREFRONT ASSOCIATION, INC. C/O FROSE KATRAK, PRESIDENT 576 BAY ROAD DURHAM, NH 03824 S.C.R.D. BK. 1884 PG. 380
TAX MAP 20, LOT 7-2 KATRAK BAY ROAD REALTY TRUST 551 BAY ROAD DURHAM, NH 03824 S.C.R.D. BK. 4232, PG. 075
TAX MAP 20, LOT 7-3 CHRISTOPHER J. & STEPHANIE T. DALY 551 BAY ROAD DURHAM, NH 03824 S.C.R.D. BK. 2018 PG. 697
 - ZONE: RESIDENCE C (RC) DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA 150,000 sq.ft.
MIN. FRONTAGE 300 ft.
MIN. FRONT SETBACK 30 ft.
MIN. SIDE/REAR SETBACK 50 ft.
MAX BUILDING HEIGHT 30 ft.
WETLAND SETBACK 100 ft.
 - THE PARCEL IS ALSO SUBJECT TO THE STATE OF NH SHORELAND PROTECTION DISTRICT. LIMITS WITHIN THE PROTECTED SHORELAND 250 ft.
NATURAL WOODLAND BUFFER RESTRICTIONS 150 ft.
NEW SEPTIC SYSTEM LEACHFIELD SETBACK 125 ft.
PRIMARY BUILDING LINE 50 ft.

- FIELD SURVEY PERFORMED BY J.A.G. & R.K.M. DURING OCT. 2010 USING A TRIMBLE 5603 DR 200 PLUS TOTAL STATION WITH A RANGER TDS DATA COLLECTOR AND A SOKKIA B21 AUTO LEVEL. TRAVERSE ADJUSTMENT BASED ON LEAST SQUARE ANALYSIS.
- HORIZONTAL DATUM BASED ON REFERENCE PLAN 1.
- THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH AND IN RELATION TO THE CURRENT LEGAL DESCRIPTION, AND IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE.
- WATER BOUNDARIES ARE DYNAMIC IN NATURE AND ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES SUCH AS EROSION OR ACCRETION.

REFERENCE PLANS:

- "LOT LINE REVISION FOR WOODEN NUTMEG CONDOMINIUM, BAY ROAD, DURHAM, NH, PLAN 1 OF 1" DATED JANUARY 16, 2014 BY DOUCET SURVEY INC. S.C.R.D. PLAN 107-026.
- "AMENDED CONDOMINIUM SITE PLAN FOR WOODEN NUTMEG CONDOMINIUM, BAY ROAD, DURHAM, NH, PLAN 1 OF 1" DATED APRIL 09, 2014 BY DOUCET SURVEY INC. S.C.R.D. PLAN 107-030.
- "AMENDED CONDOMINIUM SITE PLAN FOR WOODEN NUTMEG CONDOMINIUM, BAY ROAD, DURHAM, NH, PLAN 1 OF 1" DATED APRIL 09, 2014 BY DOUCET SURVEY INC. S.C.R.D. PLAN 107-031.
- "PLAN OF LAND FOR FROSE E. KATRAK REV. TRUST, BAY ROAD, DURHAM, NH, PLAN 1 OF 1" DATED JUNE 16, 2014 BY DOUCET SURVEY INC. S.C.R.D. PLAN 107-090.
- "FINAL LOT CONFIGURATION AND EASEMENT PLAN, WOODEN NUTMEG FARM FOR WALTER W. CHENEY & CHENEY-ENGLAND LIMITED PARTNERSHIP, BAY ROAD, DURHAM, N.H." DATED APRIL 01, 1994 BY DOUCET SURVEY, INC. S.C.R.D. PLAN 45-100."



LINE TABLE		LINE TABLE			
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N59°32'00"E	39.50'	L16	S49°58'23"E	166.22'
L2	N34°40'00"E	10.50'	L17	S55°20'00"E	183.90'
L3	N34°40'00"E	50.00'	L18	N13°27'08"W	107.86'
L4	N67°17'08"W	38.73'	L19	N07°24'33"E	144.13'
L5	N27°18'40"E	48.83'	L20	N55°20'00"W	325.00'
L6	S14°52'18"E	89.79'	L21	S30°37'52"E	108.91'
L7	N21°11'42"W	15.00'	L22	S22°24'36"E	26.16'
L8	S30°37'52"E	17.90'	L23	S22°24'36"E	62.04'
L9	S22°24'36"E	320.96'	L24	S22°24'36"E	120.91'
L10	S43°24'08"W	254.32'	L25	S43°25'05"E	26.35'
L11	N55°04'34"W	53.81'	L26	S22°24'36"E	63.94'
L12	N55°23'08"W	263.96'	L27	S22°24'36"E	27.69'
L13	S57°40'00"W	253.40'	L28	S43°25'05"E	87.70'
L14	S01°45'36"E	151.52'			

NO.	DATE	DESCRIPTION	BY

DRAWN BY: M.T.L. DATE: SEPTEMBER 2018
CHECKED BY: W.J.D. DRAWING NO.: 5826B
JOB NO.: 5826 SHEET 1 OF 1

DOUCET SURVEY INC.
Sending Your Professional Surveying & Mapping Needs
102 Kent Place, Newmarket, NH 03857 (803) 659-8560
2 Commerce Drive (Suite 202) Bedford, NH 03110 (603) 814-4000
10 Stoner Street (Riverview Suite) Kennebunk, ME (207) 502-7005
http://www.doucetsurvey.com

FILE NAME: \\MAPS\GIS\PROJECTS\2018\2018_09_11\2018_09_11_1130.dwg

From: Michael Behrendt <mbehrendt@ci.durham.nh.us>
Sent: Thursday, September 6, 2018 1:08 PM
To: Bill Doucet <Bill@doucetsurvey.com>; Valerie Shelton, Realtor <valerie@greatbaynh.com>; Audrey Cline <acline@ci.durham.nh.us>
Cc: Jim Rice <jrice@ci.durham.nh.us>; Karen Edwards <kedwards@ci.durham.nh.us>
Subject: Wooden Nutmeg Farm Lot Line Revision (5626)

Hello Bill,

It was nice to see you today. Please note the following:

- You will need a variance for the proposed change to Map 20, Lot 3-2 regarding density. The proposed reduction in the lot size will not meet the requirement to have 150,000 square feet per dwelling unit in the Residence C zone. You can reference Section 175-74 Table of Dimensions, minimum lot area per dwelling unit for RC in your application. The map that you showed us has a proposed lot size of 143,500. You said you would change this to 150,000. That will meet the minimum lot size for the zone but not the density requirement. I have spoken with Audrey Cline, Zoning Administrator, and she concurs with this finding.
- You will not need a variance for frontage for Map 20, Lot 3-2. While you will be eliminating frontage on Bay Road this is not considered an increase in a nonconformity because the frontage on the minor street counts as frontage and is not changing. You have less than the required 300 feet of frontage on the minor street but we do not add frontage on multiple streets toward meeting the requirement so removing frontage on Bay Road is not considered increasing a nonconformity. Plus, the greater frontage is on the minor street and the owner takes access from there. Zoning allows frontage on a private street. This is considered a private street because it serves multiple properties and there is a separate platted right of way.
- The minor street does not have a separate name. As part of the lot line adjustment, the Fire Department may or may not raise concerns about that. We will see.
- From the plat that you showed us the other 2 lots will have the same or greater lot area and street frontage.
- The ZBA will meet on Tuesday, October 9.

- As I mentioned, for very simple lot line adjustments we can review those in 1 Planning Board meeting. Where the proposal is more complicated then it takes 2 meetings. While the plan is being simplified, this application will still need to be reviewed in 2 meetings. You can present on October 10 and then we can have the public hearing on November 14, with final action that evening if all is in order. The October 24 meeting is a workshop where projects are not reviewed.
- The deadline for both the ZBA and Planning Board meetings is Wednesday, September 19. Please coordinate with Karen for the ZBA application. You can see information about the lot line adjustment here: https://www.ci.durham.nh.us/boc_planning/planning-board-application-forms. Coordinate with Karen about the fees and notices. The fee is \$150 for the lot line adjustment. Feel free to contact me with any questions or concerns.

Best regards.

Michael Behrendt

Durham Town Planner

Town of Durham

8 Newmarket Road

Durham, NH 03824

(603) 868-8064

www.ci.durham.nh.us



124 Cushing Road * Newmarket, NH 03857
Off: 603-659-0199 Cell: 603-770-3410
Email: Valerie@GreatBayNH.com

September 17, 2018

Zoning Board of Adjustment
Town of Durham
15 Newmarket Road
Durham, NH 03824

RE: Wooden Nutmeg Farm Condominium Variance Application

Dear Zoning Board Members,

I have reviewed in detail the application pertaining to the above property. I am very familiar with the property and the overall Wooden Nutmeg Farm Condominium and Shankhassic on Great Bay community, having been involved with sale and marketing of several properties within that area for over 25 years. My firm has specialized in the water-privileged residential real estate market since I established Appledore Real Estate in 1994, particularly focused on the Durham and Newmarket Great Bay area. Over the years, I have also worked extensively with the Durham Town Assessor, Jim Rice, in regards to valuations within this neighborhood, most recently with the town's 2018 revaluation project.

It is my understanding the applicant is seeking to have Tax Map 20 Lot 3-2 reduced in acreage from 7.23 acres to 3.29 acres. In order to accomplish this a variance is required to permit two single-family dwelling units to reside on a lot which does not meet the RC zone density regulation of 150,000sf/unit. As the applicant has stated, this lot is a very unique property with a very unwieldy, gerrymandered layout. It is also unique in use. It is comprised of two detached single-family homes plus a waterfront common area (boat house, kayak storage and dock) for the Shankhassic subdivision, with the lot being partitioned into 3 condominium units and each condo unit actually being defined as Limited Common Area (LCA). The Town of Durham treats each LCA as a distinct parcel for tax purposes and notes the lot sizes for each property to be the size of the LCA (not typically done with a condominium), so while the lot meets the current regulation each individual dwelling unit's LCA does not. The reduction of dwelling unit 3-2-B LCA (573 Bay Road) would in fact become more consistent with dwelling unit 3-2-A LCA and more appropriate for a condominium property. Additionally, due to the unique configuration of Lot 3-2 and the multiple encumbrances of shoreland and wetland setbacks, conservation easements, view easements, etc. . . ., the two dwelling units are required to share a common leach field and well. That is often typical in single building/multiple unit condominium situation, but it's uncommon when the lot areas (LCA's) are the condominium units.

I was involved with the sale of one of the condominiums (573 Bay Road) in 2014. It was a difficult sale and one which occurred only after substantial time on market, reduced pricing and a Lot Line Revision being done to eliminate some of the easement encumbrances. All surrounding properties are traditional single-family lots which is primarily what buyers are looking for in this type of neighborhood. Most buyers who did not object to the "condominium", objected to the acreage of the large encumbered LCA for 573 Bay Road and the potential liability over acreage they did not control and could not even use due to the encumbrances of easements. Given the existing use of the land and the constraints on changing the

Please Visit our Website at www.GreatBayNH.com

current uses including the shared leach field and well, the need to use the existing private road, easements prohibiting use of much of the acreage, etc..., reducing the acreage of Lot 3-2 has no resulting impact on the developability or expanded use of the property. Therefore, since there would be NO changes to the use or development potential of lot 3-2 if the acreage was decreased, there would be no decrease (or diminution) in value of surrounding properties.

In order to fully explore the impact of granting the variance would have on abutting property values, I looked at the applicants' intent as to why they are seeking the variance: to obtain lot line revisions (LLR) for other abutting properties. In all such cases, none of the properties benefiting from the LLR would create a situation which would then in turn decrease the value of any properties abutting those involved in the LLR. Granting the requested variance for Lot 3-2, and a subsequent approval by the Planning Board for the LLR, would potentially increase the values of the lots involved in the proposed LLR and in turn be a positive impact on values for the entire neighborhood. The parcels involved are very encumbered by exclusive easements which would be eliminated or converted to fee simple ownership. These are all very complicated and convoluted properties and any changes which can be done to simplify them would increase the saleability of the properties involved. In the case of Lot 6 (557 Bay Road), as the applicant has also pointed out, the LLR would bring that property into greater conformity with the ordinance and convert its current exclusive use easement over the waterfront to fee simple ownership. It is taxed as a waterfront lot value without actually owning waterfront – buyers don't understand that concept and it was a direct issue/impact when I sold the undeveloped lot two times and then again after it was developed by the prior owner. In all of these sales, the non-conformity, complexity of the easements and not "owning" the waterfront resulted in reduced selling prices for the property which in turn reduces all neighboring property values.

In the application, Mr. Katrak has outlined his position with regards to meeting Criteria 1. I would concur fully with his statements.

In granting this variance, it is my professional opinion no decrease in value of surrounding properties would be suffered if the size of the lot was reduced to be 150,000 s.f.. There would be:

- 1. No change in the use of the lot or the services to the dwelling units now or in the future;**
- 2. No change in access to the lot;**
- 3. No change in the development ability of the lot due to shoreland/wetland/boundary setbacks and existing easements;**
- 4. The acreage for each condominium unit will become more consistent;**
- 5. The shared septic, well and access create a condition whereby the properties could be viewed as a single unit under the purpose of the Ordinance**

Please contact me if you have any questions or need further information. Thank you.

Sincerely,



Valerie Shelton