

**Town of Strafford**  
**APPLICATION TO THE BOARD OF ADJUSTMENT**  
**Variance**

Name of Applicant Hartmann Family Revocable Trust  
Address P.O. Box 89, Strafford, NH 03884  
Name of owner of property concerned Same  
(if same as above, write "same")  
Address of owner of property concerned Same  
(if same as above, write "same")

Location of property 64 Lakeshore Drive, Strafford, N.H.  
Tax Map 35 Lot 8

Description of property The current use of the property is a residential use. There is currently a 2 bedroom house down by the lake with on site well and septic. The lot has 0.75 Ac. There is 100.02' of road frontage. The side lines are 315'+/- along Tax 35, Lot 9 292.71'+/- along Tax Map 35, Lot 7. the rear line runs along Bow Lake for 107'+/-.  
(include use, acreage, length of front, side, and rear boundaries)

The following information must be filed with your application:

☒ List of abutters (including names and complete mailing addresses)

☒ Three sets of mailing labels for the owner, applicant, easement holders, all abutters, and any professional who has stamped the plans being submitted

☒ Accurate to-scale plan of property, including:

- ☒ site location
- ☒ area of site
- ☒ parcel boundaries
- ☒ abutting owners
- ☒ significant natural features, i.e. ledge, etc.
- ☒ stone walls, cemeteries, etc.
- ☒ watercourses and/or wetlands
- ☒ all buildings on site
- ☒ proposed changes/additions to structures on site, or site of new construction
- ☒ floor plans and building elevations
- ☒ setbacks to front, side and rear boundaries, and to wetlands

☒ Copy of deed to the property

☒ Completed worksheet detailing how this variance request meets the criteria for variance

The undersigned hereby requests a variance to the terms of Article 1.4  
Section 1.4.1(C) of the Zoning and Land Use Ordinances of the Town of  
Strafford, and asks that said terms be waived to permit two decks and stairs within the  
side setback.

The undersigned alleges that the following circumstances exist which prevent the proper enjoyment of his land under the strict terms of the Zoning and Land Use Ordinances, and thus constitutes an unnecessary hardship: See attached narrative.

---

---

---

---

---

---

---

Signature of Applicant Andy Hartman Sr. (B) L E

Signature of Owner, if other than applicant \_\_\_\_\_

Date 2-26-24

ALL FEES DUE AT THE TIME THAT THE APPLICATION IS SUBMITTED. NO APPLICATION WILL BE PROCESSED UNLESS FEES HAVE BEEN PAID.

Application fee of \$250.00, plus \$175.00 fee for newspaper publication of notification of public hearing, plus fee of \$15.00 per letter for notification by certified mail as required under NH RSA 676:7.

\$ 250.00  
\$ 175.00  
\$ 105.00  

---

\$ 530.00

For office use only:

Application and Fee received by \_\_\_\_\_

Date received \_\_\_\_\_

Fees paid & check number \_\_\_\_\_

## Variance Worksheet

Five criteria must be met in order for a proposal to qualify for the granting of a variance. Please explain how your proposal addresses each of the following questions regarding these five criteria.

- 1) Explain why the granting of this variance would not be contrary to the public interest.

See attached narrative.

- 2) Explain why the use of the property contemplated by the applicant as a result of obtaining this variance would not be contrary to the spirit of the ordinance. Why would the spirit of the ordinance still be observed?

See attached narrative.

- 3) Explain how, by granting this variance, substantial justice would be done.

See attached narrative.

- 4) Explain why the values of surrounding properties will not diminish as a result of the granting of this ordinance.

See attached narrative.

- 5A) Explain the "special conditions" of the land that distinguish it from other properties in the area, such that denial of the variance would result in unnecessary hardship. How is the proposed use a reasonable one? How is your property unique such that no fair and substantial relationship exists between the general public purposes of the ordinance and the specific application of that provision to your property?

See attached narrative.

- 5B) Explain how the "special conditions" of your property distinguish it from other properties in the area such that there is not a reasonable use of your property without the granting of a variance.

See attached narrative.





## **BERRY SURVEYING & ENGINEERING**

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

February 22, 2024

Strafford Zoning Board of Adjustment  
12 Mountain View Drive  
Strafford, NH 03884

RE: Variance Requests  
Article 1.4.1 Land Requirements Section C  
Tax Map 35, Lot 8  
64 Lakeshore Drive  
Hartmann Family Revocable Trust

Chair Person and Members of the Strafford Zoning Board of Adjustment,

On behalf of Samuel B. & Linda J. Hartmann, Trustees of the Hartmann Family Revocable Trust, Berry Surveying & Engineering (BS&E) is submitting for your review a variance request to Article 1.4.1 Section C, which relates to the Land Requirements. Specifically, the applicant is requesting relief to the sideline setback to construct a 10'X12' deck on the northwestern side of the existing home with associated required steps within the 25' sideline setback. Additionally, the applicants are proposing to construct a small 4'X10' entry deck and stairs on the front of the home which will be in the existing location of a cord wood chute.

BS&E has conducted a complete existing conditions plan in preparation for this request as well as a request to New Hampshire Department of Environmental Services (NHDES) Shoreland Program. Please find the enclosed Existing Conditions Plan, Proposed Conditions Plan and ZBA Plan.

The parcel consists of an existing single-family home on an existing non-conforming lot. The existing parcel contains 100.02' of frontage and 0.75 acres of land. The home is awkwardly placed on the lot in such a way that the home is not parallel with the parcel's sidelines and therefore is situated within both the northern and southern side setback. This existing feature makes any modification to the home impossible without the need for a variance.

The proposal includes constructing a modest sized garage that will fit within the required setbacks on the property. The total proposal maintains the impervious cover under 30%, however the applicant is proposing enhancements to the site as is common on shoreland projects. Additional plantings are proposed within the woodland buffer and drip edges and dry wells are proposed to reduced the impact of the project on Bow Lake.

1. Article 1.4.1 Section C. Construct a deck & stairs and front deck partially within the 25' sideline setback required in the zone.

To the merits of the five statutory criteria for the Zoning Board to grant a variance we offer the following:

1. *"Granting of the variance would not be contrary to the public interest."*
  - The public interest, with respect to these sections are to ensure there is no overcrowding of each lot within the area and protection of the surface water to the extent possible. As can be seen on the Variance Plan (enclosed) the two proposed encroachments are no closer to the side boundary line than the existing home or roof line is situated. The general public interest test is generally measured and compared to the idea of if the project markedly changes the essential character of the neighborhood. In this case it is likely that many of the abutting land owners have similar decks and entrance structures and therefore this is consistent for the locality and thus does not create a marked change.
2. *"Granting the variance would be consistent with the spirit of the Ordinance."*
  - The spirit of the ordinance is to ensure uniformity with the abutting lots as they pertain to space and bulk standards. In this case the existing foot print is not being modified beyond the existing limits of the encroachment on the property and therefore the space and bulk standard remains the same. The spirit is to allow non-conforming structures to be updated as time goes on while ensuring they are done modestly without great impact on the locality.
3. *"Granting of the variance would do substantial justice."*
  - The benefit to the applicant far outweighs any potential detriment to the ordinance by allowing the applicant to build within the same foot print constraints therefore substantial justice is accomplished. The site's stormwater quality is improved with the implementation of Low Impact Development (LID) devices, which is in line with the stormwater ordinance and with the NHDES Shoreland program.
4. *"Granting the variance will not result in diminution of surrounding property values."*
  - The surrounding properties will not be diminished in value by the construction of the small decks and porches. These are permitted uses in a residential zone. Enclosed herewith is a letter from the affected abutter who supports the application.
5. *"Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law."*
  - In this case the special condition of this parcel is the existing infrastructure that is to remain in conjunction with the existing non-conforming lot and general home placement against the existing lot lines. There is no reasonable alternative to

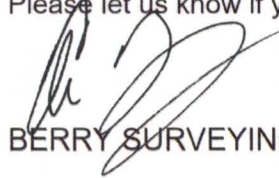


Variance Request  
Hartmann Family Revocable Trust, Tax Map 35, Lot 8

February 22, 2024  
Page 3 of 3

this request and therefore denial will cause an unnecessary hardship to the applicant.

Please let us know if you have further questions.



BERRY SURVEYING & ENGINEERING

Christopher R. Berry – Project Manager  
Principal, President



**BERRY SURVEYING & ENGINEERING**  
335 Second Crown Pt. Rd., Barrington, NH 03825  
(603) 332-2863 / (603) 335-4623 FAX  
[www.BerrySurveying.Com](http://www.BerrySurveying.Com)





## BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

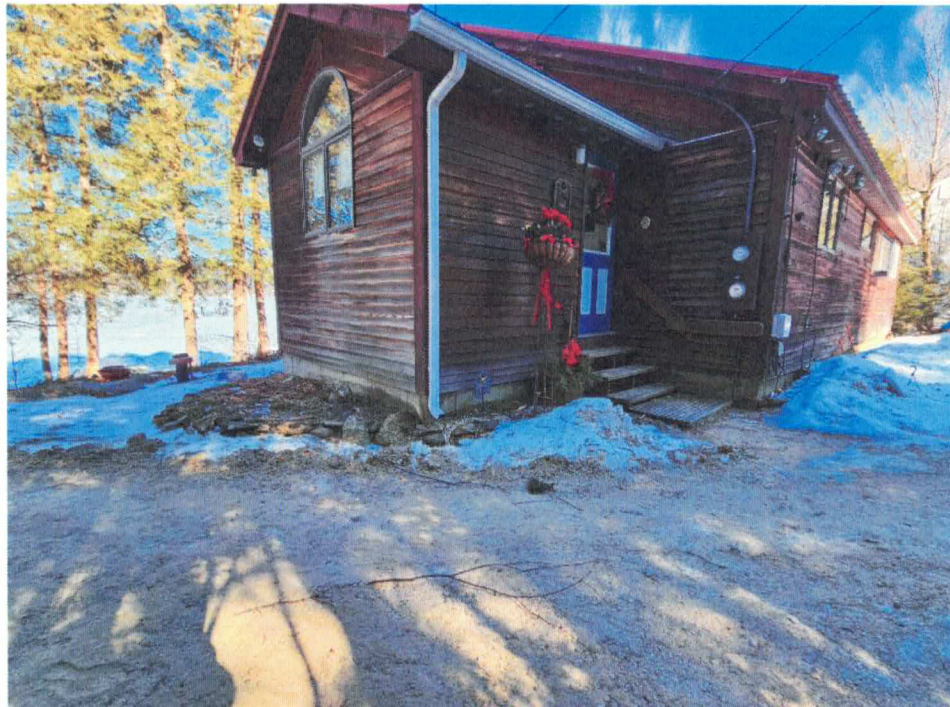
Fax: (603) 335-4623

[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

64 Lakeshore Dr, Strafford  
Tax Map 35, Lot 8



1



2



64 Lakeshore Dr, Strafford  
Tax Map 35, Lot 8



3



4

**BERRY SURVEYING & ENGINEERING**

335 Second Crown Pt. Rd., Barrington, NH 03825  
(603) 332-2863 / (603) 335-4623 FAX  
[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

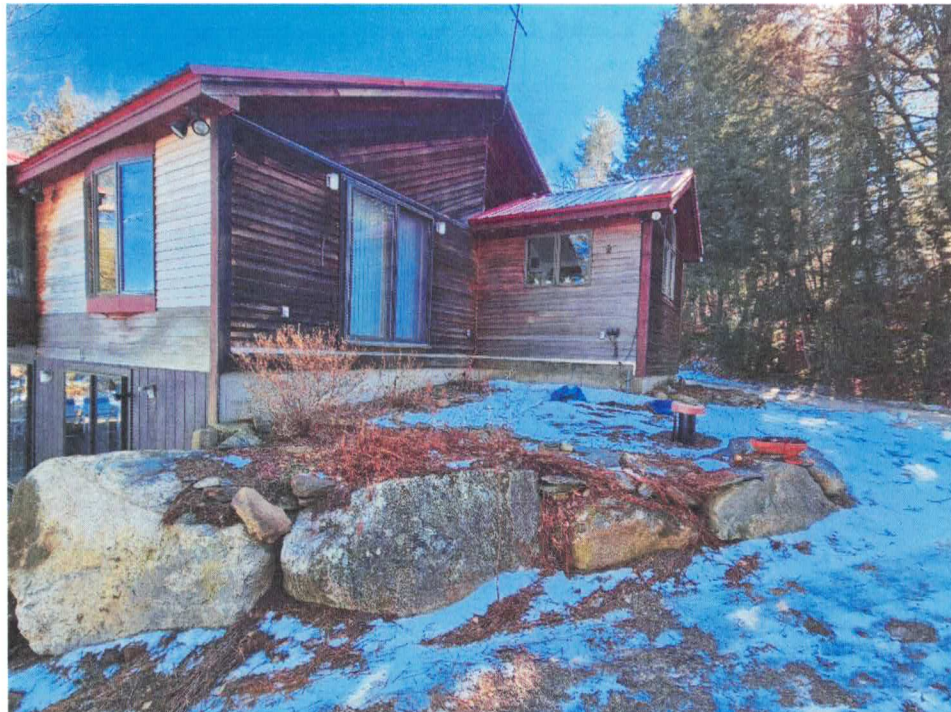




64 Lakeshore Dr, Strafford  
Tax Map 35, Lot 8



5



6

**BERRY SURVEYING & ENGINEERING**

335 Second Crown Pt. Rd., Barrington, NH 03825  
(603) 332-2863 / (603) 335-4623 FAX  
[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

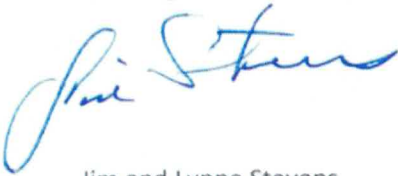


January 13, 2024

Strafford Zoning Board and Adjustment

My wife and I own the property at 70 Lake Shore Drive in Strafford. Our neighbors, the Hartmans, are proposing to build a 10'x10' deck on the side of their house which will face our property. They have discussed this with us and we have no problem with them building this deck.

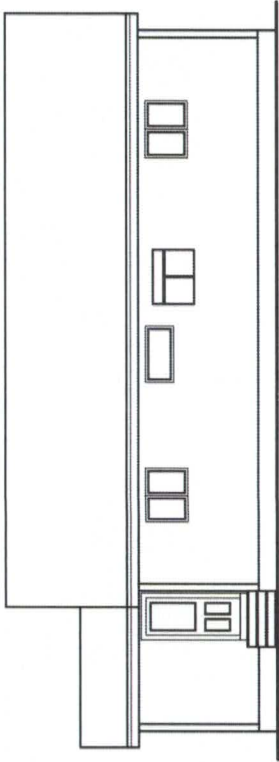
Best Regards,

A handwritten signature in blue ink, appearing to read "Jim Stevens". The signature is fluid and cursive, with the first name "Jim" being more prominent.

Jim and Lynne Stevens

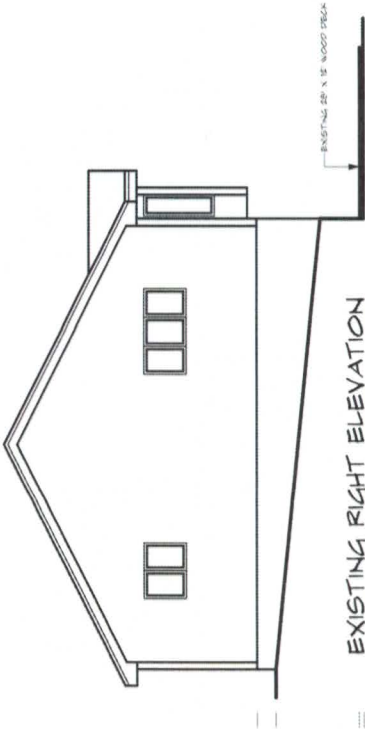
A handwritten signature in blue ink, appearing to read "Lynne Stevens". The signature is fluid and cursive, with the first name "Lynne" being more prominent.





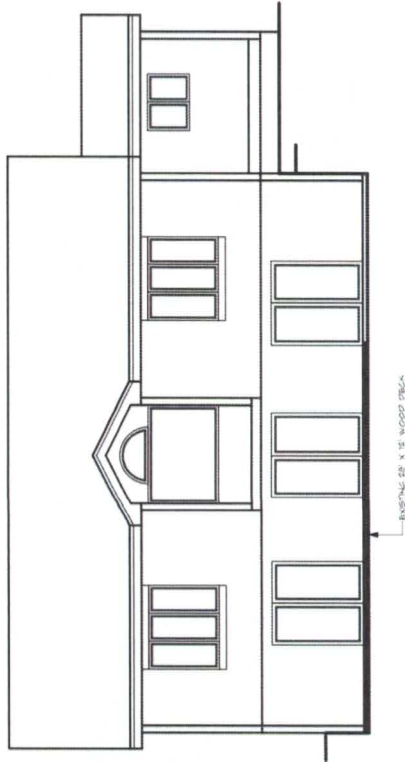
EXISTING FRONT ELEVATION

1/4" = 1'-0"



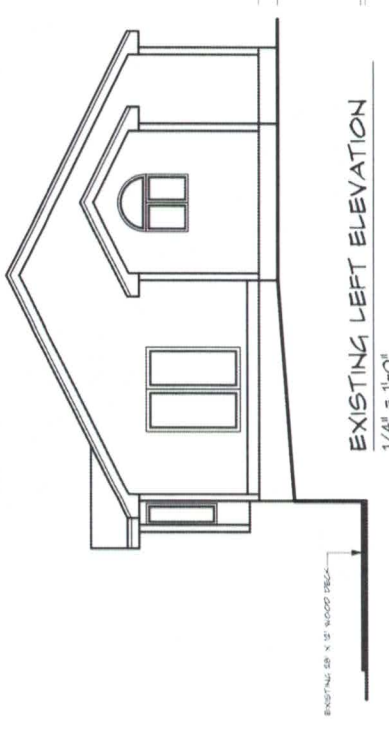
EXISTING RIGHT ELEVATION

1/4" = 1'-0"



EXISTING REAR ELEVATION

1/4" = 1'-0"



EXISTING LEFT ELEVATION

1/4" = 1'-0"

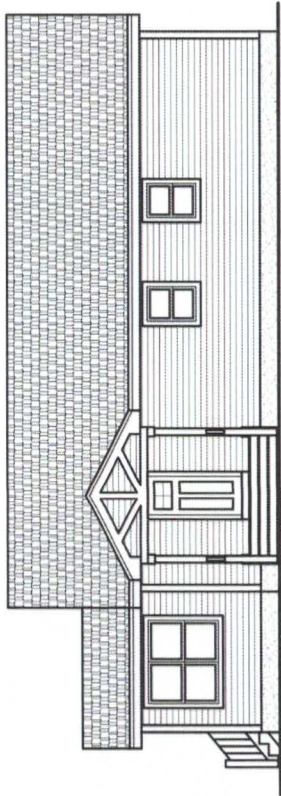
JRL RESIDENTIAL DESIGN  
PO BOX 32  
MADISON, NH 03849  
508-954-2623

PROJECT  
HARTMANN  
RESIDENCE  
PROPOSED  
RENOVATION  
64 LAKE  
SHORE DRIVE  
STRAFFORD, NH

REVISIONS

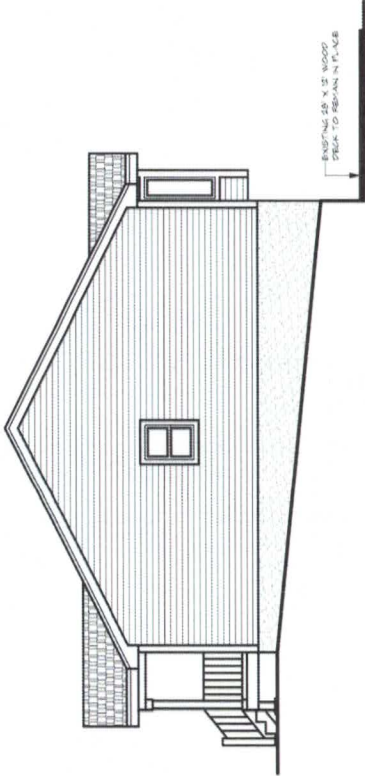
DATE  
01/25/2024

SHEET  
P-1



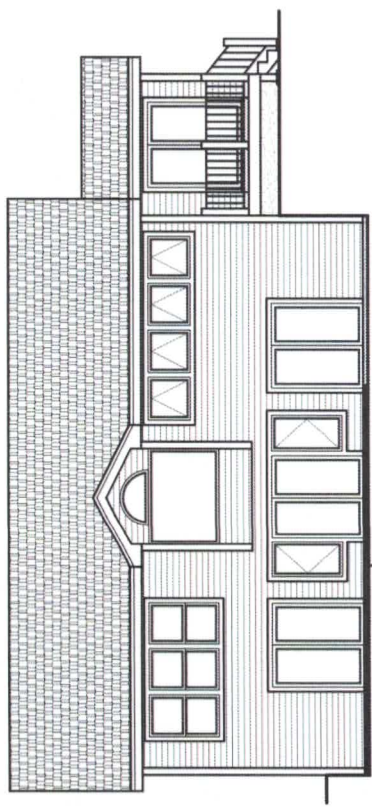
PROPOSED FRONT ELEVATION

1/4" = 1'-0"



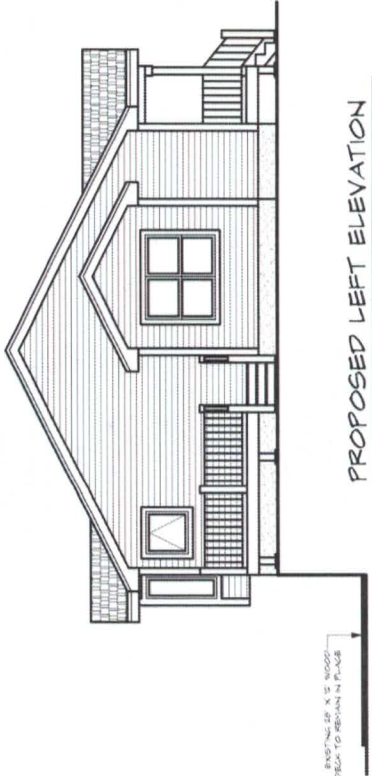
PROPOSED RIGHT ELEVATION

1/4" = 1'-0"



PROPOSED REAR ELEVATION

1/4" = 1'-0"



PROPOSED LEFT ELEVATION

1/4" = 1'-0"

JRL RESIDENTIAL DESIGN  
PO BOX 32  
MADISON, NH 03849  
508-954-2623

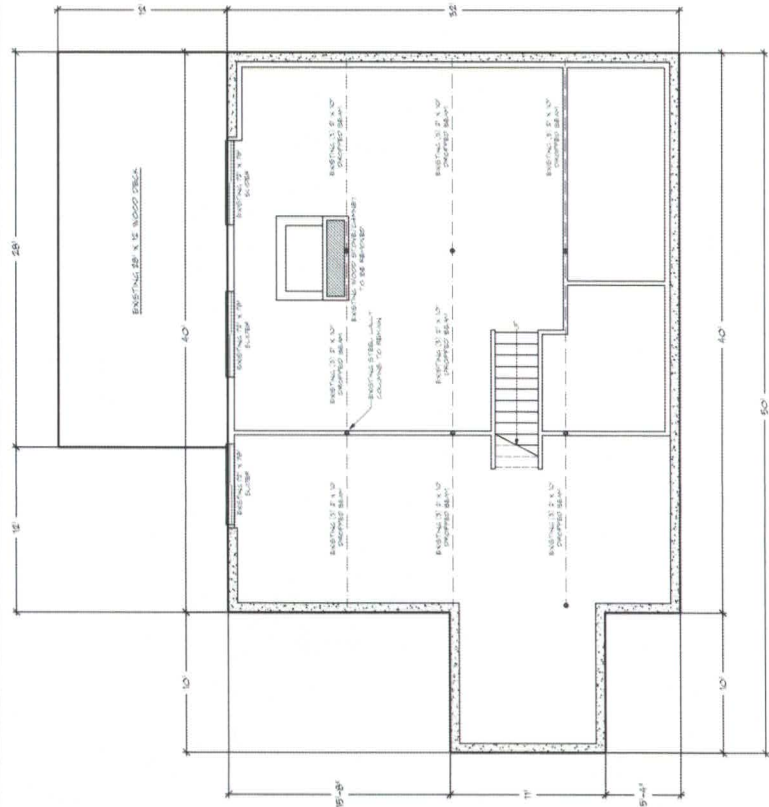
PROJECT  
HARTMANN  
RESIDENCE  
PROPOSED  
RENOVATION  
64 LAKE  
SHORE DRIVE  
STRAFFORD, NH

REVISIONS

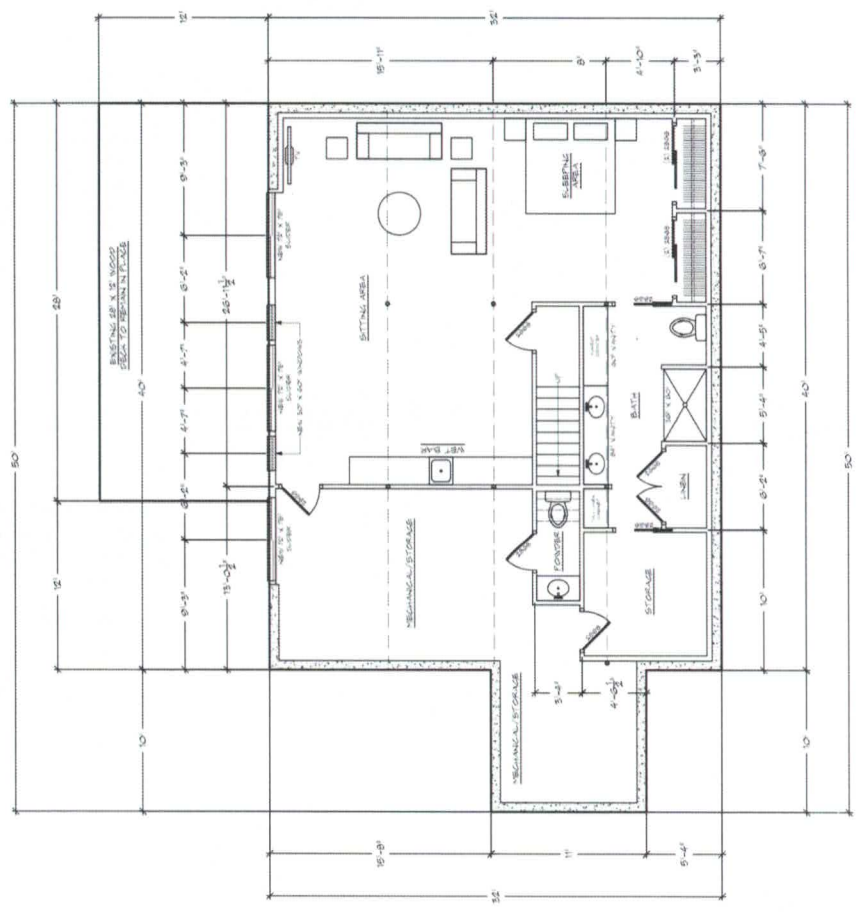
DATE  
01/25/2024

SHEET  
P-2





EXISTING BASEMENT PLAN  
1/4" = 1'-0"



PROPOSED BASEMENT PLAN  
1/4" = 1'-0"  
LIVING AREA = 845 SQ. FT.

ALL DIMENSIONS TO BE VERIFIED  
ON SITE PRIOR TO CONSTRUCTION

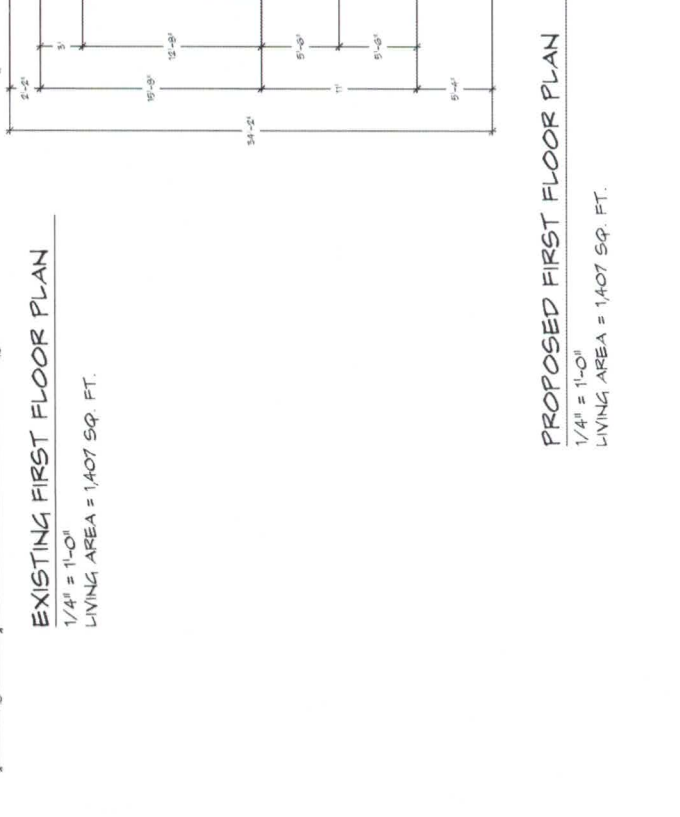
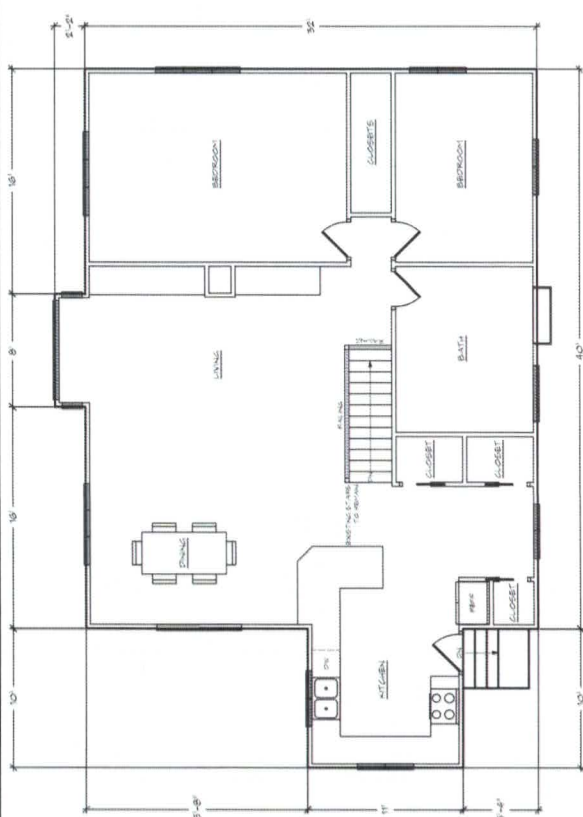
JRL RESIDENTIAL DESIGN  
PO BOX 32  
MADISON, NH 03849  
508-954-2623

PROJECT  
HARTMANN  
RESIDENCE  
PROPOSED  
RENOVATION  
64 LAKE  
SHORE DRIVE  
STRAFFORD, NH

REVISIONS

DATE  
01/25/2024

SHEET  
P-3



ALL DIMENSIONS TO BE VERIFIED  
ON SITE PRIOR TO CONSTRUCTION

JRL RESIDENTIAL DESIGN

PO BOX 32  
MADISON, NH 03849  
508-954-2623

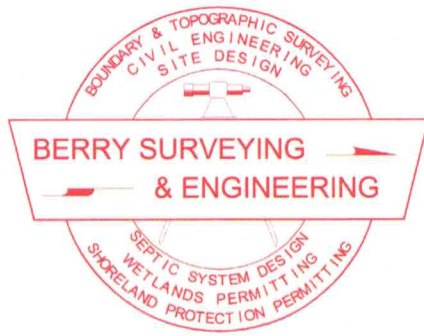
PROJECT  
HARTMANN  
RESIDENCE  
PROPOSED  
RENOVATION  
64 LAKE  
SHORE DRIVE  
STRAFFORD, NH

REVISIONS

DATE  
01/25/2024

SHEET  
P-4





## **BERRY SURVEYING & ENGINEERING**

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

**February 26, 2024**

### **Abutters List**

#### **Owner of Record**

##### **Tax Map 35, Lot 8**

Hartman Family Rev Tst  
Samuel B & Linda J Hartman Tstees  
PO Box 89  
Strafford, NH 03884  
*Book 5125, Page 544*

#### **Abutters**

##### **Tax Map 35, Lot 7**

James K Stevens Rev Tst  
James K & Lynne A Tstees  
12 Jo Lenas Dr  
York, ME 03909  
*Book 5060, Page 784*

##### **Tax Map 35, Lot 9**

Frank A Byron Tst  
Frank A Byron Tstee  
8 Mallard Ct  
Litchfield, MA 03052  
*Book 2250, Page 494*

##### **Tax Map 35, Lot 22**

James Welch  
Susan Wright  
57 Lake Shore Dr  
Strafford, NH 03884  
*Book 2065, Page 571*

23-030 Hartman Family Rev Tst  
64 Lake Shore Dr, Strafford, NH

Page 2 of 2

**Tax Map 35, Lot 23**

Robert A Barr, Jr Rev Liv Tst  
Barbara M Barr Rev Liv Tst  
74 Lake Shore Dr  
Strafford, NH 03884  
*Book 4220, Page 312*

**Professionals**

Kenneth A. Berry PE LLS  
Christopher R. Berry, Project Manager  
Berry Surveying & Engineering  
335 Second Crown Point Road  
Barrington, NH 03825

Deidra Benjamin, CWS  
100 Leavitt Road  
Pittsfield, NH 03263



**BERRY SURVEYING & ENGINEERING**

335 Second Crown Pt. Rd., Barrington, NH 03825  
(603) 332-2863 / (603) 335-4623 FAX  
[www.BerrySurveying.Com](http://www.BerrySurveying.Com)



Lake

Bow



LEGEND  
PARCEL NUMBERS ..... 2  
ADJACENT MAPS ..... 7  
MATCH LINE .....

For Assessment Purposes  
Not to be used for Conveyances

REVISED & REPRINTED BY  
CAI TECHNOLOGIES  
LITTLETON, NEW HAMPSHIRE 03041

PROPERTY MAP  
TOWN OF STAFFORD  
STAFFORD COUNTY, NEW HAMPSHIRE  
PREPARED BY  
JAMES W. SEWALL COMPANY, OLD TOWN, MAINE  
SCALE: 1 INCH = 100 FEET

Doc # 230008422  
Book 5125 Page 544

07/19/2023 09:09:42 AM  
Page 1 of 2

Catherine A. Berube  
Register of Deeds, Strafford County  
LCHIP STA210187 25.00  
TRANS TAX ST861375 9,000.00

## WARRANTY DEED

Diana C. Keenan, a single woman, of Strafford, New Hampshire, for consideration paid, grants to Samuel B. Hartmann and Linda J. R. Hartmann, as Trustees of the Hartmann Family Revocable Trust u/t/a dated March 25, 2010, with a mailing address of PO Box 89, Strafford, New Hampshire 03884, with Warranty Covenants:

A certain parcel of land, with the buildings thereon, situate in Strafford, in the County of Strafford, the State of New Hampshire, on the Southerly shore of Bow Lake, bounded and described as follows:

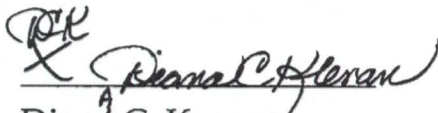
Beginning at the Northeasterly corner of the described premises on the Southerly shoreline of Bow Lake at the Northwesterly corner of Lot #4, on Plan of Land, hereinafter designated, on which the premises are shown as Lot #5, and thence running South fifteen degrees, one minute East (S 15° 01' E) by the Westerly side line of said Lot #4 to an iron pipe set in the ground and through said iron pipe on said course three hundred eight and two-tenths (308.2) feet to an iron pipe set in the ground at the Southwesterly corner of Lot #4, at land now or formerly of Cushman C. Morse and Dorothy A. Morse; thence turning and running South sixty-six degrees twenty-two minutes West (S 66° 22' W) by said Morse land one hundred (100) feet to an iron pipe set in the ground at the southeasterly corner of Lot #6 on said Plan; thence turning and running North thirteen degrees three minutes East (N 13° 03' E) by the Easterly side line of said Lot #6 three hundred seventy-four and five-tenths (374.5) feet to an iron pipe set in the ground and continuing through said pipe to the Southerly shoreline of Bow Lake; thence turning and running in an Easterly direction

by the Southerly shoreline of said Lake to the Northwesterly corner of Lot #4 on said Plan at the point of beginning.

Being the same premises conveyed by Charles V. and Phyllis A. Carey, by deed dated October 7, 1977, recorded in Strafford County Registry of Deeds, Book 1005, Page 50; subject to the provisions quoted therein, as to rights in a strip of land between said lot and the plan right-of-way. Also designating said plan as "Plan of Land of Cushman C. and Dorothy A. Morse, Bow Lake, Strafford, N.H., Scale 1 inch = 100 feet, March 1954" by Grant L. Davis, which is recorded in said Registry of Deeds in Pocket 7, Folder 1, Plan 11.

Meaning and intending to convey the premises described in the Quitclaim Deed of Diana C. Keenan to William F. Keenan and Diana C. Keenan dated March 22, 2004, recorded at Book 2959, Page 631, of the Strafford County Registry of Deeds. Diana C. Keenan conveys as surviving joint tenant, William F. Keenan having died on February 26, 2012. See death certificate recorded herewith.

Witness her hand this 18<sup>th</sup> day of July, 2023.

  
Diane C. Keenan

STATE OF NEW HAMPSHIRE

COUNTY OF STRAFFORD

Acknowledged before me this July 18, 2023, by Diane <sup>A C</sup>C. Keenan.

  
Notary Public

**Phillip J. Stiles**  
New Hampshire Notary Public  
My Commission Expires  
March 24, 2026





The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



---

**SHORELAND IMPACT PERMIT 2023-03056**

**NOTE CONDITIONS**

**PERMITTEE:** HARTMANN FAMILY REVOCABLE TRUST  
PO BOX 254  
STRAFFORD NH 03884

**PROJECT LOCATION:** 64 LAKESHORE DRIVE, STRAFFORD  
TAX MAP #35, LOT #8

**WATERBODY:** BOW LAKE

**APPROVAL DATE:** DECEMBER 21, 2023      **EXPIRATION DATE:** DECEMBER 21, 2028

---

Shoreland Permit Application 2023-03056 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

**PERMIT DESCRIPTION:**

Impact 10,287square feet (SF) of the protected shoreland in order to construct 2 decks with steps onto the existing house, the existing steps to the house will be removed to construct a garage with a deck and covered entrance. A new septic system will be constructed. Increased drainage from the proposed roof will be piped into 2 drywells. 802 SF of gravel driveway will be added to access to the proposed garage and 383 SF of gravel parking added.

**Impervious Surface Percentage Approved:** 28.4 %

**Natural Woodland Area Required per RSA 483-B:9, V, (b):** 1,355 SF.

Temporary Waiver Granted: Temporarily reduce the area of the Woodland Buffer in which vegetation remains in an unaltered state below that required per RSA 483-B:9, V, (b) for the purposes of constructing an accessory structure, installing a septic system, and relocating a propane tank. Post-construction restoration planting required.

**THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):**

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated October 18, 2023 and received by the New Hampshire Department of Environmental Services (NHDES) on November 16, 2023 pursuant to Env-Wq 1406.15(f).
2. The proposed septic system shall not be constructed until the system is approved by the NHDES Subsurface Systems Bureau as required pursuant to RSA 483-B:6, I(c).
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
4. The proposed dry wells shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V(g).
5. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

**THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:**

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700, and the requirements in Env-Wq 1404.01(a) and(b).
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

**ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:**

1. During construction, a copy of this permit should be posted on site in a prominent location visible to inspecting personnel.
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, NHDES.
4. This project has been screened for potential impact to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

APPROVED:



Craig W. Day  
Shoreland/Shoreline Specialist, Shoreland Program  
Wetlands Bureau, Land Resources Management  
Water Division

**THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE PARTIES BELOW (Env-Wq 1406.21(c))**

---

PERMITTEE SIGNATURE (required)

---

PRINCIPAL CONTRACTOR SIGNATURE (required, if any)