

Please send this form with Plot Plan and List of Abutters to the Town of Durham, 15
Newmarket Rd., Durham, NH 03824, Attn: Zoning Board of Adjustment

RECEIVED
TOWN OF DURHAM
DEC 21 2012
Strafford Assessing,
Planning & Enforcement

Appeal for Applicant

State of New Hampshire

To: Zoning Board of Adjustment, Town of Durham NH 03824

Name of Applicant: HARRIET FORKEY & JERE LUNDHOLM

Address: 104 PISCATAQUA RD Phone # 868-2283

Email: LUNDY-NH@COMCAST.NET

Owner of Property Concerned: SAME
(If same as above, write "Same")

Address: SAME
(If same as above, write "Same")

Location of Property: 104 PISCATAQUA RD
(Street & Number, Subdivision and Lot number)

Description of Property (Give Tax Map number, length of frontage, side and rear lines
and other pertinent descriptive information) TAX MAP 11, LOT 33-0

FRONTAGE 296 FEET, RIVER 380 FEET, WEST SIDE 332 FEET

SINGLE FAMILY HOUSE ON 1.42 ACRES (SEE PAGE 2)

Fill in Section 1, 2, 3 or 4 below as appropriate. Do not fill in more than one section.
This application is not acceptable unless all required statements have been made.
Additional information may be supplied on separate sheets if the space provided is
inadequate.

SECTION 1: APPEAL FROM AN ADMINISTRATIVE DECISION

Appeal must be filed no later than 30 days from the date of the original decision.

Relating to the interpretation and enforcement of the provision of the Zoning Ordinance.

Decision of the enforcement officer to be reviewed: _____
Number _____ Date _____

Article _____ Section _____ of the Zoning Ordinance in question.

Map 11



PROPERTY MAP
DURHAM
NEW HAMPSHIRE

Legend

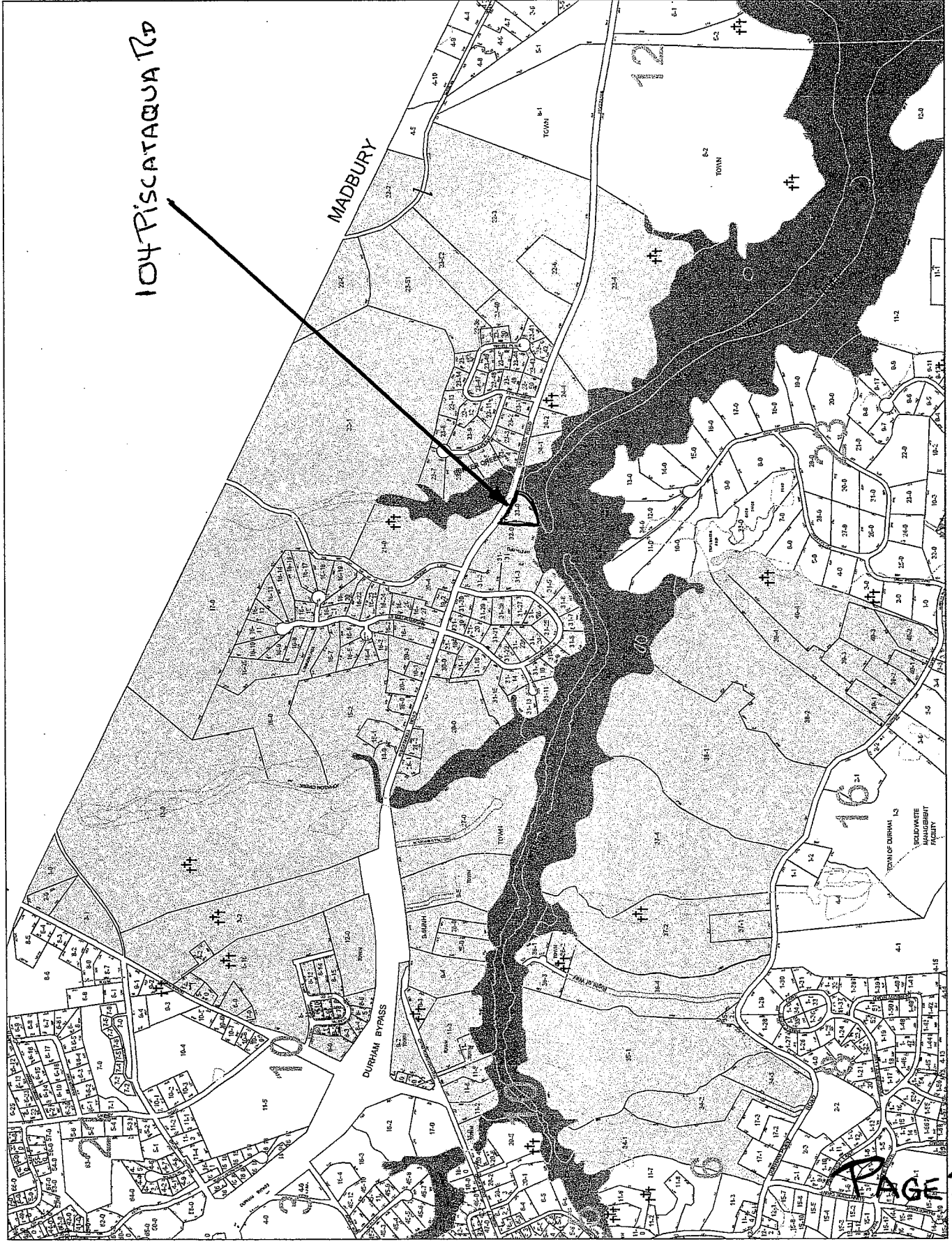
- Adjacent Map Sheets
- Current Map Sheets

Cemetery

1 inch = 995 feet

This map was originally produced by
Strafford Regional Planning
Commission in October 2004,
and was updated by the
Town of Durham in April 2011.

THIS MAP IS FOR
ASSESSMENT PURPOSES.
IT IS NOT INTENDED
FOR LEGAL DESCRIPTION
OR CONVEYANCE.



16
TOWN OF DURHAM 13
SELEWASTE
MANAGEMENT
FACILITY

SECTION 2: APPLICATION FOR SPECIAL EXCEPTION

Description of proposed use showing justification for a Special Exception as specified in the Zoning Ordinance Article _____ Section _____

SECTION 3: APPLICATION FOR EQUITABLE WAIVER

The undersigned hereby requests an Equitable Waiver of Dimensional Requirements as provided in RSA 674:33-A of the New Hampshire Planning and Land Use Regulations.

Please give a brief description of the situation: _____

SECTION 4: APPLICATION FOR A VARIANCE

STANDARD OF REVIEW: The New Hampshire Legislature has declared that each of the following conditions must be found in order for a variance to be legally granted. Prior to seeking a variance, the property owner must have been DENIED a building permit by the Building Inspector or approval by the Planning Board.

1. No decrease in value of surrounding properties would be suffered;
2. Granting the variance would not be contrary to the public interest;
3. Denial of the variance would result in unnecessary hardship to the owner seeking it;
4. By granting the variance substantial justice would be done;
5. The use must not be contrary to the spirit and intent of the ordinance.

A Variance is requested from Article _____ Section _____ of the Zoning Ordinance to permit _____

(SEE PAGE 4)

Appeal for Applicant
Section 4: Application for a Variance
Variance request

1) A Variance is requested from Article XIV Section 175-74A of the Zoning Ordinance and the shoreland setback to permit the demolition of an existing garage and the rebuilding with a 200 square foot larger footprint and with master bedroom above.

Reference Attachments A-1 (plot plan), A-3 to 5 (photos of house), and A-6 to 8 (conceptual drawings)

2) A Variance is requested from Article XII Section 175-54 and Article XIV Section 175-74B of the Zoning Ordinance and the property line and shoreland setbacks, respectively, to permit the replacement of an existing septic system, if and when it fails.

Reference Attachments A-1 (plot plan) and A-2 (septic tank)

Facts supporting this request: (SEE PAGES 7, 8 AND 9)

1. No decrease in value of surrounding properties would be suffered because:

2. Granting the variance would not be contrary to the public interest because:

Current law requires the existence of unnecessary hardship for the granting of any variance, whether that is for a use not allowed in a particular zone or a deviation from a dimensional requirement.

3(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:

a. no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because:

and

b. the proposed use is a reasonable one because:

Or

3(B). Owing to special conditions of the property that distinguishes 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.

4. By granting the variance substantial justice would be done because:

5. The use will not be contrary to the spirit and intent of the ordinance because:

Appeal for Applicant
Section 4: Application for a Variance
Facts supporting request

1) Construction of Master Bedroom over Garage

1. No decrease in the value of surrounding property would be suffered:

The construction would have no impact on our abutters, all of whom cannot see our house because of an earth berm, stone wall and landscaping, except for abutters at great distance away on the opposite side of Oyster River. The only abutter on our property line is Peter and Margie Smith, with whom we share an artesian well and standby power by mutual easements. The construction would not conflict with the required property line setback. The Smiths did an expansion about 17 years ago similar to but larger than the one we are proposing. They support our proposal.

Construction would preserve the Cape architecture of our home and not impact negatively on the character of the neighborhood or value of surrounding properties.

2. Granting the variance would not be contrary to the public interest:

The construction would impose no further burden on public services. It would also enhance the beauty and the tax value of the house.

3. Denial of a variance would result in unnecessary hardship:

Our Cape has three bedrooms on the second floor (one medium size and two small), two tiny bathrooms and very little closet space. We currently have to store off-season clothing in an attic above the garage with access through a 2x3 foot opening, which is restricted by the garage roofline. The new master bedroom over the garage with a large bathroom and walk-in closet will facilitate easier access in and around the bed, bathroom and closet.

(continued on next page)

Appeal for Applicant
Section 4: Application for a Variance
Facts supporting this request

1) Construction of Master Bedroom over Garage
(continued)

The smallest existing bedroom has been used as an office for the last 30 years. It has an area of about 70 square feet with a built-in bunk and shared closet with an adjacent bedroom. It would be eliminated, and converted to an entry area for the new master bedroom.

We are in our eighties and would like to live out our lives in our home. That goal would be inhibited without a larger and more easily accessible bedroom, bath and closet. The existing space is inadequate to allow the use of a walker or wheelchair. The new master bedroom and bath would be designed to accommodate that potential need. The expanded space would also make the second floor of our Cape more convenient for family visits, which are now restrained because of the limited space.

3. By granting the variance substantial justice would be done:

The new construction would hopefully allow us to remain for our lifetime in our home, a home that has been in our family since it was built in 1937.

4. The use will not be contrary to the spirit and intent of the ordinance:

The construction, although within the shore land protection zone, would not encroach any further on Oyster River than what has existed since it was built, and will still remain about eight feet further back than the setback of the main house. It also will not impact negatively on the environment, wildlife habitat or the scenic Oyster River.

Appeal for Applicant
Section 4: Application for a Variance
Facts supporting this request

2) Septic System Design

1. No decrease in the value of surrounding property would be suffered:

Every landowner in the area has a well and septic system. Replacements are not uncommon and have not decreased surrounding property values.

2. Granting the variance would not be contrary to the public interest:

The proposed replacement septic system design has a greater setback than the existing system, is an improvement, and is therefore in the public interest.

3. Denial of a variance would result in unnecessary hardship:

The existing septic system was installed in the 30's with a setback from Oyster River of about 70 feet, the same as the house. The proposed replacement design is in the most feasible location given soil conditions and setback requirements. If the existing system were to fail, and a variance were not granted, disposing of waste water on the property would not be possible.

4. By granting the variance substantial justice would be done:

It allows replacement of the existing system if and when it fails.

5. The use will not be contrary to the spirit and intent of the ordinance:

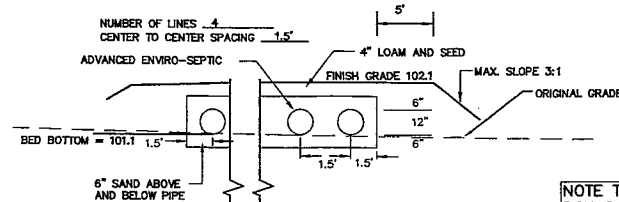
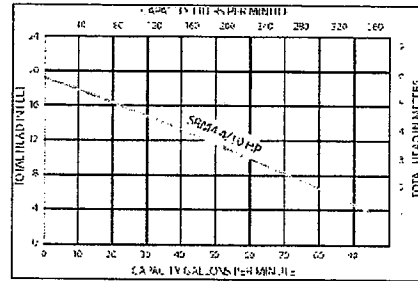
The proposed septic system is an improvement over the existing system, has a greater setback, and is therefore not contrary to the spirit and intent of the ordinance. It uses state of the art technology with much cleaner effluent from the septic tank than conventional systems. The effluent disposal field is in an optimal location given soil conditions, the contour of the land, and existing vegetation. The relatively tight soil on the property, and especially the very compacted earth of the highway to the north, prevents any leakage of the effluent into tidal waters.

PUMP CHAMBER NOTES:

1. PUMP PUMP TO BE A 0.4 HP MEYERS SRM 4 TDH = 7 FT.
2. PUMP TO BE PLACED ABOVE SLUDGE LEVEL ON AN 8" CONCRETE BLOCK.
3. PROVIDE A SIMTECH HIGH PRESSURE FILTER ON OUTLET SIDE OF PUMP.
4. ALARM TO BE ON SEPARATE ELECTRICAL CIRCUIT.
5. CONTRACTOR SHALL PROVIDE THE EFFLUENT PUMP AND ALL CONTROLS TO MEET SITE CONDITIONS.

BAFFLE NOTES:

1. OUTLET BAFFLES TO EXTEND 40% INTO LIQUID DEPTH UNLESS NOTED OTHERWISE.
2. IF SIDE INLET IS USED, BAFFLE MUST BE EXTENDED TO ACCESS STACK AND PROPERLY SUPPORTED.



CROSS SECTION
NOT TO SCALE

DESIGN INTENT:

THE BOTTOM OF THE EFFLUENT DISPOSAL SYSTEM SHALL BE CONSTRUCTED AT ELEVATION 101.1 THE BED BOTTOM IS 0.0' BELOW GRADE ON THE HIGH SIDE OF THE EFFLUENT DISPOSAL AREA.

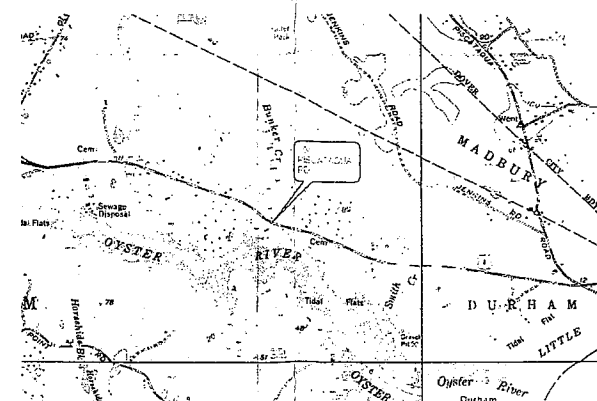
NOTE THIS IS NOT A BOUNDARY PLAN, BOUNDARY INFORMATION BASED ON PLAN TITLED PLAT OF LAND BELONGING TO LESTER & MARY C. LANGLEY IN DURHAM, NH DATED MAY 29, 1935. PROVIDED BY OWNER.

SYSTEM SAND

PERCENTAGE RESTRICTIONS:
35% OR LESS OF THE TOTAL SAND MAY BE GRAVEL
40-90% OF THE TOTAL SAND IS TO BE COARSE AND VERY COARSE SAND.

GRAVEL QUALITY RESTRICTIONS:
NO GRAVEL IS TO EXCEED 3/4" IN DIAMETER
NO GRAVEL IS SMALLER THAN 2MM IN DIAMETER

COARSE SAND QUALITY RESTRICTIONS:
NO COARSE SAND IS SMALLER THAN 0.5MM IN DIAMETER
NO MORE THAN 2% OF THE TOTAL SAND MAY PASS THROUGH A #200 SIEVE.



LOCATION MAP
1" = 2000'

WASTEWATER ALTERNATIVES INC. DESIGN NOTES

1. SUBSURFACE DISPOSAL SYSTEM IS BASED ON THE CLEAN SOLUTION™ MANUFACTURED BY WASTEWATER ALTERNATIVES, INC. CANTERBURY, NH.
2. THE CLEAN SOLUTION SYSTEM™ IS SUPPLIED BY WASTEWATER ALTERNATIVES, INC. (WAI), 1-866-900-2415.
3. THIS SUBSURFACE DISPOSAL SYSTEM HAS BEEN DESIGNED UNDER NHDES ENV-WB 1024 INNOVATIVE / ALTERNATIVE TECHNOLOGY RULES APPROVED AT THE TIME OF THIS DESIGN.
4. THE MINIMUM SIZE DISPERSAL FIELD FOR A 4-BEDROOM SINGLE FAMILY RESIDENCE IS 100 SQUARE FEET. RECOMMENDED FIELD DIMENSIONS ARE 5' x 15'. DISPERSAL AREA IS ACTUAL FOOTPRINT WITHIN 5 FOOT FILL EXTENSIONS.
5. THE CLEAN SOLUTION PROVIDED BY WAI TO INCLUDE:
 - A) BIOCON AND SETTLING TANKS. TANKS STANDARD DUTY (COVER LESS THAN 3'). CALL WAI FOR PRICE IF HEAVY DUTY OR H-20 COMPONENTS ARE REQUIRED. IF COVER EXCEEDS 3' OVER TOP OF TANK NOTIFY WAI.
 - B) AIR COMPRESSORS.
 - C) MEDIA.
 - D) PLASTIC RISERS AND COVERS. MAXIMUM HEIGHT PROVIDED BY WAI IS 24". FOR DEPTHS GREATER THAN 24", INSTALLER TO SUPPLY ADDITIONAL RISERS.
 - E) WAI AND THEIR REPRESENTATIVES SHALL PERFORM ALL INTERNAL PIPING IN THE BIOCON TANK AND SYSTEM STARTUP.
6. INSTALLER SHALL FOLLOW THE CURRENT EDITION OF THE MANUFACTURERS GUIDELINES TO PREPARE SITE FOR INSTALLATION OF THE CLEAN SOLUTION SYSTEM AND SHALL PROVIDE THE FOLLOWING:
 - A) CONTRACTOR SHALL FOLLOW APPROVED DESIGN PLANS AND NHDES SUBSURFACE SYSTEM RULES.
 - B) CONTRACTOR TO SUPPLY NECESSARY SEPTIC TANKS AND GREASE TRAPS AS REQUIRED BY DESIGNER.
 - C) EXCAVATION OF ALL TANKS INCLUDING TANKS SUPPLIED BY WAI TO GRADES ESTABLISHED BY DESIGNER.
 - D) SETTING AND LEVELING OF ALL TANKS INCLUDING TANKS SUPPLIED BY WAI.
 - E) SERVICE CONNECTIONS FROM BUILDING TO SEPTIC TANK(S), SEPTIC TANK(S) TO BIOCON TANK(S), BIOCON TANK(S) TO SETTLING TANK(S), SETTLING TANK(S) TO DISPERSAL FIELD(S).
 - F) CONTRACTOR SHALL EXCAVATE FOR ALL AIR CONDUIT LINES FROM COMPRESSOR HOUSING TO BIOCON TANK(S).
 - G) CONTRACTOR TO WATER PLUG ALL TANK PENETRATIONS TO PREVENT GROUNDWATER LEAKS.
 - H) CONTRACTOR TO WATER PLUG ALL INLET AND OUTLETS NOT USED.
 - I) CONTRACTOR SHALL SET ALL RISERS TO GRADES ESTABLISHED BY DESIGNER. CONTRACTOR TO INSTALL ACCESS STACKS PER THE MANUFACTURERS INSTALLATION GUIDELINES. CONTRACTOR TO ENSURE THAT RUBBER GASKET O-RING IS IN PLACE PRIOR TO SECURING SECTIONS. ALL SCREW HOLES TO BE USED TO SECURE SECTIONS TO EACH OTHER.
 - J) CONTRACTOR TO BUILD / MODIFY DISPERSAL FIELD AS REQUIRED BY DESIGNER.
 - K) CONTRACTOR SHALL CALL NHDES AND LOCAL BOARD (IF REQUIRED) FOR SYSTEM INSPECTION.
 - L) CONTRACTOR TO PROVIDE OWNER WITH TIES FROM TWO FIXED POINTS TO ACCESS COVERS.
 - M) CONTRACTOR SHALL BACKFILL SYSTEM AFTER APPROVAL FOR OPERATION BY NHDES.
7. THE OWNER/CONTRACTOR SHALL PROVIDE THE FOLLOWING:
 - A) OWNER/CONTRACTOR SHALL SUPPLY NECESSARY OUTLETS CAPABLE OF 1 AMP - 115 VOLTS FOR EACH COMPRESSOR. THE CIRCUIT PROVIDED SHALL NOT BE GFI PROTECTED.
 - B) COMPRESSOR HOUSING TO BE SUPPLIED BY OWNER / CONTRACTOR.
 - C) COMPRESSOR(S) LOCATION TO BE MUTUALLY DETERMINED BY OWNER / REPRESENTATIVE AND WAI.
 - D) MAXIMUM DISTANCE FROM COMPRESSOR(S) TO BIOCON TANK IS 50'. FOR DISTANCES GREATER THAN 50' CONTACT WAI.
8. REQUIRED MAINTENANCE BY OWNER:
 - A) SIGN SYSTEM MAINTENANCE AGREEMENT FOR THE CLEAN SOLUTION SYSTEM.
 - B) SEPTIC TANK(S) AND SETTLING TANK(S) TO BE PUMPED OUT EVERY 2 YEARS.
 - C) BIOCON TANK(S) TO BE INSPECTED EVERY 2 YEARS BY APPROVED WAI TECHNICIAN.
 - D) OWNER SHALL KEEP ALL PUMPING RECORDS.
 - E) FAILURE TO COMPLY WITH "A" - "D" ABOVE WILL VOID WARRANTY OF THE CLEAN SOLUTION SYSTEM AND WAI.

SOIL COVER & REQUIRED TANK RATING

STANDARD DUTY TANK: 0' - 2' MAX.
HEAVY DUTY TANK: 2.1' - 4.9' MAX.
H-20 LOAD TANK: 5' OR GREATER

TEST PIT

PERFORMED BY: Tobin Farwell
WITNESSED BY: Thomas Johnson
ON 11/29/12

TEST PIT #1
0-8" 10 YR 3/3 FINE SANDY LOAM GRANULAR FRIABLE
8-20" 2.5Y 5/3 SANDY LOAM GRANULAR FRIABLE
20-40" 5Y 5/3 SANDY LOAM GRANULAR FRIABLE
NO REFUSAL

ESHWIT = 24"
PERC 20 MIN INCH AT 20"

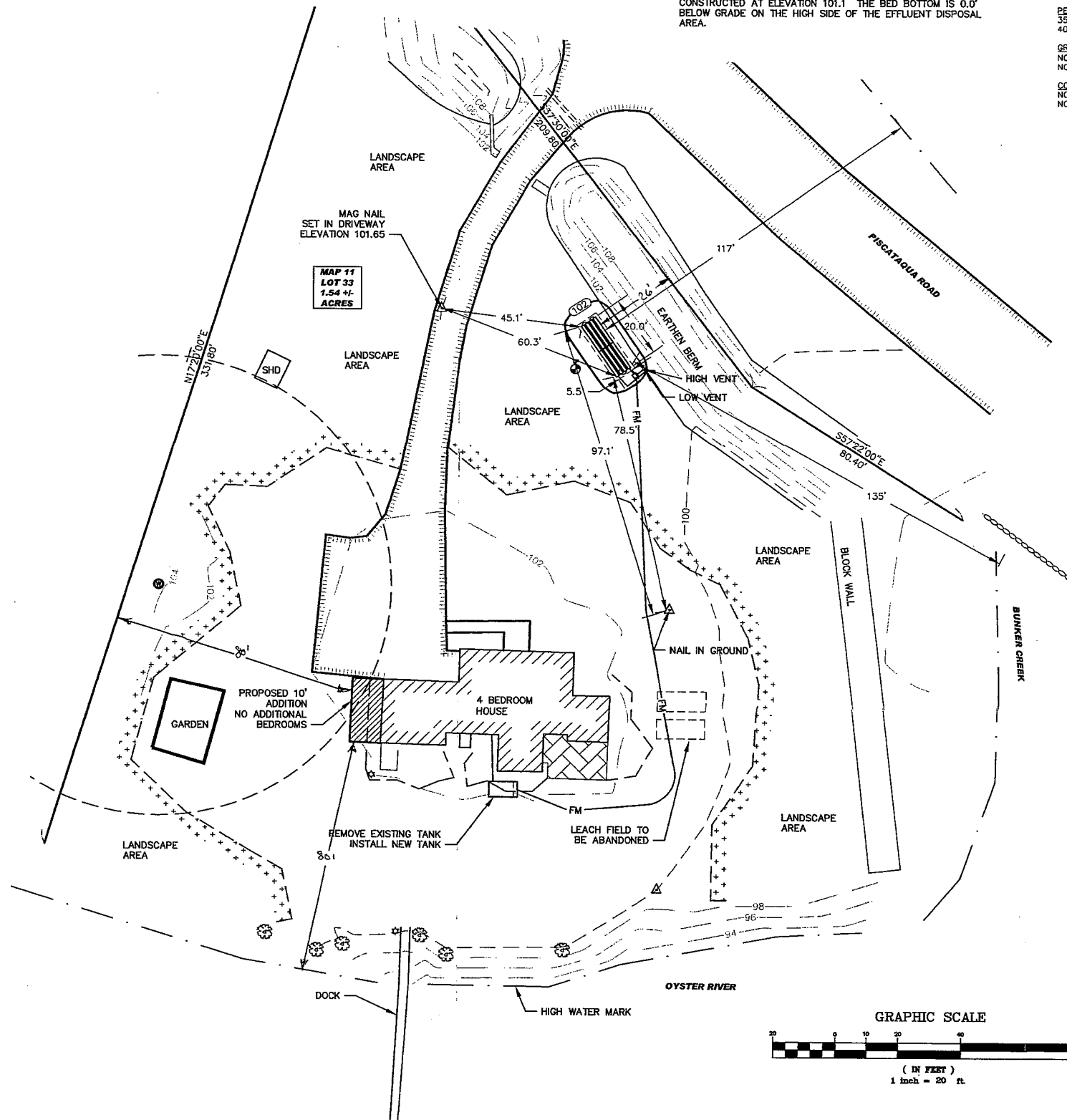
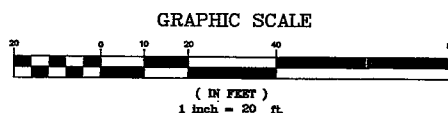
LEGEND

- PROPERTY LINE
- WELL
- EDGE OF PAVEMENT
- BUILDING
- PROPOSED GRADE
- EXISTING GRADE
- PERC TEST
- TEST PIT
- WELL

NOTES:

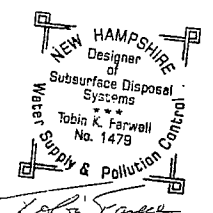
THIS IS A RESIDENTIAL REPLACEMENT SEPTIC SYSTEM FOR A 4 BEDROOM HOUSE. THE CLEAN SOLUTION BY WASTEWATER ALTERNATIVE INC. IS PROPOSED WITH ADVANCED PRESSBY ENVIROSEPTIC DISPERSAL FIELD.

1. DESIGN FLOW: 150 GPD/BEDROOM X 4 = 600 GPD.
2. PERCOLATION TEST: 20 MINUTES/INCH LEACHING AREA REQUIRED: 100 SF REQUIRED. PROPOSED SYSTEM IS 5.5' X 20' = 110 SF.
3. SEPTIC TANK SIZING: 4 BEDROOM 1250 GALLON REQUIRED. PROVIDE 2100 GALLON 3 COMPARTMENT SEPTIC TANK. TANK AND DISTRIBUTION BOX TO BE SUPPLIED BY AJ FOSS OR APPROVED EQUAL.
4. VERTICAL DATUM BASED ON AN ASSUMED DATUM
5. THERE ARE NO POORLY DRAINED SOILS WITHIN 100' OF PROPOSED SYSTEM.
6. SUBDIVISION APPROVAL pre-67 N/A.
7. LOT SIZE REQUIREMENTS - MONTAUK GROUP 3 SOILS 8-15% SLOPES. 53,000 SF REQUIRED. DOES NOT MEET MIN LOT SIZE. GRANDFATHERED PROVIDING TOWN AND ABUTTER AFFIDAVIT.



ENGINEERING SERVICES, LLC

265 WADLEIGH FALLS ROAD
LEE, NEW HAMPSHIRE 03824
PH: 603-292-5787
WWW.FARWELLEN지니어ING.COM



ISSUED FOR:

APPROVAL

ISSUE DATE:

DECEMBER 7, 2012

FILE NAME:

1264-LUNDHOLM

NO.	DATE	INITIAL	SUBMISSION	DATE	DESCRIPTION
1					

SCALE:

1" = 20'

OWNER/APPLICANT:

HARRIET B. FORKEY
REV TRUST
104 PISCATAQUA RD
DURHAM, NH 3824

PROJECT:

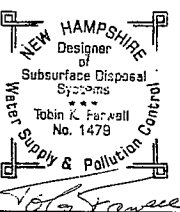
TAX MAP 11
LOT 33
104 PISCATAQUA RD
DURHAM, NH

TITLE:

HOUSE WITH
SEPTIC PLAN

SHEET NUMBER:

Attachment A-1



ISSUED FOR: APPROVAL
 ISSUE DATE: DECEMBER 7, 2012
 FILE NAME: 1264-LUNDHOLM

NO.	DATE	INITIAL	SUBMISSION	TRF	BY
1					

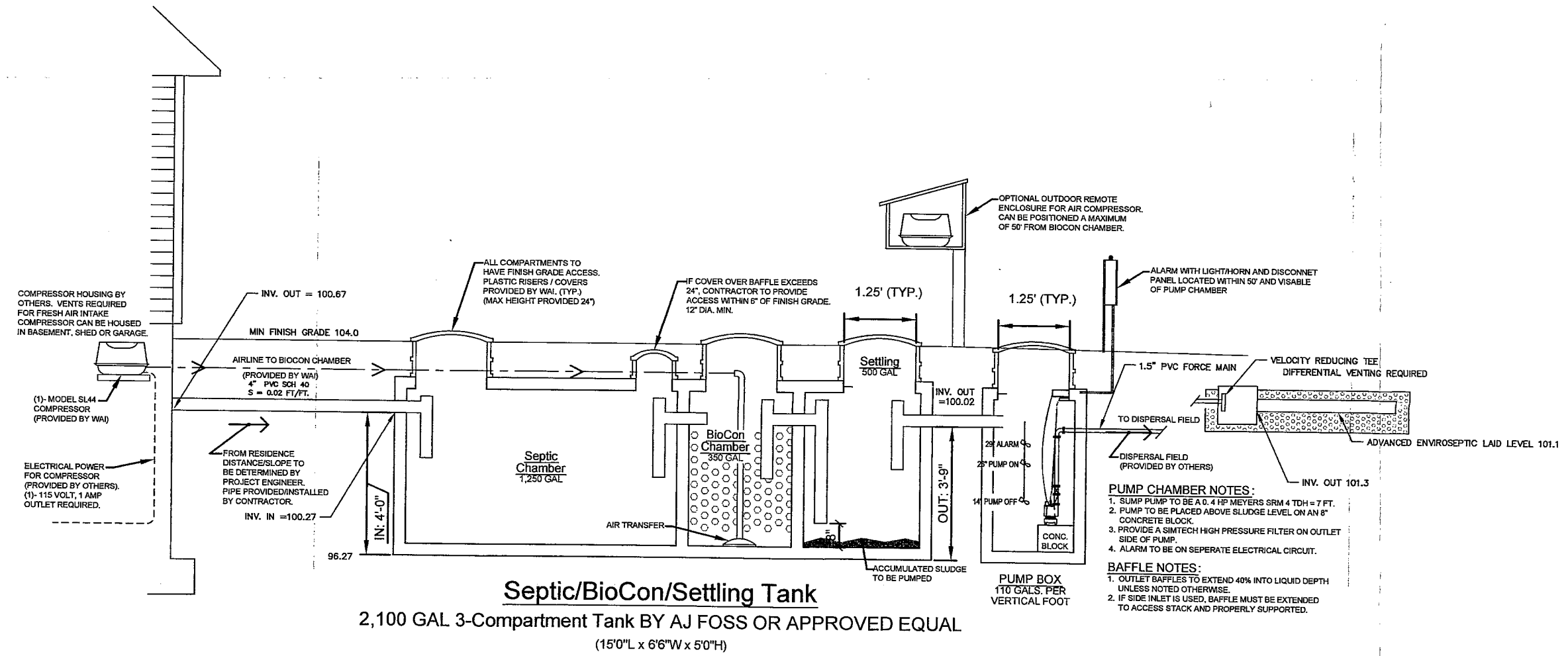
SCALE: 1" = 20'

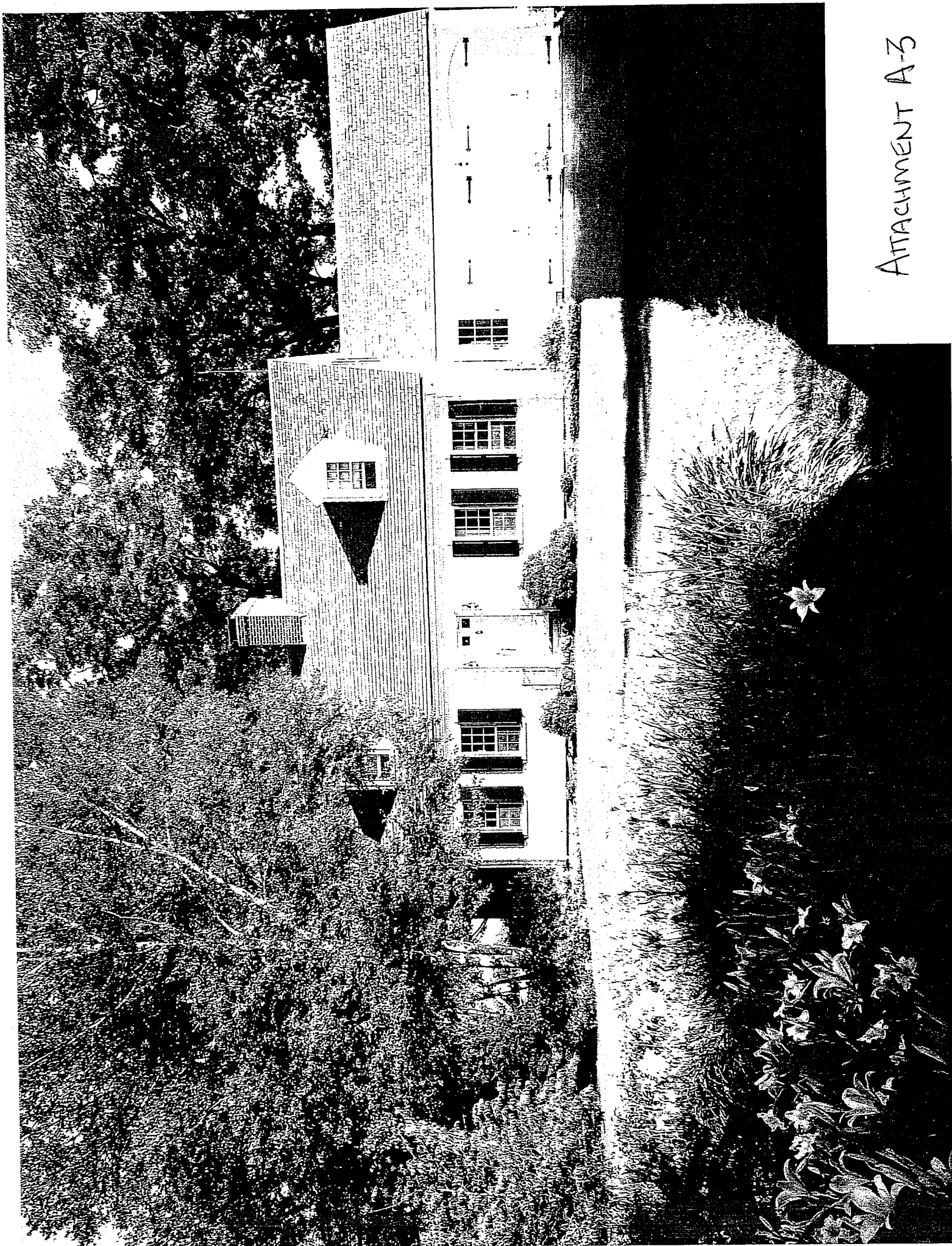
OWNER/APPLICANT:
**HARRIET B. FORKEY
 REV TRUST
 104 PISCATAQUA RD
 DURHAM, NH 3824**

PROJECT:
**TAX MAP 11
 LOT 33
 104 PISCATAQUA RD
 DURHAM, NH**

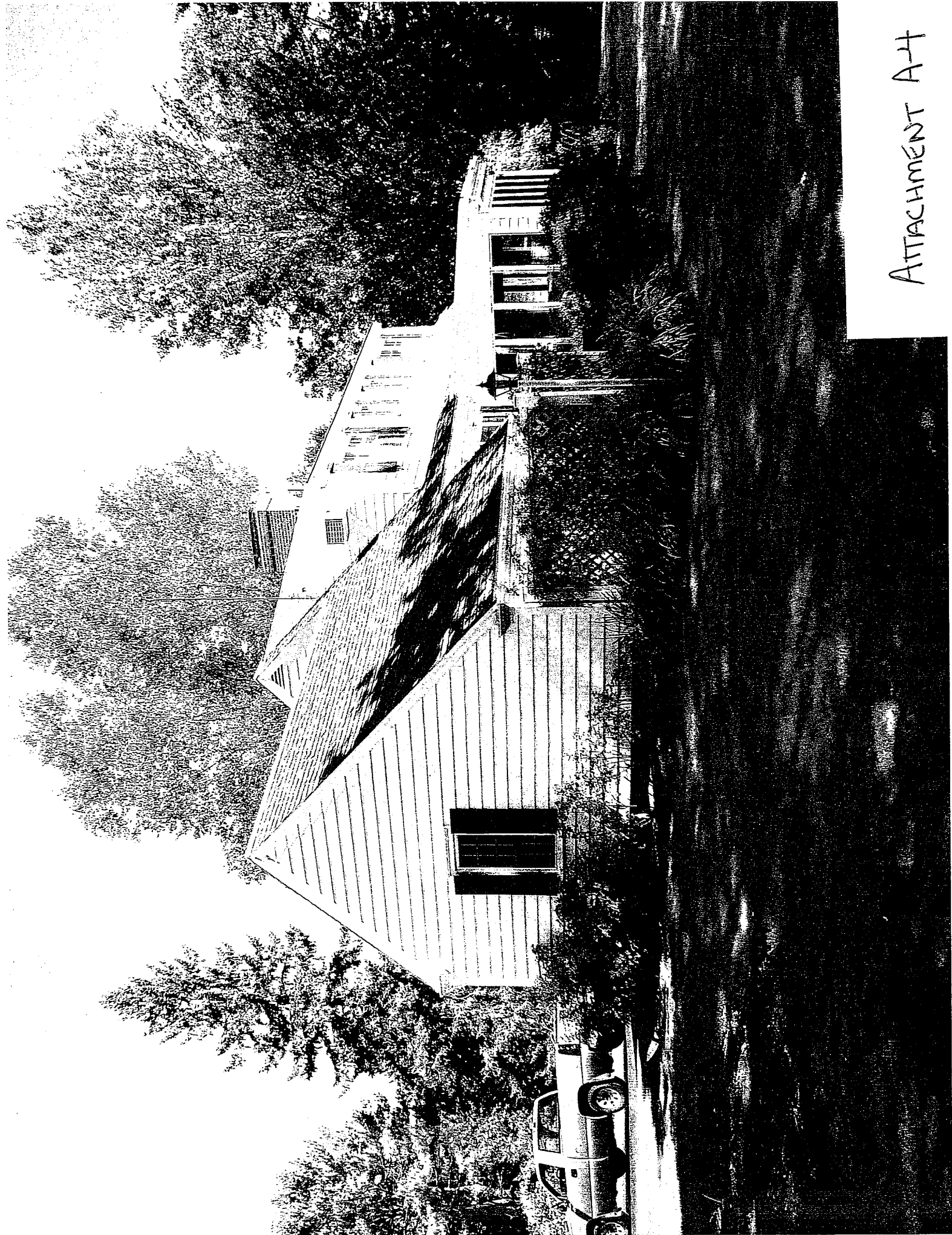
TITLE:
SEPTIC PLAN

SHEET NUMBER:

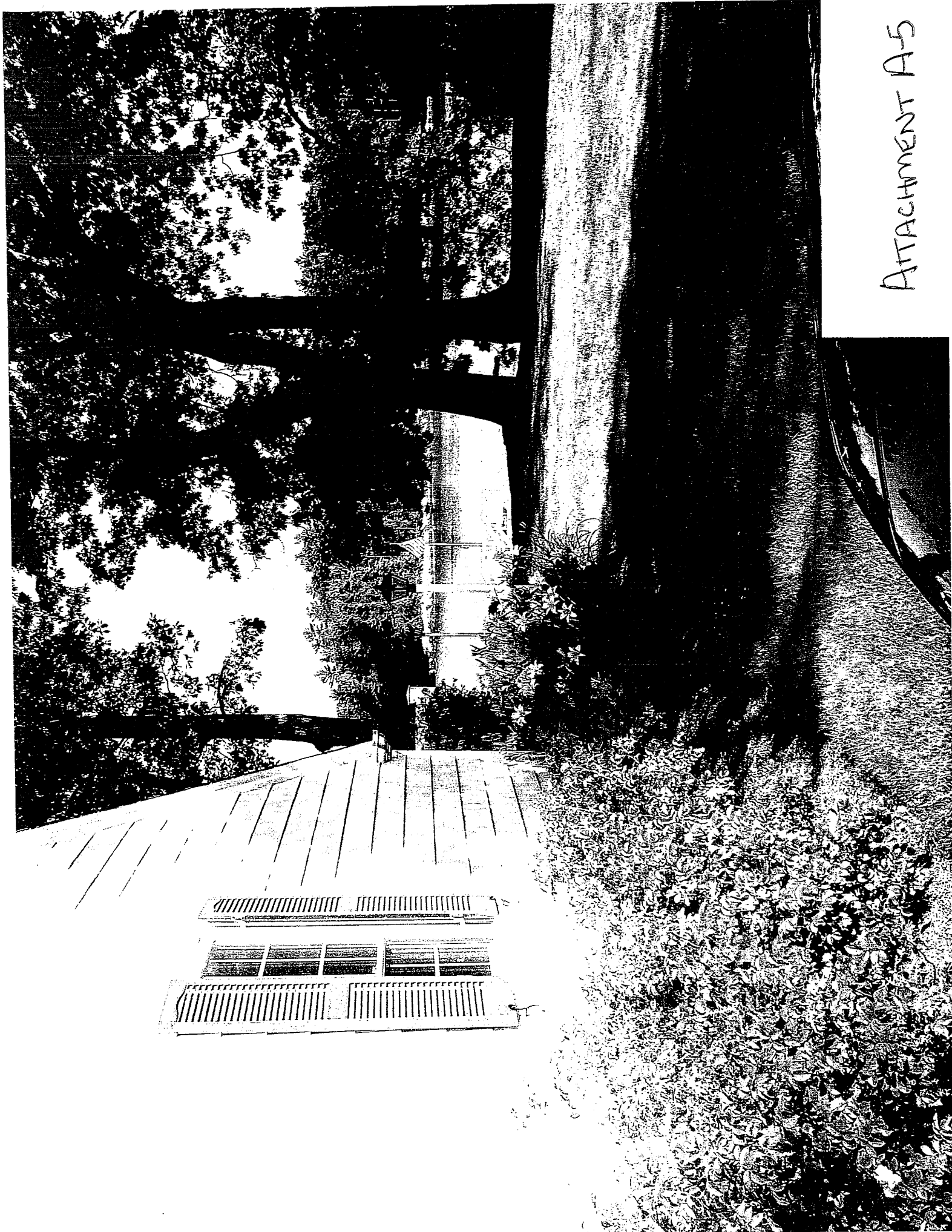




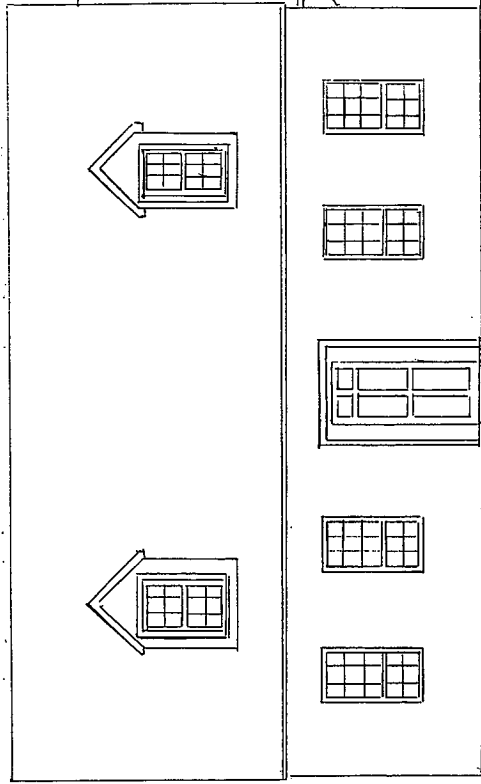
ATTACHMENT A-3



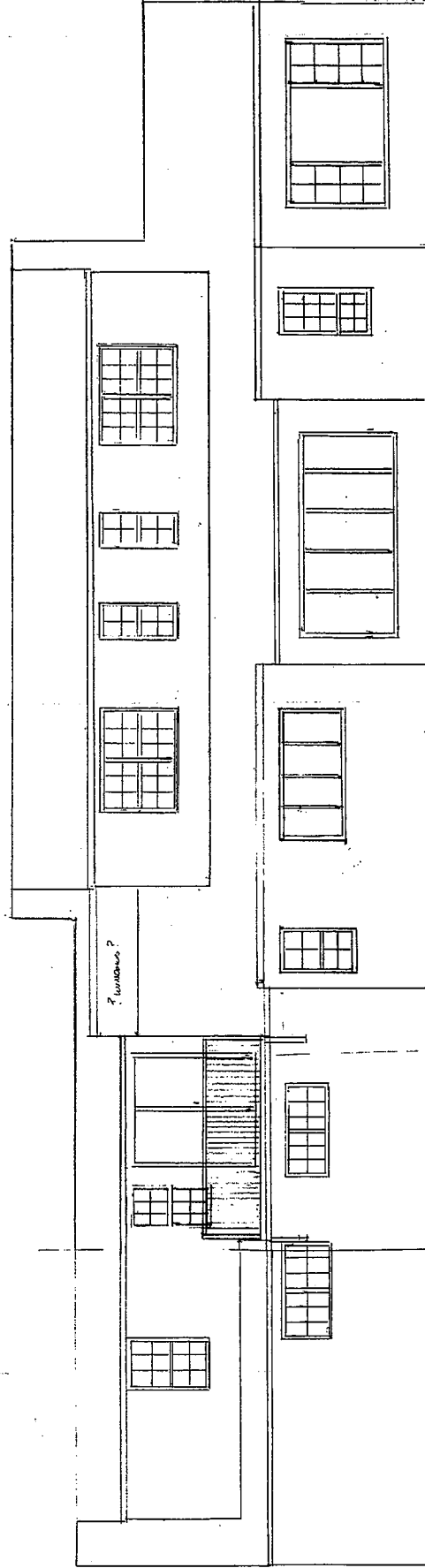
ATTACHMENT A-4



ATTACHMENT A-5

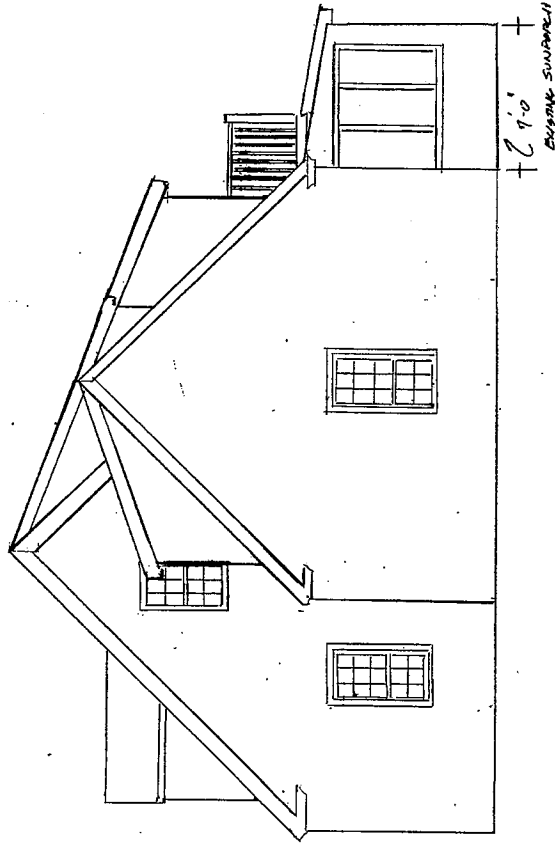


FRONT VIEW



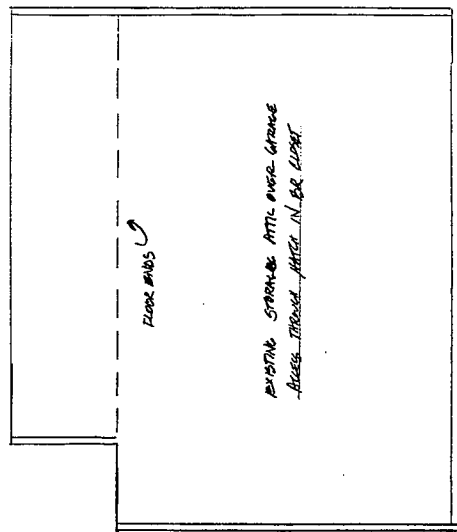
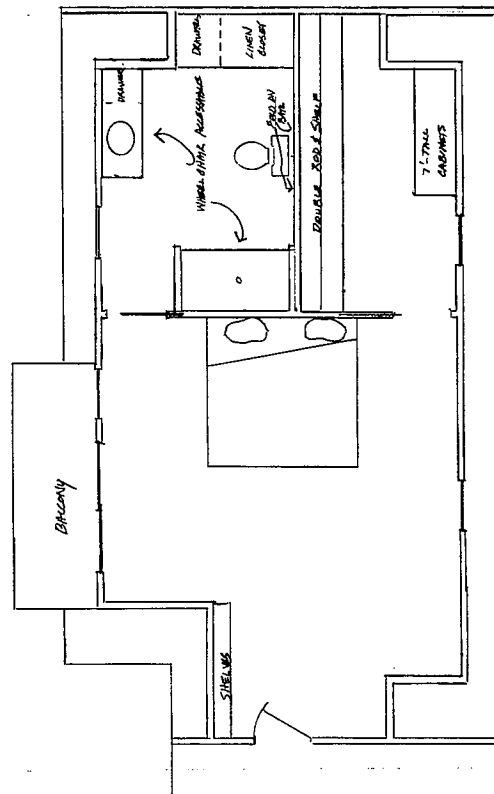
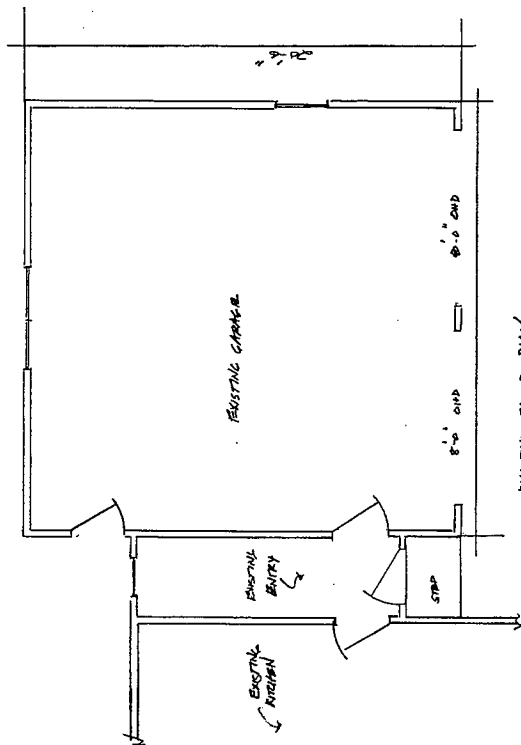
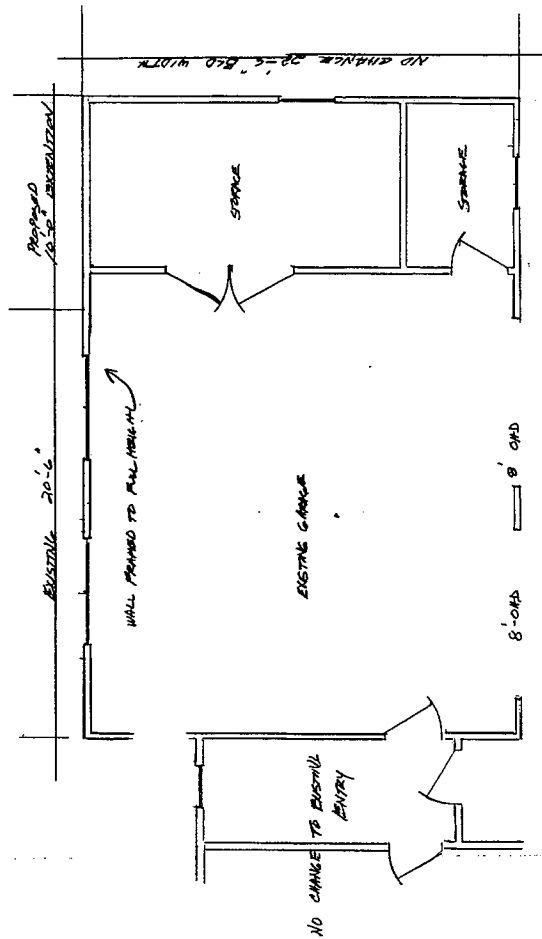
REAR VIEW

SHEET 4, HANDEL AND COMPANY		DRAWN BY: <i>GA</i>	
SCALE: 1/8" = 1'-0"		APPROVED BY:	
DATE: 10/1/12		REVISED:	
HAROLD ANDERSON & JEFFREY ANDERSON, RESIDENCE			
104 PLEASANT RD DUNSMITH NH		DRAWING NUMBER	
		4A	



SIDE VIEW

DRAFT 4		MAY 22, 2012		GHEARCE	
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: DS		REVISED	
DATE: 12/8/12					
HARRIS FORDY & JEFF LUNDIN LLC					
DRAWING NUMBER				48	



DRAFT 5 MASTER BR & GARAGE FINISH		DRAWN BY: DS	
SCALE: 1/4" = 1'-0"	APPROVED BY:	DATE: 12/18/12	REVISED: 12/18
HARVEY KARPIS & JANE LUNDHOLM RESIDENCE			
104 PISCATAWAY RD		DRAWING NUMBER: 4	
DRAFTSMAN: AM			