

RECEIVED



MAY 20 2021

Planning/Zoning
City of Laconia

Application #:
Fees Paid:
Check #: CC
Receipt #:

Rehear
125
657045

ZONING BOARD OF ADJUSTMENT
MOTION FOR REHEARING

Name of Applicant: Maiden Lady Cove Lane Leased Owners
Mailing Address: 40 Leighton PO Box 724 Meredith NH 03253
Owner (If same as applicant, write "same"): see Attached
Mailing Address: same
Tax Map/ Lot # (s): 111/234/3 Zoning District (s): _____
Street Address: Attached

OWNER AUTHORIZATIONS & STATEMENTS OF ASSURANCE:

I hereby make application to the City of Laconia for the above-referenced property (ies) and the development as described. To the best of my knowledge the information provided herein is accurate and is in accordance with the Zoning Ordinance and land use regulations of the City, except where waivers are requested. The City of Laconia Zoning Board and/or city employees are authorized to enter the property (ies) for purposes of reviewing this proposal and for inspecting improvements as a result of an approval of this proposal. I understand that I am responsible for appearing, or having someone appear on my behalf, at any and all meetings before the Zoning Board.

Sign as appropriate (If agent or non-person please attach certification)
NOTE: Please attach an Applicant Contact Worksheet

PROPERTY OWNER(S)

Lynn Leighton (Leighton Family Trust)

Printed Name Here

[Signature]

Signature of Property Owner(s)

5/20/2021

Date

AGENT(S)

Printed Name Here

Signature of Agent(s)

Date

Rehearing Request for Application #: 6033938268
202021-0013

As provided for by RSA 677:2, any party to the action or any person directly affected thereby may move for a rehearing in respect to any matter determined in the decision and must specify such grounds in the motion for rehearing. The Zoning Board of Adjustment may grant a rehearing if, in the opinion of the Board, there is sufficient reason presented in the applicant's motion for rehearing.

SUBMIT RESPONSE IN ACCORDANCE ARTICLE XI SECTION 235-69 C (7) AND RSA 677:2

DUE AT SUBMISSION:

10 COPIES OF ENTIRE ZONING BOARD APPLICATION WITH REQUIRED ATTACHMENTS

Sample
City of Laconia

Tax Collector
PO Box 489 45 Beacon St East
Laconia, NH 03247
www.laconianh.gov

Real Estate Tax Bill
1200 2020 2nd Half Tax Bill

(603) 527-1269
8:30 - 4:30 Mon. - Fri.
Make Checks Payable To:
City of Laconia

Tax Year	Acct. No.	Bill No.	Bill Date	Interest Rate	Due Date
2020	415	375288	11/25/2020	8% if paid after:	12/28/2020
Map/Parcel No.		Location of Property			Area
111/234/3		SCENIC RD			17.42
Owner of Record			Tax Calculation		
ST ONGE & BERNARD TRUSTS & SPICER & PAGE TRUST & MOYNIHAN TRUST & 19 SURREY COACH LN POTTER & LEIGHTON & LEONARD BOW, NH 03304			Prior Years Due		
			Gross Tax	\$1,585.00	
			July Tax	\$758.00	
			December Tax	\$827.00	
			Less: Veteran Credit		
			Pre-payments	\$0.03	
			Net December Tax	\$826.97	
			July Tax Balance		
Tax Rate		Assessed Valuation			
City Tax Rate	7.650	Land Value	80,388		
County Tax Rate	1.210	Building Value			
Local School Rate	8.940	Total Value	80,388		
State Ed. Rate	1.920	- Exemptions			
Total	19.72	Net Value	80,388	Amount to Pay	\$826.97

INFORMATION FOR TAXPAYERS

*Plus interest on July Bill if Applicable

1. Please use account number on checks and all inquiries. Payable to "City of Laconia."
2. REMITTAL PORTION MUST ACCOMPANY PAYMENT. Cancelled check is your receipt. If return receipt is desired send ENTIRE bill and a self-addressed stamped envelope. NO STAMP. NO ENVELOPE. NO RECEIPT.

Zoning Board of Adjustment – Motion for Rehearing

Application # Z02021-0013

We, the Maiden Lady Cove Lane Land Owners, the abutting owners of the proposed Watson Woods LLC proposal request a rehearing before the Zoning Board.

We oppose the special exception for the development of a “Campground, RV/tent” development on Watson Road as the applicant has failed to meet the following requirements as defined by the Zoning Board of Adjustment:

[1] The use requested is specifically authorized in this chapter.

A special exemption can be granted for a “campground, RV/tent” although the Zoning Board was not clear what was being proposed and the definition of an RV. There is an important distinction between a campground with tents and an RV park with “park models” that have up to 400sf of space, is 10-12’ wide and requires a special permit to move, is not meant to be mobile, has its axles and wheels removed after set-up. You also find additional structures typically built including screened in porches and sheds. Here is an example of an RV in Laconia https://www.zillow.com/homedetails/96-Hilliard-Rd-161-Laconia-NH-03246/86703377_zpid/ What is proposed is not a campground but rather a seasonal housing development. That is why Laconia charges property tax for these RV parks. Zoning for RV parks should also conform to the “Table of Dimensional Standards” outlined in § 235-33 Maximum Residential Unit Density.

[2] The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

This criteria has not been met.

The applicant bears the burden of presenting evidence sufficient to allow the Zoning Board of Adjustment to reach conclusions and make findings to support the authorization of a variance. There is no written evidence from the Fire or Police Department and we have significant safety concerns based on the history of this proposed entryway.

This portion of Watson Road is notorious for fatal accidents. In the last few years alone there has been a death <https://www.concordmonitor.com/Fatal-motorcycle-crash-Laconia-bike-week-18158977> and a life threatening injury requiring an airlift that

happened at the exact location of the proposed development entry

<https://www.wmur.com/article/1-airlifted-to-hospital-after-motorcycle-collides-with-vehicle-in-laconia/27594475#>

[3] The requested use will not overload any public water, drainage or sewer system or any other municipal system, not will there be any significant increase in stormwater runoff onto adjacent property or streets.

This criteria has not been met.

The applicant bears the burden of presenting evidence sufficient to allow the Zoning Board of Adjustment to reach conclusions and make findings to support the authorization of a variance. There is no third party, professional data to support the applicant's position that it will not have an impact.

This property is a wetland that drains directly into Lake Winnepesaukee. The applicant expects that 20% of the land will be developed and will significantly increase the stormwater runoff to the adjacent property which is lower in elevation and adjacent to the Lake.

[8] The requested use is consistent with the spirit and intent of this chapter and the Master Plan.

This criteria has not been met.

In the Master Plan section on Housing sets the goal to "Promote the development of mixed housing types/cluster development with an emphasis on maximizing high quality and function-rich green-space and natural resources" and the proposed campground/RV park does not meet this goal.

In the Master Plan section on Natural Resources sets forth the following goals, none of which are supported by the proposed development:

- "Protect Water Quality – The biggest threat to Laconia's natural resources is the effect development has on water quality, specifically, to Paugus Bay."
- "Protect Wetlands – - Protect the wetlands that buffer and clean the source waters to our large lakes."
- "Wetlands have been discovered to be one of the most fertile and productive ecosystems in the world...The 30 foot buffer requirement in the City is a positive

step, but a larger buffer requirement would better protect most wetlands and provide upland habitat for wetland species.”

The Master Plan also identifies that there are concerns about Recreational Vehicles. Specifically, “Draft and implement a Recreational Vehicle (RV) section of the Zoning Ordinance in order to address the use of “park model RVs” and distinguish between RV parks and campgrounds.” There is an important distinction between a campground with tents and an RV park with “park models” that have up to 400sf of space, is 10-12’ wide and requires a special permit to move, is not meant to be mobile, has its axles and wheels removed after set-up. You also find additional structures typically built including screened in porches and sheds. Here is an example of an RV in Laconia https://www.zillow.com/homedetails/96-Hilliard-Rd-161-Laconia-NH-03246/86703377_zpid/ What is proposed is not a campground but rather a seasonal housing development. That is why Laconia charges property tax for RVs. Zoning for RV parks should also conform to the “Table of Dimensional Standards” outlined in § 235-33 Maximum Residential Unit Density.

If the Zoning Board of Adjustment does grant a special exception, we ask that you attach conditions as is within your charter.

“In granting a special exception, the Zoning Board of Adjustment may attach conditions as it deems necessary to assure compliance with the purposes of this chapter. Such conditions may include but are not limited to the following:

(a) Increasing the lot size or setback area dimensions.”

We recommend you significantly reduce the overall number of dwellings to get closer to the table of dimensional standards as this is a seasonal housing development and not a “campground.”

We believe a rehearing is warranted based on the factors outlined above as well as the overwhelming opposition at the initial hearing from the abutting and nearby owners and taxpayers and therefore request your approval of our Motion for a Rehearing.

Respectfully,

Maiden Lady Cove Lane Land Owners



DEPARTMENT OF PLANNING, ZONING & CODE
ZONING BOARD OF ADJUSTMENT
☎ 603.527.1264
📠 603-524-2167
ZONING@LACONIANH.GOV

**NOTICE OF ACTION
MEETING OF APRIL 19, 2021
CITY OF LACONIA
ZONING BOARD OF ADJUSTMENT**

**OCG LLC
37 PLEASANT ST
CONCORD, NH 03301**

**WATSON WOODS LLC
1543 MOUNT MAJOR HIGHWAY
ALTON NH 03810**

RE: Watson Rd (111-280-2)

Application ZO2021-0013SE. Applicant is requesting a Special Exception Article VI Section 235-26 (Uses Permitted by Special Exception) to allow the use of the property as a campground.

This is to certify that at the meeting held on April 19, 2021 the City of Laconia Zoning Board of Adjustment voted to approve with conditions application ZO2021-0013SE. Applicant is requesting a Special Exception Article VI Section 235-26 (Uses Permitted by Special Exception) to allow the use of the property as a campground. The approval will be based upon the following criteria:

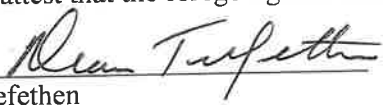
- a. The use requested is specifically authorized in this chapter.
The use is authorized by Special Exception.
- b. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.
The use will not create any traffic congestion, nor will it impair pedestrian safety. The increase in traffic is not unreasonable, the units will be brought in one time and will not be in and out on a weekly basis.
- c. The requested use will not overload any public water, drainage or sewer system or any other municipal system, nor will there be any significant increase in stormwater runoff onto adjacent property or streets.
The use will not overload any municipal systems and will not create additional runoff onto neighboring properties or streets. The water system will be private and the stormwater drainage system will be designed to meet state and local standards for the appropriate permits.
- d. The requested use will not create excessive demand for municipal police, fire protection, schools or solid waste disposal services.
The use will not create excessive demand for municipal services; it is only seasonal so there will be no demand on the school system; there will be no excessive demand for fire or police protection; and solid waste disposal will be private.
- e. Any special provisions for the use as set forth in this chapter are fulfilled.
There are no additional special provisions.

- f. The requested use will not create hazards to the health, safety, or general welfare of the public, nor be detrimental to the use of or out of character with the adjacent neighborhood.
The use will not create any hazards to the health, safety, or welfare of the public and it will not be out of character of the adjacent neighborhood as there are several camping/RV sites nearby.
- g. The proposed location is appropriate for the requested use.
The location is appropriate, there are several campgrounds nearby and the application will go through the full Planning Board process.
- h. The requested use is consistent with the spirit and intent of this chapter and the Master Plan.
The use is consistent with the spirit and intent of the Master Plan, the area is a shorefront recreational area, the people are not changing every week, the intent is for business and residential as indicated on the use chart.

CONDITION: Special Exception is specific to the applicant, Watson Woods LLC, if property is sold the Special Exception approval is voided.

CERTIFICATION

I hereby attest that the foregoing is a true and accurate record of the action of the Zoning Board.



Dean Trefethen
Director of Planning & Community Development

4-22-2021
Date