



RECEIVED

MAR 17 2023

City of Laconia  
Planning/Zoning

Application #: \_\_\_\_\_  
Fees Paid: \_\_\_\_\_  
Check #: \_\_\_\_\_  
Receipt #: \_\_\_\_\_

ZONING BOARD OF ADJUSTMENT  
MOTION FOR REHEARING

Name of Applicant: Meridian Properties, LLC, Timothy Long, Manager

Mailing Address: 32 Artisan Court, Unit #4, Gilford, New Hampshire 03249

Owner (If same as applicant, write "same"): Same.

Mailing Address: \_\_\_\_\_

Tax Map/ Lot # (s): 446-126-2 Zoning District (s): RS

Street Address: Lafayette Street (next to 153 Lafayette)

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)

Timothy Long, Manager  
Printed Name Here

*Timothy Long*  
Signature of Property Owner(s)

3/15/2023  
Date

AGENT(S)

Christopher L. Boldt, Esq.  
Printed Name Here

*Christopher L. Boldt*  
Signature of Agent(s)

3/17/23  
Date

Rehearing Request for Application #: ZO2023-0005VAR

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

Abutters List:

1. Applicant:  
Timothy Long, Manager of  
Meridian Properties, LLC  
32 Artisan Court, #4  
Gilford, NH 03249
2. Applicant's Agent:  
Christopher L. Boldt, Esq.  
164 NH Rte 25  
Towle House, Unit 2  
Meredith, NH 03253
3. Nicholas F. Grenon  
Tax Map 445, Lot 126-2  
158 Lafayette Street  
Laconia, NH 03246
4. Clinton P. & Lisa A. Fortson  
Tax Map 445, Lot 126-3  
166 Lafayette Street  
Laconia, NH 03246
5. Public Service Company of NH  
Tax Accounting  
Tax Map 446, Lot 126-1  
P.O. Box 270  
Hartford, CT 06141-0270
6. William D. & Lisa Tarallo  
Tax Map 446, Lot 126-3  
153 Lafayette Street  
Laconia, NH 03246
7. Gregory E. & Susan T. Page  
Tax Map 446, Lot 184-4  
292 Pine Street  
Laconia, NH 03246
8. Delana Cullen  
Tax Map 446, Lot 184-5.1  
300 Pine Street  
Laconia, NH 03246

NARRATIVE FOR REQUEST FOR REHEARING  
MERIDIAN PROPERTIES, LLC (“**Applicant**”)  
END OF LAFAYETTE ST. (ADJACENT TO 153 LAFAYETTE ST.)  
TAX MAP LOT NUMBER: 446-126-2 (“**the Property**”)

REQUEST FOR REHEARING FROM THE ZBA’S FEBRUARY 21, 2022 DENIAL OF APPLICANT’S APPLICATION FOR VARIANCE FROM ZONING ORDINANCE ARTICLE V, SECTION 235-28, THE TABLE OF USES (SECTION 235 – ATTACHMENT 2) AND, TO THE DEGREE NEEDED, ARTICLE III SECTION 235-14.C, TO ALLOW THE CONSTRUCTION OF A DUPLEX ON THE PROPERTY WHEN DUPLEXES ARE NOT ALLOWED ON THIS END OF LAFAYETTE ST.

The Applicant respectfully asserts that the ZBA’s decision on February 21<sup>st</sup> to deny Applicant’s Variance Application was unlawful and unreasonable for the following reasons:

1. The ZBA improperly treated the unwarranted fears of members of the public who were not abutters to the subject property as if they were abutters. Mr. Beliveau owns 141 Lafayette Street which is 2 lots removed from the subject property; Ms. Smith owns 145 Lafayette Street, which is 1 lot removed from the subject property (and both of those properties are on the same side of the street as the subject property such that the proposed Duplex would be blocked from their view by the intervening woods and the house on 153 Lafayette Street). Ms. Gluyas resides at 115 Lafayette Street which is separated by 7 lots from the subject property. The fears expressed by these non-abutters appear to have been amplified by their concerns on what might happen on different land to which Mr. Beliveau and Ms. Smith are actual abutters – the City’s lot on the opposite side of the street and the second lot owned by the Applicant adjacent to that City lot. It was unlawful and unreasonable for the ZBA to consider such testimony and to give such testimony the weight of abutter testimony. It is important to note that the Applicant (via Kyle Long) knocked on the doors of all of the actual abutters (153, 156, and 158 Lafayette Street; and 292 and 300 Pine St.) spoke with some and left an information packet with all of them; and a true and correct copy of that information packet is attached hereto as **Exhibit C**. None of the actual abutters expressed any concerns to Mr. Long; and none of those actual abutters appeared at the hearing on February 21<sup>st</sup>. Accordingly, the ZBA erred in saying that there was a “public outcry” against this Duplex or that “the peace of others” would be disturbed. By so doing, the ZBA unlawfully and unreasonably failed to apply the proper statutory language and relevant case law as set forth in the Applicant’s Narrative for the Variance Application.

2. The ZBA improperly treated this project as a “multifamily” when by definition this proposal was for a Duplex and the City’s definition of “multifamily” means “three or more dwelling units” per Section 235-13.

3. The ZBA improperly ignored the uncontroverted evidence of local Realtor Karyn Laflamme that there would be no diminution of surrounding property values as

a result of this Variance Application being approved. Ms. Laflamme is a local realtor of 49 years and clearly stated that there would be no such diminution. The ZBA improperly found that there was “no substantial evidence provided for or against”.

4. The ZBA improperly found that there was no unnecessary hardship “due to the optional use of the lot.” While that rationale is unclear, it certainly sounds like the provisions of the defunct Boccia standard that required the Applicant to prove “necessity”. As such, the ZBA’s finding is contrary to the current statutory provisions of RSA 674:33 and the case law interpreting that statute since the last legislative change effective January 1, 2010 – 13 years ago. The Applicant’s Narrative for the Variance Application properly set forth the applicable statutory language and relevant case law, which the ZBA ignored by its finding.

5. To the degree not already covered, the ZBA improperly ignored the applicable statutory language and relevant case law as set forth in the Applicant’s Narrative for the Variance Application. By doing so, the ZBA acted unlawfully and unreasonably in issuing its Decision.

Accordingly, the Applicant respectfully requests that the ZBA grant this Request for Rehearing and schedule a new hearing on the Applicant’s Variance Application

- ❖ General Contractors
- ❖ Construction Managers
- ❖ Design/Builders



January 27, 2023

Grenon Family  
158 Lafayette Street  
Laconia, New Hampshire

**Re: Lafayette Street- Duplex Variance – Meridian Properties**

Dear Homeowner,

My name is Kyle Long, and my father and I own and operate Meridian Construction here in Gilford, NH and have been in business in the community since 1993. We recently purchased a lot on Lafayette Street which is highlighted in the attached tax map and also abuts your property. I am reaching out to each abutter as a courtesy to inform you of our intent to build a duplex on this lot, which will require variance approval in order to do so.

As you may or may not know, we are a Hybrid Commercial & High-End Residential building contractor. Residentially, we build high-end lakefront homes mostly sticking to Winnepesaukee and sometimes venturing to other lakes region areas for different clients. That being said, we are not large-scale developers or subdivision builders who place our stake in building and selling spec homes. We are high-quality builders who will be building a very nicely fit and visually appealing duplex that resembles the styling and look of a single family and it is something we plan to own within the family business for the immediate future.

This home will only add value to the street by bringing a nicely designed, new construction home to the neighborhood. Our intent as of now is a member of our own family will be living on one side, and we will be renting the other side to someone else, likely someone who works at the Hospital given its proximity and upscale quality.

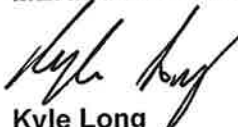
We hope to receive your support in this as we are good people who work and live in this community and regularly engage in projects to improve the area and make it an even more attractive place to work and live. I encourage you to please give me a call personally to discuss any questions you may have at (603) 714-8573, or at my office line listed below. I am also glad to meet with you in person to discuss if desired.

Please take a look at the attached concept plan to get a feel for the building and for how it will be a nice addition to the neighborhood!

If you have any questions or comments, please do not hesitate to contact me at 603-527-0101. Thank you for your consideration.

Respectfully Submitted,

**MERIDIAN CONSTRUCTION CORPORATION**

  
Kyle Long

