



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

231026-0260  
\$175.00  
24083

### ZONING BOARD OF ADJUSTMENT VARIANCE APPLICATION

Name of Applicant: Marie C. McKay Revocable Trust

Mailing Address: 15 Back Road, Chichester, NH 03258

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

Mailing Address: Same

Tax Map/ Lot # (s): Tax Map 287, Lot 178-7 Zoning District (s): RS w/ Shoreland Overlay

Street Address: 122 Paugus Park Road, Laconia NH 03247

#### 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)

Marie McKay

Printed Name Here  
Signed by:

Marie McKay  
Signature of Property Owner(s)

11/14/2025

Date

#### AGENT(S)

Joseph Berry

Printed Name Here

Joseph Berry  
Signature of Agent(s)

12-10-25

Date

NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

#### REQUIRED ATTACHMENTS:

- Abutters List (from <https://www.axisgis.com/LaconiaNH/>)
- Envelopes and Certified Mail Receipts (Filled out for all abutters)
- Plot Plan (Showing dimensions of proposed building, setback requirements, and encroachments into any setbacks.)

235-19 (F) (2) (d)

A variance is requested from article IV section        of the Zoning Ordinance to permit the relief from the 70% required green space in order to construct additions on both side of the house.

Facts in support of granting the Variance:

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

See attached narrative

2. If the variance were granted, the spirit of the ordinance would be observed because:

See attached narrative

3. Granting the variance would do substantial justice because:

See attached narrative

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

See attached narrative

5. Unnecessary Hardship

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:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

See attached narrative

ii. The proposed use is a reasonable one because:

See attached narrative

-or-

b. If the criteria in subparagraph (a) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish 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.

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)

September 25, 2025

Laconia Zoning Board of Adjustment  
45 Beacon Street E  
Laconia, NH 03246

RE: Marie C. McKay Revocable Trust  
Variance Request  
Article IV, Section 235-19(F)(2)(d)  
Tax Map 287, Lot 178-7  
122 Paugus Park Road

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

On behalf of the Marie C. McKay Revocable Trust, Berry Surveying & Engineering (BS&E) is submitting a variance request for your review regarding Article IV, Section 235-19(F)(2)(d). Specifically, the applicant is seeking relief from the 70% green space requirement to allow for the construction of an addition to the existing home.

BS&E has conducted a complete boundary and 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 Existing Conditions Plan, and Proposed Conditions Plan and construction details.

The parcel consists of an existing non-conforming single-family home on an existing non-conforming lot. The existing parcel contains 60.75' of frontage and 0.25± acres of land.

The proposal involves constructing an addition and a covered porch on the westerly and southerly sides of the home, generally the front, and away from the water. The proposed addition will comply with all required NHDES & City setbacks.

As part of the project, the applicant is also proposing stormwater management improvements that meet NHDES Shoreland and local stormwater standards. These measures are designed to improve lake water quality. Specifically, all roof runoff from the south side of the house will be collected and directed into a dry well located at the southeast rear corner of the home.

Currently, the site includes a paved driveway extending from Paugus Park Road to the house. The proposal includes replacing this with porous pavement from the property boundary to the garage. This modification will reduce the impervious surface area and allow for infiltration of driveway runoff. Overall, the project will result in a 3.33% reduction in direct impervious surface coverage, and reduces the effective impervious coverage (EIC) by a considerable amount more.

1. Article IV, Section 235-19(F)(2)(d). – relief from the 70% green space requirement

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 this section is to ensure there is a balance of development on project sites with the retainage of vegetation. The fundamental purpose of this within the location is to ensure water quality to lake is maintained from project sites. However, in this case, as noted above, the green space is being replaced with other porous technology, and therefore there is no degradation in the stormwater running to the lake. With the approval of the variance, there will be no notable difference in this property upon completion and will be more conforming with others on the street. For this reason, there will be no change in the essential character of the neighborhood.
2. *"Granting the variance would be consistent with the spirit of the Ordinance."*
  - Much like the public interest, the spirit of the ordinance is to ensure proper development of properties along the lake. As noted above, though the green space is being reduced, the impervious surface is also being reduced by an innovative technology. Additionally, the runoff from the addition on the home is being captured and sent to an infiltration device, further improving stormwater on the site. Due to all of the benefits, the health, welfare and safety of the public is met with regards to the spirit of the green space requirements.
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 expand while improving stormwater on site, which is the underlying purpose of the green space requirement. The site's stormwater quality is improved with the implementation of Low Impact Development (LID) devices, which is in line with the local stormwater ordinances 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 addition on the single-family home in a single family neighborhood. In fact, it will bring the current home closer to conforming with the sizing currently found on the street and therefore will help raise abutting values.
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 its non-conforming lot size when compared to the impervious foot print – green space foot print, when compared to others in the area. There is no reasonable alternative to this addition, when compared to the other surrounding uses, while considering the vast stormwater management improvement proposed despite the redevelopment. Therefore,

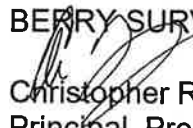


denial will cause an unnecessary hardship to the applicant. Though non-conformity in size is not special to the subject lot, the general size of the lot and the dimensions of the home are when compared to the abutting lots to the east and west.

- The use is reasonable when compared to others in the area. The home is currently multiple hundred square feet smaller than the closest abutters. Each of the abutting lots have non-conformity in structure or impervious foot print which make this proposal as reasonable, if not more so, than the other like uses in the area.

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

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September 16, 2025

Re: Letter of Authorization  
Marie C. McKay Revocable Trust  
Variance request  
122 Paugus Park Road

To whom it may concern:

We, the owners of Tax Map 287, Lot 178-7 authorize any member of Berry Surveying & Engineering to represent us as the agents for a project located in Laconia, NH on Paugus Park Road for the purpose of lot development. This includes any and all local, state and federal approvals needed for final approval of the project.

Signed by: Marie McKay 11/14/2025  
Owner 8DF01782A10A421...



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**December 10, 2025**

### **Abutters List**

#### **Owner of Record**

##### **Tax Map 287, Lot 178-7**

Marie C McKay Rev Trust  
Marie C McKay Trustee  
15 Back Rd  
Chichester, NH 03258  
*Book 2818, Page 966*

#### **Abutters**

##### **Tax Map 287, Lot 178-6**

Antonius T & Karen M Bentlage  
118 Paugus Park Rd  
Laconia, NH 03246  
*Book 3286, Page 986*

##### **Tax Map 287, Lot 178-8**

Maria E Cantor Trust  
Maria E Cantor Trustee  
128 Paugus Park Rd  
Laconia, NH 03246  
*Book 3560, Page 353*

#### **Professionals**

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





DEPARTMENT OF PLANNING, ZONING & CODE  
45 BEACON STREET, EAST  
☎ 603-527-1264  
📠 603-524-2164

### APPLICANT CONTACT SHEET

Application Type: Variance Application #: \_\_\_\_\_

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Name of Applicant: Marie C. Mckay Revocable Trust

Mailing Address: 15 Back Road, Chichester, NH 03258

Phone: 603-493-2417 E-mail: mckay.m@comcast.net

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Name of Agent: Joseph Berry or any member of Berry Surveying & Engineering

Mailing Address: 335 Second Crown Point Road, Barrington, NH 03825

Phone: 603-332-2863 E-mail: joeberry@berrysurveying.com

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Property Owner 1: Same as applicant

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

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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Property Owner 2: Same as applicant

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

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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Emergency Contact Person: Joseph Berry Phone: 603-332-2863



#1



#3



#2



#4



PROJECT PHOTOS  
MARIE C. MCKAY  
122 PAUGUS PARK ROAD  
LACONIA, N.H.  
TAX MAP 287, LOT 178, SUB 7

**BERRY SURVEYING & ENGINEERING**

335 SECOND CROWN POINT RD.  
BARRINGTON, N.H. 332-2863

SCALE : NONE

DATE : SEPTEMBER 16, 2025

FILE NO. : DB 2024-143

#5



#7



#6



#8



PROJECT PHOTOS  
MARIE C. MCKAY  
122 PAUGUS PARK ROAD  
LACONIA, N.H.  
TAX MAP 287, LOT 178, SUB 7

## BERRY SURVEYING & ENGINEERING

335 SECOND CROWN POINT RD.  
BARRINGTON, N.H. 332-2863

SCALE : NONE

DATE : SEPTEMBER 16, 2025

FILE NO. : DB 2024-143



#9



#11



#10



PROJECT PHOTOS  
MARIE C. MCKAY  
122 PAUGUS PARK ROAD  
LACONIA, N.H.  
TAX MAP 287, LOT 178, SUB 7

**BERRY SURVEYING & ENGINEERING**

335 SECOND CROWN POINT RD.  
BARRINGTON, N.H. 332-2863

SCALE : NONE

DATE : SEPTEMBER 16, 2025

FILE NO. : DB 2024-143





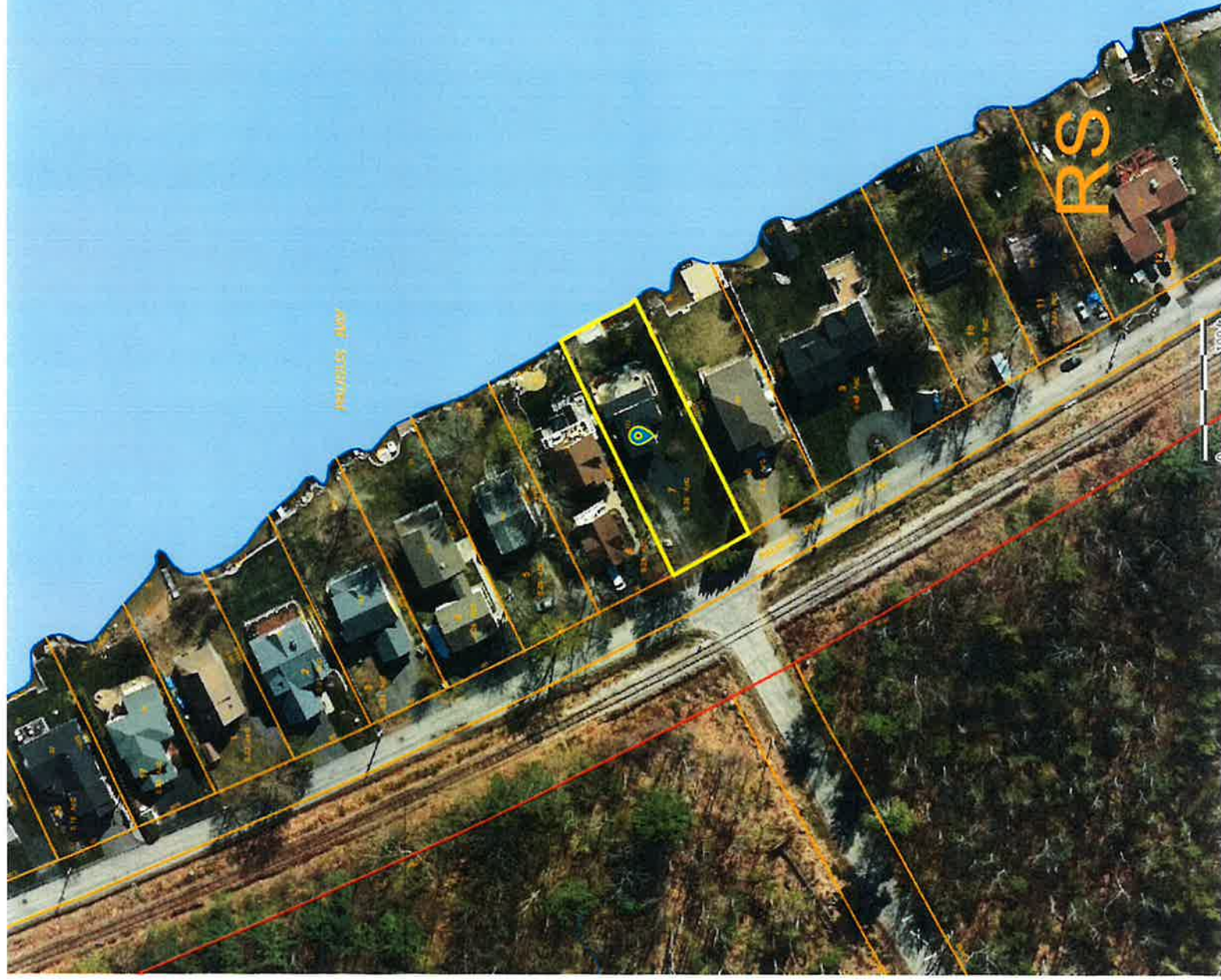


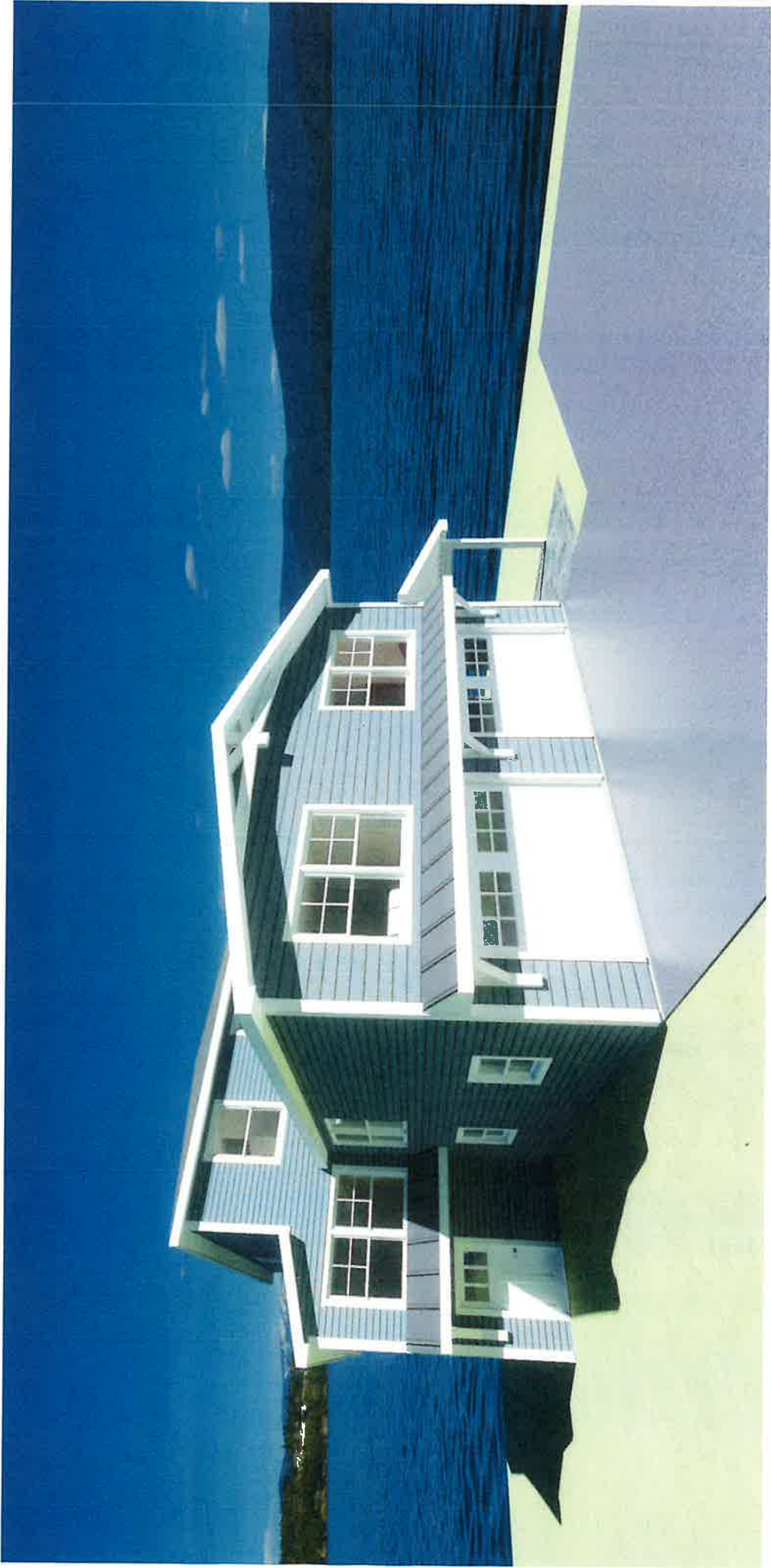
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PAUGUS BAY





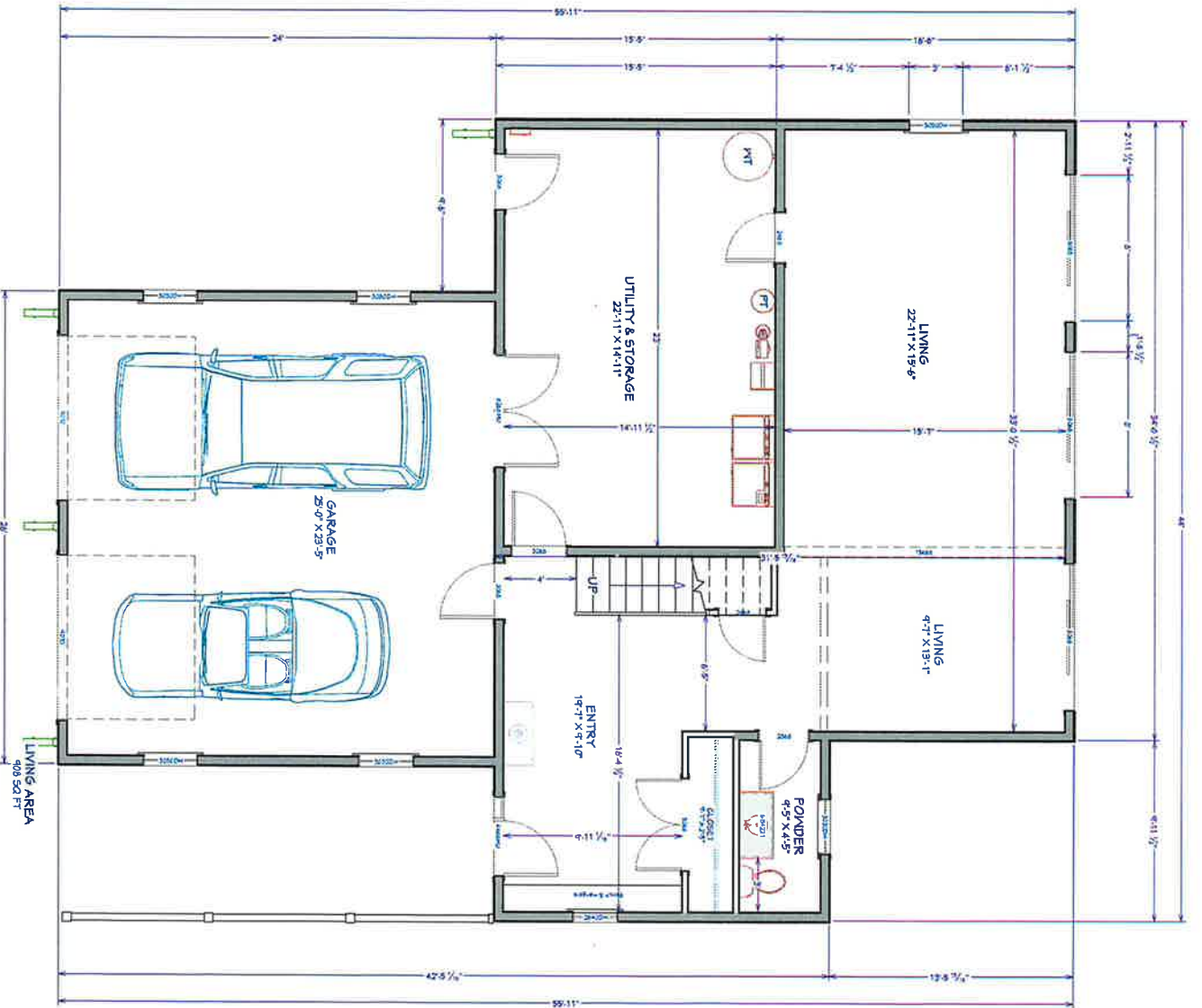






Marie McKay  
122 Paugus Park Road  
Laconia, N.H.

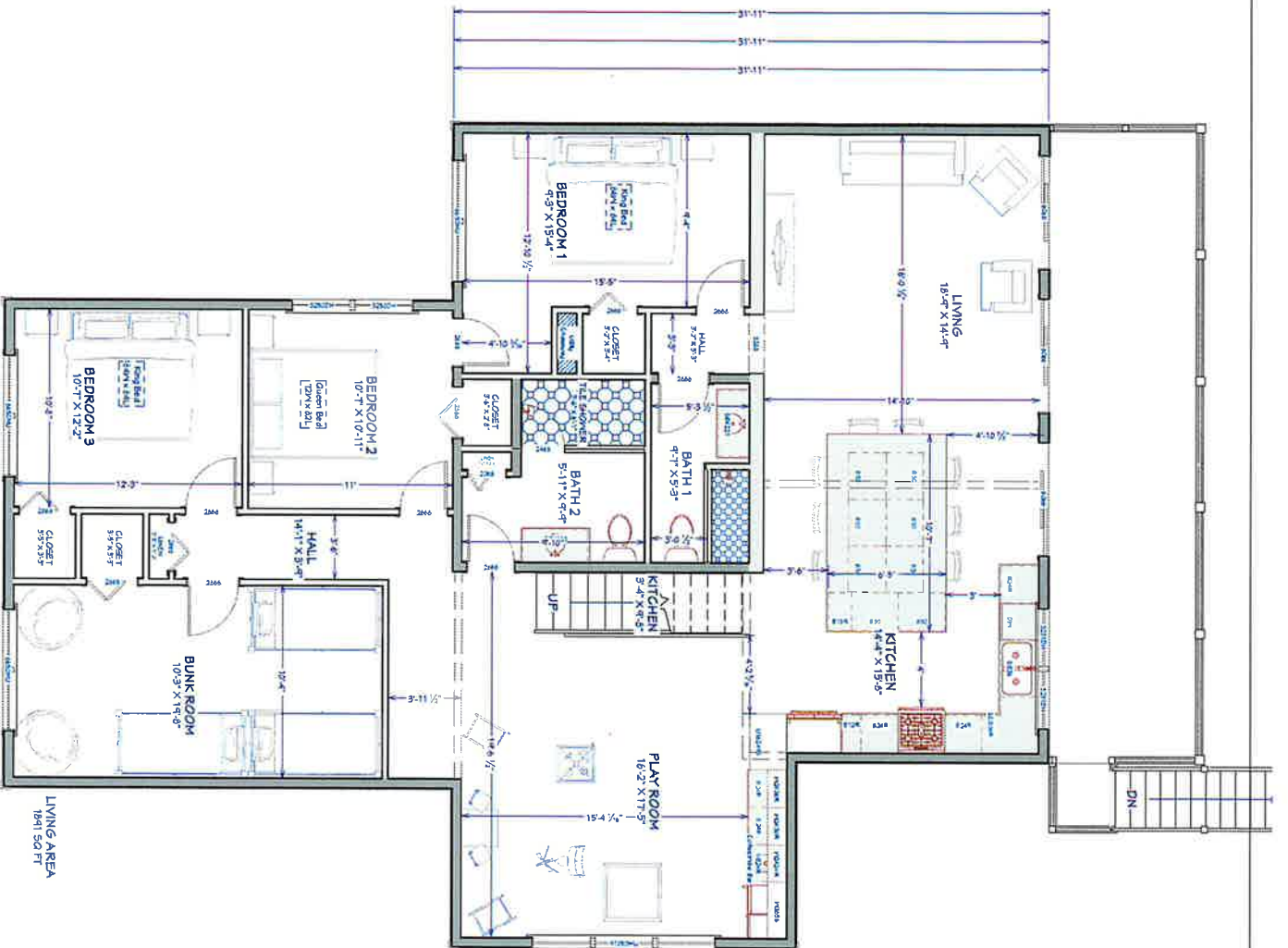
Title: McKay Addition & Remodel  
Revised: 6-26-2025  
By: OLC, JRL  
Revised: 5/21/25



Ground Floor

Marie McKay  
122 Paugus Park Road  
Laconia, N.H.

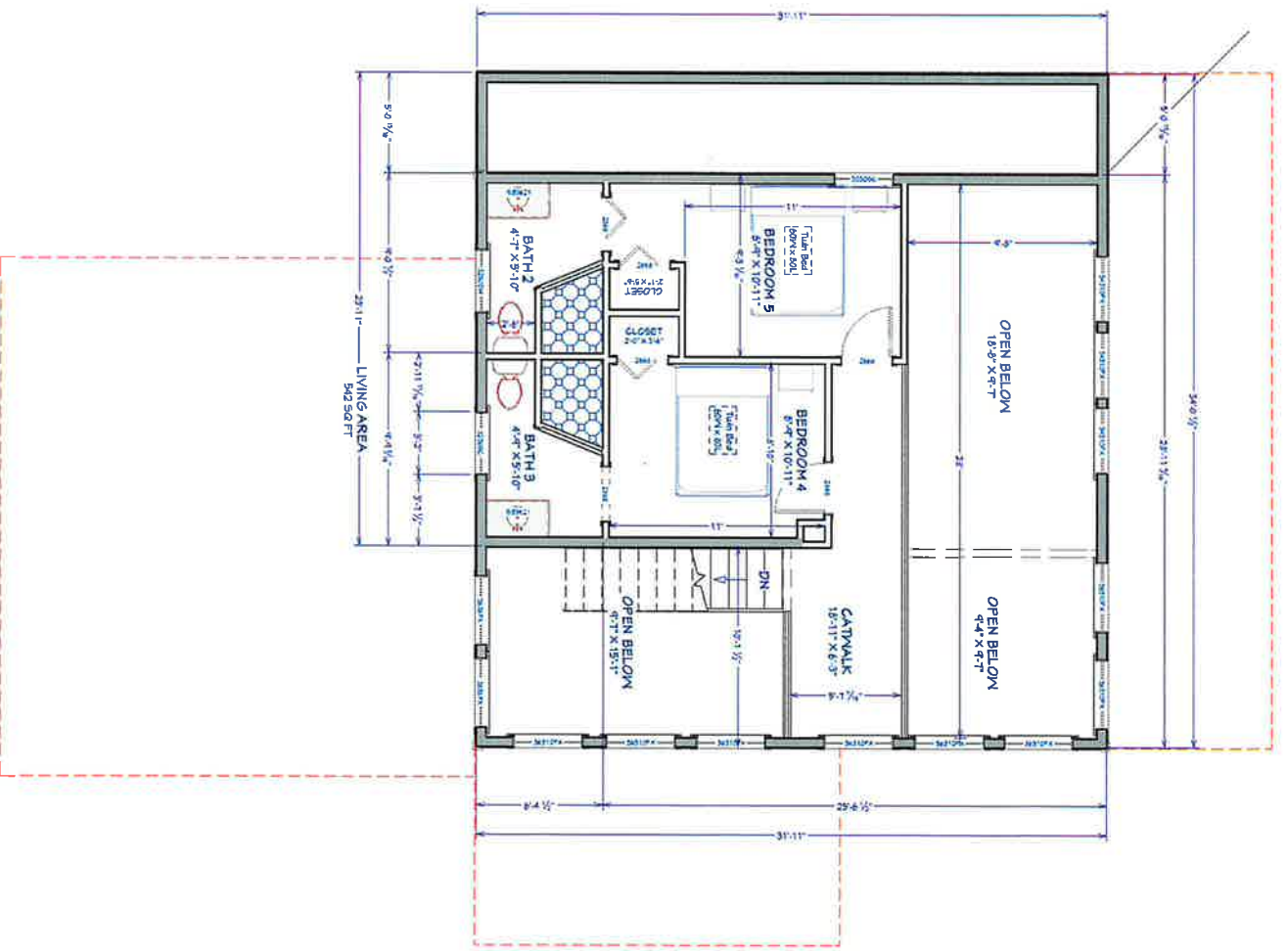
Title: McKay Addition & Remodel  
Revised: 6-26-2025  
By: OLC, JRC  
Revised: 5/2/25



1st Floor

Marie McKay  
122 Paugus Park Road  
Laconia, N.H.

Title: McKay Addition & Remodel  
Revised: 6-28-2025  
By: OLC, JRL  
Revised: 5/21/25



2nd Floor