

**Variance Permit Materials to Supplement Online Land Use Application Form**

**Perimeter Fence Project**

**Luke J. Brindamour and Sara C. Brindamour**

**653 Greenland Rd**

**Portsmouth, NH, 03801**

**To the Members of the Zoning Board:**

This letter is intended to serve as a needs statement as well as address the zoning ordinances related to a Variance request for an eight foot fence at the property of 653 Greenland Road.

My wife, Sara, and I have recently moved to 653 Greenland Road in Portsmouth as of 8/3/2022. Along with us came our dog, Lily. One of the things we loved most about this location was that it was off the main highway on a dead end road, sparsely settled with mostly young families. Additionally, it had a very large yard that Lily could run around in that already had two existing sections of fencing. The issue was they were not connect. The first section is a long stretch of eight foot cedar plank fencing between our home and our neighbor at 42 Harvard Street (Betty Ann Pettigrew-Fraser Trust). A second stretch of six-foot cedar fencing exists between our home and our only other neighbor, Christy Greco, at 623 Greenland Road.

As outlined on the attached Survey documentation provided by Ross Engineering we hope to enclose about 50-66% percent of the yard so that we can provide lily a safe space to play where she won't chase rabbits into the street (again!) as well as have a fenced in space should we desire to put a pool in the yard in some future state. We are requesting the eight foot height as it leverages the style and existing materials of the current fence and to replace it entirely would not only be wasteful, but also add more than \$6,000 in cost. This height will help buffer further street noise from the Greenland Road Side and provide additional privacy where our (lovely) neighbors are building a second level detached ADU. This potential work has been amicably discussed with all potentially affected parties and they are in support of us moving forward should our permits be grated.

**As it relates to Section 10.233.20:**

**10.233.21 The variance will not be contrary to the public interest:**

The proposed fence will be an extension of existing fencing incorporating both eight foot and six foot sections where the height tapers towards the Harvard St side. New sections of fencing will aesthetically match in size and style. As it relates to the more relevant public, i.e. our neighbors, this proposed plan has been discussed with the families of both of our neighbors and are in support of this proposal.

**10.233.22 The spirit of the Ordinance will be observed**

Yes. It is not the goal of this proposal to sequester ourselves off from our neighbors or violate the sense of neighborliness. Simply, create a safe space for Lily while appreciating the positive externalities of

increased privacy in light of new construction of a dwelling space, reduce further street noise and appreciate substantial cost savings in the process.

**10.233.23 Substantial justice will be done;**

In was in the spirit of ensuring mutual understanding and respect for our neighbors that we had pre-emptive conversations about the initial surveying process and desire to replicate and extend the exiting fences. This was greatly appreciated.

**10.233.24 The values of surrounding properties will not be diminished;**

We believe the proposed changes enhancing exterior aesthetic with new fencing and a tasteful gate that would face the street would at worst be cost neutral or at best enhance surrounding property values.

**10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.**

It is our belief that unique conditions that merit the additional height of the fence stem primarily from three (two related) factors. First, our home's boundaries share two main streets, one being the highway of Greenland road/Rt 33. This additional height for fencing will afford our family additional privacy and decreased street noise. Related to this is the existing eight foot fence will continue to afford privacy in our yard with the new second floor apartment being built at 42 Harvard St. Additionally, about 100 feet of previously existing eight foot fence exists on the property. It would be needlessly wasteful and create undue financial hardship to not reuse this section of fencing. As above, it has been quote that the reuse of existing fencing will save a little more than \$6000 in costs.

7. The following information is required for applications requesting **dimensional relief**:

- Valuation of New Construction (for non-residential projects) – N/A
- Total Number of Dwelling Units (for residential projects) – N/A
- **Lot area – Total Lot Area 21,763 sq feet**
- **Description of proposed project:**
  - **3 main aspects of proposed project:**
    - A) Majority 8 foot high cedar plant fencing with
    - B) Two sections that taper to 6 foot high
      - The first is facing Harvard Street and will have a 10 foot double gate to allow for any future potential needs to access the backyard for landscaping, tree removal etc.
      - The second is between 623 Greenland road where 90 degree turn is noted on the attached survey at about the midway point of this 125.16' foot stretch of property. There will be a gate here as well for access to the front yard where composting exists

- C) Black Aluminum gate between garage and principle residence such that our dog could not get out from underneath the deck nor would anyone be able to get in.
- Description of existing land use: no change to existing land use
- Project representatives – names and contact information: Luke J. Brindamour; [LBrindam@gmail.com](mailto:LBrindam@gmail.com) or [Lbrindamou@ehr.org](mailto:Lbrindamou@ehr.org) ; cell: 860-501-2639
- Description and dimensions of existing and proposed buildings (including building footprint, total gross floor area, and height). **See attached survey for total length of fencing. About 270 feet of fencing. Majority of panels 8 feet high. Tapered to 6 foot panels where indicated.**
- Existing and proposed front, side and rear setback / yard dimensions (this is the distance from a structure to the lot line). **See survey with all property lines and setbacks well demarcated.**
- Site Plan(s) showing existing and proposed conditions including:
  - Abutting street(s) and street names – **see survey and photos**
  - Driveways / accessways – *N/A, but survey also shows existing access way where gate would be placed. Photo attached.*
  - Dimensions (size and height) of structures – **as above in “description and dimensions”**
  - Dimensions and location of parking spaces – N/A
- Scale of all drawings and plans (the scale is the ratio of the drawing’s size relative to the actual size) – **see photos and outlined survey attached**
- Labeled photo(s) of existing conditions – **attached**
- Building plans and elevations of any *proposed* structures or additions – N/A
- Interior floor plans for any renovations or expansion to *existing* structures – N/A













