

**Town of Winchester
Zoning Board of Adjustment (ZBA)
Application for:**

Special Exception Variance Rehearing
 Equitable Waiver of Dimensional Requirements
Appeal from an Administrative Decision or Building/Fire Code

Instructions to the Applicant

Please read carefully before completing the application. The board strongly recommends you become familiar with the Town of Winchester Zoning Ordinance and New Hampshire Land Use Statutes chapters RSA 672-678 available on line or in the Land Use office. All requests shall be submitted on the board's applications and shall only be accepted in person in the Land Use Office during regular business days and hours.

Five requests that may be presented to the Zoning Board of Adjustment:

Special Exception-The ZBA, in appropriate cases and subject to appropriate conditions and safeguards, grants special exceptions to the terms of the ordinance. All special exceptions shall be consistent with the purpose and intent of the zoning ordinance and shall be in accordance with rules specified in the ordinance. Refer to Article XVI of the Winchester Zoning Ordinance.

Variance- Under special circumstances, approval may be granted to use your property in a way that is not permitted by the zoning ordinance. To qualify for a variance, your proposal must meet ALL FIVE criteria listed in RSA 674:33 (I) (b).

Equitable waiver of dimensional requirements- When a lot or other division of land, or structure there upon, is discovered to be in violation of a physical layout or dimensional requirement imposed by a zoning ordinance enacted pursuant to RSA 674:36, the Zoning Board of Adjustment may, upon application by and with the burden of proof on the property owner, grant an equitable waiver from the requirement, if and only if the board makes all of the following findings: (see RSA: 674:33-a.)

Appeal from an Administrative Decision- If you have been denied a building permit or are affected by some other decision of a Town official regarding the administration of the Winchester Zoning Ordinance, or the interpretation of the state building code or state fire code, and you believe that the decision was made in error under the provisions of the ordinance or code you may appeal the decision to the ZBA. (Refer to 674:33 or RSA 674:34)

Rehearing- Per RSA 677:2, within 30 days after any order or decision of the ZBA, or any decision of the local legislative body or a board of appeals in regard to its zoning, the selectmen, any party to the action or proceedings, or any person directly affected thereby may apply for a rehearing in respect to any matter determined in the action or proceeding, or covered or included in the order, specifying in the motion for rehearing the ground therefore; and the board of adjustment, board of appeals, or the local legislative body, may grant such rehearing if in its opinion good reason therefor is stated in the motion.

General Information

Application for: Getaway House - Special Exceptions Date: 21 July 2022

Map# 9 Lot# 7, 9, 10, 12, 13, 24, & 25 (167 acres +/-)

Name & address of applicant: Stephen Mauldin & Scott Levit, Getaway House, Inc.
147 Prince Street, Brooklyn, NY 11201

Email: scott.levit@getaway.house Phone: 703-203-0073

Name & address of owner: Cardinal Development Corp.
256 Ayer Road, Littleton, MA 01460

Email: (use authorized applicant email) Phone: (use authorized applicant phone)

Location of property: Forest Lake & Rabbit Hollow Roads Zoning District: AG, RR, FL

Description of property (include a plot plan, frontage, side & rear lines, water, structures, etc.) 167-acre tract that was formerly a large gravel materials excavation pit operation which was replanted and now is a beautiful wooded regrowth property with the former hauling gravel drives present throughout the property.

Proposed use/existing use: Proposed Getaway destination cabins in the form of detached lodging for short term stays, where the property would be enjoyed in its natural state.

Fill out the attached abutters list and submit the non refundable fee of \$150 with the completed application and other necessary forms at least 21 days prior to the review by the ZBA. The ZBA generally meets on the second Thursday of each month if there is business. A complete application will be reviewed for acceptance before a public hearing is held within 30 days. You or your representative must be present at the hearing. All owners NOT representing themselves must submit a letter of representation for the applicant with the application.

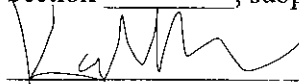
Please complete and submit the following appropriate page(s) for the request of a variance, a special exception, an equitable waiver of dimensional requirements, an appeal from an administrative decision or a rehearing. Attach all other supporting documentation to the application.

After the public hearing, the board will typically render a decision within 30 days. You will be sent notice of this decision. If you believe the board's decision is wrong, you have the right to appeal. The Selectboard or any party with standing has similar rights of appeal. With an appeal, you must first ask the board for a rehearing. All requests shall be submitted on the appropriate ZBA forms and include the required fee. The motion must be made within 30 days of the decision and must set forth the grounds on which the claimed the decision is unlawful or unreasonable. The board may grant a rehearing if it is determined there were errors of law or new information is stated in the motion. Notice to the public and abutters are required for a rehearing. Refer to RSA 677:2 and RSA 676:7 for details.

Special Exception:

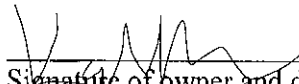
Article VI Section B (RR) &

The undersigned hereby requests a special exception as provided in Article Article X Section B (FL) Section _____, subparagraph _____, of the Winchester Zoning Ordinance.



21 July 2022

Signature of applicant and date Karl Dubay, The Dubay Group, Inc. - authorized agent



21 July 2022

Signature of owner and date Karl Dubay, The Dubay Group, Inc. - authorized agent

To allow detached "Lodging" in the Article XXII Table of Permitted Uses under "Cabins" in the RR & FL Zones per "SE" or Special Exception, in the Getaway House applicant's proposed general format.

Please respond to the following:

A) The proposed use shall be permitted in the district
The tiny cabin detached lodge format of the project and operations is indeed allowed as uses in the zones in the front section of the property via special exception. The rear of the tract is located in a different zone which allows the use by right, with no special exception.

B) The specific site is in an appropriate location for such use
The 167-acres will include buffers to any abutting properties, is an excellent re-use of the former gravel pit operations that have now regrown into woods

C) The use as developed will not adversely affect the adjacent area
The tiny cabin format utilizing gravel drives is environmentally friendly, low impact, low traffic, no impact to the school system or ecology, includes large buffers to adjacent abutters.

D) There will be no nuisance or serious hazard to vehicles or pedestrians
Guests will drive up to the cabins for their short stay and usually stay on the property for the duration of their stay, including the hiking trails and natural seclusion. This use results in low traffic and low impacts as compared to a housing subdivision development.

E) Adequate and appropriate facilities will be provided for the proper operation and use
Re-use of existing gravel drives are being planned, the electric service will be underground and of low loading, water use will also be very low demand, a looped access rear drive would be used for staff and the back-of-house support facilities including maintenance and management. The tiny cabins are designed for low impact enjoyment of the woodlands in a peaceful setting.

F) The proposed use shall comply with all frontage, setbacks, minimum land area, sanitary protection, sign, parking requirements for itself or its most similar use, except where specifically named by the board, the reasons for such waiver to be set forth in writing by the board
All frontage, setbacks, minimum areas, septic, directional signage, cabin and staff parking would be in compliance in a detached lodge project format that will protect the woodlands on the property as an excellent re-use of the tract from its former commercial gravel pit operations years ago.

G) See Article XVI, 2.(i) (g) in the Town of Winchester Zoning Ordinance for the validity of a special exception. (2 year validity)

ABUTTERS LIST

For use with all Land Use Applications

Applicant: GETAWAY HOUSE, INC. C/O STEPHEN MAULDEN & SCOTT LEVIT, PEAddress: Forest Lake Road & Rabbit Hollow RoadMap# 9 Lot# 7,9,10,12,13,24 &25

MAP#	LOT#	NAME & ADDRESS	Sent/Rec'd
MAP 9 LOTS	7,9,10,12,13,24 & 25	CARDINAL DEVELOPMENT CORP. 256 AYER ROAD LITTLETON, MA 01460	
MAP 9 LOT 6		EVERSOURCE ENERGY PO BOX 270 HARTFORD, CT 06141-0270	
MAP 9 LOT 7-1		RICK COONEY 259 FOREST LAKE ROAD WINCHESTER, NH 03470	
MAP 9 LOT 8		ERIC R. & TANYA M. MAYHEW 280 FOREST LAKE ROAD WINCHESTER, NH 03470	
MAP 9 LOT 11-23		WILLIAM A. III & SANDRA A. MCGRATH 77 LAKE SHORE DRIVE WINCHESTER, NH 03470	
MAP 9 LOT 11-13		WILLIAM VALVO & SUNNY GUY 306 FOREST LAKE ROAD WINCHESTER, NH 03470	
MAP 9 LOT 11-12		ERIN R. & JAMES J. BOUVIER 310 FOREST LAKE ROAD WINCHESTER, NH 03470	
MAP 9 LOT 14		BARRY MICKLE & BONNIE COSTA PO BOX 432 MIDDLEFIELD, CT 06455	
MAP 9 LOT 16		TONY PETER AUKSTIKALNIS 25 RABBIT HOLLOW ROAD WINCHESTER, NH 03470	
MAP 9 LOT 5		KEVIN M. & DIANA L. ANDERSON 240 FOREST LAKE ROAD WINCHESTER, NH 03470	

ABUTTERS LIST

For use with all Land Use Applications

Applicant GETAWAY HOUSE, INC.

Address: _____

Map# _____ Lot# _____

MAP#	LOT#	NAME & ADDRESS	Sent/Rec'd
MAP 9	LOT 24-1	DARIN QUALTERS 55 RABBIT HOLLOW ROAD WINCHESTER, NH 03470	
MAP 9	LOT 23-3	DARLENE & BARTON SMITH 50 RABBIT HOLLOW ROAD WINCHESTER, NH 03470	
MAP 9	LOT 23-4	JOHN N. & CHRISTINE B. HADLEY 60 RABBIT HOLLOW ROAD WINCHESTER, NH 03470	
MAP 9	LOT 24-2	JOSEPH R. SABINO PO BOX 509 WINCHESTER, NH 03470	
MAP 9	LOT 24-3	MARC P. & JULIE A. ROKES RICHARD 73 RABBIT HOLLOW ROAD WINCHESTER, NH 03470	
MAP 9	LOT 34-1	WHIPPIE TRUST RICHARD & MARION WHIPPIE TRUSTEES 80 STONE MOUNTAIN ROAD WINCHESTER, NH 03470	
MAP 9	LOT 34	KEVAN & CAROLE WHIPPIE 85 STONE MOUNTAIN ROAD WINCHESTER, NH 03470	
MAP 9	LOT 33	STONE MOUNTAIN, LLC	
MAP 6	LOT 36	C/O CF CAPITAL CORP.	
MAP 6	LOT 52	1 LANDMARK SQ. 20TH FLOOR STAMFORD, CT 06901	
MAP 6	LOT 14	WINCHESTER SAND & GRAVEL 155 STRATHMORE ROAD BRIGHTON, MA 02134	

