

EPSOM BOARD OF ADJUSTMENT
1598 Dover Road, Epsom, NH
RECORD OF DECISION

Zoning Appeal: Case 2024-02 (901 Suncook, LLC– Var.)

Applicant & Owner: 901 Suncook, LLC

Tax Map: U5 **Lot:** 27

Zoning District: Residential/Commercial Zone

Notice is hereby given that the appeal submitted by Jay Pepper, principal officer of 901 Suncook, LLC, for a **Variance** to Article III, Section I [Business], Paragraph 1.c [Setback from Property Line] to permit the subdivision of a property into two lots with the new lot line running through the connecting passage of two existing buildings was **approved** by majority vote of the Zoning Board of Adjustment at the Public Hearing held on Wednesday, February 21, 2024. The property is located on the Suncook Valley Highway within the Residential/Commercial Zoning District and is identified on Epsom Tax Map U-5 as Lot 27.

Findings of Fact:

1. The property was uniquely designed to contain 2 connected buildings which can be divided by a property line at their hallway connection point.
2. Allowing for a building setback variance will only impact the current owner of the property to be subdivided.
3. The ordinance creates an unnecessary hardship to the owner who would experience a significant financial loss by denying this appeal.
4. Approval will allow for the renovation and improvements to be made to the existing vacant building previously used as an assisted living facility.

The variance was approved with the following condition:

1. Tax Map U5, Lot 27 is approved for subdivision into 2 otherwise conforming lots with the bisecting property line passing through the existing connection between the two buildings. The setback distance from the bisecting property line to each building is reduced to 0 feet allowing for the buildings to remain connected on separate lots.
2. The applicant/owner shall contact the Planning Board for determination of the steps necessary for completion of the lot subdivision and those steps shall be completed, as necessary, prior to title transfer of either subdivided lot.
3. Easements for coownership of all common utilities (e.g. water, septic, fire suppression etc.) currently being shared between the two buildings, or plans for separate facilities, shall be established and included with the subdivision application to the Planning Board.

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RECORD OF DECISION (Cont.)



Glenn A. Horner, Chairman
Zoning Board of Adjustment
Date: February 22, 2024

Note: Any person affected has the right to appeal this decision and/or conditions of the approval. If you wish to appeal the decision, or any conditions contained herein, you must act within a thirty (30) day period beginning with the next working day after the Zoning Board of Adjustment meeting when the decision was made. The first step in the appeal process is to apply to the board of adjustment for a rehearing. The motion for a rehearing must set forth all the grounds on which you will base your appeal.

cc: 901 Suncook, LLC, 2 Samsondale Avenue, West Haverstraw, NY 10993
Craig Adler, Esq. c/o Capozzi Adler, P.C., 2933 N. Front Street, Harrisburg, PA
17110
Epsom Board of Selectmen
Epsom Planning Board Chair
Epsom Zoning Compliance Officer
Epsom Town Clerk
File Case 2024-02 (901 Suncook, LLC– Var.)