

1. 14 SAMOSET DRIVE - VARIANCE

Documents:

[VARIANCE APPLICATION - 14 SAMOSET DRIVE.PDF](#)

2. 18 SAMOSET DRIVE - VARIANCE

Documents:

[VARIANCE APPLICATION - 18 SAMOSET DRIVE.PDF](#)

3. 175 MAIN STREET - VARIANCE

Documents:

[VARIANCE APPLICATION - 175 MAIN STREET.PDF](#)

**ZONING BOARD OF ADJUSTMENT
Town of Salem, New Hampshire**

VARIANCE APPLICATION

Name of Applicant: **JAMES MENIATES JR & GAIL EMANIATES 2019 TRUST**
Tele #: **603-437-5000**

Address of Applicant: **-SAME-**

Address of Property: **14 SAMOSET DRIVE**

Owner of Property: **-SAME-** If same as above, write same.
Tele #: **603-560-4678**
If same as above, write same.

Address of Owner: **14 SAMOSET DRIVE, SALEM, NH 0307910**

Agent: If same as above, write same.
Benchmark LLC. 50 Nashua Road, Suite 305
Londonderry NH 03053

Location of Property: Map #: **55** Lot #: **6805**

Zoning Classification: **RURAL**

Are there any current Zoning Violations on the Property other than those that may be listed on this Application? (If Yes, please fully describe below). YES _____ NO **X**

The undersigned hereby requests a variance from Article **III**, Section **490-302C(1)** and asks that said terms of the Zoning Ordinance be waived to permit **TO ALLOW CONSTRUCTION OF AN ACCESSORY DWELLING UNIT ON AN EXISTING SINGLE FAMILY HOME WHERE A PORTION OF THIS ADDITION WILL PLACE THE CLOSEST CORNER OF THE ADU 22 FEET FROM THE LOT LINE WHERE 30 FEET IS REQUIRED IN THE RURAL DISTRICT.**

The undersigned alleges that the following circumstances exist to support this variance request.

1. The variance will not be contrary to the public interest because:

THIS IS A RESIDENTIAL AREA AND THE LOT IS DEVELOPED WITH A SINGLE FAMILY HOME. THE SURROUNDING SUBDIVISION WAS CREATED WHEN THE ZONING IN THIS AREA REQUIRED SMALLER LOT SIZES.

THE STATE HAS JUST PASSED LEGISLATION TO ALLOW MORE DIVERSE HOUSING OPTIONS, INCLUDING ADU'S (HOUSE BILL 577)

ADDING THE ADU WOULD ALLOW FOR MINIMAL CHANGE TO THE AREA. THE ADDITION IS TO THE REAR OF THE EXSTING GARAGE AREA OF THE HOME AND THE APPEARANCE OF THE ADDITION WOULD REMAIN WITH THE LOOK OF A RESIDENTIAL HOME.

WITH THIS PLAN A STATE APPROVED SEPTIC FOR THIS USE WILL BE PERMITTED.

2. The spirit of the ordinance is observed because:

THIS PROPERTY IS ZONED RURAL AND THE PROPOSAL IS TO ALLOW AN ADU TO BE ADDED TO THE EXISTING HOME. THE ADDITION WILL BE CONSTRUCTED TO TODAYS BUILDING STANDARDS. ONLY ONE CORNER OF THE ADU WILL ENCROACH INTO THE SETBACK

3. Substantial justice is done because:

GRANTING THIS REQUEST WILL ALLOW THE LAND OWNER TO CONSTRUCT AN ADU TO THEIR HOME.

4. The values of surrounding properties will not be diminished because:

THIS LOT IS ZONED RURAL WHICH IS THE SAME ZONING AS THE ABUTTING PROPERTIES. WE ARE LOOKING TO ALLOW CONSTRUCTION OF AN ADU WHICH WILL ADD VALUE TO THE EXISTING HOME

OVERALL, WE DO NOT BELIEVE THIS PROJECT, AS PROPOSED, WOULD AFFECT NEIGHBORING PROPERTY VALUES.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because: USE (A) or (B).

The "Special Conditions" of this property that distinguish it from other properties in the area are as follows:

THIS PROPERTY HAS ENOUGH LAND AREA TO ALLOW FOR A SEPTIC FOR THIS USE. THE SHAPE OF THE EXISTING HOME HAS AN ANGLE OF THE GARAGE TO THE MAIN HOUSE WHICH MAKES BLENDING THE ADU DIFFICULT TO THE EXISTING HOME WITHOUT ENCROACHING INTO THE SETBACK

THE FOOTPRINT OF THIS HOME IS SUCH THAT THIS LAYOUT IS THE MOST PRACTICAL. IN THE TOWNS ZONING. WHEN WE LOOK A THE LOT SIZE OF LOTS IN THIS AREA THE LOTS IN THIS AREA MORE SIMILAR IN SIZE TO PROPERTIES IN THE RESIDENTIAL DISTRICT WHICH ALLOWS A 15 FOOT SIDE SETBACK.

(A) Owing to the special conditions of the property, set forth above, that distinguish it from other properties in the area:

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

SITE GRADES AND THE LAYOUT OF THE EXISTING HOME LIMIT PLACEMENT FOR AN ADU ON THIS LOT. THIS REQUEST WILL ALLOW THE PROPERTY OWNER TO BUILD THIS ADU FOR A RELATIVE SO THEY CAN BE CARED FOR BY THE PROPERTY OWNER.

- (ii) The proposed use is a reasonable one because:

THIS PROPOSAL IS TO ALLOW THE ADU TO BE 22 FEET FROM THE LOT LINE. ABOUT 100 SQUARE FEET +/- OF THE ADU IS IN THE SETBACK.

THE ADU IS ALSO PROPOSED BEHIND THE EXISTING BUILDING AND WITH THE SHAPE OF THE EXISTING BUILDING THIS PUSHES THE BACK CORNER OF THE ADU INTO THE SETBACK

-OR-

If the criteria in subparagraph (A) are NOT established, an unnecessary hardship will be deemed to exist, if and only if:

(B) Owing to the special conditions, set forth above, 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 because:

THE LAYOUT OF THE EXISTING LOT AND BUILDING LIMITS AREAS FOR THE PROPOSED ADU, THE LOCATION CHOSEN IS SUCH THAT IT PUTS THE ADDITION BEHIND THE HOME SO THAT THE ADDITION CAN BLEND INTO THE LAYOUT OF THE EXISTING HOME

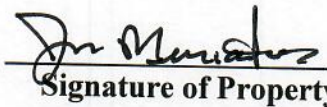
By filing this application you are authorizing us to come onto your property to do necessary site inspections.

The undersigned acknowledges that to the best of their knowledge all of the above information is true and correct.



Signature of Applicant

JAMES MENIATES JR November 11, 2025
Print Name of Applicant Date



Signature of Property Owner

JAMES MENIATES JR November 11, 2025
Print Name of Property Owner Date

PLEASE PRINT THE NAMES & LEGAL ADDRESS OF ALL ABUTTERS

IN ACCORDANCE WITH RSA 672:3, AN ABUTTER IS DEFINED AS ANY PERSON WHOSE PROPERTY ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE PROPERTY TO THIS APPLICATION.

The following is a list of their names and legal mailing addresses taken from the Town of Salem Assessor's records. **APPLICANT, ENGINEER AND/OR REPRESENTATIVE** must also be included.

MAP	LOT	NAME	ADDRESS	DO NOT WRITE IN – TOWN BUSINESS
55	6805	Gail Emeniates & James Meniates 2019 trust	14 Samoset Drive	Salem, NH 03079
		BENCHMARK LLC	50 Nashua Road, Suite 305	Londonderry NH 03053
45	6806	Earl & Caroline Evans	12 Samoset Drive	Salem, New Hampshire 03079
54	6763	Harold R III & Kelly Moore	94 Lake Street	Salem, New Hampshire 03079
55	6785	Kelvin Perez	90 Lake Street	Salem, New Hampshire 03079
55	6810	Linda & Roger Trudal	88 Lake Street	Salem, New Hampshire 03079
55	6804	Michael & Cheryl Hanninen	16 Samoset Drive	Salem, New Hampshire 03079
46	6818	Antoine Antar	19 Samoset Drive	Salem, New Hampshire 03079
46	6814	Melissa Mallous	11 Samoset Drive	Salem, New Hampshire 03079

PROPERTY LOCATION: **14 Samoset Drive** MAP **55** LOT **6805**

ZBA MEETING DATE _____

PETITION # _____

Signature of Applicant

November 14, 2025

Date

Town of Salem, New Hampshire

Town Hall, 33 Geremonty Drive
Salem, New Hampshire 03079 603-890-2020

Permitting Hours Monday through Friday
8:30-9:30am & 4:00-5:00pm

BUILDING PERMIT APPLICATION

Date November 10, 2025 Permit # _____
Map 55 Lot 6805 Unit# _____

ADDRESS 14 SAMOSET DRIVE

www.townofsalemnh.org (application valid for 60 days)

NAME OF OCCUPANT JAMES MENIATES JR & GAIL EMANIATES 2019 TRUST PHONE # _____
NAME OF OWNER JAMES MENIATES PHONE # _____
CONTRACTOR'S NAME BENCHMARK LLC PHONE # 603-560-4678
CONTRACTOR'S ADDRESS 50 NASHUA ROAD#305 CITY LONDONDERRY STATE NH ZIP 03053

Impact fees are due prior to occupancy: New Dwelling \$ _____ Road Improvement \$ _____
Assessment fees for water and sewer are due prior to occupancy \$ _____

Zone RURAL LOT LINES: Front 30 Side (L) 30 Side (R) 30 Rear 30 Corner Lot NO

Variance required? Yes ☒ No ☐ Floodplain? Yes ☐ No ☒ Wetlands? Yes ☐ No ☒ Historic District? Yes ☐ No ☒
Town Water ☐ Town Sewer ☐ Private Well ☒ Private Septic ☒ Fire Sprinklers? Yes ☐ No ☒

RESIDENTIAL	COMMERCIAL	MISCELLANEOUS
<input checked="" type="checkbox"/> Single Family (E,P,H, F)	<input type="checkbox"/> New Commercial (E,P,F,H)	<input type="checkbox"/> Sign (P)
<input checked="" type="checkbox"/> Apartment (E,P,H)	<input type="checkbox"/> Commercial Foundation (E,P,F,H)	<input type="checkbox"/> Shed
<input type="checkbox"/> Residential Add./Alt. (E,H)	<input type="checkbox"/> Add./Alt. (E,P,F,H, ENV)	<input type="checkbox"/> Pool (E,H)
<input type="checkbox"/> Residential Raze (E,H,ENV)	<input type="checkbox"/> Municipal Add./Alt. (E,P,F,H)	<input type="checkbox"/> Repair
<input type="checkbox"/> Manufactured Home (E, H, F)	<input type="checkbox"/> Hotel/Motel (E,P,F,H)	<input type="checkbox"/> Deck (E,H)
<input type="checkbox"/> Residential Garage (E,H)	<input type="checkbox"/> Multi-Family (E,P,F,H)	<input type="checkbox"/> Casual Sales(P,F)
<input type="checkbox"/> Residential Foundation(E,P,H)	<input type="checkbox"/> Commercial Raze (E,P,F,ENV)	<input type="checkbox"/> Renew Permit (E,P,H)
<input type="checkbox"/> Shoreland CSPA (E,P,H)	<input type="checkbox"/> Change of Use (E,P,F,H)	
	<input type="checkbox"/> Change of Occupant (E,P,F,H)	

E=Engineering P=Planning F=Fire H=Health ENV=Enviro. Survey

****Residential Addition & Alteration require smoke and carbon monoxide alarms to be upgraded** (IRC 314/ 315)**

****Existing Residential Fire Sprinklers shall be extended into additions/alterations****

*****PLANS ARE REQUIRED TO BE SUBMITTED*****

Estimated Value: _____ Dig Safe _____ Fee: _____

Work Description and Uses: TO ALLOW CONSTRUCTION OF A SINGLE FAMILY DWELLING WITH AN ADU.

ON A LOT WITH 158.27 FEET OF FRONTAGE WHERE 150 FEET OF FRONTAGE W/ AN ADDITIONAL 20 FEET OF FRONTAGE, FOR THE ADU,

IS REQUIRED ON AN ACCEPTED MUNICIPAL STREET AND TO ALLOW THE PROPOSED ADU ADDITION TO BE 22 FEET FROM

THE SIDE LOT LINE WHERE A MINIMUM OF 30 FEET IS REQUIRED IN THE RURAL DISTRICT

Departmental Releases:

Town Planner (P) _____
Health Officer (H) _____

Town Engineer (E) _____
Variance Sign Off _____

Fire Marshal (F) _____

I (print name) Joe Maynard agree to meet all requirements of the applicable building codes & zoning ordinances & will not backfill or cover any work until inspections have been done and the installations are approved.

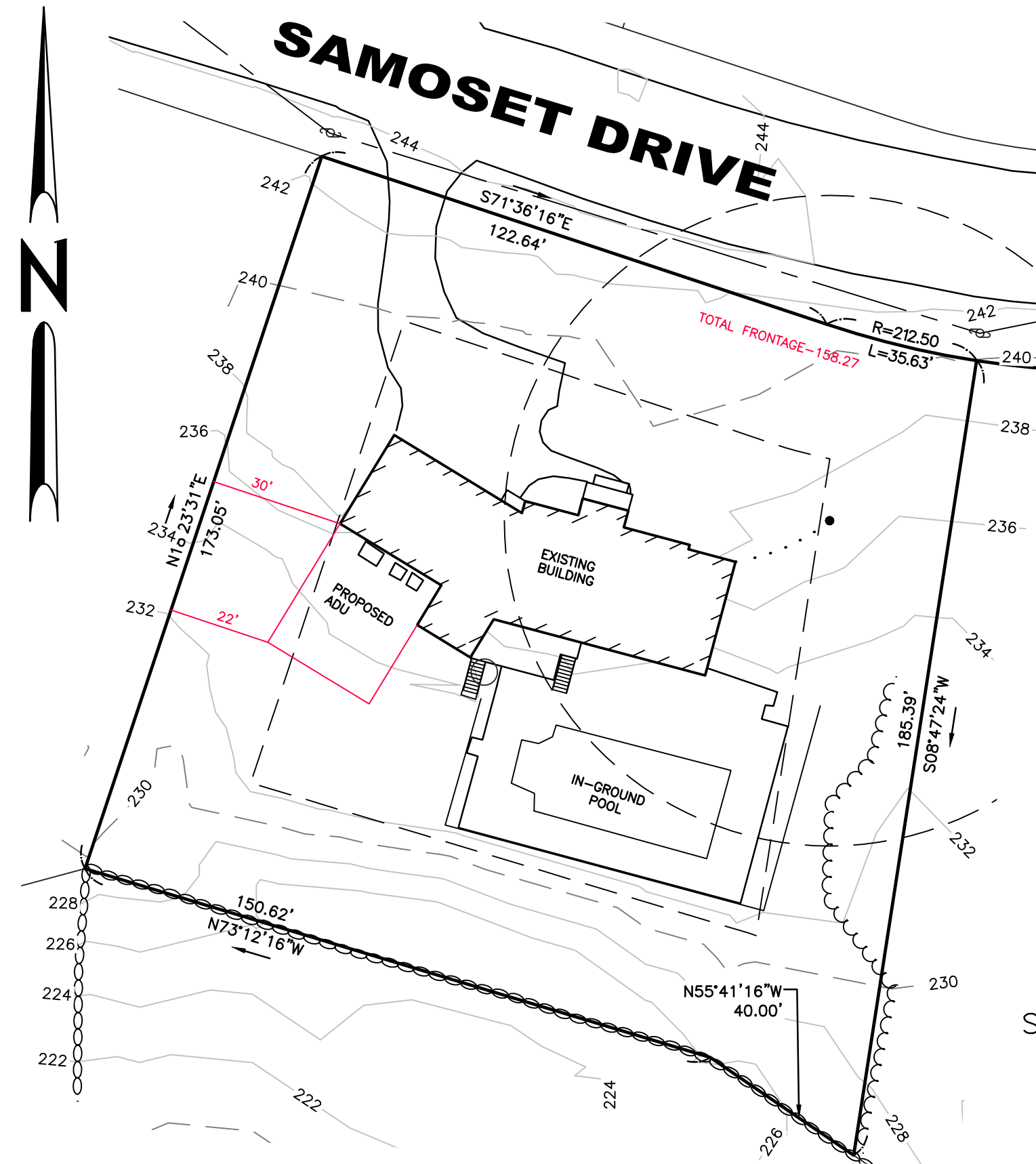
Signature of Applicant

Building Official

COMPLETE BOTH SIDES

Developed/1-20-09(S.Kalucki) Revised 5-25-10 (I. Vidović)

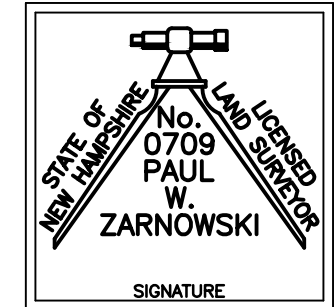
Denied



NOTES:

- PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED IMPROVEMENTS TO THE PROPERTY LOCATED AT 14 SAMOSET DRIVE (MAP 55 LOT 6805) FOR THE PURPOSE OF APPLYING FOR A VARIANCE TO ALLOW FOR LESS THAN THE REQUIRED FRONTAGE FOR AN ADU AND TO ALLOW ONE CORNER OF THE PROPOSED ADU TO BE IN THE SIDE SETBACK
- TOTAL PARCEL AREA 0.69 ACRES (FROM PLAN REFERENCES)
- PARCEL ZONE: RURAL
- ZONING REQUIREMENTS

MINIMUM LOT SIZE	-	5 ACRES
MINIMUM FRONTAGE	-	150' PLUS 20 FOR EACH ADDITIONAL UNIT
FRONT SETBACK	-	30 FEET
SIDE SETBACK	-	30 FEET
REAR SETBACK	-	30 FEET
MAXIMUM COVERAGE	-	30% BUILDING 1 UNIT/LOT
- SURVEY COMPLETED IN CONJUNCTION WITH
 RANGEWAY LAND SURVEY & DESIGN
 252 DANIEL PLUMMER ROAD
 GOFFSTOWN, NEW HAMPSHIRE 03045



PLOT PLAN **TAX MAP 55 LOT 6805** **#14 SAMOSET DRIVE** **SALEM, NEW HAMPSHIRE 03079**

OWNER OF RECORD/PREPARED FOR
 JAMES MENIATES JR & GAIL EMANIATES 2019 TRUST
 14 SAMOSET DRIVE
 SALEM, NEW HAMPSHIRE 03079
 RCRD BOOK 6653/PAGE 1045

SCALE: 1"=30'

SHEET 1 OF 1 NOVEMBER 09, 2025



BENCHMARK LLC

Consulting Engineers Land Planners
 50 Nashua Road, Suite 305
 Londonderry, New Hampshire 03053
 Phone: (603) 437-5000



1" = 357.22825616806034 ft



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Salem, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/29/2025
Data updated 4/01/2025

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

TAX MAP.

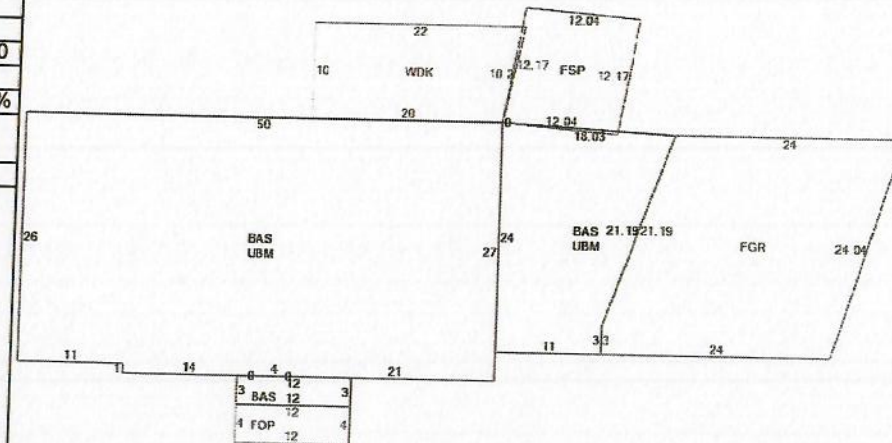
CURRENT OWNER				TOPO		UTILITIES		STRT / ROAD		LOCATION		CURRENT ASSESSMENT																					
MENIATES GAIL E & JAMES JR TRUS GAIL EMENIATES 2019 TRUST & JAM 14 SAMOSET DR SALEM NH 03079				1 Level		5 Well		1 Paved		3 Rural		Description		Code		Assessed		Assessed		2232 SALEM, NH VISION													
						6 Septic						RESIDNTL		1010		359,300		359,300															
												RES LAND		1010		191,100		191,100															
												RESIDNTL		1010		14,400		14,400															
				SUPPLEMENTAL DATA																													
				Alt Prcl ID 78-13/X				WB LTR D SALES RE ADD LETT SENT DISC EAS C/O																									
				ROAD ID 8143 E 911 UNIT # WATER B GIS ID 6805				Assoc Pid#																									
RECORD OF OWNERSHIP				BK-VOL/PAGE		SALE DATE		Q/U		V/I		SALE PRICE		VC		PREVIOUS ASSESSMENTS (HISTORY)																	
MENIATES GAIL E & JAMES JR TRUSTEES				6653 1045		09-30-2025		Q		I		800,000		00		Year		Code		Assessed		Year		Code		Assessed V		Year		Code		Assessed	
JANUSZ MITCHELL & LAUREN				6014 2119		07-02-2019		Q		I		385,000		U		2025		1010		359,300		2024		1010		359,300		2023		1010		359,300	
BRANCATO MAURICE G				5651 2002		08-28-2015		U		I		0						1010		191,100				1010		191,100				1010		191,100	
BRANCATO SUSAN M				5093 2247		01-22-2010		U		I		0						1010		14,400				1010		14,400				1010		14,400	
BRANCATO MAURICE G & SUSAN M				3507 2884		09-29-2000		Q		I		218,000		U																			
																Total		564,800				Total		564,800				Total		564,800			
EXEMPTIONS								OTHER ASSESSMENTS								This signature acknowledges a visit by a Data Collector or Assessor																	
Year		Code		Description		Amount		Code		Description		Number		Amount		Comm Int																	
Total				0.00																													
				ASSESSING NEIGHBORHOOD																													
Nbhd		Nbhd Name		B		Tracing		Batch																									
65																																	
				NOTES																													
SINGLE FAMILY GREEN 2/2020 EST HOUSE REMODEL COMPLETE																																	

CONSTRUCTION DETAIL

Element	Cd	Description
Style:	01	Ranch
Model	01	Residential
Grade:	05	Average +20
Stories:	1	1 Story
Occupancy	1	
Exterior Wall 1	25	Vinyl Siding
Exterior Wall 2		
Roof Structure:	03	Gable/Hip
Roof Cover	03	Asph/F Gls/Cmp
Interior Wall 1	05	Drywall/Sheet
Interior Wall 2		
Interior Flr 1	12	Hardwood
Interior Flr 2		
Heat Fuel	03	Gas
Heat Type:	05	Hot Water
AC Type:	01	None
Total Bedrooms	03	3 Bedrooms
Total Bthrms:	2	
Total Half Baths	1	
Total Xtra Fixtrs		
Total Rooms:	6	6 Rooms
Bath Style:	02	Average
Kitchen Style:	02	Average
Loc_Adj		

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description
CONDO DATA		
Parcel Id	C	Owne 0.0
Adjust Type	Code	Description Factor%
Condo Flr		
Condo Unit		
COST / MARKET VALUATION		
Building Value New		423,854
Year Built		1975
Effective Year Built		2005
Depreciation Code		VG
Remodel Rating		
Year Remodeled		
Depreciation %		16
Functional Obsol		0
External Obsol		0
Trend Factor		1
Condition		
Condition %		
Percent Good		84
RCNLD		356,000
Dep % Ovr		
Dep Ovr Comment		
Misc Imp Ovr		
Misc Imp Ovr Comment		
Cost to Cure Ovr		
Cost to Cure Ovr Comment		



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
SPL2	VINYL/PLASTI	L	800	30.00	2000		60		0.00	14,400
FPL1	FIREPLACE 1	B	1	3000.00	2003		84		0.00	2,500
HRTH	HEARTH	B	1	1000.00	2003		84		0.00	800

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,707	1,707	1,707	177.30	302,651
FGR	Garage, Framed	0	563	197	62.04	34,928
FOP	Porch, Open, Finished	0	48	10	36.94	1,773
FSP	Porch, Screen, Finished	0	146	37	44.93	6,560
UBM	Basement, Unfinished	0	1,671	334	35.44	59,218
WDK	Deck, Wood	0	210	21	17.73	3,723
Ttl Gross Liv / Lease Area		1,707	4,345	2,306		408,853



E # 25033044 10/01/2025 12:53:39 PM
 Book 6653 Page 1045 Page 1 of 3
 Register of Deeds, Rockingham County

Cathy Ann Tracy

Return to:
 James Meniates, Jr and Gail E. Meniates
 14 Samoset Drive
 Salem, NH 03079

LCHIP	ROA719946	25.00
TRANSFER TAX	RO139223	12,000.00
RECORDING		18.00
SURCHARGE		2.00

WARRANTY DEED

Mitchell Janusz and Lauren Janusz, Husband and Wife, of 14 Samoset Drive, Salem, Rockingham County, New Hampshire 03079, for consideration paid, grant a 50% interest to Gail E. Meniates and James Meniates, Jr., as Trustees of the Gail E. Meniates 2019 Trust, u/d/t dated August 6, 2019, and a 50% interest to James Meniates, Jr. and Gail E. Meniates, as Trustees of the James Meniates, Jr. 2019 Trust, u/d/t dated August 6, 2019, all of 9568 Siracusa Court, Naples, Florida 34113, as Tenants in Common, with WARRANTY COVENANTS:

A certain tract or parcel of land with the buildings thereon, situated at 14 SAMOSET Drive, Town of Salem, County of Rockingham, State of New Hampshire, and being shown as Lot #31 on a Plan of land entitled "Gananoque Park, Section IV" dated July 1968. and recorded in the Rockingham County Registry of Deeds as Plan #1181, said parcel being more particularly bounded as follows:

NORTHERLY One hundred fifty-eight and 27/100 (158.27) feet by Samoset Drive;

EASTERLY One hundred eighty-five and 39/100 (185.39) feet by Lot 30;

SOUTHERLY One hundred ninety and 62/100 (190.62) feet by land now or formerly of Leopold Rorulka; and

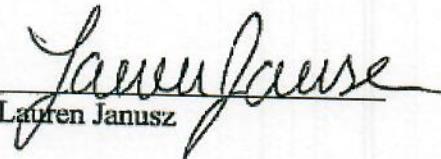
WESTERLY One hundred seventy-three and 05/100 (173.05) feet by Lot 32.

Subject to an easement to New England Telephone and Telephone Company and Granite State Electric Company recorded in Book 1861, Page 379 in the Rockingham County Registry of Deeds.

Meaning and intending to describe and convey the same premises conveyed to Mitchell Janusz and Lauren Janusz a Warranty Deed from Maurice G. Brancato, dated July 2, 2019 recorded with the Rockingham County Registry of Deeds on July 3, 2019 at Book 6014, Page 2119.

The Grantors herein release any and all rights to homestead which they have or may have had in the property described herein and affirm under oath that there are no other persons entitled to claim rights of homestead.

Executed this 30th day of September, 2025.

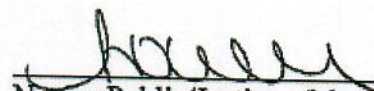

Lauren Janusz

COMMONWEALTH OF MASSACHUSETTS

Middlesex County

On this 30th day of September 2025, before me, the undersigned Notary Public/Justice of the Peace, personally appeared Lauren Janusz proved to me through satisfactory evidence of identification, which was MA Driver License, to be the person whose name is signed on the attached or preceding document and acknowledged to me that she signed it voluntarily for its stated purpose and that it was her free act and deed.




Notary Public/Justice of the Peace
Commission expiration: 9/4/2031

Executed this 1st day of October, 2025.

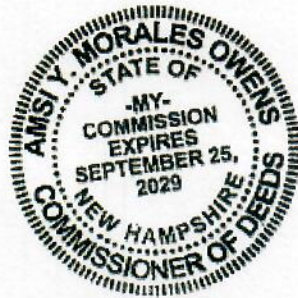



Mitchell Janusz

STATE OF NEW HAMPSHIRE

Rockingham County, ss.

On this 1st day of October 2025, before me, the undersigned Notary Public/Justice of the Peace, personally appeared Mitchell Janusz proved to me through satisfactory evidence of identification, which was ANH Dwyer License to be the people whose names is signed on the attached or preceding document and acknowledged to me that he signed it voluntarily for its stated purpose and that it was her free act and deed.





Notary Public/Justice of the Peace
Commission expiration: 9/25/2029

**JAMES MENIATES & GAIL MENIATES 2019 TRUST
14 SAMOSET DRIVE
SALEM, NEW HAMPSHIRE 03079**

November 16, 2025

Town of Salem
33 Geremonty Drive
Salem, New Hampshire 03053

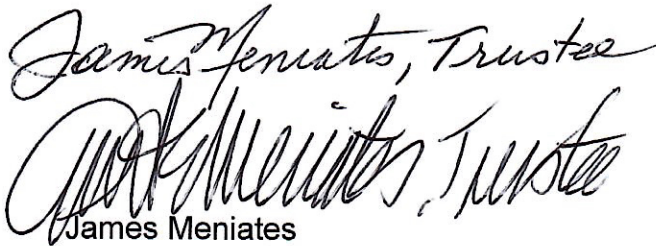
RE: ZONING BOARD APPLICATION 14 SAMOSET DRIVE – SALEM, NH

Town whom it may concern;

We authorize Benchmark LLC to represent our variance before the town of Salem Zoning Board.

If you have any questions please let me know

Sincerely


James Meniates

**ZONING BOARD OF ADJUSTMENT
Town of Salem, New Hampshire**

VARIANCE APPLICATION

Name of Applicant: John and Deana DelVecchio **Tele #:** 603-858-2800

Representative/Agent: Tara Aquilina, EIT **Tele #:** 978-423-1068

Address of Applicant: 18 Samoset Drive Salem, NH 03079

Address of Property: Same
If same as above, write same.

Owner of Property: Same **Tele #:** _____
If same as above, write same.

Address of Owner: Same
If same as above, write same.

Location of Property: **Map #:** 55 **Lot #:** 6762

Zoning Classification: Rural District (RU)

Are there any current Zoning Violations on the Property other than those that may be listed on this Application? (If Yes, please fully describe below). **YES** _____ **NO** X _____

The undersigned hereby requests a variance from Article VIII, Section 490-801C (4) and asks that said terms of the Zoning Ordinance be waived to permit _____
We request a Variance to expand the floor space of an existing 750 SF ADU to add a second floor that will result in a total floor space for the ADU of 1,806 SF, where 950 SF is the maximum allowed by the ordinance.

The undersigned alleges that the following circumstances exist to support this variance request.

- 1. The variance will not be contrary to the public interest because:**
See attached Variance Arguments
- _____

2. The spirit of the ordinance is observed because:

[See attached Variance Arguments](#)

3. Substantial justice is done because:

[See attached Variance Arguments](#)

4. The values of surrounding properties will not be diminished because:

[See attached Variance Arguments](#)

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because: USE (A) or (B).

The "Special Conditions" of this property that distinguish it from other properties in the area are as follows:

[See attached Variance Arguments](#)

(A) Owing to the special conditions of the property, set forth above, that distinguish it from other properties in the area:

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

[See attached Variance Arguments](#)

(ii) The proposed use is a reasonable one because:

[See attached Variance Arguments](#)

-OR-

If the criteria in subparagraph (A) are NOT established, an unnecessary hardship will be deemed to exist, if and only if:

(B) Owing to the special conditions, set forth above, 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 because:

See attached Variance Arguments

By filing this application you are authorizing us to come onto your property to do necessary site inspections.

The undersigned acknowledges that to the best of their knowledge all of the above information is true and correct.

Tara Aquilina

Signature of Applicant

Tara Aquilina

Print Name of Applicant

11/12/2025

Date

Signature of Property Owner

John DeVecchio

Print Name of Property Owner

11/12/25
Date

ARGUMENTS RELATIVE TO VARIANCE REQUEST FOR RESIDENTIAL ASSESORY DWELLING UNIT EXPANSION ON LAND OWNED BY JOHN AND DEANA DELVECCHIO

Map 55, Lot 6762, 18 Samoset Drive

A. Background

The landowner proposes to expand the existing 750 square foot, 2-bedroom, single story accessory dwelling unit (ADU) at 18 Samoset Drive by constructing a second floor to the ADU. This will bring the total floor space of the ADU to 1,806 square feet (SF) where 950 SF is allowed by the ordinance. No additional bedrooms are proposed for the property.

The property is 8.5 acres in the Rural zone and currently consists of a 4-bedroom house with 2-bedroom ADU, for a total living area of 6,826 SF (per assessing records). There is also a detached garage and pool on the property. The property is served by onsite water and state-approved onsite septic.

The existing ADU was constructed from 2-bays of a 3-bay garage. Town records show the building permit was granted in August 2023.

The project will result in a more comfortable home for the owner's daughter and grandson by increasing the area over the existing structure while maintaining the same number of bedrooms. The expansion of the ADU will not result in any added impervious area.

B. Variances Requested

We respectfully request the following variance to the Salem Zoning Ordinance:

- **Article VIII Section 490-801C (4)** to allow an ADU to have 1,806 SF of floor space where the ordinance allows a maximum of 950 SF.

The following arguments are presented in support of this variance request:

C. The Five Variance Criteria

These arguments correspond to the criteria found on completed variance application forms.

1. The variance will not be contrary to the public interest because:

- The requested variance will not result in a change to the character of the neighborhood. The expansion to the ADU will maintain a high-quality residential appearance that matches with the rest of the residence;
- It will not create any health or safety hazards because no additional bedrooms or use are proposed;
- It will not impact any wetlands;

2. The spirit of the ordinance is observed because:

- The expanded ADU will maintain neighborhood aesthetics and quality, as required by the ordinance;
- The proposed ADU is an allowed use in the Rural District;
- The expanded ADU will meet all dimensional requirements for the zoning district;

3. Substantial justice is done because:

- The construction of the expanded ADU would allow for residential family support for the property owner;
- The additional space meets all requirements of the building code and there is no apparent “gain” to the public by denial of the request given the large size of the property;

4. The values of surrounding properties will not be diminished because:

- Improvement to the property will increase subject property and abutting property values;
- The nature of use and the appearance of the structure will be consistent with the neighborhood and to the current property;

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. USE (A) or (B):

The “Special Conditions” of this property that distinguish it from other properties in the area are as follows:

- This is a large 8.5 acre property that can easily support the minor increase in living area that is proposed;

(A)Owing to the special conditions of the property, set forth above, that distinguish it from other properties in the area:

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

- There is no benefit or gain to limiting the square footage to ADU given how large the property is;
- The expanded ADU can be constructed without need for an expanded footprint of the existing ADU, further demonstrating that this is a reasonable request for such a large property;

(A)(ii) The proposed use is reasonable one because:

- The use is reasonable because this is a large 8.5 acre (370,260 +/- SF) property that easily supports the minor 15.47 % increase in floor space that will result;
- Given the large property and no additional bedrooms proposed, there will be no negative impact to the surrounding area;

If the criteria in subparagraph (A) are NOT established, an unnecessary hardship will be deemed to exist, if and only if:

(B) Owing to the special conditions, set forth above, 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 because:

- Not used.

END

PLEASE PRINT THE NAMES & LEGAL ADDRESS OF ALL ABUTTERS

IN ACCORDANCE WITH RSA 672:3, AN ABUTTER IS DEFINED AS ANY PERSON WHOSE PROPERTY ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE PROPERTY TO THIS APPLICATION.

The following is a list of their names and legal mailing addresses taken from the Town of Salem Assessor's records. **APPLICANT, ENGINEER AND/OR REPRESENTATIVE** must also be included.

MAP	LOT	NAME	ADDRESS	DO NOT WRITE IN -- TOWN BUSINESS
55	6762	John & Deana DelVecchio	18 Samoset Drive Salem, NH 03079	
46	6494	Town of Salem	33 Geremonty Drive Salem, NH 03079	
46	6801	Mark A & Sara J Kurczewski David F & Margaret Fuller Trustees Fuller Revocable Trust	24 Samoset Drive Salem, NH 03079	
46	6802 6803	Tae Y & Deanna M Kang	22 Samoset Drive Salem, NH 03079	
46	6818	Antoine M Antar	19 Samoset Drive Salem, NH 03079	
55	6804	Michael J & Cheryl A Hanninen	16 Samoset Drive Salem, NH 03079	
55	6811	Patricia Cameron Gerald M Ciardello	86 Lake Street Salem, NH 03079	
55	9967	Richard J & Paula Morrison	84 Lake Street Salem, NH 03079	
		SFC Engineering Partnership Inc.	183 Rockingham Road Unit 3 East Windham, NH 03087	

PROPERTY LOCATION: 18 Samoset Drive

MAP 55 LOT 6762

ZBA MEETING DATE 12/02/2025

PETITION # _____

Java Agilim

Signature of Applicant

11/14/2025

Date

Town of Salem, New Hampshire

Town Hall, 33 Geremonty Drive

Salem, New Hampshire 03079 603-890-2020

Permitting Hours Monday through Friday
8:30-9:30am & 4:00-5:00pm**BUILDING PERMIT APPLICATION**Date November 13, 2025 Permit # _____Map 55 Lot 6762 Unit# _____ADDRESS 18 Samoset Drivewww.townofsalemnh.org (application valid for 60 days)

NAME OF OCCUPANT _____ PHONE # _____
NAME OF OWNER John and Deana DelVecchio PHONE # _____
CONTRACTOR'S NAME Owner PHONE # _____
CONTRACTOR'S ADDRESS 18 Samoset Drive CITY Salem STATE NH ZIP 03079

Impact fees are due prior to occupancy: New Dwelling \$ _____ Road Improvement \$ _____
Assessment fees for water and sewer are due prior to occupancy \$ _____

Zone Rural LOT LINES: Front 119.5' Side (L) 100.5' Side (R) 124.5' Rear 120' Corner Lot _____

Variance required? Yes ☒ No ☐ Floodplain? Yes ☐ No ☐ Wetlands? Yes ☐ No ☒ Historic District? Yes ☐ No ☒
Town Water ☐ Town Sewer ☐ Private Well ☒ Private Septic ☒ Fire Sprinklers? Yes ☐ No ☐

RESIDENTIAL	COMMERCIAL	MISCELLANEOUS
<input type="checkbox"/> Single Family (E,P,H, F)	<input type="checkbox"/> New Commercial (E,P,F,H)	<input type="checkbox"/> Sign (P)
<input type="checkbox"/> Apartment (E,P,H)	<input type="checkbox"/> Commercial Foundation (E,P,F,H)	<input type="checkbox"/> Shed
<input checked="" type="checkbox"/> Residential Add./Alt. (E,H)	<input type="checkbox"/> Add./Alt. (E,P,F,H, ENV)	<input type="checkbox"/> Pool (E,H)
<input type="checkbox"/> Residential Raze (E,H,ENV)	<input type="checkbox"/> Municipal Add./Alt. (E,P,F,H)	<input type="checkbox"/> Repair
<input type="checkbox"/> Manufactured Home (E, H, F)	<input type="checkbox"/> Hotel/Motel (E,P,F,H)	<input type="checkbox"/> Deck (E,H)
<input type="checkbox"/> Residential Garage (E,H)	<input type="checkbox"/> Multi-Family (E,P,F,H)	<input type="checkbox"/> Casual Sales(P,F)
<input type="checkbox"/> Residential Foundation(E,P,H)	<input type="checkbox"/> Commercial Raze (E,P,F,ENV)	<input type="checkbox"/> Renew Permit (E,P,H)
<input type="checkbox"/> Shoreland CSPA (E,P,H)	<input type="checkbox"/> Change of Use (E,P,F,H)	<input type="checkbox"/> _____
	<input type="checkbox"/> Change of Occupant (E,P,F,H)	

E=Engineering P=Planning F=Fire H=Health ENV=Enviro. Survey****Residential Addition & Alteration require smoke and carbon monoxide alarms to be upgraded**(IRC 314/ 315)*******Existing Residential Fire Sprinklers shall be extended into additions/alterations**********PLANS ARE REQUIRED TO BE SUBMITTED*****Estimated Value: N/A Dig Safe _____ Fee: _____

Work Description and Uses: _____

Permit application is for variance purpose only. Variance request to expand the living area of an existing 750 SF ADU to add a second floor that will result in a total living area for the ADU of 1,806 SF, where 950 SF is the maximum allowed by the ordinance.

Departmental Releases:

Town Planner (P) _____

Town Engineer (E) _____

Fire Marshal (F) _____

Health Officer (H) _____

Variance Sign Off _____

I (print name) _____ agree to meet all requirements of the applicable building codes & zoning ordinances & will not backfill or cover any work until inspections have been done and the installations are approved.

Deana Aquilino
Signature of Applicant

Matt Gidycz (JADL)
Building Official

Denied

18 Samoset Dr Salem NH



Property Information

Property ID 2900
Location 18 SAMOSET DR
Owner DELVECCHIO JOHN J & DEANA



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Salem, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/29/2025
Data updated 4/01/2025

Print map scale is approximate.
Critical layout or measurement activities should not be done using this resource.



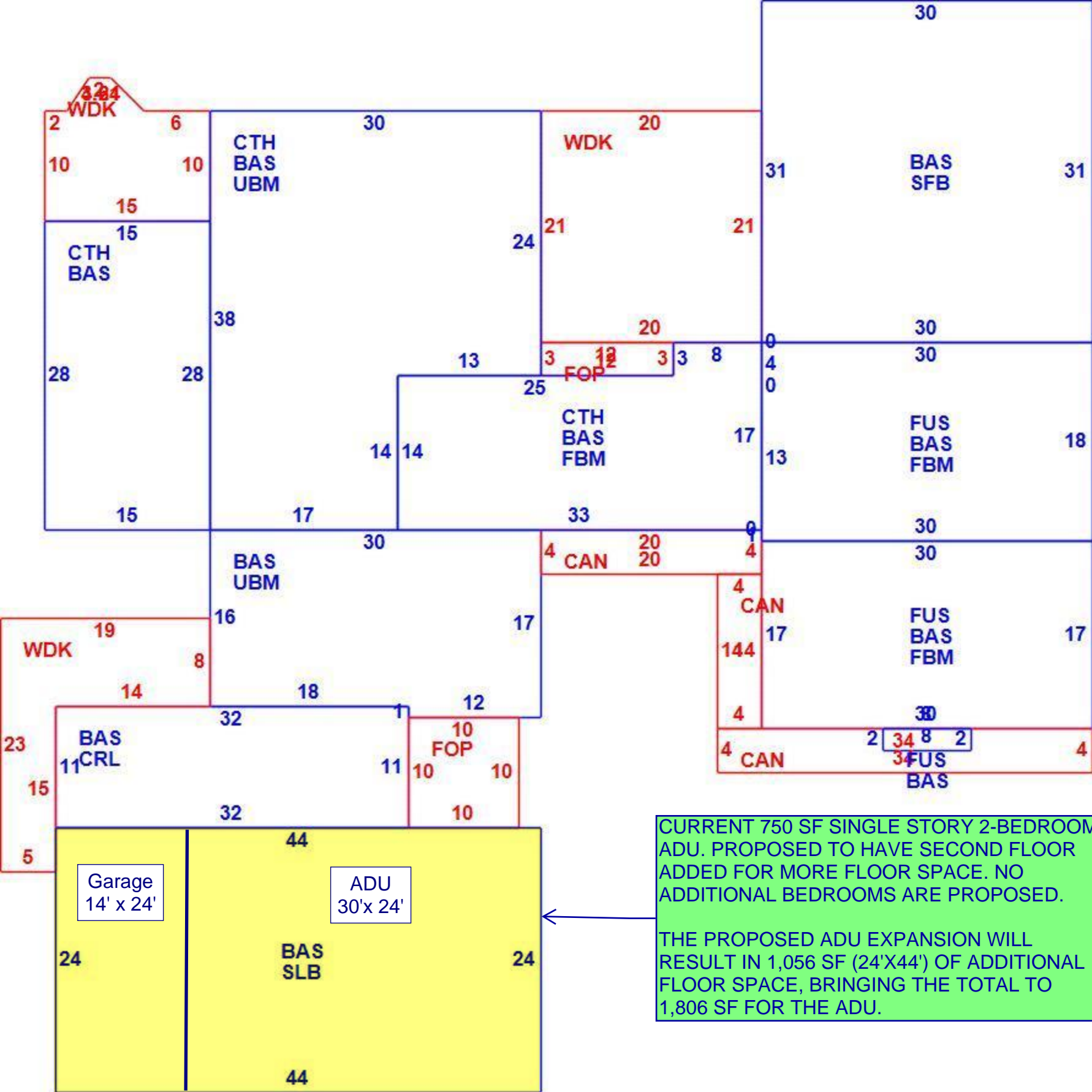
PHOTO A: View of ADU and primary home looking south.



PHOTO B: View of existing ADU (in foreground). Note single-bay garage is at the far left of the structure.



PHOTO C: View looking west at the ADU. Note that single-stall garage is in the foreground.



CURRENT 750 SF SINGLE STORY 2-BEDROOM ADU. PROPOSED TO HAVE SECOND FLOOR ADDED FOR MORE FLOOR SPACE. NO ADDITIONAL BEDROOMS ARE PROPOSED.

THE PROPOSED ADU EXPANSION WILL RESULT IN 1,056 SF (24'X44') OF ADDITIONAL FLOOR SPACE, BRINGING THE TOTAL TO 1,806 SF FOR THE ADU.

Salem, NH 2024 Tax Maps

Map 46

Subject Lot

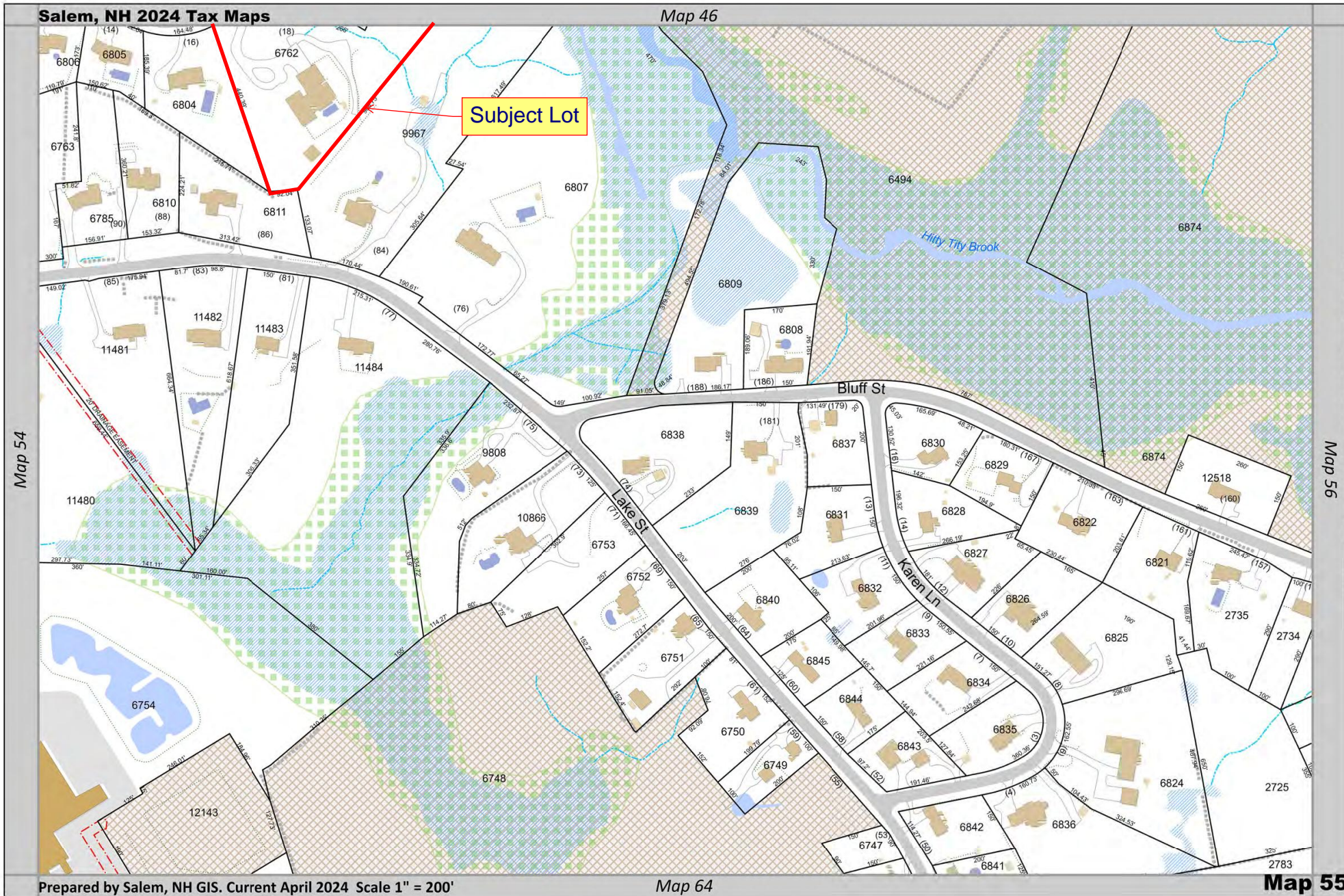
Map 54

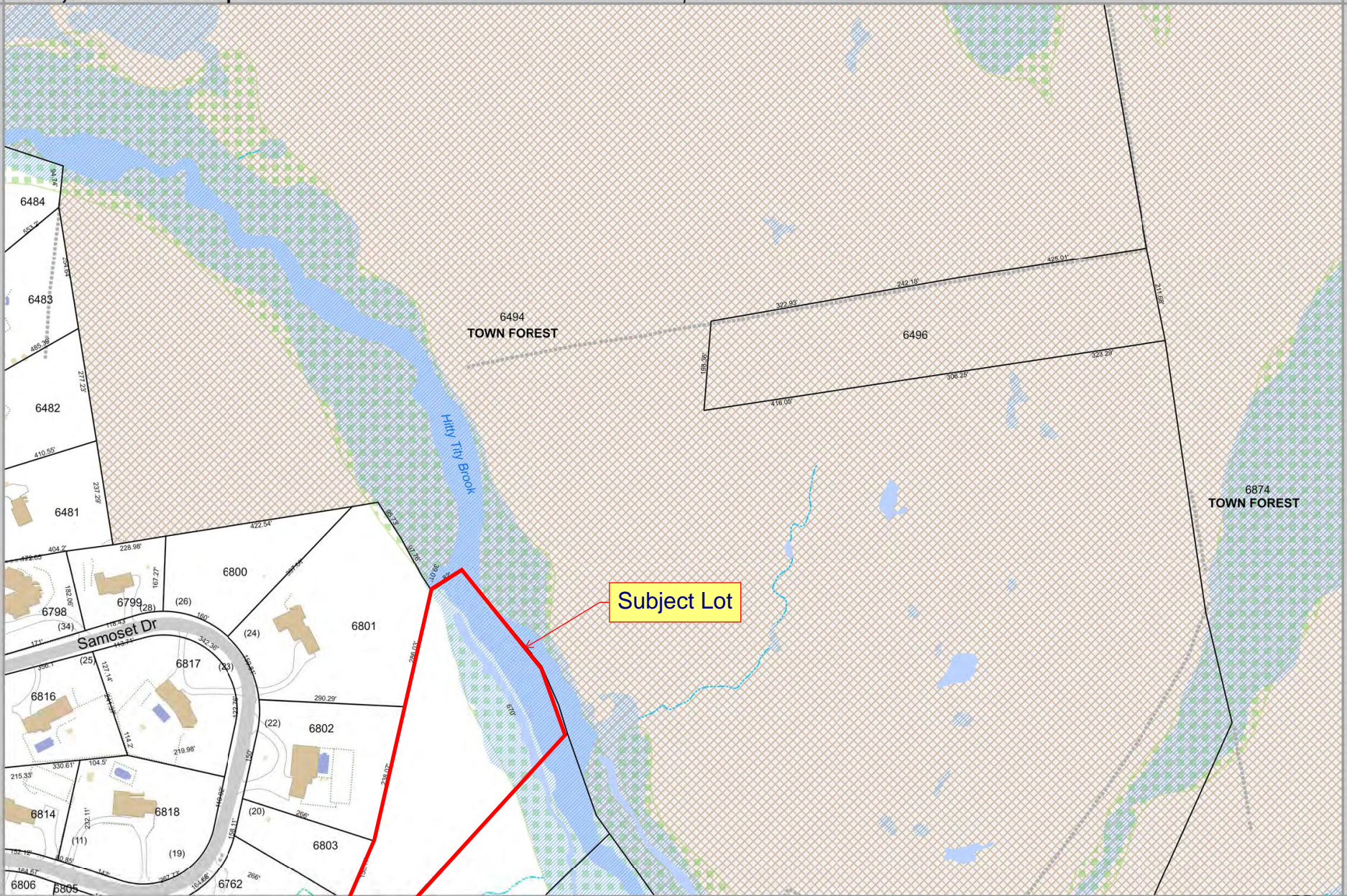
FOR ASSESSING PURPOSES ONLY - NOT FIELD VERIFIED
Map 56

Prepared by Salem, NH GIS. Current April 2024 Scale 1" = 200'

Map 64

Map 55





18 SAMOSET DR

TAX CARD

Location 18 SAMOSET DR

Mblu 55/ / 6762/ /

Acct#

Owner DELVECCHIO JOHN J & DEANA

Assessment \$1,181,200

Appraisal \$1,181,200

PID 2900

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$943,400	\$237,800	\$1,181,200
Assessment			
Valuation Year	Improvements	Land	Total
2025	\$943,400	\$237,800	\$1,181,200

Owner of Record

Owner DELVECCHIO JOHN J & DEANA
Co-Owner
Address 18 SAMOSET DR
SALEM, NH 03079-1532

Sale Price \$750,000
Certificate
Book & Page 5861/2019
Sale Date 10/06/2017
Instrument UNKQ

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
DELVECCHIO JOHN J & DEANA	\$750,000		5861/2019	UNKQ	10/06/2017
RUBY HOLDINGS LLC	\$675,200		5672/1700	1O	11/19/2015
RITTENBERG LEONARD TRUSTEE	\$870,000		4496/2294	UNKQ	06/15/2005
RIESER LOUIS & CONNIE J	\$867,500		3466/0087	00	04/10/2000
MULLICK SWADESH	\$0		2867/0522		02/20/1991

Building Information

Building 1 : Section 1

Year Built: 1969

Living Area: 6,826
Replacement Cost: \$1,049,912
Replacement Cost
Less Depreciation: \$871,400

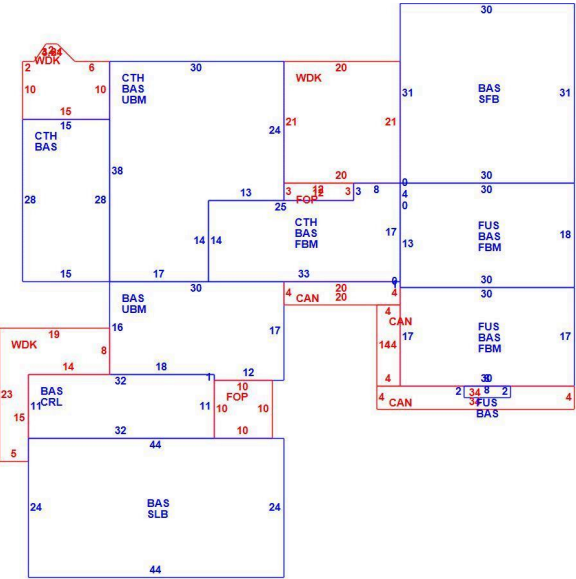
Building Attributes	
Field	Description
Style:	Modern/Contemp
Model	Residential
Grade:	Average +20
Stories:	2 Stories
Occupancy	2
Exterior Wall 1	Board & Batten
Exterior Wall 2	Stone/Masonry
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	Hardwood
Heat Fuel	Gas
Heat Type:	Forced Air-Duc
AC Type:	Central
Total Bedrooms:	6 Bedrooms
Total Bthrms:	6
Total Half Baths:	2
Total Xtra Fixtrs:	3
Total Rooms:	11 Rooms
Bath Style:	Average
Kitchen Style:	Above Avg
Loc_Adj	

Building Photo



(https://images.vgsi.com/photos/SalemNHPhotos/\0031\IMG_0525_31866

Building Layout



(ParcelSketch.ashx?pid=2900&bid=2900)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	5,760	5,760
FUS	Upper Story, Finished	1,066	1,066
CAN	Canopy	272	0
CRL	Crawl Space	352	0
CTH	Cathedral Ceiling	1,864	0
FBM	Basement, Finished	1,536	0
FOP	Porch, Open, Finished	136	0
SFB	Basement,Raised	930	0
SLB	Slab	1,056	0
UBM	Basement, Unfinished	1,450	0
WDK	Deck, Wood	811	0

		15,233	6,826
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Extra Features

Extra Features				Legend
Code	Description	Size	Assessed Value	Bldg #
FPL1	FIREPLACE 1 ST	1.00 UNITS	\$2,500	1
FPO	EXTRA FPL OPEN	1.00 UNITS	\$1,000	1
FPL3	2 STORY CHIM	1.00 UNITS	\$3,300	1
GEN	GENERATOR	1.00 UNITS	\$7,900	1
KITH	KITCHEN	2.00 UNITS	\$5,000	1
SS	SHOWER STALL	1.00 UNITS	\$1,200	1

Land

Land Use		Land Line Valuation	
Use Code	1012	Size (Acres)	8.5
Description	SFR/IN-LAW	Frontage	0
Zone	RUR	Depth	0
Neighborhood	65	Assessed Value	\$237,800
Alt Land Appr	No	Appraised Value	\$237,800
Category			

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Assessed Value	Bldg #
SPL1	POOL-INGR CONC			555.00 S.F.	\$8,000	1
SHD1	SHED FRAME			200.00 S.F.	\$1,200	1
FGR4	W/LOFT-AVG			900.00 S.F.	\$14,400	1
FGR1	GARAGE-AVE			1056.00 S.F.	\$27,500	1

Valuation History

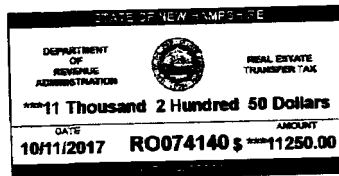
Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$943,400	\$237,800	\$1,181,200
2024	\$943,400	\$237,800	\$1,181,200
2023	\$759,100	\$237,800	\$996,900

Assessment			
Valuation Year	Improvements	Land	Total
2025	\$943,400	\$237,800	\$1,181,200
2024	\$943,400	\$237,800	\$1,181,200

2023	\$759,100	\$237,800	\$996,900
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Return Recorded Document to:
 John & Deana Del Vecchio
 18 Samoset Drive
 Salem, NH 03079

Res/Title, Inc
 175 Metro Center Blvd.
 Suite 4
 Warwick, RI 02886-



WARRANTY DEED

Ruby Holdings, LLC, a New Hampshire Limited Liability Company, having a mailing address of 16 Industrial Way, Atkinson, NH 03811

For consideration paid, grant to

John J. DelVecchio and Deana DelVecchio, husband and wife, with a mailing address of 11 Wheelwright Circle, Londonderry, New Hampshire 03053, as joint tenants with rights of survivorship

With **WARRANTY COVENANTS**

A certain tract or parcel of land, with the buildings thereon, situate in Salem, County of Rockingham and State of New Hampshire, bounded and described as follows:

Beginning at a point on Samoset Drive, thence S 59° 52' 00" E a distance of 266.0 feet, more or less, to a point; thence turning and running N 30° 08' 00" E a distance of 670.72 feet, more or less, to a point; thence turning and running S 13° 15' 20" E a distance of 52.30 feet, more or less, to a point; thence turning and running N 73° 00' 00" E a distance of 92 feet, more or less, to a point at the centerline of Hitty Titty Brook; thence along said brook S 12° 39' 26" E a distance of 438.05 feet, more or less, to a point; thence turning and running S 54° 00' 43" W a distance of 968.75 feet, more or less, to a point; thence turning and running N 67° 42' 00" W a distance of 91.88 feet, more or less, to a point; thence turning and running N 02° 47' 07" W a distance of 440.59 feet, more or less, to a point at Samoset Drive; thence along a curve with a length of 164.48 feet and a radius of 212.50 feet to the point of beginning.

Containing 8.5 acres, more or less.

Being shown as Lot SPM-78-12 on an unrecorded plan entitled "Subdivision Plan for Mullick Subdivision, Samoset Drive and Lake Street, Salem, NH" prepared for Subhas & Swadesh Mullick, November 1985, by Fredette Associates, approved by the Salem

2017 OCT 11 AM 11:51

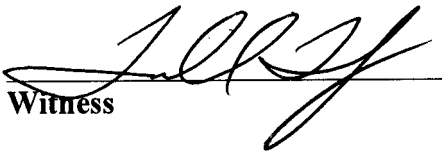
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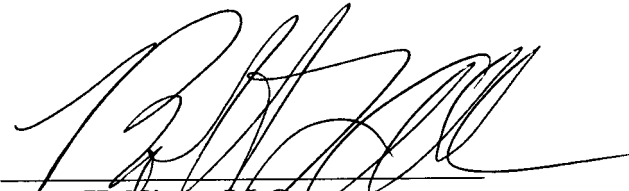
ROCKINGHAM COUNTY
 REGISTRY OF DEEDS

Planning Board on November 26, 1985. The original of this plan can be found at the Salem City Hall, Salem, New Hampshire.

Meaning and intending to describe and convey the same premises conveyed to grantors herein by deed of the Leonard Rittenberg Revocable Trust, dated November 19, 2015 and recorded at the Rockingham County Registry of Deeds in Book 5672, Page 1700.

Witness my hand this 6~~TH~~ day of October, 2017.


Witness


Ruby Holdings, LLC
By: Robert L. Allen, its Manager

STATE NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

October 6, 2017

Then personally appeared before me the above named, Robert L. Allen, as Manager of Ruby Holdings, LLC, and acknowledged the foregoing to be his free act and deed, for its intended purpose.




Notary Public
My Commission Expires:

November 12, 2025

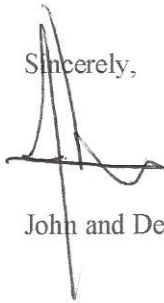
Town of Salem
33 Geremonty Drive
Salem, NH 03079

Re: **Letter of Authorization**
18 Samoset Drive- Map 55, Lot 6762

To Whom it May Concern:

John and Deana DelVecchio hereby authorizes SFC Engineering Partnership to represent us throughout the design and permitting process for our property at 18 Samoset Drive in Salem, NH.

Sincerely,

A stylized handwritten signature, likely belonging to John DelVecchio, consisting of a large, sweeping 'J' and a horizontal line.A handwritten signature in cursive script, clearly legible as 'Deana DelVecchio'.

John and Deana DelVecchio

TOWN OF SALEM – ZONING BOARD OF ADJUSTMENT
APPLICATION CHECKLIST rev. 10-18-2016

For Applications to be considered complete and placed on an Agenda, you must have the following:

Please Note: Numbers 1 through 7 will need 13 copies of each

1. **APPLICATION FORM** – signed and completed by owner and/or representative _____
2. **ABUTTERS LIST** – including Applicant, Engineer, Surveyor, or Representative _____
3. **DENIED BUILDING PERMIT APPLICATION** (completed) so you can apply for a Variance, Appeal, or Special Exception _____
4. **CERTIFIED PLOT PLAN** (prepared by a professional Engineer or Surveyor) clearly showing the proposed use, and **PLAN MUST SHOW:** _____
 - A. Location of existing and proposed structures, additions, and their dimensions in square feet _____
 - B. Distances on all sides between buildings and property lines _____
 - C. Information on septic system, leach field and well – existing or proposed _____
 - D. All other pertinent information, including but not limited to conservation easements, current use enrollment, and any other restrictions of encumbrances of record _____
 - E. 11" x 17" copies are acceptable if readable _____
 - F. Please provide digital (pdf) version of plans if possible _____
5. **TAX MAP AND TAX CARD** (these documents may be obtained at the Assessor's Department). Please **highlight** the applicable lot on the Tax Map pertaining to the application. _____
6. Current **RECORDED DEED** with copy of any covenants (book & page) _____
7. If you are not the property owner, a **LETTER FROM THE OWNER** authorizing applicant to file on owner's behalf. _____
8. **TWO SETS OF MAILING LABELS** w/addresses of abutters, holders of any conservation, preservation, development or agricultural preservation restrictions of record, applicant, attorney and/or representative and every engineer, architect, land surveyor or soil scientist whose professional seal appears on the plan. Also, photos and/or drawings of proposed use may be helpful. _____
9. **PLEASE COLLATE ALL MATERIAL IN THIS ORDER:** Application, abutters list, denied building permit application, plot plan (folded), tax map and tax card, deed, PERMISSION LETTER (IF APPLICABLE), and all other pertinent information that will be included to make a packet complete. **You should have 13 packets.** These packets must be presented to the Planning Director or the Planning Division secretary on or before **12:00pm** of the filing deadline. _____
- If **WETLANDS** are reflected on the Plan, state on the Plan who delineated the wetlands and provide the date of the delineation. If your appeal involves wetlands, the wetlands must be flagged prior to the ZBA members' site visit.
- House number and address of the property must be seen clearly from the road. By filing this application you are authorizing the ZBA to come onto your property to do necessary site inspections.

- If the site is "land only", please post a card on the property noting the property address and be certain it can be seen clearly from the road.

FEES: \$150.00 (this includes \$125.00 application fee, along with \$25.00 Legal Notice Fee)
 plus \$5.00 per Abutter Notification (include applicant, Attorney and/or representative)
 Rehearing: \$50.00 Continuation: \$50.00

Applicants are encouraged to meet with the Planning Director or his designee prior to submitting applications to ensure all required material is available.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

You should be prepared to make a full presentation to the Board of Adjustment at the public hearing and you must address all criteria in Section 490-901K. Any information submitted the night of the meeting should be given to the five Board members, five Alternates and the Secretary who will put it in the file folder.

Your Variance is valid for two years. You must obtain a building permit within two years or your Variance will expire.

If you have any additional questions, please contact Planning Director Jacob LaFontaine at 890-2083 or jlafontaine@salemnh.gov

ZONING BOARD OF ADJUSTMENT
Town of Salem, New Hampshire

FILE COPY

VARIANCE APPLICATION

Name of Applicant: Robert A. Salemi, Trustee

Tele #: _____

Representative/Agent: Beaumont & Campbell, Prof. Ass'n.

Tele #: 603-898-2635

Address of Applicant: 1 Stiles Road, Suite 107, Salem, NH 03079

Address of Property: 175 Main Street _____

If same as above, write same.

Owner of Property: Robert A. Salemi, Trustee _____ **Tele #:** _____

If same as above, write same.

Address of Owner: 171 Main Street, Salem, NH 03079

If same as above, write same.

Location of Property: **Map #:** 90 _____

Lot #: 1288 _____

Zoning Classification: Business Office I / Residential

Are there any current Zoning Violations on the Property other than those that may be listed on this Application? (If Yes, please fully describe below). YES _____ NO X _____

The undersigned hereby requests a variance from Article IV, Section 490-401(C)(1) and asks that said terms of the Zoning Ordinance be waived to permit the existing two-family structure to remain on a lot having 163.05 feet of frontage, where 190 feet would be required by Ordinance at 175 Main Street in the Business Office I District.

The undersigned alleges that the following circumstances exist to support this variance request.

1. **The variance will not be contrary to the public interest because:** The proposed use will not result in any threat to the health, safety and general welfare of the community; a prior variance was granted to subdivide without realization that a frontage variance would be necessary; the Planning Board has already approved a subdivision of the property and the plan has been recorded at the Registry; the character of the neighborhood is not changed, as Main Street in this area has several multi-family housing developments.

2. The spirit of the ordinance is observed because:

Residential Housing is an allowed use in the District; frontage requirement is to provide spacing and regulate density; the existing structure will be accessible from front and side; spacing along Main Street is similar to other parcels.

3. Substantial justice is done because:

The variance will rectify an oversight on a variance originally granted in 2024; subsequent action by the Planning Board has approved the subdivision, which has been recorded. There is no apparent gain to the Community by denying the request, which will compromise a residential housing project.

4. The values of surrounding properties will not be diminished because:

Structure currently exists, and there would be no physical modifications in allowing the structure to remain.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because: USE (A) or (B).

The “Special Conditions” of this property that distinguish it from other properties in the area are as follows:

The lot was created through a recent subdivision and the frontage issue was not discovered; the adjoining lot has been the subject of significant engineering and design.

(A) Owing to the special conditions of the property, set forth above, that distinguish it from other properties in the area:

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

The lot was developed at a time when two-family dwellings were developed without additional required frontage.

(ii) The proposed use is a reasonable one because:

It continues to allow additional housing opportunities similar to others which exist on Main Street.


-OR-

If the criteria in subparagraph (A) are NOT established, an unnecessary hardship will be deemed to exist, if and only if:

(B) Owing to the special conditions, set forth above, 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 because:

By filing this application you are authorizing us to come onto your property to do necessary site inspections.

The undersigned acknowledges that to the best of their knowledge all of the above information is true and correct.

 _____ Signature of Applicant	<u>Bernard H. Campbell, Esq.</u> _____ Print Name of Applicant	_____ Date
<u>Authorization on File</u> _____ Signature of Property Owner	<u>Robert A. Salemi, Trustee</u> _____ Print Name of Property Owner	_____ Date

PLEASE PRINT THE NAMES & LEGAL ADDRESS OF ALL ABUTTERS

IN ACCORDANCE WITH RSA 672:3, AN ABUTTER IS DEFINED AS ANY PERSON WHOSE PROPERTY ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE PROPERTY TO THIS APPLICATION.

The following is a list of their names and legal mailing addresses taken from the Town of Salem Assessor's records. **APPLICANT, ENGINEER AND/OR REPRESENTATIVE** must also be included.

MAP	LOT	NAME	ADDRESS	DO NOT WRITE IN – TOWN BUSINESS
90	1287	Robert A. Salemi, Trustee Robert A. Salemi Family Trust	P.O. Box 2051, Salem, NH 03079	
90	12685	Robert A. Salemi, Trustee Robert A. Salemi Family Trust	P.O. Box 2051 Salem, NH 03079	
90	1283	Jessica L. Gosselin Kendrick J. Dunn	10 Martin Ave., Salem, NH 03079	
90	891	JM Foy Family, LLC	64 Portsmouth Ave., Exeter, NH 03833-2109	
90	848	Nicholas Valhouli, Trustee 174 Main Street Realty Trust	174 Main Street, Salem, NH 03079	
90	847	176 Ants Holding, LLC	176 Main Street, Salem, NH 03079-3171	
ALSO TO NOTICED	BE	Bernard H. Campbell, Esq.	Beaumont & Campbell Prof. Ass'n. 1 Stiles Road, Suite 107, Salem, NH 03079	
APPLICANT		Robert A. Salemi, Trustee Robert A. Salemi Family Trust	P.O. Box 2051, Salem, NH 03079	
ENGINEER		Kurt Meisner, LLS Meisner Brem	202 Main Street, Salem, NH 03079	

PROPERTY LOCATION: 175 Main Street MAP 90 LOT 1288 ZBA MEETING DATE January 6, 2026 PETITION # _____


Signature of Applicant

Bernard H. Campbell, Esq.

December 19, 2025
Date

Town of Salem, New Hampshire

Town Hall, 33 Geremonty Drive

Salem, New Hampshire 03079 603-890-2020

BUILDING PERMIT APPLICATIONDate December 19, 2025 Permit # _____Map 90 Lot 1288 Unit# _____

Permitting Hours Monday through Friday

ADDRESS 175 Main Street, Salem, NHPlease submit during our permitting hour: 8:30-9:30am www.townofsalemnh.org (application valid for 60 days)

NAME OF OCCUPANT _____ PHONE # _____

Robert A. Salemi, TrusteeNAME OF OWNER Robert A. Salemi Family Trust PHONE # _____

CONTRACTOR'S NAME _____ PHONE # _____

CONTRACTOR'S ADDRESS P.O. Box 2051 CITY Salem STATE NH ZIP 03079

Impact fees are due prior to occupancy: New Dwelling \$ _____ Road Improvement \$ _____

Assessment fees for water and sewer are due prior to occupancy \$ _____

Zone Bus/Off SET BACKS: Front 40 +/- Side (L) 50 +/- Side (R) 55 +/- Rear 150 + Corner Lot NVariance required? Yes ☒ No ☐ Floodplain? Yes ☐ No ☒ Wetlands? Yes ☐ No ☒ Historic District? Yes ☐ No ☒Town Water ☒ Town Sewer ☒ Private Well ☐ Private Septic ☐ Fire Sprinklers? Yes ☐ No ☐

RESIDENTIAL	COMMERCIAL	MISCELLANEOUS
<input type="checkbox"/> Single Family (E,P,H, F)	<input type="checkbox"/> New Commercial (E,P,F,H)	<input type="checkbox"/> Sign (P)
<input checked="" type="checkbox"/> Apartment (E,P,H)	<input type="checkbox"/> Commercial Foundation (E,P,F,H)	<input type="checkbox"/> Shed
<input type="checkbox"/> Residential Add./Alt. (E,H)	<input type="checkbox"/> Add./Alt. (E,P,F,H, ENV)	<input type="checkbox"/> Pool (E,H)
<input type="checkbox"/> Residential Raze (E,H,ENV,UTIL)	<input type="checkbox"/> Municipal Add./Alt. (E,P,F,H)	<input type="checkbox"/> Repair
<input type="checkbox"/> Manufactured Raze (E,H,PTM*,UTIL)	<input type="checkbox"/> Hotel/Motel (E,P,F,H)	<input type="checkbox"/> Deck (E,H)
<input type="checkbox"/> Manufactured Home (E, H, F)	<input type="checkbox"/> Multi-Family (E,P,F,H)	<input type="checkbox"/> Casual Sales (P,F)
<input type="checkbox"/> Residential Garage (E,H)	<input type="checkbox"/> Commercial Raze (E,P,F,ENV)	<input type="checkbox"/> Renew Permit (E,P,H)
<input type="checkbox"/> Residential Foundation (E,P,H)	<input type="checkbox"/> Change of Use (E,P,F,H)	<input type="checkbox"/> MECHANICAL
<input type="checkbox"/> Shoreland CSPA (E,P,H)	<input type="checkbox"/> Change of Occupant (E,P,F,H)	

E=Engineering P=Planning F=Fire H=Health ENV=Enviro. Survey****Residential Addition & Alteration require smoke and carbon monoxide alarms to be upgraded** (IRC 314/ 315)******Existing Residential Fire Sprinklers shall be extended into additions/alterations*******PTM=Permit to Move UTILITY (letter of permission from Liberty Utilities)*******PLANS ARE REQUIRED TO BE SUBMITTED*****Estimated Value: N/A Dig Safe _____ Fee: N/AWork Description and Uses: Filing for variance purposes only - to permit existing two-family dwelling to remain with 163 ft. of frontage where 190 ft. is required.**Departmental Releases:**

Town Planner (P) _____

Town Engineer (E) _____

Fire Marshal (F) _____

Health Officer (H) _____

Variance Sign Off _____

I (print name) _____ agree to meet all requirements of the applicable building codes & zoning ordinances & will not backfill or cover any work until inspections have been done and the installations are approved.

Signature of Applicant

EMAIL ADDRESS

Building Official

Bernard H. Campbell, Esq. COMPLETE BOTH SIDES
Attorney for Applicant

Denied

Robert A. Salemi, Trustee
Robert A. Salemi Family Trust
171 Main Street
Salem, NH 03079

December 17, 2025

Salem Zoning Board of Adjustment
C/o Municipal Office Building
33 Geremonty Drive
Salem, New Hampshire 03079

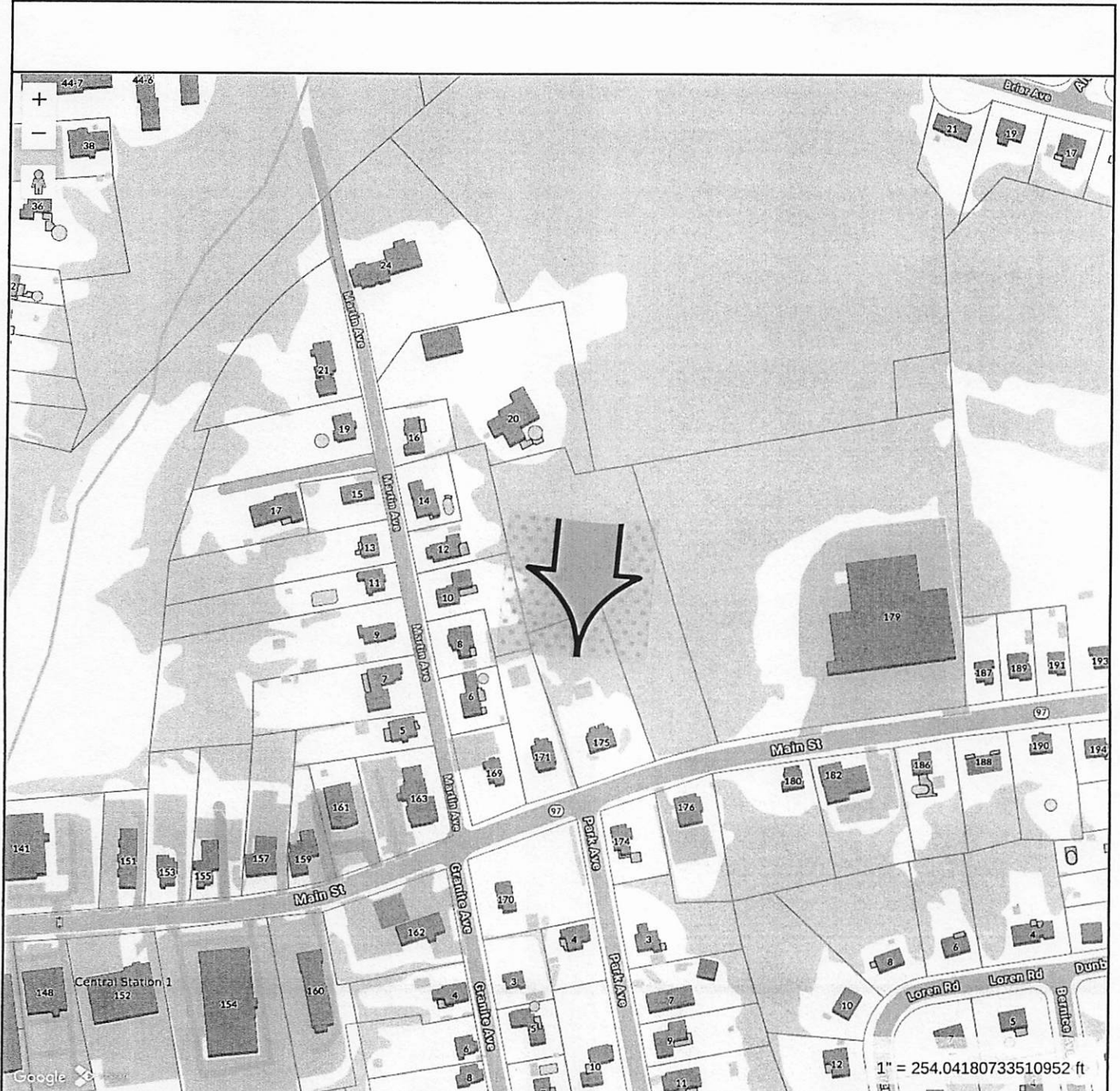
**Re: Variance for Reduced Frontage
175 Main Street
Map 90, Lot 1288**

Dear Ladies and Gentlemen:

Please consider this letter as authorization for Beaumont & Campbell, Prof. Ass'n. to file for a variance to allow the existing 2 family house at 175 Main Street to remain on a lot without sufficient frontage at 175 Main Street, Map 90, Lot 1288.


Robert A. Salemi, Trustee

RAS/jap



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Salem, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/29/2025
Data updated 4/01/2025

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

175 MAIN ST

Location 175 MAIN ST

Mblu 90 / 1288 /

Acct#

Owner SALEMI ROBERT A TRUSTEE

Assessment \$502,600

Appraisal \$502,600

PID 6621

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$342,500	\$160,100	\$502,600
Assessment			
Valuation Year	Improvements	Land	Total
2025	\$342,500	\$160,100	\$502,600

Owner of Record

Owner SALEMI ROBERT A TRUSTEE
Co-Owner ROBERT A SALEMI FAMILY TRUST
Address 171 MAIN ST

SALEM, NH 03079

Sale Price \$700,000
Certificate
Book & Page 6518/1050
Sale Date 11/15/2023
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
SALEMI ROBERT A TRUSTEE	\$700,000		6518/1050	00	11/15/2023
MILLS PATRICIA A TRUSTEE	\$0		5980/1283		01/22/2019
MILLS PATRICIA	\$0		2444/1169		05/16/1983

Building Information

Building 1 : Section 1

Year Built: 1900
Living Area: 2,328
Replacement Cost: \$394,424

Replacement Cost
Less Depreciation: \$330,000

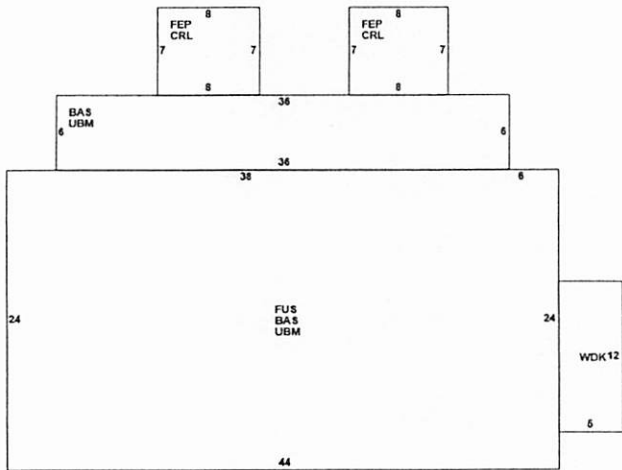
Building Attributes	
Field	Description
Style:	Family Duplex
Model	Residential
Grade:	Average +10
Stories:	2 Stories
Occupancy	2
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gl/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	Central
Total Bedrooms:	4 Bedrooms
Total Bthrms:	3
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	8 Rooms
Bath Style:	Average
Kitchen Style:	Average
Loc_Adj	

Building Photo



(https://images.vgsi.com/photos/SalemNHPhotos/A0032\IMG_0698_32194)

Building Layout



(ParcelSketch.ashx?pid=6621&bid=6621)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,272	1,272
FUS	Upper Story, Finished	1,056	1,056
CRL	Crawl Space	112	0
FEP	Porch, Enclosed, Finished	112	0
UBM	Basement, Unfinished	1,272	0
WDK	Deck, Wood	60	0
		3,884	2,328

Extra Features

Extra Features				Legend
Code	Description	Size	Assessed Value	Bldg #
FPL3	2 STORY CHIM	1.00 UNITS	\$3,100	1

Land

Land*Use

Use Code	1040
Description	TWO FAMILY
Zone	RES
Neighborhood	40
Alt Land Appr	No
Category	

Land Line Valuation

Size (Acres)	0.94
Frontage	0
Depth	0
Assessed Value	\$160,100
Appraised Value	\$160,100

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Assessed Value	Bldg #
FGR1	GARAGE-AVE			720.00 S.F.	\$9,400	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$342,500	\$160,100	\$502,600
2024	\$261,500	\$178,100	\$439,600
2023	\$261,500	\$178,100	\$439,600

Assessment			
Valuation Year	Improvements	Land	Total
2025	\$342,500	\$160,100	\$502,600
2024	\$261,500	\$178,100	\$439,600
2023	\$261,500	\$178,100	\$439,600

Cathy Ann Lacey

LCHIP	ROA664271	25.00
TRANSFER TAX	RO126504	10,500.00
RECORDING		18.00
SURCHARGE		2.00

WARRANTY DEED

PAMELA A. BALDWIN, as SUCCESSOR TRUSTEE of THE PATRICIA A. MILLS LIVING TRUST, a Trust established by Declaration of Trust, dated January 22, 2019, with a mailing address of 2 Oak Ridge Avenue, Salem, New Hampshire 03079, for consideration paid, grants to **ROBERT A. SALEMI, TRUSTEE of the ROBERT A. SALEMI FAMILY TRUST**, u/d/t dated April 28, 2015, with an address of 171 Main Street, Salem, New Hampshire 03079, with **WARRANTY COVENANTS**:

Two certain parcels of land with the buildings thereon situated in Salem, Rockingham County, New Hampshire and bounded and described as follows:

PARCEL 1:

A certain tract or parcel of land with the buildings thereon, situated in Salem, County of Rockingham, and State of New Hampshire bounded and described as follows:

Beginning at the Southeast corner of the premises on the North side of the highway leading from Salem Depot to Salem Centre at land formerly of Ben Haigh but now of the Southern New Hampshire Street Railway Company; thence Northerly by land of said Railway Company by wall six hundred seven and seventy-five hundredths (607.75) feet to a ditch at meadow land now or formerly of the heirs of Varnum Corliss; thence Westerly by the ditch at said Corliss land one hundred eight-seven and forty-hundredths (187.40) feet to a stake and stones at land formerly of Lizzie S. Martin; thence Southerly by the line of the old wall and said Martin's land about three hundred sixty-eight and twenty-hundredths (368.20) feet to a stone bound which bound is two hundred sixty-three and ten hundredths (263.10) feet from the highway; thence Easterly at nearly a right angle along other land belonging to Francis Bessey sixty-three and sixty-hundredths (63.60) feet to a stake and stones; thence Southerly at a right angle along other land belonging to Francis Bessey two hundred fifty-five and sixty-hundredths (255.60) feet to the highway above mentioned; thence Easterly by the highway one hundred sixty-three and five hundredths (163.05) feet to the bound begun at.

Excepting and reserving from the above-described premises, two parcels of land, one conveyed by David E. Stevens to Walter S. Buckler, July 6, 1929 recorded in Rockingham Records, Book 842, Page 122; and the other parcel conveyed by the said David E. Stevens to Deina K. Simpson, March 16, 1936, recorded in Rockingham Records, Book 920, Page 85.

PARCEL 2:

A certain tract or parcel of land situated in said Salem, in that part thereof known as Salem Depot, on the northerly side of Main Street, a short distance east of the Depot on the road to Salem Centre, and more particularly bounded and described as follows:

Beginning at an iron pipe at said Main Street and at a hedge at other land of the grantor; thence by and along said grantor's land North 2° 42' west and by and along said hedge and a stone wall, five hundred sixteen and ninety-five hundredths (516.95) feet to a stone bound at land now or formerly of Kimball M. McLaughlin, thence by and along said McLaughlin land, now or formerly, South 83° 57' east one hundred one and two-tenths (101.2) feet to an iron pipe at land of the heirs of William T. McNally; thence by and along said land of the heirs of Wm. T. McNally, South 2° 42' east five hundred four and six-tenths (504.6) feet to an iron pipe at said Main Street; thence by and along said Main Street South 89° 2' west one hundred (100) feet to the point of beginning, and subject to rights of way of record, if applicable.

Excepting that portion conveyed to Linda R. Gudek by Deed of Patricia A. Mills, dated May 23, 1994, and recorded at the Rockingham County Registry of Deeds on May 24, 1994 at Book 3053, Page 2325.


This is not homestead property.

The above described property is also shown as SPM 90-1288 containing 140,386 square feet, more or less, on Plan D-22746 recorded in said Registry.

Meaning and intending to convey the same premises as conveyed to the within Grantor by deed of Patricia A. Mills, dated January 22, 2019, and recorded at Rockingham County Registry of Deeds in Book 5980, Page 1283. Patricia A. Mills aka Patricia Ann Mills died on May 30, 2023, see death certificate recorded in Rockingham County Registry of Deeds on July 24, 2023, in Book 6496, Page 1746.

Executed this 15th day of November, 2023.

Patricia A. Mills Living Trust

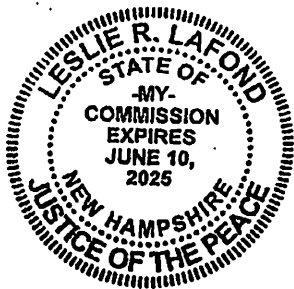

Pamela A. Baldwin, Successor Trustee *Trustee*


STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS.

NOVEMBER 15, 2023

Then personally appeared the above named, Pamela A. Baldwin, as Successor Trustee of The Patricia A. Mills Living Trust, and acknowledged the execution of the foregoing instrument to be her free act and deed, for the purposes contained herein, as aforesaid, before me.




Notary Public: *JP*
My Commission Expires: 6/10/25