

JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

February 6, 2026

Epsom Zoning Board of Adjustment
Attn: Gary Matteson, Chairman
1598 Dover Road
Epsom, NH 03234

**RE: ZBA Variance Application
2128 Dover Point Road, Epsom, NH
Tax Map U6, Lot 12
JBE Project No. 22292**

Dear Mr. Matteson,

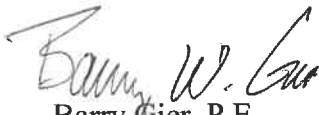
Jones & Beach Engineers, Inc., respectfully submits a ZBA Variance Application for the above-referenced parcel on behalf of our client and owner, Sam Patterson Real Estate. The intent of this project is to subdivide three (3) single-family lots on a portion of this 61-acre parcel. Frontage to the proposed lots is from roads listed as Class VI.

The following items are provided in support of this Application:

1. Completed ZBA Variance Application.
2. Current Deed.
3. Signed Letter of Authorization.
4. Abutters List & Mailing Labels (3 sets).
5. Fee Check.
6. Ten (10) Half Size Plans.
7. Three (3) Full Size Plans.
8. Fee Check in the Amount of \$603.00.

If you have any questions or need any additional information, please feel free to contact our office. Thank you very much for your time.

Very truly yours,
JONES & BEACH ENGINEERS, INC.



Barry Gier, P.E.
Vice President

cc: Sam Patterson, Patterson Real Estate (via email)

Accepted by ZBA _____
Date: _____
Case #: _____

Amt Pd / Chk # _____ / _____
Date: _____
Rec'd By: _____

EPSOM ZONING BOARD OF ADJUSTMENT
TOWN OF EPSOM, NEW HAMPSHIRE 03234

**APPLICATION FOR APPEAL TO THE EPSOM ZONING BOARD OF ADJUSTMENT
(PLEASE PRINT OR TYPE ALL INFORMATION CLEARLY)**

This appeal is for property recorded at the Merrimack County Registry of Deeds in Book(s) # 3805

Page(s) # 893 and is identified on Epsom Tax Map #: U6 Lot #: 12 Sub-lot #: _____

1. Name of present property owner: Sam Patterson Real Estate
(and principal officer if business): Sam Patterson
2. Name of applicant (N/A if the same as owner; if different; both applicant and property owner must be present at public hearing **or** a signed statement from the owner must be provided authorizing the applicant's appeal):
N/A
3. Telephone #: 603-300-2950 Email nepaving@netzero.com
4. On separate sheet list **all** abutters to this property. An abutter is any person whose property is located in N.H. and is within 200 feet of your property's boundary lines. The applicant is also considered an abutter and should be included (see ZBA Fee Schedule). How to Find Abutters.
5. **PLAN:** Explain exactly what you plan to build and/or do. Use additional sheets for sketches (include project location on lot with dimensions including all lot dimensions where applicable)

Intent of this project is to subdivide a total of three lots off the parent lot at 2128 Dover Point.

Frontage to be on Granny Howe Road and Saturley Road, which are Class VI roads.

Applicant requests a variance to allow subdivision on a Class VI road.

6. **USE:** What is the proposed use for your **PLAN**, or how is the existing use of your property affected:

The intent of this project is to subdivide three (3) residential lots from the parent lot.

7. This application is for a (check all that apply):

☐

ADMIN. APPEAL (Complete Sect. 1)

☐

SPECIAL EXCEPTION (Complete Sect. 2)

☒

VARIANCE (Complete Sect. 3)

☐

EQUITABLE WAIVER (Complete Sect. 4)

☐

SPECIAL USE PERMIT (JUNK YARD) (Complete Sect. 5)

SECTION 1 – APPEAL FROM AN ADMINISTRATIVE DECISION

(Relating to the interpretation and enforcement of the provisions of the zoning ordinance.)

Decision of the enforcement officer related to zoning ordinance article(s) _____ section(s) _____ and Applicant's opposing interpretation of this ordinance (incl. applicable correspondence, use additional sheets as necessary):

SECTION 2 – SPECIAL EXCEPTION APPEAL

A Special Exception is requested per article(s) _____ section(s) _____ of the zoning ordinance to permit the proposed use detailed in paragraphs **5 (PLAN)** and **6 (USE)** of this application. Complete Section 2 questions related to the Zoning Board's Special Exception checklist on page 3.

SECTION 3 – VARIANCE APPEAL

A Variance is requested to deviate from article(s) 2 section(s) A.2 of the zoning ordinance to permit the proposed use detailed in paragraphs **5 (PLAN)** and **6 (USE)** of this application. Complete Section 3 questions related to the Zoning Board's Variance checklist on page 4.

SECTION 4 – EQUITABLE WAIVER APPEAL

An Equitable Waiver of Dimensional Requirements is requested to deviate from article(s) _____ section(s) _____ of the zoning ordinance to permit the proposed use detailed in **5 (PLAN)** and **6 (USE)** of this application. Complete Section 4 questions related to the requirements of an Equitable Waiver on page 5.

SECTION 5 – SPECIAL USE PERMIT APPEAL

A Special Use Permit, as specified in article III, section D.5 of the zoning ordinance is requested to permit the proposed junk yard detailed in paragraphs **5 (PLAN)** and **6 (USE)** of this application. Complete Section 5 questions related to the requirements for a junk yard on page 6.

Information on page 7 is provided to assist you with understanding the zoning process and completing this application. It is not necessary to submit application pages which do not apply to your case. Sign and date below following completion of the application.

This application is not acceptable unless it is complete, accurate and all information necessary to fully understand and advertise your request has been submitted. Use additional sheets as necessary

The undersigned alleges that the information provided on this application is true and accurate to the best of their knowledge.

APPLICANT: Danny W. Gio **DATE:** 2/13/24

Section 2 Special Exception Questions:

1. A complete plan for the proposed project has been submitted showing location of all buildings, parking areas, access, open space, landscaping and any other pertinent information. Detail should be commensurate with size and complexity.

Yes _____ , No _____ If No, explain why _____

2. How is the requested use essential or desirable to the public convenience or general welfare?

3. Why will the requested use not impair the integrity or character of the immediate or adjoining areas?

4. How do you ensure that this specific site is an appropriate location for the proposed use and will not be detrimental to the health, morals or general welfare of the immediate or adjoining areas?

5. Why will the property values in the area not be adversely affected by the requested use?

6. How will you ensure that no undue traffic, nuisance or unreasonable hazard will result because of the requested use?

7. How do you ensure that adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use?

8. What evidence do you have, and can provide as evidence, that the proposed use has an adequate water supply and sewerage system and meets all applicable requirements of the State?

Note: The Board will address all of these questions and must be satisfied with both written and verbal responses heard at the Public Hearing prior to approving all Special Exceptions.

Section 3 Variance Questions:

1. Granting the variance would not be contrary to the public interest because: Lots would meet all other lot requirements, area, frontage, etc. Lots would be accessed through the Class V road through Chichester. Applicant agrees to limit town responsibility for road and access.

2. If the variance were granted, the spirit of the ordinance would be observed because: Lots would meet all other lot requirements including area, frontage, etc, thereby meeting the spirit of the ordinance.

3. Granting the variance would do substantial justice because: Granting the variance would allow subdivision of the lot for residential use on roads that currently include other homes.

4. If the variance were granted, the values of the surrounding properties would not be diminished because: The properties surrounding the proposed subdivision are residential. Adding more residential homes in an area with residential homes will not create a diminution of property values.

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 an 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:

These roads already include homes and the owners would be required to maintain the road until such time that the roads become Class V or better. Therefore, there is no fair and substantial relationship between the public purpose and the specific application.

-and-

ii. The proposed use is a reasonable one because: There are already homes located on these roads, and therefore the proposed use is reasonable.

- b. Explain how, if the criteria in subparagraph 5(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:

Denying the variance would prevent the ability to construct homes off the existing roads, which currently have homes located on them, thereby creating a hardship for the land owner.

Note: The Board will address all of these questions and must be satisfied with both written and verbal responses heard at the Public Hearing prior to approving all variances.

Section 4 Equitable Waiver Questions:

1. Does the request involve a dimensional requirement, not a use restrictions?

☐

yes

☐

no

Note: Question 1 must be checked "yes" and the Board must be satisfied with both written and verbal responses heard at the Public Hearing prior to approving all equitable waivers from dimensional requirement appeals.

2. Explain how the violation has existed for 10 years or more with no enforcement action, including no written notice, being commenced by the town: _____

- or -

Explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bona fide purchaser.

- and -

How the violation was not an outcome of ignorance of the law or bad faith but resulted from a good faith error in measurement or calculation: _____

3. Explain how the nonconformity does not constitute a nuisance nor diminish the value or interfere with future uses of other property in the area: _____

4. Explain how the cost of correction far outweighs any public benefit to be gained: _____

Section 5 Special Use Permit (Junk yard) Questions:

1. Is the location of the proposed junk yard no closer than:

a. 1000 feet from an interstate highway?

☐

Yes

☐

No

b. 660 feet from a Class I, II, or III highway R.O.W?

☐

Yes

☐

No

c. 300 feet from a Class IV, V or VI road R.O. W?

☐

Yes

☐

No

2. Is the location within close proximity of the Residential Commercial Zone?

☐

Yes

☐

No

Explain (e.g. How close is it?)

3. Is the location in close proximity of schools, churches, hospitals, public buildings, or other places of public gathering?

☐

Yes

☐

No

Explain (e.g. How close is it?)

4. Is the location in close proximity to tourist or recreational areas or the main access to these areas?

☐

Yes

☐

No

Explain (e.g. How close is it?)

5. How will the proposed junk yard in this location be reasonably prevented from affecting public health, safety or morals of the surrounding properties created by offensive or unhealthy odors, smoke, discharges or other causes?

6. How will the proposed junk yard site be reasonably shielded from view by natural vegetation, terrain, or barrier from the highway and all abutting properties to the fullest extent practical?

Note: The Board will address all of these questions and must be satisfied with both written and verbal responses heard at the Public Hearing prior to approving all special use permits for junk yards.

TOWN OF EPSOM, NEW HAMPSHIRE
Board of Adjustment

Zoning Board of Adjustment Application Process

1. The Zoning Board of Adjustment (Board) was established through the adoption of the zoning ordinances in 1969 and given the powers to hear and decide appeals as authorized by the zoning ordinances.
2. The Board, in a sense, is like a court comprised of town residents appointed by the Board of Selectmen. Public Hearings are scheduled to hear your case where testimony may be taken under oath, although in general, Board proceedings are informal. You are not required to be represented by an attorney, but in some cases, legal counsel may be helpful. Appeals of decisions made by the Board are taken to Superior Court.
3. The first step in completing the application is to determine the specifics of your case and how it interfaces with the zoning ordinance requirements. If you are not familiar with zoning, the Zoning Compliance Officer can assist with determining what type of zoning appeal is needed and which zoning ordinance(s) need to be identified on your application.
4. A brief explanation of the procedure to be followed for each type of appeal is as follows:
 - Section 1.** An **appeal of an administrative decision** is commonly due to the interpretation of the zoning ordinances by the administrative officer or land use board, such as the Zoning Compliance Officer (ZCO), Planning Board and/or the Board of Selectmen. If you disagree with an administrative decision, you can apply for an administrative appeal to make your case before the Board. You should include all relevant materials with your application such as any correspondence with the Town denying your request. You should also explain your interpretation of the zoning ordinances and how it supports your position.
 - Section 2.** A **special exception** is an approved use of land or building(s) that is permitted, subject to specific conditions set forth in zoning ordinances. These conditions are incorporated into Section 2 questions to be answered and submitted with this application.
 - Section 3.** A **variance** is a waiver or relaxation of particular requirements of an ordinance when strict enforcement would cause undue hardship because of the circumstances unique to the property and other standards required by a variance. The criteria necessary for a variance approval are incorporated into Section 3 questions to be answered and submitted with this application.
 - Section 4.** An **equitable waiver of dimensional requirement** is when a lot or other division of land, or structure thereupon, is discovered to be in violation of a physical layout or dimensional requirement imposed by a zoning ordinance. The burden of proof is on the property owner to ensure all the applicable findings are satisfied. These findings are incorporated into Section 4 questions to be answered and submitted with this application.
 - Section 5.** A **special use permit** is the only permit issued by the Board and is just part of the full procedure necessary for establishing a junk yard. There are specific considerations the Board will make prior to approving a special permit. These considerations are incorporated into Section 5 questions to be answered and submitted with this application.

Note: It will also be necessary to obtain Non-residential site plan review approval by the Planning Board and licensing by the Board of Selectmen prior to establishing a junk yard.
5. Multiple appeals can be combined on one application for the same project.
6. In order to establish a Public Hearing at which your case will be heard, all abutter's names and addresses within 200 feet of the property lines shall be provided. The applicant is also considered an abutter and should be included in this list. It is your responsibility, as applicant, to ensure the accuracy of the abutter listing.
7. Finally it will be necessary to pay fees for advertising and recording the proceedings of the Public Hearing. See ZBA Fee Schedule on page 8. You will be notified of a hearing date by certified mail.

Epsom Zoning Board of Adjustments Fee Schedule

Effective April 1, 2021

ZONING APPLICATION FEE \$ 395.00
(Town will record all decisions with MCRD)

ABUTTER'S NOTICE FEE \$ 13.00 per abutter*

Abutters include the property owner, applicant (if different), and any abutting property owner within 200' of property on application. If represented by an attorney, it is recommended that you also include an abutter fee and address for that attorney.

Approved by the Epsom Board of Selectmen on December 17, 2012

Board of Selectmen Revised Abutter's Notice Fee on April 21, 2014

Board of Selectmen Revised Zoning Application Fee on February 22, 2021

Board of Selectmen:

Virginia J. Drew – Chair

Cheryl C. Gilpatrick – Vice Chair

Hugh A. Curley III

Letter of Authorization

I, Sam Patterson, Sam Patterson Real Estate Development, LLC, P. O. Box 2793, Seabrook, NH 03874, owner of property located in Epsom, NH, known as Tax Map 6, Lot 12, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously mentioned property. The parcel is located on 2128 Dover Road in Epsom, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

Ivory Burnham
Witness

SP
Sam Patterson

11/9/23
Date

JONES & BEACH
ENGINEERS INC.

To: Valhouli Law Office

T.S.- \$2400.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that I, **Dale R. Quimby, Sr.** a single individual, with a mailing address of 2148 Dover Road, Epsom, Merrimack County, New Hampshire 03234, grants to **Sam Patterson Real Estate Development, LLC**, a New Hampshire limited liability company, with a mailing address of P.O. Box 2793, Seabrook, New Hampshire 03874, with warranty covenants that certain tract of land with the improvements thereon, situated in the Town of Epsom, County of Merrimack, State of New Hampshire, bounded and described as follows:

The parcel identified as "Tax Map U6-Lot 12" on a plan of land entitled "Boundary Plat Land of Frank A. & Ruth E. Quimby," drawn by FWS Land Surveying P.L.L.C., dated July 20, 2001 and recorded in the Merrimack County Registry of Deeds as Plan No. 15570 on August 17, 2001.

Meaning and intending to describe and convey the premises conveyed to Grantors by deed of Ruth E. Quimby and Frank Quimby, Trustees of the Frank A. Quimby and Ruth E. Quimby Joint Revocable Trust dated April 10, 2013 and recorded in said Registry at Book 3379, Page 432. The parcel contains 61.3 acres more or less according to said plan.

The within conveyance is subject to all existing covenants, restrictions, conditions, limitations, easements, attachments, liens, mortgages, and other encumbrances, whether or not of record. The within conveyance is net of all conveyances cut, whether or not of record.

The premises hereby conveyed are not a homestead property.

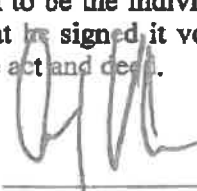
Witness my hand and seal this 12th day of September, 2022.



Dale R. Quimby, Sr.

**STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM**

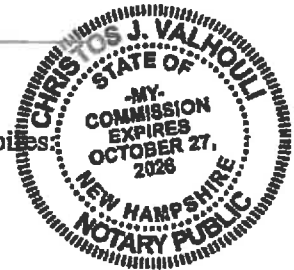
On this 12th day of September, 2022, then personally appeared the above-named, Dale R. Quimby, Sr., known to me, or satisfactorily proven to be the individual who executed the foregoing instrument, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed.



Notary Public

Print Name:

My Commission Expires:





200 feet Abutters List Report

Epsom, NH
February 11, 2026

Subject Property:

Parcel Number: 000U06-000012-000000
CAMA Number: 000U06-000012-000000
Property Address: DOVER ROAD

Mailing Address: SAM PATTERSON REAL ESTATE DEVE
PO BOX 2793
SEABROOK, NH 03874

Abutters:

Parcel Number: 000R12-000003-000000
CAMA Number: 000R12-000003-000000
Property Address: GRANNY HOWE ROAD

Mailing Address: IRA RESOURCES, INC FBO ROGER M.
LANDRY
67 GRANNY HOWE ROAD
CHICHESTER, NH 03258

Parcel Number: 000U06-000008-000001
CAMA Number: 000U06-000008-000001
Property Address: 2113 DOVER ROAD

Mailing Address: WHITE MOUNTAIN CABLE CONST.
2113 DOVER ROAD P.O. BOX 459
EPSOM, NH 03234

Parcel Number: 000U06-000008-000002
CAMA Number: 000U06-000008-000002
Property Address: 2121 DOVER ROAD

Mailing Address: CIRCLE SELF STORAGE, LLC
2121 DOVER ROAD
EPSOM, NH 03234

Parcel Number: 000U06-000008-000003
CAMA Number: 000U06-000008-000003
Property Address: 2131 DOVER ROAD

Mailing Address: PADFIELD, MYLES STEVEN
2131 DOVER ROAD
EPSOM, NH 03234

Parcel Number: 000U06-000010-000000
CAMA Number: 000U06-000010-000000
Property Address: 1080 GRANNY HOWE ROAD

Mailing Address: BENNETT, REXFORD B BENNETT,
DEBRA S
1080 GRANNY HOWE ROAD P.O. BOX
608
EPSOM, NH 03234

Parcel Number: 000U06-000011-00000A
CAMA Number: 000U06-000011-00000A
Property Address: GRANNY HOWE ROAD

Mailing Address: LARSON, CHRISTOPHER GAGE,
MARYANN
32 WELCOME DRIVE
CONCORD, NH 03301

Parcel Number: 000U06-000012-000001
CAMA Number: 000U06-000012-000001
Property Address: 2148 DOVER ROAD

Mailing Address: CORIATY, NATHAN E
2148 DOVER ROAD
EPSOM, NH 03234

Parcel Number: 000U06-000012-000002
CAMA Number: 000U06-000012-000002
Property Address: 2146 DOVER ROAD

Mailing Address: SHUMWAY, MICHAEL J SHUMWAY, ANN
S
2146 DOVER ROAD
EPSOM, NH 03234

Parcel Number: 000U06-000013-000000
CAMA Number: 000U06-000013-000000
Property Address: 2110 DOVER ROAD

Mailing Address: BEAUCHESNE, BLAKE
2110 DOVER ROAD
EPSOM, NH 03234

Parcel Number: 000U06-000014-000000
CAMA Number: 000U06-000014-000000
Property Address: 2102 DOVER ROAD

Mailing Address: LANOUE, JAMES, TRUSTEE THE JAMES
LANOUE REVOCABLE TRU
2102 DOVER ROAD
EPSOM, NH 03234



www.cai-tech.com

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200 feet Abutters List Report

Epsom, NH
February 11, 2026

Parcel Number: 000U06-000014-000001
CAMA Number: 000U06-000014-000001
Property Address: 2100 DOVER ROAD

Mailing Address: LANOUE, JAMES, TRUSTEE THE JAMES
LANOUE REVOCABLE TRU
2102 DOVER ROAD
EPSOM, NH 03234

Parcel Number: 000U06-000014-000003
CAMA Number: 000U06-000014-000003
Property Address: 2078 DOVER ROAD

Mailing Address: SABEAN, KASON LOUIS FOLSOM,
MICHELE CHRISTINE
2078 DOVER ROAD
EPSOM, NH 03234

Parcel Number: 000U06-000014-000004
CAMA Number: 000U06-000014-000004
Property Address: 2060 DOVER ROAD

Mailing Address: 2060 DOVER ROAD NH REAL ESTATE
34 ORCHARD HILL ROAD
GREENLAND, NH 03840

Parcel Number: 000U06-000015-000000
CAMA Number: 000U06-000015-000000
Property Address: OFF DOVER ROAD

Mailing Address: 2080 DOVER RD, LLC
2080 DOVER ROAD
EPSOM, NH 03234

Parcel Number: 000U08-000086-000000
CAMA Number: 000U08-000086-000000
Property Address: GRANNY HOWE ROAD

Mailing Address: ELLIS, RANDALL A., CO-TRUSTEE
ELLIS, MEGHANN, CO-TRUSTEE
91 FULLER ROAD
NORTH ANDOVER, MA 01845

JONES & BEACH ENGINEERS, INC., ATTN. BARRY GIER, P.E., PO BOX 219, STRATHAM, NH 03885



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2/11/2026

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2060 DOVER ROAD NH REAL E
34 ORCHARD HILL ROAD
GREENLAND, NH 03840

PADFIELD, MYLES STEVEN
2131 DOVER ROAD
EPSOM, NH 03234

2080 DOVER RD, LLC
2080 DOVER ROAD
EPSOM, NH 03234

SABEAN, KASON LOUIS
FOLSOM, MICHELE CHRISTINE
2078 DOVER ROAD
EPSOM, NH 03234

BEAUCHESNE, BLAKE
2110 DOVER ROAD
EPSOM, NH 03234

SHUMWAY, MICHAEL J
SHUMWAY, ANN S
2146 DOVER ROAD
EPSOM, NH 03234

BENNETT, REXFORD B
BENNETT, DEBRA S
1080 GRANNY HOWE ROAD
P.O. BOX 608
EPSOM, NH 03234

WHITE MOUNTAIN CABLE CONS
2113 DOVER ROAD
P.O. BOX 459
EPSOM, NH 03234

CIRCLE SELF STORAGE, LLC
2121 DOVER ROAD
EPSOM, NH 03234

JONES & BEACH ENGINEERS, INC.
ATTN. BARRY GIER, P.E.
PO BOX 219
STRATHAM, NH 03885

CORIATY, NATHAN E
2148 DOVER ROAD
EPSOM, NH 03234

SAM PATTERSON REAL ESTATE DEVE
PO BOX 2793
SEABROOK, NH 03874

ELLIS, RANDALL A., CO-TRU
ELLIS, MEGHANN, CO-TRUSTE
91 FULLER ROAD
NORTH ANDOVER, MA 01845

IRA RESOURCES, INC
FBO ROGER M. LANDRY
67 GRANNY HOWE ROAD
CHICHESTER, NH 03258

LANOUE, JAMES, TRUSTEE
THE JAMES LANOUE REVOCABL
2102 DOVER ROAD
EPSOM, NH 03234

LARSON, CHRISTOPHER
GAGE, MARYANN
32 WELCOME DRIVE
CONCORD, NH 03301



February 11, 2026

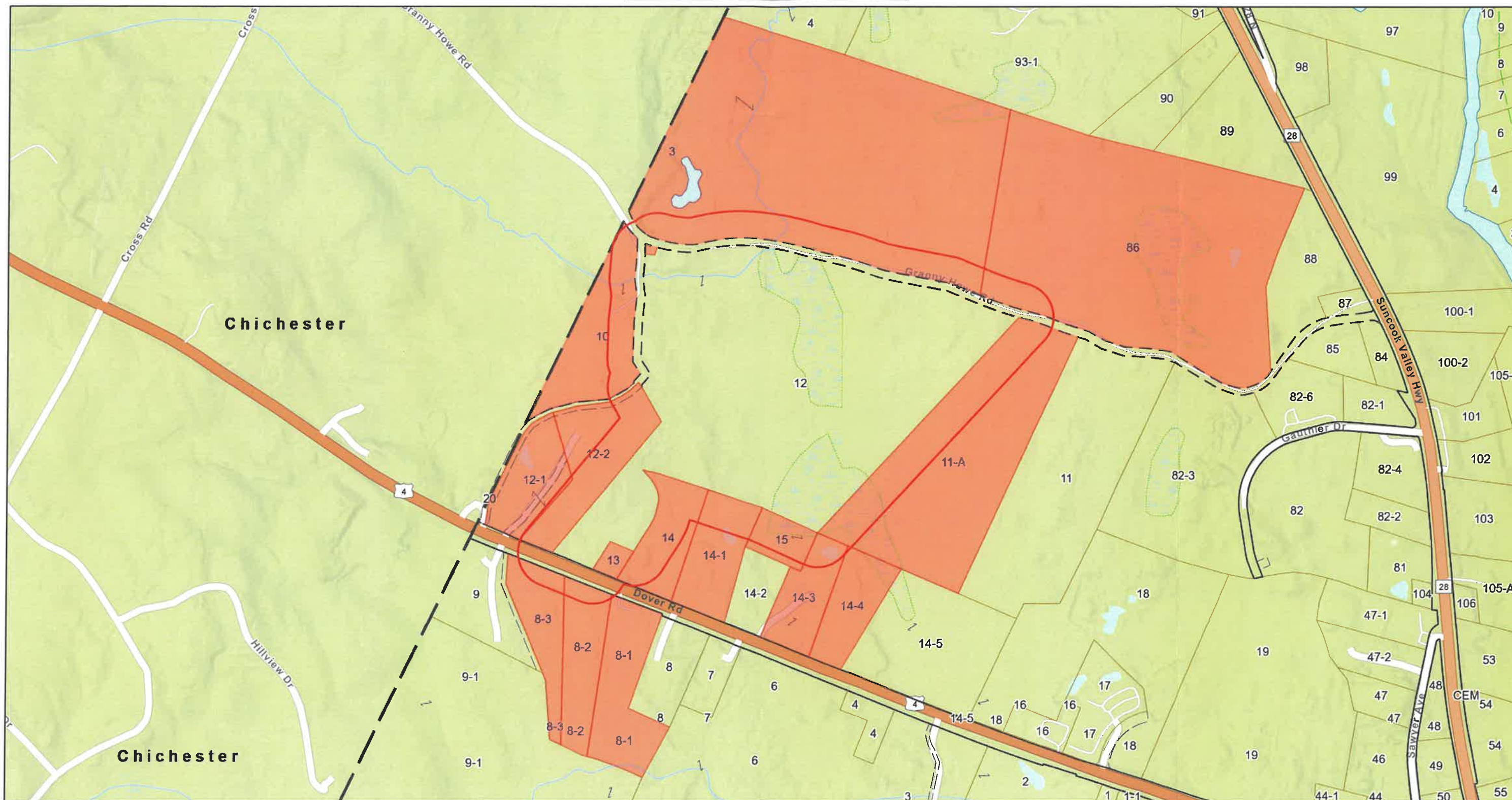
Town of Epsom, NH

1 inch = 550 Feet

0 550 1100 1650



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