ZONING VARIANCE APPLICATION GRANTHAM TAX MAP 237 - LOT 29 GRANTHAM, NEW HAMPSHIRE



Prepared for: Carter Bierwirth PO Box 3022 Grantham, NH 03753 Prepared by:

AE ARIES

104 Pleasant Street Concord, New Hampshire 03301 (603) 228-0008

Date of Report: March 31, 2022 File No. 2021-026A

George C. Holt, P.G. Principal Hydrogeologist Kathryn A. Ward, P.E. Principal Engineer

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SECTION 1.0 VARIANCE APPLICATION FORM

ZONING BOARD OF ADJUSTMENT TOWN OF GRANTHAM, NH 300 ROUTE 10 S GRANTHAM, NH 03753 www.granthamnh.net

Application Fee Schedule and Checklist

X	_ Completed Application					
X	List of Abutters					
X	Application fee of \$75.00 plus certified postage fees.					
X	8 copies site plan/building plans – 11"x 17" max. (If applicable)					
X	3 sets of mailing labels (Avery 5160)					
.0						
ZBA OFFIC	CE USE ONLY					
Application	received by Initials					
Case #ZBA_	Amount paid					

ZONING BOARD OF ADJUSTMENT TOWN OF GRANTHAM, NH 300 ROUTE 10 SOUTH GRANTHAM, NH 03753 (603) 863-6021

www.granthamnh.net

APPLICATION FOR A VARIANCE

Name of Applicant_ Carter Bierwirth
Name of Property OwnerCarter Bierwirth
Mailing Address PO Box 3022, Grantham, NH 03753
Property Address Route 10 South
Tax Map and Lot Number 237 - 29 Zone CVRD
A Variance is requested from Article V-D Section 4. of the Grantham Zoning Ordinance to permit: and Article XI-C; Section 4(b). Construction of a single-family residence closer than seventy-five (75) feet to a water course or water body. The purpose for the variance request is to preserve historical site features related
to a mill that formerly occupied the site property and to allow for development of the property in
a manner that protects the existing historical features.
Facts supporting this request: (Please use a separate sheet of paper if more space is required) 1. The variance will not be contrary to the public interest;
Public interest is at the heart of preserving site historical features (stone foundations). If the
variance request is not granted, the site owner would be forced to construct the new home
in an area that would disturb the preserved site features. 2. The Spirit of the ordinance is observed;
The intent of the ordinance is to limit the risk of pollution to a water course or water body.
The proposed site development will meet the setback for the on-site sewage disposal syst
and will not store or use heating oil within the 75-foot buffer.
3. Substantial justice is done;
The proposed variance would allow the site owner to develop his property consistent with the other requirements of the zoning ordinance, while also preserving historical site values.

4. The values of surrounding properties are not diminished;

The values of the surrounding properties will not be diminished as the proposed development is consistent with the area zoning requirements.

- 5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
- (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
 - (iii) 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; and
 - (iv) the proposed use is a reasonable one.
- (B) If the criteria in subparagraph (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.

Enforcement of the 75-foot water body setback creates an unnecessary hardship for the following reasons:

- 1. The historical value of the site property separates the subject property from surrounding properties and makes it unique. The owner desires to preserve this piece of Grantham town history.
- 2. The applicant is not asking to waive their responsibility for protecting neighboring water resources and does not propose uses for the property that are in conflict with neighboring residential uses, several of which are also located within the 75-foot water body setback, including the northerly and southerly abutting residential properties.
- 3. The proposed variance is reasonable and allows the property owner to develop the property consistent with all other requirements of the zoning ordinance, while protecting a valuable historical resource. Documentation of the former mill site is attached.
- 4. The property cannot be reasonably developed within the framework of the zoning ordinance without significant and detrimental impact to the site historical resources.

Please attach additional information if necessary.

ZONING BOARD OF ADJUSTMENT LIST OF ABUTTERS

Property Owner Name and Address	Applicant/Agent Name and Address				
Carter Bierwirth	George Holt, P.G. Aries Engineering, LLC 104 Pleasant Street Concord, NH 03301 gholt@aries-eng.com				
P.O. Box 3022 Grantham, NH 03753					
carter.navy2000@gmail.com					
Please list map and lot reference number in a	addition to name and mailing address of all abutters				
See attached list					
e e	,				
done					
·					

SECTION 2.0 ABUTTERS LIST

TABLE 1

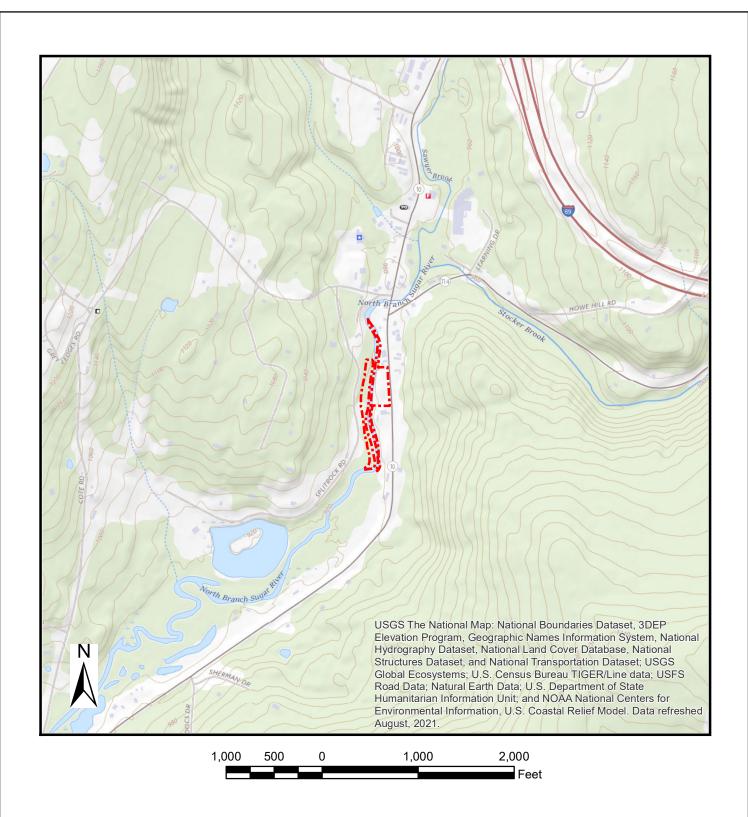
ABUTTER LIST BIERWIRTH PROPERTY LOT 237 - 29

GRANTHAM, NEW HAMPSHIRE

Parcel Number	GIS Number	Cama Number	Property Address	Owner Name	Co-Owner Name	Owner Address	Owner Address 2	Owner City	Owner State	Owner Zip
233-092-000	233-092-000	233-092-000	368 ROUTE 10 SOUTH	GREENROCK CREEK, LLC		144 BRIGHTON ROAD		CROYDON	NH	03773
233-093-000	233-093-000		33 DUNBAR HILL ROAD	CORONIS. KELLY M.	CORONIS. HUNTER	33 DUNBAR HILL ROAD				03753
233-094-001	233-094-001		41 SPLITROCK ROAD	MATZKIN REVOCABLE TRUST	PAUL D. MATZKIN. TRUSTEE			-	NH	03753
233-094-001	233-094-001		28 SPLITROCK ROAD	JAMES, C. PETER	- , -	PO BOX 627				03753
237-003-000	237-003-000		20 ROUTE 114	HANSON CARL D	,	20 ROUTE 114				03753
237-003-000	237-003-000		387 ROUTE 10 SOUTH	STORY, DOVIE I.	STORY, GEORGE W., IV AND					03753
237-004-000	237-004-000	237-004-000	367 KOUTE 10 300TH	STORT, DOVIE I.	STORY, KENNETH	FO BOX 32		GRANTHAM	INIT	03733
237-005-000	237-005-000	227 005 000	401 ROUTE 10 SOUTH	TOWN OF GRANTHAM	,	300 ROUTE 10 SOUTH		GRANTHAM	NH	03753
237-005-000			421 ROUTE 10 SOUTH	HEALEY, JASON	-	32 BANK STREET, #2				03766
	237-007-000									
237-008-000	237-008-000		433 ROUTE 10 SOUTH	KRETOWICZ-SWAN, CHRISTINE		PO BOX 25		-		03753
237-009-000	237-009-000		505 ROUTE 10 SOUTH	BEAULIEU SR NORMAND	BEAULIEU DONNA	PO BOX 104			NH	03753
237-010-000	237-010-000		539 ROUTE 10 SOUTH	TIBBITS, REBECCA & JACK		539 ROUTE 10 SOUTH		-		03753
237-011-000	237-011-000		ROUTE 10 SOUTH	SOCIETY PROTECTION NH FORESTS		54 PORTSMOUTH STREET				03301-5400
237-025-000	237-025-000		565 ROUTE 10 SOUTH		- ,	565 ROUTE 10 SOUTH		-		03753
237-026-000	237-026-000		548 ROUTE 10 SOUTH	SHEPHERD, CAROL G, TRUSTEE		PO BOX 792			NH	03753
237-027-000	237-027-000		508 ROUTE 10 SOUTH	RENEY MAURICE D		PO BOX 32				03753
237-028-000	237-028-000		478 ROUTE 10 SOUTH	RENEY MAURICE D	-	PO BOX 32			NH	03753
237-030-000	237-030-000	237-030-000	426 ROUTE 10 SOUTH	WHITE, DONNA M		P O BOX 1745		GRANTHAM	NH	03753
237-031-000	237-031-000	237-031-000	418 ROUTE 10 SOUTH	GRANTHAM METHODIST CHURCH		PO BOX 152		GRANTHAM	NH	03753
237-032-000	237-032-000	237-032-000	RTE 10 SOUTH	TOWN OF GRANTHAM		300 ROUTE 10 SOUTH		GRANTHAM	NH	03753
237-033-000	237-033-000	237-033-000	400 ROUTE 10 SOUTH	TOWN OF GRANTHAM		300 ROUTE 10 SOUTH		GRANTHAM	NH	03753
237-034-000	237-034-000	237-034-000	392 ROUTE 10 SOUTH	OLANDER BRIAN C		392 ROUTE 10 SOUTH		GRANTHAM	NH	03753
237-035-000	237-035-000	237-035-000	382 ROUTE 10 SOUTH	SPILLER III, GERALD R. & KELLY R.		PO BOX 214		GRANTHAM	NH	03753
237-036-000	237-036-000	237-036-000	36 LILY LANE	TACY, SANDRA M.		36 LILY LANE		GRANTHAM	NH	03753
237-042-000	237-042-000	237-042-000	182 SPLITROCK ROAD	KASZETA RICHARD W		PO BOX 484		LEBANON	NH	03766
237-043-000	237-043-000	237-043-000	88 SPLITROCK ROAD	JENKINS, LISA C.	JENKINS, TREVOR C.	88 SPLITROCK ROAD		GRANTHAM	NH	03753
237-054-000	237-054-000	237-054-000	SPLIT ROCK ROAD	WEBB, DOUGLAS P. JR	·	15 ROUTE 103 B		NEWBURY	NH	03255



FIGURES



Legend

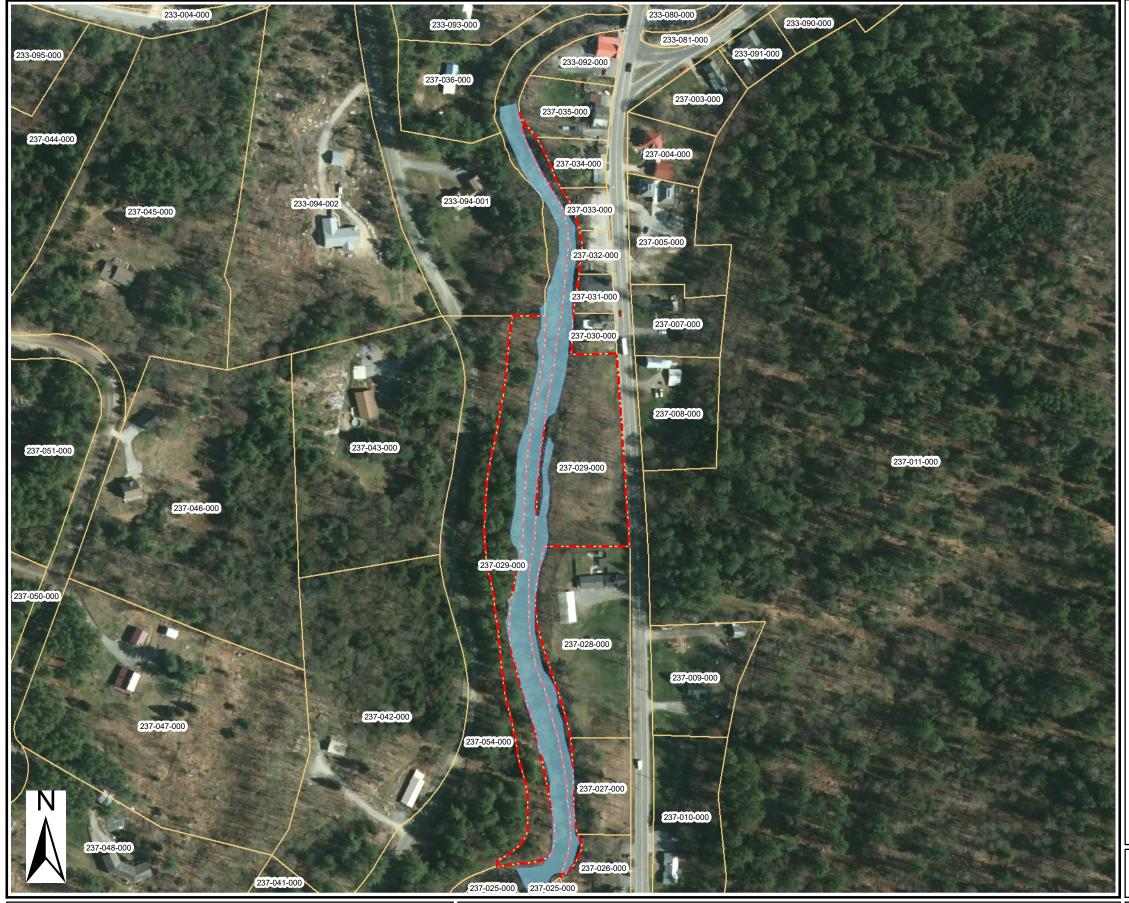


Aries Project # 2021-026A File # 2021-026A(1)03.22.mxd



LOT 237-29 GRANTHAM, NEW HAMPSHIRE LOCUS PLAN

MARCH 2022 FIGURE 1



NOTES:

- 1. Plan prepared from: an Existing Conditions Plan prepared by Promised Land Survey, dated February 2022; Town of Grantham Tax Maps; and Geographic Information System (GIS) data obtained from the New Hampshire Geographically Referenced Analysis and Information Transfer System (NH GRANIT) maintained by University of New Hampshire and the NH Office of Strategic Initiatives.
- 2. Site boundary and building locations are based on an overlay of the site features on GIS data. Therefore, all site features are approximately located.
- 3. This plan is not to be used for survey, building or boundary purposes.

Legend

Sugar River
Site Boundary

Property Lines

0 100 200 400 600 800 Feet

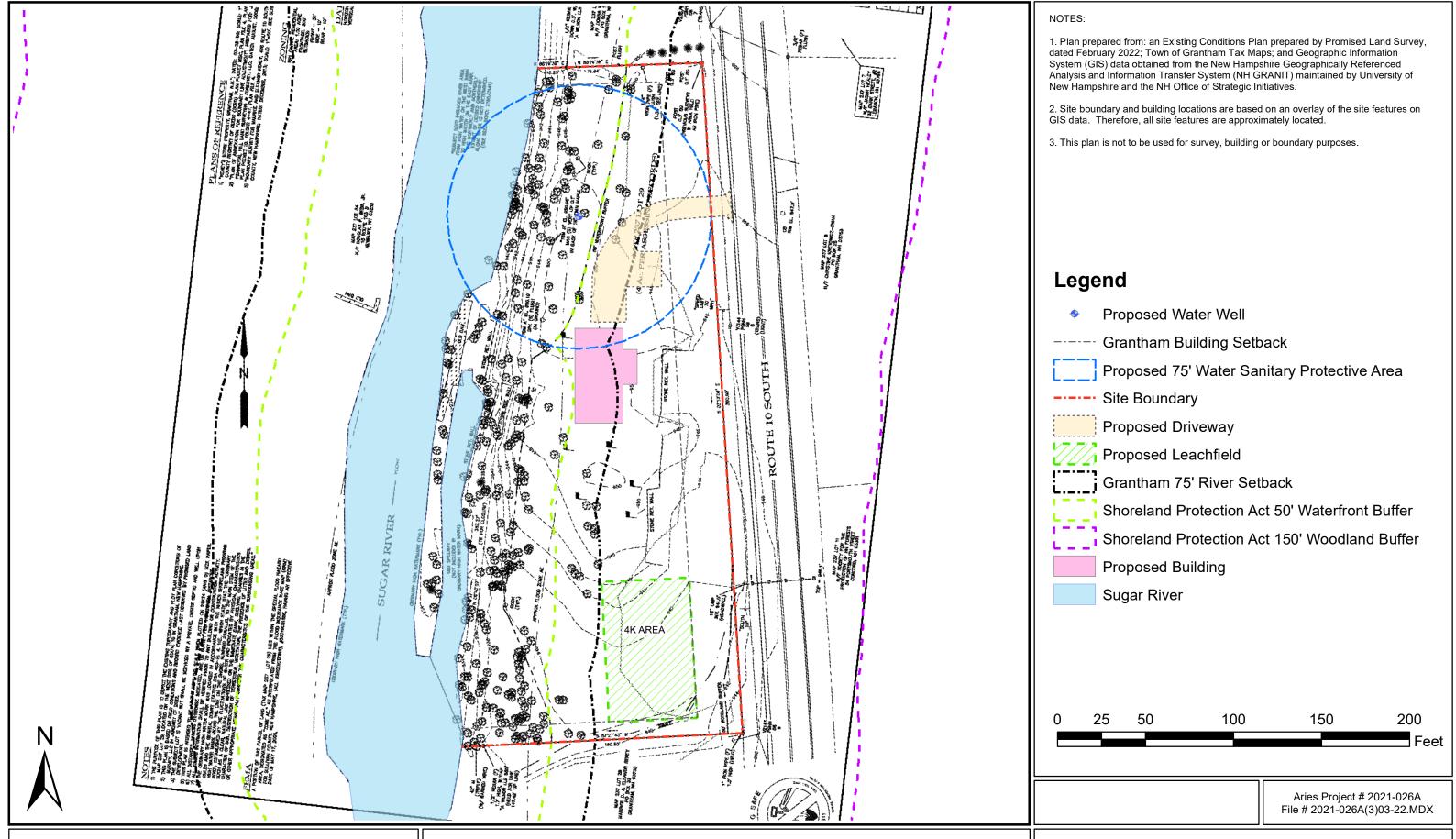
> Aries Project # 2021-026A File # 2021-026A(2)03-22.MDX



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LOT 237-29 GRANTHAM, NEW HAMPSHIRE TAX MAP OVERLAY PLAN (2015 AERIAL ORTHOPHOTOGRAPH)

MARCH 2022 FIGURE 2





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LOT 237-29 GRANTHAM, NEW HAMPSHIRE SITE DEVELOPMENT CONCEPT PLAN

MARCH 2022 FIGURE 3

APPENDIX A LIMITATIONS

LIMITATIONS

Aries prepared this Zoning Variance Application (application) on behalf of and for the exclusive use of Carter Bierwirth (Client) solely for use at the property identified as Lot 29 on Grantham, New Hampshire Tax Map 237 (Lot 237-29). This application shall not be transmitted to any other party, or relied upon by any other party, without Aries' written consent.

Aries made the reported observations under the conditions stated herein. Aries based the application conclusions solely on the services described herein, and not on scientific tasks or procedures beyond the scope of described services.

In preparing this application, Aries relied on certain information provided by the Client, state officials, federal officials and other parties referenced herein, and on information contained in the files of federal, state and local agencies available to Aries at the time of the application. Although there may have been some degree of overlap in the information provided by these various sources, Aries did not attempt to independently verify the accuracy or completeness of all information reviewed or received during the course of this application.

Aries' conclusions are based solely on the site observations made during the site reconnaissances. If variations or other latent conditions later appear evident, Aries may need to reevaluate and may change the application conclusions and/or recommendations.

Aries prepared this application in general accordance with accepted consulting practices. Aries makes no warranty, either expressed or implied.

APPENDIX B SUPPORTING DOCUMENTS

FOWLER MILL REVISITED

"Grantham does not have large rivers coursing through town. Therefore, the town has not been left with empty and all but abandoned buildings adjacent to riverbanks" such as can be seen in many communities in New Hampshire.¹ One natural resource that Grantham did have was a number of brooks and small streams that. when harnessed, could power a sawmill or gristmill. Another resource was an abundance of timber. White pine, sugar maple, spruce, and other deciduous and evergreen trees grew abundantly within the boundaries of Grantham.

One of the early mills in Grantham was located in the village; this mill

became a very active center in the heart of town, beginning in 1810 and continuing production until 1910. The mill officially closed in 1920. The mill building survived for many years along with the mill house and a carriage shop. The partial walls of the foundations can still be seen as you drive along Route 10 S.

actively involved with the Historical

Society, one day I heard the words Fowler Mill. "Okay, guys, where is Fowler Mill and do not tell me it is on Fowler property because that doesn't help me one bit on location!" I learned that Fowler Mill was one of the oldest mills in Grantham and was located on the Sugar River just south of the Union Church, adjacent to Allen Walker's Route 10 S property. On a perfect photo-taking day, I ventured to the river and discovered

extensive and unusual ruins on both sides of the North Branch of the Sugar River. I spent the next hour

or so taking photos from both sides of the river.

About this time, I was reading a back issue of the New Hampshire Archeological Society's New



Fowler Mill in the 1960s

GHS collection

Hampshire Archeologist (Volume 50 Number 1, 2010) which was devoted to an archeological study of a water-

> powered sawmills in Wakefield, NH. The professional team of Sheila Charles, Victoria Bunker, and Dennis Howe, Project advisors, along with draftsmen, people who took measurements, photographers, researchers. and editors had compiled an extensive report.

member of the Wakefield team and an industrial archeologist, agreed to come and take a look at the Fowler

mill ruins. Craig McArt and I joined Dennis on Friday afternoon, April 17, and were surprised by his opinion.

The mill site has old wooden

beams, probably from the last sawmill, a sluice or spillway, and a raceway, among other interesting features. Dennis was very impressed by our ruins and said they were worth studying. In addition to their intrinsic interest to Grantham, they could be used as an example to show other mill enthusiasts what to look for in evaluating a mill ruin. He recommended that we submit an application, called a Historical Archaeology Site Form, to the NH Division of Historic Resources. This study would not threaten ownership of the property because the mill ruins are located in the river bed and are covered by their own state laws.

The next step is to form a mill com-

mittee to study and complete an extensive set of documents to be submitted to the state. If accepted, the Fowler Mill, in addition to other Grantham mills (e.g. the Spiller dam on Route 10 S, mills on Miller Pond Road and the Reney mill site on Route 114),



When I first became Fowler Mill pond height (at arrow) Photo by Rae Tober.

I thought—our mills in Grantham were never as numerous, but along with the ruins on Route 114, they are as interesting. I decided to call the Archeological Society to ask if Grantham's mills might be of value and could be studied as well. Eventually I found the right people and Dennis Howe,



Spillway on west side of river Photo by Rae Tober.

Continued on page 4

MILL Continued from page 2——



Raceway to Sugar River Photo by Rae Tober.

would be recognized as historic heritage sites, to be preserved for the education, inspiration, pleasure, and enrichment of the citizens of New Hampshire. (RSA 227-C)

We will need interested people who don't mind getting their feet wet along with photographers, people to hold tapes, take notes, deal with maps, and carpenters to build whatever apparatus or tools we would need to measure and to complete and submit the application forms. This will be a major undertaking and we, of the Grantham Historical Society, need your participation. You do not have to be a member of the Society to join us. Please email your name and how you can help to us at granthamhistory@gmail.com. If you do not have email, please call and leave your name and phone number at 603-863-9701; and I will give you a call. Our hours are 1-4 PM on Fridays. Thank you and hope I hear from you soon. These are exciting times! My feeling about this project is that Grantham does not have much visibility in the state and this could "put us on the map". It would be another reason why we enjoy living and working in Grantham.

-Rae Tober

Cellar Holes

The original settlers of Grantham put down roots in the area of the

"Four Corners" on Grantham Mountain around 1767. After the migration downhill, the original location was never resettled and many of the remains of the homes are still visible in the form of cellar holes. The 1850 town map shows the location of these homes and the names of the occupants.

Many towns have cellar holes, but Grantham has <u>old</u> cellar holes with names of families such as Bean, Currier, Chase, Leavitt, Batchelder and

others. To further confirm the date of these cellar holes. the 1790, 1800 and 1850 censuses of Grantham list the members of the households. Then there are the cemeteries - Mountain cemetery located off the Mountain Road (now called Miller Pond Road) and the Leavitt Cemetery located off Leavitt Hill Road - which can add information such as birth and death dates. After



Elizabeth Bean's dooryard Photo by Renee Gustafson

a while the owners of the cellar holes seem as real as Joseph Bean's wife Elizabeth. The Joseph Bean cellar hole can be found off the Croydon

Turnpike by looking for the daylilies growing in the dooryard. Existence back then was hard - people became jacks of many trades. Women made soap, butter, candles, sold eggs and made money in any other way they could to support their existence. What



From 1850 Granthem NH Map Drawn by Oralg MoArt 2012

1850 map of Four Corners Credit: Craig McArt

does that say about Elizabeth Bean planting flowers in her dooryard?

So, use the 1850 map as a guide and

hike Grantham's old roads! Miller Pond Road to the Croydon Turnpike is a good place to start and Lily Pond is a pretty spot to stop for lunch. Leavitt Hill Road is another area with many cellar holes, remains of a school, a cemetery and the beautiful Leavitt Pond. Maps are available at the Grantham Historical Society.

-Renee Gustafson

¹ "Grantham mills" by Bob Champagne













Grantham Historical Society

Q fowler

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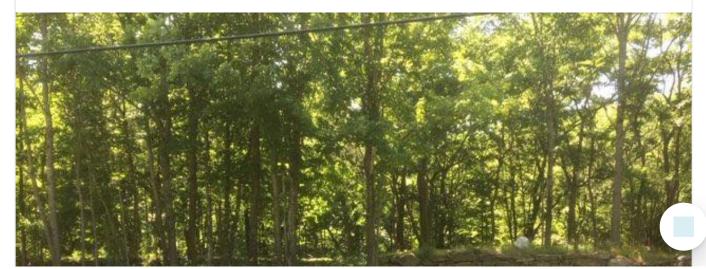
Date Posted



Grantham Historical Society

These foundations, located on the west side of Route 10 just south of the Methodist Church, are the only evidence visible from the road of a thriving saw and grist mill that operated from the early 19th century until World War II. Known in the mid-nineteenth century as the Fowler Mill, then later as the Dunbar Mill and by the turn of the century as the Reed & Buswell Mill, it used the power provided by the Sugar River to saw lumber and to grind such grains as barley and wheat. By the early twentieth century it employed upwards of a dozen men and was the largest single employer in town. The foundations on Route 10 are all that remains of the associated mill caretaker's house and carriage house.

Unfortunately, the mill operation declined during the Depresssion and was abandoned by the onset of the Second World War. The mill building was dilapidated and considered a public hazard, and demolished soon thereafter. The site became overgrown until just a few years ago, when it was purchased by Grantham native Paul Osgood, who cleaned up the site, including these foundations.



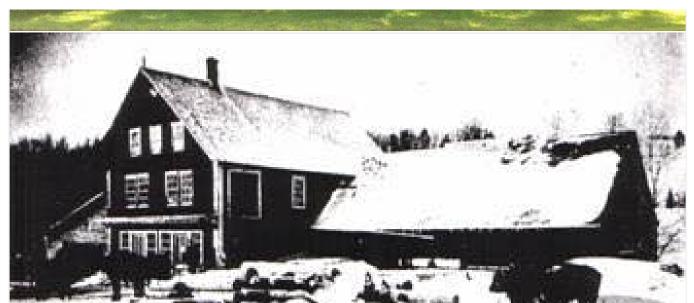














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Grantham Historical Society

December 12, 2013 · 🕙

Reed and Buswell Mill

Originally Fowler's gristmill from 1800, it was purchased by Fredson Reed and Guy Buswell in 1894 and operated as a sawmill. The mill foundations can be seen from Split Rock Road.







APPENDIX C EXISTING CONDITIONS PLAN

