

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

VARIANCE APPLICATION

Name of Applicant:

Tele #:

JAMES MENIATES JR & GAIL EMANIATES 2019 TRUST
603-437-5000

Address of Applicant:

-SAME-

Address of Property:

14 SAMOSET DRIVE

If same as above, write same.

Owner of Property:

-SAME-

Tele #:603-560-4678

If same as above, write same.

Address of Owner:

14 SAMOSET DRIVE, SALEM, NH 0307910

If same as above, write same.

Agent:

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 AT 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.



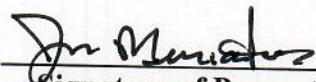
Signature of Applicant

JAMES MENIATES JR

Print Name of Applicant

November 11, 2025

Date



Signature of Property Owner

JAMES MENIATES JR

Print Name of Property Owner

November 11, 2025

Date

Revised 09-15-2016

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**

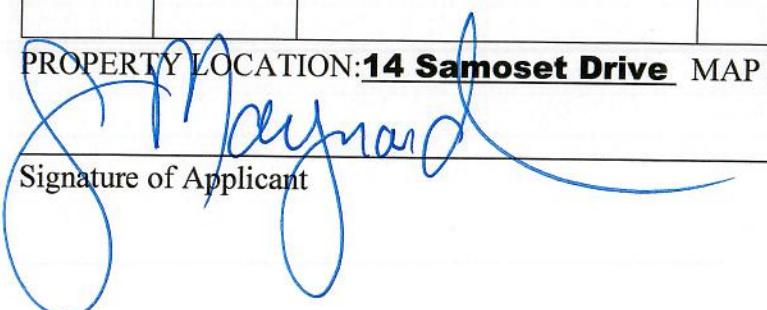
ZBA MEETING DATE _____

PETITION # _____

November 14, 2025

Date

Signature of Applicant



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 8805 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 type="checkbox"/> Single Family (E,P,H, F) <input type="checkbox"/> Apartment (E,P,H) <input type="checkbox"/> Residential Add./Alt. (E,H) <input type="checkbox"/> Residential Raze (E,H,ENV) <input type="checkbox"/> Manufactured Home (E, H, F) <input type="checkbox"/> Residential Garage (E,H) <input type="checkbox"/> Residential Foundation(E,P,H) <input type="checkbox"/> Shoreland CSPA (E,P,H)	<input type="checkbox"/> New Commercial (E,P,F,H) <input type="checkbox"/> Commercial Foundation (E,P,F,H) <input type="checkbox"/> Add./Alt. (E,P,F,H, ENV) <input type="checkbox"/> Municipal Add./Alt. (E,P,F,H) <input type="checkbox"/> Hotel/Motel (E,P,F,H) <input type="checkbox"/> Multi-Family (E,P,F,H) <input type="checkbox"/> Commercial Raze (E,P,F,ENV) <input type="checkbox"/> Change of Use (E,P,F,H) <input type="checkbox"/> Change of Occupant (E,P,F,H)	<input type="checkbox"/> Sign (P) <input type="checkbox"/> Shed <input type="checkbox"/> Pool (E,H) <input type="checkbox"/> Repair <input type="checkbox"/> Deck (E,H) <input type="checkbox"/> Casual Sales(P,F) <input type="checkbox"/> Renew Permit (E,P,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

Mark Hulse (SADL)
Building Official

COMPLETE BOTH SIDES

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

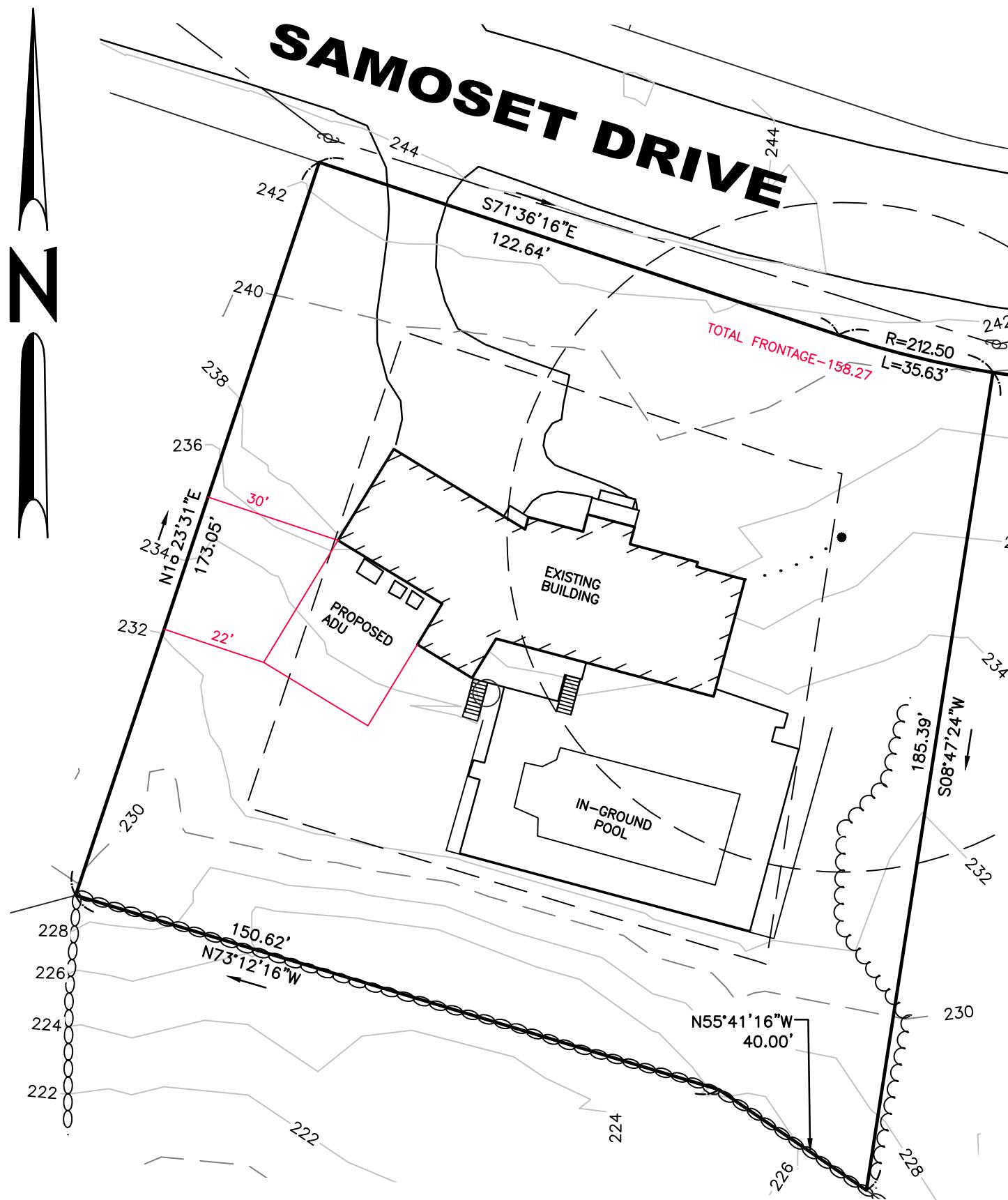
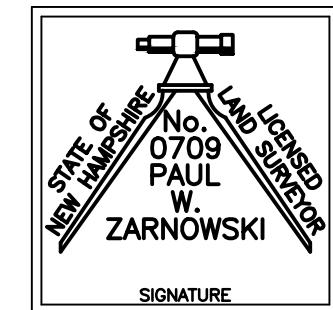
Denied

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 EMANATES 2019 TRUST
14 SAMOSET DRIVE
SALEM, NEW HAMPSHIRE 03079
RCRD BOOK 6653/PAGE 1045

SCALE: 1"=30'



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

SHEET 1 OF 1 NOVEMBER 09, 2025



**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.

Property Location 14 SAMOSET DR
Vision ID 2903

Account #

Map ID 55 / 6805 /

Bldg # 1

Bldg Name
Sec # 1 of 1

Card # 1 of 1

State Use 1010
Print Date 11/14/2025 11:59:38 A

CURRENT OWNER				TOPO		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT				<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <div style="font-size: 10px;">2232</div> <div style="font-size: 10px;">SALEM, NH</div> </div> <div style="font-size: 24px; margin-top: 10px;">VISION</div>							
MENIATES GAIL E & JAMES JR TRUS GAIL EMINIATES 2019 TRUST & JAM 14 SAMOSET DR				1 Level	5 Well	1 Paved	3 Rural	SUPPLEMENTAL DATA		WB LTR D SALES RE ADD LETT SENT DISC EAS C/O		Description		Code	Assessed		Assessed						
					6 Septic							RESIDNTL		1010	359,300		359,300						
SALEM NH 03079				Alt Prci ID 78-13/X		ROAD ID 8143 E 911 UNIT # WATER B		GIS ID 6805		Assoc Pid#		RES LAND		1010	191,100		191,100						
												RESIDNTL		1010	14,400		14,400						
RECORD OF OWNERSHIP				BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE		VC	PREVIOUS ASSESSMENTS (HISTORY)												
MENIATES GAIL E & JAMES JR TRUSTEES JANUSZ MITCHELL & LAUREN BRANCATO MAURICE G BRANCATO SUSAN M BRANCATO MAURICE G & SUSAN M				6653	1045	09-30-2025	Q	I	800,000	00	Year	Code	Assessed	Year	Code	Assessed V	Year	Code	Assessed				
				6014	2119	07-02-2019	Q	I	385,000	U	2025	1010	359,300	2024	1010	359,300	2023	1010	359,300				
				5651	2002	08-28-2015	U	I	0			1010	191,100		1010	191,100		1010	191,100				
				5093	2247	01-22-2010	U	I	0			1010	14,400		1010	14,400		1010	14,400				
				3507	2884	09-29-2000	Q	I	218,000	U				Total	564,800	Total	564,800	Total	564,800				
EXEMPTIONS				OTHER ASSESSMENTS										<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <div style="font-size: 10px;">This signature acknowledges a visit by a Data Collector or Assessor</div> </div> <div style="font-size: 10px; margin-top: 10px;">APPRaised VALUE SUMMARY</div> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="flex: 1;"> Appraised Bldg. Value (Card) Appraised Xf (B) Value (Bldg) Appraised Ob (B) Value (Bldg) Appraised Land Value (Bldg) Special Land Value Total Appraised Parcel Value Valuation Method </div> <div style="flex: 1; text-align: right;"> 356,000 3,300 14,400 191,100 0 564,800 C </div> </div> <div style="font-size: 10px; margin-top: 10px;">Total Appraised Parcel Value</div>									
Year	Code	Description		Amount	Code	Description		Number	Amount	Comm Int													
Nbhd		Nbhd Name		B	Tracing		Batch																
65																							
NOTES																							
<p>SINGLE FAMILY GREEN 2/2020 EST HOUSE REMODEL COMPLETE</p>																							
BUILDING PERMIT RECORD																							
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments				Date	Id	Type	Is	Cd	PURPOSE/RESULT						
19-1064	08-28-2019	RE	Remodel	140,000	02-28-2020	100		COMPLETE RENOVATION O				07-07-2021	SPW			14	Field Review						
												02-28-2020	JS			13	Value Estimate						
												02-10-2020	JS			11	NOTICE LEFT						
												09-08-2010	RB			11	NOTICE LEFT						
												10-19-1999	MB			00	Measur+Listed						
LAND LINE VALUATION SECTION																							
B	Use Code	Description		Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes			Location Adjustmen		Adj Unit P	Land Value			
1	1010	SINGLE FAM M		RUR			30,000	SF	5.54	1.00000	5	1.00	65	1.150					1.0000	6.37	191,100		
Total Card Land Units						30,000	SF	Parcel Total Land Area						1							Total Land Value		191,100

Vision ID 2903 Account #

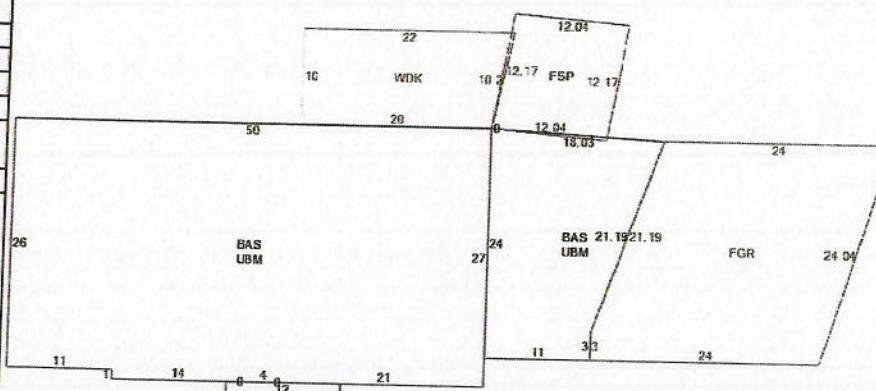
Map 10 55/16805/1

Bldg # 1

Bldg Name
Sec # 1 of 1

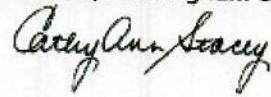
Card # 1 of

State Use 1010
Print Date 11/14/2025 11:59:38 A



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

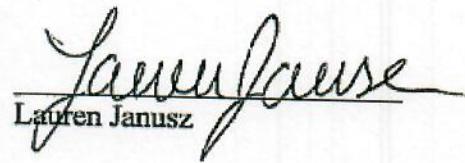
WESTERLY One hundred seventy-three and 05/100 (173.05) feet by Lot 32.

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.

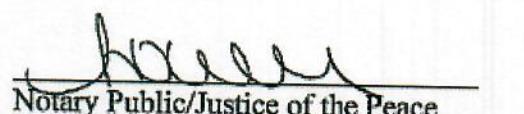

Lauren Janusz

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 ~~Massachusetts driver's 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.




Amy Y. Morales Owens
Notary Public/Justice of the Peace
Commission expiration: 9/4/2031

Executed this 1st day of October, 2025.

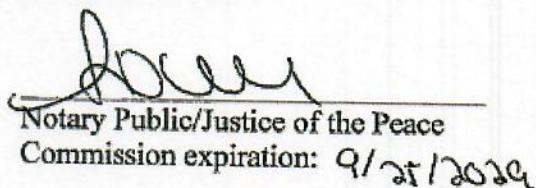
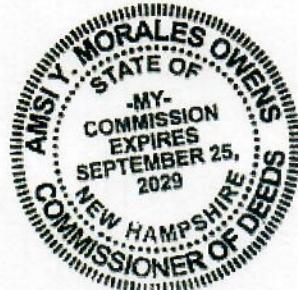


Mitchell Janusz

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 CNH Devere W. Coyle 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, Trustee
Gail Meniates, Trustee
James Meniates