



## ***Town of New London***

***Zoning Board of Adjustment***

*P.O. Box 240  
375 Main Street  
New London, NH 03257*

# ***NOTICE OF DECISION***

***New London Zoning Board of Adjustment***

**RE: JANE BROCK-WILSON**

**MARCH 13, 2006**

Pelletieri Associates, Inc., representing Jane Brock-Wilson requested a variance as provided in Article XVI §C of the New London Zoning Ordinance in order to remove a failing concrete retaining wall and wood deck supported by the failing concrete, and to replace those with natural/sustainable materials. The property is located at 115 Lighthouse View Road in the R-2 zone.

During the hearing, the Zoning Board took testimony from the applicant's representative, the Chair of the New London Conservation Commission, and New London Zoning Administrator. No abutters were present or submitted comments for the hearing. At the conclusion of discussion, the applicant agreed to amend the plan by removing the proposed stair and access to the lake shown at the left side of the plan, and pull the project in to the existing footprint of the structure. Also, he confirmed that all walkways within the buffer will be no more than four-feet in width.

Zoning Board members reviewed the five criteria for granting a variance:

- o The variance will not result in diminution of surrounding property values.
- o The variance will be of benefit to the public interest.
- o Denial of the variance would result in unnecessary hardship to the owner, in precluding her being able to remove the failing concrete and replace it.
- o The variance will do substantial justice.
- o The use contemplated is not contrary to the spirit of the ordinance, specifically as applicant's representative agreed to modify the original plan in order to keep the replacement structure within existing footprint.

The variance was granted by the Zoning Board of Adjustment in a vote of three to one, with Russ Cooper, Cheryl Devoe, and Laurie DiClerico voting yes, and Brian Prescott voting no.

Lawrence Ballin, Chairman  
Brian Prescott  
Russell Cooper  
Cheryl Devoe  
Laurie DiClerico

NOTE: Application for rehearing on any question of the above determination may be taken within 30 days of said determination by any party to the action or person affected thereby according to New Hampshire Revised Statutes Annotated. 1955, Chapter 31:74-76.

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