



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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**NOTICE OF DECISION**  
***New London Zoning Board of Adjustment***

RE: THEODORE S. BACON

APRIL 20, 2011

MAP 050, LOT 009-000

You are hereby notified that on this date, the New London Zoning Board of Adjustment held a public hearing at the request of Theodore S. Bacon, represented by Gavin Campbell. The applicant requested a Variance to the terms of Article XX, Section B, 3, b, 2 of the New London Zoning Ordinance in order to permit the replacement of a garage with less than the required side yard setback of 20'.

**1. Granting variance would not be contrary to the public interest.**

The Board concluded that the decrease in impervious surface of a smaller structure combined, with the introduction of stormwater infiltration trenches along the drip line of the roof, was in the public interest.

**2. The spirit of the ordinance is observed.**

The Board concluded that because the resulting structure was to be smaller and further from the property line that the spirit of the ordinance is observed.

**3. Substantial justice is done.**

The Board agreed that the utility of the existing shed was limited due to its deplorable condition and that allowing its replacement was a just decision.

**4. The values of surrounding properties are not diminished.**

The Board determined that the new garage would constitute an improvement to the property and would likely enhance neighboring property values.

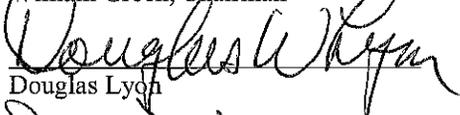
**.5. Literal enforcement of the provisions of the ordinance would result in unnecessary hardship.**

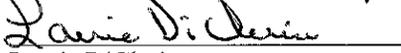
a. Given the constraints imposed by the narrow lot and the proximity of the driveway and the septic system to the side lot line, there was no other potential location for the garage that could be conforming.

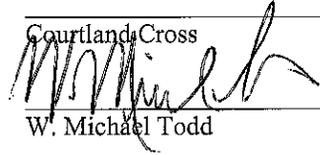
Board of Selectmen P: 603-526-4821 x 10 F: 603-526-9494	Town Administrator P: 603-526-4821 x 13 F: 603-526-9494	Town Clerk-Tax Collector P: 603-526-4821 x 11 F: 603-526-9494	Finance P: 603-526-4821 x 21 F: 603-526-9494	Assessing P: 603-526-4821 x 20 F: 603-526-9494
Planning/Zoning P: 603-526-4821 x 16 F: 603-526-9494	Fire Department P: 603-526-6073 F: 603-526-6079	Police Department P: 603-526-2626 F: 603-526-2782	Public Works P: 603-526-6337 F: 603-526-9662	Recreation P: 603-526-4821 x 14 F: 603-526-9494

After reviewing testimony, it was determined that the requirements for the requested Variance had been met. **By unanimous vote, the Zoning Board of Adjustment APPROVED the application for a Variance to allow the petitioners to construct a new garage at the subject property, as shown on the plans submitted, with the condition that infiltration trenches be installed below the drip line of the roof of the new garage, and that it be moved 2' further from the easterly property boundary than the current garage.**

  
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William Green, Chairman

  
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Douglas Lyon

  
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Laurie DiClerico

  
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Courtland Cross  
W. Michael Todd