



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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

RE: SDB INVESTMENTS

JUNE 14, 2010

MAP 041, LOT 001-000

You are hereby notified that on this date, the New London Zoning Board of Adjustment held a public hearing at the request of Spotswood (Spec) Bowers, representing SDB Investments. The applicant requested a Variance to the terms of Article XVI, Section J, 1, a, of the New London Zoning Ordinance in order to permit a minor expansion of an existing non-conforming structure in the Waterfront Buffer of Otter Pond, after-the-fact.

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

The Board determined that granting the variance would likely not be apparent to the public in any way, and that the potential for degradation of Otter Pond would not be increased by allowing it to remain.

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

The Board concluded that because impervious surfaces of the site and the intensity of use would not be increased, the goals of the ordinance were met.

**3. Substantial justice is done:**

The Board agreed that substantial justice was done because denial of the variance and subsequent removal of the small increase in volume of the structure would likely be more disruptive to the environment than leaving it alone.

**4. The proposed use would not diminish property values:**

The Board determined that since there is no noticeable change in the building, surrounding property values could not adversely affected.

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

A. For the purposes of this paragraph, unnecessary hardship means that, owing to special conditions of the property that distinguish it from other properties in the area:

- (1) 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 there is no change in the footprint of the building or the amount of impervious surface on the site, only a minor change in volume of the structure.

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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

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- (2) The proposed use is a reasonable one because the building remains essentially unchanged.

After hearing testimony, it was determined that the requirements for the Variance had been met. **By unanimous vote, the Zoning Board of Adjustment APPROVED the application for the variance to permit the existing minor change in dimensions of the building on the subject property to remain in place.**

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William Green, Chairman

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Courtland Cross

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Douglas Lyon

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Michael Todd

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Laurie DiClerico