



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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NOTICE OF DECISION
New London Zoning Board of Adjustment

RE: NEW LONDON HOSPITAL

FEBRUARY 16, 2010

MAP 072-017-000

You are hereby notified that on this date, the New London Zoning Board of Adjustment held a continued public hearing at the request of Lori Underwood representing New London Hospital Association Inc, continued from the January 25, 2010 hearing date. The applicant requested a Use Variance to the terms of Article V, Section A of the New London Zoning Ordinance in order to permit the use of residentially zoned land owned by the New London Hospital Association Inc. for the long-term storage of fill, resulting from a recent construction project on the hospital campus in the Hospital Institutional Zone, and to allow the resultant earthen structure to be used for snow storage from hospital parking areas during the winter months.

1. The proposed use would not diminish property values.

Since the site in question cannot be seen from any other public or private land and the drainage at the site is unaffected as a result of the proposed uses, the Board agreed that the value of properties in the neighborhood will not be diminished if the variance is granted.

2. Granting variance would not be contrary to the public interest.

The Board concluded that granting a variance for the proposed uses will be in the public interest because providing for the onsite storage of snow during the winter months will improve visibility in parking lots and at intersections and will maximize parking availability, improving overall safety for hospital visitors.

3. Denial of the Variance would result in unnecessary hardship to the owner because:

a. The Board agreed that the area of the property being used for earth and snow storage is so remote from all other adjacent property that it is somewhat unique from surrounding land and that the use was reasonable because it will only be used for relatively passive activity.

b. That no fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction on the property because of the remoteness of the site from other properties and the close proximity to the hospital campus itself.

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

c. The Board agreed that granting the variance would not injure the public or private rights of others since the location of the site is so remote from all other properties and isolated by wetlands.

4. Granting the Variance would do substantial justice.

The Board agreed that granting the variance would be a just decision because it would allow efficient use of existing resources without compromising environmental concerns.

5. The use is not contrary to the spirit of the ordinance

The Board concluded that because the property was immediately adjacent to both the hospital site and the Hospital Institutional Zone and not visible from any other properties in the neighborhood the proposed uses were in the spirit of the ordinance.

After hearing testimony it was determined that the requirements for the Use Variance had been met. **By unanimous vote, the Zoning Board of Adjustment APPROVED the application for the Use Variance to allow the petitioners to leave the earthen structure (fill) in its current location and to permit the storage of snow originating from the adjacent hospital campus at and beyond the southerly end of the filled area, as shown on plans marked ZBA-1 and ZBA-2, dated 2/11/10, and subject to Site Plan Review and approval by the New London Planning Board.**

William Green, Chairman

Cheryl Devoe

Laurie DiClerico

Sue Ellen Andrews