



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: Cathleen & Edgar Gerwig

MAY 22, 2006

You are hereby notified that on this date, the New London Zoning Board of adjustment conducted a public hearing at the request of Cathleen and Edgar Gerwig. Applicants requested a variance to the terms of Article XVI, Section C-2 of the New London Zoning Ordinance in order to install a thirty to thirty-five foot long electrical conduit from the main house to a play house located within the fifty-foot buffer setback from Pleasant Lake. The conduit will be buried in an 18-inch deep, 6-inch wide hand-dug trench. The property is located at 489 Bunker Road in the R2 zone.

During the hearing the Board received input from the applicants' representative Crawford Lyons and from Zoning Administrator Peter Stanley. No abutters attended the hearing. The Board made the following findings of fact:

1. The variance will result in no diminution of surrounding property values.
2. The use will benefit the public interest.
3. Denial of the variance may result in unnecessary hardship to the owner. (The Board understands that this is an "area variance," thus the criteria for hardship are (a) that a special condition exists—in this case, the pre-existing location of the playhouse within the buffer, and (b) applicant cannot light the playhouse by any other means that would not impose undue financial burden.)
4. For those reasons, substantial justice will be done in allowing this variance.
5. The proposed use (lighting the playhouse for evening use, but not for use as live-in residence) is not contrary to the spirit of the ordinance.

The Board of Adjustment unanimously approved the requested variance, with Russ Cooper, Cheryl Devoe, Laurie DiClerico and Bill Green voting.

Lawrence Ballin, Chairman
Russell Cooper
Cheryl Devoe
Laurie DiClerico
Bill Green

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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