



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: HOWARD DAVIS III

NOVEMBER 7, 2005

You are hereby notified that on this date, the New London Zoning Board of Adjustment held a public hearing at the request of Maria Dolder, Esq. of Herbert & Uchida Law Offices representing owner Howard Davis III. Applicant requested a variance to the terms of Article XVI §H and Article XX §B-3-b of the New London Zoning Ordinance, in order to construct a foundation for a lakeside cottage within the required 50-foot shore-land buffer, and make Substantial (greater than 50% of the building's current value) improvements to the cottage. The property is located at 143 Lighthouse View Road in the R-2 zone.

After receiving verbal testimony during the hearing from the applicant, his representative, his architect, landscaper, and engineer, and in written form from one abutter, the Zoning Board of Adjustment made the following findings of fact:

1. If the variances are granted, there would be no diminution of property values. Rather, the applicant's intent is to preserve this historic (1930's vintage) cottage.
2. The public interest will be served by its preservation, and the proposed work will not create a hazard or nuisance.
3. This is a unique property. The vintage cottage already exists partly in the buffer. Due to the slope behind it, moving it would not only be costly, but would result in greater disturbance to the land there. The planned addition is modest in size, outside of the buffer, and there are no reasonably feasible alternatives.
4. In granting the variances, substantial justice will be done for all of the above reasons. The completed structure (exclusive of the porch) will (as now) extend only 9-feet, 6-inches into the buffer. The proposed addition will be outside the buffer zone. They will be adding no additional impervious surface.
5. The proposed project is in keeping with the spirit of the New London Zoning Ordinance in that it safeguards the buffer zone, which is one stated objective of the ordinance. The cottage is already partly in the buffer, and they propose no further encroachment into the buffer. The extensive erosion control plans will prevent damage to the water.

Russ Cooper, Cheryl Devoe, Bill Green and Brian Prescott voted unanimously to grant the requested variances. Chair Larry Ballin did not vote.

Lawrence Ballin, Chairman
Russ Cooper
Cheryl Devoe
Bill Green
Brian Prescott

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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