



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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NOTICE OF DECISION
Zoning Board of Adjustment (ZBA)
Tuesday, November 10, 2015

Variance application of Robert L. Stahlman. Property located on Pleasant Street/Gould Road. Tax Map 084-081-000/084-079-000. Variance requested from Article V, Residential District, Permitted Uses (A), a commercial parking lot is not a permitted use in the residential zoning district. Continuation of the public hearing from the Sept 29, 2015 meeting. **Variance denied for the following reasons:**

- Surrounding properties may have a diminution in value and several abutters opposed the variance request.
- Would change the character of the neighborhood.
- The owner created his own situation and personal financial hardship and this is not a factor the Board should consider.
- The owner did not demonstrate the variance hardship criteria was met, as there are no specific physical characteristics of the lot that separate it from other residential properties in the neighborhood.
- The variance would be contrary to the public interest and spirit of the ordinance. A use variance is granting a use not voted in by the voters and the ZBA does not support this approach to changing zoning boundaries and this does not support the spirit of the ordinance. A commercial parking area is not allowed in a residential zone, this would open the door for other such uses.

Respectfully Submitted:

Lucy A. St. John, AICP
Planning and Zoning Administrator

Per RSA 674:33 (as may be amended) the concurring vote of 3 members of the board shall be necessary to reverse any action of the administrative official or to decide in favor of the applicant on any matter on which it is required to pass. Persons who are aggrieved by the decision of the ZBA are advised to seek legal counsel as they deem appropriate and to review applicable laws including but not limited to RSA 677 Rehearing and Appeal Procedures, RSA 674:33 Powers of the Zoning Board of Adjustment, RSA 676:3 Issuance of Decision and other NH State Statutes and Laws which may apply. This notice is for general informational purposes and in no way shall convey any legal advice.