



TOWN OF NEW LONDON, NEW HAMPSHIRE

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December 20, 2017

ZONING ADMINISTRATOR'S REVIEW

Name(s): Peter Hill, Applicant / Wesley & Nina Royce, Owners
Property: 1590 Little Sunapee Road
Parcel ID: 030-019-000
Zone: Residential (R-2) in the Shoreland Overlay District
Hearing: December 28, 2017
Purpose: Request for a Equitable Waiver of Dimensional Requirements from Article V, Section C.2. of the Zoning Ordinance for relief from the minimum 20' side yard setback, whereas the existing foundation is 17.9' in the southeast corner only.

Concerns:

- 1) A foundation was poured without a permit. The foundation is now within the setbacks.
- 2) A new application for a building permit will need to be applied for, representing actual foundation.

Activities Leading up to ZBA Application:

- 1) On August 22, 2016, property owners Nina and Wesley Royce came before the ZBA for a variance to permit construction of a portion of a residential garage within a portion of the side yard setback (required setback 20 ft. minimum, 50 ft. aggregate). The meeting was continued to October 6, 2016, at which time the request for variance was withdrawn.
- 2) On November 15, 2016, the Planning Board reviewed and approved a Stormwater Management Plan and Shoreland Impact Permit Application to construct a new residence, including well, septic, and driveway. NH DES issued the Shoreland Impact Permit on November 13, 2016. permit (#2016-03091).
- 3) On March 27, 2017 property owners Nina and Wesley Royce applied for a building permit, authorizing Peter Hill of Hill Construction, to act as Mr. Royce's agent, to construct a new 2-story, single-family dwelling. No permit was issued.
- 4) On May 24, 2017, the Town received a copy of the State of NH Driveway permit.
- 5) On May 26th, 2017, the Zoning Administrator met with the Mr. Royce and Mr. Hill and reviewed plans showing a 22-foot side setback and 30-foot setback in the R2 district, where an aggregate 50-feet is required with a minimum of 20-feet. The Zoning Administrator required a letter from a surveyor certifying *"that the proposed structure(s) depicted on the plan presented, is based on an actual survey, and that setbacks to the extreme limits of the building do conform to the required setbacks."*

- 6) On June 23, 2017, the Assessing Coordinator contacted Mr. Royce and Mr. Hill, asking for a status update of the project, and noted that the Town is aware a foundation was constructed even though a permit was not yet issued.
- 7) On November 9, 2017, owner Wesley Royce met with the Town Administrator and received permission to backfill the foundation to protect it from the elements. The Owner was made aware at that time that the foundation may need to be removed, and the owner agreed that no further work would take place on the property until proper permits/relief are obtained.
- 8) On December 8, 2017, Mr. Peter Hill, on behalf of the owners Nina and Wesley Royce, applied for an Equitable Waiver of Dimensional Requirements from Article V, Section C2 to permit. I requested improvements to the plan set being presented with the application, and to complete the questions in the application. I also requested permission in writing from the owner, to allow Mr. Hill to represent the owners in the ZBA application (received).
- 9) On December 13, 2017, Mr. Hill submitted the question and plan set I requested. The hearing was scheduled for December 28th.