



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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NOTICE OF DECISION
Zoning Board of Adjustment (ZBA)
March 12, 2014

The Zoning Board of Adjustment made the following decision(s) at the Wednesday, March 12, 2014 meeting. You may refer to the agenda, public hearing notice and meeting minutes for additional details of the discussion.

Robert and Sandra Brown (Owners). Tax Map 119-014-000. Property located at 449 Forest Acres Road. Zoned Residential- R2.

1. Variance from Article XVI, Shoreland Overlay District, C. Permitted Uses (2). Single Family Residence and accessory structures to allow for construction activities to occur in the 50 foot waterfront buffer and in the additional 10 foot buffer from the waterfront buffer for related construction activities, to accommodate land disturbances resulting from such activities. Action: Variance withdrawn with agreement of the applicant.
2. Variance from Article XVI, Shoreland Overlay District, G. Waterfront Buffer. To disturb the natural ground cover, rocks, stumps and root systems to allow for the placement of a section of the house within the 50 foot no disturbance area. Variance granted.
3. Variance from Article V, Residential District, C. Yard Requirements. Front setback requirement of 25 feet. Request to construct a bulkhead and a section of the house foundation partly within the 25' road setback. Variance granted.
4. Variance from Article V, Residential District, C. Yard Requirements. Side setback requirement of 20 feet requesting a minimum of 15 feet. Variance granted.

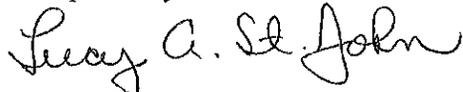
Mary Miller (Owner). Tax Map 077-025-000. Property located at 490 Elkins Road, at the corner of Hillcrest Drive and Elkins Road. Zoned Commercial (C).

1. Variance from Article XXII, Streams Conservation Overlay District, (D). Natural Woodland Buffer (2) Width of Buffer. To construct a new home and well within the 100 foot overlay district. Variance granted.
2. Variance from Article XXII, Streams Conservation Overlay District, (E). Prohibited Uses (1) Erection or construction of any new structures; and (2). Altering the natural surface configuration by the addition of fill or by dredging. Variance granted.
3. Variance from Article XXII, Streams Conservation Overlay District, (F), Permitted Uses. A single family home and well is not identified as a permitted use. Variance granted.
4. Special Exception as permitted in Article XXII, Streams Conservation Overlay District, (G). Uses Permitted by Special Exception (3), a reduction of the depth of the stream buffer to allow for the construction of the house and related site work. Special Exception granted.
5. Variance from Article XIII, Wetlands Conservation Overlay District, (D). Permitted Uses. To allow for the construction of the new house and associated site work. Variance granted.
6. Variance from Article XIII, Wetlands Conservation Overlay District, (H) Prohibited Uses: (4), erection or construction of any structure or building and (5), the addition of any fill or dredging that would alter the natural surface configuration of the land. Variance granted.
7. Special Exception as permitted in Article XIII, Wetlands Conservation Overlay District, (E) (3). A reduction of the depth of a wetland buffer. Special Exception granted.

Bailiwick Nominee Trust (Owner). Tax Map 043-012-000. Property located at 35 Woody Point Road. Zoned Residential, R2.

1. Variance from Article V, Residential District. Yard Requirement, to reduce the side yard setback from 20 feet to 14.8 feet. Variance granted.
2. Variance from Article XX, Legal Nonconforming Use, Legal Nonconforming Buildings and Structures and Legal Nonconforming Lots, B (1) and B (3, b. 2), expansion of a non-conforming structure. Variance granted.
3. Variance to Article XVI, Shoreland Overlay District, C. (2), temporary disturbance in the waterfront buffer for construction access. Variance granted.

Respectively 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.