



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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ZONING BOARD OF ADJUSTMENT
(ZBA)

NOTICE OF DECISION
Thursday, August 3, 2017

Refer to the agenda and meeting minutes for additional details of the discussion.

Barbara A. Deming Trust. Property is located at 151 Forty Acres Road. Tax Map 038-001-000. These applications for two variances were heard before the Board and decided on February 22, 2016. Subsequently, it was brought to the attention of then Zoning Administrator St. John, that abutters in Wilmot were not noticed for the original hearing. Following proper notice to six Wilmot abutters, this hearing was held. When the matter was called at the hearing, none of the noticed Wilmot abutters appeared. However, a non-abutter, David W. Cook, 79 Whitney Brook Road, Elkins, appeared and asked permission to address the Board regarding the existing trail network under the current conservation easement, and the parking area on the property at the end of Forty Acres Road where certain trails terminate. Permission to address the Board was granted. Whilst we acknowledge the issues raised by Mr. Cook, such matters concerning establishment and allowed pedestrian access to trails, and construction, management, use and maintenance thereof are set forth in the Conservation Easement Deed between the landowner (Deming) and the monitoring organization (ASLPT) dated December 14, 1993.

We note the terms of our original decision include the condition that “a recorded legal access acceptable to the Planning Board be provided for the new lot...” Following that approval by the Planning Board, issues concerning Town vehicles’ use of private property at the end of Forty Acres Road for turn-around purposes and other activities are properly resolved by the Selectmen and the owners of record of the parcels involved.

We AFFIRM our decision of February 22, 2016.

W. Michael Todd, Acting Chair
New London Zoning Board

Variances and Special Exceptions shall be valid if exercised within two (2) years, refer to the RSA 674:33 Powers of the Zoning Board of Adjustment, for the specific language.

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 676:5 Appeals to 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.