

**Town of New London
Zoning Board of Adjustments
March 14, 2011
APPROVED**

Members Present: Chair Bill Green, Doug Lyon, Laurie DiClerico, W. Michael Todd, Courtland Cross

Also Present: Peter Stanley (Zoning Board Administrator)

Chair Green called the **MEETING TO ORDER** at 7:30pm. He noted the hearing was being recorded and had been properly noticed.

He said they were gathered at the request of Thomas Little, who was being represented by Clayton Platt.

SPECIAL EXCEPTION

**Thomas Little
Barrett Road
New London, NH 03257**

Tax Map: 084 Lot 038

PURPOSE OF THE REQUESTED WAIVER

The applicants are requesting a Special Exception, as permitted by Article XIII, Section E 1 of the New London Zoning Ordinance, to allow two new driveway crossings and one expanded crossing of a wetland ditch along the southerly side of Barrett Road.

Chair Green turned the floor over to Mr. Platt to make comments for his case.

Mr. Clayton showed the property via slide, provided by Peter Stanley, which has been in Mr. Barrett's family since the 1940's. He would like to create a three lot subdivision, which would impact about 400' of wetlands. He has permits for the three driveway crossings, which have been granted by the State of New Hampshire, and subdivision approval subject to Zoning Board approval.

Mr. Stanley said that this was the most economical approach they could take considering the amount of wetland in the area. Mr. Platt said they have met the proper setbacks for each piece of property. Sewer and water will go through the driveway entrances, to limit further impact. Mr. Barrett is hoping to build his home on the larger lot, labeled lot #3.

Mr. Cross asked if they anticipated any problems with the elevation of the property, as it seemed rather steep. Mr. Platt said that all the homes on Barrett Road are built up, and felt that any new home built there would be done in the similar fashion. Mr. Cross asked to see the elevation of parcel number three. They looked at a slide that showed about a 12' drop. Mr. Platt said that it is a fairly gentle slope.

Mr. Lyon asked if it was currently one lot of record. Mr. Platt said that it was. Mr. Stanley showed where the zoned district boundaries were. R1 and R2 run through the larger lot (parcel 3) and comply with the appropriate regulations for the zones. The other two parcels run through the R1 zone and comply with the requirements of the zone.

Mr. Todd said that this is Mr. Little's (and Mr. Platt's) burden to show why there is no other way to gain entrance to the land. He asked for sufficient evidence that nothing else would work in this scenario. Mr. Platt said they could do a common drive between two lots, but this had only a minimal impact to the change. When they went to the State of New Hampshire, they found the proposed option to be the most minimum impact. Mr. Stanley said it isn't possible to get onto the lots without crossing a wetland.

**IT WAS MOVED (Michael Todd) AND SECONDED (Doug Lyon) to discuss.
THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Lyon explained that there are three questions that must be answered for legal granting of a special exception

Is the use ordinarily prohibited in this district? The answer is yes, due to interference with wetlands.

Is the use allowed as a spec exception? The answer was yes.

Are the conditions specified met in the ordinance in this case? The answer was yes.

All three questions required for a special exception had been met. Chair Green agreed and said it was straight forward with no issues or alternatives. Ms. DiClerico agreed.

Mr. Todd pointed out that the Little family has owned this property and have harvested hay from it since 1940. It has been an agricultural property for many years. Mr. Todd found it unusual to have a parcel of property that close to the Main Street that is capable of growing produce that can then be sold in the town. He knew that it was Mr. Little's right to do as he wants with the land and there was nothing they could do to protect the land, which he has always enjoyed seeing as an open field. Mr. Todd noted that it was a wet field that was made dry by the digging of a ditch. He was saddened that the property would not remain as is and felt it was a loss of land that was precious and important.

Mr. Cross had no comments.

IT WAS MOVED (Doug Lyon) AND SECONDED (Laurie DiClerico) to approve the request for a Special Exception to allow the applicant to cross wetlands at the three locations shown on the plan. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 7:43pm.

Respectfully Submitted,

Kristy Heath, Recording Secretary
Town of New London