



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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ZONING BOARD of ADJUSTMENT
APPROVED MEETING MINUTES
August 20, 2012

Members Present: Vice-Chair Doug Lyon, Courtland Cross, Jeff Horten, Sue Andrews, Laurie DiClerico

REQUEST FOR VARIANCE

UC Residential LLC

232 Old Main Street

New London, NH 03257

Tax Map: 107 Lot: 013

Vice-Chair Doug Lyon called the meeting to order at 7:30pm. He said that the hearing was requested by UC Residential LLC and that the property was at 232 Old Main Street in New London which was believed to reside in the R2 Zone. It was recently discovered that the home sits in the ARR Zone and this error was amended with the Town's records. He noted that the meeting was a continuance from the August 13th session that had been properly noticed, and that it was being recorded. The variance requested is described as:

PURPOSE OF THE REQUESTED WAIVER

Variance to the terms of Article V, Section C-1, of the New London Zoning ordinance to permit less than the required 25' setback.

Vice-Chair Lyon said that the ARR Zone requires a setback of 50 feet. The proposed porch is well within the setback and a variance is required in this case. He said he looked at the property and had sent the members of the Zoning Board an email explaining that he felt the porch was appropriate as there were similar types of porches within the neighborhood.

Vice-Chair Lyon said that the criteria for a variance were addressed in the application set before the Zoning Board. The petitioners have addressed the appropriate criteria. An additional piece of information that is missing from the criteria is the handicapped access need, which the Zoning Board will take into consideration when making their decision.

**IT WAS MOVED (Courtland Cross) AND SECONDED (Laurie DiClerico) to discuss.
THE MOTION WAS APPROVED UNANIMOUSLY.**

It was not believed that the porch would be contrary to public interest by any of the members of the Zoning Board. Mr. Cross said that the homes on the road were built before the zoning came into existence and he felt no reason to deny the variance. Mr. Horten said that upon visiting the property, he noticed other buildings that had fences and stone walls that even closer to the road than the porch was proposed to be.

It was believed by all members that the spirit of the ordinance would be observed by granting this variance. Ms. DiClerico said the property was unique because it stands alone.

It was believed by all members that substantial justice would be done by granting the variance. Ms. DiClerico said that the handicapped access was a key issue in this case.

It was believed by all members that the surrounding property values would not be diminished if the variance was granted. Vice-Chair Lyon said that it is somewhat isolated, visually, and that other structures around it have similar porches so he did not feel property values would be diminished. Ms. DiClerico felt the porch would enhance the look of the building.

It was determined that the proposed use was a reasonable one and that the whole neighborhood is full of non-conforming homes and that excluding this one case, it would be unfair.

IT WAS MOVED (Jeff Horten) AND SECONDED (Laurie DiClerico) to approve the variance having found that all appropriate criteria have been found in the case. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (Jeff Horten) AND SECONDED (Sue Andrews) to approve the minutes of August 13, 2012, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 7:50pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London