TOWN OF
NEW LONDON, NEW HAMPSHIRE
375 MAIN STREET • NEW LONDON, NH 03257 • WWW.NL-NH.COM

Date: March 20, 2019

To: Zoning Board of Adjustment

From: Nicole Gage, Zoning Administrator

Re: Case #ZBA19-06 – Variance
Parcel ID 119-021-000, 583 Forest Acres Rd.
Zoned R2 with Shore Land Overlay

Description of Property: In 2017, the property received a Variance to reconstruct a nonconforming structure [SEE ATTACHMENT A]. The new house currently straddles the 50-foot waterfront buffer, and this Variance application is specifically for the older deck which sits 100% in the 50-foot waterfront buffer. The lot is located in the R2 Zone on a town dirt road, Forest Acres Road. The lots sits fully within the 250-foot Shore Land Overlay District and has lake frontage on the public water body known as Messer Pond. The lot is approximately 1.68 acres (based on the new 2019 town maps, whereas the older property card shows 1.10 acres) and is supported by private well and private septic. Portions of this property are showing on the town's GIS mapping system with the following layers: 100-year Floodplain, 100-foot Stream Buffer, and 100-foot wetland buffer. [SEE ATTACHMENT B – map printouts from town GIS]

Land Use History for 119-021-000, 583 Forest Acres Rd.

1. 2010 - Structure removed from the 100-year flood plain through a LOMA (Letter of Map Amendment) issued by FEMA 4/19/2010 *[SOURCE: Town Online Maps, Associated Docs]*
2. 2011 – Voluntary Merger of Lots recorded at the registry 1/3/2011 *[SOURCE: Town Online Maps, Associated Docs]*
3. 2017 – [SEE ATTACHMENT A]
    a. The ZBA Granted a Variance for: "reconstruction and expansion of an existing nonconforming structure including increased height, and disturbance in the waterfront buffer. Variance requested to Article XVI, Shoreland Overlay District, Section C and F; Article XX, Nonconforming, Section B; and Article XIII, Wetland Conservation Overlay District, Section D"
    b. with the following conditions:
        i. State approval
        ii. Proposed nonconforming building would not be further expanded by either footprint or height.
4. 2017 – Planning board approved a tree cutting plan for waterfront buffer area, 1/24/2017 *[SOURCE: Town Online Maps, Associated Docs]*
5. 2017 – Building Permit #17-025 issued to "Demo existing house & new construction of 2 bedroom house"
6. 2017 – Approval for Construction of new 2-bedroom septic system received. *[SOURCE: Town Online Maps, Associated Docs]*

Attachment A

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ZONING BOARD OF ADJUSTMENT
(ZBA)
NOTICE OF DECISION
Tuesday, February 7, 2017

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

Radeke, David & Risa Variance application. Located at 583 Forest Acres Road. Tax Map 119-021-000. Zoned Residential (R-2); Floodplain, Wetlands Conservations and Shoreland Overlay Districts. Variances requested for the reconstruction and expansion of an existing nonconforming structure including increased height, and disturbance in the waterfront buffer. Variance requested to Article XVI, Shoreland Overlay District, Section C and F; Article XX, Nonconforming, Section B; and Article XIII, Wetland Conservation Overlay District, Section D and F. Variances granted with the following conditions:

1. State approval
2. Proposed nonconforming building would not be further expanded by either footprint or height.

Respectfully Submitted:
Lucy A. St. John
Lucy A. St. John, AICP
Planning and Zoning Administrator

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.

Attachment B

Tri Town, NH

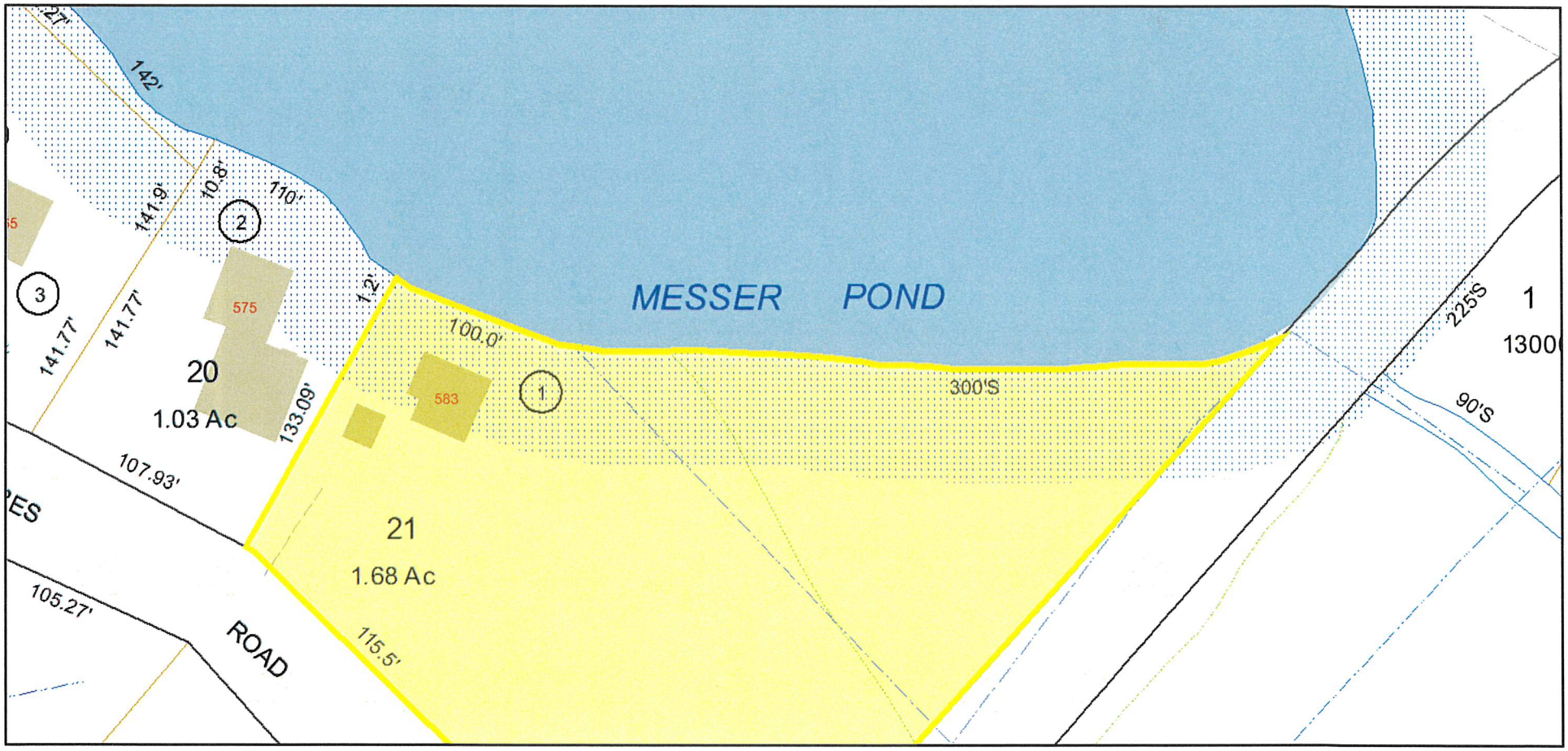
March 20, 2019

1 inch = 67 Feet

0 67 134 201

CAI Technologies
Precision Mapping Geospatial Solutions

www.cai-tech.com



PROPERTYLINE	WETLAND	USGS Hydrography
ROAD	New London Buildings	Pond Overlay 50 Foot Buffer
WATER-P	Right of Ways	
DW	New London Water-poly	

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

B

Tri Town, NH

March 20, 2019

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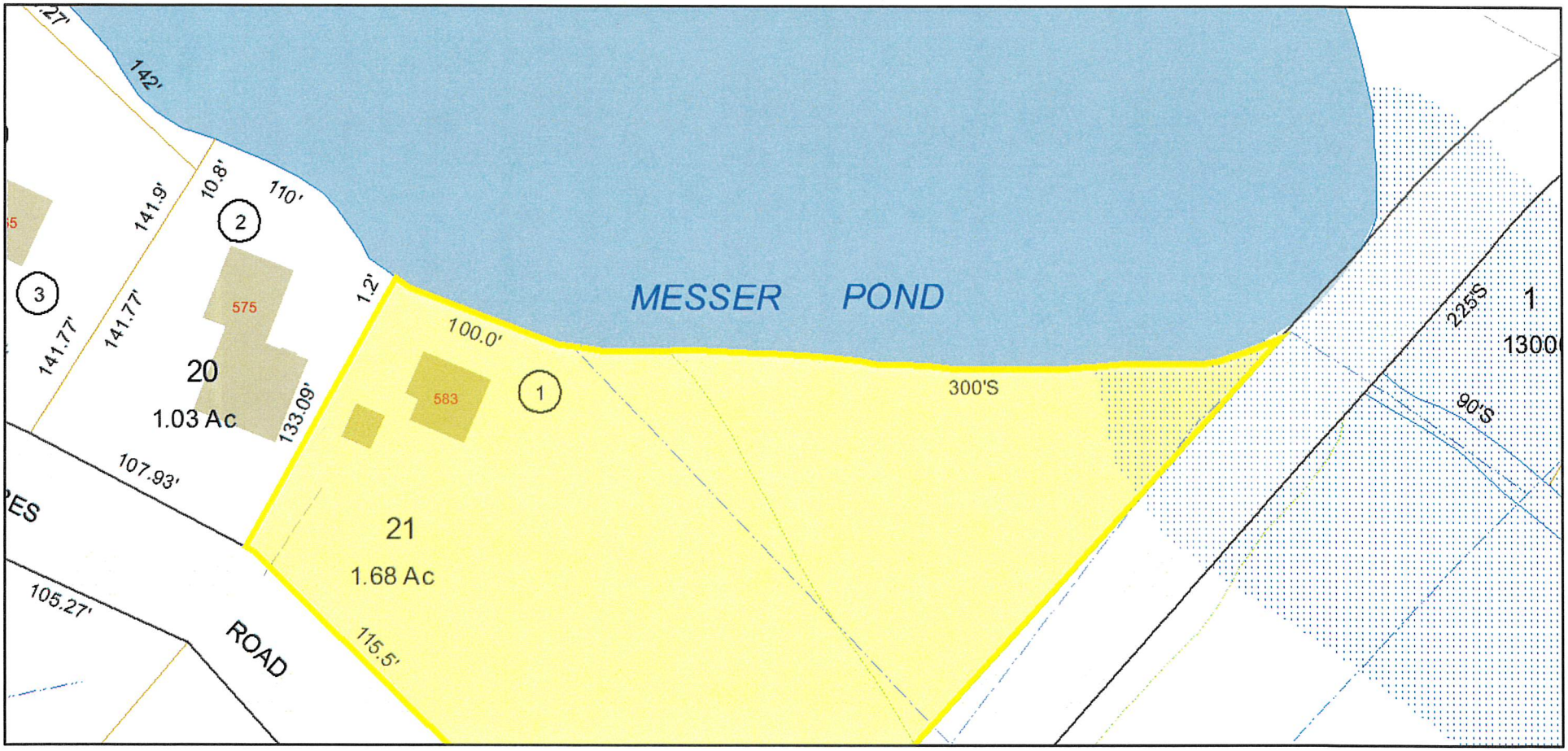

PROPERTYLINE	WETLAND	USGS Hydrography
ROAD	New London Buildings	Stream Overlay 100 Foot Buffer
WATER-P	Right of Ways	
DW	New London Water-poly	

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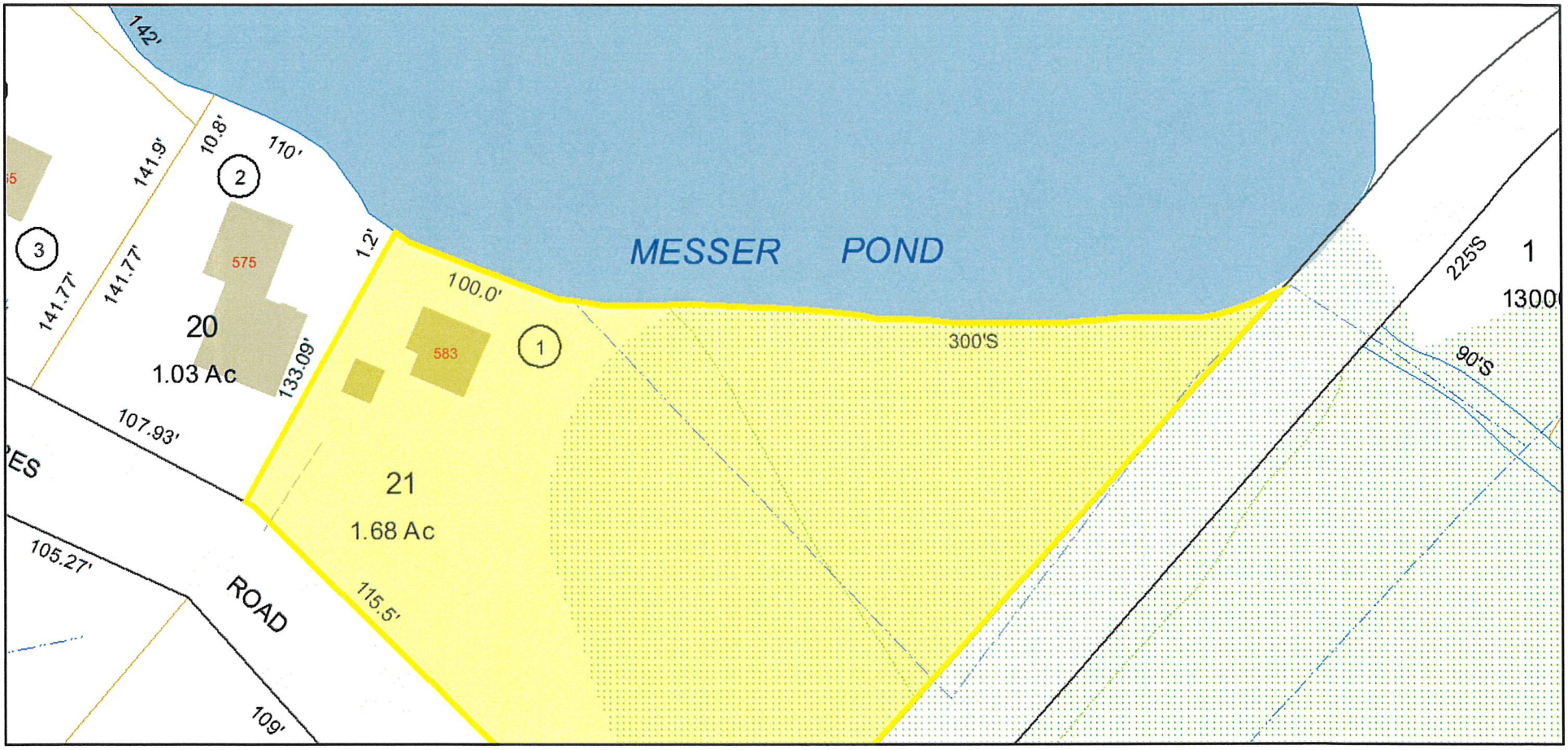

PROPERTYLINE	WETLAND	USGS Hydrography
ROAD	New London Buildings	Wetland 100 Foot Buffer
WATER-P	Right of Ways	
DW	New London Water-poly	

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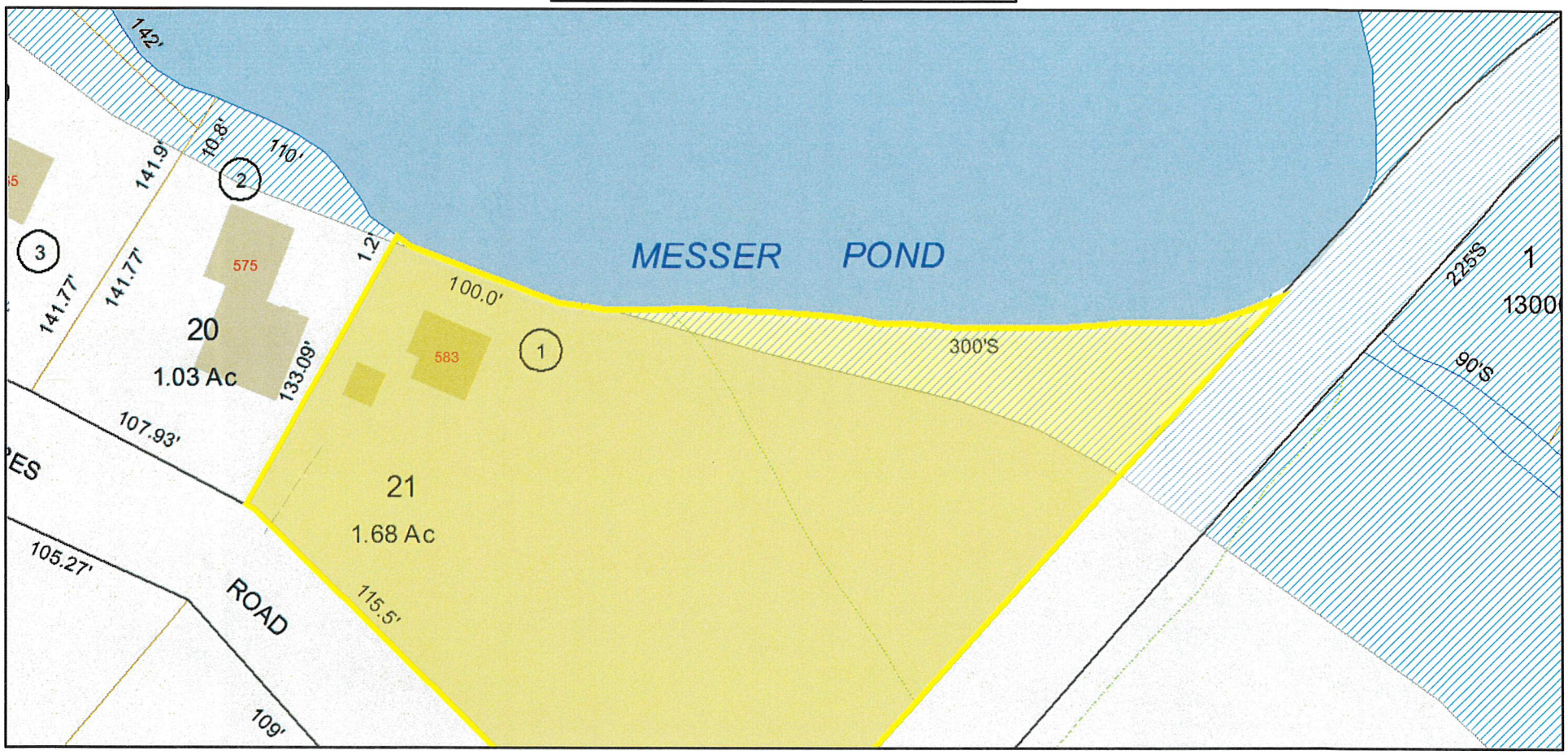

PROPERTYLINE	WETLAND	100yr Floodplain - Zone A
ROAD	New London Buildings	Zone X
WATER-P	Right of Ways	
DW	New London Water-poly	

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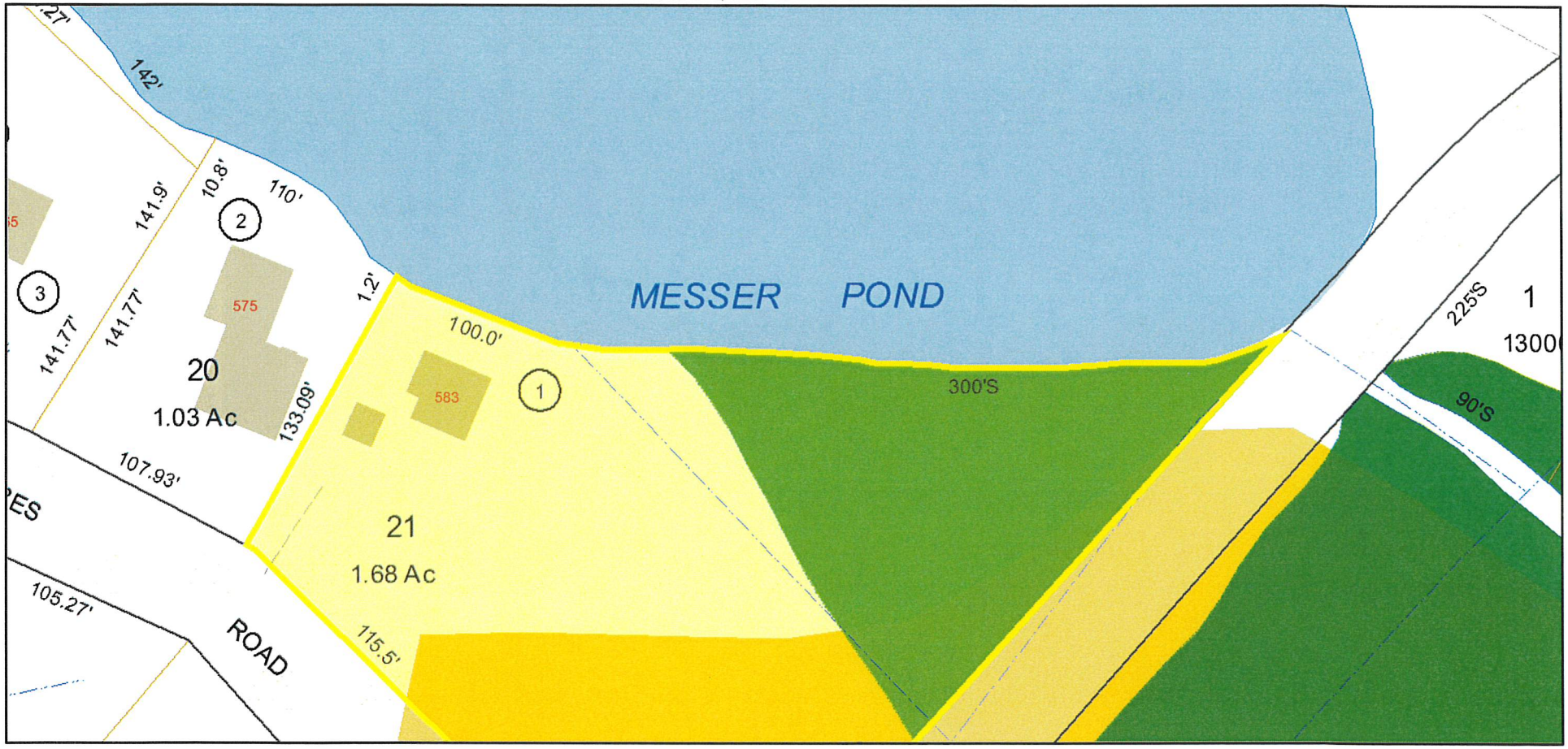

PROPERTYLINE	WETLAND	USGS Hydrography
ROAD	New London Buildings	Tax Map Wetlands
WATER-P	Right of Ways	Tax Map Wetlands
DW	New London Water-poly	Very Poorly Drained

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