

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment, Town of New London, 375 Main Street

Name of owner/applicant: Tod Schweizer

Mailing Address: P.O. Box 808, New London State: NH Zip: 03257

Home Telephone: 603-398-3053 Work Telephone: _____ Cell: _____

Email address: todwithoned1@gmail.com

Owner of property: same
(if same as applicant, write "same")

Location of property 813 Little Sunapee Road

Tax Map Number: 32 Lot Number: 001 Zone: R2

**A variance is requested from the provisions of Article: XVI Section: C.2.
of the Zoning Ordinance to permit the placement of an 8ft x 8ft premanufactured shed within the
waterfront buffer at approximately 17.8ft from the reference line to the closest wall.**

Facts supporting this request:

1. The variance will not be contrary to the public interest:
A small, prefabricated 8ft x8ft shed is a modest request and does not negatively impact the public interest.
By granting this variance the shed will allow the homeowner to clean up the property and store rubbish,
water toys for grand children and tools and equipment securely to debris does not blow into the lake.

2. The spirit of the ordinance is observed: The existing lot is very small and uniquely compromised
and unfairly restricted by the zoning setbacks. The prefabricated shed was placed with very little land disturbance.
The spirit of the ordinance is to protect the Lake. The area is stable and does not negatively impact the lake.

3. Substantial justice is done: **Relief from this ordinance will allow for safe and secure storage of rubbish,
fuel cans, water recreation equipment and firewood. The shed is already in place and the site is stable.**

4. The values of surrounding properties are not diminished; and:
There is no potential impact to surrounding properties and the shed is of quality manufacture and is mostly
hidden from view in summer months.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary
hardship.





FUSS & O'NEILL

146 Hartford Road, Manchester, CT 06040
TEL: (860) 646-2469 FAX: (860) 533-5143

56 Quarry Road, Trumbull, CT 06611
TEL: (203) 374-3748 FAX: (203) 374-4391

1550 Main Street Suite 400, Springfield, MA 01103
TEL: (413) 452-0445 FAX: (413) 846-0497

5 Fletcher Street, Suite 1, Libby House,
Kennebunk, ME 04043
TEL: (207) 363-0669

205 Billings Farm Road, Suite 6B,
White River Junction, VT 05001
TEL: (802) 698-0370

108 Myrtle Street, Suite 502, Quincy, MA 02171
TEL: (617) 282-4675 FAX: (617) 481-5885

317 Iron Horse Way, Ste. 204, Providence, RI 02908
TEL: (401) 861-3070 FAX: (401) 861-3076

540 North Commercial Street, Manchester, NH 03101
TEL: (603) 668-8223 FAX: (603) 668-8802

276 Newport Road, New London, NH 03257
TEL: (603) 873-4039

Letter of Transmittal

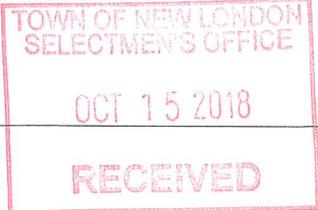
To: Nicole Gage
Town of New London
375 Main Street
New London, NH 03257

Date: 10/15/2018
Project No: 20180806 Task No.:
Re: Schweizer Zoning
813 Little Sunapee Road tax map 32 lot
001
Telephone No:

- We are sending you: Attached Under Separate Cover via 1st Class Mail
 Shop Drawings Prints Plans Specifications
 Copy of Letter Change Order Reports Other

Copies	Date	No.	Description
1	10/15/2018		2 after-the-fact zoning variance applications
1	10/15/2018		check#3906 for \$300 "Town of New London" for two application fees
1	10/15/2018		Check#3907 for \$56 "Town of New London" for newspaper notice
1	10/15/2018		Check#595 for \$56 "Town of New London" for newspaper notice
1	10/15/2018		Check#594 for \$19.60 "Town of New London" for abutter letters
1	10/15/2018		Emails, correspondence, letters from Town
1	10/15/2018		Tax Map, property card, aerial view, photos, abutter list

- For approval Returned loaned prints Furnish as submitted
 As requested Return signed original Furnish as noted
 For your use For bids due Rejected
 For review & comment Submit _____ copies for distribution resubmit _____ copies for approval



c: _____
Signed: _____

Daniel Monette

From: Nicole Gage <zoning@nl-nh.com>
Sent: Monday, August 27, 2018 3:41 PM
To: Daniel Monette
Subject: RE: 813 Little Sunapee Rd - permits

Hi Dan.

Your request is reasonable to give. 90 days from my August 22nd letter would take us right to Thanksgiving. That should give you plenty of time to work on your state permit and get your variance application in.

Thank you.

CC: Kim Hallquist, Town Administrator

Nicole Gage
Zoning Administrator
Town of New London, NH
Email zoning@nl-nh.com / Web www.nl-nh.com
Direct (603) 526-1246 / Town Office (603) 526-4821

CONFIDENTIALITY NOTICE: Privacy should not be assumed with emails associated with town business. Certain emails are public documents and may be subject to disclosure. This electronic message, and any attachments, may contain information that is confidential and/or legally privileged in accordance with NH RSA 91-A and other applicable laws or regulations. This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy/delete all copies of the original message.

From: Daniel Monette <DMonette@fando.com>
Sent: Monday, August 27, 2018 2:57 PM
To: Nicole Gage <zoning@nl-nh.com>
Subject: FW: 813 Little Sunapee Rd - permits

Nicole, wanted to confirm that you received this email? Will the extension requested below be okay?

Dan

Daniel Monette, PE
Project Engineer
Fuss & O'Neill, Inc | 205 Billings Farm Rd - Suite 6B | White River Junction, VT 05001
802.698.0370 x2215 | dmonette@fando.com | cell: 802.356.9156
www.fando.com | [twitter](#) | [facebook](#) | [linkedin](#)

From: Daniel Monette
Sent: Wednesday, August 22, 2018 3:46 PM
To: 'Nicole Gage'
Cc: 'Tod Schweizer'
Subject: RE: 813 Little Sunapee Rd - permits

Nicole,



Mr. Schweizer received your letter and forwarded it to me. We will be applying for a State shoreland permit and relief from the Town Zoning requirements soon. We have already started the process by surveying the property. We have also shown good faith and cooperation with the Town by setting up our initial meeting with you onsite.

We would like to request that more time be provided to allow for the State Shoreland Application process, review and also for us to properly complete the requirements for any required Zoning variance(s). It would be beneficial to have an approved shoreland permit in hand prior to the zoning hearing. It would also be great if we could meet with you again to go over our proposed variance(s) and plan to see if there are any additional thoughts or suggestions you may have.

We would like to request that the timeline for submitting the complete zoning applications be changed to 90 days from the receipt of your letter. The structures in question are not a nuisance and have not resulted in any negative impacts to the surrounding neighborhood therefore there is no immediate need for action.

Please note that we plan to modify the shower enclosure to have an open bottom which would classify it as a fence and not an expansion of the existing structure.

Please give me a call or reply to this email if you would like to discuss.

Best,

Dan

Daniel Monette, PE
Project Engineer

Fuss & O'Neill, Inc | 205 Billings Farm Rd - Suite 6B | White River Junction, VT 05001
802.698.0370 x2215 | dmonette@fando.com | cell: 802.356.9156

www.fando.com | [twitter](#) | [facebook](#) | [linkedin](#)

From: Tod Schweizer [<mailto:todwithoned1@gmail.com>]

Sent: Wednesday, August 22, 2018 3:20 PM

To: Daniel Monette

Subject: Fwd: 813 Little Sunapee Rd - permits

----- Forwarded message -----

From: Nicole Gage <zoning@nl-nh.com>

Date: Wed, Aug 22, 2018 at 3:05 PM

Subject: 813 Little Sunapee Rd - permits

To: todwithoned1@gmail.com <todwithoned1@gmail.com>

Dear Mr. Schweizer:

Please see the attached letter regarding your permit applications. I also sent you a hardcopy in the mail today. Thank you.

Nicole Gage

Zoning Administrator



Town of New London, NH

Email zoning@nl-nh.com / Web www.nl-nh.com

Direct (603) 526-1246 / Town Office (603) 526-4821

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TOWN OF
NEW LONDON, NEW HAMPSHIRE

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

August 22, 2018

Tod H. Schweizer, Trustee – SENT VIA CERTIFIED MAIL & EMAIL: todwithoned1@gmail.com
Susan R. Schweizer Trust
PO Box 808
New London, NH 03257

RE: 813 Little Sunapee Rd., New London NH
Parcel 032/ 001/ 000/

Thank you for applying for two (2) After-the-Fact Building Permits for 1) adding a new 30-square-foot attached platform for outdoor showering to the existing house at 813 Little Sunapee Road; and 2) a 56-square-foot shed. Unfortunately, the house is already non-conforming due to the fact that it is either located completely within the 50-foot Waterfront Buffer, or it is straddling the Waterfront Buffer. Alterations or expansions, including new foundations and expanded footprints, are NOT PERMITTED per Article XX, Sections B.1 and B.2 of the New London Zoning Ordinance. In addition, no structures, construction or land disturbance is permitted within the 50-foot Waterfront Buffer per Article XVI, Section C.2 of the New London Zoning Ordinance.

In addition, any activity, land disturbance or construction within the 250-foot Shore Land Overlay District may also require state permits from the New Hampshire Department of Environment Services.

The lot also appears to be located within the 100-year-floodplain, FEMA zone A and so all construction must meet the requirements of the Floodplain Overlay District as outlined in Article XV of the New London Zoning Ordinance. If a Variance is pursued in the Special Flood Hazard Area, additional standards must also be met per XV.I.2.

Therefore, the 30-square-foot platform and 56-square-foot shed must be removed within 30-days of receipt of this letter; or relief from the zoning ordinance must be immediately sought by submitting a complete application for a Variance within 30-days of receipt of this letter. I respectfully request that you call or email me by WED. SEPTEMBER 5TH to let me know which option you intend to pursue.



PAGE 2

August 22, 2018

Tod H. Schweizer, Trustee

Per Article XXVII of the New London Zoning Ordinance, Section 5 and 6:

5. Upon any well-founded information that this Ordinance is being violated, the Board of Selectmen shall take immediate steps to enforce the provisions of this Ordinance by seeking Injunctive Relief as provided in RSA 676:15, Fines and Penalties as provided in RSA 676:17, Cease and Desist Orders as provided in RSA 676:17-a, and Local Land Use Citations as provided by RSA 676:17-b including any amended statutory provisions.

6. Any person who violates any of the provisions of this title (Title LXIV, RSA 676:17, I), or any local ordinance, code or regulation adopted under this title, or any provision or specification of any application, plat or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person; and shall be subject to a civil penalty of \$275 for the first offense and \$550 for subsequent offenses for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the municipality that the violator is in violation, whichever is earlier, (or as specified in RSA 676:17, as amended).

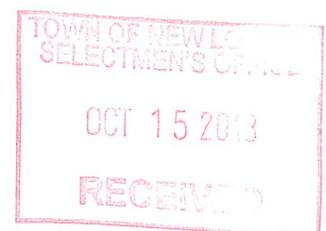
Thank you for your anticipated cooperation in this important matter.

Sincerely,



Nicole Gage
Zoning Administrator
Email - zoning@nl-nh.com
Phone - (603) 526-1246

CC: Kimberly Hallquist, Town Administrator





TOWN OF
NEW LONDON, NEW HAMPSHIRE

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

July 30, 2018

Mr. Schweizer, Trustee
Susan R Schweizer Trust
PO Box 808
New London, NH 03257

RE: 813 Little Sunapee Rd., New London NH
Parcel 032/ 001/ 000/

Thank you for meeting with me last week at 813 Little Sunapee Road with Daniel Monette of CLD/Fuss & O'Neill. During our meeting on July 25th, I recommended that you consider a LOMA (letter of map amendment) through FEMA to officially declare the property out of the 100-year flood plain, if a licensed land surveyor can show the property is elevated enough. Having a LOMA on file would reduce the number of regulations that must be met when repairing structures or installing structures on the property.

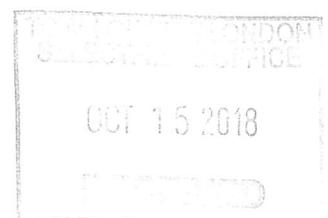
Please allow this letter to serve as a reminder that during our meeting I specifically requested that you apply for an After-the-Fact Building Permit at the town office by the end of this week (July 30-Aug.3rd) for the outdoor shower platform and the tool shed; and that if you do not wish to apply for permits the alternative would be to remove the structures immediately.

I look forward to receiving the application soon.

Sincerely,

Nicole Gage
Zoning Administrator

CC: Kimberly Hallquist, Town Administrator
Daniel Monette, PE, CLD/Fuss O'Neill – via email danm@cldengineers.com





TOWN OF
NEW LONDON, NEW HAMPSHIRE

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July 9, 2018

Susan R. Schweizer Trust
Susan R Schweizer, Trustee
PO Box 808
New London, NH 03257

RE: 813 Little Sunapee Rd., New London NH
Parcel 032/ 001/ 000/

It has come to the Town's attention that some building activity may have occurred on your property located at 813 Little Sunapee Road. It appears sheds may have been constructed without a permit, and within the 50-foot Waterfront Buffer of the Shore Land Overlay District. Our records do not indicate that a building permit was applied for.

You may not be aware of the Town's building permit process and application requirements; therefore, please contact Cary Lagace by Monday July 23rd to discuss what improvements, if any, have occurred at the property and the building permit application process.

Depending on the nature of building activities which may have occurred at the site, information may be required to determine compliance with the Town's Zoning Ordinance, the Town's Shore Land Overlay District, septic system requirements, and any State permits which may be needed from the New Hampshire Department of Environmental Services.

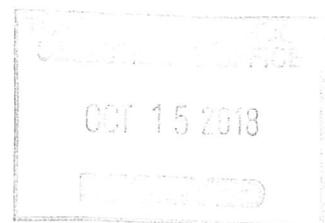
Attached is a copy of the Building Permit Application, Fee Schedule, and FAQs. **Again please contact Cary Lagace by Monday, July 23, 2018 at (603) 526-1243 or email at landuse@nh-nl.com.**

Sincerely,

Nicole Gage
Zoning Administrator

CC: Cary Lagace, Land Use Coordinator
Kimberly Hallquist, Town Administrator
Parcel File

Enclosures: Building Permit Application, Fee Schedule, FAQs





New London
Aerial Map



Imagery ©2018 Google, Map data ©2018 Google

100 ft

8102 91 100
OFFICE & NEW PROJECTS,
NOJNDOT NEWEN FOR NM01



Photo: A Taken: 7/25/18

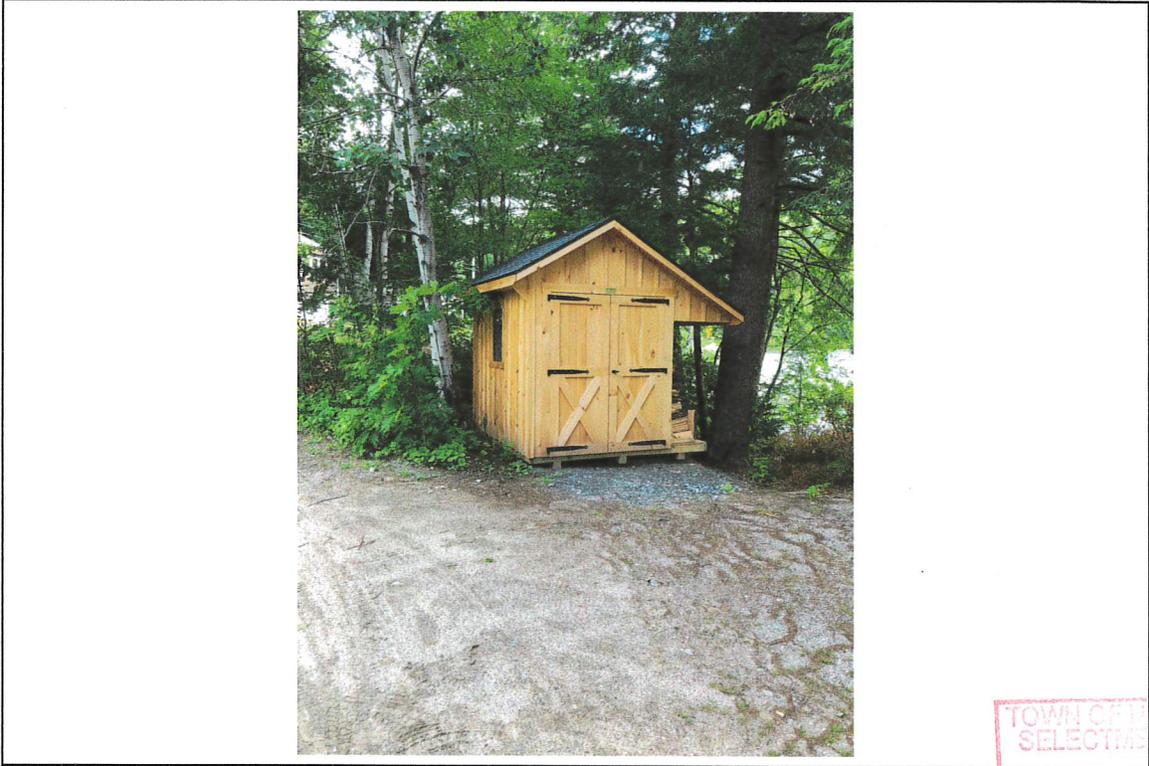


Photo: B Taken: 7/25/18

TOWN OF NEW CANA
SELECTMEN'S OFFICE
OCT 15 2018
RECEIVED



Photo: E **Taken: 7/25/18**

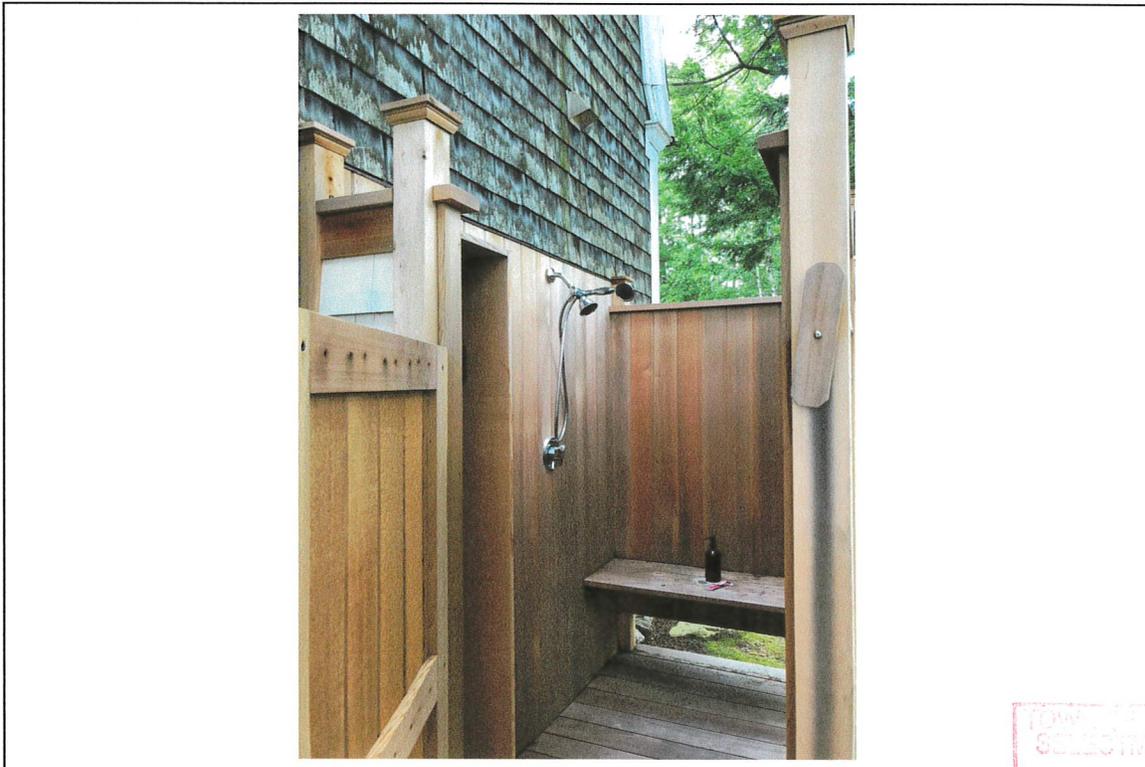


Photo: F **Taken: 7/25/18**

TOWN OF
SELECTMEN
OCT 15 2018
RECEIVED

