

APPLICATION FOR A VARIANCE

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

Name of owner/applicant: DONNA WEAVER

Mailing Address: P.O. BOX 1411 NEW LONDON State: NH Zip: 03257

Home Telephone: _____ Work Telephone: _____ Cell: _____

Email address: _____

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

Location of property 38 BEAVER POINT ROAD

Tax Map Number: 106 Lot Number: 6 Zone: R-2 & SHORLAND OVERLAY

A variance is requested from the provisions of Article: 5 Section: C2
20 B4

of the Zoning Ordinance to permit SMALL DECK WITHIN 25' OF SIDE
SETBACK & VERTICAL EXPANSION OF STRUCTURE IN WATERFRONT
BUFFER

Facts supporting this request:

1. The variance will not be contrary to the public interest:
SEE ATTACHED SHEET

2. The spirit of the ordinance is observed:
SEE ATTACHED SHEET

3. Substantial justice is done:
SEE ATTACHED SHEET

4. The values of surrounding properties are not diminished; and:
SEE ATTACHED SHEET

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

A. For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(1) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property;

SEE ATTACHED SHEET

and

(2) The proposed use is a reasonable one;

SEE ATTACHED SHEET

B. If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

SEE ATTACHED SHEET

Owner/applicant(s) Signature: Robert Weaver Date: 7-20-2020

NOTE:

This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

For questions or assistance in completing these forms, please contact:

Zoning Administrator
603-526-1246
Email: zoning@nl-nh.com

Or

Assessing Coordinator
603-526-1243
Email: landuse@nl-nh.com

Donna Weaver Variance Attached Sheet 5

Facts supporting this request:

1. *The variance will not be contrary to the public interest:*

The house will be built in the same footprint, using the existing foundation; The existing deck on the pond side is to be removed & re-configured along the side of the house, away from the pond; The existing detached garage is being replaced with an attached garage and the existing paved driveway is being replaced with a pervious driveway, Which will decrease the impervious surface of the lot by 205 s.f., or 7.2%; The existing substandard septic system will be replaced with a new state approved septic system; The existing heating oil tank in the unfinished basement, approx. 50 feet from the pond, will be replaced with a buried propane fuel tank farther from the pond, thereby reducing the risk of pollution to the pond in case of leaking or over filling; The updated house has a storm water management system consisting of stone drip edges and drywells, reducing the risk of possible erosion and siltation of the pond during periods of heavy rains.

2. *The spirit of the ordinance is observed:*

The house will remain a 2 bedroom house year round house but will expanded with the addition of a second floor to a more age appropriate dwelling with more floor space, larger door entries, etc. When the owner first contacted the Zoning administrator in Sept. of 2019, the zoning regulation at the time allowed a maximum 25' building height within the 50' waterfront buffer. The design was done with that regulation in mind. The main section of the house maximum height will be approx. 24'-4". The maximum height of the easterly portion of the house will be approx. 19'-8 1/2". Numerous native, non-invasive plantings and landscaping are proposed all around the house. There are no trees proposed to be cut or damaged from excavation due to the use of the existing foundation.

3. *Substantial justice is done:*

The majority of the house (approx. 1120 s.f. or 88%) is within the 50' waterfront buffer. There is no practical way to add a second story to a very small area outside of the 50' waterfront buffer. The proposed deck reconfiguration on the westerly side is to expand slightly the existing deck near the kitchen for outside dining purposes.

4. *The values of surrounding properties are not diminished:*

The values of the adjoining properties will not be diminished. The proposed house will be of a more modern design and look. There are no abutters whose view would be affecting with the increased vertical expansion. All aspects of the property will be enhanced to prevent detrimental effects to the Pond, and the neighborhood in general, as described in section 1.

5. *Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:*
The owner of the property would no longer be able to live in the single story house as she ages and requires additional floor space, larger doorways, etc. for mobility purposes. The addition of a second story will allow for the additional mobility for her, her family and her guests.

A. *For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:*

The property is very small, approximately 0.18 acre, with a good portion of the northeasterly deeded property line under water. There is no room on the lot to expand horizontally due to the waterfront buffer 50' setback and the Town front and side setbacks. So, that leaves a vertical expansion to expand the dwelling.

1. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property;*

Many of the properties around the pond are 2 story dwellings with decks and docks not meeting current zoning regulations. The subdivision was created in 1957, long before local and state regulations. Many of the houses in the subdivision were originally built in that timeframe as simple modest camps and have been upgraded similar to this property over the years. This request will bring this property up to similar standards and will not 'stick out' as being different, but nicely fit in with the current neighborhood.

And

2. *The proposed use is a reasonable one;*

The new house and property, in general, will be updated to current building and health & safety codes, being an asset to the community and the protection of the Pond.

B. *If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.*

The property is one of the smallest lots in the neighborhood, made even smaller in practical terms by the Pond rising over the years due to natural & man-made changes. The owner is proposing a vertical expansion to the living space of the property and in return is giving the Pond, and the Town in general, many protections for the future with the addition of a new septic system, stormwater management system, less impervious area on the lot and less chance of oil contamination.



TOWN OF NEW LONDON, NEW HAMPSHIRE

375 MAIN STREET • NEW LONDON, NH 03257 • 603-526-4821 • WWW.NL-NH.COM

Zoning Board of Adjustment Fee Schedule as of 7/8/2020

Applicant: _____
Case # _____ Date: _____

Type of Application	Fees	Amount owed
All Applications - Abutter Notification	Current postage rates for certified mail to each abutter & applicant \$4.05/each Contact town offices. <i>6 x 4.05 =</i>	<i>24.30</i>
All Applications - Newspaper Public Notice	\$56.00	<i>56 -</i>
Application Fee for Appeal of an Administrative Decision	\$150 each	
Application Fee for Equitable Waiver of Dimensional Requirements	\$150 each	
Application Fee for Special Exception	\$150 each	
Application Fee for Variance	\$150 each <i>2 x 150 =</i>	<i>300 -</i>
Recording Fees (if required by the ZBA) for any recording fees, costs and surcharges, as required, at the Merrimack County Registry of Deeds		

Please make check payable to: Town of New London
Payment due at time of application & no later than meeting date.

TOTAL DUE: \$ <i>380³⁰</i>
Upon Receipt

Greenline Property Services, LLC

54 North Road, Sunapee, NH 03782
greenline@myfairpoint.net Cell: 603-304-8338

LETTER OF AUTHORIZATION

To whom it may concern:

I, Donna Weaver, owner of 38 Beaver Point (aka Tax Map 106, Lot 6), New London, N.H., grant to Douglas Gamsby of Greenline Property Services, LLC to represent me concerning a zoning variance hearing at the Town of New London, New Hampshire for the above referenced property. Such authorization will cease when a decision has been made by the Town of New London zoning board.


Signed, Donna Weaver



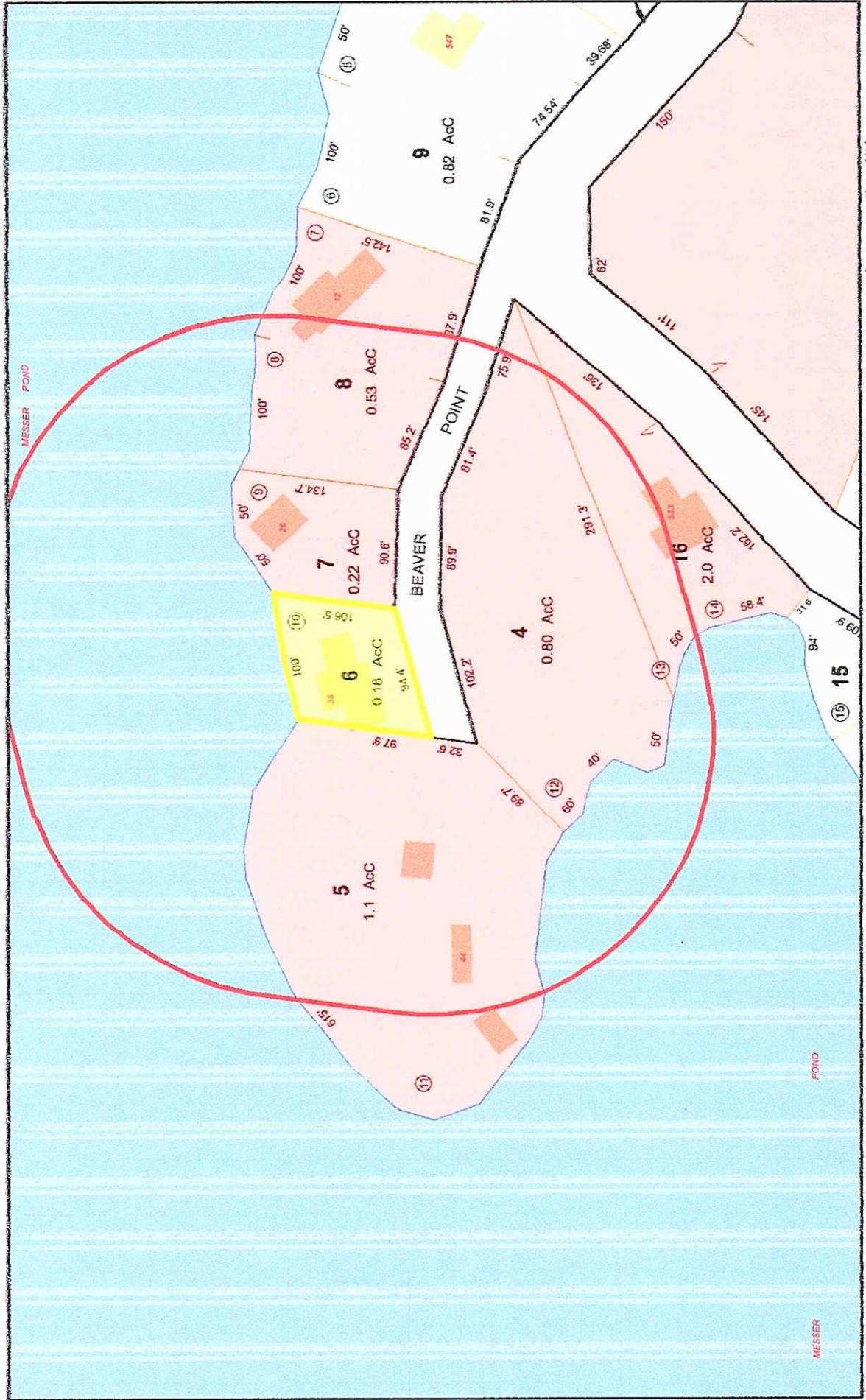
New London, NH

1 inch = 100 Feet



CAI Technologies
A Division of Applied Business, Inc. & others

June 12, 2020



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200 foot Abutters List Report

New London, NH
June 12, 2020

Subject Property:

Parcel Number: 106-006-000
CAMA Number: 106-006-000-0000-00000
Property Address: 38 BEAVER POINT

Mailing Address: WEAVER DONNA LYNN
PO BOX 1411
NEW LONDON, NH 03257

Abutters:

Parcel Number: 106-004-000
CAMA Number: 106-004-000-0000-00000
Property Address: BEAVER POINT

Mailing Address: DOYLE INVESTMENT TRUST DOYLE
JOHN J & MARY D
533 FOREST ACRES ROAD
NEW LONDON, NH 03257

Parcel Number: 106-005-000
CAMA Number: 106-005-000-0000-00000
Property Address: 44 BEAVER POINT

Mailing Address: BERG ERIC & AMY
PO BOX 4272
WILMINGTON, DE 19807

Parcel Number: 106-007-000
CAMA Number: 106-007-000-0000-00000
Property Address: 26 BEAVER POINT

Mailing Address: D MORGAN DAVIS REVOCABLE LIVIN
VICTORIA SIMEK TRUSTEE
270 FARMCLIFF DRIVE
GLASTONBURY, CT 06033

Parcel Number: 106-008-000
CAMA Number: 106-008-000-0000-00000
Property Address: 12 BEAVER POINT

Mailing Address: EBERLY JANICE 12 BEAVER POINT
PO BOX 745
NEW LONDON, NH 03257

Parcel Number: 119-016-000
CAMA Number: 119-016-000-0000-00000
Property Address: 533 FOREST ACRES RD

Mailing Address: DOYLE MARY LIVING TRUST DOYLE
JOHN & MARY TRUSTEES
533 FOREST ACRES ROAD
NEW LONDON, NH 03257

AGENT:

DOUG GANSBY
54 NORTH ROAD
SCHAPPEE, NH
03782



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