

Certified Copy  
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p. 59-134

Part 5  
Submittals

NL Zoning Admin's Correspondence w/ Applicant  
Sunapee Planning Response

Nicole Gage

**From:** Michael Marquise <michael@town.sunapee.nh.us>  
**Sent:** Tuesday, February 20, 2018 1:30 PM  
**To:** Nicole Gage  
**Subject:** Re: FW: 1876 Newport Rd., New London NH (Parcel ID 041-001-000)  
**Attachments:** Burkehave Motel SPR.pdf

Hi -

Section 2.43 of the Sunapee Ordinance appears to defer any zoning requirements for use and dimensions to the Town of New London. The only Planning question I would have is whether the new structure would alter the site plan at all (i.e. less parking spaces available, traffic circulation) that would impact Sunapee Site Plan Review. If not, then we will leave it to New London's ordinance.

~~In regard to your questions about Raps (Burkehaven Motel), I question whether the PB will be OK with it qualifying for the Home Business allowances in the rules. Guess we would see how Zoning Board characterizes it. My concern is that with a full-fledged business already on site, does this really constitute a home business per definition? I would recommend a possible consultation with the PB to discuss (SPR attached).~~

- Michael

On 2/20/2018 1:12 PM, Nicole Gage wrote:

Hi Michael.

I am writing to you with my New London hat on today.

Regarding Spec Bowers, owner of Georges Mills Cottages, 1373 Route 11

The cottages are mostly in Sunapee. One single cottage is located in New London. That is the one that burned down recently. If he wants to rebuild the New London cottage with an expanded 2<sup>nd</sup> story, is there any concern Sunapee has from the Planning Board size? It's been suggested the cottages are commercial use. Our New London planner says he has no concern, and that we consider it a separate lot of record like a single-family home. Just checking to see if Sunapee needs to handle this in some way.

Thank you.

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

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**From:** Nicole Gage  
**Sent:** Monday, January 22, 2018 11:48 AM

To: 'Spec Bowers' <[specbowers@gmail.com](mailto:specbowers@gmail.com)>  
Subject: RE: 1876 Newport Rd., New London NH (Parcel ID 041-001-000)

Spec:

I realize you are coming in at 1pm today. We can discuss this email then. Please see the yellow-highlights, and the attached document. I will have copies waiting here for you at 1pm.

Nicole Gage  
Zoning Administrator  
Town of New London, NH  
Email [zoning@nl-nh.com](mailto:zoning@nl-nh.com) / Web [www.nl-nh.com](http://www.nl-nh.com)  
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From: Spec Bowers [<mailto:specbowers@gmail.com>]  
Sent: Tuesday, January 2, 2018 2:05 PM  
To: Nicole Gage <[zoning@nl-nh.com](mailto:zoning@nl-nh.com)>  
Subject: Re: 1876 Newport Rd., New London NH (Parcel ID 041-001-000)

Thank you for your prompt reply. I do intend to reply, probably in April-May, so the one year and three year deadlines are not a problem. It will have the same number of bedrooms and won't be any more nonconforming. I was already planning to elevate the building and was already planning to have a survey, including elevation certificates.

***Attached is a general checklist for making sure your re-build project complies with the Town of New London's Floodplain Overlay District ordinance. These items are important and will be considered when we receive your application for a building permit.***

I'm not sure how to judge "Significant Improvement". The siding and appearance will be comparable. I plan to install a metal roof instead of asphalt shingles. I assume that is not a significant improvement. Elevating the building will be an improvement, but I assume is not considered "significant".

Can I add a small roof (approx. 4' x 4') over the front entrance? ***No, you may not add a roof over the front entrance unless you request a variance from the Zoning Board of Adjustment, per Article XX, Section B.1.b. If you wish to seek relief from the Zoning Board for this, you would need This building, which is a non-conforming building, appears to be located entirely within the 50-foot Waterfront Buffer of Otter Pond. Per Article XX, Section B1 & 3, there can be no change to the footprint or outside dimensions when the structure is repaired; no decks or porches may be covered, enclosed or expanded upward or outward; no new living space or basement may be added as a result of a new foundation; AND the foundation must be constructed in a manner that does not disturb any part of the Waterfront Buffer or any part of the Waterfront Buffer beyond the footprint of the existing building.***

Even though I do plan to have a survey, would the existing concrete piers (if carefully preserved during demolition) serve to document the current footprint? ***The surveyor should note the location of the existing foundation. I would speak to the surveyor about whether documenting the concrete piers would show enough about the location of the entire foundation.***

When I am ready to rebuild do I need a Building Permit? ***Yes, per ARTICLE XXVII, Section A.3.a - "... after passage of this Ordinance, it shall be unlawful to erect, relocate any Building, Sign or Structure,***

or Alter any Building without first obtaining a Building permit..." . See Article XXVII, A.3.a, page 112: [http://www.nl-nh.com/vertical/sites/%7B26F9F697-D5BE-4423-95D7-E1EECBB7F549%7D/uploads/2017\\_Zoning\\_Ordinance\\_-\\_final.pdf](http://www.nl-nh.com/vertical/sites/%7B26F9F697-D5BE-4423-95D7-E1EECBB7F549%7D/uploads/2017_Zoning_Ordinance_-_final.pdf)

There are trees that were damaged (possibly killed) by the fire. Do I need a tree cutting permit? *Yes. All tree-cutting within 50-feet of the lake requires a permit, and any tree cutting or land disturbance within 250-feet of the lake (including cutting trees in the 50-150' area) must adhere to the Town's zoning ordinance, Article XVI, see page 58-64: [http://www.nl-nh.com/vertical/sites/%7B26F9F697-D5BE-4423-95D7-E1EECBB7F549%7D/uploads/2017\\_Zoning\\_Ordinance\\_-\\_final.pdf](http://www.nl-nh.com/vertical/sites/%7B26F9F697-D5BE-4423-95D7-E1EECBB7F549%7D/uploads/2017_Zoning_Ordinance_-_final.pdf)*

I will necessarily be disturbing the land within 50 feet of the shoreland. Do I need any permit for that? Are there any other permits (other than possible DES permits) until the project is finished? *You must get a permit from NH Dept. of Environmental Services (NHDES), and you must also supply to the Town an Erosion and Sedimentation Control Plan for construction. This type of plan is sometimes addressed in your NH DES permitting and you can give us a copy of the plan with your building permit application. PLEASE NOTE: The foundation must be constructed in a manner that does not disturb any part of the Waterfront Buffer or any part of the Waterfront Buffer beyond the footprint of the existing building, per New London Zoning Ordinance Article XX, Section B.1.c.i.*

I will contact the DES.

Thank you very much for your assistance.

Spec Bowers

On Jan 2, 2018, at 1:30 PM, Nicole Gage <[zoning@nl-nh.com](mailto:zoning@nl-nh.com)> wrote:

Hello Mr. Bowers.

I am sorry to hear about the fire and hope that both you and any occupants are able to recover from this awful loss. If you wish to meet, I am typically in New London on Mondays, Tuesdays and Wednesdays and would be happy to schedule a convenient time. Here are the key points, from the Town's zoning ordinance, that you need to keep in mind as you plan your next steps:

1. The fire ruins must be cleared within one year, per Article II, Section 4 of the New London Zoning ordinance.

*Article II, Section 4 - Fire: No owner or occupant of land in any district shall permit fire or other ruins to be left, but within one year shall remove or refill the same to clear ground level or shall repair, rebuild or replace the Structure.*

2. You can replace or restore the building within 3 years as a non-conforming structure per Article XX, Section 5.a, but there are restrictions (see below) regarding the same number of bedrooms, and not making it more nonconforming.

ARTICLE XX, Section 5 - Substantial Improvement, Restoration, Reconstruction and/or Replacement of Legal Nonconforming Buildings or Structures:

a. *Legal Nonconforming Building or Structure destroyed by Fire or Other Natural Disaster: Nothing herein shall prevent the restoration, reconstruction and/or replacement within 3 years of a Legal Nonconforming Building or Structure destroyed in whole or in part by fire or other natural disaster so long as the new Structure is a functionally equivalent use (with regard to number of Bedrooms and Dwelling Units), does not result in a Substantial Improvement (when compared to the original structure), and does not result in a more Nonconforming Building than was originally at the site.*

3. You need good documentation showing the location of the existing footprint. Because the new structure cannot exceed the existing footprint, a licensed survey would be important to document the exact location of the damaged structure's footprint before you remove all the fire ruins.
  
4. Because the structure is located within FEMA's 100-year floodplain, and because this would be considered a repair due to Substantial Damage\* your new structure must be in compliance the floodproofing requirements of Article XV of the New London Zoning Ordinance. This includes as-builts, certified elevations, raising the entire structure (including any basement) to the base flood elevation, certifying that flood-proof materials were used, and locating utilities above the base flood elevation.
  
5. You need to contact NH Department of Environmental Services to review your project and to see if a State of NH Shoreland Permit is required for your project. Here is their website: [https://www.des.nh.gov/organization/divisions/water/wetlands/cspa/permit\\_shoreland\\_impact.htm](https://www.des.nh.gov/organization/divisions/water/wetlands/cspa/permit_shoreland_impact.htm).

Please note, a repair for Substantial Damage occurs when the cost to replace or repair the damaged structure exceeds 50% of the market value. Town records have the building assessed at \$22,400. If you use the Town's assessment as the market value, that means that this is considered a repair of substantial damage if your costs meet or exceed \$11,200. Costs must include items such as material, labor, including estimated value of donated or discounted materials, volunteer labor, and owner labor, site preparation such as foundation, excavation or filling, demolition, and disposal of construction debris, labor costs associated with demolition, all structural elements, exterior and interior finishes, utility and service equipment, sales taxes on materials, construction management, contractor overhead and profit, etc.\*\*

I hope this information is helpful. Email or call if you need to set an appointment to discuss further. Thank you.

CC: Kimberly Hallquist, Town Administrator

\*SOURCE: FEMA Fact Sheet Release Number FS008, entitled "*NFIP 'Substantial Damage' – What Does It Mean?*" retrieved 1-2-18 from <https://www.fema.gov/news-release/2017/09/14/fact-sheet-nfip-substantial-damage-what-does-it-mean>.

\*\*SOURCE: "Substantial Improvement/Substantial Damage Desk Reference " FEMA  
Publication P-758 published May 2010, Sections 1.1, 4.4, and 4.4.1.

Nicole Gage  
Zoning Administrator  
Town of New London, NH  
Email [zoning@nl-nh.com](mailto:zoning@nl-nh.com) / Web [www.nl-nh.com](http://www.nl-nh.com)  
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disclosure.

-----Original Message-----

From: Spec Bowers [<mailto:specbowers@gmail.com>]  
Sent: Saturday, December 30, 2017 3:57 PM  
To: Nicole Gage <[zoning@nl-nh.com](mailto:zoning@nl-nh.com)>  
Subject: rebuilding

You may have heard that one of my cottages (Georges Mills Cottages, 1876 Newport  
Rd.) burned down. I plan to rebuild. What I would like to know is what options I might  
have, what restrictions, etc. - i.e. what do I have to do before I tear down the remnant  
and start rebuilding? I plan to wait to probably April, when the weather will be much  
warmer and the land less frozen. But I want to have all the pegs lined up ahead of time  
so I can very quickly get it finished.

I'd be happy if you can outline the process by email, but would be very happy to come in  
and talk with you almost anytime.

Happy New Year,

Spec Bowers

**Nicole Gage**

---

Nicole's written  
response sending  
Spec to ZBA  
before applying for  
a bldg permit

**From:** Nicole Gage  
**Sent:** Wednesday, February 21, 2018 11:10 AM  
**To:** 'GM Cottages'  
**Cc:** Town Administrator  
**Subject:** RE: rebuilding my cottage

Hi Spec.

RE: 1876 Newport Road, New London NH, Parcel ID 041-001-000

Thank you for meeting with me this morning to review the status of your rebuild project from the fire that occurred at 1876 Newport Road on December 28, 2017.

I am in agreement with your summary below of the 4 sections of the New London Zoning Ordinance that you would need relief from in order to expand the vertical height from what was pre-existing prior to the fire, to expand beyond the 25-foot maximum height restriction, or to add a porch during the rebuild. Here is the summary you wrote in your February 20<sup>th</sup> email:

- XX.B.1.a - "No ... vertical expansion of the existing structure shall be allowed." I want to add a half story (i.e. two stories tall on the rear, one story on the front).
- XX.B.1.b - "existing porches ... may not be ... expanded upward." I want to build an open porch above the existing enclosed porch.
- XX.B.3 - "shall not exceed 25 feet in Height above Grade." Elsewhere in NL, 35 feet is the limit. The buildings immediately adjacent to this one, being in Sunapee, are limited to 40 feet. I would request a limit of 30 feet. (When my building plans are finalized, I might find that 25 feet is not a problem.)
- XX.B.5.a - "as long as the new Structure is a functionally equivalent use (with regard to number of Bedrooms)" I want to add a third bedroom.

I recommend presenting your proposal as one cohesive project with 3 distinct requests: height, porch and additional bedroom. I recommend requesting relief from the ZBA first, and then submitting the building permit application. Our previous email correspondence included all the other components that will be required for a building permit, which I am aware that you are working on.

I look forward to assisting you further with your re-build project.

CC: Kimberly Hallquist, Town Administrator

Nicole Gage  
Zoning Administrator  
Town of New London, NH  
Email [zoning@nl-nh.com](mailto:zoning@nl-nh.com) / Web [www.nl-nh.com](http://www.nl-nh.com)  
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-----Original Message-----

From: GM Cottages [mailto:gmcottages77@gmail.com]  
Sent: Tuesday, February 20, 2018 1:48 PM  
To: Nicole Gage <zoning@nl-nh.com>  
Subject: rebuilding my cottage

Hi, Nicole. I want to let you know that I am working on all the pieces to rebuild my cottage. This is sort of a status report:

- Surveyors have done their field work to prepare a flood elevation certificate and a plot plan.
- I have met with floor system designers to determine the right size material for the floor system(s).
- With assistance of an architect friend and a realtor, I have been laying out a floor plan.
- I am beginning to get quotes for materials.
- I have a retired contractor and a licensed electrician and plumber lined up.
- I have obtained a PUC Energy Code #
- When I rebuild I will reconnect to the Sunapee sewer system. (That is why I answered NO to Town Sewer approval.)
- I have reviewed the erosion control documents you referred me to. Most of the erosion plans are for much larger projects. For this very small project, it seems that a silt fence is most appropriate.
- I have communicated with DES; to rebuild in the same footprint I do not need any permit from them.

I have read the New London zoning ordinance. These are the sections from which I would request a variance:

XX.B.1.a - "No ... vertical expansion of the existing structure shall be allowed." I want to add a half story (i.e. two stories tall on the rear, one story on the front).

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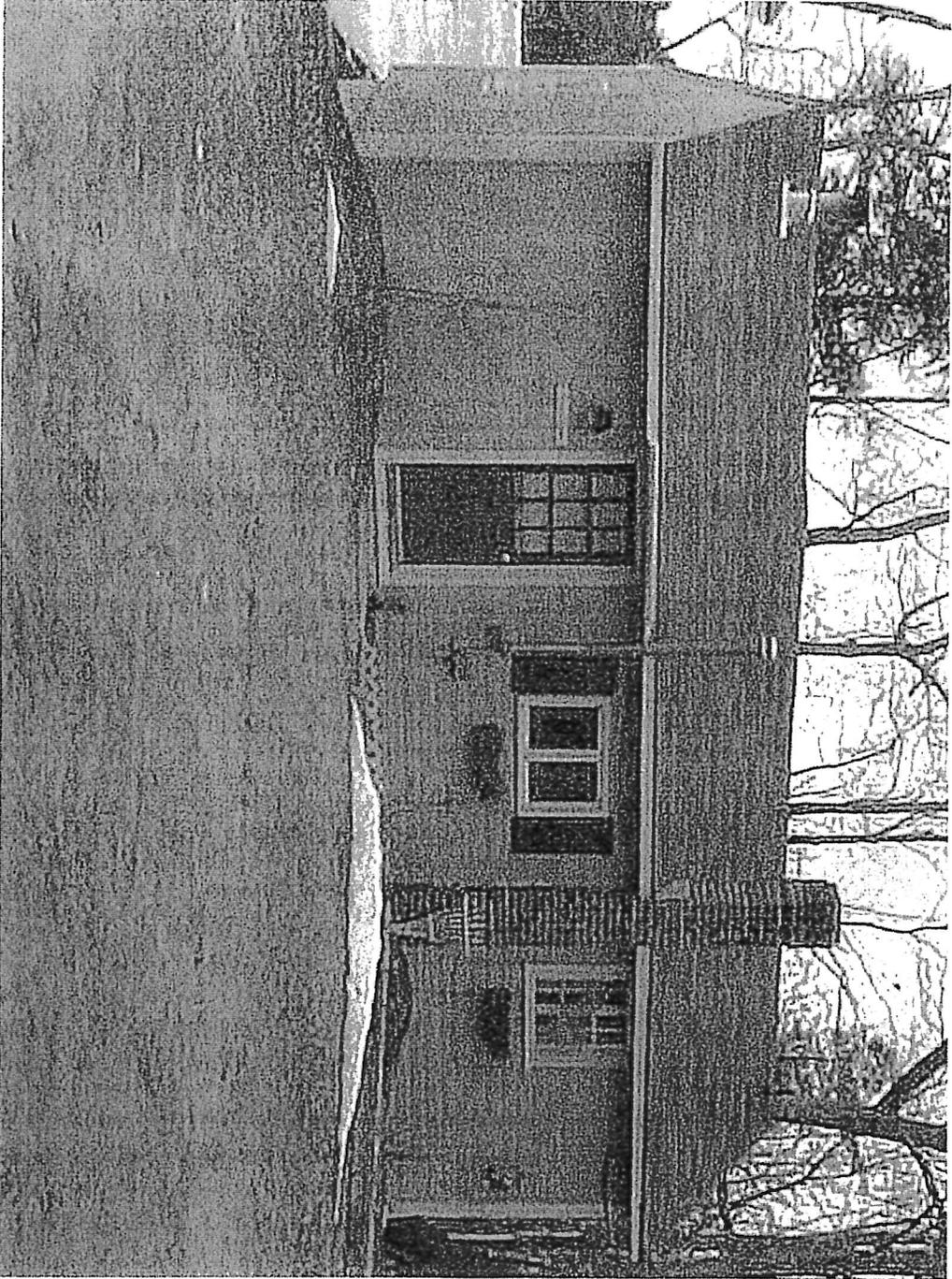
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XX.B.5.a - "as long as the new Structure is a functionally equivalent use (with regard to number of Bedrooms)" I want to add a third bedroom.

Can you think of anything I have overlooked?

Does the process allow going straight to the ZBA without first going to the Board of Selectmen? I am hoping to start construction in mid-April if Mother Nature allows.

Sincerely,  
Spec



Most recent property  
card file retrieved  
2-21-2018

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Wednesday, February 21, 2018 11:19 AM  
**To:** 'GM Cottages'  
**Cc:** Town Administrator  
**Subject:** RE: rebuilding my cottage

Hello again Spec.

This is a reminder that we also discussed 2 additional items this morning that you agreed to follow-up on:

- 1. Please plan on attending the Wednesday, March 21<sup>st</sup> Conservation Commission meeting to present your erosion & sedimentation control plan. The meeting begins at 8:30 a.m. across the hall from my office. I will be looking for the Conservation Commission's review and recommendation of that plan (per the New London Zoning Ordinance, Article XVI Shore Land Overlay District, Section E Stormwater & Erosion Control for Construction)
- 2. As a follow-up to the Town of New London letter sent to you on May 2, 2017 concerning repair made to the dock, please show evidence that either a) a DES Wetlands Permit was obtained for that project, or b) DES does not require a permit for those repairs.

CC: Kimberly Hallquist, Town Administrator

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

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---

**From:** Nicole Gage  
**Sent:** Wednesday, February 21, 2018 11:10 AM  
**To:** 'GM Cottages' <gmcottages77@gmail.com>  
**Cc:** Town Administrator <TownAdmin@nl-nh.com>  
**Subject:** RE: rebuilding my cottage

Hi Spec.

RE: 1876 Newport Road, New London NH, Parcel ID 041-001-000

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XX.B.3 - "shall not exceed 25 feet in Height above Grade." Elsewhere in NL, 35 feet is the limit. The buildings immediately adjacent to this one, being in Sunapee, are limited to 40 feet. I would request a limit of 30 feet. (When my building plans are finalized, I might find that 25 feet is not a problem.)

XX.B.5.a - "as long as the new Structure is a functionally equivalent use (with regard to number of Bedrooms)" I want to add a third bedroom.

I recommend presenting your proposal as one cohesive project with 3 distinct requests: height, porch and additional bedroom. I recommend requesting relief from the ZBA first, and then submitting the building permit application. Our previous email correspondence included all the other components that will be required for a building permit, which I am aware that you are working on.

I look forward to assisting you further with your re-build project.

CC: Kimberly Hallquist, Town Administrator

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Zoning Administrator  
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-----Original Message-----

From: GM Cottages [<mailto:gmcottages77@gmail.com>]

Sent: Tuesday, February 20, 2018 1:48 PM

To: Nicole Gage <[zoning@nl-nh.com](mailto:zoning@nl-nh.com)>

Subject: rebuilding my cottage

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- I am beginning to get quotes for materials.
- I have a retired contractor and a licensed electrician and plumber lined up.
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- When I rebuild I will reconnect to the Sunapee sewer system. (That is why I answered NO to Town Sewer approval.)
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I have read the New London zoning ordinance. These are the sections from which I would request a variance:

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Can you think of anything I have overlooked?

Does the process allow going straight to the ZBA without first going to the Board of Selectmen? I am hoping to start construction in mid-April if Mother Nature allows.

Sincerely,  
Spec

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Wednesday, February 21, 2018 11:33 AM  
**To:** Andy Deegan; Maggie Ford; Michael Kennedy; Mike Gelcius  
**Cc:** 'Spec Bowers'  
**Subject:** 1876 Newport Road - Parcel ID 041-001-000

Hello Conservation Commission Permit Review Sub-committee.

I do not have an application for a building permit yet, but I have been working extensively with the property owner of 1876 Newport Road for rebuilding after a fire. He may be going to the Zoning Board first, then applying for a permit. I asked him to come to your March 21<sup>st</sup> Conservation Commission meeting so the Commission may review his proposed Erosion & Sedimentation Control Plan.

See my message below to Bob Brown.

Thank you.

CC: Spec Bowers, Property Owner

Nicole Gage  
Zoning Administrator  
Town of New London, NH  
Email [zoning@nl-nh.com](mailto:zoning@nl-nh.com) / Web [www.nl-nh.com](http://www.nl-nh.com)  
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---

**From:** Nicole Gage  
**Sent:** Wednesday, February 21, 2018 11:27 AM  
**To:** Bob Brown <[robert@messerpond.com](mailto:robert@messerpond.com)>  
**Subject:** Conservation commission Agenda Item for March 21st - Spec Bowers

Hi Bob.

Can you please add to your March 21<sup>st</sup> agenda:

Spec Bowers, 1876 Newport Road, Erosion & Sedimentation Control Plan for rebuilding after fire (parcel ID 041-001-000).

Thank you.

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

TOWN OF NEW LONDON, NH  
CHECKLIST FOR BUILDING PERMIT APPLICATION REVIEW  
FLOODPLAIN OVERLAY DISTRICT, ARTICLE XV

✓ Reviewed this  
w/ Spec. Disregard  
if LOMA is  
in place

For structures located in the 100-year floodplain, use this checklist as a guide for submitting and specifications, showing that the proposed project incorporates compliance with the following sections of the New London Floodplain Overlay District ordinance.

CONTACT PERSON: Nicole Gage, Zoning Administrator, (603) 526-1246, Email [zoning@nl-nh.com](mailto:zoning@nl-nh.com)

*NOTE: This is a general overview of the key topics to be reviewed for a building permit. Refer to the full ordinance, Article XV, for additional requirements for categories such as water and sewer systems, recreational vehicles, and manufactured homes.*

- 1. Per Article XV, Section H, 2-a: All new construction or Substantial Improvement of residential Structures (must) have the Lowest Floor elevation (including Basement) elevated to or above the 100-Year Flood elevation.
- 2. Per Article XV, Section H, 2-e: For all new construction or Substantial Improvements, fully enclosed areas below the Lowest Floor that are subject to Flooding are permitted provided they meet the following requirements:
  - (i) The enclosed area is unfinished or Flood resistant, usable solely for the parking of vehicles, Building access or storage;
  - (ii) The area is not a Basement;
  - (iii) Shall be designed to automatically equalize hydrostatic Flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or exceed the following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to Flooding shall be provided; the bottom of all openings shall be no higher than one foot above Grade; and openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
- 3. Per Article XV, Section C – A Permit Applications must show that the project is designed to the following requirements:
  - (1) Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the Structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - (2) Be constructed with materials resistant to Flood damage;
  - (3) Be constructed by methods and practices that minimize Flood damage; and
  - (4) Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of Flooding.
- 4. Per Article XV, Section E – Upon completion of the project, you will be required to show evidence of the following to the Town of New London for your Permit Records:
  - (1) The as-built elevation (in relation to NGVD) of the Lowest Floor (including the Basement) and include whether or not such Structures contain a Basement;
  - (2) If the Structure has been flood proofed, the as-built elevation (in relation to NGVD) to which the Structure was flood-proofed; and
  - (3) Any certification of Flood Proofing.

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Tuesday, March 27, 2018 11:08 AM  
**To:** Spec Bowers  
**Subject:** 1876 Newport Rd.

Spec:

Regarding moving your drip line/roofline 12" out during your rebuild, you would need to add to your variance application a request for relief from Article XX.B.1.iii.

Nicole Gage  
Zoning Administrator  
Town of New London, NH  
Email [zoning@nl-nh.com](mailto:zoning@nl-nh.com) / Web [www.nl-nh.com](http://www.nl-nh.com)  
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Bowers --  
Correspondence

Nicole Gage

---

From: Nicole Gage  
Sent: Tuesday, March 27, 2018 12:10 PM  
To: 'Spec Bowers'  
Cc: 'nl\_nhcc@yahoo.com'  
Subject: Application for Demo/Building Permit

to Applicant

RE: Parcel ID 041-001-000 / 1876 Newport Rd.

Dear Spec:

Thank you for submitting your application to reconstruct the building that was destroyed by fire, as referenced above. In summary of the items we discussed, and based on the email I just sent you earlier regarding #1a below, here is a list of the items I need in order to complete the review of this application:

- 1) Relief from the Zoning Board of Adjustment for the following:
  - a. To allow an extension of the drip line beyond what existed prior to the fire, See Article XX ... Legal -Non-Conforming Buildings ..., Section B - Legal Nonconforming Buildings and Structures, Item 1, c.iii
  - b. To allow a vertical expansion, See Article XX ... Legal -Non-Conforming Buildings ..., Section B - Legal Nonconforming Buildings and Structures, Item 1, a
  - c. To allow an additional bedroom, See Article XX ... Legal -Non-Conforming Buildings ..., Section B - Legal Nonconforming Buildings and Structures, Item 5.a
- 2) Floor plans
- 3) Elevation plans
- 4) Asbestos report
- 5) Large plan set, legible, showing location of existing structure in relation to property lines & setbacks
- 6) Payment for permit fee (based on square footage)
- 7) Comments / Feedback from the Conservation Commission on your Erosion & Sedimentation Control Plan (They meet the 3<sup>rd</sup> Wednesday of the month at 8:30 a.m. To get on their agenda, please email the Commission at [nl\\_nhcc@yahoo.com](mailto:nl_nhcc@yahoo.com).)

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

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## Nicole Gage

---

**From:** GM Cottages <gmcottages77@gmail.com>  
**Sent:** Monday, April 2, 2018 8:38 PM  
**To:** Nicole Gage  
**Subject:** Re: variance application

It would have 4 bedrooms and 1 1/2 bathrooms.  
It has 2 dedicated parking spaces and there is overflow parking nearby on the property.  
We will have floor plans and elevations in a couple of days.

Thanks,  
Spec

> On Apr 2, 2018, at 1:02 PM, Nicole Gage <zoning@nl-nh.com> wrote:

>

> I reviewed your application for the three variances and have just a couple of questions:

>

- > • Our assessment record shows the Ladyslipper cottage was 2-bedrooms with 1 bathroom.
  - > • How many total bedrooms and bathrooms will there be if this variance is granted?
  - > • How many parking spaces will be provided for this unit if the variance is granted?
  - > • Please provide floor plans.
- > • What will the height of the structure be, if the variance is granted?
  - > • Please provide elevation drawings.

>

> Thanks Spec. In the meantime, I'm working on a date for the hearing and will be in touch as soon as we have the exact date scheduled.

>

## Nicole Gage

---

**From:** Nicole Gage  
**Sent:** Monday, April 2, 2018 1:03 PM  
**To:** GM Cottages  
**Subject:** RE: variance application

Hi Spec.

I reviewed your application for the three variances and have just a couple of questions:

1. Our assessment record shows the Ladyslipper cottage was 2-bedrooms with 1 bathroom.
  - a. How many total bedrooms and bathrooms will there be if this variance is granted?
  - b. How many parking spaces will be provided for this unit if the variance is granted?
  - c. Please provide floor plans.
2. What will the height of the structure be, if the variance is granted?
  - a. Please provide elevation drawings.

Thanks Spec. In the meantime, I'm working on a date for the hearing and will be in touch as soon as we have the exact date scheduled.

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

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---

**From:** GM Cottages <[gmcottages77@gmail.com](mailto:gmcottages77@gmail.com)>  
**Sent:** Friday, March 30, 2018 1:56 PM  
**To:** Nicole Gage <[zoning@nl-nh.com](mailto:zoning@nl-nh.com)>  
**Subject:** variance application

Here is the final PDF for the variance application.

Cheers,  
Spec



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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

April 11, 2018

ZONING ADMINISTRATOR'S REVIEW

Submitted by: Nicole Gage

Application:

Name(s): Spec Bowers, Applicant / SDB Investments Inc., Owner  
Case #: #ZBA18-02  
Property: 1876 Newport Road  
Parcel ID: 041-001-000  
Zone: Agricultural & Rural Residential (ARR)  
in the Shoreland Overlay District & 100-Year Floodplain Zone AE  
Hearing: April 17, 2018  
Purpose: Pertaining to the rebuild of a cottage damaged from fire. Request for a Variance from Article XX, Sections B.1.a, B.1.c.iii and B.5.a to permit a vertical expansion of the structure, a 1-foot overhang of the second floor on the front side (away from the lake), and an increase in the number of bedrooms.

Sections of the Zoning Ordinance to consider (new 2018 version):

Page 78-79

Article XX - Legal Nonconforming Uses, Legal Non-Conforming Buildings and Structures, and Legal Non-Conforming Lots

Section B - Legal Nonconforming Buildings and Structures

Item 5.a - Substantial Improvement, Restoration, Reconstruction and/or Replacement of Legal Nonconforming Buildings or Structures:

Page 77

Article XX - Legal Nonconforming Uses, Legal Non-Conforming Buildings and Structures, and Legal Non-Conforming Lots

Section B - Legal Nonconforming Buildings and Structures

Item 1.a

Page 77-78

Article XX - Legal Nonconforming Uses, Legal Non-Conforming Buildings and Structures, and Legal Non-Conforming Lots

Section B - Legal Nonconforming Buildings and Structures

Item 1.c.iii

Land Use Board History

1. Variance denied, 5/27/1987 – to add to an existing structure with insufficient yard requirements
2. Variance granted, 6/14/2010 – to permit a minor expansion of an existing non-conforming structure

## Overview

The building was destroyed by fire in December 2017.

This property is located Otter Pond, Route 11 (Newport Road). The property is a small triangle piece and the structure is located completely within the 50-foot waterfront buffer.

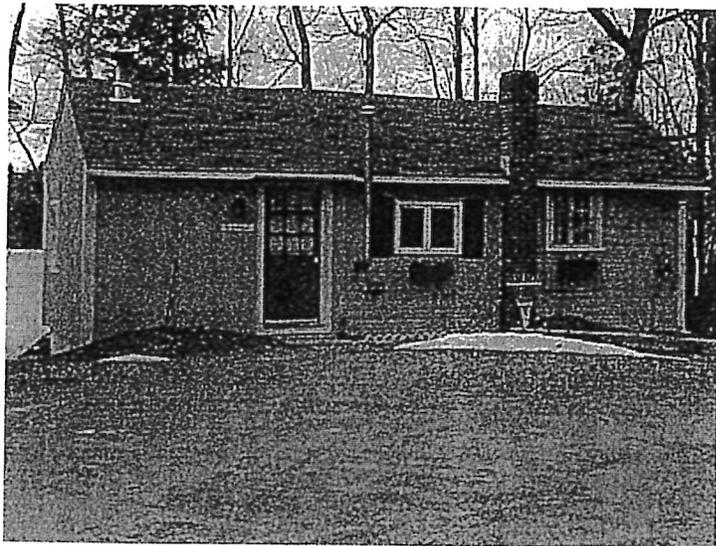
The structure is a small year-round "cottage" called "Ladyslipper" and it is rented either year-round or seasonally as a part of the larger complex "Georges Mills Cottages". It is part of the larger complex "Georges Mills Cottages" which is located in Sunapee. This property is the only cottage assessed/located in New London.

It is a pre-existing non-conforming structure because a) it was originally built in 1954 prior to our 1958 adoption of zoning; b) it located entirely within the 50' waterfront buffer of Otter Pond; c) it does not meet the current setback requirements for the ARR-Shoreland Overlay District

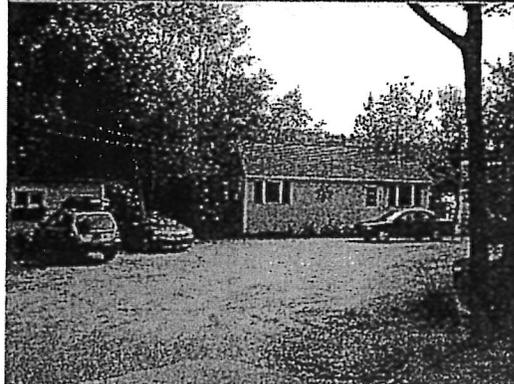
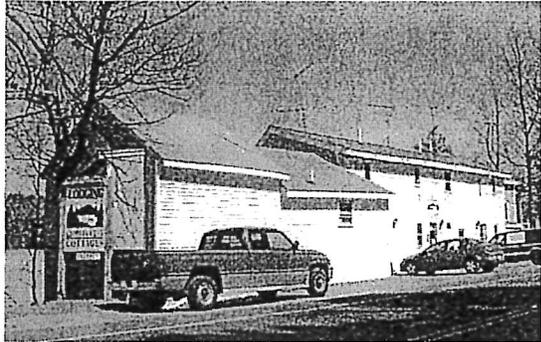
Mr. Bowers got a professional survey of existing conditions dated February 2018. He has applied to FEMA for an official LOMA (letter of map amendment) to show the elevation puts the structure outside the 100-year floodplain. He has met with the Conservation Commission to review his Sedimentation & Erosion Control plans. He also provided an elevation drawing to scale, showing the proposed 2<sup>nd</sup> story would be under the required 25' height restriction for structures in the 50' waterfront buffer (per XX.B.3)

When rebuilding, he would like to add a 2<sup>nd</sup> story, increase the number of bedrooms, and expand the roofline/dripline.

**Below: New London Parcel, 1876 Newport Rd (assessing image prior to fire).**



The following images (below) are from the Town of Sunapee's side of George's Mills Cottages.



Land Use Board  
History



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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*NOTICE OF DECISION*  
*New London Zoning Board of Adjustment*

RE: SDB INVESTMENTS

JUNE 14, 2010

MAP 041, LOT 001-000

You are hereby notified that on this date, the New London Zoning Board of Adjustment held a public hearing at the request of Spotswood (Spec) Bowers, representing SDB Investments. The applicant requested a Variance to the terms of Article XVI, Section J, 1, a, of the New London Zoning Ordinance in order to permit a minor expansion of an existing non-conforming structure in the Waterfront Buffer of Otter Pond, after-the-fact.

**1. Granting variance would not be contrary to the public interest:**

The Board determined that granting the variance would likely not be apparent to the public in any way, and that the potential for degradation of Otter Pond would not be increased by allowing it to remain.

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

The Board concluded that because impervious surfaces of the site and the intensity of use would not be increased, the goals of the ordinance were met.

**3. Substantial justice is done:**

The Board agreed that substantial justice was done because denial of the variance and subsequent removal of the small increase in volume of the structure would likely be more disruptive to the environment than leaving it alone.

**4. The proposed use would not diminish property values:**

The Board determined that since there is no noticeable change in the building, surrounding property values could not adversely affected.

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

A. For the purposes of this paragraph, 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 because there is no change in the footprint of the building or the amount of impervious surface on the site, only a minor change in volume of the structure.

Board of Selectmen P: 603-526-4821 x 10 F: 603-526-9494	Town Administrator P: 603-526-4821 x 13 F: 603-526-9494	Town Clerk-Tax Collector P: 603-526-4821 x 11 F: 603-526-9494	Finance P: 603-526-4821 x 21 F: 603-526-9494	Assessing P: 603-526-4821 x 20 F: 603-526-9494
Planning/Zoning P: 603-526-4821 x 16 F: 603-526-9494	Fire Department P: 603-526-6073 F: 603-526-6079	Police Department P: 603-526-2626 F: 603-526-2782	Public Works P: 603-526-6337 F: 603-526-9662	Recreation P: 603-526-4821 x 14 F: 603-526-9494

- (2) The proposed use is a reasonable one because the building remains essentially unchanged.

After hearing testimony, it was determined that the requirements for the Variance had been met. By unanimous vote, the Zoning Board of Adjustment APPROVED the application for the variance to permit the existing minor change in dimensions of the building on the subject property to remain in place.

\_\_\_\_\_  
William Green, Chairman

\_\_\_\_\_  
Courtland Cross

\_\_\_\_\_  
Douglas Lyon

\_\_\_\_\_  
Michael Todd

\_\_\_\_\_  
Laurie DiClerico

## Town of New London APPLICATION FOR BUILDING PERMIT

Permits are valid for one year from the date of issue. Although a building permit may be extended by the Board of Selectmen, projects not substantially under way at the one-year anniversary of approval shall be deemed to have expired and owner must apply for a new building permit, subject to current regulations and fees.

Map/Lot # 041 - 001 - 000

PERMIT # 10-044

Property Owner Name(s) SDR Investments, Inc Date 5/18/10

If the property is owned by a Trust, Corp, LLC: Name & Title of Authorized Officer Spec Bowers, Pres.

Name of Owner Agent, if Applicable \_\_\_\_\_

Property Owner Mailing Address PO Box 323, Georges Mills, NH 03751

Property location 1876 Newport Rd Approx. Starting Date immed.

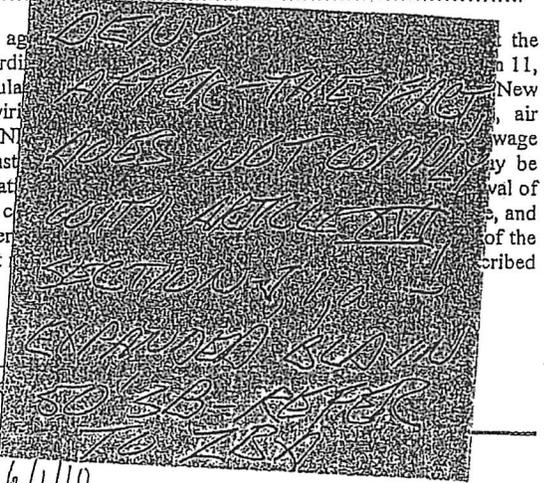
Tel. No. (H) 763-2369 (W) 763-2369 (C) \_\_\_\_\_ (Email) info@GeorgesMillsCottages.com

Contractor self Tel No. 763-2369 Cell No. \_\_\_\_\_

- Zone:  Urban Residential (R-1)  Agricultural Rural Residential (ARR)  Institutional (INST)  
 Residential (R-2)  Conservation (CON)  Hospital Institutional (HINST)  
 Commercial (C)  Forest Conservation (FOR)  Institutional/Recreational (I/R)

Description of work fixing leak roof, venting and insulating under roof. Replacing old leaky windows with modern energy-efficient windows.

In signing this building permit application, the owner of the property agrees that the proposed construction, as described herein, will conform to the Zoning Ordinance of 1958, as amended, and with all other requirements of the laws and regulations of the State of New Hampshire, as specified by RSA155-A:2, pertaining to buildings, wiring, heating, air conditioning, domestic water supply, and driveways as well as current New England disposal systems. The applicant is aware that all required permits must be performed. The applicant hereby authorizes a designated Town representative to accept the permit and from time to time during construction to ensure continuing compliance with state law. In addition, the applicant authorizes the Town Assessor to enter the property for proposed work in order to assess any change in value of the property that may result from the proposed work herein.



X Stephen D Bowers III  
Authorized Signature(s) - (Property Owner(s), Agent, Trustee)

Permit is hereby:  Approved  Denied Date: 6/1/10

New London Board of Selectmen:  
Christina M. Walden  
Mark K. Kelleher  
R. Keith Brumby

Rev. Date: 3/10

Land Use Board  
History



## Zoning Board of Adjustment

New London, New Hampshire 03257

# NOTICE OF DECISION

May 27, 1987

RE: HAL B. DECKER & THOMAS H. DECKER d/b/a DOUBLE DECKER CONSTRUCTION

You are hereby notified that the appeal of HAL B. DECKER AND THOMAS H. DECKER d/b/a DOUBLE DECKER CONSTRUCTION for a VARIANCE to the terms of ARTICLE VI, SECTION C of the NEW LONDON ZONING ORDINANCE to ADD TO AN EXISTING STRUCTURE, WITH INSUFFICIENT YARD REQUIREMENTS on property located on ROUTE 11, NEW LONDON/SUNAPEE TOWN LINE Map 41, Lot 1) has been DENIED.

After reviewing the petition and after hearing all of the evidence, and by taking into consideration the personal knowledge of the property in question, a majority of the Board members have determined the following findings of fact:

1. That there (will - will not) be a diminution in value of surrounding properties as a result of the granting of this variance. (split vote)
2. That the granting of this variance will not be of benefit to the public interest.
3. Denial of this permit will not result in unnecessary hardship to the owner seeking it. Financial hardship in this connection does not mean the personal financial hardship to the owner, but means that the land, building or structure if required to be constructed or used literally in accordance with provisions of the ordinance produces unnecessary hardship to the owner.
4. That by granting this variance substantial justice will not be done.

Note: Application for rehearing on any question of the above determination may be taken within 20 days of said determination by any party to the action or person affected thereby according to New Hampshire Revised Statutes Annotated, 1955, Chapter 31:74-76.



# Zoning Board of Adjustment

New London, New Hampshire 03257

## NOTICE OF DECISION

-PAGE 2 -

May 27, 1987

RE: HAL B. DECKER & THOMAS H. DECKER d/b/a DOUBLE DECKER CONSTRUCTION

5. That the use contemplated by the petitioner as a result of obtaining this variance will be contrary to the spirit of the ordinance.

The vote to DENY was UNANIMOUS.

Summer Stanley, Acting Chairman  
James E. Bewley  
Joan S. Bucklin  
Brian J. Prescott

Note: Application for rehearing on any question of the above determination may be taken within 20 days of said determination by any party to the action or person affected thereby according to New Hampshire Revised Statutes Annotated, 1955, Chapter 31:74-76.



# Zoning Board of Appeals

New London, New Hampshire 03257

## NOTICE OF PUBLIC HEARING

New London Town Hall

Date MAY 13, 1987 Time 7:30 p.m.

REQUESTED BY: HAL B. DECKER & THOMAS H. DECKER d/b/a/ DOUBLE DECKER CONSTRUCTION

FOR: \_\_\_\_\_

1. \_\_\_\_\_ A Special Exception, as provided in article \_\_\_\_\_, Section \_\_\_\_\_, of the zoning ordinance.
2. x A Variance to the terms of Article <sup>3</sup>14, Section <sup>40</sup>C (2), of the zoning ordinance.
3. \_\_\_\_\_ An Appeal from an administrative order in relation to Article \_\_\_\_\_, Section \_\_\_\_\_, of the zoning ordinance.

LOCATION OF THE PROPERTY: ROUTE 11, NEW LONDON-SUNAPEE TOWN LINE  
NEW LONDON TAX MAP 41, LOT 1

ZONE: ARR

PROPOSED USE: ADD TO AN EXISTING STRUCTURE WITH INSUFFICIENT SET BACK

4-18-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Wednesday, April 18, 2018 8:20 AM  
**To:** 'Trina Dawson (trinakate@yahoo.com)'  
**Cc:** Dianne Bottari  
**Subject:** Recording of last night

Hi Trina.

Do you still have a recording from last night's ZBA meeting? If so, we need you to deliver it here because the applicant from last night wants a copy of it. You can deliver the device or a thumbdrive to Dianne downstairs. Can you let me know?

Thanks.

CC: Dianne Bottari

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

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4-23-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Monday, April 23, 2018 8:55 AM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Subject:** ZBA Minutes

Hi Cary.

The 4/17 draft ZBA minutes are done and saved under:  
S:\Planning & Zoning\ZONING BOARD\MINUTES\2018 ZBA Minutes

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

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Nicole Gage

DOT- No Comment

**From:** Pomeroy, Desislava <Desislava.Pomeroy@dot.nh.gov>  
**Sent:** Monday, April 16, 2018 9:49 AM  
**To:** Nicole Gage  
**Subject:** RE: New London Zoning Board hearing 4/17/18

Thank you for sending me a copy of the plan, Nicole. I have no comments.

Des Pomeroy, PE  
Access & Utilities Engineer, District 2  
NH Department of Transportation  
8 Eastman Hill Road  
Enfield, NH 03748  
Phone: (603) 448-2654  
Cell: (603) 252-0885  
Desislava.Pomeroy@dot.nh.gov

-----Original Message-----

**From:** Nicole Gage [mailto:zoning@nl-nh.com]  
**Sent:** Monday, April 16, 2018 9:44 AM  
**To:** Pomeroy, Desislava  
**Subject:** New London Zoning Board hearing 4/17/18

Ms. Pomeroy:

You left me a phone message last week, asking how close this structure is to the state road. See attached Existing Conditions Site Plan submitted by the owner. Using the scale they provided of 1"=20', I estimate that line I drew on the purple sticky paper to be about 18'.

The hearing is tomorrow night, April 17th. Should you have any written comments you wish the New London Zoning Board to consider, please email them to me.

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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4-17-18  
Mtg Packet



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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AGENDA

NEW LONDON  
ZONING BOARD OF ADJUSTMENT (ZBA)

Tuesday, April 17, 2018 at 6:30 PM  
Town Office, Sydney Crook Conference Room, 375 Main Street

Public Meeting. All Are Welcome to Attend.

1. Call to Order
2. Roll Call – Welcome new members
3. Review Minutes of March 21, 2018
4. **Case #ZBA18-02 – Spec Bowers, Applicant / SDB Investments Inc., Owner. Located at 1876 Newport Road. Tax map 041-001-000. Zoned Agricultural & Rural Residential (ARR) in the Shoreland Overlay District.** Pertaining to the rebuild of a cottage damaged from fire. Request for a Variance from Article XX, Sections B.1.a, B.1.c.iii and B.5.a to permit a vertical expansion of the structure, a 1-foot overhang of the second floor on the front side (away from the lake), and an increase in the number of bedrooms.
5. Other Business
6. Motion to Adjourn

The application materials are available for public review at the Town Office during regular office hours, and will also be available at the Zoning Board of Adjustment (ZBA) meeting. Information is also available on the Town's website. Written comments from abutters and other interested parties will become part of the public record and provided to the Board for the discussion. Questions and comments can be directed to Nicole Gage, Zoning Administrator at (603) 526-1246.

All Town of New London public meetings are accessible for persons with disabilities. Reasonable efforts will be made to accommodate persons with physical, emotional or sensory disabilities. Any person who feels that he or she may be unable to participate in a Town of New London public meeting should contact the Town at least 48 hours in advance of the meeting. Please contact the Town Office at (603) 526-4821.

4-18-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Wednesday, April 18, 2018 7:59 AM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Cc:** Town Administrator; 'Trina Dawson (trinakate@yahoo.com)'  
**Subject:** 04-17-2018 ZBA Notice of Decision  
**Attachments:** 04-17-2018 ZBA Notice of Decision.pdf

Hi Cary.

Here is the Notice of Decision from last night. I put a copy in the ZBA case file. Please be sure to send the applicant a copy and save the digital Parcel Files too. I'm not sure if you would also put a hard copy in the property file folder, but I think that's a good idea.

Thanks!

CC: Trina Dawson / Kimberly Hallquist

ONicole 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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5-8-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Tuesday, May 8, 2018 8:46 AM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Subject:** 4/17 final ZBA minutes

Cary:

The final ZBA minutes from 4/17 are now on the shared drive. Can you please do whatever you do with the final version? (website? Record book? Delete the draft? – whatever is your protocol).

Thanks.

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

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**HUDKINS LAW**  
**HUDKINS TITLE**

**Attorneys**

■ Jacqueline M. Hudkins  
Reema T. Maroun  
■ Morgan D. Jones  
■ Laura M. Tomasello  
Richard G. Anderson\*

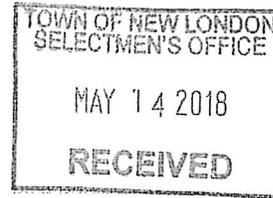
■ Martha L. Prizio  
John P. Rab  
■ Candice M. O'Neil  
Greg Racki\*

■ Admitted to Practice in NH & MA  
■ Admitted to Practice in VT & MA  
■ Admitted to Practice in MA & RI  
■ Admitted to Practice in NH & VT  
Admitted to Practice in NH  
Admitted to Practice in MA  
\* Of counsel

**Via Fedex Overnight**

May 11, 2018

Mr. Douglas W. Lyon, Chair  
Zoning Board of Adjustment  
Town of New London  
375 Main Street  
New London, NH 03257

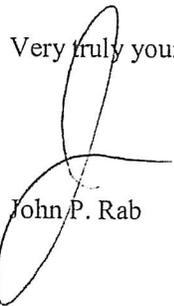


Re: Application of Spec Bower  
ZBA #18-02

Dear Chairman Lyon,

Enclosed please find a Motion For Rehearing in the above referenced matter for filing with the board. A duplicate original is being sent to Nicole Gage, Zoning Administrator, via first class mail.

Please contact me if you need anything further or have any questions.

Very truly yours,  
  
John P. Rab

CC: Spec Bowers

CC w/enclosure: Nicole Gage, Zoning Administrator via First Class Mail

WINDHAM, NH  
603-434-1770  
25 Indian Rock Road,  
PO Box 719, 03087

CONCORD, NH  
603-434-1770  
Capital Plaza, 57 North Main Street,  
Suite 104, 03301

NEW LONDON, NH  
603-526-2660  
9 Newport Road,  
PO Box 800, 03257

KEENE, NH  
603-357-1007  
265 Washington Street,  
03431

NORWICH, VT  
802-649-9200  
316 Main Street, Suite 201,  
PO Box 15, 05055

ANDOVER, MA  
978-248-0111  
300 Brickstone Square,  
Suite 201, 01810



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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

AGENDA

NEW LONDON  
ZONING BOARD OF ADJUSTMENT (ZBA)

Wednesday, May 23, 2018 at 6:30 PM  
Town Office, Sydney Crook Conference Room, 375 Main Street

Public Meeting. All Are Welcome to Attend.

1. Call to Order
2. Roll Call
3. Review Minutes of May 7, 2018
4. **REQUEST FOR REHEARING for Case #ZBA18-02 – Spec Bowers, Applicant / SDB Investments Inc., Owner.** Located at 1876 Newport Road. Tax map 041-001-000. Zoned Agricultural & Rural Residential (ARR) in the Shoreland Overlay District. Pertaining to the rebuild of a cottage damaged from fire. Original hearing for a variance was held April 17, 2018.
4. Other Business
5. Motion to Adjourn

*voted 5-0 to grant a rehearing*

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5-25-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Friday, May 25, 2018 8:26 AM  
**To:** specbowers@gmail.com; Spec Bowers  
**Cc:** Cary Lagace; Town Administrator  
**Subject:** Spec Bowers - Request for Rehearing granted

Spec:

I just left a voicemail for your attorney, John Rab. But I wanted to let you know the same information. The ZBA granted the request for a rehearing on May 23rd. I have the ZBA ready to go for a meeting on June 11th at 6:30. If you are able to supply the Town with the required fees (\$150 application fee, plus abutter mailing and newspaper notice fee) by Tuesday May 29th, we can get you on the June 11th agenda. You should also supply any additional materials you wish to add.

If you are unable to do this by May 29th, we will schedule another date, to be determined.

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

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

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TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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May 30, 2018

ZONING ADMINISTRATOR'S REVIEW

Submitted by: Nicole Gage

Application:

Name(s): Spec Bowers, Applicant / SDB Investments Inc., Owner  
 Case #: REHEARING OF #ZBA18-02  
 Property: 1876 Newport Road  
 Parcel ID: 041-001-000  
 Zone: Agricultural & Rural Residential (ARR)  
 in the Shoreland Overlay District & 100-Year Floodplain Zone AE  
 Hearing: June 11, 2018 (Original hearing was April 17, 2018)  
 Purpose: Pertaining to the rebuild of a cottage damaged from fire. Request for a Variance from Article XX, Sections B.1.a, B.1.c.iii and B.5.a to permit a vertical expansion of the structure, a 1-foot overhang of the second floor on the front side (away from the lake), and an increase in the number of bedrooms.

1. At the May 23, 2018 ZBA meeting, the ZBA voted to grant a re-hearing of this case.
2. "If a rehearing is granted, the ZBA starts anew and hears the application from the beginning, following all required statutory procedures."<sup>1</sup>
3. I would like to point out that this is a replacement of non-conforming structure due to fire. The original request for a variance, based on my recommendation to the applicant, was made from three (3) sections of Article XX, Sect. B – Legal Nonconforming Buildings and Structures:
  - a. XX.B.1.a - for "alteration or repair" of a building located entirely within the Waterfront Buffer
  - b. XX.B.1.c.iii – for "improvements" that may include a new foundation — *withdrawn*
  - c. XX.B.5.a – for "restoration, reconstruction and/or replacement" due to a legal nonconforming structure destroyed by fire.
4. This is a legal non-conforming structure because: *ARB 1954 / Zon. adopted 1958*
  - a. It does not appear to meet the side, back or front line setbacks in the ARR District (see p. 35, VI.C.1)
  - b. The structure is located completely within the 50-foot waterfront buffer, whereas structures must be a minimum of 50-ft from the water's Reference Line (see p. 61, XVI.C.2).
5. This is a legal non-conforming lot because:
  - a. The ARR zone has a 4-acre minimum lot size ; whereas this lot is approx. 0.25 acres. (see p. 35, VI.B.1)
  - b. The ARR zone requires 200-ft of road frontage; whereas this lot has 117-ft. (see p. 35, VI.B.1)
  - c. It is not clear what percentage of the lot is covered with impervious surfaces. The lot may be nonconforming if more than 20% of the lot is covered by Impervious Surface. NOTE: There is a 2<sup>nd</sup> structure straddling this property line that crosses not only this boundary line but also the New London/Sunapee line. To cover a lot 20-30% with Impervious Surface, the Planning Board must approve a storm water management system, which we have no record of being done for this property. (See p. 65, XVI.H.1-3)

<sup>1</sup> 2017 Municipal Law Lecture Series Lecture 1 – Procedural Basics for Planning and Zoning Boards, New Hampshire Municipal Association, P. 36

6-11-18  
mtg Packet



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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AGENDA

NEW LONDON  
ZONING BOARD OF ADJUSTMENT (ZBA)

Monday, June 11, 2018 at 6:30 PM  
Town Office, Sydney Crook Conference Room, 375 Main Street

Public Meeting. All Are Welcome to Attend.

1. Call to Order
2. Roll Call
3. Review Minutes of May 23, 2018
4. **Rehearing of Case #ZBA18-02 – Spec Bowers, Applicant / SDB Investments Inc., Owner. Located at 1876 Newport Road. Tax map 041-001-000. Zoned Agricultural & Rural Residential (ARR) in the Shoreland Overlay District.** Pertaining to the rebuild of a cottage damaged from fire. Request for a Variance from Article XX, Sections B.1.a, B.1.c.iii and B.5.a to permit a vertical expansion of the structure, a 1-foot overhang of the second floor on the front side (away from the lake), and an increase in the number of bedrooms.
4. Other Business
5. Motion to Adjourn

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Handant  
6-11-2018  
ZBA Mtg

STATE OF NEW HAMPSHIRE

Merrimack County  
ZBA #18-02

New London  
Zoning Board of Adjustment

SUPPLEMENTAL MEMORANDUM

Spec Bowers, by and through counsel, John P Rab, hereby submits the following Supplemental Memorandum in support of the application for variance:

Initial Withdrawal

The request for a variance from Article XXB.1.C.iii (change in footprint) is hereby withdrawn.

The Variance Criteria

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

Under this criterion an applicant must merely show that there is no harm (i.e. "will not be contrary") to the public interest if granted. For the variance to be contrary to the public interest, it must unduly and to a marked degree violate the basic zoning objectives of the zoning ordinance. To determine this, it must be determined if the variance alters the essential character of the neighborhood or threaten the health, safety, or general welfare of the public (see *Chester Rod and Gun Club, Inc. v. Town of Chester*, 152 N.H. 577 [2005]). It is clear that adding a second story and an additional bedroom to the subject property will in no way alter the essential character of the neighborhood or threaten the health, safety and general welfare of the public. Many structures in the neighborhood are two or more stories, including structures located in the same complex. The property is served by municipal water and sewer, therefore no well or septic will be overburdened nor will the quality of the abutting water body be threatened.

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

The power to zone is delegated to municipalities by the state. This limits the purposes for which zoning restrictions can be made to those listed in the state enabling legislation, RSA 674:16-20. In general, the provisions must promote the "health, safety, or general welfare of the community." They do those by lessening congestion in the streets; securing safety from fires, panic and other dangers; and providing for adequate light and air. In deciding whether or not a variance will violate the spirit and intent of the ordinance, the board of adjustment must determine the legal purpose the ordinance serves and the reason it was enacted. This requires that the effect of the variance be evaluated in

light of the goals of the zoning ordinance. The purpose of the Shoreland Overlay District as set forth in the New London Zoning Ordinance is to:

- A. Protect, maintain and enhance the water quality of the lakes;
- B. Conserve and protect aquatic and terrestrial habitat associated with lake areas;
- C. Preserve and enhance those recreational and aesthetic values associated with the natural shore land and lake environment;
- D. Encourage those uses that can be appropriately located adjacent to shorelines; and
- E. Protect and promote public health, resource conservation, and the general welfare.

It is submitted to the board that merely adding a second story and an additional bedroom to the subject property does not threaten the water quality of the lake, threaten the aquatic and terrestrial habitat in the area, is in harmony with the recreational and aesthetic values associated with the area and its environment, is an encouragement of uses that are appropriate to the shoreline area and does not threaten public health, resource conservation and the general welfare of the community. Rather, rebuilding the damaged building to be a more modern, appealing, and aesthetically pleasing structure will promote these interests.

**3. Substantial justice is done.**

It is not possible to set up rules that can measure or determine justice. Board members must determine each case individually. Perhaps the only guiding rule is that any loss to the individual that is not outweighed by a gain to the general public is an injustice. The injustice must be capable of relief by granting a variance that meets the other four qualifications.

Any loss to the individual which is not outweighed by a gain to the general public is an injustice. Also, a court will examine whether the proposed use is consistent with the area's present use. (*Malachy Glen Associates v. Town of Chichester* 155 N.H. 102 (2007)).

In this case, the loss to the applicant by being prohibited from building a more modern, appealing and aesthetically pleasing structure which will increase the value of the property is not by any means of measurement outweighed by any possible gain to the general public in prohibiting a second story and an additional bedroom. In addition, there is ample evidence that the proposed use is consistent with the area's present use.

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

The proposed variance would not change the essential character of the area. In fact, it is common sense that rebuilding the structure to more modern, appealing and aesthetic standards would increase the value of surrounding properties.

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

This provision has historically been the most problematic criteria for applications to zoning boards. It was the most onerous and misunderstood provision until changes to the law which began in 2001. On January 29, 2001, the New Hampshire Supreme Court issued an opinion in *Simplex Technologies, Inc. v. Town of Newington &a*, which dramatically changed the standard for granting zoning variances. The court refined the long-held standard for unnecessary hardship and established three conditions that must be used by boards of adjustment when determining if a hardship exists. In 2009, RSA 674:33 was amended to, among other matters, codify the five variance criteria in light of the *Simplex* and other cases. Boards must now use the "reasonable use" and "relationship" criteria from the *Simplex* decision for determination of unnecessary hardship for all variance cases. The statute also now codifies the much stricter *pre-Simplex* standard for unnecessary hardship derived from *Governor's Island Club v. Town of Gillord*, 124 N.H. 126 [1983] which would still apply if the applicant was unable to meet the *Simplex* standards. Rather than having to establish the ordinance prevents the owner from making any reasonable use of the land (the Governor's Island standard") in order to demonstrate unnecessary hardship, a landowner may now establish unnecessary hardship by satisfying the following conditions:

RSA 674:33, l(b) (5) (A) Powers of Zoning Board of Adjustment

(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:

(i) 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.

**(the relationship test)**

Is the restriction on the property necessary in order to give full effect to the purpose of the ordinance, or can relief be granted to this property without frustrating the purpose of the ordinance? Is the full application of the ordinance to this particular property necessary to promote a valid public purpose? Once the purposes of the ordinance provision have been established, the property owner needs to establish that, because of the special conditions of the property, application of the ordinance provision to his property would not advance the purposes of the ordinance provision in any "fair and substantial" way.

This test attempts to balance the public good resulting from the application of the ordinance against the potential harm to a private landowner. It goes to the question of whether it creates a necessary or "unnecessary" hardship.

And:

(ii) The proposed use is a reasonable one. **(the reasonable use test)**

The applicant must establish that, because of the special conditions of the property, the proposed use is reasonable. The law does not require an investigation of how severely the zoning restriction interferes with the owner's use of the land. It merely requires a determination that, owing to special conditions of the property, the proposed use is reasonable. This is necessarily a subjective judgment, but presumably it includes an analysis of how the proposed use would affect neighboring properties and the municipality's zoning goals generally. It clearly includes "whether the landowner's proposed use would alter the essential character of the neighborhood." See, *Farrar v. City of Keene*, 158 NH 684 (2009) and *Harrington v. Town of Warner*, 152 NH 74 (2005).

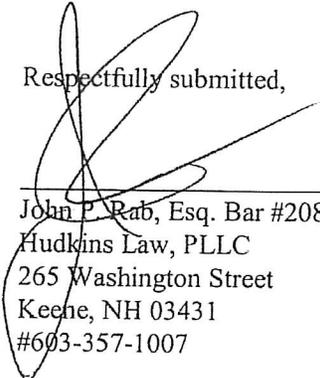
The *Simplex* court held that the definition of unnecessary hardship under zoning must be viewed "in light of constitutional protections by which it must be tempered. In construction of these protections the court adopted "an approach more considerate of the constitutional right to enjoy property." Under both *Simplex* and the later *Rancourt v. City of Manchester*, 149 NH 51 (2003) decision, the board is not limited to only considering the size or shape of the land in determining uniqueness, it also considers the setting of the property in its environment. An applicant does not have to demonstrate that there is not any reasonable use of the land, a landowner may demonstrate that the restriction interferes with the reasonable use of the property considering its unique setting. *Simplex* "requires a determination of whether the hardship is a result of the unique setting of the property" but "does not require that the property be the only such burdened property." See, *Harrington v. Town of Warner*, 152 N.H. 74 (2005). The size of a building may be considered when determining special conditions resulting in a determination of unique setting for purposes of unnecessary hardship. *Farrar v. City of Keene* 158 NH 684 (2009). It should be noted that since finding special conditions and uniqueness focus only on the characteristic and setting of a specific property, the decision of the board has no precedential value with respect to applications for a variance which may be submitted concerning other properties.

In this case, the building at issue is part of a complex of 7 buildings totaling 14 units. The property has special conditions in that the building at issue is located in New London while the remaining 6 buildings consisting of 13 units is locate in the Town of Sunapee. The property is served by the Sunapee municipal water and sewer system. If the subject building was located a few feet away into Sunapee, the request of the applicant to build a second story and add an additional bedroom would be allowed

by special exception. In addition, the requested second story and additional bedroom would not require any permits from NH DES. Therefore, it is uncontroverted the grant of this variance would not conflict with the general public purpose of the ordinance provision under consideration. Prohibiting a second story and an additional bedroom would not in any fair or substantial way advance the purposes of the Shoreland Overlay District or the ordinance provision at issue. Water quality would not be threatened, habitat would not be disrupted, recreational and aesthetic values of the area would be enhanced, the use would be appropriate to the lakeside and public health, resources or the general welfare would be promoted. Similarly, the proposed use is reasonable and consistent with the area's present use. It would in no way alter the character of the neighborhood. Rather, the proposed use would fit right into the area and, in fact, would serve to enhance the aesthetics of the neighborhood.

Respectfully submitted,

Dated: June 11, 2018



---

John P. Rab, Esq. Bar #2086  
Hudkins Law, PLLC  
265 Washington Street  
Keene, NH 03431  
#603-357-1007

6-14-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Thursday, June 14, 2018 2:15 PM  
**To:** Administrative Assistant  
**Subject:** Re: ZBA recording

Thank you. Did you save a copy of the recording to the ZBA minutes directory? I need to listen to it for a Motion / Decision notice. Thank you!

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

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**From:** Administrative Assistant  
**Sent:** Thursday, June 14, 2018 1:39 PM  
**To:** Nicole Gage  
**Subject:** ZBA recording

Nicole,

Just to let you know. Spec Bowers received a copy of the recorded minutes today.

Bests,  
Dianne Bottari  
Administrator Assistant  
Town of New London  
375 Main Street  
New London, NH 03257  
603-526-1242  
[www.nl-nh.com](http://www.nl-nh.com)

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6-18-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Monday, June 18, 2018 1:22 PM  
**To:** Dianne Bottari  
**Subject:** FW: Draft ZBA minutes  
**Attachments:** 6-11-2018 ZBA draft.docx; 6-11-2018 ZBA draft.pdf

Dianne:  
I think draft minutes get posted to the website. If so, and Cary's not here, can you post them for me? Thanks!

Nicole

**From:** Nicole Gage  
**Sent:** Monday, June 18, 2018 1:21 PM  
**To:** Nicole Gage <zoning@nl-nh.com>  
**Subject:** Draft ZBA minutes

Here are the draft minutes, FYI.

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

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6-20-18

Misc  
Correspondence

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Wednesday, June 20, 2018 8:51 AM  
**To:** John Rab  
**Cc:** Doug Lyon; Cary Lagace (landuse@nl-nh.com)  
**Subject:** New London ZBA Case #18-02 (Spec Bowers / SDB Investment)

RE: New London ZBA Case #18-02 (Spec Bowers / SDB Investments Inc.)

John:

The minutes and draft notice of decision language did not match up. So the ZBA will be meeting briefly in a public meeting to clarify the motion that denied the variance. The meeting will be held at 3:00 PM on Tuesday, 6/26/2018 at the same place, New London Town Office, 375 Main Street (upstairs).

CC: Doug Lyon, ZBA Chair / Cary Lagace, Land Use Coordinator

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

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6-27-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Wednesday, June 27, 2018 9:57 AM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Subject:** Please post the FINAL 5/23 & 6/11 ZBA minutes to website

Cary:

At yesterday's ZBA meeting, they made changes to the 5/23 & 6/11 draft minutes. I put the final version in the shared drive. Can you please take down the drafts and put them up on the website?

Thanks.

Nicole

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

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Meeting  
Packet  
6-26-18

TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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

AGENDA

NEW LONDON  
ZONING BOARD OF ADJUSTMENT (ZBA)

Tuesday, June 26, 2018 at 3:00 PM  
Town Office, Sydney Crook Conference Room, 375 Main Street

Public Meeting. All Are Welcome to Attend.

1. Call to Order
2. Roll Call
3. Review Minutes of May 23<sup>rd</sup> & June 11<sup>th</sup> *p. 5-6 p. 7-12*
4. Case #ZBA18-02 – Spec Bowers, Applicant / SDB Investments Inc., Owner. *p. 2-4*  
Clarification of motion/decision from June 11<sup>th</sup> rehearing.
4. Other Business → *Meeting Schedule p. 13*
5. Motion to Adjourn

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①

7-2-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Monday, July 2, 2018 2:50 PM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Subject:** For the website

Hi Cary.

Please post these documents to the website:

- > 6/11 ZBA minutes - FINAL version (not the draft)
- 6/26 ZBA minutes - draft version
- 6/11 ZBA Notice of Decision

*→ also emailed them to Cary 6/27.*

Also, under the 7/11 ZBA Meeting Materials on the website, can you add the 6/26 draft minutes?

Thank you.

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

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**From:** Nicole Gage  
**Sent:** Monday, July 2, 2018 2:46 PM  
**To:** John Rab <[john@hudkinslaw.com](mailto:john@hudkinslaw.com)>; Spec Bowers <[specbowers@gmail.com](mailto:specbowers@gmail.com)>  
**Subject:** final minutes and decision

Dear John & Spec:

Attached please find the notice of decision from the New London Zoning Board of Adjustment.

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

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7-2-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Monday, July 2, 2018 2:50 PM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Subject:** For the website

Hi Cary.

Please post these documents to the website:

- 6/11 ZBA minutes – FINAL version (not the draft)
- 6/26 ZBA minutes – draft version
- 6/11 ZBA Notice of Decision

Also, under the 7/11 ZBA Meeting Materials on the website, can you add the 6/26 draft minutes?

Thank you.

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

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**From:** Nicole Gage  
**Sent:** Monday, July 2, 2018 2:46 PM  
**To:** John Rab <[john@hudkinslaw.com](mailto:john@hudkinslaw.com)>; Spec Bowers <[specbowers@gmail.com](mailto:specbowers@gmail.com)>  
**Subject:** final minutes and decision

Dear John & Spec:

Attached please find the notice of decision from the New London Zoning Board of Adjustment.

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

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7-2-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Monday, July 2, 2018 2:50 PM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Subject:** For the website

Hi Cary.

Please post these documents to the website:

6/11 ZBA minutes – FINAL version (not the draft)

6/26 ZBA minutes – draft version

→ 6/11 ZBA Notice of Decision

Also, under the 7/11 ZBA Meeting Materials on the website, can you add the 6/26 draft minutes?

Thank you.

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

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---

**From:** Nicole Gage  
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**Subject:** final minutes and decision

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Nicole Gage  
Zoning Administrator  
Town of New London, NH  
Email [zoning@nl-nh.com](mailto:zoning@nl-nh.com) / Web [www.nl-nh.com](http://www.nl-nh.com)  
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7-2-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Monday, July 2, 2018 2:46 PM  
**To:** John Rab; Spec Bowers  
**Subject:** final minutes and decision  
**Attachments:** 06-11-2018 ZBA Notice of Decision.pdf

Dear John & Spec:

Attached please find the notice of decision from the New London Zoning Board of Adjustment.

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

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**HUDKINS LAW**<sub>PLLC</sub>  
**HUDKINS TITLE**<sub>LLC</sub>

**Attorneys**

■ Jacqueline M. Hudkins  
 Reema T. Maroun  
 ■ Morgan D. Jones  
 ■ Laura M. Tomasello  
 ■ Richard G. Anderson

■ Martha L. Prizio  
 John P. Rab  
 ■ Candice M. O'Neil  
 Greg Racki

■ Admitted to Practice in NH & MA  
 ■ Admitted to Practice in VT & MA  
 ■ Admitted to Practice in MA & RI  
 ■ Admitted to Practice in NH & VT  
 ■ Admitted to Practice in NH  
 ■ Admitted to Practice in MA  
 \* Of counsel

**Via Fedex Overnight**

July 6, 2018

Mr. Douglas W. Lyon, Chair  
 Zoning Board of Adjustment  
 Town of New London  
 375 Main Street  
 New London, NH 03257

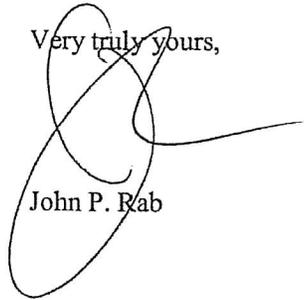
Re: Application of Spec Bowers  
 ZBA #18-02

Dear Chairman Lyon,

Enclosed please find a Motion For Rehearing in the above referenced matter for filing with the board. A duplicate original is being sent to Nicole Gage, Zoning Administrator, via first class mail.

Please contact me if you need anything further or have any questions.

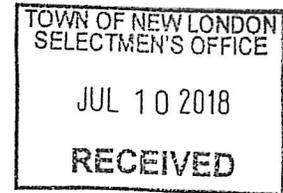
Very truly yours,



John P. Rab

CC: Spec Bowers

CC w/enclosure: Nicole Gage, Zoning Administrator via First Class Mail



WINDHAM, NH  
 603-434-1770  
 25 Indian Rock Road,  
 PO Box 719, 03087

CONCORD, NH  
 603-434-1770  
 Capital Plaza, 57 North Main Street,  
 Suite 104, 03301

NEW LONDON, NH  
 603-526-2660  
 9 Newport Road,  
 PO Box 800, 03257

KEENE, NH  
 603-357-1007  
 265 Washington Street,  
 03431

NORWICH, VT  
 802-649-9200  
 316 Main Street, Suite 201,  
 PO Box 15, 05055

ANDOVER, MA  
 978-248-0111  
 300 Brickstone Square,  
 Suite 201, 01810

## ZBA SCHEDULE – for discussion

1. Tue 7/10, 6:30 @ Whipple Hall, with Planning Board (*to learn about Workforce Housing*)
2. Wed 7/11, 5:30 Site Visit at end of Cottage Lane (*for Harry Snow*)
3. Wed 7/11, 6:30 @ Whipple Hall, 25 Seamans Rd (*Mascoma Bank for sign variance & Harry Snow for 6 variances for multi-family buildings*)
4. Wed 7/18, 6:30 @ Town Office – New London Hospital for height variance – MARK YOUR CALENDAR
5. ~~Wed 7/25, 6:30 @ Town Office – SAVE THE DATE for hospital application – CANCELLED~~
6. NEED TO SET A DATE – for New London Hospital for Special Exception, wetlands:
  - a. Tue. 7/31, 6:30 @ Town Office ???
  - b. Tue. 8/7, 6:30 @ Town Office ???
  - c. Wed. 8/8, 6:30 @ Town Office ???

13



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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

7-18-18  
Mtg Packet

AGENDA

NEW LONDON  
ZONING BOARD OF ADJUSTMENT (ZBA)

Wednesday, July 18, 2018 at 6:30 PM  
Town Office, Sydney Crook Conference Room, 375 Main Street

Public Meeting. All Are Welcome to Attend.

1. Call to Order
2. Roll Call
3. Review Minutes of June 26<sup>th</sup>
4. **PUBLIC HEARING for Case #ZBA18-06. Applicants Mike Black of Continuum Development & Attorney James Callahan and Owners New London Hospital Association** request a Variance for Height per Article II, Section 5 of the New London Zoning Ordinance to permit buildings to exceed the 35 foot height limitation in connection with a proposed development for a senior living community (planned unit development). The lot is located on County Road in the R-1 (Residential) zone and is identified as Parcel ID 072-017-000.
5. **Motion for Rehearing, Case #ZBA18-02**, 1876 Newport Rd., Parcel ID 041-001-000, SDB Investments, Inc.
6. New ZBA meeting schedule
7. Other Business
8. Motion to Adjourn

All Town of New London public meetings are accessible for persons with disabilities. Reasonable efforts will be made to accommodate persons with physical, emotional or sensory disabilities. Any person who feels that he or she may be unable to participate in a Town of New London public meeting should contact the Town at least 48 hours in advance of the meeting. Please contact the Town Office at (603) 526-4821.

7-23-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Monday, July 23, 2018 1:44 PM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Subject:** 7/18 ZBA decision ready to be posted to website

Hi Cary.  
The 7/18 NOD for the ZBA is now ready for the website.

Thank you.

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

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7-23-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Monday, July 23, 2018 1:46 PM  
**To:** John Rab  
**Subject:** Notice of decision, New London  
**Attachments:** 07-18-2018 ZBA Notice of Decision.pdf

Hi John.

I hope all is well and that you are getting a good rain, wherever you are. We need it.

Here is a decision sheet from July 18<sup>th</sup>. I hope this I helpful. Please let me know if there is anything else I can assist you with. The minutes should be up on the website shortly.

Nicole Gage  
Zoning Administrator  
Town of New London, NH  
Email [zoning@nl-nh.com](mailto:zoning@nl-nh.com) / Web [www.nl-nh.com](http://www.nl-nh.com)  
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7-25-18

**Nicole Gage**

---

**From:** Nicole Gage  
**Sent:** Wednesday, July 25, 2018 7:28 AM  
**To:** Cary Lagace (landuse@nl-nh.com)  
**Subject:** 6/26 final ZBA minutes ready to post

Good morning Cary.

The 6/26 final ZBA minutes ready to post.

Thank you.

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

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TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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July 25, 2018

ZONING ADMINISTRATOR'S REVIEW

Submitted by: Nicole Gage

Application: Case #ZBA18-02

Chronology:

- 6/26 Board decision made - voted to deny the Variance (After a motion for rehearing was granted)
- 6/27 Notice of 6/26 Decision issued and made available
- 7/2 Minutes of 6/26 made available (within 5 biz days after vote)
- 7/10 Motion for rehearing received
- 7/18 Board votes to deny the Motion for Rehearing - case closed\*
- 7/25 amendment to Motion for rehearing received - filed untimely\*

\* Based on RSA 677:2



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

---

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

July 25, 2018

ZONING ADMINISTRATOR'S REVIEW

Submitted by: Nicole Gage

Application: Case #ZBA18-02

Chronology:

- 6/26 Board decision made - voted to deny the Variance (After a motion for rehearing was granted)
- 6/27 Notice of 6/26 Decision issued and made available
- 7/2 Minutes of 6/26 made available (within 5 biz days after vote)
- 7/10 Motion for rehearing received
- 7/18 Board votes to deny the Motion for Rehearing
- 7/25 Amendment to Motion for rehearing received

Comment:

Does RSA 677:2 give the applicant the right to file an amendment to the motion? It seems the statute allows for the filing of an amended/modified motion only if the minutes and decisions were not issued in 5 biz days. In this case, both the minutes and decision were made available within 5 biz days.

## Daug's Motion

In a MOTION made and duly-seconded, the Zoning Board of Adjustment voted to deny the request for variance for the following reasons:

- The variance requested is not in the public interest because it conflicts with the basic zoning objective of preventing building expansion in the waterfront buffer.
- The variance requested also violates the spirit of the ordinance by allowing building expansion in the waterfront buffer.
- Substantial justice is not an issue because the applicant has the right to rebuild the destroyed cottage as it was, so there is no loss.
- There is no hardship because all similar properties in New London are burdened with the same waterfront buffer requirements.

(2)



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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AGENDA

NEW LONDON  
ZONING BOARD OF ADJUSTMENT (ZBA)

**Tuesday, August 7, 2018 at 6:30 PM**  
Town Office, Sydney Crook Conference Room, 375 Main Street

Public Meeting. All Are Welcome to Attend.

1. Call to Order
2. Roll Call
3. Review Minutes of July 18th
4. **PUBLIC HEARING for Case #ZBA18-05. Applicants Mike Black of Continuum Development & Attorney James Callahan and Owners New London Hospital Association request a Special Exception for Wetlands Crossing, per XIII, E.1 to allow wetlands impact and crossing in connection with a proposed development for a senior living community (planned unit development). The lot is located on County Road in the R-1 (Residential) zone and is identified as Parcel ID 072-017-000.**
5. **Amended Motion for Rehearing, Case #ZBA18-02, 1876 Newport Rd., Parcel ID 041-001-000, SDB Investments, Inc.**
6. New ZBA meeting schedule
7. Other Business
8. Motion to Adjourn

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Hearing 4-17-2018 → Variance denied  
doc rec'd 5-14-2018 → rec'd a Motion for Rehearing and put on 5/23/18 agenda  
Mtg 5-23-2018 → Motion for rehearing granted

Hearing 6-11-2018 → Rehearing scheduled DENIED

Mtg 6-26-2018 → ZBA mtg to clarify decision from 6-11-18 DENIED

document rec'd 7-10-2018 → Request - Motion for Rehearing for the 7-18-2018 ZBA Agenda

Mtg 7-18-2018 → mtg held to consider the 7-6-18 Motion for Rehearing → denied

document rec'd 7-24-2018 → <sup>Received</sup> Amendment to Motion for Rehearing. Put on 8/7 agenda

Mtg 8-7-2018 → Ammended Motion for Rehearing → denied

Motion for Rehearing

RSA 677:2 and

677:3

Handout from  
8-7-18 ZBA mtg

Nicole Gage

---

**From:** Doug Lyon <dwlyon1@comcast.net>  
**Sent:** Saturday, August 4, 2018 4:05 PM  
**To:** aesbeard@yahoo.com; Katharine Fischer; Frank Anzalone; 'Michael W. Todd'; 'Stanley Bright'; Heidi Lauridsen; 'Hudson, Bruce'  
**Cc:** Nicole Gage; Barton L. Mayer  
**Subject:** FW: Consideration of amended motion  
**Attachments:** ZBA 18-02 ZA's Chronology DRAFT\_.docx

Hello ZBA Members: I wanted to inform you of some research we did relative to one of our applications. On Tuesday (8/7) we have a ZBA hearing and one of the issues on the agenda is an Amended Motion for Rehearing by counsel for Spec Bowers. His counsel states that *"In our motion for Rehearing dated July 6, 2018, we reserved the right under RSA 677:2 to amend our motion within 30 days of the decision filed on June 27, 2018."* Nicole Gage and I reviewed RSA 677:2 and also sought advice from Town Counsel. Under RSA 677:2 there are two conditions that must be met in order to file an amended motion. Those two conditions are that both the minutes of the meeting and the decision must not have been filed within 5 business days of the date when the decision was made.

Nicole has produced the attached chronology, which demonstrates that both the decision and the minutes were filed in a timely fashion. That means that counsel has no right to amend the motion, and the motion for rehearing is not timely. An untimely appeal cannot be considered by the ZBA. As you know, for any ZBA hearing, we must first determine if the application is properly filed before us. Only then can we consider the merits.

If you think about it, this is a really important issue. If there were no conditions on amending an appeal, then appeals could be filed over and over forever. There would be no way to make a final decision on any application.

So, the ZBA heard the applicant's July 6 motion for rehearing on July 18. We voted to deny the rehearing and that concludes this case.

On 8/7, I will be making the following motion:

Applicant Spec Bowers has filed an amended appeal based on RSA 677:2. However, RSA 677:2 requires that two conditions be met: Those conditions are that both the minutes of the meeting and the decision must not have been filed within 5 business days of the date when the decision was made. However, both the decision and the minutes were filed in a timely fashion. Therefore the application is not timely and cannot be heard. The Amended Motion for Rehearing is denied.

**This information is provided to help you prepare for the 8/7 meeting. Please do not respond to this email or discuss it among yourselves as that would constitute a violation of the public meeting rules.**

Thanks for all the hard work you do to prepare for ZBA hearings and to ensure that we appropriately consider all applications.

10-4

Doug

Douglas W. Lyon  
63 Shaker Street  
New London, NH 03257-5953  
(H) 603-526-6550  
(M) 603-731-1916

dwlyon1@comcast.net

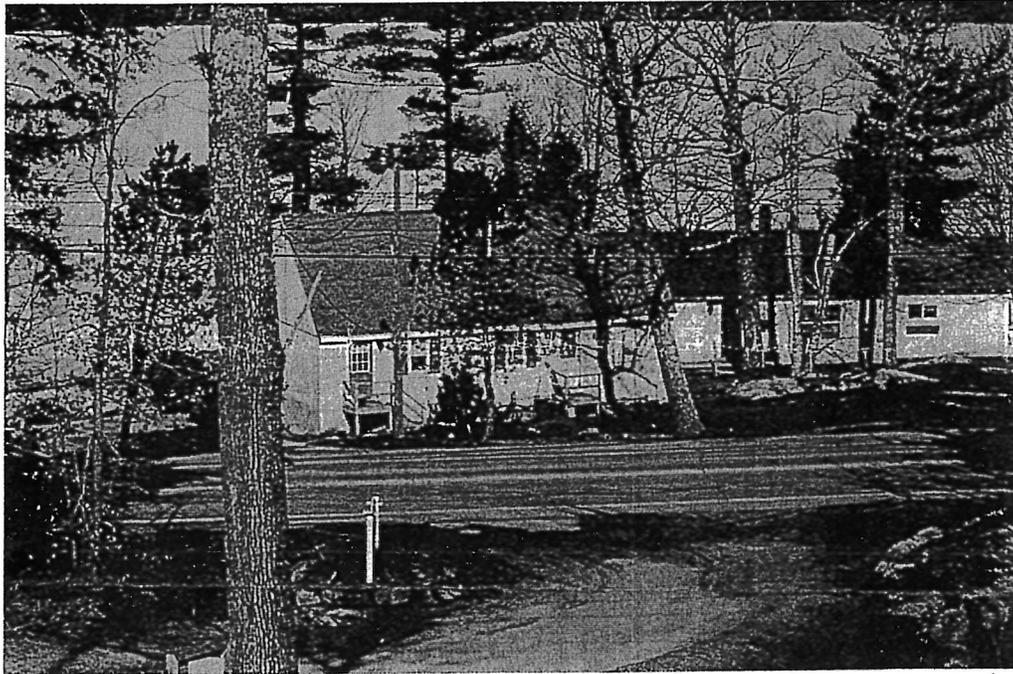
*"Everyone is entitled to his own opinion, but not his own facts"*  
*Daniel Patrick Moynihan*

Bowers variance

*flandant*

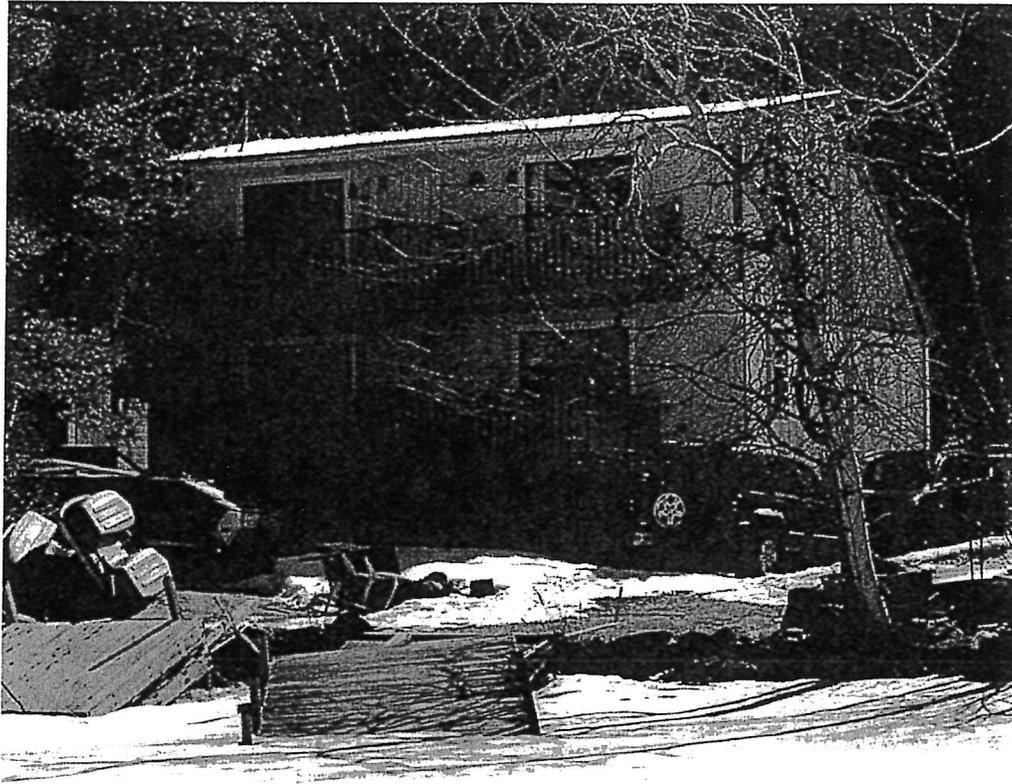
6-11-18  
ZBA mtg

For context, these are photos of the burnt cottage and neighboring cottages.



Bowers variance

This is the backside of the building on the left side of the previous picture. It is about 50 yards from the subject building. My rebuilt cottage would be smaller and not as tall as this building.

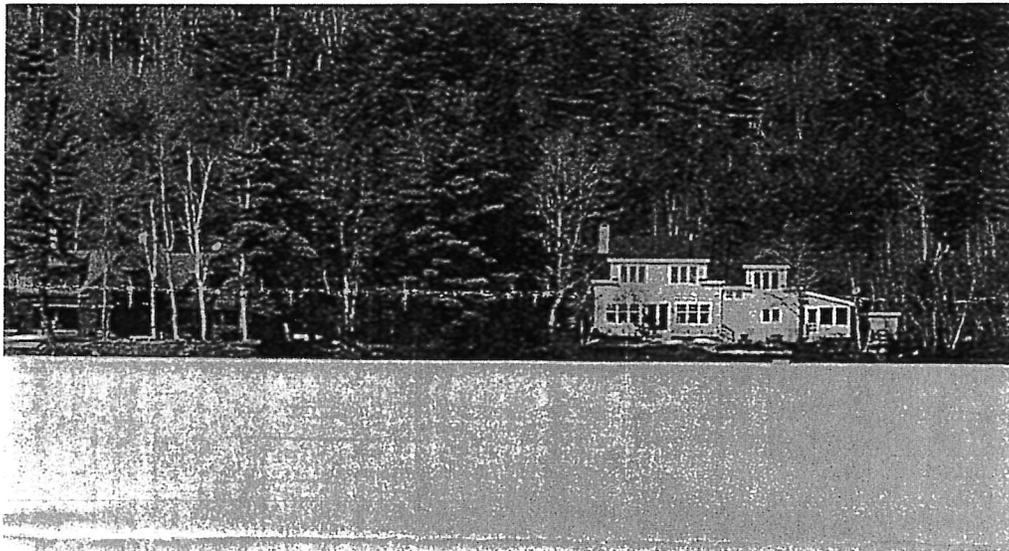
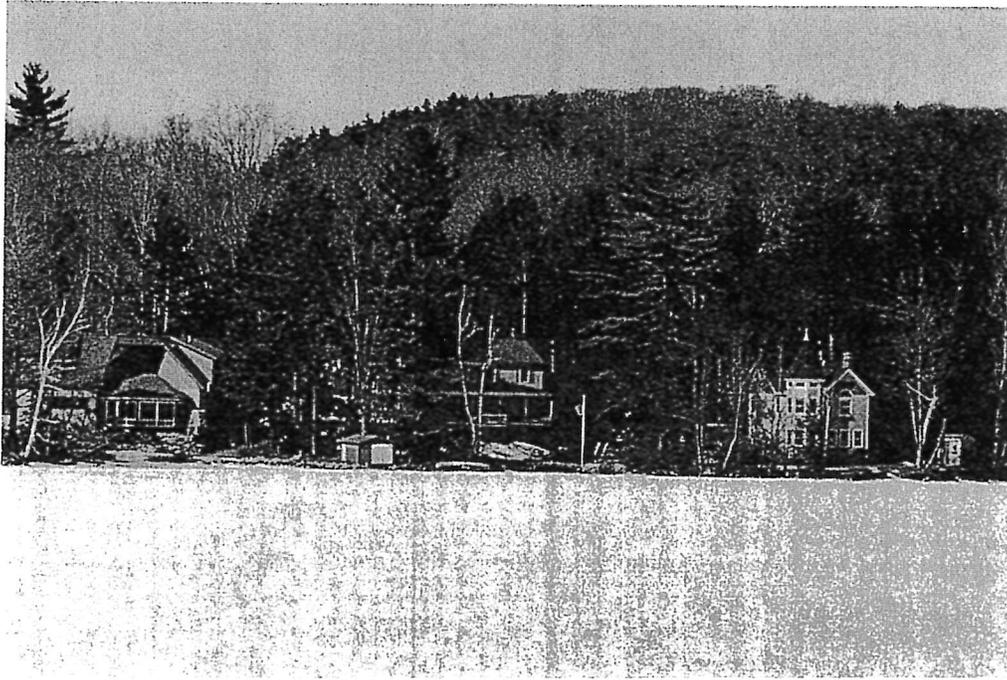


This is part of my main building about 100 yards from the burnt cottage. It is three stories tall and much larger than will be the rebuilt cottage.



Bowers variance

These houses are in Sunapee, across the lake from me. All are 2-3 stories and much larger than mine.



Bowers variance

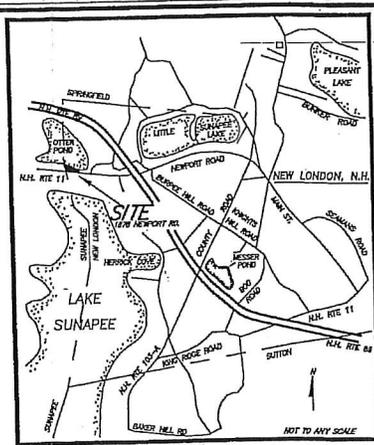
This house is on the New London side of the lake.





**KEY**

- Granite Bound (found)-or as noted
- ⊕ Utility Pole and number
- Edge Road/ Drive
- △ Survey Control Point



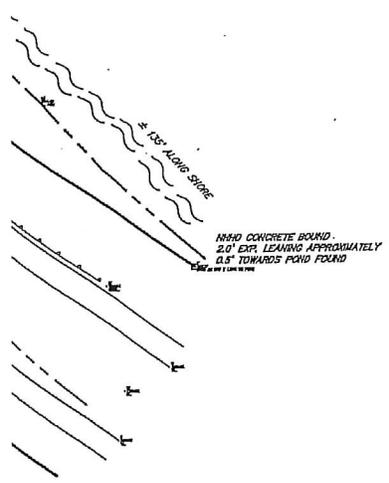
**LOCATION MAP**

**NOTES**

1. This plan is the result of a Leica robotic total station survey February 15, 2018, having a control traverse relative error-of-closure greater than 1:3,000 (NH LAM 503.04 Category 1, Condition 2, Rural)
2. Deed reference to parcel is MCR Bk. 1236, Pg. 564.
3. This property is located in the Agricultural Rural Residential Zoning (Shaland Overlay) District. Front Yard and Shoreland setbacks are 50 feet and Side Yard setbacks are 25 feet.
4. FEMA FLOOD ZONE DETERMINATION: This property is located in Zone A and X (Map 330195, Panel 0220C).

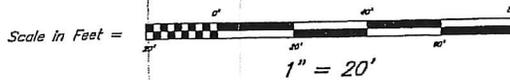
2018 OBSERVED  
MAGNETIC

OTTER  
POND



**EXISTING CONDITIONS SITE PLAN**

PROPERTY OF  
**SDB INVESTMENTS, INC.**  
PO BOX 323, GEORGES MILLS, NH 03751  
LOCATED IN  
**NEW LONDON, NEW HAMPSHIRE**



FEBRUARY, 2018

REVISIONS 3/29/2018, SETBACKS AND NOTES ADDED



PREPARED BY PIERRE J. BEJARD, and ASSOCIATES, P.C., P.O. BOX 238, MILFORD, N.H. 03267.  
LAND SURVEYING, SEWAGE DISPOSAL DESIGN, and NATURAL RESOURCE CONSULTANTS.



Part 6  
Notices





# 200 foot Abutters List Report

Tri Town, NH  
March 30, 2018

### Subject Property:

Parcel Number: NewL-041-001-000  
CAMA Number: NewL-041-001-000  
Property Address: 1876 NEWPORT ROAD

Mailing Address: SDB INVESTMENTS INC.  
PO BOX 323  
GEORGES MILLS, NH 03751

### Abutters:

Parcel Number: NewL-054-003-000  
CAMA Number: NewL-054-003-000  
Property Address: NEWPORT ROAD

Mailing Address: DARK WATER LLC  
PO BOX 537  
GEORGES MILLS, NH 03753

Parcel Number: Sun-0107-0001-0000  
CAMA Number: Sun-0107-0001-0000  
Property Address: 1373 ROUTE 11

Mailing Address: SDB INVESTMENTS, INC  
PO BOX 323  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0107-0002-0000  
CAMA Number: Sun-0107-0002-0000  
Property Address: 1376 ROUTE 11

Mailing Address: NORTHVIEW ASSOCIATION C/O AL &  
SUE GOLDEN  
PO BOX 1017  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0107-0002-0000  
CAMA Number: Sun-0107-0002-0001  
Property Address: 1376A ROUTE 11

Mailing Address: TRENHOLM, LINDA  
1001 SAN ANSELMO AVE  
SAN ANSELMO, CA 94960

Parcel Number: Sun-0107-0002-0000  
CAMA Number: Sun-0107-0002-0002  
Property Address: 1376B ROUTE 11

Mailing Address: GOLDEN SUSAN A. & GOLDEN ALTON O.  
PO BOX 1017  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0107-0002-0000  
CAMA Number: Sun-0107-0002-0003  
Property Address: 1376C ROUTE 11

Mailing Address: ORLANDO REVOC TRUST, DONALD R &  
DONNA M  
10 OLD KINGS HIGHWAY  
LEBANON, NH 03766

Parcel Number: Sun-0107-0002-0000  
CAMA Number: Sun-0107-0002-0004  
Property Address: 1376D ROUTE 11

Mailing Address: MULLEN, MARK  
PO BOX 238  
GEORGES MILLS, NH 03751

Parcel Number: Sun-0107-0012-0000  
CAMA Number: Sun-0107-0012-0000  
Property Address: ROUTE 11

Mailing Address: 84 OTTER HILL RD REALTY TRUST  
SCHWARTZ, ROSANN & ARTHUR  
TRUSTEES  
3 BESSOM STREET, #151  
MARBLEHEAD, MA 01945

*\* Condo's  
Per Nicoletti  
only Assoc.  
Needs to  
be notified.*

NH DOT Dist #12

Surveyor?



www.cai-tech.com

3/30/2018

Data shown on this report 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 report.

Page 1 of 1



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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

NOTICE OF PUBLIC HEARING

NEW LONDON  
ZONING BOARD OF ADJUSTMENT (ZBA)

**Tuesday, April 17, 2018**  
Town Office  
Sydney Crook Conference Room  
375 Main Street  
6:30 PM

Public Meeting - All Are Welcome to Attend

- **Case #ZBA18-02 – Spec Bowers, Applicant / SDB Investments Inc., Owner. Located at 1876 Newport Road. Tax map 041-001-000. Zoned Agricultural & Rural Residential (ARR) in the Shoreland Overlay District.** Pertaining to the rebuild of a cottage damaged from fire. Request for a Variance from Article XX, Sections B.1.a, B.1.c.iii and B.5.a to permit a vertical expansion of the structure, a 1-foot overhang of the second floor on the front side (away from the lake), and an increase in the number of bedrooms.

Notice is hereby given that the ZBA will conduct a public hearing regarding the application(s) listed above. All abutters and other interested parties may attend and or submit written comments. Written comments will become part of the public record and provided to the Board for the discussion.

The applications, plans and other information submitted are available for public review at the Town Office during regular office hours, and will also be available at the Zoning Board of Adjustment (ZBA) meeting. Information is also included on the Town's website. Please contact Nicole Gage at (603) 526-1246 to review the files or if you have any questions.

Douglas W. Lyon, Chair  
New London Zoning Board of Adjustment



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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

NOTICE OF PUBLIC HEARING

NEW LONDON  
ZONING BOARD OF ADJUSTMENT (ZBA)

Monday, June 11, 2018  
Town Office  
Sydney Crook Conference Room  
375 Main Street  
6:30 PM

Public Meeting - All Are Welcome to Attend

- **Rehearing of Case #ZBA18-02 – Spec Bowers, Applicant / SDB Investments Inc., Owner.**  
**Located at 1876 Newport Road. Tax map 041-001-000. Zoned Agricultural & Rural Residential (ARR) in the Shoreland Overlay District.** Pertaining to the rebuild of a cottage damaged from fire. Request for a Variance from Article XX, Sections B.1.a, B.1.c.iii and B.5.a to permit a vertical expansion of the structure, a 1-foot overhang of the second floor on the front side (away from the lake), and an increase in the number of bedrooms.

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**NOTICE TO OUR SUBSCRIBERS**

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or email:

info@intertownrecord.com

or write:

PO Box 162, North Sutton, NH 03260

and give us your new.

(1) to expand/enlarge a Non-Conforming structure and change the roof line.

**TOWN OF NEW LONDON ZONING BOARD OF ADJUSTMENT (ZBA) NOTICE OF PUBLIC HEARING**

**Tuesday, April 17, 2018**  
Town Office, Sydney Crook Conference Room, 375 Main St., at 6:30 p.m.  
Public Meeting - All Are Welcome to Attend

Case #ZBA18-02 - Spec. Bowers, Applicant / SDB Investments, Inc., Owner. Located at 1876 Newport Road. Tax map 041-001-000. Zoned Agricultural & Rural Residential (ARR) in the Shoreland Overlay Districts. Pertaining to the rebuild of a cottage damaged from fire. Request for a Variance from Article XX, Sections B.1.a, B.1.c.iii and B.5.a to permit a vertical expansion of the structure, a 1-foot overhang of the second floor on the front side (away from the lake), and an increase in the number of bedrooms.

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Douglas W. Lyon, Chair  
New London Zoning Board of Adjustment

**HELP WANTED**

**Full-time Opening in the TOWN OF NEW LONDON Department of Public Works**

The New London Department of Public Works seeks applicants for the full-time position of Laborer, Level I, Highway Department.

The laborer performs a variety of routine semi-skilled manual duties involving construction, repair, cleaning and maintenance of town streets and facilities using tractors and standard hand tools and small power tools or mowers.

ANICIPATE TAKING COMMENTS FROM THE PUBLIC ARE ENCOURAGED TO ATTEND.

**TOWN OF NEW LONDON PLANNING BOARD NOTICE OF PUBLIC HEARING**

**Tuesday, April 24, 2018**  
A regular meeting of the New London Planning Board will be held on Tuesday, April 24, 2018 at 6:30 p.m. in the Sydney Crook Conference Room, Town Office 2nd floor.

A public hearing is scheduled for the following applications:

1. PUBLIC HEARING - Deangelis, James & Colleen for a Conditional Use Permit - Accessory Dwelling Unit Application. Located at 93 Rowell Hill Road. Tax Map 123-029-001. 5.16 +/- acres. Zoned Agricultural/Rural Residential (ARR). Applicant is applying to build an accessory dwelling unit of 864 square feet above a garage. Town received application on March 26, 2018.

The plans and other information submitted for the application(s) are available for public review at the town office during regular office hours, and will also be available at the planning board meeting. Information is also posted on the town's website under the "Planning Board" meeting materials. Questions and comments can be directed to the town office. Written comments submitted to the town will become part of the public record and provided to the planning board for the discussion.

All Town of New London public meetings are accessible for persons with disabilities. The town office is handicapped accessible. Reasonable efforts will be made to accommodate persons with physical, emotional or sensory disabilities. Any person who feels that he or she may be unable to participate in a Town of New London public meeting should contact the town at least 48 hours in advance of the meeting. Please contact the town office at 526-4821.

**OPEN TO THE PUBLIC Private Well Workshop for Homeowners**

Wilnot Conservation Commission will host "Well Water Safety," a Chief David White Safety & Wellness workshop on Thursday, May 10 at 7 p.m. at the WCA Red Barn (an ADA compliant facility), located on 64 Village Road in Wilnot. Experts will be on hand to share their knowledge and expertise

# Legal/Public Notices

## TOWN OF SUTTON RESIDENTS

The Town Clerk/Tax Collector's office hours are:  
 Monday: 9 a.m. - 7 p.m.  
 Tuesday: 8 a.m. - 3 p.m.  
 Wednesday: 8 a.m. - 3 p.m.  
 1st day of the Month: 9 a.m. - 12 p.m.  
 Monday appointments available upon request.  
 Please call Carol @ 603-927-2401

## PUBLIC NOTICE TOWN OF NEWBURY ZONING BOARD Trim Trees Along Scenic Roads

The Board will conduct a public hearing on June 19, 2018 at the Newbury Town Office Building, 937 Route 103 in Newbury, Vermont, by Eversource, pursuant to RSA 231:158, to trim trees along designated scenic roads: Cheney Road, Old Provam Drive. Additional information provided by Eversource is available for public review at the Newbury Town Office Building during regular office hours. Interested citizens are encouraged to attend and express their views. Signed written comments will be accepted during business hours at least one (1) business day prior to the hearing at the Land Use Office. Newbury Land Use Office hours are: Tuesday, Thursday, and Friday from 8 a.m. to noon.

## TOWN OF NEW LONDON TOWN CLERK / TAX OFFICE

FOR YOUR CONVENIENCE  
 Office Hours: Effective June 15, 2018  
**CLOSED FRIDAYS**  
 Monday - Thursday: 8 a.m. - 4 p.m.  
 Open through lunchtime  
 1st and last Saturday of month: 9-11:30 a.m.  
 (unless holiday weekend)

Online software for your various payments is available on our website: [www.nl-nh.com](http://www.nl-nh.com) or your payment of choice on the right column



At any time you can renew and/or inspect your vehicles prior to your expiration month?

## TOWN OF NEW LONDON NOTICE OF PUBLIC HEARING ZONING BOARD OF ADJUSTMENT (ZBA)

Monday, June 11, 2018  
 Town Office: Sydney Crook Conference Room 375 Main St.  
 6:30 PM  
 Public Meeting - All Are Welcome to Attend

Rehearing of Case #ZBA18-02 - Spec Bowers, Applicant / SDB Investments Inc., Owner. Located at 1876 Newport Road. Tax map 041-001-000. Zoned Agricultural & Rural Residential (ARR) in the Shoreland Overlay District. Pertaining to the rebuild of a cottage damaged from fire. Request for a Variance from Article XX, Sections B.1.a, B.1.c.iii and B.5.a to permit a vertical expansion of the structure, a 1-foot overhang of the second floor on the front side (away from the lake), and an increase in the number of bedrooms.

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Douglas W. Lyon, Chairman  
 New London Zoning Board of Adjustment

## HELP WANTED



### ANDOVER Delivery Driver

We have an immediate opening for a full-time delivery driver. A CDL-B license is required with three years of experience and a clean driving record. You will be a member of a team responsible for delivering and off-loading material at construction and residential sites which can involve heavy lifting. Previous boom or other hydraulics experience is a plus. Must be very dependable. This position requires weekends, working on a rotating basis. If you feel that you have the necessary skills you may call for an appointment (735-2122) or download an application from our website.

Jeff Michaud, General Manager, c/o Belletetes Inc.  
 24 Ten Penny Lane, Andover, NH 03216  
 or you may email to [jmichaud@belletetes.com](mailto:jmichaud@belletetes.com)

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