



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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Date: September 24, 2019
To: Zoning Board of Adjustment
From: Nicole Gage, Zoning Administrator
Re: **Case #ZBA19-16 – Variance**
Owner: Robert K Martin Revocable Trust & Carol L Thrane Revocable Trust.
Applicant: Pellettieri Associates, Inc. / Burpee Hill Construction / Gallagher,
Callahan & Gartrell.
New Parcel ID 126-13-0-0-0 (former Parcel ID 126-013-000)
133 Lighthouse View Road
Zoned R-2, Approx. 1.10 Acres

Summary of the Case: The Martin/Thrane Trusts are requesting a Variance from the provisions of the New London Zoning Ordinance, Article XX, Section B.1.c.i to allow construction and site work inside the 50-foot Waterfront buffer, to allow them install new deck footings and replace-in-kind the existing deck, which is attached to the house that straddles the Waterfront Buffer. The structure (i.e. the house) straddles the 50-foot waterfront buffer and the is a Legal Non-Conforming Structure, built in 1987. In 1992, a building permit was denied to build the deck and stairs within the 50-foot waterfront buffer due to newly adopted regulations. However, the ZBA overturned that administrative decision and permitted the owner to add a deck and stairs within the 50-foot buffer.

References to the Zoning Ordinance

Page	Article	Section	Part
77-78*	XX*	B*	1.c.i.*
	Legal Nonconforming...	Legal Nonconforming Buildings and Structures	

*Appeal for Current Application

Description of Property: The property is a residential home on approximately 1.10 acres with frontage on Lake Sunapee, partial Shoreland Overlay and partial FEMA Flood Hazard Area. The structure has been removed from the flood area through a LOMA with FEMA.

Land Use History:

- 1986 Building permit to construct home.
- 10/29/1992 ZBA Notice of Decision, Denial of Building Permit to put up a deck and stairs within the 50-foot waterfront buffer was overturned. The ZBA granted an appeal of administrative decision to permit construction of deck and stairs, due in part to the owner’s vested interest in the property, having begun construction prior to a zoning change.
- 11/29/2018 BP#18-121 issued for “renovation of entire house & upgrade all systems” with condition “Any foundation work within 50-foot waterfront buffer must be done from a vantage point outside the buffer or from within the structure itself, per NL Zoning Ordinance Art. XX Section B.1.c.i.”
- 9/18/2019 Conservation Commission reviewed Stormwater and Erosion Control Plan.
- 9/25/2019 Planning Board reviewed project, including landscaping proposal, for temporary access path through 50-foot Waterfront Buffer