



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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Date: August 19, 2020  
To: Zoning Board of Adjustment  
From: Nicole Gage, Zoning Administrator

Case #: #ZBA20-02 (Variance)  
Owner/Applicant: Tyler Kipp & Catherine Newick  
New Parcel ID 078-001-0-0-0  
Address: 495 Elkins Rd  
Zone(s): ZONE R-1 (Residential) with 100-foot Stream Buffer,  
Streams Conservation Overlay

**Summary of the Case:** A variance is requested from Article V Section C.1 of the Zoning Ordinance to permit construction of a 5x5-foot section of a wraparound porch within the 25-foot front setback.

**References to the Zoning Ordinance**

Page	Article	Section	Part
34*	V*	C*	1
	Residential Districts	Yard Requirements	

\*Appeal for Current Application

**Description of Property:** The former house was recently demolished. The barn remains standing. The owners already received a Variance to construct a new home in the Stream Buffer, within the existing footprint. SEE ATTACHED NOTICE OF DECISION for all conditions.

**Land Use History:**

- 7/25/2011 Building Permit #11-063 issued to “add 7-ft x 16-ft dormer & reroof”
- 12/27/2011 Amendment to Building Permit #11-063 to “combine & enlarge dormer by 9-ft westside, add one (1) 4-ft. dormer east side, new roof, rebuild porch, new windows in dormers”
- 2/4/2013 Building Permit #13-007 issued for “continuance of work on building”
- 2/24/2015 “Drainage & Temporary Construction Easement” recorded at the Merrimack County Registry of Deeds, Book 3469, Page 2670.
- 5/26/2017 Letter of Concern, New London Fire Chief
- 11/20/2019 Conservation Commission reviewed the proposed Erosion & Sedimentation Control Plan
- 11/25/2019 Building Permit #19-165 issued for “demolition of house / keep barn”
- 11/26/2019 Letter from Zoning Administrator denying request to rebuild due damage sustained during the November 2018 storm called “Storm Bruce.” Recommended variances for any new structures that cannot comply with today’s ordinance.
- 12/18/2019 Variance granted by ZBA to install/construct septic system (NOTE: in 2020 that applicable zoning ordinance was deleted, so today they would not need a variance for the same septic) SEE ATTACHED NOTICE OF DECISION.
- 12/18/2019 Variance granted by ZBA, with conditions, to permit a new structure in the Stream Overlay. Variance granted from XXII.E.1. SEE ATTACHED NOTICE OF DECISION.



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## ZONING BOARD OF ADJUSTMENT (ZBA)

### NOTICE OF DECISION

You are hereby notified that on Tuesday December 17, 2019 the New London Zoning Board of Adjustment (ZBA) held a Public Hearing and considered the following case:

1. Case #ZBA19-21 (Variance)

Owner: Tyler Kipp & Catherine Newick. Applicant: Pierre J. Bedard.

New Parcel ID 78 / 1 / 0 / 0 / 0.

Address: 495 ELKINS RD.

Zone(s): ZONE R-1 (without Water & Sewer) with Streams Conservation Overlay.

Requesting a Variance from Article II Section 8 to permit installation/construction of a sewage disposal area less than 75-feet from a water body and well.

**Decision: The Variance was GRANTED unanimously in a vote 5-0.**

2. Case #ZBA19-22 (Variance)

Owner: Tyler Kipp & Catherine Newick. Applicant: Pierre J. Bedard.

New Parcel ID 78 / 1 / 0 / 0 / 0.

Address: 495 ELKINS RD.

Zone(s): ZONE R-1 (without Water & Sewer) with Streams Conservation Overlay.

Requesting a Variance from Article XXII Section E to permit the erection of a new structure or alter the natural surface configuration in the Streams Overlay District

**Decision: The Variance was GRANTED unanimously in a vote 5-0, with the following conditions:**

1. **The area of disturbance be limited to 20-feet of work, demo & new leach field;**
2. **The footprint of proposed house must fit within the existing the footprint of existing structure;**
3. **Be outside the DES septic system setback;**
4. **Additional footprint is permitted provided it not be any closer than 80 feet to the current stream; and**
5. **Must comply with all other zoning regulations.**

Please refer to the meeting minutes for additional details of the discussion.

Nicole Gage, Zoning Administrator  
Town of New London  
*Wednesday, December 18, 2019*

Variations and Special Exceptions shall be valid if exercised within two (2) years. Refer to RSA 674:33, Powers of the Zoning Board of Adjustment, for the specific language. Persons who are aggrieved by the decision of the ZBA are advised to seek legal counsel as they deem appropriate and to review applicable laws including but not limited to RSA 677 Rehearing and Appeal Procedures; RSA 674:33 Powers of the Zoning Board of Adjustment; RSA 676:5 Appeals to Board of Adjustment; RSA 676:3.