

APPLICATION FOR A VARIANCE

Quinn 877-0034

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

Name of owner/applicant: PIERRE J. BEDARD

Mailing Address: PO BOX 632 NEW LONDON State: NH Zip: 03257

Home Telephone: \_\_\_\_\_ Work Telephone: 603 526-4928 Cell: \_\_\_\_\_

Email address: PJBEDARD1@HOTMAIL.COM

Owner of property: QUINN FAMILY REVOCABLE TRUST  
(if same as applicant, write "same")

Location of property 63 MURRAY POND RD.

Tax Map Number: 045 Lot Number: 003-000 Zone: R-2

A variance is requested from the provisions of Article: V Section: C. I.  
of the Zoning Ordinance to permit REDUCTION OF FRONT YARD  
SETBACK IN ORDER TO BUILD 4x10' VESTIBULE

Facts supporting this request:

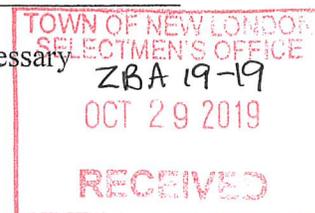
1. The variance will not be contrary to the public interest:  
SEE ATTACHED

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

3. Substantial justice is done: SEE ATTACHED

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

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



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

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

SEE ATTACHED

and

(2) The proposed use is a reasonable one;

SEE ATTACHED

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

SEE ATTACHED

Owner/applicant(s) Signature:

*[Handwritten Signature]*

Date: 10/29/19

**NOTE:**

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

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

Zoning Administrator  
603-526-1246  
Email: [zoning@nl-nh.com](mailto:zoning@nl-nh.com)

Or

Assessing Coordinator  
603-526-1243  
Email: [landuse@nl-nh.com](mailto:landuse@nl-nh.com)



Letter of Authorization

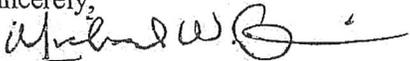
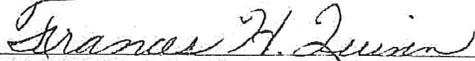
RE: Tax Map 045 Parcel 001-000, 63 Murray Pond Road.

To Whom It May Concern:

I have authorized Pierre J. Bedard to act as my agent for matters presented before the Town of New London Zoning Board of Adjustment on our property at 63 Murray Pond Road, Tax Map 045 Parcel 001-000.

Thank you for your consideration of this matter.

Sincerely,

Michael & Frances Quinn, Co-Trustees  
Quinn Family Revocable Trust

Date: 10/29/18

## VARIANCE REQUEST

### Article V, Section C. 2., Residential Districts, Yard Requirements

Property of  
Quinn Family Revocable Trust  
63 Murray Pond Road  
Tax Map 45 Lot 003-000

#### Background

The Quinn family bought the property with the dwelling thereon in 2013. Their deed describes their property as being a 100 by 100 foot lot. There is ambiguity in the deed record of this lot. A recorded plan (MCR Plan No. 10164) shows the Quinn lot as shown on the Town GIS system, which had been recently modified from the 100 by 100 foot dimension. The result is that the Right of Way line with Murray Pond Road is closer to the dwelling than a 100 by 100 foot lot, which would place the right of way line close to the edge of the travelled way. Unfortunately, the recorded plan would seem to control at this time. The result is that the 25-foot front yard setback is very close to the existing house.

The Quinn family would like to build a small vestibule addition to the residential structure. The proposal is to build a 4 ½ by 10 foot vestibule/mud room at their front door.. Currently, there is little room when entering the front door. The current entrance opens into a small hallway immediately adjacent to the living room and bottom of stairs. Adding this vestibule/mud room would improve access into the structure, especially in winter and inclement weather. The area adjacent to the structure where the renovations would take place is an open porch/landing, stairs, and landscaped with plants, shrubs, and natural bark mulch..

#### FACTS SUPPORTING VARIANCE REQUEST UNDER

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

The encroachment into the setback distance will be reduced from the 25 foot setback to 22.34 feet, However, the distance to the edge of the travelled way of Murray Pond Rd. will be over 39 feet.

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

Physical conditions of the property such as the edge of right of way line and the location of the travelled way within the right of way provide a larger buffer to the actual road than the 25-foot setback. The proposed structure has been located to maximize the setback as much as is practical given site limitations.

**3. Substantial justice is done:** It will improve access to the dwelling and the buffer to Murray Pond Roadway will be greater than the 25-foot front setback by over 50%.

**4. The value of surrounding properties are not diminished;**

The design of the addition will be in keeping with surrounding properties..

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

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

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

The property is a pre-existing non-conforming lot. Vehicles passing by the property would visually assume a reasonable front yard given the distance from the travelled way.

**and**

**(2) The proposed use is a reasonable one;**

This is very small (no living space) addition to the structure to provide an improved entrance to the dwelling.

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

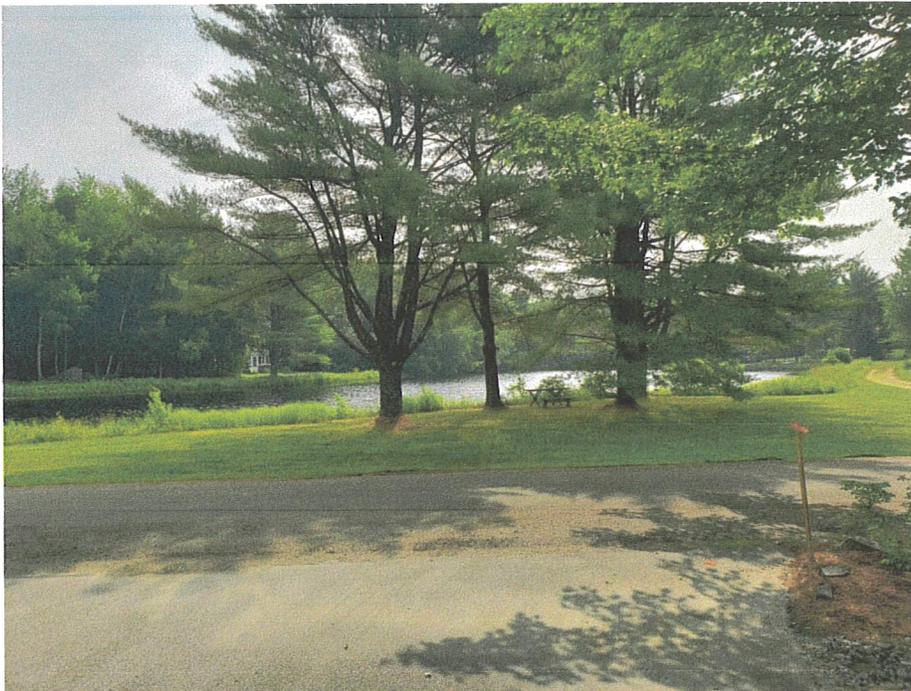
Most common front yard property lines are located at or near the travelled way. The condition on this property is unique in that the front yard property line is well away from the travelled way.

The addition is 4 ½ feet deep. A smaller structure (less than 3 feet) is not practical.

SITE PHOTOGRAPHS  
63 MURRAY POND ROAD.  
NEW LONDON, NH



**A. 7/15/19. Proposed vestibule centered on front door.**



**B. 7/15/19. Murray Pond from Driveway.**

TOWN OF NEW LONDON  
SELECTMEN'S OFFICE  
OCT 29 2019  
RECEIVED



**C. Google Earth Image**

TOWN OF NEW LONDON  
SELECTMEN'S OFFICE  
OCT 29 2019  
RECEIVED



# 63 Murray Pond Road

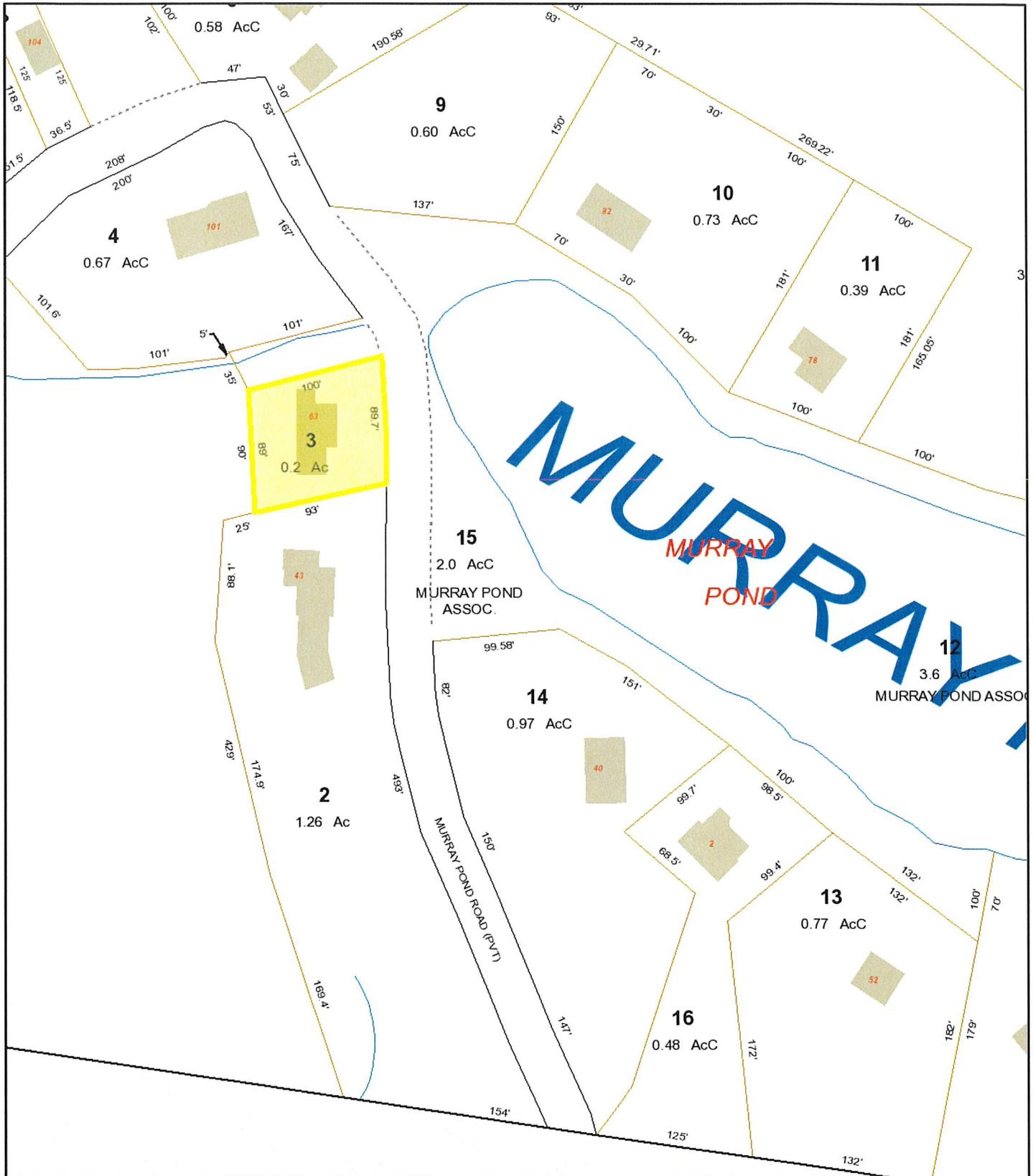
New London, NH

1 inch = 100 Feet



October 29, 2019

www.cai-tech.com



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TOWN OF NEW LONDON  
SELECTMEN'S OFFICE  
OCT 29 2019  
RECEIVED

**2019 OBSERVED  
MAGNETIC**

250 FT SHORELAND SETBACK

150 FT NATURAL

Tax Map 45/017/000  
MURRAY POND ASSOCIATION  
C/O ANNE FORZLEY  
120 MOUNTAIN DRIVE  
SO WINDSOR, CT 06074

1.5" IRON PIPE FOUND.  
0.5' EXPOSED.

BASE 2.25" LEANING  
IRON PIPE FOUND.  
1.2' EXPOSED.

S89°46'55"E  
99.90'

Tax Map 045/003/000

9,456 sq. ft.  
**0.22 Acres**

Tax Map 45/001/000  
AUSBON SARGENT LAND PRESERVATION TRUST  
PO BOX 2040  
NEW LONDON, N.H. 03257

N03°55'27"E  
89.49'

ZONING SETBACK  
LAWN AREA

EXISTING WELL

EXISTING DECK  
EXISTING PORCH  
PROPOSED DRIP EDGE INFILTRATION  
25'

DRIP EDGE

EX. STEPS

PROPOSED  
4.5'X10'  
MUD ROOM

22.34'

EX. BRICK  
WALKWAY  
See Note 4

EXISTING RESIDENCE

39.84'

PROPOSED DRIP EDGE  
INFILTRATION

PROPOSED  
8" SILT SOCK

EXISTING  
PAVED  
DRIVEWAY

1.0" IRON PIPE FOUND.  
1.0' EXPOSED.

N89°40'01"E  
24.84'

N 89°50'27" E  
93.00'

S 08°21'32" W

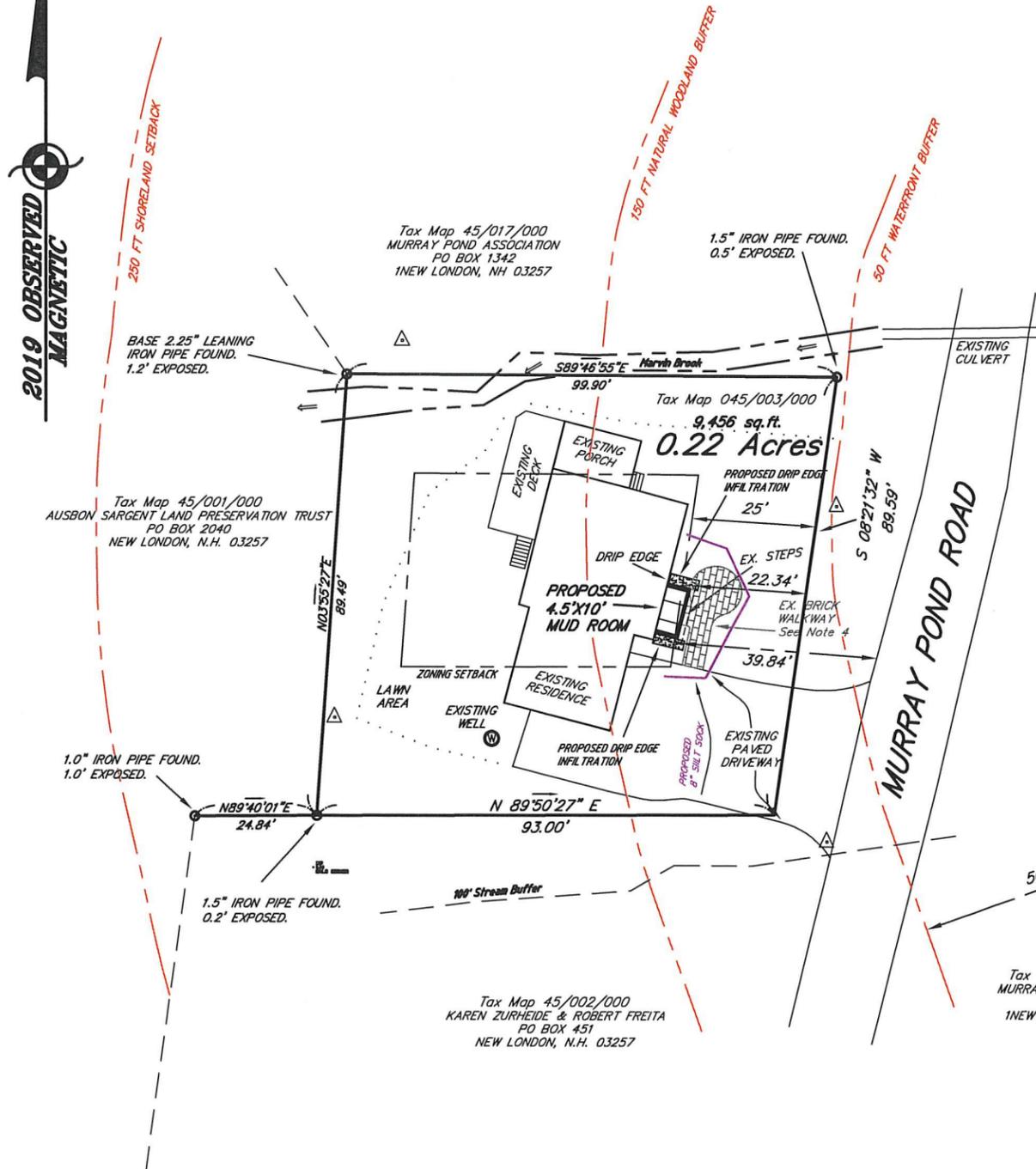
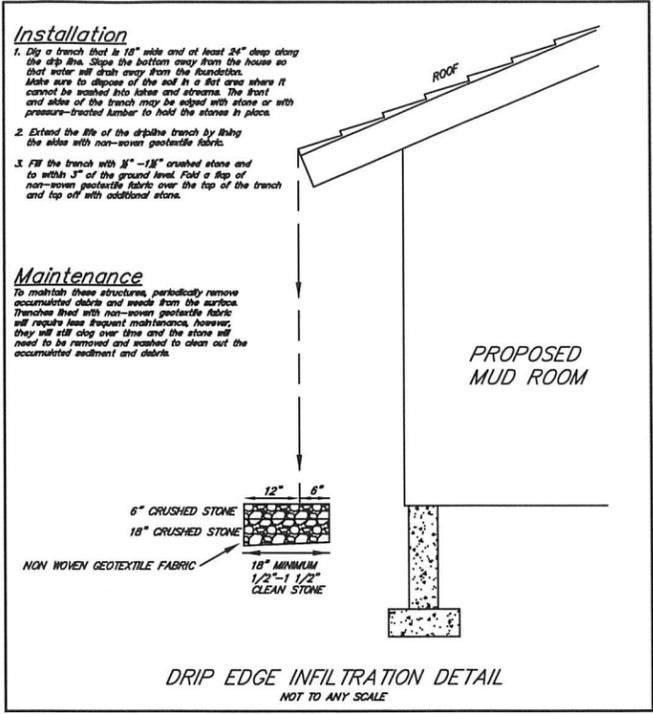
1.5" IRON PIPE FOUND.  
0.2' EXPOSED.

Tax Map 45/002/000

2019 OBSERVED  
MAGNETIC

**KEY**

- ⊙ Iron Rod (found) or as noted
- Iron Pipe (found) or as noted
- Edge Road/ Drive
- △ Survey Control Point
- - - Town Building Setback
- - - Proposed Drip Edge
- Proposed 8" Silt Sock



**NOTES**

1. This plan is the result of a Leica Robotic total station survey, JULY 11, 2019, having a control traverse relative error of closure greater than 1:5,000 (NH LAN 503.04 Category 1, Condition 2, Rural)
2. Deed reference to parcel is MCR Book 3452 Page 1330, AUGUST 22, 2014.
3. This property is located in the R-2 Residential Zoning District. Structure setbacks are Front yard 25 Feet, Rear yard 15 Feet, Side yard is Min. 20 Feet for one side and an Aggregate of 50 Feet for both sides. Minimum Lot size is 2 Acres.
4. Existing brick walkway to be replaced with permeable pavers or similar permeable technology.

**REFERENCE PLANS**

1. Unrecorded Plan, Titled "Property of Marjorie A.C. Young..." By Robert S. Bristol, R.L.S. 41 (N.H.) North Sutton, N.H. and dated November 1972.
2. M.C.R. Plan # 12518, Titled "Plan of Lands Owned by Harry M. Snow III and Paul S. Snow..." By Wayne McCutcheon Associates, Dated October 28, 1987.
3. M.C.R. Plan # 2114, Titled "Land being Surveyed by Marvin Murray to EVERGREEN POINT, INC..." Recorded 10-25-1966. By Wayne McCutcheon Associates, Dated October 28, 1987.
4. M.C.R. Plan # 17731, Titled "PLAN OF LAND EVERGREEN POINT..." By This Office, Dated January 19, 2006.

**PLAN OF LAND**

PROPERTY OF  
**QUINN FAMILY REVOCABLE TRUST**  
CO TRUSTEES  
**MICHAEL W. and FRANCES H. QUINN**  
PO BOX 1519, NEW LONDON, N.H. 03257  
LOCATED IN  
**NEW LONDON, NEW HAMPSHIRE**



PREPARED BY PIERRE J. BEDARD, and ASSOCIATES, P.C., P.O. BOX 632, NEW LONDON, N.H. 03257.  
LAND SURVEYING, SEWAGE DISPOSAL DESIGN, and NATURAL RESOURCE CONSULTANTS.