

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment, Town of New London

Name of owner/applicant: Robert and Deborah Zeller Trust

Mailing Address: P.O. Box 159 Elkins State: NH Zip 03233

Home Telephone: N/A Work Telephone: N/A Cell:

Email address: rzeller@kaufmanhall.com

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

Location of property 686 Lakeshore Drive

Tax Map Number: 051 Lot Number: 014 Zone: R2

A variance is requested from the provisions of Article: XVI Section: F. (2)b,
Article: XVI, Section: C. (2), Article: XX Section: B. (1) a., b., c. and Article: XX
Section: B. (3), of the Zoning Ordinance to permit Residential house development
(a)(5)

Facts supporting this request:

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

Please refer to attachments

2. The spirit of the ordinance is observed: Please refer to attachments

3. Substantial justice is done: Please refer to attachments

4. The values of surrounding properties are not diminished; and:
Please refer to attachments

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;

Please refer to attachments

_____ and

(2) The proposed use is a reasonable one;

Please refer to attachments

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.

Please refer to attachments

Owner/applicant(s) Signature: MA P. Zell Date: 10/14/16

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:
Lucy St. John, Zoning Administrator
603-526-4821, ext. 16
Email: zoning@nl-nh.com

Or

Amy Rankins, Assessing Coordinator
603-526-4821, ext. 20
Email: landuse@nl-nh.com



**Project Description
686 Lakeshore Drive
Tax Map 051 Lot 014
Zone R2 & Shoreland Overlay Districts**

The proposal is to remove the existing cottage, a concrete pad and a portion of the existing gravel driveway, all of which are partially within the 50-foot waterfront buffer; as well as remove an existing shed. The new proposed construction includes a new cottage, including some expansion into the woodland buffer and construction of a new boat storage shed with a second floor screen porch within the woodland buffer. The new construction will result in less impervious services within the 50-foot waterfront buffer, expand in select locations beyond the waterfront buffer and stay within front and side setbacks. The Applicant is seeking variances from:

- Article XVI, Section F. (2)b
- Article XVI, Section C. (2)
- Article XX, Section B. (1) a., b., c.
- Article XX, Section B. (3)

A NH Department of Environmental Services (NHDES) Shoreland permit will also be required for this project, but has not yet been sought. An application will be filed following a successful outcome of the local permitting process.

A certified Boundary was recently completed confirming the property lines of the property; a copy of the Certified Boundary Plan is submitted with this application.

There will be no expansion of use. The existing structure is a 3-bedroom house on a stone foundation. The proposed cottage will also be a 3-bedroom house, but will have 4-foot concrete frost walls around the perimeter. The proposed boat storage shed / screened porch will be built on piers, outside of the waterfront buffer. There is also an existing septic system servicing the cottage that will be replaced by a modern septic system. The new septic system will be constructed within the woodland buffer and will service the proposed cottage. The existing septic system is located within the 50-foot shoreland buffer and will be abandoned, which will result in a reduction in potential impacts to Pleasant Lake.

In order to demolish the existing structures and construct the proposed structure, there will be some disturbance within the 50-foot waterfront buffer. No trees are proposed for removal within the 50-foot waterfront buffer. Otherwise, there will be minimal disturbance within the 50-foot waterfront buffer. The footing and foundation excavation work will be accomplished from inside the existing structure footprint. No excavation machinery is proposed to be operating within the 50-foot waterfront buffer other than from inside the existing and proposed structure. Disturbance beyond the proposed foundation is proposed to be temporary and limited to 5 feet.

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**Addendum to Application for Variance
686 Lakeshore Drive
Tax Map 051 Lot 014
Zone R2 & Shoreland Overlay Districts**

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

The existing non-conforming structure, originally constructed in 1923 will be replaced and expanded. It will continue to be a single family 3-bedroom dwelling and be of similar size as other residential buildings on properties along Lakeshore Drive, within the shoreland overlay district.

The expansion of the structure will comply with the current zoning side and front (road) setbacks. The square footage of living space within the existing non-conforming portion of the structure will be reduced. The proposal includes removing 280 square feet of the existing cottage located within the 50-foot shoreland buffer. In addition, a 56 square foot concrete pad will be removed, as well as 510 square feet of gravel driveway. The proposed replacement building includes 135 square feet of new screen porch with 108 square feet of screen porch to be constructed in the same footprint. The result is a net reduction of 580 square feet of impervious surfaces within the 50-foot shoreland buffer, a reduction of 271 square feet of living space (footprint) within the 50-foot shoreland buffer and a slight increase of 112 square feet of screen porch located within the 50-foot shoreland buffer. Total site impacts for the proposed house are reduced by utilizing the existing footprint area for the proposed structure. The proposed foundation frost wall construction with a crawl space will aid in minimizing excavation disturbances to the overall site vs. a full basement foundation.

The new cottage placement is intended to maximize and maintain natural views to the lake from Lakeshore Drive and minimize visual impact from the new cottage, and avoid wetland impacts.

The heights of the proposed structures are between 32 and 35 feet above the ground surface; the existing cottage is approximately 19 feet tall. Many of the other structures along Pleasant Lake and in the area of the site are of similar height as the proposed structures for this property. The proposed screen porch will be well below 25 feet in height.

In addition, a two-story boat storage / play room and shower building with a screen porch on the second floor (footprint area is 1,015 square feet) is proposed within the natural woodland buffer (50 feet to 150 feet from reference line).

2. The spirit of the ordinance is observed:

The proposed structures and appurtenances will result in a reduction of impervious surfaces in the 50-foot shoreland buffer. The proposed screened porch area will be constructed on piers, minimizing disturbance within the woodland buffer.

In reference to Article 16, section F2b, disturbance to the natural ground cover will be limited to 5 feet outside the existing footprint in order to construct the concrete footings and foundation walls for the parent structures. The disturbed areas will be backfilled in as soon as possible after the foundation footings and walls have cured, returning the area to its natural condition.

The location of the existing septic system (drywell) is located in the area just outside of the southwest corner of the existing building within the 50-foot shoreland buffer. The design intent is to abandon this existing septic system and install a new septic system that meets current NH Department of Environmental Services (NHDES) subsurface design requirements. The new system location is shown on the attached proposed plan.

3. Substantial Justice is done:

The existing cottage is over 90 years old. Some form of work needs to be done to it; replacing it with modern materials and methods will reduce the need for more frequent maintenance or disturbance within the waterfront buffer zone. Any work on the house to upgrade to current codes plus construction methods to replace what currently exists will likely result in a cost greater than 50% of the current appraised value.

4. The values of surrounding properties are not diminished:

Many properties in the area are within the 50 feet waterfront buffer and / or side or front setbacks. A new structure will enhance the values of surrounding properties. Upgrading and making improvements to this property, which increases its value also has an indirect affect in raising the value of surrounding properties. Much of the site excavation work for the proposed improvements will be performed from working within the existing footprint of the proposed structure to minimize impacts to the overall site.

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

a. For purposes of this paragraph, "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;

It is the intent of the ordinance that non-conforming property owners should be allowed to continue their non-conforming use of the property.

ii. The proposed use is a reasonable one:

The property will continue to be a single-family residential use, upgraded with modern construction materials that are compliant with current construction and safety codes.

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

The proposed structures and appurtenances will result in a reduction of impervious surfaces in the 50-foot shoreland buffer. The proposed screened porch area will be constructed on piers minimizing disturbance within the woodland buffer.

Disturbance to the natural ground cover will be limited to 5 feet outside the existing footprint in order to construct the concrete footings and foundation walls for the parent structures. The disturbed areas will be backfilled in as soon as possible after the foundation footings and walls have cured, returning the area to its natural condition.

The location of the existing sewage disposal system is within the area just outside of the southwest corner of the existing building which is within the 50-foot shoreland buffer. The intent of this project is to abandon the old septic system and install a new septic system located outside of the 50-foot shoreland buffer. The new cottage placement is intended to maximize and maintain natural views to the lake from Lakeshore Drive and minimize visual impact from the new cottage, and avoid wetland impacts.

The heights of the proposed structures are between 30 and 32 feet above the ground surface. The existing cottage is approximately 19 feet tall. Many of the other structures along Pleasant Lake and in the area of the site are of similar height as the proposed structures for this property. The proposed screen porch will be well below 25 feet in height.



Photo: A Taken: 9/26/16



Photo: B Taken: 9/26/16



Photo: C Taken: 9/26/16

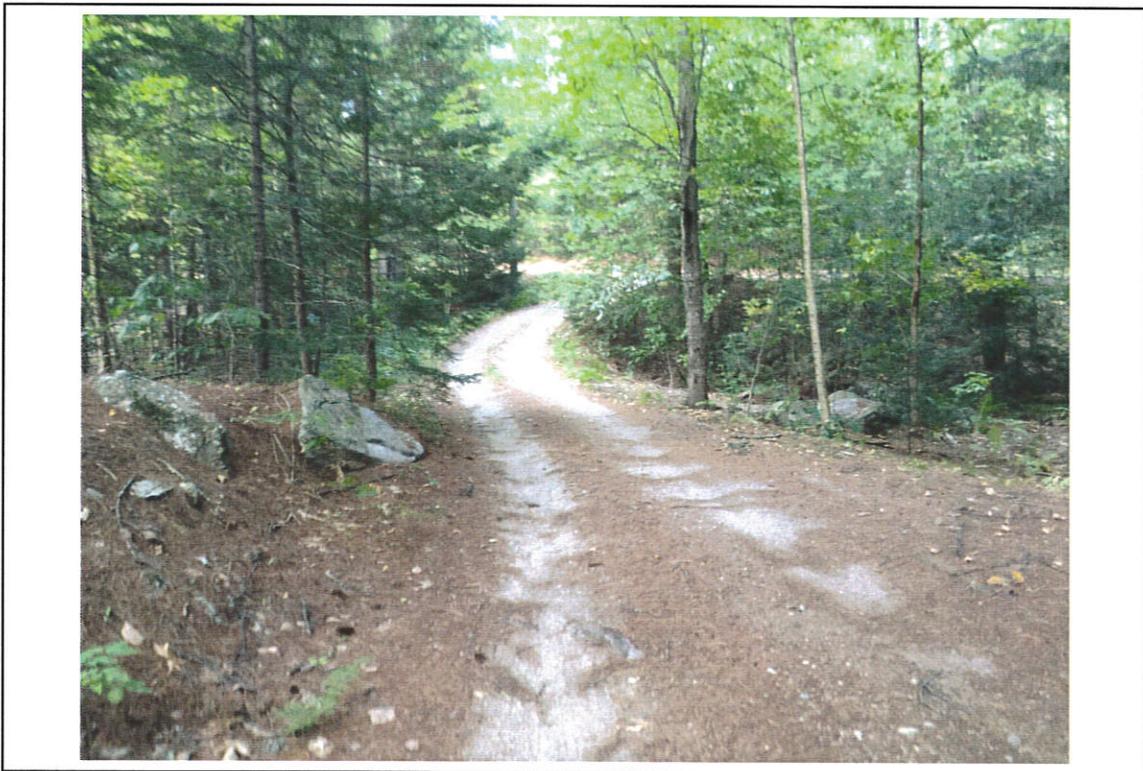


Photo: D Taken: 9/26/16



Photo: E Taken: 9/26/16



Photo: F Taken: 9/26/16



Photo: G Taken: 9/26/16

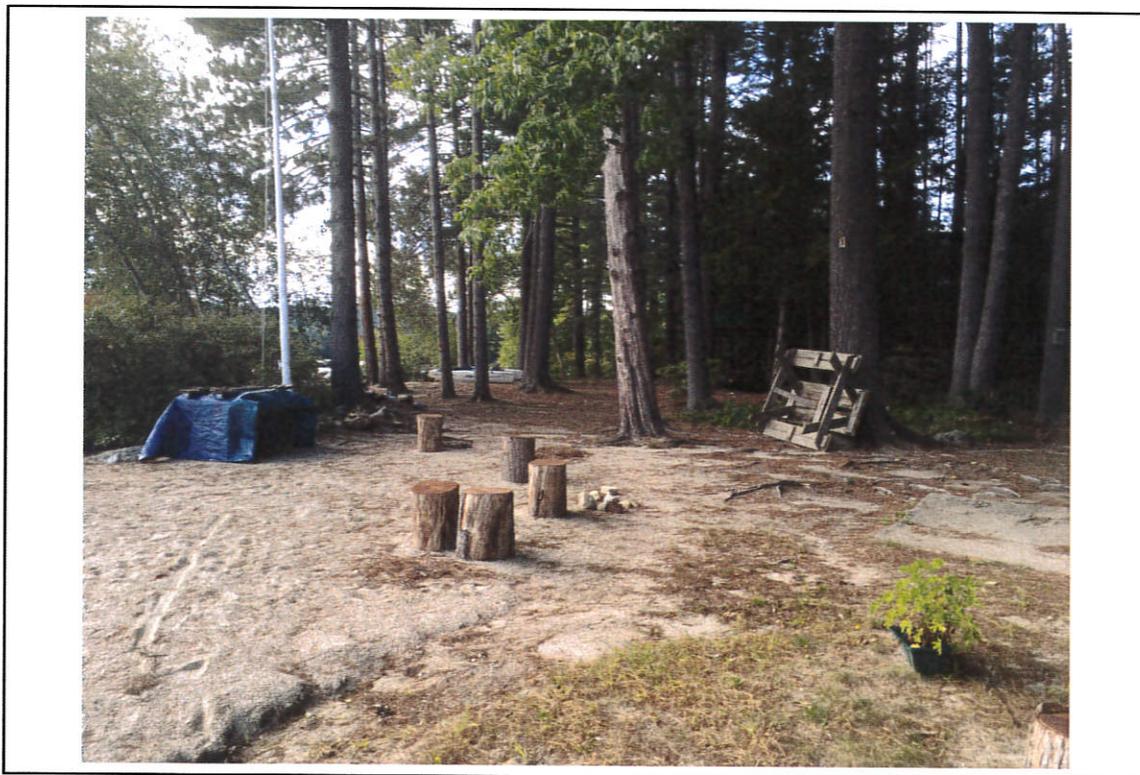


Photo: H Taken: 9/26/16



Photo: I Taken: 9/26/16



Photo: J Taken: 9/26/16



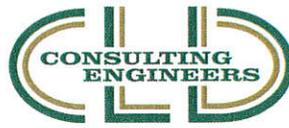
Photo: K Taken: 9/26/16



Photo: L Taken: 9/26/16



Photo: M Taken: 9/26/16



ABUTTER LIST

Subject Property

686 LAKESHORE DRIVE
New London, NH

Property Owner
ZELLER FAMILY TRUST
ROBERT & DEBORAH ZELLER TRUSTEES
P.O. BOX 159
ELKINS, NH 03223

Abutters

MAP 50 LOT 1
WILLIAMSON SCOTT R & CARRIE L
STAMPFER
15 WESTGATE ROAD
WELLESLEY, MA 02481

MAP 50 LOT 2
GARRAHAN JOHN & LISA LAMOUREAUX
30 GLENWOOD STREET
NATICK, MA 01760

MAP 51 LOT 12
YOUNG PAMELA R
2 RUM HILL ROAD
CONCORD, NH 03301

MAP 51 LOT 13
ANDERSON JOHN E SR TRUST
ANDERSON JOHN SR & JUDITH COTTEES
55C NAYATT POINT ROAD
BARRINGTON, RI 02806

MAP 51 LOT 15
HUNTERS HILL TRUST C/O SALLY M.
BOYD-SANDER
PRAMGATAN 2 063
V.FROLUDA, SE SE-42674

Municipality

Town of New London
375 Main Street
New London, NH 0325

Agent

CLD Consulting Engineers, Inc.
28 Gates Street – Suite 100
White River Junction, VT 05001

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TAX MAP 51 LOT 14

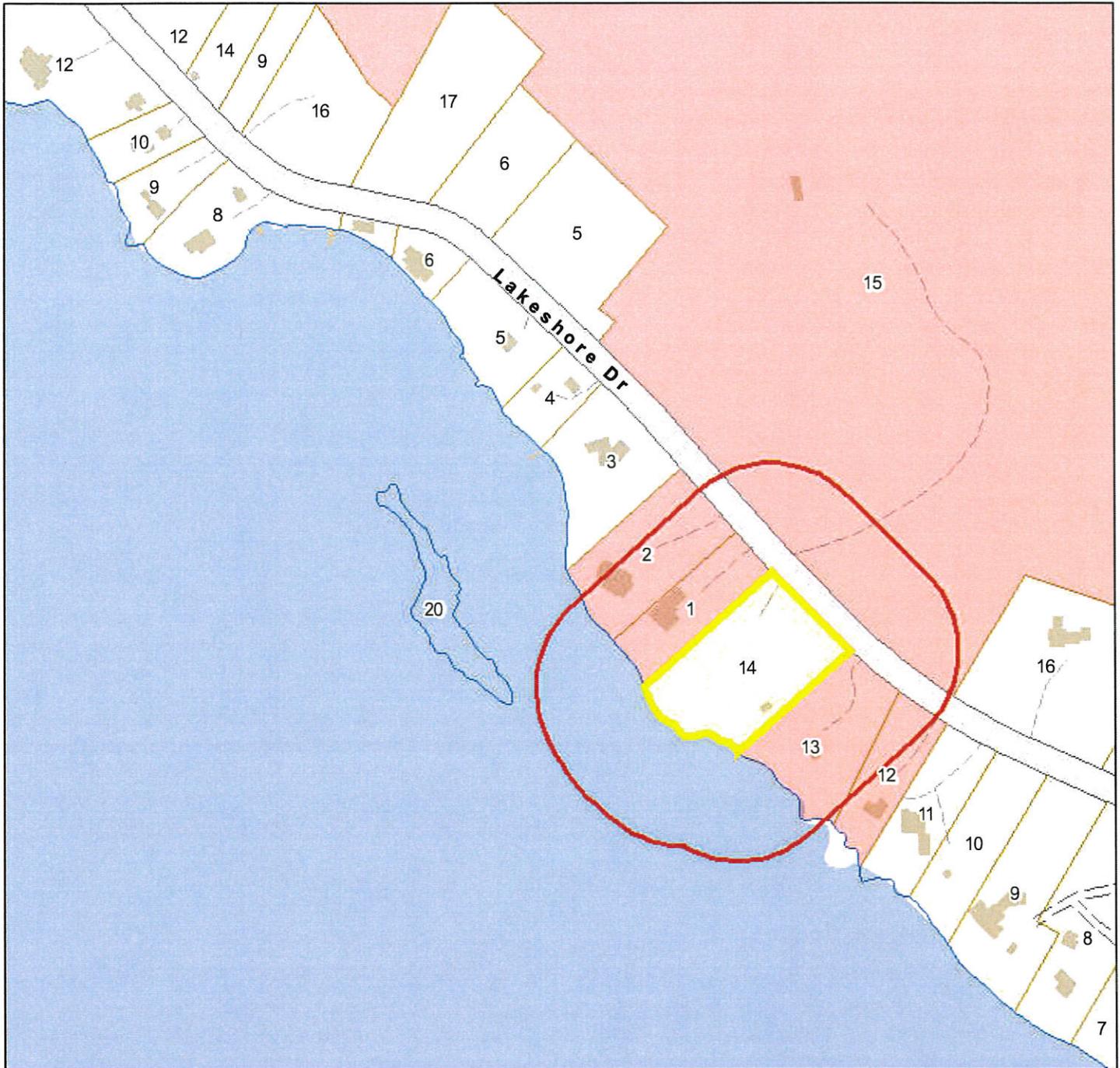
NEW LONDON, NH



October 14, 2016

1 inch = 268 Feet

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|--|--------------|--|-----------------------|--------------|
| | PROPERTYLINE | | ROAD-PVT-RW | Street Names |
| | ROAD | | New London Buildings | |
| | WATER-P | | Right of Ways | |
| | DW | | New London Water-poly | |

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TAX MAP 51 LOT 14

AERIAL PHOTO



October 14, 2016

1 inch = 100 Feet

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| | | | |
|--|--------------|---|-----------------------|
|  | PROPERTYLINE |  | New London Water-poly |
|  | ROAD | | |
|  | WATER-P | | |
|  | DW | | |

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