



TOWN OF NEW LONDON, NEW HAMPSHIRE

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

RE: BRUCE SANBORN

JUNE 14, 2010

MAP 071, LOT 025-000

You are hereby notified that on this date, the New London Zoning Board of Adjustment held a public hearing at the request of Bruce Sanborn. The applicant requested a Variance to the terms of Article II, Section 1, e, 2 of the New London Zoning Ordinance in order to permit a fenced run and shelter for 2 pigs to be located less than 100' from a neighboring property boundary

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

The Board determined that granting the variance would not be contrary to the public interest, because the proposed location was farther from the road and abutting neighbor's houses than the legal location.

2. The spirit of the ordinance is observed:

The Board concluded that because the proposed location of the fenced run and enclosure appeared to accomplish the objectives of the ordinance, granting the variance would be in the spirit of ordinance.

3. Substantial justice is done:

The Board agreed that substantial justice was done because the granting the variance was in the interest of both the applicant and the public in this case.

4. The proposed use would not diminish property values:

The Board determined that because of the shape and topography of lot and the adjoining property, the proposed location was less obtrusive than the only legal location. As a result, the value of surrounding properties would not diminish as a result of granting the variance.

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 of the irregular shape of the lot and how it relates to the configuration and use of the abutting property. In this case, the legal location would likely be more apparent from both a visual and olfactory perspective to both passers by and neighbors.

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 use is limited to 2 pigs at a time being for the consumption of left over food from the operation of the Sanborn's restaurant at 420 Main Street

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 fenced run and shelter to remain where it is currently installed, with the conditions that; 1) the use be limited to two (2) pigs for slaughter only (no breeding), and 2) that if the distance from the fenced run to the mapped stream on the neighbor's property is less than 100 feet, the applicant will return to the ZBA for a Special Exception to reduce the stream buffer.**

William Green, Chairman

Douglas Lyon

Douglas Lyon

Laurie DiClerico

Laurie DiClerico

Courtland Cross

Michael Todd

Michael Todd

Sue Ellen Andrews

Sue Ellen Andrews