



TOWN OF NEW LONDON, NEW HAMPSHIRE

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Zoning Board of Adjustment MEETING MINUTES Tuesday, January 7, 2025 Whipple Town Hall

MEMBERS PRESENT: Michael Todd (Chair), Frank Anzalone, Peter Theroux, Heidi Lauridsen, Conrad Bolton, Steve Root, Julia LeMense, Ann Bedard

STAFF PRESENT: Adam Ricker (Town Planner/Zoning Administrator)

OTHERS PRESENT: Catherine Robjent & James Robjent

1. Call to Order: Chair Todd called the meeting to order at 6:30pm

2. Governance and Procedures

Chair Todd explained that the board consists of eight (8) members of whom five (5) may vote. It was acknowledged that Chair Todd, Heidi Lauridsen, Anne Bedard, Frank Anzalone, Steve Root and Conrad Bolton would be the voting members with Julia LeMense and Peter Theroux as the alternate members. Alternate members not designated as voting members may participate in the discussion, but do not take part in the vote.

3. Public Hearing: Continuation from December 3, 2024

Case #: ZBA 24-06
Applicant: Richard W. Hall Revocable Trust & Tammy K. Hall Revocable Trust
Address: 75 Bartons Row
Parcel ID: 064-007-0-0-0
Zone(s): Residential (R-2)
Summary: The applicant is applying for a variance of Article V Residential District, C. Yard Requirements, 2. The article requires 20' side yard setback and the applicants propose the construction of a garage with a 16' side yard setback.

No representative was present; however, the petitioners did request a continuance via email to Mr. Ricker.

A motion was made by Mr. Root, and seconded by Ms. Lauridsen, to continue the hearing to January 21, 2025. The motion passed unanimously.

4. Public Hearing: Applicant for Variance

Case #: ZBA 25-01
Applicant: Catherine W. Robjent Trust
Address: 287 Mountain Road
Parcel ID: 112-007-0-0-0
Zone(s): Conservation
Summary: The applicant is applying for a variance of Article VIII Conversation District, B. Yard Requirements, 1., that requires all setbacks on each lot to be a minimum of 50 feet. The applicant proposes construction of a 285 square foot addition to the north side of the building, with the setback of approximately 40 feet.

Chair Todd opened the hearing and explained that it is the responsibility of petitioners to provide sufficient evidence demonstrating that all five criteria for a variance request are met. For applications involving dimensional requirements, petitioners must present evidence proving the accuracy of structure dimensions and property boundaries indicated on their drawings. Chair Todd asked if the petitioners had evidence to support the precise location of the dimensions in question for their application.

Jim Robjent advised that a survey was not available, and it was their understanding that they would not need one. Chair Todd acknowledged that a survey was not available and referenced a recent case where a similar situation arose. In that instance, the board expressed the need for a professional opinion regarding the location of a property line. The petitioners engaged a surveyor who placed a marker, confirmed the line's location, and provided a signed statement. The board accepted this evidence as sufficient. Mr. Root added that the town's website does have a frequently asked questions section (FAQs) that outlines the need for a plot that accurately shows the property boundaries and location of structures and features. Chair Todd added that without a survey, it's nearly impossible for the board to confirm that a variance is even needed. Mr. Ricker added that this addition is going to be within feet of meeting the setback requirements. Providing a survey could show that no variance is needed or that the plan can be altered slightly to meet the setbacks. He added that the digital tax maps are a tool that gives the board enough information to know that more information is required to make a decision. Chair Todd suggested that the petitioner try to hire a surveyor to identify the front lot line and measure the distances to the existing house and proposed additions without doing a full boundary survey. This would provide definitive location of the addition and could outline that no variance is necessary. Mr. Ricker added that the survey will be needed for the approval of a conforming building permit.

Mr. Robjent noted that the property used to be 17 acres but was subdivided before they purchased the parcel and a survey was completed at that time. He questioned if this survey would be sufficient for the board. Mr. Ricker advised that he had reviewed a survey in the property file (completed in 1984 for a septic permit); however, that survey did not show a front boundary, so it would not answer the concerns of the board.

Chair Todd asked if the petitioners felt that continuing the hearing to February 18, 2025 would provide them enough time to secure a surveyor and provide their findings to the board. He added that by continuing the hearing, abutters would not need to be notified again. Ms. [Petitioner] asked what the steps would be once the survey was completed. Chair Todd explained that the petitioners would return

to the board and share the findings of the survey allowing the board to determine that a variance is not needed or enter discussion of the five criteria necessary for a variance to be granted.

A motion was made by Mr. Root, and seconded by Ms. Lauridsen, to continue the hearing to February 18, 2025. The motion passed unanimously.

5. Meeting Minutes: December 3, 2024

The following amendments were requested:

1. Pages 5, 7, 8 - Replace Ms. Snow Chadwick with Ms. LeMense
2. Page 2 - Correct spelling of raised to razed
3. Page 4, Paragraph 2 - Correct to read, "Mr. Root inquired if all corner lots require 25 foot setbacks for two fronts and 20 foot setbacks for two sides. Mr. Ricker confirmed, noting that there is no rear line because any line attaching to a front is a side."
4. Page 5, Paragraph 6 - Correct to read, "Chair Todd noted that the application items submitted by Ms. Darrow had outlined garage depths between 24 and 36 feet as normal."
5. Page 9, Paragraph 6 - Correct to read, "She asked the board for their opinion on whether a variance would be needed for the lower front corner of the house, which is moved slightly from the current house footprint and is within 25 feet of the property line."

A motion was made by Mr. Root, and seconded by Mr. Bolton, to approve the minutes as amended. The motion passed unanimously.

6. Other Business

Mr. Ricker asked if the board would be okay with canceling the meeting scheduled for February 4 and scheduling any applications that come in for the February 18 meeting.

A motion was made by Mr. Root, and seconded by Mr. Bolton, to cancel the February 4, 2025 meeting. The motion passed unanimously.

7. Adjournment

Chair Todd adjourned the meeting at 7:00pm.

Respectfully submitted,

Kelsie L. Clarke
Recording Secretary
Town of New London

Note: RSA 91-A:2, II provides that "Minutes of all such meetings, including nonpublic sessions, shall include the names of members, persons appearing before the public bodies, and a brief description of the subject matter discussed and final decisions." A video of the entire meeting may be available for viewing on the town website, NewLondon.NH.gov, if more than the brief description contained in these meeting minutes is desired.