



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision

Request for Variance

The Daniel W. Watson Trust and the Eda Ann Watson Trust/Map 254, Lot 24

September 15, 2010

**Applicant: The Daniel W. Watson Trust and the Eda Ann Watson Trust
23 Davis Lane
Moultonborough, NH 03254**

Location: 29 Long Island Road, Moultonborough, NH (Tax Map 254, Lot 24)

On September 1, 2010 the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of The Daniel W. Watson Trust and the Eda Ann Watson Trust (hereinafter referred to as the “Applicant” and/or “Owner”) for a variance from Article III (Table I) to allow for an increase in the existing site’s unit density from approx. 2.50 dwelling units per acre to approx. 2.56 dwelling units per acre, only in accordance with the submitted plan and for the existing units. No new units are proposed or granted with this decision. The subject property is in the Agricultural Residential (AR) Zoning District.

Based on the application, testimony given at the hearings, and additional documentation and plan(s), the Board hereby makes the following findings of fact:

- 1) The property is located at 29 Long Island Road (Tax Map 254, Lot 24).
- 2) The applicants are the owners of record for the lot.
- 3) The applicants were represented at the Public Hearings by David Dolan of David M. Dolan Associates, P.C..
- 4) The lot is located in the Agricultural Residential (AR) Zoning District.
- 5) The applicants are proposing no new construction for the site. No new dwelling units are proposed.
- 6) The applicants are proposing to combine a portion of the two (2) abutting parcels to effectively “move” all of the existing campground units onto one (1) parcel.

- 7) The existing lot is a pre-existing, non-conforming use in the Agricultural Residential District.
- 8) There are approx. ninety (90) total dwelling units on the existing lot.
- 9) There are approx. twelve (12) total dwelling units, on approx. 2.5 acres, to be added to the existing 40 acre parcel.
- 10) The existing density of the lot is approx. 2.50 dwelling units per acre.
- 11) The proposed density will be approx. 2.56 Dwelling units per acre.
- 12) The subject sites have both been operating as a campground for approx. forty (40) years.
- 13) The remaining portion of the abutting parcel will be in conformance with the existing density requirements of the Zoning Ordinance.
- 14) No member of the public choose to speak on this Variance request.
- 15) Granting the Variance will not be contrary to the public interest as the use of the lots previously as a campground is pre-existing to zoning and no new impacts will be created by the Variance.
- 16) Granting the Variance is consistent with the spirit of the Ordinance as the Variance will not permit new dwelling units, but will make one (1) parcel conforming to the density requirements of the Ordinance, while better containing the use of the campground on Tax Map 254, Lot 24.
- 17) By granting the Variance, substantial justice is done.
- 18) Granting the Variance does not diminish the value of surrounding properties as the use is pre-existing and has been continuing for over forty (40) years. No new uses or impacts are generated by granting this Variance.
- 19) Special conditions exist such that a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship as the pre-existing campground has been operating as a pre-existing non-conforming use on the lots and the existing density is far above that which is permitted, or possible, for the lot, given the approx. ninety (90) dwelling units on approx. forty (40) acres of land on the subject parcel, and the approx. twelve (12) dwelling units on the approx. 2.5 acre portion to be added to it.
- 20) The Zoning Board of Adjustment voted by a vote of five (5) in favor (Stephens, Hopkins, Nolin, Heal, Roseberry), and none (0) opposed to continue the Public Hearing to September 15, 2010, and to direct the Town Planner to draft a Notice of Decision to Grant the Variance, to be reviewed by the Board at the September 15, 2010 Regular Meeting.

The Public Hearing was continued to September 15, 2010. The Board of Adjustment closed the Public Hearing on September 15, 2010. Based on the above Findings of Fact, the Board of Adjustment voted by a vote of four (4) in favor (Stephens, Nolin, Heal, Roseberry, none (0) opposed, to **GRANT** the request for variance.

This decision shall not take effect until thirty (30) days have elapsed and no request for rehearing has been filed in accordance with RSA 677:2, or that if such request has been filed, it has been dismissed or denied, in accordance with RSA 677:3.

Robert H. Stephens
Chairman, Zoning Board of Adjustment

Date _____