



16 Merrill Access Road
Thornton, NH 03285

TOWN OF THORNTON ZONING BOARD

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Notice of Decision

Date: November 14, 2022
Meeting Date: October 27, 2022
Application Date: September 21, 2022
Map/Lot: Map 10 Lot 11 and Lot 12
Zone: General Residential
Location: Maher Avenue in Moosehaven Subdivision
Owner(s): Scott and Denise Stahler

At the Zoning Board meeting held on October 27, 2022, a Public Hearing was held to consider the request for an **EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS REQUEST; ARTICLE VI: Dimensional Requirements** and included an interpretation of "NH RSA 674:41, Erection of Buildings on Streets".

After hearing from the Stahlers and their agent, and having previously determined that the application was complete, the Zoning Board **APPROVED** the request by making the following motion:

To grant Scott and Denise Stahler the approval to apply for Zoning Compliance Applications for Tax Map 210, Lot 11 and Lot 12 as the Board found:

- **They are in an approved subdivision;**
- **The issuance of a permit or erection of a building will not constitute a public or private nuisance, nor diminish the value of other property in the area, nor interfere with or adversely affect any present or permissible future uses of any such property; it will not tend to distort the official map or increase the difficulty of carrying out the master plan upon which it is based;**
- **Due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained, that it would be inequitable to require the violation to be corrected;**
- **The erection of a building or issuance of a permit will not cause hardship to future purchasers or undue financial impact on the municipality as the parcels are located on a subdivision that was approved by the Thornton Planning Board on November 20, 2006 recorded at the Grafton County Registry of Deeds as Plan #12600; and**
- **That the Applicants had met all criteria for the equitable waiver requested.**

Motion: J. Sobolewski

Second: M. Patti

Vote: 3 - YES, 0 - NO, 1 – ABSTAIN (J. Monti)

Motion passes.

For the Thornton Zoning Board,

Joseph Monti, Chairman
Thornton Zoning Board

Note: Any party to the action or any person directly affected has a right to appeal this decision, in a timely fashion as prescribed by the New Hampshire Revised Statutes Annotated, Chapter 677, available at the Thornton Town Office. This notice has been placed on file and made available for public inspection in the records of the Thornton Zoning Board of Adjustment. Copies of this Notice of Decision have been distributed to: The Applicant, Board of Selectmen, Town Clerk, and Planning Board. A copy of this Notice of Decision has been posted at the Thornton Town Office and on the Town of Thornton website.