



Town of Candia
LAND USE OFFICE
Candia, New Hampshire 03034
(603) 483-8588

**ZONING BOARD OF ADJUSTMENT
OFFICIAL NOTICE OF ACTION**

The Zoning Board of Adjustment at its **May 28, 2019 meeting** made the following decision regarding a request on the **ZBA case #19-005**.

APPLICANTS: Candia Crossing LLC, 38 Fieldstone Lane, Candia, NH 03034

PROPERTY OWNER(S): Candia Crossing LLC, 38 Fieldstone Lane, Candia, NH 03034

PROJECT LOCATION: High Street; Candia, NH 03034

TAX MAP: Map 406 LOT NUMBER 16

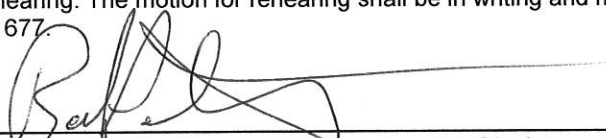
SUBJECT: For a Variance under Article III: Definitions-Elderly Housing.
Intent: To relax the age restriction standard for elderly housing.

DECISION: Variance under Article III: Definitions-Elderly Housing was **DENIED** with the following conditions:

CONDITIONS: based on Section 14.02 of the Zoning Ordinance, reasons for denial are listed below:

1. The variance will not be contrary to the public interest;
 - a. the public interest is for all to be 55+.
2. The spirit of the ordinance is observed;
 - a. the spirit of the ordinance is 55+ and by relaxing that restriction it is going against that spirit.
3. Substantial justice is done;
 - a. the gain to the Town is not equal to the gain of the developer.
4. The values of surrounding properties are not diminished;
 - a. this would have no value on the surrounding properties outside the community.
5. Literal enforcement of the provisions of the ordinance would result in unnecessary hardship.
 - a. it was acknowledged by the applicant's attorney that there are 55+ projects around such as this in other communities and the definition was in the ordinance when the project was conceived.

NOTE: Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty (30) days of the date of this hearing. The motion for rehearing shall be in writing and must set forth all the grounds on which you will base your appeal, as per RSA 677.



Robert Petrin, Chairperson/Judith Szot, V-Chairperson
Candia Zoning Board of Adjustment

6-4-19

Date