



TOWN OF LONDONDERRY  
**ZONING BOARD OF ADJUSTMENT**  
268B Mammoth Road, Londonderry, New Hampshire 03053  
Phone: 432-1100, ext.134 Fax: 432-1142

March 16, 2023

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, March 16, 2023:

**Case No.:** 03/15/2023-1

**Applicant:** Forty Three Harvey Rd Real Inc  
71 Mammoth Road  
Londonderry, NH 03053

**Location of Property:** 43 Harvey Road, Map 14 Lot 44-2, Zoned IND-II

**Request:** Request for a variance from LZO 4.4.1.3.A.1.a to encroach 20.6 feet into the 30-foot front setback for an existing building.

**Result:** Member B. O'Brien made a motion in 03/15/2023-1 to **grant** the applicant's request for a variance from LZO 4.4.1.3.A.1.a to encroach 20.6 feet into the 30-foot front setback for an existing building, 43 Harvey Road, Map 14 Lot 44-2, Zoned IND-II, Forty Three Harvey Rd Real Inc (Owner & Applicant)

Member I. Macarelli seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **GRANTED** with conditions to obtain site plan approval.

**NOTE:** Actions of the ZBA, granted or denied, are subject to the rights of any party to the proceedings or person directly affected thereby to request a rehearing within thirty calendar days following a hearing and to the Superior Court in accordance with RSA 677:1-14. Variance shall be valid if exercised within two years from the date of final approval. See RSA 674:33, I-a (a) for further explanation and conditions.



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**Case No.:** 03/15/2023-2

**Applicant:** Forty Three Harvey Rd Real Inc  
71 Mammoth Road  
Londonderry, NH 03053

**Location of Property:** 43 Harvey Road, Map 14 Lot 44-2, Zoned IND-II

**Request:** Request for a variance from LZO 4.4.1.3.A.1.a to encroach 5.6 feet into the 15-foot greenspace for an existing building

**Result:** B. O'Brien made a motion in CASE NO. 03/15/2023-2 the **grant** the request for a variance from LZO 4.4.1.3.H.1 to encroach 5.6-feet into the 15-foot greenspace for an existing building, 43 Harvey Road, Map 14 Lot 44-2, Zoned IND-II, Forty Three Harvey Rd Real Inc. (Owner & Applicant).

Member I. Macarelli seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **GRANTED** with conditions to obtain site plan approval.

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March 16, 2023

**Case No.:** 03/15/2023-3

**Applicant:** Forty Three Harvey Rd Real Inc  
71 Mammoth Road  
Londonderry, NH 03053

**Location of Property:** 43 Harvey Road, Map 14 Lot 44-2, Zoned IND-II

**Request:** Request for a variance from LZO 4.4.1.3.D.1 to allow outdoor storage of company owned vehicles.

**Result:** B. O'Brien made a motion in CASE NO. 03/15/2023-3 to **grant** the request for a variance from LZO 4.4.1.3.D.1 to allow outdoor storage of company owned vehicles, 43 Harvey Road, Map 14 Lot 44-2, Zoned IND-II, Forty Three Harvey Rd Real Inc. (Owner & Applicant).

M. Feig seconded the motion.

The motion was granted, 4-1-0, with S. Brunelle opposed. The applicant's request for a variance was **GRANTED** with conditions to obtain site plan approval.

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, March 16, 2023:

March 16, 2023

**Case No.:** 03/15/2023-4

**Applicant:** Paul Kelly  
68 Haven Drive  
Auburn, NH 03032

**Location of Property:** 44 Nashua Road, Map 7 Lot 67, Zoned C-II

**Request:** Request for a variance from LZO 4.1.2 Use Table to allow manufacturing (brewery) in the C-I zone which is otherwise prohibited

**Result:** B. O'Brien made a motion to continue CASE NO. 03/15/2023-4 request for a variance from LZO 4.1.2 Use Table to allow manufacturing (brewery) in the C-I zone which is otherwise prohibited, 44 Nashua Road (Unit 17), Map 7 Lot 67, Zoned C-I, Leeman Corporation (Owner) and Paul Kelly (Applicant) until the April 19, 2023, meeting.

S. Brunelle seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was continued until April 19, 2023.

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, March 16, 2023:

**Case No.:** 03/15/2023-5

**Applicant:** John Manelas  
418 Island Pond Road, Bldg 3  
Derry, NH 03038

**Location of Property:** 107 Nashua Road, Map 6 Lot 35-1, Zoned C-I and RT 102 Overlay

**Request:** Request for a variance from LZO 4.6.6.7.F.5.b to allow an existing sign with height of 17-feet whereas a maximum of 10-feet is permitted.

**Result:** B. O'Brien made a motion in CASE NO. 03/15/2023-5 to **grant** the request for a variance from LZO 4.6.6.7.F.5.b to allow an existing sign with height of 17-feet whereas a maximum of 10 feet is permitted in RTE 102 POD & C-I district, 107 Nashua Road Map 6 Lot 35-1, Zoned C-I & RTE 102 POD, 107 Nashua Road Properties, LLC (Owner) John Manelas (Applicant).

S. Brunelle seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **GRANTED**.

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, March 16, 2023:

**Case No.:** 03/15/2023-6

**Applicant:** John Manelas  
418 Island Pond Road, Bldg 3  
Derry, NH 03038

**Location of Property:** 107 Nashua Road, Map 6 Lot 35-1, Zoned C-I and RT 102 Overlay

**Request:** Request for a variance from LZO 4.6.6.7.F.5.c.i to allow an existing sign with area of 63 square feet whereas a maximum of 30 square feet is permitted.

**Result:** B. O'Brien made a motion in CASE NO. 03/15/2023-6 to **grant** the request for a variance from LZO 4.6.6.7.F.5.c.i to allow an existing sign with area of 63 square feet whereas a maximum of 30 square feet is permitted in RTE 102 POD & C-I district, 107 Nashua Road Map 6 Lot 35-1, Zoned C-I & RTE 102 POD, 107 Nashua Road Properties, LLC (Owner) John Manelas (Applicant).

S. Brunelle seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **GRANTED**.

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, March 16, 2023:

**Case No.:** 03/15/2023-7

**Applicant:** John Manelas  
418 Island Pond Road, Bldg 3  
Derry, NH 03038

**Location of Property:** 107 Nashua Road, Map 6 Lot 35-1, Zoned C-I and RT 102 Overlay

**Request:** Request for a variance from LZO 4.6.6.7.F.5.d to allow an existing sign within 10 feet of the front property line.

**Result:** B. O'Brien made a motion in CASE NO. 03/15/2023-7 to **grant** the request for a variance from LZO 4.6.6.7.F.5.d to allow an existing sign within 10 feet of the front property line in RTE 102 POD & C-I district, 107 Nashua Road Map 6 Lot 35-1, Zoned C-I & RTE 102 POD, 107 Nashua Road Properties, LLC (Owner) John Manelas (Applicant).

S. Brunelle seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **GRANTED**.

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, March 16, 2023:

**Case No.:** 03/15/2023-8

**Applicant:** John Manelas  
418 Island Pond Road, Bldg 3  
Derry, NH 03038

**Location of Property:** 107 Nashua Road, Map 6 Lot 35-1, Zoned C-I and RT 102 Overlay

**Request:** Request for a variance from LZO 4.6.6.7.F.5.e.i to allow an existing pole sign whereas a monument sign type is required.

**Result:** B. O'Brien made a motion in CASE NO. 03/15/2023-8 to **grant** the request for a variance from LZO 4.6.6.7.F.5.e.i to allow an existing pole sign whereas a monument sign type is required in RTE 102 POD & C-I district, 107 Nashua Road Map 6 Lot 35-1, Zoned C-I & RTE 102 POD, 107 Nashua Road Properties, LLC (Owner) John Manelas Applicant).

S. Brunelle seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **GRANTED.**

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, March 16, 2023:

**Case No.:** 03/15/2023-9

**Applicant:** John Manelas  
418 Island Pond Road, Bldg 3  
Derry, NH 03038

**Location of Property:** 107 Nashua Road, Map 6 Lot 35-1, Zoned C-I and RT 102 Overlay

**Request:** Request for a variance from LZO 4.6.6.7.F.4.b to allow a wall sign with an area 96 square feet whereas a maximum of 30 square feet is permitted.

**Result:** B. O'Brien made a motion in CASE NO. 03/15/2023-9 to ***grant*** the request for a variance from LZO 4.6.6.7.F.4.b to allow a wall sign with an area 96 square feet whereas a maximum of 30 square feet is permitted in RTE 102 POD & C-I district, 107 Nashua Road Map 6 Lot 35-1, Zoned C-I & RTE 102 POD, 107 Nashua Road Properties, LLC (Owner) John Manelas (Applicant).

S. Brunelle seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **GRANTED**.

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