



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

268B Mammoth Road, Londonderry, New Hampshire 03053
Phone: 432-1100, ext.134 Fax: 432-1142

December 24, 2019

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, December 18, 2019:

Case No.: 12/18/19-1

Applicant: Robert Carrier
84 Searles Road
Windham, NH 03087

Location of Property: Four Orchard View Drive (Units 20-21), Map 7 Lot 40-2, Zoned C-I

Request: Request for a variance from LZO 7.6.D.3.B.I to allow a 80 SF wall sign where only 40 SF are allowed

Result: Member J. Tirabassi made a motion in **CASE NO. 12/18/19-1** to **GRANT** the applicant's request for a variance from LZO 7.6.D.3.B.I to allow a 80 SF wall sign where only 40 SF are allowed, Four Orchard View Drive (Units 20-21), Map 7 Lot 42-2, Zoned C-I, Robert Carrier (Applicant) and Vernco Apple Co., LLC (Owner) with the following conditions:

1. The extra 40 SF of signage is only allowed when the two spaces are occupied by one tenant for Units 20-21; and
2. Lights on the sign to be on only during normal business hours.

Member B. O'Brien seconded the motion.

The motion was passed, 4-1-0. The applicant's request for a variance was **GRANTED** with conditions.

Jim Tirabassi

Jim Tirabassi, Clerk

NOTE: Actions of the ZBA, granted or denied, are subject to the right of interested parties 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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December 24, 2019

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, December 18, 2019:

Case No.: 12/18/19-2

Applicant: 33 Londonderry, LLC
46-17 28th Avenue
Astoria, NY 11103-114

Location of Property: 33 Londonderry Road, Map 10 Lot 87, Zoned C-II

Request: Request for a variance from LZO 4.3.3.B.1 to allow only 28.8% amount of green space where 33% is required

Result: Member J. Tirabassi made a motion in **CASE NO. 12/18/19-2** to **GRANT** the applicant's request for a variance from LZO 4.3.3.B.1 to allow only 28.8% amount of green space where 33% is required, 33 Londonderry Road, Map 10 Lot 87, Zoned C-II, 33 Londonderry, LLC (Owner) and Advance Machine Technologies (Applicant).

Member M. Feig seconded the motion.

The motion passed, 4-1-0. The applicant's request for a variance was **GRANTED.**

Request: Request for a variance from LZO 4.3.3.B.1 to allow only 15 feet of green perimeter along a public right-of-way where 30 feet is required.

Result: Member J. Tirabassi made a motion in **CASE NO. 12/18/19-2** to **DENY** the applicant's request for a variance from LZO 4.3.3.B.1 to allow only 15 feet of green perimeter along a public right-of-way where 30 feet is required, 33 Londonderry Road, Map 10 Lot 87, Zoned C-II, 33 Londonderry, LLC (Owner) and Advance Machine Technologies (Applicant).

Member B. O'Brien seconded the motion.

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



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the following reasons:

Granting the variance would be contrary to the public interest and not in observance of the spirit of the ordinance because reducing the green space along the public right of way would alter the essential character of the neighborhood and threatens the public safety as the green space acts as a buffer between the business and traffic travelling on the public right-of-way. Additionally having parking spaces so close to the public right-of-way raises additional safety concerns and greatly alters the character of the neighborhood. Granting the variance would not do substantial justice because the loss to the public due to safety concerns of decreasing the buffer and placing additional parking spaces along the right-of-way is greater than any gain to the public. There is a fair and substantial relationship between the general purposes of the ordinance and the specific application on this property because all of the properties along Londonderry Road are expected to abide by this setback.

Request: Request for a variance from LZO 4.3.3.B.1 to allow only 0 feet of green perimeter where 15 feet is required

Result: Member J. Tirabassi made a motion in **CASE NO. 12/18/19-2** to **CONTINUE** the applicant's request for a variance from LZO 4.3.3.B.1 to allow only 0 feet of green perimeter where 15 feet is required until January 15, 2020.

Member M. Feig seconded the motion.

The motion passed, 5-0-0. The applicant's request for a variance was continued until January 15, 2020.

Jim Tirabassi

Jim Tirabassi, Clerk

NOTE: Actions of the ZBA, granted or denied, are subject to the right of interested parties 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.