



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

July 22, 2021

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, July 21, 2021:

Case No.: 05/19/2021-4

Applicant: Orchard Christian Fellowship Church
136 Pillsbury Road
Londonderry, NH 03053

Location of Property: 136 Pillsbury Road, Map 6 Lot 18-2, Zoned AR-1

Request: Request for a special exception pursuant to LZO 5.15.1 for a portable storage structure in the AR-I district

Result: The applicant withdrew its request.

Neil Dunn, Chair

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, July 21, 2021:

Case No.: 06/16/2021-1

Applicant: NH Signs
66 Gold Ledge Ave
Auburn, NH 03032

Location of Property: Seven Nashua Road, Map 10 Lot 129, Zoned C-II

Request: Request for four variances from LZO: (1) 7.7.E.3 to allow a changeable electronic message board sign that is otherwise prohibited; (2) 7.5.C to allow a sign 16 feet in height where only 10 feet in height are allowed; (3) 7.6.D.3.B to allow an additional wall sign where only one is permitted; and (4) 7.6.D.3.a.i to allow a free standing sign to be located 4 feet from the Nashua Road property line where 15 feet are required and 2 feet from the Ela Road property line where 15 feet are required

Result: Member J. Benard made a motion in **CASE NO. 06/16/2021-1** to **GRANT** the applicant's request for a variance from LZO 7.7.E.3 to allow changeable electronic message board sign that is otherwise prohibited with the conditions that the electronic message board is only for digits for the gas station and the sign will be non-scrolling and non-flashing.

Member M. Feig seconded the motion.

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

Result: Member J. Benard made a motion in **CASE NO. 06/16/2021-1** to **GRANT** the applicant's request for a variance from LZO 7.5.c to allow a sign 16 feet in height where only 10 feet in height are allowed.

Member M. Feig seconded the motion.

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



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Result:

Member J. Benard made a motion in **CASE NO. 06/16/2021-1** to **GRANT** the applicant's request for a variance from LZO 7.6.D.3.B to allow to allow an additional wall sign where only one is permitted with the condition that the sign be no larger than 24 SF and the illumination of the sign be the same hours as the gas station.

Member I. Macarelli seconded the motion.

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

Result:

Member J. Benard made a motion in **CASE NO. 06/16/2021-1** to **GRANT** the applicant's request for a variance from LZO 7.6.D.3.a.i to allow a free standing sign to be located 4 feet 6 inches from the Nashua Road property line where 15 feet are required and 2 feet from the Ela Road property line where 15 feet are required with the following conditions: (1) the setback encroachments shall be no greater than 4 feet 6 inches from the Nashua Road property line and 2 feet from the Ela Road property line; (2) the sign shall contain two components – one for branding and the second for the pricing; and (3) the sign shall be no greater than 38 SF.

Member I. Macarelli seconded the motion.

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

Neil Dunn, Chair

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, July 21, 2021:

Case No.: 07/21/2021-1

Applicant: Paula Gagne
213 Rockingham Road
Londonderry, NH 03053

Location of Property: 213 Rockingham Road, Map 15 Lot 23-1, Zoned C-I

Request: Request for four variances from LZO: (1) 4.3.3.A.1 to encroach 35 feet into the 60 foot front setback for an existing non-conforming building and a proposed addition; (2) 4.3.3.A.2 to encroach 5 feet into the 30 foot side setback for an existing non-conforming building; (3) 4.3.3.B.1 to encroach 13.7 feet into the 15 foot perimeter green landscaping buffer for a paved parking area; and (4) 4.3.3.B.1 to encroach 30 feet into the 30 foot front perimeter green landscaping buffer for a paved parking area

Result: Member J. Benard made a motion in **CASE NO. 07/21/2021-1** to **GRANT** the applicant's request for variance from LZO 4.3.3.A.1 to encroach 35 feet into the 60 foot front setback for an existing non-conforming building and a proposed addition.

Member I. Macarelli seconded the motion.

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

Result: Member J. Benard made a motion in **CASE NO. 07/21/2021-1** to **GRANT** the applicant's request for variance from LZO 4.3.3.A.2 to encroach 5 feet into the 30 foot side setback for an existing non-conforming building.

Member M. Feig seconded the motion.

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



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Result:

Member J. Benard made a motion in **CASE NO. 07/21/2021-1** to **GRANT** the applicant's request for variance from LZO 4.3.3.B.1 to encroach 13.7 feet into the 15 foot perimeter green landscaping buffer for a paved parking area.

Member M. Feig seconded the motion.

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

Result:

Member J. Benard made a motion in **CASE NO. 07/21/2021-1** to **GRANT** the applicant's request for variance from LZO 4.3.3.B.1 to encroach 30 feet into the 30 foot front perimeter green landscaping buffer for a paved parking area.

Member I. Macarelli seconded the motion.

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

Neil Dunn, Chair

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, July 21, 2021:

Case No.: 07/21/21-2

Applicant: Renegade's Pub North
103 Nashua Road
Londonderry, NH 03053

Location of Property: 103 Nashua Road, Map 6 Lot 35-17, Zoned C-I

Request: Request for a variance from LZO 4.3.3.B to reduce the required 33% green landscaping area to 11% with the addition of an 8 ft x 12 ft extension to the existing patio

Result: Member J. Benard made a motion in **CASE NO. 07/21/2021-2** to **GRANT** the applicant's request for a continuance to August 18, 2021 due to the lack of a five member board.

Member I. Macarelli seconded the motion.

The motion passed, 4-0-0. The applicant's request for a continuance to August 18, 2021 was **GRANTED**.

Neil Dunn, Chair

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, July 21, 2021:

Case No.: 07/21/21-3

Applicant: Renegade's Pub North
103 Nashua Road
Londonderry, NH 03053

Location of Property: 103 Nashua Road, Map 6 Lot 35-17, Zoned C-1

Request: Request for a variance LZO 4.3.3.A.1 to encroach 32.2 feet into the 60 foot front setback for the addition roll up/down plastic barriers on an existing patio

Result: Member J. Benard made a motion in **CASE NO. 07/21/2021-3** to **GRANT** the applicant's request for a continuance to August 18, 2021 due to the lack of a five member board.

Member I. Macarelli seconded the motion.

The motion passed, 4-0-0. The applicant's request for a continuance to August 18, 2021 was **GRANTED**.

Neil Dunn, Chair

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, July 21, 2021:

Case No.: 07/21/2021-4

Applicant: Pipe Dream Brewing, LLC
PO Box 1320
Londonderry, NH 03053

Location of Property: 49 Harvey Road, Map 14 Lot 44-5, Zoned IND-II

Request: Request for a variance from LZO 4.1.2 Use Table to allow a restaurant use in the Industrial II zone which is otherwise prohibited

Result: Member M. Feig moved that the Board cannot consider Pipe Dream, LLC's variance application because it is not materially different in nature and degree from Pipe Dream's previous variance application. Additionally, this second application does not meaningfully address the health, safety, welfare, and parking concerns raised in response to the first variance application.

Member S. Brunelle seconded the motion.

The motion passed, 5-0-0.

Neil Dunn, Chair

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, July 21, 2021:

Case No.: 07/21/2021-5

Applicant: Mac & Families, LLC
40 Mammoth Road
Londonderry, NH 03053

Location of Property: 40 Mammoth Road, Map 1 Lot 43, Zoned AR-1

Request: Request for a variance from LZO 4.1.2 Use Table to allow a daycare use in the Agricultural-Residential zone which is otherwise prohibited

Result: Member J. Benard made a motion in **CASE NO. 07/21/2021-5** to **GRANT** the applicant's request for a variance from LZO 4.1.2 Use Table to allow a daycare use in the Agricultural-Residential zone which is otherwise prohibited, 40 Mammoth Road, Map 1 Lot 43 Zoned AR-1, Mac & Families, LLC (Owner & Applicant) with the following condition: the hours of operation shall not exceed Monday-Friday 6 a.m. to 7 p.m.

Member I. Macarelli seconded the motion.

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

Neil Dunn, Chair

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, July 21, 2021:

Case No.: 07/21/2021-6

Applicant: STG Realty Associates, LLC
18 Orchard View Drive
Londonderry, NH 03053

Location of Property: 18 Orchard View Drive, Map 7 Lot 40-12, Zoned C-I

Request: Request for a variance from LZO 7.8.B to encroach 5 feet +/- into the side setback for the construction of a sign

Result: Member J. Benard made a motion in **CASE NO. 07/21/2021-6** to **GRANT** the applicant's request for a variance from LZO 7.8.B to encroach 5 feet into the side setback for the construction of a sign, 18 Orchard View Drive, Map 7 Lot 40-12, Zoned C-I, STG Realty Associates, LLC (Owner & Applicant).

Member I. Macarelli seconded the motion.

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

Neil Dunn, Chair

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