



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

August 19, 2021

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, August 18, 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 I. Macarelli made a motion in **CASE NO. 07/21/2021-2** to **GRANT** the applicant's request for a continuance to September 15, 2021 due to the lack of a five member board.

Member D. Armstrong seconded the motion.

The motion passed, 4-0-0. The applicant's request for a continuance to September 15, 2021 was **GRANTED**.

Neil Dunn, Chair

NOTE: Actions of the ZBA, granted or denied, are subject to the right of parties or any person directly affected by the decision to request a rehearing within thirty calendar days following a hearing in accordance with RSA 677:2, and if the party or directly affected person remains aggrieved following rehearing, to appeal the ZBA's decision to the Superior Court in accordance with RSA 677:4. A 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, August 18, 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 I. Macarelli made a motion in **CASE NO. 07/21/2021-3** to **GRANT** the applicant's request for a continuance to September 15, 2021 due to the lack of a five member board.

Member D. Armstrong seconded the motion.

The motion passed, 4-0-0. The applicant's request for a continuance to September 15, 2021 was **GRANTED**.

Neil Dunn, Chair

NOTE: Actions of the ZBA, granted or denied, are subject to the right of parties or any person directly affected by the decision to request a rehearing within thirty calendar days following a hearing in accordance with RSA 677:2, and if the party or directly affected person remains aggrieved following rehearing, to appeal the ZBA's decision to the Superior Court in accordance with RSA 677:4. A 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, August 18, 2021:

Case No.: 08/18/2021-1

Applicant: Earl & Patrice Connelly
Six Foxglove Street
Londonderry, NH 03053

Location of Property: Six Foxglove Street, Map 15 Lot 200, Zoned AR-1

Request: Request for a variance from LZO 4.2.1.3.C.1 to encroach 24 feet into the 40 foot front setback for the construction of a shed

Result: Member S. Brunelle made a motion in **CASE NO. 08/18/2021-1** to **GRANT** the applicants' request for a variance from LZO 4.2.1.3.C.1 to encroach 24 feet into the 40 foot front setback for the construction of a shed, Six Foxglove Street, Map 15 Lot 200, Zoned AR-1, Earl & Patrice Connelly (Owners & Applicants) with the condition that the shed shall not be larger than 16-feet by 24-feet.

Member D. Armstrong seconded the motion.

The motion was granted, 5-0-0. The applicants' request for a variance was **GRANTED** with conditions.

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, August 18, 2021:

Case No.: 08/18/2021-2

Applicant: Thomas & Mary Thibodeau
385 Mammoth Road
Londonderry, NH 03053

Location of Property: 385 Mammoth Road, Map 12 Lot 58, Zoned AR-1

Request: Request for a special exception pursuant to LZO 5.12 for a home occupation for music lessons

Result: Member S. Brunelle made a motion in **CASE NO. 08/18/2021-2** to **GRANT** the applicants' request for a special exception pursuant to LZO 5.12 for a home occupation for music lessons, 385 Mammoth Road, Map 12 Lot 58, Zoned AR-1, Thomas & Mary Thibodeau (Owners & Applicants)

Member I. Macarelli seconded the motion.

The motion passed, 5-0-0. The applicants' request for a special exception 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, August 18, 2021:

Case No.: 08/18/2021-3

Applicant: Kyle Christensen
C/O Mack's Orchards
230 Mammoth Road
Londonderry, NH 03053

Location of Property: 230 Mammoth Road, Map 6 Lot 21, Zoned AR-1

Request: Request for a special exception pursuant to LZO 5.13 for farm retail sale of consumable non-farm products, hot dogs, and to extend the selling of ice cream to the end of October

Result: Member S. Brunelle made a motion in **CASE NO. 08/18/2021-3** to **GRANT** the applicant's request for a special exception pursuant to LZO 5.13 for farm retail sale of consumable non-farm products, hot dogs, and to extend the selling of ice cream to the end of October, 230 Mammoth Road, Map 6 Lot 21, Zoned AR-1, Mack's Apples/Moose Hill Orchards (Owner) and Kyle Christensen (Applicant) with the condition that the patrons of the ice cream stand shall be separated from the parking areas in an effort to maintain safety, which shall include but not be limited to, the use of the arcade area to route customers through to avoid the parking lots.

Member I. Macarelli seconded the motion.

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

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, August 18, 2021:

Case No.: 07/21/2021-4

Applicant: Pipe Cream Brewing, LLC
P.O. Box 1320
Londonderry, NH 03053

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

Request: Request for a rehearing of the Zoning Board of Adjustment's July 21, 2021 decision denying the applicant's 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 S. Brunelle made a motion in **CASE NO. 07/21/2021-4** to **DENY** the applicant's request for a rehearing of the Zoning Board of Adjustment's July 21, 2021 decision denying the applicant's 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, 49 Harvey Road, Map 14 Lot 44-5, Zoned IND-II, Lxor Realty, LLC (Owner) and Pipe Dream Brewing, LLC (Applicant)

Member M. Feig seconded the motion.

The motion passed, 5-0-0. The applicant's request for a rehearing was denied for the following reasons:

1. No new information was presented that was not available to the applicant at the time of the July hearing; and
2. The Board did not believe that it made any errors of law or fact when it issued its decision in July.

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.