

1                           **LONDONDERRY ZONING BOARD OF ADJUSTMENT**  
2                           **268B MAMMOTH ROAD**  
3                           **LONDONDERRY, NH 03053**

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5                           **MINUTES FROM 03/17/21 MEETING**  
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7                           The meeting was called to order at 7:00 p.m. Members introduced themselves. The following  
8                           members were present: Jacqueline Benard, Vice Chair; Brendan O'Brien, member; Suzanne  
9                           Brunelle, member; Bill Berardino, member; Mitch Feig, alternate member; Irene Macarelli, alternate  
10                          member and David Armstrong, alternate member. Also, participating was Laura Gandia, Associate  
11                          Planner; and Beth Morrison, Recording Secretary.

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13                          I. APPROVAL OF MINUTES

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15                          **B. O'Brien made a motion to accept the February 17, 2021, minutes as presented.**

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17                          **The motion was seconded by B. Berardino.**

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19                          **The motion was granted by, 5-0-0.**

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21                          II. REPORT BY TOWN COUNCIL – D. Paul informed the Board that she had no update this evening.

22  
23                          III. REGIONAL IMPACT DETERMINATIONS: Associate Planner Gandia informed the Board that  
24                          she had three projects for their consideration.

- 25  
26                          1. CASE NO. 03/17/2021-1: Request for a special exception from LZO 8.1.5.3 for residential garage  
27                          setbacks, 15 King George Drive, Map 9 Lot 64-29, Zoned AR-1, Nicholas & Kellie Loring (Owners &  
28                          Applicants)
- 29  
30                          2. CASE NO. 03/17/2021-2: Request for a special exception from LZO 5.12 for a home occupation for  
31                          the sale of food products, 28 Woodside Drive, Map 14 Lot 3-14, Zoned AR-1, Namreen Awan  
32                          (Owner & Applicant)
- 33  
34                          3. CASE NO. 03/17/2021-3: Request for a variance from LZO 4.2.1.4 to allow chickens on a 1.38 lot  
35                          where two acres are required, 158 Mammoth Road, Map 3 Lot 106, Zoned AR-1, Jason & Kelsey  
36                          Goldman (Owners & Applicants)

37  
38                          **B. O'Brien made a motion that none of these projects are of regional impact.**

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40                          **The motion was seconded by B. Berardino.**

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42                          **The motion was granted by, 5-0-0.**

43  
44                          IV. PUBLIC HEARING OF CASES

46       **A. CASE NO. 02/17/2021-1: Request for two variances: (1) LZO 7.6.D.3.B.i for two wall  
47 signs where only one is allowed; and (2) LZO 7.6.D.3.B.i to allow 65.6 SF of signage where  
48 only 40 SF is allowed, 42 Nashua Road & Michels Way, Map 7 Lot 68-1, Zoned C-I, NH  
49 Realty Trust (Owner) and T-Mobile (Applicant) – continued from the February 17, 2021  
50 meeting**

51  
52       B. O'Brien read the case into the record noting it was continued from the last meeting. Jim Steiner, Esq.  
53 from Steiner Law Office, PLLC, introduced himself to the Board. J. Steiner informed the Board that there  
54 was a correction to the square footage of the signs, noting they will each total 28 SF making the combined  
55 total 56 SF, which is now 16 SF over the limit. He passed out, Exhibit B, to the Board, which is attached  
56 hereto. He noted that in the packet he passed out to the Board there are signs in the same vicinity,  
57 specifically Papa Gino's and Citizens Bank, which are similar to the request from T-Mobile as they have  
58 signs on two different sides of their buildings. He noted the additional sign is to promote visibility to the  
59 motoring public, which would mean less confused drivers and safer access. He said that T-Mobile has  
60 made the sign smaller, and changed the color of the pink background. He said that the property is unique  
61 due to maintain the limit of 40 SF when two signs are necessary due to lack of visibility due the location  
62 of the property. He said that the proposed use is reasonable. He said that T-Mobile does anticipate walk-  
63 in volume and the appropriate signage would attract this for the business. He said that he does have a  
64 T-Mobile representative that he can call if the Board should require.

65  
66       He then read the criteria for granting the variance for the two signs:

- 67  
68       (1) The granting of the variance is not contrary to the public interest: because it does not threaten the  
69 health, safety or welfare of the general community or change the essential character of the  
70 neighborhood.
- 71       (2) The spirit of the ordinance is observed: because it will not change the essential character of the  
72 neighborhood. He said that it is similar to other business in the area and is the minimal amount  
73 needed to safely direct the motoring public to the business safely.
- 74       (3) Substantial justice is done: because the loss to the applicant would outweigh any gain to the public.
- 75       (4) Values of surrounding properties are not diminished: because it will not have any adverse effect on  
76 any neighboring properties by adding a second sign for safety of the motoring public.
- 77       (5) There is no fair and substantial relationship exists between the general public purpose of the  
78 ordinance provision and the specific application of that provision to the property because the lack  
79 of visibility to the premises as a result of an abutting building blocking the sight line creates a  
80 hardship both form a visibility standpoint and safety standpoint. He said that the proposed use is a  
81 reasonable one.

82  
83       He then read the criteria for granting the variance for the extra square footage:  
84

- 85 (1) The granting of the variance is not contrary to the public interest: because it does not threaten the  
86 health, safety or welfare of the general community or change the essential character of the  
87 neighborhood.
- 88 (2) The spirit of the ordinance is observed: because it will not change the essential character of the  
89 neighborhood. He said that it is the minimal amount needed to safely direct the motoring public to  
90 the business safely.
- 91 (3) Substantial justice is done: because the loss to the applicant would outweigh any gain to the public.
- 92 (4) Values of surrounding properties are not diminished: because it will not have any adverse effect on  
93 any neighboring properties by adding a second sign for safety of the motoring public.
- 94 (5) There is no fair and substantial relationship exists between the general public purpose of the  
95 ordinance provision and the specific application of that provision to the property because the lack  
96 of visibility to the premises as a result of an abutting building blocking the sight line creates a  
97 hardship both form a visibility standpoint and safety standpoint. He added that each of the two  
98 requested signs are individually less square footage than the maximum allowed. He said that the  
99 proposed use is a reasonable one.

100

101 Vice Chair Benard asked for questions from the Board. Vice Chair appointed M. Feig to be a full voting  
102 member this evening for all three cases. S. Brunelle asked if the sign was going to look exactly as  
103 presented in Exhibit B this evening. J. Steiner replied that was correct. B. Berardino asked if it would be  
104 channel block lettering. J. Steiner responded that was correct. Vice Chair clarified that it is no longer 65.6  
105 SF but 56 SF total for both signs, which would be 28 SF feet for each. J. Steiner replied that was correct.  
106 Vice Chair asked for verification of placement of the signs. J. Steiner stated that on page 4 of Exhibit B,  
107 one is to be on the front of the store, where there is parking, and page 5 the second sign is anticipated  
108 to be on the backside of the building. Vice Chair asked if the color is magenta. J. Steiner replied that was  
109 correct. M. Feig asked if Papa Gino's and Citizens Bank were approved. L. Gandia directed the Board to  
110 LZO 7.6.D.3.b.ii which provides that when a building faces two rights-of-way, the permitted area of the  
111 wall sign may be divided between the two building faces. She noted she could not confirm when the  
112 signs were approved and what ordinance was in effect at that time. D. Armstrong asked if there would  
113 be two tenants. Paul Mahoney, 30 Adams St., Malden MA, manager from NH Realty Trust informed the  
114 Board that there will be two tenants occupying the building. B. Berardino asked if the signs are  
115 illuminated. J. Steiner replied that he does not have the answer and looked through the packet. He noted  
116 that there is a power unit displayed on the third page and thought it would mean the signs would be  
117 illuminated. Vice Chair asked for clarification on the current proposal of the proposed lettering. J. Steiner  
118 replied that it was the photo in Exhibit B, noting that the letters would be magenta, not the background.  
119 He referred them to page 4 of Exhibit B, illustrating the magenta lettering to be used for voting. B. O'Brien  
120 received a page from the packet, which they marked as Exhibit C to use for voting, which is attached  
121 hereto.

122

123 Vice Chair Benard asked for public input and there was none.

124

125 Vice Chair brought the discussion back to the Board and began deliberation on LZO 7.6.D.3.B.i for two  
126 wall signs where only one is allowed:

- 127
- 128 (1) The granting of the variance is not contrary to the public interest: because it does not change the  
129 essential character of the neighborhood nor threaten the health, safety or welfare of the general  
130 community.
- 131 (2) The spirit of the ordinance is observed: because it will not change the essential character of the  
132 neighborhood and encourages public safety of the motoring public.
- 133 (3) Substantial justice is done: because the loss to the applicant would outweigh any gain to the  
134 public.
- 135 (4) Values of surrounding properties are not diminished: because it will not have any adverse effect  
136 on any neighboring property values and will not add to any visual clutter.
- 137 (5) There is no fair and substantial relationship exists between the general public purpose of the  
138 ordinance provision and the specific application of that provision to the property because the  
139 property is unique given its remote location creating visibility issues for the motoring public and  
140 potentially creating a safety issue. The proposed use is a reasonable one.

141

142 **B. O'Brien made a motion in CASE NO. 02/17/2021-1 to grant the variance request**  
143 **from LZO 7.6.D.3.B.i for two wall signs where only one is allowed, 42 Nashua Road &**  
144 **Michels Way, Map 7 Lot 68-1, Zoned C-I, NH Realty Trust (Owner) and T-Mobile**  
145 **(Applicant) with the condition that the sign appear as depicted in Exhibit C.**

146

147 **M. Feig seconded the motion.**

148

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

151

152 The Board closed public input and began deliberation on LZO 7.6.D.3.B.i to allow 56 SF of signage where  
153 only 40 SF is allowed:

- 154
- 155 (1) The granting of the variance is not contrary to the public interest: because it does not change the  
156 essential character of the neighborhood nor threaten the health, safety or welfare of the general  
157 community.
- 158 (2) The spirit of the ordinance is observed: because it will not change the essential character of the  
159 neighborhood and encourage public safety of the motoring public.
- 160 (3) Substantial justice is done: because the loss to the applicant would outweigh any gain to the  
161 public.
- 162 (4) Values of surrounding properties are not diminished: because it will not have any adverse effect  
163 on any neighboring property values and will not add to any visual clutter.

164 (5) There is no fair and substantial relationship exists between the general public purpose of the  
165 ordinance provision and the specific application of that provision to the property because the  
166 property is unique given its remote location creating visibility issues for the motoring public and  
167 potentially creating a safety issue. The proposed use is a reasonable one.

168  
169                   **B. O'Brien made a motion in CASE NO. 02/17/2021-1 to grant the variance request**  
170                   **from LZO 7.6.D.3.B.i to allow 65.6 SF of signage where only 40 SF is allowed, 42**  
171                   **Nashua Road & Michels Way, Map 7 Lot 68-1, Zoned C-I, NH Realty Trust (Owner)**  
172                   **and T-Mobile (Applicant) with the condition:**

- 173  
174                   **1. Maximum of 28 SF for one sign as depicted in Exhibit C; and**  
175                   **2. The color of channel lettering shall be depicted as in Exhibit C.**

176  
177                   **S. Brunelle seconded the motion.**

178  
179                   **The motion was GRANTED, 5-0-0. The applicant's request for a variance was**  
180                   **GRANTED with conditions.**

181  
182                   **B. CASE NO. 03/17/2021-1: Request for a special exception from LZO 8.1.5.3 for**  
183                   **residential garage setbacks, 15 King George Drive, Map 9 Lot 64-29, Zoned AR-1, Nicholas**  
184                   **& Kellie Loring (Owners & Applicants)**

185  
186                   B. O'Brien read the case into the record noting there is no prior zoning. Nicholas Loring, owner and  
187                   applicant of 15 King George Drive, addressed the Board. N. Loring said that he is proposing 16 feet by 24  
188                   feet garage four feet of the property line on the northerly side of the lot. He read his answers to the  
189                   special exception criteria. He noted that the lot was constructed in 1970 and that the abutting garage to  
190                   the north and a shed are also four feet from the property line, which he stated is a pattern. He said that  
191                   they tried to keep the proposed garage in a flatter area of the lawn, stating that if the garage had to be  
192                   pushed to the 15 foot set back, it would block visibility from the house, impact use of the pool and patio  
193                   area pool area. He added that it would allow access to the rear of the property, so he would not have to  
194                   drive across the septic system or leach field. He stated that he is not looking to have another driveway  
195                   to the garage. He said that the garage will be at least 10 feet from an existing building. He said the garage  
196                   architecture will blend with the character of the neighborhood. He pointed out that there is an email  
197                   from an abutter along the common lot line that they are not opposed to the new garage. Vice Chair  
198                   asked if the existing shed would be taken out. N. Loring replied that was correct. S. Brunelle asked if the  
199                   applicant was going to have two garages. N. Loring replied that is correct. B. Berardino asked where the  
200                   septic system was located. N. Loring responded that it was behind the house. D. Armstrong asked if he  
201                   there would be a driveway to the new garage. N. Loring replied that he is not proposing a driveway at  
202                   this time. D. Armstrong asked if the proposed garage would face the patio. N. Loring answered that was  
203                   correct. D. Armstrong asked how far the garage was from the patio. N. Loring stated that it is 15 feet to  
204                   16 feet, noting there is enough room to get by. D. Armstrong asked for the overall height of the garage  
205                   is. N. Loring replied that it would be 18 feet from the concrete slab. M. Feig mentioned that one of the  
206                   requirements would be to not damage any wetlands on the site, noting there is a pond on the site and  
207                   asked if someone would be doing an assessment on this. L. Gandia replied that the Board can add a

208 condition to address that concern. Vice Chair asked if the structure would be checked by code  
209 enforcement. L. Gandia stated that it would be inspected by the building department during the  
210 permitting process. Vice Chair asked if the garage would be on a cement slab. N. Loring replied that it  
211 would. B. O'Brien stated that there is a case from the 1970's where a variance was granted to be within  
212 5 feet of the property line. L. Gandia stated that the variance was granted as the special exception part  
213 of the ordinance was not in effect.

214

215 Vice Chair asked for public input. B. O'Brien read the email, Exhibit D, into the record.

216

217 Vice Chair brought the discussion back to the Board for deliberation and reviewed the fact-finding sheet  
218 with the Board:

219

- 220     1. Was the lot created by a subdivision that occurred after January 1, 2004: No  
221         (The answer to this question must be "NO")
- 222     2. Is there an existing pattern in the area for garage setbacks smaller than those required? Yes  
223         (The answer to this question must be "YES")
- 224     3. Does locating the garage in conformance with the side and/or rear yard requirements  
225         significantly impact existing vegetation, views from the residence, use of the yard or site  
226         circulation, or is such location impractical due to lot dimensions or other constraints? Yes  
227         (The answer to this question must be "YES")
- 228     4. Is there a new driveway serving the garage? NO  
229         If yes, it must have an approved Driveway Permit issued by the Department of Public Works &  
230         Engineering prior to the public hearing. Was the permit provided? \_
- 231     5. Is the proposed garage set back at least 10 ft from any existing building located on an adjacent  
232         lot? Yes  
233         (The answer to this question must be "YES")
- 234     6. Does the design of the proposed garage blend with the architectural character of the  
235         neighborhood (siding, roof pitch, etc.). (Elevation drawings must be submitted to and approved  
236         by the ZBA)? Yes  
237         (The answer to this question must be "YES")
- 238     7. Does the garage exceed 24 feet in either length or width? No  
239         (The answer to this question must be "NO")
- 240     8. Do the garage walls exceed 10 feet in height (the roof may exceed this 10 foot limit)? No  
241         (The answer to this question must be "NO")

242

243             **B. O'Brien made a motion in CASE NO. 03/17/2021-1 to grant a special exception**  
244             **from LZO 8.1.5.3 for residential garage setbacks, 15 King George Drive, Map 9 Lot 64-**

252                   **29, Zoned AR-1, Nicholas & Kellie Loring (Owners & Applicants) with the condition**  
253                   **that the garage no exceed 24 feet by 16 feet.**

254  
255                   **B. Berardino seconded the motion.**

256  
257                   **The motion was GRANTED, 5-0-0. The applicant's request for a special exception was**  
258                   **GRANTED.**

259  
260                   **C. CASE NO. 03/17/2021-2: Request for a special exception from LZO 5.12 for a home**  
261                   **occupation for the sale of food products, 28 Woodside Drive, Map 14 Lot 3-14, Zoned AR-1,**  
262                   **Namreen Awan (Owner & Applicant)**

263  
264                   B. O'Brien read the case into the record noting the previous zoning. Nasir Awan, owner of 28 Woodside  
265                   Drive addressed the Board. N. Awan informed the Board that his wife, the owner of Frooty Fresh, wants  
266                   to sell chocolate covered fruit and cookies. He stated that it is going to be 90% delivery or mail order.  
267                   Vice Chair Benard asked if there will be any other employee. N. Awan replied that there will be no  
268                   employees. Vice Chair Benard asked how many delivery trucks will there be. N. Awan answered that his  
269                   wife will deliver all the orders one time a day in her car. Vice Chair Benard asked for the percentage the  
270                   home occupation takes up of his home. N. Awan replied that it is 132 SF, which is about 6% of the total  
271                   living space. Vice Chair asked if someone could pick up products at the house. N. Awan stated that  
272                   someone could and there is a parking space in their driveway. Vice Chair Benard asked if the home  
273                   occupation had all town and state licensing requirements. N. Awan replied that was correct. Vice Chair  
274                   Benard asked if they are requesting a sign. N. Awan responded that they are not. Vice Chair asked the  
275                   hours of operation. N. Awan replied that the hours are Monday through Sunday 8 a.m. to 4 p.m. D.  
276                   Armstrong asked if there would be one delivery a day. N. Awan replied that it could be a maximum of  
277                   two deliveries a day, which will only be done by his wife.

278  
279                   Vice Chair asked for public input. B. O'Brien read a letter of support, Exhibit F, into the record.

280  
281                   Deb Paul, 118 Hardy Road, addressed the Board. D. Paul commented that she is not for or against the  
282                   special exception, but would like to encourage the licensing from the state to be attached to this so that  
283                   the public can view all the requirements for handling food.

284  
285                   Vice Chair brought the discussion back to the Board and reviewed the fact finding sheet noting that the  
286                   activities associated with the home occupations would not detract from the rural character of the  
287                   residential neighborhood, nor shall they create traffic, environmental or aesthetic impacts substantially  
288                   different than the impacts created by other permitted uses in the neighborhood. The Board was in  
289                   consensus that the home occupation will be incidental and secondary to the use of the property as a  
290                   residential dwelling. The Board was in consensus that the home occupation is not more than 25% of the  
291                   existing living area, there will be no exterior renovations, no exterior storage and no extra traffic will be  
292                   generated. The Board was in consensus that the applicant will comply with all town and state licensing  
293                   requirements.

294

295           **B. O'Brien made a motion in CASE NO. 03/17/2021-2 to grant a special exception**  
296           **from LZO 5.12 for a home occupation for the sale of food products, 28 Woodside**  
297           **Drive, Map 14 Lot 3-14, Zoned AR-1, Namreen Awan (Owner & Applicant)**

298  
299           **M. Feig seconded the motion.**

300  
301           **The motion was GRANTED, 5-0-0. The applicant's request for a special exception was**  
302           **GRANTED.**

303  
304           **D. CASE NO. 03/17/2021-3: Request for a variance from LZO 4.2.1.4 to allow chickens on a**  
305           **1.38 lot where two acres are required, 158 Mammoth Road, Map 3 Lot 106, Zoned AR-1,**  
306           **Jason & Kelsey Goldman (Owners & Applicants)**

307  
308       B. O'Brien read the case into the record noting there is no previous zoning. Jason and Kelsey Goldman,  
309       owners of 158 Mammoth Road introduced themselves to the Board. J. Goldman told the Board that he  
310       attached documents to the application, noting the first is a plot plan of the parcel and the second  
311       attachment is the proposal for their chickens. He commented that they are seeking eight hens, no  
312       roosters, with one chicken coop to be located in the rear of the property and the setback would be 25  
313       feet as required. He said that the chickens will be used for personal and will not be free range. He stated  
314       that the chickens will not be a nuisance of sight, sound or smell to the neighbors.

315  
316       He then read the criteria for granting the variance:

- 317  
318       (1) The granting of the variance is not contrary to the public interest: because the chickens will be  
319       housed in the back of the yard away from any neighbors.  
320       (2) The spirit of the ordinance is observed: because the chickens will not create a disturbance to the  
321       community.  
322       (3) Substantial justice is done: because they would get to have chickens and no one is hurt by this  
323       action.  
324       (4) Values of surrounding properties are not diminished: because the chickens will be housed in the  
325       back of the property in a wooded area that will not affect any property values.  
326       (5) There is no fair and substantial relationship exists between the general public purpose of the  
327       ordinance provision and the specific application of that provision to the property because the  
328       ordinance restricts our ability to own animals of our choice and having chickens will have no harm  
329       to the community. He said that the proposed use is a reasonable one.

330  
331       Vice Chair asked for more clarification on two of the criteria, specifically the second and fifth criteria. She  
332       said that the onus on the applicant is to prove that granting the variance will not violate the basic  
333       objectives of the ordinance, which is the protection of health, safety or welfare of the general public. J.  
334       Goldman stated that there would be no detriment to the general public by having chickens in their  
335       backyard or any safety concerns. Vice Chair asked for additional information for the fifth criteria, such as  
336       something unique to their property that is different from other properties in their area. J. Goldman

337 replied that he does not meet the setback requirements. S. Brunelle said that in her opinion, there is a  
338 health and safety issue if the chickens do get out because they live on Mammoth Road. J. Goldman said  
339 that the back of the house is woods and the surrounding property is woods as well, so he does not think  
340 this is a safety issue. Vice Chair asked if the neighbors had wooded backyard as well. J. Goldman replied  
341 that some neighbors have wooded backyards. B. Berardino asked why they wanted eight chickens. J.  
342 Goldman replied that the minimum number to order from the hatchery is six chickens, so they picked  
343 eight to start. B. Berardino asked what size chicken coop they were going to use. J. Goldman replied that  
344 he is not sure yet. B. Berardino commented that he believes their location is safety issue as well given  
345 the nature of Mammoth Road. M. Feig asked if any neighbors had chickens. J. Goldman replied that he  
346 was not sure. M. Feig asked if the lots surrounding his property are smaller than two acres. S. Brunelle  
347 mentioned that she is concerned about safety with the chickens getting loose on Mammoth Road. B.  
348 Berardino asked why they wanted chickens. K. Goldman replied that her husband, J. Goldman is allergic  
349 to all other pets. J. Goldman added that having moved from Massachusetts they were looking to have a  
350 more rural experience.

351

352 Vice Chair Benard asked for public input.

353

354 Deb Paul, 118 Hardy Road, addressed the Board in favor of the variance. D. Paul told the Board that she  
355 has chickens and they do not go far when out of their coop. She noted that she puts them in the coop at  
356 night. She commented that they can be trained as pets and they eat insects, especially ticks. She said  
357 that as long as they keep up with the pen, there should not be a strong odor. She mentioned that the  
358 Planning Board or Town Council might want to take a look at revamping the ordinance, as she feels that  
359 the acreage requirement could be changed. She gave them some advice on what type of chicken coop  
360 they should get.

361

362 Bill Nette, 22 Griffin Road, addressed the Board in favor of granting the variance. B. Nette said that he  
363 was in favor of granting the variance.

364

365 Vice Chair brought the discussion back to the Board and began their deliberation:

366

367 (1) The granting of the variance is contrary to the public interest: because of safety concerns with the  
368 amount of traffic on Mammoth Road and the essential character of the neighborhood would be  
369 altered.

370 (2) The spirit of the ordinance is not observed: because of safety concerns with the amount of traffic  
371 on Mammoth Road and the essential character of the neighborhood would be altered.

372 (3) Substantial justice is not done: because the loss to the applicant is not outweighed by the gain to  
373 the public, as the public's loss due to safety concerns and traffic issues far outweigh any gain to  
374 the applicant.

375 (4) Values of surrounding properties are not diminished: because there are no facts to support that  
376 the property values will be diminished.

377 (5) There is a fair and substantial relationship exists between the general public purpose of the  
378 ordinance provision and the specific application of that provision to the property because the

379 property is not unique as other properties in the area were of similar size. The proposed use is not  
380 a reasonable one given the amount of traffic on Mammoth Road.

381  
382       **B. O'Brien made a motion in CASE NO. 03/17/2021-3 to deny the request for a**  
383       **variance from LZO 4.2.1.4 to allow chickens on a 1.38 lot where two acres are**  
384       **required, 158 Mammoth Road, Map 3 Lot 106, Zoned AR-1, Jason & Kelsey Goldman**  
385       **(Owners & Applicants)**

386  
387       **B. Berardino seconded the motion.**

388  
389       **The motion was DENIED, 4-1-0. The applicant's request for a variance was DENIED**  
390       **for the following reasons:**

391  
392       **Granting the variance would be contrary to the public interest and the spirit of the**  
393       **ordinance would not be observed because of safety concerns with the amount of**  
394       **traffic on Mammoth Road. The Board also expressed concerns over how busy**  
395       **Mammoth Road and allowing chickens in that area would alter the essential**  
396       **character of the neighborhood. Substantial justice would not be done by granting**  
397       **the variance. The loss to the applicant is not outweighed by the gain to the public in**  
398       **keeping the zoning intact. The public's loss due to safety concerns and traffic issues**  
399       **far outweigh any gain to the applicant in allowing chickens on a lot less than two**  
400       **acres. The Board noted the size of the lot in relation to the other lots in the area**  
401       **which were mostly under two acres. The Board also found that there was no**  
402       **uniqueness to this property as other properties in the area were of similar size. The**  
403       **proposed use would not be a reasonable use given the business and amount of traffic**  
404       **on Mammoth Road in that area.**

405  
406           VI. Other Business

407           **Adjournment:**

408  
409       **B. Berardino made a motion to adjourn at 8:51 p.m.**

410  
411       **S. Brunelle seconded the motion.**

412  
413       **The motion was granted, 5-0-0. The meeting adjourned at 8:51 p.m.**

414  
415       **RESPECTFULLY SUBMITTED,**

416  
417       

---

418  
419       **CLERK**

420  
421       **TYPED AND TRANSCRIBED BY Beth Morrison, Recording Secretary.**

423 **APPROVED (X)** WITH A MOTION MADE BY \_\_\_\_\_, SECONDED BY \_\_\_\_\_, - - - - -.

DRAFT

# T-Mobile

## SIGN SUBMITTAL PACKAGE

### SAP 580F

REQUIRES  
VARIANCE: -

SITE ID: 49404  
CHANNEL: CORPORATE STATUS: FUTURE LAUNCH  
LOCATION:

NASHUA & MICHELS WAY  
42 NASHUA RD  
LONDONDERRY, NH 03053

#### SITE SUMMARY

STOREFRONT LENGTH:	48'-0"
MAX SIGN HEIGHT:	5'-8"
MAX SIGN LENGTH:	11'-0"
MAX # SIGNS:	2
COLOR VARIANCE:	NO
PYLON AVAILABLE:	YES
BLADE AVAILABLE:	NO
AWNING AVAILABLE:	NO
BAKER ALLOWED:	NO

#### SIGN SUMMARY

SIGN TYPE	SOFT (DAY)	SOFT (BRO)	MATERIAL	COLOR
TMO-29M-REM (Storefront)	40	28	EIPS	UNKNOWN
TMO-29M-REM (Rear)	40	28	EIPS	UNKNOWN

**SUMMARY NOTES**  
Sign code only allows for 1 sign and we are not allowed to exceed 40 SF total.  
Submitting for variance to see if the City will allow the proposed signage.

#### TABLE OF CONTENTS

SITE PLAN	PAGE 2
29" CHANNEL LETTERS	PAGE 3
STOREFRONT ELEVATION	PAGE 4
REAR ELEVATION	PAGE 5
GRAPHIC OVERLAY	PAGE 6

#### ADDITIONAL INFORMATION

GENERAL NOTES & PERMIT TIMES:	Permit process time is 3 weeks. Permits are good for 6 months.
ELECTRICAL ACCESS:	TBV: Stratus will connect within 6' provided that access exists. T-Mobile is responsible for running power.

**LANDLORD CRITERIA:**  
Face-lit LED channel letters on the facade.  
Lexan panels on the monument.

#### CONTACTS

PROJECT MANAGER:  
Keith Patterson  
Keith.Patterson@stratusunlimited.com  
(440) 209-6200 Ext 502

#### T-MOBILE PROJECT MANAGER:

Dee Brooks

#### T-MOBILE DESIGN MANAGER:

Greg Mangum

#### SIGN MANUFACTURER

**Stratus™**  
stratusunlimited.com  
8059 Tyler Boulevard  
Mentor, Ohio 44060  
888.503.1569



#### REVISIONS:

#### DATE:

#### DESCRIPTION:

#### VARIANCE PROCESS:

Meetings held 3rd Wednesday of the month. Application deadline is 30 days prior to the meeting. Process time is 6 weeks. Fees are \$60 for application + \$6.90/abutter. No waiting period after approval. Probability is 50%.

#### LOCAL CODE:

Allowed 40 SF total.  
Allowed 2 signs.

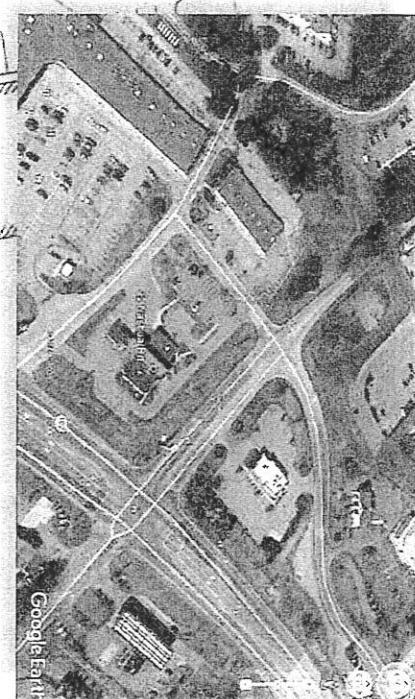
<b>OVERALL SIGN</b>	
<b>Stratus™</b>	
MAX ALLOWED	40
CLIENT	THE ACTUAL SIGN WILL MAXIMIZE REVENUE
ADDRESS/PROPOSED SITE OF THE SIGN/NAME OF SIGN PROPOSING	StratusUnlimited.com, Mentor, Ohio 44060
MANUFACTURER/TYPE SIGN BEING INSTALLED	LED SIGN/ARTIFICIAL LIGHT SOURCE SIGN
NUMBER OF SURVEYS	1
DATE SURVEY	888.503.1569
PRINTS ARE THE EXCLUSIVE PROPERTY OF STRATUS UNLIMITED, INC.	PRINTS ARE THE EXCLUSIVE PROPERTY OF STRATUS UNLIMITED, INC.

PRINTS ARE THE EXCLUSIVE PROPERTY OF STRATUS UNLIMITED, INC.

PRINTS ARE THE EXCLUSIVE PROPERTY OF STRATUS UNLIMITED, INC.

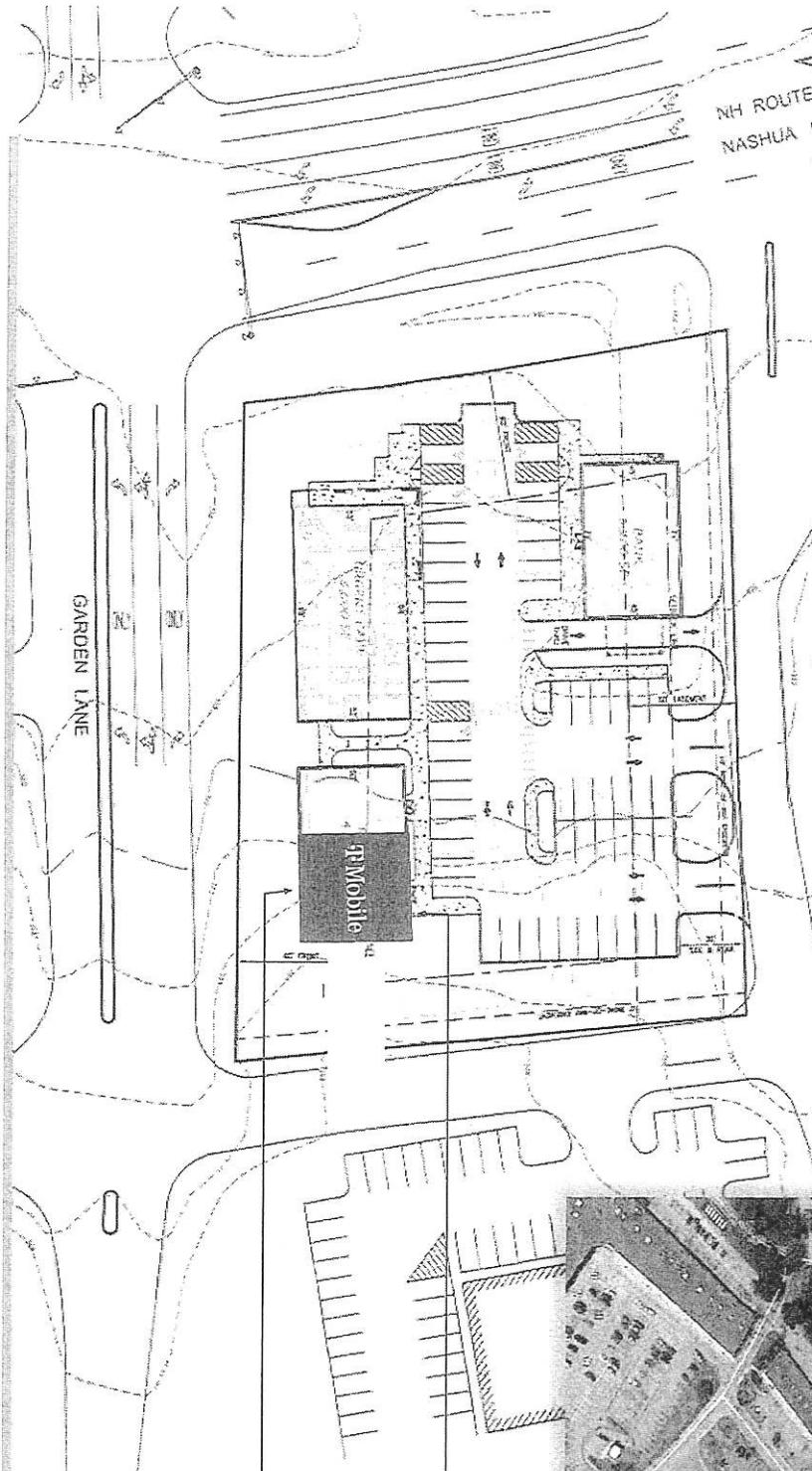
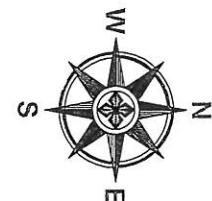
## SITE PLAN

NTS



A TMO-29M-REM

B TMO-29M-REM



# Stratus™

stratusunlimited.com  
8035 Tyler Baldwin  
100 N. Main Street  
Londonderry, NH 03053  
888.503.1569

CLIENT:	T Mobile
ADDRESS:	NASHUA & MICHELS WAY 12 NASHUA WAY LONDONDERRY, NH 03053
PAGE NO.:	2
ELECTRONIC FILE NAME:	GUACOUNTSY-TMOBILE2020NHCORPORATE LONDONDERRY-NASHUA & MICHELS WAY

ORDER NUMBER:	PROJECT NUMBER:	Rev #	Req #	Date/Artist	Description	Rev #	Req #	Date/Artist	Description
603543	000000	Original	15384	110820DN					
		Rev 1	155125	120110DN					
		Rev 2	150259	121803DN	Add signage C for second storefront				
		Rev 3	157736	011921DN					
		Rev 4	157650	012722DN	Update of survey				
		Rev 5	159860	022421DN					

PRINTED AT THE EXPENSE OF THE OWNER OF RECORDS. THIS DOCUMENT IS A SPILLING OVER OF INFORMATION PRODUCED DURING THE PERFORMANCE OF A CONSOLIDATION.

## FACE LIT CHANNEL LETTERS

A B TWO-29M-REM

Scale: 1/2"=1'-0"  
28 square feet

# T Mobile

1-11-3/4"

11'-7"

29" 5-7/8"

29" 5-7/8"

COLOR PALETTE	
	Clear Autoglas or Equal
	Black Satin finish / standard Alum coil
	Matthews Magenta over NIP55698 White Basecoat
	30532-Magenta printed on White vinyl

**FACES:**  
3/16" thick Clear autoglas or equal w/ first surface applied  
digitally printed Magenta vinyl from Miratec

**TRIMCAP:**  
1" Jewelite Infracap painted to match TWO Magenta & White  
base coat specified (per color palette)

**RETURNS:**  
.040 aluminum 3" deep painted Black Satin finish

**BACKS:**  
.063 alum. - pre-finished alum White

**LED:**  
Principal (≥20") SF Mini 650K; (<20") Qwikk Mod 3 6500K White LED's;  
Remote power supplies

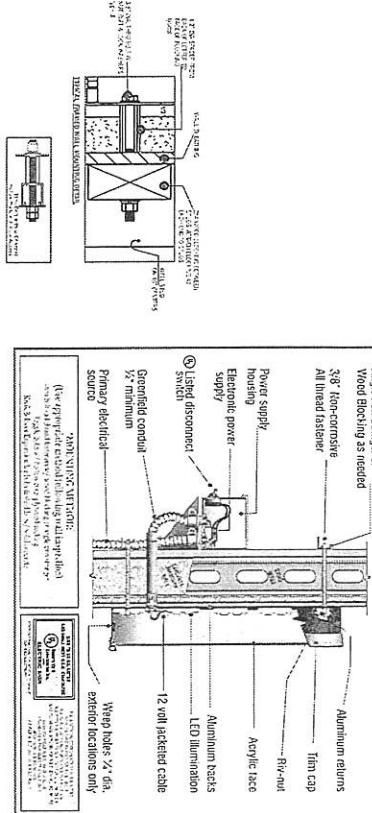
**INSTALL:**  
Thru bolted flush to wall surface using min 3/8" all  
thread fasteners with wood blocking as required  
Need to verify if access is available for thru bolting

**WALL TYPE:** Signband wall type to be determined

**JOB NOTE:**  
UL label location - one to be visible from ground, others to be  
placed on top of letters and one on power supply

**QUANTITY:** (2) TWO lettersets required for storefront and rear elevations

### LED CHANNEL - FLUSH MOUNTED



# Stratus™

stratusunlimited.com  
800.574.4200  
Mon-Fri 8AM-4PM EST  
888.503.1566

CLIENT:	ORDER NUMBER:	PROJECT NUMBER:	Req #	Req #	Part/Artist:	Description	Req #	Req #	Part/Artist:	Description
T Mobile	603543	000000	Original	1107820N						
			Rev 1	151505	1201120H	update quality				
			Rev 2	150259	1211620H	update quality to include 2nd storefront				
			Rev 3	157756	0111920H					
			Rev 4	157699	0127220H	update w/ survey				
			Rev 5	159569	0224210H	update to TWO-29M-REM				

ADDRESS:	PAGE NO.:	ELECTRONIC FILE NAME:
NASHUA & MICHELS WAY 42 WASHBROOK LONDONDERRY, NH 03053	3	G:\ACCT\GANT\T-Mobile\2020\HICCORPATE\ LONDONDERRY-NASHUA & MICHELS WAY

PRINTS ARE THE EXCLUSIVE PROPERTY OF STRATUS. THIS SURFACE DESIGN IS NOT BEING DISCLOSED OR REPRODUCED IN WHOLE OR IN PART WITHOUT CONSENT OF STRATUS.

**STOREFRONT ELEVATION**

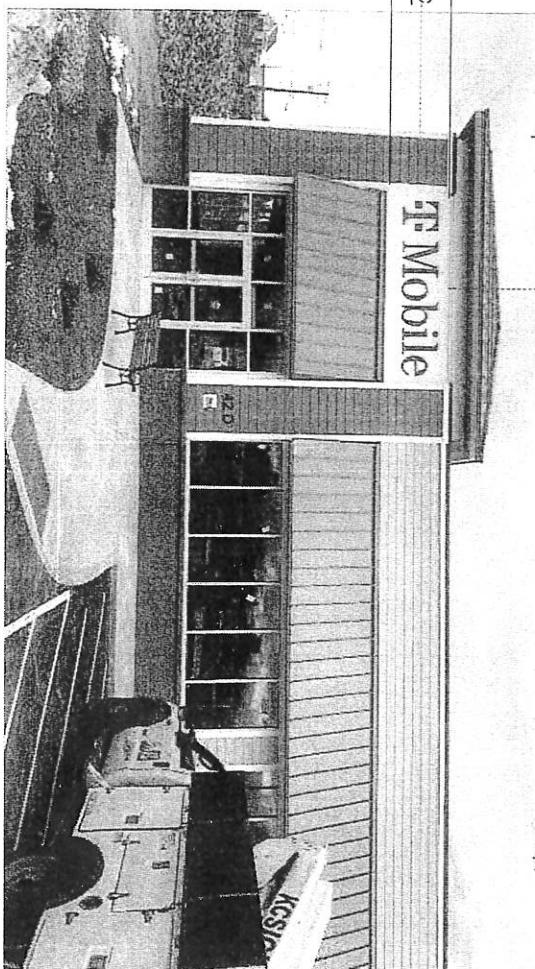
A TWO-29M-REM

Scale: 1/10"=1'-0"

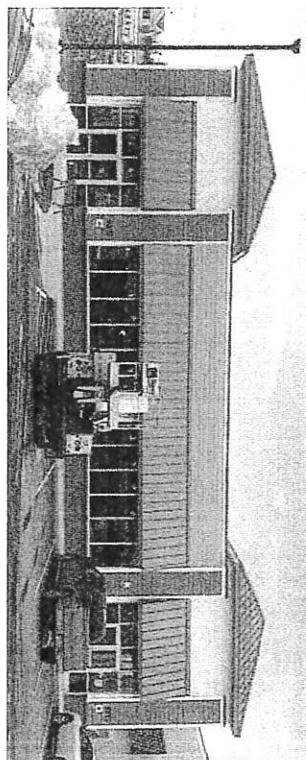
48'-0" storefront

12'-0"

T Mobile



**EXISTING CONDITIONS**



**Stratus™**

**T Mobile**

stratusunlimited.com  
8859 Tyner Boulevard  
Warren, Ohio 44483  
888.508.1569

ADDRESS:  
NASHUA & MICHELS WAY  
412 NASHWARD  
LONDONDERRY, NH 03053

4

PRINTS ARE THE EXCLUSIVE PROPERTY OF STRATUS. THIS SURVEY PLAN IS NOT TO BE USED OR DUPLICATED OUTSIDE OF THE PROJECT. LEAVE IN-OUT READING ON SURVEY PLAN.

CLIENT:	T Mobile	
ORDER NUMBER:	603543	PROJECT NUMBER: 000000
SITE NUMBER:	49404	PROJECT MANAGER: KEITH PATTERSON
PAGE NO.:	4	ELECTRONIC FILE NAME: GIACQUITI-T-MOBILE-029M-REM-CORPORATE LONDONDERRY-NASHUA & MICHELS WAY

## REAR ELEVATION

TMO-29M-REM

Scale: 1/8"=1'-0"

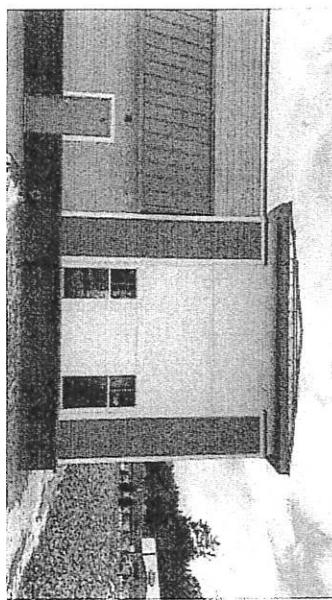
B

12'0"

C

4'1"

## EXISTING CONDITIONS



# Stratus<sup>TM</sup>

stratusunlimited.com

Kenton, Ohio 44240

888 503 1569

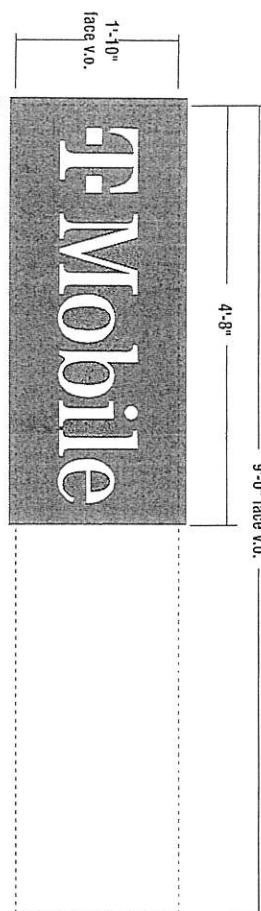
CLIENT:	T Mobile	ORDER NUMBER:	000000	PROJECT NUMBER:		Rev #	Rev #	Date/Artist	Description	Rev #	Rev #	Date/Artist	Description
ADDRESS:	NASHUA & MICHELS WAY LONDONDERRY, NH 03063	SITE NUMBER:		PROJECT MANAGER:	KEITH PATTERSON	Rev 1	155125	12/01/20 DX	Original	155124	11/05/20 DX		
PAGE NO.:	5	ELECTRONIC FILE NAME:	GACCOUITS-TMOBILE-Z029M-CORPORATE	Rev 2	155125	12/18/20 AD	Keith's Revision to include Zed Streetton						
		Rev 3	155126	01/19/21 DR	Version 3 - Signage								
		Rev 4	155127	01/27/21 DR	Updates to survey								
		Rev 5	155128	02/24/21 DR	Updates to TMO-29M-REM								

PRINTING OF THE BACK SIDE OF PROPERTY IS NOT RECOMMENDED. THIS MATERIAL SHOULD BE USED OUTDOORS OR IN AN ENCLOSED, DRY ENVIRONMENT. PRINTING ON THE BACK SIDE OF PROPERTY CAN DAMAGE THE IMAGE AND CAUSE IT TO FADE.

**VINYL GRAPHIC OVERLAY**

TWO-STVG-W

Scale: 3/4"=1'-0"  
8.5 square feet

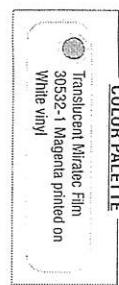


Bent at 45° edges of plot opening only and never cut print  
at 90°, divided by 1" on 3 sides to ensure wrap fit

CABINET: Existing cabinet  
FACE: Existing face to be cleaned & prepared for new vinyl installation

GRAPHICS: Surface applied Trans. TMO Magenta printed film  
w/ reverse weeded copy to show thru White

QUANTITY: (2) Two graphic overlays required



**Stratus™**

stratusunlimited.com

8989 Twin Brook Road  
Marion, Ohio 44648  
888.503.1569

**T Mobile**

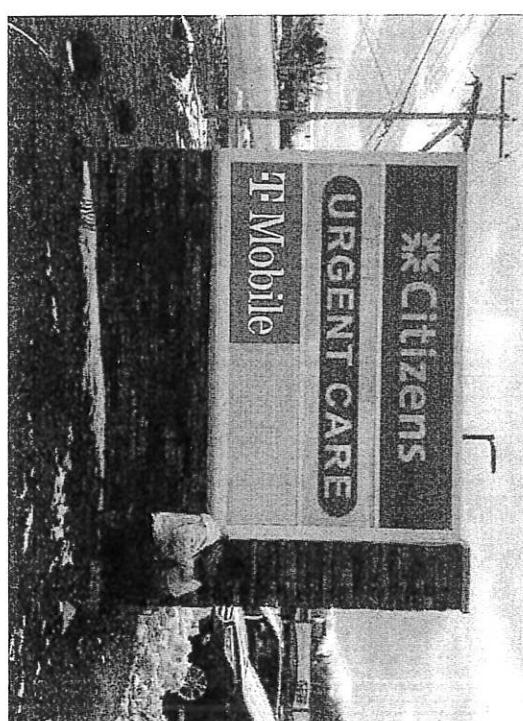
CLIENT:	ORDER NUMBER:	PROJECT NUMBER:	REV #	REQ #	DOC#(A/C):	Description	REV #	REQ #	DOC#(A/C):	Description
	603543	000000	Original	155034	110520.DN					
			Rev1	155125	120120.DN					
			Rev2	155253	121820.DN					
			Rev3	155336	011921.DN					
			Rev4	155659	012721.DN	Update w/ Survey				
			Rev5	155850	022421.DN					
ADDRESS:	PAGE NO.:									
MASHUA & MICHELS WAY 12 MASHUA RD LONDONDERRY, NH 03053	6									
GACCOUNTS@T-MOBILE.COM/MICHELSWAY										

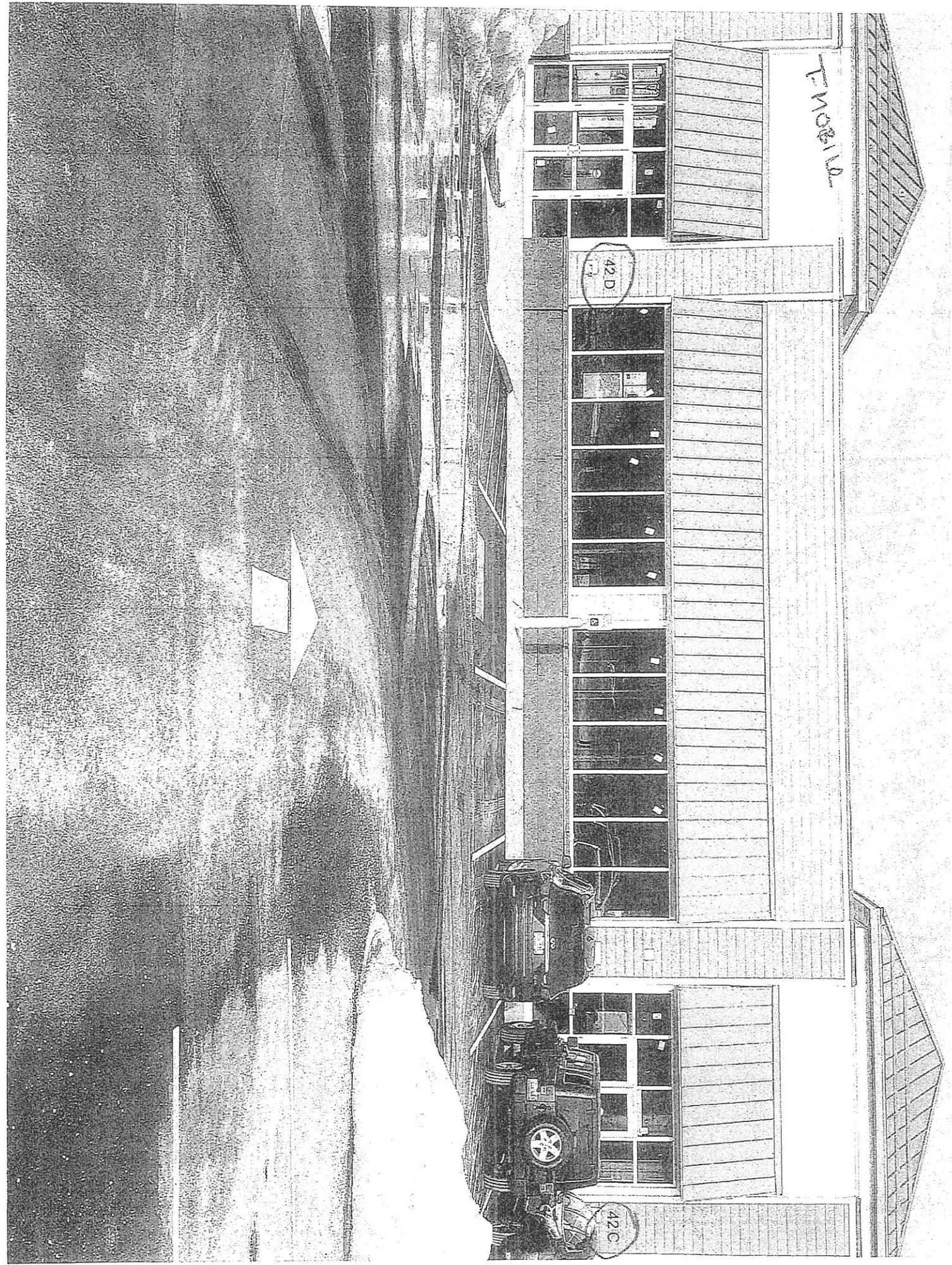
**EXISTING CONDITIONS**

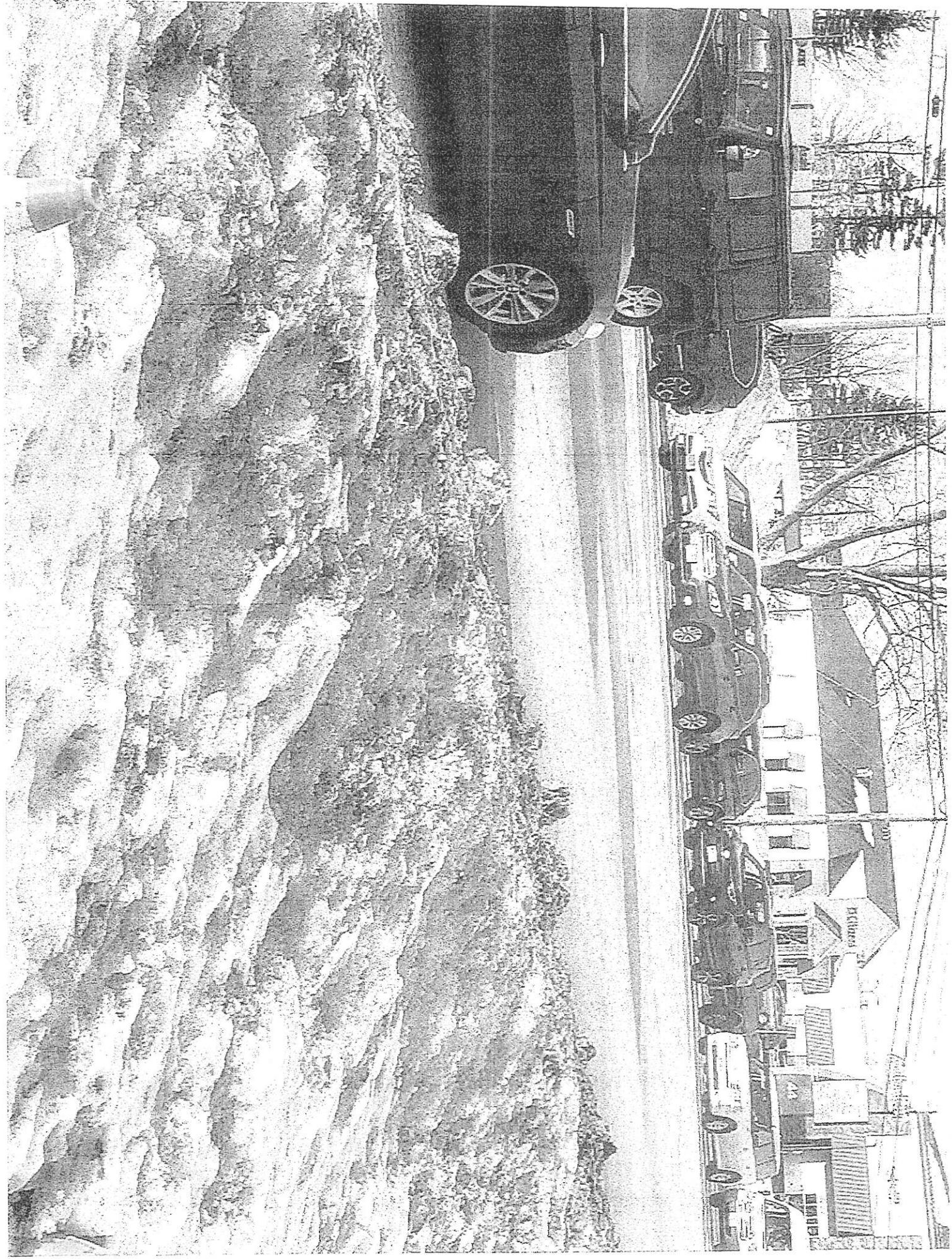


PROPOSED MONUMENT

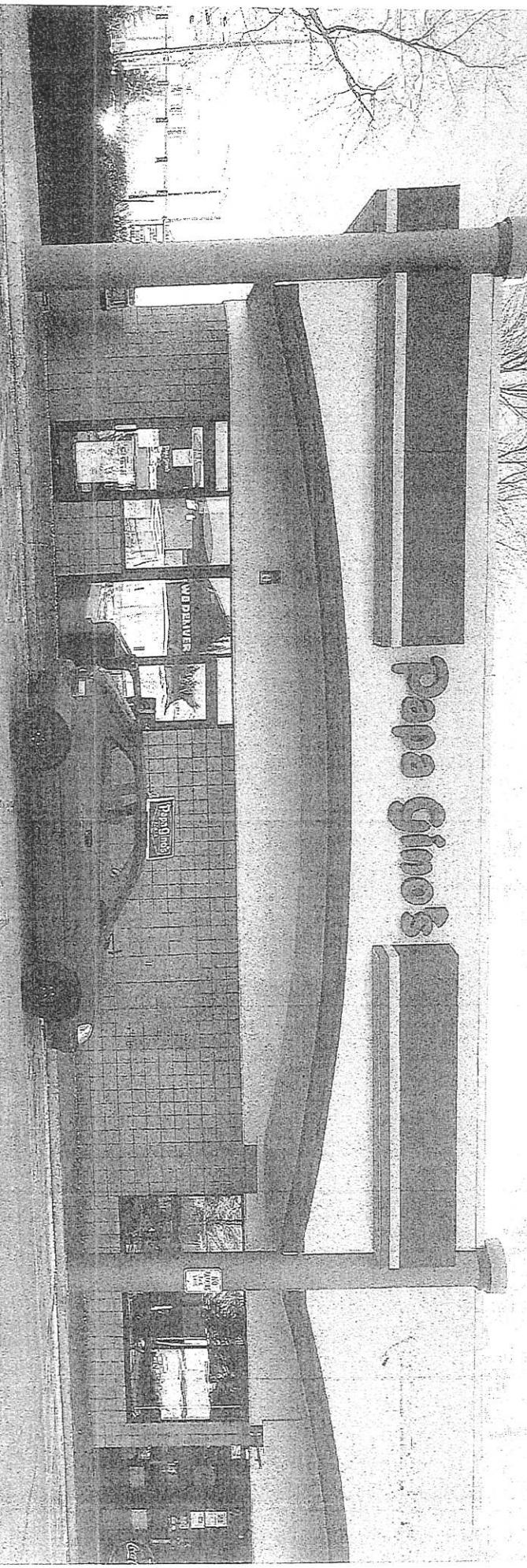
SCALED PROPORTIONALLY







Papa Gino's



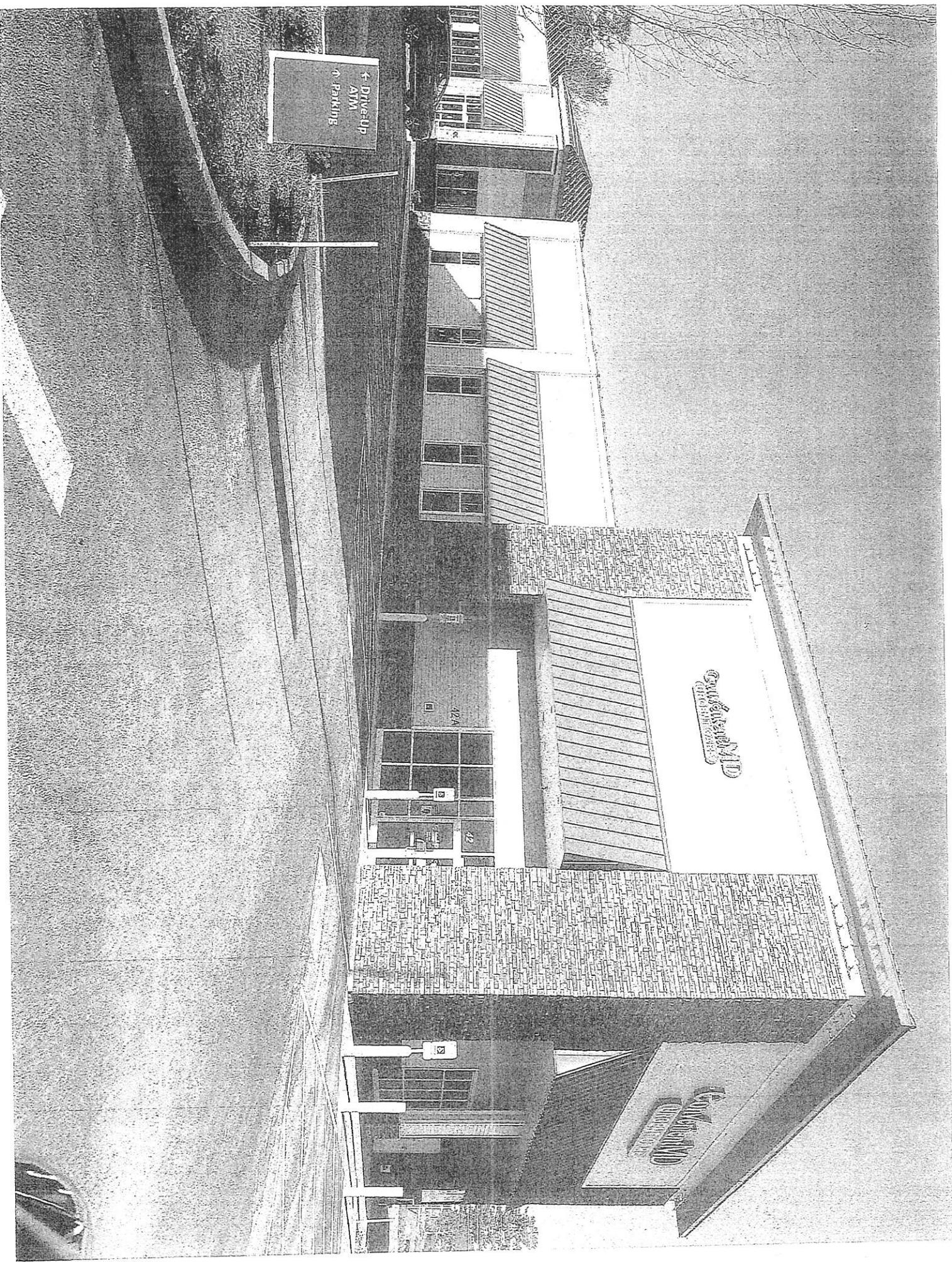


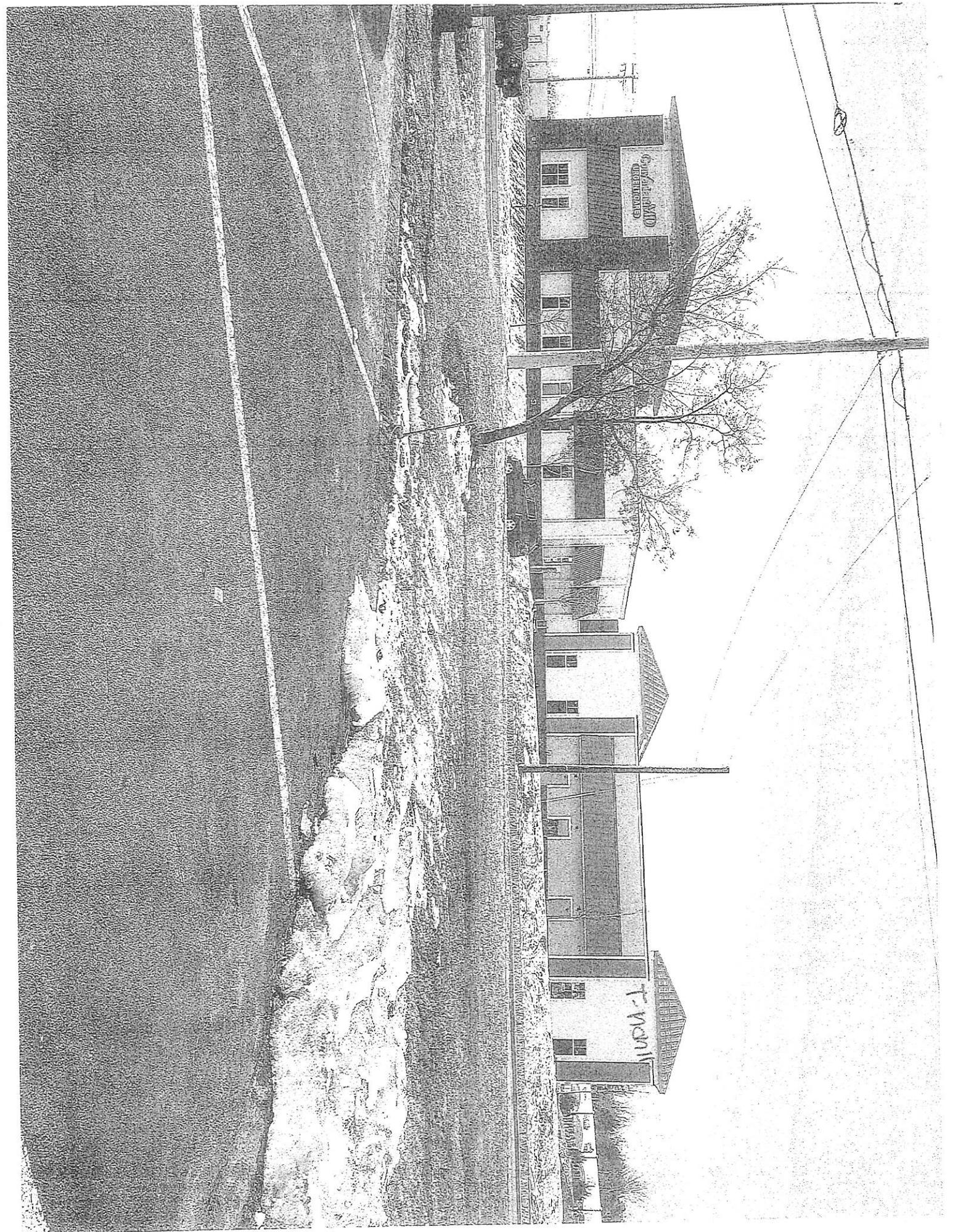


Citizens









## FACE LIT CHANNEL LETTERS

Scale: 1/2"=1'-0"  
28 square feet

A TMO-29M-REM

1'-11-3/4"

11-7"

# T-Mobile

COLOR PALETTE	
Translucent Miralac Film 30532-1 Magenta printed on White vinyl	
Mattress Magenta MP86055 P15545	
N-Signo V1.0 over MP55988 White Basecoat	
Black Satin finish; standard Alum. coil	
Clear Acrylic or Equel	



## LED CHANNEL FLUSH MOUNTED

Rev A Rev B Date/Artist Description

Order Number:	Project Number:	Rev A	Rev B	Date/Artist	Description
603543	00000	Original	158034	11/02/2014	

- FACES:  
3/16" thick Clear acryglas or equal w/ first surface applied  
digitally printed Magenta vinyl from Mirtec
- TRIMCAP:  
1" Jewelite trimcap painted to match TMO Magenta & White  
base coat specified (per color palette)
- RETURNS:  
.040 aluminum 3" deep painted Black Satin finish

- BACKS:  
.063 alum. - pre-finished alum White
- LED:  
Principal (≥20') SF Mini 6500K, (<20") Qwik Mod 3 6500K White LED's,  
Remote power supplies

## INSTALL:

Thru bolted flush to wall surface using min 3/8" all  
thread fasteners with wood blocking as required*Need to verify if access is available for thru bolting*

## WALL TYPE:

Signboard wall type to be determined

JOB NOTE:  
UL label location - one to be visible from ground, others to be  
placed on top of letters and one on power supplyQUANTITY:  
(2) TWO lettersets required for storefront and rear elevations

<b>Stratus™</b>	
stratusunlimited.com	info@stratusunlimited.com
1-800-541-5000	1-800-541-5000
ADDRESS:	NASHUA & MICHELS WAY LONDONDERRY, NH 03633
PAGE NO.:	3

QTY/SET:	1
ORDER NUMBER:	603543
PROJECT NUMBER:	00000
SITE NUMBER:	49404
PROJECT MANAGER:	KEITH PATTERSON
ELECTRONIC NAME:	GACCOUNTANTMOBILE2020@HHCORPORATE.LONONDERRY.NASHUA.MICHELS.WAY

Ex. C

Ex. D



Nick Loring <nickloring@gmail.com>

---

## 15 King George

2 messages

---

**Nick Loring** <nickloring@gmail.com>

To: jeffmalmquist@hotmail.com

Wed, Feb 10, 2021 at 2:46 PM

Hi Jeff,

Per our conversation earlier I just want to make sure you have no issues or concerns with constructing a 16' x 24' garage along our common property line. The garage would replace and be located no closer to the property line than the existing shed. Since the existing shed is within the town's building setback I will be applying to the Zoning Board of Adjustment.

Thanks

Nick

---

**Jeff Malmquist** <jeffmalmquist@hotmail.com>

To: Nick Loring <nickloring@gmail.com>

Thu, Feb 11, 2021 at 10:25 AM

Hi Nick,

That would be fine with us. If you need anything else, feel free to let me know.

Thanks,

Jeff

---

**From:** Nick Loring <nickloring@gmail.com>

**Sent:** Wednesday, February 10, 2021 2:46 PM

**To:** jeffmalmquist@hotmail.com <jeffmalmquist@hotmail.com>

**Subject:** 15 King George

[Quoted text hidden]

Ex. F

Daniel & Maureen Cail  
29 Woodside Drive  
Londonderry, NH 03053



Town of Londonderry  
Zoning Board  
268B Mammoth Road  
Londonderry, NH 03053

February 27, 2021

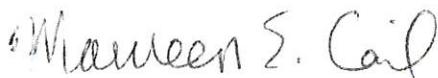
To Whom it May Concern,

This letter is in reference to Case No. 3/17/2021-2. We have no objections to the special request application for Namreen Awan residing at 28 Woodside Drive. It is our opinion that the home business would have little or no impact on the quality of life on Woodside Drive. The applicants are respectful and responsible people who deserve an opportunity to earn a living and provide for their family. Please approve her request.

Sincerely,



Daniel J. Cail



Maureen E. Cail

Maureen E. Cail