



TOWN OF LONDONDERRY  
**ZONING BOARD OF ADJUSTMENT**

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

May 17, 2018

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 16, 2018:

**Case No.:** 03/21/18-1

**Applicant:** Windham Realty Liability Company  
Eight Action Boulevard  
Londonderry, NH 03053

**Location of Property:** 105 Hillside Avenue, Map 10 Lot 92, Zoned AR-1

**Request:** Request for a hearing in **CASE NO.03/21/18-1**: request for two variances: (1) from LZO 2.2 to allow a commercial use as an automobile parking lot for Auto Auction of New England which is otherwise prohibited in the AR-1 zone; and (2) from LZO 2.3.1.2(A) to allow for the storage 1094 of unregistered cars where only one is allowed

**Result:** J. Tirabassi made a motion to deny the applicant's request for a hearing in **CASE NO. 03/21/18-1**: request for two variances: (1) from LZO 2.2 to allow a commercial use as an automobile parking lot for Auto Auction of New England which is otherwise prohibited in the AR-1 zone; and (2) from LZO 2.3.1.2(A) to allow for the storage 1094 of unregistered cars where only one is allowed, 105 Hillside Avenue, Map 10 Lot 92, Zoned AR-1, Windham Realty Limited Liability Company (Owner & Applicant) as there was no technical error made and no new evidence presented that was not available at the time of the first hearing.

B. Berardino seconded the motion. The motion passed, 5-0-0. The applicant's request for a rehearing was denied.

The reasons for the denial are as follows: (1) there was no technical error made by the Board during its deliberations and findings at the first hearing; and (2) no new evidence was presented that was not available at the time of the first hearing.

*Jim Tirabassi*

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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.

cc: Town Council; Building Inspector; Town Clerk; Assessor; Planning Board; Conservation Commission



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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 16, 2018:

**Case No.:** 05/16/18-1

**Applicant:** Maillet & Associates, LLC  
17 Patridge Road  
Windham, NH 03087

**Location of Property:** Six Mohawk Drive, Map 6 Lot 38, Zoned C-1

**Request:** Request for a variance from LZO 2.4.3.B.2 to encroach into the 50 ft. landscape buffer as follows: (1) to encroach 34.06 feet and 20.00 feet into the landscape buffer for a parking lot; (2) to encroach 19.32 feet into the landscape buffer for a building and appurtenances (roof overhang); (3) to encroach 14.79 feet into the landscape buffer for a bulkhead; (4) to encroach 12.91 feet into the landscape buffer for stairs; (5) to encroach 19.79 feet into the landscape buffer for a walkway; (6) to encroach one foot into the landscape buffer for a retaining wall, \*\* The applicant withdrew request #6 to encroach one foot into the landscape buffer for a retaining wall \*\*

**Result:** J. Benard made a motion in **CASE NO. 5/16/18-1** to grant the applicant's request for a variance from LZO 2.4.3.B.2 to encroach into the 50 ft. landscape buffer as follows: (1) to encroach 34.06 feet and 20.00 feet into the landscape buffer for a parking lot; (2) to encroach 19.32 feet into the landscape buffer for a building and appurtenances (roof overhang); (3) to encroach 14.79 feet into the landscape buffer for a bulkhead; (4) to encroach 12.91 feet into the landscape buffer for stairs; and (5) to encroach 19.79 feet into the landscape buffer for a walkway; Six Mohawk Drive, Map 6 Lot 38, Zoned C-1, Maillet & Associates, LLC (Owners & Applicants)

J. Tirabassi seconded the motion. The motion was granted, 3-2-0.

*Jim Tirabassi*

Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 16, 2018:

**Case No.:** 05/16/18-2

**Applicant:** Hatchet Brothers Property Investments, LLC  
Seven Jeff Lane  
Derry, NH 03038

**Location of Property:** 347 Rockingham Road, Map 17 Lot 17, Zoned R-III

**Request:** Request for a variance LZO 4.2.1.4 to allow the continuance of a non-conforming use and the reconstruction of a non-conforming structure which suffered fire damage in excess of 75% of its replacement value, 347 Rockingham Road, Map 17 Lot 17, Zoned R-III, Hatchett Brothers Property Investments, LLC (Owners) and Jacqueline Phillips (Applicant)

**Result:** J. Benard made a motion in **CASE NO. 5/16/18-2** to grant the applicant's request for a variance from LZO 4.2.1.4 to allow the continuance of a non-conforming use and the reconstruction of a non-conforming structure which suffered fire damage in excess of 75% of its replacement value, 347 Rockingham Road, Map 17 Lot 17, Zoned R-III, Hatchett Brothers Property Investments, LLC (Owners) and Jacqueline Phillips (Applicant)

B. Berardino seconded the motion.

The motion was granted, 5-0-0.

*Jim Tirabassi*

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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.

cc: Town Council; Building Inspector; Town Clerk; Assessor; Planning Board; Conservation Commission