



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

June 20, 2018

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, June 20, 2018:

Case No.: 06/20/18-1

Applicant: Chris & Deb Paul
118 Hardy Road
Londonderry, NH 03053

Location of Property: 118 Hardy Road, Map 12 Lot 129, Zoned AR-1

Request: Request for a special exception from LZO 3.12 to allow a home occupation for a newspaper publishing business

Result: J. Benard made a motion to grant the applicant's request for a special exception in **CASE NO. 6/20/18-1**: Request for a special exception from LZO 3.12 to allow a home occupation for a newspaper publishing business, 118 Hardy Road, Map 12 Lot 129, Zoned AR-1, Chris & Deb Paul (Owners & Applicants)

B. Berardino seconded the motion. The motion passed, 5-0-0. The applicant's request for a special exception was granted.

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.

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, June 20, 2018:

Case No.: 06/20/18-2

Applicant: Larisa Ogba
Five Aspen Circle
Londonderry, NH 03053

Location of Property: Five Aspen Circle, Map 11 Lot 20, Zoned AR-1

Request: Request for a special exception from LZO 3.12 to allow a home occupation for a family daycare

Result: J. Benard made a motion in **CASE NO. 06/20/18-2** to deny the applicant's request for a special exception from LZO 3.12 to allow a home occupation for a family daycare, Five Aspen Circle, Map 11 Lot 20, Zoned AR-1, Larisa & Paul Ogba (Owners) and Larisa Ogba (Applicant)

B. Berardino seconded the motion. The motion was granted, 4-1-0. The applicant's request for a special exception was DENIED for the following reasons: the condition and width of the cul-de-sac created safety concerns for an additional traffic; there was also concerns for parking and additional traffic. The Board found there were safety concerns with the conditions (culvert/stream) and topography of the applicant's back yard.

Jim Tirabassi

Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, June 20, 2018:

Case No.: 06/20/18-3

Applicant: William C. Dentremont
30 Hall Road
Londonderry, NH 03053

Location of Property: 30 Hall Road, Map 15 Lot 10-4, Zoned AR-1

Request: Request for a variance from LZO 2.3.1.3.C.2 to allow a pool to encroach 7 feet into the 15 feet side setback

Result: J. Benard made a motion in **CASE NO. 06/20/18-3** to grant the applicant's request for a variance from LZO 2.3.1.3.C.2 to allow a pool to encroach 7 feet into the 15 feet side setback, 30 Hall Road, Map 15 Lot 10-4, Zoned AR-I, William & Kathleen Dentremont (Owners) and William Dentremont (Applicant) with the condition that the variance is only valid so long as William Dentremont resides and has a need for the use of premises (see RSA 674:33 -V)

J. Tirabassi seconded the motion.

The motion was granted with conditions, 5-0-0.

Jim Tirabassi

Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, June 20, 2018:

Case No.: 06/20/18-4

Applicant: Michael Benoit
591 Mammoth Road
Londonderry, NH 03053

Location of Property: 591 Mammoth Road, Map 17 Lot 11-1, Zoned AR-1

Request: Request for a variance from LZO 2.3.1.3.C.2 to allow the building of a shed to encroach 11 feet into the 15 feet side setback

Result: J. Tirabassi made a motion in **CASE NO. 06/20/18-4** to deny the applicant's request for a variance from LZO 2.3.1.3.C.2 to allow the building of a shed (16x24) to encroach 11 feet into the 15 feet side setback, 591 Mammoth Road, Map 17 Lot 11-1, Zoned AR-1, Michael Benoit (Owner & Applicant)

J. Benard seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was denied for the following reasons: substantial justice would not be done if the variance was granted because there is no loss to the applicant that is greater than any gain to the public. The applicant has other reasonable locations on the property to locate the shed which do not encroach into the setbacks; the applicant failed to demonstrate a hardship and failed to demonstrate uniqueness of his property; and the Board found there is a fair and substantial relationship of the general purpose of the ordinance as it relates to this specific property.

Jim Tirabassi

Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, June 20, 2018:

Case No.: 06/20/18-5

Applicant: Lisa Holmes
362 Mammoth Road
Londonderry, NH 03053

Location of Property: 362 Mammoth Road, Map 12 Lot 49, Zoned AR-1

Request: Request for a variance from LZO 2.3.1.4.A to allow a horse barn to encroach 10 feet into the 25 feet side setback

Result: J. Benard made a motion in **CASE NO. 06/20/18-5** to deny the applicant's request for a variance from LZO 2.3.1.4.A to allow a horse barn to encroach 10 feet into the 25 feet side setback, 362 Mammoth Road, Map 12, Lot 49, Zoned AR-I, Lisa Holmes (Owner and Applicant)

S. Brunelle seconded the motion.

The motion was granted, 3-2-0. The applicant's request for a variance was denied for the following reasons: granting of the variance would be contrary to the public interest because the character of the neighborhood would be altered; the spirit of the ordinance would not be observed due to health and safety concerns of having livestock closer than 25 feet to the property line; granting of the variance would not do substantial justice as the applicant can locate the barn so there is no encroachment – the public benefits from having the ordinances enforced; the values of surrounding properties would be diminished as setback provides for appropriate buffers to mitigate nuisance concerns; there were no unique characteristics about the property; and there is a fair and substantial relationship of the general purpose of the ordinance as it relates to this specific property.

Jim Tirabassi

Jim Tirabassi, Clerk

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