



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

August 16, 2018

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, August 15, 2018:

Case No.: 08/15/18-1

Applicant: Jennie Fitzpatrick
19 Longwood Avenue
Londonderry, NH 03053

Location of Property: 19 Longwood Avenue, Map 18 Lot 21-29, Zoned AR-1

Request: Request for a special exception from LZO 3.12 to allow a home occupation for a custom painted canvas and wood signs for Home Sweet Signs NH, 19 Longwood Avenue, Map 18 Lot 21-29, Zoned AR-I

Result: Member A. Deptula made a motion in **CASE NO. 8/15/18-1** to **GRANT** the applicant's request for a special exception from LZO 3.12 to allow a home occupation for a custom painted canvas and wood signs for Home Sweet Signs NH, 19 Longwood Avenue, Map 18 Lot 21-29, Zoned AR-I, Jennie A. Fitzpatrick Revocable Trust and Richard R. Revocable Trust (Owners) and Jennie Fitzpatrick (Applicant)

Member B. O'Brien seconded the motion.

The motion was granted, 5-0-0.

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, August 15, 2018:

Case No.: 08/15/18-2

Applicant: Nicholas & Ashley Cuzzupe
Two State Tree Circle
Londonderry, NH 03053

Location of Property: Two State Tree Circle, Map 3 Lot 24-20, Zoned AR-1

Request: Request for a variance from LZO 3.14.B to (1) allow a six (6) feet fence located in a front yard where only four feet are allowed; and (2) allow a fence to encroach up to 30 feet into the 40 feet front setback

Result: Member J. Benard made a motion to **GRANT** the applicant's request for a continuance to September 19, 2018.

Member J. Tirabassi seconded the motion.

The motion for a continuance to September 19, 2018 was granted, 5-0-0.

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, August 15, 2018:

Case No.: 08/15/18-3

Applicant: CC Properties, LLC
Two Litchfield Road
Londonderry, NH 03053

Location of Property: Two Litchfield Road, Map 12 Lot 68, Zoned C-III & Historic Overlay District (HOD)

Request: Request for a variance from LZO 2.2 Use Table to allow the use of a financial institution, smaller than 3,000 SF, in the C-III district

Result: Member J. Tirabassi made a motion in **CASE NO. 8/15/18-3** to **DENY** the applicant's request for a variance from LZO 2.2 Use Table to allow the use of a financial institution, smaller than 3,000 SF, in the C-III district, Two Litchfield Road, Map 12 Lot 68, Zoned C-III & Historic Overlay District (HOD), CC Properties, LLC (Owner & Applicant)

Member B. O'Brien seconded the motion.

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

(1) & (2) Granting the variance would be contrary to the public interest and the spirit of the ordinance would not be observed because a financial institution would alter the essential character of the neighborhood and the increase in the motoring public to and from that location would threaten public safety. The intent of the C-III district is primarily intended for business-professional offices and residential use which is different from the C-II district which is intended to encourage the development of business areas designed to serve the motoring public (i.e. financial institutions); (3) The granting of the variance would not do substantial justice because the loss to the public is outweighed by any gain to the individual given the concerns expressed in (1) & (2); (4) the value of the properties would be diminished as the applicant failed to provide any evidence demonstrating no decrease. Members of the public provided their opinion that the values would decrease based on their knowledge of the area; and (5) the applicant failed to demonstrate a hardship or uniqueness to the property, and the use of a financial institution in a C-III district surrounded by residential properties



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and along with the intent of the C-III district makes the proposed use unreasonable.

Jim Tirabassi

Jim Tirabassi, Clerk

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