



TOWN OF LONDONDERRY  
**ZONING BOARD OF ADJUSTMENT**

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

October 21, 2018

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, October 17, 2018:

**Case No.:** 10/17/18-1

**Applicant:** William White  
17 Calla Road  
Londonderry, NH 03053

**Location of Property:** 17 Calla Road, Map 16 Lot 38-43, Zoned AR-1

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

**Result:** Member J. Benard made a motion in **CASE NO. 10/17/18-1** to **GRANT** the applicant's request for a variance as presented from LZO 2.3.1.3.C.2 to encroach 11 feet into the 15 feet side setback for the construction of a shed, 17 Calla Road, Map 16 Lot 38-43, Zoned AR-1, T. William & Gladys A. White Living Trust (Owners) and William White (Applicant)

Member S. Brunelle seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was granted.

*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, October 17, 2018:

**Case No.:** 10/17/18-2

**Applicant:** John & Diana Marshall  
174 Litchfield Road  
Londonderry, NH 03053

**Location of Property:** 174 Litchfield Road, Map 14 Lot 4, Zoned AR-1

**Request:** Request for two variances (1) from LZO 2.3.1.3.C.1 to encroach 12 feet into the 40 feet front setback; and (2) from LZO 2.3.1.3.C.2 to encroach three feet into the 15 feet side setback for the construction of a shed

**Result:** Member J. Benard made a motion in **CASE NO. 10/17/18-2** to **GRANT** the applicant's request for a variance from LZO 2.3.1.3.C.1 to encroach 12 feet into the 40 feet front setback for the construction of a shed, 174 Litchfield Road, Map 14, Lot 4, Zoned AR-1, John & Diana Marshall (Owners & Applicants) with the condition that the shed be no larger than 10 x 16.

Member S. Brunelle seconded the motion.

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

Member J. Benard made a motion in **CASE NO. 10/17/18-2** to **GRANT** the applicant's request for a variance from LZO 2.3.1.3.C.2 to encroach three feet into the 15 feet side setback for the construction of a shed, 174 Litchfield Road, Map 14, Lot 4, Zoned AR-1, John & Diana Marshall (Owners & Applicants) with the condition that the shed be no larger than 10 x 16.



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Member B. Berardino seconded the motion.

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

Jim Tirabassi

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Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, October 17, 2018:

**Case No.:** 10/17/18-3

**Applicant:** Rene Belanger, Jr.  
64 Chase Road  
Londonderry, NH 03053

**Location of Property:** 64 Chase Road, Map 1 Lot 83-1, Zoned AR-1

**Request:** Request for a variance from LZO 2.3.1.3.B.1 to allow a lot with only 50 feet of frontage where 150 feet are required

**Result:** Member B. O'Brien made a motion in **CASE NO. 10/17/18-3** to **GRANT** the applicant's request for a variance from LZO 2.3.1.3.B.1 to allow a single family dwelling on a lot with only 50 feet of frontage where 150 feet are required, 64 Chase Road, Map 1 Lot 83-1, Zoned AR-1, Rene Belanger, Jr. (Owner & Applicant)

Member B. Berardino seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **GRANTED.**

Jim Tirabassi

Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, October 17, 2018:

**Case No.:** 10/17/18-4

**Applicant:** Wallace Farms, LLC  
Three Melendy Hollow  
Amherst, NH 03031

**Location of Property:** One Bridal Path, Map 16 Lot 3, Zoned AR-1

**Request:** Request for an appeal of administrative decision regarding the Chief Building Inspector/Zoning Administrator's August 30, 2018 interpretation of LZO 1.3 regarding phasing

**Result:** Member J. Benard made a motion in **CASE NO. 10/17/18-4** to **UPHOLD** the interpretation the Chief Building Inspector/Zoning Administrator's August 30, 2018 letter regarding LZO 1.3 phasing and to **DENY** the applicant's request for an appeal of administrative decision, One Bridal Path, Map 16 Lot 3, Zoned AR-1, Wallace Farm, LLC (Owners & Applicant)

Member B. Berardino seconded the motion. The motion was granted, 4-0-0. The applicant's request for an appeal of administrative decision was **DENIED**.

**The reasons for denial were as follows:** The Chief Building Inspector's interpretation is in accordance with the variance granted in 2013 and the facts presented at that time as well as the spirit of the ordinance.

*Jim Tirabassi*

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Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, October 17, 2018:

**Case No.:** 10/17/18-5

**Applicant:** Wallace Farms, LLC  
Three Melendy Hollow  
Amherst, NH 03031

**Location of Property:** One Bridal Path, Map 16 Lot 3, Zoned AR-1

**Request:** Request for a variance for a variance from LZO 1.3.3 to permit the issuance of building permits for 144 dwelling units where 72 per year are allowed

**Result:** Member J. Benard made a motion in **CASE NO. 10/17/18-5** to **GRANT** the applicant's request for a variance from LZO 1.3.3 to permit the issuance of building permits for 144 dwelling units where 72 per year are allowed, One Bridal Path, Map 16 Lot 3, Zoned AR-1, Wallace Farm, LLC (Owners & Applicant) with the condition that the applicant submit an amended phasing plan to the Planning Board/Planning Staff (Town Planner) for approval.

Member B. O'Brien seconded the motion.

The motion was granted with conditions, 4-0-0. The applicant's request for a variance was **GRANTED.**

*Jim Tirabassi*

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Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, October 17, 2018:

**Case No.:** 10/17/18-6

**Applicant:** NH Six Realty Trust  
30 Adams Street  
Milton, MA 02186

**Location of Property:** 42 Nashua Road, Map 7 Lot 68-1, Zoned C-I

**Request:** Request for a variance from LZO 3.11.6.D.3.b.i to allow three wall signs where only one is allowed

**Result:** Member J. Benard made a motion to **GRANT** the applicant's request for a variance in **CASE NO. 10/17/18-6** as presented for signs A, B, C (where each sign is 49.05 SF) from LZO 3.11.6.D.3.b.i to allow three wall signs where only one is allowed with the condition that the building is only occupied by one tenant

Member B. Berardino seconded the motion.

The motion was granted with conditions, 4-1-0. The applicant's request for a variance was **GRANTED**.

**Request:** Request for a variance from LZO 3.11.6.D.3.b.i to allow 147.15 square feet of signage where only 50 square feet is allowed

**Result:** Member J. Benard made a motion to **GRANT** the applicant's request for a variance in **CASE NO. 10/17/18-6** as presented for signs A, B, C (where each sign is 49.05 SF) to allow 147.15 square feet of signage where only 50 square feet is allowed with the condition that the building is only occupied by one tenant

Member B. Berardino seconded the motion.

The motion was granted with conditions, 4-1-0. The applicant's request for a variance was **GRANTED**.



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*Jim Tirabassi*

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, October 17, 2018:

Case No.: 10/17/18-7

Applicant: Five M's Real Estate Holdings, LLC and Five M's Office Properties Holdings, LLC  
33 Nashua Road  
Londonderry, NH 03053

Location of Property: 33 Nashua Road, Map 7 Lots 73-3 and 73-6, Zoned C-I & C-II

Request: Request to continue the application to November 1, 2018

Result: The application was continued to November 1, 2018 (overflow meeting date)

*Jim Tirabassi*

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Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, October 17, 2018:

Case No.: 10/17/18-9

Applicant: Robert P. Rivard (Rivard Pizza, LLC)  
Nine Fairway Drive  
Andover, MA 01810

Location of Property: 103 Nashua Road, Map 6 Lot 35-17, Zoned C-I

Request: Request for a variance from LZO 3.11.8.B to allow the alteration of a pre-existing non-conforming sign without bringing it into full compliance with the Londonderry Zoning Ordinance

Result: Member J. Benard made a motion in **CASE NO. 10/17/18-9** to **GRANT** the applicant's request for a variance **as presented** from LZO 3.11.8.B to allow the alteration of a pre-existing non-conforming sign without bringing it into full compliance with the Londonderry Zoning Ordinance, 103 Nashua Road, Map 6 Lot 35-17, Zoned C-I, Robert P. Rivard (Rivard Pizza, LLC) (Owner & Applicant)

Member B. O'Brien seconded the motion.

The motion was granted, 4-0-0. The applicant's request for a variance was **GRANTED**.

Jim Tirabassi

Jim Tirabassi, Clerk

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