



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

November 30, 2018

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, November 28, 2018:

Case No.: 11/28/18-1

Applicant: Melissa Cannata
82 Wiley Hill Road
Londonderry, NH 03053

Location of Property: 82 Wiley Hill Road, Map 5 Lot 12-2, Zoned AR-1

Request: Request for a special exception from LZO 3.12 for a home occupation business for an on-line independent insurance agency, 82 Wiley Hill Road

Result: J. Benard made a motion in **CASE NO. 11/28/18-1** to grant the applicant's request for a special exception from LZO 3.12 for a home occupation business for an on-line independent insurance agency, 82 Wiley Hill Road, Map 5 Lot 12-2, Zoned AR-1, Melissa & Nicholas Cannata (Owners) and Melissa Cannata (Applicant) with the conditions that the hours of operation be Monday – Friday from 6 p.m. to 9 p.m. and weekends from 9 a.m. to 7 p.m. with the option of the hours increasing to normal business hours of Monday to Friday 9 a.m. to 5 p.m. if the applicant chooses to expand the business to a full time operation.

Member B. Berardino seconded the motion.

The motion was granted with conditions, 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. Pursuant to NHRSA 674:33, I-a. (a), variances shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance.

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, November 28, 2018:

Case No.: 11/28/18-2

Applicant: Theodore Alexandrou
209 Rockingham Road
Londonderry, NH 03053

Location of Property: 209 Rockingham Road, Map 15 Lot 23-3, Zoned C-I

Request: Request for a variance from LZO 2.4.3.B.2 to encroach 30 ft into the 50 ft landscape buffer

Result: J. Benard made a motion in **CASE NO. 11/28/18-2** to grant the applicant's request for a variance from LZO 2.4.3.B.2 to encroach 30 ft into the 50 ft landscape buffer, 209 Rockingham Road, Map 15 Lot 23-3, Zoned C-I, Theodore Alexandrou (Owner & Applicant)

Member B. Berardino seconded the motion.

The motion was granted, 4-0-0.

Jim Tirabassi

Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, November 28, 2018:

Case No.: 11/28/18-3

Applicant: Bluebird Londonderry, LLC
76 Perkins Road
Londonderry, NH 03053

Location of Property: 76 Perkins Road, Map 15 Lot 52, Zoned C-II

Request: Request for three variances from (1) LZO 3.11.6.D.3.b.1 to allow a 116.03 SF wall sign where only 50 SF are allowed; (2) LZO 3.11.5.C.1 to allow a freestanding 18 ft sign where only 10 feet in height are allowed; (3) LZO 3.11.6.D.3.a to allow a 147 SF freestanding sign where only 65 SF are allowed

Result: The applicant withdrew his application.

Jim Tirabassi

Jim Tirabassi, Clerk

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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, November 28, 2018:

Case No.: 11/28/18-4

Applicant: Vernco Apple, LLC
Four Orchard View Drive
Londonderry, NH 03053

Location of Property: Four Orchard View Drive, Map 7 Lot 40-2, Zoned C-I

Request: Request for a variance from (1) LZO 3.11.5.C.1 to allow an off-premise sign 20 feet in height where only 10 feet in height is allowed

Result: J. Benard made a motion in **CASE NO. 11/28/18-4** to grant the applicant's request for a variance from (1) LZO 3.11.5.C.1 to allow an off-premise sign 20 feet in height where only 10 feet in height is allowed, Four Orchard View, Map 7 Lot 040-2, Zoned C-I, Vernco Apple, LLC (Owner & Applicant)

Member B. Berardino seconded the motion. The motion was granted, 5-0-0.

Request: Request for a variance from LZO 3.11.6.C.6.c to allow an off-premise sign of 100 SF where only 25 SF is allowed

Result: J. Benard made a motion in **CASE NO. 11/28/18-4** to grant the applicant's request for a variance from LZO 3.11.6.C.6.c to allow an off-premise sign of 100 SF where only 25 SF is allowed, Four Orchard View, Map 7 Lot 040-2, Zoned C-I, Vernco Apple, LLC (Owner & Applicant)

Member B. Berardino seconded the motion. The motion was granted, 5-0-0.

Jim Tirabassi

Jim Tirabassi, Clerk

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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, November 28, 2018:

Case No.: 11/28/18-5

Applicant: Savvy Motors, LLC
11 Beech Street
Manchester, NH 03103

Location of Property: 501 Mammoth Road, Map 15 Lot 133, Zoned C-I & Rte 28 POD

Request: Request for a variance from LZO 2.2 Table of Uses to allow a car dealership in the C-I & Rte 28 POD where it is otherwise prohibited

Result: J. Benard made a motion in **CASE NO. 11/28/18-5** to deny the applicant's request for a variance from LZO 2.2 Table of Uses to allow a car dealership in the C-I & Rte 28 POD where it is otherwise prohibited, 501 Mammoth Road, Map 15 Lot 133, Zoned C-I and Rte 28 POD, Stratosphere Invest. Property, LLC (Owner) and Savvy Motors, LLC (Applicant)

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

Granting the variance would be contrary to the public interest and the spirit of the ordinance would not be observed because the essential character of the neighborhood would be altered. The property has a zoning designation of C-I and Rte 28 POD and the overlay designation was put into place to limit and control the uses that are in that district. Concerns for public safety (unsecured cars) and traffic are present and the use of a car dealership in the C-I and Rte 28 POD district is not a reasonable one given the reasons already expressed.

Jim Tirabassi

Jim Tirabassi, Clerk

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