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**TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT MEETING
MOOSE HILL COUNCIL CHAMBERS
268B MAMMOTH ROAD, LONDONDERRY, NH 03053
FEBRUARY 18, 2026, 7:00 P.M.**

I. CALL TO ORDER

Members Present: Jacqueline Benard, Chair; Suzanne Brunelle, Vice Chair; Gregory Carson, Member; Andria Hansen, Alternate Member

Members Absent: Brendan O'Brien, Clerk; Mitchell Feig, Member; Lisa Sussman, Alternate Member

Also Present: Kristan Farr, Town Planner; Nick Codner, Building Inspector & Zoning Administrator

Chair Benard called the meeting to order at 7:00 p.m. and reviewed the meeting procedure. She noted there was not a full Board at this meeting and offered applicants the opportunity to request continuation to the March 18th meeting.

Chair Benard appointed Andria Hansen as a full voting member for this meeting.

II. ROLL CALL

III. APPROVAL OF DRAFT MINUTES

S. Brunelle moved to accept the minutes of the January 21, 2026, meeting as written. A. Hansen seconded the motion. The motion carried 3-0-1.

IV. REPORT BY TOWN COUNCIL LIAISON

Town Council Vice Chair Faber was not present to provide a report.

V. REGIONAL IMPACT DETERMINATIONS

Staff determined that none of the cases being heard were of regional impact.

G. Carson moved to accept the regional impact determination. A. Hansen seconded the motion. The motion carried 4-0-0.

VI. PUBLIC HEARING OF CASES

S. Brunelle recused herself from the Board for the next two cases.

A. Case No. 12-17-2025-2 Request For Variance From LZO Section 4.6.6.5 Of The Route 102 Performance Overlay District To Allow

50 **The Use Of The Property For The Construction Of Three Single-**
51 **Family Residences. The Parcel Is Located At 296 Nashua Road**
52 **In The Commercial II (C-2) Zoning District. Tax Map 002, Lot**
53 **25-0, Vigeant Family Properties, LLC (Owner), Leonard Vigeant**
54 **(Applicant).**
55

56 G. Carson read the case into the record.
57

58 Attorney Morgan Hollis of Gottesman & Hollis, P.A. and Dan Borowski of Fieldstone
59 Land Consultants appeared before the Board to present this proposed project to
60 construct three single-family dwellings. M. Hollis described the property, noting the
61 majority is comprised of the Lithia Spring wetlands. He also noted the limitation of
62 the 75-foot setback from the abutting residential property. The homes will be under
63 a condominium form of ownership.
64

65 He reviewed the variance requests, which are for the use of the property and to
66 construct the access driveway, dwelling driveways, and septic within the 75-foot
67 buffer. A zoning change instituted the 75-foot buffer after his client purchased the
68 property. A variance request was denied earlier to construct six duplexes on this
69 property. He noted a comment at an earlier meeting that the hardship was self-
70 imposed was incorrect and offered information to support this.
71

72 M. Hollis reviewed the variance criteria.
73

74 The Board asked about setbacks between the dwellings, the impact of the
75 development on surrounding properties, and encroachment on the wetlands. They
76 clarified that the overlay district was established in 2004 and the property
77 purchased in 2003; however, the buffer requirement was not enacted until 2016,
78 when the adjoining property was zoned AR-1.
79

80 Chair Benard asked for public comment.
81

82 **Name:** Paul Ramsey

83 **Address:** 24 Pepper Hill Road

84 P. Ramsey requested a condition that the buffer along the property line between
85 this parcel and Hickory Woods be left unaltered.
86

87 The Board asked that the tree line along the Hickory Woods property line be left
88 undisturbed. M. Hollis agreed to a condition of approval stating this, with the
89 possible exception of one corner.
90

91 A letter dated December 16, 2025, from J. Chet Rogers, LLC, real estate appraiser
92 was read into the record.
93

94 Chair Benard closed public comment and the Board entered deliberation.
95

96 A. Hansen reviewed the variance criteria:
97

- 98 1) Granting the variance would not be contrary to the public interest because there
99 is no diminution of the surrounding property, it fits within the area of single-family
100 homes/condominiums, and it would not alter the character of the neighborhood.
101 2) The spirit of the ordinance would be observed because it does not alter the
102 essential character of the neighborhood and it does not threaten the public health,
103 safety, or welfare.
104 3) Granting the variance would do substantial justice because not granting it would
105 result in a greater loss to the applicant than any gain to the public; the property
106 has very little usable application beyond what the applicant has applied for.
107 4) The values of surrounding properties would not be diminished; the applicant
108 submitted an opinion from a professional appraiser that the property value would
109 not be decreased.
110 5) Owing to special conditions of the property that distinguish it from other
111 properties in the area, denial of the variance would result in an unnecessary
112 hardship because:
113 (a) for purposes of this subparagraph, "unnecessary hardship" means that, owing
114 to special conditions of the property that distinguish it from other properties in the
115 area,
116 (i) there is not a fair and substantial relationship between the general public
117 purposes of the ordinance provision and the specific application of that provision to
118 the property because literal enforcement of the district overlay would render the
119 property substantially unusable and it is a unique parcel as compared to most
120 parcels; and wetlands and the powerlines impact the property;
121 (ii) the proposed use is a reasonable one, as constructing single-family homes
122 is reasonable.

123
124 The Board agreed on a condition that the natural treeline along the abutting
125 property shall be preserved to the maximum practical extent. Any disturbances
126 should be limited to what is necessary for approved construction. All areas not
127 retained shall be replanted or remediated in accordance with a landscaping plan
128 review and approval by the Planning Board.

129
130 **G. Carson moved in Case No. 12-17-2025-2 to grant the request for a**
131 **variance from LZO Section 4.6.6.5 of the Route 102 Performance Overlay**
132 **District to allow the use of the property located at 296 Nashua Road in the**
133 **Commercial II (C-2) Zoning District, Tax Map 002, Lot 25-0, Vigeant Family**
134 **Properties, LLC (Owner), Leonard Vigeant (Applicant) for the construction**
135 **of three single-family residences. A. Hansen seconded the motion. The**
136 **motion carried 3-0-0.**

137
138 **B. Case No. 12-17-2025-3 Request For Variance From LZO Section**
139 **4.6.6.7.D.4.D.i Of The Route 102 Performance Overlay District**
140 **To Allow Encroachment Into The 75-Foot Buffer For A Proposed**
141 **Single-Family Housing Development. The Parcel Is Located At**
142 **296 Nashua Road In The Commercial II (C-2) Zoning District.**
143 **Tax Map 002, Lot 25-0, Vigeant Family Properties, LLC**
144 **(Owner), Leonard Vigeant (Applicant).**

145

146 G. Carson read the case into the record.

147

148 Attorney Morgan Hollis of Gottesman & Hollis, P.A. and Dan Borowski of Fieldstone
149 Land Consultants appeared before the Board to present this proposed project to
150 construct three single-family dwellings. They are requesting a variance to encroach
151 no more than 62 feet into the non-disturbance buffer between this property and the
152 abutting AR-1 zone to construct driveways and septic. They intend not to disturb
153 the treeline, although roots and one corner of the property could be impacted
154 during construction.

155

156 The exhibits from the previous case were entered into the record, along with the
157 boundary plan.

158

159 M. Hollis reviewed the variance criteria.

160

161 The Board asked that the treeline along the Hickory Woods property line be left
162 undisturbed. M. Hollis agreed to a condition of approval stating this, with the
163 possible exception of one corner.

164

165 Chair Benard asked for public comment; there was none.

166

167 A letter regarding this project dated December 16, 2025, from J. Chet Rogers, LLC,
168 real estate appraiser was read into the record.

169

170 Chair Benard closed public comment and the Board entered deliberation.

171

172 A. Hansen reviewed the variance criteria:

173

174 1) Granting the variance would not be contrary to the public interest because it
175 would not alter the character of the neighborhood and it does not threaten the
176 public health, safety, or welfare.

177 2) The spirit of the ordinance would be observed because it does not alter the
178 essential character of the neighborhood and it does not threaten the public health,
179 safety, or welfare.

180 3) Granting the variance would do substantial justice because not granting it would
181 result in a greater loss to the applicant than any gain to the public.

182 4) The values of surrounding properties would not be diminished; the applicant
183 submitted an opinion from a professional appraiser that the property value would
184 not be decreased.

185 5) Owing to special conditions of the property that distinguish it from other
186 properties in the area, denial of the variance would result in an unnecessary
187 hardship because:

188 (a) for purposes of this subparagraph, "unnecessary hardship" means that, owing
189 to special conditions of the property that distinguish it from other properties in the
190 area,

191 (i) there is not a fair and substantial relationship between the general public
192 purposes of the ordinance provision and the specific application of that provision to
193 the property because denial would condemn the property to very little other use

194 and impose an unnecessary hardship on the owner; the property is unique due to
195 the overlay district, buffer, minimal access to a right-of-way, and existing power
196 lines and wetlands.

197 (ii) the proposed use is a reasonable one, as driveways are reasonable.
198

199 **G. Carson moved in Case No. 12-17-2025-3 to grant the request for**
200 **variance from LZO Section 4.6.6.7.D.4.D.i of the Route 102 Performance**
201 **Overlay District to allow encroachment into the 75-foot buffer for a**
202 **proposed single-family housing development as presented, with the**
203 **condition that the natural treeline along the abutting property shall be**
204 **preserved to the maximum practical extent, any disturbances should be**
205 **limited to what is necessary for approved construction, and all areas not**
206 **retained shall be replanted or remediated in accordance with a landscaping**
207 **plan review and approval by the Planning Board. The encroachment shall**
208 **be no greater than 62 feet into the 75-foot setback. A. Hansen seconded**
209 **the motion. The motion carried 3-0-0.**

210

211 To correct an error in the previous case, Chair Benard read the following into the
212 record:

213

214 **Case No. 12-17-2025-2, request for a variance from LZO Section 4.6.6.5 of**
215 **the Route 102 Performance Overlay District to allow the use of the**
216 **property for the construction of three single-family residences. The parcel**
217 **is located at 296 Nashua Road in the Commercial II (C-2) Zoning District.**
218 **Tax Map 002, Lot 25-0, Vigeant Family Properties, LLC (Owner), Leonard**
219 **Vigeant (Applicant). The vote was 3-0-0 to grant the request, with the**
220 **following condition: the natural treeline along the abutting property shall**
221 **be preserved to the maximum practical extent, any disturbances should be**
222 **limited to what is necessary for approved construction, and all areas not**
223 **retained shall be replanted or remediated in accordance with a landscaping**
224 **plan review and approval by the Planning Board.**

225

226 S. Brunelle rejoined the Board.

227

228 **C. Case No. 01-21-2026-1 Request For Variance From LZO**
229 **4.2.1.3.C.1 To Allow Replacement Of A Front Porch Within The**
230 **40-Foot Front Setback. The Parcel Is Located At 40 Wilson**
231 **Road In The Agricultural Residential (AR-1) Zoning District. Tax**
232 **Map 18, Lot 28-15, Deborah A. Stewart (Owner/Applicant).**
233 ***(Continued From January 21, 2026).***

234

235 G. Carson read the case into the record.

236

237 Deborah Stewart appeared before the Board and requested a continuance, as her
238 contractor was not able to attend the meeting.

239

240 **G. Carson moved to continue Case No. 01-21-2026-1. S. Brunelle seconded**
241 **the motion. The motion carried 4-0-0.**

242
243 This case was continued to March 18, 2026.

244
245 **D. Case No. 02-18-2026-1 Request For Special Exception From**
246 **LZO 5.15.1.A To Allow Two Portable Storage Containers. The**
247 **Parcel Is Located At 55 Windsor Boulevard In The Agricultural**
248 **Residential (AR-1) Zoning District. Tax Map 003, Lot 045-103,**
249 **Randy And Andrea Byrd (Owner/Applicant).**

250
251 G. Carson read the case into the record.

252
253 Randy and Andrea Byrd appeared before the Board to present this request to place
254 two 8' x 20' steel portable storage containers on their property.

255
256 The Board discussed whether these cases were posted correctly and agreed they
257 were. They clarified the special exception should be requested to place one storage
258 container on the property, not two.

259
260 The Board reviewed the special exception criteria and asked clarifying questions.

261
262 Chair Benard asked for public comment; there was none.

263 Chair Benard closed public comment and the Board entered deliberation.

264
265 A. Hansen reviewed the special exemption criteria:

- 266
267 1. Is the use detrimental to the health or safety of residents? **No**
268 2. Will the use create undue traffic congestion or a traffic safety hazard in the
269 vicinity of the proposed development? **No**
270 3. Will the use be incompatible with the surrounding neighborhood? **No**
271 4. Will the use be a detriment to property values in the vicinity of the proposed
272 development with consideration given to the location or scale of buildings,
273 structures, parking areas, or other access ways? **No**
274 5. Will a nuisance be created by such use by way of emission of odors, smoke, gas,
275 dust, noise, glare, heat, vibration, or other pollutants; or the unsightly outdoor
276 storage of equipment, vehicles, or other materials? **No**
277 6. Will the use create a hazard to the public or adjacent property on account of
278 potential fire, explosion, or release of toxic materials? **No**
279 7. Will the use result in the degradation of existing surface and groundwater
280 quality standards, or have adverse effects on the natural functions of wetlands
281 on the site which would result in the loss of significant habitat or flood control
282 protection? **No**
283 8. Will there be more than one portable storage structure per property? **No**
284 9. Will the portable storage structure be larger than ten feet wide, twenty feet
285 long, and ten feet high? **No**
286 10. Will the portable storage structure be located to the side or rear of the principal
287 structure on the property? **Yes**
288 11. Will the portable storage structure be set back a minimum of 15 feet from any
289 side or rear lot lines, and 40 feet from any front property line? **Yes**

- 290 12. Will the portable storage structure be set back a minimum of 5 feet from the
291 nearest wall of a building? **Yes**
- 292 13. Will the portable storage structure be placed on a paved, concrete, other
293 appropriate impervious surface, or be placed on blocks? **Yes**
- 294 14. If applicable, will adequate and appropriate facilities be provided for the
295 intended use? **N/A**
- 296 15. If applicable, will all necessary state and federal permits be obtained? **N/A**
- 297 16. Please state the length of time the portable storage structure will remain on the
298 property: **Perpetually**

299
300 The Board discussed the length of time the structure could remain on the property
301 and agreed on 10 years, until February 18, 2036. At that time, the property owner
302 could request an extension.

303
304 **S. Brunelle moved in Case No. 02-18-2026-1, a request for special**
305 **exception from LZO 5.15.1.A to allow a portable storage container. The**
306 **parcel is located at 55 Windsor Boulevard in the Agricultural Residential**
307 **(AR-1) Zoning District, Tax Map 003, Lot 045-103, Randy and Andrea Byrd**
308 **(Owner/Applicant), the request for the special exception be allowed, as all**
309 **the criteria have been met. It will expire 10 years from today's date. G.**
310 **Carson seconded the motion. The motion carried 4-0-0.**

311
312 **E. Case No. 02-18-2026-2 Request For Variance From LZO**
313 **5.15.1.A.1 To Allow Two Portable Storage Containers. The**
314 **Parcel Is Located At 55 Windsor Boulevard In The Agricultural**
315 **Residential (AR-1) Zoning District. Tax Map 003, Lot 045-103,**
316 **Randy And Andrea Byrd (Owner/Applicants).**

317
318 G. Carson read the case into the record.

319
320 Randy and Andrea Byrd appeared before the Board to present this request to place
321 two 8' x 20' portable storage containers on their property.

322
323 R. Byrd reviewed the variance criteria.

324
325 The Board discussed the hardship caused by the seasonal wetlands on the property
326 and the applicants' desire not to construct permanent structures as a result.

327
328 Chair Benard asked for public comment; there was none.

329 Chair Benard closed public comment and the Board entered deliberation.

330
331 The Board expressed concern over placing two storage containers on the property,
332 and that the special exception would remain with the land. They questioned the
333 hardship, noting that the entire property does not flood and the property is not
334 unique.

335
336 Chair Benard reopened public comment.

337

338 The Board clarified that the storage containers are already on the property.

339

340 Chair Benard closed public comment and returned to deliberation.

341

342 A. Hansen reviewed the variance criteria:

343

344 1) Granting the variance would be contrary to the public interest because placing
345 two containers of this size alters the character of the residential neighborhood.

346 2) The spirit of the ordinance would not be observed because it alters the character
347 of the neighborhood, and affects the public health, safety, and welfare.

348 3) Granting the variance would not do substantial justice because granting it would
349 result in a greater loss to the public than any gain to the applicant; there will be
350 two storage containers on the property moving forward.

351 4) The values of surrounding properties would be diminished by placing two
352 containers of this size on a property in a residential neighborhood.

353 5) Owing to special conditions of the property that distinguish it from other
354 properties in the area, denial of the variance would result in an unnecessary
355 hardship because:

356 (a) for purposes of this subparagraph, "unnecessary hardship" means that, owing
357 to special conditions of the property that distinguish it from other properties in the
358 area,

359 (i) there is a fair and substantial relationship between the general public
360 purposes of the ordinance provision and the specific application of that provision to
361 the property because there is no hardship, as a permanent storage unit could be
362 constructed on the site. There is nothing unique about this property compared to all
363 other properties.

364 (ii) the proposed use is not a reasonable one, as two temporary storage units
365 are not reasonable; the Town has a process for allowing one unit via special
366 exception.

367

368 **G. Carson moved in Case No. 02-18-2026-2 request for variance from LZO**
369 **5.15.1.A.1 to allow two portable storage containers be denied. S. Brunelle**
370 **seconded the motion. The motion carried 4-0-0.**

371

372 **F. Case No. 02-18-2026-3 Request For Variance From LZO**
373 **4.2.1.3.C.2 To Allow Deck And Stairs Within The Side Setback.**
374 **The Parcel Is Located At 22 Pleasant Drive In The Agricultural**
375 **Residential (AR-1) Zoning District. Tax Map 004, Lot 003-41,**
376 **Wendy Staggs (Applicant), Staggs Family Trust (Owner).**

377

378 G. Carson read the case into the record.

379

380 Wendy and Michael Staggs appeared before the Board to present this request. W.
381 Staggs explained the deck is deteriorating and needs to be replaced. They would
382 also like to move the stairs to provide safer access. The deck will encroach
383 approximately 18 inches into the 15-foot setback.

384

385 W. Staggs reviewed the variance criteria.

386
387 N. Codner said the new deck and stairs will not encroach any further into the
388 setback. The Board verified that the encroachment will not be more than 3 feet.
389

390 Chair Benard asked for public comment.

391
392 **Name:** Teddi O'Loughlin

393 **Address:** 24 Pleasant Drive

394 T. O'Loughlin, abutter, spoke in favor of this application, as long as the building
395 remains on the Staggs' land.

396
397 **Name:** William Dodge Jr.

398 **Address:** 15 Pleasant Drive

399 W. Dodge Jr. spoke in favor of approving this variance.

400
401 Chair Benard closed public comment and the Board entered deliberation.
402

403 A. Hansen reviewed the variance criteria:
404

405 1) Granting the variance would not be contrary to the public interest because it will
406 maintain the existing character of the neighborhood by replacing the current
407 nonconforming use, and does not alter the essential character of the neighborhood
408 or threaten public health, safety, or welfare.

409 2) The spirit of the ordinance would be observed because it does not threaten
410 public health, safety, or welfare; safety would be improved by replacing a rotting
411 structure and moving the stairs out of the driveway.

412 3) Granting the variance would do substantial justice because not granting it would
413 result in a greater loss to the applicant than any gain to the public.

414 4) The values of surrounding properties would not be diminished because the new
415 deck will have no impact one way or the other.

416 5) Owing to special conditions of the property that distinguish it from other
417 properties in the area, denial of the variance would result in an unnecessary
418 hardship because:

419 (a) for purposes of this subparagraph, "unnecessary hardship" means that, owing
420 to special conditions of the property that distinguish it from other properties in the
421 area,

422 (i) there is not a fair and substantial relationship between the general public
423 purposes of the ordinance provision and the specific application of that provision to
424 the property due to the original construction of the home on the property, and it
425 does not create any additional encroachment.

426 (ii) the proposed use is a reasonable one, as steps are reasonable and
427 replacing an old deck is reasonable.
428

429 **G. Carson moved in Case No. 02-18-2026-3 that the request for variance**
430 **from LZO 4.2.1.3.C.2 to allow a deck and stairs within the side setback,**
431 **with the condition that the deck not exceed 3 feet into the side setback be**
432 **approved. A. Hansen seconded the motion. The motion carried 4-0-0.**
433

434 **VII. COMMUNICATION AND MISCELLANEOUS**

435 None

436

437 **VIII. OTHER BUSINESS**

438 None

439

440 **IX. ADJOURN**

441

442 **S. Brunelle moved to adjourn. G. Carson seconded the motion. The motion**
443 **carried 4-0-0.**

444

445 The meeting was adjourned at 10:06 p.m.

446

447 Respectfully submitted,

448 Beth Hanggeli

449 Recording Secretary