



TOWN OF LONDONDERRY  
**ZONING BOARD OF ADJUSTMENT**

268B Mammoth Road, Londonderry, New Hampshire 03053 Phone: 432-1100, ext.129 Fax: 432-1142

April 18, 2024

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, April 17, 2024:

**Case No.:** 04/17/2024-2

**Applicant:** Janet Lougee  
84 Hovey Road  
Londonderry, NH 03053

**Location of Property:** 84 Hovey Road, Map 13, Lot 13-6

**Request:** Request for variance from LZO section 4.2.1.3.B to allow a lot without 150 feet of road frontage on Class V or better road. The parcel is located at 84 Hovey Road in the Agricultural-Residential (AR-1) zoning district. Tax Map 13, Lot 6. Janet Lougee (Owner & Applicant).

**Result:** B. O'Brien moved in C. CASE NO. 04/17/2024-2 Request for variance from LZO section 4.2.1.3.B to allow a lot without 150 feet of road frontage on Class V or better road, to grant the request with the condition that the requirements of NHRSA 674:41 are followed, Planning Board recommendation and Town Council approval prior to building permit issuance. S. Brunelle seconded the motion. A vote was taken. The motion was granted 5-0-0. The applicant's request for a variance was GRANTED.

The applicant's request for a variance was GRANTED with the following condition:

- 1) Granting the variance would not be contrary to the public interest because it will not alter the character of the neighborhood.
- 2) The spirit of the ordinance would be observed because public health, safety, and general welfare is not at risk.
- 3) Granting the variance would do substantial justice because the loss to the applicant is significantly greater than any gain to the public.
- 4) The values of the surrounding properties would not be diminished there was testimony supporting it would not diminish values.
- 5) Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because (a) there is not a fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property because the property is unique given its location on only a class VI road. And (b) the proposed use is a reasonable one because it is reasonable to allow access to the property's parcel.

Condition: Requirements of NHRSA 674:41 are followed, Planning Board recommendation and Town Council approval prior to building permit issuance

**NOTE:** Actions of the ZBA, granted or denied, are subject to the rights of any party to the proceedings or person directly affected thereby to request a rehearing within thirty calendar days following a hearing and to the Superior Court in accordance with RSA 677:1-14. Variance shall be valid if exercised within two years from the date of final approval. See RSA 674:33, I-a (a) for further explanation and conditions.



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April 18, 2024

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, April 17, 2024:

**Case No.:** 04/17/2024-1

**Applicant:** Mark Jackson  
855 Hannover Street #168  
Manchester, NH 03104

**Location of Property:** 154 Hovey Road, Map 28, Lot 31-30

**Request:** Request for a variance from LZO section 7.6.D.5.d to allow an encroachment of 4 feet and 6 inches in to the ten (10) foot set back. The parcel is located at 154 Harvey Road in the Industrial II (IND-II) zoning district. Tax Map 28, Lot 31-30. Jonathan Greer (owner), & Mark Jackson, (applicant).

**Result:** B. O'Brien moved in CASE NO. 04/17/2024-1 Request for a variance from LZO section 7.6.D.5.d to allow an encroachment of 4 feet and 6 inches in to the ten (10) foot set back, to grant the request. R. Robiscek seconded the motion. A vote was taken. The motion was granted 5-0-0.

The applicant's request for a variance was GRANTED for the following reasons:

- 1) Granting the variance would not be contrary to the public interest because it will not alter the character of the neighborhood.
- 2) The spirit of the ordinance would be observed because public health, safety, and general welfare is not at risk.
- 3) Granting the variance would do substantial justice because the loss to the applicant is significantly greater than any gain to the public.
- 4) The values of the surrounding properties would not be diminished because it is an industrial area and the location of the sign will not impact values.
- 5) Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because (a) there is not a fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property because the unusually large setback makes the property unique. And (b) the proposed use is a reasonable one because a sign is reasonable at this location.

**NOTE:** Actions of the ZBA, granted or denied, are subject to the rights of any party to the proceedings or person directly affected thereby to request a rehearing within thirty calendar days following a hearing and to the Superior Court in accordance with RSA 677:1-14. Variance shall be valid if exercised within two years from the date of final approval. See RSA 674:33, I-a (a) for further explanation and conditions.