



**TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT**

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

May 22, 2024

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 15, 2024:

Case No.: 03/20/2024-6

Applicant: CM-Londonderry, LLC
18 Route 110
Alton Bay, NH 03810

Location of Property: 77 & 83 Nashua Road, Map 7, Lot 129

Request: Request for a variance from LZO section 4.6.1.3.B to allow parking and grading for a detention pond within one hundred (100) feet of Indian Brook and within fifty (50) feet of the wetland setback whereas parking and grading are not permitted in the wetland setbacks. The parcel is located at 77 Nashua Road in the Commercial I (C- I) zoning district. Tax Map 7, Lot 129. CM-Londonderry, LLC (Owners) & Benchmark LLC (Applicants).

Result: B. O'Brien made a motion to approve CASE NO. 03/20/2024-6. Request for a variance from LZO section 4.6.1.3.B to allow parking and grading for a detention pond within one hundred (100) feet of Indian Brook and within fifty (50) feet of the wetland setback whereas parking and grading are not permitted in the wetland setbacks with conditions. C. Moore seconded the motion. A vote was taken; all were in favor. The motion passed 4-0-0.

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

1. Incorporating the letter dated May 15, 2024 from Nancy B. Rendall noted as Exhibit A and;
2. Planning Board site plan review

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 15, 2024:

Case No.: 05/15/2024-1

Applicant: AK Investments, LLC
1 Beverly Drive
Hampstead, NH 03841

Location of Property: 39 Rockingham Road, Map 13, Lot 65-1

Request: Request for a variance from IZO section 4.3.3.B.2 to allow parking within the fifty (50) foot residential buffer zone. The parcel is located at 39 Rockingham Road in the Commercial-II (C-II) zone. Tax Map 13, Lot 65-1. AK Investments, LLC (Owner & Applicant).

Result: B. O'Brien moved to approve Case No. 05/15/2024-1. Request for a variance from IZO section 4.3.3.B.2 to allow parking within the fifty (50) foot residential buffer zone. R. Robicsek seconded the motion. A vote was taken; all were in favor. The motion passed 4-0-0. The variance was GRANTED.

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 15, 2024:

Case No.: 05/15/2024-5

Applicant: Windham Realty, LLC
8 Action Boulevard
Londonderry, NH 03053

Location of Property: 6 Londonderry Road & 4 Nashua Road, Map 10, Lots 118 and 121

Request: Request for a variance from IZO section 4.1.2 to allow outdoor storage in the Commercial-II (C-II) zone. The parcels are located at 4 Nashua Road & 6 Londonderry Road in the Commercial II (C-II) zoning district. Tax Map 10 Lots 118 & 121. Windham Realty Limited Company & Windham Realty, LLC, (Owner & Applicant).

Result: B. O'Brien moved to approve Case No. 05/15/2024-5. Request for a variance from IZO section 4.1.2 to allow outdoor storage in the Commercial-II (C-II) zone. C. Moore seconded the motion. A vote was taken. The motion passed 3-1-0, with J. Bernard voting against. The variance was GRANTED.

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 15, 2024:

Case No.: 05/15/2024-2

Applicant: Kerri Madigan
162 South Road
Londonderry, NH 03053

Location of Property: 162 South Road, Map 7, Lot 108-10

Request: Request for a special exception from LZO section 5.12.5 to allow a child care facility as a home occupation. The parcel is located at 162 South Road in the Agricultural Residential (AR- 1) zoning district. Tax Map 7, Lot 108-10. Kerri Madigan, (Owner & Applicant)

Result: B. O'Brien moved to approve Case No. 05/15/2024-2. Request for a special exception from LZO section 5.12.5 to allow a child care facility as a home occupation. C. Moore seconded the motion. A vote was taken; all were in favor. The motion passed 4-0-0.

The special exception was GRANTED with the following condition:

1. Fencing for daycare outdoor play area to be fenced in as required by State law.

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 15, 2024:

Case No.: 05/15/2024-3

Applicant: NB Development Group, LLC
221 N. Beacon St
Brighton, MA 02135

Location of Property: 55 Pettengill Road, Map 14, Lot 49-3

Request: Request for a variance from LZO section 7.6.D.5.B to allow two (2) wall signs, totaling 228 square feet whereas one (1) wall sign totaling one hundred (100) square feet is permitted. The parcel is located at 55 Pettengill Road in the Gateway Business Zone (GB) Map 14 Lot 49-03. Business Finance Authority of State of New Hampshire (owner). NB Development Group LLC (applicant).

Result: B. O'Brien moved to approve Case No. 05/15/2024-3. Request for a variance from LZO section 7.6.D.5.B to allow two (2) wall signs, totaling 228 square feet whereas one (1) wall sign totaling one hundred (100) square feet is permitted. R. Robicsek seconded the motion. A vote was taken; all were in favor. The motion passed 4-0-0. The variance was GRANTED.

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 15, 2024:

Case No.: 05/15/2024-4

Applicant: Windham Realty, LLC
8 Action Boulevard
Londonderry, NH 03053

Location of Property: 6 Londonderry Road & 4 Nashua Road, Map 10, Lots 118 and 121

Request: Request for a variance from IZO section 4.3.3.B.2 to allow parking within the fifty (50) foot residential buffer zone. The parcels are located at 4 Nashua Road & 6 Londonderry Road in the Commercial II (C-II) zoning district. Tax Map 10 Lots 118 & 121. Windham Realty Limited Company & Windham Realty, LLC, (Owner & Applicant).

Result: B. O'Brien moved to approve Case No. 05/15/2024-4. Request for a variance from IZO section 4.3.3.B.2 to allow parking within the fifty (50) foot residential buffer zone. R. Robicsek seconded the motion. A vote was taken. The motion passed 3-1-0, with J. Bernard voting against. The variance was GRANTED.

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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Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 15, 2024:

Case No.: 05/15/2024-6

Applicant: Windham Realty, LLC
8 Action Boulevard
Londonderry, NH 03053

Location of Property: 6 Londonderry Road & 4 Nashua Road, Map 10, Lots 118 and 121

Request: Request for a variance from IZO section 4.3.3.B.1 to allow parking to encroach into the thirty (30) foot landscape buffer. The parcels are located at 4 Nashua Road & 6 Londonderry Road in the Commercial II (C-II) zoning district. Tax Map 10 Lots 118 & 121. Windham Realty Limited Company & Windham Realty, LLC, (Owner & Applicant).

Result: B. O'Brien moved to approve Case No. 05/15/2024-6. Request for a variance from IZO section 4.3.3.B.1 to allow parking to encroach into the thirty (30) foot landscape buffer. C. Moore seconded the motion. A vote was taken. The motion passed 4-0-0. The variance was GRANTED.

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.