



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

May 17, 2023

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 17, 2023:

Case No.: 05/17/2023-1

Applicant: Daniel & Kelley Hicks
110 Adams Road
Londonderry, NH 03053

Location of Property: 55A High Range Road, Map 5 Lot 49, Zoned AR-1

Request: Request for a special exception from LZO 5.13 for the farm sale of consumable non-farm products, 55A High Range Road, Map 5 Lot 49, Zoned AR-1, Daniel & Kelley Hicks (Owner) Sunnycrest Farm Incorporated (Applicant).

Result: B. O'Brien made a motion in CASE NO. 05/17/2023-1 to grant the request for a special exception from LZO 5.13 for the farm sale of consumable non-farm products, 55A High Range Road, Map 5 Lot 49, Zoned AR-1, Daniel & Kelley Hicks (Owner) Sunnycrest Farm Incorporated (Applicant) with the condition that proposed additional lighting is subject to administrative review by staff.

S. Brunelle seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a special exception was **GRANTED** with the condition that proposed additional lighting is subject to administrative review by staff.

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.



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

May 17, 2023

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 17, 2023:

Case No.: 05/17/2023-2

Applicant: Donald Belisle
27 Perkins Road
Londonderry, NH 03053

Location of Property: 27 Perkins Road, Map 12 Lot 96, Zoned AR-1

Request: Request for a variance from LZO 5.12.2.K.3 to permit online retail vehicle sales and storage as a home occupation, 27 Perkins Road, Map 12 Lot 96, Zoned AR-1, Donald Belisle (Owner & Applicant).

Result: S. Brunelle made a motion in CASE NO. 05/17/2023-2 to deny the request for a variance from LZO 5.12.2.K.3 to permit online retail vehicle sales and storage as a home occupation, 27 Perkins Road, Map 12 Lot 96, Zoned AR-1, Donald Belisle (Owner & Applicant).

B. O'Brien seconded the motion.

The motion was granted, 5-0-0. The applicant's request for a variance was **DENIED** for the following reasons:

1. The granting of the variance would be contrary to the public interest: because the delivery of cars coming in and out would alter the character of the neighborhood. B. O'Brien dissented.
2. The spirit of the ordinance would not be observed: because the delivery of cars coming in and out would alter the character of the neighborhood. B. O'Brien dissented.
3. Substantial justice would not be done: because the loss to the neighborhood would outweigh any benefits to the applicant.
4. The values of surrounding properties would be diminished: because there was firsthand public testimony of how it would negatively impact the surrounding properties. B. O'Brien dissented.
5. There is a fair and substantial relationship that exists between the general public purposes of the ordinance provision and the specific application of that provision to the property: because there is no evidence that the property is unique and there are no special conditions. The proposed use is not a reasonable one because operating a business on a non-unique property in an AR-I zone is not reasonable.

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



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

the date of final approval. See RSA 674:33, I-a (a) for further explanation and conditions.
May 17, 2023

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, May 17, 2023:

Case No.: 05/17/2023-3

Applicant: Convenience Plus, LLC
440 Harvey Road
Manchester, NH 03103

Location of Property: 124 Rockingham Road, Map 16 Lot 72, Zoned C-II

Request: Request for a variance from LZO 7.7.E.3 the installation of digital signs and electronic message board for a gas station, 124 Rockingham Road, Map 16 Lot 16-72, Zoned C-II, Convenience Plus, LLC (Owner) and Rick Hanna/Irving Oil (Applicant).

Result: B. O'Brien made a motion in CASE NO. 05/17/2023-3 to grant the request for a variance from LZO 7.7.E.3 the installation of digital signs and electronic message board for a gas station, 124 Rockingham Road, Map 16 Lot 16-72, Zoned C-II, Convenience Plus, LLC (Owner) and Rick Hanna/Irving Oil (Applicant).

I. Macarelli seconded the motion.

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