



TOWN OF LONDONDERRY
ZONING BOARD OF ADJUSTMENT

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

August 20, 2020

Following are the results of the Zoning Board of Adjustment hearing held Wednesday, August 19, 2020:

Case No.: 08/19/2020-1

Applicant: Planet Fitness
Four Liberty Lane West
Hampton, NH 03842

Location of Property: Four Orchard View Drive, Map 7 Lot 40-2, Zoned C-1

Request: Request for a variance from LZO 7.6.D.3.b.i to allow a 364 SF wall sign where only 40 SF are allowed

Result: Member J. Tirabassi made a motion to **DENY** the applicant's request for a variance **CASE NO. 08/19/2020-1** from LZO 7.6.D.3.b.i to allow a 364 SF wall sign where only 40 SF are allowed, Four Orchard View Drive, Map 7 Lot 40-2, Zoned C-1, Planet Fitness (Applicant) and Vernco Apple, LLC (Owner)

Member J. Benard seconded it.

The motion passed, 3-1-0. The applicant's request for a variance was **DENIED** for the following reasons:

Granting the variance would be contrary to the public interest as the requested size of the sign would alter the character of the neighborhood. The spirit of the ordinance is not observed as the sign is almost nine times the allowable amount. LZO 7.1 is not observed particularly sections B & C which speak of maintaining and enhancing the appearance and aesthetic environment of Londonderry and maintaining and promoting the rural, agricultural and historical character of Londonderry. Granting of the variance would not do substantial justice as there is a greater loss to the public if the variance is granted as the requested sign is nine times the allowable amount and alters the character and aesthetics of the neighborhood. The applicant failed to establish a hardship as the applicant has signage on Rte. 102 and when entering the plaza. Also, the visibility of the sign is not increased with a larger sign as the location of the unit is not visible from Rte. 102.

Jim Tirabassi

Jim Tirabassi, Clerk



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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. 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, August 19, 2020:

Case No.: 08/19/2020-2

Applicant: Allison & Jason Buttle
104 Litchfield Road
Londonderry, NH 03053

Location of Property: 104 Litchfield Road, Map 11 Lot 26, Zoned AR-1

Request: Request for a variance from LZO 4.2.1.3.C.1 to encroach 10 feet into the 40 feet front setback for the construction of an entry deck

Result: Member J. Bernard made a motion to **GRANT** the applicant's request for a variance in **CASE NO. 08/19/2020-2** from LZO 4.2.1.3.C.1 to encroach 10 feet into the 40 feet front setback for the construction of an entry deck, 104 Litchfield Road, Map 11 Lot 26, Zoned AR-1, Allison & Jason Buttle (Owners & Applicants) with the condition that the encroachment be no greater than 10 feet.

Member J. Tirabassi seconded the motion.

The motion passed, 4-0-0. The applicant's request for a variance was **GRANTED** *with conditions.*

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. 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, August 19, 2020:

Case No.: 08/19/2020-3

Applicant: Lorden Commons, LLC
Three Penstock Way
Newmarket, NH 03857

Location of Property: 31 Clover Lane, Map 16 Lot 38-94, Zoned AR-1

Request: Appeal of administrative decision of the Code Enforcement Officer's interpretation of LZO Accessory Dwellings 5.18.H.1 which reads in part the "exterior entry to the accessory dwelling shall not face the street as a second door"

Result: Member M. Feig made a motion to **GRANT** the applicant's request in **CASE NO. 08/19/2020-3**: for an appeal of administrative decision of the Code Enforcement Officer's interpretation of LZO Accessory Dwellings 5.18.H.1 which reads in part the "exterior entry to the accessory dwelling shall not face the street as a second door," 31 Clover Lane, Map 16 Lot 38-94, Zoned AR-1, Lorden Commons, LLC (Owner & Applicant)

Member J. Tirabassi seconded the motion.

The motion passed, 3-2-0. The applicant's appeal was **GRANTED**. The Board found that the entry door was not facing the street.

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. 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, August 19, 2020:

Case No.: 08/19/2020-4

Applicant: Lorden Commons, LLC
Three Penstock Way
Newmarket, NH 03857

Location of Property: 31 Clover Lane, Map 16 Lot 38-94, Zoned AR-1

Request: Request for a variance from LZO 5.18.H.1 to allow an exterior entry to face the street as a second door which is otherwise prohibited

Result: The applicant withdrew its request.

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. 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.