

1 **TOWN OF DERRY**

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3 **Zoning Board of Adjustment**

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5 **MEETING MINUTES – April 2, 2026**

6
7 **MEMBERS PRESENT**

MEMBERS ABSENT

8 Lynn Perkins, Chair

9 Craig Corbett, Vice Chair

10 James Dietzel

11 Richard Tripp

12
13 **ALTERNATES PRESENT**

ALTERNATES ABSENT

14 Michael Donlon

15 Jason Dragani

16 Brent Lyskawa

17 Gaspar Obimba

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19 **CODE ENFORCEMENT**

20 Keri Owen, Code Enforcement

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22 Minutes prepared by: Eileen Boudreau, ZBA Clerk

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24 **I. CALL TO ORDER:**

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26 Mr. Perkins called the meeting to order at 7:00 p.m. with the salute to the flag. Instructions were given on
27 safety. Also noted the meeting is audio and video recorded.

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29 Mr. Perkins asked board members to introduce themselves.

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31 **II. ADMINISTRATIVE BUSINESS**

32
33 **20-123**

34 **REQUEST FOR EXTENSION**

35 **Applicant:** Promised Land Survey, LLC

36 **Owner:** Stephen & Shannon Vadney

37 **Parcel ID:** 31017-001

38 **Zoned:** MHR2

39 5 Ferland Dr.

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41 Request for extension of variance granted of case 20-123.

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43 Mr. Perkins asked Mr. Obimba to sit in on the case.

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45 Mr. Dietzel reminded Mr. Perkins he is now a permanent member of the board.

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47 Mr. Perkins said there are still four permanent members on the board.

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49 Mr. Perkins asked if anyone was here for 2 Scottish Way, case number 26-108. The case is not being
50 heard tonight.

51

Mr. Perkins asked Ms. Owen about the extensions on this case and said there have been two extensions for variance. Mr. Perkins asked if the statute says one two-year extension is correct and if there was anything else to share.

Ms. Owen said that it is correct and that it was reviewed on a conceptual level. The applicant seems to be going in the direction that will meet our regulations, and it is moving forward in the TRC process.

Mr. Perkins asked if it was scheduled and if it is required for planning board review.

Ms. Owen said it is scheduled for April 17th, and it is required for planning board review. Ms. Owen explained that this is a subdivision. There is an existing duplex on the property, and they are looking to subdivide to add a second lot with a proposed duplex. This will move from TRC to planning.

Mr. Perkins made a motion to accept the request for extension.

Mr. Corbett seconded the motion. All in favor, none opposed.

MOTION

Mr. Tripp made a motion on case #20-123, to grant a variance extension for Stephen & Shannon Vadney, 5 Ferland Drive as allowed per State statute.

Parcel ID 31017-001-002, Zoned MHR2

Mr. Corbett seconded the motion. All in favor, none opposed.

Mr. Corbett reviewed the findings of fact as follows:

The board found that there have previously been two, two-year extensions granted for this variance that was originally granted on June 4th, 2020. Granting relief from the terms of Article 6, Section 165-45.1.A to allow the construction of a two-family dwelling after the subdivision of the subject property within the MHDR 2 Zoning District, due to feedback from town staff and TRC review, it was recommended to place this on hold for the time being.

The board also includes all facts found in the meeting minutes for this application and incorporates all meeting minutes into its finding of facts and decisions.

Vote:

Mr. Obimba	Yes
Mr. Tripp	Yes
Mr. Corbett	Yes
Mr. Dietzel	Yes
Mr. Perkins	Yes

The application was granted by a vote of 5-0. Anyone aggrieved by a decision of the Board has 30 days to file a request for a rehearing. After that, the recourse would be to appeal to Superior Court.

NOTE: If voting against granting request you must state reason for denial.

MOTION FOR REHEARING**Applicant: Daniel & Jennifer Phelan****Owner: Nicholas Marion**

Parcel ID: 03169-008

38 Gervaise Dr.

Zoned: LMDR

The applicant is requesting a rehearing of case #26-105.

Mr. Perkins said referencing the draft minutes he is not prepared to vote on this case. The board is accepting the application for rehearing without a decisive yes or no vote.

Mr. Tripp made a motion to table the request for rehearing May 7, 2026.

Mr. Donlon seconded the motion. All in favor, none opposed.

III. PUBLIC HEARING**26-107****Owner: Bird Enterprises LLC, Jay Yenaco, duly authorized****Applicant: Bird Enterprises LLC, Jay Yenaco, duly authorized**

Parcel ID: 10012

187 Hampstead Rd

Zoned: LMDR

The applicant is requesting a variance to the terms of Article III, Section 165-101.1 of the Town of Derry Zoning Ordinance to allow the installation of a 50 sq ft pylon sign.

Mr. Perkins asked applicants to introduce themselves and read the application including the five criteria.

Christopher Drescher, Attorney for Cronin Bisson & Zalinsky P.C., and Jay Yennaco introduced themselves.

Mr. Perkins asked Mr. Donlon to sit in on the case.

Attorney Drescher read a brief introduction regarding 187 Hampstead Road.

Attorney Drescher would like to talk about the drop-off and pickup of students. School students change from year to year so lots of folks will be coming and going that are not going to be familiar with the area. He said what is unique about this particular baseball school is that it is a baseball school owned and operated by a former professional baseball player. It is likely that this is going to be a unique niche interest to a lot of kids that want to play baseball. You can have kids traveling from many places.

Attorney Drescher said a sign like this will not threaten public health, safety, or welfare; it will help make the site safer. The sign will not impact the site lines it will help assist people find the property. Attorney Drescher said he acknowledges that when he read the decision from the court there was some evidence presented the last time around that the reader board could cause some traffic impediment. It is not an issue now the board has been removed. The only elaboration beyond what was already said on the spirit or ordinance is that the analysis prong is the same as the first prong. For substantial justice, the applicant has two businesses that are allowed to operate at this property it is just that he is not allowed to have a sign, and signs are important for any commercial business. It might be detriment to traffic because if you have

people traveling down a residential street trying to find a baseball school and you do not see a sign you will have to turn around. If they turn around, they may turn around in somebody's driveway down the road. This is also a tax boost for the town. Attorney Drescher said there is no indication that the sign is going to impact on the negative property values. It is not encroaching and does not obstruct any views. There is no reader board and a letter from one of the abutters who spoke favorably about this application and also opined that it is not going to negatively impact any property values was submitted. Hardship is a three-step analysis: what are the special conditions, the fair and substantial prong, and is the use reasonable. Attorney Drescher said the special conditions are satisfied due to the uniquely large size of the lot as compared to others in the area. There is going to be a type of school in the structure that is already there. The structure can also speak to the special conditions as pointed out by the court in its decision. The structure and location are relevant to the special condition. The structure is pushed back and there is a variance for signage on the buildings, but you cannot see them from the road. The court acknowledged that the setback of the buildings could be a special condition.

Attorney Drescher stated the property is a commercial use property in a residential area and the court said it cannot be used as a special condition with respect to this one step hardship, the special condition because it is not a problem with the land as it is a legislative problem with the ordinance. This is a viable factor for prongs one through four and is also a viable step in the analysis of hardship once you get past those special conditions. The size of the lot and the need for the sign is a special condition. When you turn to the substantial prong one way to say it is that if you grant the variance does it unreasonably frustrates the purpose of the ordinance for which you are seeking relief. Looking at the purpose of the ordinance, the issue is about signage in a residential area. This is not a residential lot it is a commercial lot. The reader board was removed, and the sign is now a straightforward sign identifying two businesses in a lot that is eight and a half acres. Attorney Drescher said the last step of the hardship analysis is whether the use is reasonable. Use is allowed. It is commercial use on a commercial lot.

Mr. Yennaco said he would like to speak to the board as a business owner in Derry, as someone who occupies the property, and let the board know where he is at since the last time, he came to the board regarding the property and the sign. Mr. Yennaco talked about the need for signage at the business. He knows it is not a concern of the board, but he took a leap of faith and spent a lot of money on the property and building the property out. He hears positive things from the neighbors and his new customer base about what he has done with the property. Mr. Yennaco's business has increased since he put the sign up. The nursery is only open half of the year, not really during the wintertime. The baseball school is open year-round. People had stated they had seen the sign and stopped in to see what was happening. They had no idea what was going on at the property. Now they bring their kids to come to the pitching clinic, pitching school, and hitting school. They come from Hampstead, Sandown, Lampre River, Derry Little League, Derry Diamonds, Windham, etc. A lot of that is because the business has been able to be seen. They come from a great distance and spend money in Derry. The baseball clinic runs in the evenings as it gets dark. The sign makes it easier for the location to be seen. Personally Mr. Yennaco and his staff have noticed that since the sign went up the traffic to get in and out has been easier and is safer for customers.

Mr. Perkins told Mr. Yennaco his passion is understood.

Mr. Perkins asked Attorney Drescher if he would like to elaborate on Harborside Associates which he has on his application and spoken about and how it applies here.

Attorney Drescher said where the rules come from for prongs one and two that is where you get them. It is in other cases but that is the biggest one. The other reason it was raised is it was mentioned on page 17 of the court decision that overturned the variance. It mentioned that the structure in that case can be a special condition. Drawing that similarity where the structure on his lot is pushed back creating the need

or condition for the sign to be by the road. If the structure can be considered part of the special exception is why it was raised.

Mr. Perkins said he believes a sign is replacing a sign albeit it was for a church. The contention between what this version the client is looking for versus something that was concealed in the bushes and harder to see even though he believes it was 30 feet long.

Mr. Perkins asked Attorney Drescher if he would categorize the street as a residential street or more of a bypass.

Mr. Yennaco answered Mr. Perkins and said he knows people that say it is more of a rural town. It is if you get off of Hampstead Road. That is not a rickety bypass. It is a bypass and he would consider it like Bypass 28. It is a heavily traveled road. Abutters said both of that. They said it is a busy road and is a big concern and in a later statement they said this is a rural backwoods area. It is a busy road and connects Sandown and Hampstead to Derry. Mr. Yennaco also wanted to speak to the sign at the church for 25 years. He said it was 30 feet long and four feet tall. It did not have the same appearance as the sign he has, and he noted the two different businesses. The church had people go every Sunday and he has different people coming in and out all the time daily or weekly. It is a different clientele need for signage.

Mr. Perkins asked Attorney Drescher if he found Simplex has some significance in the case. He said they get into the hardship, the ability of the board to touch on the three basic principles to the hardship aspect. Mr. Perkins thinks that is the biggest constraint and it is noted in the former case as well.

Attorney Drescher confirmed if Mr. Perkins was referring to the Simplex standard. He read the court case carefully and has a lot of experience in front of Judge Class and what he was getting at with the special conditions. The biggest push last time was that this is a commercial lot stuck in a residential zone. That is the special condition. It has also been said you can change the zoning. It is the land that makes it a special condition. The makeup of the land as well as the structures on it. Attorney Drescher is saying the sign is necessary because of the size of the lot and the uniqueness of the lot as well as the proportionality of the sign.

Mr. Perkins said in some cases the courts have decided that the hardship cannot be self-imposed. In this case it is not a non-conforming pre-existing business. This is an approved use by the planning board. Mr. Perkins asked Attorney Drescher if that disqualifies the idea that this is a self-imposed hardship.

Attorney Drescher said not at all he thinks any commercial business needs a sign.

Mr. Tripp asked Attorney Drescher if he had an estimate of how far the building was set back. Mr. Tripp said there has been a lot of talk about the sign but not about the size. The size of the sign can have an effect on whether the sign is an annoyance. Last time the sign was an annoyance because of the reader board. Mr. Tripp asked if the sign was the same size as the previous sign.

Mr. Yennaco said from the driveway approximately 300 feet.

Attorney Drescher said the sign is 30 square feet less than the previous sign.

Mr. Tripp said the zoning ordinance says that any sign that is greater than six square feet must be 10 feet from the front lot line. He asked where the sign would be put.

Attorney Drescher said they are beyond that and the sign is 30 feet back from the road and is proportional to the size of the lot.

Mr. Yennaco said the building still sets as a church and he is trying hard to let people know it is not.

CALL TO PUBLIC

Mr. Perkins made a call to public.

FAVOR

No gestures in person.

OPPOSED

There were 6 gestures in person.

James Foley, 178 Hampstead Rd introduced himself. Mr. Foley is an abutting property owner. Mr. Foley spoke about the previous case regarding the approved variance for the sign by the Zoning Board and the previous case from Superior Court overturning the Zoning Boards decision. Mr. Foley also spoke about the complaints to the zoning board saying the ruling came down on December 31st and he met with the code enforcement officer on February 28th regarding the sign being backlit and the complaints about the sign.

Mr. Tripp asked Mr. Foley what it was that was wrong with the sign. Mr. Tripp listed what he understands is why Mr. Foley does not want the sign on the property. Mr. Foley is opposed to the sign because it is an outsized commercial sign in a residential zone, it is a backlit sign with a light on all night, and it is offensive because the sign interferes with the enjoyment of his property because he can see it from his house.

Mr. Foley agreed that what Mr. Tripp listed are the concerns. He has handouts for the board, and he handed the folder to Ms. Owen.

Mr. Perkins asked Mr. Foley if his house was over 400 ft away and how it was affecting his quality of life.

Mr. Foley told Mr. Perkins he has pictures in front of him that show the sign from his window. He does not understand what the distance has to do with it. Mr. Foley said you can see the sign from his house. Mr. Foley said the distance between the sign and the road is not important. It is a visual interference with the use of his property and house.

Andrew Roj~~ee~~ea, 164 Hampstead Road introduced himself. Mr. Roj~~ee~~ea explained he has a prepared statement and then we will speak to some of what has been heard. Mr. Roj~~ee~~ea read his statement to the board and brough a copy of a letter of opposition to the electronic signage that was done in June of 2025 prior to the variance with 20 signatures who live within a five-minute walk of where the sign is.

Mr. Perkins said the board would take it for the record and wanted it to be clear that it is the petition that was signed last summer not for the current application.

Mr. Roj~~ee~~ea provided pictures of the sign and how bright the sign is and said it is extremely bright. He said some nights the lights have been off, but it is intermittent. Mr. Roj~~ee~~ea created rendering of what the sign could look like if it were 24 sq ft and unlit. He feels they do a fantastic job I conveying what the business is and letting people driving by know what the business is. He does not believe in his opinion that a giant 50 sq ft sign that is very out of character is needed.

306
307 Mr. Corbett asked Mr. Roj~~ee~~ea about the spotlight portion and if he remembered seeing it lit up when it
308 was the steeple.

309
310 Mr. Roj~~ee~~ea said he believes it did light up back then.

311
312 Mr. Tripp asked Mr. Roj~~ee~~ea if the middle photo on the top was his rendering.

313
314 Mr. Roj~~ee~~ea said the bottom two right renderings are his. He said a few different signs were discussed
315 during the board's discussion with Mr. Foley and he would like to show them to the board on the wall
316 using his portable projector. He showed a picture of a horse business that has an unlit sign that is less than
317 24 sq ft and unlit. Mr. Roj~~ee~~ea also showed a picture of the sign for East Derry Memorial School and the
318 previous church sign. He said the sign being requested is there illegally and does not fit in with the other
319 signs and neighborhood.

320
321 Mr. Provencher said Mr. Roj~~ee~~ea cannot be heard and there is no way to capture the picture. He suggested
322 a file be sent to the computer system.

323
324 Mr. Perkins reminded Mr. Roj~~ee~~ea that the sign was put under the authorization of the board, and it did
325 have a permit to a contrary to what we had heard already spoken.

326
327 Mr. Perkins asked Mr. Provencher if he felt the pictures shown need to be downloaded.

328
329 Mr. Provencher said he would leave that to the discretion of the board.

330
331 Mr. Corbett said he believes the board is familiar with the signs Mr. Roj~~ee~~ea shared, however he thinks a
332 motion should be made to accept Mr. Roj~~ee~~ea's email of the photos for the official record. The file can be
333 emailed to Ms. Owen.

334
335 Mr. Corbett made a motion to accept the email of photos.

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337 Mr. Tripp seconded the motion. All in favor, none opposed.

338
339 Mr. Tripp told Mr. Roj~~ee~~ea that he is trying to ascertain what exactly is wrong with the sign. He would like
340 to repeat it back to be certain. Mr. Tripp said the signs have been shown that Mr. Roj~~ee~~ea rendered and his
341 interest is that the sign be to his specifications and he would be in favor. Mr. Tripp confirmed with Mr.
342 Roj~~ee~~ea that he wanted one single unlit 24 sq ft sign. Mr. Tripp said there are two businesses and he
343 believes it is justified that there would be two signs. Mr. Tripp said he is trying to figure out what Mr.
344 Roj~~ee~~ea's desires are and he understands just one sign.

345
346 Mr. Roj~~ee~~ea said to the town's specification of 24 sq ft and unlit. He said he disagrees with two signs. It
347 goes to the property not the businesses. Mr. Roj~~ee~~ea said his desire is that it follow the ordinance. His
348 desire specifically would be one 24 sq ft sign or under of signage unlit 10 feet from the road.

349
350 Mr. Corbett asked Mr. Roj~~ee~~ea if his renders are the same size just further away to depict or is the one on
351 the left smaller.

352
353 Mr. Roj~~ee~~ea said he took a zoomed in and a zoomed-out picture of his real sign and provided a render of
354 the exact same just zoomed in and zoomed out.

355

Mr. Lyskawa said he sees a lot throughout everything that has been said and he said the big issue is the lighting on the sign and how it illuminates.

Mr. Perkins said part of what the board is hearing is the dispute is that the lights appear to be on after the board agreed on the conditions the board had set prior. The condition was originally established but is still objected to even with the light coming off at certain times.

Mr. Rojeee said they had been down the road of the light turning off at a certain time. He has failed to do it. He said he spoke with Ms. Owen and made a complaint about the lights being on all night and too bright for what the ordinance allows.

Mr. Corbett asked Mr. Rojeee if it was specially tied to the message center or if there could be any misconception that it was tied directly to the message center or specifically to the pylon.

Mr. Rojeee said the process was hard to determine and there could have been misunderstanding on his end. His interpretation, going through all the minutes, is global. His understanding is the town ordinance requires lit signs to be turned off.

Mr. Perkins said if the discussion gets to the end the board may table a decision to conduct accurate research into what the prior orders were.

Mr. Corbett agreed it is better to clarify.

Mr. Donlon said to Mr. Rojeee that the lights and the sizes were spoken about and asked if there was any aversion to the style of the sign. He noticed his renderings were horizontal.

Mr. Rojeee said not necessarily. He said when he made the renderings it did not make sense to have a pylon sign for 24 sq ft. so he made them look more fitting to the size that is allowed. He said he is not opposed to a pylon as long as it was within the ordinance in terms of size and lack of lighting. Mr. Rojeee was handed documents from abutters that show the variance was for the signs not for the electronic message center.

Jessica Cloutier, 164 Hampstead Road introduced herself. Ms. Cloutier had a prepared statement that was read to the board.

The board took a 3-4 recess at 9:30pm.

Mr. Tripp told Jessica he liked the signs, especially the one with the top and bottom sign and asked her if it was acceptable to her.

Ms. Cloutier said it fits better than what is there now. She said that is their old sign from Windham location. The other three signs are from other landscaping businesses in Derry.

Will and Brenda Davison, 1 Wishing Well Lane introduced themselves.

Mr. Rojeee introduced himself again and asked the board if he could submit copies of the images he put up earlier.

Mr. Corbett made a motion to accept the copies of photos.

All in favor, none opposed.

Mr. Davison said his opinion reflects the same as everyone else that has been up there this evening and is opposed to the sign being on the property. He does not think it belongs there. He said the residents have been trying hard to compromise in opposing the backlit sign. The board voted against it and went with the whole sign. It did not feel like the board compromised one bit.

Mr. Corbett asked Mr. Davison if he was referring to not splitting up the electronic sign.

Mr. Davison said yes, one hundred percent. He lives directly across from the building, and the lights come into three of the bedrooms, the dining room, and living room all night. He said the building signs are on 80% of the time all night and the pylon sign is on every night. Mr. Davison said the lights are very bright and intrusive. He has had family members stay the night and they say you have some bright lights out there.

Brenda said the pylon goes off at 6:15am and comes on at 4pm.

Mr. Tripp confirmed with Mr. Davison that the pylon lights are on from 4pm until 6am and the building lights from 4pm until 6am.

Mr. Davison said the court ruled the sign does not belong there and he is going to stick with that.

Mr. Perkins said that he referenced the Parkland sign earlier and other signs that the board has approved and understand the dispute of the safety of it which was the focus of the electronic sign and whether or not it is a distraction. In regard to a comprise as said earlier if the applicant does not prevail, they have the ability to come ack and modify and ask again.

Mr. Davison said you do not know what it is until you see it.

Mr. Perkins said he is not happy to see the images and knows that the board has put positions on the approval to try to make sure that there are protections for your concerns.

Mrs. Davison said she has been against the sign the whole time. She read some of the minutes from the June 5, 2025, meeting stating Mr. Yennaco said he would prefer the sign not be lit 24 hours a day and planned to have them lit only when needed.

Mr. Corbett asked Mr. and Mrs. Davison if the pictures of the sign were from their window.

Mr. & Mrs. Davison said they are not. They forgot their pictures and said they were even brighter.

Mr. Tom Cardin, 2 Cunningham Dr introduced himself. Mr. Cardin has he is not a direct abutter he lives a mile down the road. A lot of the stuff he was going to ask and say has already been covered so he will not repeat it. He asked if there was a present order to take the pylon sign down.

Ms. Owen said it is not pertinent to the case that is before the board this evening. There is a variance application. Taking down the sign is an administrative item right now that is being worked through the direction of legal counsel.

Mr. Cardin said one of the things discussed tonight was that Hampstead Rd was similar to the Bypass. He said he goes by there four or five times a week and there is nothing like the Bypass. He said he had also noticed the lights on as he came down the street. He spoke about the ordinance that the sign should not exceed 24 sq ft in a residential district. It does not say anything about a pylon sign or message board. Mr.

Cardin said the ordinance wants to limit the size and scope of signs in the residential neighborhood. He does not think the board should approve it because he is opposed to a lit pylon sign.

Christopher Drescher, Attorney for Cronin Bisson & Zalinsky P.C., and Jay Yennaco came back up. Attorney Drescher said they have heard a lot from last June, but this is a new application. Attorney Drescher said Mr. Corbett made a point at one point asking where it was about the reader board or about the lights. Mr. Yennaco was under the impression that it was about the reader board so that is what he was turning off at night. The lights for the sign are hooked up to his emergency lighting so he will get a tech out there to put in a new switch, and it will be off at night.

Mr. Yennaco, the lighting has been a huge point, and he has unfortunately been painted like he is a guy shining lights. It has not been an easy process. He got approval for the sign and for the reader board. He said the lights are tied into parking lot lights, which is the emergency lighting to keep the property safe at night. Mr. Yennaco said the reader board was the brain of the sign. It was to go on at dusk and to go off at a time with the reader board. The reader board was to only change every five minutes was a concession. He said he only received one thing from the town. He did not get calls, emails, letters, and no visits of which he is aware. He said he received the letter from the town stating the ruling by the court and he immediately turned it over to his council. When he got the letter, he never turned the reader board on. Mr. Yennaco said he got a certified letter yesterday from the abutters stating about the lights that were supposed to go off. He said the electrician is coming tomorrow to turn the sign off until this gets settled. He can put the signs on the building on a time clock. The spotlight shining in the air is preexisting. He did not install them. They probably come on with the parking lot lights they were part of the church. He said he can have them off.

Attorney Drescher said one other point he wanted to make was about the other signs that were talked about and the ordinance be 24 sq ft. They are here for a variance from the ordinance and if you read that ordinance the 24 ft is specific to a sign naming a residential development.

Mr. Perkins asked Mr. Yennaco what if he was to not have any electricity at all on the sign. Would it work for him?

Mr. Yennaco said not really. It would hurt his business that he is also trying to run in the evening and a lot of it is over the wintertime. He will have his electrician fix it to come on at dusk and go off after business hours, 9 o'clock.

Mr. Corbett asked Mr. Yennaco if the electrician comes out, is he able to rewire it with a set timer so it will go off when the business closes. Mr. Corbett asked if it is possible when the electrician comes out, they can conduct a lumen test.

Mr. Yennaco said he does not know. He said he can defer back to the sign company. He said the lumens, brightness of the sign, and how far it projected should be in the original packet.

Mr. Perkins believes the lumens was for the electronic message sign and was the primary focus. It was tabled to a second evening and that is when the two parties came back with their own commentary. Mr. Perkins said overall what the board was looking for was peace and quiet and not have to have the contentiousness that it had been. He said in the idea that there is the granting of this and the sensitivity of the neighbors to the lighting it is one of those things where it should be self-managed where you understand that it looks like an air traffic control tower from the images presented. He said it is disturbing. There are some acceptances where the higher courts give those for this board's discretion. Mr. Perkins said seeing the images and understanding the disturbance make it hard to convey a decision that is favorable.

Mr. Yennaco said he has already taken steps to correct the signage. He does not care if the lights are on all night and does not want to be contentious in any way with the abutters.

Attorney Drescher would like a suggestion on the record as he stares at his client for authority that he will turn all the lights off on the property that otherwise does not need to be on lawfully. He understands there are some lights that would have to be on. He believes commercial businesses need emergency lighting that is supposed to be lit. They will go on record they will douse the lights at night. Mr. Yennaco is fine with that.

Mr. Perkins asked how difficult it was to rearrange the sign the way it is established now that something Mr. Tripp was directing his questions towards some of the abutters what their acceptance is. Are there any thoughts on compromise.

Mr. Yennaco said he is not looking for that tonight. He has a sign in place now that looks nice. That is his opinion and he is told by many that the sign looks nice.

Attorney Drescher said circling back to some of the earlier testimony about the size of the lot verses the size of the sign and it being appropriate. He does not believe it will bother folks if it is turned off at night.

Mr. Donlon asked Mr. Yennaco what his regular business hours are. He asked if he sought approval for the use of the land prior to the purchase of the land with the planning board.

Mr. Yennaco said they close at 9:00pm. The opening hours vary during the day. He is fine with setting a time of 9:00pm. Mr. Yennaco said he did seek approval prior to purchasing the land.

Mr. Corbett said he is all set for tonight. He would like more time to digest everything. He said it is murky between the signs, the electronic messaging, and the pylon. He would like to pick it up at the next meeting.

Mr. Perkins said that it is advisable and he can support it. He has some stuff he would like to take a look at. He told Mr. Yennaco and Attorney Drescher if they had any other thoughts, they would have time to relay them to Code Enforcement.

Mr. Tripp made a motion to table the case for May 7th. Mr. Corbett seconded the motion. All in favor, none opposed.

26-108

Applicant: Keystone Derry, LLC

Owner: Keystone Derry, LLC

Parcel ID: 05039

Zoned: WRB

2 Scottish Way

The applicant is requesting a variance to the terms of Article III, Section 165-20 of the town of Derry Zoning Ordinance to allow the construction of an inground pool, pool shed, patio and retaining walls within the wetland setback.

FORMALLY WITHDRAWN – MARCH 26, 2026

OTHER BUSINESS: Town and City Publication

CORRESPONDENCE**REVIEW MEETING MINUTES**

Approval of February 19, 2026, meeting minutes

Mr. Obimba motioned to table the February 19, 2026, meeting minutes as presented.

Seconded by Mr. Tripp All in favor, none opposed.

Approval of March 5, 2026, meeting minutes

Mr. Dietzel motioned to accept the March 5, 2026, meeting minutes as presented.

Seconded by Mr. Dragani All in favor, none opposed.

ADJOURNMENT

Mr. Corbett made a motion to adjourn. Second by Mr. Donlon. All in favor of adjourning, none opposed.

The meeting was adjourned at 9:47pm

X 

Lynn Perkins, Chair

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