0TOWN OF LONDONDERRY

ZONING BOARD OF ADJUSTMENT MEETING

MOOSE HILL COUNCIL CHAMBERS

268B MAMMOTH ROAD, LONDONDERRY, NH 03053

MARCH 18, 2026, 7:00 P.M.

CALL TO ORDER

Members Present: Jacqueline Benard, Chair; Suzanne Brunelle, Vice Chair; Brendan O'Brien, Clerk; Mitchell Feig, Member; Gregory Carson, Member; Andria Hansen, Alternate Member; Lisa Sussman, Alternate Member

Members Absent: None

Also Present: Kristan Farr, Town Planner

Chair Benard called the meeting to order at 7:00 p.m. and reviewed the meeting procedure.

ROLL CALL

APPROVAL OF DRAFT MINUTES

S. Brunelle moved to accept the minutes of the February 18, 2026, meeting as written. B. O'Brien seconded the motion. The motion carried 5-0-0.

REPORT BY TOWN COUNCIL LIAISON

Town Council Vice Chair Faber was not present to provide a report.

REGIONAL IMPACT DETERMINATIONS

Staff determined that none of the cases being heard were of regional impact.

B. O'Brien moved to accept the regional impact determination. M. Feig seconded the motion. The motion carried 5-0-0.

PUBLIC HEARING OF CASES

Case No. 01-21-2026-1 Request For Variance From LZO 4.2.1.3.C.1 To Allow Replacement Of A Front Porch Within The 40-Foot Front Setback. The Parcel Is Located At 40 Wilson Road In

The Agricultural Residential (AR-1) Zoning District. Tax Map 18, Lot 28-15, Deborah A. Stewart (Owner/Applicant). (Continued From January 21, 2026 and February 18, 2026).

B. O'Brien read the case into the record.

Deborah Stewart and John Wrobleski of JWC Building appeared before the Board to present this request to replace an existing porch with a 6' x 24' farmers porch that extends into the setback. J. Wrobleski described the location of the porch, which has already been built, and the need to replace the former porch for safety reasons. The Board noted the application stated the porch size as 6' x 22'.

D. Stewart reviewed the variance criteria.

Chair Benard asked for public comment; there was none.

Chair Benard closed public comment and the Board entered deliberation.

K. Farr explained the difference between the property line and the street layout.

A. Hansen reviewed the variance criteria:

1) Granting the variance would not be contrary to the public interest because it does not alter the character of the neighborhood.

2) The spirit of the ordinance would be observed because it does not threaten public health, safety, or general welfare.

3) Granting the variance would do substantial justice because not granting it would result in a greater loss to the applicant than any gain to the public.

4) The values of surrounding properties would not be diminished because the new porch is an improvement.

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) for purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area,

(i) there is not a fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property because the home was built pre-zoning and in the setback.

(ii) the proposed use is a reasonable one, as porches are reasonable.

B. O'Brien moved in Case No. 01-21-2026-1 to grant the request for a variance from LZO

4.2.1.3.C.1 to allow replacement of a front porch within the 40-foot front setback, with the condition that the porch shall not exceed 6' x 24'. G. Carson seconded the motion. The motion carried 5-0-0.

Case No. 03-18-2026-1 Request For Special Exception From LZO 4.1.2 Use Table To Allow Construction Of A Single-Family Home In The Commercial III Zoning District. The Parcel Is Located At 22 Buttrick Road. In The Commercial III (C-III) Zoning District. Tax Map 6, Lot 75- 8, Anne D. Peterson Revocable Trust (Owner), Brian Daniels (Applicant).

B. O'Brien read the case into the record.

Brian Daniels appeared before the Board representing the applicant.

The Board noted there was no written designation from the property owner of B. Daniels as her agent, and one of the application forms was signed by B. Daniels instead of A. Peterson. The Board agreed to grant a continuance to allow time to obtain this written designation.

B. O'Brien moved in Case No. 03-18-2026-1 and Case No. 03-18-2026-2 to continue both cases to April 15, 2026. M. Feig seconded the motion. The motion carried 5-0-0.

Case No. 03-18-2026-2 Request For Special Exception From LZO 4.1.2 Use Table To Allow Construction Of A Single-Family Home In The Commercial III Zoning District. The Parcel Is Located At 20 Buttrick Road. In The Commercial III (C-III) Zoning District. Tax Map 6, Lot 75-9, Anne D. Peterson Revocable Trust (Owner), Brian Daniels (Applicant).

This case was continued to April 15, 2026, by motion in the previous case.

Case No. 03-18-2026-3 Request For Variance From LZO 7.6.D.3.A.i To Allow Construction Of A Sign In The Commercial I Zoning District. The Parcel Is Located At 213 Rockingham Road. In The Commercial I (C-1) Zoning District. Tax Map 15, Lot 23-1, Carroll Holding Co, LLC (Owner), Spectrum Signs And Graphics - Michael Gallagher (Applicant).

S. Brunelle and G. Carson recused themselves from this case. Chair Benard assigned Lisa Sussman and Andria Hansen as voting members for this case.

B. O'Brien read the case into the record.

Michael Gallagher of Spectrum Signs appeared before the Board to request a variance to replace a sign panel on a preexisting structure. The sign panel and letting below measure 26 square feet, which is a reduction from the size of the current sign.

He reviewed the variance criteria.

M. Gallagher explained the sign was moved to its present location some time after 2023, but no variance request exists. The Board determined the building was constructed within the setback. M. Gallagher had no measurements for the location of the sign. K. Farr measured the distance from the lot line to the stairs of the building as approximately 22 feet.

Chair Benard asked for public comment; there was none.

Chair Benard closed public comment.

After discussion with the Board, M. Gallagher requested a continuance to provide the details regarding the sign's location.

B. O'Brien moved in Case No. 03-18-2026-3 to continue the request for a variance to the April 15, 2026, meeting. M. Feig seconded the motion. The motion carried 5-0-0.

K. Farr noted as this is in the C-I zone, the front setback is 60 feet.

The Board took a brief break.

S. Brunelle and G. Carson returned to the Board.

Case No. 03-18-2026-04 Request For Variance From LZO 4.3.3.B.2.A To Allow A Driveway And Parking To Be Located Within The 50-Foot Landscape Buffer. The Parcel Is Located At 295 Rockingham Road In The Commercial II (C-II) Zoning District. Tax Map 017, Lot 25, Page Rock LLC (Owner/Applicant).

B. O'Brien read the case into the record.

Cases 03-18-2026-04 and 03-18-2026-05 were discussed concurrently.

Brad Westgate of Winer and Bennett and Paul Chisholm of Keach-Nordstrom Associates appeared before the Board representing Page Rock LLC to present this proposal to construct a 12-unit townhouse condominium development. B. Westgate explained the only access to the property is through the 50-foot landscape buffer to Page Road. He reviewed the zoning of the adjacent lots and the intention of the buffer to protect residential uses from commercial uses. However, this proposed development is not a commercial use.

B. Westgate reviewed the variance criteria.

Chair Benard asked for Board comment.

The Board clarified that this case only addresses the driveway, not parking.

Chair Benard asked for public comment.

Name: Brian Mead, abutter

Address: 555 Mammoth Road

B. Mead spoke to recent development in the neighborhood and disturbance of his quality of life. He noted concerns about traffic and the increased chance of accidents on Mammoth Road. He will be directly impacted by this project.

Name: Renee Kelly, abutter

Address: 552 Mammoth Road

R. Kelly expressed concern over the impact of this development on her privacy, as well as increased traffic. She asked that the driveway be on Rockingham Road instead of next to her property.

B. Westgate noted the distance of the abutters from Page Road. He explained coming off Rockingham Road was not desirous, due to traffic and wetland concerns.

Chair Benard closed public comment and the Board entered deliberation.

B. O'Brien reviewed the variance criteria:

1) Granting the variance would not be contrary to the public interest because it does not alter the character of the neighborhood. This area is mixed use and residential.

2) The spirit of the ordinance would be observed because it does not threaten public health, safety, or general welfare. Traffic will not be entering the property from Mammoth Road, which could pose a safety concern.

3) Granting the variance would do substantial justice because not granting it would result in a greater loss to the applicant than any gain to the public. The applicant needs to be able to access their property.

4) The values of surrounding properties would not be diminished because this is a mixed-use area and is surrounded by multiple zoning districts.

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) for purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area,

(i) there is not a fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property due to the

inability to access the property and multiple zoning districts. The buffer is meant to protect residential from commercial development, and this is a residential use.

(ii) the proposed use is a reasonable one, as driveways are reasonable.

B. O'Brien moved in Case No. 03-18-2026-04 to grant the request for a variance from LZO 4.3.3.B.2.A to allow a driveway to be located within the 50-foot landscape buffer. The parcel is located at 295 Rockingham Road in the Commercial II (C-II) zoning district. G. Carson seconded the motion. The motion carried 5-0-0.

Case No. 03-18-2026-05 Request For Variance From LZO 4.3.3.B.2.B To Allow A Driveway And Parking To Be Located Within The 50-Foot Landscape Buffer Without Permanently Planting And Maintaining The Buffer. The Parcel Is Located At 295 Rockingham Road In The Commercial II (C-II) Zoning District. Tax Map 017, Lot 25, Page Rock LLC (Owner/Applicant).

B. O'Brien read the case into the record.

Brad Westgate of Winer and Bennett and Paul Chisholm of Keach-Nordstrom Associates appeared before the Board representing Page Rock LLC to present this proposal to construct a 12-unit townhouse condominium development of two buildings with five and seven units respectively. B. Westgate asked to incorporate the testimony from Case 03-18-2026-04 into the record for this case. He explained a vegetated buffer would not allow access to the property.

B. Westgate reviewed the variance criteria.

Chair Benard opened public comment; there was none.

Chair Benard closed public comment and the Board entered deliberation.

B. O'Brien reviewed the variance criteria:

1) Granting the variance would not be contrary to the public interest because requiring plantings will not alter the character of the neighborhood.

2) The spirit of the ordinance would be observed because not requiring plantings will not threaten public health, safety, or general welfare.

3) Granting the variance would do substantial justice because not granting it would result in a greater loss to the applicant than any gain to the public. The applicant needs to be able to access their property.

4) The values of surrounding properties would not be diminished because this is a mixed-use area and is surrounded by multiple zoning districts.

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) for purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area,

(i) there is not a fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property due to the inability to access the property and multiple zoning districts. The buffer is meant to protect residential from commercial development, and this is a residential use.

(ii) the proposed use is a reasonable one, as not requiring a driveway to have plantings in it is reasonable.

B. O'Brien moved in Case No. 03-18-2026-05 to grant the request for a variance from LZO 4.3.3.B.2.B. G. Carson seconded the motion. The motion carried 5-0-0.

Case No. 03-18-2026-06 Request For Variance From LZO 4.3.3.B.2.A To Allow A Driveway And Parking To Be Located Within The 50-Foot Landscape Buffer. The Parcel Is Located At 3 Page Road And 556 Mammoth Road In The Commercial II (C-II) Zoning District And Agricultural Residential (AR-1) Zoning District. Tax Map 015, Lots 235-0 And 236-0, Page Rock LLC (Owner/Applicant).

B. O'Brien read the case into the record.

Brad Westgate of Winer and Bennett and Paul Chisholm of Keach-Nordstrom Associates appeared before the Board representing Page Rock LLC to present this proposal to consolidate two lots to construct a 12-unit townhouse community consisting of two buildings with six units each.

B. Westgate explained the development will be accessed through the 556 Mammoth Road property, which is zoned AR-1. The majority of the 3 Page Road property is zoned C-II. The driveway and six parking spaces would fall within the AR-1 zone and the 50-foot buffer. The property cannot be accessed from Page Road due to the existance of wetlands and buffer impacts. He noted the intention of the buffer is to protect residential uses from commercial uses. However, this proposed development is not a commercial use.

B. Westgate reviewed the variance criteria.

Chair Benard opened public comment.

Name: Brian Mead, abutter

Address: 555 Mammoth Road

B. Mead spoke in opposition of granting this variance. Six cars parked next to each other and

the increased traffic flow would give the appearance of a commercial setting.

The Board noted this area is zoned commercial and businesses could be built here.

Name: Renee Kelly, abutter

Address: 552 Mammoth Road

R. Kelly asked about the distance between Page Road and one of the buildings, and was told it was approximately 135 feet. She expressed concern about increased traffic. Chair Benard asked her to express these concerns to the Planning Board.

Chair Benard closed public comment and the Board entered deliberation.

B. O'Brien reviewed the variance criteria:

1) Granting the variance would not be contrary to the public interest because requiring plantings will not alter the character of the neighborhood.

2) The spirit of the ordinance would be observed because there is no threat to public health, safety, or general welfare.

3) Granting the variance would do substantial justice because not granting it would result in a greater loss to the applicant than any gain to the public. The applicant needs to be able to access their property.

4) The values of surrounding properties would not be diminished because this is a mixed-use area and is surrounded by multiple zoning districts.

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) for purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area,

(i) there is not a fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property, as this is a corner lot in a mixed-use area with two different zones.

(ii) the proposed use is a reasonable one, as driveways are reasonable.

B. O'Brien moved in Case No. 03-18-2026-06 to grant the request for a variance from LZO 4.3.3.B.2.A to allow a driveway and parking to be located within the 50-foot landscape buffer. M. Feig seconded the motion. The motion carried 5-0-0.

Case No. 03-18-2026-07 Request For Variance From LZO 4.3.3.B.2.B To Allow A Driveway And Parking To Be Located Within The 50-Foot Landscape Buffer Without Permanently

Planting And Maintaining The Buffer. The Parcel Is Located At 3 Page Road And 556 Mammoth Road In The Commercial II (C-II) Zoning District And Agricultural Residential (AR-1) Zoning District. Tax Map 015, Lots 235-0 And 236-0, Page Rock LLC (Owner/Applicant).

B. O'Brien read the case into the record.

Brad Westgate of Winer and Bennett and Paul Chisholm of Keach-Nordstrom Associates appeared before the Board representing Page Rock LLC to present this proposal to construct a 12-unit townhouse condominium development of two buildings with six units each. B. Westgate asked to incorporate the testimony from Case 03-18-2026-06 into the record for this case. He explained a vegetated buffer would not allow for parking or access to the property.

B. Westgate asked to submit the same five points of law as in Case 03-18-2026-06.

Chair Benard opened public comment; there was none.

Chair Benard closed public comment and the Board entered deliberation.

B. O'Brien reviewed the variance criteria:

1) Granting the variance would not be contrary to the public interest because it will not alter the essential character of the neighborhood.

2) The spirit of the ordinance would be observed because it does not pose a threat to the health, safety, or general welfare.

3) Granting the variance would do substantial justice because not granting it would result in a greater loss to the applicant than any gain to the public. G. Carson did not agree, as the parking spaces are optional and could be located elsewhere on the property.

4) The values of surrounding properties would not be diminished due to mixed use and zoning.

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) for purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area,

(i) there is not a fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property due to the inability to access the property and multiple zoning districts. G. Carson disagreed that there was an unnecessary hardship, as the parking spaces were optional and could be moved, or the number of units reduced.

(ii) the proposed use is a reasonable one, as driveways and parking spaces are reasonable, and not requiring a driveway to have plantings in it is reasonable. G. Carson disagreed due to

the same concerns over parking spaces.

B. O'Brien moved in Case No. 03-18-2026-07 to grant the request for a variance from LZO 4.3.3.B.2.B to allow a driveway and parking to be located within the 50-foot landscape buffer. M. Feig seconded the motion. The motion carried 4-1-0.

COMMUNICATION AND MISCELLANEOUS

OTHER BUSINESS

Election of Officers

B. O'Brien moved to keep the officers the same. A. Hansen seconded the motion. The motion carried unanimously.

ADJOURN

M. Feig moved to adjourn. G. Carson seconded the motion. The motion carried unanimously.

The meeting was adjourned at 9:28 p.m.

Respectfully submitted,

Beth Hanggeli

Recording Secretary