TOWN OF LONDONDERRY

ZONING BOARD OF ADJUSTMENT MEETING

MOOSE HILL COUNCIL CHAMBERS

268B MAMMOTH ROAD, LONDONDERRY, NH 03053

APRIL 15, 2026, 7:00 P.M.

CALL TO ORDER

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

Members Absent: Suzanne Brunelle, Vice Chair; Gregory Carson, Member

Also Present: Nick Codner, Building Inspector

Chair Benard called the meeting to order at 7:00 p.m. and reviewed the meeting procedure. She appointed Andria Hansen and Lisa Sussman as voting members for this meeting.

ROLL CALL

APPROVAL OF DRAFT MINUTES

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

REPORT BY TOWN COUNCIL LIAISON

Councilor Dan Bouchard reported candidates for the open ZBA alternate member position will be interviewed and appointed at the April 20, 2026, Town Council meeting. Chair Benard asked that these names be shared with the ZBA.

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. A. Hansen seconded the motion. The motion carried 5-0-0.

Chair Benard announced that cases would be taken out of order and the request for a rehearing would be considered first.

B. O'Brien recused himself from this discussion.

OTHER BUSINESS

Case No. 02-20-2026-2 Request For A Rehearing Of February 18, 2026, Denial Of A Variance From LZO Section 5.15.1.A.1 To Allow Two Portable Storage Containers. The Parcel Is Located At 55 Windsor Boulevard In The Agricultural Residential (AR-1) Zoning District. Tax Map 003, Lot 045-103, Randy And Andrea Byrd (Owner/Applicant)

Chair Benard read the case into the record. She reported that she reviewed the notes from the February 18, 2026, meeting and found no technical errors were made by the ZBA and no new evidence was submitted by the applicant.

M. Feig was not present at the February 18, 2026, meeting, but reviewed the minutes and did not see anything that proved a rehearing was warranted.

L. Sussman and Andria Hansen did not see anything in the request for a rehearing that would serve to overturn the ZBA decision.

A. Hansen moved in Case No. 02-20-2026-2 to deny the request for a rehearing. L. Sussman seconded the motion. The motion carried 4-0-0.

B. O'Brien returned to the meeting.

PUBLIC HEARING OF CASES

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). (Continued from March 18, 2026)

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

Brian Daniels appeared before the Board representing property owner Anne Peterson to discuss this request to construct a single-family home in the C-III zone.

B. O'Brien reviewed the special exception criteria:

1. Is the use detrimental to the health or safety of residents? No. J. Benard, A. Hansen, and B. O'Brien agreed. M. Feig said it is a mostly commercial area and Buttrick Road is a busy road, so might not be a safe place to build a home. B. Daniels said there are 7 commercial properties

and 19 residential properties in the area. L. Sussman asked if the entrance could be on Gardner Circle; N. Codner said this was a discussion to have with the Town Engineer.

2. Will the use create undue traffic congestion or a traffic safety hazard in the vicinity of the proposed development? No. J. Benard, A. Hansen, and B. O'Brien agreed. M. Feig said it is a mostly commercial area and Buttrick Road is a busy road, so was not in support.

3. Will the use be incompatible with the surrounding neighborhood? No. J. Benard, A. Hansen, and B. O'Brien agreed. M. Feig said it is a mostly commercial area, so was not in support.

4. Will the use be a detriment to property values in the vicinity of the proposed development, with consideration given to the location or scale of buildings, structures, parking areas, or other access ways? No. J. Benard, A. Hansen, and B. O'Brien agreed. M. Feig said it is a mostly commercial area and was not in support.

5. Will a nuisance be created by such use by way of emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants, or the unsightly outdoor storage of equipment, vehicles, or other materials? No. The Board agreed.

6. Will the use create a hazard to the public or adjacent property on account of potential fire, explosion, or release of toxic materials? No. The Board agreed.

7. Will the use result in the degradation of existing surface and groundwater quality standards, or have adverse effects on the natural functions of wetlands on the site which would result in the loss of significant habitat or flood control protection? No. B. Daniels said there are no wetlands on the property. The Board agreed.

8. Adequate and appropriate facilities will be provided for the intended use? Yes. The Board agreed.

9. All necessary state and federal permits will be obtained? Yes. The Board agreed.

Chair Bernard asked for public comment.

Roy Bouchard, 19 Buttrick Road, lives across the street from this property and said the area was residential and farming when he bought his property. He spoke in support of this proposal, preferring a single-family residence be built, as opposed to a business. He asked that a nice home be built on the property.

B. O'Brien moved in Case No. 03-18-2026-1 to grant the request for a special exception. A. Hansen seconded the motion. The motion carried 4-1-0.

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). (Continued from March

18, 2026)

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

Brian Daniels appeared before the Board representing property owner Anne Peterson to discuss this request to construct a single-family home in the C-III zone.

B. O'Brien reviewed the special exception criteria:

1. Is the use detrimental to the health or safety of residents? No. J. Benard, A. Hansen, and B. O'Brien agreed. M. Feig said it is a mostly commercial area and Buttrick Road is a busy road, so might not be a safe place to build a home.

2. Will the use create undue traffic congestion or a traffic safety hazard in the vicinity of the proposed development? No. J. Benard, A. Hansen, and B. O'Brien agreed. M. Feig said it is a mostly commercial area and Buttrick Road is a busy road, so was not in support.

3. Will the use be incompatible with the surrounding neighborhood? No. J. Benard, A. Hansen, and B. O'Brien agreed. M. Feig said it is a mostly commercial area, so was not in support.

4. Will the use be a detriment to property values in the vicinity of the proposed development, with consideration given to the location or scale of buildings, structures, parking areas, or other access ways? No. J. Benard, A. Hansen, and B. O'Brien agreed. M. Feig said it is a mostly commercial area and did not agree.

5. Will a nuisance be created by such use by way of emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants, or the unsightly outdoor storage of equipment, vehicles, or other materials? No. The Board agreed.

6. Will the use create a hazard to the public or adjacent property on account of potential fire, explosion, or release of toxic materials? No. The Board agreed.

7. Will the use result in the degradation of existing surface and groundwater quality standards, or have adverse effects on the natural functions of wetlands on the site which would result in the loss of significant habitat or flood control protection? No. B. Daniels said he did not believe there were wetlands on the property. The Board agreed.

8. Adequate and appropriate facilities will be provided for the intended use? Yes. The Board agreed.

9. All necessary state and federal permits will be obtained? Yes. The Board agreed.

Chair Bernard asked for public comment.

Roy Bouchard, 19 Buttrick Road, lives across the street from this property and said the area was residential and farming when he bought his property. He spoke in support of this proposal,

preferring a single-family residence be built, as opposed to a business.

B. O'Brien moved in Case No. 03-18-2026-2 to grant the request for a special exception. L. Sussman seconded the motion. The motion carried 4-1-0.

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). (Continued from March 18, 2026)

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. At the March 18, 2026, meeting, the Board asked for details regarding the sign's location. He reported the sign is 14 feet into the setback. He also shared pictures of the sign's location.

N. Codner reported half of the building is within the setback, but was constructed pre-zoning, in the 1940s.

M. Gallagher reviewed the variance criteria.

Chair Benard asked for public comment; there was none.

B. O'Brien reviewed the variance criteria.

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

2) The spirit of the ordinance would be observed because it does not threaten the 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 it is an existing sign in a commercial area.

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 this is a pre-zoning property with the structure actually in the setback.

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

B. O'Brien moved in Case No. 03-18-2026-3 to grant the request for a variance, with the condition that the sign is not to encroach more than 14 feet into the setback. A. Hansen seconded the motion. The motion carried 5-0-0.

Case No. 04-15-2026-1 Request For Special Exception From LZO 5.15.1 To Allow A Portable Storage Container In The Agricultural Residential (AR-1) Zoning District. The Parcel Is Located At 132 Pillsbury Road In The Agricultural Residential (AR-1) Zoning District. Tax Map 9, Lot 51, Pillsbury Farm, LLC (Owner) And Heather Burr Carey (Applicant).

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

Heather Burr Carey and Sam Carey appeared before the Board to present this request to allow a portable storage unit. H. Carey explained the container would be used to store outdoor and sports equipment for six months, while they rent the property. She did not know the size of the container, which is already in place behind the house, but said it is within the zoning requirements.

The Board questioned the length of time being requested to keep the container onsite, and discussed imposing a sunsetting condition. They verified it is a metal container not placed on blocks, but on a crushed stone surface.

B. O'Brien reviewed the special exception criteria.

1. Is the use detrimental to the health or safety of residents? No. The Board agreed.

2. Will the use create undue traffic congestion or a traffic safety hazard in the vicinity of the proposed development? No. The Board agreed.

3. Will the use be incompatible with the surrounding neighborhood? No. The Board agreed.

4. Will the use be a detriment to property values in the vicinity of the proposed development, with consideration given to the location or scale of buildings, structures, parking areas, or other access ways? No. The Board agreed.

5. Will a nuisance be created by such use by way of emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants, or the unsightly outdoor storage of equipment, vehicles, or other materials? No. The Board agreed.

6. Will the use create a hazard to the public or adjacent property on account of potential fire,

explosion, or release of toxic materials? No. The Board agreed.

7. Will the use result in the degradation of existing surface and groundwater quality standards, or have adverse effects on the natural functions of wetlands on the site which would result in the loss of significant habitat or flood control protection? No. N. Codner said there were no wetlands on the site. The Board agreed.

8. Will there be more than one portable storage structure per property? No. The Board agreed.

9. Will the portable storage structure be larger than 10 feet wide, 20 feet long, and 10 feet high? No. The Board agreed.

10. Will the portable storage structure be located to the side or rear of the principal structure on the property? Yes. The Board agreed.

11. Will the portable storage structure be set back a minimum of 15 feet from any side or rear lot lines and 40 feet from any front property line? Yes. The Board agreed.

12. Will the portable storage structure be set back a minimum of 5 feet from the nearest wall of a building? Yes. The Board agreed.

13. Will the portable storage structure be placed on a paved, concrete, other appropriate impervious surface, or be placed on blocks? Yes. Applicant agreed to place the container on a hard surface or blocks. The Board agreed.

14. If applicable, will adequate and appropriate facilities be provided for the intended use? Yes. The Board agreed.

15. If applicable, will all necessary state and federal permits be obtained? N/A

16. Please state the length of time the portable storage structure will remain on the property. (Please note that the Zoning Board of Adjustment may approve or limit the length of time a portable storage structure may remain on the property.) Six months. The Board agreed.

Chair Benard asked for public comment; there was none.

B. O'Brien moved in Case No. 04-15-2026-1 to grant the request for a special exception, with the six-month time period to October 15, 2026. A. Hansen seconded the motion. The motion carried 5-0-0.

COMMUNICATION AND MISCELLANEOUS

OTHER BUSINESS

ADJOURN

B. O'Brien moved to adjourn. L. Sussman seconded the motion. The motion carried

unanimously.

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Beth Hanggeli

Recording Secretary