TOWN OF LONDONDERRY

ZONING BOARD OF ADJUSTMENT MEETING

MOOSE HILL COUNCIL CHAMBERS

268B MAMMOTH ROAD

MAY 20, 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; Ariana McQuarrie, Alternate Member

Members Absent: Suzanne Brunelle, Vice Chair; Greg 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

L. Sussman moved to accept the minutes of the April 15, 2026, meeting as written. B. O'Brien seconded the motion. The motion carried 5-0-0.

REPORT BY TOWN COUNCIL LIAISON

There was no report by Town Council Liaison.

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. 05-20-2026-1 Request for variance from LZO 4.2.1.3.C.3 to allow a structure to

encroach 14 feet into the 15-foot rear setback in the Agricultural Residential (AR-1) Zoning District. The parcel is located at 18 Rossini Road in the Agricultural Residential (AR-1) Zoning District, Tax Map 2, Lot 029B-40, Raymond D. Blethen IV & Margaret A. Brush (owner/applicant).

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

Raymond Blethen appeared before the Board to present this proposal to install an 18-foot round above-ground pool and extend the deck. The pool will be in the back yard, due to the location of the driveway and septic system in the front of the house. The placement of the house on the lot makes it difficult to comply with the setbacks.

R. Blethen reviewed the variance criteria.

Chair Benard asked for Board comment. The Board asked questions about the layout and topography of the property. They asked if the pool could be placed in the front yard. N. Codner noted concerns with it being located far from the house, including safety issues and the need to trench for electric.

Chair Benard asked for public comment.

B. O'Brien read a letter into the record from abutters Mark and Laurie Haigis, 6 Verdi Lane, in opposition of this application.

Chair Benard closed the public hearing and the Board went into deliberation. They discussed whether the property values would be diminished by installing a pool, as claimed by the abutters, noting that other homes in the neighborhood have pools and no evidence was given regarding the devaluation of property.

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 no evidence was provided either way, and two abutters have pools.

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 property is unique, given the size, layout, and where the structure is located. There is a significant buffer and the pool will be in the private back area.

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

B. O'Brien moved in Case No. 05-20-2026-1 to grant the request for a variance. L. Sussman seconded the motion. The motion carried 5-0-0.

Case No. 05-20-2026-2 Request for variance from LZO Section 5.14.B to allow a 6-foot-high fence to encroach 11 feet into the 40-foot front setback in the Agricultural Residential (AR-1) Zoning District. The parcel is located at 35 Sanborn Road, Map 15, Lot 82 in the Agricultural Residential (AR-1) Zoning District, Michael & Brooke Kelly (owner/applicant).

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

Mike Kelly appeared before the Board to present this proposal to construct a 6-foot white vinyl fence on the right side of their home for safety and privacy reasons. He noted the existence of apartments across the road and a rail trail. The home is placed at the rear of the lot, which does not allow much use of the back yard. He described the location of the fence on the property in relation to the road.

Chair Benard asked for Board comment. The Board asked clarifying questions about the neighbors and neighborhood.

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, as this will have no impact on

the apartments across the road or auto-body shop down the road.

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 an isolated single-family residence with hills behind it that make installing a fence less practical than in the side yard, and it is in an area with apartments and commercial use. The fence will not impact visibility on the road and will be out of the right-of-way;

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

B. O'Brien moved in Case No. 05-20-2026-2 to grant the request for a variance. M. Feig seconded the motion. The motion carried 5-0-0.

Case No. 05-20-2026-3 Request for variance from LZO 5.14.B to allow a 6-foot fence in the 40-foot front set back in the Agricultural Residential (AR-1) Zoning District. The parcel is located at 2 Overlook Ave in the Agricultural Residential (AR-1) Zoning District. Tax Map 3 Lot 021-5, Danielle & Ryan Courtemanche (owner/applicant).

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

Danielle Courtemanche appeared before the Board to present this proposal to build a 6-foot fence at the side of their house to provide privacy, safety, and noise reduction. Placing the fence outside the Mammoth Road and Overlook Avenue 40-foot setbacks would locate it in the middle of the septic system. The back yard is hilly. N. Codner said the fence will not impact the line of sight.

Chair Benard asked for Board comment. The Board asked clarifying questions about the location of the fence.

D. Courtemanche reviewed the variance criteria.

Chair Benard asked for public comment.

Glenn Douglas, 6 Overlook Avenue, spoke in support of this application.

Samantha Elliott, 13 Overlook Avenue, spoke in support of this application.

Chair Benard closed the public hearing and the Board went into deliberation.

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 the fence will not impact any of the other properties.

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 lot is a corner lot with a hill behind the house and it is up against the main road;

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

B. O'Brien moved in Case No. 05-20-2026-3 to grant the request for a variance. L. Sussman seconded the motion. The motion carried 5-0-0.

COMMUNICATION AND MISCELLANEOUS

OTHER BUSINESS

ADJOURN

L. Sussman moved to adjourn. M. Feig seconded the motion. The motion carried 5-0-0.

The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Beth Hanggeli

Recording Secretary