TOWN OF LONDONDERRY

ZONING BOARD OF ADJUSTMENT MEETING

MOOSE HILL COUNCIL CHAMBERS

268B MAMMOTH ROAD

AUGUST 19, 2026, 7:00 P.M.

DRAFT MINUTES

CALL TO ORDER

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

Members Absent: Greg Carson, Member

Also Present: Nick Codner, Chief Building Inspector/Zoning Administrator

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 July 15, 2026, meeting as written. B. O'Brien seconded the motion. The motion carried 4-0-0.

REPORT BY TOWN COUNCIL LIAISON

There was no report by the 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 4-0-0.

PUBLIC HEARING OF CASES

Case No. 07-15-2026-5 - Request For A Variance From LZO 5.15.A.1 To Allow An Additional Portable Storage Structure In The Agricultural Residential-1 (AR-1) Zoning District. The Property Is Located At 131 High Range Road, Tax Map 6, Lot 5-1. Nathan Stiller And Jacquelyn White, Owner/Applicant (continued from July 15, 2026)

Chair Benard appointed Andria Hansen as a full voting member for this case.

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

Nathan Stiller and Jacquelyn White appeared before the Board to continue discussion of their request to allow a portable storage container on their property. The Board reviewed information regarding the special exception granted on December 19, 1995, to operate an auto repair business as a home occupation. This is be the second container on the property, used to store shovels, snow/ice hand tools, and snowblowers. It will serve as temporary storage.

Chair Benard asked for public comment.

Mark Greenwood, 133 High Range Road, spoke in support of the request.

B. O'Brien read letters into the record from Peter Norton, 116 High Range Road, and Yvette and Donna Hicks, 123 High Range Road, in support of the request.

Chair Benard reported receiving a letter on July 15, 2026, in opposition to the request. B. O'Brien read the letter from Jake Butler, 2 Danbury Court, into the record.

N. Stiller said he was unaware of the zoning ordinance when he placed the container on the property, and was willing to replace it with a structure that met the ordinance.

Chair Benard closed the public portion of the hearing and the Board began deliberation.

B. O'Brien reviewed the variance criteria:

1) Granting the variance would not be contrary to the public interest because the proposal would not alter the character of the neighborhood. The vote was 4-1.

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

3) Granting the variance would do substantial justice, as denying the variance would result in a greater loss to the applicant than any gain to the public.

4) The values of the surrounding properties would not be diminished because of the location and size of the container.

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 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 not unique.

(ii) the proposed use is not a reasonable one.

B. O'Brien moved in Case No. 07-15-2026-5 to deny the request for a variance. A. Hansen seconded the motion. The motion carried 5-0-0.

Case No. 07-15-2026-6 - Request For A Variance From LZO 4.1 To Allow The Storage Of Heavy Equipment In The Agricultural Residential-1 (AR-1) Zoning District. The Property Is Located At 131 High Range Road, Tax Map 6, Lot 5-1. Nathan Stiller And Jacquelyn White, Owner/Applicant (continued from July 15, 2026)

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

Chair Benard appointed Andria Hansen as a full voting member for this case.

Nathan Stiller and Jacquelyn White appeared before the Board to discuss this request to allow storage of vehicles and light equipment for snow removal on their property. N. Stiller said per the NHDMV, anything under 26,000 GVW is not considered commercial equipment. He plans to store pickup trucks, small skid steer bobcats, and small wheel loaders, all of which are under 26,000 GVW.

The Board asked how much equipment would be stored at one time. N. Stiller said it could be limited to ten pieces. He would like to store the equipment in a cleared area in the woods to be able to use the garage for his personal use.

J. White reviewed the variance criteria.

The Board asked about maintaining equipment. N. Stiller said this could include oil changes and greasing of machinery, which would be done inside the garage.

Chair Benard asked for public comment.

Mark Greenwood, 133 High Range Road, spoke in support of the request, noting that the equipment is currently onsite and is not an eyesore.

B. O'Brien noted that the three letters read into the record in Case No. 07-15-2026-5 applied to this case as well.

Chair Benard closed the public portion of the hearing and the Board began deliberation. B. O'Brien noted the prior zoning action contained restrictions: no more than five vehicles at any time and no storage of vehicles overnight. It also contained provisions for fluid removal. Chair Benard noted the previous case allowed for a minimal effect on the neighborhood; the Board at that time agreed that the neighborhood should not look commercial, and the look and feel of the property should not change.

B. O'Brien reviewed the variance criteria:

1) Granting the variance would be contrary to the public interest because storing equipment in this amount and of this size is not what is normally seen in a residential neighborhood, and would change the character.

2) The spirit of the ordinance would not be observed because the presence of equipment and the associated fluids/chemicals would threaten public health, safety, or general welfare.

3) Granting the variance would not do substantial justice as granting it would result in a greater loss to the general public than any gain to the applicant, due to the change in the neighborhood and the threat to safety due to the increase in potential hazardous waste.

4) The values of the surrounding properties would be diminished because the variance goes with the land, and the surrounding properties would be impacted if future property owners were not good stewards of the land. Three Board members felt the vote was close, noting that no problems have occurred so far and the storage is out of sight.

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 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 not unique.

(ii) the proposed use is not a reasonable one because this type of equipment should not be stored on a residential property.

B. O'Brien moved in Case No. 07-15-2026-6 to deny the request for a variance for the reasons stated on the record and on the voting sheet. S. Brunelle seconded the motion. The motion carried 5-0-0.

Case No. 08-19-2026-1 Request For A Variance From LZO 5.18.H.2 To Allow An Accessory Dwelling Unit (ADU) To Be Located Within The Front Yard Of The Property. LZO 5.18.H.2 Requires An ADU To Be Located Within The Side Or Rear Yard Of The Property In The Agricultural Residential-1 (AR-1) District. The Property Is Located At 5 Wilson Road, Tax Map 16, Lot 012-0. David And Karen Kelly (Owner) And Jeremy Cable (Applicant).

S. Brunelle recused herself from this case. Chair Benard appointed Andria Hansen and Lisa Sussman as full voting members for this case.

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

Jeremy Cable, builder, appeared before the Board to discuss this request to construct an ADU in the Kellys' front yard. He noted the house is perpendicular to and 250 yards from the road, so the front yard is not located on the main road. He described the property, including the location of other structures and the topography.

J. Cable read the variance criteria.

Chair Benard asked for public comment.

Karen Kelly, 5 Wilson Road, explained she and her husband would like to construct the ADU for their adult daughter, so she can help care for her parents.

Chair Benard closed the public portion of the 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 the proposal does not alter the character of the neighborhood.

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

3) Granting the variance would do substantial justice, as denying 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.

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 it is a unique property, given the size, distance of the home from the road, location of the well, hill behind the home, and placement of the house.

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

B. O'Brien moved in Case No. 08-19-2026-1 to grant the request for a variance. L. Sussman seconded the motion. The motion carried 5-0-0.

Case No. 08-19-2026-2 Request For A Variance From LZO 4.3.3.A.1 To Allow A Commercial Garage To Encroach 46 Feet Into The Required 60-Foot Front Setback In The Commercial 1 (C-1) District. The Property Is Located At 2 Old Nashua Road, Map 3, Lot 131-1. 16 Maple St., LLC (Owner/Applicant)

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

S. Brunelle returned to the Board. Chair Benard appointed Andria Hansen as a full voting member for this case.

Dan Borowski, Fieldstone Land Consultants, appeared before the Board representing the applicant to present this request to construct a structure containing four contractor bays and to utilize the existing building as office space for tenants. In response to the Board's questions, he described the rationale for the location in terms of minimizing the impact on Route 102 and ease of access for the tenants. N. Codner noted the existing building was a former restaurant with a septic system large enough to support that business.

Chair Benard asked for public comment; there was none.

D. Borowski read the variance criteria.

Chair Benard closed the public portion of the hearing and the Board went into deliberation. They discussed whether another business could operate in this location without encroaching on the setback, but acknowledged that the structure had been vacant for a while. They noted there was previous zoning action on the property in 1972, but no details were available about it.

B. O'Brien reviewed the variance criteria:

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

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

3) Granting the variance would do substantial justice, as 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 it is a commercial district and the property is adjacent to Route 102.

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 it is a corner lot on Route 102 in a commercial district with multiple setbacks, so is unique.

(ii) the proposed use is a reasonable one, as a business, garage, and office are reasonable.

B. O'Brien moved in Case No. 08-19-2026-2 to grant the request for a variance. S. Brunelle seconded the motion. The motion carried 5-0-0.

Case No. 08-19-2026-3 Request For A Variance From LZO 4.3.3.A.2 To Allow A Commercial Garage To Encroach 15 Feet Into The Required 30-Foot Side Setback In The Commercial 1 (C-1) District. The Property Is Located At 2 Old Nashua Road, Map 3, Lot 131-1. 16 Maple St., LLC (Owner/Applicant).

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

Chair Benard accepted that Case 08-19-2026-3 and all the five points of law have already been taken into the record, as they are exactly the same as in Case 08-19-2026-2.

Dan Borowski, Fieldstone Land Consultants, appeared before the Board representing the applicant to present this request. He noted that the rationale he presented for Case 08-19-2026-2 were exactly the same for this case.

Chair Benard asked for public comment; there was none.

Chair Benard closed the public portion of the 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 the proposal would not alter the essential character of the neighborhood.

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

3) Granting the variance would do substantial justice, as 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 it is a commercial district and the property is adjacent to Route 102.

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 it is a corner lot on Route 102 in a commercial district with multiple setbacks, so is unique.

(ii) the proposed use is a reasonable one, as a business, garage, and office are reasonable.

B. O'Brien moved in Case No. 08-19-2026-3 to grant the request for a variance. M. Feig seconded the motion. The motion carried 5-0-0.

COMMUNICATION AND MISCELLANEOUS

OTHER BUSINESS

ADJOURN

S. Brunelle moved to adjourn the meeting. M. Feig seconded the motion. The motion carried 5-0-0.

The meeting was adjourned at 8:47 p.m.

Respectfully submitted,

Beth Hanggeli

Recording Secretary