

**LONDONDERRY ZONING BOARD OF ADJUSTMENT  
268B MAMMOTH ROAD  
LONDONDERRY, NH 03053**

**MINUTES FROM 2/21/18 MEETING**

The meeting was called to order at 7:00 p.m. Members introduced themselves. The following members were present: Neil Dunn, Chair; Jacqueline Benard, Vice Chair; Jim Tirabassi, Clerk; Bill Berardino, member; Allison Deptula, alternate member; Brendan O'Brien, alternate member and Tiffany Richardson, alternate member. Also, in attendance were Laura Gandia, Associate Planner; and Beth Morrison, Recording Secretary. Chairman Dunn reviewed the hearing procedures and welcomed the newest member, Tiffany Richardson to the Board. Chairman Dunn appointed B. Obrien and A. Deptula as a voting members.

I. APPROVAL OF MINUTES -

J. Tirabassi made a motion to accept the January 17, 2018 minutes as presented.

Motion was seconded by J. Benard.

Motion was granted, 5-0-0.

II. REPORT BY TOWN COUNCIL – N/A

III. PUBLIC HEARING OF CASES - N/A

IV. OTHER BUSINESS:

A. Request for a rehearing in CASE NO. 1/17/18-3: Request for a variance from LZO 2.4.1.B.3.a to allow the use of a financial institution with a drive thru window as an accessory use in the C-III district which is otherwise prohibited, Two Litchfield Road, Map 12 Lot 68, Zoned C-III & Historic Overlay District (HOD), CC Properties, LLC (Owner & Applicant)

Chairman Dunn appointed the same members to vote on the rehearing request who were the same members who heard and voted on the original application: N. Dunn, J. Tirabassi, J. Benard, A. Deptula and B. O'Brien. J. Tirabassi read the case into the record. N. Dunn asked if everyone had a chance to review the material. J. Benard stated that she had reviewed the request for a rehearing as submitted and did not find any errors in the Board's decision making process or any new evidence. A. Deptula

agreed with J. Benard that in her review, she did not find any errors made in the deliberation or any new evidence presented that was not available to the applicant at the time of the original hearing.

**J. Benard made a motion to deny the applicant's request for a rehearing in CASE NO. 1/17/18-3: Request for a variance from LZO 2.4.1.B.3.a to allow the use of a financial institution with a drive thru window as an accessory use in the C-III district which is otherwise prohibited, Two Litchfield Road, Map 12 Lot 68, Zoned C-III & Historic Overlay District (HOD), CC Properties, LLC (Owner & Applicant) for the following reasons: (1) there was no error made by the Board in reaching its decision on the original application; and (2) no new evidence was presented that was not available to the applicant at the time of the original hearing.**

**J. Tirabassi seconded the motion.**

**The motion passed, 5-0-0. The applicant's request for a rehearing was denied.**

B. Other: N. Dunn addressed the public's concerns and length of last month's meeting. He suggested that at 10:00 p.m. the Board proactively reach out to the applicants to see if any would want to continue their case until the next regularly scheduled meeting. He also addressed implementing some parameters for public comment and the possibility of providing the public with the some guidance on the five points of law. L. Gandia stated that she would be happy to draft a document for the Board to review at the next meeting. The Board agreed.

**J. Benard made a motion to adjourn at 07:15 p.m.**

**J. Tirabassi seconded the motion.**

**The motion was granted, 5-0-0. The meeting adjourned at 07:15 p.m.**

RESPECTFULLY SUBMITTED,

*Jim Tirabassi*

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Jim Tirabassi, Clerk

TYPED AND TRANSCRIBED BY Beth Morrison, Recording Secretary.

**APPROVED (X)** WITH A MOTION MADE BY J. Tirabassi \_\_\_\_\_, SECONDED BY J. Benard \_\_\_\_\_, 5 -0-0.