

# *Town of Derry*

*"Derry, New Hampshire's Place to Be"*

## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, January 07, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Joshua Lane**

**Owner: Joshua Lane & Jordan A. Doherty Chester Road Realty Trust**

Parcel ID 12020

115 Chester Road

Zoned LDR

The applicant is requesting a Special Exception as provided in Article VI, Section 165-48A.1 of the Town of Derry Zoning Ordinance to operate a roofing business from the residence.

POSTED: DECEMBER 23, 2015

Derry Municipal Center

Derry Public Library & Taylor Library (by e-mail)

Derry News for publication, December 31, 2015

# *Town of Derry*

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## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, January 21, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**James M. Battye**  
Parcel ID 04110  
406 Island Pond Road  
Zoned LDR

Applicant is requesting approval to modify the conditions of the Special Exception granted on February 20, 2003 to the terms of Article VI, Section 165-48A.1 of the Town of Derry Zoning Ordinance to allow the operation of an auto wholesale business at the residence.

POSTED: JANUARY 08, 2016  
Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, January 14, 2016

# *Town of Derry*

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## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, February 04, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Jesse D. Aseltine**

Parcel ID 43020  
21 Chester Road  
Zoned MDR

The applicant is requesting a Special Exception as provided in Article VI, Section 165-46.B of the Town of Derry Zoning Ordinance to allow the operation of a carpentry and remodeling business from the residence.

POSTED: JANUARY 22, 2016

Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, January 28, 2016

# Town of Derry

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## LEGAL NOTICE

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, February 18, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**AMK Auto Wholesale Brokers, Inc.**  
**Owner: Kachanian Two Realty Trust**  
Parcel ID 35015-011  
8 Tinkham Avenue  
Zoned IND IV

The applicant is requesting a Special Exception as provided in Article VIII, Section 165-67 of the Town of Derry Zoning Ordinance to allow motor vehicle service and repair at the property which is located in the Groundwater Resource Conservation District (GRCD). This request requires a joint hearing of the Zoning Board of Adjustment, the Planning Board, and the Conservation Commission.

**AMK Auto Wholesale Brokers, Inc.**  
**Owner: Kachanian Two Realty Trust**  
Parcel ID 35015-011  
8 Tinkham Avenue  
Zoned IND IV

The applicant is requesting a Variance to the terms of Article VI, Section 165-42A and 165-42C.2 of the Town of Derry Zoning Ordinance to allow motor vehicle sales at the property.

**Tommy Ventura**  
Parcel ID 11025-027, 124 By-Pass 28  
Zoned MDR

The applicant is requesting a Special Exception as provided in Article VI, Section 165-46B of the Town of Derry Zoning Ordinance to allow an automobile sales business at the residence.

POSTED: FEBRUARY 04, 2016  
Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, February 11, 2016

*14 Manning Street . Derry, New Hampshire 03038 . Tel 603.432.6148. Fax 603.432.6109*  
*Website: [www.derry-nh.org](http://www.derry-nh.org)*

# *Town of Derry*

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## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, March 17, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Benchmark Engineering, Inc., & Attorney Peter Bronstein**

**c/o Soule Leslie & Kidder**

**Owner: H&B Homes, Inc.**

Parcel ID 03039

7 Linda Road

Zoned LMDR

The applicant is requesting variance to the terms of Article VI, Section 165-47.B.2 of the Town of Derry Zoning Ordinance to allow the subdivision of the property into two building lots, each having 125.6 feet of frontage where 150 feet is required.

POSTED: MARCH 04, 2016

Derry Municipal Center

Derry Public Library & Taylor Library (by e-mail)

Derry News for publication, March 10, 2016

# *Town of Derry*

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## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, April 07, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Dale & Cheryl Stancik**

Parcel ID 25084  
14 Briarwood Street  
Zoned MDR

The applicant is requesting a variance to the terms of Article VI, Section 165-46.C.4 of the Town of Derry Zoning Ordinance to allow the completion of the construction of a 15' x 17' garage less than 35 feet from the front lot line.

POSTED: MARCH 25, 2016

Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, March 31, 2016

# Town of Derry

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## LEGAL NOTICE

Pursuant to RSA 12-K:7, the Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, April 21, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Varsity Wireless, LLC**

**Owner: Sara Baggar**

Parcel ID 08102-001

69 By-Pass 28

Zoned GC II

The applicant is requesting a variance to the terms of Article III, Section 165-28.B.1 and Article VI, Section 165-32.1.A of the Town of Derry Zoning Ordinance to allow the construction of a wireless communications facility consisting of a 130 foot monopole tower and associated antennas and equipment, ground based cabinets and shelters within a 65' x 65' fenced-in compound.

The applicant will conduct a Site Visit and Visual Demonstration to illustrate the height of the proposed facility by means of a balloon raised at and to the height of the proposed facility. Said site visit and visual demonstration will be held SATURDAY, April 16, 2016, from 9:00 a.m. to 12:00 noon. In the event of inclement weather on April 16, 2016, the site visit and visual demonstration will be rescheduled to SUNDAY, April 17, 2016. In the event of inclement weather on both April 16, 2016 and April 17, 2016, or if you have questions concerning said site visit and visual demonstration, please contact Francis D. Parisi, Esq., Varsity Wireless, LLC, One New Hampshire Avenue, Portsmouth, NH 03801, (401)447-8500, [fparisi@varsitywireless.com](mailto:fparisi@varsitywireless.com), or Robert Mackey, Code Enforcement Officer, Town of Derry, 14 Manning Street, Derry, NH 03038, (603) 432-6148, [bobmackey@derrynh.org](mailto:bobmackey@derrynh.org).

POSTED: APRIL 08, 2016

Derry Municipal Center

Derry Public Library & Taylor Library (by e-mail)

Derry News for publication, April 14, 2016

*14 Manning Street . Derry, New Hampshire 03038 . Tel 603.432.6148. Fax 603.432.6109*

*Website: [www.derry-nh.org](http://www.derry-nh.org)*

# *Town of Derry*

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## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, May 05, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Bedford Design Consultants, Inc.**

**Owner: Angelique Huston**

Parcel ID 08015

30 Scobie Pond Road

Zoned IND IV

The applicant is requesting a variance to the terms of Article VI, Section 165-42.A of the Town of Derry Zoning Ordinance to remove an existing house and replace it with a new house with an accessory apartment within the Industrial District IV (IND IV) zone.

POSTED: APRIL 22, 2016

Derry Municipal Center

Derry Public Library & Taylor Library (by e-mail)

Derry News for publication, April 28, 2016



# *Town of Derry*

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## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, May 19, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Salvatore N. Lupoli, Trustee**  
**Owner: Lupoli Brothers Realty Trust**  
Parcel ID 32032  
2 Lenox Road  
Zoned GC

The applicant is requesting a variance to the terms of Article VI, Section 165-32.B.3 of the Town of Derry Zoning Ordinance to demolish the existing two story (3,720 SF) restaurant building and construct a new, single story (2,300 SF) restaurant building with less than the required property line setbacks.

POSTED: MAY 06, 2016

Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, May 12, 2016

# Town of Derry

*"Derry, New Hampshire's Place to Be"*

## LEGAL NOTICE

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, June 16, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Melissa M. Demartino**

Parcel ID 38116  
22 East Derry Road  
Zoned MDR

The applicant is requesting a Special Exception as provided in Article VI, Section 165-46B of the Town of Derry Zoning Ordinance to operate a precision laser engraving business at the residence.

**Cumberland Farms, Inc.**

**c/o Bohler Engineering**

Parcel ID 30065  
22 East Broadway  
Zoned TBOD

The applicant is requesting a variance to the terms of Article XII, Section 165-101.5.A.1.n of the Town of Derry Zoning Ordinance to allow the addition of an internally illuminated sign (12 square feet) to the existing pylon sign located on the property.

**New England Pioneer Associates**

Parcel ID 02019-001  
56 Kendall Pond Road  
Zoned IND I

The applicant is requesting a variance to the terms of Article XII, Section 165-101.A.12 of the Town of Derry Zoning Ordinance to erect a 60 foot high sign where a maximum height of 40 feet is permitted.

**Peter J. Mack**

Parcel ID 08040-010  
31 Scenic Drive  
Zoned MDR

The applicant is requesting a variance to the terms of Article VI, Section 165-46A of the Town of Derry Zoning Ordinance to allow the construction of a second floor for the purpose of creating a two family dwelling at the property.

POSTED: JUNE 03, 2016

Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, June 09, 2016

*14 Manning Street . Derry, New Hampshire 03038 . Tel 603.432.6148. Fax 603.432.6109*

*Website: [www.derry-nh.org](http://www.derry-nh.org)*

# Town of Derry

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## LEGAL NOTICE

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, July 21, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

### **Charles & Cheryl Stanion**

Parcel ID 29054  
5 Everett Street  
Zoned MHDR

The applicant is requesting a variance to the terms of Article VI, Section 165-45B.1.d.ii of the Town of Derry Zoning Ordinance to relocate an existing 7' x 11' shed to within 2 feet of the side property line where 15 feet is required.

### **Jiravee Bellavance**

**Owner: George and Susan Bellavance**

Parcel ID 11022  
106 By-Pass 28  
Zoned MDR

The applicant is requesting a variance to the terms of Article VI, Section 165-46A of the Town of Derry Zoning Ordinance to allow the operation of a food truck business at the residence.

### **Mary E. Morgan**

Parcel ID 10073  
7 Sheldon Road  
Zoned LDR

The applicant is requesting a variance to the terms of Article VI, Section 165-48B.1 of the Town of Derry Zoning Ordinance to allow the creation of a 2.39 acre lot where 3 acres is required as part of a three lot subdivision.

POSTED: JULY 8, 2016

Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, July 14, 2016

*14 Manning Street . Derry, New Hampshire 03038 . Tel 603.432.6148. Fax 603.432.6109*  
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# *Town of Derry*

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## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, August 18, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Christopher Mastriano**

Parcel ID 19103  
7 Germantown Road  
Zoned LDR

The applicant is requesting a variance to the terms of Article III, Section 165-9, and Article VI, Section 165-48B.4 of the Town of Derry Zoning Ordinance and an exception to RSA 674:41,II to remove the existing home, which is located on a private road, and construct a new dwelling closer to the property lines than the required setbacks.

POSTED: AUGUST 05, 2016

Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, August 11, 2016

# *Town of Derry*

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## LEGAL NOTICE

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, September 01, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Benchmark Engineering**

**Owner: H & B Homes**

Parcel ID 03005

32 Windham Depot Road

Zoned LMDR

The applicant is requesting a variance to the terms of Article III, Section 165-9, of the Town of Derry Zoning Ordinance to allow the construction of a new dwelling, where the lot does not have direct frontage on a Town approved road but does have access to the lot through an easement on an abutting property.

POSTED: AUGUST 19, 2016

Derry Municipal Center

Derry Public Library & Taylor Library (by e-mail)

Derry News for publication, August 25, 2016

# *Town of Derry*

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## LEGAL NOTICE

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, October 06, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**James Real & Michele Schindler**

Parcel ID 38114  
1 Martha Drive  
Zoned MDR

The applicant is requesting a variance to the terms of Article III, Section 165-20a of the Town of Derry Zoning Ordinance to allow the construction of a 24' X 30' 2 car garage, a 12' x 12' kitchen addition and a 12' x 26' deck (of which 14' will be screened) less than 75' from a wetland greater than 1 acre in size.

**Maria & Erica J. Kennedy-Cruz**

Parcel ID 06046-013  
5 Derby Road  
Zoned LMDR

The applicant is requesting an equitable waiver to the terms of Article VI, Section 165-47.B.4 of the Town of Derry Zoning Ordinance to allow the existing shed to remain in it's current location which is less than 15' from the rear lot line.

POSTED: SEPTEMBER 23, 2016

Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, September 29, 2016

*14 Manning Street . Derry, New Hampshire 03038 . Tel 603.432.6148. Fax 603.432.6109*  
*Website: [www.derry-nh.org](http://www.derry-nh.org)*

# *Town of Derry*

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## LEGAL NOTICE

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, October 20, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Dona Nayomi Sheldon**  
**Owner: Derek F. Sheldon**  
Parcel ID 11040  
2 Bill Street  
Zoned MDR

The applicant is requesting a special exception as provided in Article VI, Section 165-46B of the Town of Derry Zoning Ordinance to operate a home based business selling teas and spices.

POSTED: OCTOBER 07, 2016  
Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, October 13, 2016

# Town of Derry

*"Derry, New Hampshire's Place to Be"*

## LEGAL NOTICE

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, November 03, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Pasquale & Christine Perfetto**

Parcel ID 03116-01  
10 Lawrence Road  
Zoned LMDR

The applicant is requesting a variance from the terms of Article VI, Section 165-47B.4 of the Town of Derry Zoning Ordinance to allow the extension of an existing garage to within 8 feet of the side property line where 15 feet is required.

**Paul & Adele Magnum**

Parcel ID 03012, 29 Windham Depot Road

**David & Michelle Dalton**

Parcel ID 03012-004, 27 Windham Depot Road  
Zoned LMDR

The applicants are requesting a variance from the terms of Article VI, Section 165-47B.2 of the Town of Derry Zoning Ordinance to allow the frontage of parcel 03012-004 to be 100.76 feet where 150 feet is required, a variance from Section 165-47B.3 to allow a lot width for parcel 03012-004 to be 111.36 where 150 feet is required, and a variance from Section 165-67B.4 to allow a shed on parcel 03012-004 and a barn on parcel 03012 to be 11.9 feet from the side setback where 15 feet is required.

POSTED: OCTOBER 21, 2016

Derry Municipal Center  
Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, October 27, 2016



# Town of Derry

*"Derry, New Hampshire's Place to Be"*

## LEGAL NOTICE

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, November 17, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Jeffrey Moulton**

**Owner: Benjamin W. Powell**

Parcel ID 19091, 22 Germantown Road

Zoned LDR

The applicant is requesting a variance from the terms of Article VI, Section 165-48B.4 of the Town of Derry Zoning Ordinance to allow the construction of a 22' x 22' detached garage on the property with less than the required front and side setbacks.

**EVO Cycle, LLC/Troy Cormier**

**Owner: Acara Realty LLC**

Parcel ID 35015-003

4 Tinkham Avenue

Zoned IND IV

The applicant is requesting a Special Exception as provided in Article VIII, Section 165-67 of the Town of Derry Zoning Ordinance to allow motorcycle and ATV service and repair at the property which is located in the Groundwater Resource Conservation District (GRCD). This hearing requires a joint meeting of the Zoning Board of Adjustment, the Planning Board and the Conservation Commission.

**EVO Cycle, LLC/Troy Cormier**

**Owner: Acara Realty LLC**

Parcel ID 35015-003

4 Tinkham Avenue

Zoned IND IV

The applicant is requesting a variance to terms of Article VI, Section 165-42.A of the Town of Derry Zoning Ordinance to allow motor vehicle sales (primarily motorcycles) at the property.

**Stout Realty Trust**

**Owner: Gail & Jonathan Stout, Trustees**

Parcel ID 10050

Morrison Road

Zoned LDR

The applicants are requesting an extension of the variance granted on October 16, 2014 to the terms of Article III, Section 165-9 and Article VI, Section 165-48.B.2 of the Town of Derry Zoning Ordinance and relief under RSA 674:41(ii) to allow construction of a single family home on a lot with frontage on a Class VI road.

POSTED: NOVEMBER 04, 2016

Derry Municipal Center

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*Website: [www.derry-nh.org](http://www.derry-nh.org)*

# *Town of Derry*

*“Derry, New Hampshire’s Place to Be”*

Derry Public Library & Taylor Library (by e-mail)  
Derry News for publication, November 10, 2016

# *Town of Derry*

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## **LEGAL NOTICE**

The Zoning Board of Adjustment for the Town of Derry will hold a public hearing on **Thursday, December 15, 2016**, at **7:00 p.m.** at the Derry Municipal Center, 14 Manning Street, to review the following.

**Sam Patel**

**Owner: Harshad Patel**

Parcel ID 39033, 50 East Derry Road

Zoned MDR

The applicant is requesting a variance from the terms of Article XIII, Section 165-108A of the Town of Derry Zoning Ordinance to construct a 30' x 40' addition on the back of the building.

POSTED: DECEMBER 02, 2016

Derry Municipal Center

Derry Public Library & Taylor Library (by e-mail)

Derry News for publication, December 08, 2016