

**LITTLETON ZONING BOARD OF ADJUSTMENT
LITTLETON COMMUNITY CENTER
120 MAIN STREET
LITTLETON, NH 03561
TUESDAY, AUGUST 25, 2026
6:00 PM
DRAFT**

PRESENT: Chair Mark Wright, Vice Chair Zach Hawkins, Ken Lavine, Joe DePalma IV, David Fiandaca, Lindsay Richardson (alternate), Julie Butner (alternate), Lauren Rodier (alternate), and Joanna Ray (recording secretary)

EXCUSED: John Micciche (alternate)

OTHERS: Timothy Ganos, Sierra Landry, Atty. Hodgdon, Randy Patch, Jack Milbank, Chris Galipeau, and Alan Mashtare

Chair Wright called the meeting to order at 6:00. After roll call, Chair Wright outlined the meeting procedure. Alternates will participate but not vote on the case unless there is a recusal.

J. Ray read the case into the record: **Sierra Landry and Timothy J. Ganos, Owners & Applicants – ZBA26-07** – Request for a Special Exception related to Article IV, Section 4.02.03 of the Littleton Zoning Ordinance to allow a Neighborhood Commercial Use (family run food truck) at 742 St. Johnsbury Road, map 55 lot 3, in the R-2 zone.

Atty. Hodgdon presented. He noted that Neighborhood Commercial Uses are a provision in the Zoning Ordinance for residential neighborhoods. The request is for up to 6 days a week but could possibly only need 4 days. There is off-street parking and only a few customers at a time. The property abuts the hospital. The property is currently being used as a single-family residence.

1. **Is the specific site an appropriate location for such a use and why?** Yes, this property is situated on a State road which already has a variety of residential and commercial uses in the neighborhood. It will provide additional food options to neighborhood residents and employees of neighborhood businesses. Neighborhood response to the plan has been very positive.
2. **Will property values in the district be reduced by such a use and why?** No, property values will not be reduced. This is a well-developed neighborhood with a variety of existing uses.
3. **Will a nuisance or unreasonable hazard result and why?** No, this will not create a nuisance or unreasonable hazards. Traffic will be very minimal, and all parking is well off of the street. Significant care has been taken in the design to address input from neighbors and avoid any nuisances or safety concerns.
4. **Will adequate and appropriate facilities be provided for the proper operation and maintenance of the proposed use and how?** Yes. The food truck is a stand alone, mobile unit. Off street parking and sanitation facilities have all been planned for and will be provided. The NH DOT has already approved a driveway permit.

Atty. Hodgdon told the Board that the response in the neighborhood has been positive. Three letters of support were submitted. This operation will be small compared to other businesses in the area. This food truck is used at area events, so the use at this location will be supplemental for a few days. No alcohol will be sold. This will be family focused.

No abutters or interested parties were present.

J. Butner referenced a letter from Fire Chief / Zoning Officer Chad Miller. His letter summarized how he determined that the food truck business is most appropriately classified as a restaurant under the Zoning Ordinance than a Neighborhood Commercial Use. Atty. Hodgdon replied by reading the Zoning Ordinance definition of Neighborhood Commercial Use and noted all the uses listed. He added that all of the allowed uses under Neighborhood Commercial Use were also defined. If taken literally, all of the other listed uses

would also be prohibited. Zone R-2 does not allow retail establishments, but grocery as a Neighborhood Commercial Use is also a retail establishment. T. Ganos added that convenience stores are listed and the proposed is basically a deli which is permitted inside of a convenience store as a Neighborhood Commercial Use.

L. Rodier asked if the food prep was done in a commercial kitchen. T. Ganos replied that his food truck is a Mobile Class D mobile food truck license to prepare food. K. Lavine asked if it was different than a restaurant license. T. Ganos replied yes. Atty. Hodgdon told the Board that his clients are willing to work with the Board and neighbors regarding any restrictions for days and times to be open.

Chair Wright noted that Littleton does not have site plan review and he was concerned with traffic volume. T. Ganos stated a business sign can be removed when not open. He added that his kids will be on the property and safety is paramount. The driveway is wide enough for a car to fit while another is exiting. The food truck will be set away from the road.

D. Fiandaca asked who the main customers will be. T. Ganos replied that it will be neighbors and people driving by. Social media will let people know when he is open. D. Fiandaca noted that it would include people from outside the neighborhood. Atty. Hodgdon added that most will be driving by.

J. Butner noted that Neighborhood Commercial Use grocery store is a stop and go. Duration of visit is something to consider.

Vice Chair Hawkins asked what the DOT looks at for the driveway permit. T. Ganos replied that his engineer worked with DOT for the design. He added that statute dictates the details. Hawkins also asked about lighting. T. Ganos replied that there would be no lights. He added that any place with seating needs sanitation facilities. There will be a port-a-potty on site.

T. Ganos stated that he did not want to limit himself, so the application says the most it will be open. In September, the truck is booked every weekend. It will only be available on this property for 7 days that month. The plan is for the truck to be open seasonal from May to November. It will be stored in a barn all winter. There will be no other food trucks on site.

Chair Wright noted the difference between a variance and special exception. The variance runs with the land and other owners would benefit as it would be unique with the land. T. Ganos noted that his property is located in R-2 which is about a half mile between Mixed Use and Rural. The restaurant at the elder facility down the street was in a different zone.

Chair Wright informed the Board that they should discuss the Fire Chief / Zoning Officer's interpretation of the ordinance versus the applicant.

K. Lavine made a motion to go into deliberations. L. Rodier seconded the motion.

K. Lavine and D. Fiandaca agreed that this proposal did not seem like a restaurant. The challenge is whether or not the definition of Neighborhood Commercial Use applies. L. Richardson added that she was challenged with the types of uses listed under Neighborhood Commercial Use. She stated that perhaps this list needs to be updated. If there isn't a good grocery store in someone's neighborhood, they will get in their car and go to another neighborhood. D. Fiandaca noted that a convenience store, listed as a permitted Neighborhood Commercial Use, would be much more intrusive. L. Richardson agreed and noted it would be open for more hours. J. Butner added that this is seasonal.

Vice Chair Hawkins noted that the ordinance is contradictory. This use is less intrusive than those permitted. He added that the house is the primary purpose so this will mix the uses. J. Butner noted the 2001 ordinance change and suggested that not many uses were there when this was enacted.

Chair Wright noted that the Board needs to weigh in when the ordinance is not clear. In the scheme of things, the Town may want to consider a definition of food truck. K. Lavine read the permitted uses, and they have more traffic and noise. He added that it seems as though food truck is missing from the list. J.

Butner stated that items listed as prohibited will not be sold here. Chair Wright suggested a condition of no secondary businesses being allowed. K. Lavine suggested the approval be consistent with the scope that was presented.

L. Richardson referenced the home occupation section of the zoning ordinance. She added that this use might be a home occupation, but it is part of the owner's livelihood. Chair Wright replied that home occupations are usually within a portion of the home.

K. Lavine made a motion to come out of deliberations. L. Rodier seconded the motion.

T. Ganos stated that the Board's comments were fair and agreed that there would be secondary business on the site. J. Butner added that this does not allow a second business but down the road they can come back.

K. Lavine made a motion to approve the application as presented and includes the submitted Scope of Business letter from The Grazing Gourmet. J. DePalma seconded the motion.

J. DePalma voted to grant.

K. Lavine voted to grant.

D. Fiandaca voted to grant.

Vice Chair Hawkins voted to grant.

Chair Wright voted to grant because all criteria had been met.

J. Ray read the case into the record: **Randy Patch, Owner & Applicant – ZBA26-08 – Request for a Special Exception related to Article VI, Section 6.01, of the Littleton Zoning Ordinance to allow an 8' fence at 56 Redington Street, map 80 lot 224, in the R-I zone.** The mobile home is located on map 80 lot 219 also owned by Randy Patch.

R. Patch explained the locations of existing fences including one on the abutting church property. He would like a privacy fence for both sides of the property. It will match the fence at Elevate Church. Theirs fell down and he repaired it.

5. **Is the specific site an appropriate location for such a use and why?** Yes, for privacy (all parties).
6. **Will property values in the district be reduced by such a use and why?** No, it could only increase.
7. **Will a nuisance or unreasonable hazard result and why?** Can't see a hazard from a fence.
8. **Will adequate and appropriate facilities be provided for the proper operation and maintenance of the proposed use and how?** Fence will be repaired and painted/sealed as needed annually.

No abutters or interested parties were present. K. Lavine asked about the location. R. Patch explained that the fence will abut the chain link fence on the Simons property. The fence along the Simons property line will remain.

K. Lavine made a motion to vote on the application as presented. D. Fiandaca seconded the motion.

J. DePalma voted to grant.

K. Lavine voted to grant.

D. Fiandaca voted to grant.

Vice Chair Hawkins voted to grant.

Chair Wright voted to grant because all criteria had been met.

J. Ray read the case into the record: **R.L. Vallee Inc, Owner & Applicant – ZBA26-09 – Request for a Special Exception related to Article VI, Section 6.01, of the Littleton Zoning Ordinance to allow a retaining wall over 6' high at 431 Cottage Street, map 96 lot 11, in the C-I zone.**

C. Galipeau, from Civil Engineering Associates, was present with surveyor J. Milbank and construction manager A. Mashtare. C. Galipeau noted that the original engineering company was not aware of the 6' restriction during the planning process. The options were a tier approach or leave it as is and apply for the special exception. This design keeps a buffer to the wetlands and abutters. There is more ledge on the property than they realized. Some areas might be less than 6' high. Near the corner, the wall could be between 10' and 12'. There should not be a big visual impact.

1. **Is the specific site an appropriate location for such a use and why?** The site is an appropriate location for the proposed use because the retaining wall is a necessary site improvement to address existing topographic conditions and support the approved truck parking area. The wall is located at the rear of the property, minimizing visibility and impacts to surrounding properties. The proposed design provides safe grade stabilization while minimizing disturbance to adjacent natural features, including stream, wetland areas, and naturally vegetated slopes.
2. **Will property values in the district be reduced by such a use and why?** Property values within the district will not be reduced by the proposed use because the retaining wall is necessary, engineered site improvement that supports safe and functional use of the property. The wall is located behind the store and truck parking area with limited visibility and will not adversely affect surrounding properties, neighborhood character, or the overall quality of the area.
3. **Will a nuisance or unreasonable hazard result and why?** No nuisance or unreasonable hazard will result because the retaining wall is a professionally designed site improvement intended to provide grade stabilization and safe site functionality. The wall will reduce potential slope instability, minimize site disturbance, and will be located behind the truck parking area with limited visibility and no adverse impacts to adjacent properties or the public.
4. **Will adequate and appropriate facilities be provided for the proper operation and maintenance of the proposed use and how?** Adequate and appropriate facilities will be provided through the design and construction of the engineered retaining wall, which will support proper site grading, slope stability, and safe operation of the approved truck parking area. The retaining wall will be designed, constructed, and maintained in accordance with applicable standards to ensure long-term functionality and performance.

There were no abutters or interested parties present. J. Butner noted that this applicant has a well thought out and professional plan.

K. Lavine made a motion to approve the plan as presented. J. DePalma seconded the motion.

J. DePalma voted to grant.

K. Lavine voted to grant.

D. Fiandaca voted to grant.

Vice Chair Hawkins voted to grant.

Chair Wright voted to grant because all criteria had been met.

J. Ray informed the Board that the Planning Board will be having a work session on September 15th to go over potential zoning amendments for the March 2027 ballot. The PB invited all ZBA members and alternates. ZBA members are encouraged to bring any Zoning Ordinance concerns.

Review of minutes:

June 23, 2026 – all voted in favor of approving the meeting minutes.

At 7:18pm, L. Richardson made a motion to adjourn. J. Butner seconded the motion. The motion passed by all.

Submitted by,
Joanna Ray