

**LITTLETON ZONING BOARD OF ADJUSTMENT  
LITTLETON COMMUNITY CENTER  
120 MAIN STREET  
LITTLETON, NH 03561  
TUESDAY, JUNE 23, 2026  
6:00 PM  
DRAFT**

**PRESENT:** Chair Mark Wright, Vice Chair Zach Hawkins, Ken Lavine, Lindsay Richardson (alternate), John Micciche (alternate), and Joanna Ray (recording secretary)

**EXCUSED:** Julie Butner (alternate), Lauren Rodier (alternate), Joe DePalma IV, and David Fiandaca

**OTHERS:** Valerie Francis and Justine Francis

Chair Wright called the meeting to order at 6:00. After roll call, J. Micciche and L. Richardson were elevated to voting members for this meeting.

**Review of minutes:**

March 24, 2026 – K. Lavine made a motion to approve the minutes as written. L. Richardson seconded the motion. The motion passed.

J. Ray read the following into the record:

**Valerie Francis, Owner & Applicant – ZBA26-06** – Request for a Variance related to Article V, Section 5.01, of the Littleton Zoning Ordinance to allow 2-acres to be subdivided from an existing 6.6-acre lot where 3-acres is required at 1227 St. Johnsbury Road, map 74 lot 51, in the rural zone.

V. Francis gave a summary of her request by stating she has 6.6-acres that is used as an equestrian property. The back of the lot is too uneven and damp. She verified that it is not considered wetlands. It is a wet property but still buildable. Her daughter, Justine, lives next door and noted they are redesigning the equestrian areas. V. Francis added that she has lived there for 13 years and built a horse barn. The proceeds to selling the land will help to replace her house.

V. Francis read her application into the record:

- I. Granting the variance will not be contrary to the public interest because: The only abutters are Eversource and a large multi-use complex across the street that has obtained multiple variances and is still under construction.
- II. If the variance were granted, the spirit of the ordinance would be observed because: It would still be in line with the spirit of the ordinance even if a house was built.
- III. Granting the variance would do substantial justice because: It would allow the remaining parcel to be used for horse pasture.
- IV. If the variance were granted, the values of the surrounding properties would not be diminished because: As the surrounding properties are Eversource and a multi-use complex, no values would be diminished.
- V. Unnecessary hardship
  - A) i – No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because: The remainder property would be 4.6-acres, enough to pasture additional livestock. If 3-acres is required, it would limit the number of horses possible to comfortably graze.
  - A) ii – The proposed use is a reasonable one because: The remainder property would still be a viable horse property. The subdivided lot would be a potential building lot.

Chair Wright stated that this will also need to go to the Planning Board. One of the things they will consider is driveway access. V. Francis replied that there is already an opening and there used to be a fence along it. She confirmed the approximate area of land to be subdivided off. V. Francis stated she contacted Eversource about them purchasing the 2-acres, but she did not get a reply.

K. Lavine asked why the 3-acres could not be subdivided off. V. Francis replied that she would like to preserve some pasture of the horses.

L. Richardson referenced Section 6.12 of the Zoning Ordinance. One-acre of pasture is required per horse. J. Francis confirmed the horse barn has 5 stalls. She added that her lot does not have any infrastructure for the horses.

There was discussion about an abutting subdivision, Harvest Court, that allowed lots less than 3-acres. Information was not readily available to explain why those lots were permitted.

K. Lavine made a motion to go into deliberations. J. Micciche seconded the motion.

Chair Wright noted that this property is near a utility and across the street from a development. This makes the applicant's property somewhat unique. However, he is concerned with the hardship criteria. The subdivision will create a non-conforming lot. He added that approving this might set a precedence. K. Lavine agreed and added that he was not sure how the 2-acre lots next door were created. Chair Wright replied that the development might have been created as a cluster development with different criteria. Vice Chair Hawkins did not feel those lots were relevant to this application.

Chair Wright stated that this was not an all or nothing situation. The Board is not saying the applicant cannot have any horses, but the size of the lot will determine how many.

K. Lavine stated the Planning Board already set a precedence. Chair Wright replied that the Planning Board would not approve a lot that cannot be built on. They will want to see evidence of a perk test and confirmation of a driveway permit.

Vice Chair Hawkins stated that proving hardship is difficult. The applicant can still have horses without this application. L. Richardson also noted she was struggling with finding the unnecessary hardship. She voiced concern over whether the lots next door were relevant. K. Lavine replied that he could see how it might, but it doesn't create an unnecessary hardship for this applicant. Chair Wright added it may be relevant. J. Micciche agreed that he cannot find the unnecessary hardship.

Chair Wright noted there were no abutters present to comment on this application. The task of the Board is to weigh the variance factors to say if they've all been met. K. Lavine added that there are other fixes, so it is hard to justify a hardship.

L. Richardson referenced Section 6.12.02 of the Zoning Ordinance. A special exception will allow the sharing of pasture with an abutting property. This option might allow the applicant to do a subdivision which would no longer need a variance and have 4 horses even though her property is only 3.6-acres. This would be less of an impact. She added that selling the 3-acres could still fund other projects. V. Francis replied that there will be no merging of lots and she insisted on having 4 horses. She reminded the Board about the development across the street and the approvals they received.

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

Chair Wright stated that a good argument was made for the spirit of the ordinance criteria, but he was still hung up on the unnecessary hardship requirement. This application is also a good example for a zoning amendment.

V. Francis stated that the Zoning Ordinance is restricting her expansion. K. Lavine replied that financial situations do not apply. V. Francis informed the Board that she would push this to court. Chair Wright explained the factors that the Board is tasked with.

J. Francis explained the acre that would need to be included with the other 2-acres is a flat area for riding the horses. If that is added, then there would be no flat place to ride.

K. Lavine suggested a lot line adjustment between these two properties so that 3-acres could be subdivided off. J. Francis replied that she does not know if she will be keeping her house.

Vice Chair Hawkins noted that the situations being discussed were desires and not hardships. K. Lavine noted that hardships would include situations with the land such as ledge if someone was to be building and couldn't meet the setbacks because of it.

Chair Wright noted that this is a question about how many horses and where to ride. Neither fall under unnecessary hardship.

V. Francis asked how to expand the R-2 zone. Chair Wright explained that the Planning Board can be asked to propose a zoning amendment for town vote next March. He added that exhausting all routes with the Zoning Board is a good first step.

J. Micciche suggested subdividing off the 3-acres and then get an easement to use the flat area for riding. V. Francis replied that restricting the use of land is a hardship. Vice Chair Hawkins noted that there are other options, but they aren't desirable to the applicant.

After K. Lavine explained a possible solution with the lot line adjustment, V. Francis replied that she understood what he was suggesting. It would allow her to subdivide off 3-acres and still have 4.6-acres left to house her 4 horses.

K. Lavine made a motion to vote on the application as presented. Vice Chair Hawkins seconded the motion.

J. Micciche voted to deny the application based on criteria 5, unnecessary hardship, not being met.

L. Richardson voted to deny the application based on criteria 5, unnecessary hardship, not being met.

K. Lavine voted to deny the application based on criteria 5, unnecessary hardship, not being met.

Vice Chair Hawkins voted to deny the application based on criteria 5, unnecessary hardship, not being met.

Chair Wright voted to deny the application based on criteria 5, unnecessary hardship, not being met.

Chair Wright informed the applicant of the 30-day appeal period.

### **Election of Officers**

K. Lavine nominated M. Wright as Chair and Z. Hawkins as Vice Chair. All voted in approval.

At 7:15pm, Vice Chair Hawkins made a motion to adjourn. L. Richardson seconded the motion. The motion passed.

Submitted by,  
Joanna Ray