

1. Zoning Board Regular Meeting Agenda (PDF)

Documents: [20160112 ZBA AGENDA.PDF](#)

2. 20160112 ZBA Meeting Packet

Documents: [20160112 7 MORSE AVE.PDF](#), [20160112 8 HAINES ST.PDF](#), [20160112 15\\_17 HUNT ST.PDF](#), [20160112 30 CARON AVE.PDF](#), [20160112 38 LANGHOLM DR.PDF](#), [20160112 39 BROAD ST.PDF](#), [20160112 55 GILLIS ST.PDF](#), [20160112 78 GILSON RD.PDF](#), [20160112 27 AIRPORT RD.PDF](#)



# THE CITY OF NASHUA

"The Gate City"

## *Community Development Division Planning Department*

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December 23, 2015

The following is to be published on ROP January 2, 2016, under the Seal of the City of Nashua, Public Notice Format 65 MP 51.

Notice is hereby given that a Public Hearing of the City of Nashua Zoning Board of Adjustment will be held on Tuesday, January 12, 2016, at 6:30 PM at the Nashua City Hall Auditorium, 3rd floor, 229 Main Street.

1. Ballinger Properties, LLC & BT Realty Limited Partnership, Joanne Charron and Towers Motor Parts Corporation of Nashua (Owners) 242 Main Street, 1 & 5 East Hollis Street (Sheet 31 Lots 1, 2 & 6) requesting the following variances: 1) to allow an electronic changing message center sign on a portion of a new ground sign, 2) to exceed maximum ground sign height, 10 feet allowed, 24 feet proposed, 3) to exceed maximum ground sign area, 50 sq.ft allowed, 88 sq.ft proposed, 4) to exceed maximum wall sign area, 100 sq.ft allowed, 112 sq.ft proposed, 5) to allow an additional wall sign on the building, two permitted, an additional wall sign proposed for eastern façade for a total of three wall signs, and 6) to exceed maximum wall sign area, a total of 200 sq.ft allowed, 285 sq.ft proposed for all three wall signs. D-1/MU Zone, Ward 4. [TABLED FROM 12-8-15 ZBA MEETING]
2. Edmund Kopka & Gail Reed (Owners) James Reed (Applicant) 39 Broad Street (Sheet 61 Lot 8) requesting the following variances: 1) to encroach 1 ft into the 6 ft side yard setback on one side; and 2) to encroach 2.5 feet into the 6 foot side yard setback on another side yard, to maintain an existing 12'x16' shed in rear corner of property. RA Zone, Ward 4.
3. Andrew E. Dubray (Owner) 38 Langholm Drive (Sheet C Lot 393) requesting variance to encroach 4 feet into the 6 foot required left side yard setback to maintain an existing 10'x16' shed. R9 Zone, Ward 9.
4. Julian D. Thibeault & Sarah N. Foster (Owners) 55 Gillis Street (Sheet 25 Lot 50) requesting the following variances: 1) to encroach 4 feet into the 6 foot required rear yard setback; and 2) to encroach 4 feet into the 6

foot required right side yard setback, to maintain an existing 6'x16' shed. RB Zone, Ward 7.

5. John & Lisa Goguen (Owners) 8 Haines Street (Sheet 14 Lot 92) requesting the following variances: 1) to encroach 4 feet into the 6 foot required rear yard setback; and, 2) to encroach 3 feet into the 6 foot right side yard setback, to maintain an existing 10'x10' shed. RB Zone, Ward 7.
6. Dillard & Laurie Collins (Owners) 7 Morse Avenue (Sheet 6 Lot 27) requesting variance to encroach 7½ feet into the 20 foot required front yard setback to construct an attached 24'x30' garage. R9 Zone, Ward 7.
7. William & Linda Porter (Owners) 30 Caron Avenue (Sheet 49 Lot 79) requesting variance to encroach 6 feet into the 10 foot required left side yard setback to construct an attached 26'x28'-3" garage. RA Zone, Ward 3.
8. William & Alicia Thomas & Anne Marie Siteman (Owners) 15-17 Hunt Street (Sheet 102 Lot 38) requesting variance to encroach 3 feet into the 6 foot required rear yard setback to maintain two sheds connected on either side of a nonconforming garage. RB Zone, Ward 6.
9. Law Realty Co, Inc. (Owner) Aftokinito Rally, Inc., d/b/a Dusty Old Cars (Applicant) 27 Airport Road (Sheet G Lot 4) requesting use variance to allow a classic and antique auto dealer in a portion of an existing building. AI Zone, Ward 2.
10. William R. & Christine Gagnon (Owners) 78 Gilson Road (Sheet D Lot 342) requesting the following variances: 1) to exceed maximum accessory use area, 40% allowed, 32% existing, 89.9% proposed, to construct a detached 34'x48' garage; and 2) to exceed maximum driveway width, 24 feet allowed, 46 feet requested. R30 Zone, Ward 5.

OTHER BUSINESS:

1. Review of Motion for Rehearing:
2. Review of upcoming agenda to determine proposals of regional impact.
3. Approval of Minutes for previous hearings/meetings.

"SUITABLE ACCOMMODATIONS FOR THE SENSORY IMPAIRED  
WILL BE PROVIDED UPON ADEQUATE ADVANCE NOTICE."



**City of Nashua**  
**Community Development Division**  
 City Hall, 229 Main Street, PO Box 2019  
 Nashua, New Hampshire 03061-2019

Community Development 589-3095  
 Planning and Zoning 589-3090  
 Building Safety 589-3080  
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 Conservation Commission 589-3105  
 FAX 589-3119  
 www.nashuanh.gov

**VARIANCE APPLICATION**

This application must be completed and submitted to the Planning Department no later than the dates listed on the Zoning Board of Adjustment (ZBA) schedule sheet. The ZBA will not consider incomplete or inaccurate applications for action. ~ PLEASE PRINT OR TYPE ~

**1. VARIANCE INFORMATION**

a. ADDRESS OF REQUEST 7 Morse Avenue  
 Zoning District R9 Sheet 6 Lot 27

b. VARIANCE(S) REQUESTED Front setback 20' required  
12.5' requested

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
Erickson Construction Co. Inc. Nathan Erickson  
 Applicant's signature [Signature] Date 12/15/2015  
 Applicant's address 38 David Drive, Hudson, NH 03051  
 Telephone number (home) \_\_\_\_\_ (work) 603-889-0098

b. PROPERTY OWNER Dillard and Laurie Collins  
 Owner's signature [Signature] Date 12/15/15  
 Owner's address 7 Morse Avenue, Nashua, NH  
 Telephone number (home) 603-878-3046 (work) \_\_\_\_\_

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 12/15/15 Date of hearing 1/12/16

Notices: Newspaper  Abutters  Board Action \_\_\_\_\_

\$ \_\_\_\_\_ fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

PLR2015-00238

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

The home is built on a lot with a severe slope and the most appropriate area for a garage on the lot is the side yard. All of the existing homes on the street are 6' to 10' from the front property lines.

**4. USE VARIANCE ADDITIONAL INFORMATION**

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees \_\_\_\_\_ Number of employees per shift \_\_\_\_\_
- b. Hours and days of operation \_\_\_\_\_
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors \_\_\_\_\_
- d. Number of daily and weekly commercial deliveries to the premises \_\_\_\_\_
- e. Number of parking spaces available \_\_\_\_\_
- f. Describe your general business operations \_\_\_\_\_
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation \_\_\_\_\_

*I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.*

*I understand that only those point specifically mentioned are affected by action taken on this appeal.*

Signature of applicant \_\_\_\_\_

12-15-15  
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at \_\_\_\_\_
- Please mail it to me at \_\_\_\_\_



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**VARIANCE APPLICATION**

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**1. VARIANCE INFORMATION**

a. ADDRESS OF REQUEST 7 Morse Avenue  
 Zoning District \_\_\_\_\_ Sheet \_\_\_\_\_ Lot \_\_\_\_\_

b. VARIANCE(S) REQUESTED Front setback 20' required  
12.5' requested

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
Erickson Construction Co. Inc. Nathan Erickson  
 Applicant's signature [Signature] Date 12/15/2015  
 Applicant's address 38 David Drive, Hudson, NH 03051  
 Telephone number (home) \_\_\_\_\_ (work) 603-889-0098

b. PROPERTY OWNER Dillard and Laurie Collins  
 Owner's signature \_\_\_\_\_ Date \_\_\_\_\_  
 Owner's address 7 Morse Avenue, Nashua, NH  
 Telephone number (home) 603-878-3046 (work) \_\_\_\_\_

Case number _____	Application Deadline _____	Date Received _____	Date of hearing _____
Notices: Newspaper <input type="checkbox"/>	Abutters <input type="checkbox"/>	Board Action _____	
\$ _____ fee <input type="checkbox"/>		Date Paid _____	Receipt # _____
\$ _____ application fee <input type="checkbox"/>		Date Paid _____	Receipt # _____
\$15 signage fee <input type="checkbox"/>	\$100 recovery fee <input type="checkbox"/>	Date Paid _____	Receipt # _____

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

- 1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

Granting the variance will not impact public utilities,  
fire safety or street congestion. The proposed addition  
will be set back further than the existing home and other  
homes on the street.

- 2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

The proposed garage will blend with surrounding homes  
that have garages and additions.

- 3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

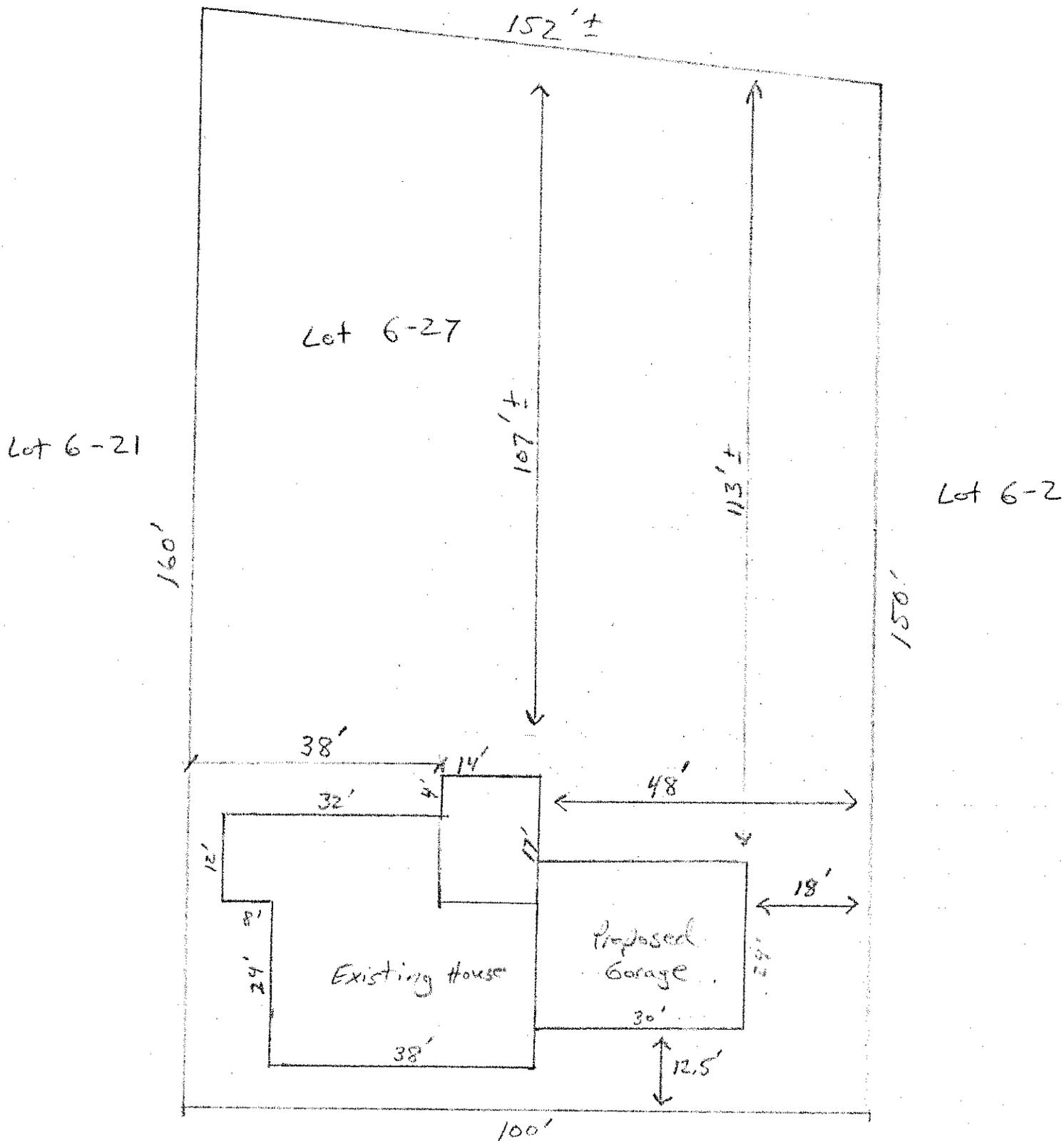
Granting the variance will allow the owner to enjoy their  
home while avoiding exposure to the elements. It will  
not harm surrounding properties or the general public.

- 4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The proposed garage will add to the value of the home.  
The construction will be consistent with the architecture  
of the neighborhood.

- 5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

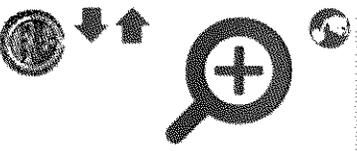
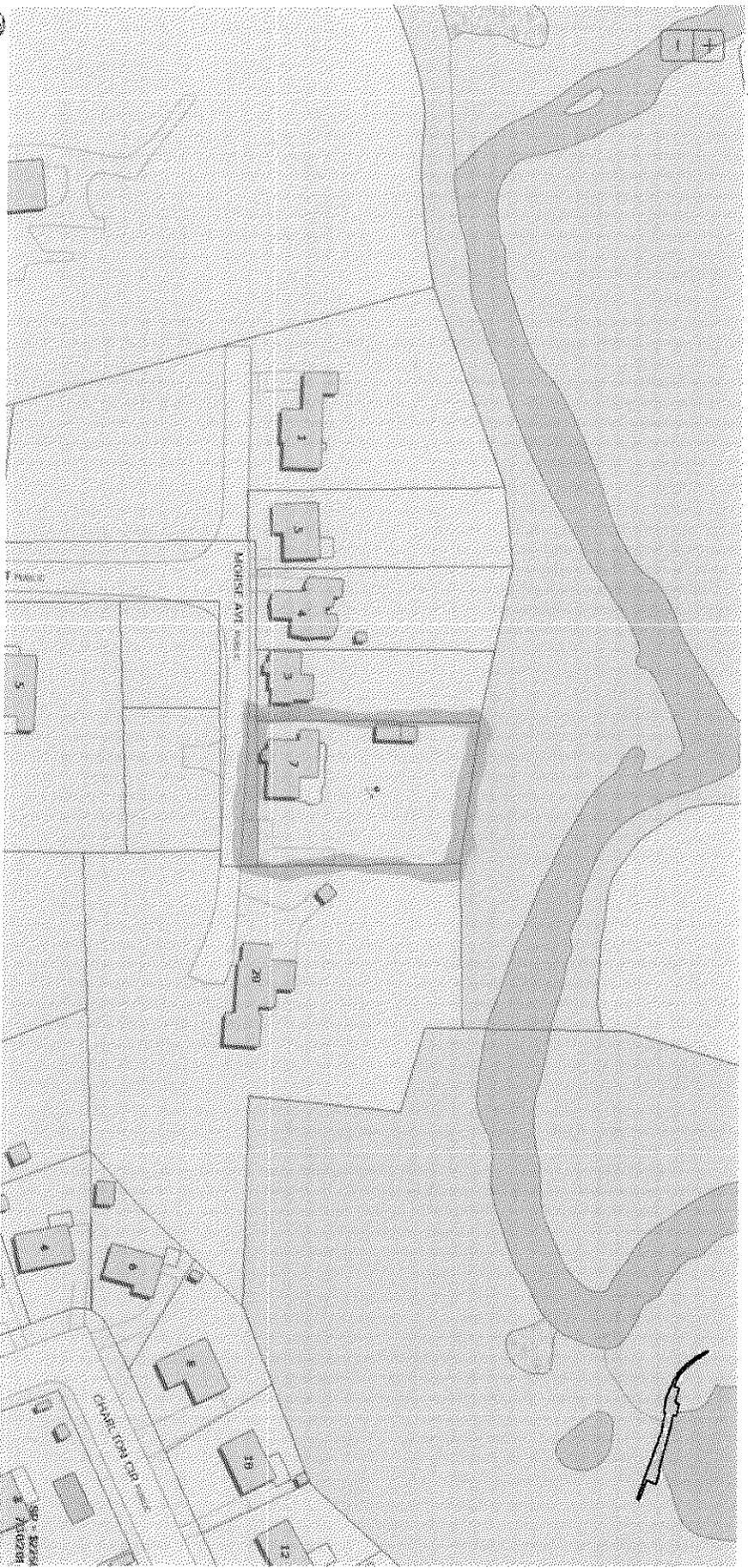
Lot 16-36



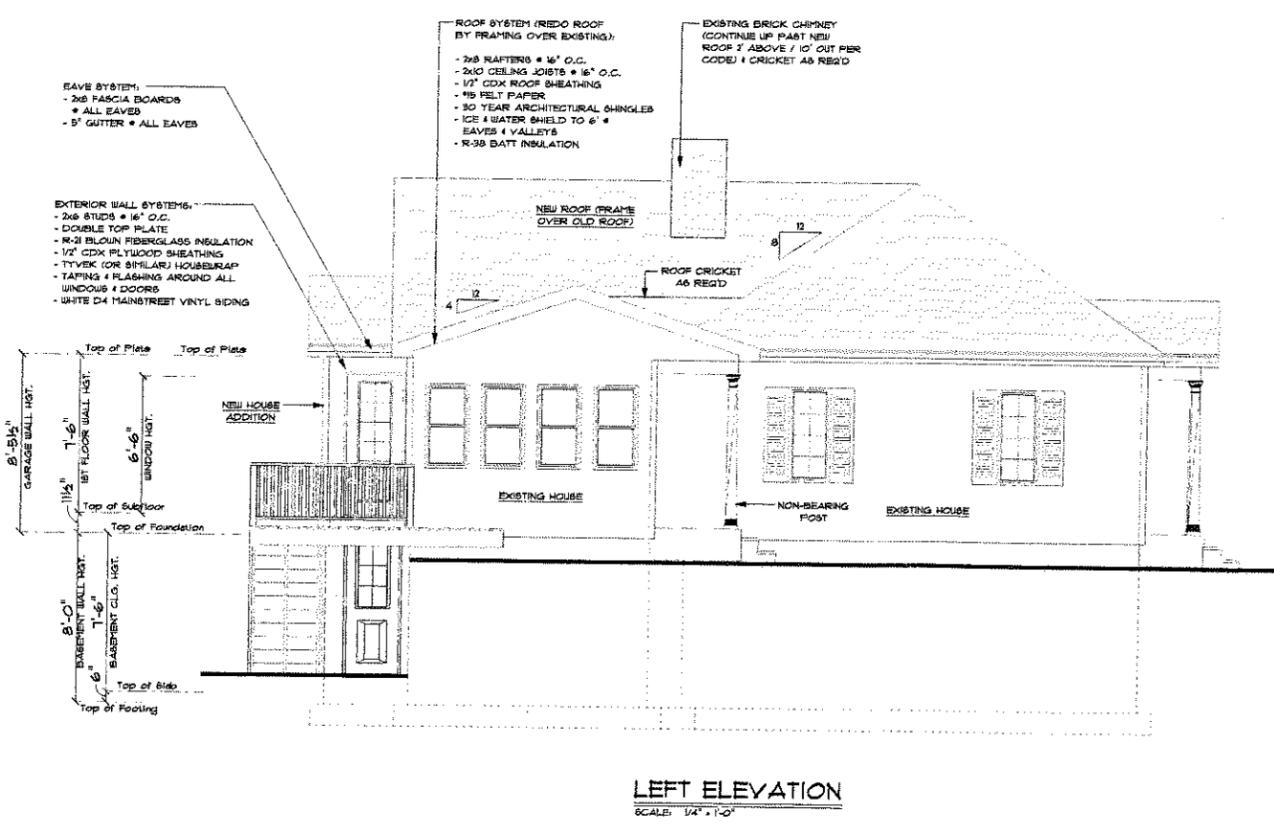
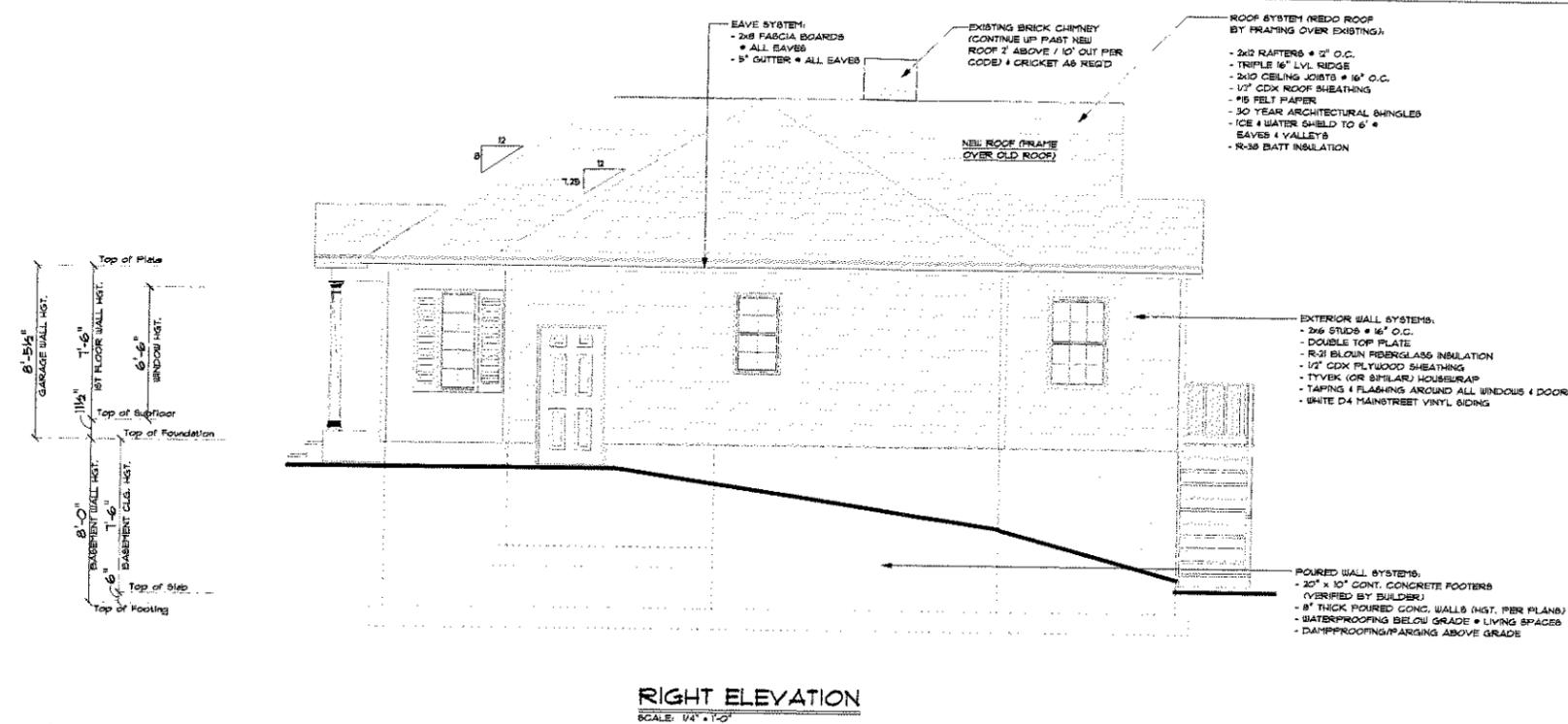
7 Morse Ave

1" = 20'0"

-71.454034, 42.747886







TITLE <b>ELEVATIONS</b>		SCALE: 1/4" = 1'-0"	PAGE: <b>A-04</b>
CLIENT <b>COLLINS</b>		CREATION DATE: 0-1-18	OF: <b>8</b>
REVISIONS		CURRENT DATE:	DESIGN BY: GLD
ENGINEERING		GARAGE / BEDROOM POOR	
		1 MORSE AVE. NASHUA, NH 03060	
THIS DRAWING IS INTENDED TO COMMUNICATE A CONCEPTUAL DESIGN AND A CONCEPT FOR ASSEMBLY OF THE COMPONENTS INCLUDED IN THE PROJECT. NOT VALID FOR CONSTRUCTION UNLESS CONTRACTOR OF RECORD REVIEWS THESE DRAWINGS AND TAKES COMPLETE RESPONSIBILITY FOR ALL REQUIRED SPECIFICATIONS AND CODE COMPLIANCE.			
VERIFY ALL EXISTING CONDITIONS IN FIELD			





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**VARIANCE APPLICATION**

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**1. VARIANCE INFORMATION**

a. ADDRESS OF REQUEST 8 Haines St  
 Zoning District RB Sheet 0014 Lot 00092

b. VARIANCE(S) REQUESTED To allow storage shed closer to boundary lines at back yard of property. The placement is at rear of all other properties and isn't within 25ft of any other structure except my own garage which is 20ft. Proposed placement is 2ft from rear property line and 3ft from side property line. The yard is small and any other placement wouldn't allow recreational use of the property.

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)

John S Goguen  
 Applicant's signature [Signature] Date 12/5/2015  
 Applicant's address 8 Haines St Nashua  
 Telephone number (home) 603-886-4887 (work) 603-219-6620

b. PROPERTY OWNER John + Lisa Goguen

Owner's signature [Signature] Date 12/5/2015  
 Owner's address 8 Haines St Nashua  
 Telephone number (home) 603-886-4887 (work) 603-219-6620

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 12/9/15 Date of hearing 1/12/16  
 Notices: Newspaper  Abutters  Board Action \_\_\_\_\_  
 \$ \_\_\_\_\_ fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_  
 \$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_  
 \$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

PLR2015 - 00236

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

- 1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

The shed will be/is at rear of property, All adjacent boundaries  
are at rear of properties and will be similar to placement  
of existing structures in neighborhood

- 2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

Because placement is in rear of my  
property and rear of adjacent properties, it will  
not conflict with spirit of the ordinance. There will not  
be power to the structure, outside motion light is solar  
powered

- 3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

It will allow storage of out door items which will allow  
a clean and tidy appearance for owner and neighbors

- 4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The structure is well placed and well built. It will provide  
additional privacy for owner and neighbors.

- 5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

Because placement is at rear of all properties, it will not conflict with "fair and reasonable" way.

4. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees N/A Number of employees per shift N/A
- b. Hours and days of operation N/A
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors N/A
- d. Number of daily and weekly commercial deliveries to the premises N/A
- e. Number of parking spaces available N/A
- f. Describe your general business operations N/A Non business use
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation None

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

I understand that only those point specifically mentioned are affected by action taken on this appeal.

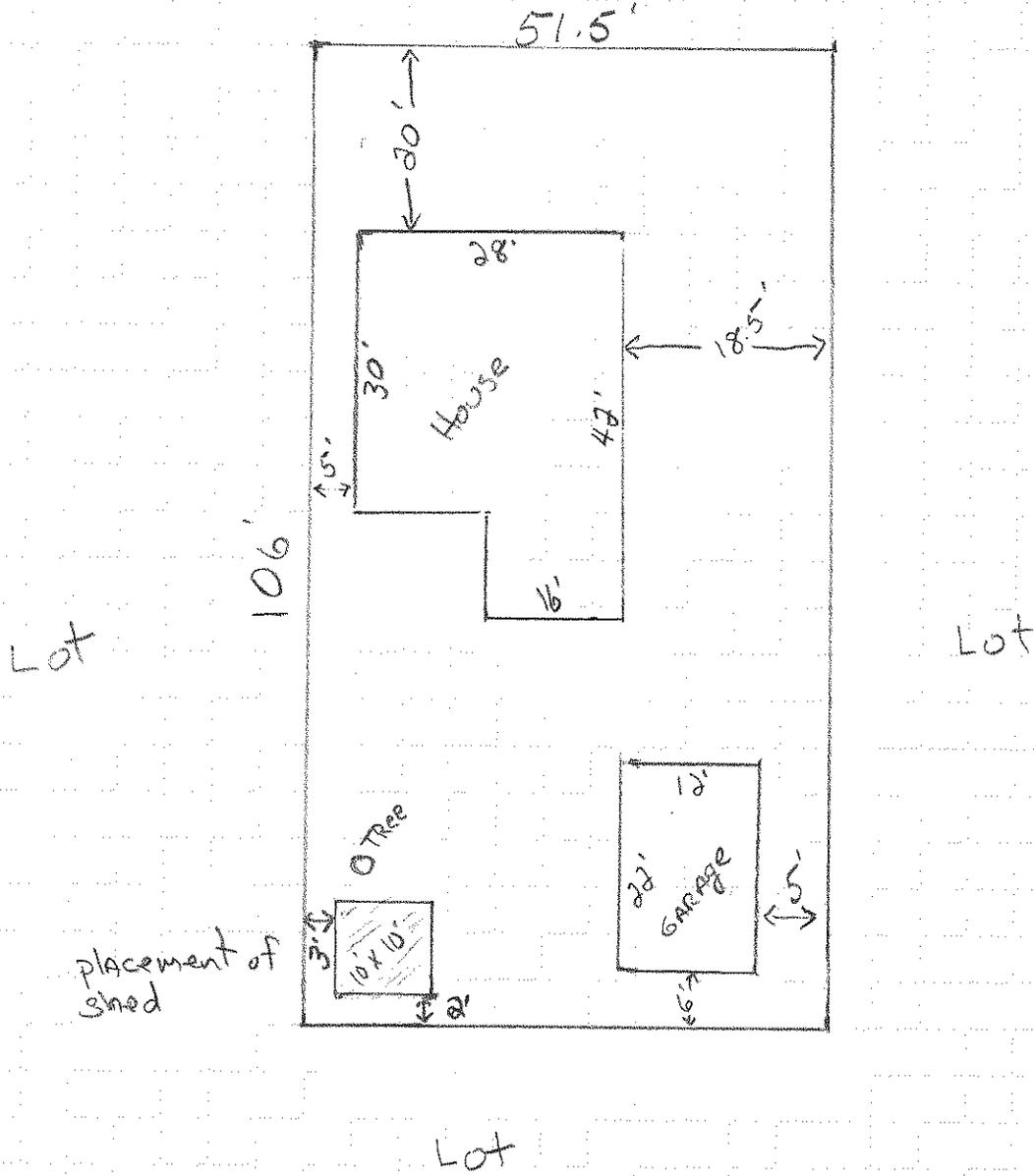
John S. Goguen  
Signature of applicant

12/5/2015  
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at johnsgoguen64@hotmail.com
- Please mail it to me at \_\_\_\_\_

8 Haines St Lot 92





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## VARIANCE APPLICATION

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**1. VARIANCE INFORMATION**

a. ADDRESS OF REQUEST 15-17 Hunt St  
 Zoning District RB Sheet 102 Lot 38

b. VARIANCE(S) REQUESTED is to maintain 2 Accessory structures  
Attached to a non-conforming structure 3' into a 6'  
required rear yard setback

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)

Applicant's signature [Signature] / Anne Siteman Date 11/16/15  
 Applicant's address 15-17 Hunt St.  
 Telephone number (home) 603-566-2051 (Anne) (work) 603-566-4123 (Alicia)

b. PROPERTY OWNER [Signature] / Anne Siteman  
 Owner's signature [Signature] Date 11/16/15  
 Owner's address 15-17 Hunt St.  
 Telephone number (home) 603-566-2051 (Anne) (work) 603-566-4123 (Alicia)

Case number _____	Application Deadline _____	Date Received _____	Date of hearing <u>1/12/16</u>
Notices: Newspaper <input type="checkbox"/>	Abutters <input type="checkbox"/>	Board Action _____	
\$ _____ fee <input type="checkbox"/>		Date Paid _____	Receipt # _____
\$ _____ application fee <input type="checkbox"/>		Date Paid _____	Receipt # _____
\$15 signage fee <input type="checkbox"/>	\$100 recovery fee <input type="checkbox"/>	Date Paid _____	Receipt # _____

PLR 2015-00232

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

- 1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

Does not

- 2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

Does not

- 3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

Will not

- 4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

Will not

- 5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

Address 15-17 Hunt St.

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

Small side was needed for additional storage. The two structures were added to a very old garage. The deck was constructed in this spot because it was the best place for it. Neither affect the neighbors. To have to move the structures would cause much hardship for us.

N/A

4. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees \_\_\_\_\_ Number of employees per shift \_\_\_\_\_
- b. Hours and days of operation \_\_\_\_\_
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- d. Number of daily and weekly commercial deliveries to the premises \_\_\_\_\_
- e. Number of parking spaces available \_\_\_\_\_
- f. Describe your general business operations \_\_\_\_\_  
\_\_\_\_\_
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

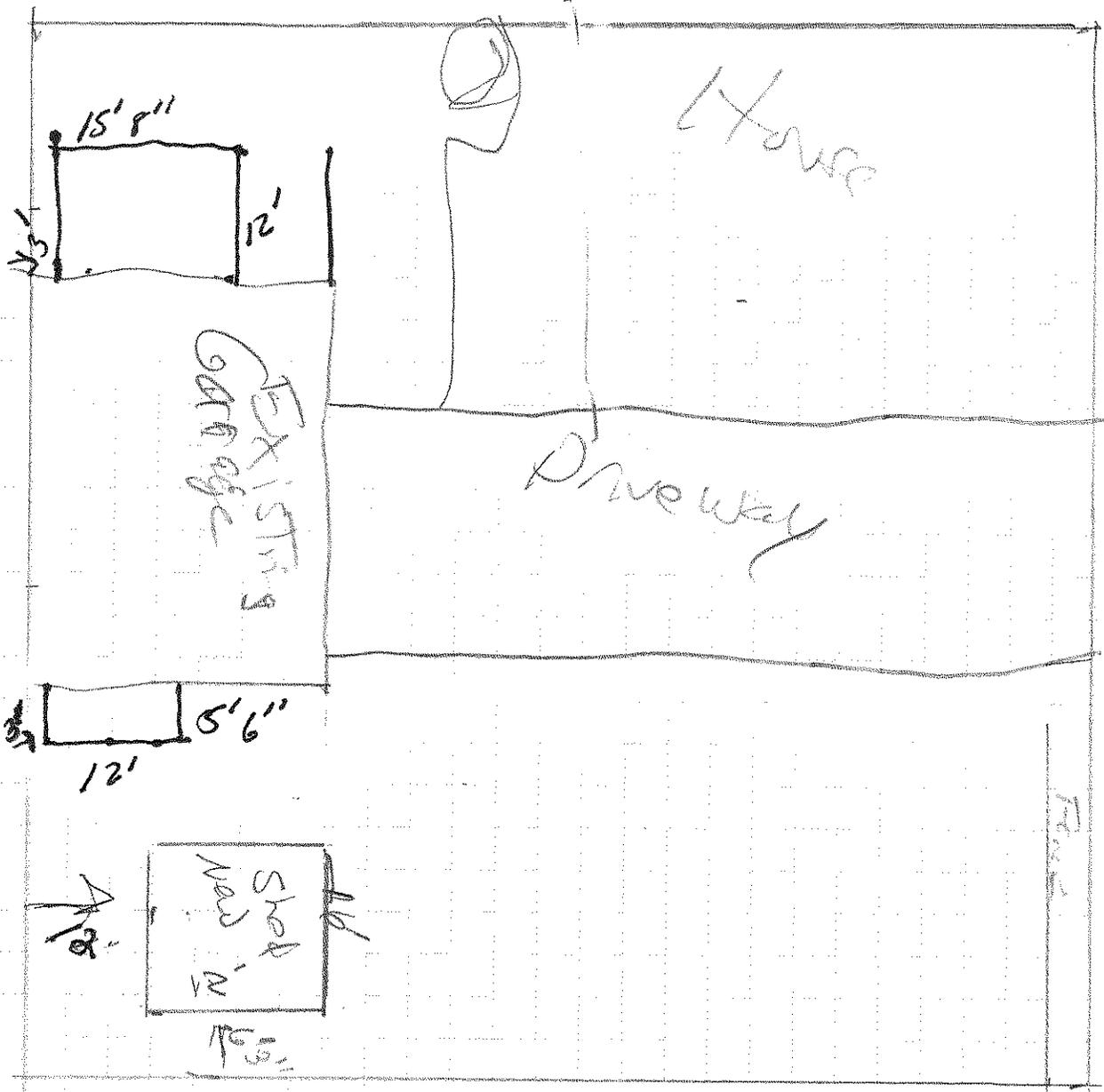
I understand that only those point specifically mentioned are affected by action taken on this appeal.

Glicia Trues / Anne Sitarman  
Signature of applicant

11/16/15  
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
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Nashua, NH 03060





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**1. VARIANCE INFORMATION**

a. ADDRESS OF REQUEST 30 Caron Ave.  
 Zoning District RA Sheet 49 Lot 879

b. VARIANCE(S) REQUESTED To allow garage addition to be 4' from property line.

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
William Porter Linda M Porter  
 Applicant's signature William Porter Linda Porter Date 11-19-15  
 Applicant's address 30 Caron Ave  
 Telephone number (home) Nashua 882-6568 (work) 603-888-9292

b. PROPERTY OWNER Linda Porter  
 Owner's signature Linda Porter Date 11-19-15  
 Owner's address 30 Caron Ave  
 Telephone number (home) 603-882-6568 (work) 603-888-9292

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 11/20/15 Date of hearing 1/12/16  
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 \$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

PLR 2015-00231

**3. PURPOSE OF REQUEST**

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

This project will maintain the character of the neighborhood. It is for private use of the resident only.

2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

The proposed garage addition is for the use of the residents only and will be designed to match the existing structure.

3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

The garage addition will help us during the winter months by keeping the vehicles protected from the elements. Less time for us to be clearing cars. It will also be a staging area for the snow blower. It will also protect our vehicles year round.

4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The addition will allow us to access the driveway and side door. This will not diminish the value of the surrounding properties.

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

This is the only side that is wide enough to allow this addition. Our driveway is located here and this will allow us easier access to snow blower.

4. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees \_\_\_\_\_ Number of employees per shift \_\_\_\_\_
- b. Hours and days of operation \_\_\_\_\_
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors \_\_\_\_\_
- d. Number of daily and weekly commercial deliveries to the premises \_\_\_\_\_
- e. Number of parking spaces available \_\_\_\_\_
- f. Describe your general business operations \_\_\_\_\_
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation \_\_\_\_\_

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

I understand that only those point specifically mentioned are affected by action taken on this appeal.

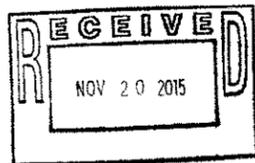
*William Pelt*

Signature of applicant

Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at \_\_\_\_\_
- Please mail it to me at \_\_\_\_\_



N

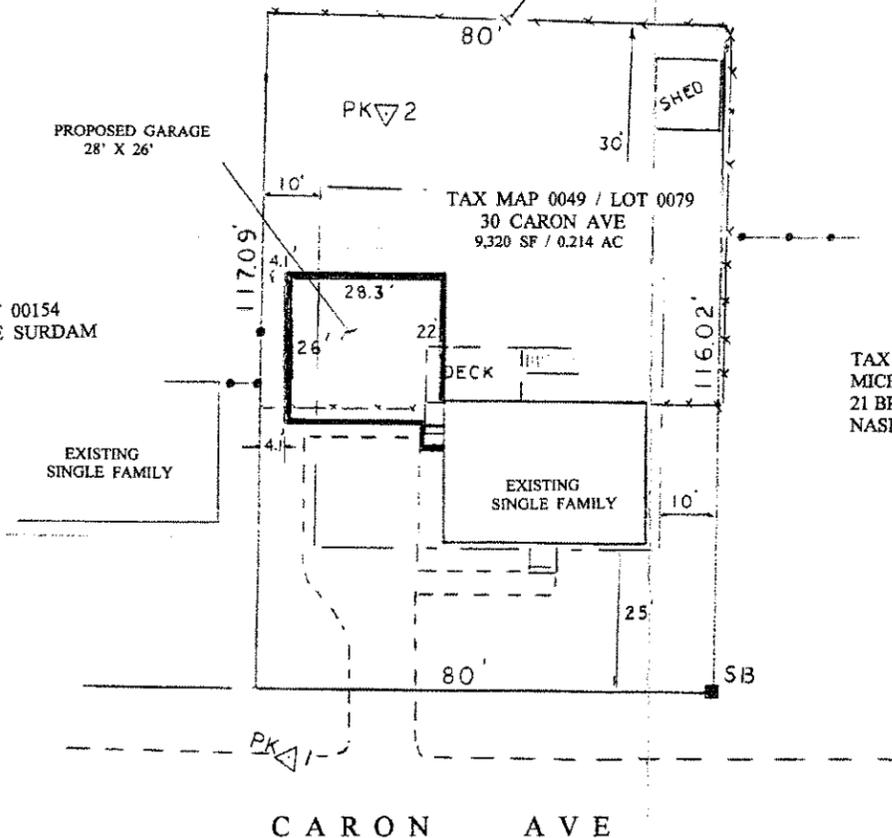
TAX MAP 0049 / LOT 0260  
DONALD & SANDRA THURSTON  
17 BRINTON DRIVE  
NASHUA, NH 03064-1273

TAX MAP 0049 / LOT 0259  
JANE M. VUKELICH  
19 BRINTON DRIVE  
NASHUA, NH 03064-1273

DEED REFERENCE: BOOK 2623 PAGE 0390  
PLAN REFERENCE: HCRD # 1828 LOT 5  
ZONING: RA  
MINIMUM SETBACKS FRONT - 25.00 FT  
SIDE - 10.00 FT  
REAR - 30.00 FT

TAX MAP 049 / LOT 00154  
DENNIS & MARLENE SURDAM  
28 CARON AVE  
NASHUA, NH 03064

TAX MAP 0049 / LOT 0258  
MICHAEL & ELIZABETH LEMMON  
21 BRINTON DRIVE  
NASHUA, NH 03064



TAX MAP 0049 / LOT 0079  
**CERTIFIED PLOT PLAN**  
30 CARON AVE  
NASHUA, NH

PREPARED FOR: WILLIAM PORTER  
30 CARON AVE  
NASHUA, NH 03064

NOVEMBER 3, 2015 SCALE: 1" = 20'



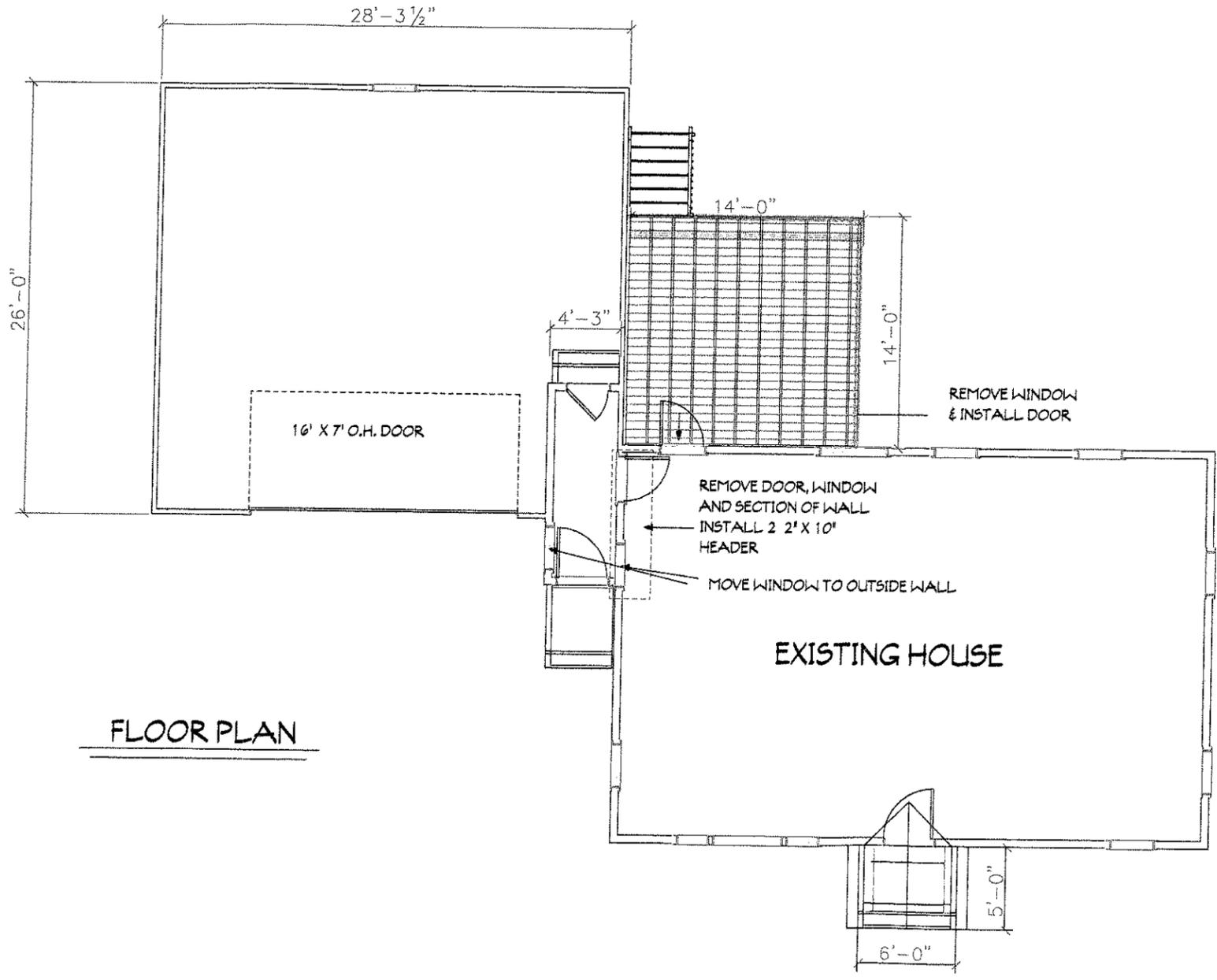
TAX MAP 0049 / LOT 0246  
SCOTT M. PALKENS  
PAMELA GATELY AVOLA  
25 BRINTON DRIVE  
NASHUA, NH 03064-1274

**M. J. GRAINGER ENGINEERING, INC.**  
PROFESSIONAL ENGINEERS - SURVEYORS - PLANNERS  
220 DERRY ROAD HUDSON, NH 03051 (603) 882-4359

JN 15-138

REVISIONS				
NO.	DATE	DESCRIPTION	BY	APP.

TAX MAP 0049 / LOT 0187  
MARY ELLEN WHITE  
2 SANTERRE STREET  
NASHUA, NH 03064-1245

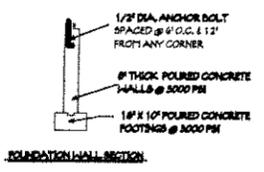
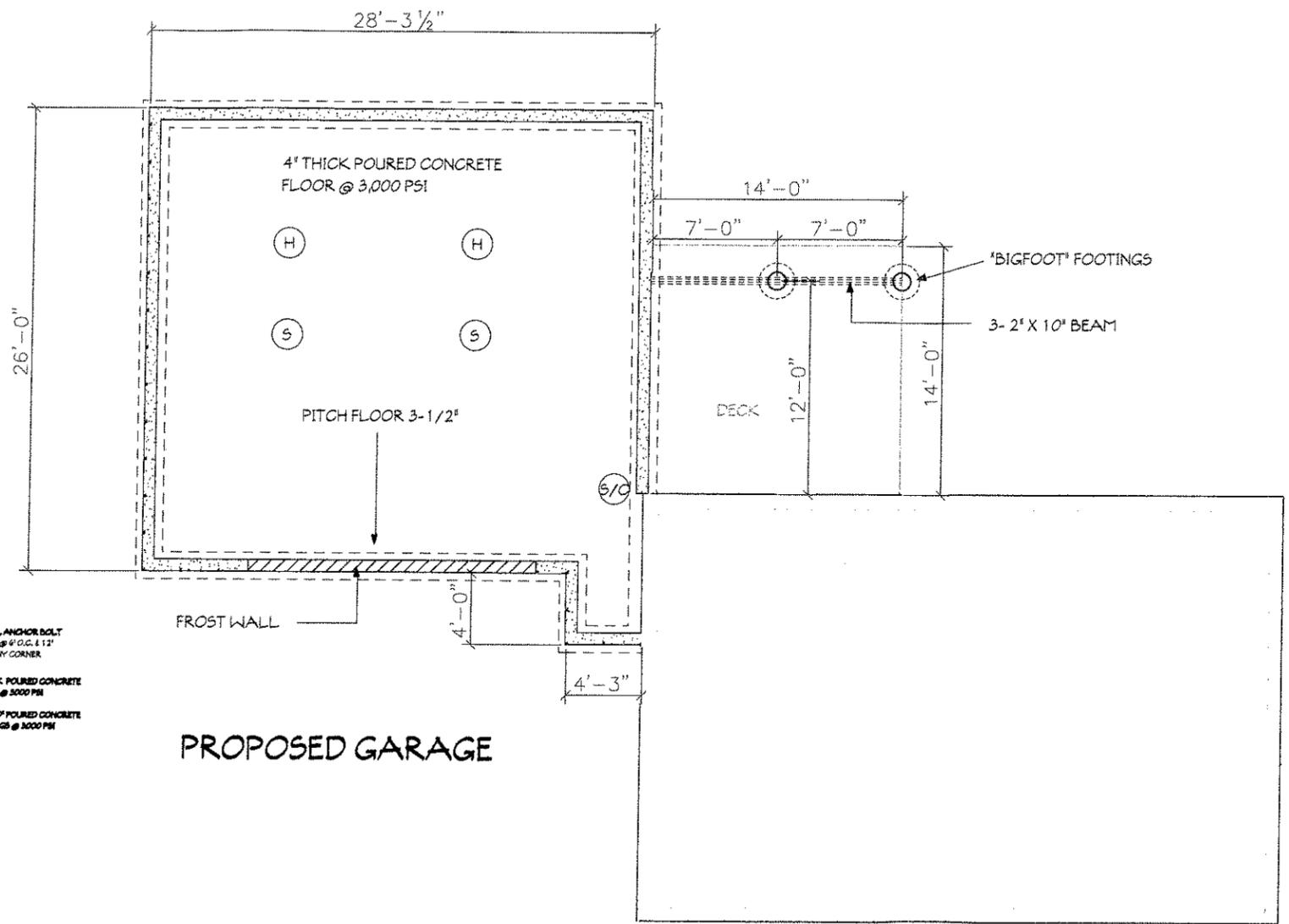


FLOOR PLAN

- (H) HEAT DETECTOR
- (S) SMOKE DETECTOR
- (S/C) COMBINATION SMOKE / CO<sub>2</sub>

30 CARON AVE.  
NASHUA, NH

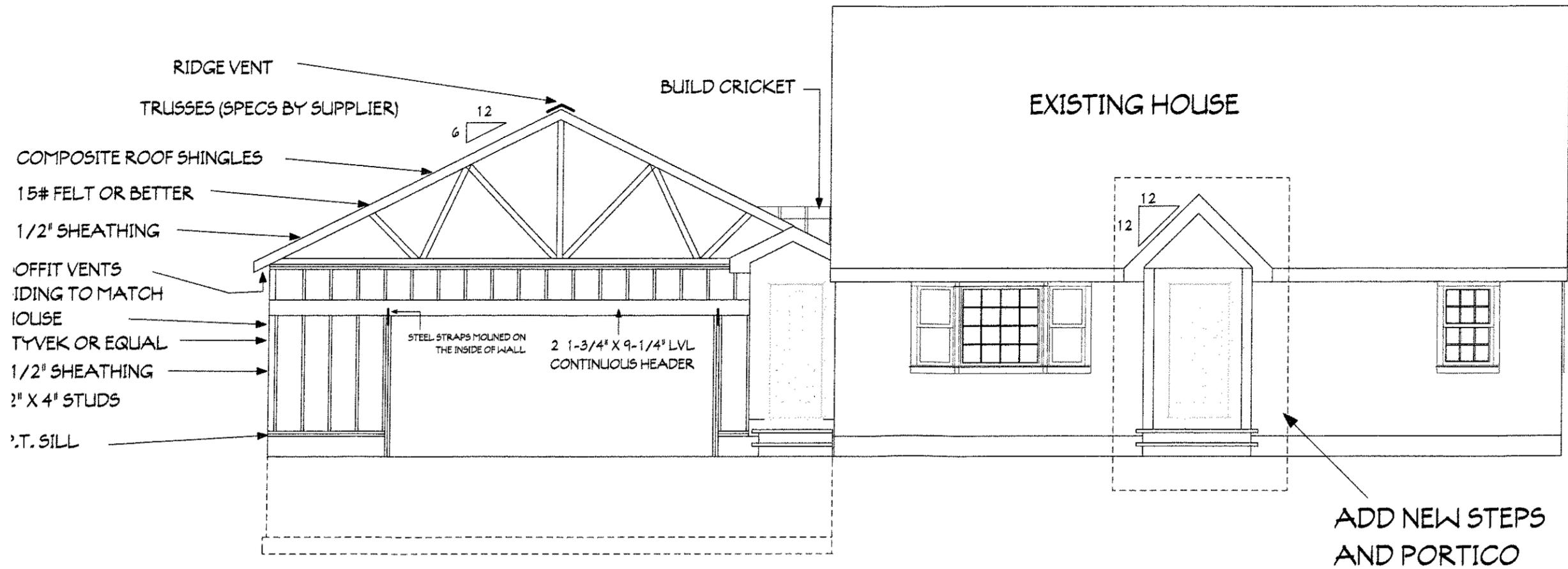
SCALE  
1/4" = 1'0"



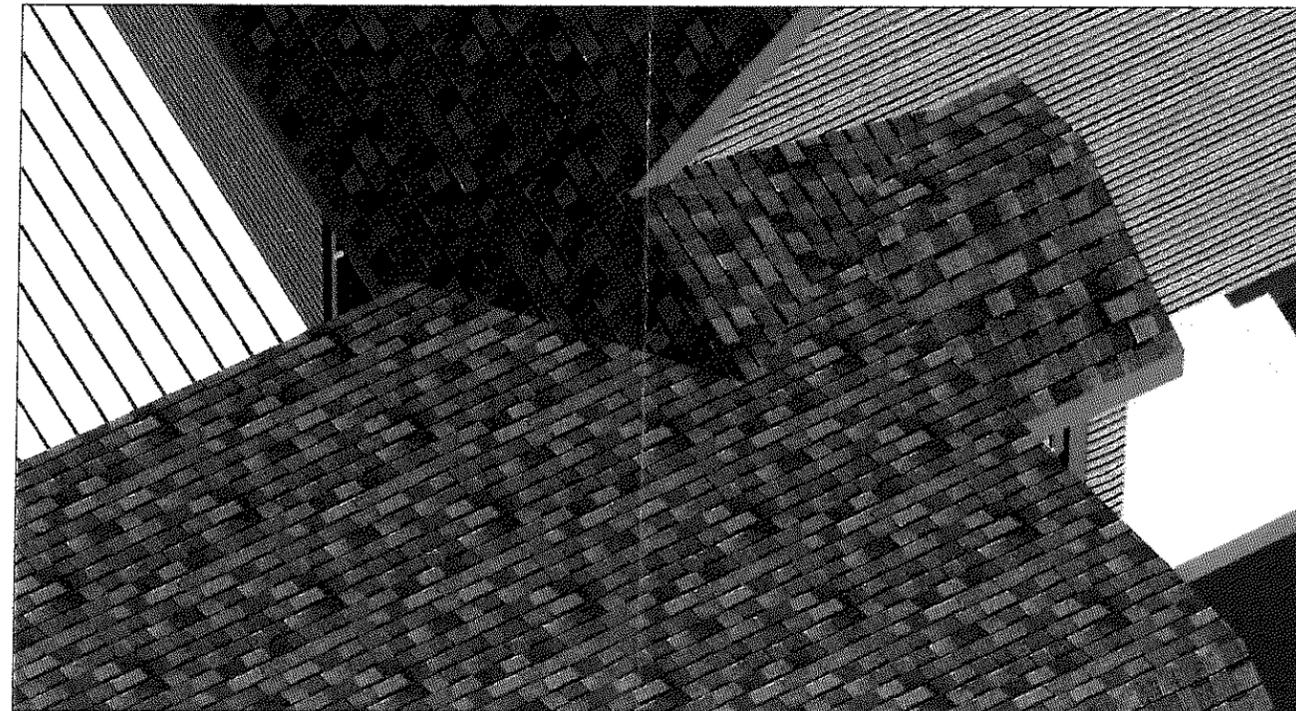
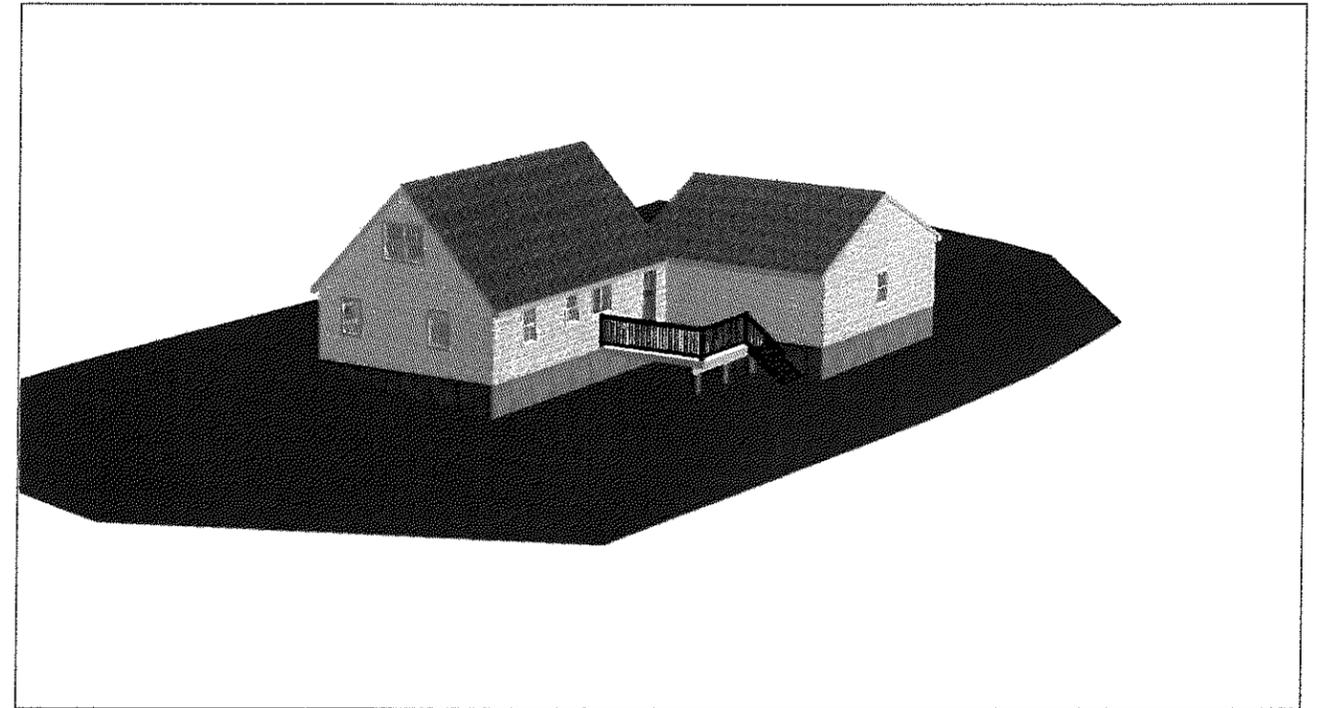
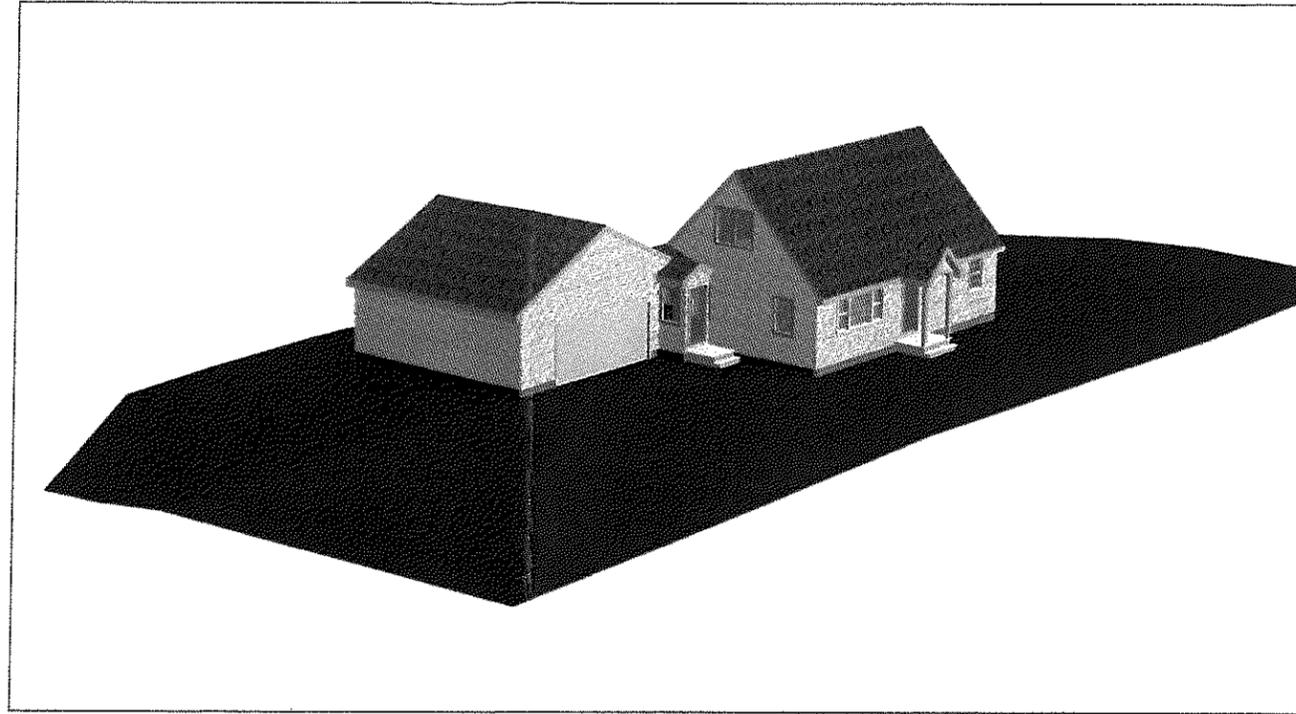
PROPOSED GARAGE

30 CARON AVE.  
NASHUA, NH

SCALE  
1/4" = 1'0"



FRONT SECTION





**City of Nashua**  
**Community Development Division**  
 City Hall, 229 Main Street, PO Box 2019  
 Nashua, New Hampshire 03061-2019

Community Development 589-3095  
 Planning and Zoning 589-3090  
 Building Safety 589-3080  
 Code Enforcement 589-3100  
 Urban Programs 589-3085  
 Economic Development 589-3070  
 Conservation Commission 589-3105  
 FAX 589-3119  
 www.nashuanh.gov

**VARIANCE APPLICATION**

This application must be completed and submitted to the Planning Department no later than the dates listed on the Zoning Board of Adjustment (ZBA) schedule sheet. The ZBA will not consider incomplete or inaccurate applications for action. ~ PLEASE PRINT OR TYPE ~

**1. VARIANCE INFORMATION**

a. ADDRESS OF REQUEST 38 Langholm Dr. Nashua  
 Zoning District R9 Sheet C Lot 393

b. VARIANCE(S) REQUESTED To Leave A shed 2' from property line instead of 6'. And to leave it 10'x16'.

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
Andrew Dubray  
 Applicant's signature [Signature] Date 11-28-2015  
 Applicant's address 38 Langholm Dr. Nashua NH 03062  
 Telephone number (home) 888-1510 (work) \_\_\_\_\_

b. PROPERTY OWNER SAME AS ABOVE  
 Owner's signature \_\_\_\_\_ Date \_\_\_\_\_  
 Owner's address \_\_\_\_\_  
 Telephone number (home) \_\_\_\_\_ (work) \_\_\_\_\_

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 12/1/15 Date of hearing 1/12/16  
 Notices: Newspaper  Abutters  Board Action \_\_\_\_\_  
 \$ \_\_\_\_\_ fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_  
 \$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_  
 \$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

PLR # 2015-00230

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

- 1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

It's been safe & no threat to public health for 2 years + most  
neighbors have sheds that sit right on their property lines.  
One neighbor has A shed At the foot of his driveway.

- 2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

Neighbor had sheds implied setting it 2' from line was ok.  
Logic placed the shed where it is based on needed Access  
between shed + Garage and existing OAK tree.  
No other spot worked.

- 3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

A large oak tree forced the placement. Snow  
removal equipment for drive does not belong in A  
back yard shed + does not fit in garage. Back of lot  
has steep grade. Access for Basement + storage no  
good spot to place shed. Needed for snow removal  
and yard tools.

- 4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

This is not A permanent structure, it set on  
cinder blocks. Most yards in this Area have sheds  
right on property lines. This is essentially  
a 10'x10' shed with a 6' extension to roof for covering wood.  
I tried to make it look better than haveing blue tarps

- 5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

Steep grade in back yard did not allow for shed. so I placed it to accommodate my snow removal equipment, large lawn tractor. lots of sheds are closer to their property lines.

4. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees \_\_\_\_\_ Number of employees per shift \_\_\_\_\_
- b. Hours and days of operation \_\_\_\_\_
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors \_\_\_\_\_
- d. Number of daily and weekly commercial deliveries to the premises \_\_\_\_\_
- e. Number of parking spaces available \_\_\_\_\_
- f. Describe your general business operations \_\_\_\_\_
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation \_\_\_\_\_

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

I understand that only those point specifically mentioned are affected by action taken on this appeal.

[Signature]  
Signature of applicant

11/28/2015  
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at \_\_\_\_\_
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**VARIANCE APPLICATION**

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1. VARIANCE INFORMATION

a. ADDRESS OF REQUEST 39 Broad St Nashua NH 03064  
 Zoning District RA Sheet 61 Lot 8

b. VARIANCE(S) REQUESTED for Shed located at 99 Broad St  
Nashua NH 03064. Located ~~at~~ in rear corner  
of lot

2. GENERAL INFORMATION

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)

James A. Reed  
 Applicant's signature James A Reed Date Dec 9 2015  
 Applicant's address 39 Broad St Nashua NH 03064  
 Telephone number (home) 603-953-3518 (work) —

b. PROPERTY OWNER Edmund Kopka & Gail Reed

Owner's signature Gail V Reed Date \_\_\_\_\_  
 Owner's address 39 Broad St Nashua NH 03064  
 Telephone number (home) 603-953-3517 (work) \_\_\_\_\_

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 12/14/15 Date of hearing 1/12/16

Notices: Newspaper  Abutters  Board Action \_\_\_\_\_

\$ \_\_\_\_\_ fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

PLR 2015 - 00237

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

*Shed has same color as house and design has good appearance for area.*

2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

*Shed is used for storage of house hold goods and tools.*

3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

*Home owners on both sides of shed were contacted before shed was installed. Home owners ok'd. Shed provides storage for lawn equipment used to maintain lot.*

4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

*Have no knowledge of how this shed would diminish value to property or surrounding area. I think the shed may add value.*

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

*Skid was located to avoid stumps & large rock in ground. A gravel base was installed and contractor placed Building so it was square with street and avoided stumps and rock with Building Foundation block. Lot is not square so that corner so to keep 6' foot clearance at all corners would. Take up large Area of lot and was thought to look odd. Bld was placed to maintain a good appearance.*

4. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees \_\_\_\_\_ Number of employees per shift \_\_\_\_\_
- b. Hours and days of operation \_\_\_\_\_
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors \_\_\_\_\_
- d. Number of daily and weekly commercial deliveries to the premises \_\_\_\_\_
- e. Number of parking spaces available \_\_\_\_\_
- f. Describe your general business operations \_\_\_\_\_  
\_\_\_\_\_
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

I understand that only those point specifically mentioned are affected by action taken on this appeal.

James A Paul  
Signature of applicant

Dec 9 2015  
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at \_\_\_\_\_
- Please mail it to me at \_\_\_\_\_  
\_\_\_\_\_





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**Community Development Division**  
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 Nashua, New Hampshire 03061-2019

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**VARIANCE APPLICATION**

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**1. VARIANCE INFORMATION**

- a. ADDRESS OF REQUEST 55 Gillis St Nashua NH 03060  
 Zoning District RB Sheet 25 Lot 00050
- b. VARIANCE(S) REQUESTED The new 6x16 shed structure is 2ft from the existing property line. moving the shed 6ft from the line to meet the current code would make the usage unconventional and difficult. I would like to keep it 2ft from the property line.

**2. GENERAL INFORMATION**

- a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
Julian Thibeault  
 Applicant's signature [Signature] Date 12-16-15  
 Applicant's address 55 Gillis St Nashua NH 03060  
 Telephone number (home) 978-866-0487 (work) \_\_\_\_\_
- b. PROPERTY OWNER Julian Thibeault  
 Owner's signature [Signature] Date \_\_\_\_\_  
 Owner's address 55 Gillis St Nashua NH 03060  
 Telephone number (home) 978 866 0487 (work) \_\_\_\_\_

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 12/15/15 Date of hearing 1/12/16

Notices: Newspaper  Abutters  Board Action \_\_\_\_\_

\$ \_\_\_\_\_ fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

PLR2015-00240

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

- 1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

This is a small shed in the backyard of the property  
very similar to the surrounding properties. In no  
way should it be a concern of public  
interest.

- 2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

The shed placement is currently the only  
logical placement however does not impose any  
significant or insignificant detraction from the surrounding  
properties.

- 3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

The variance would allow for proper use  
of the structure. If the variance is not granted,  
the owner moving of the structure to comply with the  
act ordinance would result in large costs and inoperable  
use.

- 4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The structure is in visually logical placement and  
sits in with the overall character of the neighborhood  
and surrounding properties.

- 5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

The structure would need to be relocated to an area of the property not appropriate for its usage and would place the structure almost ~~at~~ into the center of the property, which would detract from the visual appeal detracting ~~from~~ from the value of the property. Also, this would incur significant costs.

4. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees 0 Number of employees per shift 0
- b. Hours and days of operation N/A
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors 0
- d. Number of daily and weekly commercial deliveries to the premises 0
- e. Number of parking spaces available 2
- f. Describe your general business operations N/A
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation N/A

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

I understand that only those point specifically mentioned are affected by action taken on this appeal.

[Signature]  
Signature of applicant

12-16-15  
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at Bigtwenty@gmail.com
- Please mail it to me at 55 Gillis St Nashua NH 03060





**City of Nashua**  
**Community Development Division**  
 City Hall, 229 Main Street, PO Box 2019  
 Nashua, New Hampshire 03061-2019

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## VARIANCE APPLICATION

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**1. VARIANCE INFORMATION**

a. ADDRESS OF REQUEST 70 Gilson Rd Nashua NH  
 Zoning District R30 Sheet D Lot 342

b. VARIANCE(S) REQUESTED exceeding Percent usage asking for 90% instead of 40% Exceeding Allowed width of driveway at set back from 24' to 46'  
(WB)

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
Kevin Beaulieu / Bill Gagnon  
 Applicant's signature [Signature] Date 12/1/15  
 Applicant's address 115 Herrick St Merrimack NH 03054  
 Telephone number (home) \_\_\_\_\_ (work) 603-493-6110

b. PROPERTY OWNER Bill Gagnon  
 Owner's signature [Signature] Date 12/4/2015  
 Owner's address 78 Gilson Rd  
 Telephone number (home) 603-882-6423 (work) Same

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received \_\_\_\_\_ Date of hearing 1/12/16

Notices: Newspaper  Abutters  Board Action \_\_\_\_\_

\$ \_\_\_\_\_ fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

PLR 2015-00234

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

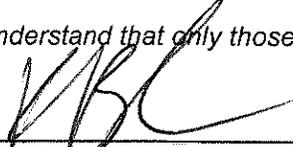
4. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees \_\_\_\_\_ Number of employees per shift \_\_\_\_\_
- b. Hours and days of operation \_\_\_\_\_
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors \_\_\_\_\_
- d. Number of daily and weekly commercial deliveries to the premises \_\_\_\_\_
- e. Number of parking spaces available \_\_\_\_\_
- f. Describe your general business operations \_\_\_\_\_  
\_\_\_\_\_
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

I understand that only those point specifically mentioned are affected by action taken on this appeal.

  
\_\_\_\_\_  
Signature of applicant

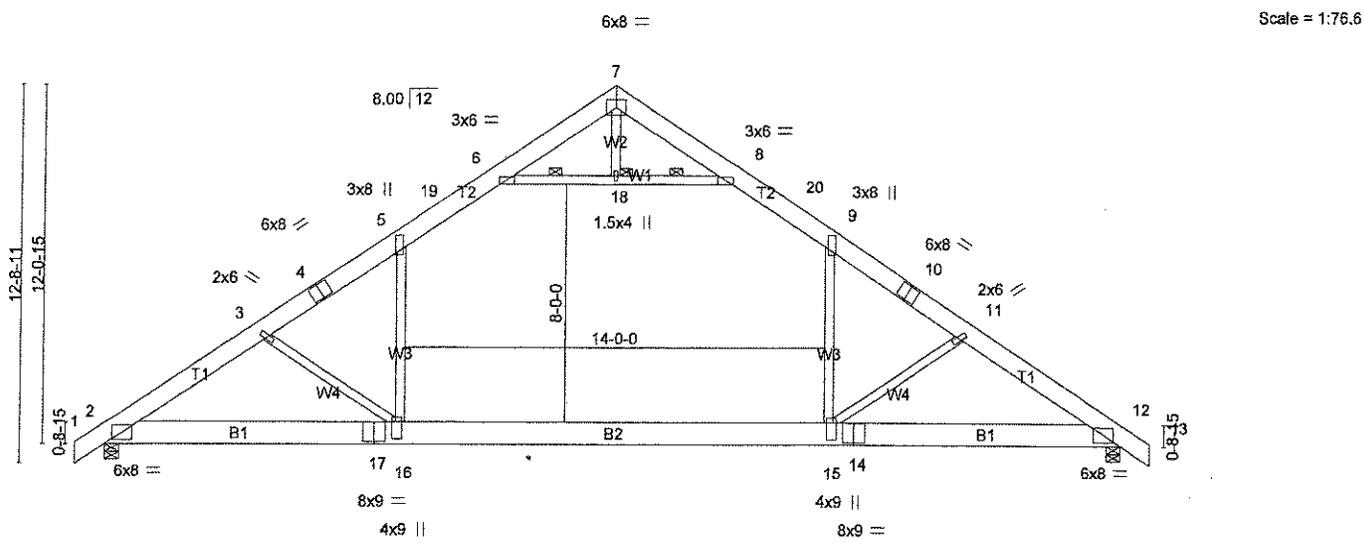
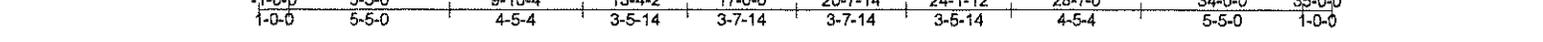
1/5/16  
\_\_\_\_\_  
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at \_\_\_\_\_
- Please mail it to me at \_\_\_\_\_  
\_\_\_\_\_

Job 1508009	Truss A	Truss Type ATTIC	Qty 12	Ply 1	Belletetes - Kevin
----------------	------------	---------------------	-----------	----------	--------------------

Beau Trusses, Boscawon, NH 03303, Paul H. Denis, Jr. Run: 7.620 s Apr 15 2015 Print: 7.620 s Apr 15 2015 MiTek Industries, Inc. Wed Aug 19 09:50:25 2015 Page 1  
 ID:GnZ???kjdcz089v943ASYdzrXJP-Vhw0DKEM8AiCwm20XT1L14e6NDrtqZZZMdXJMymKnS



5-5-0	9-10-4	24-1-12	28-7-0	34-0-0
5-5-0	4-5-4	14-3-8	4-5-4	5-5-0

Plate Offsets (X,Y)--- [5:0-6-15,0-0-8], [6:0-3-0,0-1-4], [8:0-3-0,0-1-4], [9:0-6-15,0-0-8], [14:0-4-8,0-1-2], [15:0-7-0,0-1-8], [16:0-7-0,0-1-8], [17:0-4-8,0-1-2]

<b>LOADING</b> (psf)	<b>SPACING-</b>	<b>CSI.</b>	<b>DEFL.</b>	<b>PLATES</b>	<b>GRIP</b>
TCLL 46.2	2-0-0	TC 0.50	in (loc) l/def L/d	MT20	197/144
(Ground Snow=60.0)	Plate Grip DOL 1.15	BC 0.74	Vert(LL) -0.42 15-16 >958 360		
TCDL 10.0	Lumber DOL 1.15	WB 0.47	Vert(TL) -0.67 15-16 >599 240		
BCLL 0.0 *	Rep Stress Incr YES	(Matrix)	Horz(TL) 0.06 12 n/a n/a		
BCDL 10.0	Code IBC2009/TPI2007		Attic -0.23 15-16 747 360		
				Weight: 275 lb	FT = 15%

<b>LUMBER-</b>	<b>BRACING-</b>
TOP CHORD 2x8 SP 2400F 2.0E *Except*	TOP CHORD Structural wood sheathing directly applied or 3-8-14 oc purlins.
T1: 2x8 SPF No.2	BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.
BOT CHORD 2x10 SPF No.2 *Except*	WEBS 1 Row at midpt 6-18, 8-18
B2: 2x10 SP 2400F 2.0E	JOINTS 1 Brace at Jt(s): 18
WEBS 2x4 SPF No.2	

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

**REACTIONS.** (lb/size) 2=2444/0-5-8 (min. 0-3-14), 12=2444/0-5-8 (min. 0-3-14)  
 Max Horz 2=-397(LC 6)  
 Max Uplift2=-300(LC 8), 12=-300(LC 9)  
 Max Grav2=2457(LC 2), 12=2457(LC 2)

**FORCES.** (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.  
**TOP CHORD** 2-3=-3876/330, 3-4=-3369/299, 4-5=-3160/316, 5-19=-2456/354, 6-19=-2308/369, 6-7=-280/384, 7-8=-280/384, 8-20=-2308/369, 9-20=-2456/354, 9-10=-3160/315, 10-11=-3369/298, 11-12=-3876/329  
**BOT CHORD** 2-17=-324/3098, 16-17=-324/3098, 15-16=-70/2497, 14-15=-177/3098, 12-14=-177/3098  
**WEBS** 6-18=-2906/355, 8-18=-2906/355, 5-16=0/1233, 9-15=0/1233, 3-16=-889/314, 11-15=-889/316

- NOTES-**
- 1) Wind: ASCE 7-05; 110mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp B; enclosed; MWFRS (low-rise) gable end zone; Lumber DOL=1.33 plate grip DOL=1.33
  - 2) TCLL: ASCE 7-05; Pg= 60.0 psf (ground snow); Pf=46.2 psf (flat roof snow); Category II; Exp B; Partially Exp.; Ct=1.1
  - 3) Unbalanced snow loads have been considered for this design.
  - 4) This truss has been designed for greater of min roof live load of 16.0 psf or 1.00 times flat roof load of 46.2 psf on overhangs non-concurrent with other live loads.
  - 5) This truss has been designed for basic load combinations, which include cases with reductions for multiple concurrent live loads.
  - 6) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
  - 7) \* This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
  - 8) Ceiling dead load (3.0 psf) on member(s). 5-6, 8-9, 6-18, 8-18
  - 9) Bottom chord live load (40.0 psf) and additional bottom chord dead load (3.0 psf) applied only to room. 15-16
  - 10) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 2=300, 12=300.
  - 11) This truss is designed in accordance with the 2009 International Building Code section 2306.1 and referenced standard ANSI/TPI 1.
  - 12) Attic room checked for L/360 deflection.

**LOAD CASE(S)** Standard



**City of Nashua**  
**Planning Department**  
229 Main Street  
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090  
Fax 589-3119  
WEB [www.nashuanh.gov](http://www.nashuanh.gov)

November 18, 2015

Bill Gagnon  
78 Gilson Rd  
Nashua, NH 03062

**Re: Letter of Application Determination**

Dear Mr. Gagnon,

The Zoning Department has recently received your Land Use permit for a 34' x 48' detached garage. There are a number of Land Use Code requirements that are reviewed for compliance when you submit your application, such as, dimensional setbacks from property lines, open space for the lot, accessory use percentage, and compliance with the Wetlands Ordinance as well as compliance with the Floodplain Management Ordinance.

After reviewing your application it has been determined that based on current Land Use ordinances, before the application can be approved it will require additional approvals with the Zoning Board of Adjustment because the accessory use percentage you are proposing is 90% where 40% is allowed.

Accessory Use Structures are detached garages, sheds, gazebos, above and in-ground pools. Based on City Assessing information available, there is 2,862 sqft of living area, 40% of this is 1,144.8 sqft, and this amount is the allowance for this property. Existing is a Pool 512 sqft; shed 120 sqft; detached enclosed porch 309 sqft, which totals 949 sqft; you're proposing a 1,632 sqft garage. If you feel that any of this information is incorrect, please contact the Assessing Department and schedule an inspection with them.

I have enclosed an application for a variance, the cost is \$345.00 the next application deadline is December 15<sup>th</sup> for a January 12<sup>th</sup> meeting.

Sincerely,

Marcia Wilkins  
Planner I, Planning & Zoning Department

Cc: Property Account File # 41,777  
Building Safety Department



# ONE and TWO FAMILY BUILDING and LAND USE PERMIT APPLICATION

Building Safety and Planning Departments, City Hall, 229 Main St, Nashua NH 03061-2019

Received by Dm Date 11.16.15  
 Sheet \_\_\_\_\_ Int \_\_\_\_\_ Zone \_\_\_\_\_  
 Site/sub plan \_\_\_\_\_ Prop Acct # 41777  
 PROJECT # ~~11015~~  
2015-02985

Address 78 Gilson Rd

**Project Cost** **General Description of Work and Use** Include dimensions of building, room, shed, pool, etc. List number of bedrooms and bathrooms if new home or added. If use of existing building is being changed, enter proposed use.  
 Include plumbing, electrical, mechanical, fire suppression, elevator, etc.  
34x48 Detached garage storing vehicles and equipment.  
 \$ 65,000

Single family detached       Townhouse       Duplex       Manufactured housing

Number of Stories: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Residential Units: Existing \_\_\_\_\_ Proposed \_\_\_\_\_

Area of Building (all stories, including basements and garages): Existing \_\_\_\_\_ New/Renovated \_\_\_\_\_

Change of use/occupancy – Past use/occupancy: \_\_\_\_\_

Fire Suppression: Does building have  Sprinkler system  Fire alarm  Other suppression \_\_\_\_\_

Is the property located within a Special Flood Hazard Zone?  Yes  No

If the building is located within that flood hazard zone, an Elevation Certificate must be completed prior to issuance of a building permit.

Is the proposed construction, landscaping or a change of use located within 125 feet of wetland area?  Yes  No

If yes, denote wetland location on plot plan.

Is the development within an area covered under the NH Comprehensive Shoreland Protection Act (RSA 483-B)?  Yes  No

Does property contain hazardous waste  Yes  No

Site services:  Public water  On-site well  City sewer  Septic State permit #: \_\_\_\_\_

Owner <u>Bill Gagnon</u>	Lessee _____	Architect _____
Address <u>78 Gilson Rd</u>	Address _____	Address _____
City/State/Zip <u>Nashua NH</u>	City/State/Zip _____	City/State/Zip _____
Email _____	Email _____	Email _____
Daytime phone _____	Daytime phone _____	Daytime phone _____
Contractor <u>Kevin Beaulieu</u>	Applicant _____	Engineer _____
Address <u>115 Herrick St</u>	Address _____	Address _____
City/State/Zip <u>Merrimack NH</u>	City/State/Zip _____	City/State/Zip _____
Email <u>NashuaRemodeling@gmail.com</u>	Email <u>Contractor</u>	Email _____
Daytime phone <u>603-493-6110</u>	Daytime phone _____	Daytime phone _____

**A PLOT PLAN DRAWN TO SCALE OR SITE PLAN IS REQUIRED FOR ALL APPLICATIONS EXCEPT INTERIOR RENOVATIONS**  
 The plan shall denote property boundaries, location of existing buildings and structures, paved areas, wetlands, and proposed buildings and/or structures.

I hereby certify the owner of record authorizes the proposed work and I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of the City of Nashua. I hereby attest all statements made on this application and any attached documents are true to the best of my knowledge. **Applicants are advised that the making of a false statement on this form is a criminal offense.**

Applicant's Signature [Signature] Print Name Kevin Beaulieu Date 11/13/15



### **3. Purpose of Request**

#### 1) Granting of the requested variance will not be contrary to public interest because:

The Garage is being located at the rear of driveway and sized to fit in area and away from tree line. The request for an additional 50% over my allowed usage. There will be no public health or safety issues.

#### 2) The proposed use will observe the spirit of the ordinance because:

The spirit will be followed by building the garage to look like it belongs with the existing house. Will have vinyl siding and asphalt shingles to match house. The garage is located on left side of house and has no neighbors to the rear or left of garage, the right side of garage is blocked visually by a retaining wall and deck on existing house.

#### 3) Substantial justice would be done to the property-owner granting the variance because:

This would allow storage of vehicles to keep out of weather because existing garage does not have high enough clearance for taller vehicles. Will allow storage for equipment and kept out of visual sight.

#### 4) The proposed use will not diminish the values of surrounding properties because:

There should be no negative effect on the values of the surrounding properties.

#### 5) Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship.

The percentage of accessory use of the finished area is less than whats being requested and restricts the building of the additional structure.

Michaud, Dawn

SENT -  
11.25.15

To: nashuaremodeling@gmail.com  
Subject: 78 Gilson Rd

Good morning

So, here are my notes for the garage

1. As far as the space in the attic created by the trusses... how will this be accessed? Is there a set of stairs or a scuttle?
2. Are you using the same exact truss design for the gable ends as the spec sheet you gave me?
3. You noted a 16' stud height for the wall, this exceeds the provisions of the IRC. Therefore, please provide an engineered design for the tall walls and especially focusing how the wall bracing will be achieved... (see code section below)

**R301.3 Story height.** Buildings constructed in accordance with these provisions shall be limited to *story heights* of not more than the following:

1. For wood wall framing, the laterally unsupported bearing wall stud height permitted by Table R602.3(5) plus a height of floor framing not to exceed 16 inches (406 mm).

**Exception:** For wood framed wall buildings with bracing in accordance with Tables R602.10.1.2(1) and R602.10.1.2(2), the wall stud clear height used to determine the maximum permitted *story height* may be increased to 12 feet (3658 mm) without requiring an engineered design for the building wind and seismic force resisting systems provided that the length of bracing required by Table R602.10.1.2(1) is increased by multiplying by a factor of 1.10 and the length of bracing required by Table R602.10.1.2(2) is increased by multiplying by a factor of 1.20. Wall studs are still subject to the requirements of this section.

Dawn Michaud  
Permit Tech III  
City of Nashua, Bldg Safety  
603-589-3080

Attic access  
22 x 30  
scuttle  
with lighting -

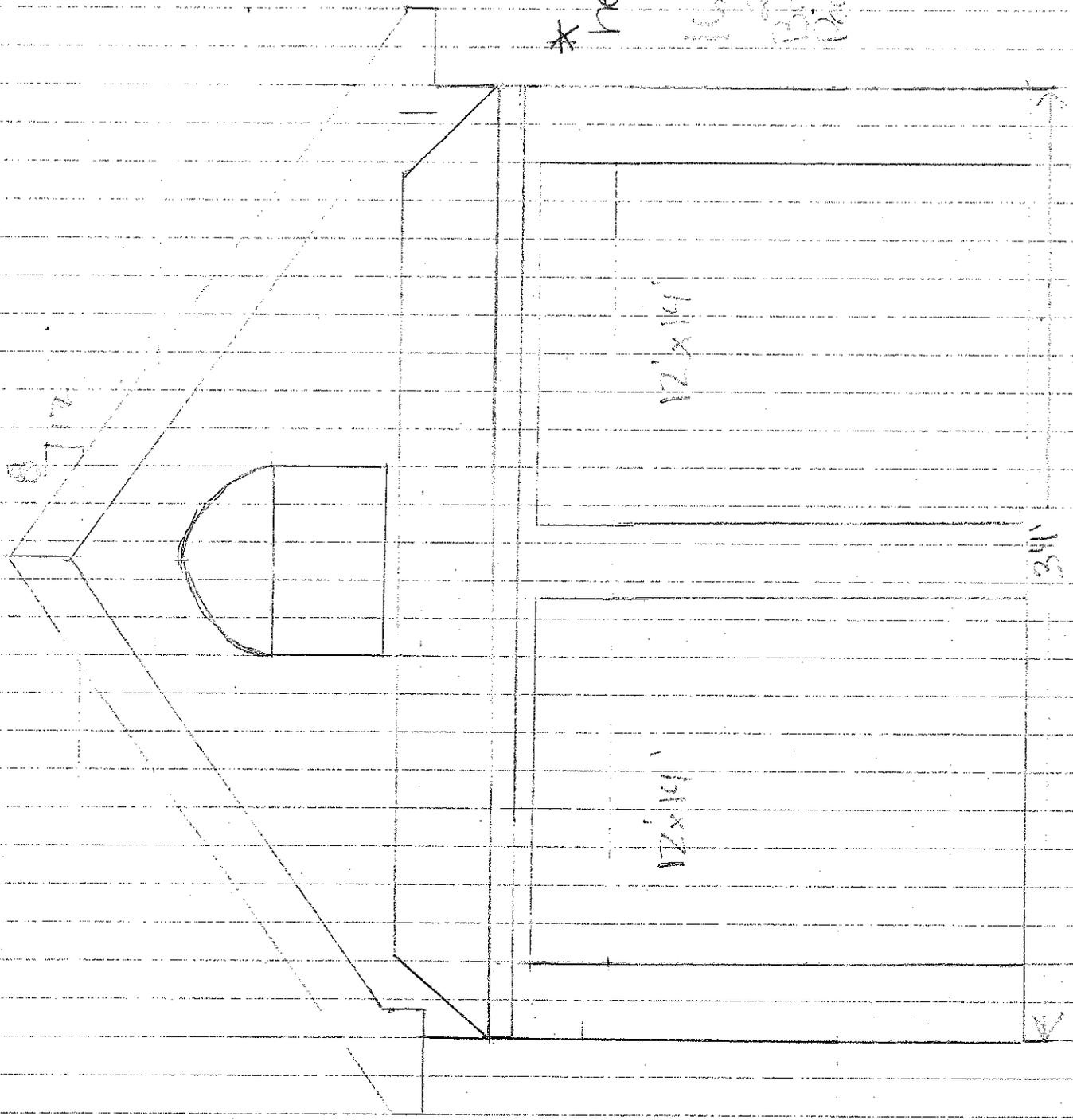
78 Gilson Rd  
Nashua, NH

Alta Truss  
Wood

\* Full stud  
height.

16' 0" x 16' 0" Truss  
SAB 16.02  
Blindlyg Island  
Plywood

Front Gable View



12' x 14' 1/2"

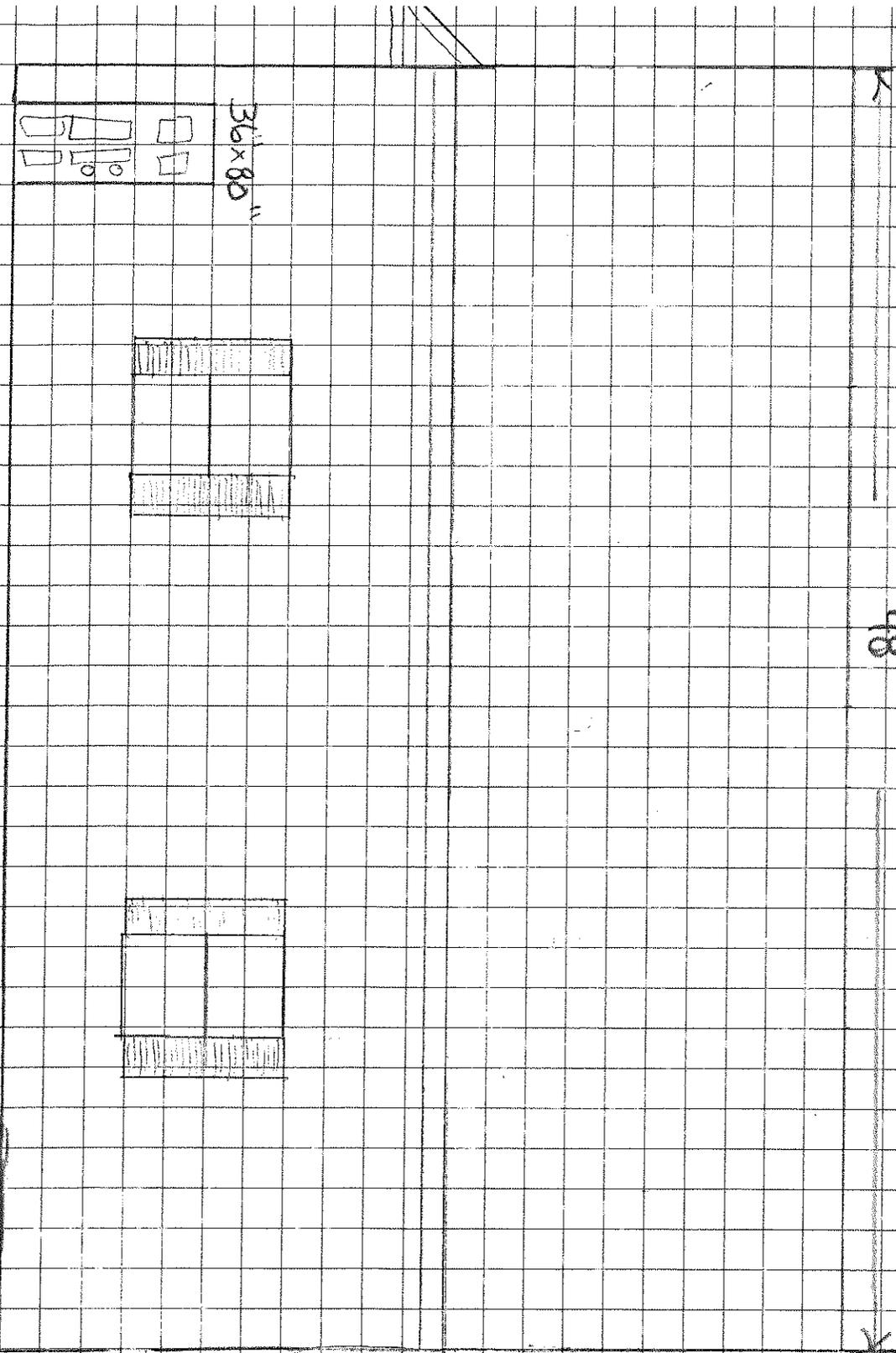
12' x 14' 1/2"

12' x 14' 1/2"

34' 0"

Right Side View

48



**ABUTTERS:**

SHT D/ LOTS 144 & 342  
WILLIAM & CHRISTINE GAGNON  
78 GILSON ROAD  
NASHUA, NH 03062-1032  
ACCTS. 13040, 41777

SHT D/ LOT 36  
RODGERS DEVEL. CORP., INC.  
843 WEST BOLLIS STREET  
NASHUA, NH 03060  
ACCT. 18976

SHT D/ LOT 140  
GERARD & MARY LEMAY  
81 GILSON ROAD  
NASHUA, NH 03062  
ACCT. 1488

SHT D/ LOTS 266  
ROMBO & JANET LAMBERT  
77 GILSON ROAD  
NASHUA, NH 03062  
ACCT. 18988

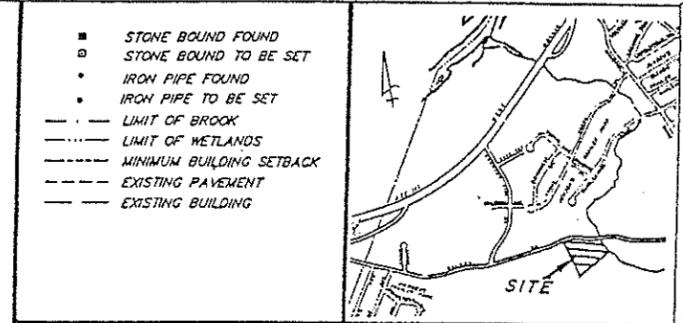
SHT D/ LOT 101  
AIME & LORRAINE BARITEAU  
75 GILSON ROAD  
NASHUA, NH 03062  
ACCT. 1438

SHT D/ LOT 24  
TERRA VERDE  
20 TRAPALGAR SQUARE  
NASHUA, NH 03063  
ACCT. 33196

SHT D/ LOT 152  
WILLIAM CAPEN  
86 GILSON ROAD  
NASHUA, NH 03062  
ACCT. 10830

**PLAN REFERENCES:**

- SUBDIVISION PLAN - LOT 144 / SHEET D - GILSON ROAD NASHUA, N.H.; PREPARED FOR: ROLAND GAGNON DATED: DECEMBER 1982; BY: MAYNARD & PAQUETTE, INC. SCALE: 1" = 20'

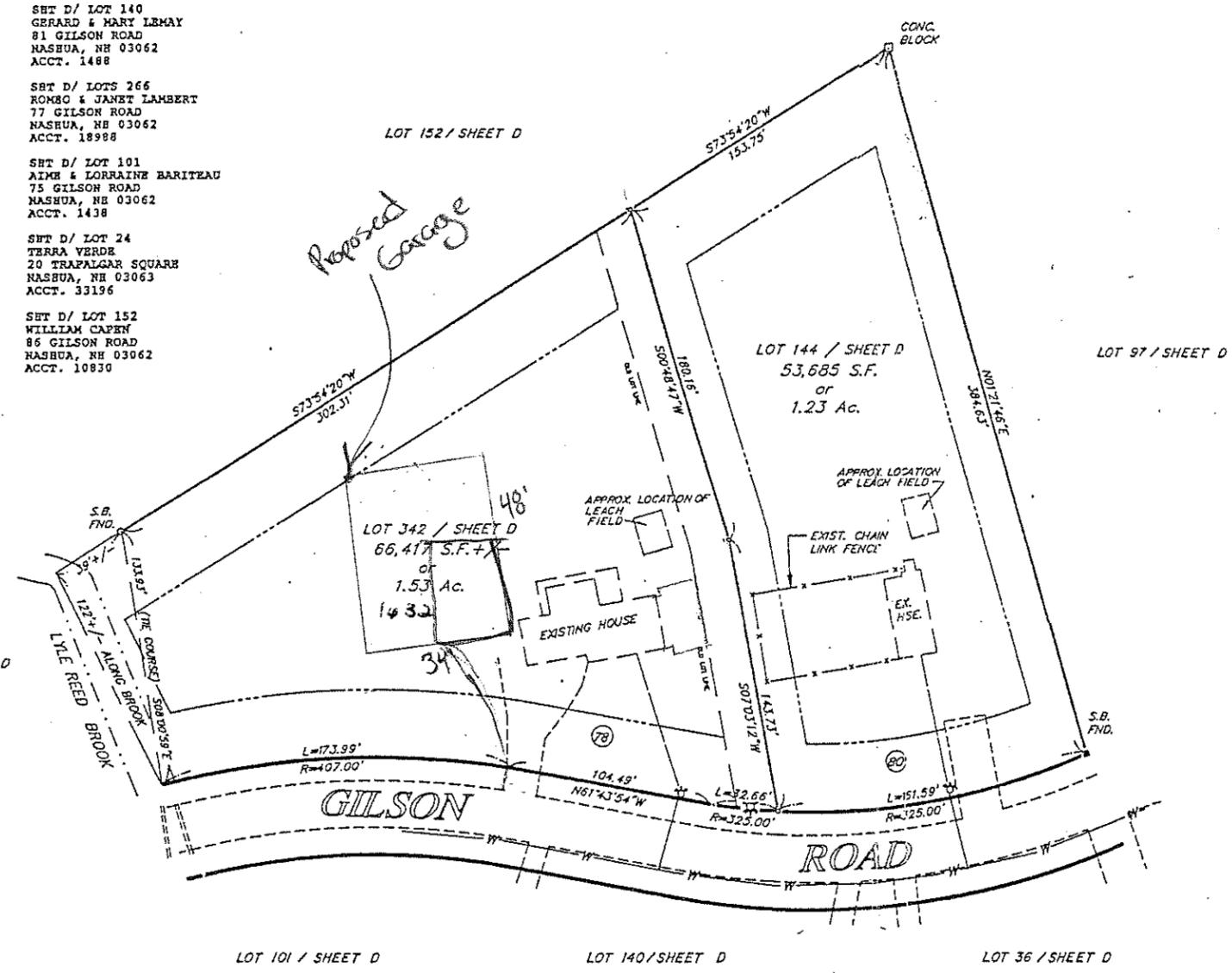


LEGEND VICINITY PLAN

**NOTES:**

- PRESENT ZONING: "R-30"
- PROPOSED USE: RESIDENTIAL
- THE PURPOSE OF THIS PLAN IS TO RELOCATE THE LOT LINE BETWEEN LOT 144 / SHEET D AND LOT 342 / SHEET D.
- AREA OF EXCHANGE:
 

	NEW AREA	OLD AREA	EXCHANGE
LOT 144	53,685 S.F.	60,026 S.F.	+6,340 S.F.
LOT 342	66,417 S.F.	60,077 S.F.	-6,340 S.F.
TOTAL	120,103 S.F.	120,103 S.F.	0
- LOTS ARE SERVED BY PENNICHUCK WATER AND INDIVIDUAL SEPTIC SYSTEMS.
- PERMANENT MARKERS ARE TO BE SET AT ALL LOT CORNERS BY A LICENSED LAND SURVEYOR.
- TOTAL AREA OF PARCEL - 120,103 S.F. OR 2.76 AC.
- DIMENSIONAL REQUIREMENTS:
  - FRONT YARD - 35 FEET
  - SIDE YARD - 20 FEET
  - REAR YARD - 40 FEET
  - LOT WIDTH - 130 FEET
  - LOT FRONTAGE - 105 FEET
  - LOT DEPTH - 120 FEET
  - LOT AREA - 30,000 S.F.



$2862 \times 40\% = 1,144.8$

Existing - Parcel 512  
Sheet - 128 } 949  
Det. Enclosure - 309 }

PP'ds = 1632  
90%

APPROVED BY THE CITY OF NASHUA  
PLANNING BOARD

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

William R. Gagnon  
WILLIAM GAGNON  
78 GILSON ROAD

7/26/96 DATE

I CERTIFY THAT THIS PLAN WAS PREPARED FROM BOUNDARY INFORMATION SHOWN ON PLAN REFERENCES 1 AND A FIELD SURVEY MADE ON THE GROUND IN JULY 1996 HAVING A MAXIMUM ERROR OF CLOSURE OF 1:10,000, IN ACCORDANCE WITH THE REGULATIONS OF THE CITY OF NASHUA.

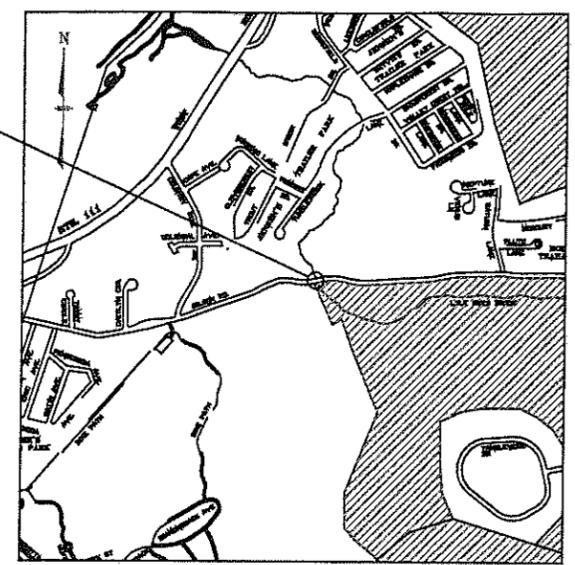
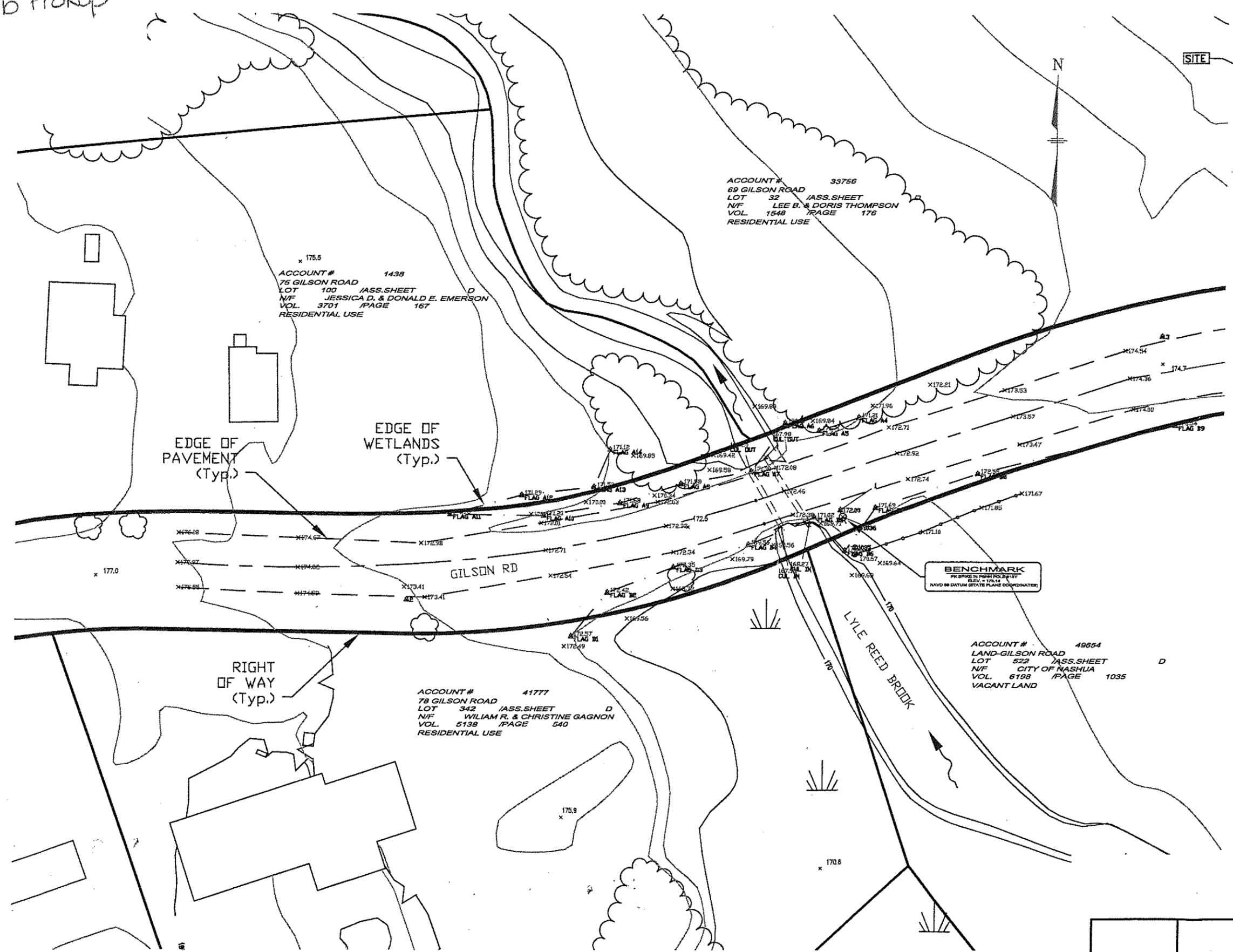
LOT LINE RELOCATION PLAN  
78 & 80 GILSON ROAD  
NASHUA, NEW HAMPSHIRE

PREPARED FOR:  
WILLIAM GAGNON  
78 GILSON ROAD  
NASHUA, NEW HAMPSHIRE 03062

SCALE: 1" = 40' DATE: JULY 9, 1996

Maynard & Paquette, Inc.  
Consulting Engineers & Land Surveyors  
23 East Pearl Street, Nashua, NH 03060  
(603) 883-8384

Bob Prokop



LOCUS MAP  
SCALE: 1" = 1000'

LEGEND

- RIGHT OF WAY —————
- WETLANDS - - - - -

NOTES

1. WETLAND FLAGGING COMPLETED ON MAY 18, 2006 BY:  
ROBERT PROKOP  
NH CERTIFIED WETLANDS SCIENTIST (#063)  
WETLAND CONSULTING SERVICES  
15 BISSON LANE  
MERRIMAC, MA 01860  
978-346-9857
2. NRO SEC. 16-271 IDENTIFIES LYLE REED BROOK AS A  
CRITICAL WETLAND WITH A 40 FOOT BUFFER.
3. TEMPORARY IMPACT = 550 SQ.FT.  
PERMANENT IMPACT = 300 SQ.FT.

NO.	DATE	REVISION
NASHUA, NEW HAMPSHIRE PLAN OF <b>78 GILSON ROAD</b> CULVERT REPLACEMENT EXISTING CONDITIONS AND WETLAND FLAGGING SCALE: 1" = 20'    DATE: JULY 24, 2006		
<b>CITY ENGINEER'S OFFICE</b>		
	266/20	PW
	PREPARED	DRAWN

To: Zoning Board of Adjustment

From: Carter W. Falk, AICP, Deputy Planning Manager/Zoning

Date: January 4, 2016

Subj: **USE VARIANCE: Law Realty Co, Inc. (Owner) Aftokinito Rally, Inc., d/b/a Dusty Old Cars (Applicant) 27 Airport Road (Sheet G Lot 4) requesting use variance to allow a classic and antique auto dealer in a portion of an existing building. AI Zone, Ward 2.**

---

### **PROPOSAL:**

The applicant, Dusty Old Cars, is requesting a use variance to use a portion of an existing building to allow a classic and antique auto dealer. The property is located in the Airport Industrial (AI) Zone. The property is 373,745 square feet in area (8.58 acres).

### **SITE ANALYSIS:**

The subject site is located on the west side of Airport Road, which is located directly across from Trafalgar Square on Amherst Street (see attached site location map). To the north of the subject lot is a mixed use building with Chipotle Restaurant and an AT&T store, zoned General Business (GB). To the east, across Airport Road, are warehouse/storage/trucking buildings, zoned AI. To the south, across the B&M Railroad, is the Boire Field Airport, zoned AI. To the west is a warehouse/distributing building with access from Cotton Road, zoned AI.

According to the Land Use Code, Section 190-15, Table 15-1, (#45), "*Car, boat or marine craft dealers (including auctions)*" is not a permitted use in the AI zone. This use is permitted in the General Business (GB) and Highway Business (HB) zones. Further, it is also allowed as a Conditional Use, as long as at least 75% of the gross floor area is reserved for uses listed in the "industrial and manufacturing" category, in the Park Industrial (PI) and Airport Industrial (AI) zones. In this instance, the proposed use would not meet this threshold because a large majority of the space would be used for the auto dealer.

The property has historically been used for a trucking/warehouse freight operation. The applicant is proposing to use approximately 90,000 square feet of the 110,000 square foot building, and all the cars in their inventory will be indoors, as they are antique and classic automobiles. The applicant buys vehicles, repairs them, cleans them, takes approximately 300 pictures per vehicle, and sells/ships them via truck to the buyer. A lot of their customers buy the cars online, without ever coming to the building. They state that they would have the largest inventory of classic and antique cars worldwide, with 300 cars, and plan to have more to sell. They currently sell 45-50 vehicles per month, and plan to sell more than 100 cars per month at this location.

The applicant states that they will have twenty employees, and the operating hours are Monday to Friday from 9:00 am to 6:00 pm, and Saturday from 10:00 am to 6:00 pm. Parking requirements for the proposed use is 1 space per 500 square feet, therefore, 180 parking spaces will be required. Existing conditions indicate that there is a very large paved area, but the spaces are not striped out for passenger cars. The applicant will have to demonstrate that there are sufficient spaces for parking.

The City's Future Land Use Plan identifies the subject property as "Industrial". In order for the ZBA to grant the variance request, the applicant must satisfy all the relevant points of law, as listed below:

**Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship:** The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

**The applicant has indicated that the property is currently suitable for the proposed use, and that similar uses have been permitted within the district.**

**The proposed use will observe the spirit of the ordinance:** the proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights".

**The applicant has indicated that the area is surrounded on all sides by commercial and industrial uses, and it's on a dead end street in an area of the City populated by other facilities that are similar in fashion. The applicant states that the sale of these automobiles will take place inside, without being displayed for sale outside.**

**The proposed use will not diminish the values of surrounding properties:** the Board will consider expert testimony, but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.

**The applicant indicates that there will be no changes to the exterior of the building, and that the proposed use is consistent with several existing uses in this district.**

**Granting of the requested variance will not be contrary to the public interest:** the proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights".

**The applicant states the proposal is consistent with the current uses allowed in the district and the surrounding area, and that the building meets all building codes. The applicant indicates that the business currently employs twenty people, and expects to grow in size.**

**Substantial justice would be done to the property owner by granting the variance: the benefits to the applicant must not be outweighed by harm to the general public or to other individuals.**

**The applicant states that proposed use is suitable in this location, that the proposed use is allowed in the General Business district nearby, and that prior users have benefitted from variances in the past.**



**City of Nashua**  
**Community Development Division**  
 City Hall, 229 Main Street, PO Box 2019  
 Nashua, New Hampshire 03061-2019

Community Development 589-3095  
 Planning and Zoning 589-3090  
 Building Safety 589-3080  
 Code Enforcement 589-3100  
 Urban Programs 589-3085  
 Economic Development 589-3070  
 Conservation Commission 589-3105  
 FAX 589-3119  
 www.nashuanh.gov

## VARIANCE APPLICATION

This application must be completed and submitted to the Planning Department no later than the dates listed on the Zoning Board of Adjustment (ZBA) schedule sheet. The ZBA will not consider incomplete or inaccurate applications for action. ~ PLEASE PRINT OR TYPE ~

### 1. VARIANCE INFORMATION

a. ADDRESS OF REQUEST 27 Airport Road, Nashua, NH  
 Zoning District AI Sheet 0000G Lot 00004

b. VARIANCE(S) REQUESTED  
To allow a Classic and Antique Auto Dealer within an AI zone where the same is not permitted.

### 2. GENERAL INFORMATION

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
Aftokinito Rally, Inc., Corporate Name, DustyOldCars.com (dba)

Applicant's signature [Signature] Date 12.15.15  
 Applicant's address 9 Madden Road, Unit 2, Derry, NH, 03038  
 Telephone number (home) (603) 785-8216 (work) (603) 818-4951

b. PROPERTY OWNER LAW REALTY CO., INC.,  
 Owner's signature [Signature] Vice President Date Dec 15, '15  
 Owner's address 27 Airport Road, Nashua, NH,  
 Telephone number (home) \_\_\_\_\_ (work) (603) 883-5531

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 12/15/15 Date of hearing 1/12/16

Notices: Newspaper  Abutters  Board Action \_\_\_\_\_

\$ \_\_\_\_\_ fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_  
 \$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_  
 \$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

2015-00239

3. **PURPOSE OF REQUEST**

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attached additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

1. **Granting of the requested variance will not be contrary to the public interest**, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

- A. The proposal is consistent with the current uses allowed in the district and surrounding area
- B. Use of the building meets all State and City Building codes, increasing the value of the property and subsequent tax revenue for the City
- C. The business currently employs 20 people and expects to grow in size
- D. The proposed use will not alter the character of the industrial area around the site
- E. Town Water and Sewer service the site.

2. **The proposed use will observe the spirit of the ordinance**, because: (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

- A. This lot is zoned Industrial AI, it is bounded on all sides by commercial/industrial uses.
- B. The site is on a dead end street in an area of the City populated by other facilities that are similar in fashion.
- C. The sale of Classic and Antique automobiles will take place inside without being displayed for sale outside, in keeping with our current facility already operating in Derry, New Hampshire.
- D. The company has been an excellent corporate citizen in Derry, NH, without violations of any type, and will continue the same behavior in Nashua, NH.

3. **Substantial justice would be done to the property-owner by granting the variance**, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

- A. Paragraph 1 and 2 above are incorporated herein by reference.
- B. The site is suited for proposed use.
- C. The proposed use is allowed in the General Commercial District nearby.
- D. Prior users have benefited from variances in the past.

4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

- A. This lot is within the Airport Industrial Zone, it is bounded on all sides by commercial and industrial uses.
- B. There will be no alterations to the exterior of the building presently located at the site. The proposed use is consistent with several existing uses in this District. Therefore, surrounding property values will not be diminished.

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship**, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the

ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

- A. Paragraphs 1 thru 4 above are incorporated herein by reference.
- B. The property is currently suitable for the proposed use.
- C. Similar uses have been permitted within the district.
- D. The proposed use is allowed by Conditional use under the zoning ordinance.

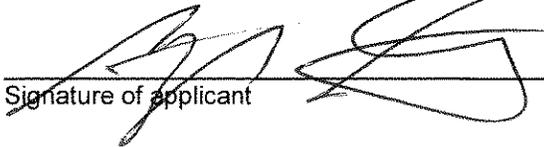
**4. USE VARIANCE ADDITIONAL INFORMATION**

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees 20 Number of employees per shift \_\_\_\_\_
- b. Hours and days of operation Monday to Friday 9AM to 6PM, Saturday 10AM to 6PM.
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors 5-10 customers/wk
- d. Number of daily and weekly commercial deliveries to the premises 5-10 deliver/week
- e. Number of parking spaces available 80
- f. Describe your general business operations  
We Buy or Consign Classic and Antique vehicles, we repair them, and we sell them.
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation  
We will not be making any renovations to the site, including landscaping, lighting, pavement, or structural changes. The DustyOldCars.com sign will replace the Law Motor Freight Sign above the office section. Please see attached Site Plan with Notes and Executive Summary.

*I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.*

*I understand that only those point specifically mentioned are affected by action taken on this appeal.*

  
Signature of applicant

12.15.15  
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at scondo@dustyoldcars.com
- Please mail it to me at \_\_\_\_\_

## The Company and the Business

In May of 2011, Stephan Condodemetraky was contacted by an acquaintance and was offered a 1957 Porsche 356 Cabriolet for purchase. After some telephone discussions with this individual he decided to rent a U-Haul trailer and drive to Albany, New York, to see the car. After viewing the Porsche, he agreed to purchase the car for approximately \$10,000. On the way back to New Hampshire Stephan, after making some calls, sold the car for \$20,000. The payment arrived before he arrived at home and the car was picked up that very same night. This single transaction was the genesis for the creation of a new company.

The new company that was formed, Aftokinito Rally, Inc., Aftokinito is a Greek word for Automobile, began in his Cul-de-sac with two cars, and in just 5 years has grown into one of the largest, most respected, and trend setting Classis and Antique Car Dealers worldwide. The company has almost 300 cars, does business as DustyOldCars.com ("DOC"), employs 20 people, occupies 50,000 square feet of warehouse and office space in three buildings, and is ready to take the next major step in its development, a move to 27 Airport Road, Nashua, NH which would allow us to have a single office and warehouse location. We plan to occupy approximately 90,000 square feet of the approximately 110,000 square foot building.

Currently the company sells 45-50 cars each month, the vast majority (99%) are sold from pictures at our website, DustyOldCars.com. We buy our vehicles, make repairs, take pictures (300+ per car including the undercarriage), store our vehicles in our warehouse, and then sell them. We then ship them via truck to their new owners.

We effectively operate like "Amazon". Our customers call us, pick out a vehicle, and transact the purchase without coming to our facility. We have grown from a 5 car per month operation to 45-50 cars per month, and we plan to expand to sell 100+ cars per month at the new facility.

All of our cars are stored inside and we do not have vehicles located outside for sale. Additionally, most of our vehicles are registered with the town clerk. We have expanded our operation dramatically and registered approximately 60-80 cars each month, typically generating \$5,000 + in revenue for the City each month. None of our cars are effectively driven on local roads, we register vehicles to obtain ownership documents (registration and NH Title) to allow us to sell our vehicles worldwide. These registrations fees will increase as we grow.

The movement to a consolidated space would allow us to have the single largest inventory of Classic and Antique cars worldwide.

In short, we buy, fix, and sell Classic and Antique cars worldwide. Onsite we primarily process each car by fixing, cleaning, taking pictures, and then selling to a new owner.

We have a very good reputation in Derry, NH as a good corporate citizen, we truly enjoy participating in parades, walkathons, working with kids, and often are called upon by Town Officials, as well as the general public, to display cars for all kinds of events. This is the highlight of our work!!

I have lived in the great State of New Hampshire for 40+ years and upon graduating with my Mechanical Engineering Degree from Northeastern, moved back to NH to start my career in 1991, I received my MBA from SNHU in 1994.

Thank you for reviewing this Executive Summary, please visit [DustyOldCars.com](http://DustyOldCars.com), and please feel free to call or email me with any questions at any time.

Stephan Condodemetraky

President

[DustyOldCars.com](http://DustyOldCars.com)

Direct (603) 818-4951, email [scondo@dustyoldcars.com](mailto:scondo@dustyoldcars.com)



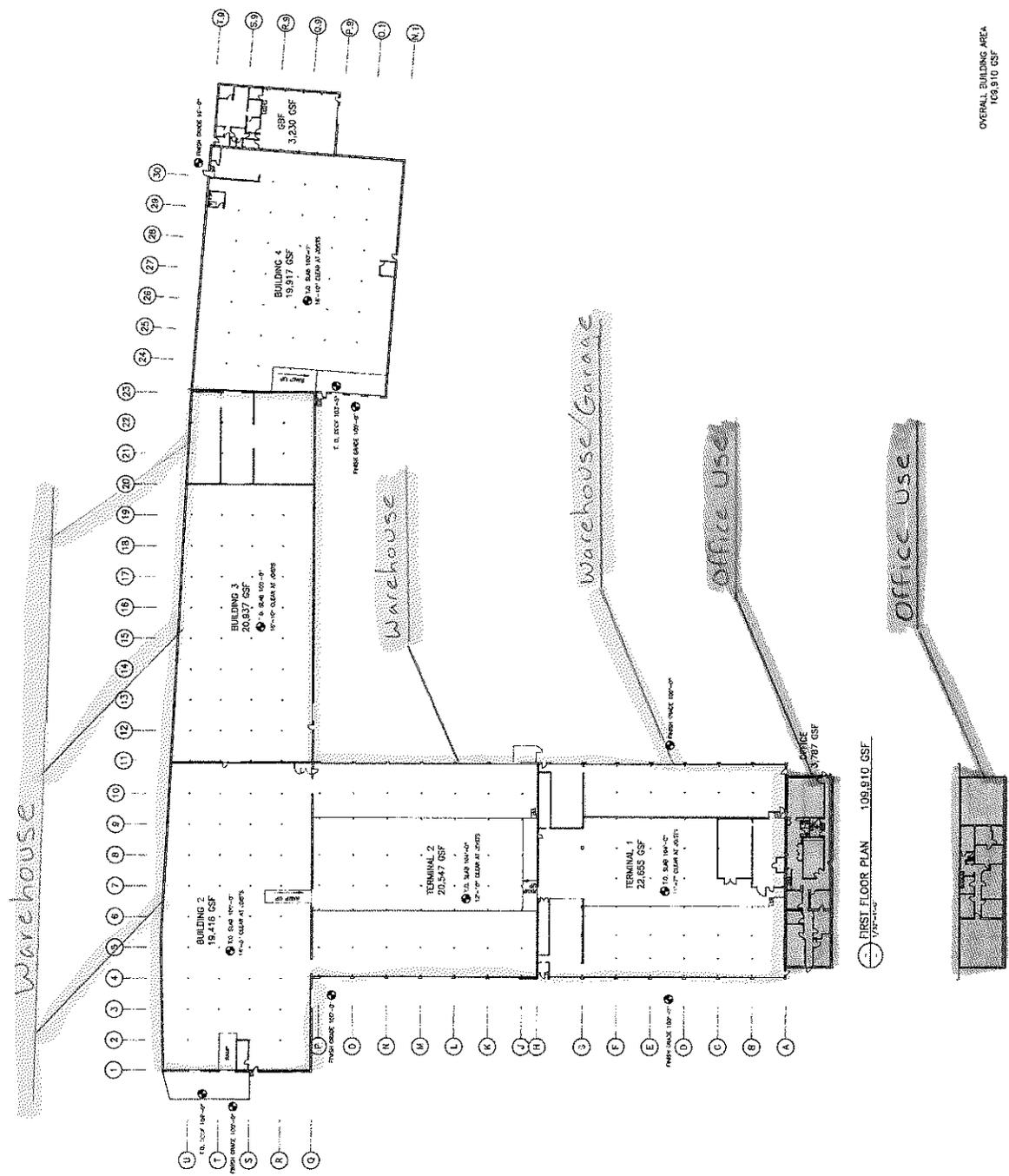
LAUER ARCHITECTS, P.A.  
 118 WOOD HILL RD. CORTLAND, NH 03045  
 TEL: 603-497-5441 FAX: 603-497-4557

EXISTING CONDITIONS AT:  
**LAW WAREHOUSES, INC.**  
 27 AIRPORT ROAD  
 NASHUA, NH 03063

FLOOR PLAN  
 1/32" = 1'-0"

DATE: JULY 30, 2013  
 FILE: LAW WAREHOUSES  
 27 AIRPORT ROAD PLAN

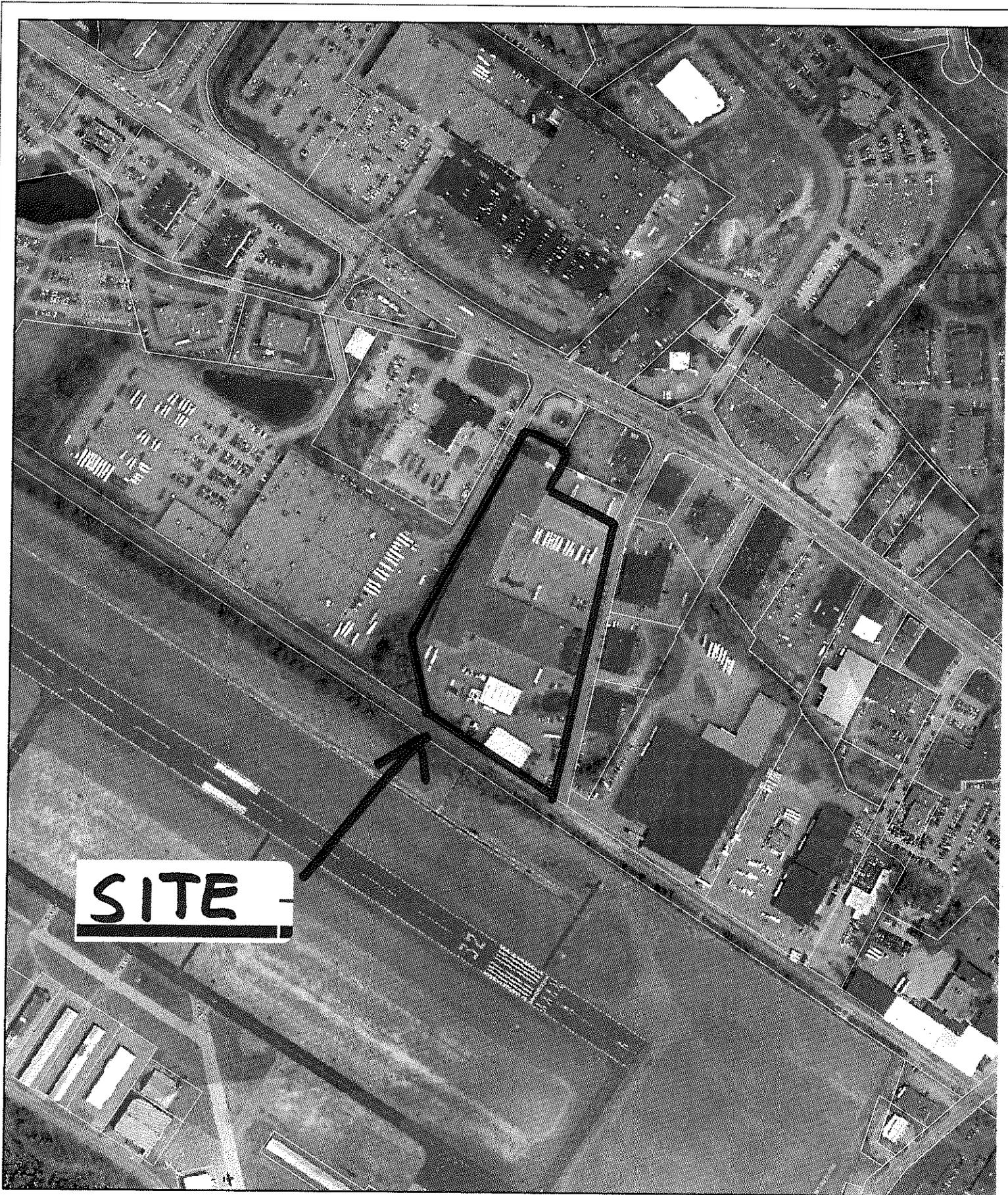
EX PLAN  
 SHEET 1 OF 1



OVERALL BUILDING AREA  
 109,910 GSF

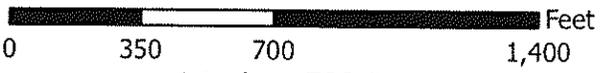
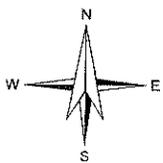
FIRST FLOOR PLAN 109,910 GSF  
 1/32" = 1'-0"

MEZZANINE PLAN 1,868 GSF  
 1/32" = 1'-0"



**SITE**

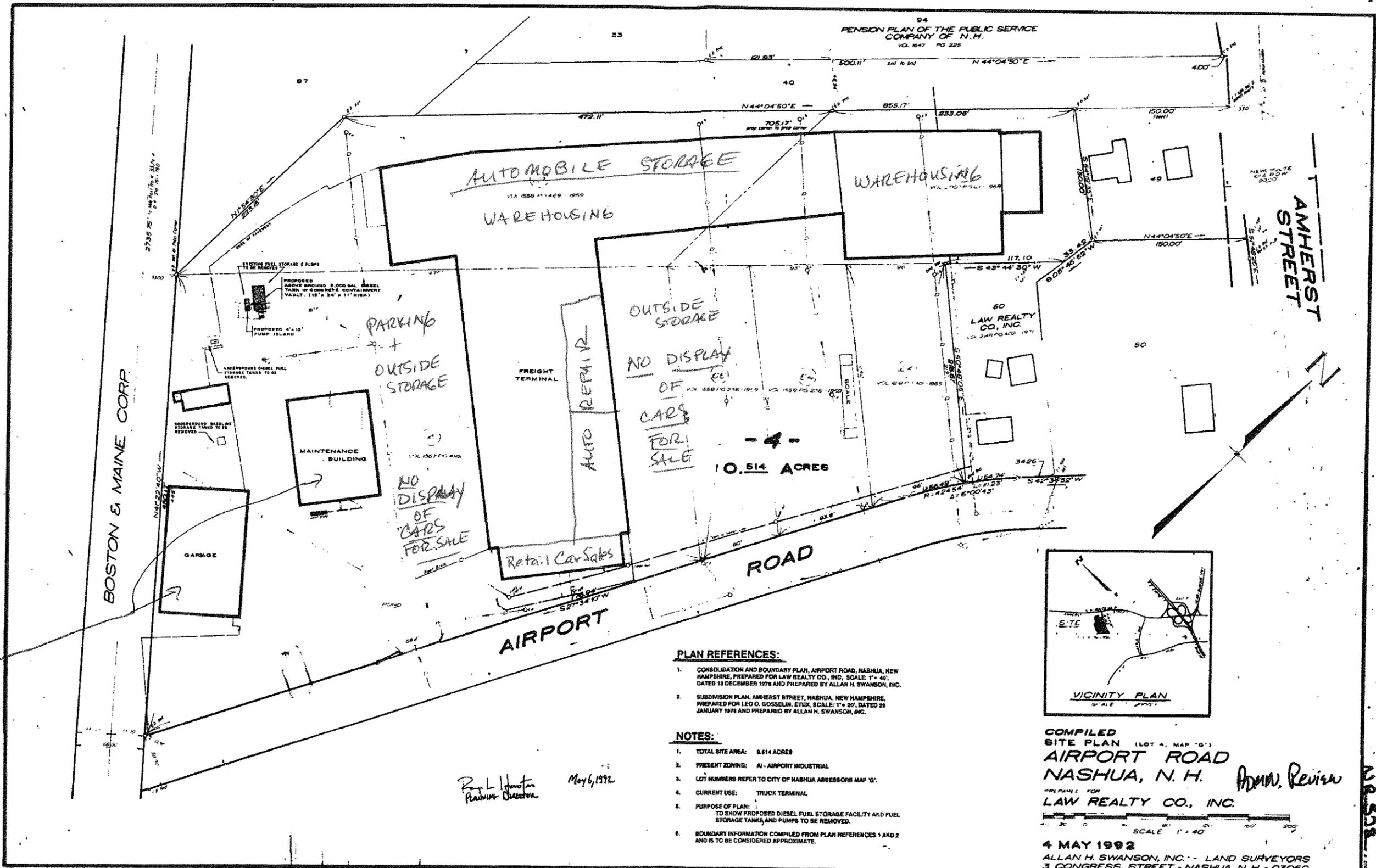
**27 Airport Rd**



1 inch = 508 feet







What will these buildings be used for?

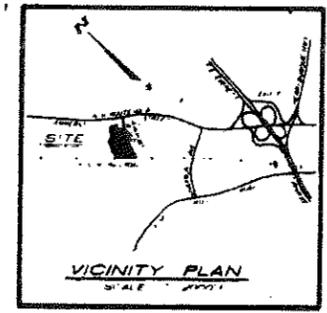
Paul L. Hamilton  
 Planning Director  
 May 6, 1992

**PLAN REFERENCES:**

1. CONSOLIDATION AND BOUNDARY PLAN, AIRPORT ROAD, NASHUA, NEW HAMPSHIRE, PREPARED FOR LAW REALTY CO., INC. SCALE: 1" = 40', DATED 13 DECEMBER 1976 AND PREPARED BY ALLAN H. SWANSON, INC.
2. SUBDIVISION PLAN, AMHERST STREET, NASHUA, NEW HAMPSHIRE, PREPARED FOR LEO O. GOSSELIN, ETUX, SCALE: 1" = 20', DATED 20 JANUARY 1976 AND PREPARED BY ALLAN H. SWANSON, INC.

**NOTES:**

1. TOTAL SITE AREA: 8.514 ACRES
2. PRESENT ZONING: AI - AIRPORT INDUSTRIAL
3. LOT NUMBERS REFER TO CITY OF NASHUA ASSESSORS MAP 'G'
4. CURRENT USE: TRUCK TERMINAL
5. PURPOSE OF PLAN: TO SHOW PROPOSED DIESEL FUEL STORAGE FACILITY AND FUEL STORAGE TANKS, AND PUMPS TO BE REMOVED.
6. BOUNDARY INFORMATION COMPILED FROM PLAN REFERENCES 1 AND 2 AND IS TO BE CONSIDERED APPROXIMATE.



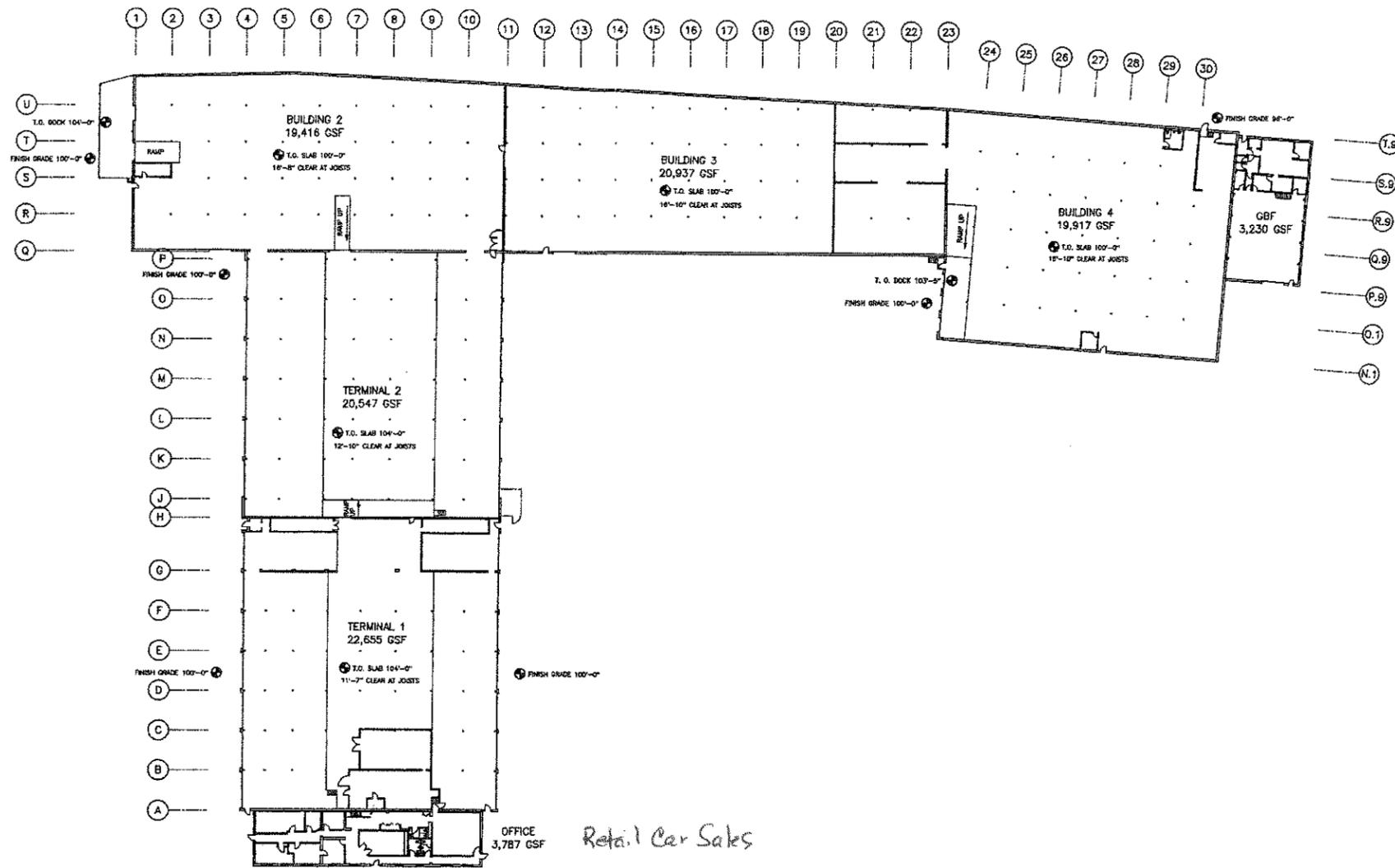
COMPILED  
 SITE PLAN (LOT 4, MAP 'G')  
**AIRPORT ROAD**  
**NASHUA, N. H.**  
 PREPARED FOR  
**LAW REALTY CO., INC.**

Admin. Review

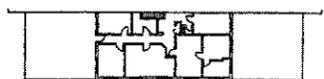
SCALE 1" = 40'

4 MAY 1992  
 ALLAN H. SWANSON, INC. - LAND SURVEYORS  
 3 CONGRESS STREET - NASHUA, N. H. - 03060

261	D	F
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FIRST FLOOR PLAN 109,910 GSF  
1/32" = 1'-0"



MEZZANINE PLAN 1,868 GSF  
1/32" = 1'-0"

*Retail Car Sales*

*Retail Car Sales*

OVERALL BUILDING AREA  
109,910 GSF



LAUER ARCHITECTS, P.A.  
118 PINE HILL RD., DORFSTOWN, NH 03065  
Tel. 603-497-8441 Fax 603-497-4557

EXISTING CONDITIONS AT:  
**LAW WAREHOUSES, INC.**  
**27 AIRPORT ROAD**  
NASHUA, NH 03063

FLOOR PLAN  
1/32" = 1'-0"  
DATE: JULY 30, 2013  
FILE: 1346\LAWHSE\27AIRPORT\EXPLAN

EX PLAN  
SHEET 1 OF 1