

1. Zoning Board Regular Meeting Agenda (PDF)

Documents: [20160126 ZBA AGENDA.PDF](#)

2. 20160126 ZBA Meeting Packet

Documents: [20160126 26\\_32 AMORY ST.PDF](#), [20160126 75 DEERWOOD DR.PDF](#),  
[20160126 102 BOWERS ST.PDF](#)



# THE CITY OF NASHUA

"The Gate City"

## *Community Development Division Planning Department*

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January 12, 2016

The following is to be published on ROP January 16, 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 26, 2016, at 6:30 PM at the Nashua City Hall Auditorium, 3rd floor, 229 Main Street.

1. Pickering Court Apartments, LLC (Owner) Barbara Blake (Applicant) 26-32 Amory Street (Sheet 38 Lot 46) requesting special exception to maintain expansion of non-conforming use, where six dwelling units are approved, and seven are existing. [Previously approved by ZBA on 5-24-05] GI Zone, Ward 7.
2. 75 Deerwood Drive, LLC (Owner) 75 Deerwood Drive (Sheet H Lot 134) requesting special exception to convert a single-family home approved by the ZBA on 5-13-14 into a rental office - back into a single-family residential home. PI Zone, Ward 2.
3. David & Colleen Guild (Owners) 102 Bowers Street (Sheet 27 Lot 91) requesting the following variances: 1) to encroach 3'-9" into the 6 foot left side yard setback; and, 2) to encroach 4'-6" into the 6 foot rear yard setback - both requests to maintain an existing 10'x12' shed. RB Zone, Ward 7.

### 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  
 Code Enforcement 589-3100  
 Urban Programs 589-3085  
 Economic Development 589-3070  
 Conservation Commission 589-3105  
 FAX 589-3119  
 www.nashuanh.gov

**SPECIAL EXCEPTION 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. SPECIAL EXCEPTION INFORMATION**

a. ADDRESS OF REQUEST 26-32 Armory Street, Nashua  
 Zoning District GI Sheet 38 Lot 46

b. SPECIAL EXCEPTION(S) REQUESTED  
Expand non-conforming use to  
maintain 7 units.

**2. GENERAL INFORMATION**

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

Barb Blake  
 Applicant's signature Barbara Blake Date 12/31/15  
 Applicant's address 316 Lowell Street, Wilmington, MA 01887  
 Telephone number (home) 508-675-2222 (work) 978-729-4829

b. PROPERTY OWNER Dan Botwinik

Owner's signature D Botwinik Date \_\_\_\_\_  
 Owner's address 316 Lowell Street, #0 Wilmington, MA 01887  
 Telephone number (home) 508-675-2222 (work) \_\_\_\_\_

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received \_\_\_\_\_ Date of hearing 1/26/16  
 Notices: Newspaper  Abutters  Board Action \_\_\_\_\_  
 \$ \_\_\_\_\_ fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_  
 \$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_  
 \$15 signage fee  \$100 recovery fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

2016-00003

Address 216-32 Amory

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. Attach additional sheets if necessary. Please see "Procedures for Filing a Special Exception" for further information.

a. Describe the nature of your proposal. Please be specific.

Expand use where 6 units are approved to 7 (Seven) units. (Seven units are present, taxed and recorded) - see attached copy of tax assessment-

b. Does your proposal involve the physical construction or expansion of a structure? Yes  No  If yes, describe how the size of the addition (and any existing structure) compares with the physical size of surrounding properties.

A

c. Do you anticipate the need for additional on-site parking space as a result of your proposal? Yes  No  If yes, approximately how many square feet of paved or designated parking space will be provide for both existing and proposed usage?

d. What affects would the requested use have upon surrounding traffic congestion and pedestrian safety?

None

e. What measures will be taken (if any) to insure that your proposal will not impair the integrity or be out of character with the zoning district or immediate neighborhood?

Dwelling has been existing for 10+ years. Zoned @ 6 units only but taxed for 7 units.

4. SPECIAL EXCEPTION AND USE VARIANCES

For Special Exception and Use Variances, 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 3 Number of employees per shift 1

b. Hours and days of operation M-F 9-3

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 plenty

26-32 Amory St. Nashua

f. Describe your general business operations

Residential multi family

g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation

none

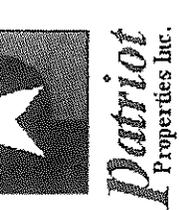
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

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

Signature of applicant: [Handwritten Signature]

Date: 12/31/15

for Dan Botwinich owner



**Nashua**

**IN PROCESS APPRAISAL SUMMARY**

| Use Code                | Building Value | Yard Items | Land Size | Land Value | Total Value | Legal Description | User Acct       |
|-------------------------|----------------|------------|-----------|------------|-------------|-------------------|-----------------|
| 1407                    | 176,200        |            | 8095.000  | 107,900    | 284,100     | 284,100 Desc:     |                 |
| <b>Total Card</b>       | 176,200        |            | 0.186     | 107,900    | 284,100     | Entered Lot Size  |                 |
| <b>Total Parcel</b>     | 176,200        |            | 0.186     | 107,900    | 284,100     | Total Land:       |                 |
| Source: Market Adj Cost |                |            |           |            |             |                   | Land Unit Type: |

**GIS Ref**  
1041603, 163232

**GIS Ref**  
95768, 3

**Insp Date**  
07/10/06

**PREVIOUS ASSESSMENT**

| Tax Yr | Use  | Cat | Blg Value | Yrd Items | Land Size | Land Value | Total Value | Asses'd Value | Notes                       | Date       |
|--------|------|-----|-----------|-----------|-----------|------------|-------------|---------------|-----------------------------|------------|
| 2013   | 1407 | FV  | 176,200   | 0         | 8,095     | 107,900    | 284,100     | 284,100       | Year End                    | 10/28/2013 |
| 2012   | 1407 | FV  | 291,300   | 0         | 6,402     | 68,100     | 359,400     | 359,400       | Year End Roll               | 11/9/2012  |
| 2011   | 1407 | FV  | 291,300   | 0         | 6,402     | 68,100     | 359,400     | 359,400       | Year End Roll               | 11/9/2011  |
| 2010   | 1407 | FV  | 291,300   | 0         | 6,402     | 68,100     | 359,400     | 359,400       | Year End Roll               | 11/15/2010 |
| 2009   | 1407 | FV  | 291,300   | 0         | 6,402     | 68,100     | 359,400     | 359,400       | Year End Roll               | 11/12/2009 |
| 2008   | 1406 | FX  | 354,200   | 0         | 6,402     | 64,300     | 418,500     | 418,500       | Fixing                      | 9/24/2009  |
| 2007   | 1406 | FV  | 354,200   | 0         | 6,402     | 64,300     | 418,500     | 418,500       | Fix for discrepancy in year | 9/24/2009  |
|        |      |     |           |           |           |            |             |               | Year End                    | 11/21/2007 |

**SALES INFORMATION**

| Grantor          | Legal Ref | Type | Date       | Sale Price | V  | Tst | Verif | Assoc PCL Value | Notes |
|------------------|-----------|------|------------|------------|----|-----|-------|-----------------|-------|
| CASSAVALUGH, PAU | 5613-1303 | W    | 1/7/1994   | 140,000    | No | No  |       |                 |       |
| DOBENS, MICHAEL  | 5237-1819 | W    | 2/6/1991   | 185,810    | No | No  |       |                 |       |
|                  | 3880-157  |      | 12/31/1988 | 239,994    | No | No  |       |                 |       |

**NARRATIVE DESCRIPTION**

This Parcel contains 8,095 Sq Feet of land mainly classified as 7 UNITS with a(n) FAMILY FLAT Building Built about 1920, Having Primarily VINYL Exterior and ASPHALT Roof Cover, with 7 Units, 7 Baths, 0 Hall/Baths, 0 3/4 Baths, 32 Rooms Total, and 18 Bdrms.

**OTHER ASSESSMENTS**

| Code | Description/No | Amount | Com. Int |
|------|----------------|--------|----------|
|      |                |        |          |

**PROPERTY FACTORS**

| Item | Code | Descr | % | Item    | Code | Descr |
|------|------|-------|---|---------|------|-------|
| Z    | GI   |       |   | U       | C    | ALL   |
|      |      |       |   | I       |      |       |
|      |      |       |   | I       |      |       |
|      |      |       |   | Exmpt   |      |       |
|      |      |       |   |         |      |       |
| D    |      |       |   | Topo    | 1    | LEVEL |
| S    |      |       |   | Street  | 1    | PAVED |
| T    |      |       |   | Traffic |      |       |

**LAND SECTION (First 7 lines only)**

| Use Code | Description | LUC | North Units | Price/Unit | Depth / Unit | Unit Type | Land Type | Factor | LT | Base Value | Adj Value | Neigh Influ | Neigh Mod |      |   |
|----------|-------------|-----|-------------|------------|--------------|-----------|-----------|--------|----|------------|-----------|-------------|-----------|------|---|
| 1407     | 7 UNITS     | 1.5 | 8095        |            |              | SITE      |           | 1.0    |    | 0          | 1.06      | 12.578      | MFM       | 1.06 | 4 |

**ACTIVITY INFORMATION**

| Date      | Result       | Comment |
|-----------|--------------|---------|
| 7/10/2006 | Meas+List    |         |
| 11/2/1991 | Meas+List    |         |
| 11/1/1990 | Meas+Info Dr |         |

**BUILDING PERMITS**

| Date      | Number    | Descr    | Amount  | C/O | Last Visit | Fed Code | F. Descr |
|-----------|-----------|----------|---------|-----|------------|----------|----------|
| 4/6/2012  | 201200463 | ALTERATI | 1,000.0 |     |            |          |          |
| 7/17/2009 | 200901052 | ELECTRIC |         | C   | 8/7/2009   |          |          |

**USER DEFINED**

| Prior Id # 1: | Plan #: | Prior Id # 2: | Prior Id # 3: | Code Date | Code Status | Prior Id # 3: | ASR Map: | Fact Dist: | Reval Dist: | Year: | LandReason: | BldReason: |
|---------------|---------|---------------|---------------|-----------|-------------|---------------|----------|------------|-------------|-------|-------------|------------|
|               |         |               |               |           |             |               |          |            |             |       |             |            |

**PRINT**

| Date     | Time     |
|----------|----------|
| 05/13/14 | 09:16:17 |

**LAST REV**

| Date     | Time     |
|----------|----------|
| 09/03/13 | 09:44:57 |

**ASR Map:** 6338

**By:** 345  
**RD:** JT  
**Name:** Patriot JH

**Sign:** / / /

**Spec J**

| Alt     | % | Spec | Land | Code | Use Value | Notes |
|---------|---|------|------|------|-----------|-------|
| 107,928 |   | 7    | 1    |      | 107,900   |       |

**Total:** 107,928 | **Spl Credit:** | **Total:** 107,900

apto Database: AssessPro

2014

would like to correct it as he has been working to do in the whole area.

**SPEAKING IN FAVOR**

No One.

**SPEAKING IN OPPOSITION**

No One.

Discussion ensued - unintelligible.

**MOTION** by Mr. Duffy to grant special exception to maintain expansion of nonconforming use, one dwelling unit approved, two existing at 24 Amory Street. (Unintelligible) Applicant must bring property up to code, and have tax records updated to reflect the correct number of units.

**SECONDED** by Coffey.

**MOTION CARRIED - 4-1, Mr. Rondeau opposed.**

**MOTION** by Mr. Duffy to grant variance for minimum lot area, 7,000 square feet required, 4,006 square feet existing at 24 Amory Street. (Unintelligible).

**SECONDED** by Mr. Coffey.

**MOTION CARRIED - 4-1, Mr. Rondeau opposed.**

- 
13. Christopher W. Eckler (Owner) 26-32 Amory Street (Sheet 38 Lot 46) requesting the following: 1) special exception to maintain expansion of nonconforming use, six dwelling units approved, seven existing, and 2) variance for minimum lot area, 24,500 square feet required, 6,402 square feet existing. GI Zone.

Christopher Eckler, 17 Amory Street. Mr. Eckler said he has occupied Jackson Square for twenty years.

Mr. Jenkins asked Mr. Eckler when he purchased 26-32 Amory Street.

Mr. Eckler said 1994.

Mr. Jenkins asked Mr. Eckler if the property was non conforming at the time he acquired it.

Mr. Eckler said "yes!"

Mr. Jenkins said this building has six meters.

Mr. Eckler said there are seven sockets. They were there when he purchased it.

Mr. Jenkins asked a question, but it was unintelligible.

Mr. Eckler said he didn't know. He said he asked Public Service to put the meter back and he was told they couldn't do it unless he went to the City for approval.

One of the members asked a question - unintelligible.

Mr. Eckler said there are two apartments off one meter.

Mr. Jenkins asked for a description of the layout of the building.

Mr. Eckler said there are five three-bedroom apartments, a one-bedroom and a two-bedroom. There are seven gas meters and he verified with the gas company that they have been there since July 1987. He referred the Board to the pictures that show the gas meters.

Mr. Jenkins made the comment that parking is not an issue.

Mr. Eckler said he has fourteen parking spaces on site.

Mr. Jenkins asked if Mr. Eckler would allow the building to be brought up to code.

Mr. Eckler said he believes it is up to code.

Mr. Jenkins said the City of Manchester makes anyone who has more than a single-family dwelling obtain a certificate of occupancy every two years. The building gets inspected by the City. If the City of Nashua did this they wouldn't have all these units that are in non-compliance.

Mr. Eckler asked if "bringing it up to code" means that all apartments need handicap accessibility.

Mr. Jenkins said he didn't think so. He said he would want the inspector to be looking for adequate fire alarms, wiring, etc.

Mr. Duffy asked about the footprint of the building. He asked if there were any drawings - information for the Board to look at to show the entrances/exits.

Mr. Eckler said he didn't bring anything like that with him. He said every apartment that's on the second or third floor has two entrances and exits.

Mr. Duffy asked the total square footage of the building.

Mr. Eckler said 9380 square feet.

Mr. Duffy asked in the area or neighborhood if there are any other multi-family homes containing more than five units.

Mr. Eckler said "yes." He said there is a 25-unit building at 14-20 Amory Street. He indicated they might be able to see it in the pictures that he presented. There is a four-family at 3 - 5 1/2 Union Street. It has five electric meters - one house meter.

**SPEAKING IN FAVOR**

No One.

**SPEAKING IN OPPOSITION**

No One.

Mr. Jenkins asked if the city records show anything about this building.

Mr. Falk said there's something about a garage or shed in the back. She said the building has been there for a long time.

Mr. Eckler said he has a picture from the 1920's that show it was a twenty-room hotel.

Mr. Jenkins said he thought it was important to get it corrected and that it be brought up to code. It will be inspected by a City Inspector and the Fire Marshall.

**MOTION** by Mr. Coffey to grant the special exception to maintain

the expansion of non-conforming use, 6 dwelling units approved, up to 7 existing at 26-32 Amory Street. It is listed in the Table of Uses, Section 16-208(a)(1) and Section 16-254. The current property will not create undue traffic congestion or unduly impair pedestrian safety. It will not further overload public water, drainage, or other municipal systems. There are no special regulations to be fulfilled. It will not impair the integrity or be out of character with the neighborhood or be detrimental to the health, morals or welfare of the residents. Special Condition: Property to be inspected and brought up to the current code and the tax card to reflect up to seven units.

SECONDED by Mr. Duffy.

MOTION CARRIED UNANIMOUSLY

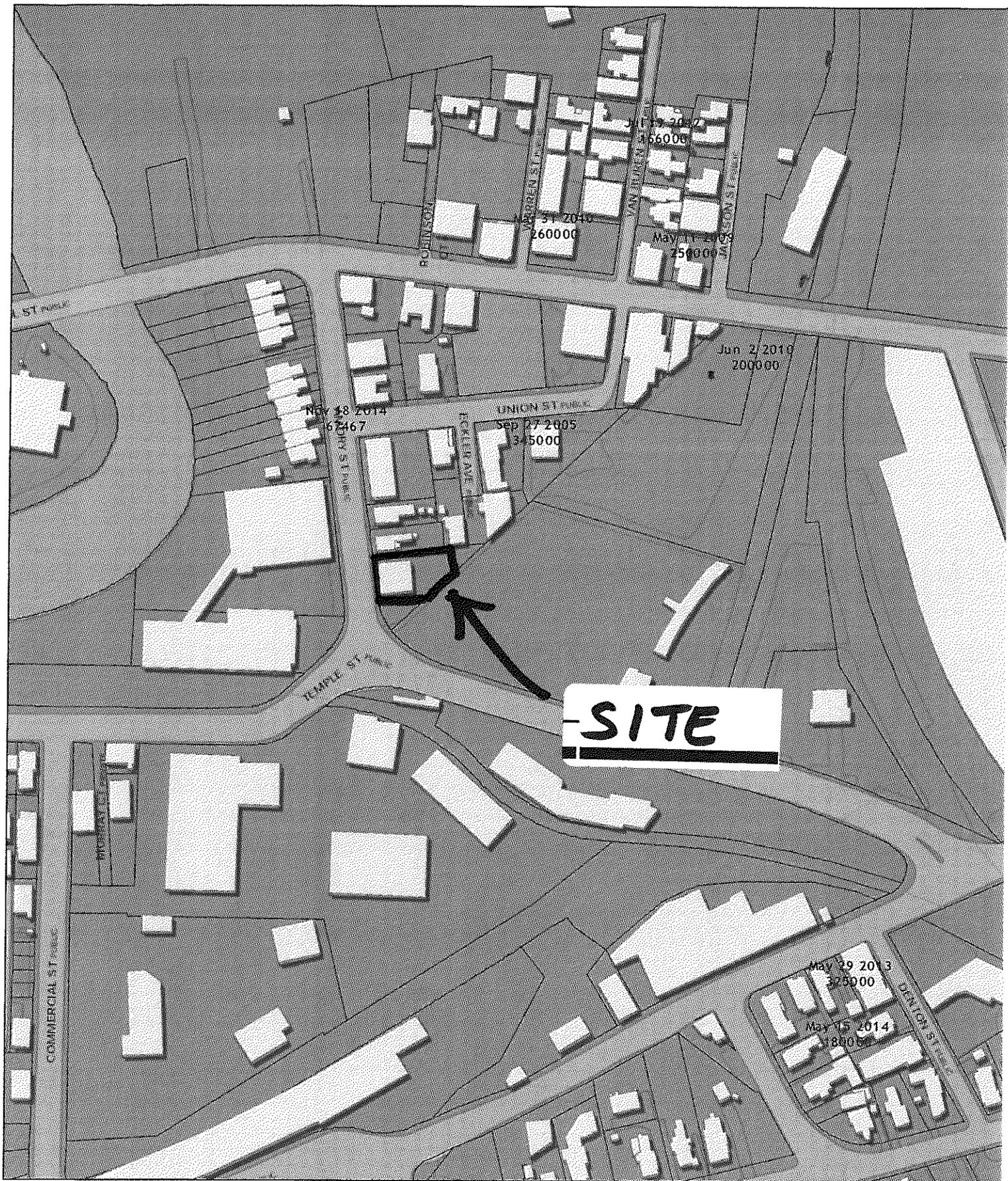
MOTION by Mr. Coffey to grant the variance for the minimum lot area, 24,500 square feet required, 6,402 square feet existing at 26-32 Amory Street. The variance is needed to enable the applicant's proposed use of the property given the special conditions of the property and the benefit sought by the applicant cannot be achieved by any other reasonable method. The property pre-dates zoning. It is in a GI Zone. There are multi-family units in the area. It is within the spirit and intent of the ordinance. It will not adversely affect the property values of surrounding parcels. It is not contrary to the public interest. Substantial justice will be served. Special Conditions: Property be inspected and brought up to code and the tax cards be changed to reflect that there be up to seven units.

SECONDED by Mr. Duffy.

MOTION CARRIED UNANIMOUSLY

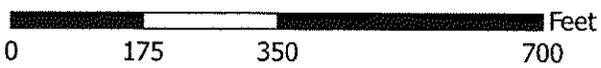
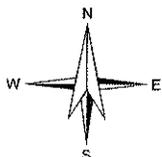
Motion for Rehearing

14. David A. Cull (Owner) 12 Robert Drive (Sheet E Lot 97) requesting variance to exceed the maximum number of non-related people living together, 6 allowed - 9 requested. R9 Zone.
15. David A. Cull (Owner) 9 New Searles Road (Sheet B Lot 622) requesting variance to exceed the maximum number of non-related people living together, 6 allowed - 9 requested. R9 Zone.



**SITE**

**26-32 Amory St**



1 inch = 254 feet





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

Community Development 589-3095  
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**SPECIAL EXCEPTION 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. SPECIAL EXCEPTION INFORMATION**

a. ADDRESS OF REQUEST 75 Deerwood Drive NASHUA  
 Zoning District PI Sheet H Lot 134

b. SPECIAL EXCEPTION(S) REQUESTED \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**2. GENERAL INFORMATION**

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

75 Deerwood Drive LLC.  
 Applicant's signature [Signature] Date 12/28/15  
 Applicant's address 24 Wrights Bridge Dr. NASHUA NH 03063  
 Telephone number (home) 603 315-9249 (work) 603 889-5160

b. PROPERTY OWNER 75 Deerwood Drive LLC.

Owner's signature [Signature] Date 12/28/15  
 Owner's address SAME  
 Telephone number (home) SAME (work) SAME

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

2014-00004

75 Deerwood Dr

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. Attach additional sheets if necessary. Please see "Procedures for Filing a Special Exception" for further information.

a. Describe the nature of your proposal. Please be specific.

See Attachment

b. Does your proposal involve the physical construction or expansion of a structure? Yes  No  If yes, describe how the size of the addition (and any existing structure) compares with the physical size of surrounding properties.

See Attachment

c. Do you anticipate the need for additional on-site parking space as a result of your proposal? Yes  No  If yes, approximately how many square feet of paved or designated parking space will be provide for both existing and proposed usage?

SEE Attachment

d. What affects would the requested use have upon surrounding traffic congestion and pedestrian safety?

See Attachment

e. What measures will be taken (if any) to insure that your proposal will not impair the integrity or be out of character with the zoning district or immediate neighborhood?

See Attachment

4. SPECIAL EXCEPTION AND USE VARIANCES

For Special Exception and Use Variances, 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 Residential

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 39

75 Seaweed Drive

f. Describe your general business operations Residential

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g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation. All to be completed as approved at the MAY 13, 2014 meeting.

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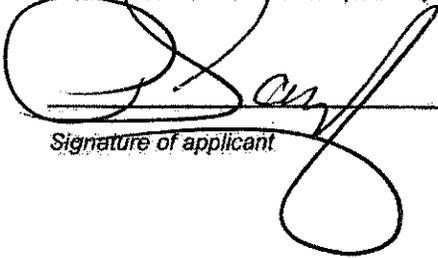
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I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction.

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



Signature of applicant

12/28/15

Date

## SPECIAL EXCEPTION APPLICATION

1

b. At the May 13, 2014 Zoning board of Adjustment meeting the following use variance was granted. Lots 75/77 Deerwood drive, convert existing housing into 13 residential townhomes, one maintenance garage and one rental management office.

We are requesting a special exception to convert the rental management office back into a residential unit. The maintenance garage to be reduced to a two car garage. Thus having 14 residential units on this new lot.

3

a. We have purchased the lot at 7 Deerwood drive. We are currently working with the planning department to build our rental management office and maintenance garage at this location.

b.

No.

The current home at 75 Deerwood drive would remain and be remodeled into a modern home. No change in foot print, there would be the addition of two A dormers on the front and a shed dormer on the back. The maintenance garage that was approved would be reduced to 24' by 24' for the parking of automobiles residing at 75 Deerwood.

c.

No

The currently approve plans call for 23 exterior parking spots, one handicapped spot and 13 garages.

With the conversion of the garage we will now have 15 garage spaces, one handicapped spot and would like to reduce to 21 exterior spots.

d. Should be less traffic than the currently approved plans.

e. All previously approved stipulations will be adhered to.

Return to: City of Nashua, Planning Department  
229 Main Street  
Nashua, NH 03061  
577

**THIS FORM MUST BE TYPED**  
THIS FORM MUST BE SIGNED BY THE NASHUA PLANNING DEPARTMENT BEFORE RECORDING AT THE  
HILLSBOROUGH COUNTY REGISTRY OF DEEDS  
VOLUNTARY MERGER OF PARCELS  
(Index the City of Nashua as "Grantee")

Owner Name 75 Deerwood Dr LLC (Index as "Grantor")  
Street Mailing Address 2 Knighstbridge Dr  
City Nashua State NH Zip Code 03063

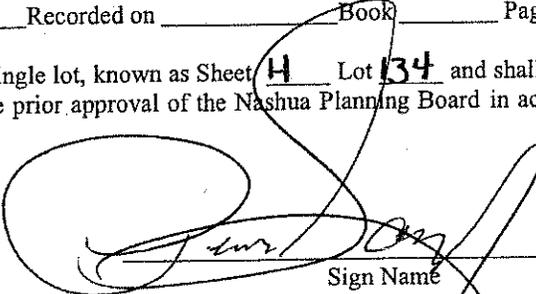
Is known as the owner of the following parcels:

Sheet H Lot 134 Acct. Num. 35242 Recorded on December 23, 2013 Book 8630 Page 2665  
Sheet H Lot 81 Acct. Num. 13806 Recorded on September 19, 2014 Book 2459 Page 797  
Sheet \_\_\_\_\_ Lot \_\_\_\_\_ Acct. Num. \_\_\_\_\_ Recorded on \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_  
Sheet \_\_\_\_\_ Lot \_\_\_\_\_ Acct. Num. \_\_\_\_\_ Recorded on \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

The parcels above shall for all purposes be considered a single lot, known as Sheet H Lot 134 and shall not be sold separately or any other divided interest be conveyed except with the prior approval of the Nashua Planning Board in accordance with its duly adopted subdivision regulations.

Signed the 3rd day of November, 2015.

Peter Dolloff  
\_\_\_\_\_  
Type Name  
\_\_\_\_\_  
Type Name  
Ruth Raswyck  
\_\_\_\_\_  
Nashua Tax Collector's Office - Type Name  
Marcia Wilkins  
\_\_\_\_\_  
Nashua Planning Department - Type Name

  
\_\_\_\_\_  
Sign Name  
\_\_\_\_\_  
Sign Name  
Ruth Raswyck  
\_\_\_\_\_  
Sign Name  
Marcia Wilkins  
\_\_\_\_\_  
Sign Name

No one should rely solely on the tax maps for information on this form. The City of Nashua is not responsible for errors or omissions resulting from reliance on its tax maps.



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

Community Development 589-3095  
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Conservation Commission 589-3105  
FAX 589-3119  
www.gonashua.com

May 14, 2014

RECEIVED MAY 20 2014

Ruth Girouard  
77 Deerwood Drive  
Nashua, NH 03063

RASP, LLC  
Mr. Peter Dolloff  
2 Knightsbridge Drive  
Nashua, NH, 03063

2 YEARS

**RE:** Ruth B. Girouard & 75 Deerwood Drive, LLC (Owners) RASP, LLC (Applicant) 75 & 77 Deerwood Drive (Sheet H Lots 81 & 134) requesting use variance to convert existing house at 75 Deerwood Drive into a rental office, and construct a maintenance garage and 13 rental townhomes on merged lots. PI Zone, Ward 2.

Dear Ms. Girouard and Mr. Dolloff;

Your recent application for the above referenced request was GRANTED by the ~~Zoning Board of Adjustment~~ at their meeting on ~~May 13, 2014~~ with the following stipulations and/or reasons for granting:

- 1) Hardship identified in that the variance is needed to enable the applicant's proposed use of the property, given the special conditions of the property, and the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than the use variance.
- 2) The Board believes that the spirit and intent of the ordinance is being kept in good faith.
- 3) Property values should not be negatively impacted, one abutter expressed concern, but there was no expert testimony and the opinion of the Board is that property values will not be negatively impacted.
- 4) Not contrary to the public interest.
- 5) Substantial justice is served to the applicant.

Special Conditions:

1. A 6-foot high stockade privacy fence be erected around both sides and the rear of the property

IMPORTANT INFORMATION:

Per RSA 677:2, any party to the action or proceedings, or any person directly affected by any order or decision of the Zoning Board of Adjustment may apply for a rehearing within 30 calendar days following the date of decision. Building permits issued during this appeal period are at the sole risk of the owner/applicant.

A variance or special exception shall be null and void twelve (12) months from the date of its approval if, within this period a building permit has not been secured or, in the case of a variance or special exception relating to lot area, preliminary or final subdivision/site plan approval, is not obtained. Proper permits are required before the erection of any sign, construction, or subdivision/site plans are commenced.

Granting of the variance or special exception does not relieve the owner/applicant of the requirement to obtain Planning Board approval for site plan, preliminary or final subdivision of land. Please contact the Planning Department to determine whether Planning Board approval will be necessary.

The Zoning Board of Adjustment appreciates your cooperation in this matter. Should you have any questions regarding this notice, please contact Carter Falk at 589-3090.

Respectfully,



ZONING BOARD OF ADJUSTMENT  
City of Nashua, New Hampshire

CF/ml

cc: Roger L. Houston, Planning Director  
Bill McKinney, Building Department Manager  
Mark Collins, Plans Examiner, Building Safety Department

No one.

**SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:**

No one.

**MOTION** by Mr. Carrier to grant the variance requests by the applicant as advertised, both requests considered collectively. Mr. Carrier stated that the variance is needed to enable the applicant's proposed use of the property, which is a redevelopment of an old mill into a residential area, and given the special conditions of the property; and the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance.

Mr. Carrier stated that the use is within the spirit and intent of the ordinance, it will not adversely affect the property values of surrounding parcels, it is not contrary to the public interest, and substantial justice is served.

**SECONDED** by Mr. Shaw.

**MOTION CARRIED UNANIMOUSLY 5-0.**

9. Ruth B. Girouard & 75 Deerwood Drive, LLC (Owners) RASP, LLC (Applicant) 75 & 77 Deerwood Drive (Sheet H Lots 81 & 134) requesting use variance to convert existing house at 75 Deerwood Drive into a rental office, and construct a maintenance garage and 13 rental townhomes on merged lots. PI Zone, Ward 2.

Voting on this case:

Gerry Reppucci  
Jack Carrier  
Rick Johnson  
J.P. Boucher  
Rob Shaw

Peter Dolloff, Sequel Development, Nashua, NH. Mr. Dolloff said that they're taking two properties, 75 and 77 Deerwood Drive, and merging them into one property, which will be over an acre. He said that both existing houses are in poor condition.

Mr. Dolloff said that one house will be used for a rental office for the project, and the other house will be removed. He said that the plan is to allow for 13 rental townhomes, which will be of similar size and height to the townhomes across the street. He said that the points of law are thoroughly covered in the application. He said that the lot sizes and frontage requirements are met. He said that they are requesting to renovate the existing house and use it as an office, but the roof pitch will need to be changed to add some square footage.

Mr. Dolloff said that a previous owner, Todd Boyer, received approval to build six townhomes, but never constructed them, so this project is picking up where that one left off, and since the adjacent lot became available, the project is now for thirteen units.

Mr. Currier asked if the commercial garage is intended to just be used for this property, or to service other businesses or properties.

Mr. Dolloff said it would primarily be used to service this property, and most of their properties have some sort of maintenance garage on site. He said it wouldn't be used 100% for this site, but there would be a little used for storage of equipment or other items as needed.

Mr. Currier said the last time this case came in, he was the dissenting vote. He said his last concern was that there are large, contiguous back yards, and this proposal would ruin the back yards to abutting properties.

Mr. Dolloff said he did talk to the neighbors, and the folks on Dumaine Avenue by and large were very positive about the project. He said there was talk about the 20-foot buffer, but they're glad to see the land cleaned up.

**SPEAKING IN FAVOR:**

No one.

**SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:**

Robin Finneral, 79 Deerwood Drive, Nashua, NH. Mrs. Finneral said that their concerns are for privacy, now, it's a wooded

lot, and now there will be a 13-unit townhome property. She also mentioned the affect on their property values. She said they've lived there for 27 years. She said that Regent Park has had some issues with some of their tenants.

Mr. Boucher asked to confirm that the removal of trees would take away all their privacy.

Mrs. Finneral agreed, all those trees would be gone, and they'd be looking at 6 townhouse units instead.

Mr. Reppucci asked if there was a 6-foot tall fence there, would it make it better.

Mrs. Finneral said it would be better, but they'd still see the units. She asked if they will be low-income rentals.

**SPEAKING IN FAVOR - REBUTTAL:**

Mr. Dolloff said that they will not be subsidized units, they will be garage under, 2-story units, and will be rental units. He said they won't be condominium units. He said the units will be upscale, in the neighborhood of \$1,600 - \$1,800 per month. He said their intention is to continue to have 6-foot high stockade fences around the property on three sides. He said they have no issues working with the neighbors to ensure privacy.

Mr. Boucher asked if there will be decks on the second floor.

Mr. Dolloff said no, just bedroom windows. There will be a patio on the first floor, the property is very flat.

Mr. Currier asked if the units are two or three stories high.

Mr. Dolloff said they will be two stories high.

**SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS - REBUTTAL:**

Mrs. Finneral asked how it would work with the fence, how they'd do it.

Mr. Reppucci said that the Board could put conditions on their approval, stipulating that they'd have to put in the fence, or some language that would allude to the fence around the

property.

**MOTION** by Mr. Reppucci to grant the variance request by the applicant as advertised. Mr. Reppucci stated that the variance is needed to enable the applicant's proposed use of the property, given the special conditions of the property; and the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance.

Mr. Reppucci stated that the use is within the spirit and intent of the ordinance, it will not adversely affect the property values of surrounding parcels, it is not contrary to the public interest, and substantial justice is served.

Mr. Reppucci said for a special condition, that the applicant will place a 6-foot high privacy stockade fence around both sides and the rear of the property.

**SECONDED** by Mr. Boucher.

**MOTION CARRIED 4-1** (Mr. Currier).

10. **Riverside Properties of Nashua (Owner) Richard Picard (Applicant) 46-50 Bridge Street (Sheet 40 Lot 38) requesting use variance to sell automobiles. GI/MU Zone, Ward 7.**

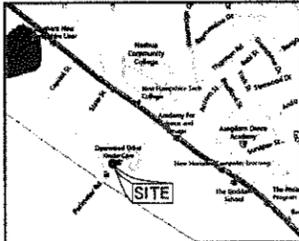
Voting on this case:

Gerry Reppucci  
Jack Currier  
Rick Johnson  
J.P. Boucher  
Rob Shaw

Richard Picard, 50 Bridge Street, Nashua, NH. Mr. Picard said he's looking to sub-lease the property to park some cars. He said he is looking at about 1,000 square feet of office space inside the building, and it would be for about six cars maximum. He said it won't be a big used car lot.

Mr. Currier asked if this is a new business, or if there is another branch somewhere else.





H-92  
THOMAS W HARRINGTON  
12 DUMAINE AVE  
NASHUA, NH 03063  
ZONED: PARK INDUSTRIAL

H-83  
KC PROPOD LLC &  
GREENSTREET PARTNERS LLP  
2501 BAY SHORE DRIVE  
COCONUT GROVE, FL 33133  
ZONED: PARK INDUSTRIAL

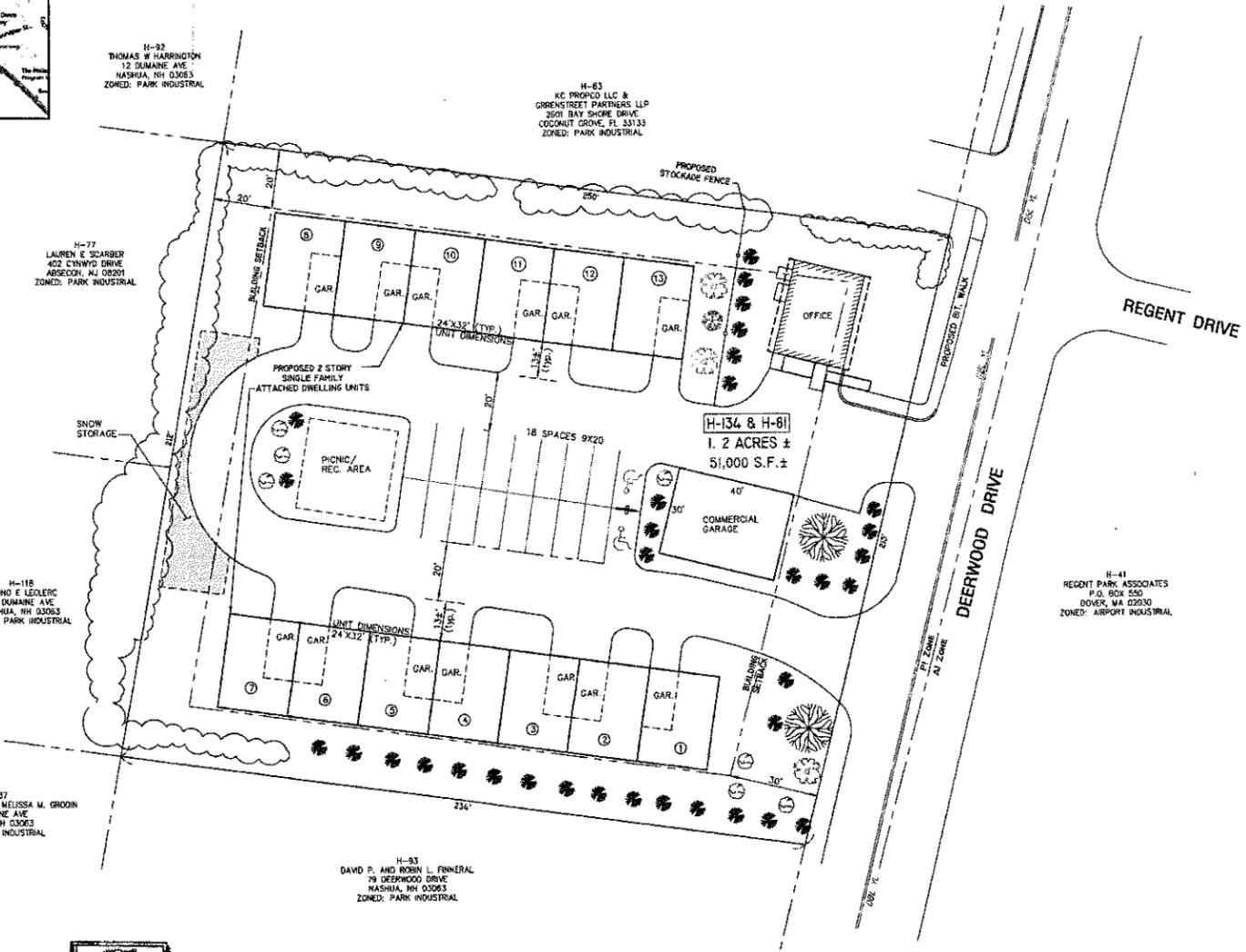
H-77  
LAUREN E SCARSD  
422 CYNWYD DRIVE  
ABSECON, NJ 08201  
ZONED: PARK INDUSTRIAL

H-116  
BRUNO E LEOLERIC  
16 DUMAINE AVE  
NASHUA, NH 03063  
ZONED: PARK INDUSTRIAL

H-137  
CHRISTOPHER M AND MELISSA M. GROOM  
18 DUMAINE AVE  
NASHUA, NH 03063  
ZONED: PARK INDUSTRIAL

H-83  
DAVID P. AND ROBIN L. FINNERAL  
79 DEERWOOD DRIVE  
NASHUA, NH 03063  
ZONED: PARK INDUSTRIAL

H-41  
REGENT PARK ASSOCIATES  
P.O. BOX 550  
DOVER, MA 02030  
ZONED: AIRPORT INDUSTRIAL



**NOTES:**

1. RECORD OWNER: H-134  
75 DEERWOOD DRIVE, LLC  
2 KNIGHTSBRIDGE DRIVE  
NASHUA, NH 03063
2. THE PURPOSE OF THIS PLAN SET IS TO DEPICT THE PROPOSED SITE IMPROVEMENTS TO THE SUBJECT LOTS
3. CURRENT ZONING IS PL - PARK INDUSTRIAL

| MIN. LOT SIZE:     | REQUIRED | PROVIDED | FT. SQ. S.F. |
|--------------------|----------|----------|--------------|
| MIN. LOT FRONTAGE: | 80'      | 215'     |              |
| MIN. LOT WIDTH:    | 120'     | 212'     |              |
| MIN. LOT DEPTH:    | 150'     | 234'     |              |

| REQUIRED:               | PROVIDED: |
|-------------------------|-----------|
| MINIMUM OPEN SPACE: 20% | 35%       |
| MAX. HEIGHT: 70'        | 30'       |
| MAX. STORIES: 5         | 2         |
| MAX. F.A.R.:            | N/A       |

MINIMUM BUILDING SETBACKS:  
FRONT: 30' SIDE AND REAR: 20'

4. PROPOSED USE MIXED USE OFFICE AND WAREHOUSE / RESIDENTIAL
5. PARKING REQUIREMENTS:

USES INCLUDE:  
OFFICE, COMMERCIAL WAREHOUSE  
1 SPACE PER 1,000 S.F. OF GFA

| REQUIRED: | PROVIDED:          |
|-----------|--------------------|
| 3 SPACES  | 2 (INCLUDING 1 HC) |

RESIDENTIAL - MULTIFAMILY  
1.5 PER UNIT

| REQUIRED:          | PROVIDED:                       |
|--------------------|---------------------------------|
| 1.5 PER UNIT or 20 | 18 ON SITE INCLUDING 2 HC       |
|                    | 13 GARAGE SPACES                |
|                    | TOTAL = 20 INCLUDING 1 HANDICAP |

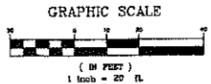
**ZBA EXHIBIT PLAN**  
**75 & 77 Deerwood Drive**  
**TAX MAP H LOTS 134 & H-81**  
**NASHUA, NEW HAMPSHIRE**



186 Pine Hill Road, Hollis, NH 03049 Tel. 603-882-4655  
DELANEYSURVEYING.COM

PROJECT# 13221 SCALE: 1"=20' DATE: 4-04-14 SHEET 1 OF 1

| NO. | DATE | REVISION | BY |
|-----|------|----------|----|
|     |      |          |    |
|     |      |          |    |





**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 102 BOWERS ST.  
 Zoning District RB Sheet 27 Lot 91

b. VARIANCE(S) REQUESTED To maintain a shed encroachment of 27" from the side and 18" from the back of my yard.

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
David Guild  
 Applicant's signature *David Guild* Date 12/18/15  
 Applicant's address 102 BOWERS ST. Nashua, NH. 03060  
 Telephone number (home) 801-7162 (work) 885-3739

b. PROPERTY OWNER David Guild and Coleen Guild  
 Owner's signature *David Guild Coleen M. Guild* Date 12-18-15  
 Owner's address 102 Bowers St.  
 Telephone number (home) 801-7162 (work) 885-3739

|   |   |                     |                       |
|---|---|---------------------|-----------------------|
| 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 # _____       |

2016-00005

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 is used for general storage. There are other sheds and garages in the neighborhood, the shed does not change the character of the 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.")

The shed contains bicycles, kayaks and gardening and yard equipment. There is no safety or welfare issues created by this shed.

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.)

Due to the small size of this lot moving the shed to 6 feet away from the setback would give the shed the appearance of being in the middle of the yard. There is no harm to the general public with the shed where it is now.

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.)

There should be no effect on other property values. One of my neighbors has a shed about 36" from my property line and it has no effect on my property value, for a good part of the year my shed is not visible in most directions due to foliage and other structures.

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.

In order to move this shed it would have to be taken apart. This is a kit type shed, taking it apart could weaken the structure and shorten it's life span. This shed has no adverse effect on the neighborhood.

**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

12-18-15

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



**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)

December 1, 2015

David Guild  
102 Bowers St  
Nashua NH 03060

**Re: Letter of Application Determination**

Dear Mr. Guild,

The Zoning Department has recently received your Land Use permit for 10' x 12' shed. 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, and the plot plan submitted before the application can be approved it will require additional approvals with the Zoning Board of Adjustment because the shed has been constructed within the 6' require rear yard setback. In order to receive approval you must show a hardship with the property that keeps you from complying with the ordinance.

Enclosed is a variance application, please answer all the questions in number 3, the cost of the variance is \$345.00. The request is to maintain a shed encroachment 3' into a 6' required rear yard setback. To avoid this additional approval, the shed may be moved to meet the setback requirement; a new plot plan must be submitted locating the shed documenting the measurement to the property line.

Sincerely,

Marcia Wilkins  
Planner I, Planning & Zoning Department

Cc: Property Account File  
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 (CJ)

Date 11/30/15

Sheet \_\_\_\_\_

Lot \_\_\_\_\_

Zone \_\_\_\_\_

Site/sub plan \_\_\_\_\_

Prop Acct # 19696

PROJECT # 2015-03146

Address 102 BOWERS

**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.

This is a stand alone 10' x 12' kit shed. There is no plumbing or electrical. This is not a permanent structure it is a kit shed from Lifetime sheds.

\$ 1100.00

- 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 David Guild Lessee \_\_\_\_\_ Architect \_\_\_\_\_

Address 102 BOWERS ST. Address \_\_\_\_\_ Address \_\_\_\_\_

City/State/Zip Nashua NH 03060 City/State/Zip \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Email DGUILD102@COMCAST.NET Email \_\_\_\_\_ Email \_\_\_\_\_

Daytime phone 603 801 7162 Daytime phone \_\_\_\_\_ Daytime phone \_\_\_\_\_

Contractor \_\_\_\_\_ Applicant David Guild Engineer \_\_\_\_\_

Address \_\_\_\_\_ Address 102 BOWERS ST Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_ City/State/Zip Nashua NH 03060 City/State/Zip \_\_\_\_\_

Email \_\_\_\_\_ Email DGUILD102@COMCAST.NET Email \_\_\_\_\_

Daytime phone \_\_\_\_\_ Daytime phone 603 801 7162 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.

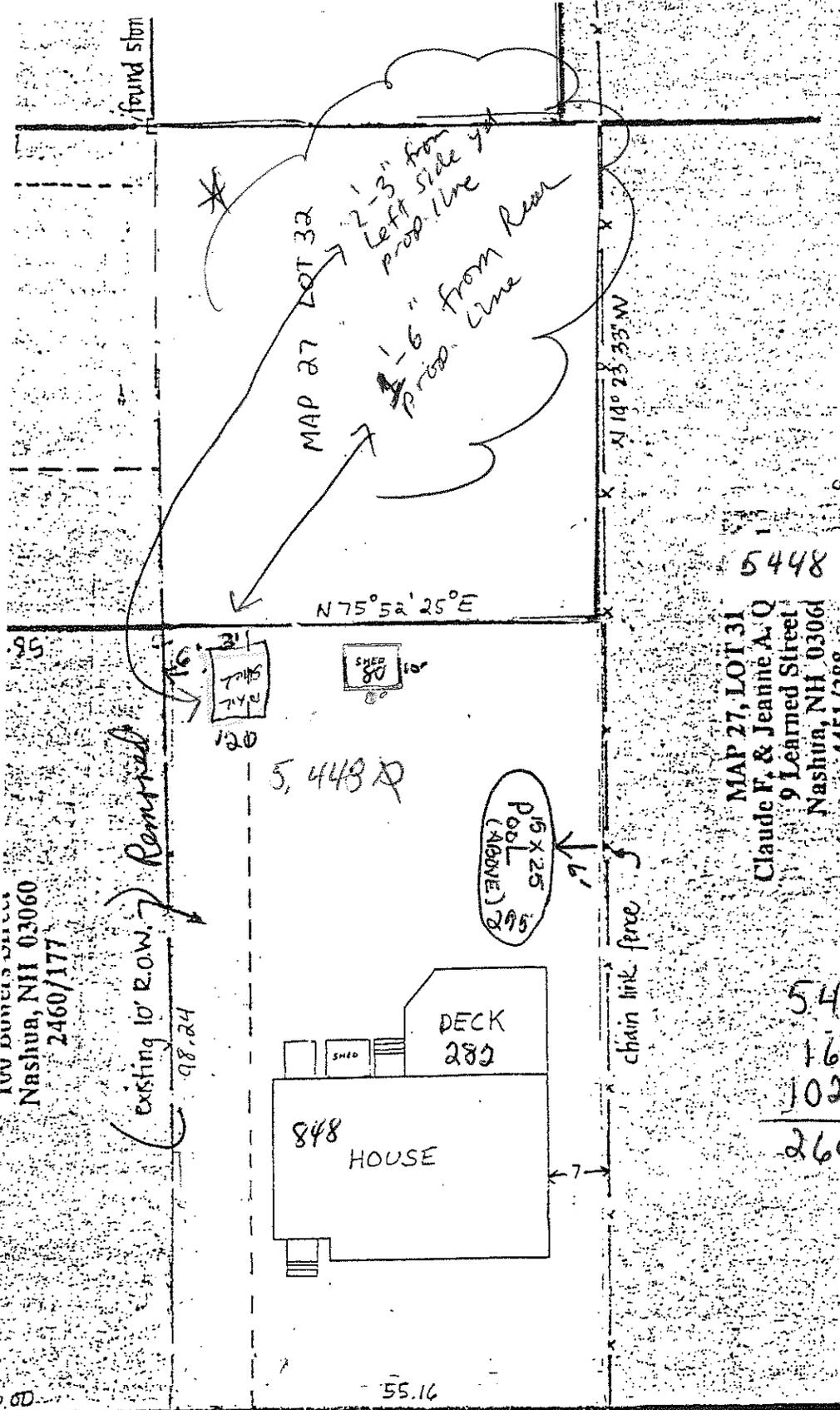
I hereby certify the owner of record authorizes the proposed work and I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of the City of Nashua. I hereby attest all statements made on this application and any attached documents 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 David Guild

Print Name David Guild

Date \_\_\_\_\_

found ston



Acc Use %  
 $1352 \times 40\% = 540$

Shed = 80  
 Pool = 215

375  
 Shed 120  
 495

Open Space 0%

5448

MAP 27, LOT 31  
 Claude F. & Jeanne A. Q  
 9 Learned Street  
 Nashua, NH 03061  
 4451/288

1130  
 80  
 295  
 1140  
 2645

$5448 \times 35\% = 1906.8$

1625  
 1020 DW  
 2645

140 DUNCAN DRIVE  
 NASHUA, NH 03060  
 2460/177

Reminded  
 Existing 10' R.O.W.

**BOWERS STREET**

\* Per phone discussion w/ David Guild on 1-8-16 cf.



**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  
Transportation Department 880-0100  
FAX 589-3119  
[www.nashuanh.gov](http://www.nashuanh.gov)

November 17, 2015

David & Coleen Guild  
102 Bowers St  
Nashua, NH 03060

RE: Unpermitted Residential Accessory Use Structure

Dear Mr. and Mrs. Guild,

The Planning and Zoning Department has recently been made aware of a possible unpermitted accessory use structure, approximately an 8' x 12' Shed, at 102 Bowers St in Nashua, New Hampshire.

The City of Nashua Ordinance requires at a minimum a Land Use permit to be obtained prior to the erecting of any structures;

190-128. Land use permit:

*A. Applicability. It shall be unlawful for any owner or person to erect, construct, reconstruct, convert or alter a structure or change the use, increase the intensity of use, or extend or displace the use of any building, sign, other structure or lot without applying for on forms supplied by the Administrative Officer, and receiving from him a permit therefor. When any change is made in a plot plan as originally submitted, an application for a revised permit shall be submitted.*

To avoid further action by the City of Nashua in accordance with RSA 676:17 which may include fines you are required to apply for and obtain an "after the fact" Land Use permit.

676:17 Fines and Penalties; Second Offense:

*I. Any person who violates any of the provisions of this title, or any local ordinance, code, or regulation adopted under this title, or any provision or specification of any application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person; and shall be subject to a civil penalty of \$275 for the first offense, and \$550 for subsequent offenses, for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the municipality that the violator is in violation, whichever is earlier. Each day that a violation continues shall be a separate offense.*



**PROPERTY LOCATION**  
 No. 102 Alt No. BOWERS ST, NASHUA  
 Direction/Street/City

**OWNERSHIP**  
 Owner 1: GUILD, DAVID & COLEEN  
 Owner 2:  
 Owner 3:  
 Street 1: 102 BOWERS ST  
 Street 2:

**Town/City: NASHUA**  
 St/Prov: NH Cntry: Own Occ: Type:  
 Postal: 03060-6344

**PREVIOUS OWNER**  
 Owner 1:  
 Owner 2:  
 Street 1:  
 Town/City:  
 St/Prov: Cntry: Postal:

**NARRATIVE DESCRIPTION**  
 This Parcel contains 5,448 Sq Feet of land mainly classified as 1 UNIT with a(n) CAPE Building Built about 1940, Having Primarily ASBESTOS Exterior and ASPHALT Roof Cover, with 1 Units, 0 Baths, 0 Hall/Baths, 0 3/4 Baths, 4 Rooms Total, and 2 Bdrms.

**OTHER ASSESSMENTS**  
 Code Description/No Amount Com. Int

**IN PROCESS APPRAISAL SUMMARY**

| Use Code  | Building Value | Yard Items | Land Size | Land Value | Total Value   | Legal Description | User Acct        |          |
|---|----------------|------------|-----------|------------|---------------|-------------------|------------------|----------|
| 1401  | 101,000        | 1,400      | 5448.000  | 58,300     | 160,700 Desc: |                   |                  |          |
| <b>Total Card</b>   | 101,000        | 1,400      | 0.125     | 58,300     | 160,700       | Entered Lot Size  | <b>GIS Ref</b>   |          |
| <b>Total Parcel</b>   | 101,000        | 1,400      | 0.125     | 58,300     | 160,700       | Total Land:       | 1042396.701232   |          |
| Source: Market Adj Cost Total Value per SQ unit /Card: 189.50 /Parcel: 189.50 |                |            |           |            |               |                   | <b>Insp Date</b> | 06/21/06 |

**PREVIOUS ASSESSMENT**  
 Parcel ID: 0027-00091

**SALES INFORMATION**

| Grantor         | Legal Ref | Type | Date       | Sale Price  | V  | Tst | Verif | Assoc PCL Value | Notes                              |
|-----------------|-----------|------|------------|-------------|----|-----|-------|-----------------|------------------------------------|
| KOPKA, KRISTIE  | 6440-2747 | W    | 6/19/2001  | 128,933     | No | No  |       |                 |                                    |
| SELLITTI, CHRIS | 6097-930  | Q    | 4/30/1999  | USE CODE 38 | No | No  |       |                 |                                    |
| MACFARLANE, AND | 5763-4286 | W    | 10/29/1996 | 80,500      | No | No  |       |                 | JT                                 |
|                 | 5092-978  |      | 3/15/1989  | 100,000     | No | No  |       |                 | EASEMENT TERMINATED BOOK 5763-4286 |

**PROPERTY FACTORS**

| Item Code | Descp | % | Item Code | Descp      |
|-----------|-------|---|-----------|------------|
| Z RB      | RB    |   | U C       | ALL        |
| o         |       |   | t         |            |
| n         |       |   | Exmpt VF  | VET CREDIT |
| D         |       |   | Topo 1    | LEVEL      |
| s         |       |   | Street 1  | PAVED      |
| t         |       |   | Traffic   |            |

**LAND SECTION (First 7 lines only)**

| Use Code | Description | LUC | No of Units | Depth / Price/Units | Unit Type | Land Type | LT Factor | Base Value | Adj Value | Neigh Infln | Neigh Mod | Neigh | Infl 1 % | Infl 2 % | Infl 3 % | % | Appraised Value | Spec Land | J Code | Use Value | Notes |
|----------|-------------|-----|-------------|---------------------|-----------|-----------|-----------|------------|-----------|-------------|-----------|-------|----------|----------|----------|---|-----------------|-----------|--------|-----------|-------|
| 1401     | 1 UNIT      |     | 5448        |                     | Sq Feet   | SITE      | 1.0       | 0          | 9.96      | 1.074       | NA        | 0.85  | 5        |          |          |   | 58,283          | 6         | 1      | 58,300    |       |

**ACTIVITY INFORMATION**

| Date      | Result       | Name         |
|-----------|--------------|--------------|
| 6/21/2005 | Meas-Lst     | Gary Turgiss |
| 6/5/2006  | Meas+Vlsit   | Patriot JH   |
| 8/7/2002  | SI mea&LC    | Gary Turgiss |
| 3/15/1999 | BPclsd no vr | Gary Turgiss |
| 3/23/1991 | Meas-Lst     | RD           |
| 3/8/1991  | Meas2InfCall | TB           |

**PRINT**

| Date     | Time     |
|----------|----------|
| 07/15/15 | 08:39:22 |
| Date     | Time     |
| 07/14/15 | 16:30:01 |

**PAT ACCT.**

| ASR Map: | Fact Dist: | Reval Dist: | Year: | Reason: | Bid Reason: |
|----------|------------|-------------|-------|---------|-------------|
| 19690    |            |             |       |         |             |

**SALES INFORMATION**

| Grantor         | Legal Ref | Type | Date       | Sale Price  | V  | Tst | Verif | Assoc PCL Value | Notes                              |
|-----------------|-----------|------|------------|-------------|----|-----|-------|-----------------|------------------------------------|
| KOPKA, KRISTIE  | 6440-2747 | W    | 6/19/2001  | 128,933     | No | No  |       |                 |                                    |
| SELLITTI, CHRIS | 6097-930  | Q    | 4/30/1999  | USE CODE 38 | No | No  |       |                 |                                    |
| MACFARLANE, AND | 5763-4286 | W    | 10/29/1996 | 80,500      | No | No  |       |                 | JT                                 |
|                 | 5092-978  |      | 3/15/1989  | 100,000     | No | No  |       |                 | EASEMENT TERMINATED BOOK 5763-4286 |

**BUILDING PERMITS**

| Date      | Number    | Descp    | Amount | C/O | Last Visit | Fed Code | F Descp | Comment |
|-----------|-----------|----------|--------|-----|------------|----------|---------|---------|
| 7/22/2011 | 201101258 | ABOVE GR | 4,100  | C   | 8/9/2011   |          |         |         |
| 6/26/1990 | 199446355 | Addition | 2,000  | C   |            |          |         |         |

**LAND SECTION (First 7 lines only)**

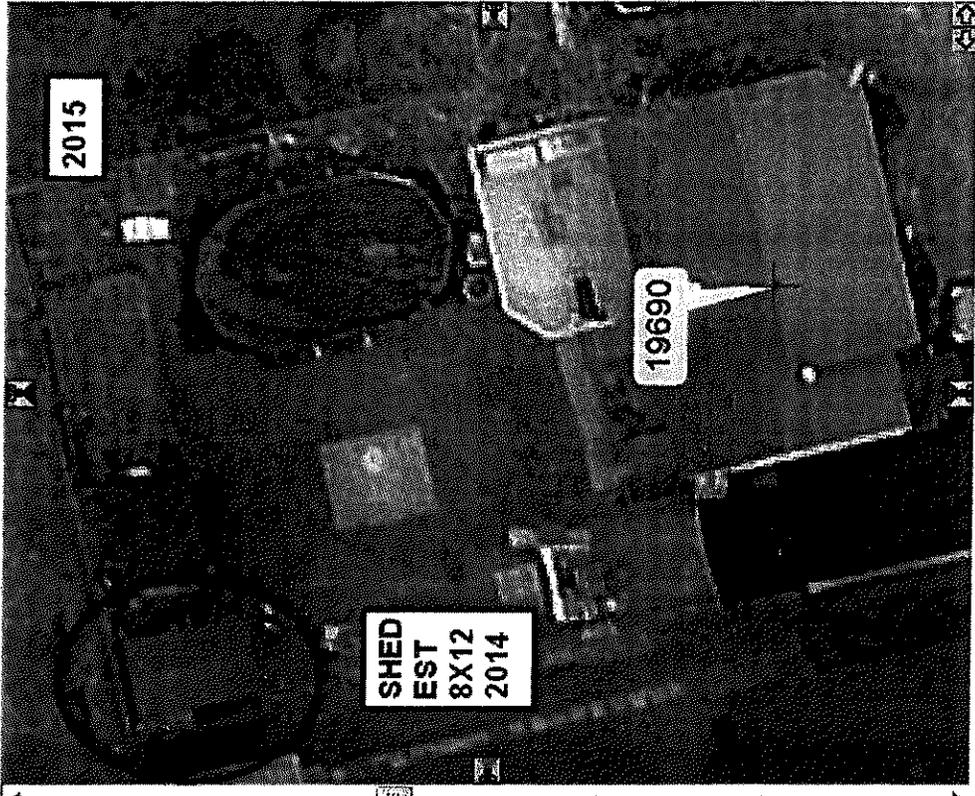
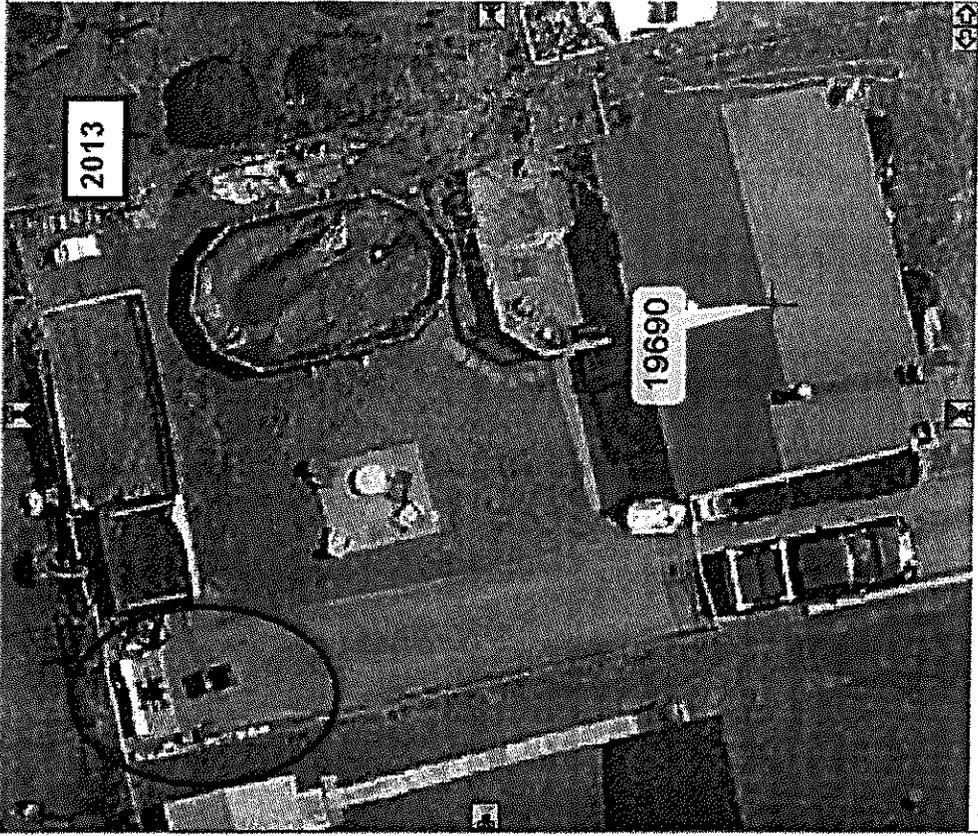
| Use Code | Description | LUC | No of Units | Depth / Price/Units | Unit Type | Land Type | LT Factor | Base Value | Adj Value | Neigh Infln | Neigh Mod | Neigh | Infl 1 % | Infl 2 % | Infl 3 % | % | Appraised Value | Spec Land | J Code | Use Value | Notes |
|----------|-------------|-----|-------------|---------------------|-----------|-----------|-----------|------------|-----------|-------------|-----------|-------|----------|----------|----------|---|-----------------|-----------|--------|-----------|-------|
| 1401     | 1 UNIT      |     | 5448        |                     | Sq Feet   | SITE      | 1.0       | 0          | 9.96      | 1.074       | NA        | 0.85  | 5        |          |          |   | 58,283          | 6         | 1      | 58,300    |       |

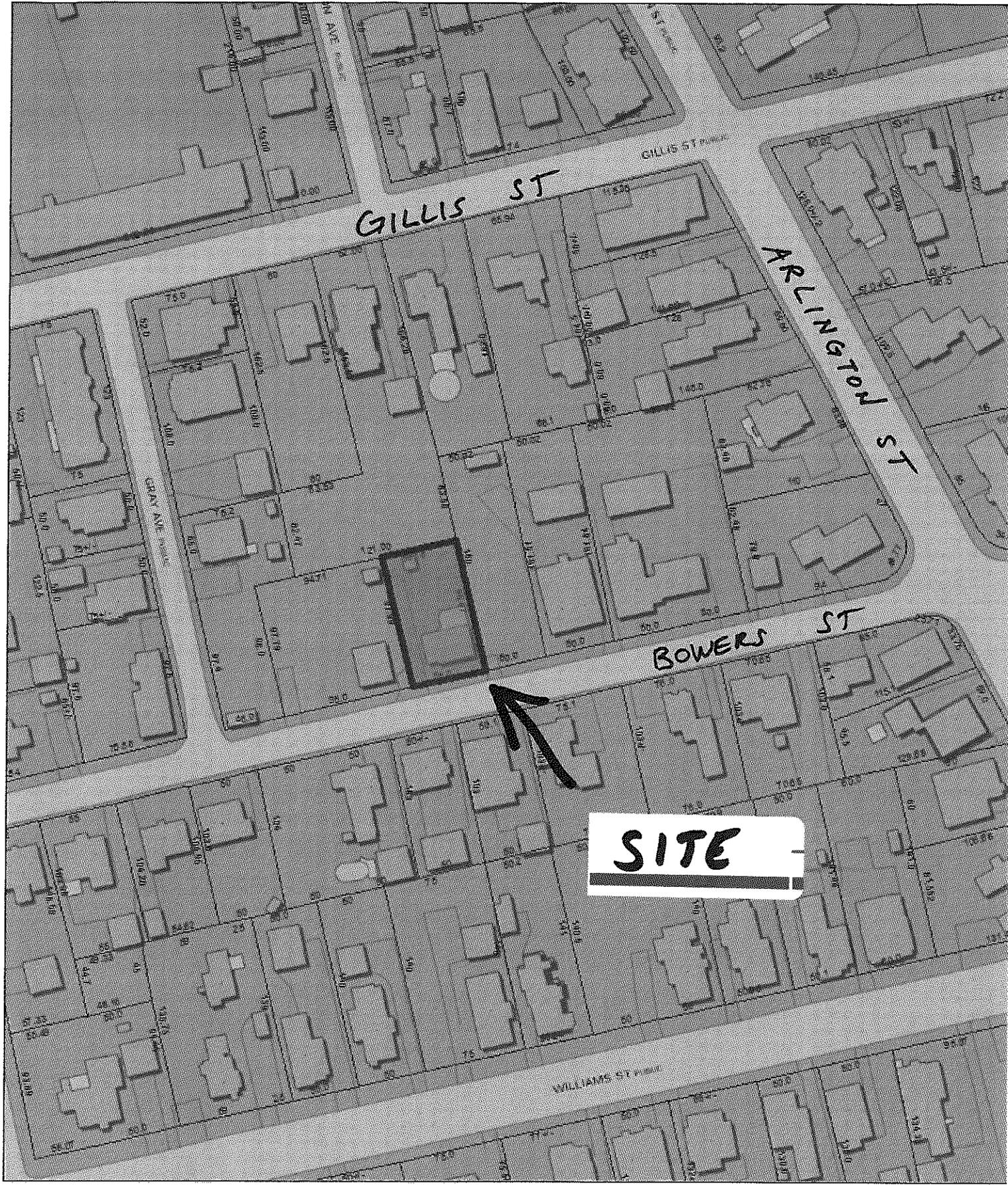
**Sign:**

**TOTALS**

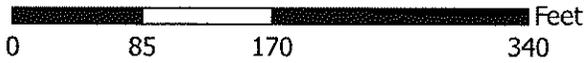
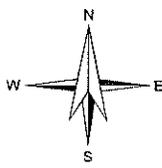
|             |         |              |         |             |      |   |      |                |        |        |        |             |        |        |
|-------------|---------|--------------|---------|-------------|------|---|------|----------------|--------|--------|--------|-------------|--------|--------|
| Total ACRA: | 0.12507 | Total SF/SM: | 5448.00 | Parcel LUC: | 1401 | 1 | UNIT | Prime NB Desc: | NEW AV | Total: | 58,283 | Spl Credit: | Total: | 58,300 |
|-------------|---------|--------------|---------|-------------|------|---|------|----------------|--------|--------|--------|-------------|--------|--------|

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro





**102 Bowers St**



1 inch = 127 feet

