

1. Zoning Board Regular Meeting Agenda (PDF)

Documents: [20160322 ZBA AGENDA.PDF](#)

2. 20160322 ZBA Meeting Packet

Documents: [20160322 3 KENNEDY DR.PDF](#), [20160322 28 DICKERMAN ST.PDF](#),
[20160322 149 DW HWY.PDF](#)



THE CITY OF NASHUA

"The Gate City"

Community Development Division Planning Department

March 7, 2016

The following is to be published on ROP March 12, 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, March 22, 2016, at 6:30 PM at the Nashua City Hall Auditorium, 3rd floor, 229 Main Street.

1. James A. & Marilyn H. Forest, d/b/a NCC Business Solutions (Owner) Friendly's Ice Cream, LLC (Applicant) 149 Daniel Webster Highway (Sheet A Lot 746) requesting variance for minimum stacking lane distance, 160 feet required, 153 feet proposed - to re-establish a drive-through lane with associated site improvements. GB Zone, Ward 7.
2. Donna Szydlowski (Owner) 28 Dickerman Street (Sheet 119 Lot 79) requesting variance to encroach between 2'-5" and 3'-3" into the 10 foot required right side yard setback to construct an attached 14'x23' carport. RA Zone, Ward 7.
3. Sandey Ndegwa (Owner) 3 Kennedy Drive (Sheet A Lot 731) requesting the following: 1) special exception to convert an existing single-family home into a two-family home, and; 2) variance for minimum lot area, 10,000 square feet existing, 14,520 square feet required. RA 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
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 Conservation Commission 589-3105
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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 3 KENNEDY DRIVE

Zoning District RA Sheet A Lot 371

b. SPECIAL EXCEPTION(S) REQUESTED _____

TO HAVE A TWO FAMILY DWELLING

2. GENERAL INFORMATION

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

SANDEY NDEGWA

Applicant's signature [Signature] Date 2/3/2016

Applicant's address 3 KENNEDY DRIVE, NASHUA, NH 03060

Telephone number (home) 603-867-2683 (work) _____

b. PROPERTY OWNER SANDEY NDEGWA

Owner's signature [Signature] Date 2/3/2016

Owner's address 3 KENNEDY DRIVE, NASHUA, NH 03060

Telephone number (home) 603-867-2683 (work) _____

Case number _____ Application Deadline _____ Date Received _____ Date of hearing 3/22/16

Notices: Newspaper Abutters Board Action _____

\$ _____ fee Date Paid _____ Receipt # _____

\$ _____ application fee Date Paid _____ Receipt # _____

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

2016-00034

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.

Use the inlaw apartment down stairs as a rental property.

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

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

The property has ample parking space.

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?

There is no construction being done, the apartment is already there.

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 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

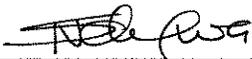
e. Number of parking spaces available N/A

f. Describe your general business operations No Business

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

2/3/16

Date



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VARIANCE APPLICATION

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1. VARIANCE INFORMATION

a. ADDRESS OF REQUEST 3 KENNEDY DRIVE
 Zoning District RA Sheet A Lot 371

b. VARIANCE(S) REQUESTED To Have a 2 family dwelling
14,520 needed
10,000 existing
There is no additional construction to be done.
The apartment (in law) already exists.

2. GENERAL INFORMATION

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

Applicant's signature [Signature] Date 2/3/16
 Applicant's address 3 Kennedy Dr, Nashua NH 03060
 Telephone number (home) 603 867-2683 (work) _____

b. PROPERTY OWNER SANDEY NDEGWA

Owner's signature [Signature] Date 2/3/16
 Owner's address 3 Kennedy Dr, Nashua NH 03060
 Telephone number (home) 603-867-2683 (work) _____

Case number _____	Application Deadline _____	Date Received _____	Date of hearing <u>3/22/16</u>
Notices: Newspaper <input type="checkbox"/>	Abutters <input type="checkbox"/>	Board Action _____	
\$ _____ fee <input checked="" type="checkbox"/>		Date Paid _____	Receipt # _____
\$ _____ application fee <input type="checkbox"/>		Date Paid _____	Receipt # _____
\$15 signage fee <input checked="" 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 of the requested Variance will not be
 Contrary to the 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.")

yes
 The proposed use will observe the spirit of the
 Ordinance. There is no construction being done

- 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.)

Yes, Substantial justice would be done to the Property
 Owner by granting the variance. The apartment
 will be used as a rental property.

- 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.)

Yes, The proposed use will not diminish the values
 of surrounding Properties. The Property will remain
 the same, because the inlaw apart is in existence

- 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 space (in law apartment) is empty and I would like to use it as a rental apartment to help with mortgage payment.

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

2/3/16

Date

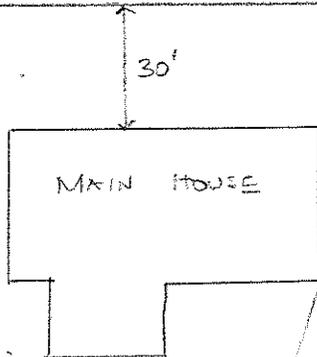
The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- I will pick it up at City Hall
- Please email it to me at Sanday_ndegewa@yahoo.com
- Please mail it to me at 3 Kennedy Drive, Nashua NH 03060

KENNEDY DRIVE

SOUTH MAIN ST

LOT 1
A-54

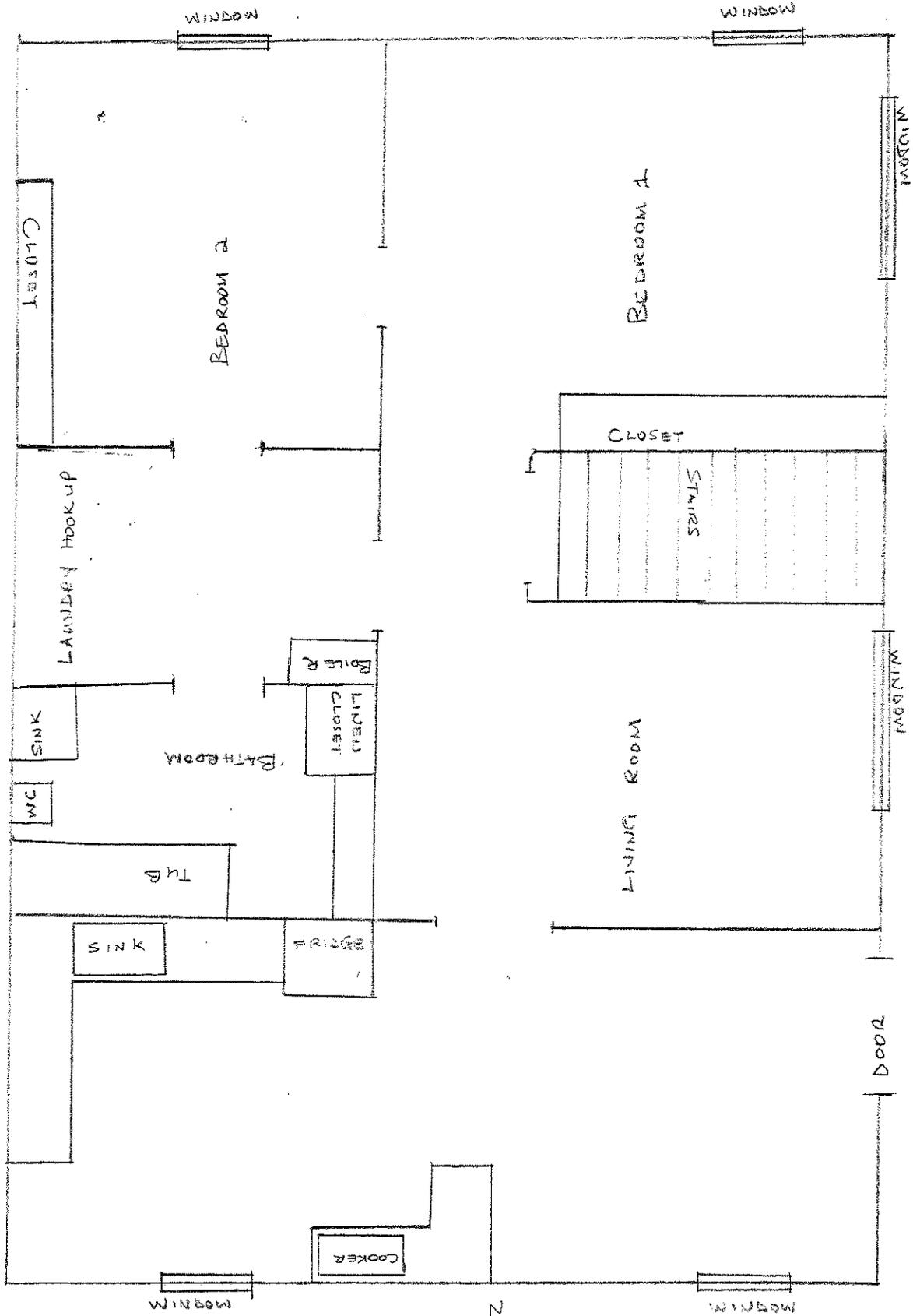


DRIVE WAY

LOT 2
A-372

A-99

LOT 3



22 1/2 Feet

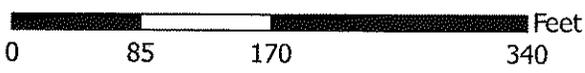
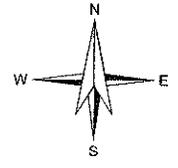
ANNEX

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2014	1401 - 1 UNIT	133,000	2,400	77,500	0.230	0.00	212,900
2013	1401 - 1 UNIT	133,000	2,400	77,500	0.230	0.00	212,900
2012	1401 - 1 UNIT	180,300	2,400	77,500	0.230	0.00	260,200
2011	1401 - 1 UNIT	180,300	2,400	77,500	0.230	0.00	260,200
2010	1401 - 1 UNIT	180,300	2,400	77,500	0.230	0.00	260,200
2009	1402 - 2 UNITS	160,000	2,000	82,100	0.230	0.00	244,100
2008	1402 - 2 UNITS	237,200	2,000	91,300	0.230	0.00	330,500
2007	1402 - 2 UNITS	237,200	2,000	91,300	0.230	0.00	330,500
2006	1402 - 2 UNITS	237,200	2,000	91,300	0.230	0.00	330,500
2005	1402 - 2 UNITS	237,200	2,000	91,300	0.230	0.00	330,500
2004	1402 - 2 UNITS	104,300		91,400	0.230		195,700
2003	1402 - 2 UNITS	79,300		43,800	0.230		123,100
2002	1402 - 2 UNITS	79,300		43,800	0.230		123,100
2001	1402 - 2 UNITS	79,300		43,800	0.230		123,100
2000	1402 - 2 UNITS	79,300		43,800	0.230		123,100
1999	1402 - 2 UNITS	72,300		41,300	0.230		113,600
1998	1402 - 2 UNITS	72,300		41,300	0.230		113,600
1997	1402 - 2 UNITS	72,300		41,300	0.230		113,600
1996	1402 - 2 UNITS	68,900		36,500	0.230		105,400
1995	1402 - 2 UNITS	68,900		36,500	0.230		105,400
1994	1402 - 2 UNITS	68,900		36,500	0.230		105,400



3 Kennedy Dr



1 inch = 127 feet



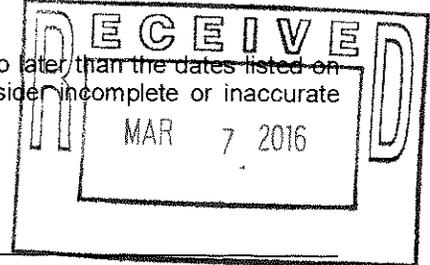


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VARIANCE APPLICATION

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1. VARIANCE INFORMATION

a. ADDRESS OF REQUEST 28 Dickerman Street
 Zoning District RA Sheet 0119 Lot 00079

b. VARIANCE(S) REQUESTED
2.6 to 3.2 variance on side lot between 28 and 30 Dickerman St to build a partially enclosed carport.

2. GENERAL INFORMATION

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)
Donna Szydowski
 Applicant's signature Donna Szydowski Date 3/7/16
 Applicant's address 28 Dickerman Street
 Telephone number (home) (603) 882-1429 (work) _____

b. PROPERTY OWNER Donna Szydowski
 Owner's signature Donna Szydowski Date 3/7/16
 Owner's address 28 Dickerman Street
 Telephone number (home) (603) 882-1429 (work) _____

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 # _____

2016-00023

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.")

Approval of the variance request will be consistent with other properties and not alter the character of the neighborhood as multiple lots in the area do not currently meet the current 10' buffer. Distance between #28 lot line and #30 house is less than 4'. Lot lines between #30 and #34, #29 and #s 33 and 27 are less than requirement. Size of the partially enclosed carport is proportional to the house and other surrounding structures and will be in line with current house. Side project will fix current drainage problems between #28 and #30 by installation of a retaining wall and french drain.

- 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 construction of a partially enclosed carport vs fully enclosed garage is being done as it will be less invasive and provide more open space, but still meet my needs. Carport usage will be for shelter of a single personal vehicle and personal use articles (ie snowblower, shovels etc)

- 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.)

There is no other structure currently to provide vehicle and other storage (shed in back is too far away to store snowblower). Land behind the proposed carport is a large slope and would not be feasible for building. 14' width is needed to account for side entrance to the house and stairs/landing leading into the side door and still allow car doors to open fully. As above request is not inconsistent with other structures in the neighborhood. As a senior citizen, having such a structure available during winter is great.

- 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.)

As above, requested variance is in line with the current lots in the neighborhood. Frontages of some lots are very small but construction of a carport will not alter that fact nor deter from their current properties. Side project to improve drainage between #28 and #30 will improve both properties. Design will be consistent with the current house.

- 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.

It is reasonable to expect some sort of vehicle storage in this area/climate. There is no other feasible location on the property to build a structure due to existing slope in the back and footage on the west side of the property. Hardship in this case is not that the property is distinguished from the other properties in the area but rather that it shares the same constraints and due to the fact that other properties do not meet the requirement it would be unreasonable to place the restriction here and not grant the variance.

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
Retaining wall with french drain will be installed to fix drainage problems. Upper Dickerman St is a slope from Fifield to Main St and currently all run off from the gutters and property from #30 flow into the driveway and foundation on #30

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.

Dan...
Signature of applicant

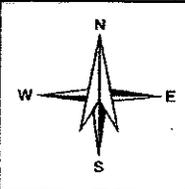
3/7/14
Date

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:

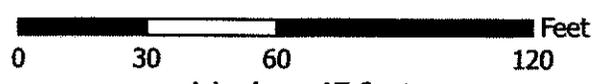
I will pick it up at City Hall

Please email it to me at _____

Please mail it to me at _____



f

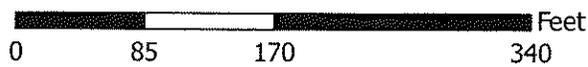
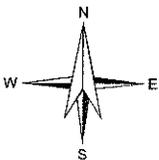


1 inch = 45 feet



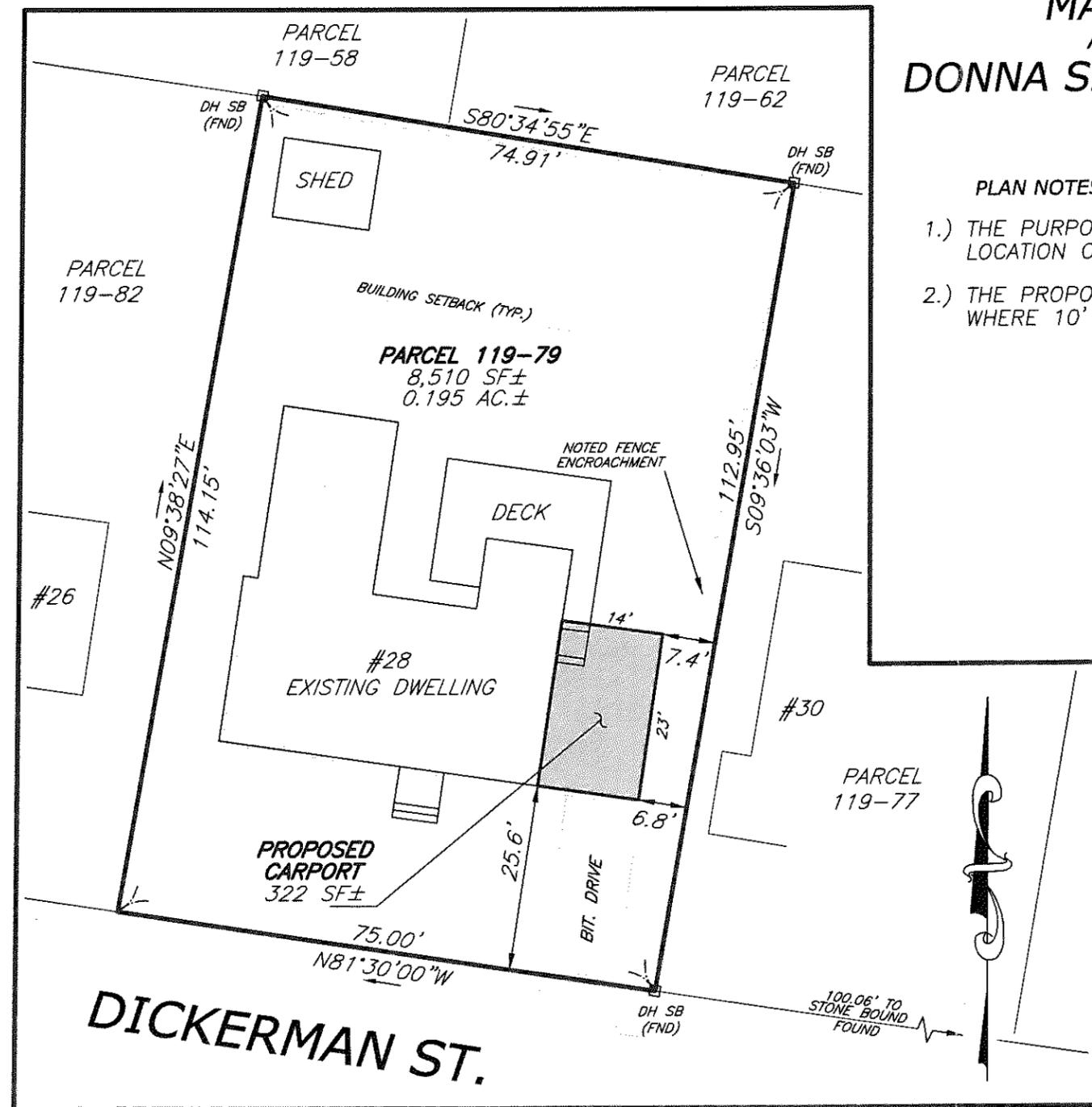


28 Dickerman Street



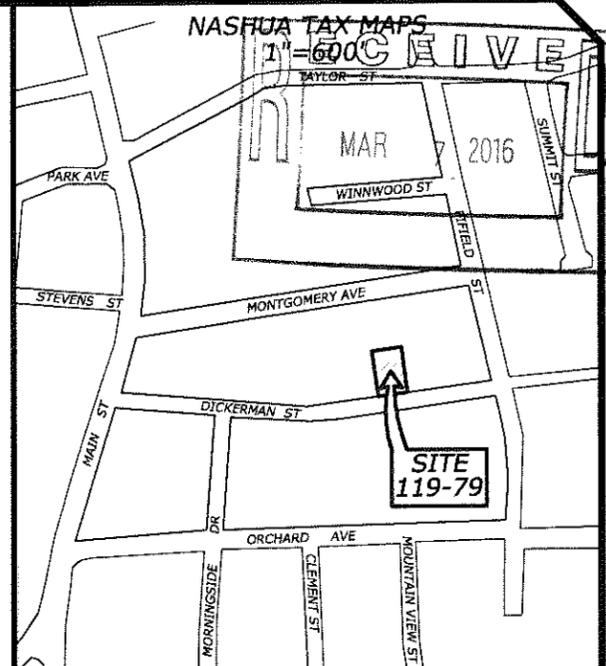
1 inch = 127 feet

PLAN OF LAND
28 DICKERMAN STREET, NASHUA, NH
MAP 119 LOT 79
 AS PREPARED FOR
DONNA SZYDLOWSKI, OWNER



PLAN NOTES:

- 1.) THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE LOCATION OF A PROPOSED CARPORT ON LOT 119-79.
- 2.) THE PROPOSED CARPORT HAS 6.8' SIDELINE SETBACK WHERE 10' SETBACK IS REQUIRED.

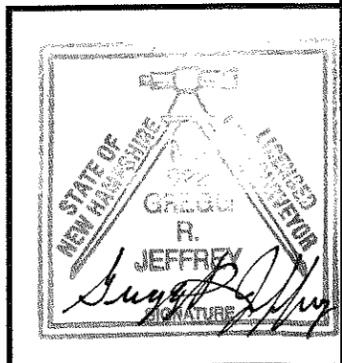


REV. 2		BY:
REV. 1		BY:

ZONING DISTRICT: RA
REQUIRED SETBACKS:
 FRONT - 25 FEET
 SIDE - 10 FEET
 REAR - 25 FEET

DEED REF: BK. 8813 PG. 1153
 PLAN REF.: HCRD PL. 507

PLAN SCALE: 1"=20'
 DATE: MAR 2016
 JOB REF.: 016-009-SZYD
 XREF.:



I HEREBY CERTIFY:
 THAT THIS PLAN IS THE RESULT
 OF AN INSTRUMENT SURVEY
 AND THAT ALL MEASUREMENTS
 HEREON ARE TO BE CONSIDERED
 TRUE AND ACCURATE.

JEFFREY LAND SURVEY LLC

1 BURGESS DRIVE, LITCHFIELD, NH 03052
 (603) 424-4089





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VARIANCE APPLICATION

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1. VARIANCE INFORMATION

a. ADDRESS OF REQUEST 149 Daniel Webster Highway Nashua, NH 03060

Zoning District GB Sheet A Lot 746

b. VARIANCE(S) REQUESTED

We are requesting a variance on the required drive-thru stacking distance of 160 feet.

2. GENERAL INFORMATION

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

Friendly's Ice Cream, LLC

Applicant's signature [Signature] Date _____

Applicant's address 1855 Boston Road Wilbraham, MA 01095

Telephone number (home) _____ (work) (484) 766-1082

b. PROPERTY OWNER Forest, James A. & Marylin H. c/o NCC Business Solutions

Owner's signature _____ Date _____

Owner's address 154 Amherst Street Nashua, NH 03064

Telephone number (home) _____ (work) _____

Case number _____ Application Deadline _____ Date Received _____ Date of hearing 3/22/16

Notices: Newspaper Abutters Board Action _____

\$ _____ fee Date Paid _____ Receipt # _____

\$ _____ application fee Date Paid _____ Receipt # _____

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

2016-00035

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 Friendly's drive-thru stacking distance is 153', coming up 7' short of the required 160' stacking distance. The drive-thru lane will not impact the public right-of-way as it will be internal circulation.

- 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 spirit of the ordinance is to give the drive-thru lane room to stack several cars. The 7' difference should not effect the number of cars that can stack in the drive-thru lane. The drive-thru lane will not impact the public right-of-way as it will be internal circulation.

- 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.)

If the stacking distance were forced to be 160' the stacking lane would be pushed back into the entrance drive aisle, thus disrupting the flow of traffic and narrowing the drive aisle to a distance shorter than the required 24'.

- 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 shorter drive-thru stacking will not have a noticeable impact on the property, and will not diminish the values of the surrounding properties because of this.

- 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 only way to meet the required 160' stacking distance would be to move the drive through window or change the parking layout and entrance, both of which would come at a great cost to the owner.

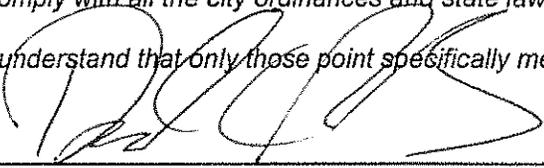
4. USE VARIANCE ADDITIONAL INFORMATION

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 41 Number of employees per shift 14
- b. Hours and days of operation 7 am - 10 pm Sun-Thurs. 7 am - 11 pm Fri-Sat
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors 437/day 3056/week
- d. Number of daily and weekly commercial deliveries to the premises 4 deliveries/week
- e. Number of parking spaces available 49
- f. Describe your general business operations
Friendly's is a family style restaurant that serves ice cream and American cuisine.
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation
Drive-thru and bypass lane, Drive-thru sign, menuboard, new curbing for the drive-thru, vinyl canopy over the drive-thru window, 5 parallel parking spaces removed, and the existing shed is to be demolished in order to make room for the bypass lane.

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.

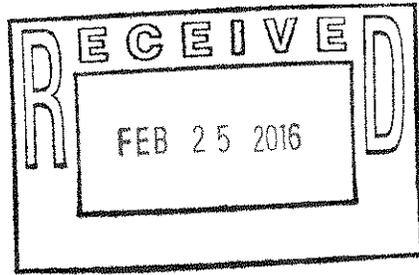


Signature of applicant

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 _____



February 25, 2016

Ref: 13146.00

Carter Faulk, Deputy Planning Manager/Zoning
Nashua Planning Department
229 Main Street, PO Box 2019
Nashua, NH 03061-2019

Re: Application for Variance
Friendly's Restaurant Drive Through Window Modifications

Dear Mr. Faulk:

On behalf of our client, Friendly's Ice Cream, LLC (Friendly's), VHB is submitting this application for a variance on the required drive through stacking distance for the existing Friendly's Restaurant located at 149 Daniel Webster Highway in Nashua, New Hampshire. The following items are being submitted for your review for the above referenced project:

- Variance Application
- \$345 Application Fee
- Plot Plan (11x17)

Please note that Friendly's has also submitted a Site Plan Amendment Application to the Planning Board.

Proposed Site Modifications:

The proposed site modifications primarily includes the construction of a drive thru window, installation of a new island adjacent to the building to house the menu board and speaker, and relocation of the dumpster pad and enclosure. The installation of the island will not change stormwater runoff patterns and will result in a decrease in impervious surfaces on the property thus resulting in a reduction in peak stormwater runoff rates and an increase in groundwater recharge. The construction of the new drive-through lane, by-pass lane, and island will result in a loss of 5 parking space from the property. However, the parking spaces being removed were not approved space under prior site plan amendments. Other ancillary site improvements include, the installation of a vehicle height clearance bar, speaker post with canopy, menu board, drive-through sign, and a vinyl canopy over the drive thru window.



Traffic Assessment:

It can be expected that the trip generation associated with this Friendly's Restaurant will increase due to the addition of a drive-through window. In order to estimate the amount of additional trips anticipated due to the construction of a drive-through window at an existing Friendly's Restaurant, traffic projections can be derived from the trip generation rates published by the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. ITE is the standard methodology used to project trips generated, which is based on a number of observations at other, similar land uses throughout the United States.

Typically, land use code (LUC) 932 *High-Turnover Sit-Down Restaurant* is used to estimate the trip generation associated with a Friendly's Restaurant. However, this LUC does not consider drive-through windows. For the purpose of estimating the drive-through trips a Friendly's Restaurant would experience, similar land use codes were utilized. LUC 933 *Fast-Food Restaurant without a Drive-Through Window* and LUC 934 *Fast-Food Restaurant with a Drive-Through Window* were compared during the peak hours to determine the approximate percent increase in trips when a drive-through window is introduced. The results of this comparison shows that the implementation of a drive-through window increases the number of vehicle trips accessing the site by approximately 25%. This corresponds with sales data that was obtained after a drive-through window was introduced at an existing Friendly's Restaurant location in Westfield, Massachusetts.

An average Friendly's Restaurant of approximately 4,000 square feet is expected to generate 510 vehicle trips on a daily basis, with 45 trips in the weekday morning peak hour (25 vehicles entering the site, 20 vehicles exiting the site), 40 trips in the weekday evening peak hour (25 entering, 15 exiting), and 55 trips in the Saturday midday peak hour (30 entering, 25 exiting). With the addition of a drive-through window to an existing Friendly's Restaurant, the new anticipated daily trips is approximately 640, with 55 trips occurring during the weekday morning peak hour (30 vehicles entering the site, 25 vehicles exiting the site), 50 trips in the weekday evening peak hour (30 entering, 20 exiting), and 70 trips in the Saturday midday peak hour (40 entering, 30 exiting).

To summarize, the introduction of a drive-through window at an existing Friendly's Restaurant is expected to have a nominal increase in vehicle trips (10 additional trips in a typical weekday morning peak hour, 10 in the weekday evening peak hour, and 15 in the Saturday midday peak hour). This increase in trips equates to 1 additional vehicle either entering or exiting a site driveway every 4 to 6 minutes. It can be assumed that this minor increase in vehicle traffic will not have a significant impact on traffic operations and that off-site mitigation would not be required.

February 25, 2016
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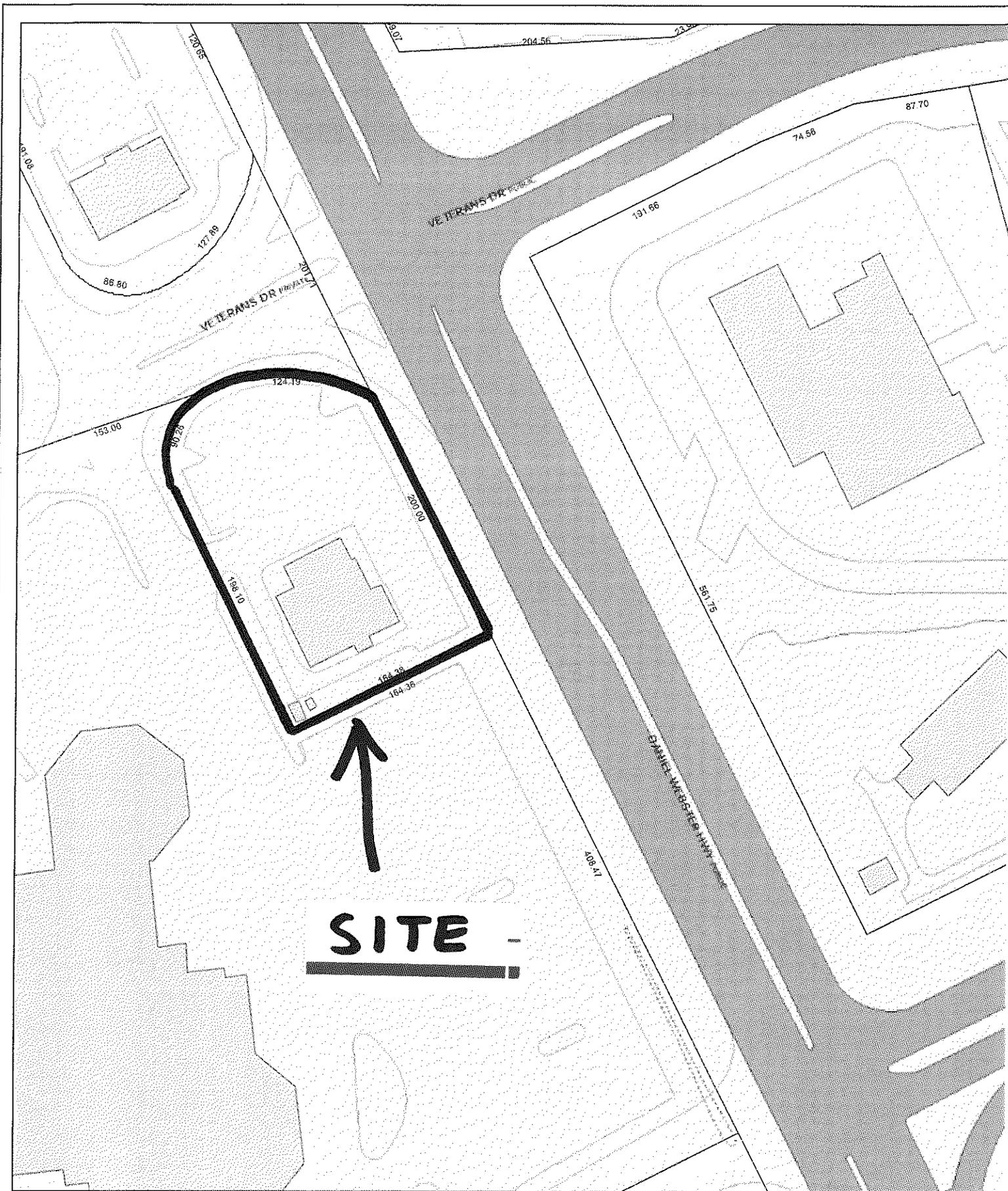


If you have any questions or would like any additional follow-up information, please do not hesitate to contact me by email at mpetrin@vhb.com or by phone at 413.241.5865.

Sincerely,

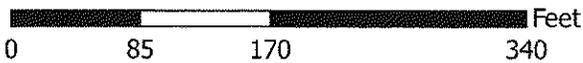
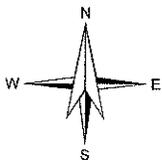
A handwritten signature in black ink, appearing to read "Michael Petrin".

Michael Petrin
Project Manager



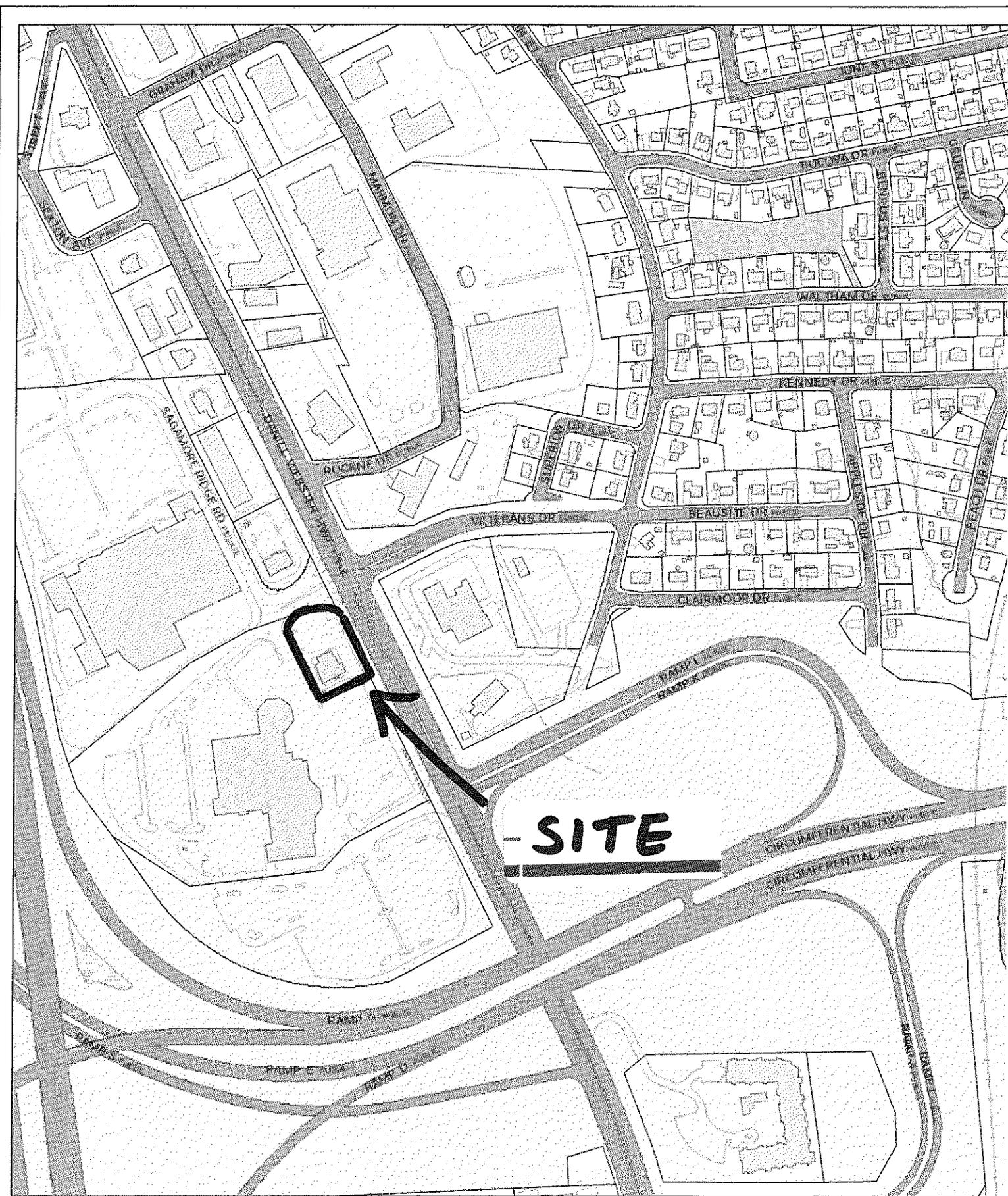
SITE

149 DW Hwy



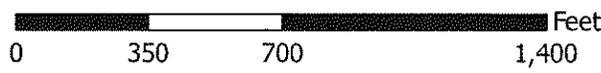
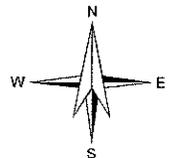
1 inch = 127 feet





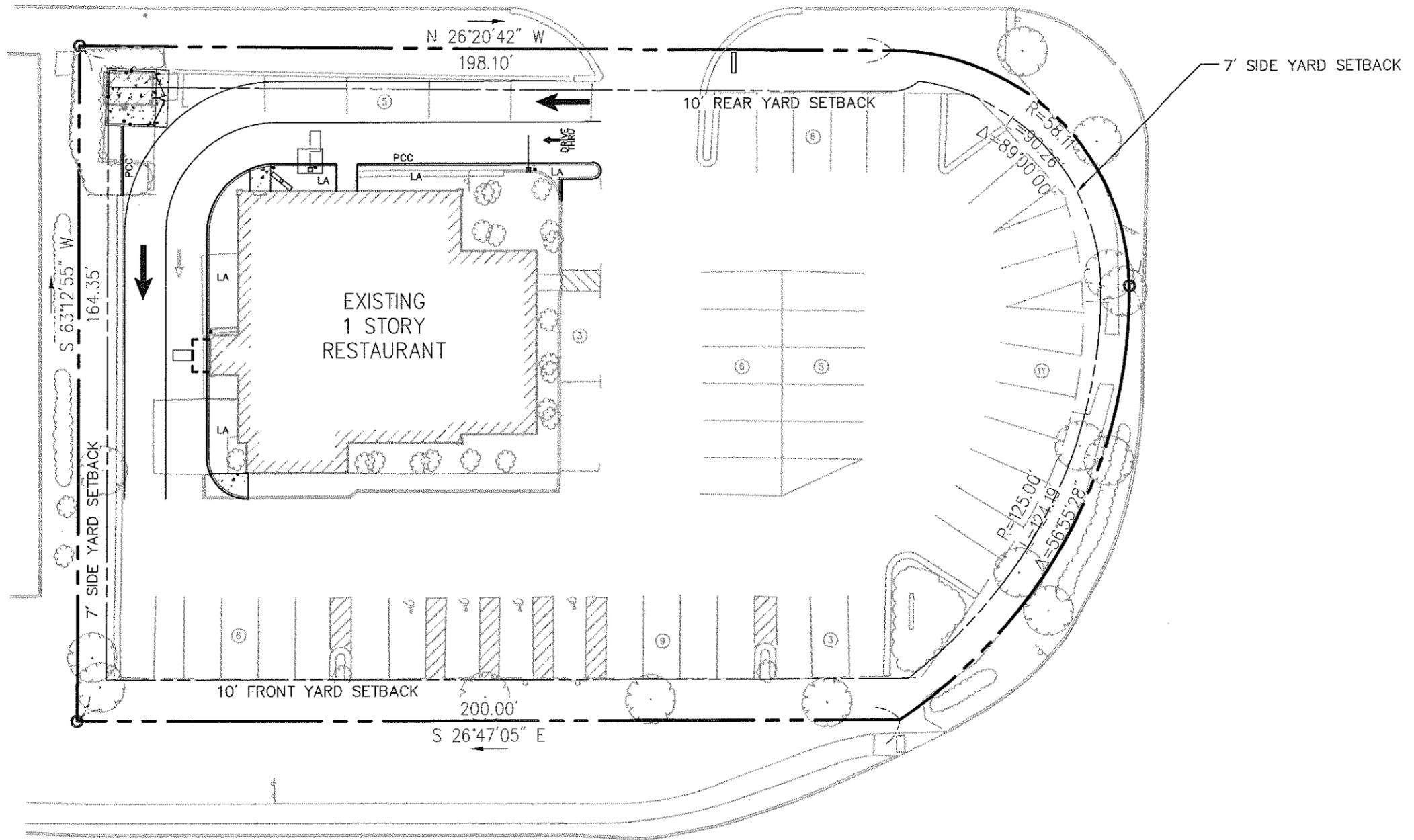
SITE

149 DW Hwy



1 inch = 508 feet





DANIEL WEBSTER HIGHWAY (US ROUTE 3)

