

1. Zoning Board Regular Meeting Agenda (PDF)

Documents:

[20160712 ZBA AGENDA.PDF](#)

2. 20160712 ZBA Meeting Packet

Documents:

[20160712 35 LOCK ST.PDF](#)



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.gonashua.com

June 28, 2016

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

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

1. 40 Lock Street Realty LLC (Owner) Rob Crowley (Applicant) 35 Lock Street (Sheet 43 Lot 53) requesting variance for minimum lot area, 3,842 sq.ft existing, 6,969 sq.ft required, to convert a single-family into a two-family. RC Zone, Ward 3.

OTHER BUSINESS:

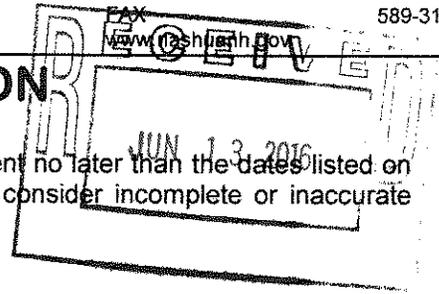
1. Review of Motion for Rehearing:
2. Review of upcoming agenda to determine proposals of regional impact.
3. Approval of Minutes for previous hearings/meetings.

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



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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 35 Lock Street

Zoning District RC Sheet 6068 43 Lot 1379 53 ML

b. VARIANCE(S) REQUESTED

- Convert from single family to Two-family -
- inside work only - outside no changes
- * Legally was a 2-family - prior owner changed to single

* Variance for land area

2. GENERAL INFORMATION

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

Rob Crowley / 40 Lock Street Realty LLC

Applicant's signature [Signature] Date 6/9/16

Applicant's address 3 Hibiscus Way Nashua NH 03062

Telephone number (home) 603 717 4687 (work) _____

b. PROPERTY OWNER Rob Crowley / 40 Lock Street Realty

Owner's signature [Signature] Date 6/13/16

Owner's address _____

Telephone number (home) _____ (work) _____

Case number _____ Application Deadline _____ Date Received 6/13/16 Date of hearing 7/12/16

Notices: Newspaper Abutters Board Action _____

\$ _____ fee Date Paid _____ Receipt # _____

\$ _____ application fee Date Paid _____ Receipt # _____

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

2016-00113

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.")

1) Majority of Area is multi-Family
2) no change to exterior

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.")

1) Zoning for Two-Family - Legally used to be a 2-Family
2) no changes to exterior
3) Majority of neighborhood are multi-Family buildings
4) inside of 35 Lock was set up as a 2 family prior

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.)

1) limited value as a single family in this area
2) property will be fixed up

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.)

1) value is less as a single
2) property will be fixed up and value helps neighborhood

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

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.

- 1) its a multi-family area
- 2) leaving as single hurts the area
- 3) substantial less value as is

4. USE VARIANCE ADDITIONAL INFORMATION

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

- a. Total number of employees 0 Number of employees per shift 0
- b. Hours and days of operation _____
- 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 0
- e. Number of parking spaces available 4
- f. Describe your general business operations
Real Estate
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation
exterior garage fixed, exterior painting, clean up yard, pave driveway, re-paint, fix roof, fix inside -

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 [Signature]

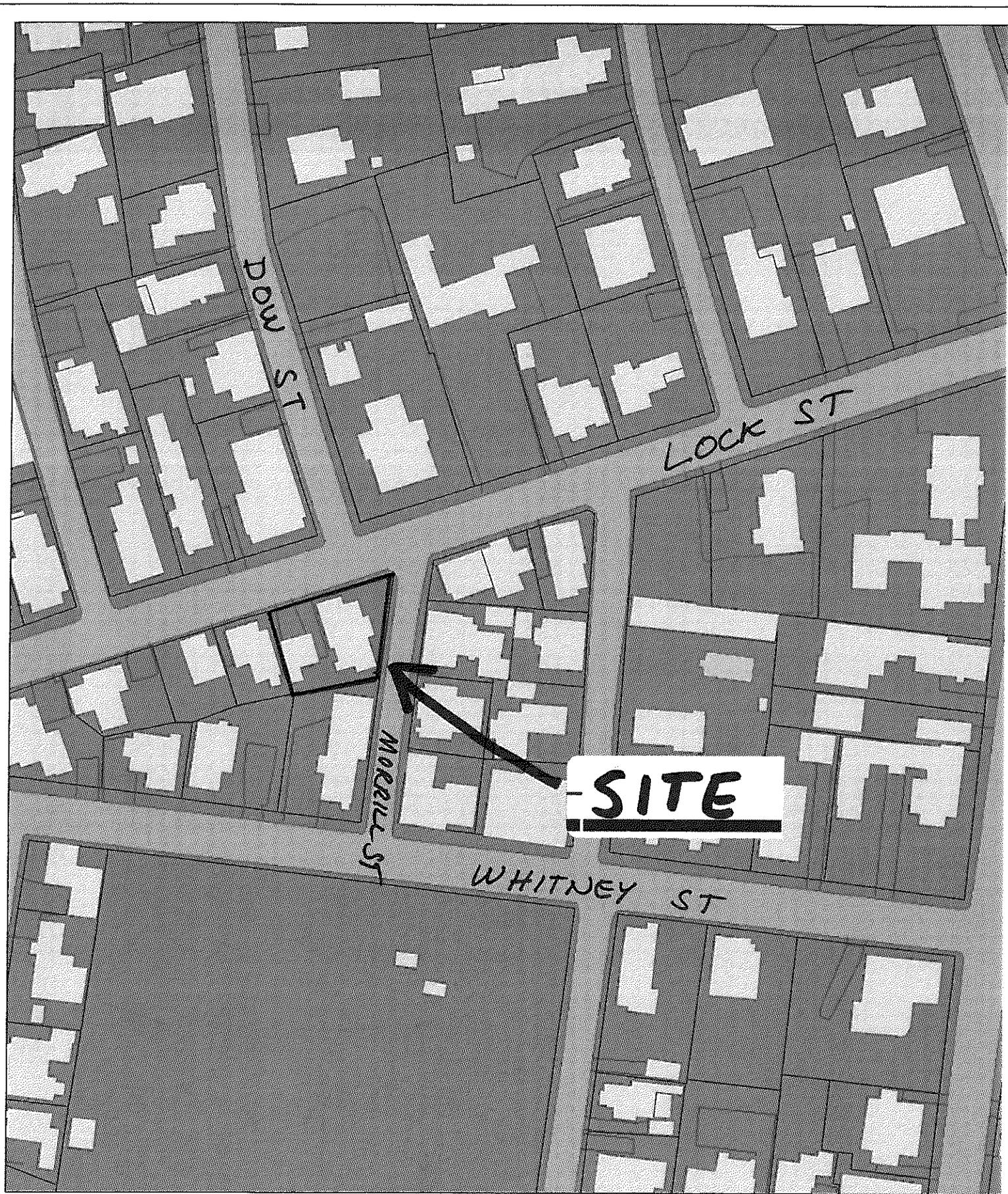
Date 6/9/16

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:

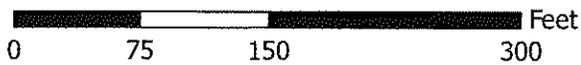
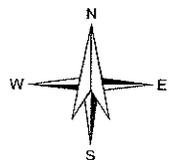
- I will pick it up at City Hall
- Please email it to me at Rocrowley@comcast.net
- Please mail it to me at _____

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2015	1401 - 1 UNIT	160,900	7,600	51,500	0.088	0.00	220,000
2014	1401 - 1 UNIT	160,900	7,600	51,500	0.088	0.00	220,000
2013	1401 - 1 UNIT	160,900	7,600	51,500	0.088	0.00	220,000
2012	1401 - 1 UNIT	165,900	7,600	51,500	0.088	0.00	225,000
2011	1401 - 1 UNIT	165,900	7,600	51,500	0.088	0.00	225,000
2010	1401 - 1 UNIT	165,900	7,600	51,500	0.088	0.00	225,000
2009	1401 - 1 UNIT	142,900	7,600	74,500	0.088	0.00	225,000
2008	1401 - 1 UNIT	183,900	7,900	74,500	0.088	0.00	266,300
2007	1402 - 2 UNITS	190,500	7,900	74,500	0.088	0.00	272,900
2006	1402 - 2 UNITS	190,500	7,900	74,500	0.088	0.00	272,900
2005	1402 - 2 UNITS	190,500	7,900	74,500	0.088	0.00	272,900
2004	1402 - 2 UNITS	143,500		73,900	0.088		217,400
2003	1402 - 2 UNITS	89,700		34,000	0.088		123,700
2002	1402 - 2 UNITS	89,700		34,000	0.088		123,700
2001	1402 - 2 UNITS	89,700		34,000	0.088		123,700
2000	1402 - 2 UNITS	89,700		34,000	0.088		123,700
1999	1402 - 2 UNITS	56,400		24,800	0.088		81,200
1998	1402 - 2 UNITS	56,400		24,800	0.088		81,200
1997	1402 - 2 UNITS	56,400		24,800	0.088		81,200
1996	1402 - 2 UNITS	56,900		24,800	0.088		81,700
1995	1402 - 2 UNITS	56,900		24,800	0.088		81,700
1994	1402 - 2 UNITS	56,900		24,800	0.088		81,700



35 Lock Street



1 inch = 114 feet



13
53

A. M. & E. D. Waite
35 Lock St

C. Ves West
#6443
#6015

Plan in Plan 9712
C-3743

OK 1/2/48

CITY OF NASHUA PLANNING DEPARTMENT

I, the undersigned, certify that to the best of my knowledge, this plan accurately depicts existing and proposed site conditions as it pertains to my application before the Zoning Board of Adjustment.

Owner/applicant signature: [Signature]
Date: 6/13/16

