

1. Zoning Board Regular Meeting Agenda (PDF)

Documents:

[20160809 ZBA AGENDA.PDF](#)

2. 20160809 ZBA Meeting Packet

Documents:

[20160809 7 DIESEL RD.PDF](#)

[20160809 10 LANCASTER DR.PDF](#)

[20160809 13 BELLEAIRE AVE.PDF](#)

[20160809 33 TRAFALGAR SQ.PDF](#)

[20160809 40 RAYMOND ST.PDF](#)

[20160809 200 INNOVATIVE WAY.PDF](#)

[20160809 539 AMHERST 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

July 26, 2016

The following is to be published on ROP July 30, 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, August 9, 2016, at 6:30 PM at the Nashua City Hall Auditorium, 3rd floor, 229 Main Street.

1. Christopher T. & Joyce M. Teixeira (Owners) 13 Belleaire Avenue (Sheet 87 Lot 227) requesting the following variances: 1) to exceed maximum driveway width, 22 feet existing, 24 feet permitted, an additional 11 foot wide driveway proposed for a total width of 33 feet; and, 2) to exceed maximum height of accessory structure, 12 feet allowed within 10 feet of property line, 16 feet proposed, to construct a detached 18'x26' garage. RB Zone, Ward 6.
2. Okorp Associates & 270 Amherst Street LLC (Owners) 7 Diesel Road & 270 Amherst Street (Sheet E Lots 268 & 1229) requesting special exception to work in an "other" wetland to construct a driveway crossing between subject properties. HB Zone, Ward 1.
3. Daniel R. & Ann M. Cathcart (Owners) 10 Lancaster Drive (Sheet B Lot 1522) requesting the following variances: 1) to encroach 6 feet into the 20 foot required front yard setback on Robinhood Drive; and, 2) to encroach 15 feet into the 20 foot required front yard setback on Lancaster Drive - both requests to install a 14'x24' tent garage. R9 Zone, Ward 9.
4. Walter W. Anderson, Jr., (Owner) Holland Hampshire, LLC (Applicant) 537-539 Amherst Street (Sheet H Lot 88) requesting the following: 1) special exception to work within the 150-foot Water Supply Protection District Conservation Zone for the redevelopment of this lot; and, 2) variance to allow automotive parking within the front yard setback, 20 feet required, 11 feet proposed. HB Zone, Ward 2.
5. Andrew & Marise Evans-Perry (Owners) 40 Raymond Street (Sheet 47 Lot 140) requesting the following variances: 1) to encroach 3 feet into the 6 foot required right side yard setback to expand an existing detached garage from 20'-5" x 20'-5" to 20'-5" x 40'-5"; and, 2) to exceed maximum height of accessory garage structure, 12 feet allowed within 10 feet of property line, 12'-4" proposed. RA Zone, Ward 3.

6. Moavenian Realty, LLC (Owner) Dr. Nader Moavenian/New Hampshire Oral & Maxillofacial Surgery (Applicant) 33 Trafalgar Square (Sheet G Lot 653) requesting variance to exceed maximum number of wall signs, 3 permitted, 3 existing - 1 additional wall sign requested on north building elevation. GB Zone, Ward 2.
7. John J. Flatley Company (Owner) 200 Innovative Way (Sheet A Lot 798) requesting special exception to work in a critical wetland and critical wetland buffer to access an upland area to develop approximately 70,000 square feet of land for a 300-seat sit down restaurant. PI Zone, Ward 8.

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.

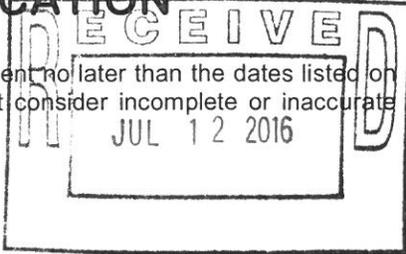
"SUITABLE ACCOMMODATIONS FOR THE SENSORY IMPAIRED  
WILL BE PROVIDED UPON ADEQUATE ADVANCE NOTICE."



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 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 7 Diesel Road & 270 Amherst Street  
 Zoning District HB Sheet E Lot 268 & 1229

b. SPECIAL EXCEPTION(S) REQUESTED

To impact a man-made, lower, perennial stream in order to construct a driveway connection between the subject properties.

**2. GENERAL INFORMATION**

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

Okorp Associates

Applicant's signature James Petropoulos, Pres. NSJ Date Agent for Applicant

Applicant's address c/o Peters Auto Sales 280 Amherst Street Nashua, NH 03063

Telephone number (home) \_\_\_\_\_ (work) (603) 889-1166

b. PROPERTY OWNER (same as applicant)

Owner's signature \_\_\_\_\_ Date \_\_\_\_\_

Owner's address \_\_\_\_\_

Telephone number (home) \_\_\_\_\_ (work) \_\_\_\_\_

Case number \_\_\_\_\_ Application Deadline 7/12/16 Date Received 7/12/16 Date of hearing 8/9/16

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

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

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

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

PLR 2016-00137

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 attached sheet for supplemental information.

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.

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?

The proposed driveway would improve traffic congestion and pedestrian safety on Amherst Street. See attached sheet for supplemental information.

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?

The existing vehicle repair/service/sales use is permitted in the HB zone. The proposed cross access driveway is consistent with similar commercial sites along Amherst Street.

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 40 (including 13 futures spaces as shown on approved site plan)

f. Describe your general business operations

Vehicle sales, repair and sales (auto auction).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Proposed site improvements are limited to the cross access  
driveway along with the associated drainage culvert.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.*

*James V. Petrosian, President*      *7-11-16*  
Signature of applicant      XSI-Agent      Date for Applicant

### SPECIAL EXCEPTION SUPPORT INFORMATION

The parcel under consideration for this application is Map E, Lot 1229 located at 7 Diesel Road in Nashua, NH. The property is zoned HB-Highway Business and is located in northwest part of Nashua along Amherst Street, which contains a number of commercial and retail uses. The site is abutted but various commercial sites to the north, south and east, and the railroad and Colerain Brook to the south.

The site is currently home to Peters Bump Clinic, a 1-story, 19,838 SF auto body repair shop. The majority of the existing site is paved while a portion of the tract abutting Colerain Brook is raw land. Robert Prokop, NH certified wetland scientist (#063) of Wetland Consulting Services, Inc., Merrimac, MA originally flagged wetlands in April 2012. Hayner/Swanson, Inc. subsequently surveyed the flagged locations to produce the attached plans. In addition to the wetlands associated with Colerain Brook at the rear of the site, there is an existing man-made, lower perennial stream along the northerly property line that conveys drainage from Amherst Street to Colerain Brook. Mr. Prokop re-flagged a portion of the stream in May 2016. It was determined by the Conservation Commission at their meeting on July 5, 2016 that there is no wetland buffer associated with this stream since it is man-made.

It is proposed to construct a driveway connection between Lot 1229 (7 Diesel Rd.) & Lot 268 (270 Amherst St.). This cross access driveway was requested by the Planning Board as part of the proposed retail development site plan approved in 2014 on Lot 268. Approximately 850 SF of wetlands will be impacted in order to construct the 20 FT wide driveway. A new 42" culvert will be installed to maintain the existing drainage flow within the man-made stream.

One of the main benefits of the proposed driveway will be to access between the Bump Clinic site and the Peters of Nashua dealership. The dealership is located at the intersection of Amherst Street and Charron Avenue approximately a quarter mile west of Bump Clinic Site. Vehicles from the dealership are often brought to the Bump Clinic facility for repair and service. Currently, access to the Bump Clinic site is only provided via Diesel Road. Vehicles traveling from the Bump Clinic to the dealership must first travel east bound on Amherst Street across the highway interchange, make a U-turn, drive west bound on Amherst Street past the dealership, turn around at the jug-handle near Somerset Plaza, then drive back east bound towards the dealership. The proposed driveway will provide Lot 1229 direct access to both the nearby signalized intersection on Amherst Street and Charron Avenue. This will significantly improve travel between the Bump Clinic site and the dealership; thus, reducing traffic and congestion on Amherst Street.

Section 190-134 of the Nashua Land Use Code outlines the criteria for approval of a special exception in the following manner:

- (a) The requested use is listed as a special exception in the Use Matrix or is permitted as a special exception by another provision of this chapter.

*A special exception is required for wetland impacts.*

- (b) The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

*The project will improve traffic on Amherst Street compared to the current condition. No traffic congestion or pedestrian safety issues are anticipated by this project.*

- (c) The requested use will not overload any public water, drainage or sewer system, or any municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the City will be unduly subjected to hazards affecting health, safety or the general welfare.

*The project will not adversely impact any municipal infrastructure system or harm the public health, safety or welfare.*

- (d) Any special regulations for the use set forth in this article are fulfilled.

*Performance Standards: Per 190:115 C (1-6)*

*1. That no significant impact on the habitat of rare or endangered species or exemplary communities, as listed by the State of New Hampshire or the Federal government, will result.*

*As noted in the attached New Hampshire Natural Heritage Bureau letter, there are no records of rare or endangered or exemplary communities.*

*2. That the filtration of stormwater runoff is adequately provided for and controlled both during and after construction.*

*It is our opinion that any increase in runoff generated by the driveway crossing construction can be considered negligible given the size of the site and the amount of existing impervious surfaces on-site.*

*3. That the topography and required regrading of the subject property accounts for and adequately reflects the proximity of a nearby wetland area.*

*Upon installation of the driveway crossing and culvert structure, the area of disturbance shall be regraded so as to reflect the existing conditions of that portion of the site.*

*4. All landscaping requirements and maintenance regiments for a project will ensure that fertilizer and chemical runoff shall not enter the wetland.*

*There is no landscaping proposed with this project as it is a minor disturbance to the wetland to simply connect the abutting sites. Therefore, no fertilizer or chemical runoff will be incorporated into the work.*

*5. For any wetland area utilized for water runoff, the applicant shall demonstrate that excess flow on wetlands shall not cause excessive ponding and retention, thereby causing environmental damage to existing flora or fauna.*

*No existing wetlands are proposed to be utilized for water runoff.*

*6. Where land is proposed to be subdivided, the applicant shall demonstrate that there is adequate non-wetland area to contain all proposed uses, structures and utilities in accordance with these regulations.*

*This project is not a subdivision. There is no type of land transfer associated with the site plan.*

- (e) The requested use will not impair the integrity or be out of character with the district or immediate neighborhood in which it is located, nor be detrimental to the health, morals, or welfare or the residents of the City.

*The proposed driveway connection will allow direct access from Lot 1229 to Charron Avenue and Amherst Street west bound therefore, reducing the overall traffic on Amherst Street. It is common for cross access driveways to be provided between commercial properties along the Amherst Street corridor.*

July 22, 2016

Carter Falk  
Deputing Planning Manager/Zoning  
Planning Department  
229 Main Street  
Nashua, NH 03060

**RE: SPECIAL EXCEPTION APPLICATION  
7 DIESEL ROAD & 270 AMHERST STREET  
NASHUA, NH**

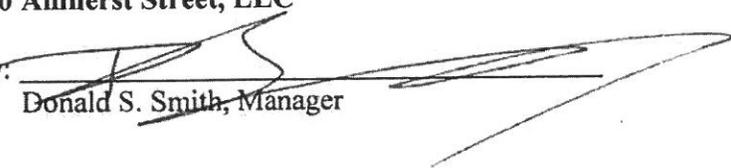
Dear Mr. Falk:

Pursuant to the above referenced special exception application, please note that as owner of the 270 Amherst Street property (Lot 268, Map 'E'), the undersigned, hereby authorizes Okorp Associates, and their consultants and professionals, to file applications and make representations to the City of Nashua Zoning Board of Adjustment with respect to Okorp's proposed Driveway connecting to 270 Amherst Street.

This authorization is subject to (a) the Cross Access Easement Agreement dated March 30, 2015 between the parties recorded in the Hillsborough County Registry of Deeds at Book 8477, Page 1701, (b) approval by the undersigned and certain of its tenants of the final location, design and construction specifications for the Driveway, and (c) execution by the parties of further documentation required by legal counsel relating to the foregoing.

Please do not hesitate to contact us should you require further information.

Sincerely,  
**270 Amherst Street, LLC**

By:   
Donald S. Smith, Manager



## Wetland Consulting Services

July 11, 2016

Tom Zajac  
Hayner/Swanson, Inc.  
3 Congress Street  
Nashua, NH 03062

WCS proj # Swan-425

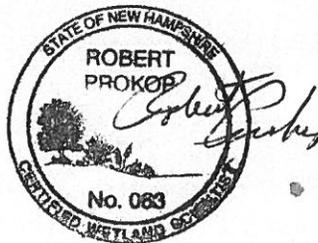
**RE: Revised Wetland Delineation Report, 7 Diesel Road, Nashua, NH**

Dear Tom:

In my previous delineation report dated June 17, 2016, I described the stream to be crossed as a lower perennial stream with a sandy streambed (R2SB4)<sup>1</sup>. After discussion with you, it is my understanding that the stream has not been flowing for the past several weeks. Consequently, I'd like to revise my previous report to describe the stream as an intermittent stream with a sandy streambed (R4SB4).

This supplement should accompany any documents that include my June 17, 2016 report. Otherwise, if you have any questions or require any additional information, please feel free to contact me at (978) 346-9857.

Sincerely,  
Wetland Consulting Services,



Robert Prokop  
NH Certified Wetland Scientist (#063)

<sup>1</sup>Cowardin, L., V. Carter, F.C. Golet and E.T. LaRoe. 1979. Classification of wetlands and deepwater habitats of the United States. U.S. Fish Wildl. Serv. FWS/OBS-79/31.

**15 Bisson Lane, Merrimac, MA 01860**  
**978-346-9857 • 978-346-7479 (FAX)**



City of Nashua  
**Conservation Commission**  
City Hall, 229 Main Street, PO Box 2019, Nashua NH 03061-2019  
(603) 589-3090      www.nashuanh.gov

July 6, 2016

Thomas E. Zajac, Jr., P.E.  
Hayner/Swanson, Inc.  
3 Congress Street  
Nashua, NH 03062-3301

Re: 7 Diesel Road, Peters Bump Clinic (Owner). Proposed driveway connection to Lot 268

Dear Mr. Zajac:

Your application for the above referenced project received a favorable recommendation from the Nashua Conservation Commission (NCC) at their meeting on July 5, 2016 with the following stipulations:

1. Notification to the Nashua Conservation Commission ten (10) days prior to commencement and at project completion.
2. Photographs to be provided to the Nashua Conservation Commission before, during, and at project completion. All photographs shall include the date taken.
3. Access to the property provided to the Nashua Conservation Commission with notification.
4. Provide erosion control as part of documents to Zoning Board of Adjustment.
5. Provide stream diversion plan as part of documents to Zoning Board of Adjustment.

Additional action is necessary to meet the city's requirements, including submitting an application to the Zoning Board of Adjustment, per NRO Section 190-114 Wetland application (E). Please contact Carter Falk, Deputy Planning Manager at (603) 589-3116 regarding that application process. It is also the owner's responsibility to submit any required applications to states agencies as may be needed for your particular project. Adherence to the dates and requirements identified in this letter and any included on the plans is important. If you have any questions about this letter or your responsibilities, please contact Linda Panny at (603) 589-3110.

Respectfully,

*Linda Panny*  
for

Nashua Conservation Commission

cc: Carter Falk, Deputy Zoning Manager



EXPANDED DRAFT MEETING SUMMARY

THIS IS NOT AN OFFICIAL TRANSCRIPT OF TAPE RECORDED PROCEEDINGS  
THE INFORMATION CONTAINED HEREIN HAS NOT BEEN REVIEWED OR APPROVED BY THE NCC

**MINUTES OF THE NASHUA CONSERVATION COMMISSION**

**Tuesday, July 5, 2016**

**A. Call to order**

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, July 5, 2016 at 7:00 PM, in Room 208, City Hall, and Second Floor - 229 Main Street.

**B. Roll call**

Chairman Michael Gallagher, presided;

Members of the Commission Present:

Sherry Dutzy  
Donald Cederquist  
Brandon Pierotti  
Richard Gillespie  
Bill Parker, alt.

Also in Attendance:

Linda Panny, Planning Department

**C. Approval of Minutes**

- June 7, 2016 – special meeting

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER CEDERQUIST, TO TABLE THE MEETING MINUTES OF JUNE 7, 2016 TO THE NEXT MEETING.  
MOTION CARRIED**

- June 27, 2016 – site walk notes

**MOTION BY COMMISSIONER PIEROTTI, SECONDED BY COMMISSIONER DUTZY, TO TABLE THE SITE WALK NOTES OF JUNE 27, 2016 AS AMENDED.  
MOTION CARRIED**

**D. New Business**

- 100-300 Innovative Way, John Flatley Company (Owner). Proposed restaurant with site improvements within a wetland buffer.

Chris Guida, wetland scientist with Fieldstone Land Consultants, introduced himself as representing the applicant. He gave an overview of the site improvements. A wetland crossing will occur due to this project, and about 1,950SF will be impacted. The restaurant location was chosen to minimize overall impact, maintain drainage and ensure safety and access.

Commissioner Gillespie asked if the portion of the impacted wetland is the upper end of the wetland.

Mr. Guida said it is right now, but the hydraulic flow comes through a culvert.

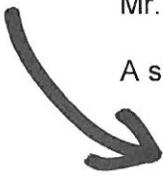
Commissioner Gillespie said he did not understand why the entrance couldn't be moved 50 or 60ft. up the hill and avoid the wetland entirely.

Mr. Guida said in consideration of City and State requirements, flow patterns and safety within the parking lot, this was the least impacting alternative. The remainder of the site will remain undeveloped.

Commissioner Dutzy asked if it would be possible, as a means of mitigation, to enhance the habitat in other areas of the property to encourage wildlife.

Mr. Guida said it is certainly something they could look into.

A site walk was scheduled for Tuesday, July 26<sup>th</sup> at 5pm.

- 
- 7 Diesel Road, Peters Bump Clinic (Owner). Proposed driveway connection to Lot 268.

Tom Zajac, civil engineer with Hayner/Swanson, Inc., introduced himself as representing the applicant. He said the purpose of the project is to construct a simple crossing between their property and the property at 270 Amherst St. He said erosion control measures were not included on the submitted plan, but they would be happy to amend the plan with this information prior to making application to the Zoning Board. He said the new plan is consistent with the site plans approved in 2014, which did not show the buffer for the drainage ditch.

Chairman Gallagher said the application indicates tree removal, but an amount is not given.

Tom Zajac said they did not go out and count trees; he estimates about 10-15 trees will need to be removed.

Chairman Gallagher asked if the trees would be in the buffer.

Mr. Zajac said the area is not classified as a wetland and therefore there is no "buffer".

Commissioner Gillespie said on the previous plan, the drainage ditch was designated as a vegetated drainage channel. He said he agrees with Mr. Zajac's classification. He asked if a temporary stream diversion will be required.

Mr. Zajac said yes.

**MOTION BY COMMISSIONER GILLESPIE, SECONDED BY COMMISSIONER CEDERQUIST, FOR A FAVORABLE RECOMMENDATION OF THE PROJECT AT 7 DIESEL RD, WITH THE STIPULATIONS THAT AN EROSION CONTROL PLAN BE PROVIDED AS WELL AS A PLAN DEPICTING THE STREAM DIVERSION WORK.  
MOTION CARRIED.**

- 539 Amherst Street, Walter Anderson (Owner). Holland Hampshire, LLC (Applicant). Proposed improvements within the 150 ft. Conservation Zone.

Mr. Zajac introduced himself once again as representing the applicant. He said he would be happy to answer any questions from the last meeting and from the site walk.

Commissioner Pierotti asked what the building has for storage tanks for waste oil.

Mr. Zajac said there will be internal floor drain systems that will drain into a storage tank that is typically inside the building. That system will be connected to the City sewer system.

Commissioner Dutzy said she has concerns with the proposed location of the building, as it is right on the edge of the property.

Chairman Gallagher asked for clarification on the application submittal. The application for Diesel Rd came through as a wetlands application, whereas this project came through as a concept plan. In the application, a wetland scientist is not listed and the questions have not been addressed.

Mr. Zajac said, based on his conversation with Ms. Panny, there is no specific conservation application toward the conservation zone itself. The application is geared to wetland buffer impacts, which they have none. He said he did not think those questions applied to this project.

Ms. Panny said this project is somewhat unique because this project is within a conservation zone, but not impacting any wetlands. An application to impact the conservation zone does not exist. When Mr. Zajac applies to the ZBA, he will need to address the points of law for a Special Exception. She said staff is not aware of any precedent for work conducted in a conservation zone.

Commissioner Gillespie asked if Pennichuck will need to approve the plan prior to going to ZBA.

Mr. Zajac said no, Pennichuck approval is only required for site plan approval.

Commissioner Gillespie asked if the tire storage structure would have a roof on it.

Mr. Zajac said no, he did not think so.

Chairman Gallagher asked if the site will be constructed so that water will flow toward Amherst St.

Mr. Zajac said yes, their goal is to construct a large underground stormwater system. In terms of impact to the buffer, the largest impact is stormwater. However, stormwater is going to be greatly improved on site with this project.

Ald. Schoneman asked how they would redesign the building to make it smaller.

Mr. Zajac said the building design is based on the number of vehicle and service bays.

**MOTION BY COMMISSIONER GILLESPIE, SECONDED BY COMMISSIONER GALLAGHER, FOR A FAVORABLE RECOMMENDATION OF THE PROJECT AT 539 AMHERST ST. MOTION CARRIED 3-1 (DUTZY OPPOSED).**

#### **E. Old Business**

- By-laws

Commissioner Dutzy presented proposed changes to the by-laws regarding student membership. She said on Page 2, Article 5, Section 1, she added "Additionally, up to two student members may be appointed by the Mayor and Aldermen for a one-year or two-year term, depending on their date of graduation."

Chairman Gallagher said the term should be limited to one year, as this is the protocol of the Board of Education.

Commissioner Dutzy said on Page 4, Article 9, she added "Student commissioners serve in an advisory capacity and are not eligible to hold office or vote. Student members act as liaisons between the Commissioner and their schools to suggest and participate in activities beneficial to local conservation efforts. A letter will be sent to the principal of each high school in Nashua outlining the program and requesting the name of one interested student. If two or more students are qualified for confirmation by the Board of Aldermen, finalists will be chosen by lottery. Student members are subject to the requirements listed in Article 7, Duties of Members."

Commissioner Gillespie asked if the student member(s) will participate in the summer months.

Chairman Gallagher said their one-year term will occur during the school year. Realistically, the term will probably be from October to June.

Commissioner Pierotti asked if they were seeking one student only, or one student from each high school. If the students are selected by lottery, this could eliminate certain schools from being represented.

Chairman Gallagher said they are seeking two students total. He said they could add a rule that if students are to be selected by lottery, the schools will be cycled out.

Dan Sloan, newly appointed Commissioner, introduced himself from the audience. He asked what would happen if they same three schools apply each year.

Chairman Gallagher said an alternative is to provide a weighted adjustment for interested schools that were not represented the previous year. He said prior to the next Commission meeting, he will speak to Mayor Donchess regarding these changes.

#### **F. Other Business and Updates**

- Barbara Pressly

Ms. Panny said Ms. Pressly's family would like to order a plaque for the boardwalk, which they would pay for. If the Commission has questions, they can contact Ms. Pressly's family.

#### **G. NCC Correspondence and Communications**

- E-mail received from owner at 1 Holden Road

Chairman Gallagher said Ms. LeClerc, of 1 Holden Rd, has some concerns which may or may not be at the purview of the City's Code Enforcement Department. As far as the work she is proposing within the wetland buffer, the Commission will inform Ms. LeClerc that a wetlands application is required.

Ms. Panny said she forwarded an application to Ms. LeClerc. In her email, she wanted to first check with the Commission to determine whether or not she needed to go through the process of applying to the Conservation Commission and Zoning Board.

The Commissioners discussed Ms. LeClerc's proposal and determined that she would need to apply to the Conservation Commission and Zoning Board. Her concerns regarding the property management company can be forwarded to Code Enforcement.

**MOTION BY CHAIRMAN GALLAGHER, SECONDED BY COMMISSIONER CEDERQUIST,  
TO ACCEPT AND PLACE ON FILE THE EMAIL FROM JUDITH LECLERC RE: 1 HOLDEN  
ROAD.  
MOTION CARRIED**

- H. Items
- I. Project Updates by Commissioners
- J. Nonpublic Session
- K. Adjournment

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER CEDERQUIST, TO  
ADJOURN  
MOTION CARRIED**

APPROVED:

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Richard Gillespie, Clerk, Nashua Conservation Commission

DIGITAL RECORDING OF THIS MEETING IS AVAILABLE FOR LISTENING DURING  
REGULAR OFFICE HOURS OR CAN BE ACCESSED ON THE CITY'S WEBSITE.  
DIGITAL COPY OF AUDIO OF THE MEETING MAY BE MADE AVAILABLE UPON 48 HOURS  
ADVANCED NOTICE AND PAYMENT OF THE FEE.

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Prepared by: Mindy Lloyd

Taped Meeting



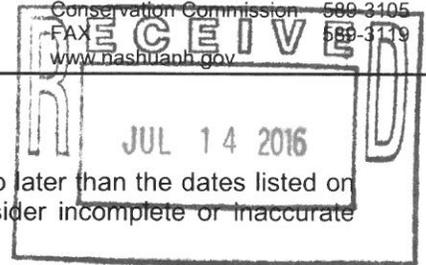
Basemaps





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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 10 Lancaster Drive

Zoning District R9 Sheet B Lot 1522

b. VARIANCE(S) REQUESTED:

2 variance request due to being a corner lot The first one is to encroach 6ft into the 20 foot setback of Robbinhood Drive to allow for the placement of a Shelter logic tent garage

The second variance is to encroach 15 feet into the 20 foot setback of lancaster drive to allow for the placement of the shelterlogic tent garage because its a corner lot it causes hardship as to where to place it.

### 2. GENERAL INFORMATION

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

(Print Name): Daniel Cathcart

Applicant's signature *Daniel Cathcart* Date 7/14/16

Applicant's address 10 Lancaster drive

Telephone number H: 883-5405 C: 759-3085\* E-mail: dcathcart05@comcast.net

b. PROPERTY OWNER (Print Name): Dan and Ann Cathcart

Owner's signature *Daniel Cathcart* Date 7/14/16

Owner's address 10 lancaster drive Nashua Nh

Telephone number H: 883-5405 C: 759-3085\* E-mail: \_\_\_\_\_

**OFFICE USE ONLY**

Application checked for completeness: ML

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 7/14/16 Date of hearing 8/9/16

PLR# 2016-00139 Board Action \_\_\_\_\_

\$ 330+200=530 application fee  Date Paid 7/14/16 Receipt # 380896(CC)

\$ 15 signage fee  Date Paid 7/14/16 Receipt # 380896(CC)

\$ \_\_\_\_\_ certified mailing fee  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.")

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Being a corner lot it will not effect safety or infringe on neighbors by adding the shelter, It will be a high quality cover to protect my camper from weather.

- 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.")

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will not disturb or alter the neighborhood in fact i has spoken with anyone directly effected and they support my plans and have no issues with the enclosure.

- 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.)

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If the variance is granted it will allow me to extend the life of the camper and will cause no harm to ther general public,It will be maintained and cared for the color gray was chosen to blend in with the 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.)

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It will be maintained and will not diminish property value,As I have mantained to property for the last 30 years will continue so.

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

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

Because this is the only location I can place this garage and the size of the corner lot the hardship and expense is due to it being a corner lot. forcing the variance on the 2 sides

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

**4. USE VARIANCE ADDITIONAL INFORMATION**

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

- a. Total number of employees n/a Number of employees per shift \_\_\_\_\_
- 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

7/14/16  
\_\_\_\_\_  
Date

Daniel Cathcart  
\_\_\_\_\_  
Print Name

7/14/2016  
\_\_\_\_\_  
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 \_\_\_\_\_  
\_\_\_\_\_



10 Lancaster Drive



1 inch = 152 feet



## ShelterLogic 14-Ft.W Peak-Style Instant Garage — Gray, 24ft.L x 14ft.W x 12ft.H, 2 3/8in. Frame, Model# 95370

Item# 67087 ★ ★ ★ ★ ★ New — [Write a Review](#) | [1 Answered Question](#)



Only \$1699<sup>99</sup>

### Frame

- All steel 2 3/8in. frame with Dupont™ thermoset baked on powder-coat finish will not chip, peel, rust or corrode
- New, improved 6 rib/4-ft. spacing delivers ultimate strength, ease of installation, portability and value
- ShelterLock™ stabilizers ensure stability and durability
- Easy Slide Cross Rail™ system locks down and squares up frame
- Bolt together hardware at every roof joint connection

### See more details

Factory Shipped —

Estimated Delivery: 16 - 18 Business Days

Not Available in Stores

Hover [\[+\] What do you think of our product images?](#)

### Product Summary

The ShelterLogic Peak Style Instant Garage delivers year-round protection for cars trucks, boats and more. Design features a peaked roof. Strong 2 3/8in. steel frame and heavy-duty ripstop UV-treated 9-oz. waterproof fabric cover for a durable storage building. Includes zippered door, solid back panel and temporary anchoring system. Gray with white interior.

### What's Included

(1) Frame kit (1) One-pc. fitted cover (2) Triple-zippered door panels (1) 30in. anchor kit (14) ShelterLock stabilizer bars

### Features + Benefits

#### Frame

- All steel 2 3/8in. frame with Dupont™ thermoset baked on powder-coat finish will not chip, peel, rust or corrode
- New, improved 6 rib/4-ft. spacing delivers ultimate strength, ease of installation, portability and value
- ShelterLock™ stabilizers ensure stability and durability
- Easy Slide Cross Rail™ system locks down and squares up frame
- Bolt together hardware at every roof joint connection

- Quick setup and takedown

#### Cover

- Triple-layer 9-oz. per sq. meter ripstop polyester fabric cover is 100% waterproof
- Cover is UV treated inside and out
- Ratchet Tite™ tensioning for solid cover anchoring

### Key Specs

Item#	67087
Manufacturer's Warranty	12 months parts / 12 months labor
Ship Weight	679.0 lbs
Dimensions L x W (ft.)	24 x 14
Canopy Color	Gray
Canopy Material	Polyethylene
Rip-Stop	Yes

UV Inhibitors	Yes
Center Height (ft., in.)	12, 2
Zippered Door	Yes
Vented	No
Frame Material	Steel
Frame Thickness (in.)	2 3/8
Anchors Included	Yes

[\[+\] How can we improve these key specs?](#)

[Q + A Terms and Conditions](#)

[\[+\] How can we improve this page?](#)

Chat

ADDRESS OF PRINCIPLE BUILDING  
10 LANCASTER DRIVE  
NASHUA, N.H.

DEED REF. 2717 PG. 569

PLAN REF.

DATE OF INSPECTION: SEPT. 16, 1987

SCALE: 1" = 20'

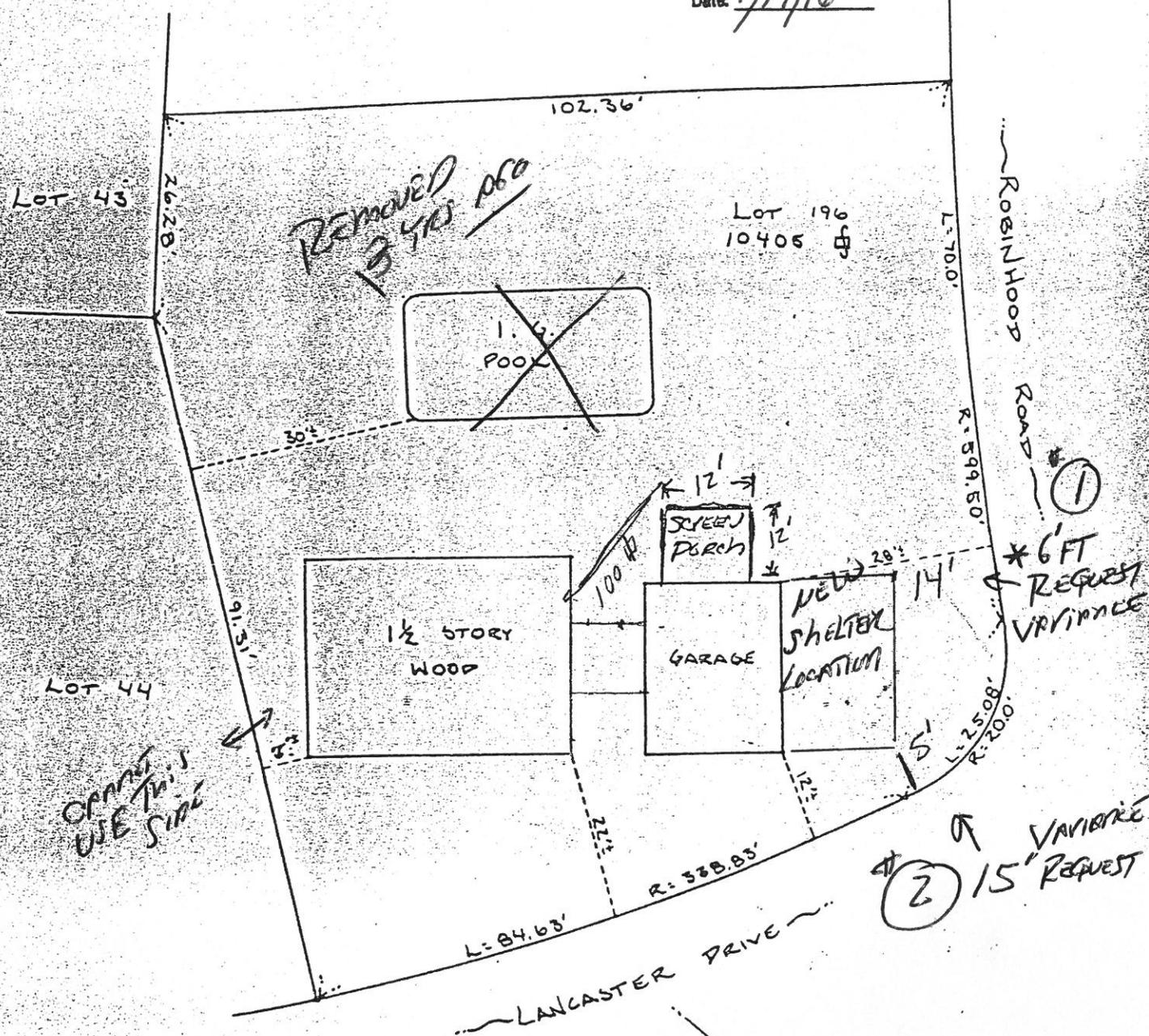
DAN CATHCOTT,  
10 LANCASTER DRIVE  
NASHUA NH 03062  
603-7593085

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: Daniel Cathcott

Date: 7/14/16



\* SHELTER LOGIC GARAGE IS  
24 X 14 X 12



**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	6

## 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 13 Belle Aire Ave Nashua NH 03060  
 Zoning District RB Sheet 87 Lot 227

b. VARIANCE(S) REQUESTED Add a driveway 11' to Street, No Sidewalk currently in Place. Build detached Garage with 6' offsets on Side and BACK of Property Line. 12' walls make garage higher than 12' standard height.

**2. GENERAL INFORMATION**

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

Applicant's signature Chris Teixeira Date 6/27/16  
 Applicant's address 13 Belle Aire Ave Nashua NH 03060  
 Telephone number (home) 603 886 8198 (work) 602 318 5731

b. PROPERTY OWNER Chris Teixeira

Owner's signature Chris Teixeira Date 6/27/16  
 Owner's address 13 Belle Aire Ave Nashua NH 03060  
 Telephone number (home) 603 886 8192 (work) 603 318 8721

\*application taken in by Bldg. Dept.

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received \_\_\_\_\_ Date of hearing 8/9/16

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

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

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

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

*per applicant request*

2016-00136

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.")

Just adding a garage, look similar to house across  
street. Same side etc.

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.")

want to store my classic car.

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.)

I need a place to store my classic car

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.)

I think it adds value

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

Address 13 Belle Aire Ave Nashua NH 03060

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

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

**4. USE VARIANCE ADDITIONAL INFORMATION**

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

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

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

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

*Chris Taylor*

Signature of applicant

*6/27/16*

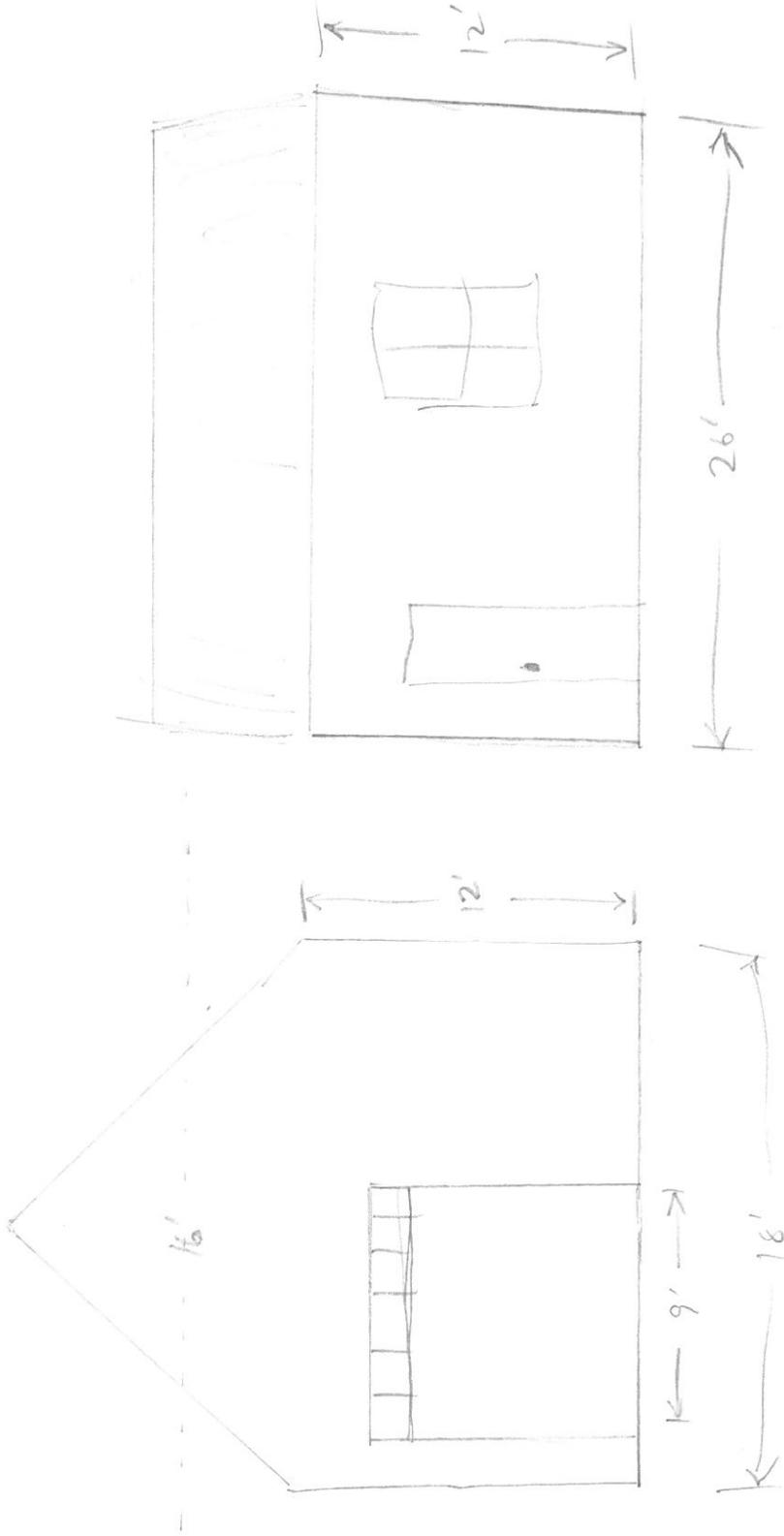
Date

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

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

16 x 26 Detached GARAGE

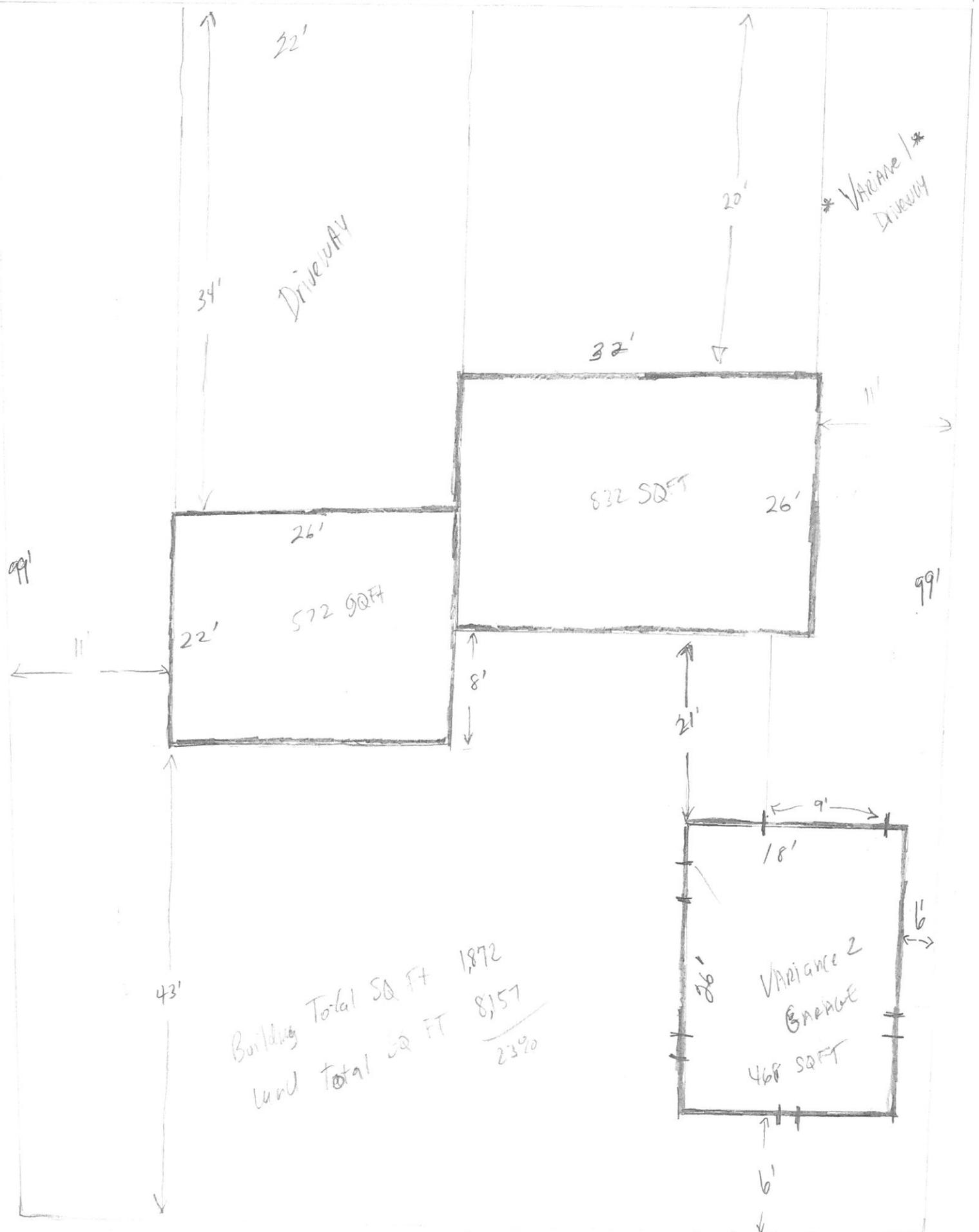
13 BELLE ALPE AVe NASHUA NH 03060



2x6 Construction  
Vinyl Siding

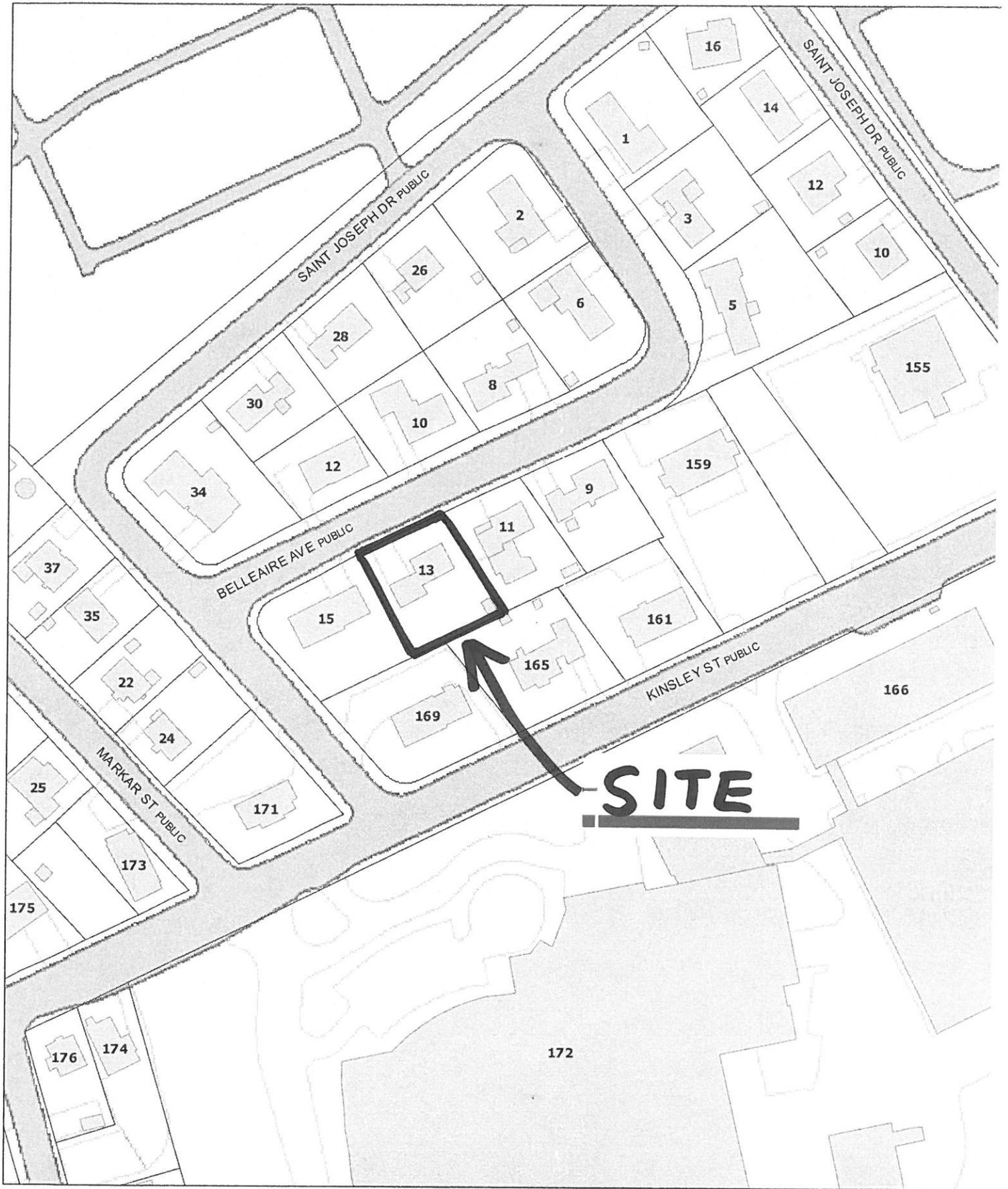
13 BELLE AIRE AVE Nashq 79' STREET

← 11' →

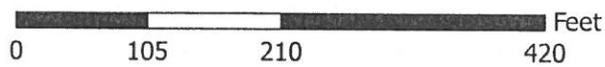
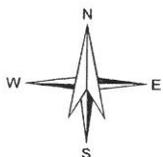


Building Total SQ FT	1,872
Land Total SQ FT	8,157
	<hr/>
	2,390

92'



### 13 Belleaire Avenue



1 inch = 152 feet



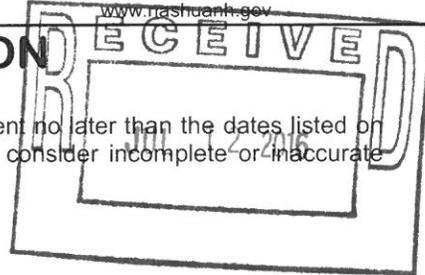


**City of Nashua**  
**Community Development Division**  
 City Hall, 229 Main Street, PO Box 2019  
 Nashua, New Hampshire 03061-2019

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 33 Trafalgar Square, Nashua, NH 03063  
 Zoning District General Business Sheet G Lot 653
- b. VARIANCE(S) REQUESTED:  
Installation of additional signage on the building to provide signage for patients approaching from the North.

**2. GENERAL INFORMATION**

- a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
 (Print Name): Dr. Nader Moavenian/New Hampshire Oral & Maxillofacial Surgery  
 Applicant's signature [Signature] Date 07/12/2016  
 Applicant's address 33 Trafalgar Square, Nashua, NH 03063  
 Telephone number H: 603-595-8889 C: 603-233-2936 E-mail: drm@drmoavenian.com
- b. PROPERTY OWNER (Print Name): Dr. Nader Moavenian/Moavenian Realty  
 Owner's signature [Signature] Date 07/12/2016  
 Owner's address 19 Tyng Hill Road, Hollis, NH 03049  
 Telephone number H: 603-465-3162 C: 603-943-0196 E-mail: kristin@drmoavenian.com

**OFFICE USE ONLY** Application checked for completeness: ML

Case number \_\_\_\_\_ Application Deadline 7/12/16 Date Received 7/12/16 Date of hearing 8/9/16  
 PLR# 2016-00135 Board Action \_\_\_\_\_

\$ 330 application fee  Date Paid 7/12/16 Receipt # 04013  
 \$ 15 signage fee  Date Paid 7/12/16 Receipt # 04013  
 \$ \_\_\_\_\_ certified mailing fee  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.")

The proposed additional signage will be small — consisting mostly of black type in a conservative font on a white building.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Because of the layout of the windows on our building our signage information is broken up into little sections. The three signs on the front of the building communicate the information that would normally fit onto one sign.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 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 currently no identifying signage on the north side of the building. Furthermore, because the look of the building could be confused with a residence. There is no storefront or typical business display areas on the building.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 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.)

We're proposing simple signage with limited colors, fonts and messaging. This signage will help to identify us as a business in a business area.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

Because all sides of our building are full of windows that are very close together, and because our business name is long, we can't create one sign that will legibly display our practice name.

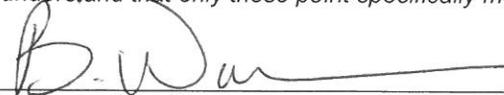
4. USE VARIANCE ADDITIONAL INFORMATION

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 26 Number of employees per shift 15
- b. Hours and days of operation 7am to 4pm Monday through Friday
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors 10/50
- d. Number of daily and weekly commercial deliveries to the premises 2/10
- e. Number of parking spaces available 25
- f. Describe your general business operations Oral Surgery
- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation Addition of 1 55" x 42" Rectangular Sign and a strip of 14" black lettering

*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

7/12/2016  
Date

BARBARA WARLOCK  
Print Name

\_\_\_\_\_  
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 barbara@graycatgraphicdesign.com
- Please mail it to me at \_\_\_\_\_



PROPOSED SIGN



The way to grow your business.

Barbara Warmke

Gray Cat Graphic Design

Customer:

Date: 07-06-2016

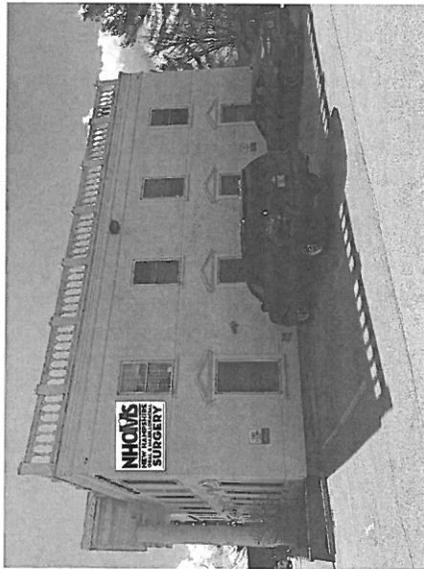
Design: Lisa

7 Summer St. Unit 29 - Chelmsford MA. 01824 • p: (978) 459-6088 f: (978) 459-6099 • [signarama-chelmsford.com](http://signarama-chelmsford.com)

Note: Actual colors may not be correctly represented by computer monitors or printed proofs. Colors are defined by the digital file used for final production. Matching of specific colors is also available for an additional fee. Up to 3 proofs are provided free of charge, additional proofs are available for \$25 per proof.

Sign-A-Rama will prepare your order according to your specifications. The customer is solely responsible for proofreading.

By approving the proof, you engage contract and approve of its content.



**NHOM'S**  
NEW HAMPSHIRE ORAL & MAXILLOFACIAL SURGERY  
**NEW HAMPSHIRE ORAL & MAXILLOFACIAL SURGERY**  
**ORAL & MAXILLOFACIAL SURGERY**

3.5x 4.58  
16.04

Dibond with Digital Print, Laminated

Size: 42"Hx55"W

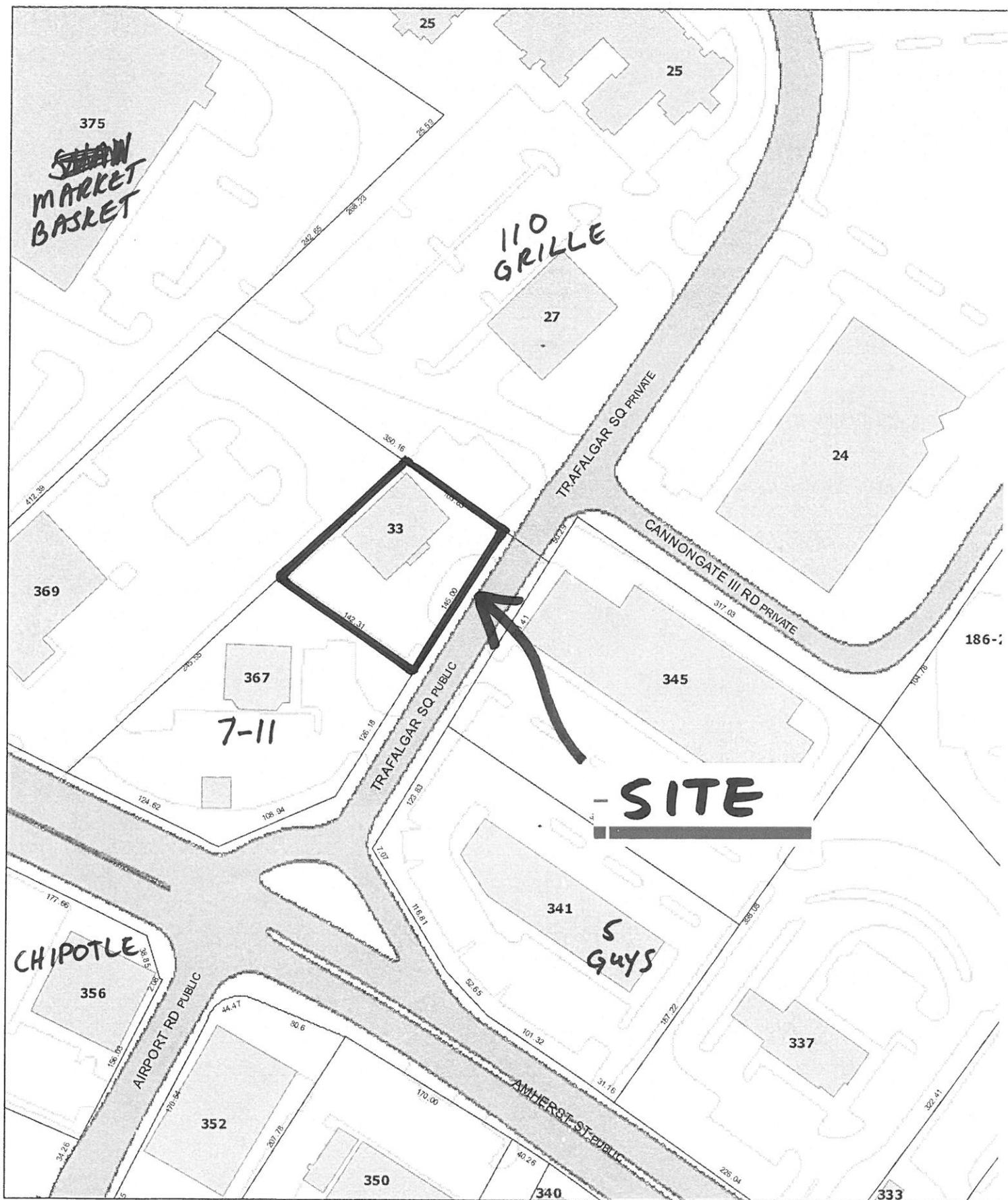
Sides: 1

Install on the building

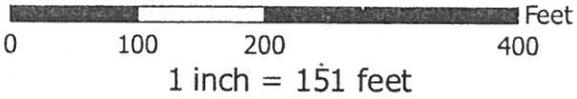
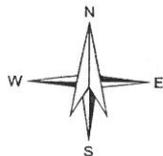
Qty: 1

Non-Illuminated

16.04



**33 Trafalgar Square**

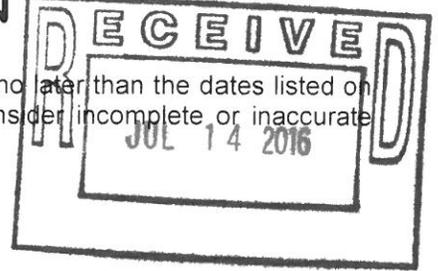




**City of Nashua**  
**Community Development Division**  
 City Hall, 229 Main Street, PO Box 2019  
 Nashua, New Hampshire 03061-2019

Community Development 589-3095  
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 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 40 Raymond St  
 Zoning District RA Sheet 47 Lot 140

b. VARIANCE(S) REQUESTED:

To encroach 3 feet into the 6 foot required right side yard setback to expand a detached 20.5'x20.5' garage to 20.5'x40.5' to make room for full sized vehicles and add space for storage and some hobby wood working. This will also require exceeding (by 6' at the peak) the 12' height restriction for detached accessory buildings within 10' of the property line, in order to carry the current roof line back along the proposed addition.

**2. GENERAL INFORMATION**

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

(Print Name): Andrew Perry  
 Applicant's signature [Signature] Date 14 July 2016  
 Applicant's address 40 Raymond St  
 Telephone number H: n/a C: 603-285-2272 E-mail: andrewperry82@yahoo.com

b. PROPERTY OWNER (Print Name): Andrew Perry and Marise Evans-Perry

Owner's signature [Signature] Date 14 July 2016  
 Owner's address 40 Raymond St  
 Telephone number H: n/a C: 603-285-2272 E-mail: andrewperry82@yahoo.com

**OFFICE USE ONLY**

Application checked for completeness: ML

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 7/14/16 Date of hearing 8/9/16

PLR# 2016-00141 Board Action \_\_\_\_\_

\$ 330 + 200 = 530 application fee   
 \$ 15 signage fee   
 \$ \_\_\_\_\_ certified mailing fee   
 Date Paid 7/14/16 Receipt # \_\_\_\_\_  
 Date Paid 7/14/16 Receipt # \_\_\_\_\_  
 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.")

This alteration to the existing structure should not have any impact on the public interest as the garage will retain it's current character, but will end in better condition and with more functionality. The roof will be an extension of the current roof and maintain it's character, which is to complement the roof lines of the house.

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- 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.")

There is already a garage along the property line, 3' from the property line. We are not looking to go any closer to the property line, but make an existing non-conforming building into a more useful and attractive structure.

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- 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.)

An older garage that is in need of work will be updated and repaired as well as expanded to give much more functionality to an aging structure, while the expanded size will be mostly hidden by vegetation and privacy fences.

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- 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.)

Many houses in the neighborhood have detached accessory buildings built within 6' of the property line, including the existing structure on our property. The proposed addition will be done in the same style as the current garage, with siding, trim, and roof-line matching that of the house. The project will also include refurbishing the front of the existing garage and installing new garage doors to replace the current doors that are rotten and falling apart. The overall effect should increase the aesthetic appeal of the neighborhood. I have requested a professional opinion from a real estate agent working and living in our neighborhood, and I will bring the results to the meeting.

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

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

A standard garage is 24' x 24', and the current garage is not deep enough for full-sized vehicles. In addition, there is no other area for lawn and garden equipment and tools to be stored and used. Building off the side of the existing garage and out into the middle of the lawn would be unsightly and not in keeping with the style of the house and neighborhood. It would also not solve the vehicle length issue in the current structure.

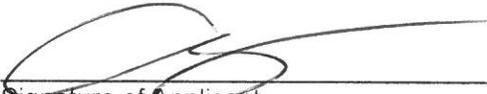
**4. USE VARIANCE ADDITIONAL INFORMATION**

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

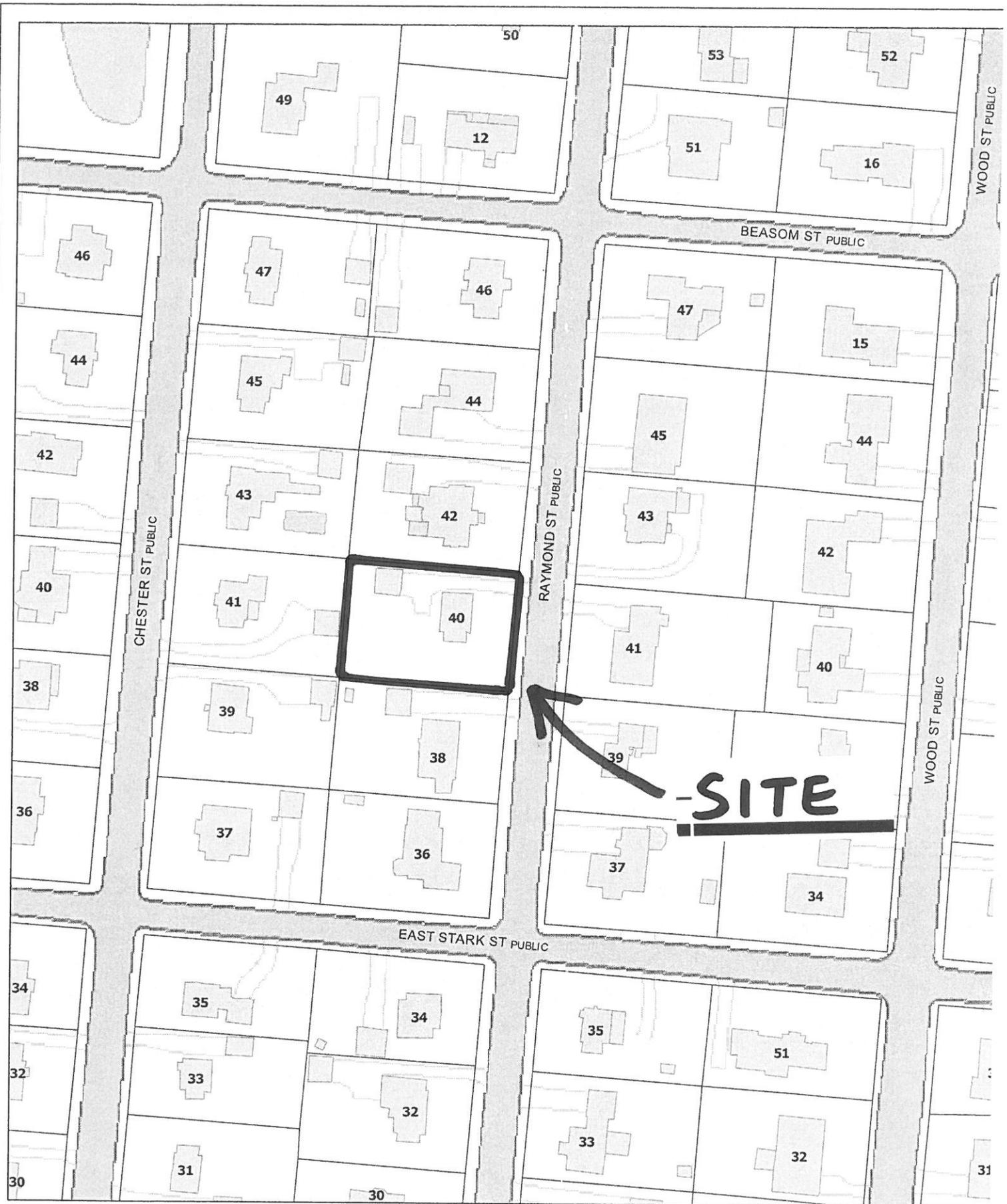
14 July 2016  
Date

Andrew Perry  
\_\_\_\_\_  
Print Name

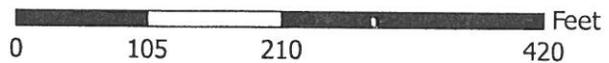
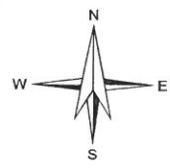
14 July 2016  
Date

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 andrewperry82@yahoo.com
- Please mail it to me at \_\_\_\_\_  
\_\_\_\_\_

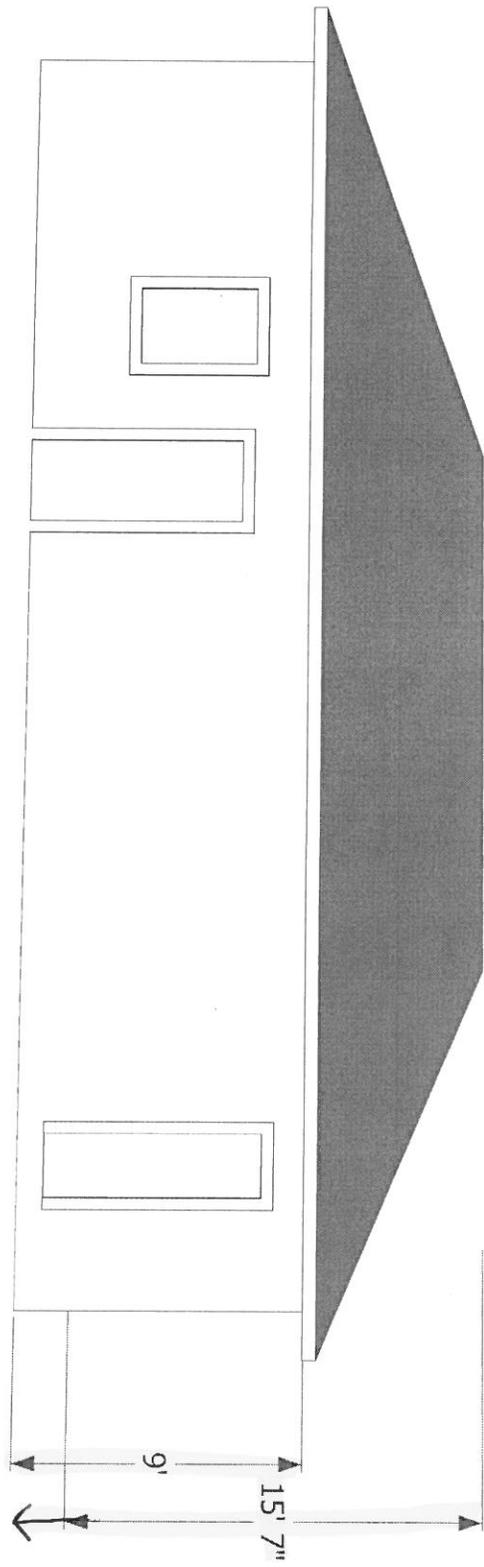


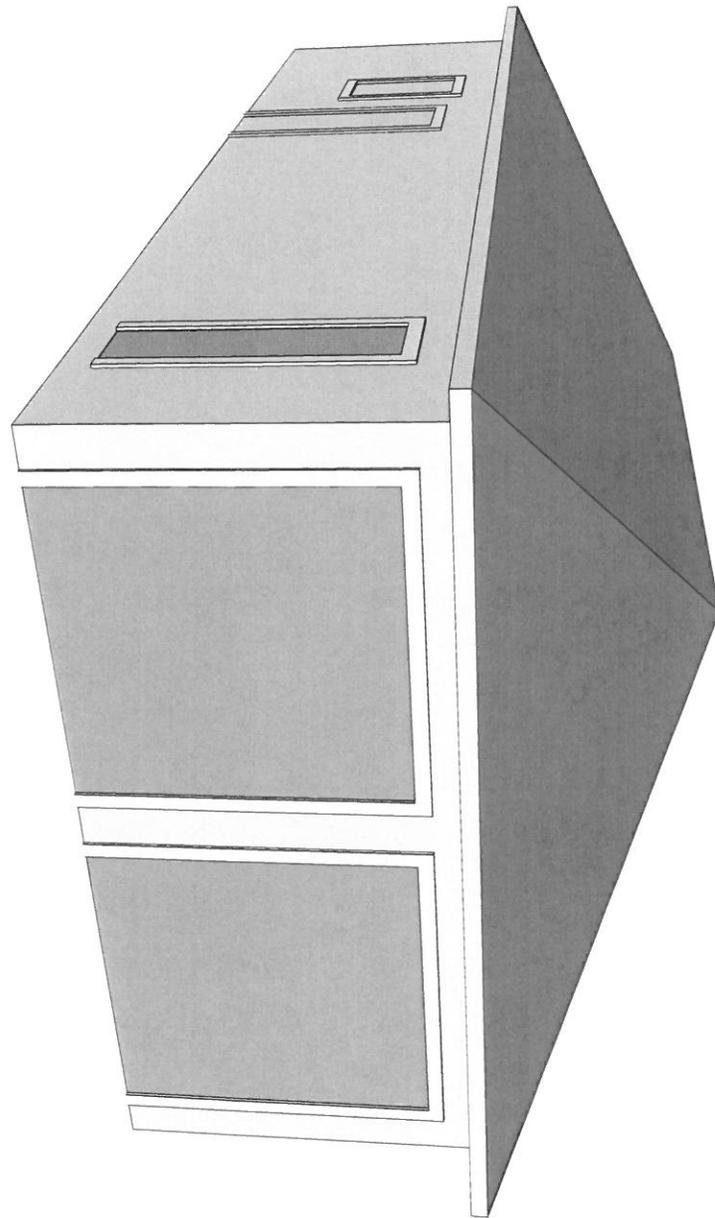
**40 Raymond St**



1 inch = 152 feet







# Garage Addition Plan

99 85

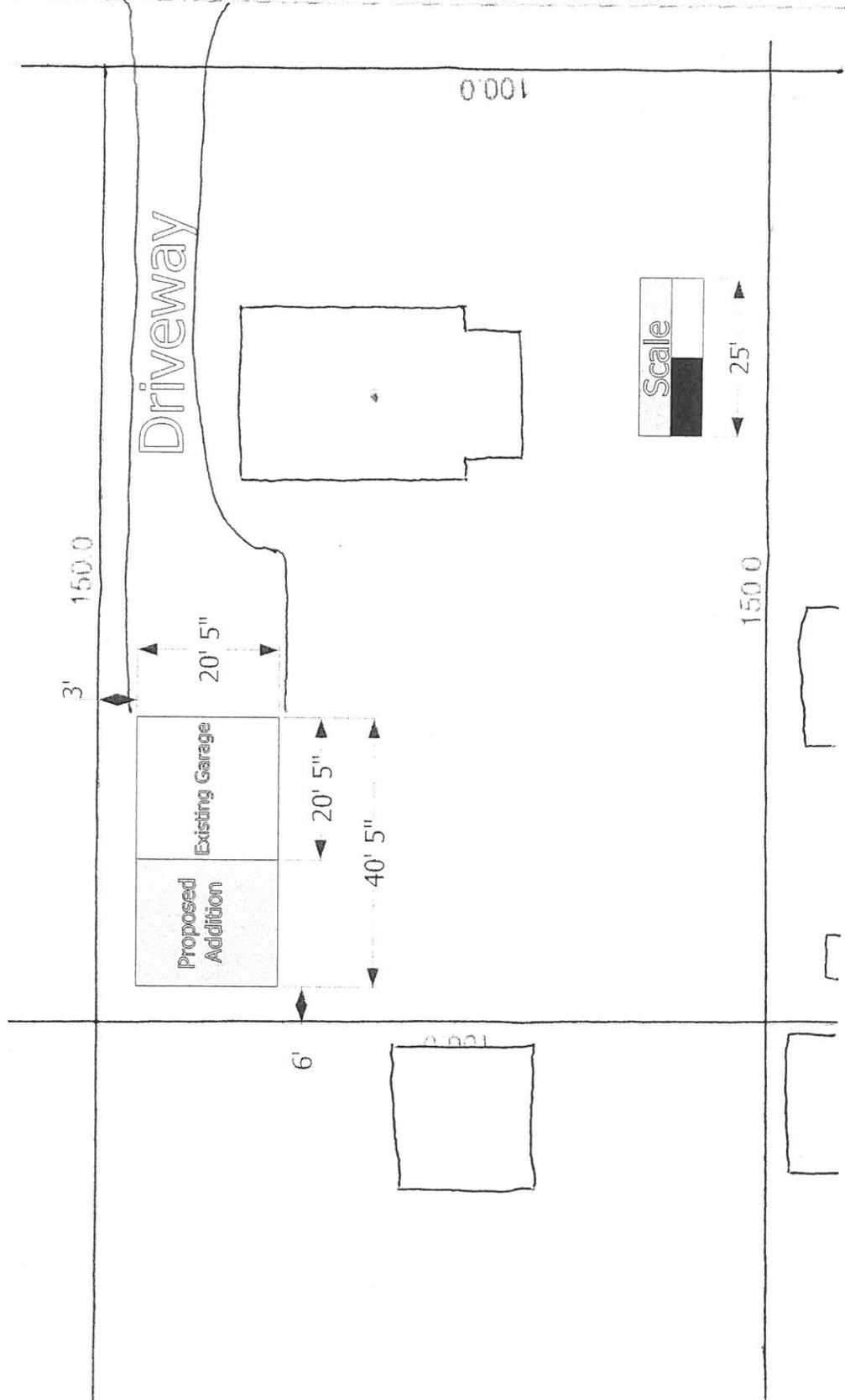
CITY OF NASHUA PLANNING DEPARTMENT

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: \_\_\_\_\_

Date: 14 Jun 16

Raymond St



40 Raymond St



**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 Innovative Way

Zoning District PI Sheet A Lot 798

b. SPECIAL EXCEPTION(S) REQUESTED

To impact 1,950 S.F. of jurisdictional wetland for the purpose of  
accessing upland area to developing 70,000± S.F into a 300 seat sit  
down restaurant.

### 2. GENERAL INFORMATION

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

John J. Flatley / John Flatley Company

Applicant's signature *John Flatley* Date 3-8-16

Applicant's address 50 Braintree Hill Office Park, Braintree, MA 02184-0168

Telephone number (home) \_\_\_\_\_ (work) (781) 380-7731

b. PROPERTY OWNER John J. Flatley

Owner's signature \_\_\_\_\_ Date \_\_\_\_\_

Owner's address 50 Braintree Hill Office Park, Braintree, MA 02184-0168

Telephone number (home) \_\_\_\_\_ (work) (781) 380-7731

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 # \_\_\_\_\_

PLR2016-

**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.

To impact 1,950 S.F. of jurisdictional wetland and 18,600 S.F. of wetland buffer for the purpose of developing 70,000± S.F into a 300 seat sit down restaurant.

- 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.

The proposed wetland impacts are to access the site for the purpose of constructing a 7,500 s.f. restaurant. The proposed use will compliment the surrounding business/office park

- 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?

A 138 space parking lot is proposed to support the proposed restaurant.

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

There will be minimal impact the surrounding traffic because a restaurant's peak operating times differ from the peak periods of the surrounding uses. The park has dedicated/protected pedestrian ways.

- 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?

The proposed use will compliment the surrounding zoning district, Park Industrial, and the adjacent office buildings and multi-family residential.

**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 20-30 Number of employees per shift 10-15
- b. Hours and days of operation 10 am - 1 am
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors NA
- d. Number of daily and weekly commercial deliveries to the premises 5-6/30-40
- e. Number of parking spaces available 138

f. Describe your general business operations

300 seat sit down restaurant will consist of normal restaurant operations.

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

Site will be developed in accordance with the City of Nashua's Non-Residential Site Plan Review Regulations and will undergo full site plan and engineering review by city staff.

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

3-8-16

Date

**Fees**

Amount enclosed: , Check #:  (Make Check payable to City of Nashua).

**Owner(s) Information**

Name:

Mailing Address:

Phone #:

Email Address:

Signature of Owner(s/ Date Signed):

**Authorized Agent Information**

**Owner(s) Signature:** I hereby certify that the information included on this application and submitted in conjunction with this application is true to the best of my knowledge and that the person(s) listed are authorized to present this application on my behalf to the Nashua Conservation Commission. I also understand that the NCC may schedule a site walk prior to reviewing or acting upon this application. The site walk notice will be posted.

I / We also hereby authorize the Nashua Conservation Commission, it staff and /or agents to enter and inspect the property for action by this application.

Signature of Representative/Agent (Title/Business Name)/Date Signed:

Name of NH Certified Wetland Scientist: , State #: ,

Expiration Date:  Is the stamp and signature included?

**Project Description**

Please provide a brief description of your proposed project including changes proposed to the topography, natural drainage, equipment to be used and estimated start and completion date for the project. If more space is needed attach additional pages.

The applicant is proposing to develop a 70,000 S.F. portion of the 128± acre parcel known as Gateway Hills Office Park (a.k.a. Nashua Technology Park) with a 300 seat, sit down restaurant. Site work will include earth cuts and fills for site access and a parking field to service the proposed use. A significant portion of the proposed buffer disturbance will be for the storm water management system to treat the surface runoff from the proposed development. The site will be serviced by municipal water and sewer and underground utilities.



**NASHUA CONSERVATION COMMISSION**

**Tuesday, August 2, 2016**

**Public meeting - All are welcome to attend.**

 A regular meeting of the Nashua Conservation Commission will be held on, Tuesday, August 2 at 7:00 PM, 229 Main Street, City Hall in Room 208

**A. Call to order**

**B. Roll call**

**C. Approval of minutes**

➤ June 21, 2016

➤ July 5, 2016

 **D. New Business**

➤ 100-300 Innovative Way, John Flatley Company (Owner). A restaurant is proposed in the Park Industrial Zone (PI). Trees will be removed within the 20-foot wetland buffer requiring conservation review. Comments will be provided to the Zoning Board.

**E. Old Business**

**F. Other Business and Updates**

**G. NCC Correspondence and Communications**

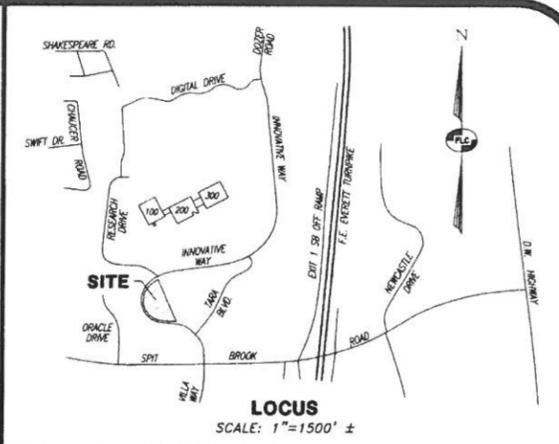
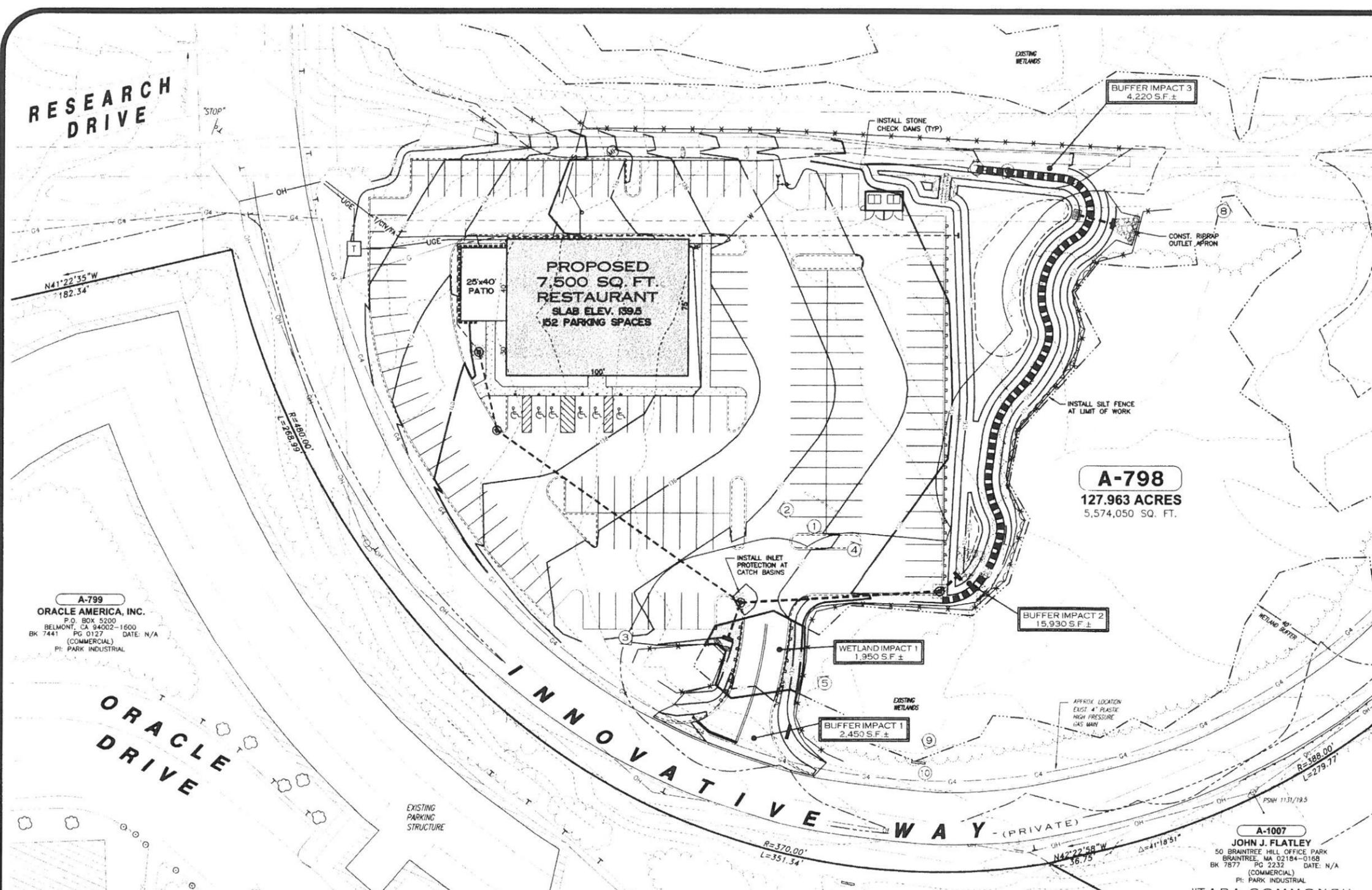
**H. Items**

**I. Project Updates by Commissioners**

**J. NON-PUBLIC SESSION RSA 91-A:3 II (e)**

**K. Adjournment**

**Next Meeting: Tuesday, September 6, 2016**



- REFERENCE PLANS:**
- "SUBDIVISION PLAN - NASHUA TECHNOLOGY PARK - 100-300 INNOVATIVE WAY - NASHUA, NEW HAMPSHIRE - PREPARED FOR JOHN FLATLEY COMPANY - RECORD OWNER JOHN J. FLATLEY". SCALE: AS SHOWN DATED: DECEMBER 16, 2011 AND LAST REVISED 3/22/12 BY HSI - HAYNER SWANSON, INC. (RECORDED AT THE H.C.R.D. AS PLAN #37424, 5 SHEETS).
  - "MASTER LOT LINE RELOCATION, CONSOLIDATION, DISCONTINUANCE AND DEDICATION PLAN - NASHUA TECHNOLOGY PARK - SPT BROOK ROAD, DOZER ROAD, INNOVATIVE WAY & TARA BOULEVARD - NASHUA, NEW HAMPSHIRE". SCALE: 1"=400, DATED: 3 APRIL 2009 AND LAST REVISED 3/03/11 BY HSI - HAYNER SWANSON, INC. (RECORDED AT THE H.C.R.D. AS PLAN #37062, 6 SHEETS)
  - "MASTER LOT LINE RELOCATION, DISCONTINUANCE, & SUBDIVISION PLAN, GATEWAY HILLS, TAX MAP A, LOTS 788 & 905, 100-300 INNOVATIVE WAY, NASHUA, NH" SCALE: 1"=300 DATED JANUARY 23, 2013, BY THIS OFFICE.

**NOTES:**

- SITE AREA: 127.963 ACRES
- PRESENT ZONING: P1 - PARK INDUSTRIAL

MINIMUM LOT REQUIREMENTS	REQUIRED	EXISTING
LOT AREA (SF)	30,000	5,574,050
LOT FRONTAGE (F-1)	50	396±
LOT WIDTH (FT)	120	2,500±
LOT DEPTH (FT)	150	2,000±

**MINIMUM YARD SETBACKS**

FRONT YARD (FT)	REAR YARD (FT)	SIDE YARD (FT)
30	20	120±
20	20	150±
20	20	220±
75	75	25±
5	5	1
20	20	40±

- LOT NUMBERS REFER TO THE CITY OF NASHUA ASSESSORS MAP 'A'.
- SITE IS SERVICED BY MUNICIPAL SEWER AND WATER BY PENNICHUCK WATER WORKS. THE PROPOSED BUILDING SHALL BE SERVICED BY UNDERGROUND TELEPHONE, ELECTRIC, CABLE AND GAS UTILITIES.
- THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED WETLAND AND WETLAND BUFFER IMPACTS ASSOCIATED WITH THE PROPOSED 485 SEAT SIT DOWN, FULL SERVICE RESTAURANT ON LOT A-798.
- PARKING CALCULATION:**

REQUIRED	MINIMUM	MAXIMUM
RESTAURANT (485 SEATS)	1 SPACE / 4 SEATS = 121 SPACES	1 SPACE / 2 SEATS = 243 SPACES

PROPOSED 152 PARKING SPACES INCLUDING 6 HANDICAP SPACES

REV.	DATE	DESCRIPTION	FLC	NRC	CEB
A	6/23/16	MINOR REVISIONS			
			C/O	DR	CK

**WETLAND & BUFFER IMPACT PLAN**  
**RESTAURANT**  
**SITE PLAN**  
 TAX MAP A - LOT 798  
 23-43 INNOVATIVE WAY  
 NASHUA, NEW HAMPSHIRE  
 PREPARED FOR:  
**JOHN FLATLEY COMPANY**  
 50 BRAINTREE HILL OFFICE PARK BRAINTREE, MA 02184-0168 (781) 380-7731  
 LAND OF:  
**JOHN J. FLATLEY**  
 50 BRAINTREE HILL OFFICE PARK BRAINTREE, MA 02184-0168 (781) 380-7731  
 SCALE: 1" = 30' JUNE 16, 2016

Surveying ♦ Engineering ♦ Land Planning ♦ Permitting ♦ Septic Designs

**FIELDSTONE**  
 LAND CONSULTANTS, PLLC

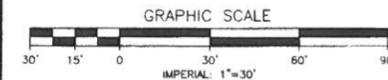
206 Elm Street, Milford, NH 03055  
 Phone: (603) 672-5156 Fax: (603) 613-5156  
 www.FieldstoneLandConsultants.com

FILE: 476SP39A.dwg PROJ. NO. 476.39 SHEET: EH-1 SHEET NO. 1 OF 1

**A-799**  
**ORACLE AMERICA, INC.**  
 P.O. BOX 5200  
 BELMONT, CA 94002-1600  
 BK 7441 PG 0127 DATE: N/A  
 (COMMERCIAL)  
 PI: PARK INDUSTRIAL

**A-798**  
**127.963 ACRES**  
**5,574,050 SQ. FT.**

**A-1007**  
**JOHN J. FLATLEY**  
 50 BRAINTREE HILL OFFICE PARK  
 BRAINTREE, MA 02184-0168  
 BK 7877 PG 2232 DATE: N/A  
 (COMMERCIAL)  
 PI: PARK INDUSTRIAL  
 'TARA COMMONS'



CONTACT DIG SAFE  
 72 HOURS PRIOR  
 TO CONSTRUCTION  
**DIGSAFE.COM**  
 OR DIAL 8 1 1  
 CALL 811 - KNOW WHAT'S BELOW

EXISTING FEATURES	LEGEND:	PROPOSED FEATURES
<b>A-798</b> TAX MAP AND LOT NUMBER	WATER LINE	EDGE OF PAVEMENT
RIGHT-OF-WAY LINE	SEWER LINE	CAPE COD BERM
BOUNDARY LINE	OVERHEAD UTILITIES	REINFORCED CONCRETE SIDEWALK AND CURB
ABUTTING LOT LINE	GAS LINE	PAVEMENT AREA
MINIMUM BUILDING SETBACK LINE	IRON PIPE	LIMITS OF CLEARING
EASEMENT LINE	IRON PIN	TEMPORARY SILT FENCE
WET AREA	DRILL HOLE	CONSTRUCTION ENTRANCE
EDGE OF WETLANDS (BY OTHERS)	BOUND	EROSION CONTROL STONE
EDGE OF WETLANDS (BY THIS OFFICE)	CATCH BASIN (ROUND)	EROSION CONTROL MATTING
WETLAND BUFFER LINE	CATCH BASIN (SQUARE)	WETLAND IMPACT AREA
STONE WALLS	DRAIN MANHOLE	WETLAND BUFFER IMPACT AREA
2 FT. CONTOUR	LIGHT POLE	
10 FT. CONTOUR	WATER LINE SHUT-OFF VALVE	
TREELINE	SEWER MANHOLE	
DRAIN LINE	HYDRANT	
	BUILDING	

**IMPACT SUMMARY:**

WETLAND IMPACT:  
 #1 - 1,950 SF

WETLAND BUFFER IMPACTS:  
 1' - 2,450 SF  
 2' - 15,930 SF  
 3' - 4,220 SF  
 TOTAL - 22,600 SF

**CERTIFICATION:**

WETLANDS WERE DELINEATED IN ACCORDANCE WITH THE US ARMY CORPS OF ENGINEERS 1987 WETLAND DELINEATION MANUAL Y-87-1 AND REGIONAL SUPPLEMENT FOR NORTHEAST AND NORTHCENTRAL REGION AND FIELD INDICATORS FOR HYDRIC SOILS IN NEW ENGLAND BY CHRISTOPHER A. GUIDA, C.W.S. IN OCTOBER OF 2012 AND CONFIRMED NOVEMBER OF 2015.

DATE: \_\_\_\_\_



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

<b>RECEIVED</b>	
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 537-539 Amherst Street  
 Zoning District HB Sheet H Lot 88

b. SPECIAL EXCEPTION(S) REQUESTED  
To work within the 150-foot Water Supply Protection District  
Conservation Zone for the redevelopment of this property (Nashua  
Land Use Section 190-24.F.5)

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
Holland Hampshire, LLC  
 Applicant's signature [Signature] Date 7-8-16  
 Applicant's address 1310 South Tryon Street, Charlotte, NC 28203  
- Suite 104 -  
 Telephone number (home) \_\_\_\_\_ (work) (704) 333-4244

b. PROPERTY OWNER Walter W. Anderson, Jr.  
 Owner's signature [Signature] Date \_\_\_\_\_  
 Owner's address 539 Amherst Street, Nashua, NH 03063  
 Telephone number (home) \_\_\_\_\_ (work) \_\_\_\_\_

Case number \_\_\_\_\_ Application Deadline 7/12/16 Date Received 7/12/16 Date of hearing 8/9/16

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

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

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

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

PLR2016-00138

**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 attached sheet

- 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.

The existing building measures approximately 8,845 sf. The proposed building on new Lot 88 will measure 6,552 sf. The proposed building is consistent with the surrounding commercial properties.

- 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?

The existing site has 66 parking spaces. The proposed use upon new Lot 88 will have 22 parking spaces.

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

New Lot 88 is expected to generate approximately 50 new vehicle trips per day (25 in, 25 out) which is much less than the previous use of this property.

- 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?

The size, scale and architecture of this project will be consistent with other commercial and retail projects along the Amherst Street corridor.

**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 Nine Number of employees per shift Five
- b. Hours and days of operation M - F: 7:30 AM - 8:00 PM, Saturday 7:30 AM - 7:00 PM
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors 25 D, 150 W
- d. Number of daily and weekly commercial deliveries to the premises Two per week
- e. Number of parking spaces available 22

f. Describe your general business operations

The sale and service of automobile tires and batteries

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

The redevelopment of this site will completely remove the existing building and pavement. The new project will have new facilities including site lighting, signage, landscaping and stormwater management.

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.

RH Falls III

7-8-16

Signature of applicant

Date

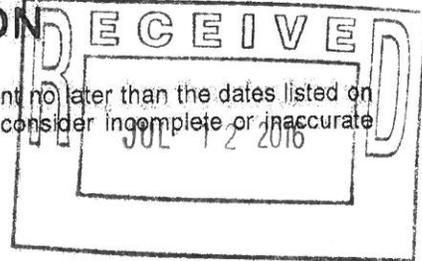
Ralph H. Falls, III  
Manager - Holland Hampshire LLC



**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 537-539 Amherst Street  
 Zoning District HB Sheet H Lot 88

b. VARIANCE(S) REQUESTED:  
To allow automotive parking within the front yard setback of an HB District -- 11 Feet provided and 20 feet required.

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
 (Print Name): Holland Hampshire, LLC  
 Applicant's signature: [Signature] Date 7/11/16  
 Applicant's address by its attorney, Gerald Prunier, Esq., 20 Trafalgar Sq., Nashua, NH 03063  
 Telephone number H: 603-883-8900 C: \_\_\_\_\_ E-mail: gprunier@prunierlaw.com

b. PROPERTY OWNER (Print Name): Walter Warren W. Anderson, Jr.  
 Owner's signature: [Signature] Date 7-11-16  
 Owner's address 539 Amherst Street, Nashua, NH 03063  
 Telephone number H: \_\_\_\_\_ C: \_\_\_\_\_ E-mail: \_\_\_\_\_

**OFFICE USE ONLY** Application checked for completeness: ML

Case number \_\_\_\_\_ Application Deadline 7/12/16 Date Received 7/12/16 Date of hearing 8/9/16

PLR# 2016-00138 Board Action \_\_\_\_\_

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

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

\$ \_\_\_\_\_ certified mailing fee  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.")

Presently, the business that uses the property parks close to the edge of the right-of-way. The new development will improve the situation by being back 11 feet off the right-of-way.

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

The proposed development is planning to have a set-back which improves the situation and is not in conflict with the explicit or implicit purpose of the ordinance.

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

Granting the variance will allow a new and complete re-development of the site. The applicant can make better use of the site and provide more services to the citizens of Nashua.

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- 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 proposal is to completely redevelop the site. New buildings will be added, landscaping, etc. The surrounding properties should increase in value with the new development.

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- 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 historical use of the property always had parking in the front yard setback and close to the right of way. The new project will provide an area that can be landscaped.

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 (Handwritten signature)

Date

Print Name: WALTER ANDERSON

Date

7/11/16

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
Please mail it to me at

## **SPECIAL EXCEPTION SUPPORT INFORMATION**

The project area under consideration for this application is to be located at 537-539 Amherst Street in Nashua, NH. The site is known to the Nashua Assessors Department as Map H, Lot 88. The parcel is located in Nashua's HB-Highway Business zoning district. The proposed site is located in northwest part of Nashua, which contains a number of commercial, retail and residential uses. An apartment complex abuts the site to the north. Commercial sites are adjacent to the property to the west and east. Amherst Street abuts the site to the south.

The 1.329-acre site has been used for many years as a restaurant and an auto sales facility. Access to the property is via a two-way curb cut onto Amherst Street. The site is almost entirely paved for parking, 66 spaces, and vehicle display areas. The existing building is serviced by municipal sewer and water along with gas, telecommunications and power utilities. During the survey of this property it was noted that a man-made wetland pond exists on a neighboring site to the north. This pond was delineated on the City of Nashua Water Supply Protection District map as having a 150-foot Conservation Zone setback. A portion of that zone is located in the northern corner of the site as shown on the plan. Currently within the zone is approximately 830 square feet of pavement.

This property will be redeveloped in a two-step manner. First, it is being proposed to subdivide this property into two lots. Upon new Lot 88 a 1-story, 6,552 square foot building is being planned for an automobile tire and battery sales and service facility. It is intended that NTB, a national retailer, will occupy this property with a prototypical facility that contains 7 service bays, an office and 22 parking spaces. A small portion of their development program, 1,520 of pavement and outdoor storage area, will be located within the Conservation Zone. The second part of the redevelopment of this property will be upon Lot 88-1. Currently the applicant has no plans for that site, but it is anticipated that a small retail or commercial business will occupy it in the future.

Section 190-134 of the Nashua Land Use Code outlines the criteria for approval of a special exception in the following manner:

- (a) The requested use is listed as a special exception in the Use Matrix or is permitted as a special exception by another provision of this chapter. ***Section 190-24.F.5***

***requires a special exception for currently developed site seeking improvements within the Conservation Zone.***

- (b) The requested use will not create undue traffic congestion or unduly impair pedestrian safety. ***The project will generate less traffic than the previous businesses. No traffic congestion or pedestrian safety issues are anticipated by this project.***
- (c) The requested use will not overload any public water, drainage or sewer system, or any municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the City will be unduly subjected to hazards affecting health, safety or the general welfare. ***The project will not adversely impact any municipal infrastructure system or harm the public health, safety or welfare.***
- (d) Any special regulations for the use set forth in this article are fulfilled.

The Nashua Land Use Code (Section 190-24.F.5) allows for existing sites located within the Conservation Zone to be redeveloped subject to certain conditions. Listed below are the five conditions and the applicant's response to each one:

- (a) The proposed expansion or redevelopment would be allowed under current zoning ordinances and meets all requirements for a special exception set forth in 190-134 of this chapter. ***It is our opinion that the project meets all requirements under the Nashua Land Use Code.***
- (b) The proposed expansion cannot be reasonably accomplished within the constraints of Part 2. The layout of the proposed facility would be impacted if the special exception is not granted. ***The outdoor storage area would need to be placed in a location away from the main building, which is undesirable to the client. Furthermore, moving the storage area to another location would make it more visible from Amherst Street.***
- (c) Determination by the conservation commission within thirty days from formal submission of the proposed declaring that the proposed use will not create danger of prohibited acts under 12-3 of the City Code. ***The conservation commission has voted to provide a positive recommendation for this request.***

- (d) No increase of impervious surface in the Conservation Zone is proposed, except as designated in Subsection F (5) (c) of this section. ***The 690 square foot increase in impervious area in the Conservation Zone has been reviewed and supported by the conservation commission.***
- (e) All stormwater management systems must be compliant with the requirements set forth in Article XXXI, Stormwater Management Standards and must be sufficient to infiltrate all stormwater from the ten-year, twenty-four hour storm event. ***The proposed stormwater management system for new Lot 88 will comply with Article XXXI.***
- (e) The requested use will not impair the integrity or be out of character with the district or immediate neighborhood in which it is located, nor be detrimental to the health, morals, or welfare or the residents of the City. ***The work within the Conservation Zone will not be seen from Amherst Street or from the customers using this site. Furthermore, the use of this property as a retail business for automobile tires and batteries will not be out of character with the Amherst Street corridor.***



City of Nashua  
**Conservation Commission**  
City Hall, 229 Main Street, PO Box 2019, Nashua NH 03061-2019  
(603) 589-3090      www.nashuanh.gov

July 6, 2016

Thomas E. Zajac, Jr., P.E.  
Hayner/Swanson, Inc.  
3 Congress Street  
Nashua, NH 03062-3301

Re: 537 & 539 Amherst Street, Walter Anderson (Owner). Holland Hampshire, LLC (Applicant).  
Proposed improvements within the 150 ft. Conservation Zone.

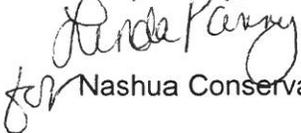
Dear Mr. Zajac:

Your application for the above referenced project received a favorable recommendation from the Nashua Conservation Commission (NCC) at their meeting on July 5, 2016 with the following stipulations:

1. Notification to the Nashua Conservation Commission ten (10) days prior to commencement and at project completion.
2. Photographs to be provided to the Nashua Conservation Commission before, during, and at project completion. All photographs shall include the date taken.
3. Access to the property provided to the Nashua Conservation Commission with notification.

Additional action is necessary to meet the city's requirements, including submitting an application to the Zoning Board of Adjustment, per NRO Section 190-114 Wetland application (E). Please contact Carter Falk, Deputy Planning Manager at (603) 589-3116 regarding that application process. It is also the owner's responsibility to submit any required applications to states agencies as may be needed for your particular project. Adherence to the dates and requirements identified in this letter and any included on the plans is important. If you have any questions about this letter or your responsibilities, please contact Linda Panny at (603) 589-3110.

Respectfully,

  
for Nashua Conservation Commission

cc: Carter Falk, Deputy Zoning Manager



EXPANDED DRAFT MEETING SUMMARY  
THIS IS NOT AN OFFICIAL TRANSCRIPT OF TAPE RECORDED PROCEEDINGS  
THE INFORMATION CONTAINED HEREIN HAS NOT BEEN REVIEWED OR APPROVED BY THE NCC

## MINUTES OF THE NASHUA CONSERVATION COMMISSION

Tuesday, July 5, 2016

### A. Call to order

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, July 5, 2016 at 7:00 PM, in Room 208, City Hall, and Second Floor - 229 Main Street.

### B. Roll call

Chairman Michael Gallagher, presided;

Members of the Commission Present:

Sherry Dutzy  
Donald Cederquist  
Brandon Pierotti  
Richard Gillespie  
Bill Parker, alt.

Also in Attendance:

Linda Panny, Planning Department

### C. Approval of Minutes

- June 7, 2016 – special meeting

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER CEDERQUIST, TO TABLE THE MEETING MINUTES OF JUNE 7, 2016 TO THE NEXT MEETING.  
MOTION CARRIED**

- June 27, 2016 – site walk notes

**MOTION BY COMMISSIONER PIEROTTI, SECONDED BY COMMISSIONER DUTZY, TO TABLE THE SITE WALK NOTES OF JUNE 27, 2016 AS AMENDED.  
MOTION CARRIED**

### D. New Business

- 100-300 Innovative Way, John Flatley Company (Owner). Proposed restaurant with site improvements within a wetland buffer.

Chris Guida, wetland scientist with Fieldstone Land Consultants, introduced himself as representing the applicant. He gave an overview of the site improvements. A wetland crossing will occur due to this project, and about 1,950SF will be impacted. The restaurant location was chosen to minimize overall impact, maintain drainage and ensure safety and access.

Commissioner Gillespie asked if the portion of the impacted wetland is the upper end of the wetland.

Mr. Guida said it is right now, but the hydraulic flow comes through a culvert.

Commissioner Gillespie said he did not understand why the entrance couldn't be moved 50 or 60ft. up the hill and avoid the wetland entirely.

Mr. Guida said in consideration of City and State requirements, flow patterns and safety within the parking lot, this was the least impacting alternative. The remainder of the site will remain undeveloped.

Commissioner Dutzy asked if it would be possible, as a means of mitigation, to enhance the habitat in other areas of the property to encourage wildlife.

Mr. Guida said it is certainly something they could look into.

A site walk was scheduled for Tuesday, July 26<sup>th</sup> at 5pm.

- 7 Diesel Road, Peters Bump Clinic (Owner). Proposed driveway connection to Lot 268.

Tom Zajac, civil engineer with Hayner/Swanson, Inc., introduced himself as representing the applicant. He said the purpose of the project is to construct a simple crossing between their property and the property at 270 Amherst St. He said erosion control measures were not included on the submitted plan, but they would be happy to amend the plan with this information prior to making application to the Zoning Board. He said the new plan is consistent with the site plans approved in 2014, which did not show the buffer for the drainage ditch.

Chairman Gallagher said the application indicates tree removal, but an amount is not given.

Tom Zajac said they did not go out and count trees; he estimates about 10-15 trees will need to be removed.

Chairman Gallagher asked if the trees would be in the buffer.

Mr. Zajac said the area is not classified as a wetland and therefore there is no "buffer".

Commissioner Gillespie said on the previous plan, the drainage ditch was designated as a vegetated drainage channel. He said he agrees with Mr. Zajac's classification. He asked if a temporary stream diversion will be required.

Mr. Zajac said yes.

**MOTION BY COMMISSIONER GILLESPIE, SECONDED BY COMMISSIONER CEDERQUIST, FOR A FAVORABLE RECOMMENDATION OF THE PROJECT AT 7 DIESEL RD, WITH THE STIPULATIONS THAT AN EROSION CONTROL PLAN BE PROVIDED AS WELL AS A PLAN DEPICTING THE STREAM DIVERSION WORK.  
MOTION CARRIED.**

- 
- 539 Amherst Street, Walter Anderson (Owner). Holland Hampshire, LLC (Applicant). Proposed improvements within the 150 ft. Conservation Zone.

Mr. Zajac introduced himself once again as representing the applicant. He said he would be happy to answer any questions from the last meeting and from the site walk.

Commissioner Pierotti asked what the building has for storage tanks for waste oil.

Mr. Zajac said there will be internal floor drain systems that will drain into a storage tank that is typically inside the building. That system will be connected to the City sewer system.

Commissioner Dutzy said she has concerns with the proposed location of the building, as it is right on the edge of the property.

Chairman Gallagher asked for clarification on the application submittal. The application for Diesel Rd came through as a wetlands application, whereas this project came through as a concept plan. In the application, a wetland scientist is not listed and the questions have not been addressed.

Mr. Zajac said, based on his conversation with Ms. Panny, there is no specific conservation application toward the conservation zone itself. The application is geared to wetland buffer impacts, which they have none. He said he did not think those questions applied to this project.

Ms. Panny said this project is somewhat unique because this project is within a conservation zone, but not impacting any wetlands. An application to impact the conservation zone does not exist. When Mr. Zajac applies to the ZBA, he will need to address the points of law for a Special Exception. She said staff is not aware of any precedent for work conducted in a conservation zone.

Commissioner Gillespie asked if Pennichuck will need to approve the plan prior to going to ZBA.

Mr. Zajac said no, Pennichuck approval is only required for site plan approval.

Commissioner Gillespie asked if the tire storage structure would have a roof on it.

Mr. Zajac said no, he did not think so.

Chairman Gallagher asked if the site will be constructed so that water will flow toward Amherst St.

Mr. Zajac said yes, their goal is to construct a large underground stormwater system. In terms of impact to the buffer, the largest impact is stormwater. However, stormwater is going to be greatly improved on site with this project.

Ald. Schoneman asked how they would redesign the building to make it smaller.

Mr. Zajac said the building design is based on the number of vehicle and service bays.

**MOTION BY COMMISSIONER GILLESPIE, SECONDED BY COMMISSIONER GALLAGHER,  
FOR A FAVORABLE RECOMMENDATION OF THE PROJECT AT 539 AMHERST ST.  
MOTION CARRIED 3-1 (DUTZY OPPOSED).**

#### **E. Old Business**

- By-laws

Commissioner Dutzy presented proposed changes to the by-laws regarding student membership. She said on Page 2, Article 5, Section 1, she added "Additionally, up to two student members may be appointed by the Mayor and Aldermen for a one-year or two-year term, depending on their date of graduation."

Chairman Gallagher said the term should be limited to one year, as this is the protocol of the Board of Education.

Commissioner Dutzy said on Page 4, Article 9, she added "Student commissioners serve in an advisory capacity and are not eligible to hold office or vote. Student members act as liaisons between the Commissioner and their schools to suggest and participate in activities beneficial to local conservation efforts. A letter will be sent to the principal of each high school in Nashua outlining the program and requesting the name of one interested student. If two or more students are qualified for confirmation by the Board of Aldermen, finalists will be chosen by lottery. Student members are subject to the requirements listed in Article 7, Duties of Members."

Commissioner Gillespie asked if the student member(s) will participate in the summer months.

Chairman Gallagher said their one-year term will occur during the school year. Realistically, the term will probably be from October to June.

Commissioner Pierotti asked if they were seeking one student only, or one student from each high school. If the students are selected by lottery, this could eliminate certain schools from being represented.

Chairman Gallagher said they are seeking two students total. He said they could add a rule that if students are to be selected by lottery, the schools will be cycled out.

Dan Sloan, newly appointed Commissioner, introduced himself from the audience. He asked what would happen if they same three schools apply each year.

Chairman Gallagher said an alternative is to provide a weighted adjustment for interested schools that were not represented the previous year. He said prior to the next Commission meeting, he will speak to Mayor Donchess regarding these changes.

#### **F. Other Business and Updates**

- Barbara Pressly

Ms. Panny said Ms. Pressly's family would like to order a plaque for the boardwalk, which they would pay for. If the Commission has questions, they can contact Ms. Pressly's family.

#### **G. NCC Correspondence and Communications**

- E-mail received from owner at 1 Holden Road

Chairman Gallagher said Ms. LeClerc, of 1 Holden Rd, has some concerns which may or may not be at the purview of the City's Code Enforcement Department. As far as the work she is proposing within the wetland buffer, the Commission will inform Ms. LeClerc that a wetlands application is required.

Ms. Panny said she forwarded an application to Ms. LeClerc. In her email, she wanted to first check with the Commission to determine whether or not she needed to go through the process of applying to the Conservation Commission and Zoning Board.

The Commissioners discussed Ms. LeClerc's proposal and determined that she would need to apply to the Conservation Commission and Zoning Board. Her concerns regarding the property management company can be forwarded to Code Enforcement.

**MOTION BY CHAIRMAN GALLAGHER, SECONDED BY COMMISSIONER CEDERQUIST, TO ACCEPT AND PLACE ON FILE THE EMAIL FROM JUDITH LECLERC RE: 1 HOLDEN ROAD.**

**MOTION CARRIED**

- H. Items
- I. Project Updates by Commissioners
- J. Nonpublic Session
- K. Adjournment

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER CEDERQUIST, TO ADJOURN**

**MOTION CARRIED**

APPROVED:

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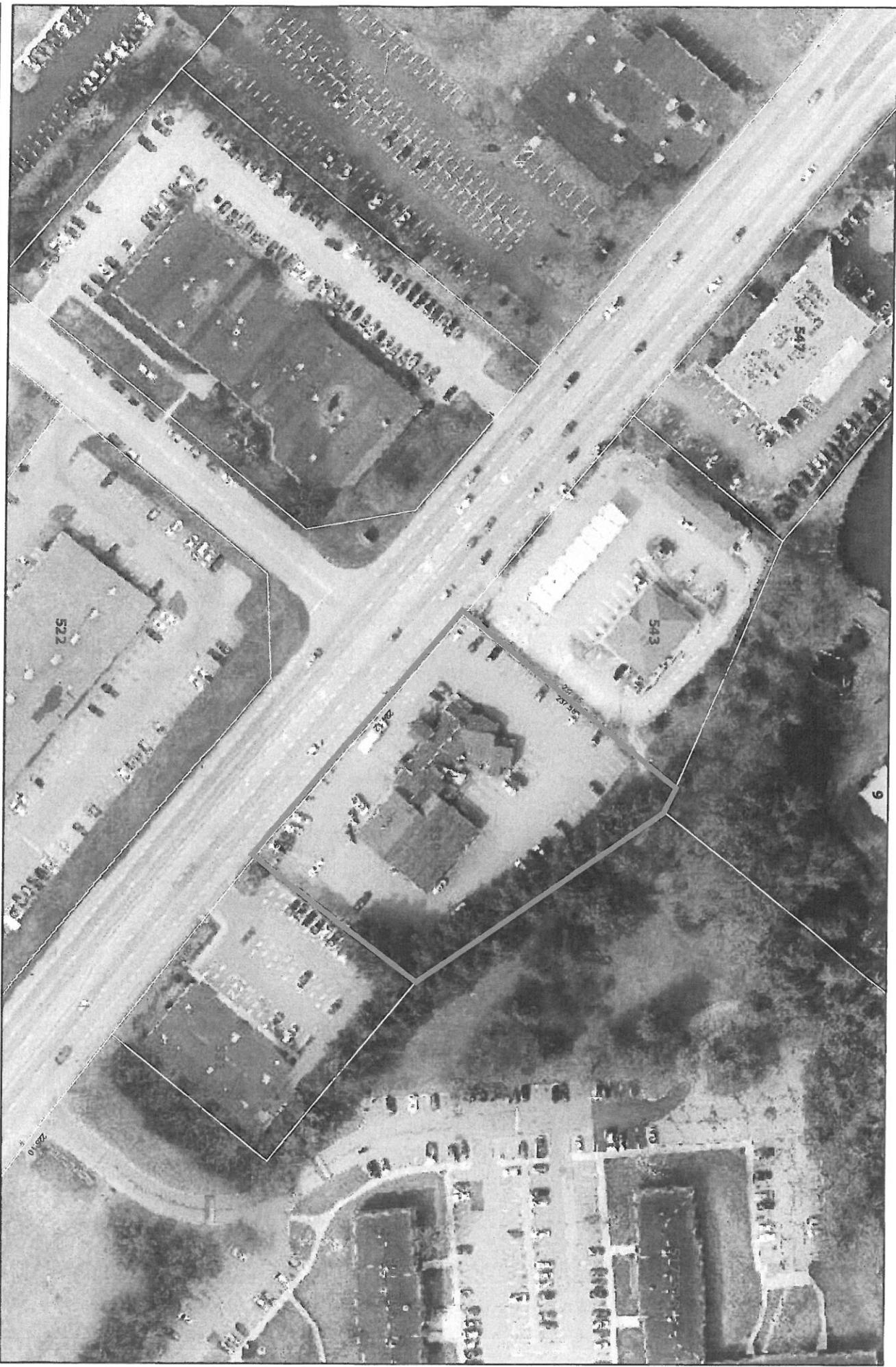
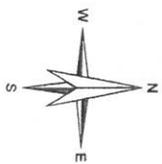
Richard Gillespie, Clerk, Nashua Conservation Commission

DIGITAL RECORDING OF THIS MEETING IS AVAILABLE FOR LISTENING DURING REGULAR OFFICE HOURS OR CAN BE ACCESSED ON THE CITY'S WEBSITE. DIGITAL COPY OF AUDIO OF THE MEETING MAY BE MADE AVAILABLE UPON 48 HOURS ADVANCED NOTICE AND PAYMENT OF THE FEE.

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Prepared by: Mindy Lloyd

Taped Meeting

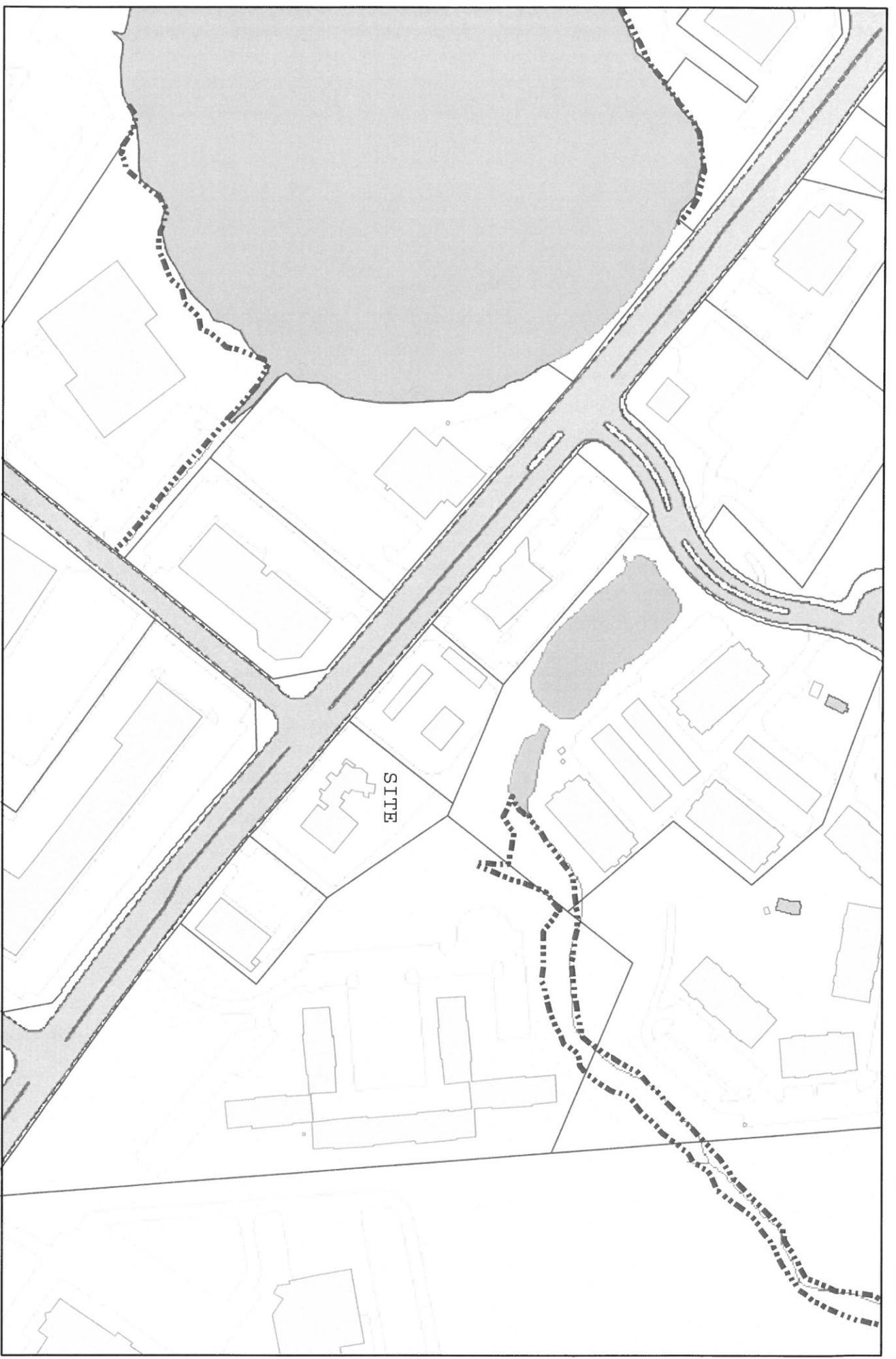
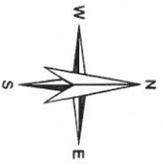


537 & 539 Amherst Street



1 inch = 154 feet





### GIS Wetlands Vicinity Map

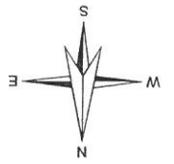


1 inch = 317 feet

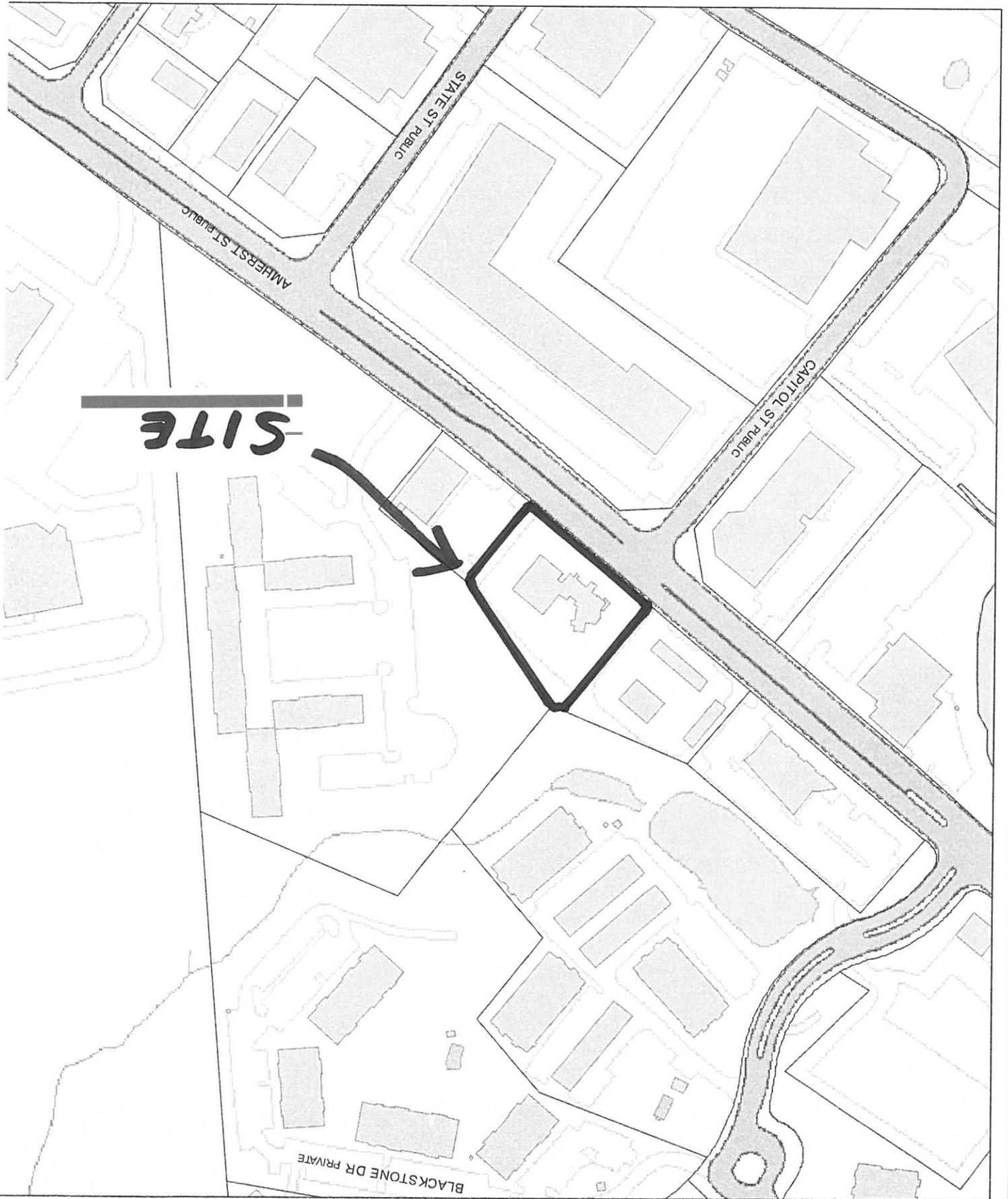


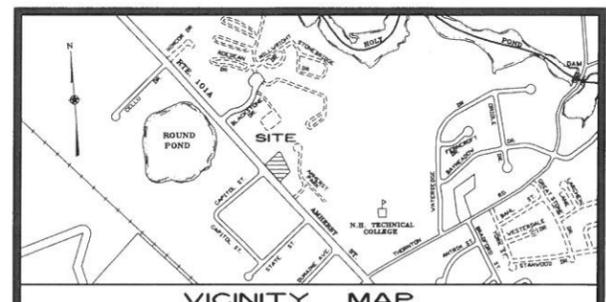
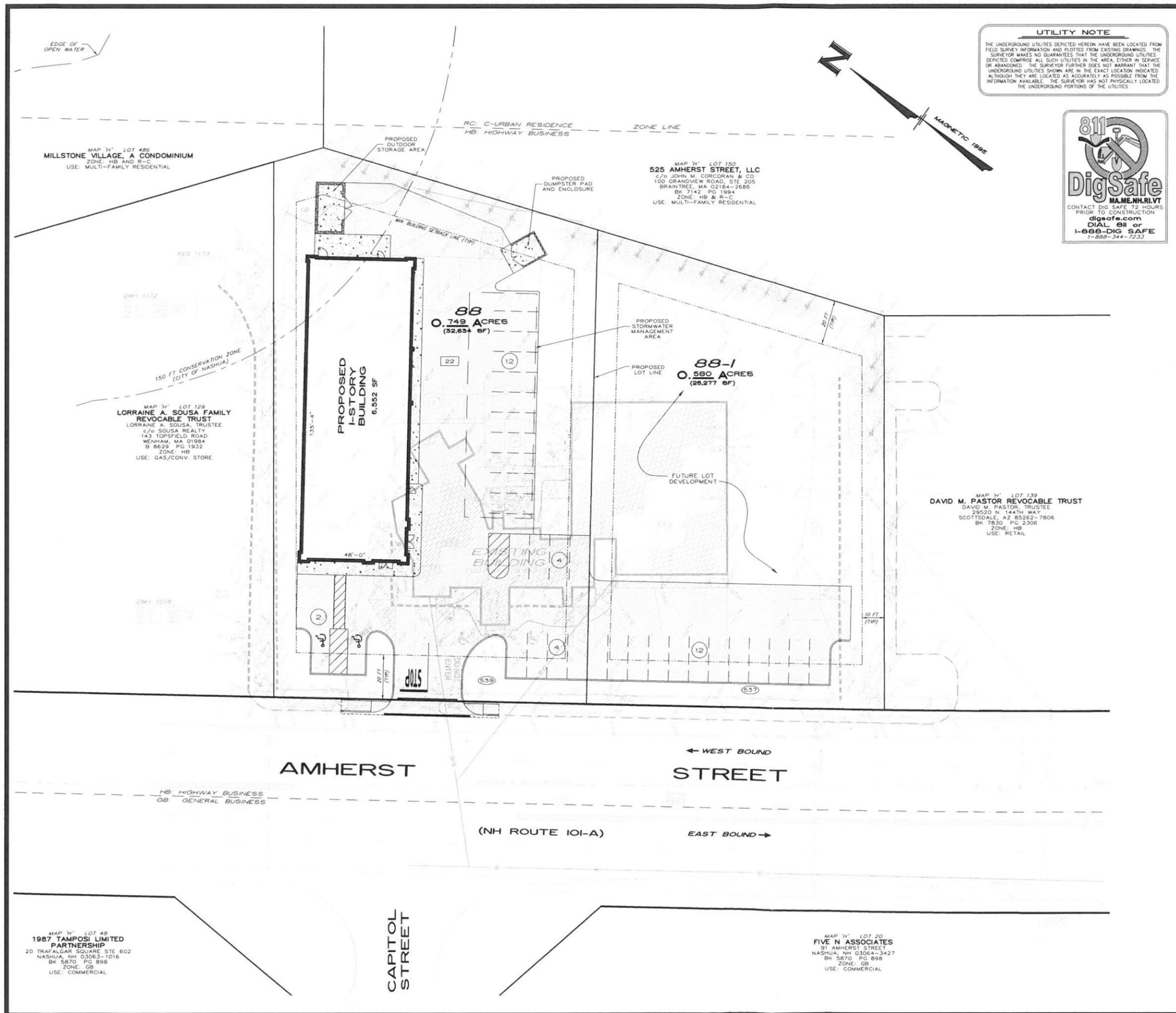


0 210 420 840 Feet  
1 inch = 304 feet



# 537-539 Amherst Street



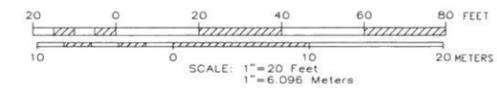


- NOTES:**
- TOTAL SITE AREA: 1.329 ACRES (57,911 SF)
  - PRESENT ZONING: HB; HIGHWAY BUSINESS REQUIRED  
 MINIMUM LOT REQUIREMENTS:  
 -LOT AREA: 20,000 SF  
 -LOT FRONTAGE: 80 FT  
 -LOT WIDTH: 100 FT  
 -LOT DEPTH: 80 FT  
 MINIMUM YARD SETBACKS:  
 -FRONT YARD: 20 FT  
 -SIDE YARD: 10 FT  
 -REAR YARD: 20 FT  
 -MAX BUILDING HEIGHT: 60 FT  
 -MAX STORIES: 5  
 -OPEN SPACE (%): 20  
 -MAX FLOOR RATIO: 0.75
  - LOT NUMBERS REFER TO THE CITY OF NASHUA ASSESSORS MAP 'H'.
  - PURPOSE OF PLAN:  
 TO SHOW THE PROPOSED SUBDIVISION OF LOT 88 INTO TWO NEW LOTS (NEW LOTS 88 & 88-1) AND THE PROPOSED RE-DEVELOPMENT OF NEW LOT 88 AND A PORTION OF LOT 88-1.
  - PRESENT OWNER OF RECORD:  
 MAP 'H', LOT 88  
 WALTER W. ANDERSON, JR.  
 539 AMHERST STREET  
 NASHUA, NH 03063  
 BK 6584, PG 809

**PRELIMINARY**  
 FOR REVIEW ONLY

No.	DATE	REVISION	BY
3	07/06/16	ADD PARKING FOR LOT 88-1	TEZ
2	06/20/16	ADD NOTES/STORMWATER MANAGEMENT AREA	TEZ
1	06/06/16	MINOR REVISIONS	TEZ

**CONCEPT PLAN**  
 (MAP 'H', LOT 88)  
**537 & 539 AMHERST STREET**  
 NASHUA, NEW HAMPSHIRE  
 PREPARED FOR:  
**HOLLAND HAMPSHIRE, LLC**  
 1310 SOUTH TRYON STREET, SUITE 104 CHARLOTTE, NORTH CAROLINA 28203 (704) 333-4244



23 MAY 2016

**HSI** Hayner/Swanson, Inc.  
 Civil Engineers/Land Surveyors  
 Three Congress Street Nashua, New Hampshire 03062-3301  
 Tel (603) 883-2057 Fax (603) 883-5057  
 www.hayner-swanson.com