

1. Zoning Board Regular Meeting Agenda (PDF)

Documents:

[20160823 ZBA AGENDA.PDF](#)

2. 20160823 ZBA Meeting Packet

Documents:

[20160823 65 NAGLE ST.PDF](#)

[20160823 1617 SOUTHWOOD DR.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

August 4, 2016

The following is to be published on ROP August 13, 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 23, 2016, at 6:30 PM at the Nashua City Hall Auditorium, 3rd floor, 229 Main Street.

1. Olivax, LLC (Owners) 1617 Southwood Drive (Sheet G Lot 557) requesting variance to exceed maximum wall sign area, 149.5 sq.ft existing, 150 sq.ft permitted - an additional 14 sq.ft proposed for a total sign area of 163.5 sq.ft. PI Zone, Ward 2.
2. Jose G. Balderas (Owner) 65 Nagle Street (Sheet 102 Lot 201) requesting variance for minimum lot area, 7,077 sq.ft existing, 12,446 sq.ft required - to convert a single-family home into a two-family home. RB Zone, Ward 6.

### 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."

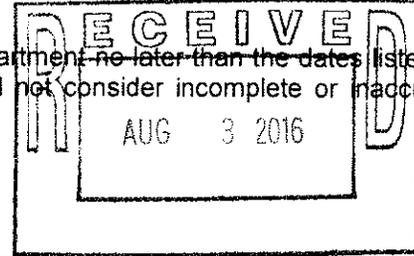


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 www.nashuanh.gov

**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 65 Nagle St  
 Zoning District RB Sheet 102 Lot 201

b. VARIANCE(S) REQUESTED:

To convert from a single family to a two family.  
12,446 sf required 7,077 sf existing

**2. GENERAL INFORMATION**

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

(Print Name): Crystal + Jose Balderas

Applicant's signature [Signature] Date 08-03-16

Applicant's address 65 Nagle St

Telephone number H: C:603 377 6164 E-mail: cpalderas 87@yahoo.com

b. PROPERTY OWNER (Print Name): Jose G Balderas

Owner's signature [Signature] Date 08-03-16

Owner's address 65 Nagle St

Telephone number H: C:603 377 0789 E-mail: —

**OFFICE USE ONLY**

Application checked for completeness: ML

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 8/3/16 Date of hearing 8/23/16

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

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

\$ 330 application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

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

PLR2016-00159

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.")

NO change to outside Exterior of Structure.

It won't threaten the area nor have a negative impact on the neighborhood.

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

two family developments are permitted in this area.

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.)

we would like to have a two family to rent out to other family members.

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.)

no the proposed use will not diminish the values of surrounding properties.

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

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

it had previously been a two family unit and it still has the same layout.

4. USE VARIANCE ADDITIONAL INFORMATION

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

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

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

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

[Signature]  
Signature of Applicant

08-03-16  
Date

Crystal Bableras  
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

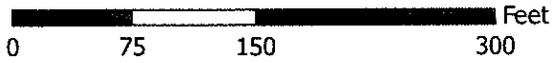
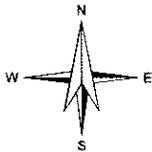
Please email it to me at \_\_\_\_\_

Please mail it to me at \_\_\_\_\_

\_\_\_\_\_



**65 Nagle St**

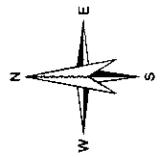
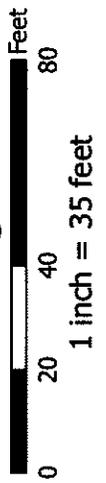


1 inch = 114 feet





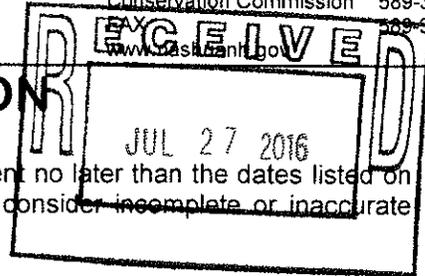
**65 Nagle St**





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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 1617 SOUTHWOOD DRIVE  
 Zoning District PI Sheet G Lot 557

b. VARIANCE(S) REQUESTED:  
REQUEST TO RELOCATE FINSTRAL SIGN ON REAR CORNER  
OF THE BUILDING, FACING INTO TRAFFALGAN SQUARE. THE REQUEST  
IS FOR "SHOES" UNDERNEATH "ALEC'S." WE ARE OPEN OUR  
SQUARE FOOTAGE ALLOWANCE FOR THE WORD "SHOES" HAVE BEEN  
TOLD "ALEC'S" MEETS THE ORDINANCE.

**2. GENERAL INFORMATION**

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)  
 (Print Name): ALEC'S SHOE STORE LLC  
 Applicant's signature JOR A. KOUTSOS, PRESIDENT Date 7/27/2016  
 Applicant's address 1617 SOUTHWOOD DRIVE  
 Telephone number H: 883-6811 C: 459-3959 E-mail: JKOUTSOS@AOL.COM

b. PROPERTY OWNER (Print Name): OLIVAX LLC  
 Owner's signature JOR A. KOUTSOS Date 7/27/2016  
 Owner's address 3 EAST OUNSTABLE ROAD  
 Telephone number H: 888-9258 C: 459-3959 E-mail: JKOUTSOS@AOL.COM

**OFFICE USE ONLY**

Application checked for completeness: ML

Case number \_\_\_\_\_ Application Deadline \_\_\_\_\_ Date Received 7/27/16 Date of hearing 8/23/16

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

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

\$ 330 application fee  cc rect # 383405 Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

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

2016-00147

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.")

REQUEST IS NOT CONTRARY TO PUBLIC INTEREST BUT HELPS TO IDENTIFY THE PROPOSED BUSINESS TO THE PUBLIC FROM THE REST OF THE AREA INTO THE FALLS SQUARE. THE NEIGHBORHOOD IS A COMMERCIAL DISTRICT AND IS THEREFORE IN CHARACTER. IT DOES NOT THREATEN PUBLIC HEALTH, SAFETY, RIGHTS OR WELFARE IN ANY MANNER.

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 request is within the spirit of the ordinance because it provides relief that a building of its substantial size requires. IT ENDS PUBLIC ROADS & DEVELOPMENT ON THREE (3) SIDES.

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

There is no harm to the public in any way. The request is within good taste and is in character given the unique setting & size of property. (9.96 ACRES)

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.)

REQUEST ~~WILL~~ WILL NOT DIMINISH IN ANY WAY SURROUNDING PROPERTY VALUES. IT IS A CONSISTENT USE WHICH EXISTS IN THE GENERAL 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

VARIANCE APPLICATION

Page 3

Address \_\_\_\_\_

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 UNIQUE SETTING AND SUBSTANTIAL SIZE OF THE PROPERTY  
CREATE A SPECIAL CONDITION THAT WARRANTS RELIEF. THE  
REAR WALL IS 230 FEET LONG AND FACES IN A DIRECTION  
REQUIRE A SIGN BECAUSE NO OTHER SIGN IS VISIBLE  
FROM REAR VIEWING POINT FROM TRAFICWAY SQ.



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.

John A. Koussos  
Signature of Applicant

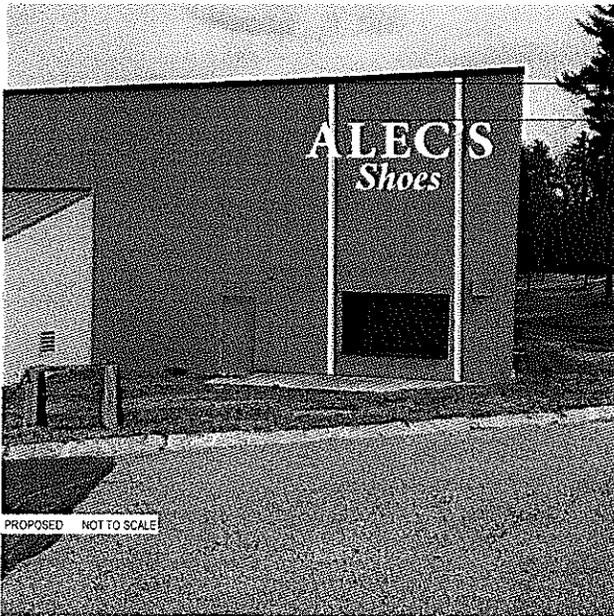
7/27/2016  
Date

John A. Koussos  
Print Name

7/27/2016  
Date

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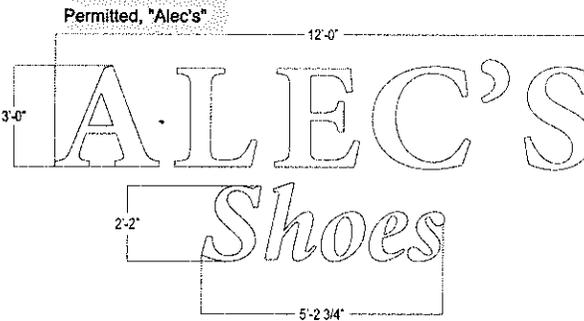
- I will pick it up at City Hall
- Please email it to me at \_\_\_\_\_
- Please mail it to me at \_\_\_\_\_  
\_\_\_\_\_



PROPOSED NOT TO SCALE

APPLY LETTERS 40" DOWN FROM FLASHING TO TOP OF LETTERS CENTERED OVER WINDOWS 6" SQ. TUBES ON BACK OF WALL ON 129" C TO C AVOID ELECT IN THIS AREA

"SHOES" TO BE RETROFITTED AND STORED AT SITE FOR INSTALL AT LATER DATE IF CLIENT RECEIVES CITY APPROVAL THIS LETTER SET TO BE REMOVED FROM NASHUA AND RETROFITTED WITH LED



Proposed — 11 SF additional

**INSTALLATION CREW NOTES**

Loc. Plan Provided:  Yes  No

Crane High Required:  Yes  No

# of Crews/Trucks: \_\_\_\_\_

Working Hrs Allowed: \_\_\_\_\_

Equip. Rental Req:  Yes  No

Special Vehicle Type:  Yes  No

Power Lines:  Yes  No

Cover:  Yes  No Pole #: \_\_\_\_\_

Police Detail Req:  Yes  No

Block off Parking Area:  Yes  No

Sidewalk Permit Req:  Yes  No

Overnight Req:  Yes  No #:

Special Note: \_\_\_\_\_

Letter/Wall Signs:  Sign  No

Access to Sign:  Interior  Exterior

Height of Writing Behind Wall: \_\_\_\_\_

Crawl Space Available:  Yes  No

Crawl Space Size: \_\_\_\_\_

Roof Overhang:  Yes  No

Awning:  Yes  No

Special Equipment:  Yes  No

Mail/Center:  Yes  No

Allowed Working Hrs.: \_\_\_\_\_

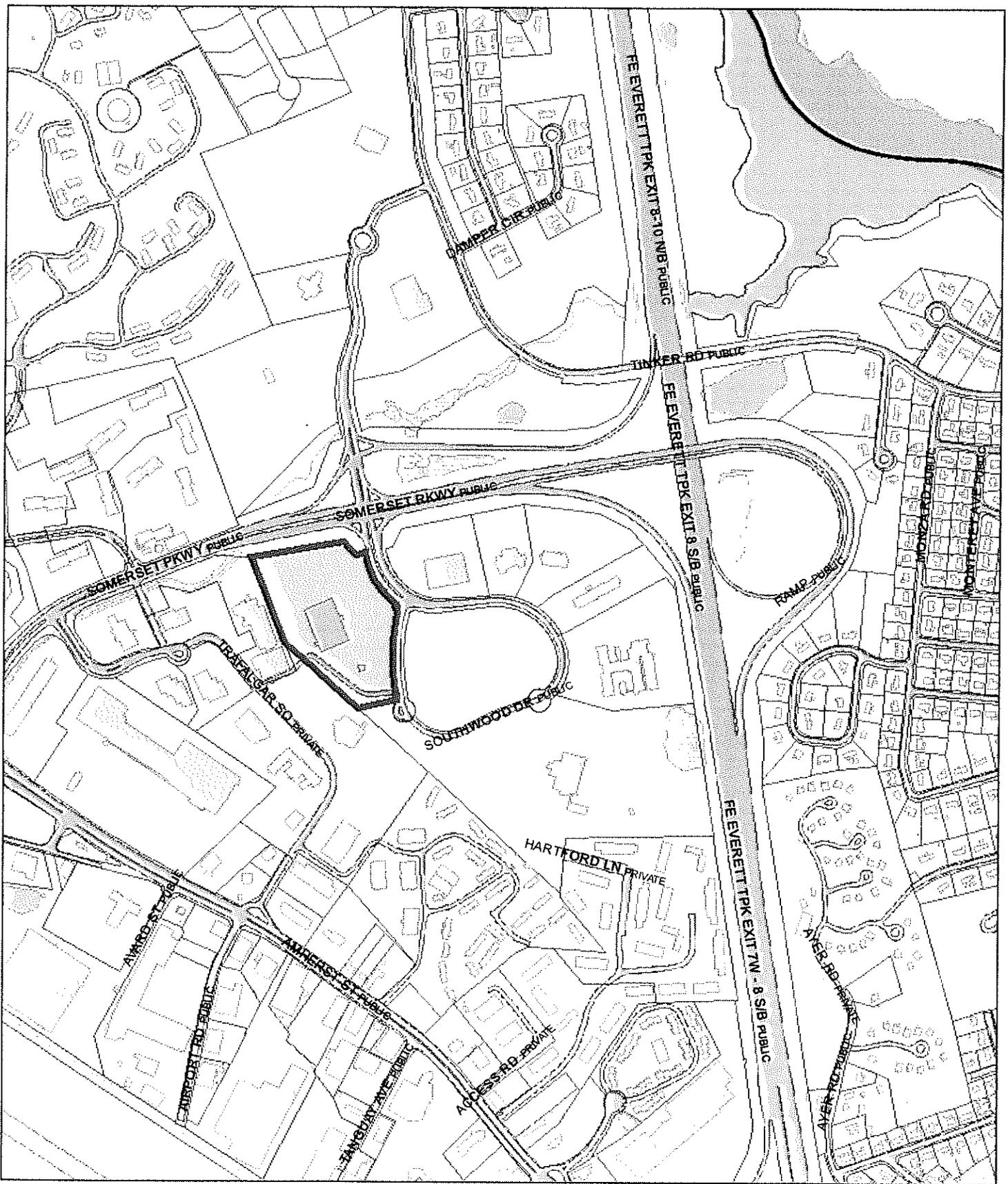
Barricades:  Yes  No

**ITEM E** - MOVE EXISTING SET OF CHANNEL LETTERS.

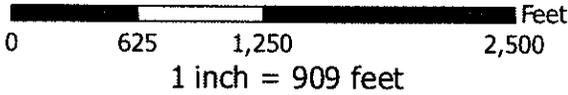
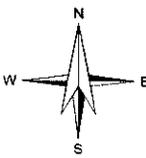
SCALE: 3/8"=1'-0"

BM 7/15/16 COMPLETE REVISION SET OF PRINTS - RELEASED TO PRODUCTION - REPLACE PRIOR RELEASE

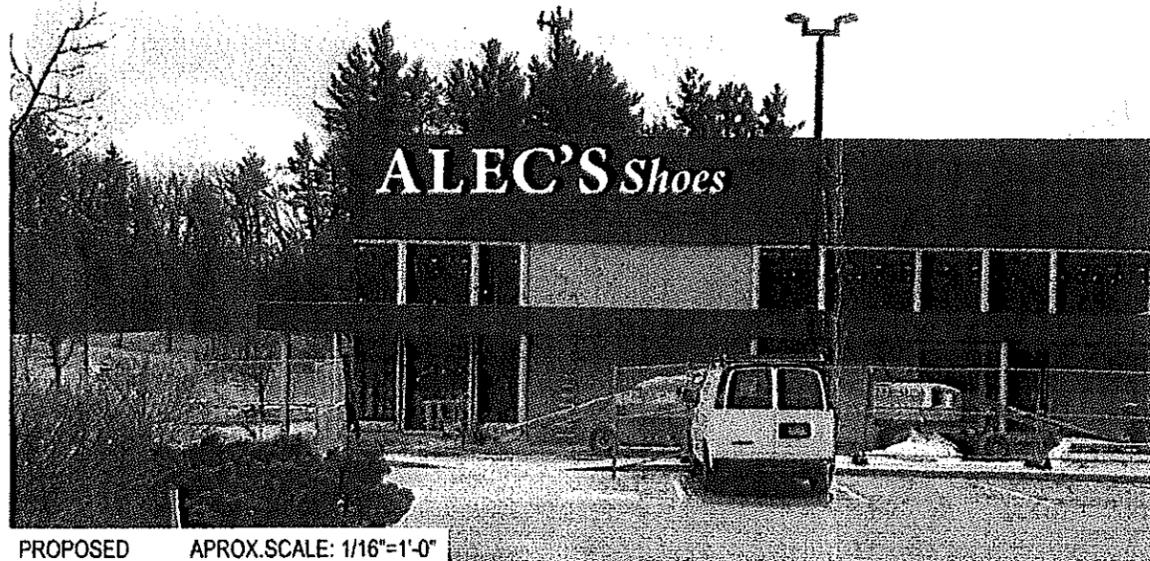
JOB#: 95979		CHANNEL LETTER COLORS		GENERAL NOTES		REVISIONS		Job Name Alec's Shoes	
<b>SCOPE OF WORK - BARLO HUDSON</b>		Returns:	EXISTING	<input checked="" type="checkbox"/> Gloss <input type="checkbox"/> Matte		Date	Comment	Location: 1617 Southwood Dr. Nashua NH 03063	
MOVE EXISTING 35" CHANNEL LETTERS FROM PREVIOUS LOCATION TO NEW.		Trim:	EXISTING	LED: WHITE				Design Specifications Accepted By:	Drawn By: Nadjia/KD
		Raceway:						Client:	Estes Rep: WHEE
		Letters:	EXISTING					Landlord:	PM: LM
		Logo:						Date:	Dec 4/8/16
Artwork Req: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Photos Avail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							<b>PROJECT APPROVAL</b>	
Sign Deposition: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Corp Specs Avail: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							Design: _____	Date: _____
ALL COLORS ARE FOR REPRESENTATION ONLY. SEE ACTUAL SAMPLES FOR COLOR MATCH.								Engineering: GN	Date: 8-17
								Estimating: _____	Date: _____
								Sales: _____	Date: _____
								Production: _____	Date: _____
								Installation: _____	Date: _____
								© COPYRIGHT 2016 THE BARLO GROUP	
								1617 SOUTHWOOD DR. NASHUA, NH 03063	
								PHOTOGRAPHY BY: [Logos]	
								Per Name: Alec's Shoes 160416365 CO 7-14 (U) p	
								E-16-04-16365 SHEET: 5.0	



**1617 Southwood Dr**



FINAL SIGN PLACEMENT  
TO BE VERIFIED ON FIELD  
BY CUSTOMER.

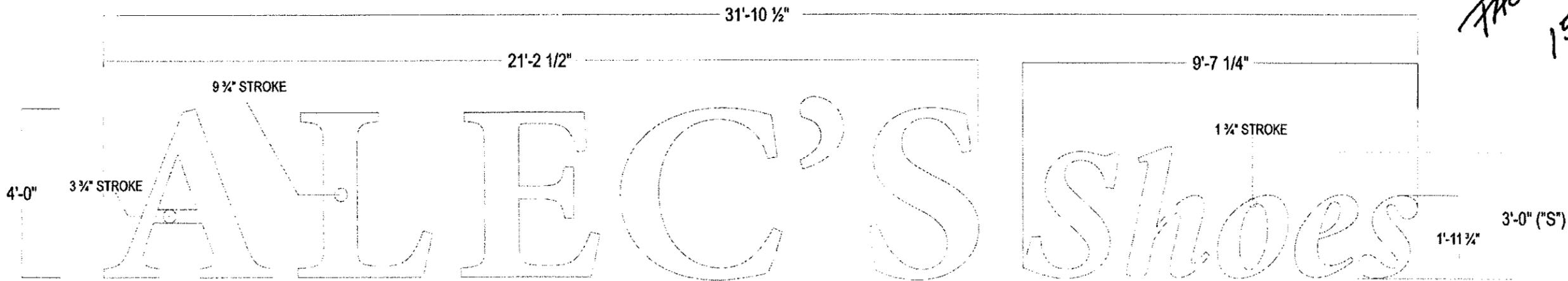


PROPOSED APROX.SCALE: 1/16"=1'-0"



EXISTING

*FACE = 160'  
150' ± Permitted  
113.5' ± Proposed*



84.8 SQ. FT.

28.7 SQ. FT.

**ITEM A** - (1) SET OF FACE-LIT LED CHANNEL LETTERS

SCALE: 3/8"=1'-0"

JOB#:	CHANNEL LETTER COLORS	GENERAL NOTES	REVISIONS	Job Name: Alec's Shoes	<p>158 Greeley St., Hudson, NH 03051 (603) 882-2638 Fax (603) 882-7680 For Service: 800-227-5674</p>
SCOPE OF WORK	Returns: .040 WHITE BEA <input checked="" type="checkbox"/> Gloss <input type="checkbox"/> Matte	<p><b>SITE SURVEY REQUIRED</b></p> <p><b>ALL COLORS TO BE VERIFIED BY CUSTOMER</b></p>	Date	Location: 1617 Southwood Dr. Nashua NH 03063	
M&I (1) SET OF FACE-LIT LED CHANNEL LETTERS	Trim: 1" WHITE LED: WHITE		4/14/16	Design Specifications Accepted By	
Sign Area: SEE DRAWING	Raceway: N/A		ADD MEASUREMENT TO EXISTING. CHANGE SIZE OF CHANNEL LETTERS	Drawn By: Nadya	
Artwork Req: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Letters: WHITE 7328 PLEX			Sales Rep: WHEE	
Sign Deposition:	Logo: N/A		PM: LM	Client:	
REMOVE 2 SETS OF EXISTING CHANNEL LETTERS	Corp Specs Avail: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date: 4/8/16	Landlord:	
	ALL COLORS ARE FOR REPRESENTATION ONLY. SEE ACTUAL SAMPLES FOR COLOR MATCH.			<p><b>PROJECT APPROVAL</b></p> <p>Design: Date:</p>	
				<p>Engineering: Date:</p>	
				<p>Estimating: Date:</p>	
				<p>Sales: Date:</p>	
				<p>Production: Date:</p>	
				<p>Installation: Date:</p>	
				<p>File Name: Alec's Shoes 160416365 J</p>	
				<p><b>B-16-04-16365</b></p>	
				<p>SHEET: 1.0 OF: 7.0</p>	