1. Zoning Board Regular Meeting Agenda (PDF)

    Documents:

        20161122 ZBA AGENDA.PDF

2. 20161122 ZBA Meeting Packet

    Documents:

        20160927 711 WEST HOLLIS ST.PDF
        20161122 75 TO 77 NORTHEASTERN BLVD.PDF
        20161122 150 MANCHESTER 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	

November 10, 2016

The following is to be published on ROP November 12, 2016, under the Seal of the City of Nashua, Public Notice Format 65 MP 51.

Notice is hereby given that a Public Hearing of the City of Nashua Zoning Board of Adjustment will be held on Tuesday, November 22, 2016, at 6:30 PM at the Nashua City Hall Auditorium, 3rd floor, 229 Main Street.

1. 711 West Hollis Street Realty Trust, LLC, Michelle Rodriguez, Manager (Owner) 711 West Hollis Street (Sheet F Lot 54) requesting variance to exceed maximum principal structures permitted on one lot, one existing, four additional detached units proposed for a total of five units. R9 Zone, Ward 5. **[REHEARING]**

2. Sandra Srdanovic Soler (Owner) 150 Manchester Street (Sheet 137 Lot 181) requesting special exception to maintain an existing accessory (in-law) dwelling unit. RA Zone, Ward 2.

3. Faye Mandrevelis, Trustee of the Mandravelis Realty Trust (Owner) Harbor Homes, Inc. (Applicant) 75-77 Northeastern Boulevard (Sheet 140 Lot 33) requesting variance to permit an office building without a drive-through facility, without the requirement that it be part of a site plan in which at least 75% of the gross floor area is reserved for uses listed in the "industrial and manufacturing" category. PI 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."

City of Nashua

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City Hall, 229 Main Street, PO Box 2019
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Conservation Commission	589-3105
FAX	589-3119

www.nashuanh.gov

RECEIVED
AUG 30 2016
CF

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 711 WEST HOLLIS ST

Zoning District R9 Sheet F Lot 54

b. VARIANCE(S) REQUESTED

MULTIPLE BUILDINGS/RESIDENCES ON ONE LOT WITH SHARED DRIVE, 62,006 SF LOT, 5 UNITS IS 1 PER 12,401 SF WHERE REQUIREMENT IS 1 UNIT PER 9,000 SF

2. GENERAL INFORMATION

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

711 WEST HOLLIS ST. REALTY, LLC, MICHELLE RODRIGUEZ MGR

Applicant's signature [signature] Date 8/30/16

Applicant's address 79 CONANT ROAD, NASHUA NH 03062

Telephone number (home) — (work) 718-296-2869

b. PROPERTY OWNER ~~STATE~~ MICHELLE RODRIGUEZ, MGR

Owner's signature _____ Date _____

Owner's address _____

Telephone number (home) _____ (work) _____

Case number _____ Application Deadline _____ Date Received 8-30-16 Date of hearing 9-27-16

Notices: Newspaper ☐ Abutters ☐ Board Action _____

$_____ _____ fee ☐ Date Paid _____ Receipt # _____

$_____ application fee ☐ Date Paid _____ Receipt # _____

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

2016-00203

Address 711 WEST HOLLIS ST, NASHUA

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.")

PUBLIC INTEREST SERVED WITH AFFORDABLE HOUSING AND NO NEW CITY STREETS TO MAINTAIN

SEE SIMILAR PROPERTIES IN NEIGHBORHOOD SUCH AS COURTNEY LANE, LOWTHER PLACE, 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.")

R-9 ZONE / 1 UNIT / 9,000 SF. THIS PROPOSAL IS FOR 5 UNITS (EXISTING + 4 NEW) AT DENSITY OF ONE UNIT PER 12,401 SF

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.)

ALLOWS PROPERTY OWNER REASONABLE USE OF HER LAND SIMILAR TO NEIGHBORS AND AT LESS DENSITY THAN ORDINANCE REQUIRES

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.)

VERY SIMILAR HOUSING TO ADJACENT NEIGHBORHOOD, NEW CONSTRUCTION ENHANCES PROPERTY VALUES

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 111 WEST HOUGHS ST

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.

LONG AND NARROW LOT, BUILDING PUBLIC ROAD TO BE MAINTAINED BY CITY SERVES NO PURPOSE

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.

N/A

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.

Richard Maynard AUTH REP
Signature of applicant

3/30/16
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 MPEALLC@AOL.COM
☐ Please mail it to me at _____

Maynard & Paquette
Engineering Associates, LLC
Consulting Engineers and Land Surveyors
23 East Pearl Street, Nashua, NH 03060
Phone (603)883-8433 Fax (603)883-7227

September 12, 2016

Carter Falk
Zoning Administrator
City Hall
229 Main Street
Nashua, NH 03060

ZBA Application - Rodriguez
711 West Hollis St. (J-12459)

Dear Carter:

Attached are letters from abutters to the above variance application expressing their support for the project. The abutters are:

- Srikanth Garikipati at 715 West Hollis Street, Nashua
- Gil Dubray AT 713 A&B West Hollis Street, Nashua

Please include these letters of support in the application package to be distributed to the ZBA members for the September 27th meeting.

Enclosed also is a letter of authorization for Richard A. Maynard and Maynard & Paquette to represent the applicant and property owner.

Very Truly Yours,
MAYNARD & PAQUETTE
ENGINEERING ASSOCIATES, LLC

Richard A. Maynard

enc.
cc w/enc: Michelle Rodriguez, Manager
711 West Hollis St. Realty, LLC
ram2459

August 29, 2016

711 West Hollis Street Realty
Nashua, NH (J-12459)

To Whom It May Concern:

Please be advised that Richard A. Maynard and the firm of Maynard & Paquette Engineering Associates, LLC are fully authorized to represent me, Michelle Rodriguez, Manager and 711 West Hollis Street Realty, LLC, with regard to property at 711 West Hollis Street, Nashua, NH (Map F/Lot 54) before any and all Nashua Boards and Agencies including the ZBA, Planning Board, etc.

Very Truly Yours,

Michelle Rodriguez, Manager and
711 West Hollis St. Realty, LLC

cc: Maynard & Paquette
Engineering Assoc., LLC

ram2459c

August 31, 2016

To Whom it may concern,

The purpose of this letter is to express that I fully understand what is being proposed at 711 West Hollis Street and that I have no reservations or objections to that plan.

Sincerely,

Gil Dubray

Gil Dubray

711 A & B West Hollis St

August 31, 2016

To Whom it may concern,

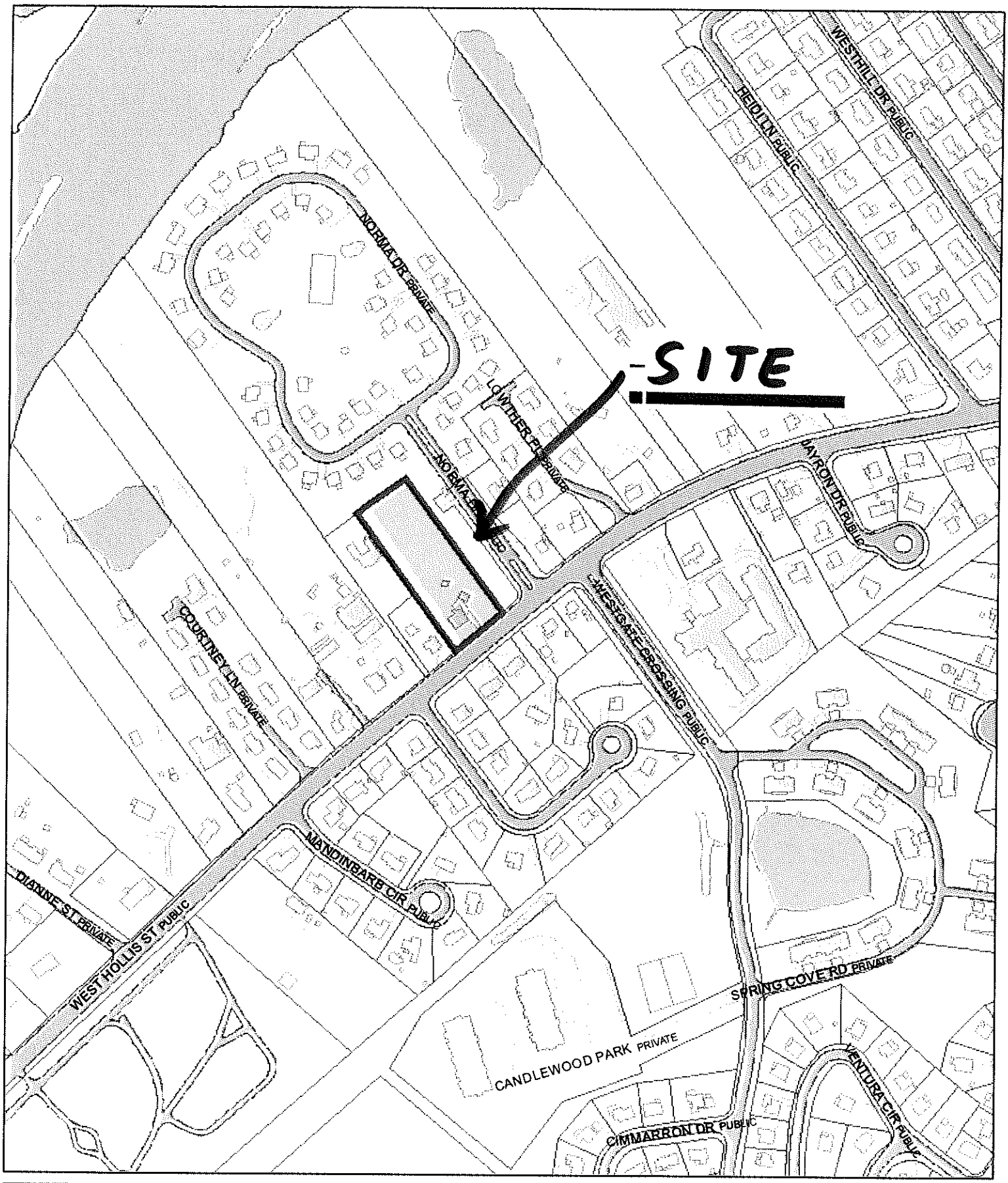
The purpose of this letter is to express that I fully understand what is being proposed at 711 West Hollis Street and that I have no reservations or objections to that plan. (for 4 houses)

Sincerely,

G. Srikanth

Srikanth Garikipati

715 WEST HOLLIS ST



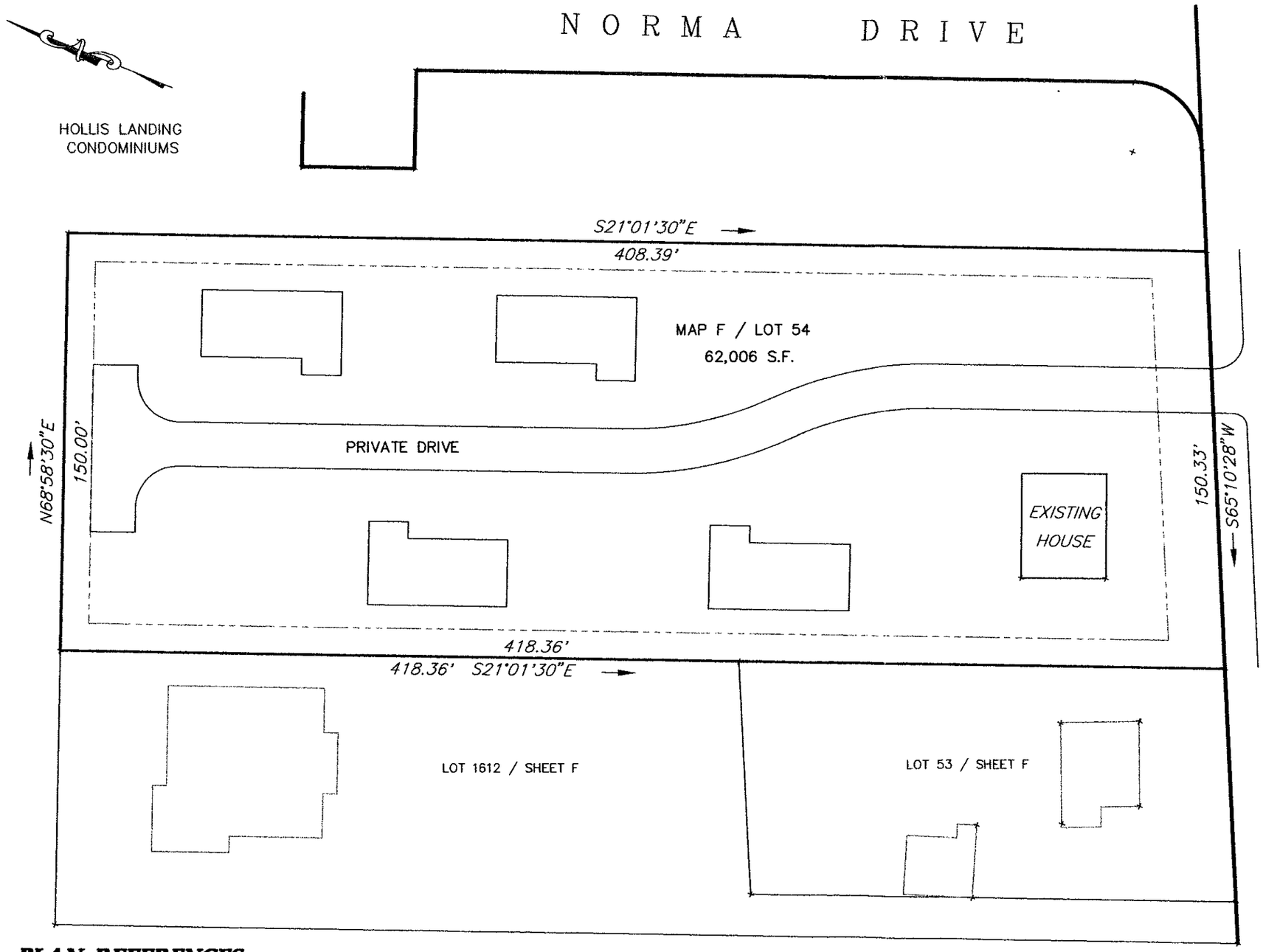
711 West Hollis Street

N
W E
S

0 290 580 1,160 Feet

1 inch = 423 feet

NASHUA GIS



NOTES

1. ZONED "R 9" (C-SUBURBAN RESIDENCE)
   MINIMUM AREA-9,000 S.F.
   MINIMUM LOT WIDTH-90'
   MINIMUM LOT FRONTAGE-75'
   MINIMUM LOT DEPTH-90'
   SETBACKS 20' FRONT
   10' SIDE
   30' REAR
2. VARIANCE-MULTIPLE (5) RESIDENCES/BUILDINGS ON ONE LOT WITH SHARED DRIVE.
3. PROPOSED 5 UNITS/HOUSES ON 62,006 S.F. OR 1 UNIT / 12,401 S.F.

PLAN REFERENCES

1. OAKMONT PARK
   HOLLIS-PEPPERELL ROAD, NASHUA, N.H.
   SCALE 1"=100' DATED JULY 1936
   BY NOTTINGHAM SURVEYORS
   HCRD NO. 2606

ZBA PLOT PLAN
MAP F / LOT 54

711 WEST HOLLIS ST.
NASHUA, N.H.

SCALE: 1" = 40' DATE: AUGUST 29, 2016

Maynard & Paquette Engineering Associates, LLC
Consulting Engineers and Land Surveyors
23 East Pearl Street, Nashua, N.H. 03060
Phone: (603)883-8433 Fax: (603)883-7227

KPM	KPM		CERT	B	12459
DRAFTED	CHECKED	BOOK / PAGE	TYPE	SIZE	JOB NUMBER

C:\DWG\124592P Tue Aug 30 11:41:05 2016 KPM PARALLEL

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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Code Enforcement	589-3100
Urban Programs	589-3085
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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 75-77 Northeastern Boulevard

Zoning District PI Sheet 140 Lot 33

b. VARIANCE(S) REQUESTED:

Variance from Section 190-15 and Table 15-1 (Use Matrix) of the Land Use Code to permit an office building, without drive-through facility (listed in item 97 of Table 15-1), without the requirement that it be part of a site plan in which at least 75% of the gross floor area is reserved for uses listed in the "industrial and manufacturing" category.

2. GENERAL INFORMATION

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

(**Print** Name): Harbor Homes, Inc.

Applicant's signature Peter Kelleher, President & CEO Date October 25, 2016

Applicant's address c/o Winer and Bennett, LLP, P.O. Box 488, Nashua, New Hampshire 03061-0488

Telephone number H: 603-882-5157 C: n/a E-mail: jbwestgate@winerbennett.com

b. PROPERTY OWNER (**Print** Name): Faye Mandravelis, Trustee of The Mandravelis Realty Trust

Owner's signature Faye Mandravelis Date October 25, 2016

Owner's address P.O. Box 791, Nashua, NH 03061-0791

Telephone number H: C: 603-204-7946 E-mail:

OFFICE USE ONLY **Application checked for completeness:** ✓ CF 10-25-16

Case number *Application Deadline* *Date Received* *Date of hearing* 11-22-16

PLR# 2016-00244 *Board Action*

$900 *application fee* ☑ > CK # 72434 → *Date Paid* 10/25/16 *Receipt #*

$15 *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.")
See attached.

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.")
See attached.

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.)
See attached

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.)
See attached.

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.

See attached

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 100 (est.) Number of employees per shift 100 (est.)
b. Hours and days of operation 24/7 (all operations at site)
c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors 5 (est.)
d. Number of daily and weekly commercial deliveries to the premises 1 (est.)
e. Number of parking spaces available See copy of Amended Site Plan attached.
f. Describe your general business operations General office use, including for Applicant's administrative and program staff. Answers to 4(a) above pertain to Applicant's office staff only.
g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation None contemplated except for internal building fit-up.

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.

Harbor Homes, Inc.

By: [signature] President & CEO — October 25, 2016
Signature of Applicant — Date

Peter J. Kelleher, Pres + CEO — October 25th 2016
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 jbwestgate@winerbennett.com
☐ Please mail it to me at

HARBOR HOMES, INC. – APPLICANT

FAYE MANDRAVELIS, TRUSTEE OF THE MANDRAVELIS REALTY TRUST – OWNER

75-77 NORTHEASTERN BOULEVARD (MAP 140, LOT 33)

ATTACHMENT TO VARIANCE APPLICATION

1. **VARIANCE INFORMATION**

b. VARIANCE(S) REQUESTED

Harbor Homes, Inc. (the Applicant) requests a variance from Section 190-15 and Table 15-1 (Use Matrix) of the Land Use Code to permit an office building, without drive-through facility (listed in item 97 of Table 15-1), without the requirement that it be part of a site plan in which at least 75% of the gross floor area is reserved for uses listed in the "industrial and manufacturing" category.

3. **PURPOSE OF REQUEST**

Introduction

Faye Mandravelis, Trustee of the Mandravelis Realty Trust, is the owner of real estate situated on the northeasterly side of Northeastern Boulevard, known as Map 140, Lot 33 on the City Tax Maps. Lot 33 contains approximately 5.6 acres and is known as 75-77 Northeastern Boulevard (the "Premises"). The Premises contains a commercial or industrial building with warehouse space, containing approximately 88,492 square feet of space. The building was built in two phases, but is attached with a shared wall (thus the two different street addresses).

The portion of the building with the address of 75 Northeastern Boulevard is a single-story building, containing approximately 31,426 square feet, occupied by St. Joseph Hospital of Nashua, N.H. ("St. Joseph Hospital") which provides physical therapy and rehabilitation services thereat, using approximately 13,426 square feet. St. Joseph Hospital also uses portions of the building at 75 Northeastern Boulevard for medical records storage and warehouse purposes, using approximately 18,000 square feet.

The portion of the building with the address of 77 Northeastern Boulevard is a two-story building, containing approximately 16,000 square feet of warehouse space and 41,066 square feet of commercial, office and common space. A portion of 77 Northeastern Boulevard is occupied by a long term tenant, Hello Direct, Inc., which uses both office space (approximately 9,327 square feet) and warehouse space (approximately

10,507 square feet). The balance of 77 Northeastern Boulevard (approximately 37,232 square feet) is presently vacant.

The Applicant desires to renovate and modernize the vacant portion of 77 Northeastern Boulevard to be used as (i) a facility to provide "inpatient" (residential) rehabilitation services for individuals with alcohol and substance abuse disorders (the "Treatment Facility") and (ii) general office use. No changes to the building footprint or site are planned.

Please see attached the proposed Site Plan. If this Variance Application is successful, Harbor Homes, Inc. intends to submit the Site Plan for administrative approval. The Site Plan lists the current and proposed uses at the Premises and the related parking requirements.

At present, the proposed office use is contemplated to be for the Applicant's administrative and programming staff, but may be used for other general office purposes, including possible subleasing to third parties as circumstances permit.

The Treatment Facility would be similar to, or the functional equivalent of, Keystone Hall – an alcohol and drug rehabilitation facility operated by Harbor Homes, Inc.'s affiliate, Greater Nashua Council on Alcoholism, at 615 Amherst Street. The final design and layout of the Treatment Facility (in the building at 77 Northeastern Boulevard) has not yet been finalized. It is contemplated that the Treatment Facility would occupy 13,000 square feet to 20,000 square feet (approximately) of currently vacant space at 77 Northeastern Boulevard. The space would be leased by Harbor Homes, Inc. to Greater Nashua Council on Alcoholism to operate the Treatment Facility.

The balance of the vacant space 77 Northeastern Boulevard would be used for general office purposes as noted above. Since there is approximately 37,232 square feet of presently vacant space at 77 Northeastern Boulevard, the general office space would be the remainder of the currently vacant space not to be used by the Treatment Facility. Therefore, that general office space (e.g. initially contemplated for the Applicant's administrative programming staff) could range from 24,232 square feet to 17,232 square feet (approximately), depending upon the size of the Treatment Facility.

The Premises are located in the Park Industrial (PI) District, in an area of mixed uses (many of which are not industrial). The proposed Treatment Facility is a permitted use in the PI District as a "sanitarium" (listed in item 245 in Table 15-1).

In addition to permitting traditional industrial and manufacturing uses, the PI District permits a variety of other uses by right. For example, self-storage facilities, warehouses, athletic clubs, noncommercial parks and playgrounds, studios for artists, ambulance services, churches and synagogues, clubs and lodges, hospitals or sanitariums, medical and dental clinics and offices, and schools, colleges and universities are all permitted in the PI District by right.

Furthermore, an even greater variety than those permitted uses currently exists on Northeastern Boulevard and in the surrounding area. For instance, across Northeastern Boulevard from the Premises are three complexes of small office suites, including many health care businesses (such as dentists and physical therapists) as well as several general offices (including, among others, realtors, attorneys and other small businesses). To the east of the Premises are a fitness club and restaurant and adjacent to the Premises (across Murphy Drive) is a karate studio. Also in the near vicinity of the Premises are two properties owned or operated by the Federal Aviation Administration. There are also other restaurants, banks, a motel, and a church or temple. In sum, the area along Northeastern Boulevard contains many small and mid-sized parcels (in addition to some larger parcels), the clear majority of which are not currently traditional industrial or manufacturing uses.

Project Outline

As presently contemplated, the Treatment Facility would contain approximately 55 units (beds), primarily double-occupancy rooms with a shared half bath. Common full baths with showers/tubs would be provided. The Treatment Facility would contain shared living and treatment space, at least two large meeting rooms, at least one community room/living area, and a common kitchen/cafeteria. The Treatment Facility would be staffed 24/7 and would include licensed alcohol and drug therapy professionals and certified recovery support specialists as well as cafeteria and office staff. The Applicant contemplates that the Treatment Facility will also have a training/employment and education component, as well as an office space for Treatment Facility staff members.

The Applicant proposes to renovate the remaining vacant space in 77 Northeastern Boulevard to be used as general office space. An office building, without drive-through facilities, is permitted as a conditional use in the PI District, subject to the requirement that such use be a component of a site plan in which at least 75% of the gross floor area is reserved for uses listed in the "industrial and manufacturing" category. The current uses by St. Joseph Hospital of 75 Northeastern Boulevard (providing physical therapy and rehabilitation services and medical (records) storage and warehousing) are permitted uses in the PI District (see (1) "medical...clinic or office...ambulatory or outpatient care..." listed in item 247 of Table 15-1 and (2) "warehouses, generally" listed in item 199 of Table 15-1); however, those permitted uses do not fall within the industrial and manufacturing category. These uses were recognized by the Planning Department's administrative approval of the current site plan on November 20, 2012.

Because the existing uses by St. Joseph Hospital alone account for approximately 35% of the gross floor area of the Premises, no site plan could show a scenario where 75% of the gross floor area of the Premises is reserved for uses in the industrial and manufacturing category. Therefore, the Applicant seeks a variance from that requirement with respect to its proposed general office use.

Currently, the Applicant houses its administrative and program staff at its location at 45 High Street in Nashua. The High Street facility also includes a health clinic and

dental clinic, serving the City's low-income populations (many of whom live in the downtown area). Due to the high demand for these clinics, the Applicant desires to relocate its administrative and program staff to the 77 Northeastern Boulevard location, to make more space available at 45 High Street for the clinics.

Furthermore, due to the ever-changing nature of the public health crises which the Applicant seeks to address, having sufficient modern general office space to house its administrative and program staff is critical. Using the remaining vacant space at the Premises for this purpose would allow the Applicant to accommodate its administrative and programming needs, recognizing the changing circumstances that require it to frequently expand or change its offered services. Furthermore, it would allow the Applicant to make full use of the Premises, rather than leaving approximately 20% or 30% of the gross floor area vacant and without a logical, permitted use by the Applicant.

Harbor Homes, Inc. envisions that upwards of 100 people from its administrative and program staff at 45 High Street and other locations could be housed in the proposed office space at 77 Northeastern Boulevard.

5 Criteria for Granting a Variance

The numbers below correspond to the numbered subsections of Section 3 of the Variance Application.

1. **Granting of the requested variance will not be contrary to the public interest,** because:

Given the character of the neighborhood and nature of the site, it is not contrary to the public interest to permit vacant space, in an existing building, to be used as an office building, without drive-through facility, on a parcel of land in the PI District, surrounded by a variety of mixed uses, many of them non-industrial, where the overall character of Northeastern Boulevard is not exclusively dedicated to industrial and manufacturing uses, but rather a mixed use area including restaurants, office buildings (and office parks), health care services, banks, fitness clubs and martial arts studios, among a few remaining true "industrial" uses. In addition, it is not contrary to the public interest to permit a productive use of this property, given its setting, which is presently underutilized and for which a higher and better use can be obtained.

The variance would permit the renovation and upgrading of an older building, whose current tenants (Hello Direct, Inc., and St. Joseph Hospital) are not traditional "industrial" operations, to allow for a more flexible and productive use of the Premises. Due to the downturn of traditional industrial and manufacturing uses, buildings such as the Premises are often broken into several non-traditional uses, as is and would be the case here, given the existing uses by St. Joseph Hospital and Hello Direct, Inc., as well as the proposed Treatment Facility. Those uses will account for approximately 70% to 80% of the gross floor area of the Premises. Given those uses, is impractical for the remaining 20% to 30% to be used by a traditional industrial or manufacturing tenant.

Such users are rare in the current market, and even if one could be found, would likely not be interested in using such a fragmented piece of an existing building with several other tenants.

Furthermore, allowing the Applicant to make full use of the Premises (and thereby making it more practical to undertake substantial renovations to portions of 77 Northeastern Boulevard to create the proposed Treatment Facility), serves the public interest because the Applicant's programs address critical community needs. Alcohol and substance abuse treatment facilities are of vital necessity in the face of a continuing public health crisis derived from alcohol and substance abuse. The Applicant's proposed Treatment Facility, as well as its other programming which would be supported by the general office space at 77 Northeastern Boulevard, would serve the public interest daily, by providing essential services to some of the most high-risk populations in the City. Finally, permitting the general office space at the Premises would allow for expansion of the existing medical and dental clinics at 45 High Street (into the space currently used by the Applicant as general administrative and program offices in that building), allowing those clinics to better serve the City's low-income populations.

2. **The proposed use will observe the spirit of the ordinance,** because:

Permitting further use of an underutilized building, located in the PI District but near various commercial and non-traditional industrial or manufacturing uses, is not contrary to the spirit of the ordinance, where the ordinance contemplates appropriate and productive use of property and promotes harmonious development of land among adjacent land uses.

The overall trend on Northeastern Boulevard and the surrounding area is one of increasingly mixed uses. The area is no longer one of predominantly traditional industrial or manufacturing operations. Rather, several parcels nearby the Premises are used for health care clinics or offices, fitness (and martial arts) studios, and small businesses (many with general office components). Large buildings with warehouses, such as the Premises, are more often being used in non-traditional ways to maintain productive use of such sites. In this case, the majority of 77 Northeastern Boulevard is currently vacant, and the remainder of the Premises is split into different uses. In keeping with the spirit of the ordinance, allowing a portion of the Premises to be used as an office building would be an appropriate and productive use of an otherwise vacant space. Furthermore, given the other existing or proposed uses of the Premises, permitting general office use would be a much more harmonious use of the remaining space in the Premises than traditional industry or manufacturing.

3. **Substantial justice would be done to the property-owner by granting the variance,** because:

Permitting the proposed use, and granting the requested variance, does substantial justice, with recognition of the nature of the site and its neighborhood and its proximity to existing commercial and other non-industrial uses. Permitting the Applicant

to use a portion of the Premises for general office space does not adversely affect the immediate neighborhood or the general public. Instead, together with the Treatment Facility, those uses fit well with the existing health care services provided in the immediate area (including at 75 Northeastern Boulevard) and nearby office uses. In short, the variance would allow for the productive use of a currently underutilized property.

As with other similar warehouse buildings, the Premises have been fragmented into non-traditional industrial uses, leaving a portion of the Premises without a natural, logical permitted use in the PI District, given the existing uses at the Premises by St. Joseph Hospital and Hello Direct, Inc., and the proposed Treatment Facility. Using the remainder of the Premises for general office space would make full use of the Premises, demonstrating vitality in the area and doing substantial justice, giving flexibility to the Premises (for general office uses), where it is unlikely (and impractical) for that remaining portion of the Premises to be used for traditional industry or manufacturing.

4. **The proposed use will not diminish the value of surrounding properties,** because:

The proposed use (an office building, without drive-through facilities) will not diminish the value of surrounding properties. First, renovated, modern commercial uses in a non-residential area do not adversely affect the value of existing commercial or industrial properties. Renovating and making further use of an existing (partially vacant) building in an existing commercial and industrial area demonstrates vitality in the area and enhances adjoining property values. Finally, and foremost, allowing additional office space in a building that already has office components, and is across the street from several office parks (at 74, 76 and 78 Northeastern Boulevard) and nearby to many other businesses some of which have general office components, is compatible with the surrounding area and would not adversely affect the value of surrounding properties.

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship,** because:

Under RSA 674:33, I(b), "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area (i) no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property and (ii) the proposed use is a reasonable one.

The Premises have a number of special conditions. First, they are in a part of the PI District that has a mixture of both industrial and non-industrial (commercial or retail uses). Also, the Premises are very close to numerous office uses (in particular, many small businesses located in office parks across the street), other health care uses (including medical and dental offices, physical therapists and others) as well as several quite non-traditional uses in the PI District (such as the nearby fitness and martial arts

facilities, restaurants, banks, a church or temple and a motel). In short, the neighborhood is not predominately industrial in nature.

Second, the building(s) at 75-77 Northeastern Boulevard predate the enactment of the Land Use Code by over twenty (20) years. The building was built in an era when industrial and manufacturing uses were much more the norm. Now, traditional PI District uses are not nearly as prevalent, and it is common for property owners to look to non-traditional uses to make full, productive use of buildings like the Premises.

Third, because of the changing marketplace for traditional industry and manufacturing, the Premises have already been fragmented into non-traditional uses (including the proposed Treatment Facility), and thus the Applicant must find a use for the remaining 20% to 30% of the gross floor area. Doing so poses a different challenge than seeking a tenant for an entire property, and it is more unlikely that a traditional manufacturing or industrial tenant could be found for just that remaining vacant space. Traditional manufacturing and industrial operations are not easily compatible with non-traditional uses in the same building, and limiting the Applicant to the permitted uses in the PI District for the remaining vacant space in the Premises poses an unnecessary hardship.

With these special conditions in mind, it is clear that no fair and substantial relationship exists between the general public purposes of the Land Use Code and the specific application of these particular provisions to the Premises. The particular provisions are, of course, Section 190-15 and Table 15-1 (Use Matrix).

The Table of Permitted Uses (Table 15-1) permits the use of the Premises as an office building, without drive-through facilities, provided that the use is part of a site plan in which at least 75% of the gross floor area is reserved for uses listed in the "industrial and manufacturing" category. In this case, because the uses by St. Joseph Hospital of 75 Northeastern Boulevard (approximately 35% of the gross floor area of the Premises) are permitted, but are not in the "industrial and manufacturing category", the Applicant cannot produce a site plan showing 75% gross floor area reserved for industrial and manufacturing uses while St. Joseph Hospital remains a tenant, therefore the use of the Premises as an office building is essentially prohibited without a variance.

The public purposes of the Land Use Code are served by allowing the remaining vacant portion of the Premises to be used as general office space without imposing the requirement that 75% of the gross floor area be reserved for industrial and manufacturing uses, for several reasons.

First, the requirement in the Land Use Code of reserving 75% of the gross floor area for industrial or manufacturing uses aims to maintain sufficient space in the City for manufacturing and industry. However, as discussed above, manufacturing and industrial uses are much less prevalent than they were thirty (30) or more years ago when the building (or the two components of the building) were constructed. In response to this change in the marketplace, buildings in the PI District are commonly adopting non-

traditional uses. In this case, where the Premises are already serving a non-traditional industrial use, saving a certain amount of floor area for industry and manufacturing is impractical, not an efficient use of the Premises and counterproductive to the overall goals of the Land Use Code, including its purpose of promoting full, appropriate use of a property in harmony with neighboring properties.

Given the uses by St. Joseph, Hello Direct, Inc., and the proposed Treatment Facility, it is not practical that the remainder of the Premises be used for traditional manufacturing or industrial operations. General office use is much more compatible with those uses than traditional industry or manufacturing. An office building adjacent to a medical clinic and residential rehabilitation facility is a much quieter use, with less potential disruption and noise to patients and residents. Traditional industry and manufacturing uses do not fit well with uses that require frequent visits to the site by the general public (as is the case with the physical therapy and rehabilitation services provided by St. Joseph Hospital at the Premises), and are especially incompatible with the residential nature of the proposed Treatment Facility.

Furthermore, it is impractical to configure the remaining vacant area of the Premises to be used by traditional industry or manufacturing given the space already used by the existing tenants and proposed Treatment Facility. It is unlikely that a traditional industrial or manufacturing tenant would be seeking such a small amount of space in a large building with such a variety of existing non-traditional uses.

In addition, it serves the general public purposes of the Land Use Code to allow fuller use of the Premises. Allowing the remaining space in the Premises to be used for general office purposes (which is a natural, harmonious use with the other uses in the building and the surrounding properties) advances that goal. Granting the variance would enable Harbor Homes, Inc. to make use of general office space, and free up space at 45 High Street to permit expansion of Harbor Homes, Inc.'s existing medical and dental clinics.

The use of any of the Premises as an office building is essentially prohibited, given the space currently used by the existing tenants, even though the site is located in an area with numerous existing non-industrial uses (such as a fitness club, restaurants, complexes of small office suites, banks, and a motel). Despite being located on Northeastern Boulevard, the overall character of the neighborhood is not the heart of industrial land but rather an area of mixed uses, including many non-industrial uses. Consequently, the general public purposes of the Table of Permitted Uses (to promote harmonious uses) is not served in this case since the uses in the immediate are not uniformly industrial to begin with. A non-industrial use on this property would not be detrimental to the harmonious use of industrial land, but rather would be in keeping with the neighborhood.

The second prong of the hardship test is that the proposed use is reasonable. As mentioned, the proposed use (an office building without drive-through

facilities) is reasonable in light of the neighborhood, the location of the Premises, and the numerous existing office and non-traditional uses in the immediate area.

Conclusion

In light of the foregoing, the Applicant respectfully requests that the variance be granted.

HARBOR HOMES, INC.

75-77 NORTHEASTERN BOULEVARD
(Map 140, Lot 33)

CONFIRMATION OF ADMINISTRATIVE DECISION

This Confirmation of Administrative Decision pertains to the request submitted by Harbor Homes, Inc. to undertake a general office use, specifically the use permitted under item 97 of Table 15-1 (Use Matrix) of the Land Use Code which provides that an office, without drive-through facility, is permitted in the PI District as a conditional use but only as part of a site plan in which at least 75% of the gross floor area is reserved for uses listed in the "industrial and manufacturing" category.

According to information provided to the undersigned by or on behalf of Harbor Homes, Inc., Harbor Homes, Inc. is under contract to purchase the real estate at 75-77 Northeastern Boulevard (Map 140, Lot 33) (the "Premises") from Faye Mandravelis, Trustee of the Mandravelis Realty Trust. The Premises contain a building (with two components) – a single-story building containing approximately 31,426 square feet with an address of 75 Northeastern Boulevard, and two story building containing approximately 57,000 square feet with an address of 77 Northeastern Boulevard. The building at 75 Northeastern Boulevard is occupied by St. Joseph Hospital of Nashua, N.H. which provides physical therapy and rehabilitation services thereat (a medical clinic) and also uses 75 Northeastern Boulevard for medical records storage and warehouse purposes. The building at 77 Northeastern Boulevard is partially occupied by Hello Direct, Inc., which occupies warehouse and office space functioning as a distributor. Hello Direct, Inc. or its predecessors have occupied this space for such purposes for a significant period of time.

Harbor Homes, Inc. desires to use part of the vacant space at 77 Northeastern Boulevard for an inpatient (residential) rehabilitation facility for individuals with alcohol and substance abuse disorders, essentially equivalent to Harbor Homes, Inc.'s affiliate's facility known as Keystone Hall at 615 Amherst Street. This proposed facility is classified as a sanitarium under item 245 of Table 15-1 and is permitted in the PI District.

Harbor Homes, Inc. would also like to use other portions of the building at 77 Northeastern Boulevard for general office use – that is an office building, without drive-through facility, as noted in item 97 of Table 15-1.

Because St. Joseph Hospital occupies 31,426 square feet of a building containing approximately 88,500 square feet, less than 75% of the building at 75-77 Northeastern Boulevard is used for uses outside of the "industrial and manufacturing" category. Therefore, Harbor Homes, Inc. cannot obtain a conditional use permit under item 97 of Table 15-1 and thus a variance would be required for that office use.

Dated: October 25, 2016

Carter W. Falk 10/25/16

Carter W. Falk, Deputy Planning Manager / Zoning

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: 10/27/16

MAP 140 LOT 60
12 MURPHY DRIVE CONDOMINIUM
WHITE FAMILY VENTURES, LLC
12 MURPHY DRIVE, SUITE 100
NASHUA, NH 03062-4124
BK 7524 PG 2578
ZONE: PI
USE: COMMERCIAL

MAP 140 LOT 23
DEPT. OF TRANSPORTATION FAA-NEW ENGLAND REGION
12 NEW ENGLAND EXECUTIVE PARK
BURLINGTON, MA 01803-5213
BK 5649 PG 1296
ZONE: PI
USE: GOVERNMENT

HCRD PLAN No. 32545

EXISTING 15 FT. DRAIN EASEMENT (BK 2097, PG 288)

15 FT (TYP)

MAP 140 LOT 61
1987 TAMPOSI LIMITED PARTNERSHIP
20 TRAFALGAR SQUARE, SUITE 602
NASHUA, NH 03063-1927
BK 5620 PG 601
USE: COMMERCIAL

MAP 140 LOT 43
SPSG ASSOCIATES, LLC
15 INDUSTRIAL AVENUE EAST
EDISON, NJ 08820
BK 6029 PG 1165
ZONE: PI
USE: INDUSTRIAL

DRIVE

MURPHY

-33-
5.60 ACRES

MINIMUM BUILDING SETBACK LINE (TYP)

EXISTING 2-STORY BUILDING
1ST FLOOR = 29,533 SF
2ND FLOOR = 28,533 SF
TOTAL = 57,066 SF

EXISTING 1-STORY BUILDING
31,426 SF

SMOKERS SHELTER
GENERATOR
SMOKERS SHELTER

PICNIC AREA

EXISTING PARKING EASEMENT (BK 4674, PG 151)

No. 75 SIGN

No. 77 SIGN

MAP 140 LOT 68
1987 TAMPOSI LIMITED PARTNERSHIP
20 TRAFALGAR SQUARE, SUITE 602
NASHUA, NH 03063-3427
BK 5620 PG 592
ZONE: PI
USE: PARKING

BOULEVARD

NORTHEASTERN

MAP C LOT 2025
SAT SR LIMITED PARTNERSHIP
20 TRAFALGAR SQUARE, SUITE 602
NASHUA, NH 03063-1981
BK 5734 PG 1604
ZONE: PI
USE: COMMERCIAL

MAP C LOT 2026
NORTHBRIDGE BUSINESS CENTER, A CONDOMINIUM
SAT SR LIMITED PARTNERSHIP
20 TRAFALGAR SQUARE, SUITE 602
NASHUA, NH 03063-1981
BK 5734 PG 1604
ZONE: PI
USE: COMMERCIAL

MAP 140 LOT 35
BELLETETES INC.
80 NORTHEASTERN BOULEVARD
NASHUA, NH 03062-3160
BK 5559 PG 1203
ZONE: PI
USE: COMMERCIAL

MAP 140 LOT 22
HARVEY PROPCO LLC
1400 MAIN STREET
NORTH WALTHAM, MA 02451-3160
BK 8797 PG 504
ZONE: PI
USE: COMMERCIAL

LEGEND

- HANDICAP PARKING SPACE
- (10) PARKING SPACE COUNT
- (10) STREET ADDRESS
- GUARD RAIL
- CONCRETE

*** ZONING NOTE ***

THE ZONING/BUILDING SETBACKS DEPICTED ON THIS PLAN ARE THOSE WE HAVE INTERPRETED FROM THE LATEST ZONING ORDINANCE OF THE MUNICIPALITY AND, AS SUCH, ARE ONLY OPINIONS EXPRESSED BY HAYNER/SWANSON, INC. THE FINAL INTERPRETATION OF THE ORDINANCE CAN ONLY BE MADE BY THE APPROPRIATE ZONING AUTHORITY, SINCE BUILDING ORIENTATION, PROPOSED USES, AND OTHER FACTORS CAN AFFECT THE SETBACKS. PRIOR TO ANY DEVELOPMENT OF THIS PROPERTY, THE BUILDER/OWNER MUST CONSULT WITH THE TOWN/CITY TO INSURE THE CORRECT APPLICATION OF THE ZONING ORDINANCE.

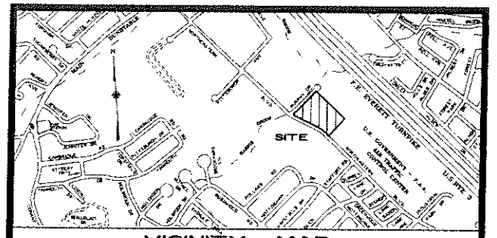
ADDRESS	USE	BUILDING AREA	MIN. REQUIRED PARKING SPACES	MAX. REQUIRED PARKING SPACES
75 NORTHEASTERN BOULEVARD	MEDICAL CLINIC	13,426 SF	1 SP/400 SF = 34	N/A
	WAREHOUSE	18,000 SF	1 SP/1,000 SF = 18	1 SP/350 SF = 52
77 NORTHEASTERN BOULEVARD	EXISTING OFFICES	9,327 SF	1 SP/1,000 SF = 9	1 SP/200 SF = 50
	EXISTING WAREHOUSE	10,507 SF	1 SP/1,000 SF = 11	1 SP/350 SF = 30
	PROPOSED SANITARIUM	13,000 to 20,000 SF	1 SP/400 SF = 33 to 50	N/A
	PROPOSED OFFICES	17,232 to 24,232 SF	1 SP/1,000 SF = 17 to 24	1 SP/200 SF = 86 to 121
TOTALS		88,492 SF	122 to 148 SPACES	N/A
PROVIDED (INCLUDING 11 HANDICAP SPACES) = 216 SPACES				

APPROVED
NASHUA CITY PLANNING BOARD

CHAIRMAN _____ DATE _____

STATE OF NEW HAMPSHIRE
JAMES N. PETROPULOS
No. 10274
LICENSED PROFESSIONAL ENGINEER

©Hayner/Swanson, Inc.



VICINITY MAP

PLAN REFERENCES:

1. AS BUILT PLAN (LOT 33, MAP 140), NORTHEASTERN BLVD. NASHUA, NEW HAMPSHIRE. PREPARED BY ALLAN H. SWANSON INC. DATED 27 JANUARY 1984. SCALE 1"=40'
2. MASTER SITE PLAN (LOTS 33 & 34), MAP 140) 75 & 77 NORTHEASTERN BLVD., NASHUA, NEW HAMPSHIRE. PREPARED FOR/OWNED BY: MANDRAVELIS REALTY TRUST. SCALE: 1" = 40'. DATED 10 SEPTEMBER 2002 AND PREPARED BY THIS OFFICE. ADMINISTRATIVELY APPROVED ON 9/11/02 AND 11/20/12

NOTES:

1. TOTAL SITE AREA: 5.60 ACRES
2. PRESENT ZONING: PI; PARK INDUSTRIAL
   ON NOVEMBER ___, 2016 THE NASHUA ZONING BOARD OF ADJUSTMENT GRANTED A VARIANCE FORM SECTION 190-15 AND ITEM 97 OF TABLE 15-1 (USE MATRIX) TO ALLOW GENERAL OFFICE USE OF SPACE IN 77 NORTHEASTERN BOULEVARD
3. LOT NUMBERS REFER TO THE CITY OF NASHUA ASSESSORS MAP 140 AND C
4. LOT 33 IS SERVICED BY MUNICIPAL SEWER, WATER BY PENNICHUCK WATER WORKS AND UNDERGROUND AND OVERHEAD TELEPHONE AND ELECTRIC UTILITIES.
5. PURPOSE OF PLAN:
   TO DETAIL THE CURRENT AND PROPOSED USED OF THE PROPERTY, AND INDICATE THE EXISTING CONDITIONS (INCLUDING NUMBER OF PARKING SPACES)
6. CURRENT AND PROPOSED USES:
   - DISTRIBUTION (WAREHOUSE AND OFFICE) — CURRENT
   - MEDICAL CLINIC (INCLUDING PHYSICAL THERAPY) — CURRENT
   - WAREHOUSE (MEDICAL RECORDS) — CURRENT
   - SANITARIUM (ALCOHOL AND DRUG TREATMENT FACILITY) — PROPOSED
   - OFFICE (GENERAL) — PROPOSED
7. SITE IMPROVEMENTS DEPICTED ON THE PLAN SHALL CONFORM WITH TITLE III OF THE AMERICANS WITH DISABILITIES ACT WITH REGARD TO DIMENSION, GRADE AND NUMBER OF PARKING SPACES
8. IT SHALL BE UNLAWFUL TO MODIFY, CHANGE OR ALTER ANY STRUCTURE SHOWN ON THIS SITE PLAN IN ANYWAY WHATSOEVER, OR CONVERT OR ALTER ANY STRUCTURE SHOWN ON THIS SITE PLAN, OR CHANGE THE ABOVE USE INDICATED ON THE PLAN WITHOUT RECEIVING APPROVAL FROM THE CITY OF NASHUA PLANNING BOARD OR ADMINISTRATIVE APPROVAL, AS THE CASE MAY BE.
9. FUTURE BUILDING CONSTRUCTION SHALL INCORPORATE FOUNDATION DRAINAGE SYSTEMS, EXCEPT WHERE AN INVESTIGATION ESTABLISHES THAT SPECIFIC BUILDING SITES ARE LOCATED IN WELL-DRAINED SOILS AND THAT SUCH SYSTEMS ARE NOT REQUIRED.
10. HOURS OF OPERATION: 24 HOURS/DAY – 7 DAYS/WEEK
11. THE APPLICANT SHALL SUBMIT AN ELECTRONIC FILE OF THE SITE PLAN (PLOT) PRIOR TO ISSUANCE OF A BUILDING PERMIT
12. LOT 33 IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. A PORTION OF LOT 33 IS LOCATED WITHIN ZONE 'X' (SHADED), AS DEPICTED ON THE FLOOD INSURANCE RATE MAP(FIRM), HILLSBOROUGH COUNTY, CITY OF NASHUA, NH, COMMUNITY No. 330097, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. MAP NUMBER: 33011C0651D DATED: SEPTEMBER 25, 2009
13. OWNERS OF RECORD:
   MAP 140, LOT 33
   THE MANDRAVELIS REALTY TRUST
   FAYE MANDRAVELIS, TRUSTEE
   P.O. BOX 791
   NASHUA, NEW HAMPSHIRE 03061
   VOL. 5415, PG. 1183

NO.	DATE

AMENDED SITE PLAN
(ADMINISTRATIVE APPROVAL)
(MAP 140, LOT 33)

75-77 NORTHEASTERN BOULEVARD

NASHUA, NEW HAMPSHIRE

PREPARED FOR:

HARBOR HOMES

45 HIGH STREET NASHUA, NEW HAMPSHIRE 03060 (603) 882-3616

RECORD OWNERS:

The Mandravelis Realty Trust

FAYE MANDRAVELIS, TRUSTEE P.O BOX 791 NASHUA, NEW HAMPSHIRE 03061

40 0 40 80 120 160 FEET
20 0 20 40 METERS
SCALE: 1"=40 Feet
1"=12.192 Meters

17 OCTOBER 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

FIELD BOOK: ----	DRAWING NAME: 1683HH F041	1683HH	1 OF 1
DRAWING LOCATION: R:\1683\DWG\1683--HH		File Number	Sheet

City of Nashua
Planning Department

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	589-3085
FAX	589-3119
www.nashuanh.gov	

RECEIVED OCT 28 2016 D

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. Please print clearly or type. INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

1. SPECIAL EXCEPTION INFORMATION

a. ADDRESS OF REQUEST 150 MANCHESTER ST NASHUA, NH 03064

Zoning District RA Sheet 0137 Lot 00181

b. SPECIAL EXCEPTION(S) REQUESTED:

CHANGE CLASSIFICATION OF MY HOME FROM "SINGLE FAMILY" TO "SINGLE FAMILY WITH IN-LAW", SO AS TO BE COMPLIANT. IT IS AFTER THE FACT, BEING THAT IT IS BELIEVED TO HAVE BEEN BUILT WITH THE HOME IN 1975.

2. GENERAL INFORMATION

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

(**Print** Name): SANDRA SOLER (SRDANOVEC)

Applicant's signature Sandra Soler Date 10/25/16

Applicant's address 150 MANCHESTER ST, NASHUA, NH 03064

Telephone number H: C: 603-913-4601 E-mail: SOLERINC@GMAIL.COM

b. PROPERTY OWNER (**Print** Name): SANDRA SOLER

Owner's signature Sandra Soler Date 10/25/16

Owner's address 150 MANCHESTER ST, NASHUA, NH 03064

Telephone number H: C: 603-913-4601 E-mail: SOLERINC@GMAIL.COM

OFFICE USE ONLY

Application checked for completeness: ML

Case number _____ Application Deadline _____ Date Received 10/28/16 Date of hearing 11/22/16

PLR# 2016-00243 Board Action _____

$ 330 application fee ✓ Date Paid 10/28/16 Receipt # _____

$ 15 signage fee ✓ Date Paid 10/28/16 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. 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.
WHEN I PURCHASED MY HOME IN 2007 IT HAD THE IN LAW APARTMENT. MY ATTORNEY, NOR MY REALTOR, NOTIFIED ME THAT IT NEEDED TO BE CLASSIFIED AS A "ONE FAMILY WITH IN LAW". MY GOAL IS TO BE COMPLIANT.

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?
WE ADDED ADDITIONAL PARKING, IN COMPLIANCE WITH CODE. THERE IS NOW MORE THAN ENOUGH PARKING AVAILABLE. (SEE ATTACHED PHOTO #3)

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?
SENCE THIS HOME (WE BELIEVE) WAS BUILT IN 1975 WITH THE IN LAW ALREADY IN PLACE IT SHOULD NOT AFFECT THE INTEGRITY NOR CHARACTER OF THE ZONING DISTRICT. (SEE ATTACHED PHOTOS 1+2)

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 _____ 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 6-7

f. Describe your general business operations:

N/A

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

NO SITE RENOVATIONS.

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.

Sandra Soler
Signature of Applicant

10/25/16
Date

SANDRA SOLER
Print Name

10/25/16
Date

150 Manchester Street

N
W E
S

0 85 170 340 Feet

1 inch = 127 feet

NASHUA GIS

SUPPORTING PHOTOS, REGARDING SPECIAL EXCEPTION APPLICATION FOR 150 MANCHESTER STREET NASHUA, NH, 03064 OCTOBER, 2016

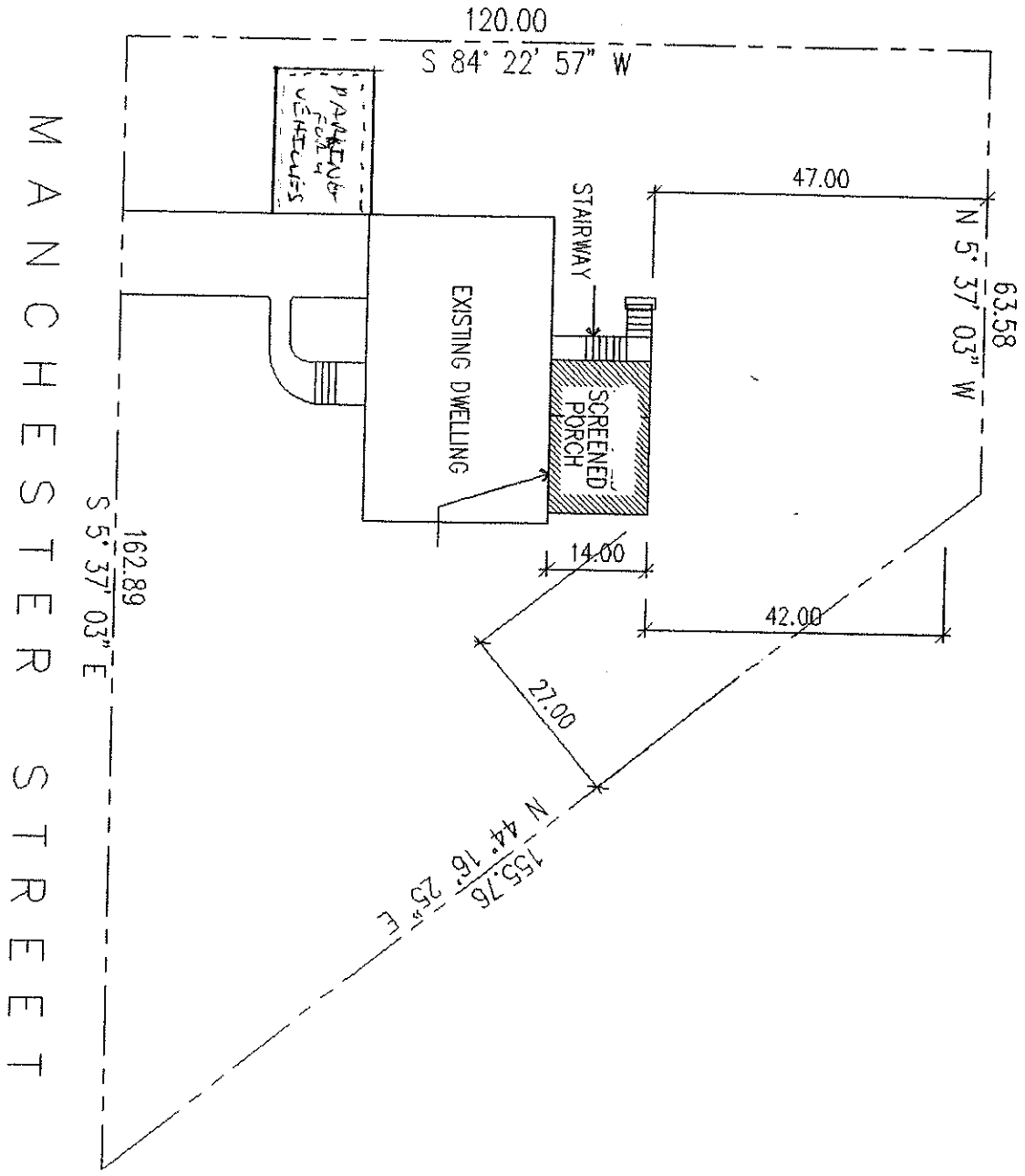
1

PHOTO #1 & PHOTO #2
In Law Apartment, believed to have been built with home in 1975.

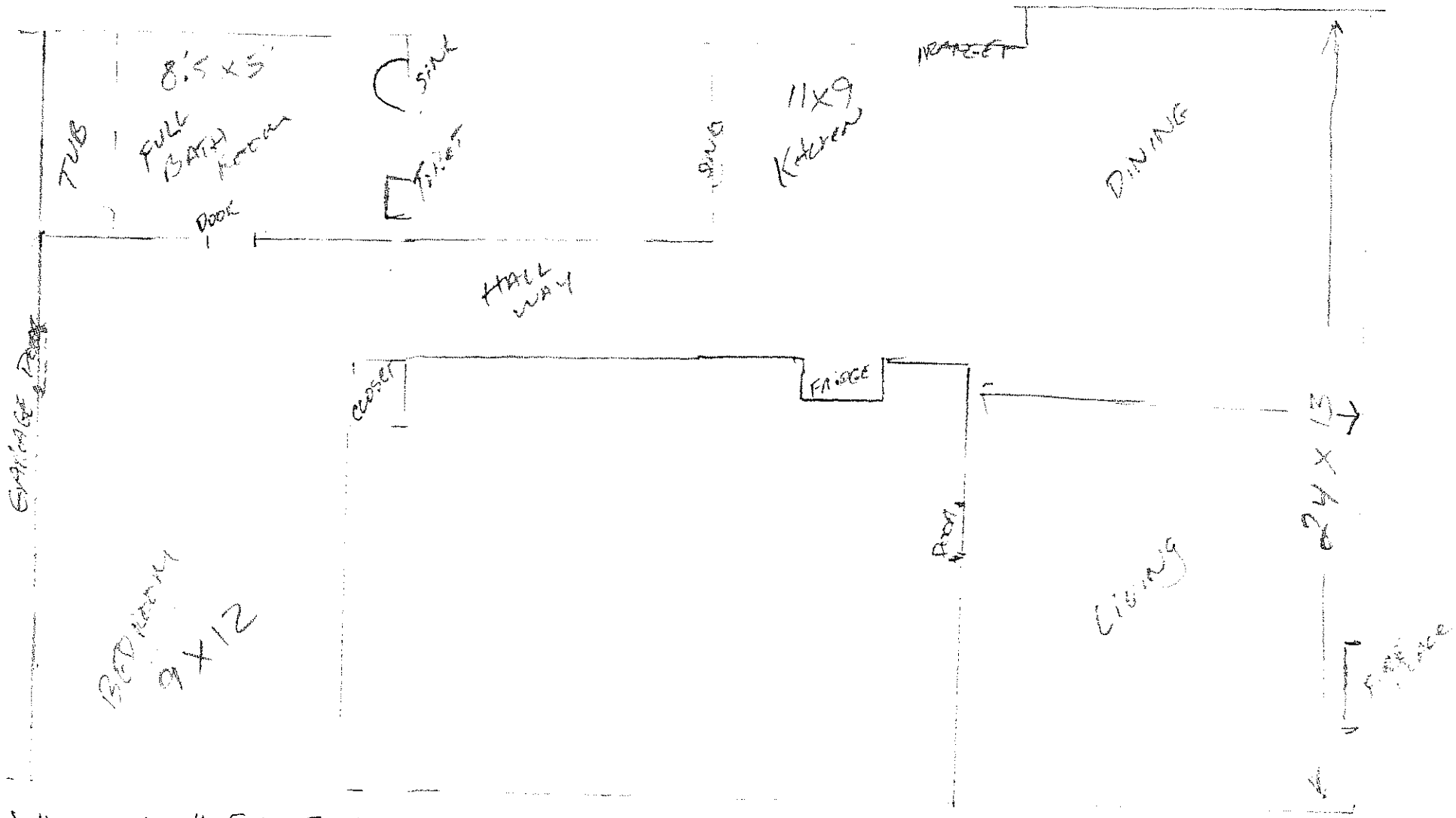
2

PHOTO #3
Parking area in crushed stone (white color, adjacent to back fence) able to accommodate parking For up to four additional vehicles.

3



SCALE: 1" = 25' JOB NO.: 9528	PROJECT: COTE RES. LOT# 47 BUILDER: N/A



→ "INLAW" SQ. FT:
≤ 61.5 SQ FT

→ PERCENTAGE OF HOME; front of house
2,914 SQ FT TOTAL
"INLAW" EQUIVALENT TO 19%

→ 150 MANCHESTER ST.
NASHUA, NH 03064

→ FLOOR PLAN OF FIRST LEVEL, REQUESTED "INLAW"