

1. Zoning Board Of Adjustment Regular Webex Meeting Agenda(PDF)

Documents:

[20200811 ZBA AGENDA - AMENDED.PDF](#)

2. 20200811 ZBA Case Packets

Documents:

[20200811 25 VAN BUREN ST.PDF](#)
[20200811 436 SOUTH MAIN ST.PDF](#)
[20200811 L APPLIEDORE ST.PDF](#)
[20200811 50 WESTGATE CROSSING.PDF](#)
[20200811 4 BLACKSTONE DR.PDF](#)
[20200811 7 FAIRWAY ST.PDF](#)
[20200811 4 LAUREL CT.PDF](#)
[20200811 62 NAGLE ST.PDF](#)
[20200811 61 ALMONT ST.PDF](#)
[20200811 137 PALM ST.PDF](#)
[20200811 8 MERRIT PKWY.PDF](#)

3. 20200811 ZBA Decision Sheets

Documents:

[20200811 ZBA DECISIONS.PDF](#)



City of Nashua
Planning Department
229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
Fax 589-3119
WEB www.nashuanh.gov

ZONING BOARD OF ADJUSTMENT

6:30PM, AUGUST 11, 2020

AMENDED AGENDA

To access WebEx:

<https://nashuanh.webex.com/nashuanh/j.php?MTID=m1dd2f9c0ac71ac9a521ff92ae97b615e>

Meeting number/access code: **129 062 2404**

Password: **EDwuFrMG288**

To join by phone: 1 (408) 418-9388

If you are not able to connect to WebEx, please contact the Planning Department at **(603) 589-3056**.

1. Energy North Natural Gas, Inc., c/o Liberty Utilities (Owner) 25 Van Buren Street & 38 Bridge Street (Sheet 41 & 39 Lots 11 & 26) requesting special exception from Land Use Code Section 190-112 to work within the 75-ft prime wetland buffer of the Nashua River to install an impermeable cap as required by the NHDES remedial action plan, including regrading, repaving and expanding the site's existing parking lot, and improve the stormwater management system. GI Zone, Ward 7. **[TABLED FROM 7-14-2020 MEETING]**
2. Pennichuck Water Works & Pennichuck Water Works, Inc. (Owners) GSSG New Hampshire, LLC (Applicant) "L" Ferry Road, "L" Westland Avenue, "L" Stanwood Drive, "L" Appledore Street, "L" Marlboro Street, "L" Independence Avenue, "L" Claredon Street, and 206 Concord Street (Sheet 52 Lots 1, 7, 14, 23, 24, 28, 39, 49, 61, 65, 81, 82, 85, 96, 97, 104 and 118) requesting special exception from Land Use Code Section 190-24 (F)(3) to allow underground electric utility construction, relocate existing fencing, improve surface of existing gravel drive along Old Harris Road, and tree clearing within a portion of the Conservation Zone to allow for a proposed solar array project (allowed use). R18 Zone, Ward 3. **[TABLED FROM 7-14-2020 MEETING]**
3. Rivier University (Owner) John Parker (Applicant) 436 South Main Street (Sheet 1 Lot 1) requesting variance from Land

Use Code Section 190-102 to exceed maximum wall identification sign area, 12-sqft permitted - 58-sqft proposed for the Science and Innovation Center building. R9 Zone, Ward 7. **[TABLED FROM 7-14-2020 MEETING]**

4. Cynthia M. Doyle (Owner) 50 Westgate Crossing (Sheet C Lot 1417) requesting variance from Land Use Code Section 190-264 to exceed maximum accessory use area, 40% permitted, 46% proposed - to erect an 18-foot round above-ground swimming pool. R9 Zone, Ward 5.
5. Wilmar, LLC (Owner) Colbea Enterprises, LLC (Applicant) 4 Blackstone Drive (Sheet H Lot 520) requesting variance from Land Use Code Section 190-41 (B)(5) for minimum distance to drive-thru exit, minimum of 60 feet required - 8 feet proposed. GB Zone, Ward 2.
6. Colleen & John Lyons DuPre (Owners) 7 Fairway Street (Sheet 1 Lot 102) requesting variance from Land Use Code Section 190-223 for minimum lot area, 40,000 sq.ft required for a proposed lot to be serviced by an individual sewage disposal system - 33,497 sq.ft proposed. R9 Zone, Ward 7.
7. Maria R. Fassina (Owner) 4 Laurel Court (Sheet E Lot 2111) requesting special exception from Land Use Code Section 190-15, Table 15-1 (#3) to allow an accessory (in-law) dwelling unit in basement of existing house. R9/PRD Zone, Ward 5. **[WITHDRAWN BY APPLICANT.]**
8. Tige W. & Heidi A. McNulty (Owners) Golden Home Services, LLC (Applicant) 62 Nagle Street (Sheet 102 Lot 68) requesting variance from Land Use Code Section 190-264, to exceed maximum accessory use area, 40% permitted - 54% proposed - to construct a deck for existing 21-foot round above-ground swimming pool. RB Zone, Ward 6.
9. Jack LoBrutto (Owner) 61 Almont Street (Sheet 103 Lot 33) requesting variance from Land Use Code Section 190-192 (C) to exceed maximum driveway width, 22 feet existing, 24 feet permitted - an extra 8'x21' driveway proposed on right side of existing driveway for a total width of 30 feet. RB Zone, Ward 6.
10. Palms Edge, LLC & Theresa Corriveau Rev. Trust (Owner) 137 Palm Street, "L" Pine Street and "L" Palm Street (Sheet 99 Lots 31, 35 and 69) requesting variance from Land Use Code Section 190-16, Table 16-3 for minimum lot area, 49,547 square feet existing - 62,712 square feet required, to allow

18 multi-family units in two buildings - one building with 6 units and one building with 12 units. RC Zone, Ward 6.

11. Hannaford Bros. Co (Owner) Merritt Place, LLC (Applicant) 8 Merritt Parkway (Sheet C Lot 2544-8) requesting use variance from Land Use Code Section 190-15, Table 15-1 (#15) to allow up to 160 multi-family dwelling units in one building. R30/FUOD Zone, Ward 9. **[POSTPONED TO THE AUGUST 25, 2020 MEETING.]**

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
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F: 603 624 9463

www.gza.com



June 15, 2020
File No. 15.0166597.03

City of Nashua
Zoning Board of Adjustment
Attn: Jean-Paul G. Boucher, Chairman
229 Main Street
PO Box 2019
Nashua, New Hampshire 03060

Re: Special Exception Application
Liberty Utilities
Site Grading, Paving, and Impermeable Cap Project
25 Van Buren Street & 38 Bridge Street, Nashua, New Hampshire

Dear Chair Boucher:

This letter transmits a Special Exception Application and associated fees totaling \$345.00 for a proposed Site Grading, Paving, and Impermeable Cap Project located at 25 Van Buren Street and 38 Bridge Street in Nashua, New Hampshire; Tax Map 41, Lot 11, and Tax Map 39, Lot 26, respectively (i.e., the Site; see attached **Figure 1 – Site Locus**). On behalf of the Site Owner, Liberty Utilities (Liberty), GZA GeoEnvironmental, Inc. (GZA) is requesting consideration of a Special Exception for work within the 75-ft prime wetland buffer of the Nashua River for:

- installation of a proposed impermeable cap in an area of the Site, as required by the New Hampshire Department of Environmental Services; and
- improvements to the Site's stormwater management system.

The project also entails regrading, repaving, and expansion of the Site's existing parking lot, but this work is proposed outside the 75-ft prime wetland buffer of the Nashua River.

The Site was formerly used as a manufactured gas plant (MGP) between the 1850s and 1950s and is currently used by Liberty for storage and distribution of natural gas and propane. The Site is zoned as "General Industrial" and includes an office building and warehouse, each with associated parking, as well as numerous storage tanks, storage bays, pipes, and associated infrastructure. The Site is bounded to the north by the Nashua River, to the east by Boston & Maine Corporation railroad, to the south by residential properties and Bridge Street, and to the west by a Public Service Company of NH electrical substation. The developed portion of the Site totals approximately 207,000 square feet (sq ft), and is separated from the Nashua River by a vegetated buffer strip totaling approximately 29,540 sq ft.



GZA delineated Site wetlands in April 2018 in accordance with 1987 *Corps of Engineers Wetlands Delineation Manual*¹ and using the *Routine Determination Method* in conjunction with the *Regional Supplement*² to the Corps of Engineers Wetland Delineation Manual, the National Plant List: 2016 wetlands rakings³, *Field Indicators of Hydric Soils in the United States Version 8*,⁴ and *Field Indicators for Identifying Hydric Soils in New England*.⁵ Observed wetlands were classified in accordance with the *Classification of Wetlands and Deepwater Habitats of the United States*.⁶ One wetland system, the Nashua River, was identified primarily adjacent to the Site. GZA completed a wetland function-value assessment of the Nashua River using the *Highway Methodology Workbook Supplement*⁷. GZA assessed 13 functions and values including groundwater recharge/discharge, floodflow alteration, fish and shellfish habitat, sediment/toxicant retention, nutrient removal, production export, sediment/shoreline stabilization, wildlife habitat, recreation, educational/scientific value, uniqueness/heritage, visual quality/aesthetics and endangered species habitat.

The northeasterly portion of the developed Site is located within the 75-ft prime wetland buffer of the Nashua River and is composed of compacted sand and gravel (See attached **Figure 2 – Wetlands Overlay**). The project proposes the installation of an impermeable cap consisting of heavy duty asphalt pavement over the compacted sand and gravel portion of the Site within the wetland buffer referenced above. The impermeable cap is required by the New Hampshire Department of Environmental Services (NHDES) as part of an approved Remedial Action Plan to cover former Gas Holder #1 and Gas Holder #2 and thus eliminate potential human exposure (inhalation, ingestion, direct contact) to surface soils that may contain asbestos-containing materials and manufacturing gas plant residuals as a result of the former gas holder structures (see attached **Drawing Set entitled "Site Grading, Paving, and Impervious Cap – Liberty Utilities, 38 Bridge Street, Nashua, NH"**).

Proposed work within the 75-ft wetland buffer totals approximately 9,825 sq. ft., of which approximately 4,085 sq. ft. represents site alteration for the proposed impermeable cap. The remaining 5,740 sq. ft. of proposed work in the buffer zone is for the installation of storm drains, manholes, and catch basins related to improvements to the Site's stormwater management system (see attached **Figure 2**). The entire area of proposed work within the buffer is previously developed. There are no proposed impacts to the vegetated buffer strip, and the project does not propose clearing of vegetation.

In accordance with Article 11, Section 190-115 of the Nashua Land Use Code, a Wetlands Application Special Exception may be issued by the Zoning Board of Adjustment for activity proposed within a wetland or wetland buffer provided that all of the following conditions are met:

1. ***That the use or activity proposed and its attendant impacts cannot reasonably be avoided.*** The project proposes to install an asphalt pavement cap over former Gas Holder #1 and #2 in the northeasterly portion

¹ U.S. Army Corps of Engineers, Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Mississippi.

² U.S. Army Corps of Engineers, 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* (Version 2.0), ed. J.S. Wakeley, R.W. Lichvar, C.V. Noble and J.F. Berkowitz. ERDC/EL TR-12-1. Vicksburg, Mississippi; U.S. Army Engineer Research and Development Center.

³ Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. *The National Plant List: 2016 wetland rakings*. Phytoneuron 2016-30: 1-17.

⁴ United States Department of Agriculture, Natural Resource Conservation Service, 2016. *Field Indicators of Hydric Soils in the United States*, Version 8. L.M. Vasilas, G.W. Hurt, and J.F. Berkowitz (eds.). USDA, NRCS, in cooperation with the National Technical Committee for Hydric Soils.

⁵ New England Hydric Soils Technical Committee. 2017 Version 4. *Field Indicators for Identifying Hydric Soils in New England*, New England Interstate Water Pollution Control Commission, Lowell, Massachusetts.

⁶ Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of Wetlands and Deepwater Habitats of the United States*. FWS/OBS-79/31. U.S. Department of the Interior, Fish and Wildlife Service.

⁷ U.S. Army Corps of Engineers. 1999. *Wetlands Functions and Values: A Descriptive Approach*. USACO New England Division, BAEEP-360-1-30a.



of the Site. The proposed work area overlaps a small portion of the Nashua River 75-ft prime wetland buffer. The cap is required by NHDES as part of an approved Remedial Action Plan to address contamination in groundwater and surface water and to eliminate potential human exposure to surface soils that may contain asbestos containing materials and manufacturing gas plant residuals as a result of the former gas holders. The cap is proposed in an existing impervious and developed portion of the Site, and does not propose clearing of vegetation or land conversion. In addition, the proposed cap area has been limited to the area required in the Remedial Action Plan and does not propose any additional work than is necessary within the wetland buffer. Therefore, the proposed activity and impact to the wetland buffer cannot be avoided and is necessary per the approved Remedial Action Plan.

2. ***That the least damaging route and methodology have been selected, and that which is being proposed is the best practicable alternative available.*** As previously mentioned, proposed work within the wetland buffer is limited to what is necessary and required per the Remedial Action Plan approved by NHDES. Therefore, impacts to the wetland buffer have been minimized to the greatest extent practicable. In addition, the project proposes to improve the Site's stormwater management system by accepting and conveying runoff from proposed new bituminous concrete pavement areas to a new catch basin system connected to an oil/grit separator, then to a subsurface infiltration system which will improve the quality of stormwater runoff leaving the site. Where feasible, the subsurface infiltration system will have a high-level overflow connection to existing stormwater management infrastructure. Lastly, the proposed new concrete area within the wetland buffer is proposed to address potential stormwater contamination from former Gas Holder #1 and #2. Therefore, the proposed project is the best practicable alternative available.
3. ***That reasonable and acceptable impact mitigation measures have been incorporated where necessary and appropriate to minimize wetland loss or degradation.*** The proposed project does not result in wetland loss or degradation. The project does not include wetland impacts and includes stormwater improvements which ultimately serve to improve water quality of the Nashua River. The proposed work area is an existing developed portion of the Site, and the project does not propose an increase of impervious surface within the wetland buffer. In addition, the proposed cap is an approved remedial action which will serve to eliminate the potential for human exposure to surface soils that may contain asbestos containing materials and manufacturing gas plant residuals at the Site
4. ***That the overall impact of encroaching into wetland or buffer areas is necessary for the productive use of adjoining buildable land and, as such non-encroachment, is outweighed by the benefits thereby derived.*** The proposed alteration within the wetland buffer is an existing developed portion of the Site, and does not propose additional land conversion or further encroachment into vegetated portions of the wetland buffer. The proposed project is necessary to prevent stormwater contamination by expanding the existing pavement area over the former Gas Holder #1 and #2 to act as an impervious cap. The proposed area to be paved currently consists of impervious compacted sand and gravel. There are no proposed alterations to natural wetland buffer.
5. ***That no significant impact on the habitat of rare or endangered species or exemplary communities, as listed by the State of New Hampshire or federal government, will result.*** As part of the proposed project, a New Hampshire Natural Heritage Bureau (NHNHB) Data Check was submitted for the proposed project area. The NHNHB determined that although there was an NHB record present in the vicinity, it was not expected that it would be impacted by the proposed project. Therefore, the project does not propose impacts to the habitat of rare or endangered species or exemplary communities.



6. ***That the best available adequate erosion and sedimentation control methods are incorporated.*** Erosion and sedimentation controls are proposed as part of the proposed project. Best management practices will be followed in accordance with "NHDOT Guidelines for Temporary Erosion and Sediment Control and Stormwater Management" NHDOT, May 2002, consistent with the New Hampshire Storm Water Manual. Erosion controls including silt fence will be installed prior to the start of work to prevent sedimentation into the Nashua River. Temporarily disturbed areas will be stabilized using seed and straw mulch, and monitored for continued stabilization.
7. ***That the proposed activity or use shall not significantly impair wetland capacity to provide important wildlife and fishery functions, including habitat, food, shelter, breeding, migratory and over-wintering.*** The Site does not contain any wetland systems; however, the Nashua River borders the northern edge of the Site and the 75-foot buffer to the river overlaps the Site boundary. The section of the river is classified as a riverine, lower perennial system with an unconsolidated bottom (R2UB). The tree layer along the river bank includes silver maple (*Acer saccharinum*), black oak (*Quercus velutina*), and American elm (*Ulmus americana*). The shrub/sapling layer includes honeysuckle (*Lonicera* spp.), box elder (*Acer negundo*), black cherry (*Prunus serotina*), and honey locust (*Gleditsia triacanthos*). Plants within the herbaceous layer include oriental bittersweet (*Celastrus orbiculatus*), Japanese knotweed (*Fallopia japonica*), and poison ivy (*Toxicodendron radicans*). The bordering portion of the Nashua River provides floodflow alteration, fish/shellfish habitat, production export, sediment/shoreline stabilization, wildlife habitat, and uniqueness heritage as principal functions. The wetland also provides groundwater discharge, sediment/toxicant retention and nutrient removal as capable functions. The Nashua River is a designated prime wetland. Since the proposed project is located within an existing developed footprint, and does not increase impervious surface or include wetland impacts, the project does not propose to impair/alter the current functions and values of the wetland system. The project includes stormwater improvements, which ultimately serve to detain stormwater and improve water quality, which is beneficial to wildlife, fish habitat, and floodflow alteration wetland functions.
8. ***That the project shall not impair the stability of a water body's bank.*** The proposed project is located within an existing impervious and developed portion of the Site, and does not include bank impacts. The installation of an impervious cap over the proposed project work area will not impair or affect the stability of the Nashua River's bank.

In addition, in accordance with Article 11, Section 190-115, uses adjacent to wetlands or buffer areas must comply with the following performance standards;

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 part of the proposed project, a New Hampshire Natural Heritage Bureau (NHNHB) Data Check was submitted for the proposed project area. The NHNHB determined that although there was an NHB record present in the vicinity, it was not expected that it would be impacted by the proposed project. Therefore, the project does not include impacts to habitats of rare or endangered species or exemplary communities.
2. ***That the filtration of stormwater runoff is adequately provided for and controlled both during and after construction.*** During construction, all catch basins or other drain inlets which may receive stormwater from disturbed areas shall be provided with suitable inlet protection. In addition, the project proposes to improve Site stormwater management by installing new catch basins which will be piped to an oil/grit separator, and then to a subsurface infiltration system. This will ultimately improve the stormwater quality at the Site.



3. ***That the topography and required regrading of the subject property accounts for and adequately reflects the proximity of a nearby wetland area.*** The project proposes to improve stormwater management by conveying a portion of the Site's stormwater runoff to a subsurface infiltration system, treating it for water quality before infiltrating to groundwater. Therefore, the design of the stormwater management on Site avoids a direct discharge of stormwater to the Nashua River and initially routes stormwater away from the river to an improved stormwater management system.
4. ***All landscaping requirements and maintenance regiments for a project will ensure that fertilizer and chemical runoff shall not enter the wetland.*** The proposed project does not include landscaping maintenance as the proposed project is located entirely within an existing developed area that is predominantly paved and graveled.
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 and fauna.*** The project does not propose utilization of a wetland system primarily for stormwater runoff. The proposed stormwater management system includes a subsurface infiltration system with a high-level overflow connection to existing stormwater management infrastructure. The overflow connection would be utilized if a 50-year storm event were to occur. If overflow were to occur during such a storm event, the overflow spillway is located in uplands over approximately 200-feet from the Nashua River wetland system. It is not anticipated that excess flow will cause excessive ponding and retention or damage to existing flora and fauna.
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.*** The project does not propose to subdivide the property.

Please feel free to contact us with any questions.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Steven T. D'Ambrosio
Project Manager

Thomas E. Jenkins
Consultant/Reviewer

John C. Murphy, CCM, CHMM
Principal-in-Charge

STD/JCM/TEJ

p:\15\jobs\15.0166597.03 liberty utilities permitting\special exception zba\final 15 0166597 03 liberty utilities special exception 06152020.docx

Attachments: Nashua Special Exception Application Form
Photo Log
List of Abutters



June 15, 2020

15.0166597.03

Liberty Utilities Site Grading, Paving, and Impermeable Cap Project

Page | 6

Natural Heritage Bureau Report #NHB20-0347

Wetland Function and Value Assessment Form

Figure 1 – Site Locus

Figure 2 – Wetlands Overlay

Figure 3 – Wildlife Action Plan Overlay

Figure 4 – National Wetland Inventory Overlay

Figure 5 – Conservation Land Overlay

Drawing Set entitled "Site Grading, Paving, and Impervious Cap, Liberty Utilities, 38 Bridge Street, Nashua, NH," dated February 27, 2020, Revised June 9, 2020

Application Fee



City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
 WEB www.nashuanh.gov

7

SPECIAL EXCEPTION APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

1. SPECIAL EXCEPTION INFORMATION

a. ADDRESS OF REQUEST
 Zoning District Sheet Lot

b. SPECIAL EXCEPTION(S) REQUESTED:

The project proposes to install an impermeable cap as required by an approved NH Department of Environmental Services remedial action plan. Additionally, the project proposes to regrade, repave, and expand the Site's existing parking lot, and improve the Site's stormwater management system. The installation of the impermeable cap and associated stormwater management system improvements require impact within the 75-ft buffer of the Nashua River.

2. GENERAL INFORMATION

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

(Print Name):

Applicant's signature Digitally signed by DDorn
 DN: cn=DDorn, o, ou,
 email=douglas.dorn@libertyutilities.com Date: 2020.06.15 09:25:03 -04'00'

Applicant's address

Telephone number H: C: E-mail:

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

*Owner's signature _____ Date

Owner's address

Telephone number H: C: E-mail:

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY Date Received _____ Date of hearing 7/14/20 Application checked for completeness: _____

PLR# A20-0056 Board Action _____

\$ _____ application fee Date Paid _____ Receipt # _____

\$ _____ signage fee Date Paid _____ Receipt # _____

\$ _____ certified mailing fee Date Paid _____ Receipt # _____

Land Use Code Section(s) Requesting Variances From: _____

[Redacted Address]

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.

The project proposes to install an impermeable cap as required by an approved NH Department of Environmental Services remedial action plan. Additionally, the project proposes to regrade, repave, and expand the Site's existing parking lot, and improve the Site's stormwater managemnet system. The installation of the impermeable cap and associated stormwater management system improvements require impact within the 75-ft buffer of the Nashua River.

b. Does your proposal involve the physical construction or expansion of a structure? Yes [] No [X]

If yes, describe how the size of the addition (and any existing structure) compares with the physical size of surrounding properties.

N/A

c. Do you anticipate the need for additional on-site parking space as a result of your proposal? Yes [] No [X]

If yes, approximately how many square feet of paved or designated parking space will be provide for both existing and proposed usage?

N/A

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

The project does not propose an increase in the number of buildings on Site and does not anticipate an increase in the number of employees or vehicles entering or exiting the Site. Therefore, it is not anticipated that there will be effects upon surrounding traffic congestion and pedestrian safety as a result of the proposed project.

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 project proposes to expand pavement within an already exsiting and developed portion of the Site that is currently used for site operations. The project is not proposing to clear vegetation between the Site and the Nashua River. The proposed project will ehcnace the integrity of the Site and immediate neighborhood by installing the proposed impermeable cap as required by the NH Department of Environmental Services (see attached narrative for more detail).

4. SPECIAL EXCEPTION – ADDITIONAL QUESTIONS

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 [38] Number of employees per shift [1st - 38; 2nd - 38; 3rd - 0 (unless called)]

b. Hours and days of operation [24 hours per day, 7 days per week.]

c. Number of daily and weekly visits to the premises by customers, clients, vendors, and solicitors [25-50 per week]

* vendors and contractors only

[Redacted Address]

d. Number of daily and weekly commercial deliveries to the premises, 5 per day, 25 per week

e. Number of parking spaces available 69 available spaces

f. Describe your general business operations:

The Site is currently used by Liberty Utilities for storage and distribution of natural gas and propane. The Site is zoned as "General Industrial" and includes an office building and warehouse each with associated parking, as well as numerous storage tanks, storage bays, pipes, and associated infrastructure.

Outside the 75-ft Nashua River wetland buffer, the project proposes to expand the existing paved parking lot west of the existing warehouse in the western portion of the Site to accommodate Site operations and employee vehicle movements.

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

Within the 75-ft Nashua River wetland buffer, the project proposes to install an impermeable cap consisting of heavy duty asphalt pavement over existing compacted gravel and soil areas as required by the NH Department of Environmental Services as part of an approved remedial action plan. Work will also include improvements to the Site's stormwater management system and improvements to paved portions of the property.

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.

DDorn

Digitally signed by DDorn
DN: cn=DDorn, o, ou,
email=douglas.dorn@libertyutilities.com,
c=US

Signature of Applicant

Date: 2020.06.15 09:25:34 -04'00'

Douglas Dorn

Print Name

Date

6-15-2020

Date

PHOTO LOG
Site Grading and Parking Lot Design Project
25 Van Buren Street and 38 Bridge Street, Nashua, New Hampshire

Photos Taken: February 4, 2020



Photograph No. 3: Looking northerly towards above-ground storage tanks.



Photograph No. 4: Looking westerly behind above-ground storage tanks along the fence line near the Nashua River. The existing vegetated buffer to the river will be maintained as part of the project.

PHOTO LOG
Site Grading and Parking Lot Design Project
25 Van Buren Street and 38 Bridge Street, Nashua, New Hampshire

Photos Taken: February 4, 2020



Photograph No. 1: Looking easterly across a portion of the Site to be re-paved, and the proposed area of remedial cap to the northeast.



Photograph No. 2: Looking northeasterly at the proposed remedial cap.

PHOTO LOG
Site Grading and Parking Lot Design Project
25 Van Buren Street and 38 Bridge Street, Nashua, New Hampshire

Photos Taken: February 4, 2020



Photograph No. 5: Looking northerly at Nashua River. The project is proposed stormwater improvements which will serve to protect the water quality of the river.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Lindsey White, GZA GeoEnvironmental
5 Commerce Park North
Suite 201
Bedford, NH 03110

From: NH Natural Heritage Bureau

Date: 2/11/2020 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 2/3/2020

NHB File ID: NHB20-0347

Applicant: Liberty Utilities

Location: Nashua
Tax Maps: 41-11

Project

Description: Proposed resurfacing of driveway, resurface paved parking areas at the Site, expand pavement west of existing warehouse, improve surface drainage and expand existing storm water management system.

The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government.

It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 2/3/2020, and cannot be used for any other project.



MAP OF PROJECT BOUNDARIES FOR: **NHB20-0347**

NHB20-0347

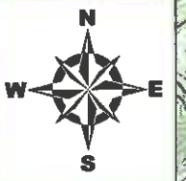
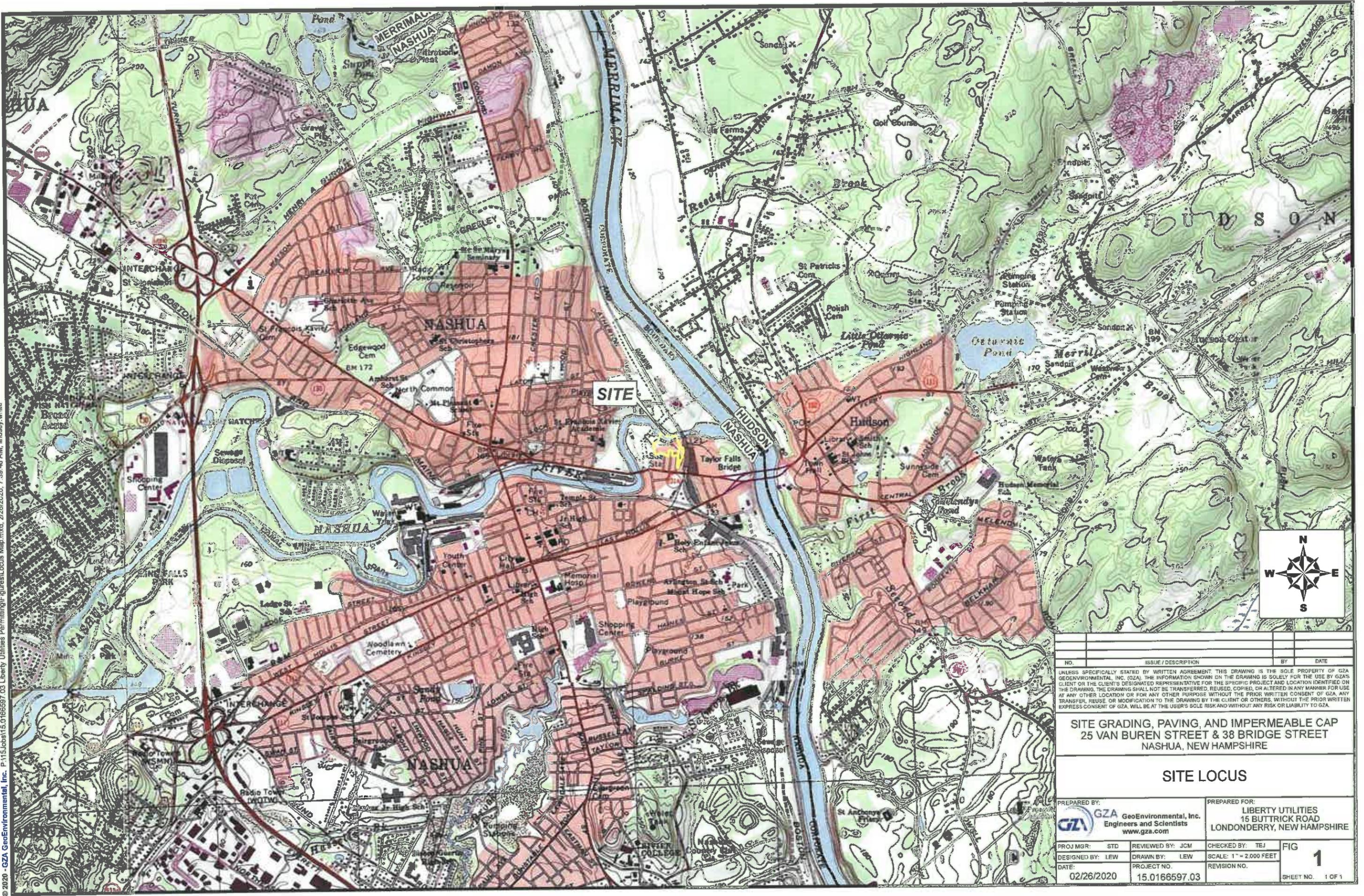




**LIBERTY UTILITIES SITE GRADING, PAVING, AND IMPERMEABLE
CAP PROJECT
NASHUA, NEW HAMPSHIRE**

File No: 15.0166597.03		WETLAND FUNCTION – VALUE EVALUATION FORM			Date: 4/30/2018, 2/4/2020, & 3/11/2020
Wetland ID: Nashua River – R2UB					GZA Personnel: Lindsey White and Tracy Tarr, CWS
Function/Value	Capability Y N	Rationale (Reference #)	Summary	Principal Yes/No	
Groundwater Recharge/Discharge	Y	1, 2, 7	Wetland hydrology of the Nashua River is supported by both surface flow and groundwater discharge. Aquifer transmissivity present in this wetland system.	Y	
Floodflow Alteration	Y	3, 4, 13, 14	The river outlets into the Merrimack River and directs and detains flows in a highly developed landscape.	Y	
Fish and Shellfish Habitat	Y	3, 4, 5, 6, 10, 11, 14, 17	Wetland is associated with the Nashua River. River spans over 100-feet. Nashua River outlets to the Merrimack River with no barriers.	Y	
Sediment/Toxicant Retention	Y	1, 2, 3, 5, 6, 8, 10	Wetland is a section of the Nashua River. The river receives sediments and toxicants from adjacent land uses. This section of the Nashua River is a flow through system and wetland retention at the Site is low. However, floodplain wetlands exist upstream that contribute to sediment/toxicant retention.		
Nutrient Removal	Y	1, 2, 3, 4, 5, 10, 12, 14	The Nashua River receives nutrients from surrounding uplands and vegetated areas upstream provide nutrient removal.		
Production Export	Y	1, 3, 6, 10	Export is occurring through stream flow and wildlife use in the wetland.	Y	
Sediment/Shoreline Stabilization	Y	2, 3, 4, 6, 9	Steep slope exists between uplands and Nashua River. Trees and shrubs on the bank provide shoreline stabilization.	Y	
Wildlife Habitat	Y	6, 8, 18	The river provides habitat for a diversity of riverine species and borders highest ranked habitat and supporting landscapes (see Wildlife Action Plan overlay).	Y	
Recreation	Y	2, 5, 9	The Nashua River provides a variety of recreational opportunities including fishing and boating. However, the river is not accessible from the Site.		
Educational/Scientific Value	N	5, 11, 9	Further upstream, the Nashua River borders a public park and a school system. There are no primary access locations from the Site.		
Uniqueness/Heritage	Y	1, 2, 8, 11, 14, 19, 28	The Nashua River is designated as a prime wetland in the City of Nashua and is within a quarter mile of the Merrimack River which is a NH State Designated River.	Y	
Visual Quality/Aesthetics	N	8	The Nashua River is a prime wetland in the City of Nashua. Upstream portions of the River cross through public parks. The Site itself does not have a primary viewing location and is not accessible to the general public.		
Endangered Species Habitat	Y	1 or 2	The NHB indicates that although records of rare species are known near the Site, it is not anticipated that rare species will be affected by the proposed project (see NHB memo dated NHB20-0347).		

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NO.	ISSUE / DESCRIPTION	BY	DATE

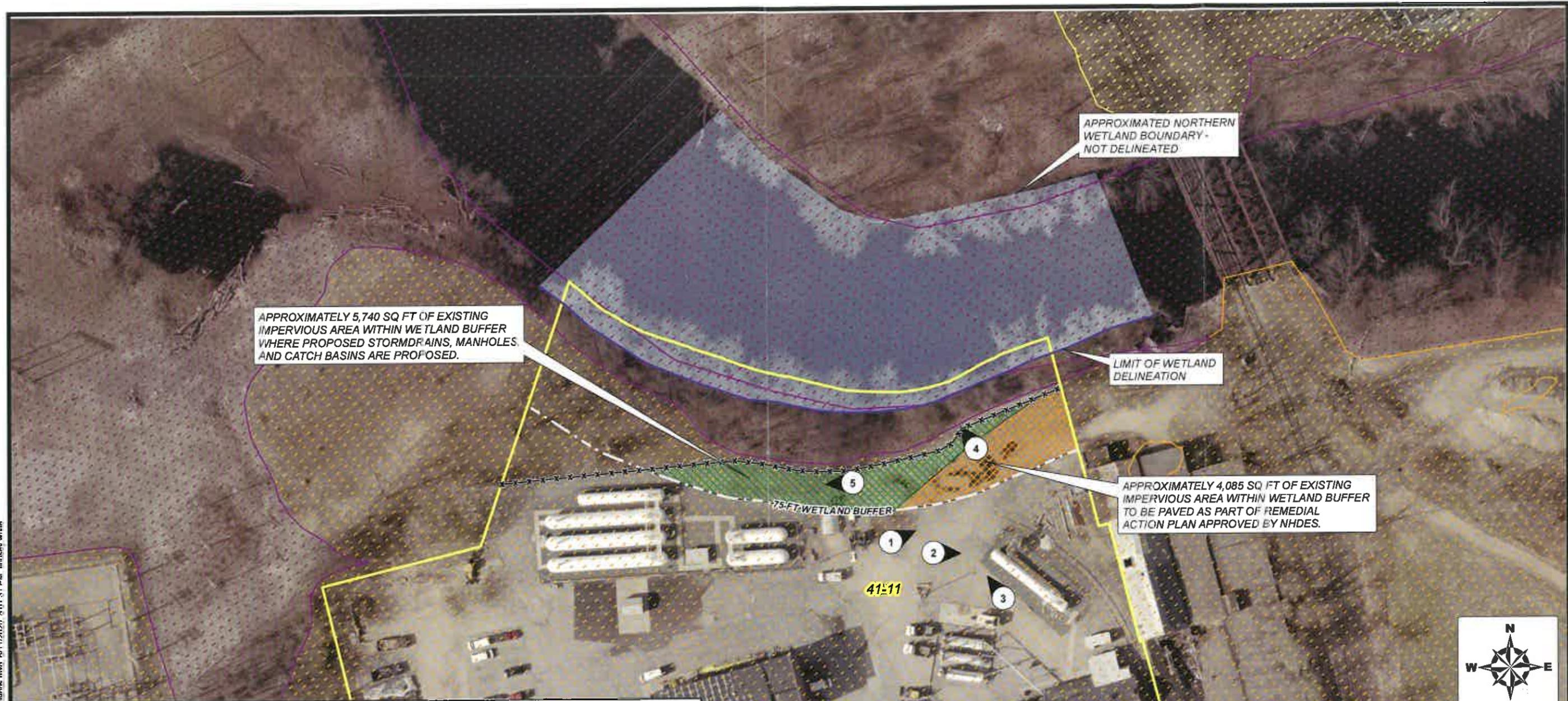
UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR THE USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN EXPRESS CONSENT OF GZA, WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.

**SITE GRADING, PAVING, AND IMPERMEABLE CAP
25 VAN BUREN STREET & 38 BRIDGE STREET
NASHUA, NEW HAMPSHIRE**

SITE LOCUS

PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com	PREPARED FOR: LIBERTY UTILITIES 15 BUTTRICK ROAD LONDONDERRY, NEW HAMPSHIRE		
PROJ MGR: STD	REVIEWED BY: JCM	CHECKED BY: TEJ	FIG
DESIGNED BY: LEW	DRAWN BY: LEW	SCALE: 1" = 2,000 FEET	1
DATE: 02/26/2020	PROJECT NO: 15.0166597.03	REVISION NO.	SHEET NO. 1 OF 1

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Legend

- Existing Fence
- 75-Ft Prime Wetland Buffer Extent
- Extent of Wetland Delineation
- Wetland
- Site Boundary
- Additional Work Area
- New Asphalt Pavement

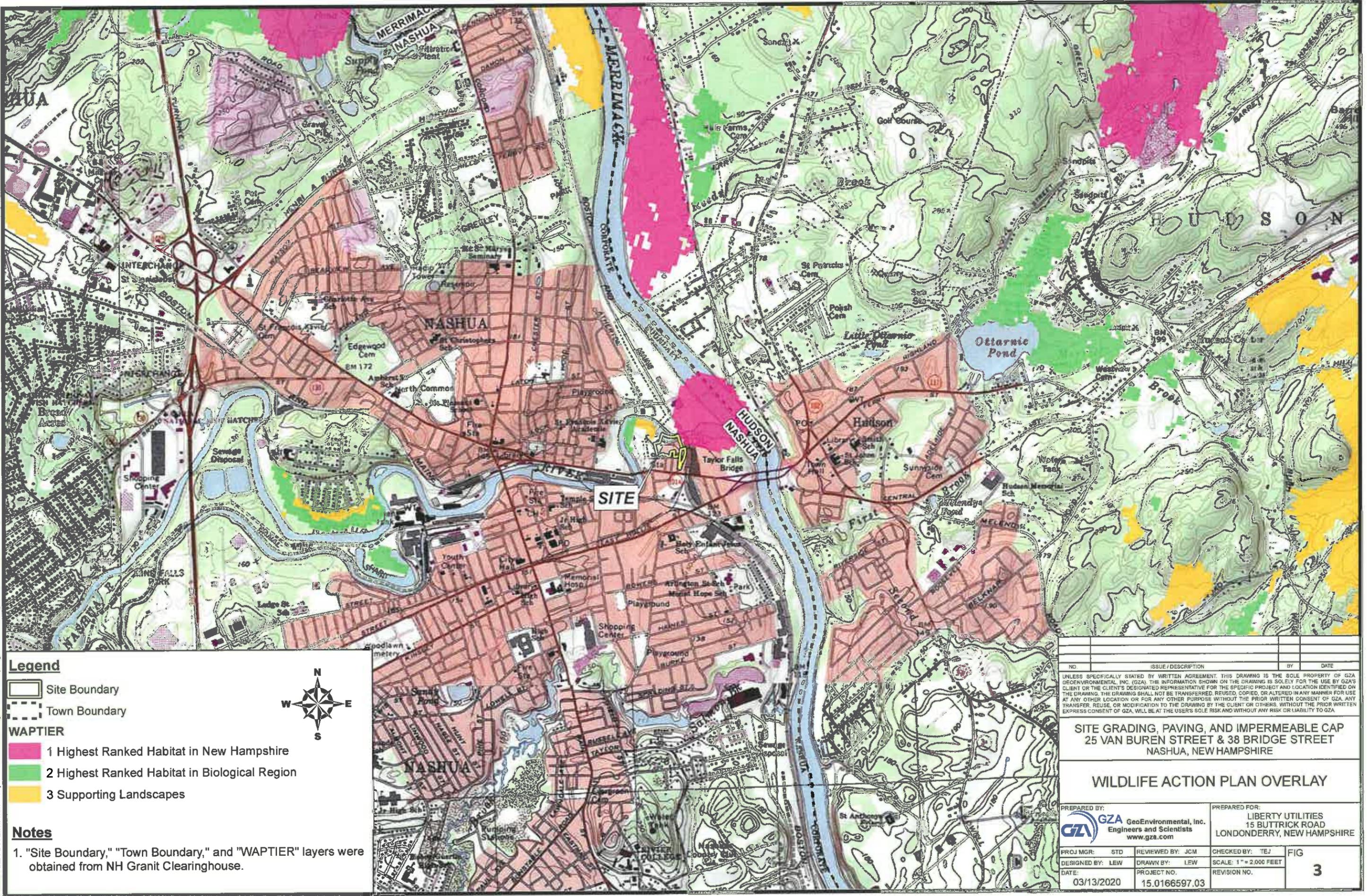
FLOOD ZONE

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- AE ZONE - 1 PCT ANNUAL CHANCE FLOOD HAZARD
- X ZONE - PROTECTED BY LEVEE - MINIMAL FLOOD HAZARD

- Source**
1. Aerial Imagery was obtained from Esri online basemaps.
 2. Wetlands were delineated by GZA, GeoEnvironmental, Inc. in April 2018 in accordance with the 1987 Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, and in accordance with the Army Corps of Engineers 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0).
 3. "Site Boundary" and "Parcel Boundary" were obtained from NH Granit Clearinghouse.
 4. "Existing Fence" was approximated using aerial imagery.
 5. Flood Zone data was obtained from NH Granit Clearinghouse.



NO.	ISSUE / DESCRIPTION	BY	DATE
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SITE GRADING, PAVING, AND IMPERMEABLE CAP 25 VAN BUREN STREET & 38 BRIDGE STREET NASHUA, NEW HAMPSHIRE			
WETLAND OVERLAY			
PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com		PREPARED FOR: LIBERTY UTILITIES 15 BUTTRICK ROAD LONDON DERRY, NEW HAMPSHIRE	
PROJ MGR: STD	REVIEWED BY: JCM	CHECKED BY: TEJ	FIG 2
DESIGNED BY: LEW	DRAWN BY: LEW	SCALE: 1" = 75 FEET	
DATE: 06/11/2020	PROJECT NO: 15.0166597.03	REVISION NO:	



Legend

- Site Boundary
- Town Boundary

WAPTIER

- 1 Highest Ranked Habitat in New Hampshire
- 2 Highest Ranked Habitat in Biological Region
- 3 Supporting Landscapes



Notes

- "Site Boundary," "Town Boundary," and "WAPTIER" layers were obtained from NH Granit Clearinghouse.

NO	ISSUE / DESCRIPTION	BY	DATE

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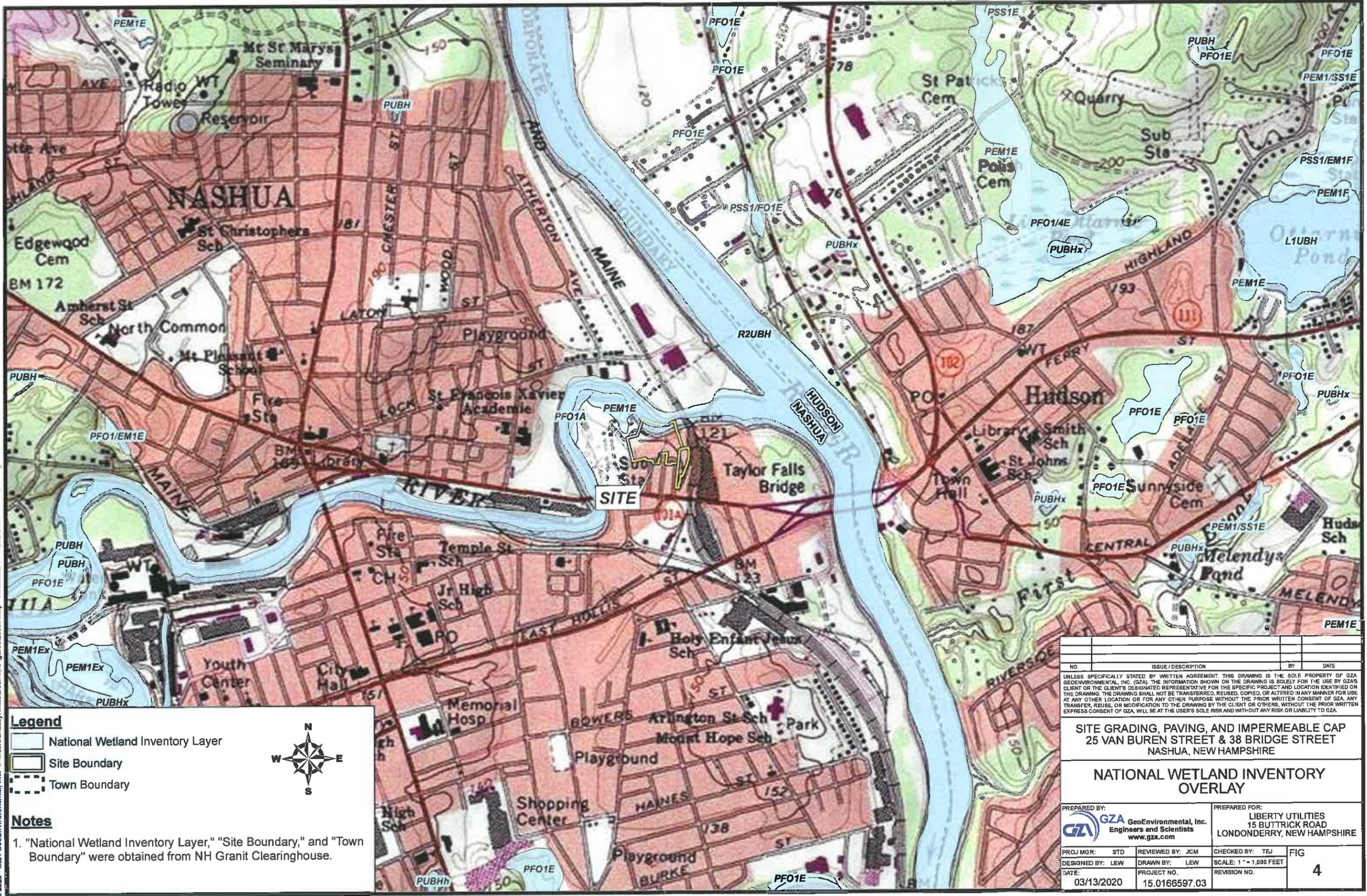
**SITE GRADING, PAVING, AND IMPERMEABLE CAP
25 VAN BUREN STREET & 38 BRIDGE STREET
NASHUA, NEW HAMPSHIRE**

WILDLIFE ACTION PLAN OVERLAY

PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com	PREPARED FOR: LIBERTY UTILITIES 15 BUTTRICK ROAD LONDONDERRY, NEW HAMPSHIRE
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PROJ MGR: STD	REVIEWED BY: JCM	CHECKED BY: TEJ	FIG
DESIGNED BY: LEW	DRAWN BY: LEW	SCALE: 1" = 2,000 FEET	3
DATE: 03/13/2020	PROJECT NO: 15.0166597.03	REVISION NO:	

© 2020 - GZA GeoEnvironmental, Inc. C:\Users\lindsay.white\Desktop\Figures\Locust Map - NWI.mxd 3/13/2020 9:37:19 AM lindsay.white



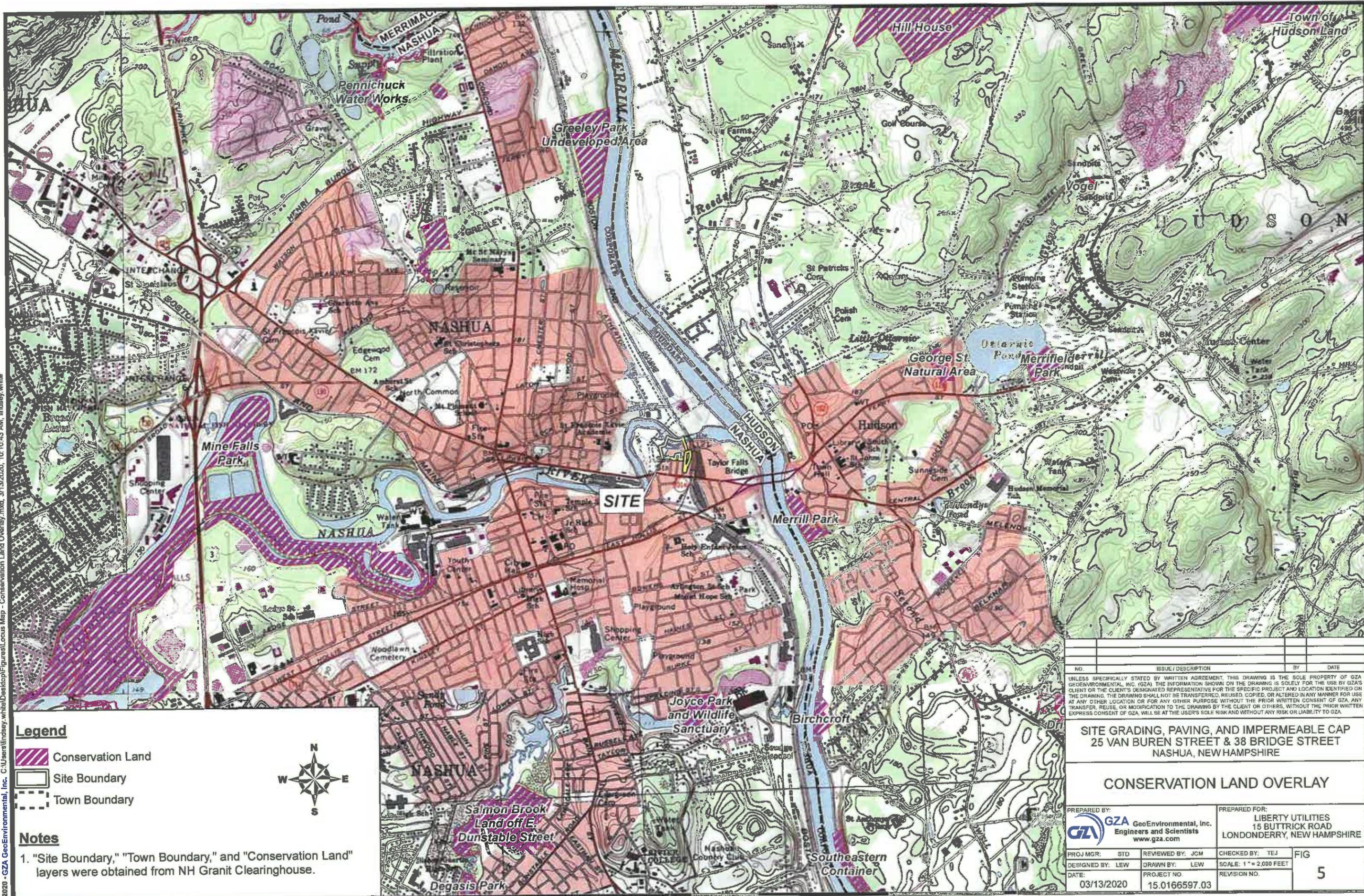
- Legend**
- National Wetland Inventory Layer
 - Site Boundary
 - Town Boundary



Notes

1. "National Wetland Inventory Layer," "Site Boundary," and "Town Boundary" were obtained from NH Granit Clearinghouse.

NO	ISSUE / DESCRIPTION	BY	DATE
<small>UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR THE USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN EXPRESS CONSENT OF GZA, WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.</small>			
SITE GRADING, PAVING, AND IMPERMEABLE CAP 25 VAN BUREN STREET & 38 BRIDGE STREET NASHUA, NEW HAMPSHIRE			
NATIONAL WETLAND INVENTORY OVERLAY			
<small>PREPARED BY:</small> GZA GeoEnvironmental, Inc. <small>Engineers and Scientists www.gza.com</small>		<small>PREPARED FOR:</small> LIBERTY UTILITIES 15 BUTTRICK ROAD LONDONDERRY, NEW HAMPSHIRE	
<small>PROJ MGR:</small> STD	<small>REVIEWED BY:</small> JCM	<small>CHECKED BY:</small> TEJ	<small>FIG</small>
<small>DESIGNED BY:</small> LEW	<small>DRAWN BY:</small> LEW	<small>SCALE:</small> 1" = 1,000 FEET	4
<small>DATE:</small> 03/13/2020	<small>PROJECT NO.:</small> 15.0166597.03	<small>REVISION NO.:</small>	



- Legend**
- Conservation Land
 - Site Boundary
 - Town Boundary



Notes

- "Site Boundary," "Town Boundary," and "Conservation Land" layers were obtained from NH Granit Clearinghouse.

NO.	ISSUE / DESCRIPTION	BY	DATE

**SITE GRADING, PAVING, AND IMPERMEABLE CAP
25 VAN BUREN STREET & 38 BRIDGE STREET
NASHUA, NEW HAMPSHIRE**

CONSERVATION LAND OVERLAY

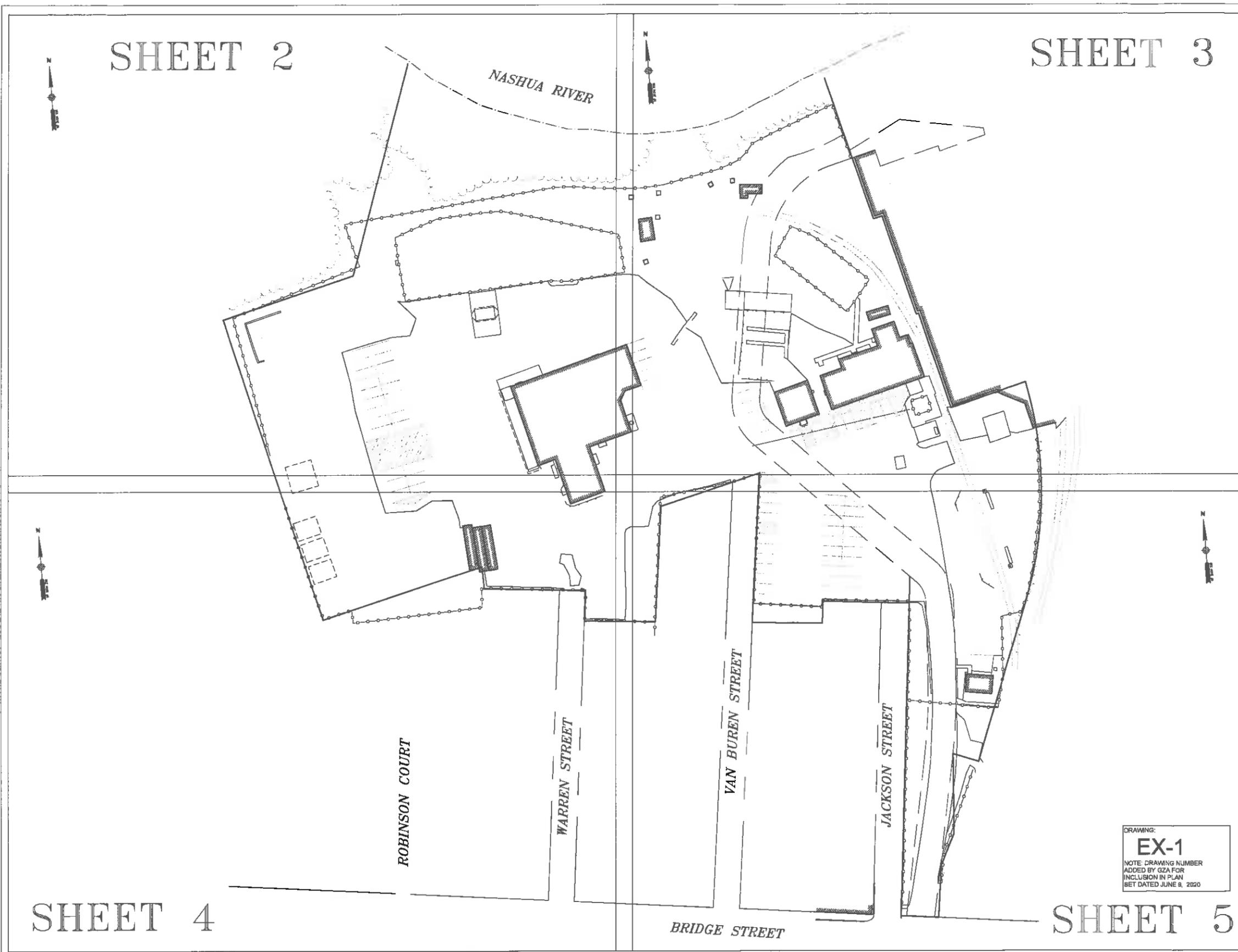
PREPARED BY:
GZA GeoEnvironmental, Inc.
 Engineers and Scientists
 www.gza.com

PREPARED FOR:
LIBERTY UTILITIES
 15 BUTTRICK ROAD
 LONDONDERRY, NEW HAMPSHIRE

PROJ MGR: STD	REVIEWED BY: JCM	CHECKED BY: TEJ	FIG
DESIGNED BY: LEW	DRAWN BY: LEW	SCALE: 1" = 2,000 FEET	5
DATE: 03/13/2020	PROJECT NO: 15.0166597.03	REVISION NO.	

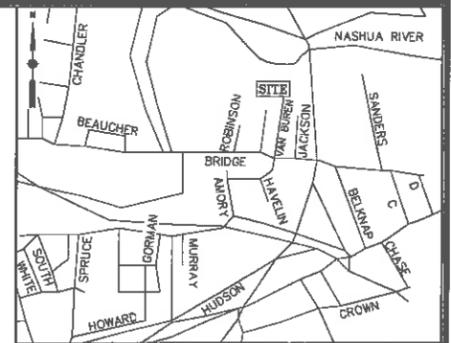
SHEET 2

SHEET 3



SHEET 4

SHEET 5



LOCUS MAP (N.T.S.)

UTILITY STATEMENTS

THE LOCATION OF THE UTILITIES AS SHOWN HEREON HAVE BEEN COMPILED FROM VISIBLE STRUCTURES AND INFORMATION OBTAINED FROM VARIOUS SOURCES. THE ACTUAL LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHALL BE CONSIDERED APPROXIMATE AND SHALL BE VERIFIED BY THE OWNER PRIOR TO ANY CONSTRUCTION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED.

NOTES

1. THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND FIELD SURVEY CONDUCTED BY WSP IN MAY 2018.
2. THE HORIZONTAL DATUM SHOWN HEREON REFERENCES THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM NAD83.
3. THE VERTICAL DATUM SHOWN HEREON REFERENCES NAVD83.
4. THE SURVEYED PROPERTY IS SUBJECT BUT NOT LIMITED TO THE INFORMATION SHOWN HEREON. ALL INFORMATION THAT MAY AFFECT THE QUALITY OF THE TITLE TO BOTH THE SUBJECT AND ADJOINING PARCELS SHOULD BE VERIFIED BY AN ACCURATE AND CURRENT TITLE REPORT. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
5. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON LABELED WITH AN (R) ARE FROM RECORD DOCUMENTS. ADDITIONAL FIELD INVESTIGATION WILL BE REQUIRED BY OTHERS TO DETERMINE THE ACTUAL PIPE SIZE(S) AND TYPE(S).
6. THE METFLAGS SHOWN HEREON WERE SET BY OTHERS AND FIELD LOCATED BY WSP DURING MAY OF 2018.

PLAN REFERENCES

1. PLAN ENTITLED "GAS SERVICE, INC., PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE", DATED JANUARY 1973, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 708B IN DRAWER 6.
2. PLAN ENTITLED "BRIDGE STREET SUBDIVISION AND CONSOLIDATION (LAND SWAP) OF LAND OF GAS SERVICE, INC.", DATED JULY 1987, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 21859 IN DRAWER 90.
3. SEWER EASEMENT PLANS FILED AT CITY OF NASHUA DEPARTMENT OF PUBLIC WORKS - SHEETS 2/38 & 3/38.
4. BOSTON AND MAINE RAILROAD VAL. MAP NUMBER V.21-1, FILED AT CITY OF NASHUA DEPARTMENT OF PUBLIC WORKS.
5. PLAN ENTITLED "GAS SERVICE COMPANY, INC., PLOT PLAN, NASHUA RIVER INTERCEPTOR - I, CITY OF NASHUA", DATED AUGUST 17, 1972, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 6179 IN DRAWER 26A, SHEET 39 OF 93.



DAVID PRINCE, L.L.S.
REG. NO. 977
WSP USA, Inc.
155 MAIN DUNSTABLE ROAD
NASHUA, NEW HAMPSHIRE

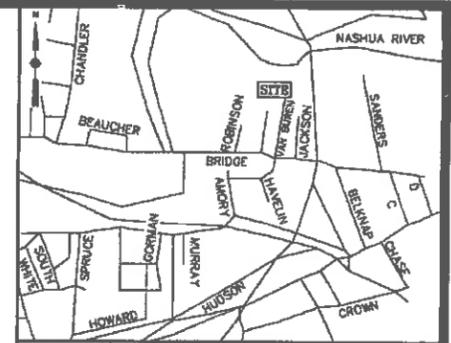
REVISION	DATE	DESCRIPTION

EXISTING CONDITIONS SURVEY
25 VAN BUREN STREET AND
38 BRIDGE STREET
NASHUA, NEW HAMPSHIRE
PREPARED FOR
GZA GEOENVIRONMENTAL, INC.

DRAWING:
EX-1
NOTE: DRAWING NUMBER
ADDED BY GZA FOR
INCLUSION IN PLAN
SET DATED JUNE 8, 2020



Drawn By	CG	Date	MAY 19, 2018	Job No.	190072B
Surveyed By	TO - JT	Scale	1" = 40'	Sheet No.	1 OF 5
Checked By	DPP	Book No.	N-255A		



LOCUS MAP (N.T.S.)

UTILITY STATEMENTS
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NOTES
 1. THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND FIELD SURVEY CONDUCTED BY WSP IN MAY 2018.
 2. THE HORIZONTAL DATUM SHOWN HEREON REFERENCES THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM MADE3.
 3. THE VERTICAL DATUM SHOWN HEREON REFERENCES NAVD83.
 4. THE SURVEYED PROPERTY IS SUBJECT BUT NOT LIMITED TO THE INFORMATION SHOWN HEREON. ALL INFORMATION THAT MAY AFFECT THE QUALITY OF THE TITLE TO BOTH THE SUBJECT AND ADJOINING PARCELS SHOULD BE VERIFIED BY AN ACCURATE AND CURRENT TITLE REPORT. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
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 6. THE NETLAGS SHOWN HEREON WERE SET BY OTHERS AND FIELD LOCATED BY WSP DURING MAY OF 2018.

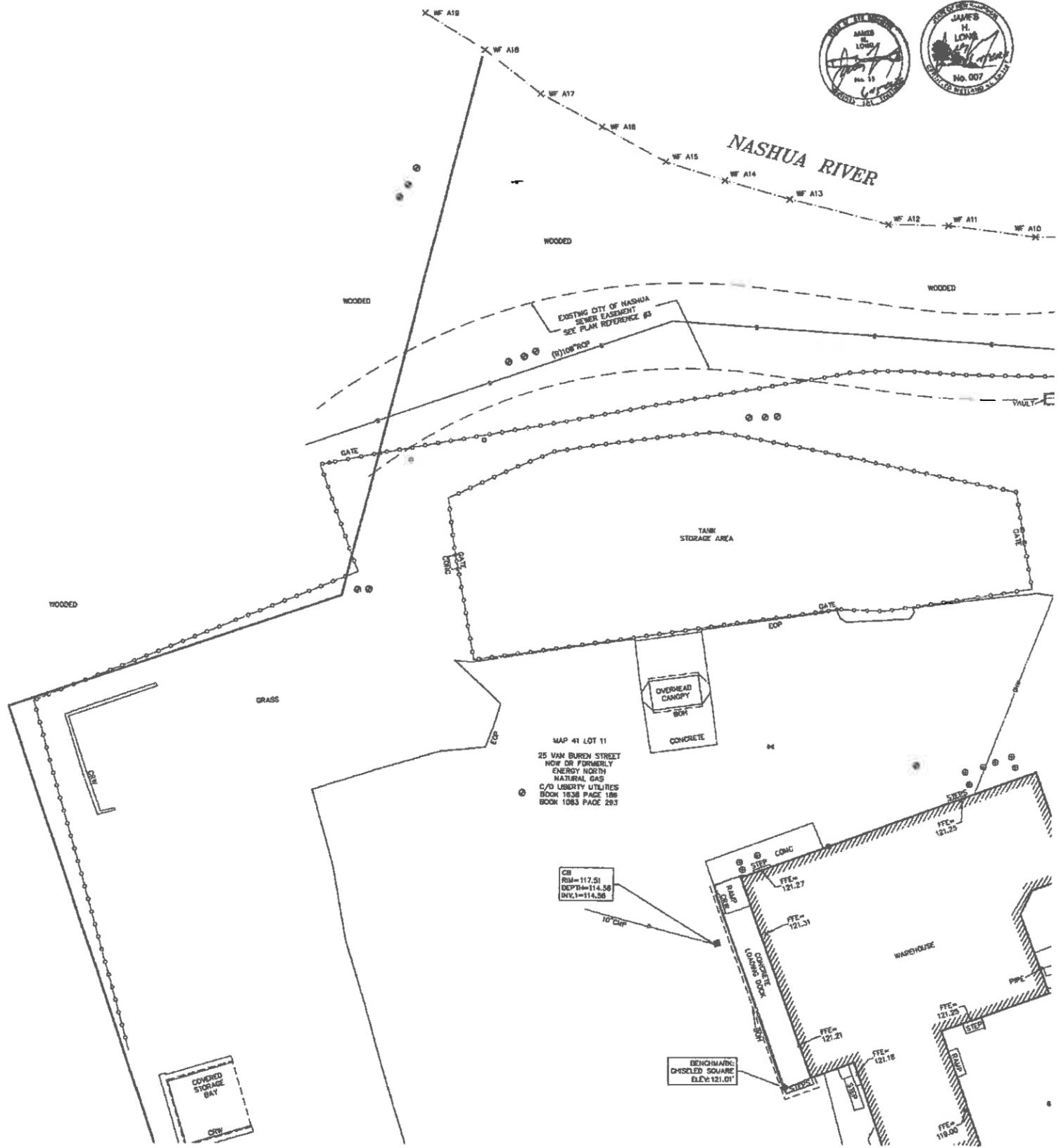
PLAN REFERENCES
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 3. SEWER EASEMENT PLANS FILED AT CITY OF NASHUA DEPARTMENT OF PUBLIC WORKS - SHEETS 2/38 & 3/38.
 4. BOSTON AND MAINE RAILROAD VAL MAP NUMBER V-21-1, FILED AT CITY OF NASHUA DEPARTMENT OF PUBLIC WORKS.
 5. PLAN ENTITLED "GAS SERVICE COMPANY, INC., PLOT PLAN, NASHUA RIVER INTERCEPTOR - 8, CITY OF NASHUA", DATED AUGUST 17, 1972, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 6178 IN DRAWER 25A, SHEET 30 OF 53.

LEGEND

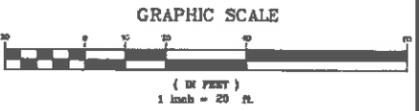
- | | |
|--|---|
| <ul style="list-style-type: none"> FCO FIRE DEPARTMENT CONNECTION UP UTILITY POLE WITH RISER U UTILITY POLE UL UTILITY POLE WITH LIGHT UT UTILITY POLE WITH TRANSFORMER UTR UTILITY WITH RISER AND TRANSFORMER SHR SHRUB SP SIGN (SINGLE POSTED) BOBO BOLT OVER MAIN OUTLET EDP EDGE OF PAVEMENT VGC VERTICAL GRANITE CURB CC CONCRETE CURB LSA LANDSCAPED AREA FFV FINISHED FLOOR ELEVATION CRW CONCRETE RETAINING WALL BOH BUILDING OVERHANG JB JERSEY BARRIER CMP CORRUGATED METAL PIPE PVC POLYVINYL CHLORIDE CI CAST IRON INV. INVERT (R) RECORD INFORMATION UTO UNABLE TO OBSERVE CND COULD NOT OPEN | <ul style="list-style-type: none"> IR IRON ROD FOUND SBM STONE BOUND WITH DRILL HOLE SR STONE ROUND FA FIRE ALARM GM GAS MANHOLE RCB ROUND CATCH BASIN CB CATCH BASIN DM DRAIN MANHOLE NLM NO LABEL MANHOLE SM SEWER MANHOLE EB ELECTRIC BOX EHE ELECTRIC HANDHOLE EM ELECTRIC METER EMH ELECTRIC MANHOLE GM GAS METER GV GAS VALVE WG WATER GATE FH FIRE HYDRANT SD SIGN (DOUBLE POSTED) POST POST MW MONITORING WELL LP LIGHT POLE BOLL BOLLARD HP HANDICAP PARKING VALVE VALVE BENCH BENCHMARK AL ABUTTERS LOT LINE ROW RIGHT OF WAY PL PROPERTY LINE EASE EASEMENT CLF CHAIN LINK FENCE MG METAL GUARDRAIL BOV BUILDING OVERHANG SL SEWER LINE DL DRAIN LINE WL WATER LINE GL GAS LINE OW OVERHEAD WIRES TL TREE LINE IC INTERMEDIATE CONTOURS IX INDEX CONTOURS WLW WETLAND LINE |
|--|---|

MAP 41 LOT 1
 1 JACKSON SQUARE
 NOW OR FORMERLY
 PUBLIC SERVICE COMPANY OF
 NEW HAMPSHIRE
 BOOK 1024 PAGE 338

MAP 41 LOT 11
 25 VAN BUREN STREET
 NOW OR FORMERLY
 ENERGY NORTH
 NATURAL GAS
 C/O LIBERTY UTILITIES
 BOOK 1838 PAGE 186
 BOOK 1083 PAGE 283



DRAWING
EX-2
 NOTE: DRAWING NUMBER
 ADDED BY GZA FOR
 INCLUSION IN PLAN
 SET DATED JUNE 9, 2020



REVISION	DATE	DESCRIPTION

EXISTING CONDITIONS SURVEY
 25 VAN BUREN STREET AND
 38 BRIDGE STREET
 NASHUA, NEW HAMPSHIRE
 PREPARED FOR
GZA GEONVIRONMENTAL, INC.



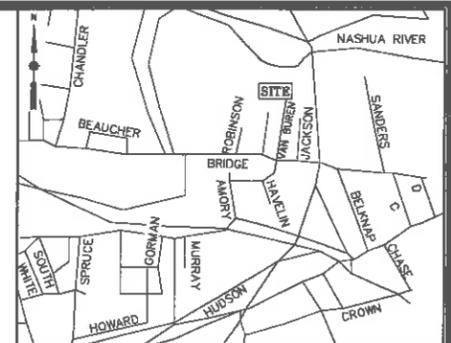
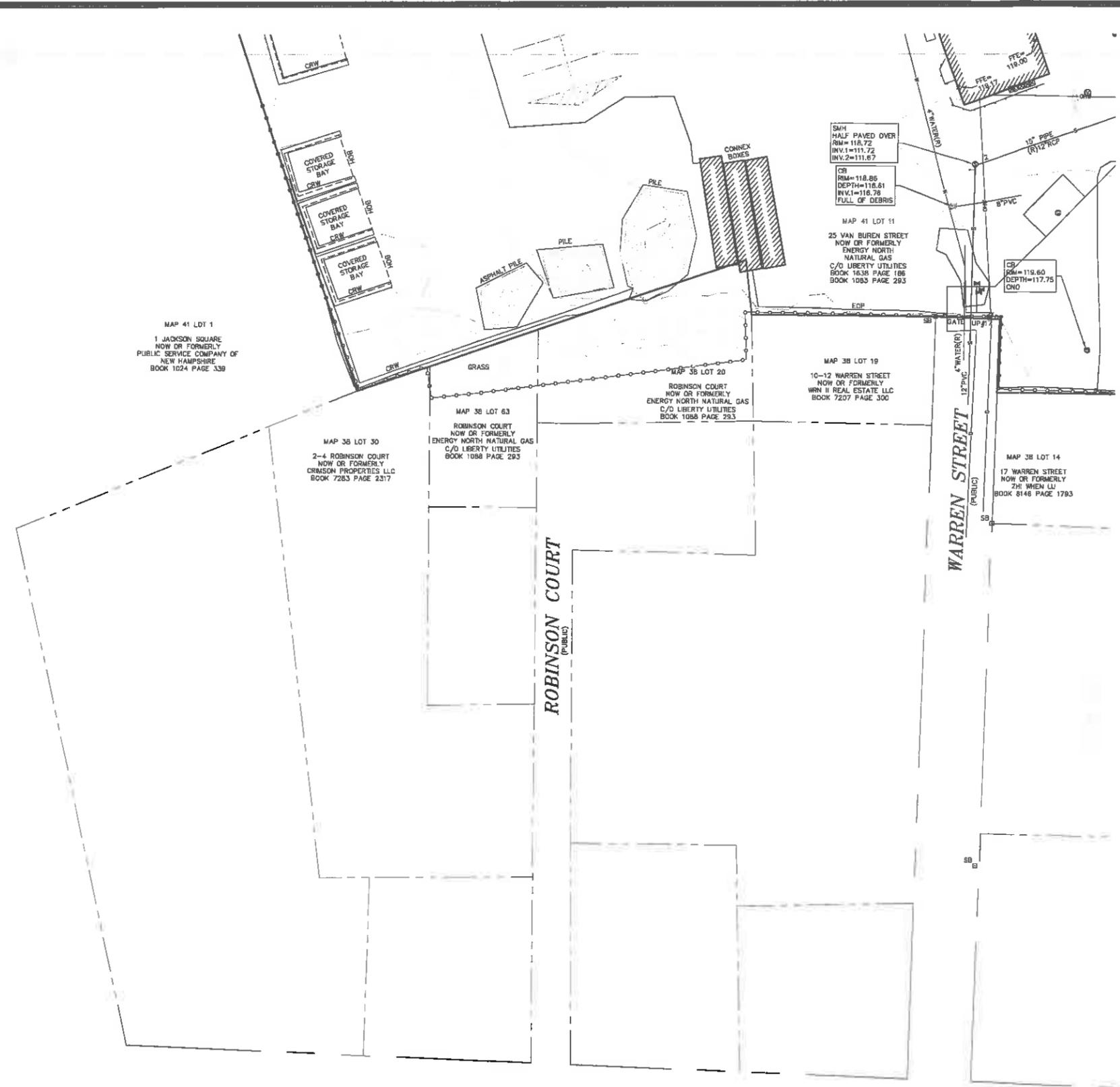
Drawn By: CG	Date: MAY 18, 2018	Job No.: 1900728
Surveyed By: TO - JT	Scale: 1" = 20'	Sheet No.: 2 OF 5
Checked By: DPP	Book No.: N-255A	

1900728-1.dwg



LEGEND

- | | | | |
|------|------------------------------------|-----|-----------------------------|
| FD | FIRE DEPARTMENT CONNECTION | RF | IRON ROD FOUND |
| UP | UTILITY POLE WITH RISER | SD | STONE BOUND WITH DRILL HOLE |
| U | UTILITY POLE | SB | STONE BOUND |
| UL | UTILITY POLE WITH LIGHT | FA | FIRE ALARM |
| UT | UTILITY POLE WITH TRANSFORMER | GM | GAS MANHOLE |
| UR | UTILITY WITH RISER AND TRANSFORMER | RCB | ROUND CATCH BASIN |
| SR | SHRUB | C | CATCH BASIN |
| S | SIGN (SINGLE POSTED) | DM | DRAIN MANHOLE |
| BM | BOLT OVER MAIN OUTLET | NLM | NO LABEL MANHOLE |
| EDP | EDGE OF PAVEMENT | SM | SEWER MANHOLE |
| VGC | VERTICAL GRANITE CURB | EB | ELECTRIC BOX |
| CC | CONCRETE CURB | EHM | ELECTRIC HANDHOLE |
| LSA | LANDSCAPED AREA | EM | ELECTRIC METER |
| FFE | FINISHED FLOOR ELEVATION | EMH | ELECTRIC MANHOLE |
| CRW | CONCRETE RETAINING WALL | GM | GAS METER |
| BOH | BUILDING OVERHANG | GV | GAS VALVE |
| JB | JERSEY BARRIER | WG | WATER GATE |
| CMP | CORRUGATED METAL PIPE | FH | FIRE HYDRANT |
| PVC | POLYVINYL CHLORIDE | SDP | SIGN (DOUBLE POSTED) |
| CI | CAST IRON | P | POST |
| INV. | INVERT | MW | MONITORING WELL |
| (R) | RECORD INFORMATION | LP | LIGHT POLE |
| UTO | UNABLE TO OBSERVE | B | BOLLARD |
| CNO | COULD NOT OPEN | HP | HANDICAP PARKING |
| | | V | VALVE |
| | | B | BENCHMARK |
| | | AL | ABUTTERS LOT LINE |
| | | RW | RIGHT OF WAY |
| | | PL | PROPERTY LINE |
| | | E | EASEMENT |
| | | CLF | CHAIN LINK FENCE |
| | | MG | METAL GUARDRAIL |
| | | BO | BUILDING OVERHANG |
| | | S | SEWER LINE |
| | | D | DRAIN LINE |
| | | W | WATER LINE |
| | | G | GAS LINE |
| | | OW | OVERHEAD WIRES |
| | | T | TREE LINE |
| | | IC | INTERMEDIATE CONTOURS |
| | | IX | INDEX CONTOURS |
| | | WL | WETLAND LINE |



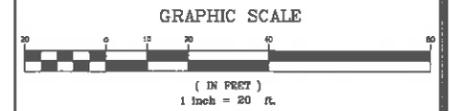
LOCUS MAP (N.T.S.)

UTILITY STATEMENTS
 THE LOCATION OF THE UTILITIES AS SHOWN HEREON HAVE BEEN COMPILED FROM VISIBLE STRUCTURES AND INFORMATION OBTAINED FROM VARIOUS SOURCES. THE ACTUAL LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHALL BE CONSIDERED APPROXIMATE AND SHALL BE VERIFIED BY THE OWNER PRIOR TO ANY CONSTRUCTION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED.

- NOTES**
1. THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND FIELD SURVEY CONDUCTED BY WSP IN MAY 2018.
 2. THE HORIZONTAL DATUM SHOWN HEREON REFERENCES THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM NAD83.
 3. THE VERTICAL DATUM SHOWN HEREON REFERENCES NAVD83.
 4. THE SURVEYED PROPERTY IS SUBJECT BUT NOT LIMITED TO THE INFORMATION SHOWN HEREON. ALL INFORMATION THAT MAY AFFECT THE QUALITY OF THE TITLE TO BOTH THE SUBJECT AND ADJOINING PARCELS SHOULD BE VERIFIED BY AN ACCURATE AND CURRENT TITLE REPORT. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
 5. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON LABELED WITH AN (R) ARE FROM RECORD DOCUMENTS. ADDITIONAL FIELD INVESTIGATION WILL BE REQUIRED BY OTHERS TO DETERMINE THE ACTUAL PIPE SIZE(S) AND TYPE(S).
 6. THE WETFLAGS SHOWN HEREON WERE SET BY OTHERS AND FIELD LOCATED BY WSP DURING MAY OF 2018.

- PLAN REFERENCES**
1. PLAN ENTITLED "GAS SERVICE, INC., PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE", DATED JANUARY 1973, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 7085 IN DRAWER 6.
 2. PLAN ENTITLED "BRIDGE STREET SUBDIVISION AND CONSOLIDATION (LAND SWAP) OF LAND OF GAS SERVICE, INC." DATED JULY 1987, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 21869 IN DRAWER 90.
 3. SEWER EASEMENT PLANS FILED AT CITY OF NASHUA DEPARTMENT OF PUBLIC WORKS - SHEETS 2/38 & 3/38.
 4. BOSTON AND MAINE RAILROAD VAL. MAP NUMBER V.21-1, FILED AT CITY OF NASHUA DEPARTMENT OF PUBLIC WORKS.
 5. PLAN ENTITLED "GAS SERVICE COMPANY, INC., PLOT PLAN, NASHUA RIVER INTERCEPTOR - 3, CITY OF NASHUA", DATED AUGUST 17, 1972, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 8178 IN DRAWER 26A, SHEET 39 OF 52.

DRAWING:
EX-4
 NOTE: DRAWING NUMBER
 ADDED BY GZA FOR
 INCLUSION IN PLAN
 SET DATED JUNE 9, 2020



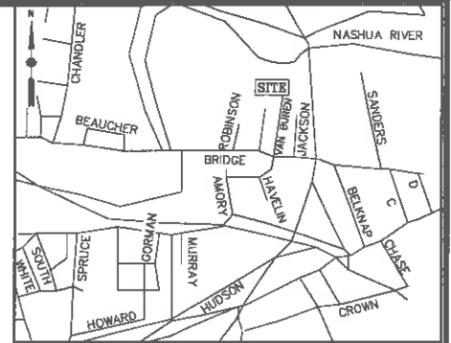
REVISION	
DATE	DESCRIPTION
---/---/---	---
EXISTING CONDITIONS SURVEY 25 VAN BUREN STREET AND 38 BRIDGE STREET NASHUA, NEW HAMPSHIRE PREPARED FOR GZA GEOENVIRONMENTAL, INC.	

wsp WSP USA Inc.
 155 Main Dunstable Rd, Guites 120 & 125
 Nashua, NH 03080
 603.585.7800

Drawn By	CG	Date	MAY 18, 2018	Job No.	190072B
Surveyed By	TO - JT	Checked By	DPP	Scale	1" = 20'
Book No.	N-255A			Sheet No.	4 OF 5



- LEGEND**
- | | |
|--|--|
| <ul style="list-style-type: none"> FCO FIRE DEPARTMENT CONNECTION UP UTILITY POLE WITH RISER UP UTILITY POLE UL UTILITY POLE WITH LIGHT UT UTILITY POLE WITH TRANSFORMER UTR UTILITY WITH RISER AND TRANSFORMER SHR SHRUB SIGN (SINGLE POSTED) BOMO BOLT OVER MAIN OUTLET EOP EDGE OF PAVEMENT VGC VERTICAL GRANITE CURB CC CONCRETE CURB LSA LANDSCAPED AREA FFE FINISHED FLOOR ELEVATION CRW CONCRETE RETAINING WALL BOH BUILDING OVERHANG JB JERSEY BARRIER CMP CORRUGATED METAL PIPE PVC POLYVINYL CHLORIDE CI CAST IRON INV. INVERT (R) RECORD INFORMATION UTO UNABLE TO OBSERVE CNO COULD NOT OPEN | <ul style="list-style-type: none"> 1/4" IRON ROD FOUND SBM STONE BOUND WITH DRILL HOLE SB STONE BOUND GAS MANHOLE ROUND CATCH BASIN CATCH BASIN DRAIN MANHOLE NO LABEL MANHOLE SEWER MANHOLE ELECTRIC BOX ELECTRIC HANDHOLE ELECTRIC METER ELECTRIC MANHOLE GAS METER GAS VALVE WATER GATE FIRE HYDRANT SIGN (DOUBLE POSTED) POST MONITORING WELL LIGHT POLE BOLLARD HANDICAP PARKING VALVE BENCHMARK ABUTTERS LOT LINE RIGHT OF WAY PROPERTY LINE EASEMENT CHAIN LINK FENCE METAL GUARDRAIL BUILDING OVERHANG SEWER LINE DRAIN LINE WATER LINE GAS LINE OVERHEAD WIRES TREE LINE INTERMEDIATE CONTOURS INDEX CONTOURS WETLAND LINE |
|--|--|



LOCUS MAP (N.T.S.)

UTILITY STATEMENTS

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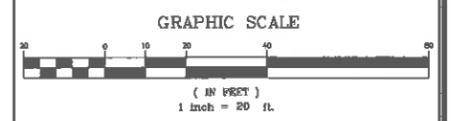
NOTES

1. THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND FIELD SURVEY CONDUCTED BY WSP IN MAY 2018.
2. THE HORIZONTAL DATUM SHOWN HEREON REFERENCES THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM NAD83.
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6. THE NETLAGS SHOWN HEREON WERE SET BY OTHERS AND FIELD LOCATED BY WSP DURING MAY OF 2018.

PLAN REFERENCES

1. PLAN ENTITLED "GAS SERVICE, INC., PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE," DATED JANUARY 1973, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 7088 IN DRAWER 4.
2. PLAN ENTITLED "BRIDGE STREET SUBDIVISION AND CONSOLIDATION (LAND SWAP) OF LAND OF GAS SERVICE, INC.," DATED JULY 1987, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 21689 IN DRAWER 90.
3. SEWER EASEMENT PLANS FILED AT CITY OF NASHUA DEPARTMENT OF PUBLIC WORKS - SHEETS 2/38 & 3/38.
4. BOSTON AND MAINE RAILROAD VAL MAP NUMBER V.21-1, FILED AT CITY OF NASHUA DEPARTMENT OF PUBLIC WORKS.
5. PLAN ENTITLED "GAS SERVICE COMPANY, INC., PLOT PLAN, NASHUA RIVER INTERCEPTOR - II, CITY OF NASHUA," DATED AUGUST 17, 1972, RECORDED AT HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NUMBER 6179 IN DRAWER 28A, SHEET 39 OF 53.

DRAWING
EX-5
NOTE: DRAWING NUMBER ADDED BY GZA FOR INCLUSION IN PLAN SET DATED JUNE 9, 2020



REVISION	DATE	DESCRIPTION
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EXISTING CONDITIONS SURVEY
25 VAN BUREN STREET AND
38 BRIDGE STREET
NASHUA, NEW HAMPSHIRE
PREPARED FOR
GZA GEONENVIRONMENTAL, INC.

wsp WSP USA Inc.
155 Main Dunstable Rd, Suites 120 & 125
Nashua, NH 03050
603.585.7800

Drawn By	CG	Date	MAY 18, 2018	Job No.	190072B
Surveyed by	TO - JT	Scale	1" = 20'	Sheet No.	5 OF 5
Checked By	DPP	Book No.	N-255A		



LEGEND

- FDI FIRE DEPARTMENT CONNECTION
- UP UTILITY POLE WITH RISER
- UL UTILITY POLE
- ULP UTILITY POLE WITH LIGHT
- UTR UTILITY WITH RISER AND TRANSFORMER
- SHR SHRUB
- SPN SIGN (SINGLE POSTED)
- BOAD BOLT OVER MAIN DRAINLET
- EOP EDGE OF PAVEMENT
- VOC VERTICAL GRANITE CURB
- CC CONCRETE CURB
- LSA LANDSCAPED AREA
- FFE FINISHED FLOOR ELEVATION
- CRW CONCRETE RETAINING WALL
- BOH BUILDING OVERHANG
- JB JERSEY BARRIER
- CMP CORRUGATED METAL PIPE
- PVC POLYVINYL CHLORIDE
- CI CAST IRON
- IRF IRON ROD FOUND
- SB STONE BOUND WITH GRILL HOLE
- WB STONE BOUND
- FA FIRE ALARM
- GM GAS MANHOLE
- RCB ROUND CATCH BASIN
- CB CATCH BASIN
- DM DRAIN MANHOLE
- NLM NO LABEL MANHOLE
- SM SEWER MANHOLE
- EB ELECTRIC BOX
- EH ELECTRIC HANDHOLE
- EM ELECTRIC METER
- EHM ELECTRIC MANHOLE
- GM GAS METER
- GV GAS VALVE
- WC WATER GATE
- FH FIRE HYDRANT
- P POST
- LP LIGHT POLE
- B BOLLARD
- V VALVE

- PROJECT PROPERTY LINE
- PROPERTY LINE
- ADJUTERS LOT LINE
- RIGHT OF WAY
- EXISTING EASEMENT
- TEMPORARY EASEMENT
- EDGE OF EXISTING PAVEMENT
- CHAIN LINK FENCE
- METAL GUARDRAIL
- BUILDING OVERHANG
- TRUCK LINE
- WETLAND LINE
- 75 FT. WETLAND BUFFER
- 250 FT. WETLAND BUFFER
- PHASE LIMITS



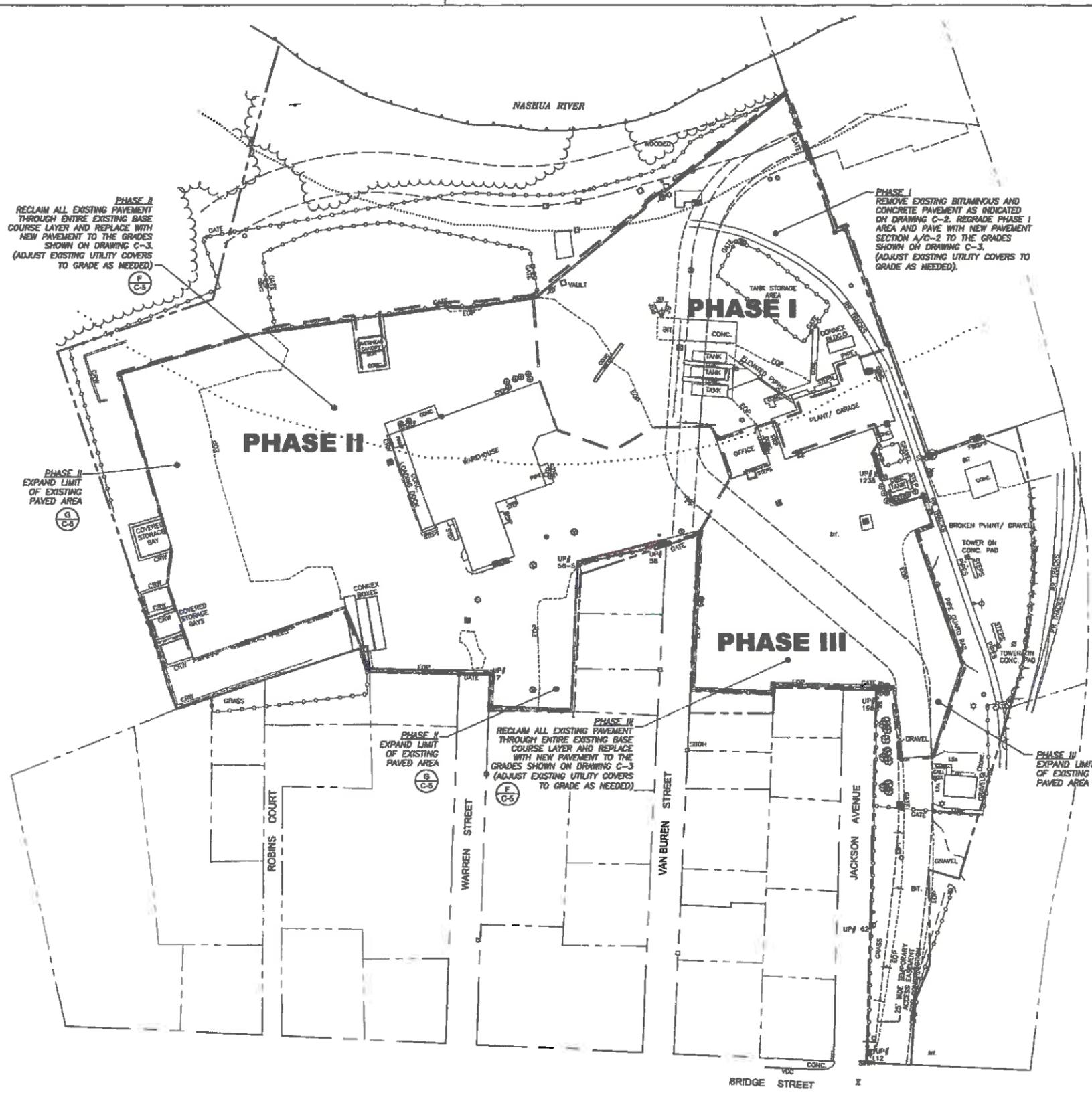
NO	MISC TEXT EXITS	ISSUE/DESCRIPTION	STD	DATE
1			STD	06/09/20

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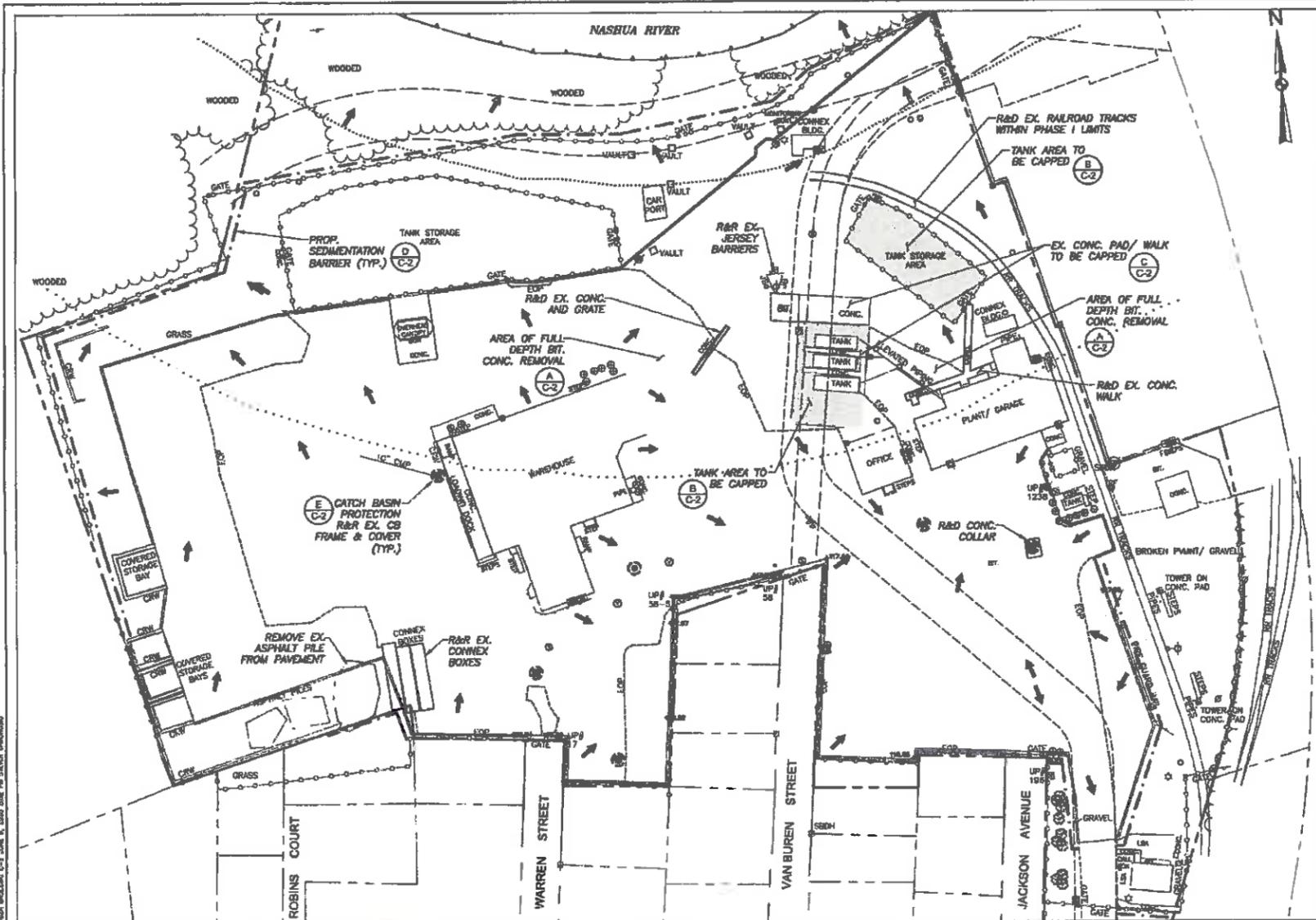
**SITE GRADING, PAVING AND IMPERVIOUS CAP
LIBERTY UTILITIES
38 BRIDGE STREET, NASHUA, NH**

PHASING PLAN

PREPARED BY GZA GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com	PREPARED FOR LIBERTY UTILITIES (NEW HAMPSHIRE) 15 BUTTRICK ROAD LONDONDERRY, NH 03053
PROJECT NO. STD DESIGNED BY STD DATE FEB. 27, 2020	REVIEWED BY STD CHECKED BY TEJ DRAWING SCALE 1"=40' PROJECT NO. 15.D166547.03 REVISION NO. 1



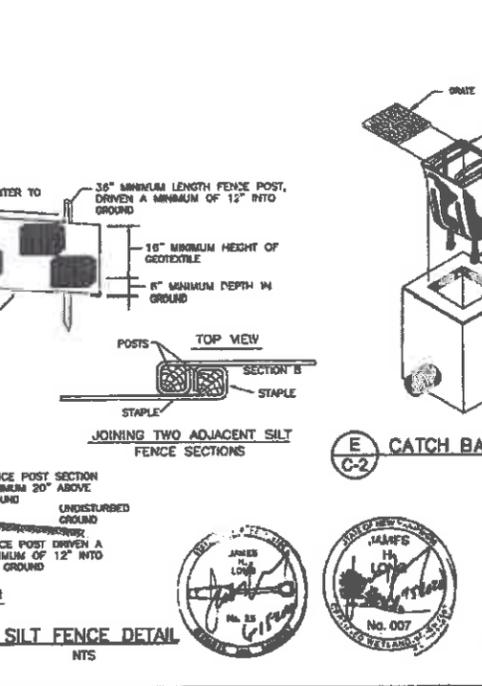
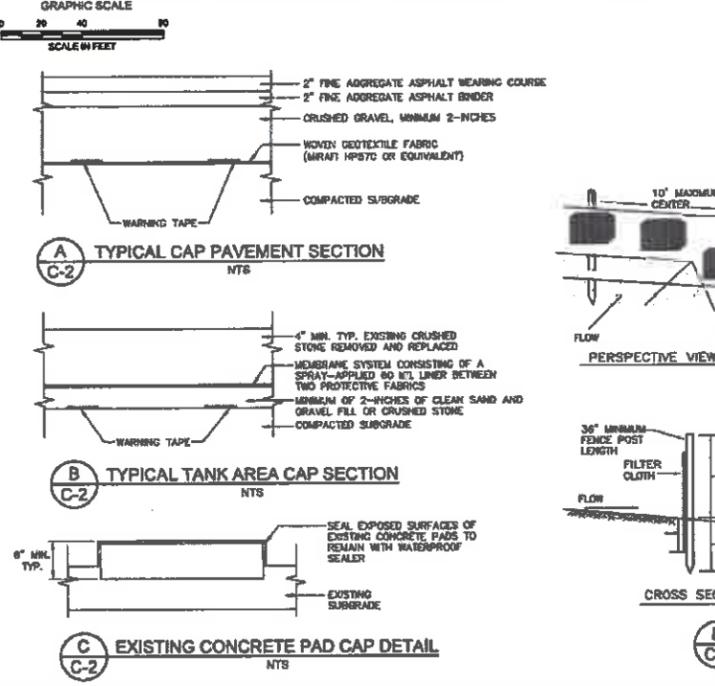
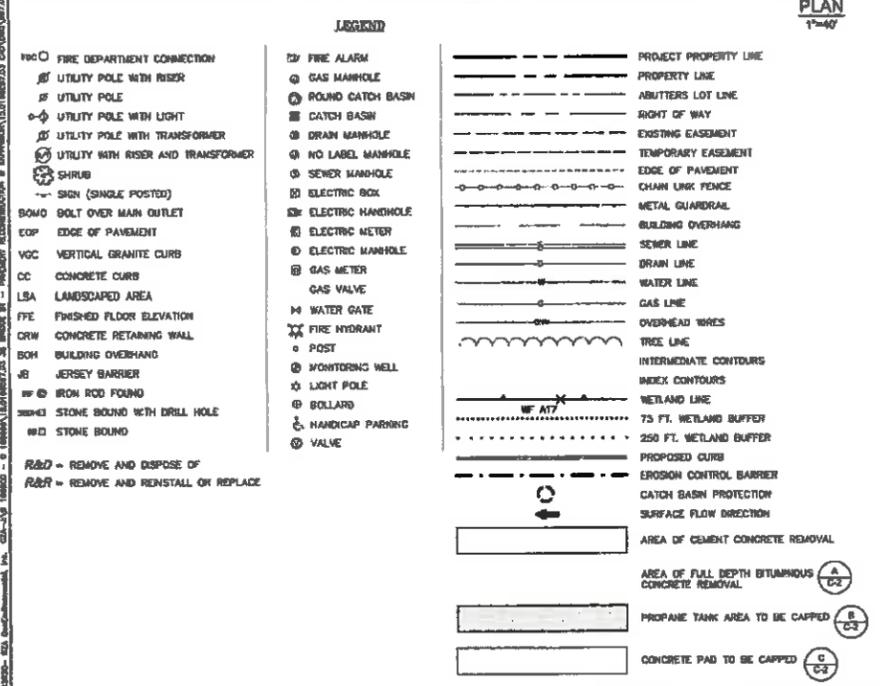
GZA GeoEnvironmental, Inc. 1500 North Main Street, Suite 200, Londonderry, NH 03053



- CAP CONSTRUCTION NOTES:**
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH WRITES APPROVED ASBESTOS DISPOSAL SITE (ADS) WORK PLAN. IN GENERAL, WORK SHALL BE DONE WITHOUT RELEASE OF FUGITIVE EMISSIONS AND DUST.
 - LOOSE SURFICIAL DEBRIS (BRICK, WOOD, CONCRETE) GREATER THAN TWO INCHES SHALL BE REMOVED AND DISPOSED OF IN ACCORDANCE WITH APPROVED WORK PLAN.
 - AREAS REQUIRING EXCAVATION TO MEET GRADES OR REMOVAL OF PAVEMENT AND OR CONCRETE SHALL BE DONE IN ACCORDANCE OF THE APPROVED WORK PLAN.
 - UTILITY STRUCTURES AND MONITORING WELLS IN CAP AREAS WILL BE RAISED TO MEET FINISHED GRADES.
 - EXCESS EXCAVATED SOIL SHALL BE CHARACTERIZED FOR DISPOSAL AND DISPOSED OF AT A FACILITY PERMITTED TO ACCEPT THE WASTE.
 - PAVING AND CAPPING OF RAILROAD SPUR WILL BE PERFORMED IN ACCORDANCE WITH AREA SPECIFICATIONS.
 - GENERAL PAVEMENT CAP AREAS (DETAIL A)**
 - ONCE THE SUBGRADE HAS BEEN REDGRADED, THE SUBGRADE SHALL BE PROOF-COMPACTED WITH FOUR PASSES OF A LARGE SELF-PROPELLED ROLLER.
 - HIGH STRENGTH WOVEN GEOTEXTILE FABRIC CONSISTING OF MIRAFL HP570 OR EQUIVALENT SHALL BE PLACED OVER THE SUBGRADE AND OVERLAPPED A MINIMUM 12-INCHES WITH ADJOINING SECTIONS.
 - A MINIMUM OF 2-INCHES OF CRUSHED GRAVEL (FREE-DRAINING SAND AND GRAVEL) MEETING THE FOLLOWING SPECIFICATIONS:

Sieve Designation	Percent Passing
3/4" In.	100
1/2" In.	85-100
No. 4	50-80
No. 200	20-85
	0-10
 - THE CRUSHED GRAVEL SHALL BE COMPACTED WITH A MINIMUM 6 PASSES OF A LARGE VIBRATORY ROLLER.
 - PAVEMENT SECTION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE TYPICAL DETAIL PAVEMENT WEARING COURSE SHALL CONSIST OF 1/2" DOT 3/8-INCH MIX. PAVEMENT BRIDGE COURSE SHALL CONSIST OF 1/2" DOT 3/8-INCH MIX. AIR Voids SHALL NOT EXCEED 4%. ASPHALT SHALL BE PLACED AND COMPACTED IN 1-INCH LIFTS.
 - TANKS/VAPORIZER CAP AREAS (DETAIL B)**
 - REMOVE UP TO FOUR INCHES OF EXISTING CRUSHED STONE BELOW TANK AND VAPORIZER AREAS. DO NOT REMOVE SOIL BELOW THE CRUSHED STONE.
 - CRUSHED STONE REMOVAL SHALL BE VISUALLY INSPECTED FOR EVIDENCE OF ASBESTOS CONTAINING MATERIALS (ACM) IN ACCORDANCE WITH APPROVED ADS WORK PLAN. CRUSHED STONE THAT CONTAINS ACM WILL BE RELOCATED AND CAPPED TO AN ALTERNATE LOCATION WITHIN THE PROPOSED CAP AREA OR DISPOSED OF AT A FACILITY PERMITTED TO ACCEPT THE WASTE.
 - ONCE THE STONE HAS BEEN REMOVED THE AREA SHOULD BE GRADED AND CROWNED TO PROMOTE DRAINAGE TO THE SURROUNDING PAVED AREAS AND PARKING LOT. FREE-DRAINING SAND AND GRAVEL SOIL CAN BE USED TO GRADE THE AREA. A MEMBRANE SYSTEM CONSISTING OF A SPRAY-APPLIED 60 MIL LINER BETWEEN TWO PROTECTIVE FABRICS WILL BE PLACED IN THE TANK AND VAPORIZER AREAS.
 - A MINIMUM OF 4-INCHES OF CRUSHED STONE SHALL BE PLACED OVER THE MEMBRANE SYSTEM. THE CRUSHED STONE MAY CONSIST OF THE EXISTING CRUSHED STONE OR EQUIVALENT IMPORTED CRUSHED STONE.
 - THE CONCRETE SIDEWALKS WITHIN THE TANK/VAPORIZER AREAS WILL BE MAINTAINED AND THE CRUSHED STONE SHOULD MEET THE GRADES OF THE CONCRETE SIDEWALKS.
 - SPRAY-ON MEMBRANE - MEMBRANE SHALL CONSIST OF A SINGLE COURSE, HIGH BUILD, POLYMER MODIFIED, ASPHALT EMULSION, WATERBORNE AND SPRAY APPLIED AT AMBIENT TEMPERATURES. A NOMINAL THICKNESS OF 60 DRY MILS. NON-TOXIC AND ODORLESS.
 - EXISTING CONCRETE PAD CAP AREAS (DETAIL C)**
 - CONCRETE PAD SHALL BE CLEANED AND PREPARED IN ACCORDANCE WITH SEALER MANUFACTURER INSTRUCTIONS.
 - CONCRETE PADS WILL BE SEALED WITH A WATER-PROOF SEALER (LITH-TEX 9500 OR EQUIVALENT).
 - CAP SURFACE AREAS WILL BE GRADED TO ALLOW DISCHARGE TO THE EXISTING STORMWATER SYSTEM AT THE SITE. THE CAP SYSTEM WILL BE INTEGRATED INTO THE CAPITAL IMPROVEMENTS FOR THE SITE WHICH WILL INCLUDE REGRADING AND REPAIRING THE EXISTING PARKING LOT, AS PART OF THE CAPITAL IMPROVEMENTS. THE STORMWATER SYSTEM WILL BE EVALUATED AND ADDITIONAL STORMWATER CAPACITY WILL BE ADDED AS NEEDED TO COMPENSATE FOR THE ADDITIONAL IMPERVIOUS CAP AREAS.

- SEDIMENT AND EROSION CONTROL NOTES:**
- SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND DISTURBING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE.
 - THE CONTRACTOR SHALL CONSTRUCT ALL EROSION AND SEDIMENT CONTROL MEASURES PER THE SEDIMENT AND EROSION CONTROL PLAN PRIOR TO BEGINNING ANY OTHER LAND DISTURBANCES. SHALL ENSURE THAT ALL RAINFALL FROM DISTURBED AREAS IS DIRECTED TO THE SEDIMENT CONTROL DEVICES, AND SHALL NOT REMOVE ANY EROSION OR SEDIMENT CONTROL MEASURES UNTIL THE AREAS DRAINING TO THEM ARE FINAL STABILIZED. THE CONTRACTOR SHALL INSPECT DAILY AND MAINTAIN CONTINUOUSLY IN EFFECT OPERATING CONFORM ALL EROSION AND SEDIMENT CONTROL MEASURES UNTIL SUCH TIME AS THEY ARE REMOVED. CONDUCT INSPECTIONS AND REPORTING IN ACCORDANCE WITH ALL PERMITS.
 - IMMEDIATELY UPON DISCOVERING UNFORESEEN CIRCUMSTANCES POSING THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION, THE CONTRACTOR SHALL IMPLEMENT APPROPRIATE BEST MANAGEMENT PRACTICES (BMPs) TO ELIMINATE THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION. THE CONTRACTOR SHALL INSTALL AND MAINTAIN AT NO ADDITIONAL COST TO THE OWNER ANY ADDITIONAL EROSION CONTROL MEASURES DEEMED NECESSARY FOR PERMIT COMPLIANCE BY THE CONTRACTOR, THE OWNER AND/OR THEIR REPRESENTATIVES, OR BY FEDERAL/STATE/LOCAL GOVERNMENT INSPECTORS.
 - ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS AND SPECIFICATIONS AND THE "WISDOT GUIDELINES FOR TEMPORARY EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT" (WISDOT, MAY 2002).
 - THE CONTRACTOR SHALL PROTECT ALL POINTS OF CONSTRUCTION INGRESS AND EGRESS TO PREVENT THE DEPOSITION OF MATERIALS ONTO TRAVELLED PUBLIC THROUGHFARES. ALL MATERIALS DEPOSITED ONTO PUBLIC THROUGHFARES SHALL BE REMOVED IMMEDIATELY.
 - ALL SEDIMENT BASINS, TRAP CHAMBERS, SHALES, PERIMETER Dikes, AND PERMANENT SLOPES STEEPER OR EQUAL TO 3:1 SHALL BE STABILIZED WITH SOO, SEED AND ANCHORED STRAW MULCH, OR OTHER APPROVED STABILIZATION MEASURES, WITHIN SEVEN (7) CALENDAR DAYS OF ESTABLISHMENT. NO AREAS OUTSIDE OF THE PERIMETER SEDIMENT CONTROL BARRIER OR LIMIT OF WORK SHALL BE DISTURBED.
 - THE CONTRACTOR SHALL APPLY SOO, SEED AND ANCHORED STRAW MULCH, OR OTHER APPROVED STABILIZATION MEASURES TO ALL DISTURBED AREAS WITHIN 14 CALENDAR DAYS AFTER STRIPPING AND GRADING ACTIVITIES BEGINS ON THAT AREA. MAINTENANCE SHALL BE PERFORMED AS NECESSARY TO ENSURE CONTINUED STABILIZATION.
 - STOCKPILES WHICH HAVE NOT BEEN USED FOR 14 CALENDAR DAYS, SHALL BE STABILIZED THROUGH THE APPLICATION OF SOO, SEED AND ANCHORED STRAW MULCH, OR OTHER APPROVED STABILIZATION MEASURES.
 - ALL CATCH BASINS OR OTHER DRAIN INLETS WHICH MAY RECEIVE STORMWATER FROM DISTURBED AREAS SHALL BE PROVIDED WITH SUITABLE INLET PROTECTION CONSISTING OF AN OPEN-TOP FILTER FABRIC BAG THAT IS DESIGNED TO HANG UNDERNEATH A STORM GRATE TO FILTER SEDIMENT-LADEN STORMWATER.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTROL OF DUST AND DIRT RISING AND SCATTERING IN THE AIR DURING CONSTRUCTION AND SHALL PROVIDE WATER SPRINKLING, CALCIUM CHLORIDE, OR OTHER EFFECTIVE MEANS OF CONTROL.
 - ALL WASTE MATERIALS GENERATED AT THE SITE SHALL BE IMMEDIATELY REMOVED AND DISPOSED OF OR STORED IN A SECURELY COVERED CONTAINER IN ACCORDANCE WITH LOCAL AND STATE REGULATIONS. CONTAINER SHALL BE EMPTIED ON A REGULAR BASIS AND AS NECESSARY. NO CONSTRUCTION WASTE OR DEBRIS SHALL BE BURIED ON-SITE.
 - FOR FINISHED GRADING, THE CONTRACTOR SHALL PROVIDE ADEQUATE GRADIENTS SO AS TO PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS OR OPENINGS.
 - PRIOR TO REMOVAL OF SEDIMENT CONTROL MEASURES THE CONTRACTOR SHALL STABILIZE ALL CONTRIBUTORY DISTURBED AREAS USING SOO OR AN APPROVED PERMANENT SEED MIXTURE WITH REQUIRED SOO AMENDMENTS AND AN APPROVED ANCHORED MULCH. AREAS BROUGHT TO FINISHED GRADE DURING THE SEEDING SEASON SHALL BE PERMANENTLY STABILIZED WITHIN 14 CALENDAR DAYS OF ESTABLISHMENT. WHEN PROPERTY IS BROUGHT TO FINISHED GRADE DURING THE MONTHS WHEN PERMANENT STABILIZATION IS FOUND TO BE IMPRACTICAL, AN APPROVED TEMPORARY SEED AND STRAW ANCHORED MULCH OR OTHER ACCEPTABLE MEANS SHALL BE APPLIED TO DISTURBED AREAS.
 - TEMPORARY SEDIMENT CONTROL DEVICES SHALL BE REMOVED WITHIN (30) CALENDAR DAYS FOLLOWING ESTABLISHMENT OF PERMANENT STABILIZATION IN ALL CONTRIBUTORY DRAINAGE AREAS. STORMWATER MANAGEMENT STRUCTURES USED TEMPORARILY FOR SEDIMENT CONTROL SHALL BE CLEANED AND CONVERTED TO THEIR PERMANENT CONFIGURATION WITHIN THIS TIME PERIOD AS WELL. ALL STORM DRAINAGE STRUCTURES, Sumps, AND PIPES SHALL BE CLEANED OF ALL SEDIMENTS PRIOR TO FINAL PAVEMENT.



NO.	ISSUE/DESCRIPTION	BY	DATE

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**SITE GRADING, PAVING AND IMPERVIOUS CAP
LIBERTY UTILITIES
38 BRIDGE STREET, NASHUA, NH**

**SITE PREPARATION & DEMOLITION PLAN
AND
SEDIMENT & EROSION CONTROL PLAN**

PREPARED BY: GZA Geo-Environmental, Inc. Engineers and Scientists www.gza.com	PREPARED FOR: LIBERTY UTILITIES (NEW HAMPSHIRE) 15 BUTTRICK ROAD LONDONDERRY, NH 03053
DESIGNED BY: STD DATE: FEB. 27, 2020	CHECKED BY: TEJ SCALE: AS NOTED REVISION NO.:

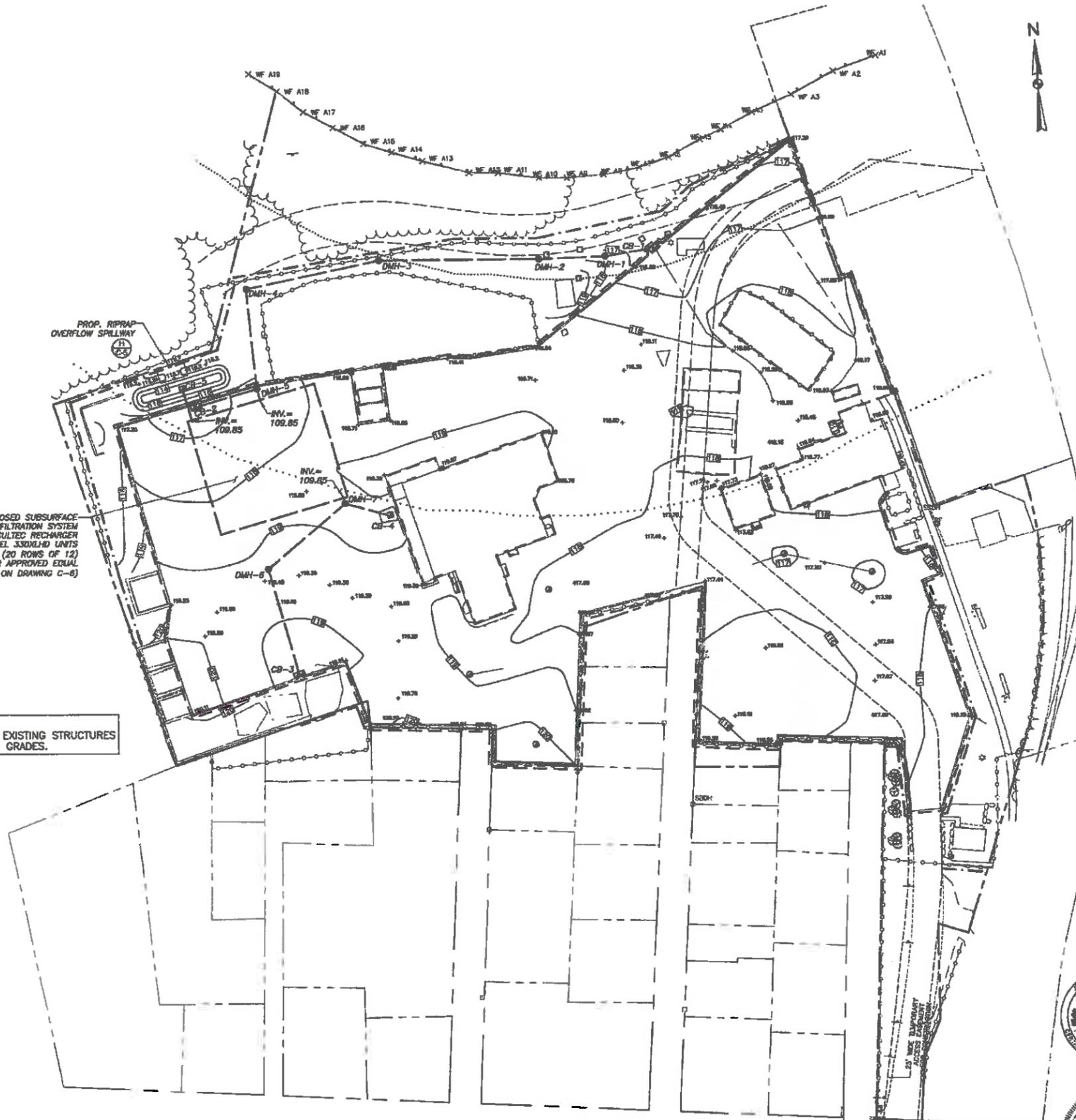
DRAWING C-2

PROPOSED STORM DRAIN SCHEDULE

CB-1	RIM=116.0	INV. OUT=112.25 (DMH-1)	18" HDPE-34 L.F. @ 0.5%
DMH-1	RIM=118.0	INV. IN=112.08 (CB-1)	18" HDPE-45 L.F. @ 0.5%
DMH-2	RIM=117.8	INV. IN=111.75 (DMH-1)	18" HDPE-115 L.F. @ 0.5%
DMH-3	RIM=116.8	INV. IN=111.07 (DMH-2)	18" HDPE-87 L.F. @ 0.5%
DMH-4	RIM=116.5	INV. IN=111.48 (DMH-3)	18" HDPE-71 L.F. @ 0.5%
DMH-5	RIM=117.4	INV. IN (W)=110.02 (DMH-4)	18" HDPE-9 L.F. @ 0.5%
CB-2	RIM=116.5	INV. OUT=111.25 (DMH-5)	15" HDPE-44 L.F. @ 2.8%
CB-3	RIM=118.5	INV. OUT=113.25 (DMH-6)	15" HDPE-78 L.F. @ 2.0%
DMH-6	RIM=119.3	INV. IN=111.89 (CB-3)	15" HDPE-71 L.F. @ 2.0%
CB-4	RIM=117.5	INV. OUT=112.5 (DMH-7)	12" HDPE-31 L.F. @ 5.0%
DMH-7	RIM=118.4	INV. IN (W)=110.17 (DMH-6)	15" HDPE-5 L.F. @ 4.4%
CB-5	RIM=114.0	INV. OUT=109.85 (CULT-2)	18" HDPE-24 L.F. @ 0.0%

PROPOSED SUBSURFACE INFILTRATION SYSTEM
240 CULT-2 RECHARGER
MODEL 330ALND UNITS
(20 ROWS OF 12)
OR APPROVED EQUAL
(SEE DETAILS ON DRAWING C-8)

NOTE:
ADJUST EXISTING STRUCTURES
TO NEW GRADES.



LEGEND

FIRE DEPARTMENT CONNECTION	IRON ROD FOUND
UTILITY POLE WITH RISER	STONE BOUND WITH DRILL HOLE
UTILITY POLE	STONE BOUND
UTILITY POLE WITH LIGHT	FIRE ALARM
UTILITY POLE WITH TRANSFORMER	GAS MANHOLE
UTILITY WITH RISER AND TRANSFORMER	ROUND CATCH BASIN
SHRUB	CATCH BASIN
SIGN (SINGLE POSTED)	DRAIN MANHOLE
BOLT OVER MAIN OUTLET	NO LABEL MANHOLE
EDGE OF PAVEMENT	SEWER MANHOLE
VERTICAL GRANITE CURB	ELECTRIC BOX
CONCRETE CURB	ELECTRIC HANDHOLE
LANDSCAPED AREA	ELECTRIC METER
FINISHED FLOOR ELEVATION	ELECTRIC MANHOLE
CONCRETE RETAINING WALL	GAS METER
BUILDING OVERHANG	GAS VALVE
JERSEY BARRIER	WATER GATE
CORRUGATED METAL PIPE	FIRE HYDRANT
POLYETHYLENE GLYCOL	SIGN (DOUBLE POSTED)
CAST IRON	POST
INVERT	MONITORING WELL
RECORD INFORMATION	LIGHT POLE
UNABLE TO OBSERVE	GOLLARD
COULD NOT OPEN	HANDICAP PARKING
	VALVE
	BENCHMARK
---	PROJECT PROPERTY LINE
---	PROPERTY LINE
---	ADJUTERS LOT LINE
---	RIGHT OF WAY
---	EXISTING EASEMENT
---	TEMPORARY EASEMENT
---	EDGE OF PAVEMENT
---	CHAIN LINK FENCE
---	METAL GUARDRAIL
---	BUILDING OVERHANG
---	SEWER LINE
---	DRAIN LINE
---	WATER LINE
---	GAS LINE
---	OVERHEAD WIRES
---	TREE LINE
---	INTERMEDIATE CONTOURS
---	INDEX CONTOURS
---	WETLAND LINE
---	75 FT. WETLAND BUFFER
---	250 FT. WETLAND BUFFER
---	LIMIT OF NEW PAVEMENT
---	PHASE LIMITS
---	EROSION CONTROL BARRIER
---	PROPOSED CURB (C-5)
---	PROPOSED CONTOUR
---	PROPOSED SPOT GRADE
---	PROPOSED CATCH BASIN (A, B, C)
---	NEW CATCH BASIN FRAME & GRATE (A, C-3)
---	PROPOSED DRAIN MANHOLE (D, E, F)
---	PROPOSED STORMDRAIN (G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z)
---	PROPOSED AREA OF NEW PAVEMENT (A, C-3, C-5)

GRAPHIC SCALE
0 20 40 60
SCALE IN FEET

NO.	ISSUE/DESCRIPTION	BY	DATE

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF G2A GeoEnvironmental, Inc. (G2A). THE INFORMATION SHOWN ON THIS DRAWING IS SOLELY FOR USE BY G2A'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE REPRODUCED, COPIED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF G2A. ANY TRANSFER, REUSE, OR ADAPTATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN EXPRESS CONSENT OF G2A, WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO G2A.

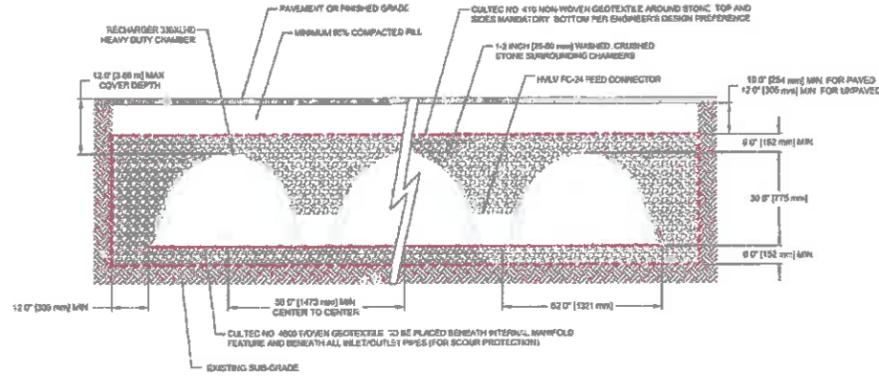
SITE GRADING, PAVING AND IMPERVIOUS CAP
LIBERTY UTILITIES
38 BRIDGE STREET, NASHUA, NH

GRADING PLAN

PREPARED BY G2A GeoEnvironmental, Inc. Engineers and Scientists www.g2a.com	PREPARED FOR LIBERTY UTILITIES (NEW HAMPSHIRE) 15 BUTTRICK ROAD LONDONDERRY, NH 03053
DESIGNED BY: STD DRAWN BY: EDM DATE: FEB. 27, 2020	CHECKED BY: TEL SCALE: 1"=40' REVISION NO.: DRAWING: C-4

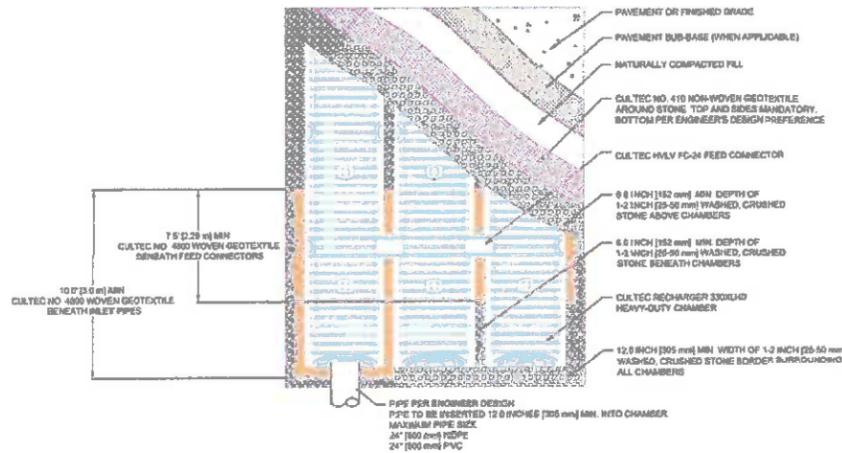


G2A GeoEnvironmental, Inc. 1000 North Main Street, Suite 200, Londonderry, NH 03053. Tel: 603-883-1100. Fax: 603-883-1101. www.g2a.com

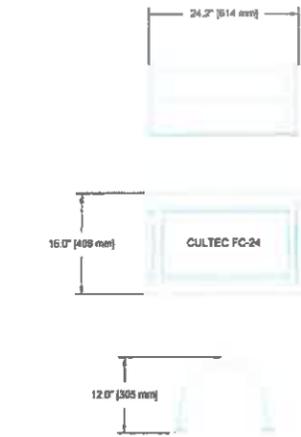


GENERAL NOTES
 ALL CULTEC RECHARGER 330XLHD (OR APPROVED EQUAL) SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.
 PROVIDE ANTI-SCOUR PROTECTION AT ALL PIPE INLETS AND BENEATH ALL FEED CONNECTORS PER MANUFACTURER'S INSTALLATION GUIDELINES.

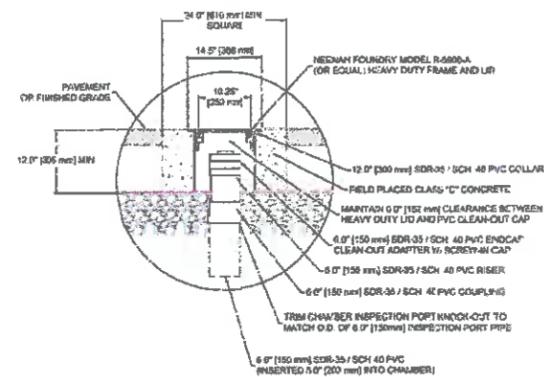
A SUBSURFACE INFILTRATION SYSTEM
C-6 TYPICAL SECTION
 NTS



B SUBSURFACE INFILTRATION SYSTEM
C-6 TYPICAL PLAN VIEW
 NTS



C SUBSURFACE INFILTRATION SYSTEM
C-6 FEED CONNECTOR
 NTS



D SUBSURFACE INFILTRATION SYSTEM
C-6 INSPECTION PORT
 NTS

SUBSURFACE INFILTRATION NOTES:

1. ALL NEW STORM DRAINS SHALL BE HIGH DENSITY POLYETHYLENE (HDPE) PIPE, UNLESS OTHERWISE INDICATED ON THESE PLANS.
2. AT A MINIMUM, FEED CONNECTORS SHALL BE INSTALLED TO CREATE AN INTERNAL MANIFOLD AT BOTH ENDS OF THE SUBSURFACE INFILTRATION SYSTEM; MINIMUM NUMBER OF FEED CONNECTORS = 38
3. AT A MINIMUM, INSPECTION PORTS SHALL BE INSTALLED IN THE MIDDLE UNITS OF EVERY FIFTH ROW OF CULTEC RECHARGER 330XLHD UNITS (OR APPROVED EQUAL); MINIMUM NUMBER OF INSPECTION PORTS = 5

NO.	ISSUE/DESCRIPTION	BY	DATE

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOTECHNICAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR USE BY GZA'S CLIENT ON THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN EXPRESS CONSENT OF GZA, WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.

SITE GRADING, PAVING AND IMPERVIOUS CAP
 LIBERTY UTILITIES
 38 BRIDGE STREET, NASHUA, NH

DETAILS

PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com	PREPARED FOR: LIBERTY UTILITIES (NEW HAMPSHIRE) 15 BLUTRICK ROAD LONDONDERRY, NH 03053
PROJ. MGR: ETD DESIGNED BY: STD DATE: FEB. 27, 2020	REVIEWED BY: STD DRAWN BY: EDM PROJECT NO.: 15.0106597.03
CHECKED BY: TEL SCALE: AS NOTED REVISION NO.: -	DRAWING C-6



2/27/2020 - 03:14:58 PM - 15.0106597.03 - 38 BRIDGE ST - NASHUA, NH 03053 - 15.0106597.03 - 38 BRIDGE ST - NASHUA, NH 03053 - 15.0106597.03 - 38 BRIDGE ST - NASHUA, NH 03053



City of Nashua
Planning Department

229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
WEB www.nashuanh.gov

VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 413 South Main Street

Zoning District R9 Sheet 110 Lot 28

2. VARIANCE(S) REQUESTED:

A use variance is being requested for the lettering of the new Science and Innovation Center. As an educational building, the a 12 square foot sign is permitted. The plan indicates a 58 square foot sign.

II. GENERAL INFORMATION

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

(Print Name): John Parker, Rivier University

Applicant's signature Date June 8, 2020

Applicant's address 420 South Main Street, Nashua, NH 03060

Telephone number H: 603-897-8501 C: E-mail: jhparker@rivier.edu

2. PROPERTY OWNER (Print Name): Rivier University

*Owner's signature Date June 8, 2020

Owner's address 420 South main Street, Nashua, NH 03060

Telephone number H: 603-897-8501 C: E-mail: jhparker10@rivier.edu

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY Date Received Date of hearing 7/14/20 Application checked for completeness: CF
PLR# A20 - 0054 Board Action
application fee Date Paid Receipt #
signage fee Date Paid Receipt #
certified mailing fee Date Paid Receipt #
Land Use Code Section(s) Requesting Variances From:

III. 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. 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 proposal is not contrary to the public interest as it is a brand new 36,000 square foot facility in the heart of the campus and is consistent with the character of the academic buildings and 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.")

The proposed variance will observe the spirit of the ordinance as the building and signage will enhance the aesthetics of the campus as well as the surrounding community.

- 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.)

Substantial justice will be done to the property owner by granting the variance as the University will be able to attract more health science, biology and nursing students to the state.

- 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 proposed use will not diminish the values of the surrounding properties as the new Science and Innovation Center will serve as an architectural beacon for the South Nashua community.

- 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.

~~Literal enforcement of the ordinance results in unnecessary hardship as the applicant sought approval and notice to proceed and has almost completed construction under the premise that the sign package was included in the approval of the building plans.~~

IV. 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:

~~Institution of higher education~~

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

~~New landscaping, lighting, sidewalks, and signage.~~

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 H. Parker
Signature of Applicant

John parker
Print Name

June 8, 2020
Date

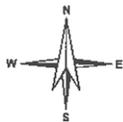
June 8, 2020
Date

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 jhparker@rivier.edu
- Please mail it to me at _____



436 South Main Street





BUILDING MEASUREMENTS



INTERNATIONAL

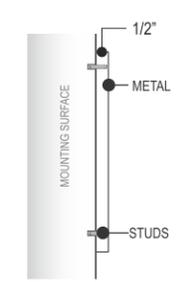
8 Greenley St. Hudson, NH 03051 P: (603) 882-2638 F: (603) 882-7676
© COPYRIGHT 2019
This design concept is the property of Barlo Signs International, Inc.



PROJECT APPROVAL

Client:	Date:
Design:	Date:
Sales:	Date:
Updating:	Date:
Production:	Date:

SCALE: 3/16"=1'-0"



FONT: SITKA TEXT

FLUSH MOUNTED w/ STUDS
FCO METAL LETTER SECTION DETAIL

SCOPE OF WORK

MANUFACTURE & INSTALL (1) SET OF METAL - STUD MOUNT FCOs.

TOTAL SQUARE FEET: 58.97

CODE ALLOWANCE: 12 SQ FT

VARIANCE REQUIRED: YES

COLOR SCHEDULE - CLIENT TO VERIFY

C1 PTM "DARK BRONZE" TO MATCH WINDOW TRIM (TBD)

RIVIER UNIVERSITY

420 S. MAIN STREET
NASHUA, NH 03060

DESIGNER: AS
SALES REP: BARN
PW: TBD

04.15.20

ITEM

A

SHEET

1.0



INTERNATIONAL

9 Greeley St. Hudson, NH 03051 P: (603) 882-2638 F: (603) 882-7611
© COPYRIGHT 2019
This design concept is the property of barlo signs international, inc.

PROPOSED ITEMS ARE INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF ALL ELECTRICAL ITEMS, ELECTRICAL ITEMS WILL LABEL(S).

PROJECT APPROVAL

Client:	Date:
Design:	Date:
Sales:	Date:
Updating:	Date:
Production:	Date:

DESIGNER: AS
SALES REP: BARN
PM: TBD

RIVIER UNIVERSITY
420 S. MAIN STREET
NASHUA, NH 03060
04.15.20




Rivier
UNIVERSITY

420 South Main Street
Nashua, NH 03060-5086
(603) 888-1311 • 1-800-44-RIVIER
www.rivier.edu

PROPOSED

SP

LOCATION MAP IS FOR APPROXIMATE PLACEMENT ONLY. EXACT PLACEMENT OF THE SIGNS IS SHOWN ON THE SITE PLAN WHICH SUPERCEDES THIS MAP.

SHEET 2.0



City of Nashua
Planning Department
229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
WEB www.nashuanh.gov

SPECIAL EXCEPTION APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

1. SPECIAL EXCEPTION INFORMATION

a. ADDRESS OF REQUEST _____

Zoning District _____ Sheet _____ Lot _____

b. SPECIAL EXCEPTION(S) REQUESTED:

c. LAND USE CODE SECTION(S) REQUESTING SPECIAL EXCEPTION(S) FROM: _____

2. GENERAL INFORMATION

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

(Print Name): _____

Applicant's signature _____ Date _____

Applicant's address _____

Telephone number H: _____ C: _____ E-mail: _____

b. **PROPERTY OWNER (Print Name):** _____

*Owner's signature _____ Date _____

Owner's address _____

Telephone number H: _____ C: _____ E-mail: _____

***Agents and/or option holders must supply written authorization to submit on behalf of owner(s).**

OFFICE USE ONLY	Date Received _____	Date of hearing _____	Application checked for completeness: _____
PLR# _____	Board Action _____		
\$ _____ application fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ signage fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ certified mailing fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. 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.

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 effects would the requested use have upon surrounding traffic congestion and pedestrian safety?

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?

4. SPECIAL EXCEPTION – ADDITIONAL QUESTIONS

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

Date

Print Name

Date

SUPPLEMENTAL INFORMATION TO THE
SPECIAL EXCEPTION APPLICATION

OLD HARRIS ROAD

SECTION 190-24(F)(3) – WORK WITHIN THE CONSERVATION ZONE

1. The requested use is listed as a special exception in the Use Matrix (§ 190-15, Table 15-1) or is permitted as a special exception by another provision of this chapter.

Section 190-24 of the Nashua Land Use Code states that a special exception is required to work within the Conservation Zone.

2. The requested use will not create undue traffic congestion or unduly impairment of pedestrian safety.

The proposed work within the Conservation Zone is not located along an active road, so there will be no impact to traffic or pedestrian safety.

3. The requested use will not overload any public water, drainage or sewer system, or any other 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 temporary impacts will not overload or adversely impact any municipal system or be detrimental to the health, safety or general welfare of the City of Nashua residents.

4. Any special regulations for the use set forth in this article are fulfilled.

There are no special regulations for this intended use.

5. The requested use will not impair the integrity or be out of character with the district or immediate neighborhood in which it is located, not be detrimental to the health, morals, or welfare of the residents of the City.

The requested work doesn't affect the character of the zoning district or the immediate neighborhood as it is an underground utility improvement, an improvement to an existing gravel drive and selective tree clearing. The post construction conditions will be similar to the pre-construction conditions.

PHOTO 'A'
OLD HARRIS ROAD LOOKING
WEST TOWARDS MANCHESTER
STREET

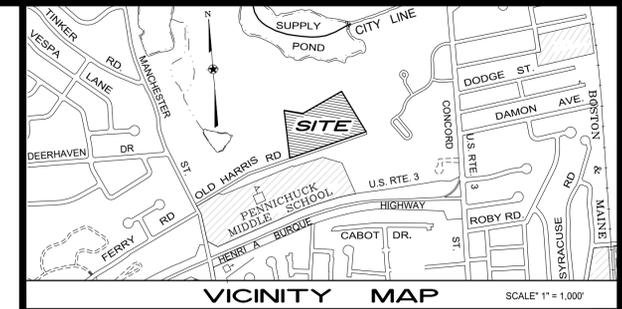
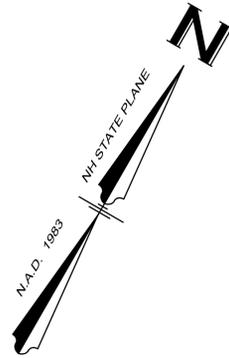


PHOTO 'B'
OLD HARRIS ROAD LOOKING
EAST TOWARDS SITE



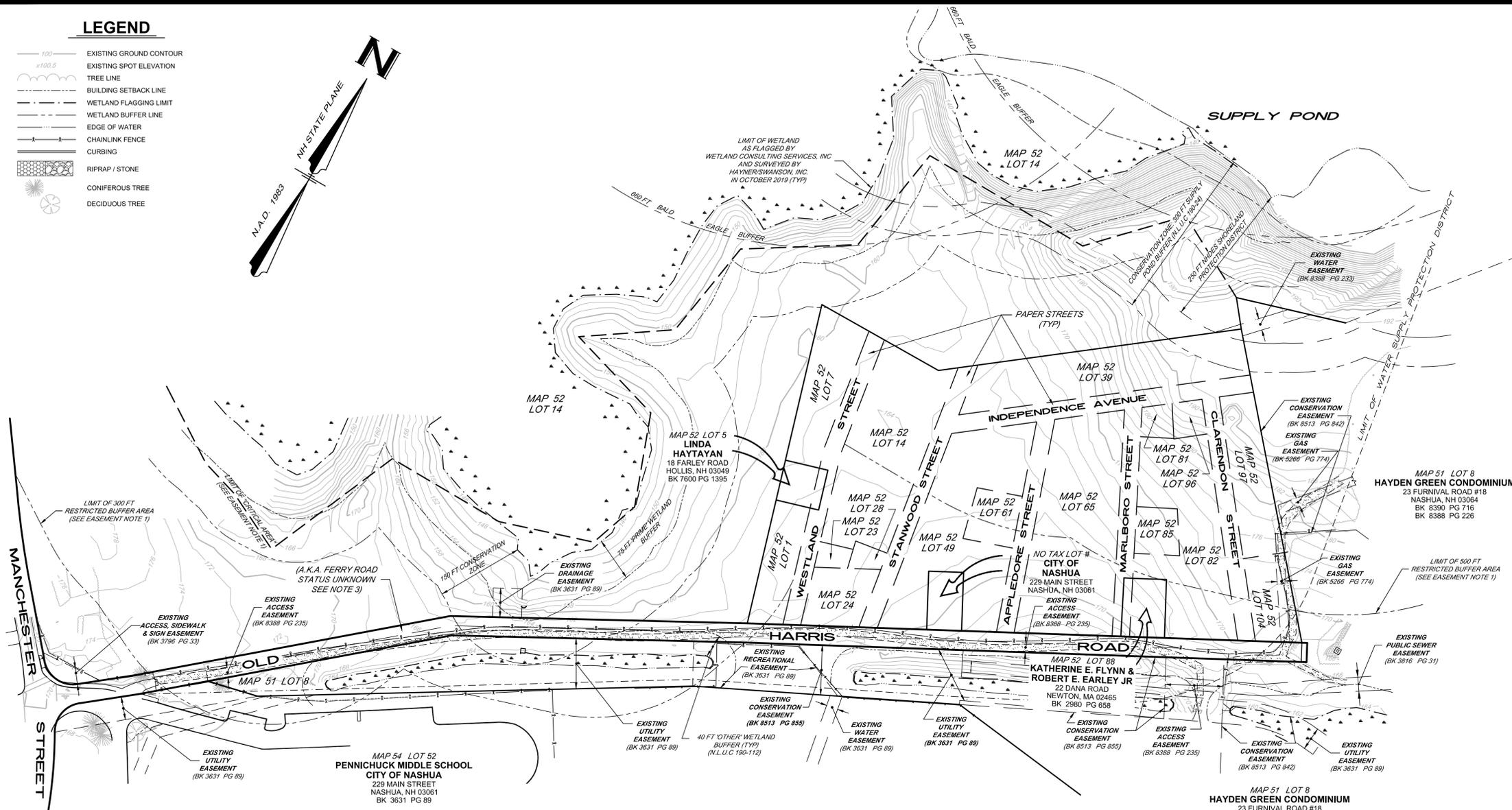
LEGEND

- EXISTING GROUND CONTOUR
- EXISTING SPOT ELEVATION
- TREE LINE
- BUILDING SETBACK LINE
- WETLAND FLAGGING LIMIT
- WETLAND BUFFER LINE
- EDGE OF WATER
- CHAINLINK FENCE
- CURBING
- RIPRAP / STONE
- CONIFEROUS TREE
- DECIDUOUS TREE



NOTES:

- PRESENT ZONING: PER CITY ZONING ORDINANCE (NO ZONING REPORT PROVIDED TO THE SURVEYOR)
GENERAL DISTRICT: R-18 (B - SUBURBAN RESIDENCE)
 MINIMUM LOT REQUIREMENTS:
 - LOT AREA: 18,000 SF
 - LOT WIDTH: 120 FT
 - LOT FRONTAGE: 100 FT
 - LOT DEPTH: 100 FT
 MINIMUM YARD SETBACKS:
 - FRONT YARD: 20 FT
 - SIDE YARD: 20 FT
 - REAR YARD: 40 FT
 MAXIMUM BUILDING HEIGHT: 35 FT / 2.5 STORIES
 OPEN SPACE (%): 50%
OVERLAY DISTRICT: WSP (WATER SUPPLY PROTECTION DISTRICT)
 CONSERVATION ZONE (UNDISTURBED NATURAL) BUFFERS:
 - POND BUFFER: 300 FT
 - OTHER CONNECTED WATER BODIES & WETLANDS: 150 FT
- PURPOSE OF PLAN: TO SHOW A PROPOSED SOLAR ARRAY PROJECT TO BE CONSTRUCTED UPON THE SUBJECT SITE ALONG WITH ASSOCIATED CONSERVATION ZONE IMPACT AREAS.
- NO LAYOUT OR ACCEPTANCE FOR OLD HARRIS ROAD (A.K.A. FERRY ROAD) IS ON FILE WITH THE CITY OF NASHUA. A PORTION OF HARRIS ROAD, HOWEVER, IS DEPICTED ON H.C.R.D. PLAN No. 234 AS ACCESS TO THE SUBDIVISION OF WHICH THE SUBJECT PROPERTY IS A PART. THE CURRENT STATUS OF OLD HARRIS ROAD IS UNKNOWN, HOWEVER, PRIVATE RIGHTS EXIST OVER THIS ROAD.
- INDEPENDENCE AVENUE AND WESTLAND, STANWOOD, APPELDRE, MARLBORO AND CLARENDON STREETS ARE DEDICATED ON H.C.R.D. PLAN No. 234. NO ACCEPTANCE FOR THESE STREETS IS ON FILE WITH THE CITY OF NASHUA. NO EVIDENCE THAT THESE STREETS WERE EVER CONSTRUCTED WAS OBSERVED DURING THE SURVEY. THEREFORE, THEY ARE DEPICTED HEREON AS "PAPER STREETS". PRIVATE RIGHTS EXIST OVER THESE STREETS.
- PRESENT OWNERS OF RECORD:
 MAP 52, LOTS 1, 14, 23, 24, 28, 39, 49, 61, 65, 81, 82, 85, 96, 97, 104 & 118.
 PENNICHUCK WATER WORKS &
 PENNICHUCK WATER WORKS, INC.
 25 MANCHESTER STREET
 PO BOX 1947
 MERRIMACK, NH 03054
 (SEE DEED REFERENCE TABLE)



DEED REFERENCE TABLE

TAX LOT No	GRANTEE ENTITY	H.C.R.D. PLAN 234 LOT No.	DEED BOOK / PAGE
1	PENNICHUCK WATER WORKS (LOT 1 MERGED BY 6375 / 315)	1	990 / 540
7	PENNICHUCK WATER WORKS (LOT 7 MERGED BY 6375 / 316)	2-4, 7-9	1035 / 270, 3878 / 159
14	PENNICHUCK WATER WORKS (LOT 14 MERGED BY 6375 / 317)	10-13, 14-21, 30, 32, 34, 36	1035 / 270, 1032 / 148, 1054 / 284
		22	1020 / 352
		29	1090 / 149
		31 & 33	1216 / 355
		35	8799 / 1156
		37 & 38	990 / 540
23	PENNICHUCK WATER WORKS, INC.	23	9014 / 2177
24	PENNICHUCK WATER WORKS	24	1035 / 270
28	PENNICHUCK WATER WORKS, INC.	28	1051 / 412
39	PENNICHUCK WATER WORKS (LOT 39 MERGED BY 6375 / 320)	39	1035 / 270
		40-44	1035 / 270
		45-48	1035 / 270
49	PENNICHUCK WATER WORKS (LOT 49 MERGED BY 6375 / 322)	49, 51, 53 & 54	1035 / 270
		50 & 52	1054 / 284
		55-58	990 / 540
		59 & 62	1051 / 412
		63 & 64	1090 / 149
61	PENNICHUCK WATER WORKS, INC.	61 & 62	9014 / 2177
65	PENNICHUCK WATER WORKS (LOT 65 MERGED BY 6375 / 324)	65 & 66, 77 & 78, 73 & 74, 68, 70 & 71, 79 & 80	1035 / 270, 971 / 149, 1054 / 284
		69	3961 / 96
		72, 75 & 76	990 / 540
81	PENNICHUCK WATER WORKS, INC.	81	8799 / 1156
82	PENNICHUCK WATER WORKS	82, 84, 95	1035 / 270
		83	3961 / 96
		87	1054 / 284
		89 & 90	990 / 540
		91-94	1051 / 412
85	PENNICHUCK WATER WORKS, INC.	85 & 86	8799 / 1156
96	PENNICHUCK WATER WORKS, INC.	96	9014 / 2177
97	PENNICHUCK WATER WORKS, INC.	97-103	9014 / 2177
104	PENNICHUCK WATER WORKS (LOT 104 MERGED BY 6375 / 328)	104 & 105	990 / 540
118	PENNICHUCK WATER WORKS		8630 / 948, 8521 / 432, 3165 / 88, 526 / 557, 366 / 543

EASEMENTS, RIGHTS & RESTRICTIONS

- THE PROPERTY IS SUBJECT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS BY PENNICHUCK WATER WORKS, INC., AS DESCRIBED IN BK 3166, PG 74, AS AMENDED AND SUPPLEMENTED BY BK 3574, PG 916, BK 3597, PG 473, BK 3631, PG 4, BK 5177, PG 794 AND BK 5647, PG 521
- THE PROPERTY IS SUBJECT TO THE GAS EASEMENT GRANTED TO ENERGY NORTH NATURAL GAS, INC. AS DESCRIBED IN BK 5266, PG 774.

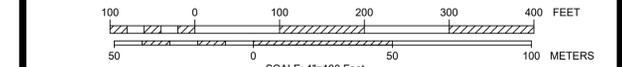
No.	DATE	REVISION	BY

ZONING BOARD OF ADJUSTMENT PLAN EXISTING CONDITIONS

OLD HARRIS ROAD NASHUA, NEW HAMPSHIRE

PREPARED FOR:
GSSG NEW HAMPSHIRE, LLC
 36 MAPLE AVENUE PORTSMOUTH, NEW HAMPSHIRE 03801

RECORD OWNER:
Pennichuck Water Works & Pennichuck Water Works, Inc.
 25 MANCHESTER STREET P.O. BOX 1947 MERRIMACK, NH 03054

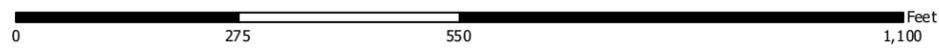


15 JUNE 2020

HSI Hayner/Swanson, Inc.
 Civil Engineers/Land Surveyors
 3 Congress Street 131 Middlesex Turnpike
 Nashua, NH 03062 Burlington, MA 01803
 (603) 883-2057 (781) 203-1501
 www.haynerswanson.com



Old Harris Road Aerial





City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
 WEB www.nashuanh.gov

VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 50 WESTGATE CROSSING NASHUA 03062
 Zoning District B9 Sheet C Lot 1417

2. VARIANCE(S) REQUESTED:
Exceed the 40% AUS percentage, and request 45.8% to construct an 18' above ground pool

II. GENERAL INFORMATION

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

(Print Name): CYNTHIA M. DOYLE
 Applicant's signature Cindy M. Doyle Date _____
 Applicant's address 50 WESTGATE CROSSING NASHUA 03062
 Telephone number H: _____ C: 603 620 4209 E-mail: CINDY@CASUALCAT.COM

2. PROPERTY OWNER (Print Name): CYNTHIA M. DOYLE

*Owner's signature Cindy M. Doyle Date _____
 Owner's address 50 WESTGATE CROSSING NASHUA 03062
 Telephone number H: _____ C: 603-620-4209 E-mail: CINDY@CASUALCAT.COM

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY	Date Received <u>7/15/20</u>	Date of hearing <u>8/11/20</u>	Application checked for completeness: <u>CF</u>
PLR# <u>A20-004</u>	Board Action _____		
\$ _____ application fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ signage fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ certified mailing fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
Land Use Code Section(s) Requesting Variances From: <u>190-264</u>			

III. 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. 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.")

Pool will be situated in the back portion of yard. No neighbors to one side and across the back.

- 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.")

Pool will be professionally installed
Land will be graded appropriately.
Once pool is installed surrounding area will be professionally landscaped.

- 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.)

With the pandemic and access to beaches limited and no public pools open will be a great respite from the reality of how we must live

- 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 believe the pool and landscaping around it will only increase the 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 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 of the common land to the two sides it will not intringe on others

IV. 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:

grading for pool install Landscaping around

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.

Cynthia M Doyle
Signature of Applicant

7.14.20
Date

CYNTHIA M. DOYLE
Print Name

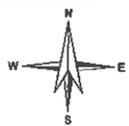
7.14.20.
Date

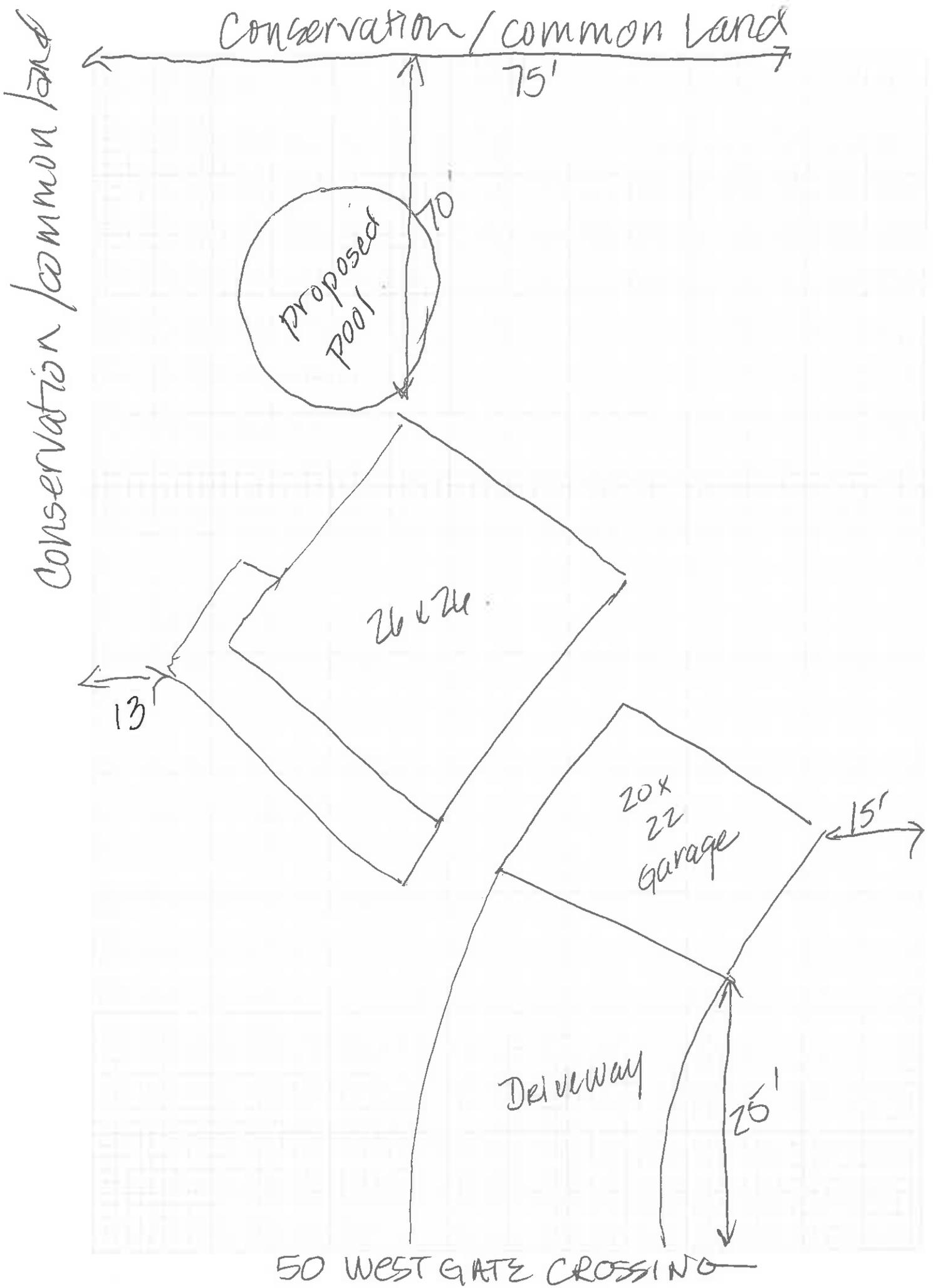
The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- [] I will pick it up at City Hall
[] Please email it to me at CINDY @ CASUALCAT.COM
[] Please mail it to me at []



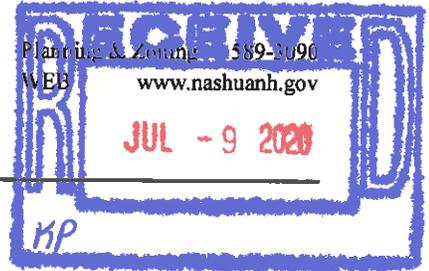
50 Westgate Crossing







City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019



VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST
 Zoning District Sheet Lot

2. VARIANCE(S) REQUESTED:

II. GENERAL INFORMATION

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

(Print Name):
 Applicant's signature Date
 Applicant's address
 Telephone number H: C: E-mail:

2. PROPERTY OWNER (Print Name):

*Owner's signature Date
 Owner's address
 Telephone number H: C: E-mail:

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY	Date Received _____	Date of hearing <u>8/11/2020</u>	Application checked for completeness: <u>OK</u>
PLR# <u>A20-0084</u>	Board Action _____		
\$ _____ application fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ signage fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ certified mailing fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
Land Use Code Section(s) Requesting Variances From: <u>190-41 (B) (5)</u>			

III. 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. 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 existing shape of the lot will not allow for the proposed site layout to meet both the required drive-through lane egress dimensions, as well as off-street parking dimensional requirements. The proposed drive-through exit lane is 20 feet wide and is only intended for one-way traffic.

- 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 width of the drive-through and the one-way traffic, it will allow the vehicles to safely maneuver the turn.

- 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.)

Because of the existing shape of the lot and the fact that vehicle safety will be maintained, it will allow the applicant to use the lot safely.

- 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 surrounding property is mainly retail/commercial with some office space and multi-family; this will be new construction.

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 character of the neighborhood is retail/commercial and is located on Amherst Street; the property will be used for a commercial use which is a reasonable use of the property.

IV. 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]

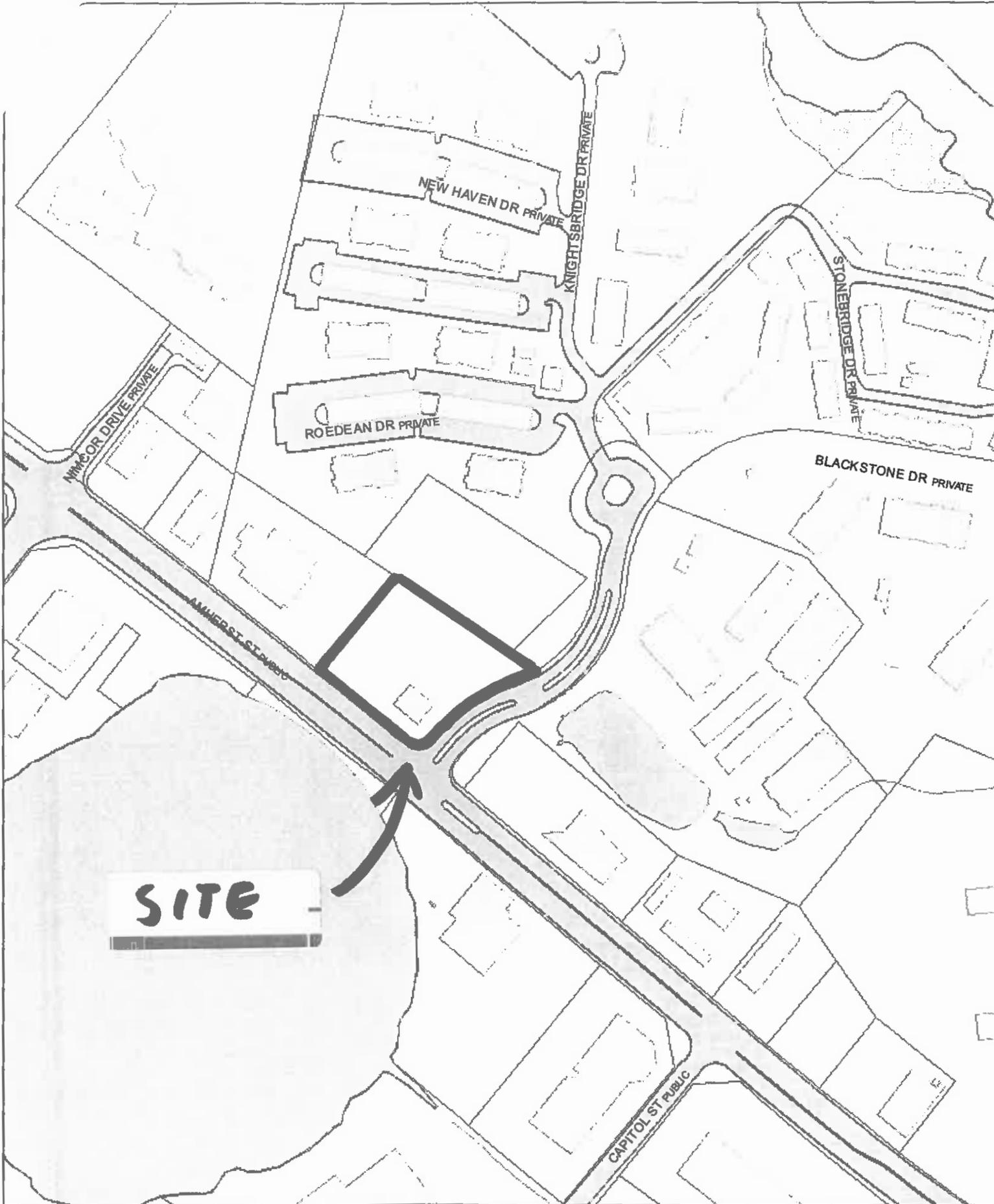
Date 7/8/20

Print Name

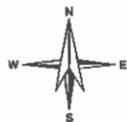
Date

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 Because of the width of the drive-through and the one-way traffic, it will allow the vehicles to safely maneuver the turn.
[] Please mail it to me at Because of the existing shape of the lot and the fact that vehicle safety will be maintained, it will allow the applicant to use the lot safely.



4 Blackstone Drive





City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
 WEB www.nashuanh.gov

7

VARIANCE APPLICATION (ZBA)

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I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST
 Zoning District Sheet Lot

2. VARIANCE(S) REQUESTED:

II. GENERAL INFORMATION

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

(Print Name):
 Applicant's signature Date
 Applicant's address
 Telephone number H: C: E-mail:

2. **PROPERTY OWNER (Print Name):**

*Owner's signature Date
 Owner's address
 Telephone number H: C: E-mail:

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY	Date Received _____	Date of hearing _____	Application checked for completeness: <input checked="" type="checkbox"/>
PLR# _____	Board Action _____		
\$ _____ application fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ signage fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ certified mailing fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
Land Use Code Section(s) Requesting Variances From: <u>190-223</u>			

III. 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. 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.")

Subdividing the lot will not materially alter the character of the neighborhood as this is one of the larger residential lots in the area and the subdivision will create lots similar in size to the neighboring lots. Test pit of soil conditions was conducted and reviewed by DES and the City's engineer has stated the City has no objection to the construction of a new septic. The proposed septic will not threaten the health, safety or welfare as the new septic will meet state requirements.

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

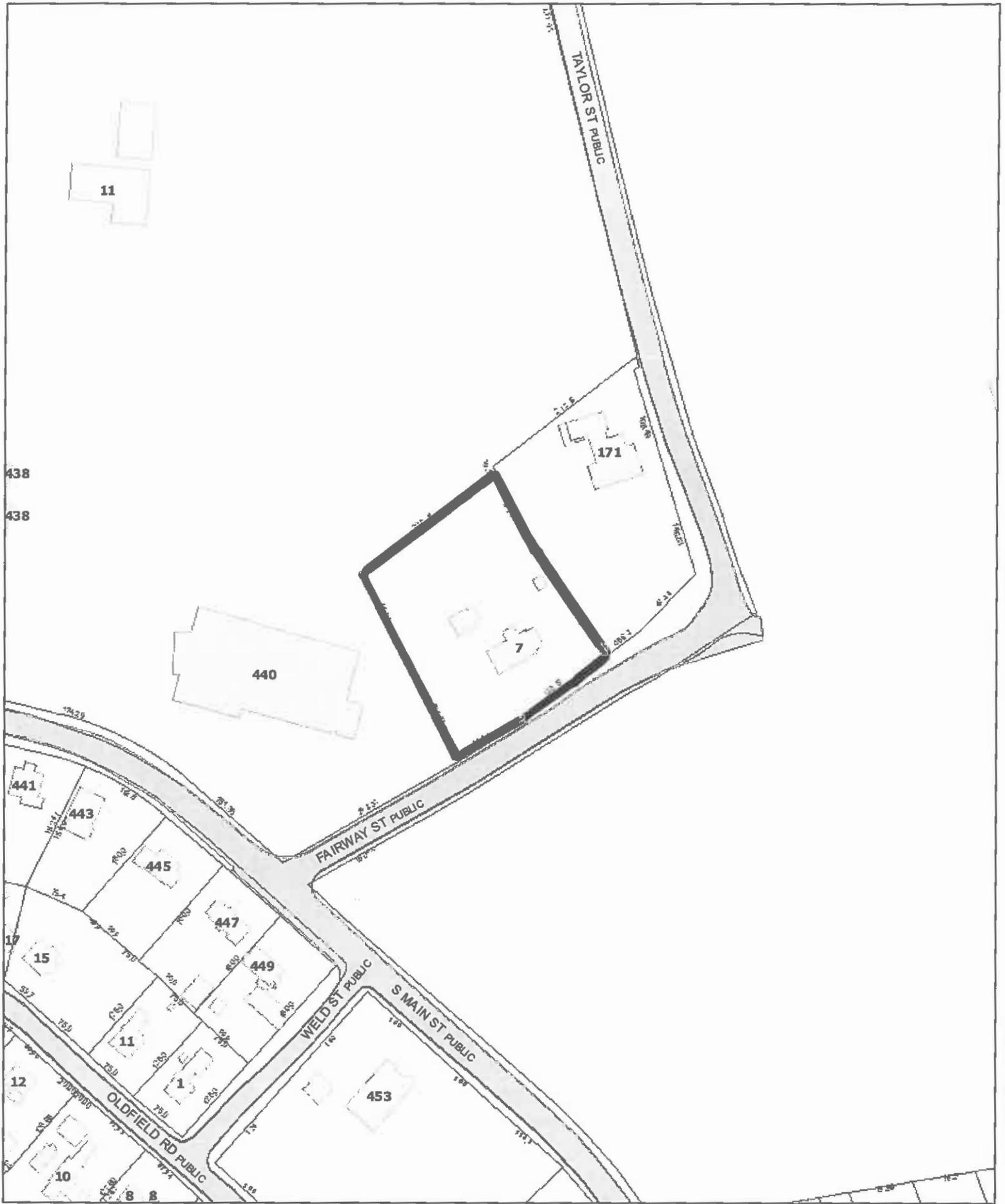
The spirit of the ordinance is to allow sufficient space between lots and allow sufficient area for a septic system. Here, connection to the City sewer is unfeasible and the lot is only 6,503 square feet short of the required 40,000 sf and the City and State have deemed the area of proper soils is sufficient to contain a new septic system and the lot otherwise complies with the City's setback requirements. A septic system including leach field will not threaten public health, safety and welfare.

- 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.)

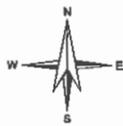
Granting the variance will allow subdivision of a large lot (approximately 33,497 s.f.) in the R9 zoning district while only 9,000 s.f. is required into a second lot to allow construction of an additional residential dwelling. There will be no harm to the public if granted NH DES has confirmed there is sufficient proper soils and sufficient area for the septic system and the City of Nashua does not see any reason to prohibit its construction.

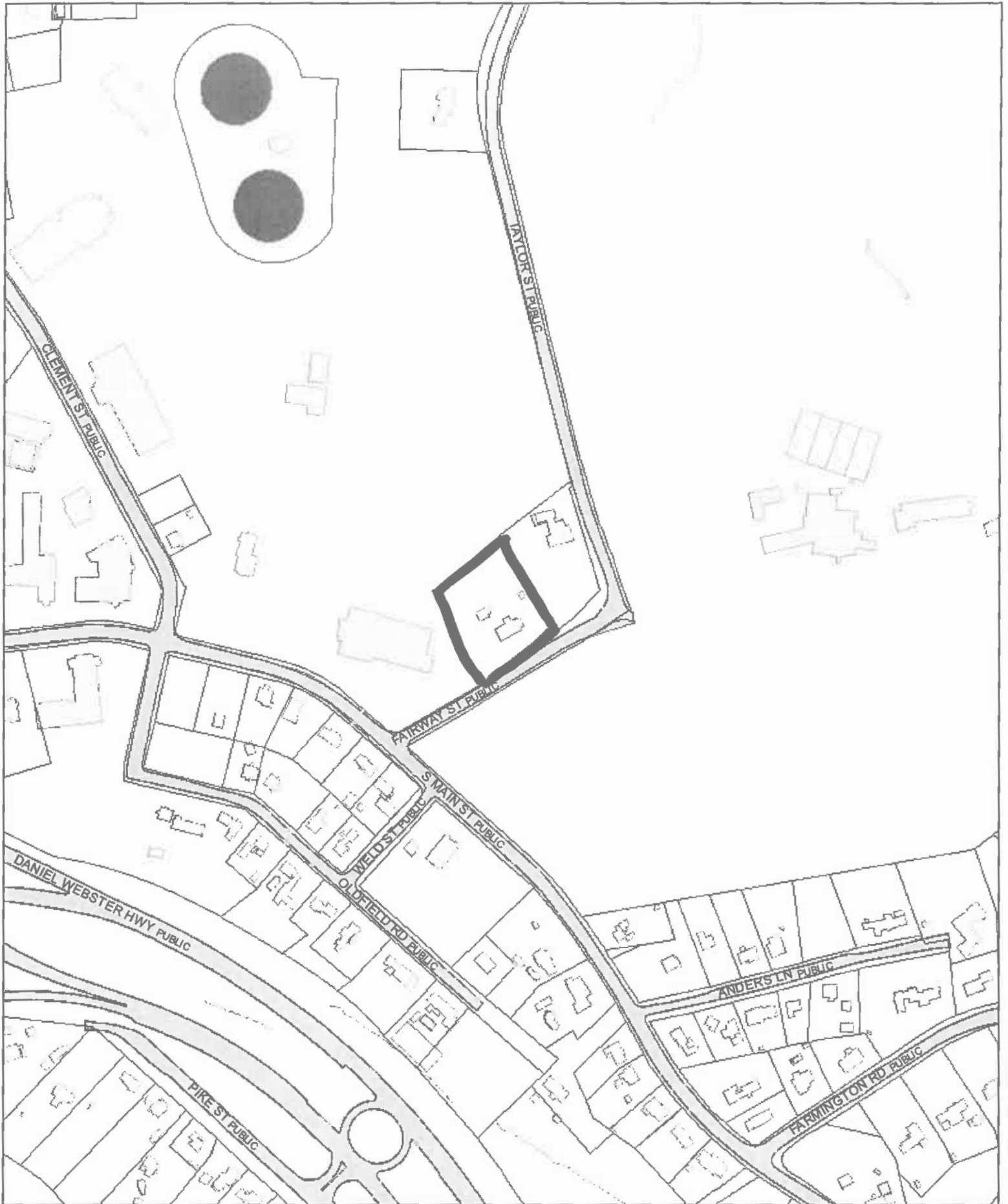
- 4. **The proposed use will not diminish the values of surrounding properties, because:** (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

Allowing a lot having an areas of 33,497 s.f. where 40,000 sf is required where a private septic system is to be constructed will not diminish the values of surrounding homes as the septic will comply with all state and local regulations.

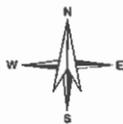


7 Fairway St



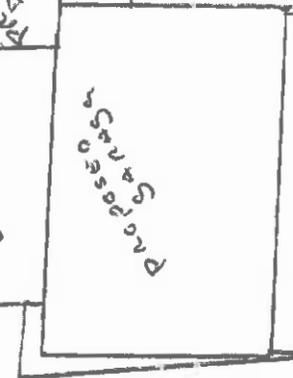
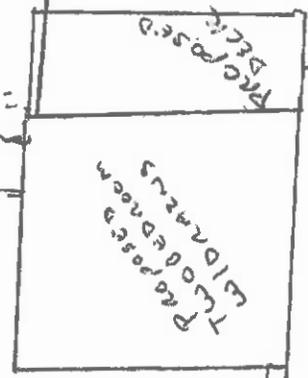
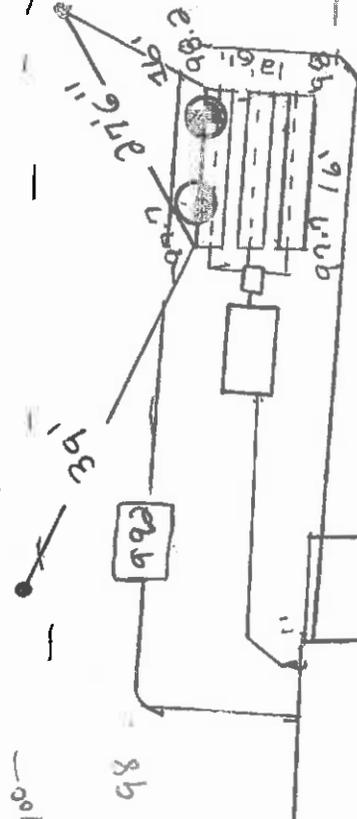


7 Fairway St



B.M. POINT 36" OAK
SPLICE MARK
ELEV. 261.1

REF POINT 36" OAK
ELEV. 261.1



FOR 2025

N52°49'04"E
97.00'

(ZED)

MAP 1 LOT 106
PETER J. LYONS GST TRUST
171 TAYLOR STREET
NASHUA, NH 03060-5156
BK 8042 PG 1135
BK 8190 PG 112 (MERGER)
ZONE: R-9
USE: RESIDENTIAL

SB FND

S35°18'38"E

EXIST BLDG



STEPS

PROPOSED EXCLUSIVE PRIVATE 10 FT WIDE SEWER EASEMENT

S84°06'15"E
S84°06'15"W

88.51'

14.14'

14.14'

39.74'

S50°53'45"W

S50°53'45"W

36.26'

50.40'

10.02'

S50°53'45"W

39.74'

S50°53'45"W

14.14'

14.14'

39.74'

S50°53'45"W

S50°53'45"W

36.26'

50.40'

635'18'38"E

153.61'
76.96'

CLEANOUT

EXISTING SEWER EASEMENT (BK 1657 PG 163)

PROPOSED NON-EXCLUSIVE 10 FT WIDE SEWER EASEMENT

STONE/MASONRY POST (TYP)

PAVED DRIVEWAY

GENERATOR

SLATE

-102-
PROPOSED
0.450 ACRES
(19,623 SF)
EXISTING
1.219 ACRES
(53,120 SF)

STONE/MASONRY POST (TYP)
LIMITS OF PRESCRIPTIVE ROW
OH FND ON STONE/MASONRY POST

S52°51'13"W
15.77'

S42°15'25"W
11.29'

S53°07'06"W
39.19'

S52°51'13"W
23.06'

S53°07'06"W
39.19'

20 FT (TYP)

MAP 1 LOT 106
 PETER J. LYONS GST TRUST
 PETER J. LYONS, TR.
 171 TAYLOR STREET
 NASHUA, NH 03060-5156
 BK 8042 PG 1135
 BK 8190 PG 112 (MERGER)
 ZONE: R-9
 USE: RESIDENTIAL

EXIST BLDG

CHIMNEY

STEPS

10 FT (TYP)

SEWER SERVICE
 INV. = 97.73

SLATE

AL-LING

GENERATOR

PROPOSED
 -102-

PAVED DRIVEWAY
 4" PVC SUMP PUMP DRAIN
 INV. = 97.85

GAS

1" W(d)
 -0.5" G(d)

UGE/T(c)

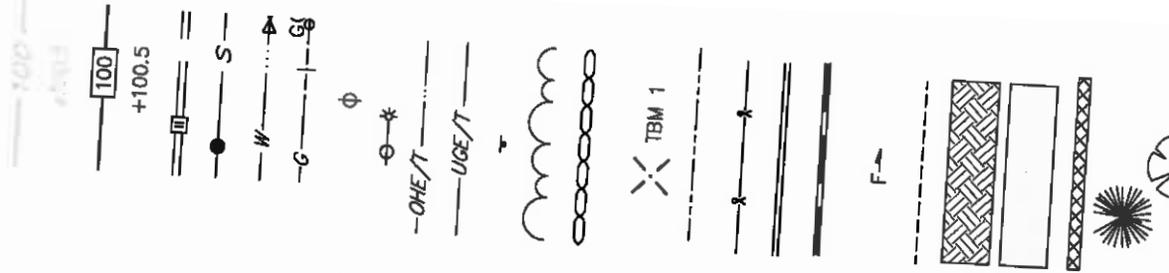
CLEANOUT
 INV. = 81.47

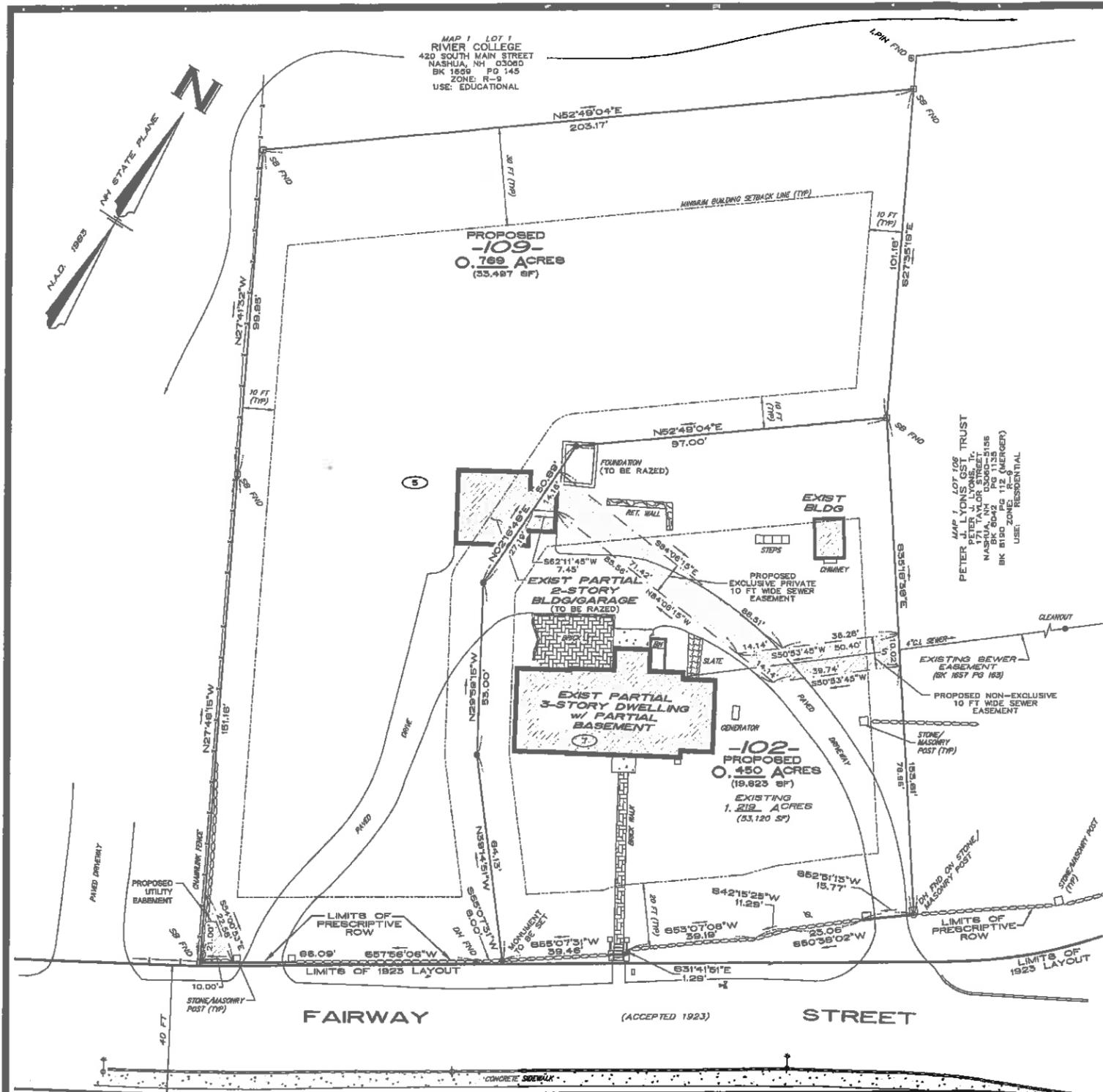
4" C.I. SEWER

EXISTING SEWER
 EASEMENT
 (BK 1657 PG 163)

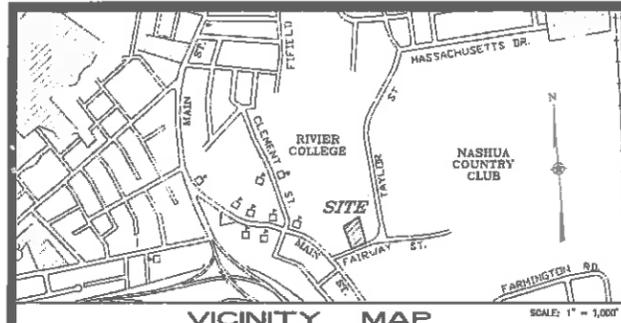
STONE/
 MASONRY
 POST (TYP)

STONE MASONRY POST
 (TYP)





- NOTES - CONT'D:**
- PRIOR TO THE RECORDING OF THE PLAN, DOCUMENTS PERTAINING TO THE STORMWATER OPERATION AND MAINTENANCE PLAN SHALL BE RECORDED.
 - 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.
 - STREET RESTORATION, IF ANY, SHALL BE IN ACCORDANCE WITH NRO SECTION 285-13.
 - NO WETLANDS OR ASSOCIATED BUFFERS AFFECTING THE PROPERTY WERE OBSERVED DURING PLAN PREPARATION.
 - IT SHALL BE UNLAWFUL TO MODIFY, CHANGE, OR ALTER ANY STRUCTURE SHOWN ON THIS SUBDIVISION PLAN IN ANYWAY WHATSOEVER, OR CONVERT OR ALTER ANY STRUCTURE SHOWN ON THIS SUBDIVISION PLAN, OR CHANGE THE ABOVE USE INDICATED ON THE PLAN WITHOUT RECEIVING APPROVAL FROM THE CITY.
 - THE SITE IS NOT LOCATED WITHIN THE WATER SUPPLY PROTECTION DISTRICT.
 - THERE ARE NO NEW STREET LIGHTS PROPOSED WITH THIS PLAN.
 - PROPOSED DRIVEWAY WIDTHS SHALL NOT EXCEED 24 FEET AT RIGHT OF WAY.
 - THE EXISTING 4" SEWER MAIN SHALL REQUIRE A VIDEO PRIOR TO CONNECTING THE PROPOSED 4" SEWER SERVICE. THE RESULTS SHALL BE REPORTED TO THE ENGINEER.
 - ALL PROPOSED DEMOLITION ACTIVITIES REQUIRE INSPECTIONS FOR THE PRESENCE OF ASBESTOS - CONTAINING MATERIALS PRIOR TO ENVIRONMENTAL HEALTH'S SIGN-OFF ON NASHUA'S BUILDING SAFETY DEPARTMENT'S DEMOLITION PERMIT APPROVAL FORM. IF ANY ASBESTOS - CONTAINING MATERIALS ARE FOUND, THEY MUST BE ABATED AND DOCUMENTED ACCORDING TO STATE AND LOCAL REGULATIONS.
 - WAIVERS APPROVED:
 - (A) SECTION 190-221(C): UNDERGROUND ELECTRIC/TELECOMMUNICATIONS SERVICES
 - EXCHANGE OF DRIVEWAY CROSS-ACCESS EASEMENTS TO BE PROVIDED UPON TRANSFER OF LAND.
 - PRESENT OWNER:
 - MAP 1, LOT 102
 - JOHN L DUPRE & COLLEEN LYONS DUPRE
 - 7 FAIRWAY STREET
 - NASHUA, NH 03060-5130
 - BK 4366, PG 008
 - BK 3876, PG 335



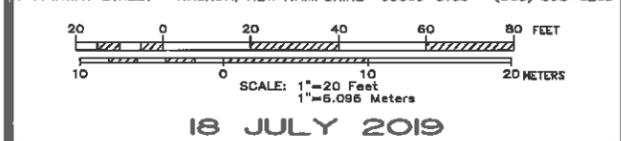
- PLAN REFERENCES:**
- CONSOLIDATION LOT LINE RELOCATION PLAN (LOTS 102, 106 & 108, MAP 1), FAIRWAY STREET & TAYLOR STREET, NASHUA, NEW HAMPSHIRE, PREPARED FOR: JAMES A. & JEAN E. LYONS, SCALE: 1" = 60', DATED: 21 NOVEMBER 1985 WITH REVISIONS THRU 12/22/88 AND PREPARED BY ALLAN H. SWANSON, INC. RECORDED, HORD PLAN No. 20183.
 - PLAN OF LAND PREPARED FOR WILLIAM C. LABOMBARDE, FAIRWAY STREET & TAYLOR ROAD, NASHUA, N.H., SCALE: 1" = 40', DATED 23 JULY 1941 AND PREPARED BY EARLE L. WILLIAMS. NOT RECORDED.

- NOTES:**
- LOT AREA (PRIOR TO SUBDIVISION) 1.219 AC (53,120 SF)
 - PRESENT ZONING: R-9; C-SUBURBAN RESIDENCE
- | | REQUIRED | LOT 102 | LOT 109 |
|--------------------------|----------|-----------|-----------|
| MINIMUM LOT REQUIREMENTS | | | |
| - LOT AREA | 8,000 SF | 19,623 SF | 33,487 SF |
| - LOT FRONTAGE | 70 FT | 128.77 FT | 84.06 FT |
| - LOT WIDTH | 80 FT | 130.37 FT | 80.09 FT |
| - LOT DEPTH | 80 FT | 156.2 FT | 253.2 FT |
| MINIMUM YARD SETBACKS | | | |
| - FRONT YARD | 20 FT | 56.88 FT | 140.2 FT |
| - SIDE YARD | 10 FT | 11.1 FT | 15.2 FT |
| - REAR YARD | 30 FT | 61.2 FT | 84.2 FT |
| - MAX. BUILDING HEIGHT | 35 FT | N/A | 27 FT |
| - MAX. STORIES | 2 1/2 | 75% | 2 |
| - OPEN SPACE (%) | 50% | 75% | 84% |
- LOT NUMBERS REFER TO THE CITY OF NASHUA ASSESSORS MAP 1.
 - PURPOSE OF PLAN: TO SHOW THE PROPOSED SUBDIVISION OF MAP 1, LOT 102 INTO TWO (2) NEW LOTS.
 - SITE IS SERVICED BY MUNICIPAL SEWER, WATER BY PENNICKLUCK WATER WORKS, PROPANE, AND OVERHEAD ELECTRIC/TELECOMMUNICATION UTILITIES.
 - MONUMENTS, WHERE REQUIRED, TO BE SET BY A LICENSED LAND SURVEYOR AS FOLLOWS:
 - (A) STONE BOUNDS: AT STREET INTERSECTIONS, POINTS OF CURVATURE AND TANGENCY OF PUBLIC STREET
 - (B) IRON PINS: AT LOT CORNERS
 - THE PARCEL IS LOCATED WITHIN FLOOD ZONE X AS DETERMINED FROM THE FLOOD INSURANCE RATE MAP (FIRM), HILLSBOROUGH COUNTY, CITY OF NASHUA, NEW HAMPSHIRE, COMMUNITY No. 330097, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP NUMBER 330110825E, DATED: APRIL 18, 2011.
 - THIS SUBDIVISION PACKAGE CONTAINS 4 SHEETS OF WHICH SHEET 1 SHALL BE RECORDED AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. THE REMAINING SHEETS WILL BE ON FILE AT THE CITY OF NASHUA PLANNING DEPARTMENT.
 - THE APPLICANT SHALL SUBMIT AN ELECTRONIC FILE OF THE SUBDIVISION PLAN (PLOT) PRIOR TO RECORDING OF THE PLAN.
 - PRIOR TO A BUILDING PERMIT BEING ISSUED, BONDING FOR ALL PUBLIC IMPROVEMENTS SHALL BE SUBMITTED TO AND APPROVED BY THE ENGINEERING DEPARTMENT AND CORPORATION COUNSEL.

NO.	DATE	ADDRESS	TECHNICAL REVIEW	COMMITTEE COMMENTS/	REVISION	REVERSE PROPOSED HOUSE FOOTPRINT	S/A
1	02/07/20						

SUBDIVISION PLAN
(MAP 1, LOT 102)
7 FAIRWAY STREET
NASHUA, NEW HAMPSHIRE

PREPARED FOR/RECORD OWNER:
John L. Dupre & Colleen Lyons Dupre
7 FAIRWAY STREET NASHUA, NEW HAMPSHIRE 03060-5130 (803) 860-3203



HSI Hayner/Swanson, Inc.
Civil Engineers/Land Surveyors
3 Congress Street 131 Middlesex Turnpike
Nashua, NH 03062 Burlington, MA 01803
(603) 883-2057 (781) 203-1501
www.hayner-swanson.com

FIELD BOOK: 1223	DRAWING NAME: 2759321-C30	2795	1 OF 4
DRAWING LOCATION: 2/2002/2785/080		File Name:	Sheet:

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 THE PROPERTY, THE BUILDER/OWNER MUST CONSULT WITH THE TOWN/CITY TO INSURE THE CORRECT APPLICATION OF THE ZONING ORDINANCE.

APPROVED
NASHUA CITY PLANNING BOARD
CHAIRMAN _____ DATE _____

THE UNDERSIGNED DOES HEREBY AGREE TO PERFORM ALL OF THE SITE IMPROVEMENTS AS SHOWN ON THIS PLAN AND AS CONDITIONED OR STIPULATED BY THE NASHUA CITY PLANNING BOARD. ALL REQUIRED SITE IMPROVEMENTS MUST BE COMPLETED OR GUARANTEED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

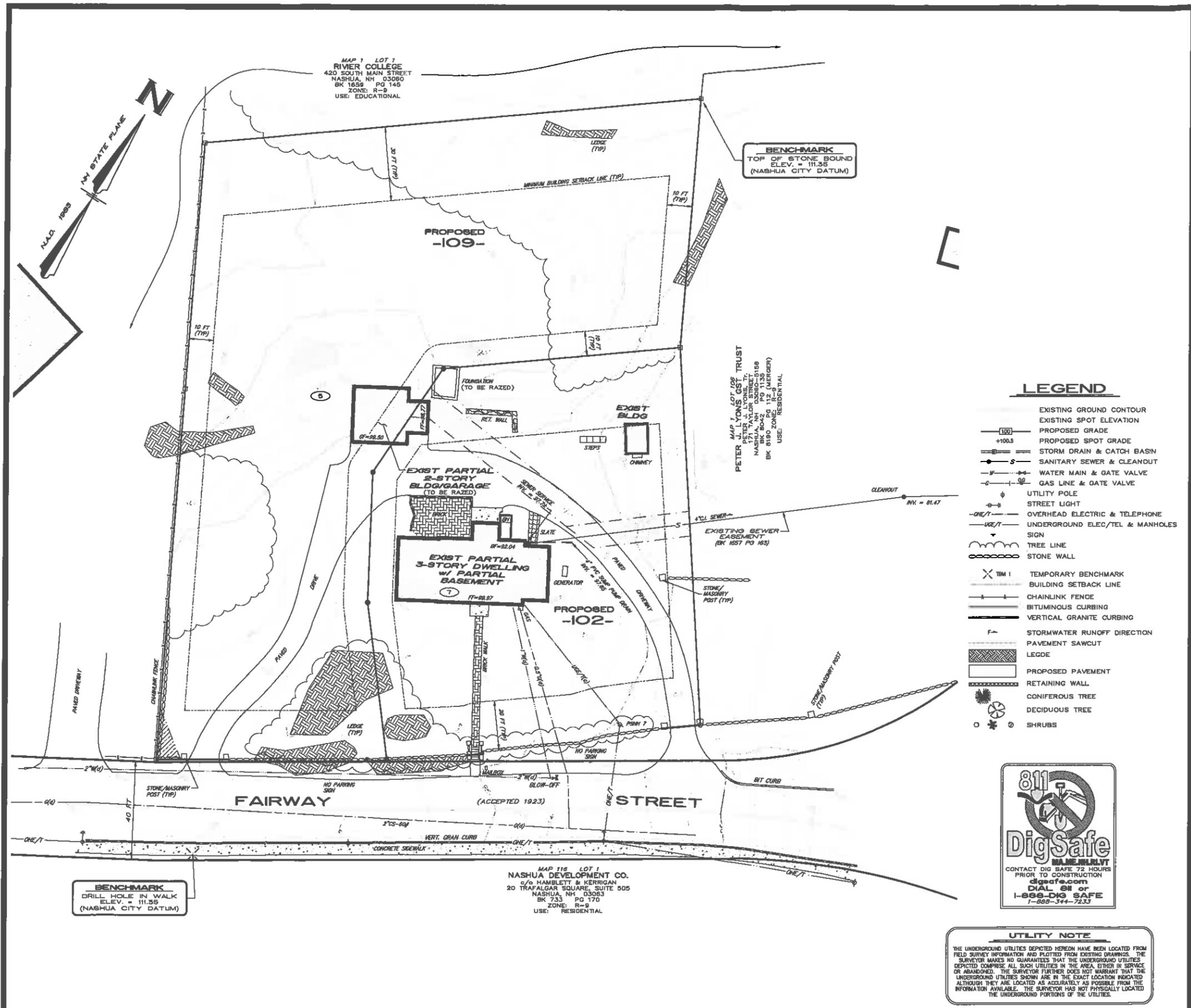
John L. Dupre 9/24/19 DATE
JOHN L. DUPRE
Colleen Lyons Dupre 9/24/19 DATE
COLLEEN LYONS DUPRE

CERTIFICATION
I HEREBY CERTIFY, TO MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THIS PLAN SHOWS THE RESULTS OF AN ON THE GROUND "STANDARD PROPERTY SURVEY" AND THAT SAID SURVEY MEETS THE MINIMUM PRECISION AND/OR ACCURACY MEASUREMENTS FOR SURVEY CLASSIFICATION "U" (URBAN) AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSES FOR LAND SURVEYORS ADOPTED 08/23/01, EFFECTIVE 01/01/09.
I FURTHER CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN FIFTEEN THOUSAND ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY.

2/1/20 DATE



- LEGEND**
- SS STONE BOUND
 - LPW IRON PIN
 - DH DRILL HOLE & STONE WALL
 - IRON PIN/MONUMENT TO BE SET
 - S — SANITARY SEWER & CLEANOUT
 - SIGN
 - BUILDING SETBACK LINE
 - CHAINLINK FENCE
 - BITUMINOUS CURBING
 - VERTICAL GRANITE CURBING
 - ⑦ STREET ADDRESS
 - UTILITY POLE
 - STREET LIGHT
 - CONCRETE
 - BRICK
 - SLATE
 - EXISTING BUILDING



- SURVEY NOTES:**
1. THE TOPOGRAPHY SHOWN IS BASED ON A FIELD SURVEY BY THIS OFFICE DURING JULY 2019.
 2. SURVEY CONTROL DATA:
HORIZONTAL DATUM: NAD 1983
PROJECTION: NH STATE PLANE
VERTICAL DATUM: NASHUA CITY DATUM
UNITS: US SURVEY FEET
 3. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE ACCURACY OF THE EXISTING TOPOGRAPHY PRIOR TO EARTHWORK OPERATIONS. NO CLAIM FOR THE EXTRA WORK DUE TO TOPOGRAPHIC INACCURACY SHALL BE CONSIDERED AFTER EARTHWORK HAS COMMENCED.
 4. THE CONTRACTOR SHALL ONLY USE BENCHMARKS AS PROVIDED BY THE ENGINEER.

- CONSTRUCTION NOTES:**
1. ALL WORK SHALL CONFORM TO THE APPLICABLE REGULATIONS AND STANDARDS OF THE CITY OF NASHUA, AND SHALL BE BUILT IN A WORKMANLIKE MANNER IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS. THE STANDARD SPECIFICATIONS FOR ROAD CONSTRUCTION, BOARD OF PUBLIC WORKS, NASHUA, NEW HAMPSHIRE, AND THE STANDARD SPECIFICATIONS FOR SEWERS AND DRAINS, BOARD OF PUBLIC WORKS, NASHUA, NEW HAMPSHIRE AND THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION, LATEST EDITION ARE HEREBY INCORPORATED BY REFERENCE.
 2. ROAD AND DRAINAGE CONSTRUCTION SHALL CONFORM TO THE TYPICAL SECTIONS AND DETAILS SHOWN ON THE PLANS, AND SHALL MEET THE REQUIREMENTS AND SPECIFICATIONS FOR ROAD CONSTRUCTION, BOARD OF PUBLIC WORKS, NASHUA, NEW HAMPSHIRE, AND THE STANDARD SPECIFICATIONS FOR SEWERS AND DRAINS, BOARD OF PUBLIC WORKS, NASHUA, NEW HAMPSHIRE.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING AND DETERMINING THE LOCATION, SIZE AND ELEVATION OF ALL EXISTING UTILITIES, SHOWN OR NOT SHOWN ON THESE PLANS, PRIOR TO THE START OF ANY CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES FOUND INTERFERING WITH THE PROPOSED CONSTRUCTION, AND APPROPRIATE REMEDIAL ACTION TAKEN BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING "DIG SAFE" AT 1-888-344-7233 AT LEAST 72 HOURS BEFORE DIGGING.
 4. PRIOR TO ANY WORK BEING STARTED, THE APPLICANT AND THEIR CONTRACTORS SHALL HOLD A PRE-CONSTRUCTION CONFERENCE WITH PLANNING STAFF TO REVIEW SCHEDULING, EROSION AND TRAFFIC CONTROL, AND TREE PROTECTION.
 5. BLASTING, IF NEEDED, SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF NASHUA FIRE DEPARTMENT REGULATIONS.
 6. ALL STUMPS SHALL BE DISPOSED OF OFF-SITE IN A LEGAL MANNER.
 7. ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDED IMMEDIATELY UPON BEING CONSTRUCTED.

CITY OF NASHUA

PLANNING DEPARTMENT
COMMUNITY DEVELOPMENT DIVISION
228 MAIN STREET
NASHUA, NH 03060
ATT: LINDA MCGHEE
(603) 589-3110

ENGINEERING DEPARTMENT
NASHUA DEPT. OF PUBLIC WORKS / ENGINEERING
9 RIVERSIDE STREET
NASHUA, NH 03062
ATT: JOE MENDOLA
(603) 589-3124

FIRE DEPARTMENT
NASHUA FIRE DEPARTMENT
177 LAKE STREET
NASHUA, NH 03060
ATT: ADAM POULIOT
(603) 589-3480

UTILITY CONTACTS

WATER:
PENNICHIK WATER WORKS
26 MANCHESTER STREET
MERRIMACK, NH 03054
ATT: JOHN BOISVERT, PE
(603) 913-2300

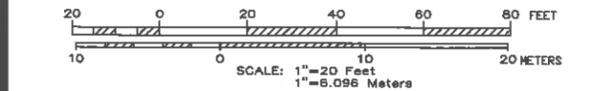
TELEPHONE:
CONSOLIDATED COMMUNICATIONS
257 DANIEL WEBSTER HWY.
MERRIMACK, NH 03054
ATT: JOY MENDONCA
(603) 645-2713

POWER:
EVERSOURCE
370 AMHERST STREET
NASHUA, NH 03060
ATT: MARC GAGNON
(603) 882-5994

No.	DATE	REVISION	BY
1	02/07/20	ADDRESS TECHNICAL REVIEW COMMITTEE COMMENTS/ REVISE PROPOSED HOUSE FOOTPRINT	SA

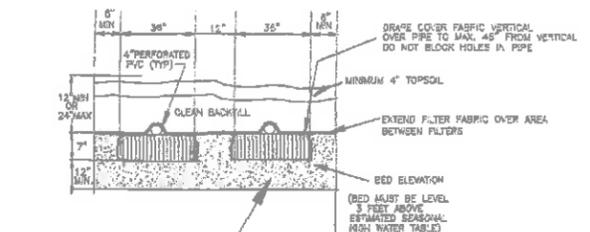
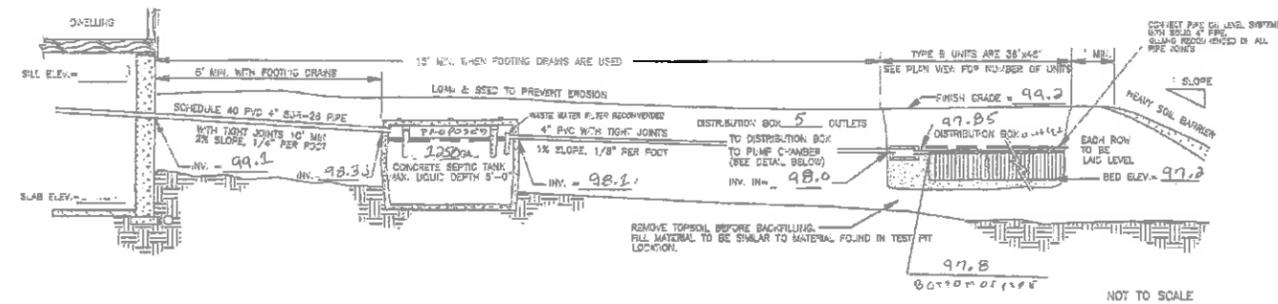
TOPOGRAPHIC SUBDIVISION PLAN
(MAP 1, LOT 102)
7 FAIRWAY STREET
NASHUA, NEW HAMPSHIRE

PREPARED FOR/RECORD OWNER:
John L. Dupre & Colleen Lyons Dupre
7 FAIRWAY STREET NASHUA, NEW HAMPSHIRE 03060-5130 (603) 860-3203



18 JULY 2019

HISI Hayner/Swanson, Inc.
Civil Engineers/Lead Surveyors
3 Congress Street
Nashua, NH 03062
131 Middlesex Turnpike
Burlington, MA 01803
(603) 883-2037
www.haynerswanson.com



TYPICAL CROSS SECTION NOT TO SCALE

SOIL DATA
CFD
CENTRAL - POLICE - TOWN COMPLEX

DESIGN INTENT
THE BOTTOM OF THE EFFLUENT DISPOSAL SYSTEM (EDS) SHALL BE CONSTRUCTED AT 97.7 ELEVATION. THIS IS APPROXIMATELY 0.5 FEET BELOW ORIGINAL GROUND ON THE HIGH CONTOUR OF THE DESIGNED EFFLUENT DISPOSAL SYSTEM OF 98.2 TO REMAIN 3 FEET ABOVE E.S.H.T.

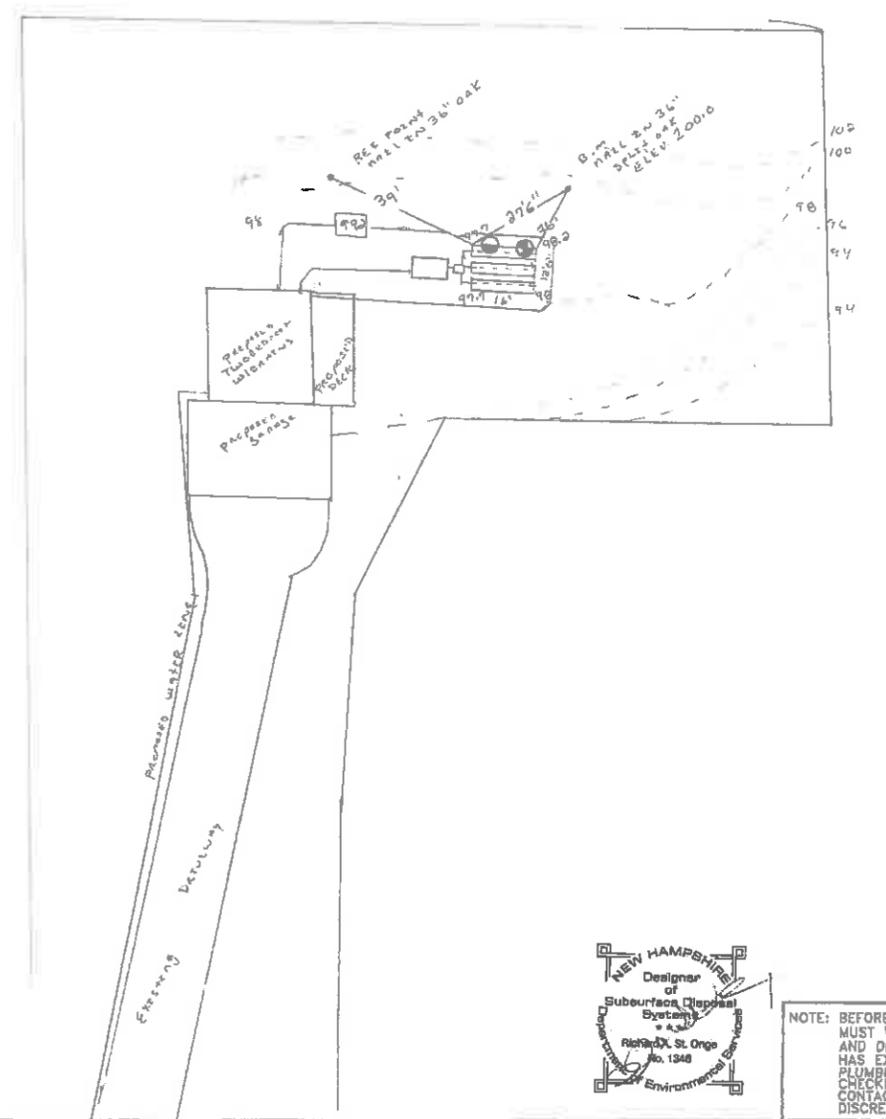
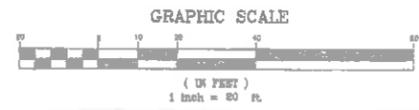
John L. Dupre OWNER
Colleen Lyons Dupre
7 FAIRWAY ST. NASHUA, NH.

DEED RECORDING
VOL. 106, PAGE 94-0005 COUNTY Hillsborough
D.E.S. - W.S.F.C.D. SUBMISSION APPROVAL PENDING
D.E.S. - W.S.F.C.D. CONSTRUCTION APPROVAL PENDING

- NOTES**
- 1) THERE ARE NO WELLS, SURFACE WATERS, OR POORLY DRAINING SOILS WITHIN 75' OF PROPOSED SYSTEM
 - 2) ANY WETLANDS INVESTIGATION WAS PERFORMED IN ACCORDANCE WITH ENV. REG. 1014.06 NO WETLANDS FOUND
 - 3) A LABEL SHALL BE INSTALLED IN OUTLET OF EACH OF SEPTIC TANK
 - 4) FLOW EQUALIZERS OR EQUAL TO BE INSTALLED IN OUTLET PORTS OF DISTRIBUTION BOX

LOT LAYOUT CALC.
(0.5000000000000000) x fraction
300 : 2000 x 0.08 = 240 AC RECD
GROUP 3
D-SUBS = 0.77 AC PROVD - 0.5 AC (large outcrop) = 2.73 ACRES REMAINING

- NOTES**
- IN-DRAIN UNITS SHALL BE INSTALLED, USED AND MAINTAINED IN ACCORDANCE WITH PUBLISHED GUIDELINES.
 - DO NOT DISCHARGE WATER SOFTENER OR TREATMENT BACKWASH INTO SEPTIC SYSTEM.
 - THIS SEPTIC SYSTEM IS NOT DESIGN TO ACCOMMODATE THE USE OF A GARBAGE DISPOSAL.
 - INSTALL POLYLOK FLOW EQUALIZERS IN OUTLET LINES, (GRAVITY SYSTEMS ONLY).
 - INLET AND OUTLET JOINTS TO SEPTIC TANK AND D-BOX TO BE SEALED W/ NON SHRINK MORTAR OR POLYLOK SEALS.
 - AVOID VEHICULAR TRAFFIC OVER E.D.A.
 - ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THOSE REFLECTED ON THIS PLAN MUST BE REPORTED TO THE DESIGNER.
 - FAILURE TO HALT CONSTRUCTION AND NOTIFYING THE DESIGNER OF ANY DISCREPANCIES RELIEVES THE DESIGNER OF ANY LIABILITY INCURRED FROM THOSE DIFFERENCES.
 - THIS PLAN HAS BEEN PREPARED FOR THE PURPOSE OF ASSISTING IN THE CONSTRUCTION OF A SUBSURFACE WASTE DISPOSAL SYSTEM. PERSONS USING THIS DOCUMENT FOR THE PURPOSES OTHER THAN DESCRIBED DO SO AT THEIR OWN RISK.
 - PLAN BOUNDARY INFORMATION MAY BE COMPILED FROM VARIOUS SOURCES AND WE DO NOT CERTIFY ITS ACCURACY.
 - THERE IS NO POORLY DRAINING SOILS WITHIN 50' OR OPEN WATER WITHIN 75' OF THE PROPOSED SYSTEM ACCORDING TO RULE ENV-W 1014.03c.
 - SEPTIC TANK TO BE NO CLOSER THAN 5' FROM ANY FOUNDATION WITH DRAINS LEACH BED TO BE NO CLOSER THAN 15' FROM ANY FOUNDATION WITH DRAINS LEACH BED COVER IS GREATER THAN 1' THE LEACH FIELD MUST BE VENTED
 - ALL PIPING TO SEPTIC TANK TO BE SDR 35 OR EQUIVICANT.



SYSTEM REQUIREMENTS

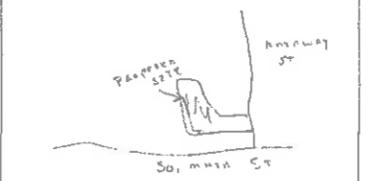
PERC. RATE 1" = 6 MINS.
DAY DESIGN FLOW: 300 GPD @ 2 BEHND
TYPE B IN-DRAINS REQ. BY TABLE 1 OF ELWEN DESIGN MANUAL EQUALS 10 UNITS
PROPOSED ARE 10 TYPE B UNITS
7 1/2" x 4 1/2" ROWS WIDE x 4 UNITS LONG

PERCOLATION TEST DATA
6-16-20 RATE: 1" = 6 MINS. @ 24"

TEST PIT DATA
DATE: 6-16-20
WATER @ 1.000
ESTIMATED SEASONAL HIGH WATER TABLE @ 42"
LEDGE = 60"

10" 3/4 TOPSOIL
12" 10425/6 YELLOW BROWN FINE LUMPY SAND
22" 2.547/4 PALE BROWN FINE SAND
36" 2.546/3 LIGHT YELLOW BROWN FINE SAND
60" ledge

DEPTH OF ROOTS: 36"
SURFACE VEGETATION:



SUBMITTED BY: ST. ONGE SEPTIC, INC.
568 MOUNTAIN ROAD
GOSHEN, NH 03045
PHONE: 603-627-2809

PROPOSED EFFLUENT DISPOSAL SYSTEM FOR PROPERTY OF:
5 FAIRWAY ST.
NASHUA, NH.

map #1 LOT 109
DRN. BY: ...
SCALE 1"=20'
DATE: 7-9-20
CHECKED BY:
DRAWING #:



NOTE: BEFORE INSTALLATION, INSTALLER MUST VERIFY ALL ELEVATIONS AND DISTANCES. IF SYSTEM HAS EXISTING BUILDING, ALL PLUMBING ELEVATIONS MUST BE CHECKED. CONTACT DESIGNER IF ANY DISCREPANCIES ARE FOUND.



City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
 WEB www.nashuanh.gov

SPECIAL EXCEPTION APPLICATION (ZBA)

W 6

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

I. SPECIAL EXCEPTION INFORMATION

1. ADDRESS OF REQUEST 4 LAUREL CT
 Zoning District RC Sheet 0000E Lot 2111

R9
PRD

2. SPECIAL EXCEPTION(S) REQUESTED:

Addition of kitchenette, bathroom and Laundry Room to existing basement.

II. GENERAL INFORMATION

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

(Print Name): MARIA R. FASSINA

Applicant's signature _____ Date 07/09/2020

Applicant's address 4 LAUREL CT.

Telephone number H: NA C: 603-262-0488 E-mail: REGINA.FASSINA@GMAIL.COM

2. **PROPERTY OWNER (Print Name):** MARIA R. FASSINA

*Owner's signature _____ Date 07/09/2020

Owner's address 4 LAUREL CT.

Telephone number H: NIA C: 603-262-0488 E-mail: REGINA.FASSINA@GMAIL.COM

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY Date Received _____ Date of hearing _____ Application checked for completeness: CP

PLR# A20-0082 Board Action _____

\$ _____ application fee Date Paid _____ Receipt # _____

\$ _____ signage fee Date Paid _____ Receipt # _____

\$ _____ certified mailing fee Date Paid _____ Receipt # _____

Land Use Code Section(s) Requesting Variances From: 190-15, Table 15-1 (#3)

III. 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.

- 1. Describe the nature of your proposal. Please be specific.

I'd like to finish my basement and add-on a kitchenette, bath room and laundry room, so my son can stay there with his girlfriend and the other son and girlfriend stay in the house with me when they come to visit me or on vacation.

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

Add-on in the existing basement: kitchenette, bathroom, laundry room

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

NO,

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

NO EFFECTS, nothing will be done on the exterior.

- 5. 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?

Nothing will be touched outside the property.

IV. SPECIAL EXCEPTION - ADDITIONAL QUESTIONS

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

- 1. Total number of employees [NIA] Number of employees per shift []
2. Hours and days of operation [NIA]
3. Number of daily and weekly visits to the premises by customers, clients, vendors, and solicitors [NIA]

SPECIAL EXCEPTION APPLICATION

Address 4 LAUREL CT

Page 3

4. Number of daily and weekly commercial deliveries to the premises NIA

5. Number of parking spaces available NIA

6. Describe your general business operations:

NIA

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

NIA

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 

MARIA R. FASSINA

Print Name

07/09/2020
Date

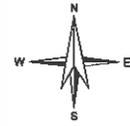
07/09/2020

Date



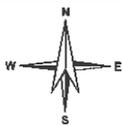
SITE

4 Laurel Court





4 Laurel Court









Poirier, Kate

From: Tom Katsiaficas <tom@katsconstruction.com>
Sent: Friday, July 10, 2020 1:58 PM
To: Poirier, Kate
Subject: RE: Fassina Basement Plan

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Correct 674 sq ft to living space.

Thanks again for all your help.

Sincerely,

Tom Katsiaficas
Owner
Kats Construction & Remodel LLC
☎ Cell: 603-557-5030
✉ Email: tom@katsconstruction.com
www.katsconstruction.com





From: Poirier, Kate [mailto:PoirierK@nashuanh.gov]
Sent: Friday, July 10, 2020 1:48 PM
To: Tom Katsiaficas <tom@katsconstruction.com>
Subject: RE: Fassina Basement Plan

Good Afternoon,

That is a very clearly drawn plan, thank you for submitting it! Just to confirm, the area of living space dedicated to the unit is 674-sqft?

From: Tom Katsiaficas [mailto:tom@katsconstruction.com]
Sent: Friday, July 10, 2020 1:45 PM
To: Poirier, Kate
Subject: Fassina Basement Plan

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Kate,

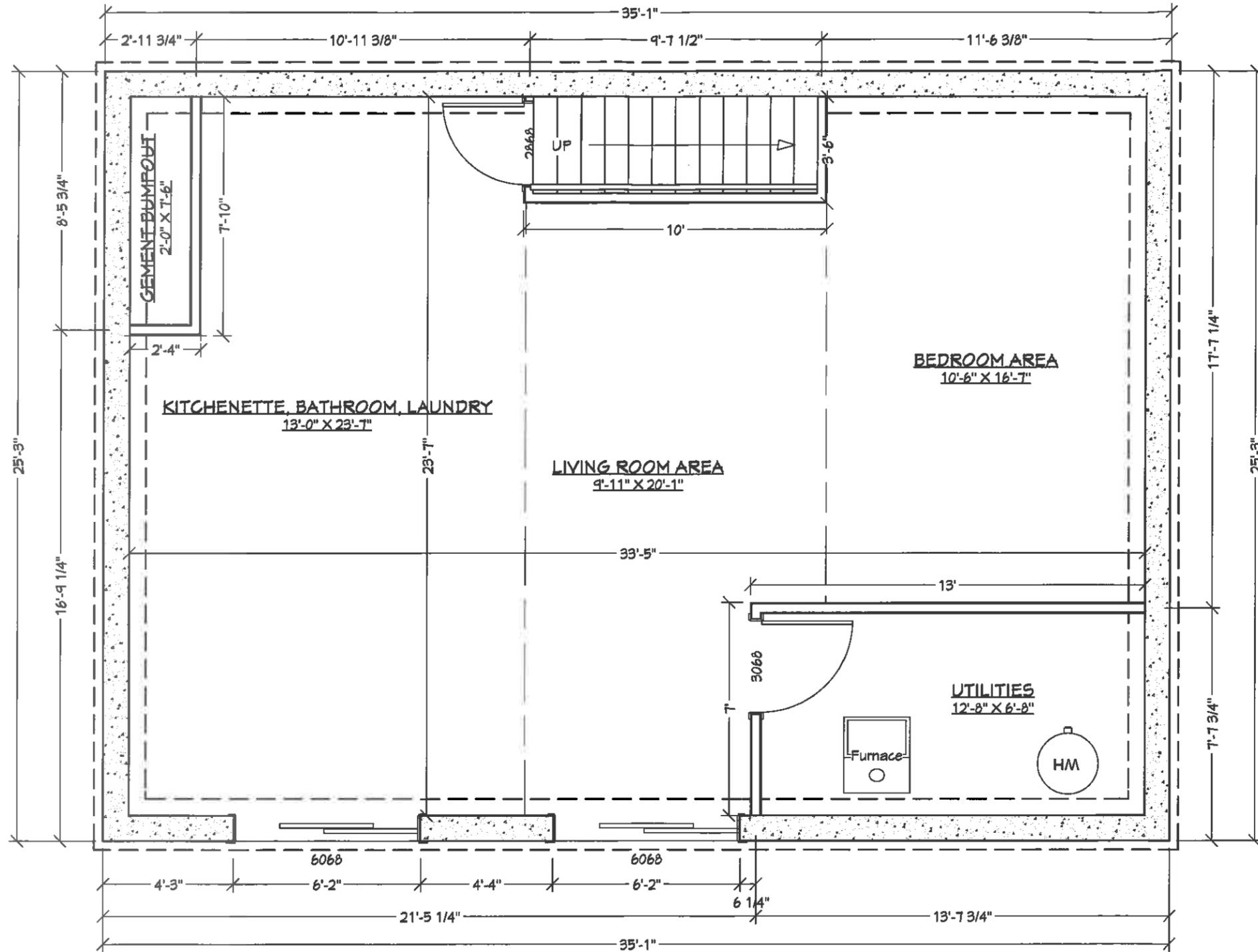
How about this plan?

Ty vm

Sincerely,

Tom Katsiaficas
Owner
Kats Construction & Remodel LLC
☎ Cell: 603-557-5030
✉ Email: tom@katsconstruction.com
www.katsconstruction.com





NOTE: EXACT LOCATIONS OF DOORS, FIXTURES, ETC ARE TO BE VERIFIED
 THIS IS FOR CONCEPT PURPOSES
 BASEMENT AREA
 286 SQ FT

Unit Area = 674 sqft



Drawn for
 KATS Construction & Remodel
 Nashua, NH
 603-557-5030

Project
 Fassina Residence Basement Remodel
 4 Laurel Court
 Nashua, NH

page/scale/date
 1 of 1
 1/4" = 1'-0"
 7/10/2020

Basement Floor Plan
 'Proposed-Planning Board Review Plan'



City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
 WEB www.nashuanh.gov

VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 62 Nagle St Nashua, NH
 Zoning District ^{RB} B-Res Sheet 102 Lot 68+69

2. VARIANCE(S) REQUESTED:

We would like to request an additional allowance for accessory (SF) in back yard to allow for construction of a pool deck. Looking to the final (SF) would be 54% of the homes 1427(SF)

II. GENERAL INFORMATION

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

(Print Name): Christopher Golden - Golden Home Services LLC.
 Applicant's signature [Signature] Date _____
 Applicant's address 21 L Pingree Hill Rd Perry, NH 03038
 Telephone number H: _____ C: 603-440-8832 E-mail: Golden4579@gmail.com

2. **PROPERTY OWNER** (Print Name): Tige Mc Nulty

*Owner's signature [Signature] Date 7-14-2020
 Owner's address 62 Nagle St Nashua, NH
 Telephone number H: _____ C: 603-438-6525 E-mail: _____

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY Date Received _____ Date of hearing _____ Application checked for completeness: CF

PLR# _____ Board Action _____

\$ _____ application fee Date Paid _____ Receipt # _____

\$ _____ signage fee Date Paid _____ Receipt # _____

\$ _____ certified mailing fee Date Paid _____ Receipt # _____

Land Use Code Section(s) Requesting Variances From: 190-264

III. 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. 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 request to build the deck would have little bearing on the general public.
 * Home has a larger rear yard and adding a deck would cause minimal intrusion into other open areas of the yard
 * Proposed deck wouldn't be visible to general public
 * Allows the homeowner to have access to pool without climbing a ladder up to the pool surface

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~~ The proposed deck fits into the space without being a dominant feature in the yard.
 * Deck would provide meaningful storage underneath

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.)

Property owner would like to access the deck from above rather than climb a ladder on both sides. He's concerned about safety of ladder use to climb up to the pool.

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 proposed deck would be proportional in size to the pool and would be professionally constructed
 We hope the deck will add value to their property
 Wouldn't cause adverse reactions by neighboring homes as its very centrally located in back yard

- 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 rear yard at 602 Nagle appears to be much larger than neighboring yards. I've observed neighbors yards more condensed with Accessory items, yet no issues and overall more items in smaller spaces

IV. 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 6
- 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:

Adding Pool deck beside pool (144 SF), remove brick steps and install 6x10' Front porch with rails (60 SF)

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

7/13/2020 Date

Print Name Christopher Golden

7/13/2020 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

20
48
66
88
110

Chain Link Fence

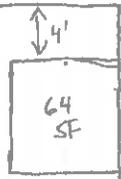
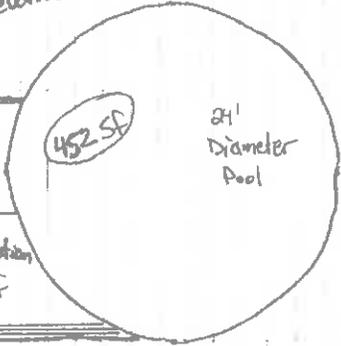
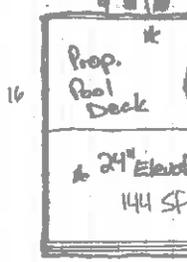
103' Corner to Corner ←→

* Expanded to show actual dimensions present as measured by:

Golden Home Services

Plot plan included to show overall property

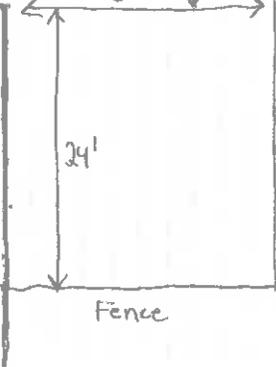
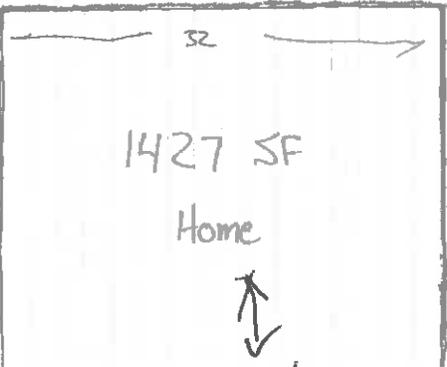
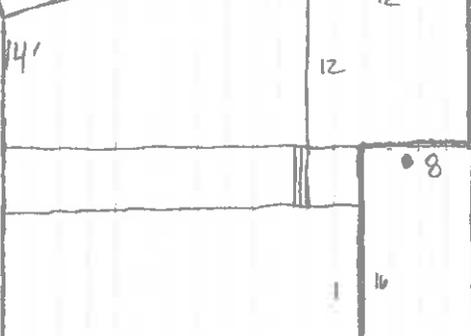
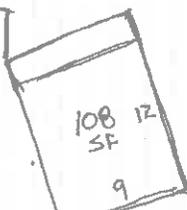
54" Elevation



31'

20'

DRIVE WAY



Fence ↑

1299 4

7/14/2020

I Tige McNulty give Chris Golden
permission to submit the application for variance.

for McNulty

CERT. OF REG. NO. 17209 JAN 14 1948

BUILDING PERMIT

Trige McNulty

No.

SHEET

MAY 10 1947

LOT

Owners Name

OCT 11 1950

SCALE 1" = ft.

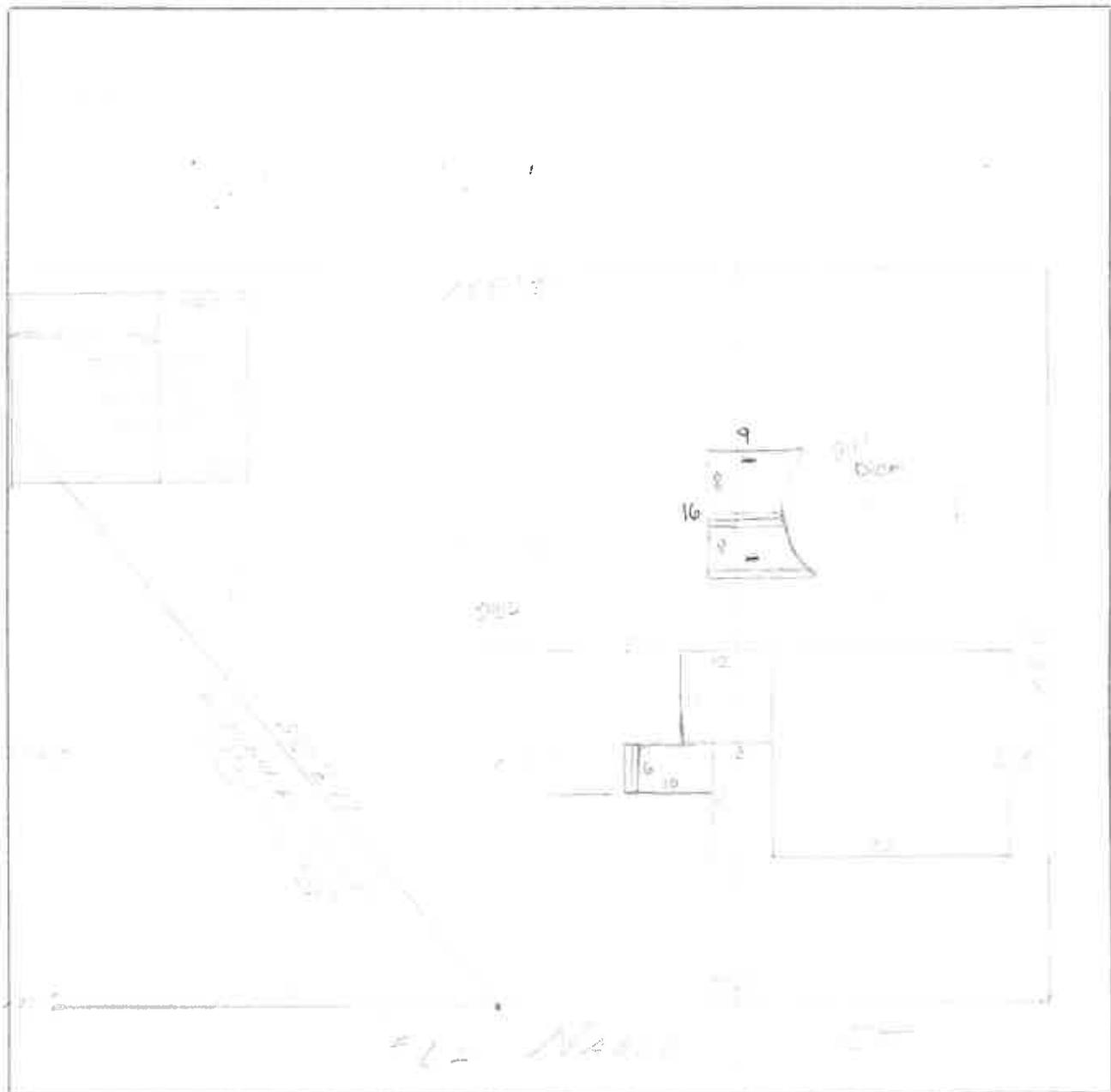
No. Street

B. P. S.

District

REMARKS

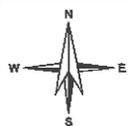
1956 WIRE FENCE 18' H. 100'

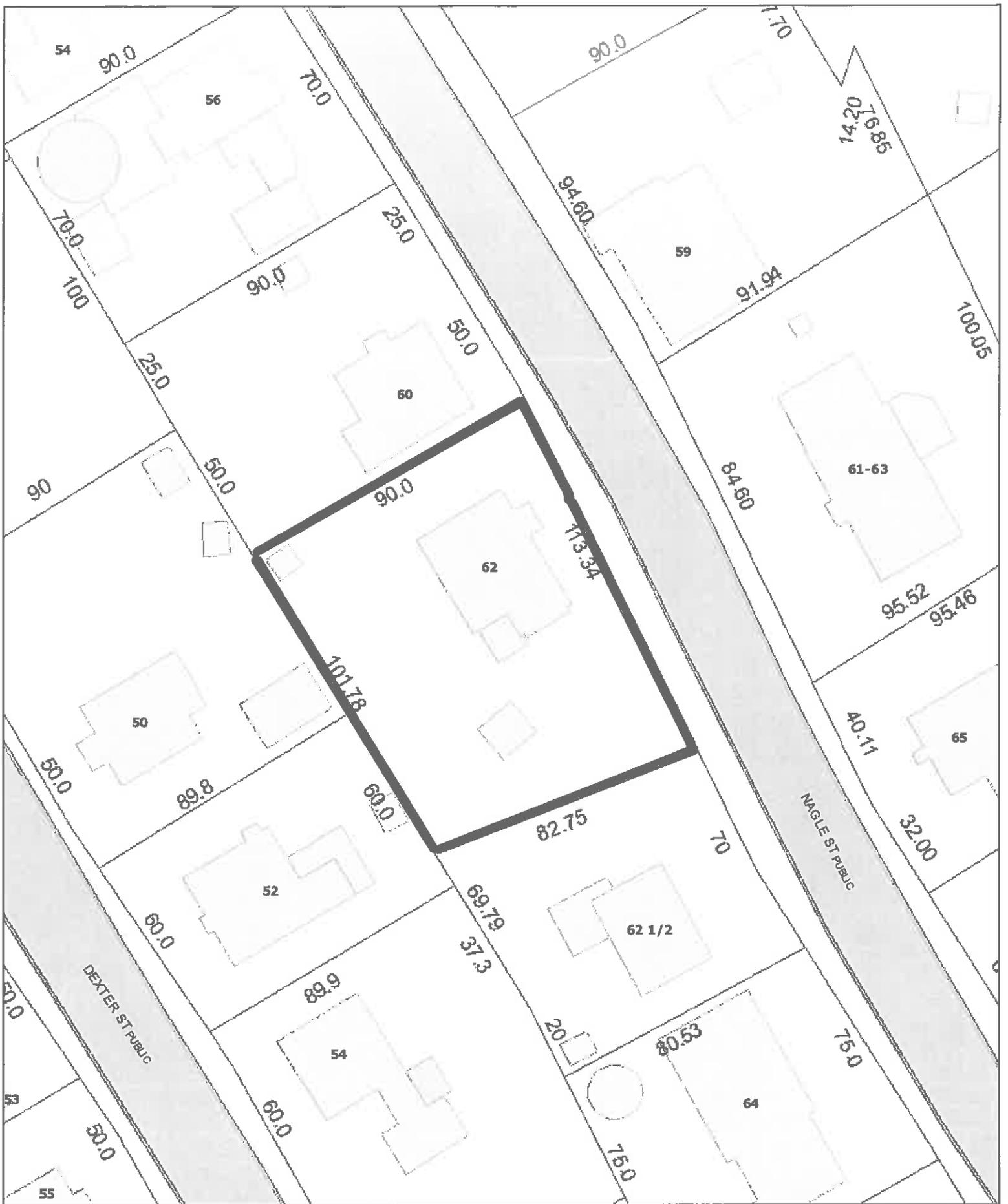


OCT 11 1950

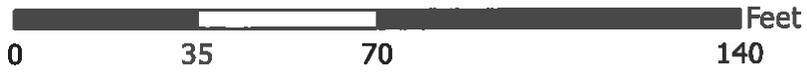
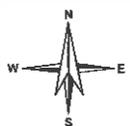


62 Nagle St





62 Nagle St





City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
 WEB www.nashuanh.gov

6

VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 61 Almont St
 Zoning District RB Sheet 103 Lot 33

2. VARIANCE(S) REQUESTED:

W 8x22' paved area over by existing driveway

II. GENERAL INFORMATION

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

(Print Name): Jack LoBretto
 Applicant's signature [Signature] Date 7-12-20
 Applicant's address 61 Almont St
 Telephone number H: 603 864 8392 C: 781 640 6520 E-mail: JLBPlastering@yahoo.com

2. **PROPERTY OWNER (Print Name):** Jack LoBretto

*Owner's signature [Signature] Date _____
 Owner's address 61 Almont St
 Telephone number H: 603 864 8392 C: 781 640 6520 E-mail: JLBPlastering@yahoo.com

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY	Date Received <u>7/15/20</u>	Date of hearing <u>5/11/20</u>	Application checked for completeness: <u>CF</u>
PLR# <u>A20-0086</u>	Board Action _____		
\$ _____ application fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ signage fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ certified mailing fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
Land Use Code Section(s) Requesting Variances From: <u>190-192 (c)</u>			

III. 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. 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.")

It would look better parking on asphalt than on my lawn.

- 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.")

It won't threaten Public Health, Safety or Welfare. There's a few property's on his street that would have the same driveway.

- 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.)

It will not harm the general public

- 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.)

It probably gains

- 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.

My kids Moved back home due to Covid-19
 lost their jobs. Need place to park since there
 is no overnite parking in Nashua.

IV. 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:

_____ PAVEMENT

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.

Jack LoBuntto
 Signature of Applicant

7-12-20
 Date

Jack LoBuntto
 Print Name

7-12-20
 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:

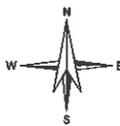
- I will pick it up at City Hall
- Please email it to me at _____
- Please mail it to me at _____



CLEVELAND ST PUBLIC

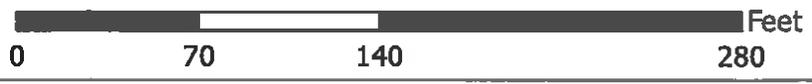
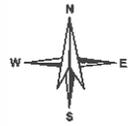
ALMONT ST PUBLIC

61 Almont St





61 Almont St





6) Almont St

(J-11, 134)



City of Nashua
Planning Department
229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
WEB www.nashuanh.gov

VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST PALM STREET No's 124 & 137?
Zoning District Re Sheet 37 Lot 31, 35, 69 ASSUMED/VACANT LOTS

2. VARIANCE(S) REQUESTED:
PROPOSED 2 MULTIFAMILY BLDGS (6 + 12 UNITS) ON
NEW 49,547 SF LOT - 2752 SF/UNIT (VS 3425 SF)

II. GENERAL INFORMATION

1. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)
(Print Name): PALMS EDGE, LLC & THERESA CORVEAU REVTRUST
Applicant's signature Date 7/8/2020
Applicant's address 40 CORVEAU INVESTMENTS, 17 MARSHALL ST, NASHUA NH 03060
Telephone number H: C: 880 9988 E-mail: CORVUS@CONANT.NET

2. PROPERTY OWNER (Print Name): SAME AS ABOVE
*Owner's signature Date
Owner's address
Telephone number H: C: E-mail:

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY
Date Received 7/10/2020 Date of hearing 8/11/2020 Application checked for completeness: CF
PLR# A20-0083 Board Action
\$ application fee [] Date Paid Receipt #
\$ signage fee [] Date Paid Receipt #
\$ certified mailing fee [] Date Paid Receipt #
Land Use Code Section(s) Requesting Variances From: 190-16, Table 16-3

III. 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. 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.")

Rc ZONE WITH MAJORITY OF PROPERTIES MULTI FAMILY (2 UNITS OR MORE) ON SMALL LOTS WITH NO PARKING. SOME 45 PROPERTIES HAVE ARE MORE DENSE THAN 2752 SF/UNIT AND 56 TOTAL EXCEED ALLOWED DENSITY OF 3500 SF/UNIT FOR Rc ZONE. CLOSE TO DOWNTOWN AND VERY APPROPRIATE LOC FOR MODERATE INCOME HOUSING WHICH IS VERY MUCH NEEDED IN CITY OF NASHUA

ALSO PROVIDES SURPLUS PARKING AND EMERGENCY CONNECTION TO R3H STREET FOR DEAD END PALM ST

- 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.")

MULTI FAMILY IS A PERMITTED USE AND PROPOSED DENSITY IS VERY MUCH IN CHARACTER WITH NEIGHBORHOOD. PROPOSED PARKING EXCEEDS THE REQUIREMENTS

- 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.)

ALLOW A PERMITTED USE IN CONFORMITY WITH EXISTING CHARACTER OF NEIGHBORHOOD

- 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.)

THIS IS AN OLDER NEIGHBORHOOD ON DEAD END STREET WITH ON STREET PKG CONCERNS. NEW CONSTRUCTED WITH SURPLUS PARKING WILL ENHANCE 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 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.

MINOR DENSITY VARIANCE WHERE MOST OF THE NEIGHBORHOOD HAS GREATER DENSITY THAN PROPOSED. SURPLUS PARKING LAYOUT GREATLY BENEFITS ENTIRE AREA.

IV. 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:
 NEIGHBORHOOD PARKING - 27 FEEL UNITS PROPOSED PLUS 12 COMMITTED TO OTHER LOTS VS 48 PROPOSED

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 A. Hayward
Signature of Applicant

7/7/20
Date

RICHARD A. HAYWARD
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 _____

Palm Street Area Density List (April 2020)

LOT	Address	SQUARE FEET	UNITS	DENSITY
95-1	87-99 Lake Street	38,289	21-30	1,823 sq. ft./unit - 1,276 sq. ft./unit
95-2	133 Pine Street	Parking Lot	N/A	N/A
95-4	137-143 Pine Street	Parking Lot	N/A	N/A
95-6	145 Pine Street	Parking Lot	N/A	N/A
95-8	165 Pine Street	178,596	110	1,624 sq. ft./unit
96-39	110 Palm Street	7,841	3	2,614 sq. ft./unit
96-40	105 1/2 Ash Street	3,311	1	3,311 sq. ft./unit
96-60	113 Palm Street	3,920	5	784 sq. ft./unit
96-62	132-143 Palm Street	6,447	3	2,149 sq. ft./unit
96-113	115-115B Lovewell Street	7,928	4	1,982 sq. ft./unit
96-132	132-134 Pinse Street	2,439	2	1,220 sq. ft./unit
96-136	17-17 1/2 Lovewell Street	1,786	2	893 sq. ft./unit
98-34	116 Vine Street	6,273	4	1,568 sq. ft./unit
99-4	12-13 Nevada Street	4,269	6	712 sq. ft./unit
99-6	16 Nevada Street	5,619	2	2,809 sq. ft./unit
99-7	114 1/2 Ash Street	2,744	1	2,744 sq. ft./unit
99-11	118-120 Ash Street	3,833	2	1,937 sq. ft./unit
99-13	122 Ash Street	3,746	3	1,249 sq. ft./unit
99-14	127 Vine Street	16,248	4	4,062 sq. ft. unit
99-15	124 Ash Street	2,439	2	1,220 sq. ft./unit
99-17	126 Ash Street	2,439	2	1,220 sq. ft./unit
99-20	45 1/2-47 Lake Street	5,837	2	2,919 sq. ft./unit
99-21	128 Ash Street	2,396	1	2,396 sq. ft./unit
99-24	109A Ash Street	6,447	2	3,224 sq. ft./unit
99-25	114 Palm Street	8,189	2	4,095 sq. ft./unit
99-26	109B Ash Street	4,966	2	2,483 sq. ft./unit
99-27	118 Palm Street	5,009	2	2,505 sq. ft./unit
99-28	120 Palm Street	5,053	2	2,527 sq. ft./unit
99-29	122 Palm Street	5,140	2	2,570 sq. ft./unit
99-30	55 Lake Street	Industrial Condo's		
99-31	Palm Street	Vacant		
99-34	75 Lake Street	Auto Repair		

Palm Street Area Density List (April 2020)

99-35	Palm Street	Garage		
99-36	133-135 Palm Street	4,617	3	1,539 sq. ft./unit
99-37	150-152 Palm Street	10,280	4	2,570 sq. ft./unit
99-38	131 Palm Street	4,617	3	1,539 sq. ft./unit
99-40	127-129 Palm Street	4,617	2	2,309 sq. ft. unit
99-41	144-146 Pine Street	10,193	4	2,548 sq. ft./unit
99-42	125 Palm Street	4,617	2	2,309 sq. ft./unit
99-43	142 Pine Street	4,922	2	2,461 sq. ft./unit
99-44	123 Palm Street	4,617	1	4,617 sq. ft. /unit
99-46	121 1./2 Palm Street	4,617	2	2,309 sq. ft./unit
99-47	136 Pine Street	Warehouse		
99-49	117-119 Palm Street	7,536	4	1,884 sq. ft./unit
99-51	116 Palm Street	5,009	3	1,670 sq. ft./unit
99-53	158 Pine Street	7,100	2	3,550 sq. ft./unit
99-54	158A Pine Street	7,318	2	3,659 sq. ft./unit
99-56	154 Pine Street	Commercial		
99-58	15 Nevada Street	3,398	1	3,398 sq. ft./unit
99-59	107-109 Ash Street	6,970	4	1,743 sq. ft./unit
99-60	108-110 Ash Street	7,579	6	1,263 sq. ft./unit
99-61	14 Nevada Street	19,166	1	19,166 sq. ft./unit
99-62	111 Ash Street	8,625	3	2,875 sq. ft./unit
99-63	14 Lovewell Street	3,136	1	3,136 sq. ft./unit
99-64	9-9 1/2 Nevada Street	3,267	4	817 sq. ft./unit
99-65	156 Pine Street	7,884	2	3,942 sq. ft./unit
99-66	114 Ash Street	4,574	2	2,287 sq. ft./unit
99-67	160 Pine Street	10,716	1	10,716 sq. ft./unit
100-54	48 Lake Street	12,153	4	3,038 sq. ft./unit
100-55	50 Lake Street	12,153	4	3,038 sq. ft./unit
100-56	52 Lake Street	14,026	3	4,675 sq. ft./unit
100-57	52A Lake Street	4,835	2	2,418 sq. ft./unit
100-58	134 Ash Street	2,744	1	2,744 sq. ft./unit
100-59	38 Brook Street	5,053	1	5,053 sq. ft./unit
100-65	138-140 Ash Street	7,492	3	2,497 sq. ft./unit

Palm Street Area Density List (April 2020)

100-157	132 Ash Street	4,356	1	4,356 sq. ft./unit
101-1	Lake Street	Vacant		
101-3	Pine Street	Vacant		
101-4	205-209 Pine Street	7,013	6	1,169 sq. ft. unit
101-56	208 Pine Street	10,498	6	1,750 sq. ft./unit
101-57	68 Lake Street	10,498	6	1,750 sq. ft./unit
101-58	1A - 1B Rice Street	9,932	2	4,966 sq. ft./unit
101-59	66 Lake Street	8,102	3	2,701 sq. ft./unit
101-60	62 Lake Street	23,610	8	2,951 sq. ft./unit
101-61	60 Lake Street	19,428	5	3,886 sq. ft./unit
101-62	58 Lake Street	9,888	3	3,296 sq. ft./unit
101-63	56 Lake Street	4,182	2	2,091 sq. ft./unit
101-64	54 Lake Street	7,013	2	3,507 sq. ft./unit
101-65	129 Ash Street	5,140	2	2,570 sq. ft./unit
101-66	131 Ash Street	5,837	1	5,837 sq. ft./unit
101-169	211-213 Pine Street	9,714	2	4,857 sq. ft./unit
101-185	210 Pine Street	13,983	7	1,998 sq. ft./unit
101-187	54 1/2 Lake Street	17,947	1	17,947 sq. ft./unit
102-11	80 Lake Street	168,011	146	1,151 sq. ft./unit



**Maynard & Paquette
Engineering Associates, LLC**

Consulting Engineers and Land Surveyors
31 Quincy Street, Nashua, NH 03060
Phone (603)883-8433 Fax (603)883-7227
mpeallc@aol.com

January 9, 2020

Lori Wilshire, President
Nashua Board of Aldermen
City Hall
229 Main Street
Nashua, NH 03060

Palm Street Discontinuance
Nashua, NH (J-11,134)

Dear Aldermen:

Enclosed herewith is a packet of materials with regard to some proposed new parking, a new public access way to Ash Street from Palm Street dead end and two multifamily buildings, which also includes a small discontinuance of the southerly dead end of Palm Street. The small discontinuance would permit several developments that would significantly benefit this immediate neighborhood and the City overall.

The benefits to the discontinuance of the end of Palm Street include:

1 – Elimination of the Palm Street dead end. Currently public works vehicles (plows, trash trucks, fire engines, etc.) and the general public have no place to legally turn around to exit Palm Street back onto Lovewell Street. As indicated on the Plans, a two-way access to/from the end of Palm Street to Ash Street would be possible. This would provide a significant public safety enhancement and a second access for emergency vehicles should a portion of Palm Street be blocked.

2 – With the discontinuance, it would now allow two new multifamily buildings and 18 new residential units to be developed for downtown Nashua.

3 – The lack of parking in the Tree Streets area is a significant concern. In addition to parking for the proposed new units, some parking can be provided for other buildings and units on Palm Street. Currently parking on this section of Palm Street is haphazard and irregular.

4 – This section of Palm Street backs up to a large parking lot associated with numerous businesses occupying the old mill building on Lake Street. The new proposed apartment buildings would tend to enhance property values at this section of Palm Street.

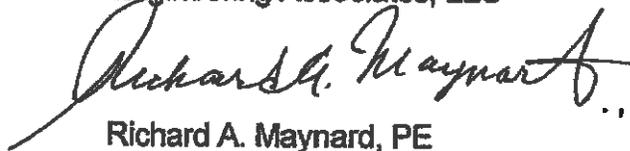
Page 2.

In conclusion, we suggest that this proposed small street discontinuance would be a significant benefit to not only the Proponent/property owner but to all concerned parties such as the City, Palm Street neighborhood, etc.

The Boards favorable consideration of this proposed discontinuance would be greatly appreciated.

Very Truly Yours,

Maynard & Paquette
Engineering Associates, LLC



Richard A. Maynard, PE
On behalf of Corriveau Revocable Trust
and Palms Edge, LLC

Encl.

CC: w/encl

Peter Kolhami -- Dep. City Engineer
Sarah Marchant -- Community Dev.
Timothy Cummings -- Community Dev.

Corriveau Trust/Palms Edge LLC



Maynard & Paquette
Engineering Associates, LLC
Consulting Engineers and Land Surveyors

Mayor Donchess

I don't believe the delay would be too detrimental. The principle piece that we want to sell is 44 Broad Street which is a parcel or a portion of a parcel that was taken for the Broad Street Parkway and now needs to be sold. I believe the reason it did not or wasn't directed to Finance originally is that all of the proceeds from this sale are going to go back to Federal Highway so that whatever the commission is, the percentage, yes, comes off the sales price but really reduced the net to Federal Highway and not to the City of Nashua. A sale has to be approved by Federal Highway but in the end, it doesn't, it is cost neutral to the City in the sense that the money, the proceeds do go back to Federal Highway.

President Wilshire

Are you all set, Alderman Dowd. OK the motion is to refer this communication to the Finance Committee. Would the Clerk call the roll?

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderman Wilshire

14

Nay: Alderwoman Harriott-Gathright,

1

MOTION CARRIED REFERRED TO THE FINANCE COMMITTEE

PETITIONS

Petition for Street Discontinuance: A Portion of Palm Street



MOTION BY ALDERMAN TENCZA TO GRANT THE PETITION FOR STREET DISCONTINUANCE – A PORTION OF PALM STREET WITH THE CONDITIONS ADDRESSED IN THE CITY ENGINEER'S APRIL 22, 2020 PLAN MARKUPS AND GRANTING THE PROPOSED 24' PUBLIC AND EMERGENCY ACCESS EASEMENT (PALM STREET TO ASH STREET) TO THE CITY PRIOR TO, CONCURRENT WITH, OR AS A CONDITION OF THE DISCONTINUANCE , BY ROLL CALL

ON THE QUESTION

President Wilshire

You've heard the motion. Is there discussion on that Motion? Alderman O'Brien.

Alderman O'Brien

Thank you, Madam President. We heard this in Infrastructure and I think when it was originally presented there was a question by Dan Hudson, our City Engineer but with the principals involved an agreement had been reached that seems to be accommodating both to the principals and to the City and it is something that we'd like to see. I think this will allow us access for snow removal and other different things that the City was concerned about. So, therefore, I highly support this and recommend the Board to do so. Thank you.

President Wilshire

Any other discussion on the motion to grant the Petition? Seeing none, would the Clerk call the roll?

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	15
---	----

Nay:	0
------	---

MOTION CARRIED

Petition for Street Number Assignment: Sheet 103/Lot 103 Almont Street

MOTION BY ALDERMAN JETTE TO GRANT THE PETITION FOR STREET NUMBER ASSIGNMENT: SHEET 103/LOT 103 ALMONT STREET, BY ROLL CALL

ON THE QUESTION

President Wilshire

Alderman Jette?

Alderman Jette

I'd like to speak to it. So this is another situation which comes up fairly often where there's a vacant lot on Almont Street located between 28 Almont and 30 Almont. The owner, who is the petitioner, wants to build a house there but he needs a number. The addressing committee has agreed to assign a number of 28 1/2 to this vacant lot which will allow him to then build a building. It was reviewed by the Planning Board and they approved it. The Infrastructure Committee approved it as well and I ask for your support.

President Wilshire

Anyone else? The Motion is to grant the petition for street number reassignment. Any other discussion? Seeing none, would the Clerk call the roll?

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	15
---	----

Nay:	0
------	---

MOTION CARRIED

NOMINATIONS, APPOINTMENTS AND ELECTIONS – None

ABUTTERS:

LOT 69/SHEET 99
PALMS EDGE LLC
P.O. BOX 94
HOLLIS, NH 03049

LOTS 29, 31, 35 & 36/SHEET 99
THERESA CORRIVEAU REVOCABLE TRUST
3 DAWN STREET
NASHUA, NH 03084-1924

LOT 30/SHEET 99
LAKE STREET BUSINESS CONDOS
c/o JOE VALENTE
163 MAIN STREET - SUITE 201
SALEM, NH 03079

LOT 62/SHEET 99
MATTHEW F. GERLACH
19 OLD RUMMELLS BRIDGE ROAD
HOLLIS, NH 03049

LOT 3/SHEET 99
117 VINE STREET, LLC
117 VINE STREET
NASHUA, NH 03060

LOT 58/SHEET 99
MANUEL & HEKEMIA CORCA
15 NEVADA STREET
NASHUA, NH 03060-4530

LOT 7/SHEET 99
JENNIFER SNOW
114 1/2 ASH STREET
NASHUA, NH 03060

LOT 67/SHEET 99
STEVE & CYNTHIA HULL
180 PINE STREET
NASHUA, NH 03060

LOTS 53, 54 & 65/SHEET 99
NASHUA HOUSING AUTHORITY
40 EAST PEARL STREET
NASHUA, NH 03060

LOTS 53, 54 & 65/SHEET 99
NASHUA HOUSING AUTHORITY
40 EAST PEARL STREET
NASHUA, NH 03060

LOT 56/SHEET 99
ST. LAURENT ONE FAMILY TRUST
7 MAPLELEAF DRIVE
NASHUA, NH 03062

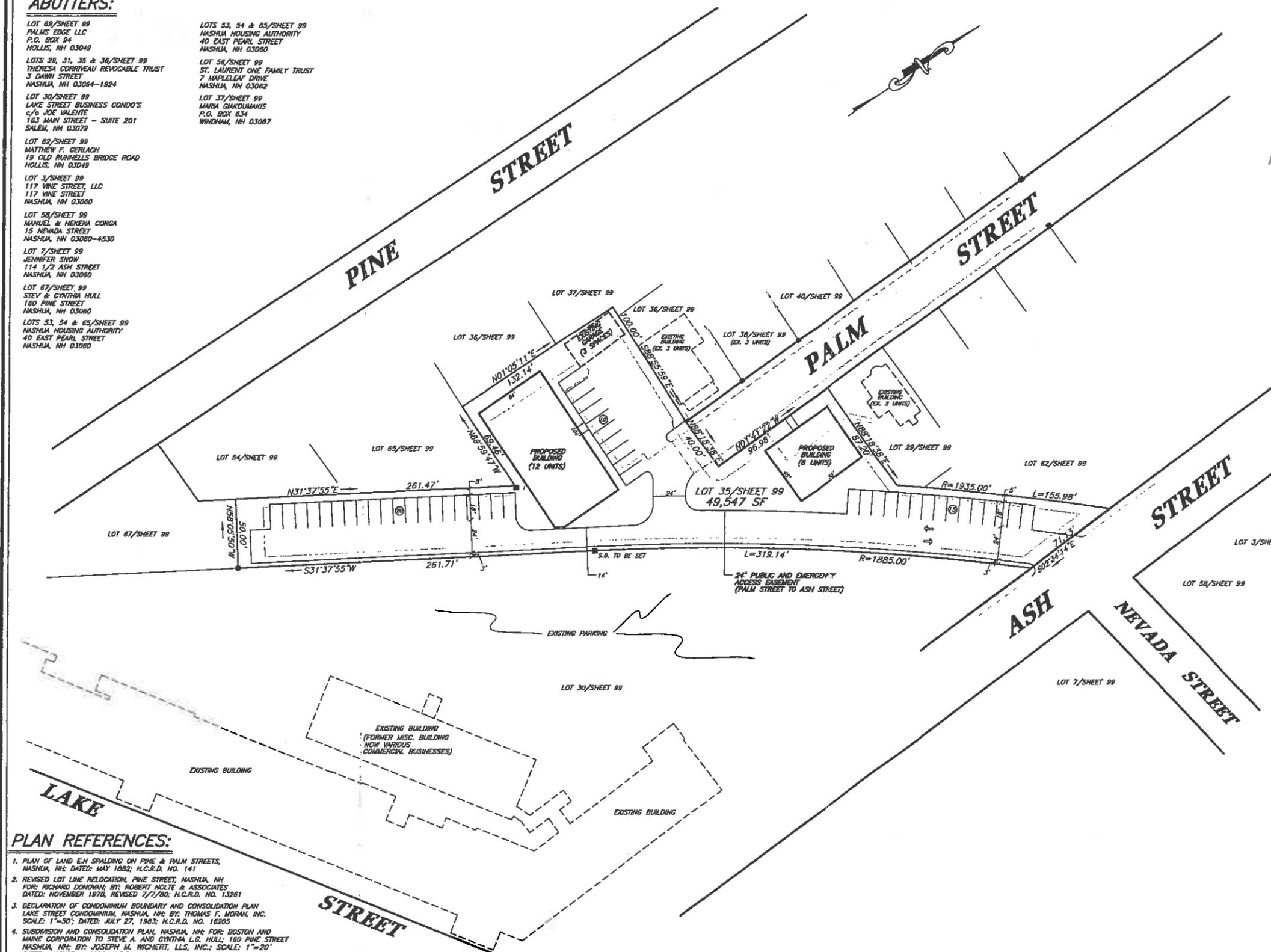
LOT 37/SHEET 99
MARIA GAKOUMAKIS
P.O. BOX 634
WINDHAM, NH 03087

STONE BOUND FOUND
 STONE BOUND TO BE SET
 IRON PIN TO BE SET
 IRON PIN FOUND
 EXISTING BUILDING

LEGEND

NOTES:

- DIMENSIONAL REQUIREMENTS: (ZONE: "RC")**
 LOT DENSITY: 12.5 (3,484 sq)
 LOT AREA: 5,000 SF
 MIN. LOT WIDTH: 50 FEET
 MIN. LOT FRONTAGE: 50 FEET
 MIN. LOT DEPTH: 75 FEET
 MIN. YARD SETBACKS:
 FRONT: 10 FEET
 SIDE: 7 FEET
 REAR: 20 FEET
- PARKING FOR LOTS 35 (2 BUILDINGS) AND ADJACENT LOTS 29, 36 & 38**
 MIN. PARKING REQUIRED - 1.5 SP/UNIT
 LOT 35 - 18 UNITS @ 1.5 SP/UNIT = 27 SPACES
 LOT 29 - 2 UNITS @ 1.5 SP/UNIT = 3 SPACES
 LOT 36 - 3 UNITS @ 1.5 SP/UNIT = 4.5 SPACES
 LOT 38 - 3 UNITS @ 1.5 SP/UNIT = 4.5 SPACES
 TOTAL SPACES REQUIRED - 39 SPACES MIN.
 TOTAL SPACES PROVIDED - 48 SPACES



PLAN REFERENCES:

- PLAN OF LAND E.A. SPALDING ON PINE & PALM STREETS, NASHUA, NH; DATED: MAY 1892; H.C.R.D. NO. 141
- REVISED LOT LINE RELOCATION, PINE STREET, NASHUA, NH FOR: RICHARD DONOHAN; BY: ROBERT HOLTE & ASSOCIATES DATED: NOVEMBER 1978, REVISED 7/7/80; H.C.R.D. NO. 13261
- DECLARATION OF CONDOMINIUM BOUNDARY AND CONSOLIDATION PLAN LAKE STREET CONDOMINIUM, NASHUA, NH; BY: THOMAS F. MORAN, INC. SCALE: 1"=50'; DATED: JULY 27, 1983; H.C.R.D. NO. 18205
- SUBDIVISION AND CONSOLIDATION PLAN, NASHUA, NH; FOR: BOSTON AND MARNE CORPORATION TO STEVE A. AND CYNTHIA L.G. HULL; 180 PINE STREET NASHUA, NH; BY: JOSEPH M. WICKERT, L.L.S., INC.; SCALE: 1"=20' DATED: AUGUST 4, 1994; H.C.R.D. NO. 29473

APPROVED BY THE CITY OF NASHUA PLANNING BOARD

CHAIRMAN	DATE
SECRETARY	DATE

THE UNDERSIGNED DOES HEREBY AGREE TO PERFORM ALL OF THE IMPROVEMENTS AS SHOWN ON THIS PLAN AND AS CONDITIONED OR STIPULATED BY THE NASHUA CITY PLANNING BOARD. ALL REQUIRED SITE IMPROVEMENTS MUST BE COMPLETED OR GUARANTEED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

PALMS EDGE LLC _____ DATE _____

I CERTIFY THAT THIS PLAN WAS PREPARED FROM BOUNDARY INFORMATION SHOWN ON PLAN REFERENCES 1 - 4 AND A FIELD SURVEY LAST MADE ON THE GROUND IN SEPTEMBER, 2019 HAVING A MAXIMUM ERROR OF CLOSURE OF 1:10,000.

PRELIMINARY SITE PLAN - LOT 35/SHEET 99

"PALMS EDGE"

PALM STREET & ASH STREET

NASHUA, NEW HAMPSHIRE

OWNER OF RECORD:
 PALMS EDGE LLC
 P.O. BOX 94
 HOLLIS, NH 03064

SCALE: 1" = 40'

DATE: NOVEMBER 27, 2019

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

NO.	DATE	BY

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 MAYNARD & PAQUETTE ENGINEERING ASSOCIATES, LLC
 DWG. NO.



- STONE BOUND FOUND
- STONE BOUND TO BE SET
- IRON PIN TO BE SET
- IRON PIN FOUND
- EXISTING BUILDING
- ⊙ SEWER MANHOLE
- CATCH BASIN

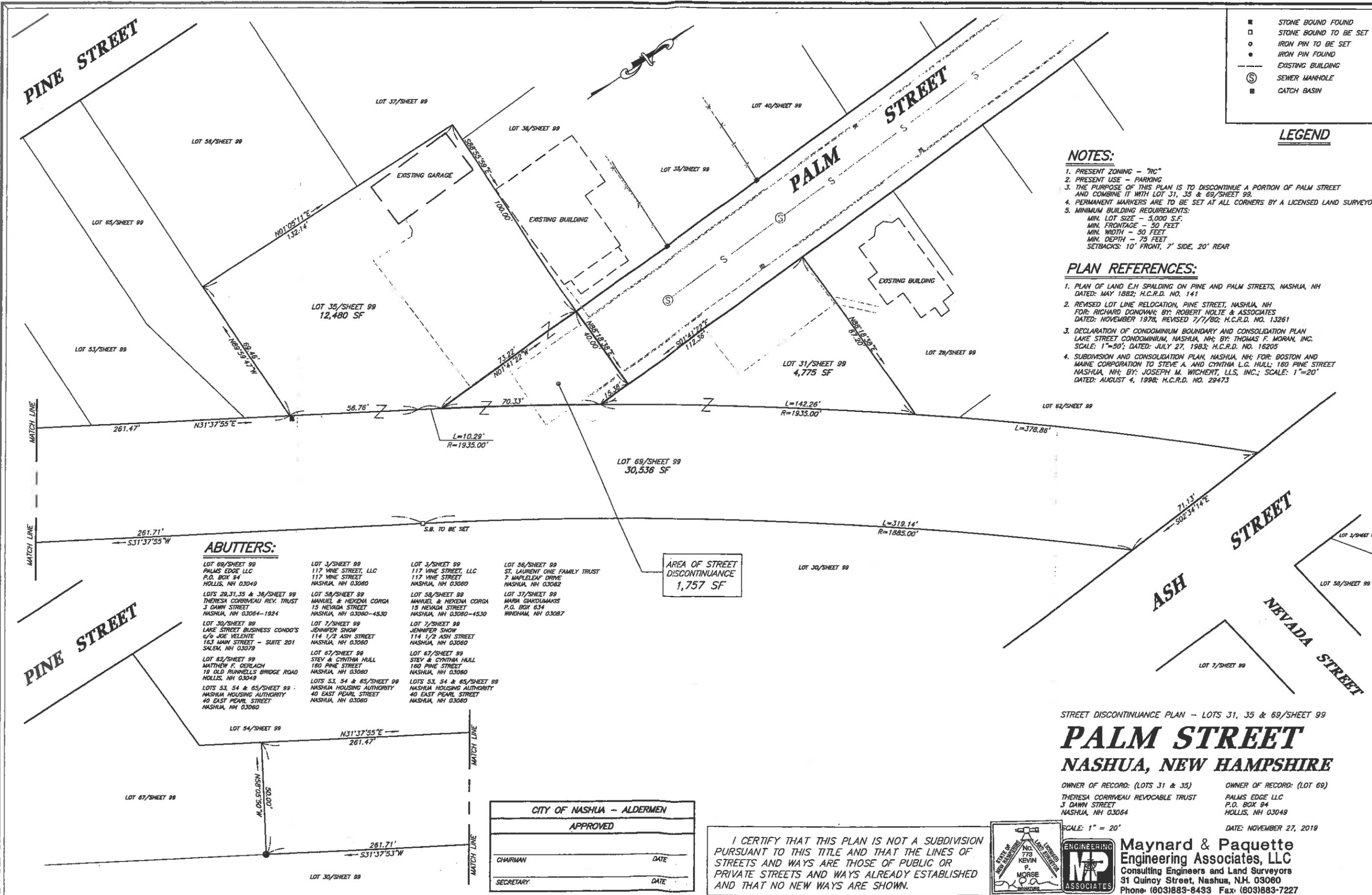
LEGEND

NOTES:

1. PRESENT ZONING - "RC"
2. PRESENT USE - PARKING
3. THE PURPOSE OF THIS PLAN IS TO DISCONTINUE A PORTION OF PALM STREET AND COMBINE IT WITH LOT 31, 35 & 69/SHEET 99.
4. PERMANENT MARKERS ARE TO BE SET AT ALL CORNERS BY A LICENSED LAND SURVEYOR.
5. MINIMUM BUILDING REQUIREMENTS:
 MIN. LOT SIZE - 5,000 S.F.
 MIN. FRONTAGE - 50 FEET
 MIN. WIDTH - 50 FEET
 MIN. DEPTH - 75 FEET
 SETBACKS: 10' FRONT, 7' SIDE, 20' REAR

PLAN REFERENCES:

1. PLAN OF LAND E.H. SPALDING ON PINE AND PALM STREETS, NASHUA, NH DATED: MAY 1882; H.C.R.D. NO. 141
2. REVISED LOT LINE RELOCATION, PINE STREET, NASHUA, NH FOR: RICHARD DONOVAN; BY: ROBERT NOLTE & ASSOCIATES DATED: NOVEMBER 1978, REVISED 7/7/90; H.C.R.D. NO. 13261
3. DECLARATION OF CONDOMINIUM BOUNDARY AND CONSOLIDATION PLAN LAKE STREET CONDOMINIUM, NASHUA, NH; BY: THOMAS F. MORAN, INC. SCALE: 1"=50'; DATED: JULY 27, 1983; H.C.R.D. NO. 16205
4. SUBDIVISION AND CONSOLIDATION PLAN, NASHUA, NH; FOR: BOSTON AND MAINE CORPORATION TO STEVE A. AND CYNTHIA L.G. HULL; 180 PINE STREET NASHUA, NH; BY: JOSEPH M. WICHERT, LLS, INC.; SCALE: 1"=20' DATED: AUGUST 4, 1998; H.C.R.D. NO. 29473



ABUTTERS:

- | | | | |
|--|---|---|---|
| LOT 69/SHEET 99
PALMS EDGE LLC
P.O. BOX 84
HOLLIS, NH 03049 | LOT 3/SHEET 99
117 VINE STREET, LLC
117 VINE STREET
NASHUA, NH 03080 | LOT 3/SHEET 99
117 VINE STREET, LLC
117 VINE STREET
NASHUA, NH 03080 | LOT 58/SHEET 99
ST. LAURENT ONE FAMILY TRUST
7 MAPLELEAF DRIVE
NASHUA, NH 03082 |
| LOTS 28, 31, 35 & 38/SHEET 99
THERESA CORRIVEAU REV. TRUST
3 DAWN STREET
NASHUA, NH 03064-1924 | LOT 58/SHEET 99
MANUEL & HEKEMA CORGA
15 NEVADA STREET
NASHUA, NH 03060-4530 | LOT 58/SHEET 99
MANUEL & HEKEMA CORGA
15 NEVADA STREET
NASHUA, NH 03060-4530 | LOT 37/SHEET 99
MARIA GARDUMAKIS
P.O. BOX 634
WINDHAM, NH 03087 |
| LOT 30/SHEET 99
LAKE STREET BUSINESS CONDO'S
c/o JOE VELENTE
163 MAIN STREET - SUITE 201
SALEM, NH 03079 | LOT 7/SHEET 99
JENNIFER SNOW
114 1/2 ASH STREET
NASHUA, NH 03060 | LOT 7/SHEET 99
JENNIFER SNOW
114 1/2 ASH STREET
NASHUA, NH 03060 | LOT 67/SHEET 99
STEV & CYNTHIA HULL
160 PINE STREET
NASHUA, NH 03060 |
| LOT 62/SHEET 99
MATTHEW F. GERLACH
19 OLD RUNNELL'S BRIDGE ROAD
HOLLIS, NH 03049 | LOT 67/SHEET 99
STEV & CYNTHIA HULL
160 PINE STREET
NASHUA, NH 03060 | LOT 67/SHEET 99
STEV & CYNTHIA HULL
160 PINE STREET
NASHUA, NH 03060 | LOTS 53, 54 & 65/SHEET 99
NASHUA HOUSING AUTHORITY
40 EAST PEARL STREET
NASHUA, NH 03060 |
| LOTS 53, 54 & 65/SHEET 99
NASHUA HOUSING AUTHORITY
40 EAST PEARL STREET
NASHUA, NH 03060 | LOTS 53, 54 & 65/SHEET 99
NASHUA HOUSING AUTHORITY
40 EAST PEARL STREET
NASHUA, NH 03060 | LOTS 53, 54 & 65/SHEET 99
NASHUA HOUSING AUTHORITY
40 EAST PEARL STREET
NASHUA, NH 03060 | |

AREA OF STREET DISCONTINUANCE
1,757 SF

CITY OF NASHUA - ALDERMEN	
APPROVED	
CHAIRMAN	DATE
SECRETARY	DATE

I CERTIFY THAT THIS PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS ARE THOSE OF PUBLIC OR PRIVATE STREETS AND WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

STREET DISCONTINUANCE PLAN - LOTS 31, 35 & 69/SHEET 99

**PALM STREET
NASHUA, NEW HAMPSHIRE**

OWNER OF RECORD: (LOTS 31 & 35) THERESA CORRIVEAU REVOCABLE TRUST
 3 DAWN STREET
 NASHUA, NH 03064

OWNER OF RECORD: (LOT 69) PALMS EDGE LLC
 P.O. BOX 84
 HOLLIS, NH 03049

DATE: NOVEMBER 27, 2019



SCALE: 1" = 20'

**ENGINEERING
MP
ASSOCIATES**

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

NO.	DATE	REVISION	BY

KPM	APB				D	11134
DESIGNED	DRAWN	CHECKED	APPROVED	BOOK & PAGE	REVISION	SHEET NUMBER

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 MAYNARD & PAQUETTE ENGINEERING ASSOCIATES, LLC
 DWG. NO. 1 OF 1



City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
 WEB www.nashuanh.gov

VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

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.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 8 Merritt Parkway
 Zoning District R-30 FUOD Sheet C Lot 2544-8

2. VARIANCE(S) REQUESTED:

To allow a residential multi-family apartment building in the R-30 and Flexible Use Overlay District

II. GENERAL INFORMATION

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

(Print Name): Merritt Place, LLC
 Applicant's signature [Signature] Date July 15, 2020
 Applicant's address 11 Gilboa Lane, Nashua NH 03062
 Telephone number H: [] C: 603-566-3280 E-mail: rgparsons2001@yahoo.com

2. **PROPERTY OWNER** (Print Name): Hannaford Bros Co

*Owner's signature [Signature], Agent Date July 15, 2020
 Owner's address 145 Pleasant Hill Road, Scarborough ME 04074
 Telephone number H: [] C: [] E-mail: []

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY	Date Received _____	Date of hearing _____	Application checked for completeness: <u>cf</u>
PLR# _____	Board Action _____		
\$ _____ application fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ signage fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ certified mailing fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
Land Use Code Section(s) Requesting Variances From: <u>190-15, Table 15-1 (#15)</u>			

III. 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. 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 proposal is to construct one apartment building with approximately 120-160 units being approximately 120,000 sf on a 6.2 acre lot within the Commerce Center at Maplewood Condominium. The proposed use will not alter the character of the neighborhood as the other uses in the immediate area are commercial in nature and part of a commercial condominium within the Flexible Use Overlay District. The abutting land in the residential zone is common area open space and it is approximately 250 feet to the nearest home. The proposed use is serviced by water and sewer and the use will not be a threat to public health, safety or welfare as adequate road access and stormwater drainage capacity exist.

- 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.")

While the ordinance does not permit residential housing, this use is an apartment building on a large lot on which a grocery store was originally planned. There is sufficient lot area for parking and distancing from commercial uses. The proposed use will not alter the essential character of the neighborhood as a multifamily use in the form of an apartment building has a commercial facade and the use fits well in a planned community of mixed uses, and will not threaten the public health, safety or welfare.

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

If granted, there will be no harm to the general public or to any other individuals in that the proposed use is an appropriate buffer use between the existing commercial uses and the abutting residential neighborhood while providing additional housing to the City of Nashua on a large lot with sufficient parking and will be complimentary to the surrounding uses. Denial will impose substantial harm to the applicant in that a reasonable use of the property is construction of an apartment 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.)

The surrounding properties will not be diminished by the proposed apartment building as the apartment will not generate as much traffic as other permitted uses such as the originally intended grocery store. The location is on a large lot set away from other commercial uses.

- 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.

This lot is one of the largest in the condominium project and the area surrounded by commercial uses. The general purpose of the ordinance is to allow mixed uses in a specific area to provide commercial and other compatible uses with the surrounding and underlying R-40 district restricting against multifamily uses or this particular lot does not serve the purpose of full flexibility in a mixed use zone where it is intended to allow residence to co-exist with a small commercial center, given that there are commercial uses allowed and they surround the proposed use, an apartment building is a reasonable use as it is a transition from the commercial uses to the single family uses.

IV. 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.

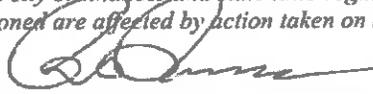
- a. Total number of employees [] Number of employees per shift []
- b. Hours and days of operation []
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors []
- d. Number of daily and weekly commercial deliveries to the premises []
- e. Number of parking 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

Robert Parsons

Print Name

Date July 15, 2020

Date July 15, 2020

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

While the ordinance does not permit residential housing, this use is an apartment building on a large lot on which a grocery store was originally planned. There is sufficient lot area for parking and distancing from commercial uses. This proposed use will not alter the essential character of the neighborhood by a multifamily use in

Please mail it to me at

If granted, there will be no harm to the general public or to any other individuals in that the proposed use is an appropriate buffer use between the existing commercial uses and the abutting residential neighborhood while providing additional housing to the City of Nashville on a large lot with sufficient parking and will be complementary to

Falk, Carter

From: Morgan Hollis <mhollis@nh-lawyers.com>
Sent: Tuesday, July 21, 2020 8:50 AM
To: Falk, Carter
Cc: Elizabeth Hartigan; Julia Hefferan
Subject: Re: Ad for 8 Merritt Place

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Carter,
Thank you for your review. Yes, we agree with your thoughts and recommendation to go with "up to 160 units".
Morgan

Sent from my iPhone

On Jul 21, 2020, at 7:51 AM, Falk, Carter <CarterF@nashuanh.gov> wrote:

Hi Morgan and Elizabeth

For the 8 Merritt Place advertisement, the application is for 120-160 dwelling units. I could advertise it one of two ways:

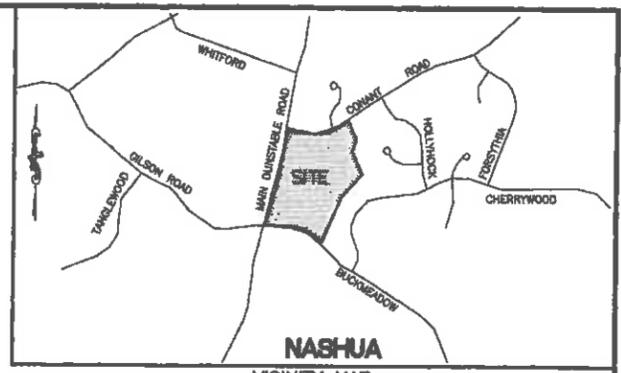
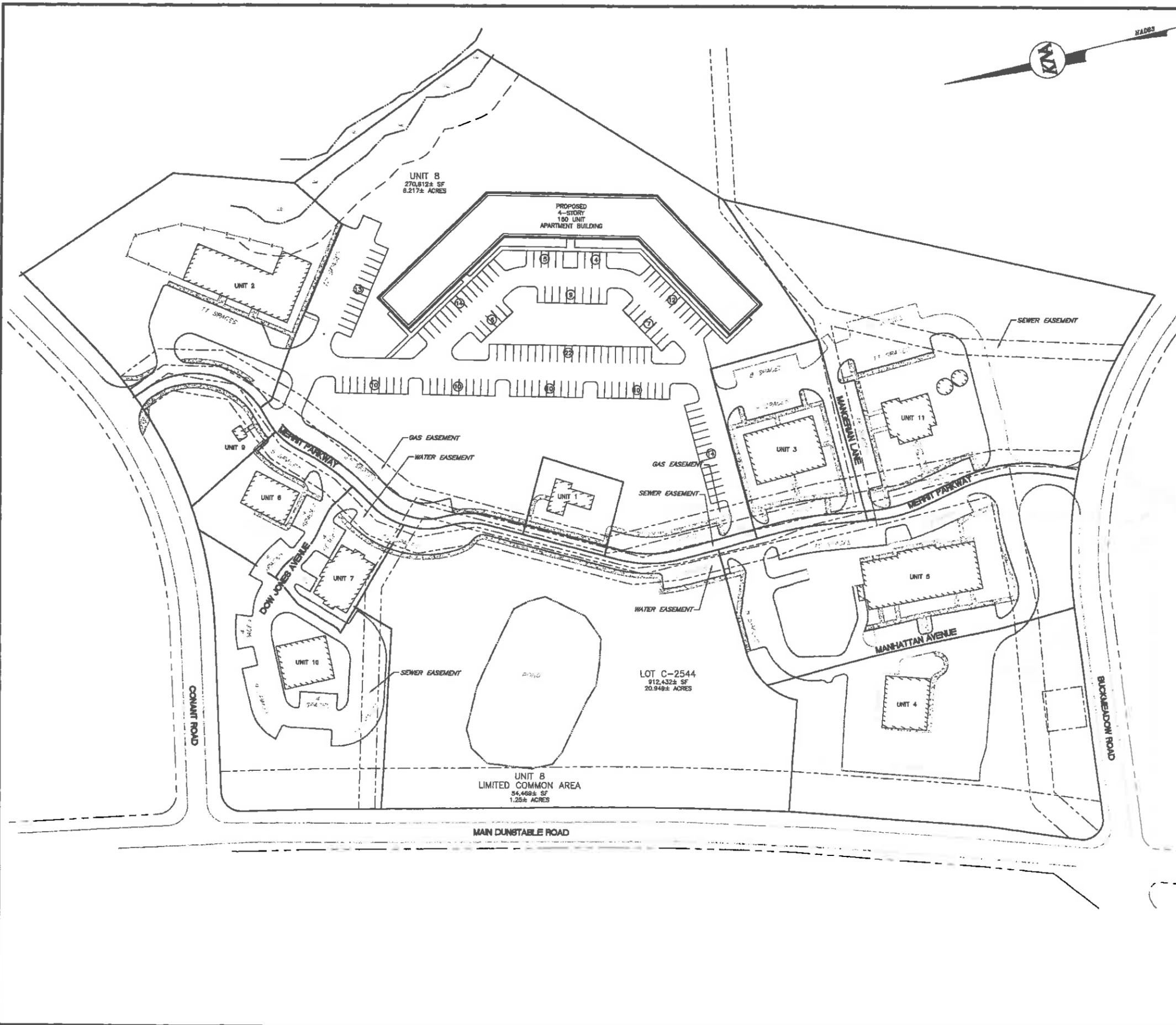
1. Use variance to allow between 120-160 multi-family dwelling units in one building, or,
2. Use variance to allow up to 160 multi-family dwelling units in one building.

I think the Board would prefer a more specific number, as 120-160 is a range of 40 units, which is substantial. I think they'd prefer the second version above, and perhaps it could be mentioned during oral testimony that the overall number could be 120 units.

I'll do it any way you want – I just want to make sure you're comfortable with the ad. I'm off this week, but you can still respond, I'm just not tied to my computer all day like normal!!

Thanks!

Carter



NASHUA
VICINITY MAP
SCALE: 1" = 1,000'

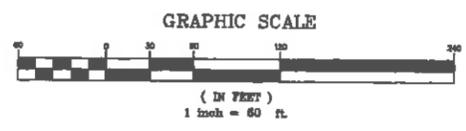
REFERENCE PLANS:

- "SHEET C/LOTS 2532, 2533, 2534, 2535, 2536, 2537 AND 2539, CONSOLIDATION, LOT LINE RELOCATION AND ROAD DEDICATION PLAN," MAPLEWOOD, NASHUA, NH PREPARED BY CLUGCO & OORMIER ENGINEERING ASSOCIATES, INC. SHEETS 2, 7, & 8 OF 9, HCRD PLAN #30274.

GENERAL NOTES:

- THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED 4-STORY, 180 UNIT APARTMENT BUILDING AT THE MAPLEWOOD CONDOMINIUM DEVELOPMENT AND NO OTHER PURPOSE.
- MAP C LOT 2544 INDICATES THE CITY OF NASHUA, NEW HAMPSHIRE TAX ASSESSOR'S MAP AND LOT NUMBERS.
- THE TOTAL SITE AREA IS 812,432 SF (20.948 ACRES) AND UNIT 8 IS 270,812 SF (8.217 ACRES).
- THE PRESENT OWNER OF UNIT 8 IS:
HANNAFORD BROS CO.
ATTN: REAL ESTATE DEPT
145 PLEASANT HILL ROAD - MS 6000
SCARBOROUGH, ME 04074
- THE SUBJECT PARCEL IS LOCATED WITHIN THE FOOD (FLEXIBLE USE) & R-30 (A SUBURBAN RESIDENCE) ZONING DISTRICTS AND SUBJECT TO THE FOLLOWING DIMENSIONAL REGULATIONS, PER 180-29(D)(1):

	REQUIRED	LOT 2544
- MINIMUM LOT AREA:	9,000 SF	912,432 SF
- MINIMUM LOT WIDTH:	75 FT	>75 FT
- MINIMUM LOT DEPTH:	90 FT	>90 FT
MINIMUM BUILDING SETBACKS:		
- FRONT:	25 FT	318.8 FT*
- SIDE:	10 FT	N/A*
- REAR:	25 FT	37.8 FT*
- OPEN SPACE:	30%	83%
- *FOR PROPOSED BUILDING ONLY
A VARIANCE FROM THE NASHUA LAND USE CODE IS REQUIRED TO ALLOW THE PROPOSED APARTMENT USE.
- NO BOUNDARY AND TOPOGRAPHIC SURVEYS HAVE BEEN COMPLETED BY KEACH-NORDSTROM. PROPERTY BOUNDARIES SHOWN HEREON ARE TAKEN FROM REFERENCE PLAN #1.
- THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE AT 811.



ZONING BOARD OF ADJUSTMENT PLAN
**MAPLEWOOD PLAZA
 RESIDENTIAL FLATS**
 MAP C LOT 2544
 MAIN DUNSTABLE ROAD
 NASHUA, NEW HAMPSHIRE
 HILLSBOROUGH COUNTY

PREPARED FOR:

KMA
 KEACH-NORDSTROM ASSOCIATES, INC.
 Civil Engineering Land Surveying Landscape Architecture
 10 Commerce Park North, Suite 301, Bedford, NH 03110 Phone (603) 687-2881

REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: JULY 28, 2020 SCALE: 1"=60'
 PROJECT No: 20-0518-3 SHEET 1 OF 1

ZBA MEETING ATTENDANCE

MEETING OF:

Robert Shaw
Jack Currier
J.P. Boucher
Mariellen MacKay

Jay Minkarah
Steve Lionel
Efstathia Booras
Nick Kanakis

APPROVAL OF MINUTES

Minutes of

MOTION BY:

SECONDED BY:

Corrections:

APPROVED

DENIED

TABLED

Minutes of

MOTION BY:

SECONDED BY:

Corrections:

APPROVED

DENIED

TABLED

STAFF ATTENDANCE

Carter Falk

Kate Poirier

Marcia Wilkins

REGIONAL IMPACT

Yes

No

1. **Energy North Natural Gas, Inc., c/o Liberty Utilities (Owner) 25 Van Buren Street & 38 Bridge Street (Sheet 41 & 39 Lots 11 & 26) requesting special exception from Land Use Code Section 190-112 to work within the 75-ft prime wetland buffer of the Nashua River to install an impermeable cap as required by the NHDES remedial action plan, including regrading, repaving and expanding the site's existing parking lot, and improve the stormwater management system. GI Zone, Ward 7. [TABLED FROM 7-14-2020 MEETING]**

VOTING MEMBERS: Shaw, Currier, MacKay, Boucher, Lionel

REQUEST #1

MOTION TO: **Approve**

MOTION BY: Shaw

SECONDED BY: Lionel

- 1) This use **is** listed in the Table of Uses, City of Nashua Land Use Code Section **190-**
- 2) This use **will not** create undue traffic congestion or unduly impair pedestrian safety.
- 3) This use **will not** overload public water, drainage or sewer or have negative impacts on municipal systems.
- 4) Special use regulations **are** fulfilled. The nine wetland conditions are met with the application.
- 5) This use **will not** impair the integrity, **will not** be out of character with the neighborhood, and **will not** be detrimental to the health, morals or welfare of residents.

Stipulations of Approval: The Board incorporates the NCC letter of approval into this application, and appreciates the applicant's consideration of a possible public easement.

VOTE: Unanimous 5-0

2. Pennichuck Water Works & Pennichuck Water Works, Inc. (Owners) GSSG New Hampshire, LLC (Applicant) “L” Ferry Road, “L” Westland Avenue, “L” Stanwood Drive, “L” Appledore Street, “L” Marlboro Street, “L” Independence Avenue, “L” Claredon Street, and 206 Concord Street (Sheet 52 Lots 1, 7, 14, 23, 24, 28, 39, 49, 61, 65, 81, 82, 85, 96, 97, 104 and 118) requesting special exception from Land Use Code Section 190-24 (F)(3) to allow underground electric utility construction, relocate existing fencing, improve surface of existing gravel drive along Old Harris Road, and tree clearing within a portion of the Conservation Zone to allow for a proposed solar array project (allowed use). R18 Zone, Ward 3. [TABLED FROM 7-14-2020 MEETING]

VOTING MEMBERS: Currier, Boucher, MacKay, Shaw, Lionel

REQUEST #1

MOTION TO: **Approve**

MOTION BY: Lionel

SECONDED BY: Shaw

- 1) This use **is** listed in the Table of Uses, City of Nashua Land Use Code Section **190-**
- 2) This use **will not** create undue traffic congestion or unduly impair pedestrian safety.
- 3) This use **will not** overload public water, drainage or sewer or have negative impacts on municipal systems.
- 4) Special use regulations **are** fulfilled.
- 5) This use **will not** impair the integrity, **will not** be out of character with the neighborhood, and **will not** be detrimental to the health, morals or welfare of residents.

Stipulations of Approval: The minutes of the NCC meeting and the NCC letter are to be incorporated into the ZBA record,

VOTE: Unanimous 5-0

Clerk: Jack Currier

3. **Rivier University (Owner) John Parker (Applicant) 436 South Main Street (Sheet 1 Lot 1) requesting variance from Land Use Code Section 190-102 to exceed maximum wall identification sign area, 12-sqft permitted – 58-sqft proposed for the Science and Innovation Center building. R9 Zone, Ward 7. [TABLED FROM 7-14-2020 MEETING]**

VOTING MEMBERS: MacKay, Boucher, Currier, Shaw, Lionel

REQUEST #1

MOTION TO: **Approve**

MOTION BY: Shaw

SECONDED BY: Boucher

1. The Board found that the variance **is** needed to enable the applicant's proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.
Special Conditions: The science center is a large structure, and the proposed sign is in concert with the size of the building. Board finds that the 12 sq ft requirement is not warranted in this situation.

Stipulations of Approval: None

VOTE: Unanimous 5-0

Clerk: Jack Currier

4. Cynthia M. Doyle (Owner) 50 Westgate Crossing (Sheet C Lot 1417) requesting variance from Land Use Code Section 190-264 to exceed maximum accessory use area, 40% permitted, 46% proposed – to erect an 18-foot round above-ground swimming pool. R9 Zone, Ward 5.

VOTING MEMBERS: Lionel, MacKay, Shaw, Boucher, Currier

REQUEST #1

MOTION TO: **Approve**

MOTION BY: Boucher

SECONDED BY: Shaw

1. The Board found that the variance **is** needed to enable the applicant's proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.

Stipulations of Approval: None

Special Conditions: Board finds that the adjacent conservation land and the moderate sized detached garage warrant the small overage of accessory use area for the proposed pool.

VOTE: Unanimous 5-0

5. Wilmar, LLC (Owner) Colbea Enterprises, LLC (Applicant) 4 Blackstone Drive (Sheet H Lot 520) requesting variance from Land Use Code Section 190-41 (B)(5) for minimum distance to drive-thru exit, minimum of 60 feet required – 8 feet proposed. GB Zone, Ward 2.

VOTING MEMBERS: Lionel, MacKay, Shaw, Boucher, Currier

REQUEST #1

MOTION TO: **Approve**

MOTION BY: Lionel

SECONDED BY: Boucher

1. The Board found that the variance **is** needed to enable the applicant's proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.

Stipulations of Approval: None

Special Conditions of Property: Board finds that this configuration of this drive thru lane will not result in any public safety issues since there will be no pedestrians near the drive-thru exit / drive-thru left turn.

VOTE: Unanimous 5-0

Clerk: Jack Currier

6. Colleen & John Lyons DuPre (Owners) 7 Fairway Street (Sheet 1 Lot 102) requesting variance from Land Use Code Section 190-223 for minimum lot area, 40,000 sq.ft required for a proposed lot to be serviced by an individual sewage disposal system – 33,497 sq.ft proposed. R9 Zone, Ward 7.

VOTING MEMBERS: Lionel, MacKay, Shaw, Boucher, Currier

REQUEST #1

MOTION TO: **Approve**

MOTION BY: Boucher

SECONDED BY: Shaw

1. The Board found that the variance **is** needed to enable the applicant's proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.

Stipulations of Approval: None

Special Conditions: Board finds that this is a unique lot in that a traditional sewer cannot be feasibly attached to the proposed lot. Also, the slight underage of 40,000 sq ft for this lot is a reasonable request since there are no, and will be no other wells or septic in the vicinity. Additionally, the existing ledge makes tying into the public sewer uniquely challenging.

VOTE: Unanimous 5-0

Clerk: Jack Currier

- 7. Maria R. Fassina (Owner) 4 Laurel Court (Sheet E Lot 2111) requesting special exception from Land Use Code Section 190-15, Table 15-1 (#3) to allow an accessory (in-law) dwelling unit in basement of existing house. R9/PRD Zone, Ward 5.**

[CASE WITHDRAWN]

8. **Tige W. & Heidi A. McNulty (Owners) Golden Home Services, LLC (Applicant) 62 Nagle Street (Sheet 102 Lot 68) requesting variance from Land Use Code Section 190-264, to exceed maximum accessory use area, 40% permitted - 54% proposed – to construct a deck for existing 21-foot round above-ground swimming pool. RB Zone, Ward 6.**

VOTING MEMBERS: Lionel, MacKay, Shaw, Boucher, Currier

REQUEST #1

MOTION TO: **Approve**

MOTION BY: Boucher

SECONDED BY: Shaw

1. The Board found that the variance **is** needed to enable the applicant's proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.

Stipulations of Approval: None

Special Conditions: Board finds that this lot is larger than most in the neighborhood, and that the house is relatively small. Therefore, this requested overage of accessory use area for a pool deck is warranted.

VOTE: Unanimous 5-0

Clerk: Jack Currier

9. Jack LoBrutto (Owner) 61 Almont Street (Sheet 103 Lot 33) requesting variance from Land Use Code Section 190-192 (C) to exceed maximum driveway width, 22 feet existing, 24 feet permitted – an extra 8’x21’ driveway proposed on right side of existing driveway for a total width of 30 feet. RB Zone, Ward 6.

VOTING MEMBERS: Lionel, MacKay, Shaw, Boucher, Currier

REQUEST #1

MOTION TO: **Approve**

MOTION BY: Boucher

SECONDED BY: Shaw

1. The Board found that the variance **is** needed to enable the applicant’s proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.

Stipulations of Approval: None

Special Conditions: Board finds that there are other properties in the neighborhood that have wider driveways, and that this property is limited to a short driveway length.

VOTE: Approve: Boucher, Shaw, MacKay, Lionel Disapprove: Currier

Clerk: Jack Currier

10. Palms Edge, LLC & Theresa Corriveau Rev. Trust (Owner) 137 Palm Street, “L” Pine Street and “L” Palm Street (Sheet 99 Lots 31, 35 and 69) requesting variance from Land Use Code Section 190-16, Table 16-3 for minimum lot area, 49,547 square feet existing - 62,712 square feet required, to allow 18 multi-family units in two buildings - one building with 6 units and one building with 12 units. RC Zone, Ward 6.

VOTING MEMBERS: Lionel, MacKay, Shaw, Boucher, Currier

REQUEST #1

MOTION TO: Approve

MOTION BY: Boucher

SECONDED BY: Lionel

1. The Board found that the variance **is** needed to enable the applicant’s proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.

Stipulations of Approval: None

Special Conditions: Board finds that the benefits to the neighborhood, namely the excess parking that is proposed, and the public connection of Palm Street to Ash Street outweigh the 4 unit overage. Board concurs that many properties in the area are denser than this proposal.

VOTE: Unanimous 5-0

Clerk: Jack Currier

- 11. Hannaford Bros. Co (Owner) Merritt Place, LLC (Applicant) 8 Merritt Parkway (Sheet C Lot 2544-8) requesting use variance from Land Use Code Section 190-15, Table 15-1 (#15) to allow up to 160 multi-family dwelling units in one building. R30/FUOD Zone, Ward 9.**

[CASE POSTPONED TO AUGUST 25, 2020]