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

   Documents:

   20200526 ZBA AGENDA - AMENDED.PDF

2. 20200526 ZBA Case Packets

   Documents:

   20200512 3 BIRCHWOOD DR.PDF
   20200526 20 LUKE ST.PDF
   20200526 100 PERIMETER RD.PDF
   20200526 9 PINEHURST AVE.PDF
   20200512 119 LAKE AVE.PDF
   20200526 50 LANGHOLM DR.PDF
   20200523 139 ALMONT ST.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, MAY 26, 2020

AMENDED AGENDA

The Zoning Board of Adjustment will meet on Tuesday, May 26, 2020 via WebEx. Real-time public comment can be addressed to the Board utilizing WebEx virtual meeting software for remote access. This will allow users to view the meeting and ask questions to the Board via the chat function. The public is also encouraged to submit their comments via email (planning@nashuanh.gov) to the Department email or by mail (please make sure to include your name/address and comments) by 5:00 p.m. on May 26, 2020 and read into the record at the appropriate time. Letters should be addressed to City of Nashua, Planning Department, P.O. Box 2019, Nashua, NH 03061. Plans can be viewed online starting May 21 2020, at www.nashuanh.gov in the Calendar or Agendas and Minutes.

To access WebEx:
https://nashuanh.webex.com/nashuanh/j.php?MTID=m9db5c3f4a0d57a82f067def81315c570

Meeting number/access code: **713 866 549** – Password: **mhPAbSsp824**

To join by phone: **1 (408) 418-9388** – Meeting number/access code: **713 866 549**

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

1. J. & P. Ferreira Family Trust (Owners) 3 Birchwood Drive (Sheet 54 Lot 20) requesting the following: 1) special exception from Land Use Code Section 190-15, Table 15-1 (#3) to allow a 24'x28' attached addition on right side of house for an accessory (in-law) dwelling unit; and the following variances: 1) from Land Use Code Section 190-32 to allow a 12 foot wide second driveway for proposed accessory dwelling unit; and, 3) from Land Use Code Section 190-192 (C) to exceed maximum driveway width, 17 feet existing, 24 feet permitted, 29 feet proposed. RA Zone, Ward 3.

2. Claudir Mozzer (Owner) Luciane Ortis (Applicant) 20 Luke Street (Sheet 138 Lot 106) requesting variance from Land Use Code Section 190-192 (C) to exceed maximum driveway width, 20 feet existing on right side of house - 24 feet permitted, requesting approval to maintain an existing 8 foot wide driveway on left side of house, for a total of 28 feet. R9 Zone, Ward 1.

3. Procyon Properties, LLC (Owner) Granite Start, LLC, d/b/a Granite Start Early Learning Center (Applicant) 100 Perimeter Road (Sheet E Lot 1454) requesting special exception from Land Use Code Section 190-15, Table 15-1 (# 240) to use property as a children's daycare facility. AI Zone, Ward 1.

4. Scott Hamilton & Lisa St. George (Owners) 9 Pinehurst Avenue (Sheet B Lot 649) requesting variance from Land Use Code Section 190-192 (C) to exceed maximum 24 foot wide driveway width, 12 feet wide on left side of house, 30 feet wide on right side of house, for a total width of 42 feet. R9 Zone, Ward 8.

5. Joshua McAnistan (Owner) 119 Lake Street (Sheet 93 Lot 4) requesting the following: 1) special exception from Land Use Code Section 190-15, Table 15-1 (#3) to maintain an existing accessory (in-law) dwelling unit; and, 2) variance from Land Use Code Section 190-32 to exceed maximum accessory dwelling unit size, 750 sq.ft permitted – 775 sq.fg existing. RB Zone, Ward 6.

6. Donald E. & Deanne M. White (Owners) 50 Langholm Drive (Sheet C Lot 826) requesting variance from Land Use Code Section 190-192 (C) to exceed maximum 24 foot wide driveway width, two entrances existing, one at 22 feet, the other at 17 feet for a total width of 39 feet - requesting to repave into one driveway at 36 feet wide. R9 Zone, Ward 9.

7. Jacky Mathieu (Owner) 139 Almont Street (Sheet 445 Lot 52) requesting variance from Land Use Code Section 190-192 (C) to exceed maximum driveway width, 24 feet permitted – 35 feet requested. R9 Zone, Ward 6.

OTHER BUSINESS:

1. Review of Motion for Rehearing:

2. Review of upcoming agenda to determine proposals of regional impact.

3. Approval of Minutes for previous hearings/meetings.

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

City of Nashua
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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 3 BIRCHWOOD DRIVE

Zoning District RA Sheet 54 Lot 20

b. SPECIAL EXCEPTION(S) REQUESTED:

24' x 28' ADU ADDITION FOR IN LAW (WIFE'S MOM)

2. GENERAL INFORMATION

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

(Print Name): JOHN & PENNY FERREIRA

Applicant's signature Date 3/31/20

Applicant's address 3 BIRCHWOOD DRIVE

Telephone number H: 603-880-5117 C: 617-799-9680 E-mail: johnf@chap-con.com

b. **PROPERTY OWNER (Print Name):** JOHN & PENNY FERREIRA

***Owner's signature** Date 3/31/20

Owner's address 3 BIRCHWOOD DRIVE

Telephone number H: 603-880-5117 C: 617-799-9680 E-mail: johnf@chap-con.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:** _____

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: _____

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.

WE BOTH HAVING AGING PARENTS THAT HAVE VARIOUS NEEDS. ONE WITH ALZHEIMER / DIMENTIA AND ONE WITH PARKINSONS DISEASE. WE WANT TO BE ABLE TO PROVIDE CARE FOR THEM

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.

ADDITION TO BE 24' x 28' SINGLE STORY. EXISTING HOUSE IS 26' x 50' WITH A TWO CAR GARAGE. SINGLE STORY RANCH SEE PHOTOS ATTACHED.

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?

WOULD LIKE TO ADD ONE SPOT FOR PARKING CLOSE TO ADDITION TO MINIMIZE WALKING DISTANCE FOR ELDERLY PARENT. CURRENT DRIVE HOLDS 4 CARS

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

SHOULD HAVE MINIMAL EFFECT. THERE ARE NO SIDEWALKS ON BIRCHWOOD TO INTERRUPT. CAREGIVER WOULD PARK IN PROPOSED SPOT. ELDERLY PARENT DOES NOT DRIVE

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?

SEE ATTACHED PHOTOS. ALL ABUTTERS ARE SIMILAR STYLE, SINGLE LEVEL RANCH HOMES. TWO OF THEM HAVE DOUBLE DRIVEWAYS.

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 N/A Number of employees per shift _____

b. Hours and days of operation N/A

c. Number of daily and weekly visits to the premises by customers, clients, vendors, and solicitors N/A

d. Number of daily and weekly commercial deliveries to the premises _____

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: 3/31/20

JOHN FERREIRA
Print Name — Date: 3/31/20

City of Nashua
Planning Department

229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
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VARIANCE APPLICATION (ZBA)

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This application must be completed and submitted to the Planning Department no later than the dates listed on the Zoning Board of Adjustment (ZBA) schedule sheet. Please print clearly or type.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST: 3 BIRCHWOOD DRIVE

Zoning District: RA Sheet: 54 Lot: 20

2. VARIANCE(S) REQUESTED:

TO ADD 2ND CURB CUT TO MINIMIZE DISTANCE FOR ELDERLY TO HAVE TO WALK TO ADU ADDITION, APPROXIMATELY 12' WIDE BY 24' LONG

II. GENERAL INFORMATION

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

(Print Name): JOHN + PENNY FERREIRA

Applicant's signature [signature] Date 3/31/20

Applicant's address 3 BIRCHWOOD DRIVE, NASHUA, NH 03064

Telephone number H: 603-880-5117 C: 617-799-9680 E-mail: johnf@chap-con.com

2. **PROPERTY OWNER (Print Name):** JOHN + PENNY FERREIRA

***Owner's signature** [signature] Date 3/31/20

Owner's address 3 BIRCHWOOD DRIVE, NASHUA, NH 03064

Telephone number H: 603-880-5117 C: 617-799-9680 E-mail: johnf@chap-con.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:** _____

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: _____

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.")

SEVERAL NEIGHBORS HAVE TWO DRIVEWAYS ALREADY SO IT WILL NOT BE CONTRARY TO PUBLIC INTEREST. SEE ATTACHED PHOTOS OF #1 & #4 BIRCHWOOD DRIVE.
WE FILL THIS WOULD FIT RIGHT IN. WE DO NOT WANT TO IMITATE THE PARKING SITUATION THAT IS HAPPENING AT #6 BIRCHWOOD. SEE ATTACHED PHOTO.

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.")

PROPOSED USE DOES NOT THREATEN OR CHANGE THE CHARACTER OF THE NEIGHBORHOOD. IT ALSO DOES NOT THREATEN PUBLIC HEALTH, SAFETY, WELFARE OR PUBLIC RIGHTS
THE PROPOSED ADDITION + DRIVE FITS INTO THE CHARACTER OF THE NEIGHBORHOOD.

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.)

THE BENEFIT OF ALLOWING SECOND DRIVEWAY WOULD ALLOW ELDERLY PARENT TO BE ABLE TO ACCESS ADU LIVING UNIT WITHOUT HAVING TO TRAVEL 60'+/- FROM MAIN DRIVEWAY LOCATED AT OPPOSITE SIDE OF LOT.

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.)

ADDITION WILL BE CONSTRUCTED OF SAME MATERIALS AND SAME STYLE OF EXISTING RESIDENCE. ROOF, SIDING + WINDOWS WILL MATCH EXISTING.
ONCE COMPLETED IT WILL APPEAR AS IT WAS ALWAYS PART OF THE EXISTING HOUSE AND NEIGHBORHOOD

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship,** because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

LOCATION OF PROPOSED ADU ADDITION IS AT OPPOSITE END OF THE PROPERTY, AS FAR AWAY FROM EXISTING DRIVEWAY AS POSSIBLE. THE ADDITIONAL DRIVEWAY IS REQUIRED TO EASE THE ACCESS FOR ELDERLY PARENT. EXISTING DRIVE WOULD REQUIRE ELDERLY PARENT TO WALK 60' +/- TO GAIN ACCESS TO ADU ENTRANCE

IV. USE VARIANCE ADDITIONAL INFORMATION

N/A

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

a. Total number of employees N/A Number of employees per shift
b. Hours and days of operation
c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors
d. Number of daily and weekly commercial deliveries to the premises
e. Number of parking spaces available
f. Describe your general business operations:

g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signature, 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 3/31/20

Print Name JOHN FERMENTA — Date 3/31/20

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

#1

1 BIRCHWOOD
(NOTE TWO DRIVEWAYS)

Google Maps 4 Birchwood Dr

Image capture: Sep 2019 © 2020 Google

Nashua, New Hampshire

Google

Street View

#4 BIRCHWOOD

(NOTE TWO DRIVEWAYS)

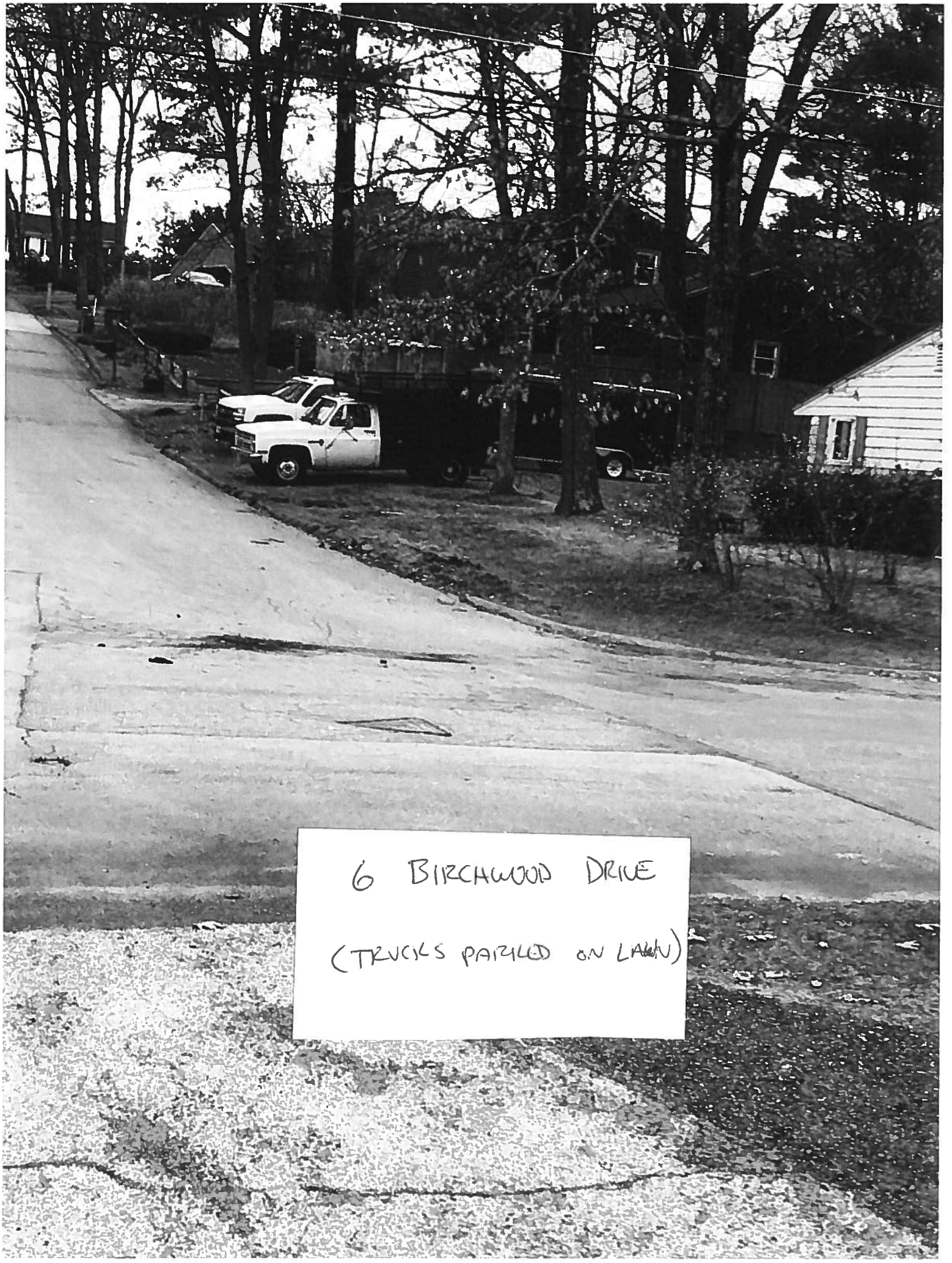
Google Maps 3 Birchwood Dr

Image capture: Sep 2019 © 2020 Google

Nashua, New Hampshire

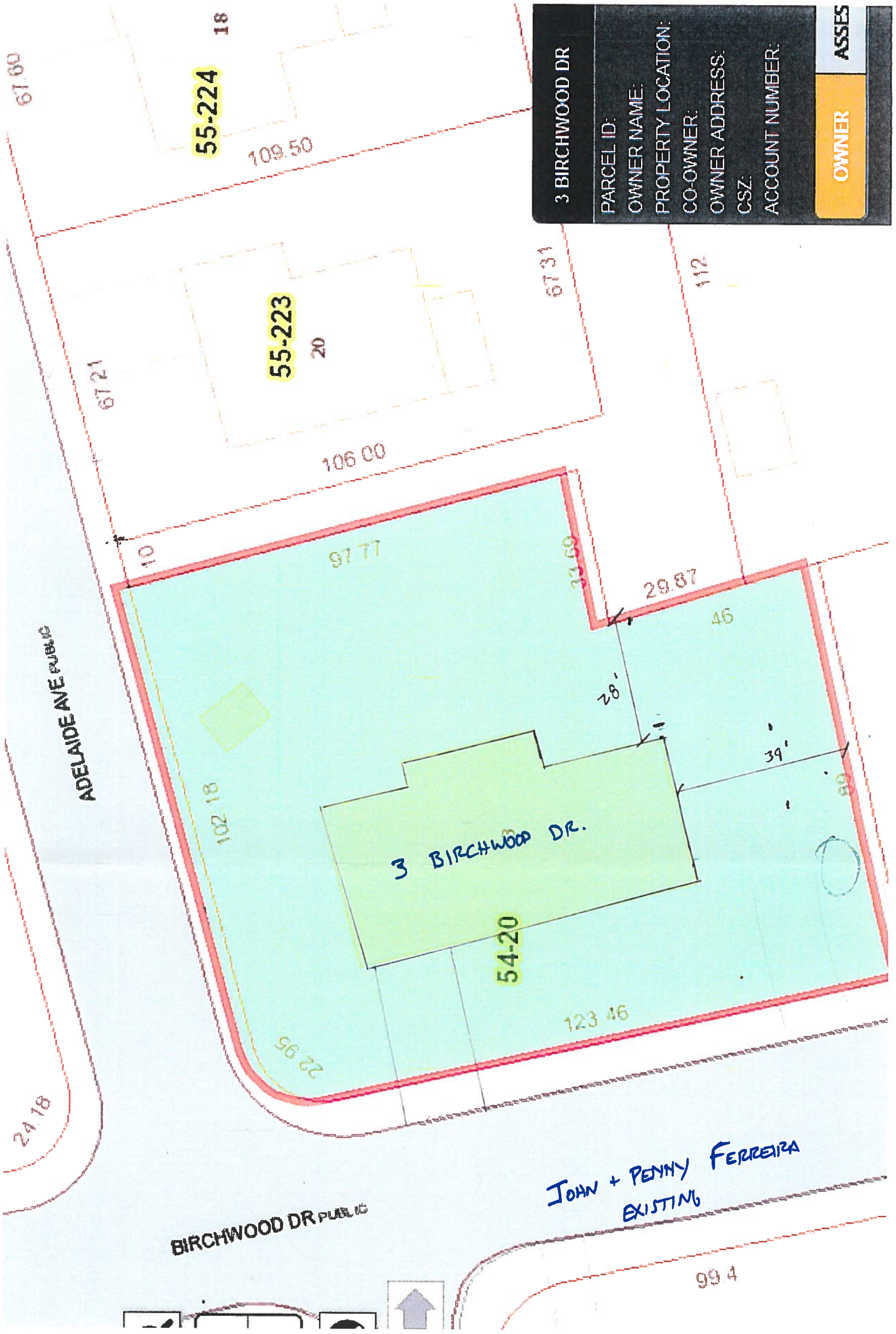
Google

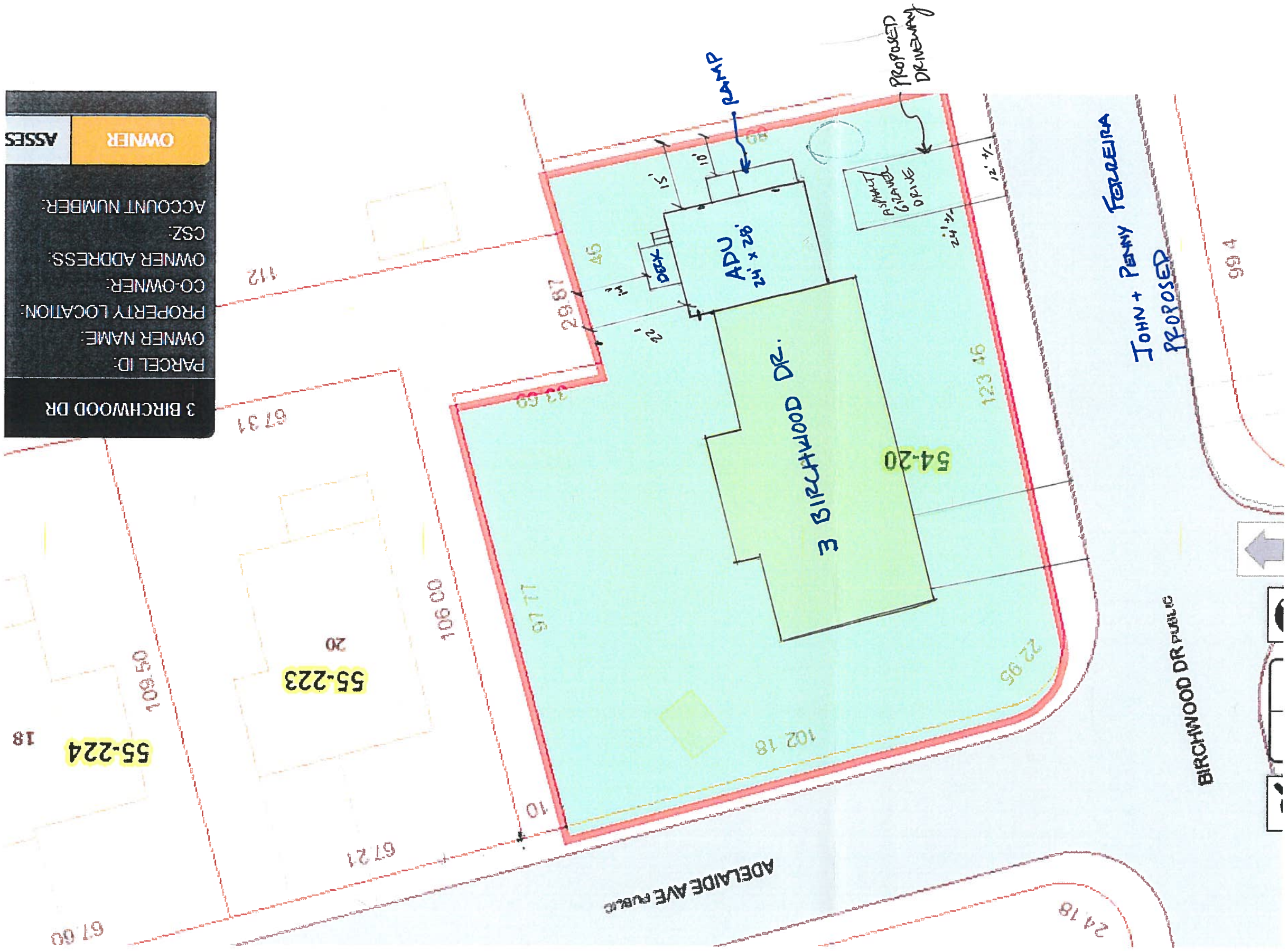
Street View


6 BIRCHWOOD DRIVE
(TRUCKS PARKED ON LAWN)

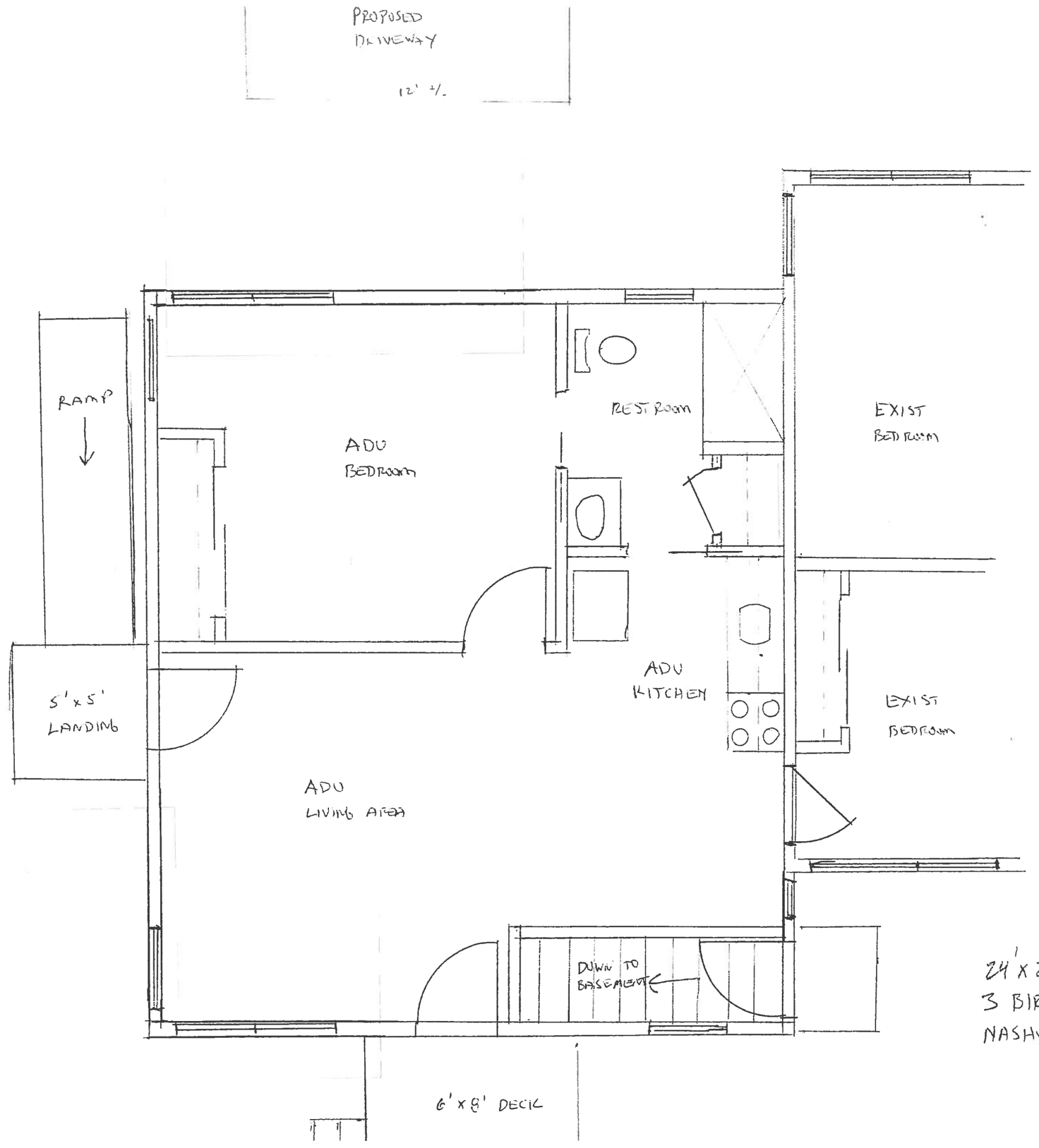
Google Maps 3 4 Birchwood Dr

Image capture: Sep 2019 © 2020 Google


3 BIRCHWOOD DR
PARCEL ID:
OWNER NAME:
PROPERTY LOCATION:
CO-OWNER:
OWNER ADDRESS:
CSZ:
ACCOUNT NUMBER:
OWNER
ASSES
55-224
18
67.60
109.50
55-223
20
67.21
67.31
112
106.00
10
97.77
33.69
29.87
46
28'
39'
ADELAIDE AVE PUBLIC
102.18
3 BIRCHWOOD DR.
54-20
123.46
22.95
24.18
JOHN + PENNY FERREIRA
EXISTING
BIRCHWOOD DR PUBLIC
99.4



3 BIRCHWOOD DR
PARCEL ID:
OWNER NAME:
PROPERTY LOCATION:
CO-OWNER:
OWNER ADDRESS:
CSZ:
ACCOUNT NUMBER:
OWNER
ASSES
RAMP
PROPOSED DRIVEWAY
ADU 24' x 28'
DECK
3 BIRCHWOOD DR.
54-20
55-223
55-224
JOHN + PENNY FERREIRA PROPOSED
BIRCHWOOD DR PUBLIC
ADELAIDE AVE PUBLIC



24'x28' ADU ADDITION
3 BIRCHWOOD DRIVE
NASHUA, NH 03064

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VARIANCE APPLICATION (ZBA)

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I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 20 Luke st

   Zoning District B9 Sheet 138 Lot 106

2. VARIANCE(S) REQUESTED:

   second driveway on Left side of the house

II. GENERAL INFORMATION

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

   (Print Name): Luciane Ortis

   Applicant's signature [signature] Date 04-23-2020

   Applicant's address 20 Luke st

   Telephone number H: C: 603 5578904 E-mail: ortisluciane@yahoo.com
   5578904

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

   ***Owner's signature** [signature] Date 04-23-2020

   Owner's address 20 Luke st

   Telephone number H: C: 603 4382225 E-mail: mineiro2@msn.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* 5/26/2020 **Application checked for completeness:** _____

PLR# 120-0032 *Board Action* _____

$ 330 *application fee* ☐ *Date Paid* _____ *Receipt #* _____

$ 15 *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.")

   It won't affect any neighbor, any other house in the neighborhood. It's only use is to allow us to park our trailer + truck. I think that having a driveway there will actually brings more value to the neighborhood because our house will have a better curb appeal, will show nicer than with the muddy "parking" that it shows on winter/snow and raining day. The former owner lived here for 50+ years and 20+ years had the left side of the house being used as a driveway for trailer, camper and cars. We have been using it since we bought →

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 new driveway will only be used to park the trailer and the truck (SUV), no junk, no trash, unwanted items in there.

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

   We will take care of its use mantain it nice so it will always show a good appeal and have our neighborhood neat and clean. it will really look much better than having the trailer and truck in a mud.

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.)

   Curb appeal counts when adding value and it is good to the neighborhood when owner upgrade/increase value its a plus for the entire community or neighborhood. I have seen many owners in the neighborhood parking their trailers/truck on a different spot then the driveway, usually on the otherside on grass or portion of the house lot as we do ... because of the need of more space. We decided that being here for 9+ years this is the neighborhood we want to raise our kids and this is another reason for puting money and investing time building equity, because since we do have the need of more space and can afford that our appeal have a better impact to the neighborhood I think it will not diminish the value but will put more on it and shows a better than people drive by and see car and trailer on a mud.

the house almost 5 years ago.
We really don't like how bad it gets most time of the year because of snow and rain. But using that side to park the trailer/truck has been a blessing. We are a hardworking couple and since we decide to keep ourselves in this house and loved the neighborhood we where also willing to improve our home as needed and of course, accordinly with what we can afford.

Since we having been using as a parking I thought it would be the best to do a stone paving because it is cheaper for us but it can do the job we need! and also it will show ~~the~~ neighborhood cleaner, organized, neat.

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.

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.

1. Total number of employees — Number of employees per shift —
2. Hours and days of operation —
3. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors _____
4. Number of daily and weekly commercial deliveries to the premises _____
5. Number of parking spaces available —
6. Describe your general business operations:

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

Jeff 4/23/2020
Signature of Applicant — Date

Luciane Ortis
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 _____

City of Nashua

Planning Department

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SPECIAL EXCEPTION APPLICATION (ZBA)

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This application must be completed and submitted to the Planning Department no later than the dates listed on the Zoning Board of Adjustment (ZBA) schedule sheet. Please print clearly or type.

I. SPECIAL EXCEPTION INFORMATION

1. ADDRESS OF REQUEST: 100 Perimeter Road

Zoning District: AI Sheet: E Lot: 1454

2. SPECIAL EXCEPTION(S) REQUESTED:

To allow use of the property as a daycare facility for children

Section 190-15, Table 15-1 #240

II. GENERAL INFORMATION

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

(Print Name): Granite Start, LLC d/b/a Granite Start Early Learning Center
by its attorneys Gottesman & Hollis, P.A.

Applicant's signature By: Morgan A. Hollis Date 4/28/2020

Applicant's address: 4 Merrit Parkway, Nashua 03062

Telephone number H: 603-880-3353 C: E-mail: jgoodwin@granitestart.com

2. **PROPERTY OWNER (Print Name):** Procyon Properties, LLC
by its attorneys Gottesman & Hollis, P.A.

***Owner's signature** By: Morgan A. Hollis Date 4/28/2020

Owner's address: c/o 91 Amherst Street, Nashua, NH 03064

Telephone number H: 603-889-5959 C: 603-459-4546 E-mail: mhollis@nh-lawyers.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:** _____

PLR# _____ *Board Action* _____

$_____ *application fee* ☐ *Date Paid* _____ *Receipt #* _____

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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. Please see "Procedures for Filing a Special Exception" for further information.

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

   To allow a daycare facility for children in the AI district

2. 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.

3. 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?

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

   There will be limited effect on the surrounding traffic congestion, the current traffic flow is approximately five cars parked at a time to drop children off in addition to the staff

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?

   The proposed use is similar to the prior use for care for autistic children, the use is primarily inside and will not impact the immediate neighborhood.

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 20 Number of employees per shift
2. Hours and days of operation monday-friday 6am-6pm
3. Number of daily and weekly visits to the premises by customers, clients, vendors, and solicitors

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

5. Number of parking spaces available

6. Describe your general business operations:

Provide childcare and early childhood education

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

Subject to site plan approval, there will be a play area at the rear of the building

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 4/28/2020

Morgan A. Hollis, Esq., duly authorized agent

Print Name

4/28/2020

Date

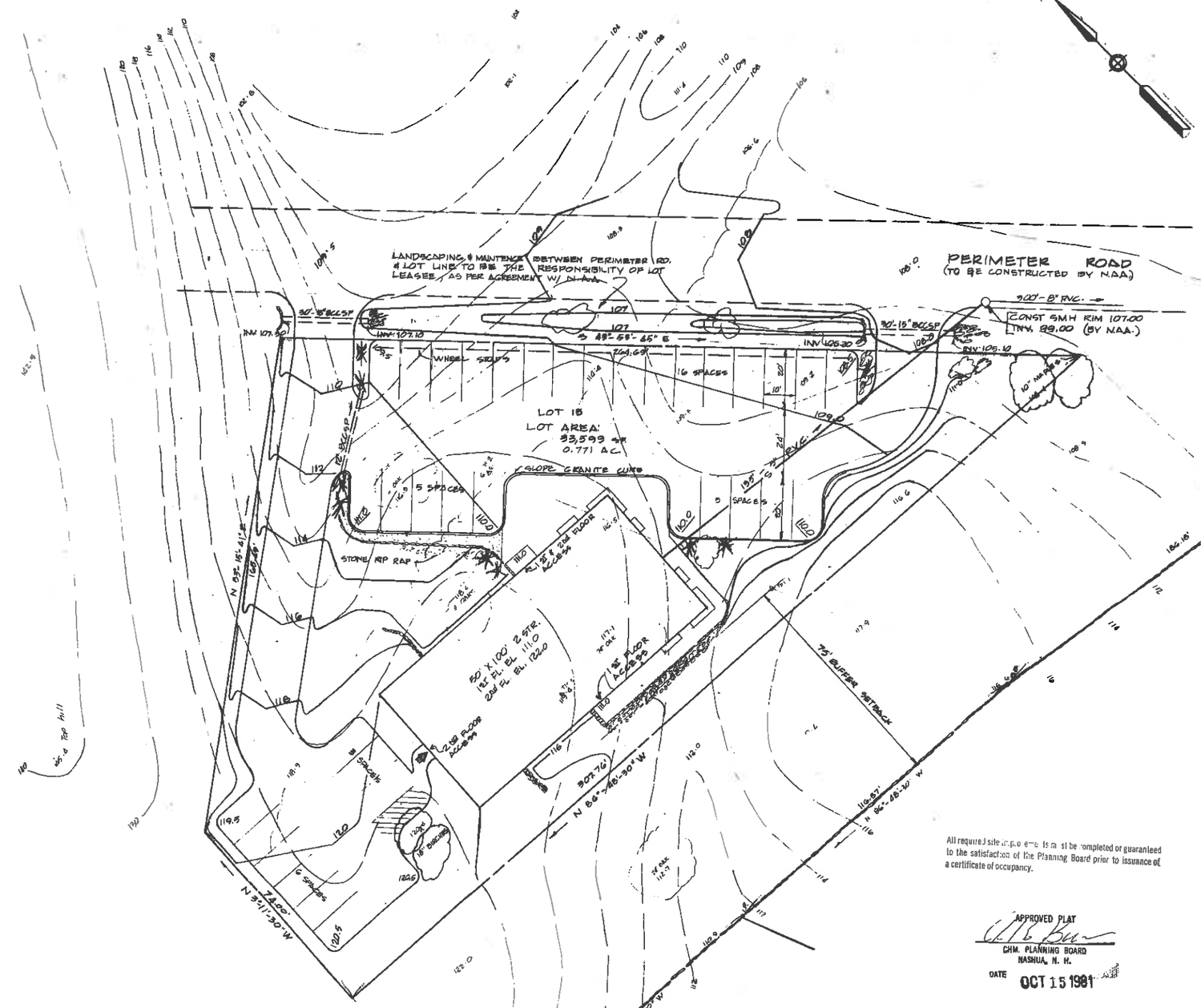
GATEWAYS

NOTES:

1. ELEVATIONS ARE BASED ON USC&GS DISC IN EAST WALL OF NASHUA AVIATION HANGAR ELEV. 189.15.
2. BEARINGS ARE MAGNETIC & ARE BASED ON THE RUNWAY CENTERLINE BEARING OF N42°-45'-00"W.
3. PROPOSED USE IS 10,000 S.F. OFFICE BUILDING.
4. PARKING REQUIRED 33 SPACES, PROVIDED 35.
5. AREA IS ZONED R-30.
6. IDENTIFYING SIGN SHALL CONFORM TO THE CITY OF NASHUA SIGN ORDINANCE.
7. ALL LANDSCAPING TO CONFORM TO CITY OF NASHUA REGULATIONS, ONE TREE EVERY 40'+1, one shrub every 5'+1.

PLAN REFERENCES:

1. SUBDIVISION PLAN OF LAND AT BOIRE FIELD, NASHUA MUNICIPAL AIRPORT, NASHUA, N.H. 1"=200' OCT. 14, 1980 BY HAMILTON ENGINEERING ASSOC., INC.



All required site improvements shall be completed or guaranteed to the satisfaction of the Planning Board prior to issuance of a certificate of occupancy.

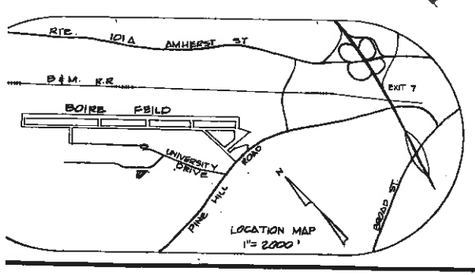
APPROVED PLAT
CHM. PLANNING BOARD
NASHUA, N. H.
DATE OCT 15 1981

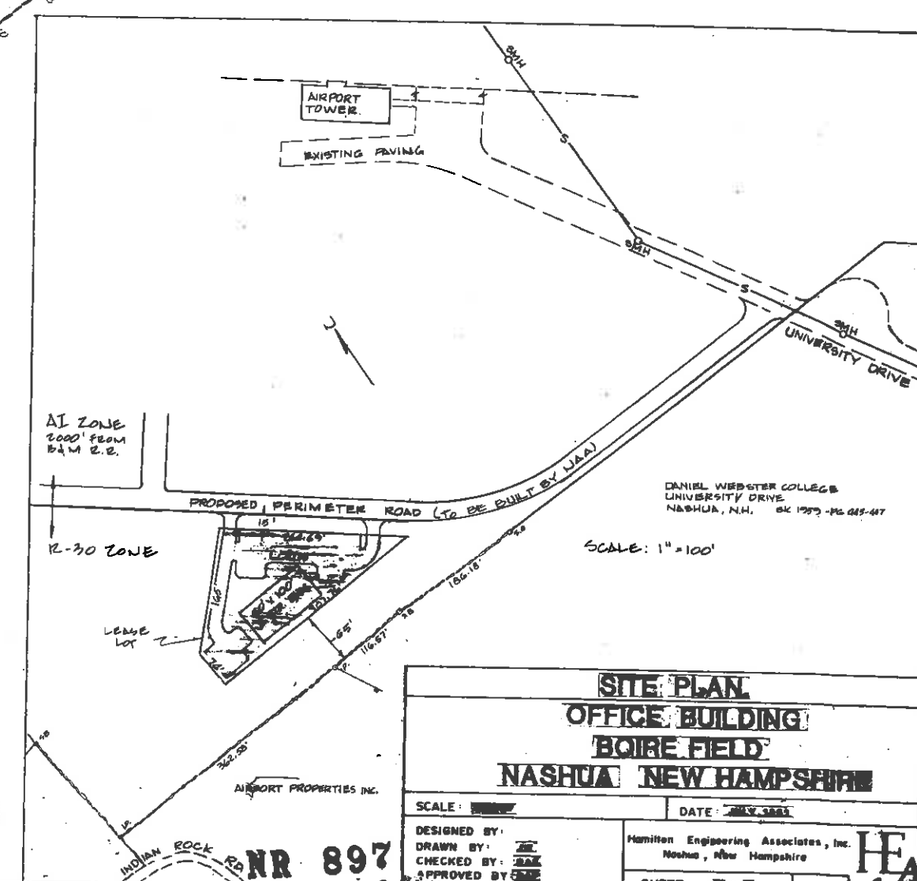
NASHUA AIRPORT AUTHORITY — DATE
PHILIP LABOMBARDE, CHAIRMAN — TEL. (603) 889-6651

THE UNDERSIGNED DOES HEREBY AGREE TO PERFORM ALL OF THE IMPROVEMENTS AS SHOWN ON THIS PLAN, WITH EXCEPTION OF PERIMETER ROAD WHICH IS TO BE BUILT BY NASHUA AIRPORT AUTHORITY.

OWNER: HAMILTON ENGINEERING ASSOCIATES, INC.
419 AMHERST STREET
NASHUA, N.H. TEL: 883-0463
DATE

THE STATE OF NEW HAMPSHIRE — DAVID A. FARR No. 3181 — REGISTERED PROFESSIONAL ENGINEER





SITE PLAN
OFFICE BUILDING
BOIRE FIELD
NASHUA NEW HAMPSHIRE

SCALE: [redacted] DATE: [redacted]

DESIGNED BY:
DRAWN BY:
CHECKED BY:
APPROVED BY:

Hamilton Engineering Associates, Inc.
Nashua, New Hampshire

SHEET 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: 9 Pinehurst Avenue, Nashua, NH 03062

   Zoning District: R9 Sheet: B Lot: 649

2. VARIANCE(S) REQUESTED:

   Extend and repave primary driveway to a width of 30 ft and repave secondary driveway width = 12 feet.

II. GENERAL INFORMATION

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

   (Print Name): Scott Hamilton

   Applicant's signature Date: April 27, 2020

   Applicant's address: 9 Pinehurst Avenue, Nashua, NH 03062

   Telephone number H: (603) 533-3353 C: (603) 533-3353 E-mail: allaroundhm@aol.com

2. **PROPERTY OWNER (Print Name):** Scott Hamilton and Lisa St George

   ***Owner's signature** Date: April 27, 2020

   Owner's address: 9 Pinehurst Avenue, Nashua, NH 03062

   Telephone number H: (603) 533-3353 C: (603) 533-3353 E-mail: allaroundhm@aol.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* 5/26/20 **Application checked for completeness:** _____

PLR# A20-0029 *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.")

   It will provide more room for both the personal and business vehicles parked at the address, requiring less use of on-street parking. The home is not at an intersection and the current width of 13 ft is not wide to fit vehicles side by side. Also requires more time to pull in and out of driveway, requiring more time on-street to pull in. For the secondary driveway, the buckling and crumbling makes the driveway unsafe for foot traffic and the plows are digging more and more on the crumbled end each year.

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 driveway is currently buckled/cracked at the end where original paving ends and gravel extends the driveway to a new retaining wall installed by me and my neighbor to remove a crumbling rock wall that separated our property line. Our next step is to pave both driveways to fit the design. Since I am planning to pave my primary driveway I would also like to repair and pave my secondary (in-law entrance) driveway where my elderly mother-in-law is living.

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.)

   Improving the appearance of the driveways will be a better fit for the neighborhood and our home which was rebuilt after a fire swept thru in 2017. In addition, it will improve my ability to pull both my personal and business vehicles off the road on a widened surface that is not compromised by gravel and creeping brush.

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 value of our home increased substantially after being rebuilt. The changes will improve curbside appeal and can only continue to increase the value of properties surrounding it.

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 driveways are buckled, crumbled, unsafe and will only continue to erode in the winter and spring weather. Widening the primary driveway will allow for better appearance of the area where I am parking my business vehicles (a box truck and a dump trailer), and improve the ability to pull into and out of the driveway, and improve the overall appearance of the location. Please see pictures enclosed of current property appearance.

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 — Date: April 27, 2020

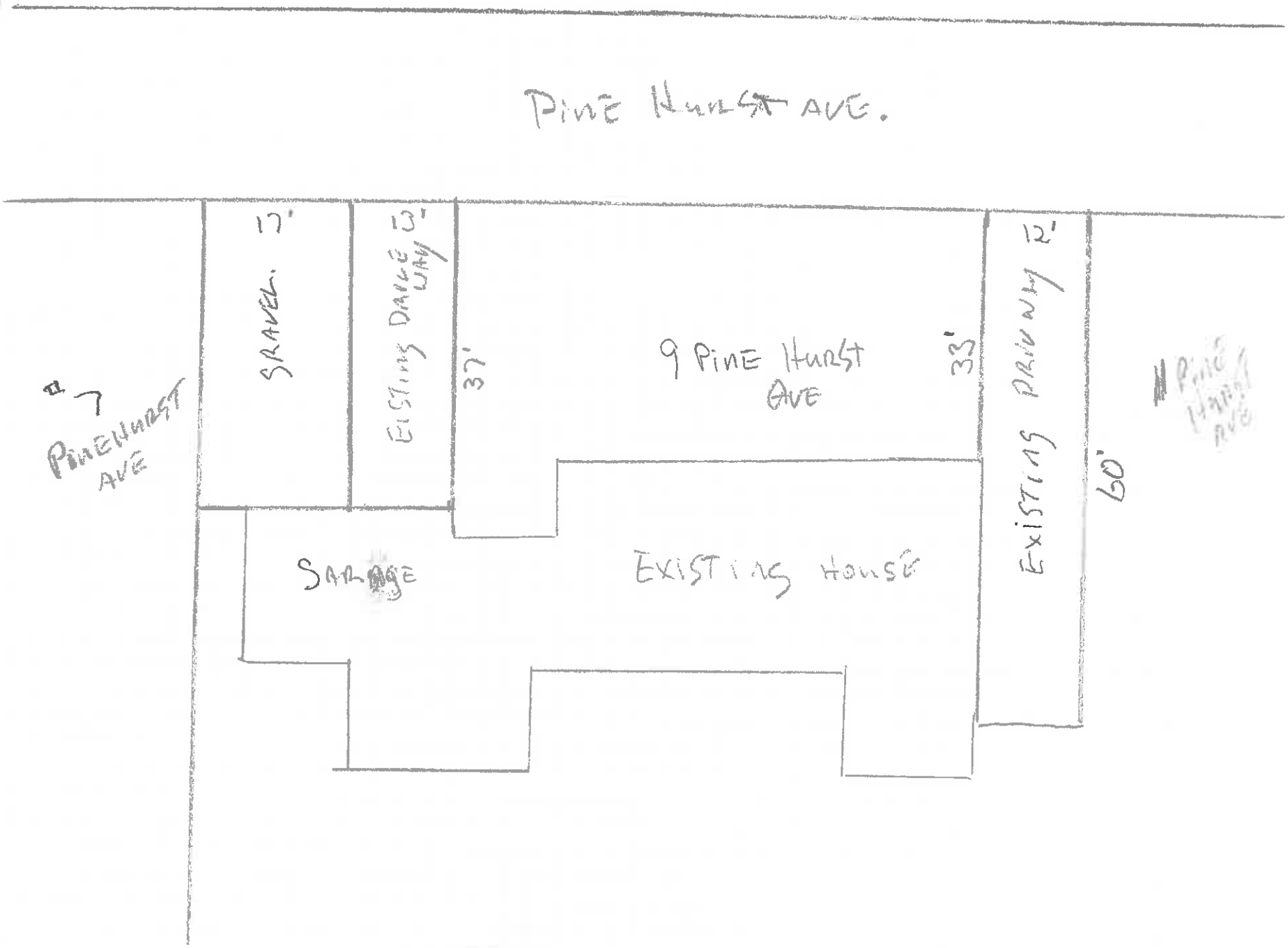
Scott Hamilton
Print Name — Date: April 27, 2020

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 The driveway is currently buckled/cracked at the end where original paving ends and gravel extends the driveway to a new retaining wall installed by me and my neighbor to remove a crumbling rock wall that separated our property line. Our next step is to pave both driveways to fit the design. Since I am planning to pave the

☐ Please mail it to me at Improving the appearance of the driveways will be a better fit for the neighborhood and our home which was rebuilt after a fire swept thru in 2017. In addition, it will improve my ability to pull both my personal and business vehicles off the road on a widened surface that is not compromised by gravel and crumbling brush.


PINE HURST AVE.
17'
GRAVEL
13'
EXISTING DARKE WAY
37'
9 PINE HURST AVE
33'
12'
EXISTING DRIVEWAY
60'
PINEHURST AVE
GARAGE
EXISTING HOUSE

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

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

RECEIVED
MAR 16 2020
KP

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.

I. SPECIAL EXCEPTION INFORMATION

1. ADDRESS OF REQUEST: 119 Lake St. Nashua NH 03060

   Zoning District: BB Sheet: 93 Lot: 4

2. SPECIAL EXCEPTION(S) REQUESTED:

   I am requesting to legalize an existing in-law (ADU Accessory Dwelling unit) in which was inside 119 Lake street before I purchased it.

II. GENERAL INFORMATION

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

   (Print Name): Joshua McAnistan

   Applicant's signature _____ Date 03/13/2020

   Applicant's address: 119 Lake Street, Nashua NH 03060

   Telephone number H: _____ C: 978-319-3741 E-mail: Mcanistan94@gmail

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

   ***Owner's signature** _____ Date 03/13/2020

   Owner's address: 119 Lake Street, Nashua NH 03060

   Telephone number H: _____ C: 978-319-3741 E-mail: mcanistan94@gmail

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

OFFICE USE ONLY *Date Received* 3/16/20 *Date of hearing* 4/28/20 **Application checked for completeness:** _____

PLR# 20-0012 *Board Action* _____

$ 530 *application fee* ☐ *Date Paid* _____ *Receipt #* _____

$ 15 *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. Please see "Procedures for Filing a Special Exception" for further information.

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

   The proposal is to make the existing in-law/AUD already recognized on the assessor's card a permitted in-law/AUD

2. 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.

3. 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?

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

   None, I have enough off street parking for 4 cars. The requested use would not effect surrounding traffic congestion or pedestrian safety.

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?

   I will follow district bylaws to insure that my proposal will not impair the integrity or be out of character.

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 ____ Number of employees per shift ____
2. Hours and days of operation ____
3. Number of daily and weekly visits to the premises by customers, clients, vendors, and solicitors ____

Address

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

5. Number of parking spaces available 4

6. Describe your general business operations:

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

There would be no site renovations.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction. I understand that only those point specifically mentioned are affected by action taken on this appeal.

Signature of Applicant

3/16/2020
Date

Joshua McAnistan
Print Name

3/16/2020
Date

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: 119 Lake Street, Nashua, NH 03060

   Zoning District: RB Sheet: 93 Lot: 4

2. VARIANCE(S) REQUESTED:

   I want an in-law exceeding 750 sq ft. Square footage is 777.5 sq ft.

II. GENERAL INFORMATION

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

   (Print Name): Joshua McAnistan

   Applicant's signature [signature] Date 03/13/2020

   Applicant's address: 119 Lake St. Nashua, NH 03060

   Telephone number H: C: 978-319-3741 E-mail: McAnistan94@gmail.com

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

   ***Owner's signature** [signature] Date 03/13/2020

   Owner's address: 119 Lake Street, Nashua NH 03060

   Telephone number H: C: 978-319-3741 E-mail: Mcanistan94@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:** _____

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: _____

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.")

   If granted, this variance and the resulting in-law apartment (AUD Accessory Dwelling Unit) will not alter the essential character of the neighborhood or threaten the health, safety or general welfare of the public, and as a result will not violate the basic objectives of the zoning ordinance.

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.")

   If granted, this variance and the resulting in-law apartment (AUD Accessory Dwelling Unit) will observe the spirit of the ordinance. The proposed use will not conflict with the explicit or implicit purpose of the ordinance and will not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights".

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 would be done to the property-owner by granting the variance as the city of Nashua already lists the property to have an in-law on the property card (see attached Exhibit A).

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 surrounding properties, because the value of the existing finished basement is unable to be counted towards the value of the property until this variance is granted, in turn once granted it would increase the value of the surrounding properties, not granting this variance would diminish the values of the surrounding properties.

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship,** because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

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 _____ Date _____

Joshua McAnistan
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:

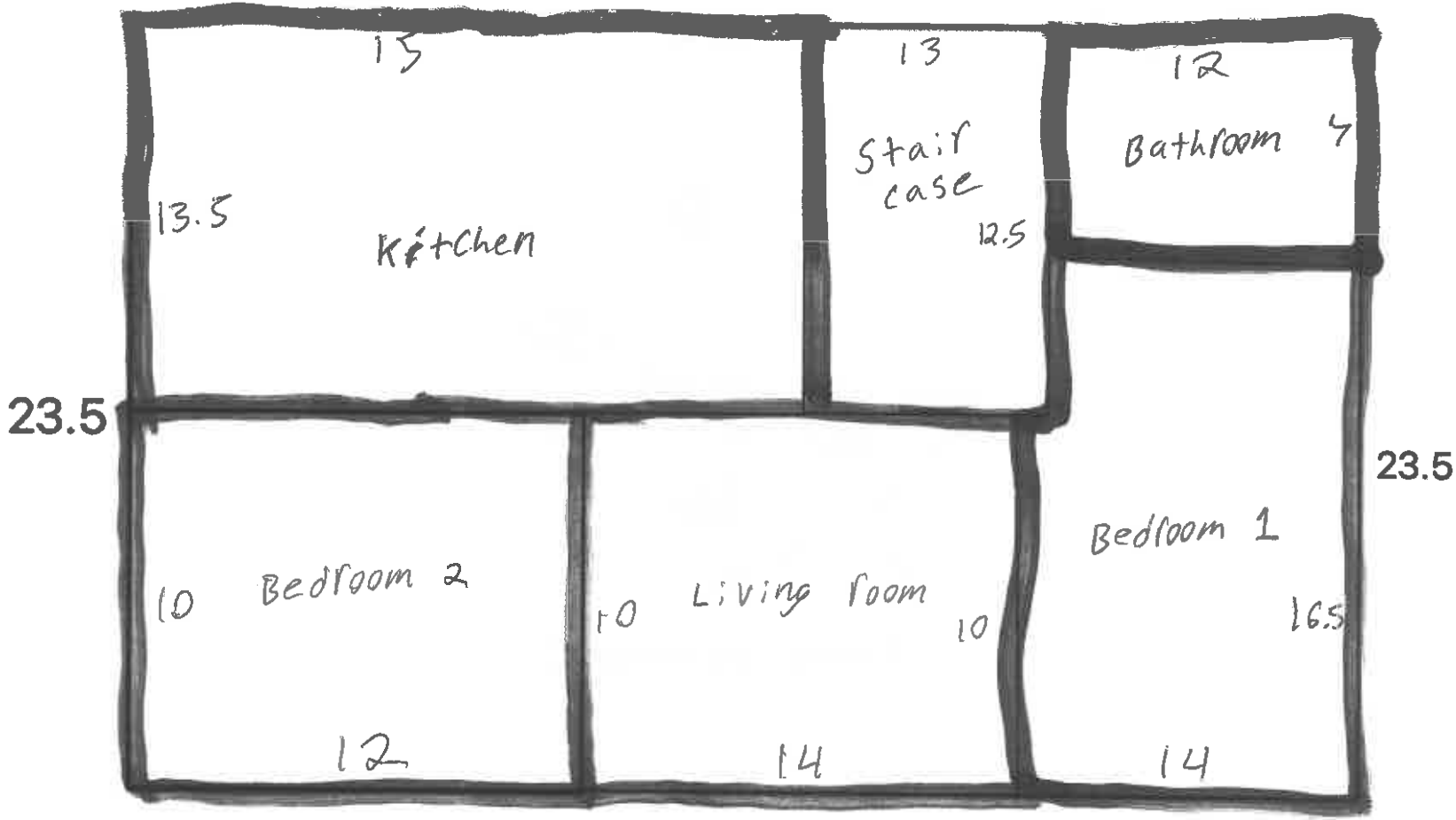
☐ I will pick it up at City Hall

☐ Please email it to me at _____

☐ Please mail it to me at _____

Total- [redacted] 777.5 sq ft

40



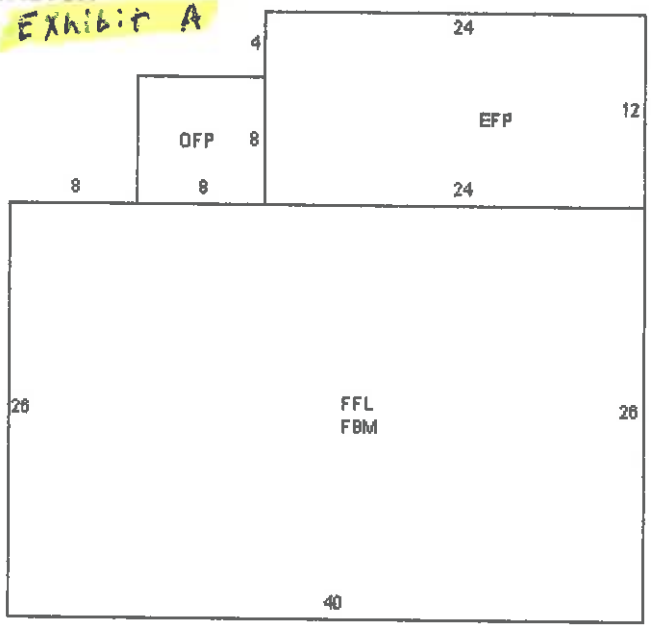
40

ype	01 - RANCH		
/ Ht	1 - 1 STORY		
Units	1	Total	1
latio	1 - CONCRETE		
me	1 - WOOD		
Wa	4 - VINYL		
Wall			%
Stru	2 - HIP		
Cov	1 - ASPHALT		
olor	WHITE		
/ De			

Full Ba	2	Ratin	AVERAGE
A Bath		Ratin	
3/4 Bat		Ratin	
A 3QBt		Ratin	
1/2 Bat		Ratin	
A HBth		Ratin	
OthrFix		Ratin	

ADD IN-LAW KIT FOR 2016 PER MLS
GT15---CHNG GABLE ROOF TO HIP
3/12 ND---ABV GRND POOL-BP
CLOSED 7/11 ND---CHNG WD SHNGL
TO VINYL-SALE EST-NO ENTRY
GR06---COMBINED W/LOT 5 FBM=LOW

Exhibit A



Sum Area By Label :
FFL = 1040
FBM = 1040
EFP = 288
OFP = 64

OTHER FEATURES

Kits	1	Ratin	AVERAGE
A Kits	1	Ratin	IN LAW
Frpl		Ratin	
WSFlu		Ratin	

RESIDENTIAL GRID

1st Res G	Des	Line 1	# Unit 1

Level	FY	LR	DR	D	K	FR	RR	BR	FB	HB	L	O
Othe												
Upp												
Lvl 2												
Lvl 1												
Low												

Total	RMs	5	BR	3	Bath	2	H	

RAL INFORMATION

e	C - AVERAGE		
Blt	1930	Eff Yr Blt	1959
C		Alt %	
ct		Fact	.
nst Mod			
Sum Adj			

CONDO INFORMATION

Location	
Total Unit	
Floor	
% Own	
Name	

REMODELING

Exterior	
Interior	
Addition	
Kitchen	
Baths	
Plumbin	
Electric	
Heating	
General	

RES BREAKDOWN

No Uni	RMS	BRS	FL
1	5	3	
Totals			
1	5	3	

RIOR INFORMATION

t/FL	STD		
Int	2 - PLASTER		
it W			%
ion	T - TYPICAL		
Floo	3 - HARDWOOD		
loor	4 - CARPET	5	%
t Flr	12 - CONCRETE		
Ga			
tric	3 - TYPICAL		
ion	2 - TYPICAL		
Ext			
Fuel	2 - GAS		
Typ	1 - FORCED H/A		
t Sy			
ated	100	% AC	
HW	NO	Central V	NO
orm		% Sprinkl	

DEPRECIATION

Phys Con	AV - Average	35.	%
Functiona			%
Economic			%
Special			%
Override			%
	Total	35	%

CALC SUMMARY

Basic $ / SQ	98.00
Size Adj	1.4615384
Const Adj	1.0199999
Adj $ / SQ	146.095
Other Features	32500
Grade Factor	1.00
Neighborhood I	1.0000000
LUC Factor	1.00
Adj Total	253338
Depreciation	88668
Depreciated Tot	164670

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price

WtAv$/S		AvRat		Ind V	

Juris Factor		Before De	146.10
Special Featur	0	Val/Su Ne	67.72
Final Total	164700	Val/Su Sz	158.37

SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value
FBM	FINISHED BMT	1,040	51.130	53,179
FFL	FIRST FLR	1,040	146.100	151,939
EFP	ENCL PORCH	288	46.980	13,530
OFP	OPEN FRM PRC	64	34.220	2,190

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu	# Ter

Net Sketched Area	2,432		Total		220,838
Size A	1040	Gross Ar	2432	FinAr	1040

IMAGE

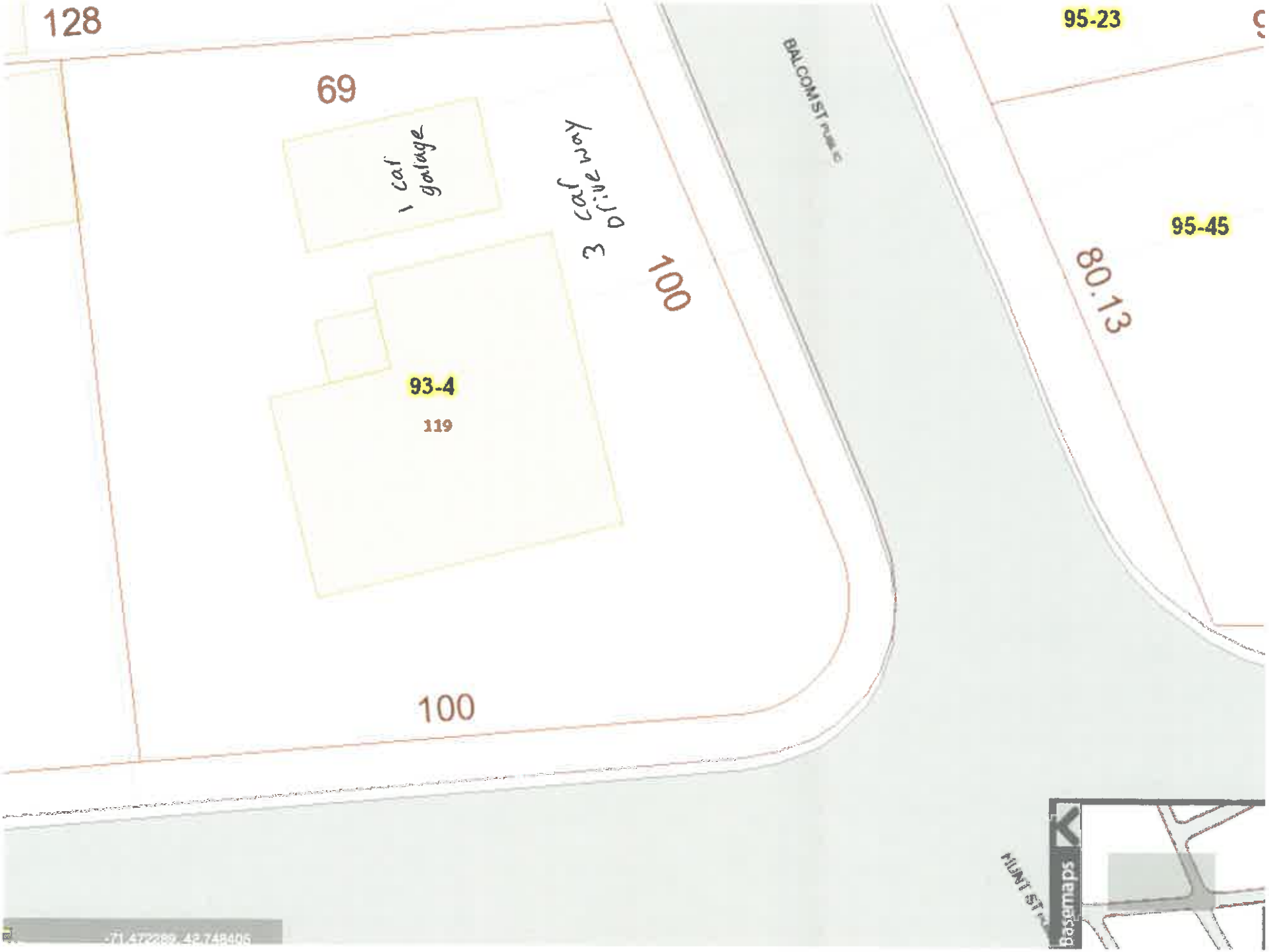
AssessPro Patriot Properties, Inc

FEATURES/YARD ITEMS

Description	A	Y/	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/	Dep	LUC	Fact	NB F	Appr Value	JCo	JFac	Juris	Value
GARAGE-AVE	D	Y	1	336	A	AV	1992	40.39	T	26	1401		1.	10,000				10,000

PARCEL ID

0093-00004


128
69
1 car garage
3 car driveway
100
93-4
119
100
BALCOM ST
95-23
95-45
80.13
HUNT ST
Basemaps

REDFIN City, Address, School, Ag 1-844-759-7732 Buy Sell Real Estate Agents Log In Sign Up

119 Lake St
Nashua, NH 03060

$295,000	3	2	1,980 Sq. Ft.
Listed at Price	Beds	Baths	$149 / Sq. Ft.

Redfin Estimate: $300,594 On Redfin: 25 days
Status: Pending

Listing provided courtesy of Mary Sheehan Realty, LLC.

Sale Pending
The seller has accepted an offer, and the property is now pending or under contract.

UPDATED RANCH w/ IN-LAW!!! ($25k investment since 2015-windows, appliances, floors, paint, vanity, water heater, patio, fence). Versatile floor plan! Perfect for in-laws, shared or large family. 3 bedrooms on main level. Finished basement has it's own kitchen, living room, 2 bedrooms and private entrance. 3 season SUN ROOM! Level fenced in lot with Gazebo and patio. 1 stall over sized garage.

Listed by Mary Sheehan • Mary Sheehan Realty, LLC
Redfin last checked: 4 minutes ago | Last updated Jan 14, 2020 · Source: NEREN

Show Less ^

Style	Ranch	Property Type	Single Family
Stories	1	Community	Nashua
County	Hillsborough	MLS#	4789969
Built	1930	Lot Size	7,405 square feet

NO PERMITS FOR THE BASEMENT

Property Details for 119 Lake St

Virtual Tour, Parking / Garage, School / Neighborhood, Misc. Information

Virtual Tour
- Previsite VTour URL: Virtual Tour (External Link)

Parking & Garage
- Garage Capacity: 1
- Location: Detached
- Driveway, Garage

School Information
- School District: Nashua School District

Water Body Information
- Flood Zone: Unknown

Interior Features

Bathroom Information
- # of Baths (full): 2

Basement Information
- Basement: Yes
- Basement Access: Walk-up
- Finished, Stairs - Exterior, Stairs - Interior

Other Interior Features
- # of Rooms: 9
- Level B: Bedroom, Level B: Kitchen, Level B: Living Room
- Water Heater: Gas - Natural
- Blinds, In-Law Suite, Window Treatment

Equipment & Appliance Information
- Dishwasher, Dryer, Microwave, Refrigerator, Washer, Stove - Gas

Room 1 Information
- Kitchen
- Kitchen
- Dimensions: 13x12
- Level: 1

Room 2 Information
- Living Room
- Dimensions: 12x16
- Level: 1

Room 3 Information
- Master Bedroom
- Dimensions: 16x10
- Level: 1

Room 4 Information
- Bedroom
- Dimensions: 11x9
- Level: 1

Room 5 Information
- Bedroom
- Dimensions: 11x11
- Level: 1

Room 6 Information
- Bedroom
- Bedroom
- Dimensions: 14x11
- Level: Basement

Room 7 Information
- Bedroom
- Dimensions: 11x10
- Level: Basement

Room 8 Information
- Kitchen
- Dimensions: 14x10
- Level: Basement

Room 9 Information
- Living Room
- Dimensions: 16x12
- Level: Basement

Exterior Features

Building Information
- Construction Status: Existing
- Approximate Sq. Ft. Total Finished: 1980
- Approximate Sq. Ft. Total: 1980
- Color: White
- Gazebo, Patio
- Construction: Wood Frame
- Foundation: Concrete
- Roof: Shingle - Asphalt
- Exterior: Vinyl

Driveway
- Paved

Utilities

Heating & Cooling Information
- Heat: Baseboard, Hot Water
- Heat Fuel: Gas - Natural

Sewer Information
- Public

Electric Information
- 100 Amp

Water Information
- Public

Other Utilities Information
- Cable

Taxes / Assessments

Assessment Information
- Assessment Amount: 252300
- Assessment Year: 2018

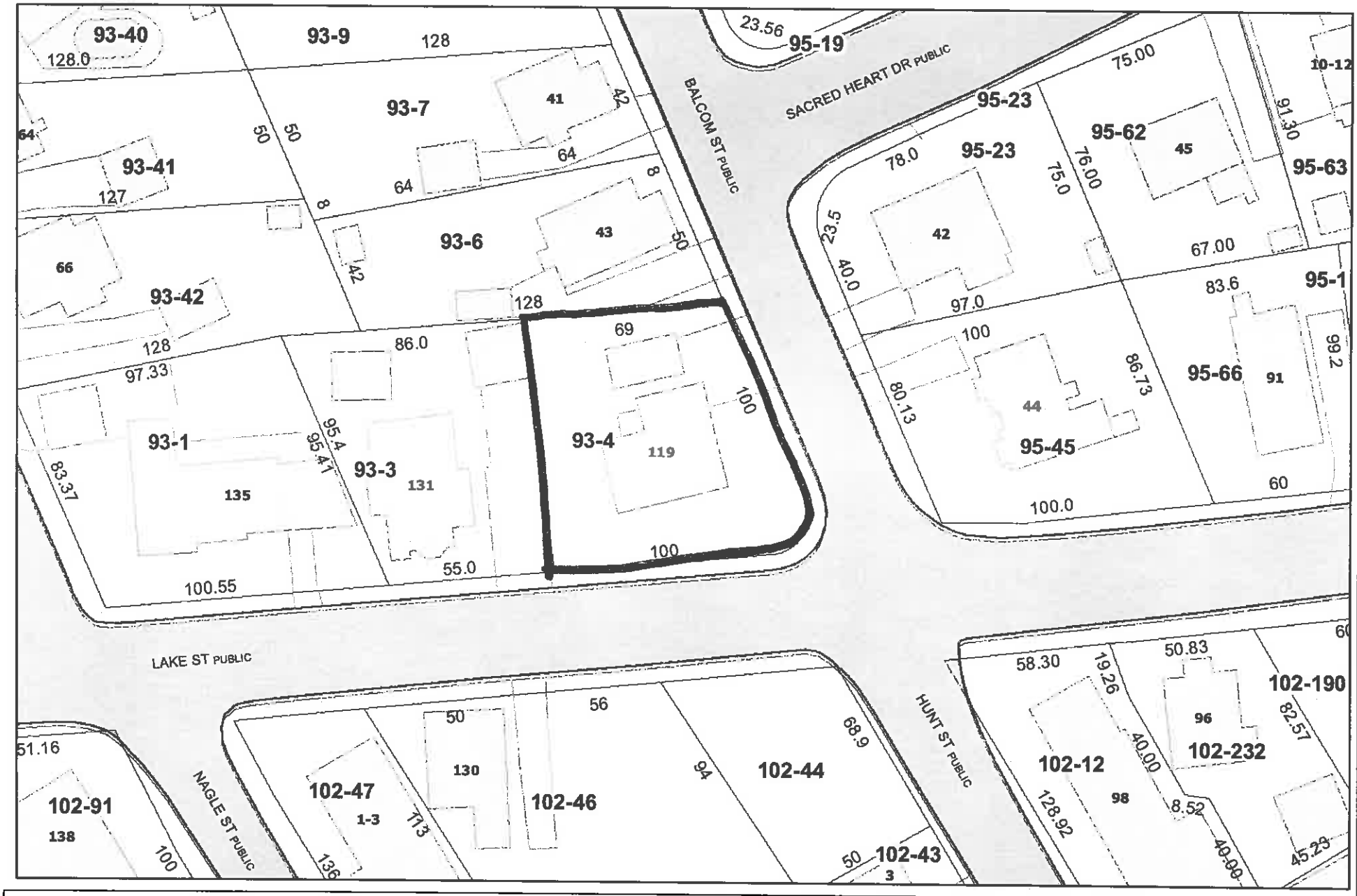
Tax Information
- Tax Year: 2018
- Gross Amount Tax: 5351

Other Tax Information
- Page Deed: 1055

Property / Lot Details

Lot, Zoning, & Easement Information
- Lot: 4
- Level

Survey Information
- Surveyed: Unknown



119 Lake St

0 30 60 120 Feet

N W E S

NASHUA New Hampshire GIS

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 Langholm Drive

   Zoning District R9 Sheet C Lot 82C

2. VARIANCE(S) REQUESTED:

   Currenty I have a driveway with Two entrances. one entrance 22 Ft and another 17 Ft. Totaling 39 Ft. I am request to reduce to 36 Ft. with one Entrance - so we can enter new garge.

II. GENERAL INFORMATION

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

   (Print Name): Donald + Deanne White

   Applicant's signature _____ Date 4.27.20

   Applicant's address 50 Langholm Drive, Nashua, NH 03062

   Telephone number H: 897-9712 cell C: 897-9714 E-mail: Donniewhite@comcast.net

2. **PROPERTY OWNER (Print Name):** Donald + Deanne White

   ***Owner's signature** _____ Date _____

   Owner's address 50 Langholm Drive Nashua NH 03062

   Telephone number H: 897 9712 C: 897-9714 E-mail: Donniewhite@comcast.net

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

OFFICE USE ONLY *Date Received* 4/28/20 *Date of hearing* 5/26/2020 **Application checked for completeness:** _____

PLR# A20-0030 *Board Action* _____

$ 330 *application fee* ☐ *Date Paid* _____ *Receipt #* _____

$ 15 *signage fee* ☐ *Date Paid* _____ *Receipt #* _____

$ _____ *certified mailing fee* ☐ *Date Paid* _____ *Receipt #* _____

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

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.

as mentioned in question four our house is in a valley situation and next to a wetland. Positioning the drive way with 12 feet at the top (or high hill area) the water will go across the driveway into the new Rock bed. The new proposed driveway will be graded to do so.

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.

1. Total number of employees _____ Number of employees per shift _____
2. Hours and days of operation _____
3. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors _____
4. Number of daily and weekly commercial deliveries to the premises_____
5. Number of parking spaces available _____
6. Describe your general business operations:

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

Reducing asphalt, adding river Rock bed. eliminating two driveways to one.

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 4.27.20

Donald White — Date 4.27.20
Print Name

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 Donniewhite@comcast.net

☐ Please mail it to me at _____

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.")

We will be giving up square footage of asphalt. At the moment we are the only house on the street that has two seperate driveways. This would actually be better as in Essential character of the neighborhood. It will actually be safer because we can back out of our driveway directly compared to an angle which impairs vision.

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.")

This will actually have our home look similar to the other homes in the ~~area~~ neighborhood with one Driveway compared to two.

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

We can back out directly on to the Road. As mentioned above we have to back out at an angle which impairs vision of sight. We do not have sidewalks so our neighbors walk on the street. This would be safer

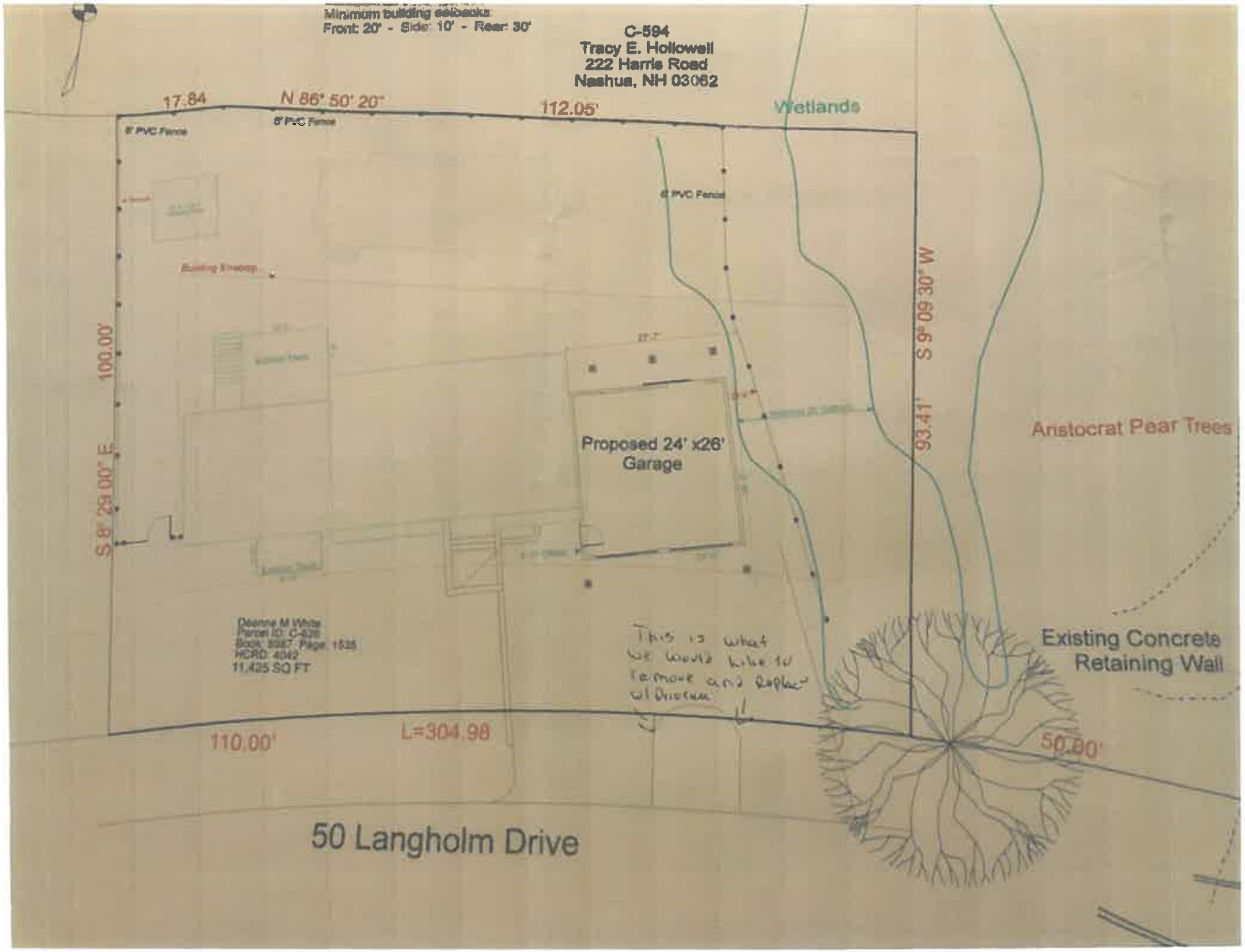
4. **The proposed use will not diminish the values of surrounding properties**, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

We have invested into our home with the constant blessing of our neighbors. They are very appreciative for what we have done. We also live in a valley situation water coming from both directions. We will have Rand River walk replacing the current asphalt to catch the water and disburse in the rock bed compared to flooding.

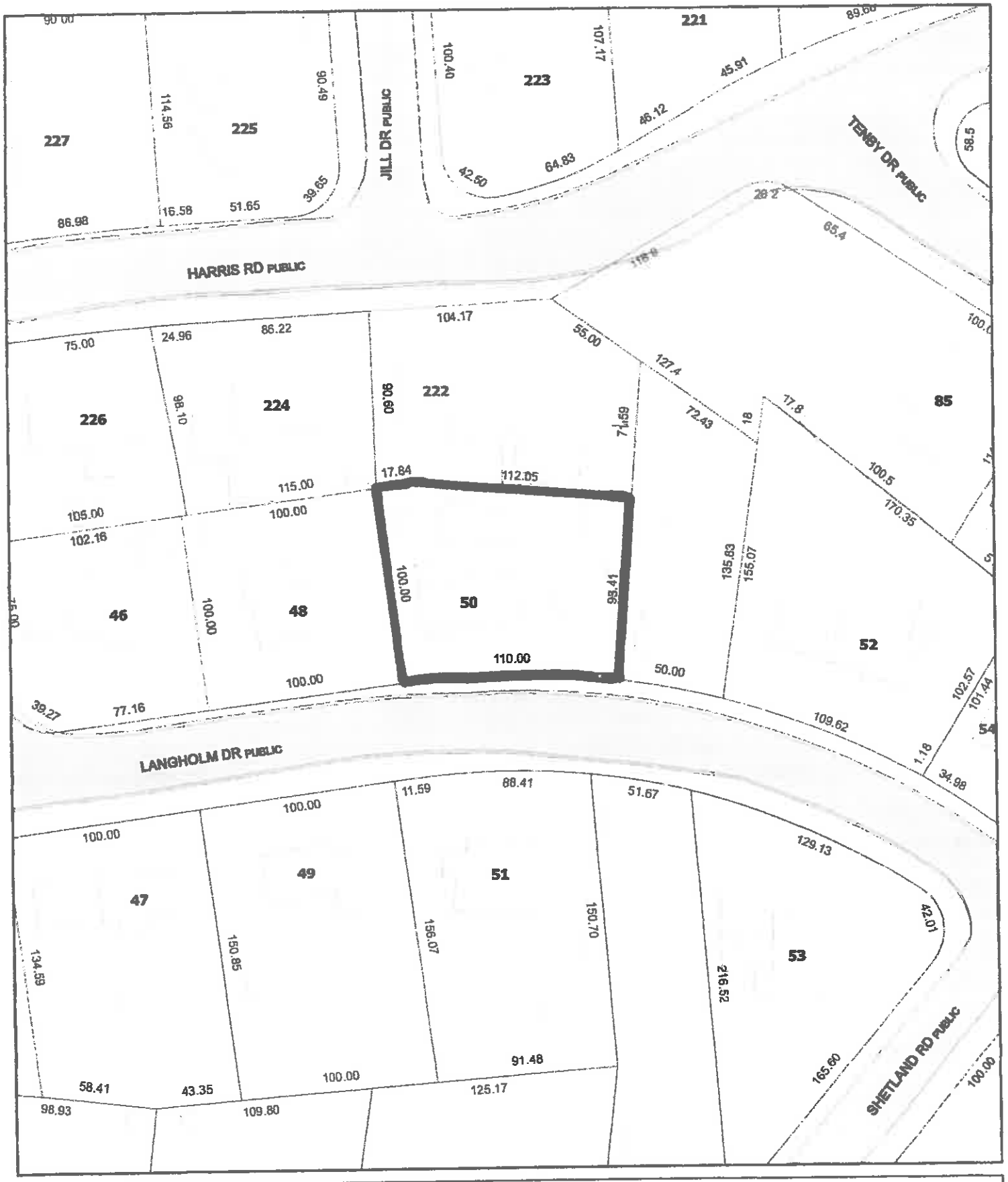
May 8th 2019

Driveway design for 50 Langholm Drive

Donald White



Minimum building setbacks:
Front: 20' - Side: 10' - Rear: 30'
C-594
Tracy E. Hollowell
222 Harris Road
Nashua, NH 03062
17.84
N 86° 50' 20"
112.05'
Wetlands
6' PVC Fence
6' PVC Fence
6' PVC Fence
Building Envelop
100.00'
S 8° 29' 00" E
S 9° 09' 30" W
93.41'
Proposed 24' x26'
Garage
Aristocrat Pear Trees
Existing Concrete
Retaining Wall
Deanne M White
Parcel ID: C-626
Book: 3987 Page: 1535
HCRD: 4042
11,425 SQ FT
This is what we would like to remove and replace w/ Driveway
110.00'
L=304.98
50.00'
50 Langholm Drive



50 Langholm Drive

N
W E
S

0 40 80 160 Feet

NASHUA GIS

50 Langholm Drive – Nashua – NH - 03062

50 Langholm Drive – Nashua – NH - 03062

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 139 Almont Street Nashua

   Zoning District R9 Sheet 0445 Lot 52Q Parcel ID: 0050-00051

2. VARIANCE(S) REQUESTED:

   Wider than standard/ Allowable Driveway

II. GENERAL INFORMATION

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

   (Print Name): Jacky mathieu

   Applicant's signature _____ Date 4/21/2020

   Applicant's address 139 Almont St. nashua, Nh 03060

   Telephone number H: 603-595-5462 C: 603-765-7442 E-mail: jmathieu@jsexcel.com

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

   ***Owner's signature** _____ Date 4/21/2020

   Owner's address 139 Almont St. nashua, Nh 03060

   Telephone number H: 603-595-5462 C: 603-765-7442 E-mail: jmathieu@jsexcel.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* 5/26/2020 **Application checked for completeness:** _____

PLR# A20-0031 *Board Action* _____

$ 330 *application fee* ☐ *Date Paid* _____ *Receipt #* _____

$ 15 *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.")

   I have 4 registered vehicules and an RV. All my family is from out of town and we are very close. Overnight stays are normal. I need parking for a couple additional vehicles. I also live on a street that is " NO PARKING" on either side.

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.")

   I keep my property neat and tidy. I just want asphalt for neatness.

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 would prevent rocks and soil from being transferred to street, causing potential danger.

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 will be an oversized driveway which may increase value of my home and subsequently neighboring properties potentially.

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.

   Makes maintaining property more difficult. I try to make things low maintenance and user friendly.

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.

1. Total number of employees _____ Number of employees per shift _____
2. Hours and days of operation _____
3. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors _____
4. Number of daily and weekly commercial deliveries to the premises_____
5. Number of parking spaces available _____
6. Describe your general business operations:

7. 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.

Signature of Applicant — Date: 4/21/2020

Jacky Mathieu — Print Name — Date: 4/21/2020

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 jmathieu@jsexcel.com
- ☐ Please mail it to me at _____

139 Almont

0 65 130 260 Feet

N E S

NASHUA New Hampshire GIS

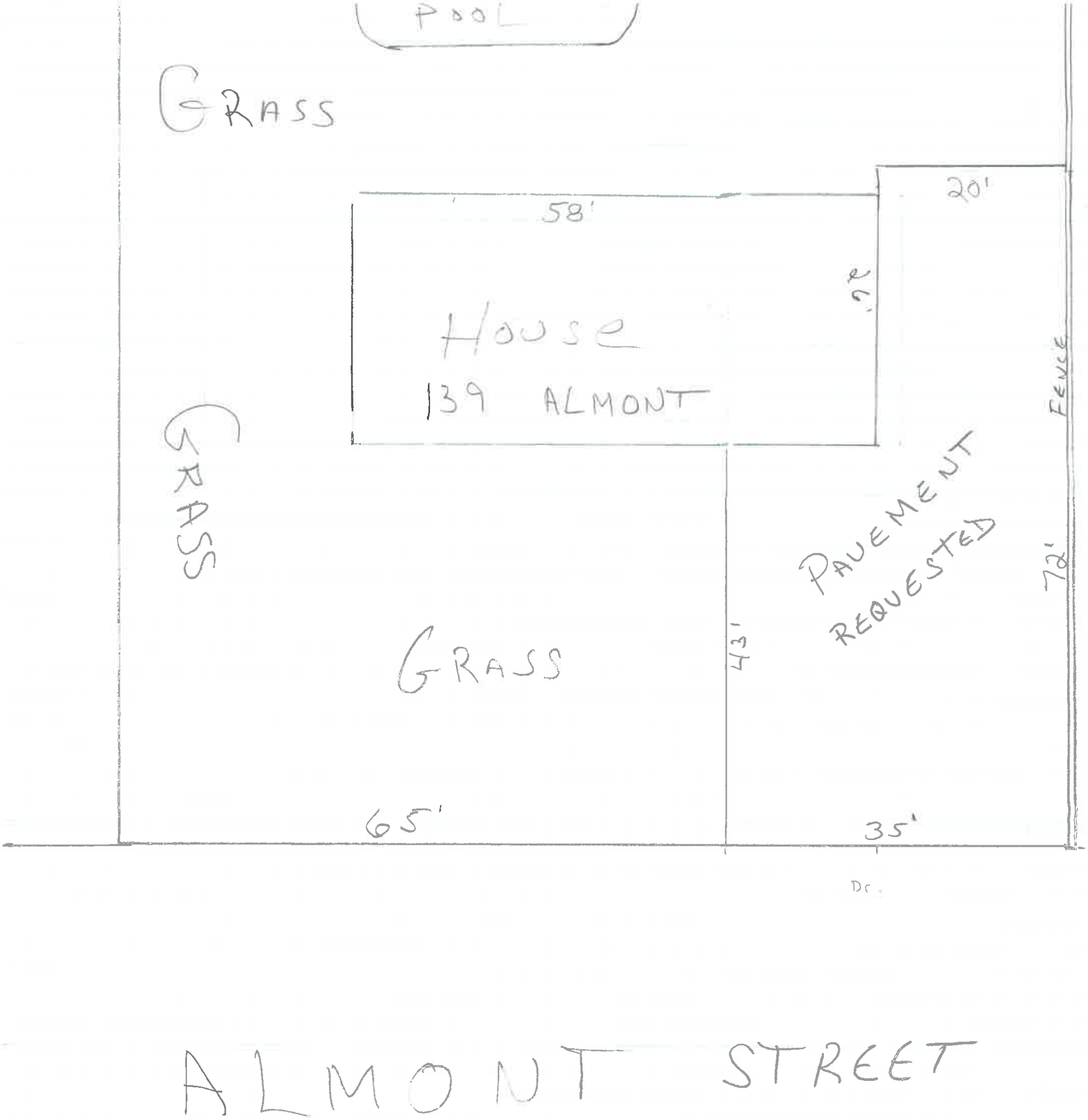
jacky

From: Jennings, Mark <JenningsM@nashuanh.gov>
Sent: Monday, April 20, 2020 5:42 PM
To: jmathieu@jsexcel.com
Cc: Falk, Carter; Hudson, Daniel
Subject: 139 Almont
Attachments: Variance Application.pdf; Variance Procedures.pdf

Hi Jacky,
The existing drive that is 35' wide even if you want to use paver for the first 10' of the driveway you will need a variance.. Here is the application for the variance please send the money to the city of Nashua.

The cost is $330.00 for the variance and there is a $15.00 charge for a sign to be put in front of your house for the variance to be post. Total of $345.00
Please send the money to City of Nashua 229 Main Street PO Box 2019 Nashua N.H. 03061
Thanks

MARK JENNINGS
CITY SURVEYOR
9 RIVERSIDE STREET
NASHUA, N.H. 03062
603-589-3144


POOL
GRASS
58'
20'
22'
House
139 ALMONT
FENCE
GRASS
PAVEMENT REQUESTED
72'
GRASS
43'
65'
35'
Dr.
ALMONT STREET
SIDE WALK

SCALE: 3/32