

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

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

March 27, 2019

Ms. Teresa Richard
10 Forest Park Drive
Nashua, NH 03060

RE: Teresa Richard (Owner) 10 Forest Park Drive (Sheet 50 Lot 7) requesting the following: 1) special exception from Land Use Code Section 190-15, Table 15-1 (#3) to allow an accessory (in-law) dwelling unit; and, 2) variance from Land Use Code Section 190-32 to exceed maximum size of accessory dwelling unit, 750 sq.ft permitted - 900 sq.ft proposed - to enlarge one-car garage into a two-car garage and construct attached accessory dwelling unit in back of garage. R9 Zone, Ward 6.

Dear Ms. Richard;

Your recent application for the above referenced special exception request was APPROVED by the Zoning Board of Adjustment on March 26, 2019, with the following stipulations/reasons for granting:

NOTE: *The variance listed above was Tabled to the April 9, 2019 ZBA meeting.*

- 1) Use listed in the Table of Uses, Land Use Code Section 190-15, Table 15-1 (#3).
- 2) Use will not create undue traffic congestion or unduly impair pedestrian safety, per testimony.
- 3) Use will not overload public water, drainage or sewer or have any negative impacts on municipal systems.
- 4) All specific special regulations will be satisfied - the variance was Tabled to the 4-9-19 meeting.
- 5) Use will not impair the integrity or be out of character with the neighborhood, and will not be detrimental to the health, morals or welfare of residents.

IMPORTANT INFORMATION:

Per RSA 677:2, any party to the action or proceedings, or any person directly affected by any order or decision of the Zoning Board of Adjustment may apply for a rehearing within 30 calendar days following the date of decision. Building permits issued during this appeal period are at the sole risk of the owner/applicant.

A variance or special exception shall be null and void two (2) years from the date of its approval if, within this period a building permit or sign permit has not been secured or, in the case of a variance or special exception relating to lot area, preliminary or final subdivision/site plan approval, is not obtained. Proper permits are required before the erection of any sign, construction, or subdivision/site plans are commenced.

Granting of the variance or special exception does not relieve the owner/applicant of the requirement to obtain Planning Board approval for site plan, preliminary or final subdivision of land. Please contact the Planning Department to determine whether Planning Board approval will be necessary.

The Zoning Board of Adjustment appreciates your cooperation in this matter. Should you have any questions regarding this notice, please contact Carter Falk at 589-3090.

Respectfully,



ZONING BOARD OF ADJUSTMENT
City of Nashua, New Hampshire

CF/cf

Cc: Roger L. Houston, Planning Director
Bill McKinney, Building Department Manager
Mark Jennings, City Surveyor, DPW Engineering
Mark Collins, Plans Examiner
Louise Brown, Assessing Department



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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 10 Forest Park Dr. Nashua, NH 03060
 Zoning District R-9 Sheet 50 Lot 7

b. SPECIAL EXCEPTION(S) REQUESTED:

ADU Inlaw apt for my elderly parents and are unable to live at their current home due to medical condition. Need to live on one level with supervision

c. LAND USE CODE SECTION(S) REQUESTING SPECIAL EXCEPTION(S) FROM: 190-15, Table 15-1 (#3)

2. GENERAL INFORMATION

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

(Print Name): Teresa Richard
 Applicant's signature [Signature] Date 2/25/2019
 Applicant's address 10 Forest Park Dr. Nashua, NH 03060
 Telephone number H: 603-235-3300 C: SAME E-mail: oclandscapingnh@gmail.com

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

*Owner's signature [Signature] Date 2/25/2019
 Owner's address 10 Forest Park Dr
 Telephone number H: 603-235-3300 E-mail: oclandscapingnh@gmail.com

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

OFFICE USE ONLY Date Received 2/26/19 Date of hearing 3/26/19 Application checked for completeness: CF ✓

PLR# 2019-00036 Board Action _____

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

3. PURPOSE OF REQUEST

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

My Father had a stroke and needs to live on one level with supervision

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.

I believe the addition will flow into the neighborhood in accordance with the other residential homes on my street. See attached photos.

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?

I believe there is enough room existing.

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

Nothing at all

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?

With the help of a hired architect, he designed the project to make sure it will blend with the 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 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 Approx 10 deliveries a week during construction

e. Number of parking spaces available _____

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:

Excavating and landscaping to be completed for finished lawn to match existing yard

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

2/25/19
Date

Teressa Richard
Print Name

2/25/19
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.

1. VARIANCE INFORMATION

a. ADDRESS OF REQUEST 10 Forest Park Dr. Nashua, NH 03060
Zoning District R-q Sheet 50 Lot 7

b. VARIANCE(S) REQUESTED: ADU to exceed 750 sq. ft. and increase to approx 900 sq. ft.

c. LAND USE CODE SECTION(S) REQUESTING VARIANCE(S) FROM 190-32

2. GENERAL INFORMATION

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

(Print Name): Teressa Richard
Applicant's signature [Signature] Date 2/25/19
Applicant's address 10 Forest Park Dr. Nashua, NH
Telephone number H: C: 603-235-3300 E-mail: oclandscapingnh@gmail.com

b. PROPERTY OWNER (Print Name) Teressa Richard
*Owner's signature [Signature] Date 2/25/19
Owner's address 10 Forest Park Dr. Nashua
Telephone number H: C: 603-235-3300 E-mail: oclandscapingnh@gmail.com

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

OFFICE USE ONLY Date Received 2/26/19 Date of hearing 3/26/19 Application checked for completeness: CF
PLR# 2019-00036 Board Action
\$ application fee [] Date Paid Receipt #
\$ signage fee [] Date Paid Receipt #
\$ certified mailing fee [] Date Paid Receipt #

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. 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 architectural design is to make sure the new structure looks like an existing residential home.

- 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 believe the addition will flow into the neighborhood in accordance with the other residential homes on my street and neighborhood. See attached photos.

- 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 only benefit will be for myself is being able to take care and supervise my elderly parents

- 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.)

If anything, I believe it will increase the value of the 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.

I need to increase the 750 sq.ft to approx 900 sq.ft to accomadate the medical situation for future wheel chair accessibility.

4. USE VARIANCE ADDITIONAL INFORMATION

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

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

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

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

[Signature]
Signature of Applicant

2/25/19
Date

Teressa Richard
Print Name

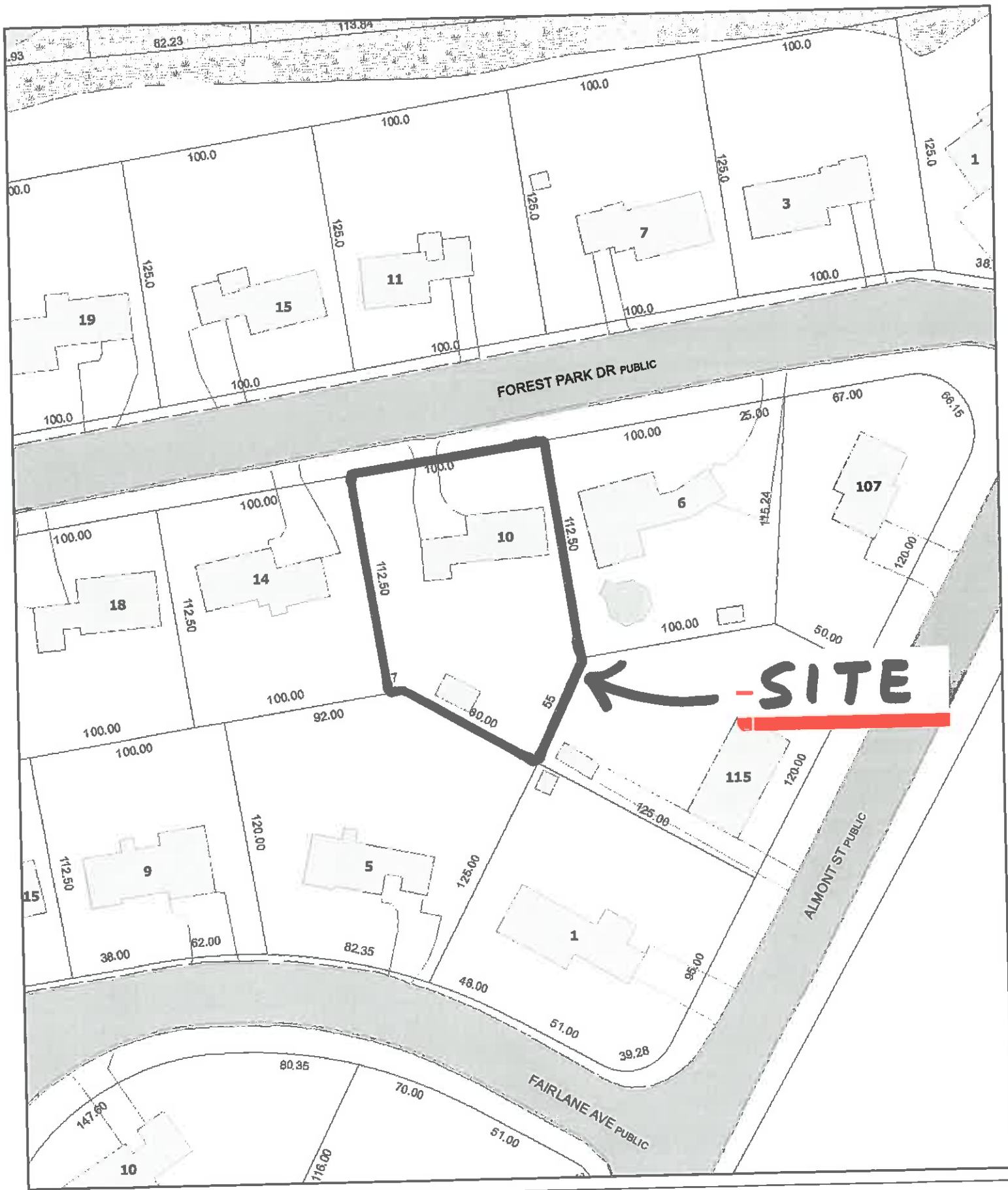
2/25/19
Date

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

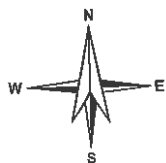
I will pick it up at City Hall

Please email it to me at _____

Please mail it to me at _____



10 Forest Park Drive



BUILDING PERMIT

LOT 7

SHEET 2 of 4

SCALE 1" = 20 ft.

200 500 St
J. ALBERT GUELLETTE
Owner's Name

No. Street

District

Occ. No.	Date	Permit No.
1169		11508
	9-9-57	13263

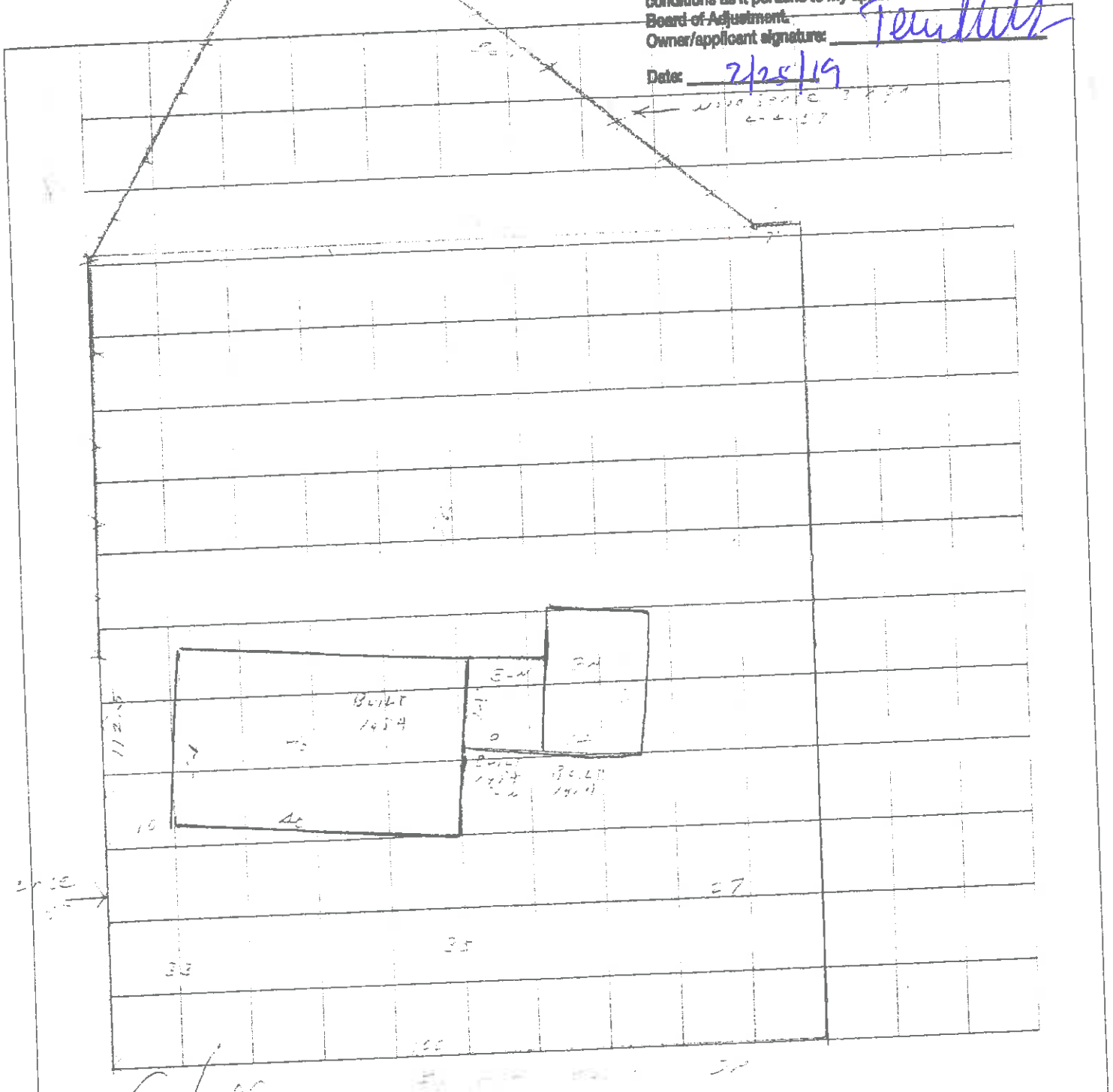
REMARKS

CITY OF NASHUA PLANNING DEPARTMENT

I, the undersigned, certify that to the best of my knowledge, this plan accurately depicts existing and proposed site conditions as it pertains to my application before the Zoning Board of Adjustment.

Owner/applicant signature: *J. Albert Guellette*

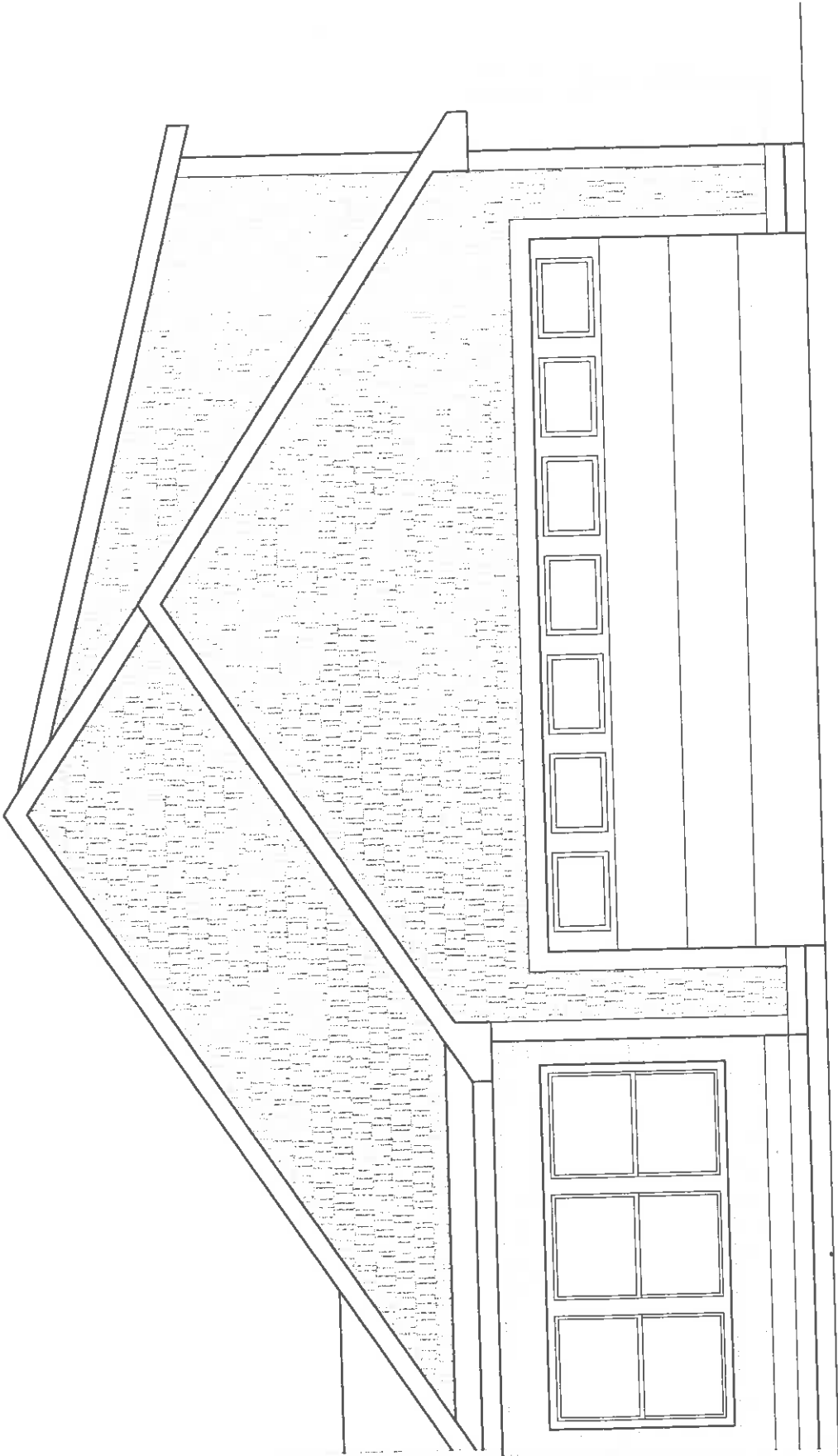
Date: 7/25/19



J. Albert Guellette
GUILLET 2 H

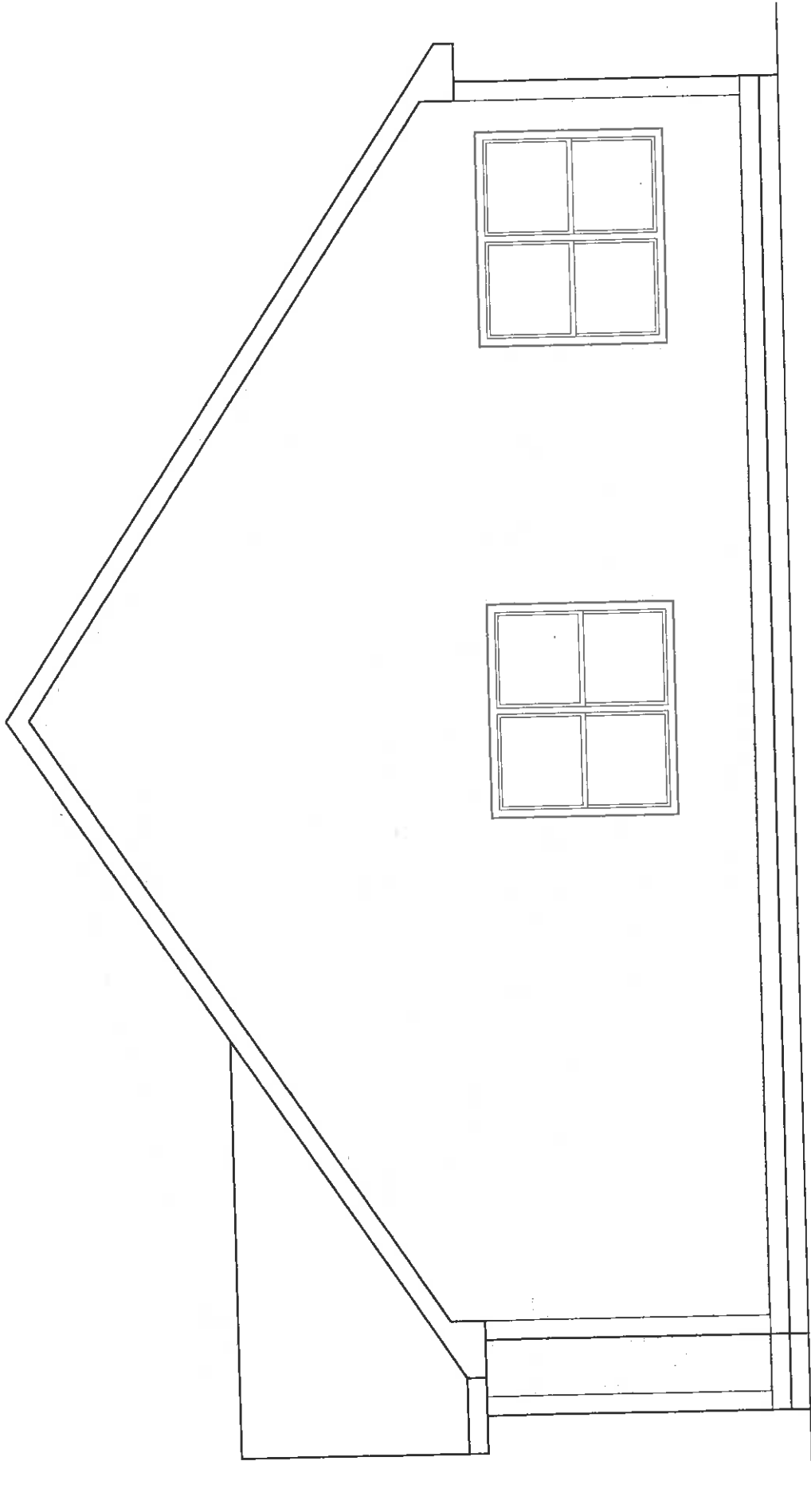
certify this plat.

Date



Front Elevation

SCALE: 1/4" = 1'-0"



Rear Elevation

SCALE: 1/4" = 1'-0"



10 Forest Park Dr. Existing Conditions



11 Forest Park Dr



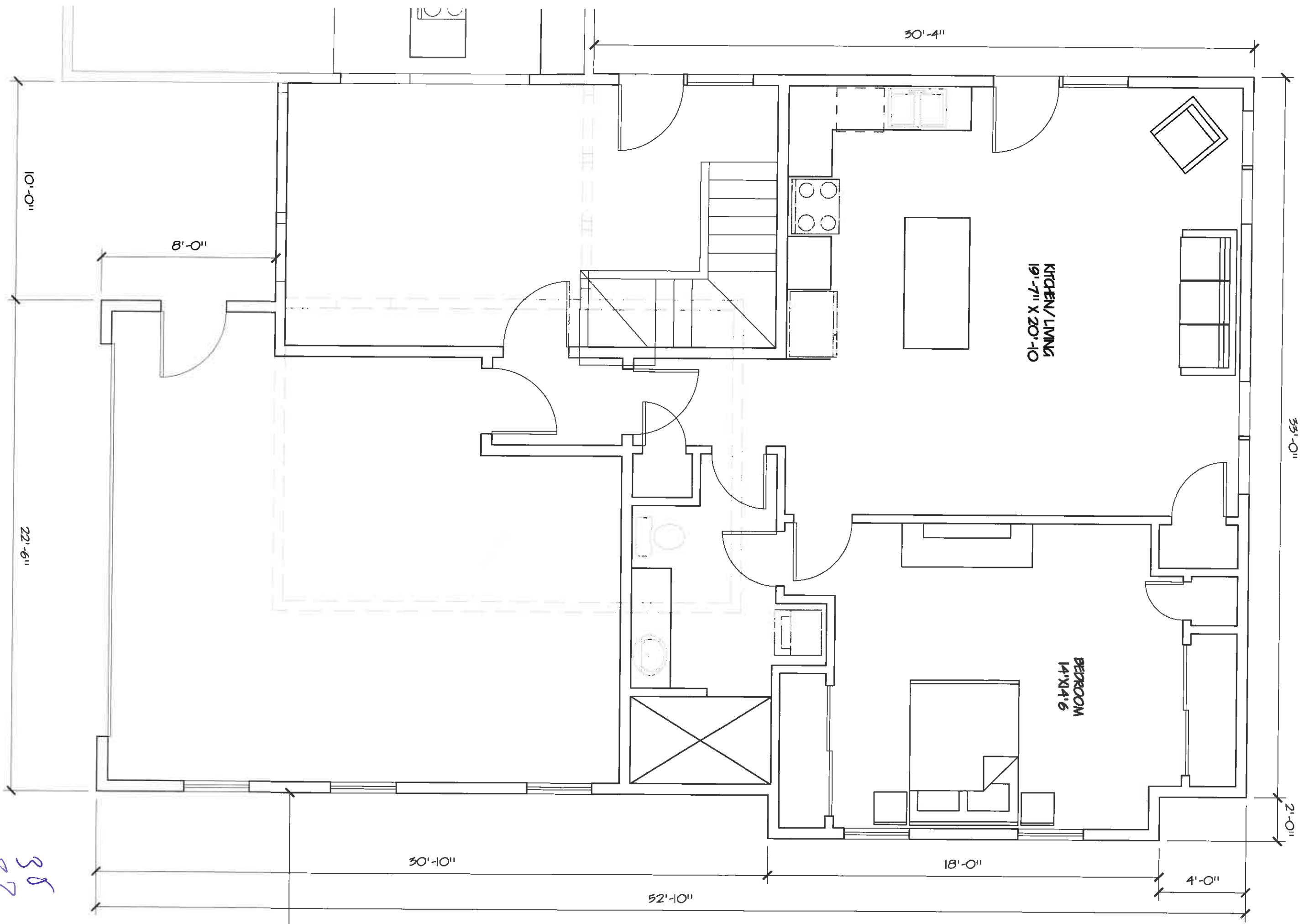
1 Forest Park Dr



23 Forest Park Dr



34 Forest Park Dr



Floor Plan

SCALE: 1/4" = 1'-0"

FOREST PARK DR

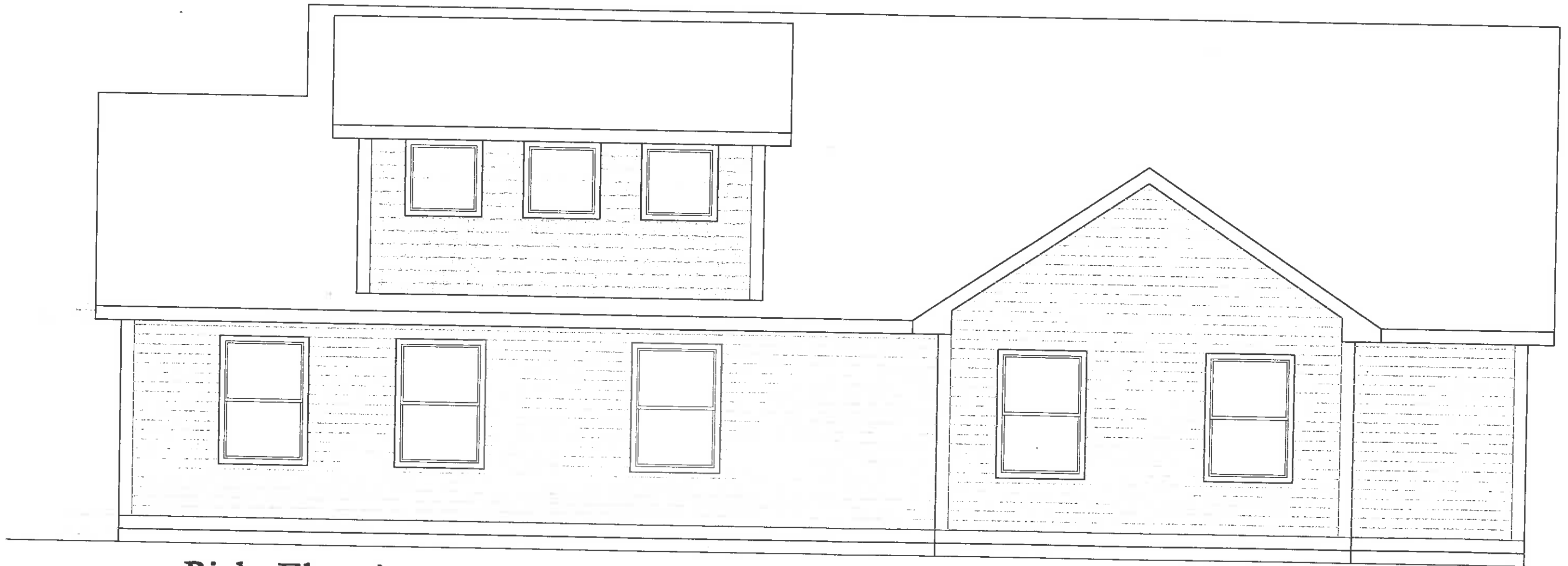
38
22
70
77



Plot Plan

FOREST AERK DR

SCALE: 3/32" = 1'-0"



Right Elevation

SCALE: 1/4" = 1'-0"