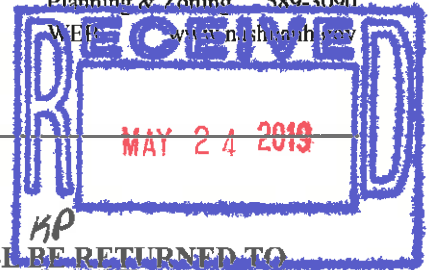




City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090

WEF www.nashua.nh.gov



SPECIAL EXCEPTION APPLICATION (ZBA)

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

7

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 4 FAXON AVE NASHUA NH 03060

Zoning District R-B Sheet 9 Lot 33

b. SPECIAL EXCEPTION(S) REQUESTED:

In-home music teaching studio - private lessons

c. LAND USE CODE SECTION(S) REQUESTING SPECIAL EXCEPTION(S) FROM: 190-47 (B)

2. GENERAL INFORMATION

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

(Print Name): MICHAEL BASMAJI, AB Music School

Applicant's signature Michael Basmaji Date 5/24/2019

Applicant's address 4 FAXON AVE NASHUA NH 03060

Telephone number H: _____ C: 978-621-5907 E-mail: michael.basmaji@gmail.com

b. **PROPERTY OWNER (Print Name):** MICHAEL and ANANDA BASMAJI

*Owner's signature Michael Basmaji Date 5/24/2019

Owner's address 4 FAXON AVE NASHUA NH 03060

Telephone number H: _____ C: 978-621-5907 E-mail: michael.basmaji@gmail.com

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

OFFICE USE ONLY Date Received 5/24/19 Date of hearing 6/25/19 Application checked for completeness: CF

PLR# 2019-100 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.

To offer private, individual music lessons in a variety of instruments to students of all ages for the greater Nashville community.

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?

None

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?

It will not impair the integrity or be out of character.

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

SPECIAL EXCEPTION APPLICATION

Address

Page 3

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

e. Number of parking spaces available

f. Describe your general business operations:

Students may take lessons in 30 or 60 minute time slots Monday through Wednesday. The majority of students are on Monday (8/13). There are never more than two students with their families at any given time. Music lessons are conducted in the basement of our home.

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

Nothing external, though we plan to add a bathroom in the basement

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.

Michael Basmaji

Signature of Applicant

5/23/19

Date

MICHAEL BASMAJI

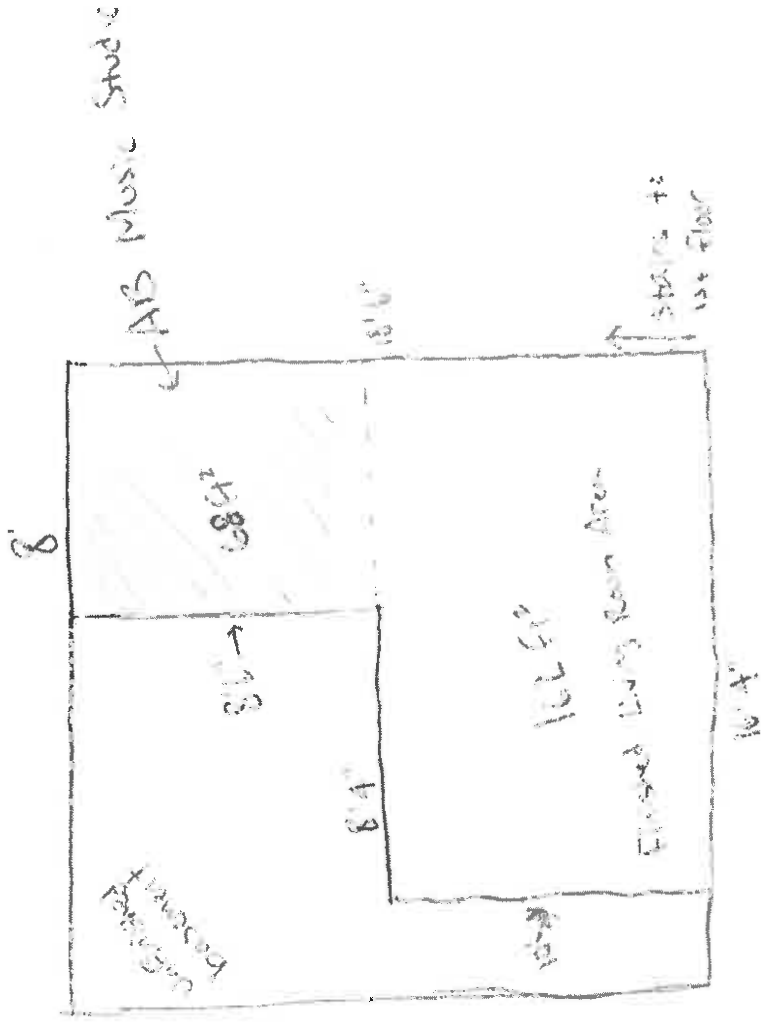
Print Name

5/24/19

Date

AB Music School

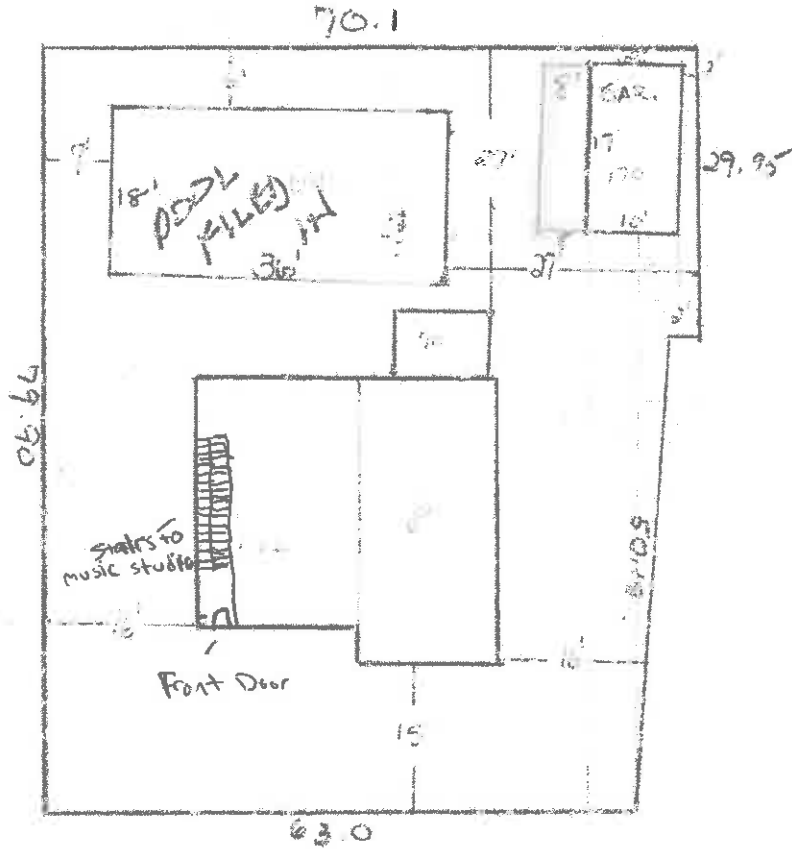
A Faxon Ave Basement Plan



1" = 2 Feet

NAN Phelps
4 Faxon Ave
NASHUA NH 05800
603-305-3091

7-19-10
Frank Queen & Son Co
35 Massachusetts Dr
Nashua NH 03080
365-7627



Start

Lot AREA 5,285.67
Lot 33
Sheet 9

AB Music School Weekly Schedule (5/24/19)

| Time | Monday | Tuesday | Wednesday | Thursday | Friday |
|-------|--------------------------------|--------------------------|---------------------------|----------|--------|
| 10:00 | | Penelope Keating (Piano) | | | |
| 10:30 | Charlotte David (Violin) | | | | |
| 11:00 | Charlotte David (Violin) | | | | |
| 11:30 | | | | | |
| 12:00 | | Ryan Ludford (Violin) | | | |
| 12:30 | Thomas Hurd (Piano) | | | | |
| 1:00 | | | | | |
| 1:30 | | | | | |
| 2:00 | | | | | |
| 2:30 | Erin Bulkow (Flute) | | | | |
| 3:00 | Erin Bulkow (Flute) | | | | |
| 3:30 | Aaron (Trumpet) | | | | |
| 4:00 | Megan Nicholson (Piano) | | | | |
| 4:30 | Kathleen Muckenthaler (Violin) | | | | |
| 5:00 | Emma Dunlap (Flute) | | Christina Wilcox | | |
| 5:30 | Paige Prichard (Violin) | | Stephen Alexander (Banjo) | | |
| 6:00 | Stefanie Machata (Flute) | | Rebekah Alexander (Flute) | | |
| 6:30 | | | | | |
| 7:00 | | | | | |
| 7:30 | | | | | |
| 8:00 | | | | | |

Poirier, Kate

To: michael basmaji
Subject: RE: FW: 4 Faxon Ave

From: michael basmaji [mailto:michael.basmaji@gmail.com]
Sent: Wednesday, May 29, 2019 6:40 PM
To: Poirier, Kate
Subject: Re: FW: 4 Faxon Ave

Hello Kate,

Attached is the map I drew up of our basement that includes the space solely dedicated to AB Music School. I did my best to draw straight lines and make it to scale, we measured everything carefully and used lined paper to ensure the map is accurate. Apologies for the delay, but we were away camping all weekend and haven't had a chance to measure and draw this up until tonight.

Note that the studio space is small, only 8 x 8.5 ft, which is 68 square feet. That's the area where Amanda teaches her lessons, and it's just a piano, two chairs, and a music stand with a few instruments along the walls. There is also a finished living room area that we use when there are no students, but parents are welcome to wait in if they don't want to stay in their cars. I wasn't sure how the space was defined - whether space solely dedicated to the school or space that gets occasional use should be included. If so, the total square footage is 230 square feet.

Let me know if this will suffice or if you need any other materials from us. Thanks and have a lovely evening.

Regards,
Michael and Amanda

On Mon, May 6, 2019 at 8:13 AM Poirier, Kate <PoirierK@nashuanh.gov> wrote:

Good Morning,

Thank you for getting back to me! I am available at City Hall (229 Main St, parking on Elm St) Room 204, Monday-Friday from 8-5. When you return from Italy we can start you on the right track.

Sincerely,

Kate

From: michael basmaji [mailto:michael.basmaji@gmail.com]
Sent: Sunday, May 05, 2019 3:23 AM
To: Poirier, Kate
Subject: Re: 4 Faxon Ave

Hello Kate,

Yep, it sounds like the major home occupation lines up more closely with our business. When we return from Italy at the end of the month, we will start the process right away of getting in our application and scheduling our appearance before the zoning board. I'd be happy to deliver the application and fee myself for you to

review and recover the old check if you'll provide your hours and office location. I appreciate the documents and application example, everything seems clear as far as next steps. Thanks for all your help!

Regards,

Michael

On Fri, May 3, 2019 at 2:51 PM Poirier, Kate <PoirierK@nashuanh.gov> wrote:

Good Morning,

Thank you for getting back to me! When I received your minor home occupation paperwork I had little to no background on the details of your case. I try to talk to everyone who applies for a minor home occupation before I process anything, just to make sure that it's what you need. The description you gave me helps a lot.

Based on your description, it sounds like you need a major home occupation instead. It gives you a little bit more freedom than a minor home, and it doesn't restrict visits to three per week. I've attached a description of the home occupations for comparison.

Major home occupations are granted by the zoning board. If this is something you wish to pursue, you will need to fill out a special exception form requesting a major home occupation. We would then process the application and place you on an agenda for the next available meeting. The fee would be \$345.00. I can return the check you submitted with the minor home occupation.

As part of the process we will notify your neighbors, and they have a chance to speak at the meeting. Whether for or against, neighbor testimony doesn't decide the outcome. On the night of the meeting, you will be able to address the Board and discuss your business. You will have a chance to address any concerns, and ask them to approve your request. You will get an answer that night. If you are approved, I recommend applying for a building and land use permit afterwards.

Please find attached a typeable version of the special exception form. I've also attached an example of a previously successful application for reference.

Let me know if you have any questions. I would be happy to help you through this process.

Sincerely,

Kate

From: michael basmaji [mailto:michael.basmaji@gmail.com]
Sent: Thursday, May 02, 2019 4:59 PM
To: Poirier, Kate
Cc: Metcalf, Kyle
Subject: Re: 4 Faxon Ave

Hello Kate,

Sorry for missing that detail, and apologies we're out of town to make communication difficult. We left for a vacation on the 29th and won't be back until May 21st.

My wife is a music teacher and teaches about a dozen students privately throughout the week. We probably get 8-10 visits weekly as some students are siblings and there are often call outs. We don't have any other employees or plans to add more clients as she has another part-time job Wednesday through Friday. Some of her students are adults that come in the morning and around noon, while the rest of her students come after school or in the early evening. We do our best to make sure the visits are not an imposition on our neighbors and the visitors only park in our driveway or in front of our property.

If it's just a matter of a different application with a larger fee, we'd be happy to write a check for the difference when we return. We want to give back to our town with our little side business, not run under the radar. Let us know what the process is or what other information you would need.

Regards,

Michael + Amanda

On Thu, May 2, 2019 at 5:36 PM Poirier, Kate <PoirierK@nashuanh.gov> wrote:

Good Morning,

This is a follow-up in regards to your minor home occupation application you submitted. Before I can process it or approve it, I have a few questions I need to ask you. From what Kyle Metcalf described to me, you might need a different type of request instead.

A minor home occupation allows for only three visits per week, maximum. If you have more than that per week, then you do not qualify for a minor home occupation. Please let me know if this is the case.

Sincerely,

Kate

Kate Poirier

Zoning Coordinator

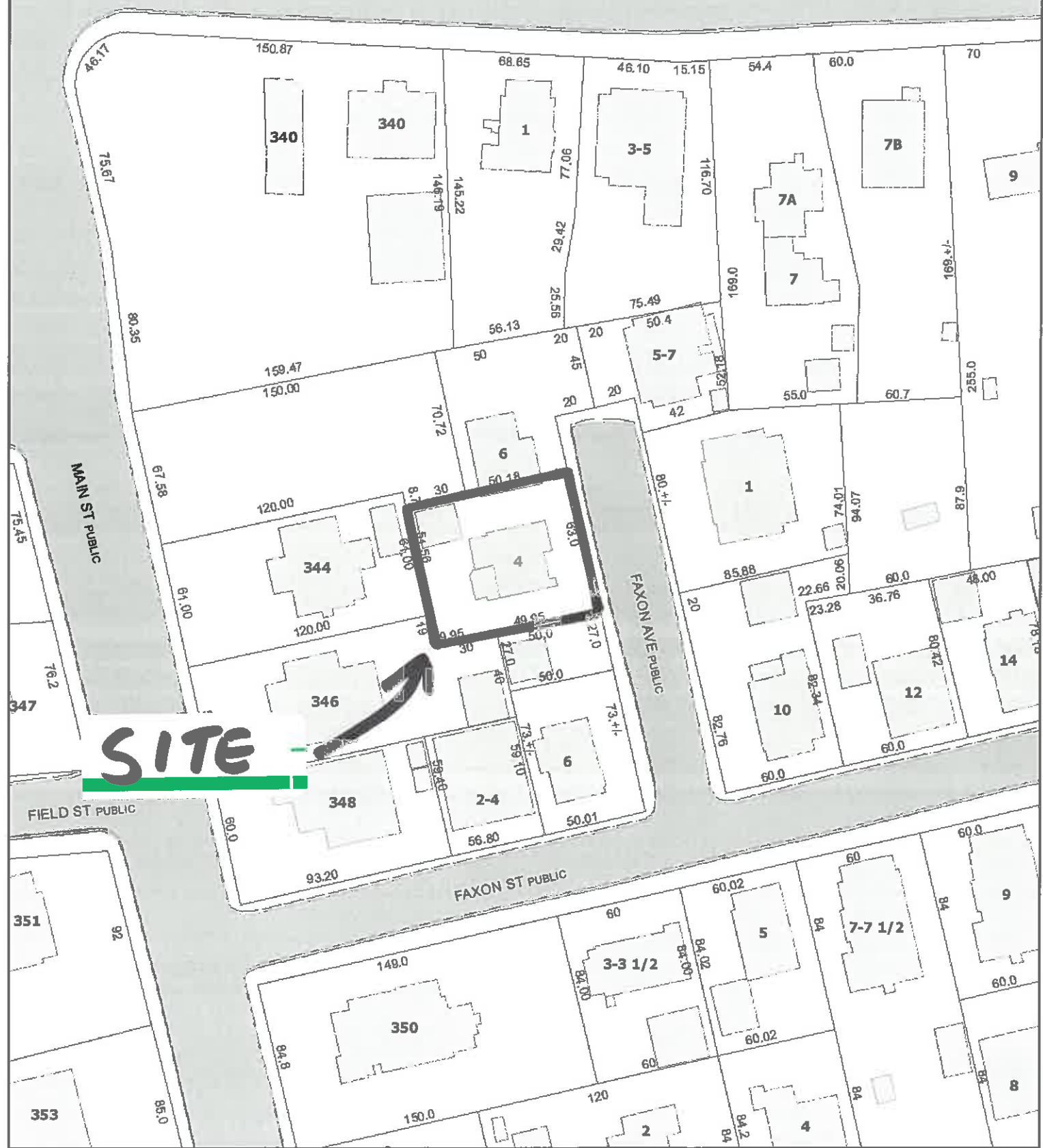
Planning Department

603-589-3056

PoirierK@nashuanh.gov

The Right-To-Know Law (RSA 91-A) provides that most e-mail communications, to or from City employees and City volunteers regarding the business of the City of Nashua, are government records available to the public upon request. Therefore, this email communication may be subject to public disclosure.

ALLDS ST PUBLIC



SITE

4 Faxon Avenue

