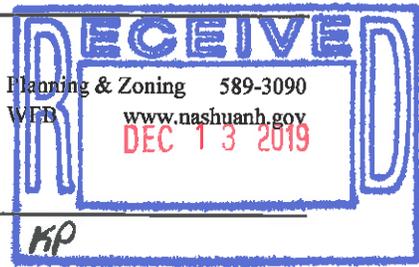




**City of Nashua**  
**Planning Department**  
 229 Main Street  
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090  
 WFB www.nashuanh.gov  
**DEC 13 2019**



**SPECIAL EXCEPTION APPLICATION (ZBA)**

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

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

**1. SPECIAL EXCEPTION INFORMATION**

a. ADDRESS OF REQUEST

Zoning District  Sheet  Lot

b. SPECIAL EXCEPTION(S) REQUESTED:

A special exception is requested for replacement of an existing water tank located on the property. The requested use is listed in the City of Nashua Zoning Ordinance Table 15-1, No. 278, as a special exception.

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

**2. GENERAL INFORMATION**

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

(Print Name):

Applicant's signature  Date

Applicant's address

Telephone number H:  C:  E-mail:

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

\*Owner's signature  Date

Owner's address

Telephone number H:  C:  E-mail:

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

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

PLR#  Board Action \_\_\_\_\_

\$  application fee  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.

A steel water tank is currently located on the property located at Map G/Lot 592. The existing tank was built in 1987 and is in disrepair and requires replacement with a new cement tank. The new tank will have a useful life of eighty (80) years.

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

The proposal involves the removal of the existing structure and the construction of a replacement structure. The dimensions of the new structure will be the same as the existing structure with respect to sidewall height (55 feet above ground) and diameter (120 feet). The new structure will be 66.83 feet in height which is 11.33 feet higher. This is due to the design feature of the new structure which has a pitched dome.

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

[Empty box for parking space details]

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

As this requested use is for replacement of an existing structure, there will be no change to traffic congestion or pedestrian safety.

e. What measures will be taken (if any) to insure that your proposal will not impair the integrity or be out of character with the zoning district or immediate neighborhood?

As this requested use is for replacement of an existing structure, there will be no change to the integrity or character of the zoning district or immediate neighborhood.

4. SPECIAL EXCEPTION – ADDITIONAL QUESTIONS

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

a. Total number of employees [120] Number of employees per shift [120. None permanently at this site.]

b. Hours and days of operation [24 hours per day 365 days per year.]

c. Number of daily and weekly visits to the premises by customers, clients, vendors, and solicitors [0\*]

\*During construction there will be one visit per day to the premises for inspection.

d. Number of daily and weekly commercial deliveries to the premises 0

e. Number of parking spaces available There are greater than 5 around the perimeter of the water tank.

f. Describe your general business operations:

Pennichuck Water Works, Inc. is engaged in the collection, storage, treatment, distribution, and sale of potable water in Southern and Central New Hampshire.

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

There are no changes from existing conditions other than a new tank of a different material of construction (concrete) and added roof/dome height.

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.

Donald L Ware

Signature of Applicant

12/11/19

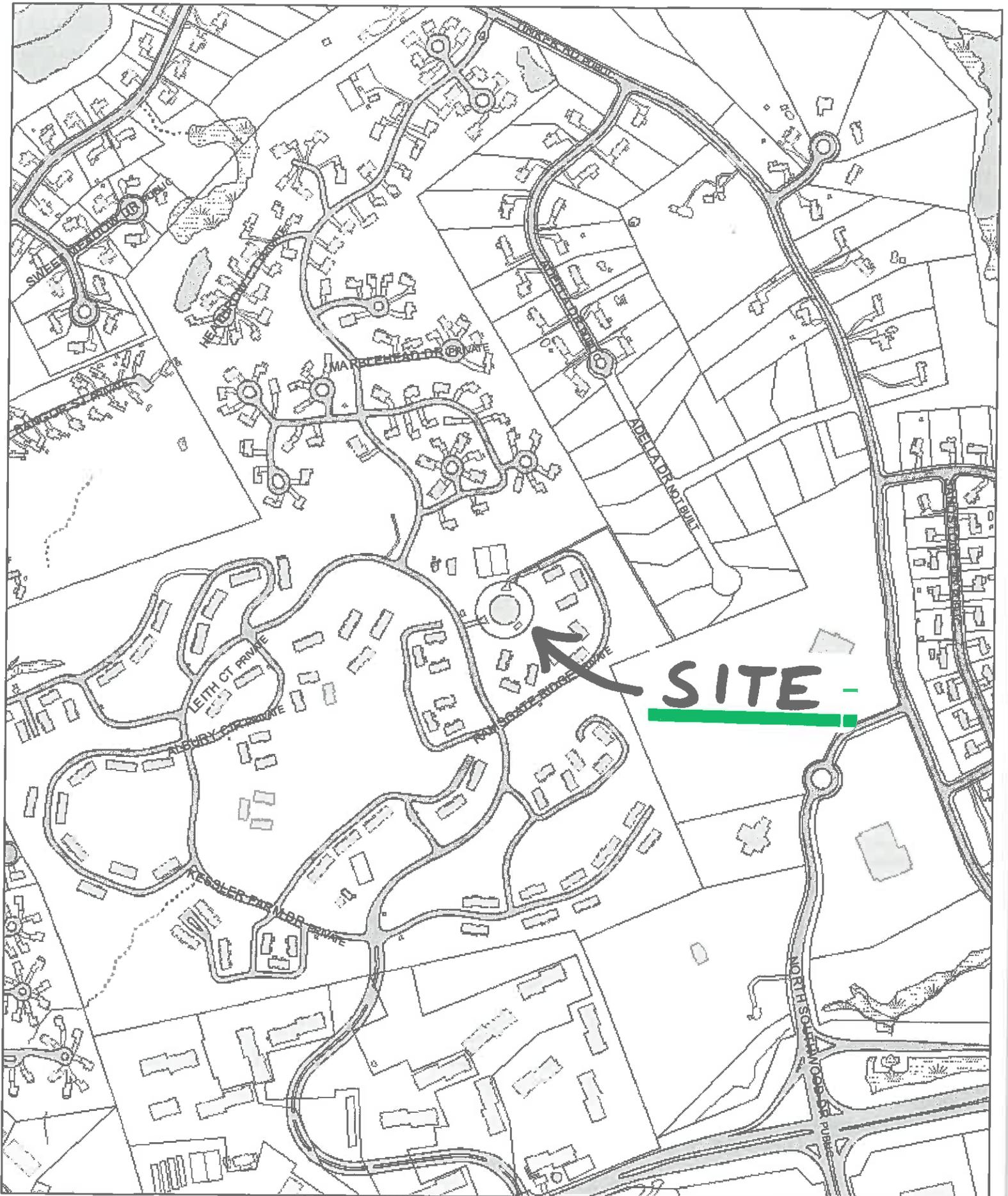
Date

DONALD L WARE

Print Name

12/11/19

Date



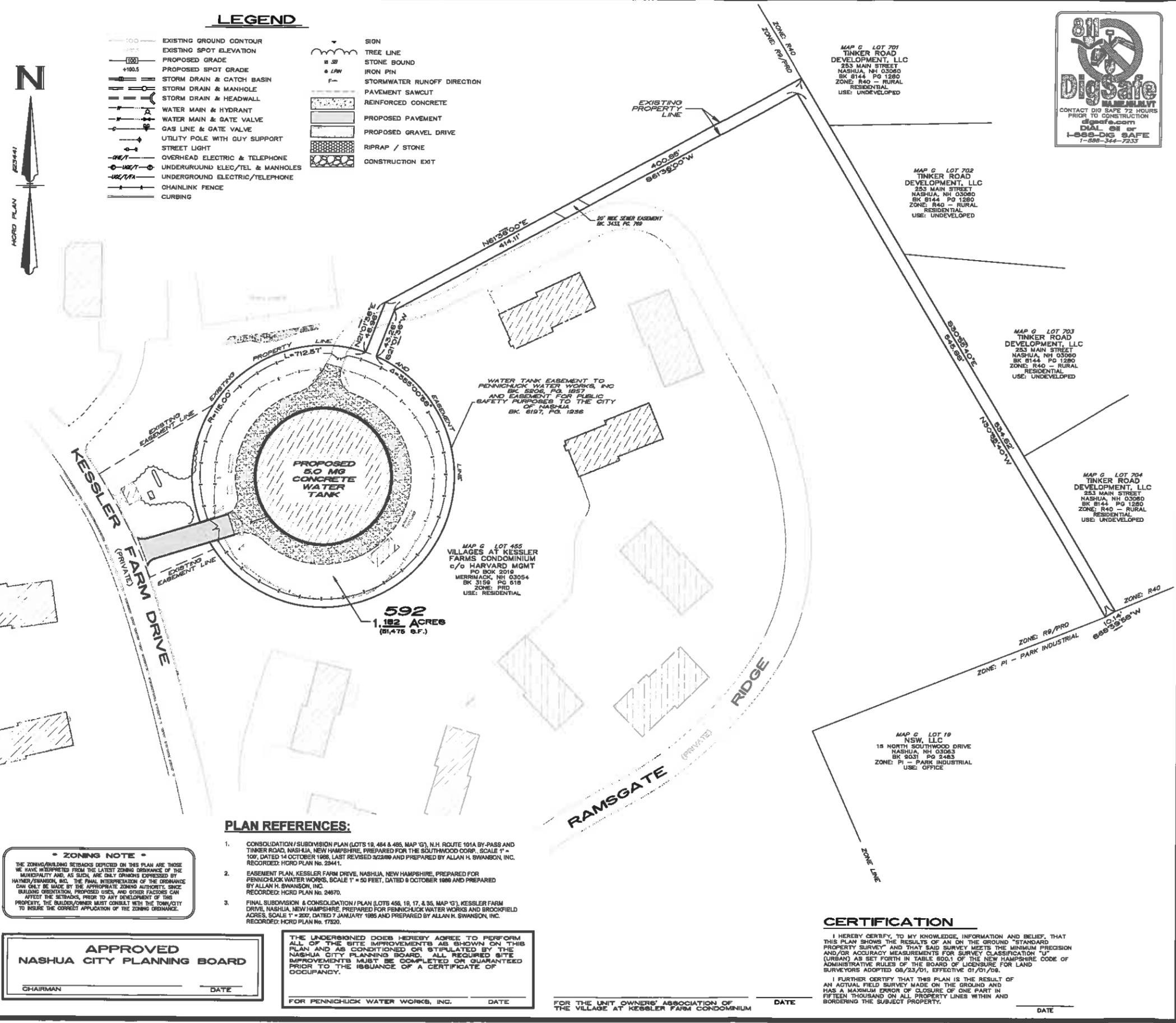
# 69 Kessler Farms Dr



**LEGEND**

- - - - - EXISTING GROUND CONTOUR
- EXISTING SPOT ELEVATION
- +100.5— PROPOSED GRADE
- +100.5— PROPOSED SPOT GRADE
- +—+—+ STORM DRAIN & CATCH BASIN
- +—+—+ STORM DRAIN & MANHOLE
- +—+—+ STORM DRAIN & HEADWALL
- +—+—+ WATER MAIN & HYDRANT
- +—+—+ WATER MAIN & GATE VALVE
- +—+—+ GAS LINE & GATE VALVE
- +—+—+ UTILITY POLE WITH GUY SUPPORT
- +—+—+ STREET LIGHT
- +—+—+ OVERHEAD ELECTRIC & TELEPHONE
- +—+—+ UNDERGROUND ELEC./TEL. & MANHOLES
- +—+—+ UNDERGROUND ELECTRIC/TELEPHONE
- +—+—+ CHAINLINK FENCE
- +—+—+ CURBING

- +—+—+ SIGN
- +—+—+ TREE LINE
- +—+—+ STONE BOUND
- +—+—+ IRON PIN
- +—+—+ PAVEMENT SAWCUT
- +—+—+ REINFORCED CONCRETE
- +—+—+ PROPOSED PAVEMENT
- +—+—+ PROPOSED GRAVEL DRIVE
- +—+—+ RIPRAP / STONE
- +—+—+ CONSTRUCTION EXIT



- NOTES:**
- LOT AREA: 1.182 ACRES (51,475 SF)
  - PRESENT ZONING: R-8: URBAN RESIDENCE
  - MINIMUM LOT REQUIREMENTS:
 

REQUIRED	PROPOSED
- LOT AREA	8,000 SF
- LOT FRONTAGE	75 FT
- LOT WIDTH	59 FT
- FRONT YARD	20 FT
- SIDE YARD	10 FT
- REAR YARD	30 FT
- MAX. BUILDING HEIGHT	35 FT
- MAX STORES	2.55
- MIN. OPEN SPACE (%)	%
  - ON NOVEMBER 21, 2019 THE NASHUA ZONING BOARD OF ADJUSTMENT APPROVED A SPECIAL EXCEPTION TO ALLOW A WATER TANK IN A R9 ZONE.
  - LOT NUMBERS REFER TO THE CITY OF NASHUA ASSESSORS MAP '19'.
  - SITE IS SERVICED BY MUNICIPAL SEWER, WATER BY PENNICHUCK WATER WORKS AND UNDERGROUND TELEPHONE, ELECTRIC AND GAS UTILITIES.
  - PURPOSE OF PLAN: TO SHOW THE PROPOSED WATER TANK RECONSTRUCTION, ALONG WITH ACCOMPANYING SITE IMPROVEMENTS. THIS PLAN AMENDS NR.
  - ALL SIGNAGE SHALL CONFORM TO THE APPLICABLE CITY OF NASHUA REGULATIONS WITH ALL PERMITS SECURED PRIOR TO INSTALLATION.
  - SITE IMPROVEMENTS DEPICTED ON THE PLAN SHALL CONFORM WITH TITLE III OF THE AMERICANS WITH DISABILITIES ACT WITH REGARD TO DIMENSION, GRADE AND NUMBER OF PARKING SPACES.
  - ALL LANDSCAPING SHALL BE AS SHOWN ON THE PLAN AND CONFORM TO THE APPLICABLE CITY OF NASHUA ZONING REGULATIONS.
  - ALL SITE LIGHTING SHALL BE AS SHOWN ON THE PLAN, DIRECTED ONTO THE SITE AND CONFORM TO THE APPLICABLE CITY OF NASHUA ZONING REGULATIONS.
  - IT SHALL BE UNLAWFUL TO MODIFY, CHANGE, OR ALTER ANY STRUCTURE SHOWN ON THIS SITE PLAN IN ANYWAY WHATSOEVER, OR CONVERT OR ALTER ANY STRUCTURE SHOWN ON THIS SITE PLAN, OR CHANGE THE ABOVE USE INDICATED ON THE PLAN WITHOUT RECEIVING APPROVAL FROM THE CITY.
  - PUBLIC STREET RESTORATION WORK, IF ANY, SHALL BE IN ACCORDANCE WITH N.H.R.O. SECTION 266-13, LATEST EDITION, PRIOR TO A BUILDING PERMIT BEING ISSUED, BONDING FOR ALL PUBLIC STREET IMPROVEMENTS SHALL BE SUBMITTED TO AND APPROVED BY THE ENGINEERING DEPARTMENT AND CORPORATION COUNSEL.
  - THIS SITE IS LOCATED WITHIN THE CITY OF NASHUA WATER SUPPLY PROTECTION DISTRICT.
  - THE APPLICANT SHALL SUBMIT AN ELECTRONIC FILE OF THE SITE PLAN (PLAT) PRIOR TO ISSUANCE OF A BUILDING PERMIT.
  - THE PARCEL IS LOCATED IN ZONE X AND IS NOT LOCATED IN A FLOOD HAZARD AREA AS DETERMINED FROM THE FLOOD INSURANCE RATE MAP, HILLSBOROUGH COUNTY, CITY OF NASHUA, NEW HAMPSHIRE, COMMUNITY No. 33006 & 33007, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP NUMBER: 33011C042D, DATED: SEPTEMBER 25, 2006.
  - A PRE-CONSTRUCTION MEETING WITH THE CITY OF NASHUA PLANNING/ENGINEERING/FIRE OFFICIALS SHALL TAKE PLACE PRIOR TO ANY WORK BEING PERFORMED.
  - PRIOR TO A BUILDING PERMIT BEING ISSUED, DOCUMENTS PERTAINING TO THE STORMWATER OPERATION AND MAINTENANCE PLAN SHALL BE RECORDED.
  - HOURS OF OPERATION:
 

TANK:	7 DAYS PER WEEK 24 HOURS PER DAY
-------	----------------------------------
  - MECHANICAL APPURTENANCES SHALL NOT EXCEED 90 DECIBELS BETWEEN 7 AM - 8 PM AND 45 DECIBELS AT NIGHT 8 PM - 7 AM ALONG RESIDENTIAL ZONING DISTRICTS.
  - PRESENT OWNER OF RECORD:
 

MAP '19', LOT 682	THE UNIT OWNERS' ASSOCIATION OF VILLAGE AT KESSLER FARM CONDOMINIUM
C/O NORTH POINT PROPERTY MANAGEMENT	55 LAKE STREET, 4TH FLOOR, SUITE 7
NASHUA, NH 03060	BK 6205, PG 1658

- PLAN REFERENCES:**
- CONSOLIDATION/SUBDIVISION PLAN (LOTS 19, 484 & 485, MAP 'G'), N.H. ROUTE 101A BY-PASS AND TINKER ROAD, NASHUA, NEW HAMPSHIRE, PREPARED FOR THE SOUTHWOOD CORP., SCALE 1" = 100', DATED 14 OCTOBER 1985, LAST REVISED 3/22/89 AND PREPARED BY ALLAN H. SWANSON, INC. RECORDED: HC RD PLAN No. 2941.
  - EASEMENT PLAN, KESSLER FARM DRIVE, NASHUA, NEW HAMPSHIRE, PREPARED FOR PENNICHUCK WATER WORKS, SCALE 1" = 50 FEET, DATED 9 OCTOBER 1986 AND PREPARED BY ALLAN H. SWANSON, INC. RECORDED: HC RD PLAN No. 2467D.
  - FINAL SUBDIVISION & CONSOLIDATION / PLAN (LOTS 455, 19, 17, & 35, MAP 'G'), KESSLER FARM DRIVE, NASHUA, NEW HAMPSHIRE, PREPARED FOR PENNICHUCK WATER WORKS AND BROOKFIELD ACRES, SCALE 1" = 200', DATED 7 JANUARY 1985 AND PREPARED BY ALLAN H. SWANSON, INC. RECORDED: HC RD PLAN No. 1782D.

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

**APPROVED**  
**NASHUA CITY PLANNING BOARD**

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

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

FOR PENNICHUCK WATER WORKS, INC. DATE \_\_\_\_\_

FOR THE UNIT OWNERS' ASSOCIATION OF THE VILLAGE AT KESSLER FARM CONDOMINIUM DATE \_\_\_\_\_

**CERTIFICATION**

I HEREBY CERTIFY, TO MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THIS PLAN SHOWS THE RESULTS OF AN ON THE GROUND "STANDARD PROPERTY SURVEY" AND THAT SAID SURVEY MEETS THE MINIMUM PRECISION AND/OR ACCURACY MEASUREMENTS FOR SURVEY CLASSIFICATION "U" (URBAN) AS SET FORTH IN TABLE 600.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS ADOPTED 08/23/01, EFFECTIVE 01/01/08.

I FURTHER CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN FIFTEEN THOUSAND ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY.

DATE \_\_\_\_\_

**PRELIMINARY**  
 NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY

**MASTER SITE PLAN**  
 (MAP 'G' LOT 592)  
**KESSLER FARM DRIVE WATER TANK RECONSTRUCTION**  
 69 KESSLER FARM DRIVE  
 NASHUA, NEW HAMPSHIRE  
 PREPARED FOR:  
**PENNICHUCK WATER WORKS, INC.**  
 PO BOX 1947 25 MANCHESTER STREET MERRIMACK, NH 03054 (603) 613-2300  
 RECORD OWNER:  
**THE UNIT OWNERS' ASSOCIATION OF THE VILLAGE AT KESSLER FARM CONDOMINIUM**  
 C/O NORTH POINT PROPERTY MANAGEMENT, 55 LAKE STREET, 4TH FLOOR, SUITE 7 NASHUA, NH 03060

SCALE: 1"=40 Feet  
 1"=12.192 Meters

**25 OCTOBER 2019**

**HSI** Haynes/Swanson, Inc.  
 Civil Engineers/Land Surveyors  
 3 Congress Street  
 Nashua, NH 03062  
 (603) 883-8097  
 www.haynes-swanson.com

FIELD BOOK: 1189 DRAWING NAME: 2391-F041 2391 1 OF 8  
 DRAWING LOC.: \\2000\2391\DWG PLS Number 8/2019