

NASHUA CITY PLANNING BOARD
STAFF REPORT

TO: Nashua City Planning Board
FROM: Linda McGhee, Deputy Planning Manager
FOR: September 24, 2020
RE: **New Business #1 - Conditional Use Permit**

Owner: Alla Maak Properties, LLC
Applicant: TMC CF of New England, LLC
Proposal: Conditional Use Permit to construct a convenience store with a gas station
Location: 452 Amherst Street
Total Site Area: 1.156 acres (50,345 sf)
Existing Zoning: PI-Park Industrial/MU-Mixed Use
Surrounding Uses: Commercial

II. Background Information:

The building at 452 Amherst Street, known as the Country Tavern, has stood on its site for over two hundred years; recently they announced its permanent closure. Once part of a small farm with 40+ acres, it was renovated for use as a restaurant in the early 1980s. The Zoning Board of Adjustment granted a Use Variance in 1981 to convert the existing house and barn to a restaurant use with a Special Exception to increase parking. In 1982, an easement was placed on the property to preserve the appearance of the façade as it then existed in perpetuity.

On September 12, 2019 the applicant received a favorable recommendation from this board to release the façade easement and on October 8, 2019 the Board of Alderman approved the release of the façade easement.

In 2018 the Board of Alderman rezoned a portion of Amherst Street from Airport Industrial to Park Industrial/Mixed Use to allow for greater flexibility and reflect what is going on these lots.

On June 9, 2020 the ZBA approved a Use Variance to allow a convenience store/gas station where 75% of the building gross floor area is otherwise required to be reserved for used in the “industrial and manufacturing” category to allow this project to move forward.

III. Project Description:

The proposal is for a conditional use permit to construct a convenience store with a gas station (see staff report for corresponding site plan). The change is only permitted conditionally. There are nine approval criteria for a conditional use permit found in NRO § 190-133(F). The applicant addresses the criteria in the attached letter.

City Staff reviewed the plans; there are no outstanding issues.

IV. Staff Recommendations and Findings:

The Planning Board should make a determination that the plan meets, or does not meet, the requirements outlined in the Site Plan NRO Section 190-133(F). The Board should review these prior to making a motion. If the Planning Board chooses to disapprove the plan, they should state specific reasons. If the Planning Board chooses to approve this plan, the staff recommends the following stipulation be made part of that approval:

None