

NASHUA CITY PLANNING BOARD  
STAFF REPORT

TO: Nashua City Planning Board  
FROM: Scott McPhie, Planner 1  
FOR: May 6, 2021  
RE: **New Business – A21-0070 Conditional Use Permit**

Owner: Vickerry Realty Trust c/o the Meg Companies  
Applicant: NHCG, LLC c/o James Rafferty, President/GM  
Proposal: Conditional Use Permit to allow Charitable Gaming onsite.  
Location: 14 Gusabel Avenue Unit 16  
Total Site Area: 25.24 acres  
Existing Zoning: GB-General Business  
Surrounding Uses: Commercial

**II. Background Information:**

The property was formerly the Bugaboo Creek Steakhouse restaurant until the chain went out of business. The site has remained vacant for quite some time.

**III. Project Description:**

The proposed use for this site is a “game of chance” facility. It falls under Use #210a in the Land Use Code: Games of chance as defined in N.H. RSA 287-D. The use is only permitted conditionally in the GB Zone. 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:

1. The request for a waiver of § 190-279(B), which requires bearings and distances of all property lines etc. on the plan, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
2. Prior to the Chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer, and dated, April 17, 2021 shall be addressed to the satisfaction of the Engineering Department.