



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

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

**SPECIAL EXCEPTION APPLICATION (ZBA)**

**PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL NOT BE ACCEPTED**

**I. SPECIAL EXCEPTION INFORMATION**

1. ADDRESS OF REQUEST 30 EAST Dunstable Rd, Nashua NH 03062

Zoning District BA Sheet 111 Lot 42

2. SPECIAL EXCEPTION(S) REQUESTED:

My lot is around 9500 sqft and the regulation requires 14000 sqft. I am requesting for exception on the lot size. The lot already have a parking space and separate entry.

**II. GENERAL INFORMATION**

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

(Print Name): Juscoti A DeCakes

Applicant's signature [Signature] Date 03/13/23

Applicant's address 15 MERRILL RD MERRIMACK, NH 03054

Telephone number H: \_\_\_\_\_ C: 603-7656599 E-mail: C77AMORIM@GMAIL.COM

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

\*Owner's signature [Signature] Date 03/13/23

Owner's address 15 MERRILL RD MERRIMACK, NH 03054

Telephone number H: \_\_\_\_\_ C: 603-7656599 E-mail: C772MORIM@GMAIL.COM

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

**OFFICE USE ONLY**

Date Received \_\_\_\_\_ Date of hearing 4/11/23 Application checked for completeness: \_\_\_\_\_

A# 23-0034 Board Action \_\_\_\_\_

\$ \_\_\_\_\_ application fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ signage fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ certified mailing fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

Land Use Code Section(s) Requesting Special Exception From: \_\_\_\_\_



**III. 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.

1. Describe the nature of your proposal. Please be specific.

we want to do a 1 bedroom unit in the basement. we would like to change the house to a 2 family home. our lot is around 9500sqf.

2. 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.

we will not change the exterior of the house

3. 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?

we already have enough parking for the units.

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

It will not change the surrounding traffic. we will allow 2 cars per unit.

5. 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?

we will not make any changes to the appearance of the house or its landscaping.

IV. 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.

- 1. Total number of employees 2 Number of employees per shift 2
- 2. Hours and days of operation 8AM to 4PM Monday - Friday
- 3. Number of daily and weekly visits to the premises by customers, clients, vendors, and solicitors 0
- 4. Number of daily and weekly commercial deliveries to the premises 0
- 5. Number of parking spaces available 6

6. Describe your general business operations:

we will just be remodeling the basement of the house for a 2nd unit.

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

we will not change any landscaping, or exterior structure.

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 points specifically mentioned are affected by action taken on this appeal.

  
Signature of Applicant

03/13/23  
Date

Joseph A. Decker  
Print Name

03/13/23  
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 NOT BE ACCEPTED**

**I. VARIANCE INFORMATION**

1. ADDRESS OF REQUEST 30 EAST DUNSTABLE RD NASHUA-NH 03061

Zoning District \_\_\_\_\_ Sheet \_\_\_\_\_ Lot \_\_\_\_\_

2. VARIANCE(S) REQUESTED:

I would like to request a change of my house from a single-family to a 2 family house.

**II. GENERAL INFORMATION**

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

(Print Name): JUSCOLI A. DECALES

Applicant's signature [Signature] Date 03/13/23

Applicant's address 15 MERRILL RD MERRIMACK, NH 03054

Telephone number H: \_\_\_\_\_ C: 603-7656599 E-mail: C77AMORIM@GMAIL.COM

2. **PROPERTY OWNER (Print Name):** JUSCOLI A. DECALES

\*Owner's signature [Signature] Date 03/13/23

Owner's address 15 MERRILL RD MERRIMACK, NH 03054

Telephone number H: \_\_\_\_\_ C: 6037656599 E-mail: C77AMORIM@GMAIL.COM

\*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: \_\_\_\_\_

A# \_\_\_\_\_ Board Action \_\_\_\_\_

\$ \_\_\_\_\_ application fee

Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

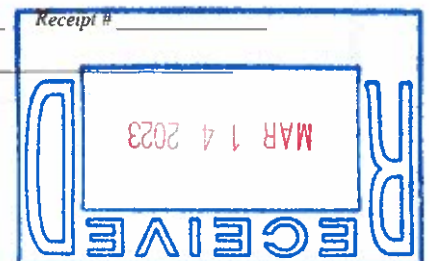
\$ \_\_\_\_\_ signage fee

Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ certified mailing fee

Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

Land Use Code Section(s) Requesting Variances From: \_\_\_\_\_





III. 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 it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

we are looking to have 1 unit on the basement of the house. This will not impact the exterior and structure of the property. we already have 2 entries (driveways) so no change needed. we have total enough space and again no change on the lot or outside in the landscape.

- 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.")

we are not making changes to the exterior of the house or landscaping. no impact to neighbors or traffic.

- 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 way the lot and house is right now, won't bring any harm to the general public or neighborhood.

- 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.)

this should not impact or be negative on the value of the houses in the neighborhood. we should consider that will increase value, which could bring some value to overall properties around the area.

5. Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship, because: (The applicant must establish that 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.

NO hardship in the area and no change or impact on the structure of the house.  
We will be using the basement for the 1 unit we have space already parking

IV. 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 2 Number of employees per shift 2
- b. Hours and days of operation 8am to 4pm Monday-Friday
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors 0
- d. Number of daily and weekly commercial deliveries to the premises 0
- e. Number of parking spaces available 6
- f. Describe your general business operations:

Remodel house

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

we will only have renovations inside the house

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 points specifically mentioned are affected by action taken on this appeal.

[Signature]  
Signature of Applicant

03/13/23  
Date

Suscoti DeUke S  
Print Name

03/13/23  
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 \_\_\_\_\_



**City of Nashua**  
**Code Enforcement Department**  
229 Main Street  
Nashua, New Hampshire 03060-2019

Phone: 603-589-3100  
Fax: 603-589-3119  
WEB: [www.nashuanh.gov](http://www.nashuanh.gov)

---

### COMPLAINT INSPECTION DETAIL

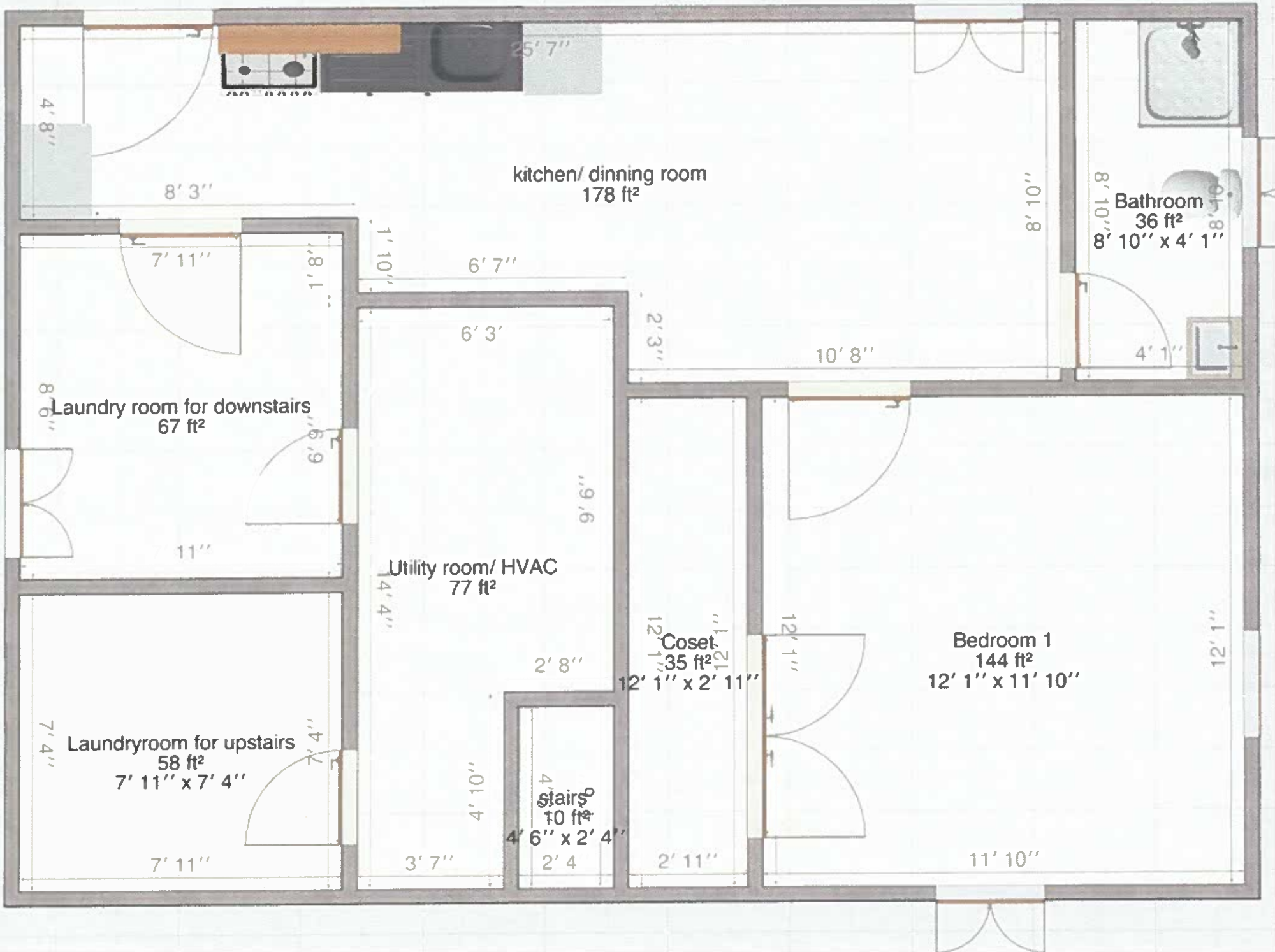
Location: 30 EAST DUNSTABLE RD  
Parcel #: 8532

Complaint #: 22-0075	Complaint Type: Code	Complaint Sub-Type: Housing Code Issues
----------------------	----------------------	---

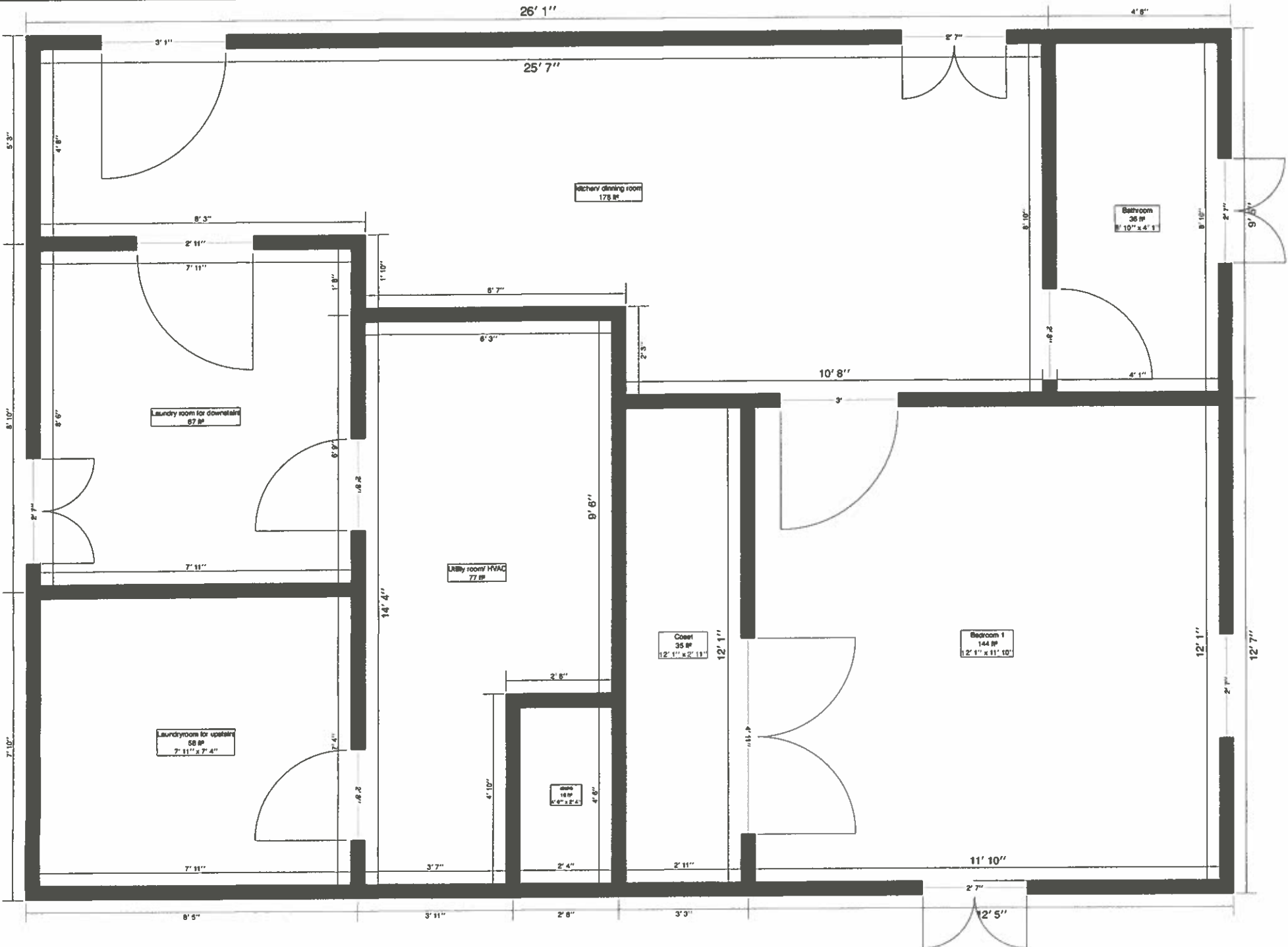
Inspection #: R22-0064-02  
Inspection Date: May 12, 2022  
Inspection Type: Code Enforcement Inspection  
Inspection Status: Substantiated  
Inspector: Kyle Metcalf

Inspection Comments:

Illegal unit in basement accessing has property listed as single-family, further check of the property file show nothing as far as permits to add second unit. Met owner they need to obtain variance if they want to keep second unit. investigation continues.
--









# 30 East Dunstable Rd

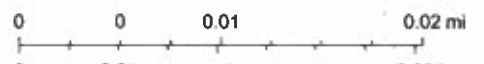


3/24/2023

Address Points

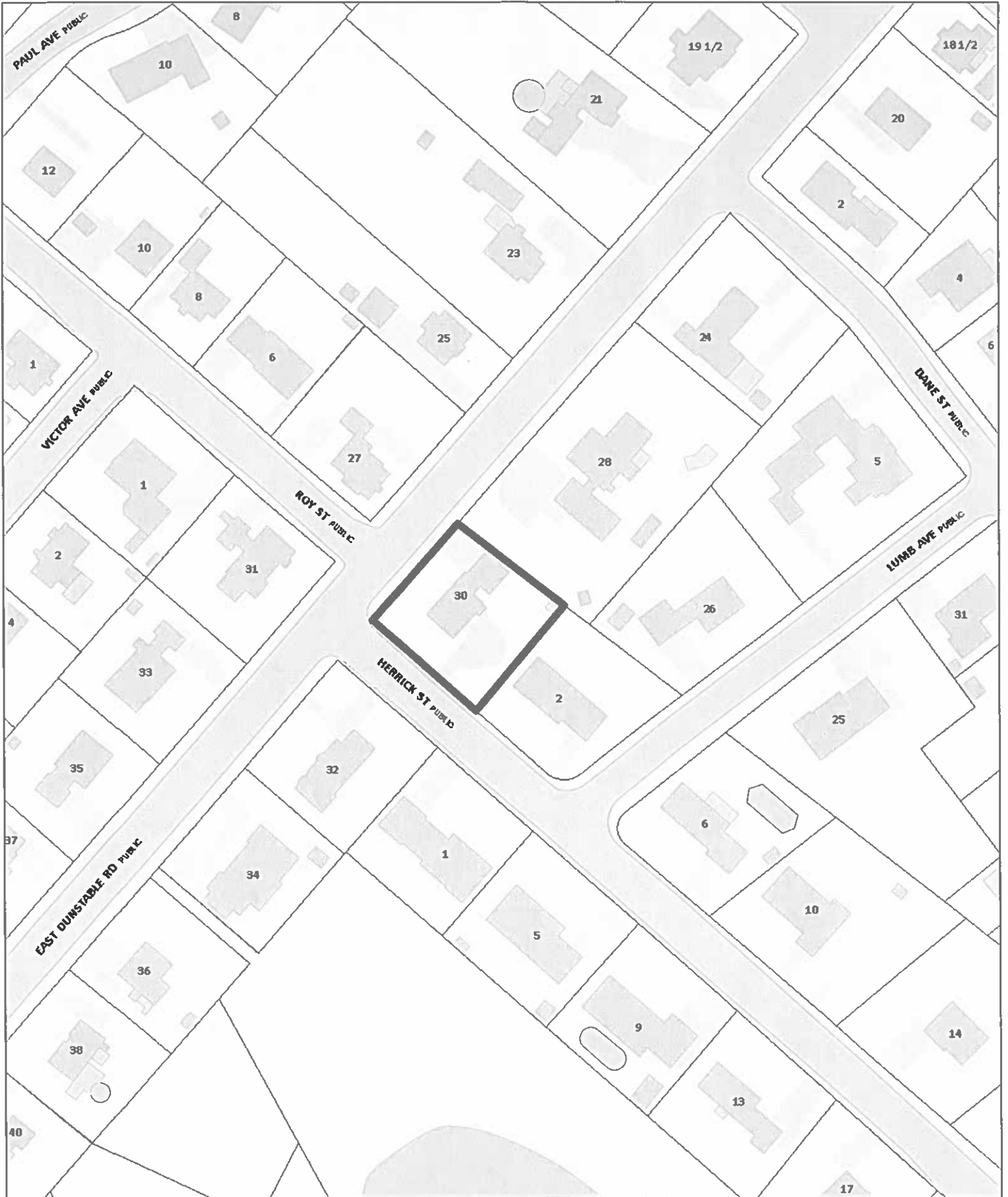
Road Names

1:560





# 30 East Dunstable Road



3/23/2023

Address Points

Road Names

1:1,121

