



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 7 East Dunstable

Zoning District RA Sheet 0109 Lot 00070

2. VARIANCE(S) REQUESTED:

Requesting variance for a total curb cut of 36' for driveways where 24' is allowed.  
(one driveway at 24' and one driveway at 12')

**II. GENERAL INFORMATION**

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

(Print Name): East Dunstable Properties - John Forcier

Applicant's signature [Signature] Date 3/23/23

Applicant's address 24 Merrimack St. Nashua NH 03064

Telephone number H: 603-882-6871 C: 603-235-0738 E-mail: johnforcier@comcast.net

2. **PROPERTY OWNER** (Print Name): East Dunstable Properties - John Forcier

\*Owner's signature [Signature] Date 3/23/23

Owner's address 24 Merrimack St Nashua, NH 03064

Telephone number H: 603-882-6871 C: 603-235-0738 E-mail: johnforcier@comcast.net

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

**OFFICE USE ONLY** Date Received \_\_\_\_\_ Date of hearing 4-11-2023 Application checked for completeness: CF

A# 23-0041 Board Action \_\_\_\_\_

S 336 application fee  #12836 Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

S 15 signage fee  Date Paid \_\_\_\_\_ Receipt # \_\_\_\_\_

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

Land Use Code Section(s) Requesting Variances From: 190-17 (E)(1)

**RECEIVED**  
**MAR 23 2023**

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.")

Allowing the additional 12' curb cut would not be contrary to the public interest. Each driveway would be on a separate road. one on Burnett and the other on East Dunstable. Neither would be over 24' and would fit the character of both streets

- 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.")

Granting this variance would not alter the character of the neighborhood nor threaten public health, safety or welfare in anyway.

- 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.)

Yes justice would be done by granting this variance. There would be no harm to the general public or any others if this was granted.

- 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.)

In no way would granting this variance diminish surrounding property values.

- 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.

This is a corner lot and due to the city requirement to have 2 front yard setbacks we are unable to fan the driveways.

**IV. USE VARIANCE ADDITIONAL INFORMATION** N/A

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
- d. Number of daily and weekly commercial deliveries to the premises
- e. Number of parking spaces available
- f. Describe your general business operations:

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

*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

Date

John Forcier

3/23/23

Print Name

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:

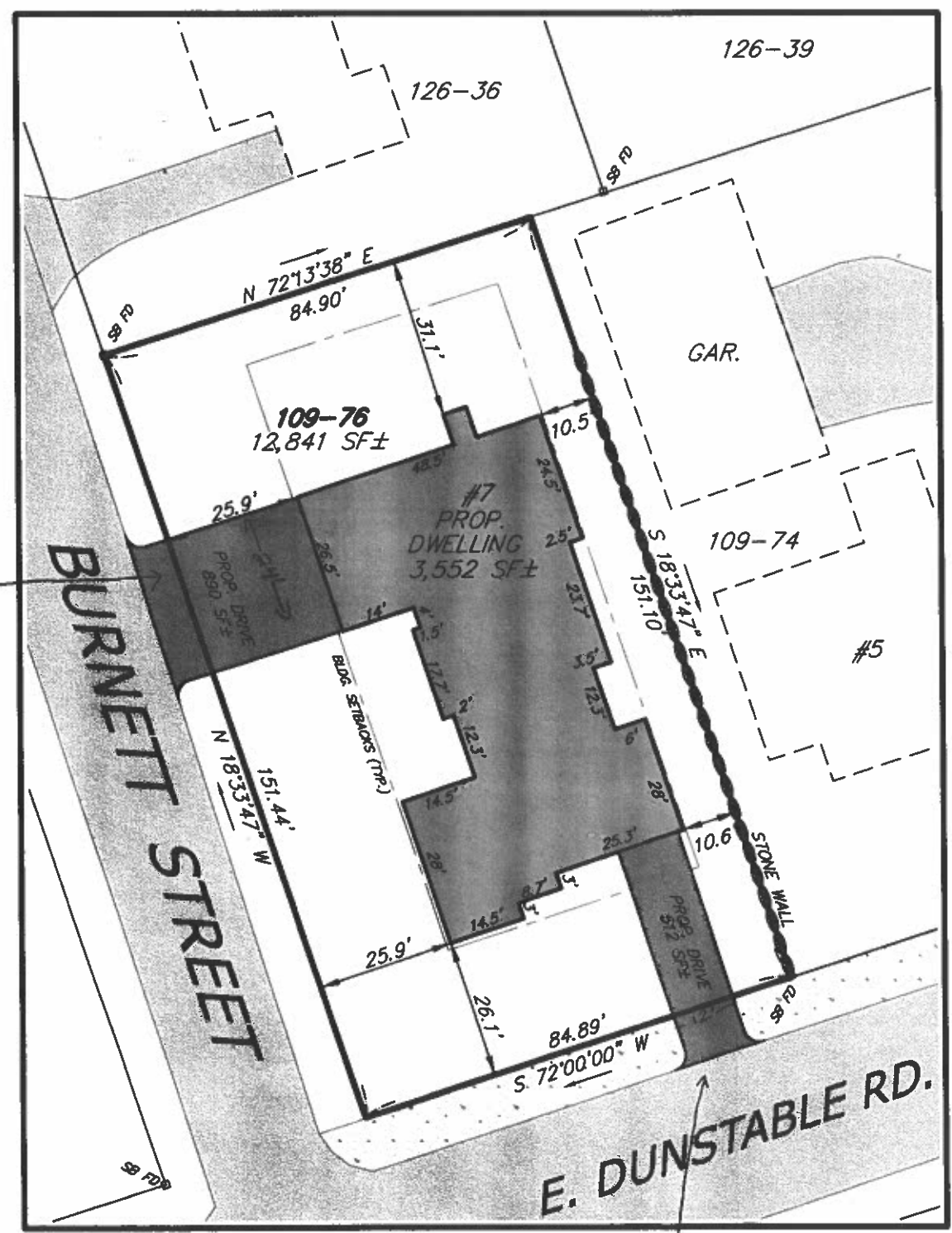
- I will pick it up at City Hall
- Please email it to me at
- Please mail it to me at

F  
7 EAST

M.

E. DU

PLAN NOTES:  
1.) PURPOSE OF THIS PLAN IS TO ILLUSTRATE  
THE LOCATION OF A PROPOSED DWELLING  
AT NASHUA LOT 109-76.

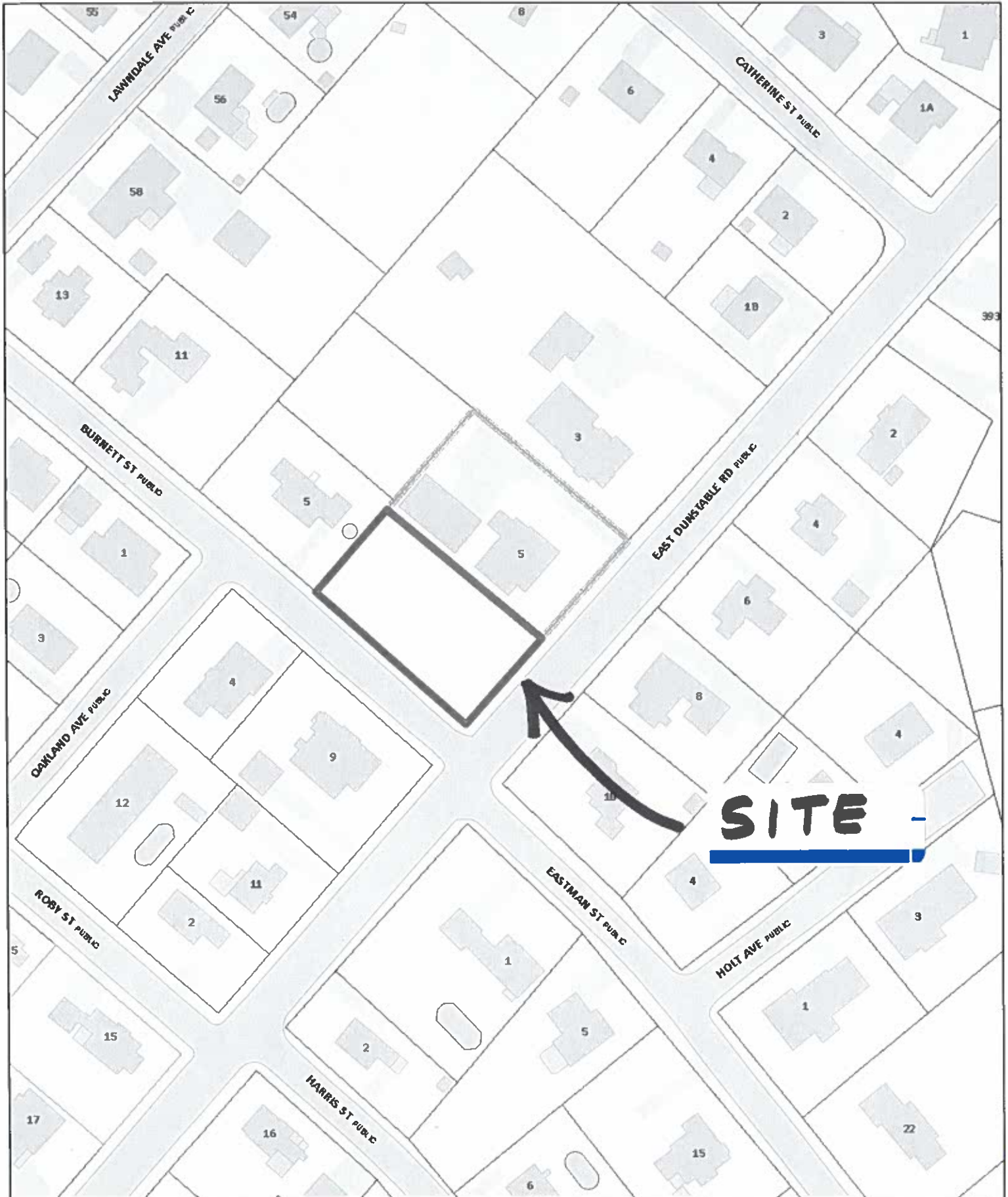


*requesting 12' wide*

*requesting  
12' wide*



# 7 East Dunstable Road



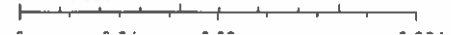
3/24/2023

Address Points

Road Names

1:1,121

0 0.01 0.01 0.03 mi



# 7 East Dunstable Road

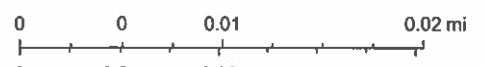


3/24/2023

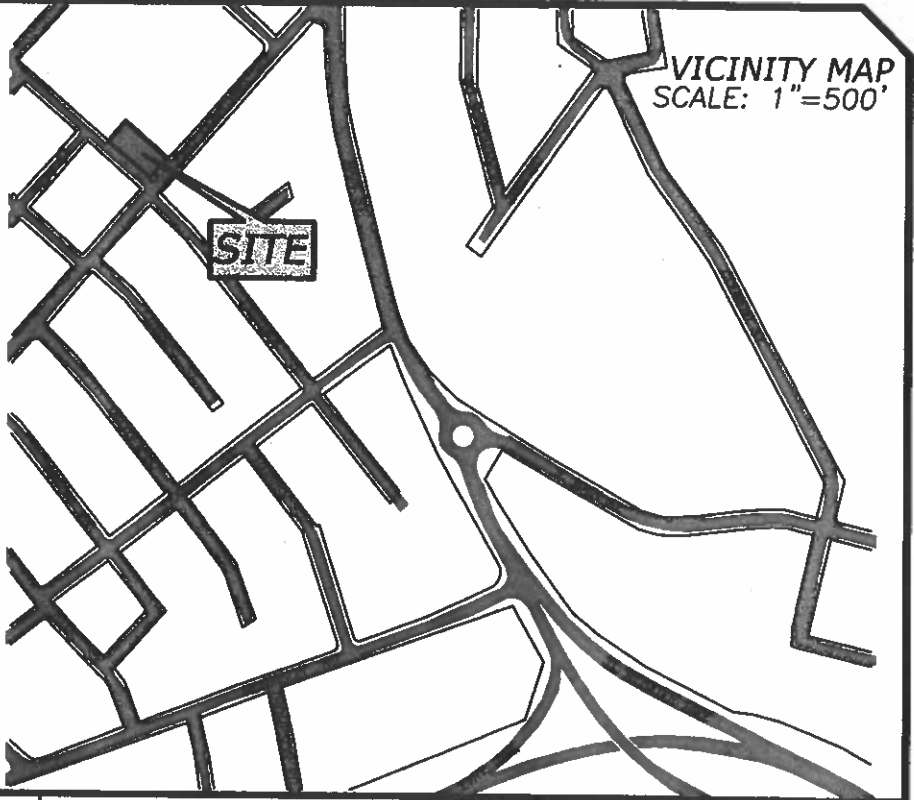
Address Points

Road Names

1:560



**PLAN OF LAND**  
**UNSTABLE ROAD**  
**ASHUA, NH**  
**LOT 76**  
 PREPARED FOR  
 TABLE PROPERTIES



REV. 2		BY:
REV. 1		BY:

**ZONING DISTRICT: R-A**  
**REQUIRED SETBACKS:**

FRONT - 25 FEET  
 SIDE - 10 FEET  
 REAR - 25 FEET

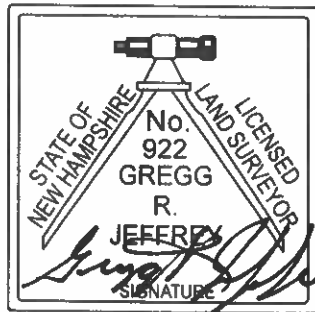
DEED REF: BK. 9605 PG. 453  
 PLAN REF.:

PLAN SCALE: 1"=30'  
 DATE: MAY 2022

JOB REF.: 022-035-MCLA

**I HEREBY CERTIFY:**

THAT THIS PLAN IS THE RESULT  
 OF AN INSTRUMENT SURVEY  
 AND THAT ALL MEASUREMENTS  
 HEREON ARE TO BE CONSIDERED  
 TRUE AND ACCURATE.



**JEFFREY LAND SURVEY LLC**

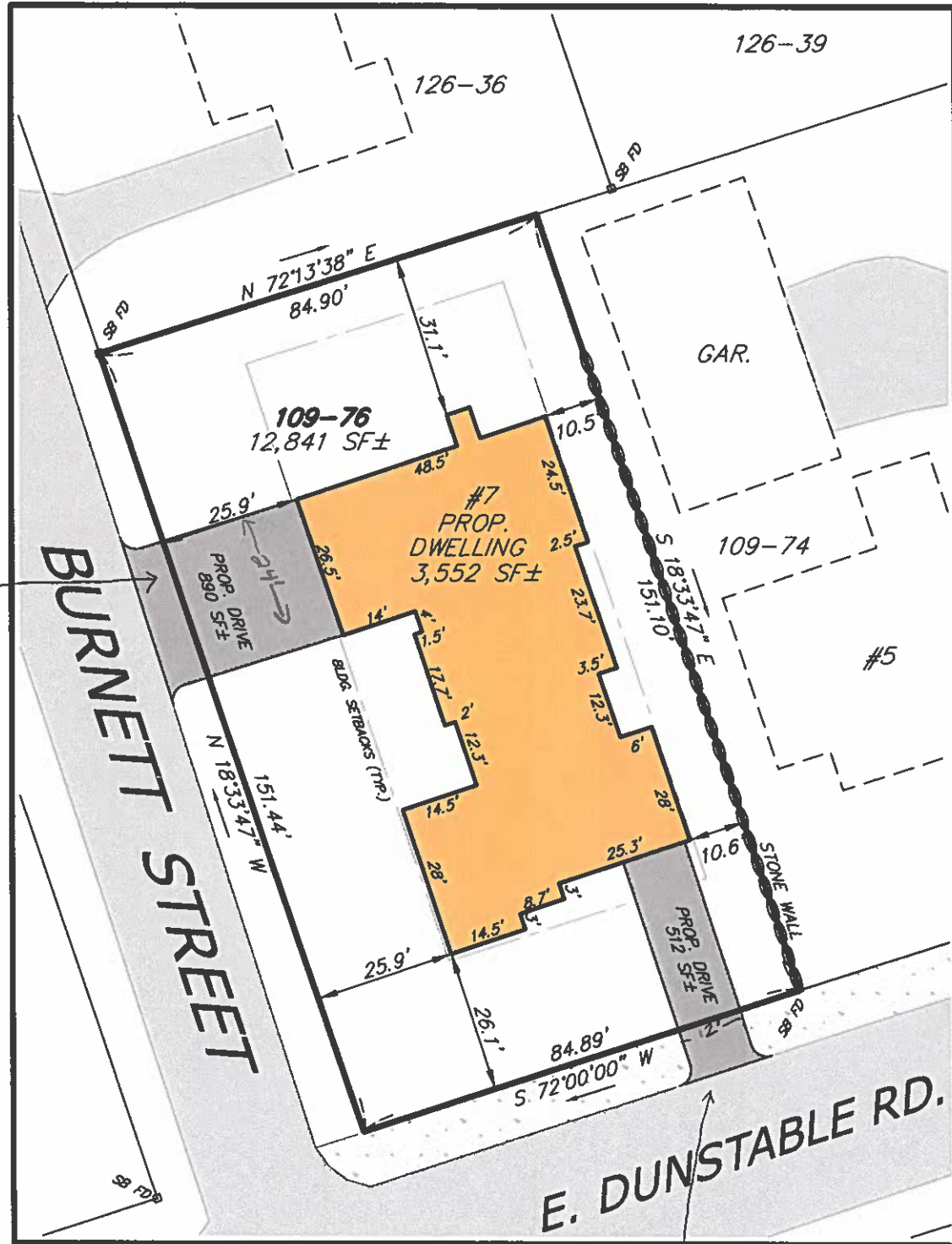
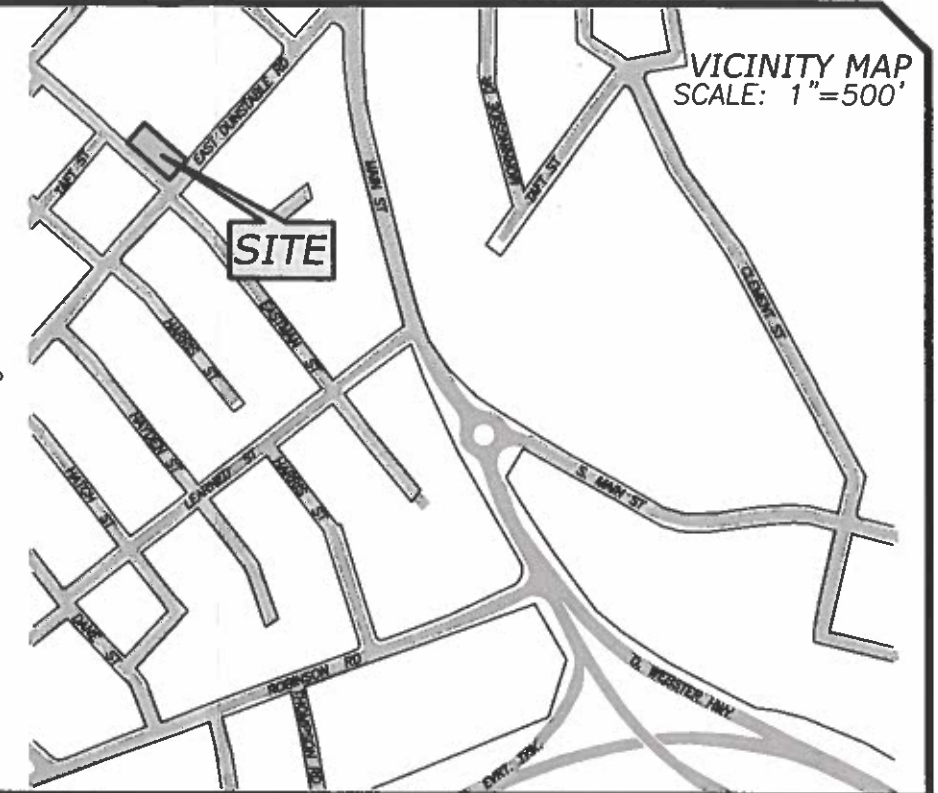
1 BURGESS DRIVE, LITCHFIELD, NH 03052  
 (603) 424-4089



**PLAN OF LAND  
7 EAST DUNSTABLE ROAD  
NASHUA, NH  
MAP 109 LOT 76  
AS PREPARED FOR  
E. DUNSTABLE PROPERTIES**

**PLAN NOTES:**

- PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE LOCATION OF A PROPOSED DWELLING AT NASHUA LOT 109-76.



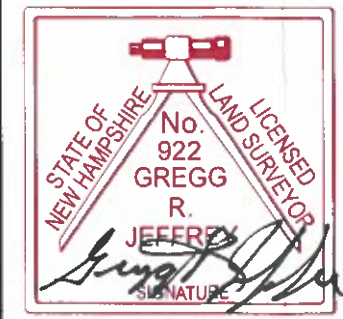
*requesting 24' wide driveway*

*requesting 12' wide*



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REV. 1		BY:

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REQUIRED SETBACKS:  
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