

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING
Tuesday, March 24, 2026

A public hearing of the Zoning Board of Adjustment was held on Tuesday, March 24, 2026 at 6:30 PM, at City Hall.

Jay Minkarah, Chair, asked for a Roll Call:

Jay Minkarah, Chair
Josh Nehiley, Vice Chair
JP Boucher
Steve Lionel
Joseph Patry - Alternate

Carter Falk, Deputy Planning Manager

Mr. Minkarah explained the Board's procedures, stating that the public is encouraged to submit their comments for future meetings via email to the Planning Department, which is zb@nashuanh.gov, or by mail, at P.O. Box 2019, Nashua, NH, 03061. Mr. Minkarah identified the points of law required for applicants to address relative to variances and special exceptions. Mr. Minkarah explained how testimony we will be given by applicants, those speaking in favor or in opposition to each request, as stated in the Zoning Board of Adjustment (ZBA) By-laws.

- 1. Devin L. & John C. Marshall (Owners) 6-8 Highland Street (Sheet 68 Lot 77) requesting variance from Land Use Code Section 190-16, Table 16-3 for minimum land area, 9,045 sq.ft existing, 10,455 sq.ft required, to convert third floor space in an existing two-family building into an additional dwelling unit for a total of three units (Approved at 5-24-2022 ZBA meeting, but has expired). RC Zone, Ward 3.**

Voting on this case:

Jay Minkarah
Josh Nehiley
JP Boucher
Steve Lionel
Joseph Patry

Devin Marshall, 7 Allds Street, Nashua, NH. Mrs. Marshall said that they bought the property knowing it had been approved, but did not have the funds to move forward with the work. She said that she submitted a package to the Board with all the relevant information in it. She said that it is their intention to come

into compliance.

Mr. Minkarah asked if that third floor space is vacant, or being used as part of the house.

Mrs. Marshall said it actually is being used as part of the house, one of the tenants is using it as a third-floor home office.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Lionel said that it is straightforward, the Board has approved it before, and doesn't see any reason to change.

Mr. Boucher said that in reading the meeting minutes, it's pretty clear that the use wouldn't create any more density, and that was the key when it was approved before, and it's still the same today, and is in support.

Mr. Minkarah agreed, and said that he is not aware of any changes that have occurred in the neighborhood or any reason that would cause a different outcome.

MOTION by Mr. Lionel to approve the variance application on behalf of the owner and applicant as advertised. Mr. Lionel stated that the granting of the variance would not be contrary to the public interest, the density difference is not all that significant and there will be no exterior changes to the building, and it is consistent with the neighborhood.

Mr. Lionel said that the request is within the spirit and intent of the Ordinance, because this is a reasonable use for the RC Zone, and the building is set up for the three units.

Mr. Lionel stated that substantial justice will be served, the property owner bought the property under the condition that the third unit had already been approved, they weren't able to complete the work, and they're just renewing the variance.

Mr. Lionel stated that the Board did not have any testimony about the value of surrounding properties being diminished, but believe that property values will not be diminished by this request.

Mr. Lionel stated that for unnecessary hardship, owing to special conditions of the property that distinguish it from other properties in the area, the Board previously approved this variance, and there is not a fair and substantial relationship between the general public purpose of the ordinance provision, and denying the variance.

SECONDED by Mr. Boucher.

MOTION TO APPROVE CARRIED UNANIMOUSLY 5-0.

2. Clint & Mary S. Licqurish (Owners) 19 Vista Way (Sheet D Lot 23) requesting special exception from Land Use Code Section 190-112 to work in a wetland buffer to remove 21 trees identified as a danger to the house. R40 Zone, Ward 5.

[POSTPONED TO 4-14-26 MEETING/ CONSERVATION COMMISSION 2nd OPINION REQUEST]

MISCELLANEOUS:

REGIONAL IMPACT:

The Board did not see any cases that would have Regional Impact.

MINUTES:

March 10, 2026:

Mr. Patry said on page 6, the last full paragraph that starts with Mr. Lionel stated for unnecessary hardship, line 8, near the end, the clause "because the density requirement", it reads strange. He said that perhaps it can just be deleted.

Mr. Lionel said he is ok to remove it.

MOTION by Mr. Patry to approve the minutes with the aforementioned revision, waive the reading, and place the minutes in the file.

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SECONDED by Mr. Lionel.

MOTION CARRIED UNANIMOUSLY 4-0 (Mr. Minkarah abstained).

REHEARING REQUESTS:

None.

ADJOURNMENT:

MOTION by Mr. Lionel to adjourn the meeting at 6:40 p.m.

SECONDED by Mr. Patry.

MOTION CARRIED UNANIMOUSLY 5-0.

Submitted by: Mr. Falk, Clerk.

CF - Taped Hearing