

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING  
Tuesday, May 26, 2026

A public hearing of the Zoning Board of Adjustment was held on Tuesday, May 26, 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](mailto: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. Robert Sousa & Cynthia Pouliot (Owners) 3 Lynn Street (Sheet 6 Lot 30) requesting variance from Land Use Code Section 190-264 to exceed maximum accessory use area, 40% permitted, 30% existing - 76% proposed, to construct a 16'x36' in-ground swimming pool. R9 Zone, Ward 7.**

Voting on this case:

Jay Minkarah  
Josh Nehiley  
JP Boucher  
Steve Lionel  
Joseph Patry

Rob & Cynthia Sousa, 3 Lynn Street, Nashua, NH. Mr. Sousa said that they are requesting a variance to exceed the 40% minimum accessory use percentage. He said that they have a large shed, and the house is small, and with the proposed pool, it is over the allowed percentage.

Mrs. Sousa said it is a large yard, it's a double lot. She said

that she's recently had two shoulder surgeries, and her doctor submitted a letter stating that it would be very beneficial to have the swimming pool for rehabilitation, and all of the abutters have submitted letters in favor as well.

Mr. Sousa said that the pool will meet side and rear yard setbacks.

**SPEAKING IN FAVOR:**

Mr. Minkarah read letters in support from the following:

New Hampshire Orthopedic Center, 17 Riverside Street, Nashua, NH.

Mark & Caroline Russon, 1 Lynn Street, Nashua, NH.

Cynthia DeSimone, 7 Lynn Street, Nashua, NH.

Eleanor Hughes, 90 Taylor Street, Nashua, NH.

Michael & Stacey Atkinson, 4 Lynn Street, Nashua, NH.

**SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:**

No one.

**END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:**

Mr. Lionel said that he sees no reason to object to this application.

Mr. Boucher agreed, and said that it is a unique lot, and the placement of the pool is the most ideal location on the lot, where it doesn't impact anybody, and pools are normal accessory uses, and the shed is large.

Mr. Minkarah agreed, and said that pools are fairly common uses in residential areas, and there is no possible way they could install one without a variance.

**MOTION** by Mr. Lionel to approve the variance application on behalf of the owner as advertised. Mr. Lionel stated that the granting of the variance would not be contrary to the public interest, because of the location of the pool, and the yard is fenced in on all sides, and there should be no harm to the public.

Mr. Lionel said that the request is within the spirit and intent of the Ordinance, because pools are permitted uses, it's a large lot with a smaller sized house, therefore, the accessory use percentage is exceeded.

Mr. Lionel stated that substantial justice will be served, they have a medical reason for it, and pools are not unusual.

Mr. Lionel stated that the Board has no reason to believe that the property values of surrounding properties will be diminished, the Board has letters of support from all of the surrounding neighbors.

Mr. Lionel stated that owing to special conditions of the property that distinguish it from other properties in the area, because of the large lot size, denial of the variance would result in unnecessary hardship because the owners would not be able to put in the pool that they want to use for medical reasons, and there is not a fair and substantial relationship between the general public purpose of the ordinance and the specific application of that provision, therefore, the motion is to approve this application.

**SECONDED** by Mr. Patry.

**MOTION CARRIED UNANIMOUSLY 5-0.**

**2. Law Realty Co, Inc. (Owner) Jason Parillo, Bluebird Graphic Solutions (Applicant) 338 Amherst Street (Sheet G Lot 98) requesting the following variances: 1) from Land Use Code Section 190-108 (C)(1), to exceed maximum wall sign area, 150 sq.ft permitted, 171.4 sq.ft proposed; and, 2) from Land Use Code Section 190-108 (E)(2), to exceed maximum number of wall signs, 3 permitted, 5 proposed. GB Zone, Ward 1.**

Voting on this case:

Jay Minkarah  
Josh Nehiley  
JP Boucher  
Steve Lionel  
Joseph Patry

Jason Parillo, Bluebird Graphic Solutions, 17 Everberg Road, Woburn, MA. Mr. Parillo said that they are requesting five wall signs, where three are allowed, and for 171 square feet of wall

signage, where 150 square feet is allowed. He said that the use will be the Nashua ER campus of Catholic Memorial Center, it is a 24-hour emergency medical facility.

Mr. Parillo said that the number and size of these signs are essential for the public, due to the services provided by this facility. He said that they're asking for a sign that says Nashua ER that faces Amherst Street, two signs that just say ER on the corner of the building, and then there is a sign over the entrance, inside the parking lot, that says Nashua ER, and another sign that says Emergency. He said that the signs are meant to guide the public to this facility, it is a busy roadway and want to guide the public to the proper entrance.

Mr. Parillo said that the drawings show a couple other wall signs that city staff indicated would not count towards the signage, as they would not be seen from the right-of-way, and a couple small directional signs that meet the ordinance.

**SPEAKING IN FAVOR:**

No one.

**SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:**

No one.

**END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:**

Mr. Nehiley said that this case reminds him of one the Board heard about a year ago, for the Southern NH Medical Center, when they came in and changed all their signage. He said the discussion at that time, as now, is that it is critical for folks to find where they're going, especially on Amherst Street, if you miss the turn, there is no quick turnaround to go back, so for safety reasons, these signs are necessary for wayfinding. He said that the signage they're requesting will not overwhelm the area, it is a busy area, and it is critical that they have these wayfinding signs, and is fully in support.

Mr. Minkarah agreed, and said that if this were a multi-tenant building like the ones next to it, they would be allowed this amount of signage, and there is a lot of sign competition in the area, so it makes sense. He said there is some common access with the adjacent properties, so it's important that it's clear.

**MOTION** by Mr. Nehiley to approve the variance application on behalf of the owner as advertised, with both requests considered collectively. Mr. Nehiley stated that the granting of the variance would not be contrary to the public interest, because due to public safety, it is critical to have an appropriate amount of signage for this type of building, also, Amherst Street is a busy corridor, and it's critical for anyone looking for the ER, that they make the appropriate decision on when to turn into the parking lot, because if it's missed, there is no easy way to come back.

Mr. Nehiley said that the request is within the spirit and intent of the Ordinance, this area is heavily signed, and it's critical that this amount of signage is here for a customer to see where the ER is located.

Mr. Nehiley stated that substantial justice will be served, it is critical that this business have the ability to advertise their service, it is a human health situation as well, so it's critical that patients find the location in a timely manner.

Mr. Nehiley stated that the Board has no reason to believe that the property values of surrounding properties will be diminished, it is an area with a lot of signs and new buildings being constructed in the area.

Mr. Nehiley stated that for unnecessary hardship, with the design of Amherst Street being a one-way, highly traversed area, there is no way for a potential customer who misses the turn to get back quickly, so it is critical due to where this is located amongst a lot of other businesses that anybody who is trying to enter the ER be able to find it in a timely manner as a public health issue.

**SECONDED** by Mr. Patry.

**MOTION TO APPROVE CARRIED UNANIMOUSLY 5-0.**

**MISCELLANEOUS:**

**REGIONAL IMPACT:**

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

**MINUTES:**

May 12, 2026:

Mr. Minkarah said on page 4, down near the bottom with the paragraph that starts with Mr. Minkarah asked if there is any vernal pools in the directly impacted area, it says Mr. Borowski agreed. He said he thought he said no, and it should say that Mr. Borowski replied in the negative, or said no.

Mr. Minkarah said on the same page, he asked about the data check, and said it should read Mr. Borowski said, cross out "it is", the NH Bureau of Endangered Species, data check has already been run when DES permitted the original crossing, and would cross out "and the check had already been run", and then pick it up again at to see.

**MOTION** by Mr. Nehiley to approve the minutes with the aforementioned revisions on page 4 as noted by Mr. Minkarah, waive the reading, and place the minutes in the file.

**SECONDED** by Mr. Patry.

**MOTION CARRIED UNANIMOUSLY 5-0.**

**REHEARING REQUESTS:**

None.

**ADJOURNMENT:**

**MOTION** by Mr. Lionel to adjourn the meeting at 6:51 p.m.

Submitted by: Mr. Falk, Clerk.

CF - Taped Hearing