

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING
Tuesday, June 23, 2026

A public hearing of the Zoning Board of Adjustment was held on Tuesday, June 23, 2026 at 6:30 PM, at City Hall.

Josh Nehiley, Vice Chair, asked for a Roll Call:

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

Carter Falk, Deputy Planning Manager

Mr. Nehiley 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. Nehiley identified the points of law required for applicants to address relative to variances and special exceptions. Mr. Nehiley 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. Mr. Nehiley said that with four members present, a 2-2 vote is not approved, as there must be three affirmative votes in favor.

- 1. Peter Breen & John Thomas Breen (Owners) 3 March Street (Sheet A Lot 476) requesting variance from Land Use Code Section 190-16 (E) (2) (a) (4), to encroach an additional 1 foot into the 25 foot required front yard setback for a protective overhang roof over front door, where a 3-foot extension is permitted. RA Zone, Ward 7.**

Voting on this case:

Josh Nehiley
JP Boucher
Steve Lionel
Joseph Patry

Peter Breen, 3 March Street, Nashua, NH. Mr. Breen stated that they are requesting a variance for a front porch over the front door, the purpose of it is to increase safety, comfort and aesthetics of the home. He said that this past winter was their first at the home, and realized that the snow melting off the roof continuously dripped on the front stairs, creating a sheet of ice,

resulting in daily winter maintenance to keep it safe. He said that a front porch roofed structure would greatly help in solving this issue, additionally, the current stairs are not code compliant, safe, or comfortable. He said that several people have tripped going in or out of the house. He said that the project is part of an overall effort to increase the aesthetic appeal of the home, and pointed out a rendering that would show the proposed curb appeal.

Mr. Breen said that the house is in the RA zone, and it was constructed right at the front yard setback, as shown on the plot plan. He said that the Land Use Code does allow for a minor encroachment into the front yard setback of up to 3 feet into the setback, and this plan would be 4 feet into the setback, resulting in the variance for the additional one foot. He said that by following the City code to meet the setback, they decided to apply for the variance instead, as the proposed roof structure measures 48 inches from the house, and the main platform is 42 inches away from the building, and when designing it, based it upon real world examples, and the roof should extend slightly beyond the platform, to keep it protected as much as possible from the elements. He said that if the roof were to meet Code, and only extend 36 inches, it would make the main platform 30 inches, which does not allow for a standard sized storm door to swing outward to meet Code. He said that the request for one additional foot is reasonable.

SPEAKING IN FAVOR:

Mr. Nehiley read an email in support from:

Michael Sheahan, 4 March 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 is in support, it is reasonable and in keeping with the neighborhood, and the applicant clearly expressed the reasons why it was not appropriate to stay within the three foot encroachment that is allowed.

Mr. Nehiley said that he agrees with Mr. Lionel's comments, and it is standard for a four foot landing. He said he has a similar

style house as the applicant, and understands how water sheets down from the roof. He said that the applicants house sits a little bit forward on the lot than most other houses in the area, and they had no other options.

MOTION by Mr. Patry to approve the variance application on behalf of the owner as advertised. Mr. Patry stated that the granting of the variance would not be contrary to the public interest, it would be a minor encroachment, and would improve the owners use and safety of the property.

Mr. Patry said that the request is within the spirit and intent of the Ordinance, because it would be a minor encroachment that would not impact the neighborhood.

Mr. Patry stated that substantial justice will be served, as the encroachment will allow the owners to more fully and safely use their property.

Mr. Patry 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. Patry stated that for unnecessary hardship, owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because there is not a fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property, because of the unique placement of the house on the property, and the minor encroachment it causes, and the Board finds that the proposal is reasonable because it fits in with a lot of the other properties in the neighborhood.

SECONDED by Mr. Lionel.

MOTION TO APPROVE CARRIED UNANIMOUSLY 4-0.

2. Pedro Filgueira & Karla Chamoun (Owners) 8 Parker Drive (Sheet C Lot 346) requesting variance from Land Use Code Section 190-16, Table 16-3, to encroach 6 feet into the 40 foot required front yard setback to construct a 6'x8' front entryway addition. R40 Zone, Ward 5.

Voting on this case:

Josh Nehiley

JP Boucher

Steve Lionel

Joseph Patry

Karla Chamoun, 8 Parker Drive, Nashua, NH. Mrs. Chamoun said that her house was constructed in 1967, and wants to construct a front entryway to her home, it will help in the winter for everyone in the house, especially for her son while waiting on the school bus in the winter. She said that this will help with heating bills, as with the extra front door, when the front door opens, if there is the entryway, the air will stay in the new entryway addition. She said it will help in organizing the home, as there is a lot of shoes, jackets, boots in the dining room and kitchen. She said that the main reason is for better shelter for her son coming and going to the bus stop, and for better organization in the home. She said it will not detract from the neighborhood, and will look good.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Boucher said that he is in support of the application, the proposed use is similar to the first case, for some more permanent cover over the front door. He said that the unique part of this is that the house is 40 feet back, it's a 40 foot front yard setback, but in looking at these houses, a lot of them on the street are set back far, and adding a 6'x8' front entryway will not be noticed from the street if it's in the setback, and it's a reasonable use.

Mr. Nehiley agreed, it's not out of the character with the neighborhood, and the way that this house is located on the lot, it's somewhat kitty-cornered, and if it were straighten to the street, they probably wouldn't even be here.

MOTION by Mr. Boucher to approve the variance application on behalf

of the owner as advertised. Mr. Boucher stated that the granting of the variance would not be contrary to the public interest, because the ask is for a minor encroachment into the 40 foot front yard setback.

Mr. Boucher said that the request is within the spirit and intent of the Ordinance, it is a minor encroachment, and the character of the neighborhood will be maintained.

Mr. Boucher stated that substantial justice will be served, as the homeowner would be able to use their property in a more meaningful way.

Mr. Boucher stated that the Board has no reason to believe that the property values of surrounding properties will be diminished.

Mr. Boucher stated that for unnecessary hardship, owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship, as the home sits back 40-plus feet, and it is at an angle, and the Board finds that the request is reasonable due to the size of the lot and the placement of the home.

SECONDED by Mr. Lionel.

MOTION TO APPROVE CARRIED UNANIMOUSLY 4-0.

3. Andrew Rissler & Lori-Ann Dionne (Owners) 55 Conant Road (Sheet C Lot 2980) requesting variance from Land Use Code Section 190-16, Table 16-3 to encroach 6 feet into the 30 foot required rear yard setback to remove an existing 10'x12' deck and replace it with a 14'x20' deck. R9 Zone, Ward 5.

Voting on this case:

Josh Nehiley
JP Boucher
Steve Lionel
Joseph Patry

Lori-Ann Rissler, 55 Conant Road, Nashua, NH. Mrs. Rissler said that they'd like to replace their old 10'x12' deck with a new 14'x20' deck. She said that the existing deck is made out of wood, it's worn out and rotting, and is a safety hazard. She said that they'd like to rebuild it, but slightly larger, off the back of

the house. She said that their rear property line is not square to the back of the house, it sits at an angle, so one corner of the deck would be closer to the property line, as shown in the submitted drawings.

Mrs. Rissler stated that the deck would be open, and elevated above the basement door, it will not be enclosed. She said that their neighbors all wrote letters in support. She said it will not be out of character with the neighborhood, and will not block anyone's view, and it will not negatively impact anyone's property values, and the deck is a modest increase in size.

SPEAKING IN FAVOR:

Mr. Nehiley said that there are letters in support from the following:

John Larsen, 7 Cherokee Avenue, Nashua, NH.

Leah Gibbons, 3 Cherokee Avenue, Nashua, NH.

Patricia Shaughnessy, 57 Conant Road, Nashua, NH.

John Mack, 53 Conant Avenue, Nashua, NH.

Cynthia Thompson, 5 Cherokee Avenue, Nashua, NH.

Victor Soucy, 54 Conant Road, Nashua, NH.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Nehiley stated that the owners have done a great job with this house, and have really cleaned it up a lot. He said that the house is larger, so the larger deck will fit nicely on the back. He said that almost all the abutters are in support, and there is no opposition.

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 many of the neighbors have expressed support, and will not

interfere with anyone else's views.

Mr. Lionel said that the request is within the spirit and intent of the Ordinance, as the new deck will not be out of character for the size of the house and the neighborhood.

Mr. Lionel stated that substantial justice will be served, it will allow the owners to enjoy a reasonable sized deck on the back of the house.

Mr. Lionel stated that the Board has no reason to believe that the property values of surrounding properties will be diminished, many of the neighbors are in support.

Mr. Lionel stated that for unnecessary hardship, that owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because there is not a fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property, the increase in the size of the deck will not be out of character with the neighborhood, or cause any issues.

SECONDED by Mr. Boucher.

MOTION TO APPROVE CARRIED UNANIMOUSLY 5-0.

- 4. 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 40-foot critical wetland buffer to remove 21 trees identified as a danger to the house. R40 Zone, Ward 5.**

[POSTPONED PER APPLICANT REQUEST TO 7-28-26]

- 5. Mayra E. & Jorge Gomez (Owners) 6-8 Mulberry Street (Sheet 82 Lot 2) requesting variance from Land Use Code Section 190-16, Table 16-3, to encroach 6 feet into the 20 foot required rear yard setback to construct an attached 11'x20' home addition. RC & D-1/MU Zones, Ward 4.**

Voting on this case:

Josh Nehiley

JP Boucher
Steve Lionel
Joseph Patry

Jorge Gomez, 6-8 Mulberry Street, Nashua, NH. Mr. Gomez said that they're looking for approval for an addition for their daughter on the back of the house.

Mr. Lionel asked if the addition is in line with the back of the house.

Mr. Gomez said yes.

Mr. Lionel said that the house is already within the setback of the lot line, and the addition looks to be farther from the lot line from the back of the house.

Mr. Gomez agreed.

Mr. Nehiley said it looks like they'd fill in an open spot in the back, so it would be squaring off the house in the back.

Mr. Lionel said that the lot is small, and the house is well within the setback.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Boucher said that he is in support of the application, they are just squaring off the back of the house with the addition. He said that it is not unreasonable to put on the addition, and it will be less into the setback than the house is, and it's a small lot.

Mr. Nehiley said that he is in support, and the neighboring properties are all up to their property lines as well, and there is no opposition. He said it's an older section of the City, with a trapezoidal shaped lot.

MOTION by Mr. Patry to approve the variance application on behalf of the owner as advertised. Mr. Patry stated that the granting of the variance would not be contrary to the public interest, because it would be a minor encroachment, and given the size of the lot and the placement of the house, it is the only place where the owners could add on to their house.

Mr. Patry said that the request is within the spirit and intent of the Ordinance, it is a minor encroachment that would otherwise not fit on the lot.

Mr. Patry stated that substantial justice will be served, as it will allow the owners to fully utilize their property in a way that will not impact any of the neighbors.

Mr. Patry stated that the Board has no reason to believe that the property values of surrounding properties will be diminished.

Mr. Patry stated that for unnecessary hardship, owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because there is not a fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property, because of the unique placement of the house on the property, and it is a minor encroachment, and the Board finds that the proposal is reasonable, and it allows the owner to fully utilize their property.

SECONDED by Mr. Lionel.

MOTION TO APPROVE CARRIED UNANIMOUSLY 4-0.

6. Brian & Dawn Mrotek (Owners) 53 Langholm Drive (Sheet C Lot 482) requesting variance from Land Use Code Section 190-264 to exceed maximum accessory use area, 40% permitted, 31% existing - 55% proposed, to construct a 10'x20' shed and a 10'x16' shed. R9 Zone, Ward 7.

Voting on this case:

Josh Nehiley

JP Boucher

Steve Lionel

Joseph Patry

Dawn Mrotek, 53 Langholm Drive, Nashua, NH. Mrs. Mrotek said that they're looking to add two new sheds. She said that they have a split-level home, so there is not a lot of storage. She said that they would not be here for the variance if their garage was attached to the house. She said it's less expensive to have two sheds than to attach the garage to the house. She said that she has an email thread from all her neighbors in support, and passed it out to the Board. She said that the sheds will be built by Reeds Ferry Sheds, so they'll be aesthetically pleasing to the neighborhood.

Mrs. Mrotek said that the 10'x16' shed will be replacing the existing shed behind the garage, which was there when they bought the house and therefore it needs to be replaced, and it'll be a little bit larger, and add value to the neighborhood.

SPEAKING IN FAVOR:

Mr. Nehiley said there were some folks who testified by a text message, with no addresses, and some with only a first name:

Dale

Donny White

Joe Clemente

Melanie McVay

Adam Antaki, 52 Langholm Drive, Nashua, NH

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

Patrick Hogan, 10 Shetland Drive, Nashua, NH. Mr. Hogan said he abuts the City right-of-way that abuts their property. He said that his concern is that by them putting up two structures this size will take away from the neighborhood. He said he was not addressed in that email thread. He said he believes that these two structures will devalue the neighborhood. He said that the Board should not approve this variance.

Mr. Boucher stated that if the garage was attached, they could have put up the sheds by right, it's the way the calculations are

done, it's one of the nuances of the Land Use Code.

Mr. Nehiley asked if there is a fence, or tree line, between the properties, or can you just look straight into the yard.

Mr. Hogan said that it's a city right-of-way to clean out drainage, and said he can look directly into the property, there are a few trees.

SPEAKING IN FAVOR - REBUTTAL:

Mrs. Mrotek said that the neighbor's house is a fair distance away, there is a little stream there, the City property, and a tree line. She said that the shed that Mr. Hogan would be looking at is their old shed, so a new shed would be much more aesthetically pleasing to look at. She said the shed in the front would not be in sight of his home, but is in sight of everyone who sent a message in favor from.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS - REBUTTAL:

Mr. Hogan asked that if the new shed is put up, will the old one be taken down.

Mr. Nehiley said that the old shed would be replaced.

Mr. Hogan asked if the shed just built would be gone.

Mr. Nehiley said there would be two new sheds, one in the front and one in the back.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Patry said it is a reasonable request, and if the garage was attached, they wouldn't be here.

Mr. Boucher said that he is in favor, and understands the abutting neighbors concern. He said that it would be a brand new shed from Reeds Ferry, they are very nice, and it will look pleasing to the neighborhood. He said it will be aesthetically better, and will be an improvement, and is in support.

Mr. Nehiley said that he is in support, and the Board is aware of Reeds Ferry Sheds. He said it will be in the same spot on the yard, and the extra shed is towards the front, where it is busier.

He said he is not opposed to the two sheds, and it is a house without a lot of storage, also, the lot is very oddly shaped.

MOTION by Mr. Boucher to approve the variance application on behalf of the owner as advertised. Mr. Boucher stated that the granting of the variance would not be contrary to the public interest, because sheds are customary accessory structures.

Mr. Boucher said that the request is within the spirit and intent of the Ordinance, having sheds is customary, and the property is unique due to the detached garage.

Mr. Boucher stated that substantial justice will be served, as it will allow the owner to store items in the sheds due to the lack of storage they have in their home.

Mr. Boucher stated that the Board has no reason to believe that the property values of surrounding properties will be diminished.

Mr. Boucher stated that for unnecessary hardship, owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship, because there is no fair and substantial relationship between the public purpose of the ordinance provision and the specific application of that provision, and the property is oddly shaped, the garage is detached, and the use is reasonable for the owner to gain some storage.

SECONDED by Mr. Patry.

MOTION TO APPROVE CARRIED UNANIMOUSLY 4-0.

7. EJR Homes, Inc. (Owner) 6 Arlington Street (Sheet 26 Lot 21) requesting variance from Land Use Code Section 190-16, Table 16-3 for minimum land area, 4,825 sq.ft exists, 6,970 sq.ft required - to convert a single-family home into a two-family home. RC Zone, Ward 7.

Voting on this case:

Josh Nehiley
JP Boucher
Steve Lionel
Joseph Patry

Saul Armani, 6 Arlington Street, Nashua, NH. Mr. Armani said he works with the owner managing properties, but the owner is not present. He said that the house is an existing single-family house, on a street with multiple mixed properties, two-family, multi-family and five-family buildings there, and they are looking to convert the building into a two-family. He said that the lot size is a little short, but given that the surrounding homes all have similar scenarios, the request is reasonable.

Mr. Boucher asked if the footprint would change.

Mr. Armani said that is correct, it wouldn't change.

Mr. Boucher asked if the garage in the back would stay.

Mr. Armani said it would go, it would be used for parking.

Mr. Boucher asked if the addition in the back left would be part of the renovation.

Mr. Armani said yes.

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 it is a busy lot, and when you drive by, a two-family building is definitely in character with the neighborhood, and loves the plan they've come up with, it's upgrading the property, and they're certainly adding additional parking as well, and appreciates what the owner is doing, and this will add some more housing stock in the neighborhood.

MOTION by Mr. Patry to approve the variance application on behalf of the owner as advertised. Mr. Patry stated that the granting of the variance would not be contrary to the public interest, because the overall footprint of the property will not change, and this is a crowded residential neighborhood, and it will not change the character of the neighborhood.

Mr. Patry said that the request is within the spirit and intent of the Ordinance, it will be a minor change to an already busy and crowded neighborhood.

Mr. Patry stated that substantial justice will be served, it will increase the housing stock in the area.

Mr. Patry stated that the Board has no reason to believe that the property values of surrounding properties will be diminished, in fact, they should be increased, as the plan will allow for more parking on the property, and will increase the overall value of the property.

Mr. Patry stated that for unnecessary hardship, owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because there is not a fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property, because granting the variance would not change the footprint of the property, and would not negatively impact the neighborhood, and the Board finds that the proposal is reasonable, because this will not change the character of the neighborhood.

SECONDED by Mr. Lionel.

MOTION TO APPROVE CARRIED UNANIMOUSLY 4-0.

MISCELLANEOUS:

REGIONAL IMPACT:

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

MINUTES:

June 9, 2026:

MOTION by Mr. Patry to approve the minutes as submitted, waive the reading, and place the minutes in the file.

SECONDED by Mr. Lionel.

MOTION CARRIED UNANIMOUSLY 4-0.

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REHEARING REQUESTS:

None

ADJOURNMENT:

MOTION by Mr. Lionel to adjourn the meeting at 7:32 p.m.

Submitted by: Mr. Falk, Clerk.

CF - Taped Hearing