



ORDINANCE

**AMENDING THE ZONING MAP BY CHANGING A TRACT SOUTHWEST OF
AMHERST STREET FROM AIRPORT INDUSTRIAL (AI) TO GENERAL BUSINESS
(GB)**

CITY OF NASHUA

In the Year Two Thousand and Twelve

The City of Nashua ordains that Chapter 190 "Land Use", Part 2 "Zoning Districts and Supplemental Use Regulations", Article 2 "Generally", Section 190-12 "Zoning map", is hereby amended by changing the zoning designation of the following described tract from airport industrial (AI) to general business (GB):

The tract of land shown on the attached plan entitled "420 Amherst Street Nashua, New Hampshire" prepared by Hayner/Swanson, Inc., dated 9 December 2011 and attached legal description.

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May 29, 2012

Board of Aldermen
City of Nashua
229 Main Street
Nashua, NH 03060

Re: Rezoning of 420 Amherst Street

Dear Members of the Board of Aldermen:

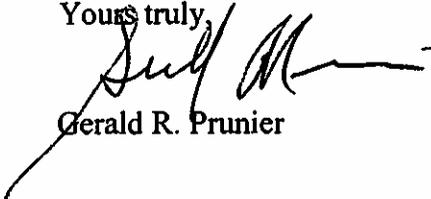
We are filing an Application for Rezoning for the real estate located at 420 Amherst Street, Nashua, New Hampshire, which is currently zoned Airport Industrial (AI). This property has been used as a supermarket (Kealey Farms), a large hardware store (Builder's Square), and a general merchandise sale business (Building 19 ½). These commercial uses have continuously been at the site for the past thirty plus (30+) years.

Directly across the street from the proposed site, the area is zoned General Business (GB) along Amherst Street. The areas to the east and west of the site are mainly commercial structures and uses, even though they are zoned Airport Industrial (AI).

The southerly side of the site abuts the Nashua Airport; however, there is no access to the airport because the site is separated by a railroad and the landing areas of the airport. The site does not provide uses normally associated with an airport.

Based upon the current use of the site, as well as the uses of the abutting properties in the surrounding area, General Business (GB) is a natural zoning district for the site.

Yours truly,


Gerald R. Prunier

GRP/jd

LEGAL DESCRIPTION

A certain parcel of land situated on the southerly side of Amherst Street, Route 101A, in the City of Nashua, County of Hillsborough, State of New Hampshire, and being more particularly described as follows:

Beginning at a point on the centerline of Amherst Street at a point which is 640 feet, more or less, from the centerline of Somerset Parkway at its intersection with Amherst Street, which point is the extension of the Northwesterly boundary line of Birch Pond Business Center; thence

S 52° 03' 40" W, across Amherst Street to the southwesterly line of Amherst Street to a point; thence

S 51° 03' 40" W, a distance of 579.90 feet to a point; thence

S 52° 03' 40" W, a distance of 412.14 feet to a point which is located along the easterly line of land now or formerly of the Boston and Maine Corporation; thence

N 41° 22' 40" W, along said land now or formerly of Boston and Maine Corporation a distance of 873.78 feet to a point; thence

N 21° 07' 08" E, a distance of 300.43 feet to a point; thence

N 19° 04' 29" E, a distance of 283.47 feet to a point; thence

S 83° 19' 09" E, a distance of 202.87 feet to a point; thence

S 53° 24' 13" E, a distance of 149.86 feet to a point; thence

N 44° 53' 53" E, a distance of 460.63 feet to a point along the northwesterly line of Amherst Street; thence

N 44° 53' 53" E, across said Amherst Street to a point located in the centerline of Amherst Street; thence

Easterly along said centerline of Amherst Street to the point of beginning.

Said parcel contains 24.051 acres.

LEGISLATIVE YEAR 2012

ORDINANCE: O-12-016

PURPOSE: Amending the zoning map by changing a tract southwest of Amherst Street from airport industrial (AI) to general business (GB)

ENDORSERS: Alderman Richard A. Dowd

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: None.

ANALYSIS

This ordinance changes the zoning from airport industrial (AI) to general business (GB) for a tract of land located on the southwest side of Amherst Street, which is shown on the attached plan. The business recently located on this property was Building 19 1/2. Applicant's statement setting forth the reasons for seeking the zoning change is attached hereto.

State statute (RSA 675:2) and NRO Section 190-132 require a public hearing and referral to the city planning board. The public hearing is conducted by the aldermanic planning and economic development committee with notice published in a newspaper of general circulation and posted in two public places at least ten (10) calendar days prior to the date of the hearing. (Notice period does not include the day notice is posted or the day of the public hearing. RSA 675:7, 1.) A super majority vote (two-thirds (2/3) of all members present) of the board of aldermen would be required if a protest petition is filed pursuant to RSA 675:5.

Approved as to form: Office of Corporation Counsel

By: 

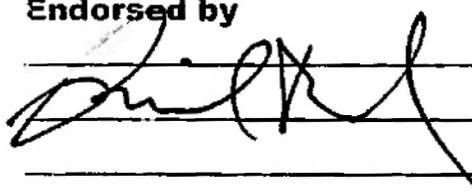
Date: June 7, 2012

ORDINANCE 0-12-016

**Amending the zoning map by
changing a tract southwest of
Amherst Street from airport
industrial (AI) to general
business (GB)**

Endorsed by

DOWD



IN THE BOARD OF ALDERMEN

1st READING JUNE 12, 2012

Referred to

PLANNING AND ECONOMIC DEVELOPMENT

COMMITTEE, NASHUA CITY PLANNING BOARD

AND PUBLIC HEARING ON TUESDAY, JULY
17, 2012 AT 7:00 PM IN ALDERMANIC CHAMBER

2nd Reading AUGUST 14, 2012

3rd Reading _____

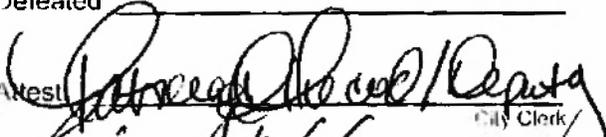
4th Reading _____

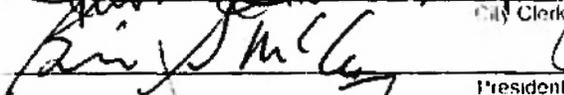
Other Action _____

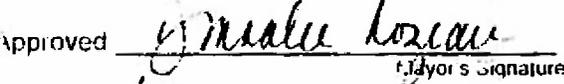
Passed AUGUST 14, 2012

Indefinitely Postponed _____

Defeated _____

Attest: 
City Clerk


President

Approved: 
Mayor's Signature

August 17, 2012
Date

Vetoed: _____

Veto Sustained: _____

Veto Overridden: _____

Attest: _____
City Clerk

President