

## City of Nashua, Public Works Division

To: Board of Public Works Meeting Date: May 23, 2019

From: Stephan Dookran, P.E., City Engineer  
Engineering Department

Re: Request to Excavate on a Five-year Moratorium – 158-161 Temple Street

**D. Motion:** To consider a hardship request from ZJBV Properties, LLC to excavate for installation of sewer, water and gas services and sidewalk reconstruction for a residential site plan at 158-161 Temple Street.

**Attachments:** a) Letter of Consideration from developer's engineer b) plan of residential development and c) portion of plan of proposed development showing location of excavation.

**Discussion:** As part of the annual paving program, Temple Street from Commercial to East Hollis Street was milled and paved with 3.5 inches of asphalt in September 2018. Recently, the owner of 158-161 Temple Street has decided to develop the land with two multi-story buildings consisting of 175 residential units. Disturbance to the roadway in Temple Street would include reconstruction of a driveway and about 460 feet of sidewalk and curb as well as excavation for the installation of sewer, water and gas services.

A hardship waiver is being requested. See the attached letter and plan. Under 285-13, Section A of City Ordinances such a waiver may be granted by the Board of Public Works. The ordinance states that "construction shall not be permitted on any street paved within the past 5 years except for emergency or hardship purposes only, and only if the conditions that follow are met, which conditions include the resurfacing for 20' beyond either end of the paved area."

Should the Board choose to allow this exception to occur, the developer would be required to resurface the road 20' beyond either end of the excavated area, per City Ordinance.