

NASHUA CITY PLANNING BOARD

July 11, 2019

The regularly scheduled meeting of the Nashua City Planning Board was held on July 11, 2019 at 7:00 PM in the 3rd floor auditorium in City Hall.

Members Present: Scott LeClair, Chair
 Adam Varley, Vice Chair
 Mike Pedersen, Mayor's Rep.
 Edward Weber, Secretary
 Ald. David Tencza
 Ald. Mary Ann Melizzi-Golja, Alt.
 Gerry Reppucci

Also Present: Roger Houston, Planning Director
 Linda McGhee, Deputy Planning Manager
 Scott McPhie, Planner I

As an alternate, Ald. Melizzi-Golja will not be voting.

Approval of Minutes

June 20, 2019

MOTION by Mr. Reppucci to approve the minutes of the June 20th, 2019 meeting.

SECONDED by Ald. Tencza

MOTION CARRIED 4-0-2 (LeClair and Weber abstained)

COMMUNICATIONS

Mr. Houston went over the following items that were received after the case packets were mailed:

- Memo from Roger Houston to Scott LeClair re: Planning and Economic Development Committee meeting, July 16th at 7PM, to discuss sidewalk ordinance
- Email from Engineering Dept. re: Case #4, revised comments
- Email from Engineering Dept. re: Case #8
- Email from Engineering Dept. re: Case #9

- Memo from Economic Dev. Dir. Tim Cummings re: Other Business Case #3
- Photos re: Case #4
- Planning Board Training Workshop, August

REPORT OF CHAIR, COMMITTEE & LIAISON

Mr. Weber said the Nashua Regional Planning Commission (NRPC) held a meeting.

PROCEDURES OF THE MEETING

Mr. LeClair went into the procedure of the meeting as follows: After the legal notice of each conditional, special use permit, site plan or subdivision plan is read by the Chair, the Board will determine if the application is complete and ready for the Board to take jurisdiction. The public hearing will begin at which time the applicant or representative will be given time to present an overview and description of their project. The applicant shall speak to whether or not they agree with recommended staff stipulations. The Board will then have an opportunity to ask questions of the applicant or staff.

The Chair will then ask for testimony from the audience. First anyone wishing to speak in opposition or with concern to the plan may speak. Please come forward to the microphone, state their name and address for the record. This would be the time to ask questions they may have regarding the plan. Next public testimony will come from anyone wishing to speak in favor of the plan. The applicant will then be allowed a rebuttal period at which time they shall speak to any issues or concerns raised by prior public testimony.

One public member will then be granted an opportunity to speak to those issues brought by the applicant during their rebuttal period. The Board will then ask any relevant follow-up questions of the applicant if need be.

After this is completed the public hearing will end and the Board will resume the public meeting at which time the Board will deliberate and vote on the application before us. The Board asks that both sides keep their remarks to the subject at hand and try not to repeat what has already been said.

Above all, the Board wants to be fair to everyone and make the best possible decision based on the testimony presented and all applicable approval criteria established in the Nashua Revised Ordinances for conditional, special use permits, site plans and subdivisions. Thank you for your interest and courteous attention. Please turn off your cell phones and pagers at this time.

OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLANS

None

OLD BUSINESS - SITE PLANS

None

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

1. Noralba Valdes Vasquez (Owner) - Application and acceptance of proposed Conditional use Permit to convert a 2-family into a 3-family home. Property is located at 38 & 38A Prescott Street. Sheet 62 - Lot 35. Zoned "RB" Urban Residence, Ward 4.

NEW BUSINESS - SITE PLANS

6. Noralba Valdes Vasquez (Owner) - Application and acceptance of proposed site plan to add a 320 foot addition to an existing home to convert a 2-family into a 3-family home. Property is located at 38 & 38A Prescott Street. Sheet 62 - Lot 35. Zoned "RB" Urban Residence, Ward 4.

For the purposes of discussion, Cases #1 & #6 were considered together.

MOTION by Mr. Reppucci that Case #1 is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Weber

MOTION CARRIED 6-0

MOTION by Mr. Reppucci that Case #6 is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

Mike Ploof, Project Engineer, Fieldstone Land Consultants PLLC,
206 Elm St, Milford NH

Mr. Ploof introduced himself to the Board as representative for the owner, Noralba Valdes-Vasquez.

Mr. Ploof gave an overview of the conditional use permit and site plan requests. The owner is seeking an addition of a one-family apartment to a pre-existing duplex, for the use of her family. He briefly described the lot dimensions. The addition will be 320-sq. ft. The unit has already been constructed without proper planning board approvals. The Building department alerted the Planning Department after a request after construction to inspect the Kitchen Area. They are here tonight to legitimize the unit. In addition to the unit they are proposing five new parking spaces to accommodate the three units, a swale, and a leaching catch basin at the northwest side of the property. They also propose to remove three existing sections of pavement, which will be loamed and seeded to increase pervious area onsite. They do not object to any stipulations in the Staff report.

Mr. LeClair asked if he has reviewed Engineer Dept.'s comments.

Mr. Ploof said yes.

Mr. Reppucci asked if when the unit was constructed, it was without permission or permits.

Mr. Ploof said a building permit was issued.

Mr. McPhie said that when they added the kitchen the owners were unaware they needed Planning Board approval. They contacted the Building Dept. for an inspection, and at that time the Building Dept. was able to get them to go through the proper process.

Mr. Reppucci asked if they built the addition without a permit.

Mr. McPhie said yes.

Mr. Reppucci asked if the new structure is inspected and brought up to today's building code standards.

Mr. McPhie said yes.

Mr. Reppucci asked if it had been built seven years ago, would it meet today's building code standards?

Mr. McPhie said that there was a special inspection issued by the Fire Dept., Building Dept., and Engineering Dept. to make sure that everything complied.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

Mr. LeClair closed the public hearing and moved into the public meeting.

Mr. LeClair said that this looks like a correction of the record. It sounds like the city has inspected everything at this point.

Mr. Reppucci asked for an amendment to Stipulation #1, that if Engineering comments can't be addressed, the plan comes back to the Board for review.

MOTION by Mr. Pedersen to approve New Business - Conditional Use Permit #1. It conforms to § 190-133(F) with no stipulations or waivers.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

MOTION by Mr. Pedersen to approve New Business - Site Plan #6. It conforms to § 190-146(D) with the following stipulations or waivers:

1. Prior to recording the plan, all comments in a letter from Joe Mendola, P.E dated February 7, 2019 shall be addressed to the satisfaction of the Engineering Department. In the event that such comments cannot be addressed to the satisfaction of the Engineering Department, the plan will come back before the Planning Board for a final decision.

2. Prior to recording of the plan, addresses shall be shown on the plan as assigned by the Fire Marshal and all comments as addressed in an e-mail from Mark Rapaglia dated June 25, 2019.
3. Prior to recording of the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.
4. Stormwater documents will be submitted to Planning staff for review and recorded with the plan at the applicant's expense.
5. Prior to recording the plan, all minor drafting corrections will be made.
6. Prior to the issuance of a building permit, the plan electronic file of the site plan shall be submitted to the City of Nashua.
7. Any work within the right-of-way shall require a financial guarantee.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

NEW BUSINESS - SUBDIVISION PLANS

2. Public Service Co of NH and City of Nashua (Owners) - Application and acceptance of proposed lot line relocation plan. Property is located at 3 & 21 Pine Street Ext. Sheet 77 - Lots 2A & 17. Zoned "GI/MU" General Industrial/Mixed Use. Ward 4. **(Postponed to the July 11, 2019 meeting)**

NEW BUSINESS - SITE PLANS

3. Public Service Co of NH (Owner) - Application and acceptance of proposed site plan to show relocation of Eversource Energy Millyard Substation. Property is located at 3 & 21 Pine Street Ext. Sheet 77 - Lots 2A & 17. Zoned "GI/MU" General Industrial/Mixed Use. Ward 4.

For the purposes of discussion, Cases #2 & #3 were considered together.

MOTION by Mr. Pedersen that Case #2 is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

MOTION by Mr. Reppucci that Case #3 is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

Alan Rowe, Project Manager, Eversource, 13 Legends Dr, Hooksett
NH, 03106

Mr. Rowe introduced himself to the Board as project manager for the cases. He also introduced Siting and Construction Services Specialist Sarah Hoodlet, Distribution Engineer Elizabeth Bradshaw, and Construction Representative Matt Mericoolby.

Mr. Rowe gave an overview of the site and requests. The substation, known as Millyard, has been in service since 1949 and is becoming increasingly unreliable. Millyard substation supplies electricity to more than 2,000 customers, and is scheduled to be rebuilt in 2020 to maintain reliability for customers. During discussions with the City, they identified an alternative option, which was to swap an identical land parcel with the city and build a new substation on the parcel. This benefits Eversource because it allows them to relocate power lines crossing the river to a more accessible area. It also benefits the city by creating a contiguous parcel that can be developed in the future. The new substation will occupy roughly the same footprint as current, slightly larger to accommodate modern equipment. Detailed engineering is scheduled to start shortly, and construction is scheduled to start at the beginning of 2020. Afterwards they will demolish the old substation and clean up that site.

Nick Golan, Project Manager, TF Moran, 48 Constitution Dr,
Bedford, NH 03110

Mr. Golan said that Eversource and the City are working together to relocate an antiquated substation to provide an opportunity for future development within the city. Mr. Golan said that they are essentially taking the existing Eversource lot and transplanting it to the northwest quadrant of the city lot. The proposed lot will be .56 acres in size, and the city lot will

grow to 1.36 acres. There will be cross easements for over ground and underground utility services, as well as to accommodate stormwater and access drives.

Mr. Golan gave a brief overview of the new site plan. He said the existing gravel access drive will be relocated to accommodate the new substation location. The yard will be just under 14,000sq-ft in size. New utility poles will be installed for the overhead lines, with most of the electrical lines heading towards Pine St Ext will be underground. He described the stormwater best management practices. They have designed the infiltration basin infrastructure up to 100-year standards. There is no onsite lighting beyond emergency lighting.

Mr. Golan said they are requesting two waivers as part of the lot line relocation. The first waiver is from the Nashua Planning Board Bylaws Section 9.5, which requires a 30 day appeal period prior to recording the approved subdivision plan. The second waiver is from § 190-282(B)(9), which requires an existing conditions plan.

Mr. LeClair asked about the surrounding fencing.

Mr. Golan said the fencing is an 8-ft chain link fence with a 1-ft barbed wire arm. It's not slatted so that emergency services can see into the site.

Mr. Reppucci asked why they are being asked to waive the bylaws in Stipulation #2. He thinks that the appeal window might also be a statutory requirement. He thinks this is an RSA. His experience is that the applicant can still go forward during the window of appeal at their own risk. How will it impact the project if they don't grant this?

Mr. Varley said that Mr. Reppucci is right; they can't waive the statutory requirement. This request would waive the requirements under the Board's bylaws that the applicant wait for the expiration of the 30-day period to proceed. They can go forward, but at their own risk.

Mr. Houston said the statutory 30-day period doesn't start until the City makes an agreement with PSNH. This will be sometime in August, so it will be way past the 30-days of this hearing. Because this is a condition subject to an agreement being made, that is when the approval happens. The 30-day period starts at that point in time. The city would like to close on this deal

sometime in August, and the Board of Aldermen will be hearing this case. Because this is a conditional approval, the 30-days starts then.

Mr. Reppucci asked if he agrees with Mr. Varley, and would be satisfied.

Mr. Houston said he did agree. He discussed this with Corporation Counsel.

Mr. LeClair asked if they have a general timeline of construction.

Mr. Golan said that it is tied to closing the deal with the city. But for a substation of this size, 6-8 months of construction is standard.

Mr. Rowe said the intention would be to get final engineering around the end of 2019. They plan to break ground in January, and by the time they've completed the sub-ground work it would be March. At that time they will install the transformers. After that, it will take about six months to complete construction of other onsite features, two months of testing and connecting into the existing lines. They expect to finish by September-October, have it in service by the end of 2020, and then start demolishing the old site after that. Demolition of the old Millyard substation will take a few months, after which they will restore and revegetate.

Mr. LeClair asked if there was any environmental testing on the current substation site.

Mr. Rowe said that they have, and they provided the city with a copy of the results. There is some polychlorinated biphenyl (PCB) contamination, which they will clean up as they demolish the site. They have done some initial analysis of the city site.

Ald. Tencza asked if there will be limitations on the development of the land afterwards, and who would be responsible for them.

Mr. Golan said that GZA Environmental has been retained to perform the environmental remediation onsite. There is an agreement in place between the City and Eversource as to what condition the site would be left in. The people who need to make the right decisions have done so, and the appropriate professionals are providing the guidance necessary.

Mr. Weber asked who will be maintaining the infiltration basin at the new site.

Mr. Golan said that Eversource would be the responsible party for that.

Mr. Weber asked if overgrowth will be maintained.

Mr. Golan said as part of the project there is an Operation and Maintenance Manual for stormwater management. Eversource would be tied to that for its maintenance.

Mr. Weber asked what the impact would be to the surrounding parcels and access to the river.

Mr. Rowe said as part of the Purchase and Sale Agreement and the associated easements, they are undertaking efforts not to park on that river access area. During construction, they were planning to temporarily fence in both lots to create siting for parking and equipment. When they are transporting heavy loads, they will work with the city and Police Dept. to bring equipment in to schedule that outside of rush hour.

Mr. Weber asked that if they impact the road, they make it better than it is now.

Mr. Rowe said that they would restore it to the condition it is right now.

Mr. Weber said exactly. If it gets impacted, they ask that the applicant return it to what it is now.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

Mr. Weber asked Staff if the city could ask Eversource to donate towards or improve the access road.

Mr. Houston said this is a joint effort to relocate the substation and create a larger buildable lot for the city to develop. That development would then make the improvements that Mr. Weber is talking about.

Mr. LeClair closed the public hearing and moved into the public meeting.

Mr. Reppucci asked for an amendment to Stipulation #5, that if Engineering comments can't be addressed, the plan comes back to the Board for review.

MOTION by Mr. Varley to approve New Business - Subdivision #2. It conforms to § 190-138(G) with the following stipulations or waivers:

1. The request for a waiver of § 190-282(B)(9), which requires an existing conditions plan, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
2. The request for a waiver of Nashua Planning Board Bylaws Section 9.5, which requires a 30 day appeal period prior to recording the approved subdivision plan, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
3. This approval is conditional on the Board of Alderman approving Resolution R-19-147.
4. Prior to the chair signing the plan, all minor drafting corrections will be made.
5. Prior to the chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer dated June 4, 2019 shall be addressed to the satisfaction of the Engineering Department. If the comments cannot be addressed to the satisfaction of the Engineering Department, the applicant will come back to the Planning Board for a final decision.
6. Prior to recording the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

MOTION by Mr. Varley to approve New Business - Site Plan #3. It conforms to § 190-146(D) with the following stipulations or waivers:

1. Prior to the chair signing the plan, all minor drafting corrections will be made.
2. Prior to the chair signing the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.
3. Prior to the issuance of a building permit, relevant comments in an e-mail from Wayne Husband dated June 28, 2019 will be addressed to the satisfaction of the Engineering Department.
4. All easements shall be submitted to the City staff for review and approval and recorded with the plan.
5. Any work in the right of way shall require a financial guarantee.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

NEW BUSINESS - SITE PLANS

4. Public Service Company of NH DBA Eversource Energy (Owner) - Application and acceptance of proposed site plan to renovate existing work center and construct a new 14,500 sf garage. Property is located at 370 Amherst Street. Sheet G - Lot 93. Zoned "PI/MU" Park Industrial/Mixed Use. Ward 2.

MOTION by Mr. Reppucci that the application is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

Nick Golan, Project Manager, TF Moran, 48 Constitution Dr,
Bedford, NH 03110

Mr. Golan introduced himself to the Board as representative for the owner. With him is David Udelsman, the project architect.

Mr. Golan described the project proposal. He said this is another antiquated structure in need of renovation. This is the Nashua Area Works Center, which was originally built in the 1950s. It is currently used to distribute and repair company vehicles. The applicant proposes to expand and renovate the existing building. They will add a 14,500sq-ft garage, and

convert the existing garage to offices. The applicant is not hiring new employees for the space; this is more of a relocation of their current needs to a more strategic location.

Mr. Golan gave a brief overview of the site. He described the physical features and zone requirements. He said that there was some question regarding two utilities that crossed onto an abutting property; as they were unable to obtain permission to install the utilities on that property, they will be relocating them. As a result, all of the improvements they are proposing will be on the subject lot.

Mr. Golan said that this project will be a phased construction. A portion of the office will be renovated on the interior, and the new garage will need to be constructed before renovation could begin on the current garage. He described the site features and improvements. Utilities will be installed underground.

Mr. Golan described site drainage. Drainage is currently addressed by underground infiltration chambers and overflow to city systems during higher storm events. This project includes an Alteration of Terrain (AoT) permit from the NH Dept. of Environmental Services (DES). They are working on some revisions to the stormwater systems that treat more stormwater onsite, including rain gardens and bio-retention areas.

Mr. Golan described site lighting. They did not include a site lighting plan originally, and will correct that upon resubmittal. The proposed lighting will be "night sky" compliant and should have no light spillage offsite. He discussed the proposed landscaping, which is mostly along Amherst St. He briefly described the proposed architecture.

Mr. Golan said that no waivers are requested as part of this proposal.

Mr. Weber asked if the dumpsters throughout the site would be enclosed.

Mr. Golan said that they are roll off dumpsters. They will be screened appropriately relative to their location onsite through existing vegetation or other site elements.

Mr. Weber asked if visitors onsite will be able to see them.

Mr. Golan said no. They will be in a secure location. He described the locations and screening.

Mr. Weber asked if trees could be planted to the northeast side of the retention area by the unnamed road. He said that pavement puts out a lot of heat, and vegetation helps to alleviate that. He asked if they could also put it along the fencing.

Mr. Golan said along the fencing wouldn't be practical. One of the things they have to be concerned about is the ability to fence hop. They don't want to put a large or ornamental tree in proximity to the fence. They could look into something practical for those two locations that wouldn't be a safety hazard.

Mr. Weber asked if there is a barbed wire arm above the fence.

Mr. Golan said yes.

Mr. Weber said that a tree would not be a good idea then, because as the tree grows someone could use it to jump the fence.

Mr. Golan said that is correct. That is one of the site considerations. It would be preferable not to put trees there.

Mr. Weber agreed. He asked how the retention areas are tested for functionality.

Mr. Golan said that as part of the AoT permit the system has to be tested after installation and fall within a set of parameters. In their stormwater report they have to define a certain velocity at which stormwater can infiltrate through the soil. The contractor has to be able to replicate that. It will be tested in the field, verified by the engineer, and likely a condition of permit approval.

Mr. LeClair asked about the finish materials in the architecture.

David Udelsman, Project Architect, Udelsman Associates, 161 Federal Hill Rd, Hollis, NH 03049

Mr. Udelsman described the current architecture and the phasing of construction. Their intent is to maintain the existing masonry. They want to complement that. He described the proposed architectural changes.

Mr. LeClair asked if the Eversource logo will be lit.

Mr. Udelsman said that they hadn't discussed it up to this point. The sign is lit from the side of the building. They can illuminate it from above so that they don't throw light away from the building. They are not internally lit.

Mr. LeClair asked about screening for rooftop equipment.

Mr. Udelsman said that they are proposing to replace their current systems with a variable refrigerant flow system. The units will be ground mounted behind the fence line in an area where they are not readily visible. The units will be very quiet. There will be some energy recovery vents on the roof, which will not exceed 36-in in height. They can address any screening required. He indicated where they would be located.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

Ms. McGhee said that in their packet they should have received revised Engineer Dept. comments. These should be included in the stipulations of approval.

Mr. LeClair closed the public hearing and moved into the public meeting.

Mr. LeClair said it looks like a pretty good upgrade of the existing site. He thinks there are some attractive upgrades to the façade, and doesn't have any concerns.

MOTION by Mr. Reppucci to approve New Business - Site Plan #4. It conforms to § 190-146(D) with the following stipulations or waivers:

1. Prior to the Chair signing the plan, minor drafting corrections will be made.
2. Prior to the issuance of a building permit, all comments in an e-mail from Mark Rapaglia, dated June 12, 2019 shall be addressed to the satisfaction of the Fire Marshal.

3. Prior to the issuance of a building permit, all stormwater documents will be submitted to City staff for review and approval and recorded at the Registry of Deeds at the applicant's expense.
4. Prior to the issuance of a building permit, the plan electronic file of the plan shall be submitted to the City of Nashua.
5. Prior to the issuance of a building permit a pre-construction meeting shall be held.
6. Prior to the issuance of the certificate of occupancy, all site improvements will be completed.
7. Any work in the right of way shall require a financial guarantee.
8. Prior to the Chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer, dated July 10, 2019 shall be addressed to the satisfaction of the Engineering Department. If the comments cannot be addressed to the satisfaction of the Engineering Department, the applicant will come back to the planning board for a final decision.

SECONDED by Mr. Varley

MOTION CARRIED 6-0

5. Fab-Braze Corp (Owner) U-Haul Co. of Eastern Massachusetts (Applicant) - Application and acceptance of proposed amendment to NR1314 to renovate existing 19,450 sf 1-story industrial building for use as a truck leasing and self-storage facility and construct a new 76,000 sf 2-story self-storage building with associated site improvements. Property is located at 476 and "L" Amherst Street. Sheet H - Lot 23 & 116. Zoned "PI/MU" Park Industrial/Mixed Use and "HB' Highway Business. Ward 2. **(Postponed to the July 11, 2019 meeting)**

MOTION by Mr. Reppucci that the application is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

Earl Blatchford, Project Manager, Hayner/Swanson Inc., 3
Congress St, Nashua NH, 03062

Mr. Blatchford introduced himself to the Board as representative for the applicant. He also introduced Scott Chase, President of U-Haul of Eastern Massachusetts.

Mr. Blatchford described the current site conditions. The property consists of two lots. The front lot was previously owned by Fab-Braze, and the rear lot was owned by another Fab-Braze entity, Microdevelopment Lab. Recently U-Haul did purchase the properties, and are in the process of merging the lots. He described the zoning requirements. The front 2 acres of the site are developed. The building is a one-story, 19,450sq-ft industrial manufacturing building built in 1959, and is currently vacant. He described the site facilities. He described the uses of the abutting properties. The rear of the parcel is predominantly wooded, with a manmade swale turned jurisdictional wetland to the very back. This is the only wetland onsite, and they have no plans to disturb it.

Mr. Blatchford described the proposal. They propose to renovate the existing building without enlarging it. 4,000sq-ft of that building will be used for showroom, office, and storage, all for the use of combined truck leasing and self-storage rental. The remaining 15,450sq-ft of building will be converted into small self-storage units. Behind that building they propose to construct a 2-story 76,000sq-ft self-storage yesterday.

Mr. Blatchford said that they received approval from the Zoning Board on May 14, 2019 to allow up to 25% of the site to be used as truck leasing and 75% to be used as self-storage.

Mr. Blatchford gave an overview of the site features. He said that as part of stormwater management the site would maintain a wet pond to the rear of the facility. He described changes to parking and driveway access.

The applicant has prepared a site suitability report, and it addresses two points that would otherwise become waiver requests. The first item is parking. Based on the zone requirements, this site should need 119 parking spaces. Due to the nature of the uses, self-storage and truck leasing are low traffic generators. This site needs much less parking than the square footage calculations would anticipate. They propose 16 car parking spaces and 13 truck parking spaces, which is based off of evidence seen at other U-Haul locations. The second item is architectural standards. They will be updating the industrial building to the front of the property. The rear building is

entirely self-storage, and is a specialized type of building. He has never seen a self-storage building without a flat roof. The other aspect of it is that U-Haul is a national brand, with branded architectural colors and features they use on their buildings.

Mr. Blatchford said that because they are disturbing 235,000sq-ft of land, they have submitted an Alteration of Terrain permit to the DES.

Mr. LeClair asked if he could walk them through the architectural elevations.

Mr. Blatchford described the proposed architectural features.

Mr. Reppucci asked if the entrance to the self-storage building was in the middle of the eastern side.

Mr. Blatchford said yes, that is the customer service area.

Mr. Reppucci asked how many units there will be on both levels.

Scott Chase, U-Haul Co. of Eastern Massachusetts, 6 Merrill St Suite #15, Salisbury, MA 01952

Mr. Chase said there will be roughly 650-700 units in the new building and 50-60 in the current building.

Mr. Reppucci said that the Fire Marshall said there can be only 7 spaces in the front. And they have no more than seven. Are they satisfied that seven parking spaces can adequately serve 650 units?

Mr. Chase said he believes so, in his experience. He said people will show up with a truck to unload into their unit. If they visit to drop something off or pick something up they're pretty quick in their car, and they're not there again until they move out. On a busy end of the month or a weekend, they might have seven customers there at the same time. Typically there's not more than one or two.

Mr. Reppucci asked what they would do to prevent people from parking along the rest of the building side, if those seven spaces are full. Is there anything that would stop them?

Mr. Chase said other than "No Parking" signs and communicating with their customers, no.

Mr. Reppucci asked if the other building has more parking.

Mr. Chase said correct. The other building has the retail showroom.

Mr. Reppucci asked where they go to access the storage units in the front building.

Mr. Chase said they would access it from the east side, same as the rear building. There would be enough room for two vehicles at a time to unload there.

Mr. Reppucci asked if there was no outside storage, and everything was internal.

Mr. Chase said correct.

Mr. LeClair asked the applicant to explain the process. Do customers drive into the building?

Mr. Chase said yes. This is to replace the site on Northwest Blvd. Customers will drive in through the sliding doors and unload into carts, which they can then take to their units. All of the loading and unloading is done inside.

Mr. Blatchford said that this is climate controlled space.

Mr. Reppucci asked how many cars can pull in at the same time.

Mr. Chase said there is room for two vehicles in the front building, and there are multiple locations in the rear building for different sizes.

Mr. Reppucci asked if the locations were behind the parking spaces or in a separate place.

Mr. Chase said that they are adjacent to the parking spaces. He indicated their locations on the plan elements.

Mr. Reppucci said, so they are not in front of the spaces and blocking them.

Mr. Chase said correct.

Mr. LeClair asked them to review the second story elements facing Amherst St. Are you able to see storage units inside?

Mr. Chase said yes. Because the building sits so far back from the road and the elevation is down low, there would be windows with existing rooms behind them. They would see into that section of the hallway.

Mr. LeClair asked what the intent for illuminating it would be.

Mr. Chase said that the lights inside are all on motion sensors. There are a few security lights that will remain on in the building, but other than that the hallways don't light up unless people walk in them.

Mr. LeClair asked, so there is no intent to keep them lit 24/7?

Mr. Chase said that they try to fit in and be good neighbors.

Mr. Varley asked about the service road to the rear. Is that for stormwater maintenance?

Mr. Blatchford said yes, that is for access to the stormwater area. They added it after the initial submittal as requested by the Engineering Dept.

Mr. Varley asked if it is gated.

Mr. Blatchford said no, they don't feel a need for it. There will be mountable curb, meant for a pickup truck or backhoe.

Mr. Varley asked if the curbing would indicate to customers that they're not supposed to drive back there.

Mr. Blatchford said yes.

Mr. Reppucci asked if there could be landscaping 10-15ft out from the eastern side of the building.

Mr. Chase said that it's a really narrow lot, and they were taking into account the turning radii of large trucks. It looks like there is plenty of room on the plan, but there's really not.

Mr. Blatchford said that a lot of that paving is to accommodate moving trucks. If they start putting in landscaping, it becomes harder to maneuver and back into unloading areas.

Mr. Reppucci asked if it would be impacted 10-ft from the building. He is concerned about the small amount of parking spaces for so many units. He thinks that on peak times people will be parking against the sides of the building waiting for spaces. It concerns him because it concerns the Fire Marshall. He would like to come up with a way to ensure that only seven cars would be parking against the building. Can they make that work?

Mr. Blatchford said he knows that the Fire Marshall wants to keep the face of the building clear.

Mr. Reppucci said they can have access if there is grass or curbing. He's trying to find a solution that is acceptable to them should the Board find it necessary.

Mr. Blatchford said that a 10-ft landscaped strip wouldn't solve the problem. If someone is inclined to park where they're not supposed to, they will just park out further and narrow the maneuvering area. He thinks it is a site management issue.

Mr. LeClair asked what the security and monitoring will be.

Mr. Chase said the site will be covered with security cameras. All of the buildings are alarmed with card swipes, so customers only have access to their area. The alarm rearms when they check out.

Mr. LeClair asked if the cameras are remotely monitored. How staffed is the site?

Mr. Chase said it will allow them to hire 8-10 people, mostly from the Northwest Blvd site. The surveillance is on a DVR and remotely monitored by a central alarm room.

Ald. Melizza-Golja asked if there will be hash marks painted on the pavement outside of the building.

Mr. Chase said yes. There will be a fire lane painting and "No Parking" signs along the fire lane, the back of the building, and western side. There will also be signs along the eastern property line.

Mr. Weber asked if they would be using LED, downward facing lights outside.

Mr. Blatchford said yes, they will be "Dark Sky" compliant.

Mr. Weber said that in his recent experience at a nearby site, parking at peak hours is minimal. It was easy, and there was plenty of space.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

Peter Schaefer, 13-15 E St, Nashua NH 03060

Mr. Schaefer asked how many employees would be onsite, and where they would park.

SPEAKING IN FAVOR - REBUTTAL

Scott Chase, U-Haul Co. of Eastern Massachusetts, 6 Merrill St Suite #15, Salisbury, MA 01952

Mr. Chase said that the manager at Northwest Blvd will be the manager of this site. Several of the employees that are moving to this site use public transportation or ride together, so there isn't a lot of employee parking. They would use the truck shunting area behind the existing front building.

Mr. LeClair closed the public hearing and moved into the public meeting.

Mr. Reppucci asked to add a stipulation that there will be no outside storage onsite. He cited boats and RV's as an example.

Mr. Varley suggested that they add language that if Engineering comments can't be addressed, the plan comes back to the Board for review.

MOTION by Ald. Tencza to approve New Business - Site Plan #5. It conforms to § 190-146(D) with the following stipulations or waivers:

1. Prior to the Chair signing the plan, minor drafting corrections will be made to the plan.
2. Prior to the Chair signing the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.
3. Prior to the Chair signing the plan, all comments in a letter from Joe Mendola, Street Construction Engineer dated June 26, 2019 shall be addressed to the satisfaction of the Engineering Department. If the comments cannot be addressed to the satisfaction of the Engineering Department, the applicant will come back to the planning board for a final decision.
4. Prior to the Chair signing the plan, all comments in an e-mail from Mark Rapaglia, dated April 2, 2019 shall be addressed to the satisfaction of the Fire Marshal.
5. Prior to any site disturbance, the Alteration of Terrain Permit for the project shall be approved by NHDES.
6. Prior to the issuance of a building permit, the lots will be merged.
7. Prior to the issuance of a certificate of occupancy, all site improvements shall be completed.
8. Any work within the right-of-way shall require a financial guarantee.
9. No outdoor storage

SECONDED by Mr. Weber

MOTION CARRIED 5-1 (Reppucci opposed)

Mr. Reppucci said that he will not support the motion for the reasons he stated previously, namely parking. He thinks it's a good project and good for the city, he just doesn't think that the parking will be adequate.

7. 42 Lovell LLC (Owner) - Application and acceptance of proposed site plan to keep an existing 2-family building and construct an additional 5 unit multi-family building. Property is located at 42 & "L" Lovell Street. Sheet 101 - Lots 161, 73 & 159. Zoned "RC" Urban Residence. Ward 6.

MOTION by Mr. Weber that the application is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Varley

MOTION CARRIED 6-0

Richard Maynard, Project Engineer, Maynard & Paquette Eng., 31 Quincy St, Nashua, NH 03060

Mr. Maynard introduced himself to the Board as representative for the owner, 42 Lovell LLC.

Mr. Maynard gave an overview of the proposal. They propose to merge three separate lots of record into one lot totaling 24,960sq-ft in area. The property contains an existing two-family house, and they propose to add five units. Four of the units will have two-car garages, and there will be a six space parking lot. There will be a total of 14 spaces onsite, or two spaces per unit. The site will maintain 55% green space where only 35% is required. Stormwater will be handled by roof gutters connected to perforated drainpipes and a leaching catch basin. The soils are excessively well drained, and stormwater will be infiltrated into the ground. Runoff that previously ran into the street will be contained onsite. The entire south side of Lovell St has an existing sidewalk, and there is a sidewalk on the north side in front of the property. These are proposed to be rental units, and trash will be handled by individual containers.

Mr. Maynard said that they are requesting two waivers as part of this application. The first waiver is from NRO § 279(EE) which requires an existing conditions plan showing physical features within 1,000 feet of the site plan. The second waiver is from NRO § 190-221 (C), which requires all utilities to be placed underground.

Mr. Weber described the sidewalks in the area, and asked Staff if they could ask the applicant to continue the sidewalk to the end of the new area.

Ms. McGhee said that there is an existing sidewalk across the street, but if the Planning Board felt that there should be one across the frontage of the property they could stipulate that.

Mr. Weber said that is what he's looking for, because this would make it so the sidewalk could continue. In some areas of the city there are sidewalks on both sides of the street. The reason he is asking for this because there is one farther down on the

same side that they could connect to. Mr. Weber asked if there would be individual trash, or a container provided.

Mr. Maynard said each unit will have their own trash barrel.

Mr. Reppucci asked if this is permitted in this zone.

Mr. Maynard said that this is an "R-C" zone, a multifamily zone.

Mr. Reppucci asked if they needed any zoning relief.

Mr. Maynard said no. This is permitted all by right.

SPEAKING IN OPPOSITION OR CONCERN

Derek Perry, 15 Ichabod Dr, Merrimack NH 03054

Mr. Perry introduced himself to the Board as representative for his family members, who live directly across from the subject property at 51 Lovell St. Mr. Perry expressed concerns that this would reduce the property value of his family's home. He cited increased traffic and aesthetics as reasons. This will affect the resale of his family's home, as a new owner wouldn't want to look out at a multifamily complex and a parking lot. Mr. Perry is also concerned about the increased light pollution that would come from parking lot lighting. The light coming in through their windows will affect their quality of life.

Mr. Perry indicated his property's location on the plan, and said that the street right in front of his property will be dug up for water, sewer, and gas utilities.

Mr. Reppucci said they will have to restore that.

Mr. Perry agreed, but said that it will inconvenience them. He gains no monetary value from the inconvenience of this project. He said that for years they have been looking at a nice field, and now they will be looking at a residential complex and parking lot. Mr. Perry also complained about taxes.

Mr. Perry expressed concern about the potential residents he expects to be living in rental units. He said he was originally under the impression that these would be condos. Growing up he always knew who the neighbors were, and now he has no idea what the renters will be like. He said it decreases the value of the whole neighborhood. He cited other similar developments in the

neighborhood. Mr. Perry said it seems like the town cares more about how many condos and rentals they can put in. There is no benefit for him or any neighbors.

Mr. Reppucci said of all the things he raised, there is one that they might be able to speak to. What the applicant is looking to do is a permitted use by city code. The land is zoned appropriately to allow this type of building.

Mr. Perry asked if that still classifies as multifamily.

Mr. Reppucci said that it does. If it wasn't conforming to what the city will allow on the lot, the Planning Dept. would have prevented the application from going forward without a variance. He has complete confidence in the Planning Dept.

Mr. Perry said they didn't have confidence when they raised the property tax.

Mr. Reppucci said that this is not a tax board, and they do not get involved in that. That is not something he is going to consider in his decision. But one thing he did raise was the parking lot in front. Would he feel better if there was some kind of fencing to prevent the headlights from hitting his property?

Mr. Perry questioned the siting of the parking lot in front of the units. There's going to be headlights hitting their house all the time.

Mr. Reppucci reiterated his question regarding a fence.

Mr. Perry said it would help slightly. He is still not for it. The problem would also be the type of fence.

Mr. Reppucci said that a lot of the things he raised they can't address. But that is something they could do.

Mr. Perry asked if this has been approved by everything.

Mr. Reppucci said it's not that this has been approved; the plan that the property owners submitted conforms to the rules the city has for that piece of property. The Planning Dept. looks at what they want to do and confirms that it conforms to what the ordinance allows. If it does, there is no need to intervene because they have a right to do what they want to do. If they

determine that it doesn't, then they would refer the applicant to the Zoning Board to get relief. In this case, the applicant is allowed by right to do what they want to do. They don't need Board approval to make the plan; they need Board approval for what they are presenting.

Mr. Perry asked if there was anything preventing him from renting out all the units himself.

Mr. Reppucci said that when a property goes on the market, anyone has the right to purchase it. That is a private matter. No one in Nashua can control who lives next to them if they don't purchase it. That is the nature of the community. That is not something the Board can address.

Mr. Perry asked what they can do to address ripping up the street in front of his house.

Mr. Reppucci said that is addressed by the city, because the applicant will need to pull permits and restore it to original conditions. Common sense would tell you whenever anybody is building anything, there are going to be temporary disruptions.

Mr. Perry said it seems like it's going to inconvenience him the most, and wants to know what he's going to get out of it.

Mr. Reppucci said he doesn't get anything out of it. There's not obligation of your neighbors to do something that benefits you. That is the reality of the world.

Mr. Perry said that he didn't get rich without understanding business. He said it's a shame to see a nice neighborhood turn into a condo complex. He asked Mr. Varley how this will affect the assessment of his home, and how to challenge it.

Mr. Varley said that the Board is not associated with the tax assessing department. There is a process by which you can challenge an assessment, so if you believe that the assessment is improper or incorrect you can appeal. It would be totally independent of this process here.

Nancy Wasserman, 2 Marquis Ave, Nashua NH 03060

Ms. Wasserman said that her property is located right across from the proposed buildings. She said that the plan said "multifamily", but they are not a multifamily neighborhood.

Ms. Wasserman understands that people have a right to their own property, but this is a question of where does his freedom start to infringe on her freedom to enjoy her backyard. She supports the suggestion of a solid fence, because her backyard faces directly onto the parking lot. Many of the houses in the neighborhood were built closer to the street than modern homes. Ms. Wasserman emphasized her concerns about 18 cars by her bedroom window. She is also concerned about her property values, and said that this development does not fit in an old neighborhood. This will diminish the quality of life she and her neighbors enjoy.

Juan Menjivar, 44 Lovell St, Nashua NH 03060

Mr. Menjivar said he had owned his property for over a decade. It has been a happy place for years. A multifamily development was constructed behind him, and now they are proposing another one next to him. He opposes this plan.

SPEAKING IN FAVOR

None

SPEAKING IN FAVOR - REBUTTAL

Richard Maynard, Project Engineer, Maynard & Paquette Eng., 31 Quincy St, Nashua, NH 03060

Mr. Maynard said he knows that people don't like disturbances in an established neighborhood. Unfortunately, what they are proposing here is permitted by right. It is quality construction, and will improve values in the neighborhood because new construction always enhances the values. This is a multifamily neighborhood. This is very much in character. Just about every property in this neighborhood is a multifamily project.

Mr. Maynard said that the street construction is a temporary thing. The street will be dug up for a few weeks, but then it will be repaved and patched to an equal or better condition than it is today.

Mr. Maynard said that people are used to seeing a lawn onsite, and are taking advantage of his client's property for their views. If it bothers them that there is pavement now, there are things that they can do to their own properties to screen them.

They can put up their own fences if it bothers them. This project is not unusual, and there are projects of this nature all over the city. There is a need for housing, and this is a good project for the area.

Mr. Maynard referred to Mr. Reppucci's suggestion of a fence, and said that he's not sure what they could put that's attractive. To be effective a solid fence would have to be 3-ft high, and he doesn't think that's particularly attractive. He suggested shrubs or hedges instead, but if the neighbors are bothered by the project they can do the same thing. The proposed driveway is where the existing driveway has been for years.

Mr. Maynard said that they are proposing a project that meets every requirement of the city. It is in character with the neighborhood, and provides a substantial benefit to the community. The fact that it's rental has nothing to do with anything. Nobody can expect nothing to change in their neighborhood. He said that this is a classic case of "Not In My Back Yard".

Mr. Varley asked if they would consider some kind of screening.

Mr. Maynard said they would consider plantings, but they are not going to do a fence. That's ugly, and would detract.

Mr. Weber said he would like to see shrubberies that would prevent light pollution in the neighborhood. He asked if they are making provisions for the road work so that the people across the street can enter and leave their property.

Mr. Maynard said it is a requirement that people be able to access their property. There will be some provisions to get in or out. They can't say until there is a contractor involved. No one can be denied access to their property. There may be a disturbance for several hours, but not continuous days. You can typically put a utility line in within a day.

Mr. Weber asked if they are agreeing to a shrubbery.

Mr. Maynard said yes.

Mr. LeClair asked if those six spaces were eliminated, would the plan work?

Mr. Maynard said no. They would have three units with no place to park.

Mr. LeClair asked how many spaces they needed at minimum.

Mr. Maynard said that there are two avenues of thought for this. The minimum required is 1.5 spaces per unit. They have two spaces per unit, including the garages. In his experience, the majority of apartments have two cars. If they cut it back and reduce the spaces by two, you would be limiting the number of cars a family could have. There would be no visitor or overnight parking either. It would be to the detriment of the development to reduce parking any further.

Mr. LeClair asked if there was street parking.

Mr. Maynard said you can't overnight park on any city street. It's just a regular street; there's nothing extra wide about it. People parking on the lawn will bring down property values too. This would be pushing the project to a rundown status because it would have cars all over the place and on the lawn.

Mr. LeClair asked about onsite lighting.

Mr. Maynard said there are wall packs by the units, and adequate public street lighting.

Mr. LeClair asked if there was any new pole lighting proposed.

Mr. Maynard said no. There is enough general lighting in the street. It serves no purpose to make the development excessively bright. Each wall pack is individually controlled, and would not be on all the time.

Ald. Melizzi-Golja asked where visitors will park when the residents would completely fill the parking spots.

Mr. Maynard said that guests would park on the street during the day. There would be no place for them to park overnight. If he complied with the minimum parking requirements, there would be only four spaces outside and an even bigger problem.

Ald. Melizzi-Golja said that she anticipates people parking outside of the garages at night. Is there enough room? Are parking spaces going to be assigned?

Mr. Maynard said that the spaces most likely will be assigned to the three units without garages.

Ald. Melizzi-Golja said then it is anticipated that those are resident only spaces. So there is no guest parking. If there are people parking in front of the garages, is that a fire code issue?

Mr. Maynard said people will not be allowed to park in front of the garages. That is a definite problem. He said that the Board can't look at this as a multifamily development in a single family neighborhood. These are multifamilies, and by nature are somewhat dense. If family comes to visit, they go somewhere else at night.

Ald. Melizzi-Golja said that many people who now live in Nashua are not from Nashua, and she expects guests to stay there. Is there no space here for guest parking?

Mr. Maynard said correct. But nor is there a requirement.

Ald. Tencza said it appears to him that the parcel where the duplex is now has a sidewalk in front. But the grass lot in front of the garage does not.

Mr. Maynard said that is correct.

Ald. Tencza asked what his client's position on including a sidewalk would be.

Mr. Maynard said that the requirement is only that sidewalk be on one side of the street. They have the entire opposite side of the street, and half of their property. They exceed the ordinance requirement. They are not interested in building the city's sidewalk. If the sidewalk is so important, the city can build it.

Ald. Melizzi-Golja said it looks like on the plan they are already planning on an evergreen screening.

Mr. Maynard said there are plantings, but in order to do what they are planning on there would need to be a continuous low growing evergreen hedge. That is not on the plan now, but they are amenable to adding it.

SPEAKING IN OPPOSITION OR CONCERN - REBUTTAL

Derek Perry, 15 Ichabod Dr, Merrimack NH 03054

Mr. Perry asked if this would be low income housing.

Mr. Reppucci said that his questions have to be precise to what the rebuttal was, not expanded beyond that.

Mr. LeClair asked if he had any questions specific to Mr. Maynard's rebuttal.

Mr. Perry said that the parking is not a good setup. It is a horrible design. It makes no sense. He feels like parking his car in front of someone else's property and shining the lights in their house. He said that he feels bad for the residents living right in front of the property.

Mr. Reppucci said that he is going to object to going beyond what the rebuttal was. They have an extensive agenda tonight, and need to follow the rules.

Mr. Perry said then that is the last they would hear of him.

Ald. Melizzi-Golja asked the Mr. Maynard if there was any special funding involved that would require these to be low income housing units.

Mr. Maynard said no, these are standard multifamily units. They are available to anybody, market rate.

Mr. LeClair closed the public hearing and moved into the public meeting.

Mr. Pedersen said that screening the headlights needs to be addressed.

Mr. Weber said he would like to stipulate continuing a concrete sidewalk. The sidewalk is present up to his property, stops, then starts halfway across and continues. He indicated on the plan where he proposed a new section.

Mr. LeClair said his concern is that they have already shown some interest in putting hedges in the front. Would they be able to fit a sidewalk and hedges?

Mr. Weber said that could happen. He would be more interested in the shrubs than the sidewalk.

Mr. LeClair said they might be asking for two things that aren't compatible.

Mr. Weber agreed. He would prefer hedges.

Mr. Pedersen said that a sidewalk would make it harder to install hedges.

Mr. Varley said that he agrees with Mr. Maynard, and doesn't think that there is a legitimate basis for requiring a sidewalk on the other side of the street. He doesn't think it's the job of developers to install pieces of sidewalk that may someday be connected to other sections. Given that there is a continuous sidewalk on the other side of the road, it does meet the ordinance. He is sympathetic to the abutters' views and considerations, but there are limited degrees to which they could or should limit the development of a lot. This property conforms to the zoning requirements, and is not an inappropriate use of the property. Although he appreciates the concerns raised, he doesn't see this as inconsistent with the neighborhood. In trying to mitigate the impacts as much as possible, he would like to require some sort of screening with the landscaping as an appropriate request they can impose on the developer.

Ald. Tencza said that the existing sidewalk is where the trees will be located. There wouldn't be any issue with continuing the sidewalk. There are varying opinions on the obligations of the developer and the city, but in approving plans they require people to do all sorts of things that they may not want to do because it's good for the city. He is not opposed to requesting sidewalks. He referred to the site plan approval criteria. His issue with the plan is the amount of parking proposed. There is a difference between duplexes and a seven unit building. Because of the parking, he is not in favor of moving forward with the plan as presented. He would like to see more assurances that the parking would not be an issue for the tenants.

Mr. LeClair said that he struggles with asking for parking higher than the ordinance requires. If the parking ordinance isn't enough, they should inform the Aldermanic Council. He is generally in favor of sticking with their ordinances. He isn't sure that it's the Planning Board's job to deny plans that meet the ordinances consistently. He thinks that potential tenants will be looking at this before they rent.

Mr. Varley said that there is a tension between there not being enough parking, and neighbors being affected by large amounts of parking. He thinks that the issue of overnight and visitor parking is an issue for any residential area.

Mr. Reppucci said he agrees with Ald. Tencza, and that his concerns are valid. The Board has the control of defining what they think is necessary for this property. If they think something is necessary that goes beyond what the ordinance allows, he thinks they have the authority to do that. But in order to do that, the Board has to have a compelling circumstance. There has to be something unique to the property that makes it an exception. In his view that doesn't exist here. They have plenty of apartments they have approved with no parking. It's always a concern, but that was allowed.

Mr. Reppucci said that the sidewalk is the same way. The Board has the right to tell developers that they need to put a sidewalk in, but he think there has to be a very compelling reason for someone to spend thousands of dollars beyond what the ordinance requires. He can't support that here.

Mr. Reppucci said it's difficult for neighbors to accept the fact that property owners have a right to do what they want with their property. And while they have been looking at a vacant lot for years and enjoying it, when that changes they perceive it as being taken away from them. He understands that. But the Board is limited in what they can do. He doesn't want the neighbors to think he doesn't agree with them. The Board doesn't have the authority to tell one property owner that they can't utilize their land as the law allows it because their neighbor doesn't like it. My. Reppucci said that he disagrees with Mr. Maynard, and thinks there should be a stipulation for some kind of screening for the parking lot. A fence across the street wouldn't block the light the way they need to in order to shield the neighbors. He is in favor of requiring that.

Mr. Weber asked if they should stipulate the screen be maintained by the property manager, so that if the shrubs die a few years down the road, the property manager has to maintain the screen.

Mr. LeClair said that there's a single property owner, not a manager.

Mr. Reppucci said his experience is that when these kinds of developments occur in neighborhoods, the best solution is for

the neighbors to talk in a constructive way. There's nothing that bothers people that can't be resolved collectively between the property owners. Most people who are developing property want their neighbors to be happy and satisfy concerns as best they can. That is the easiest way to solve these things.

Mr. Pedersen agrees with Mr. Reppucci that a fence across the street would be ineffective. The barrier needs to be closer to the headlights. As far as extending the sidewalk, he thinks that extending the sidewalk one house length puts too much onus on the developer. The next house doesn't have a sidewalk either. He agrees with Mr. Varley that this isn't a good application to require a sidewalk on.

MOTION by Mr. Reppucci to approve New Business - Site Plan #7. It conforms to § 190-146(D) with the following stipulations or waivers:

1. The request for a waiver of NRO § 279(EE) which requires an existing conditions plan showing physical features within 1,000 feet of the site plan , is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
2. The request for a waiver of NRO § 190-221 (C), which requires all utilities to be placed underground, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
3. Prior to the chair signing the plan, minor drafting corrections will be made.
4. Prior to the chair signing the plan, proper street addresses will be added to the plan.
5. Prior to the Chair signing the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.
6. Prior to the chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer dated June 25, 2019 shall be addressed to the satisfaction of the Engineering Department. If the comments cannot be addressed to the satisfaction of the Engineering Department the applicant will come back to the planning board for a final decision.

7. In the event the property is decided to be placed under condominium ownership a copy of the Association documents will be required to be provided to the City for review.
8. Prior to the issuance of a building permit, stormwater documents will be submitted to City staff for review and recorded at the applicant's expense.
9. Prior to the issuance of a building permit, the electronic file of the site plan shall be submitted to the City of Nashua.
10. Prior to the issuance of a building permit, the lots will be merged.
11. Prior to the issuance of a certificate of occupancy, all site improvements will be completed.
12. Prior to issuance of the final certificate of occupancy for the development, an as-built plan locating all units, other buildings, utilities and site landscaping shall be completed by a professional engineer and submitted to the Planning Department. The as-built plan shall include a statement that all construction was generally completed in accordance with the approved site plan and applicable local regulations.
13. Any work within the right-of-way shall require a financial guarantee.
14. The applicant will agree to plant vegetation that will mature to 4' in height and will block headlights year round.

SECONDED by Mr. Varley

MOTION CARRIED 5-1 (Tencza opposed)

The Board took a five minute recess

8. E Hollis Street Acquisitions LLC (Owner) - Application and acceptance of proposed 80 unit multifamily development with associated site improvements. Property is located at 110 East Hollis Street. Sheet 39 - Lot 1. Zoned "GI/TOD" General Industrial/Transit Oriented Development. Ward 7.

MOTION by Mr. Pedersen that the application is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Weber

MOTION CARRIED 6-0

Michael Malynowski, Project Engineer, Allen & Major Associates, Inc., 400 Harvey Rd, Manchester NH 03103

Mr. Malynowski introduced himself to the Board as representative for the owner. He also introduced architect Rob Harbeson, and owner Brian Thibeault

Mr. Malynowski gave an overview of the proposal. This is the former Henry Hanger building. The property is approximately .9 acres in size. The applicant proposes to renovate the existing manufacturing building into 80 units of multifamily residential, consisting of studio, 1-bedroom, and 2-bedroom units. They will provide 68 parking spaces throughout the site, and he indicated the locations on the plan. They plan to remove the existing pavement in front of the loading dock, and add a patio. The site is serviced by water, sewer, and gas utilities, which will be upgraded as part of the renovations. He described the stormwater management onsite. They are maintaining as much existing pavement as possible, but there will be a reduction in impervious surfaces.

Mr. Malynowski said that as part of the proposal they are taking a portion of the property at 158 Temple St, and convert that to parking. They will also remove pavement along the front of Temple St to increase greenspace. He described the landscaping.

Rob Harbeson, Project Architect, 104 Congress Street Suite 203, Portsmouth, NH 03801

Mr. Harbeson said they are trying to maintain as much of the existing building as they can. There are a number of 1-story additions of varying construction types towards the rear of the property; these are being removed for parking. They will be locating the primary entrance towards the back for accessibility to parking spaces. They will tuck most of the parking behind the building to maintain the existing street frontage. The front of the building will remain mostly unchanged besides adding a door. The western portion will become a clubhouse for the resident, with a patio and greenspace leading to the sidewalk.

Mr. Harbeson showed the Board the floor layout for units. They have prepared the building long-term for the ability to be commercial space. All of the residential units are going to be market rate, and they anticipate younger couples or older couples as tenants.

Mr. LeClair asked if there would be new windows.

Mr. Harbeson said there would be new windows, some masonry repointing, and some roof repairs. The building aesthetics will be cleaned up.

Mr. LeClair asked if there would be any work done between the sidewalk on East Hollis St and the building.

Mr. Malynowski said that they do have provisions for repairing that sidewalk. They will also install ADA compliant tip-downs at the driveways. There will be landscape improvements behind the sidewalk as well.

Mr. LeClair asked if the intent was to repair the sidewalk along the full length of the frontage.

Mr. Malynowski said yes. They are also maintaining sidewalks on the Temple St side.

Mr. Weber asked Mr. Harbeson about the extensive brickwork repair that needs to be done. Are they going to seal the brickwork?

Mr. Harbeson said yes, they will waterproof it. Inside the building there is not a lot of water penetration or erosion, which tells them that it's mostly contained at the surface. They intend to repoint, waterproof, and seal.

Mr. Weber asked how staging repairs to the street-side will impact the street.

Mr. Harbeson said that is something they would want to work with the city as part of a construction management plan. They would want to have a builder involved in the plan, and would want to coordinate efforts in a way that is appropriate.

Mr. Weber said he appreciates that. He asked about the potential commercial space.

Mr. Harbeson said that in the infrastructure they plan install, they have left open the possibility that the first floor space could be converted over to retail. Right now the only amenity space in the building is a gym and business center to be used by the residents.

Mr. Weber said their parking would be impacted by that. He asked if it is mixed use now.

Mr. Harbeson said that short-term this is proposed as a residential building only.

Mr. Weber asked if they would return to the Board if they wanted to change to retail.

Mr. Harbeson said yes. He thinks that long-term that is what the market in this neighborhood tells them this property can support. As the Transit Overlay District grows towards the city Master Plan, the hope is that there would be more value in first floor commercial space. They want to leave open that possibility, but there are currently no plans.

Mr. Weber asked if there are any bus stops nearby.

Mr. Harbeson said they have discussed that at the Temple St location nearby.

Mr. Weber said that is one of the big things now, because tenants aren't using their cars as much.

Mr. Harbeson said that is what they see in the multifamily projects they develop nowadays. That is the marketplace desire both for millennials and retirees, to be downtown. They anticipate that here there will be transit options.

Mr. LeClair asked if there were any aspects of the building's history that would be maintained or restored.

Mr. Harbeson said they will have to see what is available. They found a large hanger inside for marketing purposes, so they might display that. Typically they see with these kinds of redevelopments that the building brands the space as part of that history.

A brief discussion of the building and potential for historical elements ensued.

Mr. Varley asked Staff if the proposal doesn't need a waiver for parking because it is in the Transit Overlay District.

Ms. McGhee said no. The applicant submitted a site plan suitability report, as they would have to in a mixed use zone. If the Board approves the plan as presented, they would be granting the applicant all necessary waivers without having to individually list them out.

Mr. Varley asked Mr. Malynowski about the expected parking needs given that there are 68 spaces for 82 units. This is well under what would normally be required under the ordinance.

Mr. Malynowski said that the parking was designed for this building, especially being in the Transit Oriented District, under the premise that more people will use public transportation. It's close to the downtown and bus stops. The likelihood that every resident will need a car is unlikely at this location.

Mr. Varley referred to other nearby projects, and said if it was closer to the downtown there would be on-street parking and public parking access. He likes the idea of downtown housing and people using cars less, but because it's not right downtown and there isn't a well-developed transit system in that area, he wonders if the 68 spaces are sufficient. Have they done any market research?

Mr. Harbeson said that they are basing this off of other projects they have worked on. He said that part of it is the size of the unit, and who you anticipate to go into it. He described their reasoning behind the decision.

Ald. Melizzi-Golja said that in her experience many of the single young people living in downtown Nashua work in Massachusetts. They don't get to a train or a bus; they drive. The retirees that she knows have cars, and are still going places. Unfortunately they are still at a point in Nashua where you can't get there from here.

Mr. Harbeson said that it's a complex problem, and no developer wants to build more parking spaces than they need. But in New Hampshire in general people still want to store cars. The challenge is balancing that need with the need and marketability of units. He described the differences between this property and the nearby Temple Street proposal.

Mr. LeClair asked if the site is capable of more parking. For other developments in the downtown area there has always been a backup plan, and in the last two redevelopments that backup plan has been necessary. Is there a plan onsite if they do need more parking?

Mr. Malynowski said no. They are creating parking now by demolishing a portion of the building. He described the site

limitations. That was why they looked into providing extra spaces on Temple Street.

Mr. LeClair asked if there was additional space on the Temple St property.

Mr. Malynowski said no. He described the current parking situation at 158 Temple St.

Mr. Harbeson said that the city's rail trail will be going through the property. One conversation they have had with the Planning Dept. is that they are interested in the potential for shared parking. That could be a future possibility, but they can't count on that right now.

Ald. Tencza asked if the parking spaces will be leased to specific apartments, or is there the potential for 80 units and 160 cars?

Mr. Harbeson said he doesn't know if a determination has been made yet. He said it's common to either number spaces or assign them by unit size.

Mr. Pedersen said that the Staff report cites 68 parking spaces, and the architect's site suitability report cites 125 parking spaces. What is the right number?

Mr. Harbeson said that is a typo. It should be 68.

Mr. Pedersen asked if all of the traffic entering and exiting that parking space was onto East Hollis St.

Mr. Malynowski said that there is one driveway on East Hollis St, and the other spaces are on Temple St.

Mr. Pedersen asked if residents would park at Temple St and walk to the building on East Hollis St, so that not all of the traffic was on that street

Mr. Malynowski said yes.

Mr. Pedersen said he finds that in the afternoon, traffic from the bridge into Hudson backs up to the Henry Hanger building already.

Mr. Malynowski said they do have a traffic engineer that can speak to this, and he has done a preliminary memo to show that there is a "de minimis" increase in traffic due to the project.

Mr. Pedersen said the Staff report states that traffic report is not required. That place has a traffic jam every day. The Board needs real data to show that this is going to get jammed up if you add 68 more spaces.

Mr. Malynowski said he will defer to their traffic engineer on that. But based on the merits of what they have, the increase in the number of trips doesn't trip the requirement for a traffic report.

Mr. Pedersen said speaking from driving experience, that is one place you want to avoid every afternoon.

Steven Pernaw, Pernaw & Company Inc., 78 Berry Rd, Loudon NH 03307

Mr. Pernaw said his company was asked to prepare a Traffic Impact Report for this proposal. He said that Nashua's form has a table of trip estimates, and if the number of trips exceeds certain criteria, they have to do a full study. If they are below the criteria, a full study is not necessary. They are estimating an evening peak value of 36 vehicle trips entering and exiting per hour. The threshold is 75 trips per hour. They estimate 400 trips per day, and the threshold for a full report is 1,200 trips. In terms of backups, that is an existing condition and a fact of life. Mr. Pernaw said that some of those 36 trips per hour will be using Temple St, so that number will get dispersed. From a traffic operations standpoint this is de minimis. There is an impact, but it's not going to dramatically change what they are experiencing today.

Mr. Reppucci said they have correspondence from city traffic engineer Wayne Husband that says they are looking for a traffic impact study for the cumulative impact of both developments combined. The Engineering Dept. is also asking for a voluntary contribution of \$200 per peak hour trip that would go towards the East Hollis St traffic corridor.

Mr. Pernaw said that they intend to meet with Mr. Husband and go over these requests.

Mr. Weber said today's alternative to a car is a taxi or Uber. Would they designate a spot for drivers in the parking lot?

Mr. Malynowski said they do have space they could demarcate as a drop-off location.

Ald. Melizzi-Golja asked about the rail spur behind the building, and what there is to stop people from walking across the rails to the Temple St parking area.

Mr. Malynowski said the entire perimeter is surrounded by a 6-ft chain link fence. As part of the project they propose to change the fence out and have it connect directly to the building, so that there is no access from the rear. There is also a fence along the railroad side to keep people from entering on the adjacent properties as well. There is no access from the building space to the spur.

Ald. Melizzi-Golja asked if people would have to climb the fence.

Mr. Malynowski said they would have to cross two fences.

Ald. Tencza asked if they stipulated that there would be no more than 68 parking spaces would be leased to tenants of the building unless other options became available, how would that affect leasing the apartments?

Mr. Harbeson said he's not sure. Universally, all building managers want a building to work for the tenants. He would hesitate to say that anything would be beneficial might tie their hands in terms of a strategy that might work best for the property.

Ald. Melizzi-Golja said she is familiar with the intersection. Even though Temple St right now has no businesses and no parking, cars get backed up there forever. She is very concerned about the traffic impacts there, and described her experiences.

Mr. Harbeson said he understands that. He thinks from a pedestrian standpoint, the sidewalks will be improved along that corridor. They are also removing the west parking area, a common source of people backing out into traffic. They will be revising the property line with the city as well.

SPEAKING IN OPPOSITION OR CONCERN

Bob Dion, 447 Main Dunstable Rd, Nashua NH

Mr. Dion introduced himself to the Board as representative for BC-AD Properties LLC, owner of adjacent property 102-104 East Hollis St.

Mr. Dion said that this is going to be a nice change from what is currently there. He is concerned about the fence close to his property line. He said he has spoken to Mr. Malynowski, and was assured that the chain link fence will be replaced with a privacy fence no closer to the property line than the current fence. He would like to confirm that the new fence will not be any closer. His building was made in the 1920s very close to the property line, and there are three means of egress on that side. If the fence comes any closer, they won't be able to use them.

Christopher Eckler, 22 Amory St, Nashua NH

Mr. Eckler said he owns property in the area. He thinks this is a fantastic project, but is concerned about the traffic in the area. He doesn't see any problems that wouldn't be addressed by a new traffic light.

Mr. LeClair said that there is a whole plan for changes to the East Hollis St corridor for larger city development.

Ald. Melizzi-Golja said there is not a light probably because there is already a light on Arlington St, and sometimes that intersection gets backed up all the way to Temple St. That whole area is being looked at in terms of traffic flow. A new traffic light there would make the problem worse.

Mr. LeClair said it's a known city issue, and being investigated.

Peter Schaefer, 13-15 E St, Nashua NH 03060

Mr. Schaefer thanked the applicant for proposing to repair the sidewalk. He said that currently you can barely squeeze past the telephone poles. Will the poles be moved so that people can walk by easier?

Mr. Schaefer said that the trains are loud at night sometimes. Is there something that can be done about that for the residents?

Mr. Schaefer asked if there would be a turn lane for this development. He is concerned about traffic, and said that one more car during rush hour makes a difference.

Mr. Schaefer said that the Henry Hanger building is a landmark, and hopes that they will preserve the history of the property.

Bob Kerouac, 2 Jefferson Dr, Hudson NH 03051

Mr. Kerouac said that he owns property on East Hollis St and Denton St. He is concerned with traffic and the amount of parking spaces available. He owns two parking lots, and because of the density in that area there is no parking for many of the buildings. He frequently has to tow people from his lots. They don't even have one space per unit, let alone 1.5 spaces. Traffic is already bad. He asked if the parking spaces at Temple St are owned or leased, because if they are leased that could someday go away.

SPEAKING IN FAVOR

None

SPEAKING IN FAVOR - REBUTTAL

Michael Malynowski, Project Engineer, Allen & Major Associates, Inc., 400 Harvey Rd, Manchester NH 03103

Mr. Malynowski indicated the existing fence setback of 1.6-ft on the plan, and said that it currently gets closer and encroaches onto 102-104 East Hollis St 8-10-ft before the street. They are proposing to replace the fence and maintain a 1.6-ft setback at minimum. There will actually be more clearance at the East Hollis St side than there is currently.

Mr. Malynowski said they are aware of the telephone poles, and have made provisions to adjust the sidewalk as needed to provide 5-ft of clear access. They will flare around the signal area.

Ald. Melizzi-Golja recommended that if they plan to maintain the sidewalk in front, make sure that snow blowers and wheelchairs can get around the pole.

Mr. Malynowski said that the current owner of 110 East Hollis St also owns the Temple St property as well. They will own the parking spaces. He said they will be working with the traffic engineer to address any concerns about traffic.

Mr. Weber asked if the area by the loading dock will be an entrance.

Mr. Harbeson said that the current loading dock will be converted to a clubhouse, with an entrance leading to the patio.

Mr. Weber recommended that they install a fence going into the building, or outside people will be on the patio and in the building.

Mr. Harbeson said they want to maintain a quality pedestrian experience, but they have discussed it. He said that in regards to landmarks, this building is not designated or protected as a historic building. It would be easier to demolish the building and start over, but they agree that its character is valuable. He said in the Transit Oriented District, the language in regards to parking simply states that they propose something they believe works for the project. They believe that this is viable for this particular property relative to the use.

Mr. Weber said he is part of the Historic District Commission, and a previous nearby project restored the letter painted on the building. He suggested that it would be a positive thing, and that Nashua is a historic city.

Mr. Harbeson said they are highly interested in retaining everything they can. They haven't looked at the condition of the existing signage and how difficult it would be to restore. They want to preserve what they can for marketability.

Mr. Pedersen said that the sign for Henry Hanger is a useful reference.

Mr. Harbeson said they think it is valuable as well.

Ms. McGhee said the Board has received updated comments from Engineering Dept., and if they approve the plan, they should change Stipulation #3 to reflect the date change. Also, 158 Temple St has a building right now, and they will be using part of that lot for this project's parking. Staff would like to request an additional stipulation that before they get a

Certificate of Occupancy they amend the site plan of 158 Temple St to show the building and parking.

Mr. Houston said there isn't an existing site plan on that property, so they will have to show the layout. When they worked with developers on Franklin St, it took them a year to rehabilitate the building. The city is actively pursuing the rail trail, and hopes to have a crossing over to the Crown St parking lot. The idea of the Transit Oriented District was that people could reside there that don't need a car. In the interim, maybe something can be worked out with the city.

Mr. Varley asked Staff if that parking lot is currently public, or would there have to be some arrangements made?

Mr. Houston said it's a public parking lot, built for the train station that will come eventually. BAE currently has an arrangement to use part of the lot. He said this development won't happen overnight, so they can work something out in the interim.

Ald. Melizzi-Golja confirmed that BAE currently uses some of it, with a shuttle.

Mr. LeClair closed the public hearing and moved into the public meeting.

Mr. LeClair said he thinks this is a good use for the facility. The parking can be a challenge, and it seems to have limited solutions.

Mr. Reppucci proposed that they table the application. He thinks it's a great plan, and developing these properties is great for the city. But he said that the city is looking at this the wrong way. They have added hundreds of apartments in that area, and the traffic is a nightmare down there. He agreed with Ald. Melizzi-Golja, and said that people drive everywhere. He thinks that they should be looking at the trips collectively, rather than piecemeal. There is no possible way that this is not going to make a terrible situation even worse. He thinks that the Board needs to look at the traffic collectively before they commit to more units in that area. By tabling the case, they're not denying anything.

Mr. Varley said that he agrees with the concern on parking and the need for cars. He said if could see something more formal

between the city and the applicant in regards to the Crown St parking lot, he thinks that would go a long way towards addressing his concerns. He agrees with Mr. Reppucci that these projects all have an incremental impact, and they should be looking at it more collectively. His concern about tabling the case is that they typically table to ask something specific of the applicant. He doesn't know what they would be asking the applicant to do here.

Mr. LeClair said they have tabled cases for traffic studies that incorporate multiple projects before. They would want to be specific about what the scope of that study would encompass. It might be this development, Case #9, and the existing development at 9 Bancroft St.

Mr. Reppucci suggested anything built in the last five years.

Mr. LeClair agreed. He said they need to look at everything all together. But they need some sort of baseline for that area by the bridge.

Ald. Melizzi-Golja said she doesn't think the current East Hollis St study took this development into account, but that is a base. NH Dept. of Transportation (DOT) was involved in that, so there is some baseline information that could be used.

Mr. Weber said he thinks they're getting away from what the applicant has brought forth. They have not brought forth a building with 168-200 parking spaces. He's developing a property for a certain group of people that will not have a car. Their regulations have deemed that they don't need a traffic study. If they think a traffic study needs to happen, the Board needs to talk to their traffic engineers and say something has to change. The Board has seen this on many other places that didn't have parking, and didn't have a problem with it. By asking the applicant to increase their parking spaces, they would be adding to the traffic problem. The potential tenants will know that there are no parking spaces, or they won't rent.

Mr. LeClair said he doesn't have an issue with the parking so much as the piecemeal development around those three roads going into Hudson.

Mr. Weber said if it was all going on at East Hollis St, he could understand that it's a problem. But it's divided up.

Mr. LeClair said that all three streets are backed up.

Mr. Varley said that at a minimum they have two projects being developed together. They should be considering the impact of these two projects and other neighboring recent projects in a traffic study. He said it's a little more than incremental, and he doesn't think it would be unreasonable to ask the applicant for something more comprehensive.

Mr. Pedersen asked what would be the answer, if the applicant presented a report showing more impacts and the Board didn't approve it. The applicant is presenting something the city needs; apartment buildings that produce or use public transportation instead of cars. In every study he's seen from the DOT, that is what they are looking for. By denying this applicant, they are going against that.

Mr. LeClair said he doesn't think they are denying anything; they are just looking for more information to be able to make a more educated guess on the collectiveness of multiple developments. The Board has done that on several instances, especially on Amherst St.

Mr. Varley agreed. He thinks the traffic impact threshold is a little bit different in the sense that it's the minimum where the applicant is obligated to provide a study. That doesn't mean the Board can't request an applicant perform a traffic study.

Mr. Pedersen asked if the Board could ask the city's traffic engineer attend the meeting.

Mr. LeClair said they can ask anyone from the city to attend, but it's not going to be very useful without a traffic report. The traffic threshold memo doesn't give you that connectivity between developments.

The Board discussed traffic related to the 9 Bancroft St development.

Mr. Varley said that the 9 Bancroft St development came with traffic improvements.

Mr. LeClair said they would want those improvements to be looked at as a part of this traffic study. He said it sounds like there is support for developing a more comprehensive traffic study, to include this development, developments in the near future, and existing developments within the last five years.

Mr. Pedersen said they have a quandary to provide workforce housing. If they approve all of these proposals they will satisfy workforce housing, but if at the same time they create a huge traffic jam in this area every day, that's poor planning. Getting traffic engineers involved in a comprehensive plan is a good idea. There are also market forces involved. People might not want to move into an area with no parking and heavy traffic. He suggested a better mass transportation link from that section of town to the downtown, or even a trolley on the nearby rail. People would be mad at them for increasing the traffic in that part of town severely for years to come.

Mr. Reppucci suggested that the motion allow them to draft the specific criteria for what the Board wants from a traffic study.

Mr. Varley asked if they would be making that motion for the purpose of the applicant forming a traffic study, with the understanding that the Board would follow up with them after the meeting to provide specific criteria.

Mr. Reppucci said yes, within a reasonable period of time so that the applicant would know exactly what the Board is looking for.

Mr. Pedersen said the traffic engineer needs to take into account more than just the East Hollis St building. It's a bigger picture than just one project.

Mr. Reppucci said the motion should empower the Chair to communicate this before the next meeting.

Mr. Varley said they should table the case to a date certain. They should give the applicant the criteria within the next five business days.

MOTION by Mr. Varley to table New Business - Site Plan #8 for the specific purpose of requiring the applicant to conduct a more comprehensive traffic impact study, with additional specificity to be provided by the Chair of the Planning Board within 5 business days, until the August 8th meeting.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

9. ZJBV Properties LLC (Owner) - Application and acceptance of proposed two 84-unit apartment buildings with associated site improvements. Property is located at 159-161 Temple Street and "L" Bridge Street. Sheet 38 - Lot 47 & Sheet 39 - Lots 31 & 38. Zoned "GI/TOD" General Industrial/Transit Oriented Development. Ward 7.

Mr. LeClair said they could either postpone this case, or open the case and table it. He asked Staff if there were impacts to the applicant in either scenario until a comprehensive traffic study could be presented.

Mr. Houston said they have already made their motion, and could ask the applicant directly. He thinks the applicant would want to get started as soon as possible. The project itself is worth discussing what they're proposing. He gave an overview of new developments along the road, and improvements planned to the road. He thinks there are enough studies out there that the applicant could pull something together fairly quickly. The city should be a part of that solution.

Mr. Varley suggested they not accept jurisdiction on the plan. He thinks it is to everyone's benefit to look at the area comprehensively first.

Mr. Reppucci asked Staff about proposed lot line relocation on the plan, to be submitted under a separate application. Can they accept jurisdiction of the plan if they don't know where the lot line is going to go?

Ms. McGhee said if they are going to do a lot line adjustment they would have to come back and amend this plan.

Mr. Reppucci asked if that should be done before they consider this plan, or is it ok to consider the lot line adjustment later.

Ms. McGhee said if the plan for the lot line adjustment was submitted, one of the conditions of approval would be that before the lot line adjustment is recorded at the Hillsborough County Registry of Deeds, this site plan would have to be amended.

Mr. LeClair asked if they would have to come back before the Board.

Ms. McGhee said yes.

Mr. Reppucci asked if the adjustment would affect how the Board considers the application. If they do the lot line adjustment first, will that affect the way the Board looks at the project?

Mr. LeClair said typically they would want to see the lot line adjustment at the same time.

Mr. Reppucci said he didn't see any reference to that in the notes. Maybe they can do that by the next meeting.

Ms. McGhee said correct.

Mr. Pedersen said that the 9 Bancroft St Project involved a lot of lot line adjustments throughout its process, and they had to keep amending the plan every time.

MOTION by Mr. Varley to postpone consideration of New Business - Site Plan #9, with the understanding that the basis for doing so is to request that the applicant conduct a comprehensive traffic study consistent with the motion made with respect to New Business - Site Plan #8, with additional details to be provided by the Chair within 5 business days, and that the postponement be until the August 8, 2019 meeting.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

10. John J. Flatley Company (Owner) - Application and acceptance of proposed site plan to construct a 255,272 square foot Research & Development facility. Property is located at 100-300 Innovative Way. Sheet A - Lot 798. Zoned "PI" Park Industrial and "RC" Urban Residence. Ward 8. **(Postponed to the September 12, 2019 Meeting)**

OTHER BUSINESS

1. Review of tentative agenda to determine proposals of regional impact.

MOTION by Ald. Tencza that there are no items of regional impact.

SECONDED by Mr. Varley

MOTION CARRIED 6-0

2. Referral from the Board of Aldermen on Proposed R-19-147, Authorizing Purchase and Sale of City land at 21 Pine Street (Map 77, Lot 17) and land of Public Service Company of New Hampshire d/b/a Eversource Energy at 3 Pine Street Extension (Map 77, Lot 2A). **(Postponed from the June 20, 2019 meeting)**

Roger Houston, Planning Director

Mr. Houston said this goes along with Case #2 and Case #3, and they have already seen the plans associated with it. Economic Dev. Dir. Tim Cummings and Legal Counsel have been working on an agreement with PSNH to make the land by the Broad Street Parkway more usable. This is just a referral to the Board of Alderman because the city is swapping land, and the city charter requires the Planning Board review it. Staff would recommend favorably.

Mr. Reppucci agrees that the city did their due diligence, and he accepts it at its face value.

Mr. Varley said it's consistent with their approval of the site plan.

MOTION by Mr. Reppucci to make a favorable recommendation for Other Business - #2 to the Board of Aldermen.

SECONDED by Mr. Varley

MOTION CARRIED 6-0

3. Referral from the Board of Aldermen on Proposed R-19-148, Amending the authorization for the sale of land on Bridge Street and Sanders Street. **(Postponed from the June 20, 2019 meeting)**

Atty. Andy Prolman, Prunier & Prolman, PA, 20 Trafalgar Sq, Nashua NH 03063

Mr. Prolman said that he represents Renaissance at Nashua, LLC. He said he heard the Board's discussion about traffic, and will take that back to his client and traffic engineer. When they come back to the Board, they will hopefully have a full scale traffic presentation.

Mr. Prolman said they are making modifications to the preferred development agreement. This amendment sets a purchase price for the two parcels, and a payment in lieu of constructing a

rectangular field. It also sets hard deadlines for the development to meet, and an additional payment to the city if they are able to develop units above the 147 agreed upon. Economic Dev. Dir. Tim Cummings has recommended this, and there is strong support for it.

Ald. Melizzi-Golja asked why Mr. Prolman's client will not be constructing the rectangular field.

Mr. Prolman said they have been working on this for two years, and both Division of Public Works and Parks and Recreation don't want another field. They are at capacity for maintaining what they have. They would prefer a donation to maintain the current facilities. Another factor was that his clients found it difficult to locate a few flat acres to install a field. During discussions they came up with the number of 147 units.

Ald. Melizzi-Golja asked Staff if the money received in lieu of payment will go to Parks and Recreation for maintenance of existing fields.

Mr. Houston said he doesn't have any insight on where the funds will go.

Mr. LeClair said they could make that part of their recommendation.

The Board discussed possibilities for fund allocation.

MOTION by Mr. Varley to make a positive recommendation for Other Business - #3 to the Board of Aldermen, with the suggestion that the payment in lieu of constructing a rectangular field be specifically designated for the purposes of maintaining existing fields or creating new ones.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

4. Referral from the Committee on Infrastructure - Petition to Release Façade Easement.

Atty. Andy Prolman, Prunier & Prolman, PA, 20 Trafalgar Sq,
Nashua NH 03063

Mr. Prolman introduced himself as representing Alla Mack Properties LLC. He requested that this case be continued to the

August 8, 2019 meeting, at which time they will come in with a professional historian, a report, and detailed documents.

MOTION by Mr. Varley to continue Other Business - Case #4 to the August 8, 2019 meeting.

SECONDED by Mr. Reppucci

MOTION CARRIED 6-0

DISCUSSION ITEMS

None

MOTION to adjourn by Mr. Weber on July 12, 2019, at 12:06 AM.

MOTION CARRIED 6-0

APPROVED:

Mr. LeClair, Chair, Nashua Planning Board

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Prepared by: Kate Poirier

Taped Meeting