

NASHUA CITY PLANNING BOARD
September 24, 2020

The regularly scheduled meeting of the Nashua City Planning Board was held on September 24, 2020 at 7:00 PM via Zoom virtual meeting.

Members Present: Scott LeClair, Chair
Mike Pederson, Mayor's Rep.
Ed Weber, Secretary
Dan Hudson, City Engineer
Maggie Harper
Larry Hirsch

Also Present: Linda McGhee, Deputy Planning Manager
Christine Webber, Department Coordinator

ALL VOTES ARE TAKEN BY ROLL CALL

Approval of Minutes

September 10, 2020

MOTION by Ms. Harper to approve the minutes of the September 10, 2020 meeting, as written

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

COMMUNICATIONS

Ms. McGhee went over the following items that were received after the case packets were mailed:

- Email from Street Construction Engineer Joe Mendola with updated engineering comments re: Cases #4, #5, #7, #8, #9
- Email re: Case #3, requesting to be postponed
- Email re: Case #7, requesting to be postponed
- Amended agenda

COVID-19 Address

Mr. LeClair addressed the COVID-19 pandemic as follows: Due to the State of Emergency declared by Governor Sununu as a result of COVID-19 pandemic and in accordance with the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, this public body is authorized to meet electronically until further notice.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized to meet electronically pursuant to the Governor's order. However, in accordance with the Emergency Order, this is to confirm that we are:

1. Access

The Board is providing public access to the meeting by telephone, with additional access possibilities by video or other electronic access means.

The Board is video conferencing utilizing Zoom for this electronic meeting. Public access to this meeting is provided via Zoom. The link to this meeting is contained in the meeting agenda, available on the city website. The meeting can be streamed through the city's website on Nashua Community Link and also on Channel 16 on Comcast.

2. Public Notice and Access

If anybody has a problem accessing the meeting via phone, please call (603)589-3115, and they will help you connect.

3. Adjourning the Meeting

In the event that the public is unable to access the meeting via the methods above, the meeting will be adjourned and rescheduled.

4. Procedures

The Chair is in control of the meeting, and to the extent practicable and advisable the Board will follow the procedures outlined in the Bylaws. The applicant will present the applicant's case, followed by questions by the Board. The Chair

will then allow for a rebuttal period for persons wishing to speak in favor, or with questions or opposition, before the Board deliberates and determines an outcome.

Applicants and their representatives, and individuals required to appear before the Board are appearing remotely, and are not required to be physically present. These individuals may contact the Planning Department to arrange an alternative means of real time participation if they are unable to use Zoom. Please note that all votes taken during this meeting will be done by roll call.

Planning Board meetings will be held electronically until further notice, when it is deemed safe to conduct meetings at City Hall.

The Planning Department and Board thank you for your understanding and patience during this difficult time.

REPORT OF CHAIR, COMMITTEE & LIAISON

NRPC: Mr. Weber gave an update on recent webinars and topics discussed by the Commission

OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLANS

None

OLD BUSINESS - SITE PLANS

None

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

1. Alla Mark Properties, LLC (Owner) - TMC of New England, LLC (Applicant) - Application and acceptance of proposed Conditional Use Permit to construct a convenience store with gas station. Property is located at 452 Amherst Street. Sheet H - Lot 143. Zoned "PI/MU" Park Industrial Mixed Use. Ward 2.

5. Alla Mark Properties, LLC (Owner) TMC of New England, LLC (Applicant) - Application and acceptance of proposed amendment to NR0946 to demolish the existing building and construct a convenience store with gas station and associated site improvements. Property is located at 452 Amherst Street. Sheet H - Lot 143. Zoned "PI/MU" Park Industrial Mixed Use. Ward 2.

For the purposes of discussion, Cases #1 & #5 were heard together

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

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

MOTION by Mr. Pedersen that Case #5 is complete and the Planning Board is ready to take jurisdiction

SECONDED by Mr. Hirsch

MOTION CARRIED 6-0

Atty. John Smolak, Smolak & Vaughan LLP, 21 High St, North Andover, MA

Atty. Smolak introduced himself as representative for the applicant, in addition to several members of their team.

Atty. Smolak said they have submitted materials summarizing the nine points required for a Conditional Use Permit. They have also submitted a site plan suitability report. Planning staff has reviewed these materials, and there are no issues at this point.

Atty. Smolak gave an overview of the site history, surrounding neighborhood, and existing conditions. Their proposed project includes a new 4,990-sqft colonial style convenience store to replace the existing restaurant and a single row of fuel dispensers and canopy. All structures would be set back farther from Amherst St than currently. This project will not include a car wash, and operating hours will be 24/7.

Atty. Smolak said on June 9, 2020, the Zoning Board approved a use variance to allow the proposed project to move forward. As part of the process, several abutters came forward with concerns about trees to the rear of the site. They have adjusted their site improvements to preserve the trees to the rear of the site.

Atty. Smolak said this application includes two waivers as outlined in the staff report. He gave an overview of each request.

Chris Tymula, Project Engineer, Greenman Pedersen Inc.

Mr. Tymula presented a colored rendering of the site proposal. He summarized the site features and access. Everything present on the site today will be removed, and the site will be filled to address the grade difference. He addressed parking, and said the dumpster would be enclosed. He described the fuel storage tanks and convenience store access. He explained snow storage and lighting. He said all site signage would comply with regulations.

Mr. Tymula said this site is a closed drainage system, and he described how they will address grading and stormwater. He explained the stormwater best management practices they will follow during construction. The stormwater maintenance plan will be maintained into perpetuity. He addressed all other associated utilities.

Mr. Tymula said there is a significant amount of landscaping onsite. He went into detail on the proposed landscaping, and their efforts to preserve the mature trees to the rear of the site. He explained the lighting plan.

Mr. Tymula presented a truck turning plan and fire truck turning plan. He said the canopy is a standard design for Cumberland Farms, and will be 3-ft high to hide the fire suppression systems. He showed a floor plan of the convenience store and architectural renderings of the site. He said they received comments from Planning Dept. staff and Engineering Dept., and feel that they can be addressed.

Rebecca Brown, Traffic Engineer, Greenman Pedersen Inc.

Ms. Brown outlined the findings of the traffic impact study. She addressed the collision history of the area, and said there is no history of crashes at either of the proposed site entrances

and 4.2 crashes per year at the intersection, which is lower than average. Sight line distances exceed minimum requirements. She described the NHDOT's future plans to widen Amherst St by another lane, which will reduce delay at this intersection.

Ms. Brown said they were requested by the city to install an acceleration and deceleration lane at this intersection. There will be a separate lane to allow customers to get out of the way of through traffic. The city is also looking to add wireless communications that would improve the flow of traffic. They have committed to providing a contribution towards this equipment. They have also been requested to provide updated signal timing, and they are committed to that as well.

Mr. LeClair asked if they would sell diesel, and if so which fuelling stations would have diesel.

Mr. Tymula said they will. The outer two islands will sell diesel so that larger trucks and trailers aren't blocking the middle islands, and to provide for easier access.

Mr. LeClair asked if the canopy parapet is high enough to screen suppression systems.

Mr. Tymula said yes, and explained the dimensions.

Mr. LeClair asked what the bottom of the canopy level will be to street level.

Mr. Tymula said the underside will be a good 10-ft above Amherst St.

Mr. LeClair asked about the retaining wall design.

Mr. Tymula said they typically use big block retaining walls, and addressed the changes in grading.

Mr. LeClair asked if there would be fencing.

Mr. Tymula said yes, along the rear of the property and a guardrail where cars would interact with the site.

Mr. LeClair asked if they proposed a generator, and if the site could dispense fuel during a power outage.

Mr. Tymula said all sites are equipped with generator hookups.

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Mr. LeClair said there was discussion of a historic marker sign onsite. Is that going to be a part of this submission?

Atty. Smolak said this site previously had a historic façade easement restricting the appearance, which the owner petitioned the city to remove. He asked if they are suggesting the placement of a historic marker for the site.

Mr. LeClair said in their packet there was a recommendation that showed the type of sign showing the history of the site. He asked if they would be amenable to adding that as a stipulation.

Mr. Smolak said they would look into it.

Mr. Weber said he was there at that meeting. They had discussed the applicant coming back to the Historic District Commission to work with them and make sure the sign is correct.

Mr. Weber said electric vehicles are going to be present in the near future. He asked if Cumberland Farms has considered making provisions for a charging station somewhere onsite so that electric vehicles could charge. He suggested a location onsite.

Mr. Tymula said Cumberland Farms has not instituted any charging stations, and they are not looking to do that here.

Ms. Harper asked if any blasting would be required to install the tanks.

Mr. Tymula said the ledge is very deep, and blasting is the last thing they want to do. It's not in their scope right now.

Mr. LeClair asked if they have reviewed current NHDOT widening plans, and what impact that might have on this site.

Ms. Brown said the widening would be small in this area, but the deceleration lane would essentially become part of the third lane. They may need to recreate that lane further onsite.

SPEAKING IN OPPOSITION OR CONCERN

Stanley Rydzewski, 7 Saxford Ln, Nashua NH

Mr. Rydzewski introduced himself as the homeowner's association for the abutting residential development of Waterford Place. He gave a brief presentation showing the development and its relation to Amherst St.

Mr. Rydzewski expressed concern about traffic. He described the residents' issues traveling eastbound, and is concerned this proposal will exacerbate that.

Mr. Rydzewski said the intersection of Townsend West and Sunapee St goes into a residential neighborhood, and he expects some foot traffic being generated. He believes the signalized intersection causes issues on Amherst St, and that increased foot traffic will have negative impacts on congestion.

Elise Jewett, 14 Crawford Ln, Nashua NH

Ms. Jewett is a resident of Waterford Condos. She said they already have three convenience store/gas stations within a one mile radius of the proposed site. She described current traffic issues on Amherst St, and said she doesn't see why they need another gas station in this area. She is concerned this will add to the congestion already going on.

SPEAKING IN FAVOR

Rebecca Brown, Traffic Engineer

Ms. Brown said described their methods for gathering traffic data, and said they noted a lot of U-turns being made at this intersection. Those were included in their analysis. People will still be able to make that U-turn. They propose to retime the intersection to increase the amount of green time for westbound traffic to handle cars that would be turning left into the site.

Ms. Brown explained how they will analyze the data to rework the intersection to an acceptable traffic delay. They will provide that set of timing to the city's signal consultant for implementation. There is typically some monitoring and tweaking that happens afterwards as well.

Mr. LeClair asked about the signal contribution for wireless connections, and what the intent of that project is.

Mr. Hudson said they plan to coordinate intersections to maximize throughput along the corridor.

Mr. LeClair asked the applicant what that contribution would entail.

Ms. Brown said the total project cost was estimated at \$56,000, which was divided evenly between three of the projects along this corridor. Their contribution would be \$14,000.

SPEAKING IN OPPOSITION OR CONCERN - REBUTTAL

Elise Jewett, 14 Crawford Ln, Nashua NH

Ms. Jewett said the timing of those traffic lights makes it very difficult for residents to get out of the development and make that U-Turn. This is a matter of them being able to safely exit from Wallingford Drive and make it across oncoming traffic to that U-turn. The timing of those lights right now already makes it dangerous.

Mr. Hirsch asked how many cars they expect per hour.

Ms. Brown said they expect 35-50 cars through the intersection per hour, or 70-100 new vehicle trips.

Mr. Hirsch asked if that number is rather low for a facility of this size.

Ms. Brown said that is new traffic coming in. The majority of the traffic generated by this site is already passing through. The total number would be 100-140 cars per hour.

Mr. Hirsch asked if that is over the 24-hr timeframe or a specific time.

Ms. Brown said that would be peak hours. It varies depending on the time and day. Gas stations tend to see the same peaks as traffic on the street because they are so heavily pass-by utilized in nature.

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the discussion.

Mr. Weber led a discussion regarding a historic plaque for the site.

Ms. McGhee said a marker will be placed at the edge of the property adjacent to the right of way.

Mr. LeClair said he thinks they need a stipulation requiring the applicant to work with staff on a plaque.

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

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

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

1. The request for a waiver of § 190-172(E)(1), which requires all sides of a principal building that directly face an abutting public street shall feature at least one customer entrance, 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 § 190- 89, which requires light levels not to exceed 0.2 footcandles at certain property lines depicted on the site plan, 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 and standard notes will be added to the plan.
4. 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.
5. Prior to the Chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer, September 23, 2020 shall be addressed to the satisfaction of the Engineering Department.
6. Prior to the issuance of a building permit, the electronic copy of the plan will be submitted to the City of Nashua.
7. Prior to the issuance of a building permit, stormwater documents will be submitted to City staff for review and recorded.
8. Prior to any work and a pre-construction meeting, a financial guarantee shall be approved.
9. Prior to the issuance of a certificate of occupancy, all off-site and on-site improvements will be completed.

10. Applicant will work with staff for the design and placement of historical marker onsite.
11. Prior to the issuance of a building permit, the applicant will contribute \$14,000 to the Amherst Street corridor account.

SECONDED by Mr. Hudson

MOTION CARRIED 6-0

NEW BUSINESS - SUBDIVISION PLANS

2. Roscommon Investments, LLC and MAG RE Holdings-Nashua, LLC (Owners). Application and acceptance of proposed lot line adjustment. Property is located at 117 West Glenwood Street and "L" West Hobart Street. Sheet 132 - Lots 84 & 31. Zoned "RA" Urban Residence. Ward 7. **(Postponed to the October 8, 2020 meeting)**
3. MG Holdings (Owner) - Application and acceptance of proposed three lot subdivision. property is located at 1 Morningside Drive. Sheet 118 - Lot 129. Zoned "RA" Urban Residence. Ward 7. **(Postponed to the October 8, 2020 Meeting)**
4. The Terrell-Holt Family Revocable Trust-2005 (Owner) B&A Construction, LLC (Applicant) - Application and acceptance of proposed 10 lot conservation subdivision with associated site improvements. Property is located at 32 Groton Road. Sheet D - Lot 265. Zoned "R-40" Rural Residence. Ward 5.

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

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

Chris Guida, Soil & Wetland Scientist, Fieldstone Land Consultants, 206 Elm St, Milford NH

Mr. Guida introduced himself as representative for the applicant.

Mr. Guida gave a very brief overview of the project proposal. This application has been reviewed by both Engineering and Fire Dept., and they have no issues addressing outstanding comments. They are requesting one waiver, as outlined in the staff report.

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Mr. Guida described the current site conditions. The Zoning Board previously granted a variance on August 25, 2020 to allow individual septic systems on conservation lots smaller than 40,000-sqft.

Mr. LeClair asked him to describe the utility concept.

Mr. Guida said it will be individual onsite septic, as well as onsite well. He referred to the utility plan. These will be individual lots on a public road.

Mr. LeClair asked if they will be changing the development name, as the name is already in usage in Nashua.

Mr. Guida said his understanding is that it will be changed to Long Meadow Estates.

Ms. Harper asked if the homes will be served by a communal well, or individual wells.

Mr. Guida said they are proposing individual wells on each lot.

Mr. Pedersen referred to Fire Dept. comments, and asked if they provided a method of supplying ample water in case of a fire.

Mr. Guida said each home will be sprinklered.

Mr. Weber asked if they tested the amount of water pressure for each home. Will it be sufficient for all the houses? They are going to have a lot of wells in a small area.

Mr. Guida said they have not tested that. They are overlying a large aquifer with sand and gravels. They are not anticipating any issues with water pressure.

Mr. Weber asked about the infiltration area, and if the swale will discharge into Dunstable, Massachusetts.

Mr. Guida said no. The infiltration in this area is high, so it should all be contained onsite.

Chad Branon, Project Engineer, Fieldstone Land Consultants, 206 Elm St, Milford NH

Mr. Branon said the soils onsite are very well drained. The stormwater basin has been designed to meet the current city standards for stormwater management. There is ultimately a decrease in flow leaving the site from existing conditions. They

received an extensive review from the Engineering Dept. and addressed those comments. They have not received any feedback to those comments, but they are comfortable that these are minor revisions. They have no objections to any of the staff recommendations for conditions of approval.

Mr. LeClair asked if this is a 28-ft wide street with granite curbing.

Mr. Branon said correct. It was designed to meet city standards for public roads.

Mr. LeClair asked if there is any lighting along the street. He doesn't have a lighting plan in his packet.

Mr. Branon said this is a very short cul de sac road, and doesn't believe they were proposing any lighting. They could certainly add a light at the intersection. Adding lighting to compact conservation subdivisions typically has an impact on quality of life, so they try to avoid it.

Mr. LeClair asked if there would be any lighting on the barn building, or if there is lighting along Groton Rd.

Mr. Branon said there is no lighting on Groton Rd at this location. He is sure the warehouse will have lighting onsite. He is sure every residential house would have lighting.

Ms. Harper asked if the propane tanks would be underground.

Mr. Branon said he would anticipate that they are. Underground tank placement is a pretty standard practice.

SPEAKING IN OPPOSITION OR CONCERN

Robert Kennedy, Dunstable Rural Land Trust

Mr. Kennedy said that they own several hundred acres bordering this project in Massachusetts. He is concerned about potential impacts to water quality.

Alan Chaney, Dunstable Rural Land Trust/Dunstable MA Conservation Commission, 1070 Main St, Dunstable MA

Mr. Chaney said they do not have a plan before them, but would assume a conservation subdivision is similar to a cluster development. He asked what the acreage of the site is.

Mr. Branon displayed the subdivision plan

Mr. Chaney asked the acreage of open space. The Land Trust owns several hundred acres directly south, which is heavily used for passive recreation by the public and the Nature of Things School. They are concerned about negative impacts to the pond, specifically from nitrates discharged by septic systems. He described in detail their previous experience with developments in the area, including a hydrological study, and why he is concerned this will cause issues with the pond.

Chris Guida, Soil & Wetland Scientist

Mr. Guida said the site is 10.83 acres, and the open space will be 3.8 acres and travel around the perimeter of the parcels. The largest area of that open space is abutting the Dunstable town line.

Mr. Guida addressed nitrates. These are individual homes with onsite septic systems, which will be installed per state and city requirements. There is a nitrate setback once you get into larger systems. These are smaller individual systems, which don't have an accumulation of large nitrate. A single system may have a concentrate of nitrates which could cause concerns about traveling offsite. These are separate systems, so that won't be an issue. He asked where the pond is.

Mr. Chaney said almost directly south, and a few hundred feet from the state line.

Mr. Guida said according to the setbacks and regulations of NH and Nashua, the nitrates aren't going to be traveling off of the property. That's one of the issues they look at with multiple systems. According to their regulations, studies, and rules, he doesn't think this will be an issue. It's also heavily wooded in between this site and the pond, which will promote uptake.

Mr. Chaney said he thinks they have addressed their concern. They are going to take some samples and monitor the water quality over time.

SPEAKING IN FAVOR

None

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the discussion.

MOTION by Mr. Weber to approve New Business - Subdivision #4. 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. Prior to the Chair signing the plan, all minor drafting corrections will be made.
3. Prior to the Chair signing the plan, all comments in an e-mail from Thomas Lacroix, Staff Engineer dated September 10, 2020 shall be addressed to the satisfaction of the Engineering Department.
4. Prior to Chair signing the plan, all comments in an e-mail from Mark Rapaglia, Inspector/Investigator dated July 8, 2020 shall be addressed to the satisfaction of the Fire Marshal's Office.
5. Stormwater documents shall be submitted to the Planning Department and Corporation Counsel for review and approval and recorded with the plan.
6. Prior to issuance of a building permit, the applicant shall provide a guarantee for the subdivision improvements, including pavement, drainage infrastructure, site landscaping (not including individual unit landscaping), lighting. The applicant's professional engineer shall provide an estimate of the costs of the improvements for review by the City Engineer who shall determine the guarantee amount. The guarantee shall be in a form acceptable to the City's Corporation Counsel. Reductions in the guarantee (bond, letter of credit or other form of guarantee) shall be processed, from time to time, in the customary manner.
7. Prior to the issuance of a building permit, the plan electronic file of the subdivision plan shall be submitted to the City of Nashua.

8. Prior to the issuance of the first certificate of occupancy, the applicant shall complete the road improvements to the base course of pavement.
9. Prior to 75 % occupancy, all subdivision improvements shall be substantially completed; provided, that paving may be completed to base course and landscaping may be completed as seasonally permitted.
10. Prior to issuance of the final certificate of occupancy for the development, an as-built plan locating all roads, driveways, 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 subdivision plan and applicable local regulations. Road and sidewalk construction shall be to base course, with final course pavement remaining bonded until completion.
11. Prior to any work and a pre-construction meeting, a financial guarantee shall be approved.

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

NEW BUSINESS - SITE PLANS

6. Roscommon Investments, LLC (Owner) - Application and acceptance of proposed site plan to construct a new 22,560-sf auto body shop with parking, vehicle storage, and associated site improvements. Property is located at 117 West Hobart Street, "L" Glenwood Street, and "L" West Hobart Street. Sheet 132, Lots 84 & 38. Sheet 128, Lots 31, 32, & 84. Zoned HB-Highway Business and RA-Urban Residence. Ward 7. **(Postponed to the October 8, 2020 meeting)**
7. Granite State Credit Union (Owner) - Application and acceptance of proposed amendment to NR2186 to show a proposed 2-story, 10,000 sf credit union with drive-through facilities and associated site improvements. Property is located at 190 Broad Street. Sheet E - Lot 744. Zoned "GB" General Business. Ward 1. **(Postponed to the October 8, 2020 meeting)**
8. Colinbrooke Homes, LLC (Owner) - Application and acceptance of proposed site plan to develop property into a detached

condominium development. Property is located at 133 Amherst Street. Sheet 65 - Lot 60. Zoned "RA" Urban Residence. Ward 2.

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

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

Chris Guida, Project Engineer, Fieldstone Land Consultants, 206 Elm St, Milford NH

Mr. Guida introduced himself as representative for the applicant.

Mr. Guida said they propose a 4-unit condominium development off of Jewell Ln. They are asking for three waivers, as outlined in the staff report. They don't have any opposition to comments provided by Engineering and Fire Depts. This proposal received a variance from the Zoning Board on May 12, 2020 for more than one principal structure on one lot.

Mr. LeClair asked if the drive width is 20-ft

Mr. Guida said yes.

Mr. LeClair asked if there would be no parking along the drive.

Mr. Guida said correct, it would be on the interior.

Mr. LeClair asked if there would be signage.

Mr. Guida said he's not sure.

Chad Branon, Project Engineer, Fieldstone Land Consultants, 206 Elm St, Milford NH

Mr. Branon said they met with the Fire Dept. on this project. Because access to the site is less than 500-ft in length they are comfortable with the design. They are providing more than 2 spaces per unit, so they were comfortable with the number of spaces. They didn't have concern about parking along the drive because of the design. They could add some "No Parking" signage.

Mr. LeClair said the sidewalk contribution is typically for the entire frontage of the lot.

Mr. Branon said they based their contribution on the Engineering comments. He said they could leave some of the currently existing pavement, but they were proposing to remove it because it would not be utilized. They were proposing consistency with Engineering comments.

Mr. LeClair asked the throat width of Jewell Ln onto Amherst St.

Mr. Branon said it's about 24-ft at the sidewalk.

Mr. LeClair asked if the length of Jewell Ln was 200-ft.

Mr. Branon said correct.

Mr. LeClair said that would be about 176-ft of sidewalk. He asked if they are amenable to the 176-ft contribution.

Mr. Branon said if that's the interpretation the Board is comfortable with.

Mr. Pedersen said in the staff report there is an email dated August 10th that said "No Parking" signs will be required, and the addressing details.

Ms. McGhee recommended they stipulate the Fire Dept. comments.

Mr. LeClair asked if those two comments would be an issue.

Mr. Branon said they would not be.

Mr. Weber questioned the amount of stuff they are putting on this lot. It's only three extra houses, but it's not conducive with the rest of the neighborhood. It just seems like they've had other proposals like this that stuffed a lot of houses in a very small area.

Mr. Branon said that was certainly a topic of discussion in front of the Zoning Board. They made certain to orient the homes to meet the spirit and intent of setbacks. Condominium units sometimes don't have setbacks that align with the homes, but that was something they discussed at the ZBA. He added that they also meet density requirements for this zone and have ample

parking. They have addressed design elements as related to safety. They think this will provide a nice form of housing for residents within the city.

Mr. Branon said they are designing the site to be self-contained, especially from a drainage standpoint. They are reducing the flow of stormwater to Jewell Ln, so there are improvements as a result of the development.

Mr. Weber said he would not like this type of development to be seen throughout. He is not in support of this kind of concept, stuffing people next to each other without real lawn or places to walk outside. It wouldn't come to them if it didn't meet the criteria; just that it's designed as close as it can to meeting them. He believes it's stuffing a large amount of homes into a small area. They are nice looking homes, but it's people on top of people. He doesn't like the concept, and would like to see more open space.

Mr. LeClair asked for details on the size of the structures.

Mr. Branon said they are looking at a roughly 1,500-sqft home, 22'x34', two story structures with a farmer's porch. They have done a lot of projects in the city, and there is going to be outside area for the residents to enjoy.

Mr. LeClair asked if there were two units per structure.

Mr. Branon said no, they are single family detached structures.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

Ms. McGhee said they do not need to stipulate "No Parking" signs, as it is noted on the plan, Page #4, Note #20.

Mr. Hudson asked if the sidewalk would be beneficial based on the recreational use to at the end of Jewell Ln.

Mr. LeClair asked the applicant if they felt it would be a benefit.

Mr. Branon said it is a very small road with no traffic. There is currently no curb, so they felt that adding one here would cause drainage issues. It would be easier to ask for the waiver considering the location and request. They feel the payment in lieu could be better allocated somewhere else.

Mr. Hudson said he is ok to go whatever way the Board wants to go.

Mr. Pedersen asked the new case number and contribution.

Mr. LeClair said Case #8, and by his calculations, \$8,800.

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the discussion. He said while there are several structures on the lot, the applicant has spent considerable time making them look like individual houses. The configuration of the houses looks like a typical neighborhood.

Mr. Hirsch said he thinks it's a good project given the nature of the area.

Mr. Hudson said the other concern would be the sufficiency of parking. There are eight spaces for three units.

Mr. LeClair said they do have garages. If you add that to the list, there are fourteen spaces. This probably has more parking than some of the others they've seen.

Mr. Hudson said he doesn't see driveways to them on the plan.

MOTION by Mr. Hudson to reopen the hearing to discuss garages

SECONDED by Ms. Harper

PUBLIC HEARING

Chad Branon, Project Engineer

Mr. Branon said the elevation view shows drive-under style parking but these are not drive-under style units. That is one modification they will need to make to the plans. They are not going to have garages for these units. But the requirement for

parking is 2 per unit, so they have extra parking proposed. If this was multifamily style housing, they would be allowed 1.9 spaces per unit. After discussion with staff, it was determined this was sufficient.

Mr. LeClair said if it turned out that more parking was needed, would they be able to add spaces.

Mr. Branon said there is extra room onsite if needed. They don't anticipate that as a need. Parking will be controlled and limited under the condominium documents.

Mr. LeClair asked if Jewell Ln is wide enough for day parking.

Mr. Branon said he thinks it is the normal 28-ft width, so there should be space. It's not something they're planning for.

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He said it sounds like if it's an issue, they could create more parking.

Mr. Hudson said he is satisfied with that.

MOTION by Ms. Harper to approve New Business - Site Plan #8. It conforms to §190-146(D) with the following stipulations or waivers:

1. The request for a waiver of NRO § 190-211(B), which establishes design standards for private streets width, 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 § 190-88, for a lighting plan, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
3. The request for a waiver of NRO § 190-212(A)(1), which requires that a sidewalk be located on at least one side of the street, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation. The applicant has agreed to make a contribution in the amount of \$8,800 in lieu of sidewalk construction pursuant to §190-212(D)(2), payment to be made prior to issuance of a building permit.

4. Prior to the Chair signing the plan, all comments in an e-mail from Tom Lacroix, Staff Engineer, and dated September 16, 2020 shall be addressed to the satisfaction of the Engineering Department.
5. Prior to the Chair signing the plan, minor drafting corrections will be made.
6. 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.
7. Prior to any work and a pre-construction meeting, a financial guarantee shall be approved.
8. Prior to the issuance of a building permit, the applicant shall provide documents establishing condominium association which will be responsible for maintaining all property in common ownership. The documents shall be submitted to the Planning Department and Corporation Counsel for review.
9. Prior to issuance of the final certificate of occupancy for the development, an as-built plan locating all driveways, 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.
10. Prior to the issuance of the last Certificate of Occupancy, all site improvements will be completed.

SECONDED by Mr. Pedersen

MOTION CARRIED 5-1 (Weber opposed)

9. Tumpney, Hurd, Clegg (Owners) - Application and acceptance of proposed site plan to develop property into two duplexes for a total of four residential units. Property is located at 25 Ingalls Street. Sheet 6 - Lot 6. Zoned "RC" Urban Residence. Ward 7.

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

SECONDED by Mr. Pedersen

MOTION CARRIED 6-0

Heavily distorted audio. Members turned off video to maximize bandwidth

Atty. Colin Jean, 64 McKean St, Nashua NH

Atty. Jean introduced himself as representative for the applicant. He also introduced George Hurd, owner, and project engineer Michael Grainger.

****Applicant logged on to meeting twice, causing faint feedback loop****

Atty. Jean described the project proposal. They plan to develop the site into two duplexes. He described the parcel history and prior subdivision. This proposal meets all zoning requirements and is respectful of the 75-ft "prime" wetland buffer onsite. The applicant has worked very closely with city staff to address comments.

****Audio distortion****

Atty. Jean said if there were any questions, he would be happy to answer them.

****Audio distortion and feedback loops. Atty. Jean logged off of meeting and back on****

Atty. Jean said the property abuts Salmon Brook to the rear. Since at least 1965, this parcel and the three recently subdivided were used partly to store cars in and around the wetland buffer. This particular owner has cleaned that up and restored it to a more natural appearance. This proposal does not infringe on the wetland.

Audio distortion. Atty. Jean turned off his webcam*

Atty. Jean said this project meets all zoning and code setbacks.

Mr. LeClair asked if the wood and stone walkway is currently there.

Atty. Jean said he believes that is proposed. He knows there was a walkway from city land that abuts on Ingalls St.

Michael Grainger, Project Engineer, MJ Grainger Engineering Inc,
220 Derry Rd, Hudson, NH

Mr. Granger said it's still there. It goes down into the Salmon Brook area, and they won't be touching that.

****Faint feedback loop from until the public meeting****

Mr. Weber said he noticed they will have basements. He asked what the high water table would be on the site.

Mr. Grainger said they dug basements for the new houses on 27, 29, & 31 St Lazare Street. They've dug test pits on the site, but you have to go down at least ten feet before you even see the line for high water table. He said they are on a shelf, and the bank drops 20-ft to Salmon Brook.

Mr. Weber asked if the two duplexes will have an agreement that they will be notified of the wetland buffer, so that they will not do any cutting.

Mr. Grainger said they will be putting up buffer markers every fifty feet along the wetland buffer line, as well as the other three houses. They will be notified.

Mr. Weber said that is more than a lot of people have done in the past.

Mr. Pedersen asked if there is a plan for trash pickup.

Atty. Jean said this will be serviced by public water, sewer, and trash pickup.

Ms. Harper asked if this entire lot is within the RC zone.

Atty. Jean said correct. Since the vast majority of the lot is within the RC zone, the property is considered RC.

Ms. Harper asked if a 7-ft side setback was common in the RC zone.

Atty. Jean said yes.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

Mr. Pedersen asked for clarification on some of the dates contained within the recommended stipulations.

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the discussion.

MOTION by Ms. Harper to approve New Business - Site Plan #9. It conforms to §190-146(D) with the following stipulations or waivers:

1. The request for a waiver of NRO § 190-221, which requires underground utilities, 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 § 190-279(EE), to show existing condition on adjacent lots, 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, all comments in an e-mail from Pete Kohalmi, P.E., Deputy City Engineer, dated September 22, 2020 shall be addressed to the satisfaction of the Engineering Department.
4. 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.
5. Prior to the Chair signing the plan, minor drafting corrections will be made.
6. Prior to any work on site, a pre-construction meeting shall be held and a financial guarantee shall be approved.
7. Prior to the issuance of a building permit, the applicant shall provide documents establishing a homeowners or condominium association, which will be responsible for maintaining all property in common ownership. The documents shall be submitted to the Planning Department and Corporation Counsel for review.

8. Prior to the issuance of a building permit, the electronic file of the plan will be submitted to the City of Nashua.
9. 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.
10. Prior to issuance of the final certificate of occupancy for the development, an as-built plan locating all driveways, 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.
11. Prior to the issuance of the last Certificate of Occupancy, all site improvements will be completed.

SECONDED by Mr. Hudson

MOTION CARRIED 6-0

10. Liberty Utilities (Owner) - Application and acceptance of proposed amendment to install an impermeable cap over former Gas Holders #1 & #2 to meet requirements of the NH Department of Environmental Services, regrade, repave and expand the site's existing parking lot and improve the stormwater management system. Property is located at 25 Van Buren & 38 Bridge Streets. Sheets 4 & 39, Lots 11 & 26. Zoned TOD-Transit Oriented Development and GI-General Industrial. Ward 7. **(Postponed until the October 22, 2020 Meeting)**

OTHER BUSINESS

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

MOTION by Mr. Weber that there are no items of regional impact

SECONDED by Ms. Harper

MOTION CARRIED 6-0

2. Adoption of the "2021" Meeting and Deadlines Dates" for the Nashua City Planning Board.

Ms. McGhee said they are currently unable to access City Hall, so this has been delayed.

DISCUSSION ITEMS

Planning Director: Matt Sullivan introduced himself to the Planning Board as the new Planning Director, replacing Roger Houston.

Hudson Traffic Report Meeting: Mr. Weber gave an update of his discussions with the Nashua Regional Planning Commission in regards to the potential Amazon distribution center. As abutters, the Nashua Planning Board can attend this meeting. He described the research he plans to perform on the traffic and its potential impacts on traffic flow in Nashua. This will be a physical preliminary meeting.

MOTION to adjourn by Mr. Weber at 9:48 PM

MOTION CARRIED 6-0

APPROVED:

Mr. LeClair, Chair, Nashua Planning Board

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Prepared by: Kate Poirier

Taped Meeting