

NASHUA CITY PLANNING BOARD  
November 5, 2020

The regularly scheduled meeting of the Nashua City Planning Board was held on November 5, 2020 at 7:00 PM via Zoom virtual meeting.

Members Present:        Scott LeClair, Chair  
                             Adam Varley, Vice Chair  
                             Mike Pedersen, Mayor's Rep  
                             Ed Weber, Secretary  
                             Dan Hudson, City Engineer  
                             Maggie Harper  
                             Bob Bollinger  
                             Larry Hirsch

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

**ALL VOTES ARE TAKEN BY ROLL CALL**

**Approval of Minutes**

October 22, 2020 - Special Meeting

**MOTION** by Mr. Bollinger to approve the minutes of the October 22, 2020 special meeting, as amended

**SECONDED** by Mr. Weber

**MOTION CARRIED 4-0-4 (Pedersen, Hudson, Harper, Hirsch abstain)**

October 22, 2020 - Regular Meeting

**MOTION** by Mr. Hudson to approve the minutes of the October 22, 2020 meeting, as amended

**SECONDED** by Mr. Bollinger

**MOTION CARRIED 8-0**

**COMMUNICATIONS**

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

- Amended Agenda
- Case #1: additional traffic information
- Case #4: request to postpone to the November 19<sup>th</sup> meeting
- Case #6: updated Engineering comments
- Case #6: multiple abutter correspondence
- Case #6: letter from Doria Brown, Energy Manager
- Other Business #3: map of land for purchase

#### **REPORT OF CHAIR, COMMITTEE & LIAISON**

None

#### **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.

### **OLD BUSINESS - CONDITIONAL USE PERMITS**

None

### **OLD BUSINESS - SUBDIVISION PLANS**

None

### **OLD BUSINESS - SITE PLANS**

1. City of Nashua (Owner) - Application and acceptance of proposed site plan amendment to Pennichuck Middle School to construct additions, complete various renovations and upgrade the existing school layout. Site layout changes include a realigned perimeter access road, a new curb-cut from

Manchester Street for a one-way drive for bus/emergency traffic, a new bus loop and additional parking. Property is located at 207 Manchester Street. Sheet 54 - Lot 32. Zoned "R18" Suburban Residence. Ward 3. **Postponed from the October 08, 2020 meeting)**

**MOTION** by Mr. Pedersen to remove the case from the table

**SECONDED** by Mr. Varley

Mr. Bollinger said it looks like staff only received the updated engineering report yesterday. He asked if staff has had ample opportunity to review and provide comments on new material. If they haven't, he would be hesitant to vote.

Mr. Hudson said the information received was fairly brief, so they did have time to review it. They did not submit additional comments because the applicant's traffic engineer is present and can speak to the material.

**MOTION CARRIED 8-0**

**MOTION** by Mr. Varley to reopen the hearing

**SECONDED** by Mr. Weber

**MOTION CARRIED 8-0**

Jamie Ouellette, Project Engineer, Harriman Architects&Engineers

Mr. Ouellette gave an overview of the previously submitted material. He described traffic flow to the site from both directions on Manchester St. They have also added an additional parent drop-off queuing lane and a containment fence around the dumpster pad.

Giles Ham, Traffic Engineer, Vanasse and Associates Inc.

Mr. Ham gave a brief history of his work with the site and traffic data collected. He outlined the recommendations they have made to improve traffic at the site, which includes the signalized intersection. Since the last meeting they have updated the signal warrants analysis report. He described how this site meets all points of the school crossing warrant. They intend to signalize the intersection at Manchester St, as well

as an internal signal onsite to control flow between the bus lane and other vehicular traffic.

Mr. LeClair asked for details on the crosswalk.

Mr. Ham said the signal itself will be fully actuated, and the crosswalk will be pedestrian push-button. They will remove the right-turn lane at the Manchester St intersection to reduce the width children have to cross down to 40-ft. He described the timing.

Mr. LeClair asked if they propose to remove the upper right hand turn, not the bus lane turn.

Mr. Ouellette said correct.

Mr. LeClair asked if the reason to remove the turn lane is to shorten the distance across the intersection.

Mr. Ouellette said yes. That was a suggestion from city staff. The concern is that they need to time the signal so traffic doesn't back up to Route 3. He said any school project like this will have a 20-30 minute peak. They have modified the onsite queue storage to handle the parents. There should be some correspondence to parents explaining the new flow.

Mr. Weber asked if the queuing lane is sufficient for the amount of traffic they have.

Mr. Ouellette said they studied the queuing behavior and amount from 2019, and accounted for the increase next year.

Mr. Weber asked if they would be putting "No Parking" signs on the queuing areas, and "Pickup only".

Mr. Ouellette said that would make sense.

Mr. Weber said there is a crosswalk onsite. Is that going to be signalized or push-button?

Mr. Ouellette said they haven't gotten to that detail yet. They haven't considered a pedestrian signal. It is a bus lane. They will be adding appropriate signage to make sure it works effectively.

Mr. Weber said he sees a lot of directional arrows. Will they be thermoplastic painted? It will last longer.

Mr. Ouellette said they can review that with the school district.

Mr. Weber said he is concerned about queuing across the street, and that is why he asked about onsite queuing.

Mr. Pedersen asked about the right turning lane they propose to remove, and if people will still be able to make a right turn into the school.

Mr. Ouellette said absolutely. That lane will be a through and right turn lane. It's a matter of safety and reducing crossing width.

Mr. LeClair asked if the right-turn would be "no right on red".

Mr. Ouellette said they haven't gotten that far yet. Subsequent to an approval, they would get into the design detail and specifics.

Mr. Weber asked if they discussed how it would work with emergency vehicles.

Mr. Ouellette said yes. They had a meeting early on with emergency services, and two entrances onto the site was something they strongly desired.

Mr. LeClair asked if the parking lot by the parent drop-off will be one way.

Mr. Ouellette said yes. Their previous submission showed the bus access as one-way, which has been amended to two way traffic for buses coming from the north.

Mr. Bollinger said they went from one hypothetical signal to two. Is there any idea of the anticipated cost?

Mr. Ouellette said the cost is part of the school budget.

Mr. Bollinger asked how much two signals will cost. This is only going to be needed for about a half an hour in the morning and afternoon. He said he has no issue with the analysis provided, but there is some specific language within the guidance document

for installing signals which says that just because you meet the warrants for an intersection, doesn't mean you have to install the signal. What real benefit is there beyond that one hour, and what would happen for the other 23? Has there been any further discussion to hire an officer for traffic, rather than spend thousands of dollars in infrastructure and recurring maintenance?

Mr. Ham said the second signal goes back to their 2019 report, and apologized if that was not clear on the plan before. There will be one controller, so it's not twice the cost. He doesn't have a dollar estimate yet. He said it's warranted; they have done the engineering study and believe it's needed for safety. He said traffic peaks for those 30 minutes in the morning and afternoon, but for kids arriving late or leaving late, there will always be that pedestrian crossing for them. An officer won't be there during the whole school day. The signal will not be left flashing, which staff agrees on.

Mr. Bollinger asked if a hybrid beacon would be as effective. He is struggling with the concept of after-hours having the full assembly at an intersection that didn't satisfy any of the volume criteria for a warrants analysis. If it's really just a crossing, the Board has approved pedestrian crossing beacons for much busier roads than this. Was that investigated?

Mr. Ham said they did look at it. They are trying to process the children safely and get peak traffic in and out of the school. He said crossing control has been an issue, and this is a permanent solution. He said there are nine warrants and they look at three; pedestrian, peak hour, and school crossing warrants. They are borderline meeting the peak hour and volume warrants. They did a speed study that came out to 37-mph average, and they would meet the speed warrant at 40-mph.

Mr. Bollinger asked if there has been any coordination with NHDOT, who maintains the signal 500-ft away on Henri Burque Hwy. There is the potential for some queuing from the school signal.

Mr. Ham said they have reached out at the district level, and will be coordinating with them. He described ways of mitigating a potential queue. When the school opens they will be out there watching in case they have to tweak the timing.

Ald. Dowd said the traffic on that intersection is very fast many times of the day. If it's a child crossing, it's really dangerous. The neighbors are also in favor because they have a problem crossing the intersection. Most of the time it's a speed issue. But the school isn't just used for 8 hours a day; they have activities at all times. Getting in and out of the site can be an issue. He will be working with Mr. Hudson and Division of Public Works on any issues. The intersection is fully covered under their budget.

Mr. Hudson said they met with Ald. Dowd and the applicant, and asked many of the same questions Mr. Bollinger has. It's their understanding that this is the appropriate option based on all the factors. Public Works is in support of this concept.

Ald. Dowd said they are short in Nashua on police officers right now. He discussed it with the chief of police, and there is no way they could get an officer at that intersection. They have been hiring officers from other towns for road construction because they don't have the officers to fill those spots.

#### **SPEAKING IN OPPOSITION OR CONCERN**

Barbara Halevi, 83 Ferry Rd, Nashua NH

Ms. Halevi asked if there is a plan to put a pedestrian walk button on the Ferry Rd side. There is no sidewalk on her side, so people have to cross the street to get to Manchester St. A lot of parents wait on Ferry Rd to pick up their kids, so there is a lot of kid traffic.

#### **SPEAKING IN FAVOR - REBUTTAL**

Giles Ham, Vanasse & Associates

Mr. Ham said yes, there will be a push button on both sides.

Ald. Dowd said there is a school crosswalk across Ferry Rd, and it will be taken care of to make safe travel.

#### **PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the discussion. He said things have been clarified to the extent that he is comfortable with the plan.

Mr. Varley said they have been given the clarification they were looking for, and feels comfortable with the plan based on the discussion they have had tonight.

Mr. Weber said he appreciates the new details placed on the plan. He is happy with the traffic plan.

A brief discussion of stipulations ensued.

**MOTION** by Mr. Varley to approve Old Business - Site Plan #1. It conforms to §190-146(D) with the following stipulations or waivers:

1. The request for a waiver of § 190-279, which requires site plans to be reproduced on 22" x 34" format, 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 § 190-209 A(1), which requires curb cuts for one way traffic to be a maximum width of 15 feet 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 § 190-184 D (1) which requires parking aisles not contain more than 10 spaces in a row without a planted median and/or island, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
4. The request for a waiver of § 190-279 EE, which requires showing existing conditions on and off site, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
5. The request for a waiver of § 190-193(A), which requires parking spaces be at least 9' x 20', is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
6. Prior to the Chair signing the plan, minor drafting corrections and standard notes will be added to the plan.
7. 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.
8. Prior to the issuance of a building permit, the electronic copy 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.
10. Prior to the issuance of a building permit, all outstanding on-site engineering comments shall be addressed to the satisfaction of the Engineering Department.
11. Prior to any site disturbance, the Alteration of Terrain Permit for the project shall be approved by NHDES.
12. Prior to any work and a pre-construction meeting, a financial guarantee shall be approved.
13. Prior to the issuance of a certificate of occupancy, all off-site and on-site improvements will be completed.
14. Prior to the issuance of a certificate of occupancy, the design and construction of off-site improvements shall be completed to the satisfaction of the Division of Public Works.

**SECONDED** by Mr. Weber

**MOTION CARRIED 8-0**

**NEW BUSINESS - CONDITIONAL USE PERMIT**

None

**NEW BUSINESS - SUBDIVISION PLANS**

2. Janet R. Georges (Owner) Dana Georges (Applicant) - Application and acceptance of proposed one year extension for previously approved subdivision. Property is located at 67 Groton Road. Sheet D. Lot 134. Zoned R40-Rural Residence. Ward 5.

*For the purpose of discussion, Cases #2 & #3 were heard together*

**NEW BUSINESS - SITE PLANS**

3. Janet R. Georges (Owner) Dana Georges (Applicant) - Application and acceptance of proposed one year extension for previously approved site plan to allow for 4 detached single family homes. Property is located at 67 Groton Road. Sheet D - Lot 134. Zoned "R40" Rural Residence. Ward 5.

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

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

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

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

Pete Madsen, Project Engineer, Keach Nordstrom Associates

Mr. Madsen said they are looking for a one year extension for the site plan. The owner had intended to begin construction in the spring, and has been delayed due to COVID-19.

Mr. LeClair asked if there have been no plan changes, and the previous approved stipulations are still acceptable.

Mr. Madsen said correct.

Mr. LeClair asked when this plan would move forward.

Mr. Madsen said he doesn't know, but suspects next spring.

**SPEAKING IN OPPOSITION OR CONCERN**

None

**SPEAKING IN FAVOR**

None

**PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He said this is a straightforward request, and has no concerns.

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

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1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

**SECONDED** by Ms. Harper

**MOTION CARRIED 8-0**

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

1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

4. 75 Deerwood Drive, LLC (Owner) - Application and acceptance of proposed 10 unit multi-family residential development. Property is located at 18 & 20 Dumaine Avenue. Sheet H - Lots 137 & 149. Zoned "PI" Park Industrial and "MU" Mixed Use. Ward 2. **(Postponed to the November 19, 2020 Meeting)**
5. Etchstone Properties, Inc. (Owner) - Application and acceptance of proposed one year extension for a previously approved site plan for 25 single family homes. Property is located at 35 Groton Road. Sheet D - Lot 23. Zoned "R40" 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 8-0**

Tom Zajac, Project Engineer, Hayner Swanson Inc

Mr. Zajac introduced himself as the representative for the applicant. He gave a brief overview of the request. Due to COVID-19 and other projects in the city this development has been delayed. They are requesting a one year extension, with the intention to break ground this upcoming spring.

**SPEAKING IN OPPOSITION OR CONCERN**

None

**SPEAKING IN FAVOR**

None

**PUBLIC MEETING**

Mr. LeClair closed the public hearing and moved into the public meeting. He said that this is a reasonable request, and has no concerns.

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

1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

6. Pennichuck Water Works, Inc. (Owner) GSSG New Hampshire, LLC (Applicant) - Application and acceptance of proposed site plan to show a proposed solar array project along with associated site improvements. Property is located at "L" Ferry Road, "L" Westland Avenue, "L" Stanwood Drive, "L" Appledore Street, "L" Marlboro Street, "L" Independence Avenue and "L" Claredon Street. Sheet 52. Lots 1, 7, 14, 23, 24, 28, 39, 49, 61, 65, 81, 82, 85, 96, 97, 104 and 118. Zoned "R18" Suburban Residence. Ward 3.

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

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

Tom Zajac, Project Engineer, Hayner Swanson Inc

Mr. Zajac introduced himself as the representative for the applicant. He introduced Michael Redding from New England Solar Garden and Don Ware from Pennichuck Waterworks. They are here to request approval for a solar array.

Don Ware, Chief Operating Officer, Pennichuck Water Works

Mr. Ware gave a short presentation on their need for solar energy. The proposed solar field will provide approximately 75% of the power required for their wastewater treatment facility. The power will not be going to them directly, but they have an opportunity to purchase it back from the grid at a discount. This meets the goals and objectives of the EPA and cost control.

Michael Redding, New England Solar Garden

Mr. Redding described his company background and the type of solar services they provide. The assets will ultimately be owned by GSSG, but he is here to speak on their behalf. He gave a summary of their operations and proposed timeframe for this project.

Mr. Redding gave an in-depth explanation of the benefits of solar energy. He described the type of solar array they are proposing. He presented photos showing the design. He explained how the solar array is constructed and installed onsite. He gave a detailed process description of how a site is developed for solar.

Mr. Redding said they hope to start this project next April. They hope to return all of their sites to a net zero impact, and encourage a meadow habitat. He described the 10-ft shade management zone, and said they are not stumping or removing existing vegetation in that zone. He gave a detailed explanation of the different ways they support wildlife and habitat diversity within their projects.

Tom Zajac, Project Engineer

Mr. Zajac presented the site plan. He described the location and surrounding neighborhood. A portion of this lot exists as 18 lots and associated paper streets, which were created in the late 1800s as part of a subdivision plan and never developed. 16 of the 18 lots are owned by Pennichuck Water. The other two lots are owned by private parties.

Mr. Zajac said there are numerous wetland setbacks and buffers associated with the site. He described the current restrictions onsite. The site is wooded, but is more of a tree farm than old growth forest. It was slated for selective tree clearing within the last year as part of Pennichuck's forest management plan. He described the onsite slope and soils.

Mr. Zajac described the proposed two solar fields. NE Solar Garden will operate the site on a long term lease with Pennichuck Water. The existing lots and paper streets will be consolidated by Pennichuck prior to construction via voluntary merger. He described each parcel. The majority of the existing paper streets will be eliminated except for the amount needed to provide access to the two private lots.

Mr. Zajac said despite the amount of wetlands and buffers onsite, they have avoided disturbing any of them. They are trying to minimize land disturbance, use the existing land topography, and use the existing drainage patterns.

Mr. Zajac said the project will maintain existing access from Old Harris Rd. He described the road. The Fire Dept. was supportive of their proposal from a life safety standpoint, and issued them the address of 200 Old Harris Rd. He indicated the underground electric lines which will run to Manchester St. The array won't be visible from Manchester St. The project team has been in communication with the two private landowners to clear and stump the two lots. The lot owners would be compensated for that clearing.

Mr. Zajac said this proposal does include impacts to the 150-ft and 300-ft conservation zone. He indicated the two areas on the plan, and described the extent of their activities. They have received a favorable recommendation from the Conservation Commission and special exception from the Zoning Board for this proposal.

Mr. Zajac outlined the status of Old Harris Rd. They are preparing a legal opinion, to be submitted to the city's Corporation Counsel and Engineering Dept. for review. Corporation Counsel has already confirmed that the paper streets onsite are private, and no street discontinuance is required. He explained how they believe this is an environmentally friendly design. He addressed stormwater mitigation onsite.

Mr. Zajac said that they are requesting one waiver as outlined in the staff report. He briefly described their request. They have reviewed the staff report, and they are ok with the recommended stipulations. They are confident in their ability to address any outstanding Engineering comments. They have been in communication with the Hayden Green development as part of this development, and the Board has indicated general support.

Mr. LeClair asked what the distance between the eastern edge of the site to the condo buildings.

Mr. Zajac said the closest unit is the condominium board head. It's about 200-ft to the nearest panel, and 50-ft to the fence line. The existing buffer is about 30 to 100-ft, with some pretty good topography to help hide the solar panels from Hayden Green.

Mr. Bollinger asked if there were any known adverse effects or issues with glare.

Mr. Redding said glare was an issue back in the 80s and 90s. Since then the solar industry has developed the materials and brought it down to 10% of the glare a window would produce. The FAA also requires them to submit an analysis on potential impacts on planes.

Mr. Bollinger asked if they feel they have sufficient documentation regarding ownership and paper streets.

Mr. Zajac said yes. They feel they have a strong case that this is a public way.

Mr. Bollinger asked if it is determined that Old Harris Rd is a public street, would the gate affect the determination? Would the gated access continue?

Mr. Zajac said he doesn't know when the gate was installed, but it appears that this road would meet the criteria for public use prior to 1969. They took that into consideration.

Mr. Sullivan said he had an opportunity to speak with Mr. Zajac prior to the meeting covering the paper street. He recommends they stipulate that DPW and Corporation Counsel have an opportunity to favorably review the documentation provided by the applicant.

Mr. Weber asked if the fence will have any kind of security.

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Mr. Redding said there will be gated access along the paper streets, which will be locked and have a quick entry key for police and fire. It will be completely enclosed.

Mr. Weber asked if the panels are the most up to date in technology. He described his experience with solar panels.

Mr. Redding said the people who are financing this project want the most up to date panels to provide the most power. He described the type of panels they will be using. They want to take advantage of the most advanced technology.

Mr. Weber asked how concentrator panels work.

Mr. Redding said he knows of one in Arizona, and described how it works. It's a very specific project, and would not benefit them up here.

Mr. Varley asked if the paper streets are not public and do not need to be discontinued, will there be easements for the private property owners.

Mr. Zajac said it has already been confirmed by Corporation Counsel that they are not public and don't need to be discontinued. They are not doing anything with the project to restrict access to the private lots.

Mr. Hudson asked if Old Harris Rd is considered a public road, what sort of easements would be required for the equipment installed in the right of way.

Mr. Zajac said they could look into it.

Ms. Harper asked who is responsible for the maintenance of the panels.

Mr. Redding said GSSG of New Hampshire. They take the responsibility of operation and maintenance, and will hire an entity to manage the facility.

Ms. Harper asked what their conversations with the two private abutters have been.

Mr. Redding described their efforts to reach out with the two entities.

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Mr. Pedersen asked if the arrays have no storage capacity.

Mr. Redding said correct.

Mr. Pedersen asked if the arrays are converted from D/C to A/C in one or multiple locations.

Mr. Redding described the two conversion locations.

Mr. Pedersen asked if they are interchangeable if one goes offline.

Mr. Redding said no, they are two separate units. He briefly described the state's net metering laws.

Mr. Pedersen asked if it goes into the general power grid.

Mr. Redding said yes. He thinks they will be powering the school quite a bit, but Pennichuck will be able to purchase power at a discount.

Mr. Pedersen referred to the letter from Energy Manager Doria Brown, and asked how many homes this will power.

Mr. Redding said their thirteen projects around the state will power about 5,000 homes. This project will power about 500.

**SPEAKING IN OPPOSITION OR CONCERN**

Jim Pyle, 14 Elystan Cir, Nashua NH

Mr. Pyle said he is in favor of solar energy. He tried to have panels on his own unit, and was denied for reasons of fire safety, property values, and aesthetics. He asked if there is any evidence that solar panels reduce property values, decrease fire safety, or impact aesthetics.

Joan Ashley, 8 Elystan Cir, Nashua NH

Ms. Ashley asked if construction access would only be from Old Harris Rd, or will there be access from the existing water tank. She asked what kind of noise impact there would be during construction, and how long it would take. She asked if there would be drilling through ledge. She asked if there would be any lighting, or EMI emissions from the site.

Ms. Ashley referred to the berm, and said Elystan Circle is a little bit higher. Will they be able to see the panels? She asked if the entire perimeter will be topped with barbed wire.

**SPEAKING IN FAVOR - REBUTTAL**

Tom Zajac, Project Engineer

Mr. Zajac said Mr. Pyle also submitted a letter, which they addressed. Mr. Redding went through the environmental benefits of solar, and where the electricity goes.

Mr. Redding said that fire safety is a concern in a large solar array facility. All of their equipment is bonded and grounded to allow electricity to dissipate in the event of damage. He described how they prevent power surges and further issues. In talking with most fire marshals, they prefer to keep things cleared and minimize the grass growth to a certain degree. They provide sufficient access for the Fire Dept. to come in with their equipment and access the entire perimeter in accordance with the National Fire Protection Act.

Mr. Redding addressed property values. What they have found is that property values are not directly impacted, but one thing noted in the reports is that the real estate agents made comments about marketability. Everyone has their own interests, and what sells a home is not always what you are abutting against. He cited examples of selling points, and said solar is not for everybody. He cited their efforts to be compatible with the surrounding community. They are quiet, dark, and don't visit the site often. Their presence is inviting in some cases to folks that don't want a neighbor that brings traffic and noise. Overall, their marketability impact is minimal.

Mr. LeClair asked about EMI.

Mr. Redding said there are a lot of things that can impact that, mostly due to what is being emitted. Their cabling is going to be underground, which would support them not emitting anything. The panels absorb electricity, which would have no impacts. The equipment is all encased and insulated, so he doesn't see it being a problem. They may emit a cellular signal to read equipment, but that is the same as anyone else.

Mr. Zajac said all access for construction and maintenance will be from Old Harris Rd. After construction the noise will be

minimal. The construction process should be about 2-3 months, with two phases to minimize land disturbance. The soils are sandy and well-drained, so there should be no ledge. The site will not be lit, and will be fully fenced along the perimeter. He described the view from Elyston Circle, and said they will not be able to see the panels from that location.

Mr. LeClair asked if there would be barbed wire.

Mr. Zajac said the existing fence section has barbed wire, which they will maintain. This is a perimeter fence to Pennichuck's watershed land.

**SPEAKING IN OPPOSITION OR CONCERN - REBUTTAL**

Jim Pyle, 14 Elystan Cir, Nashua NH

Mr. Pyle asked if they would be able to see the array from Route-3 or Henri Burque Highway.

Mr. Zajac said he doesn't believe so. There will be a stand of trees that will remain on the southerly side and along Henri Burque Hwy. He described the topography. They will likely see the tree clearing, but not the panels.

Joan Ashley, 8 Elystan Cir, Nashua NH

Ms. Ashley asked for clarification on the construction timeline and noise.

Mr. Redding said the project will take 2-3 months, with the majority of activity happening for about 2 weeks with a pile driver. He described the potential noises and timeline. 6 months of activity would be a good estimate.

Mr. LeClair said the noise would have to be within the timeframes of the city's noise ordinance.

Ms. Harper asked how far away the two pad sites are from the two private lots.

Mr. Zajac said about 50-ft to 60-ft for the closest one.

**PUBLIC MEETING**

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

Mr. Sullivan provided clarification on the recommended stipulations of approval.

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

1. The request for a waiver of § 190-279 (EE) to show existing conditions on site and adjacent parcels, 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, minor drafting corrections will be made.
3. Prior to the Chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer, dated November 2, 2020 shall be addressed to the satisfaction of the Engineering Department.
4. Prior to the issuance of a building permit, the lots will be merged.
5. Prior to any site disturbance, the Alteration of Terrain Permit for the project shall be approved by NHDES.
6. Prior to the Chair signing the plan, the applicant shall supply a legal opinion regarding the status of all paper streets and Old Harris Road, subject to a favorable review by the Division of Public Works and Corporation Counsel.

**SECONDED** by Mr. Weber

**MOTION CARRIED 8-0**

**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 8-0**

2. Referral from the Board of Aldermen on proposed O-20-034, Extending temporary adjustments to site plans to allow for greater outdoor seating at restaurants.

Matt Sullivan, Planning Manager

Mr. Sullivan provided an explanation of this proposal. In speaking with both Building Dept. and Fire Dept. they determined it would be appropriate to extend the permits to January 1, 2022. They believe there are feasible means for permittees to extend their dining season. If the Board of Alderman grants it, staff will be performing outreach to the restaurant owners.

**MOTION** by Mr. Varley to favorably recommend Other Business #2 to the Board of Aldermen, as written

**SECONDED** by Mr. Bollinger

Mr. Bollinger led a brief discussion clarifying the ordinance number they are voting on.

**MOTION CARRIED 8-0**

3. Referral from the Board of Aldermen on proposed R-20-083, authorizing the acquisition of property at 36 Buckmeadow Road, Tax Map C, Lot 762, for a purchase price of \$370,000.

Ald. Richard Dowd, Ward 2

Ald. Dowd said this would be for an access road to the new middle school site. The sellers have approved and signed the purchase and sale agreement, and approved by the Joint Special School Committee. He described the purchase and sales, and the site access.

Mr. LeClair asked if this would serve as the primary entrance.

Ald. Dowd said yes. It would be designed to city street standards.

Mr. Bollinger said it looks like there is another parcel in between at 44 Buckmeadow Rd. How is access fully obtained to the city owned parcel?

Ald. Dowd said they are in the planning process and negotiations for acquiring that piece of property. They do not see any problems acquiring that.

Mr. Sullivan said either it's an easement or acquisition, there would be some negotiations. There will be some agreement moving forward.

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Mr. Bollinger asked if that would be full or partial sale of the property, or if all options are on the table.

Ald. Dowd said they are not acquiring that lot, only the piece they need for the road.

**MOTION** by Mr. Weber to favorably recommend Other Business #3 to the Board of Aldermen, as written

**SECONDED** by Mr. Pedersen

**MOTION CARRIED 8-0**

**DISCUSSION ITEMS**

**Meeting Packets:** Mr. Weber led a discussion regarding the timing and distribution of the case packets.

**MOTION** to adjourn by Mr. Weber at 9:58 PM

**MOTION CARRIED 8-0**

**APPROVED:**

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Mr. LeClair, Chair, Nashua Planning Board

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Prepared by: Kate Poirier

Taped Meeting