

NASHUA CITY PLANNING BOARD  
February 19, 2004

A meeting of the Nashua City Planning Board was held on Thursday, February 19, 2004 at 7:00 PM in the Auditorium at City Hall.

Bette Lasky, Chair conducted the meeting.

Members present were:      Bette Lasky, Chair  
   Ken Dufour, Vice Chair  
   Mike Lowe, Mayor's Representative  
   Ald. Richard LaRose, Ald. Rep.  
   Ald. Kathryn Vitale, Ald. (Alt)  
   William Slivinski  
   Steve Farkas  
   Steve Dookran, City Engineer

Also present:                      Roger Houston, Planning Director  
   Mike Yeomans, Deputy Planning Manager  
   Rick Sawyer, Planner III

**APPROVAL OF MINUTES**

None.

**COMMUNICATIONS**

Mr. Houston said the following items should be in the Board's folders:

Memorandum to Mike Yeomans from Susan Klasen and Steve Dookran concerning the Southern New Hampshire Medical Center expansion.

Memo dated February 19, 2004 from Karen Berchtold on the East Hollis Street Area Master Plan, stating there will be a workshop prior to the Planning Board meeting on March 4, 2004 at 6:00 p.m.

Memo from John Mitterholzer concerning the Southern New Hampshire Medical Center dated February 19, 2004.

Communication hand delivered on February 17, 2004 from Lee Zompetti, 18 Apache Road, relative to the three subdivisions to be heard by the Board this evening.

Supplement dated February 19, 2004 to the Northfield Estates subdivision plan from Rick Sawyer.

Preliminary Agenda for next meeting.

First draft of the Capital Improvements Committee.

**REPORT OF CHAIRMAN, COMMITTEE & LIAISON**

Mr. Dufour said there is a draft in everyone's package, and hopefully it can be addressed later this evening.

Mr. Slivinski stated that the next HDC meeting is Monday evening, in which the façade for the old Goodale's Bike Shop will be reviewed.

Mr. Farkas said they are waiting to see what the New Hampshire Supreme Court will have to say about the gasoline taxes.

Mrs. Lasky stated that the bill that was submitted is on hold right now.

Mr. Lowe said there have been no meetings with the Planning and Economic Development Committee since the last meeting.

Mrs. Lasky went into the procedure of the meeting as follows:

After the legal notice of each site plan or subdivision is read by the Chair, the applicant or his representative will be given time to present an overview and description of their project. The applicant shall speak as to whether or not they agree with the staff stipulations.

The Board will then have the opportunity to ask questions of the applicant or staff. The Chair will ask for testimony from the audience, first anyone wishing to speak in opposition or with concern to the plan may speak. Come forward to the microphone and state their name and address for the record. This would also be the time to ask questions they have regarding the plan.

Next follows testimony coming from anyone wishing to speak in favor of the plan before the Board. The Board asks that both sides keep their remarks to the subject at hand and try not to repeat what someone else may have said.

After the public testimony is given the Board will discuss the issue and render their decision.

**OLD BUSINESS - SUBDIVISION PLANS**

None

**OLD BUSINESS - SITE PLANS**

None

**NEW BUSINESS - SUBDIVISION PLANS**

1. **Orchid Estates, Orchid Development, LLC (Applicant) John & Anna Gelazauskas (Owners) - Proposed subdivision of two lots into 32 single-family lots and 3 non-buildable lots, Pine Hill Road, Sheet F - Lots 38 & 39, Zoned "R30" Suburban Residence.**

Jim Petropulos, Civil Engineer, Hayner Swanson, Inc. Mr. Petropulos said that he would like to give an overview of the three projects in this area. He said that they met with staff last fall to look at these three projects and review overlapping issues such as water pressure, stormwater and traffic issues. He said the project went to the Planning Board on November 6, 2003 as a discussion item.

He said Orchid Estates is a 32-unit cluster residential subdivision on 32 acres, Wild Rose Estates is a 26-unit cluster condominium development on 19.9 acres, and Northfield Estates is a 54-lot subdivision on 54 acres. He said he will give a recap of the three main site development issues as earlier mentioned.

He said with water pressure, the initial discussions with Pennichuck Water Works indicated that this area is at the end of two water systems, and although there is enough flow there, there are some problems with water pressure being under 40 psi. He said typically what is done is that a pump station is installed. He said they have designed, and the applicant will construct, a water booster station, which will be a 16'x24' building to pressurize the water. He showed where it will be located, and explained that it will not make any noise. He said it will provide domestic pressure for these three projects, and will be sized for further improvements to the immediate area.

He said the second development issue that was reviewed was stormwater. He said there is a lack of infrastructure in this general area of the city, especially stormwater and drainage. He said when Indian Rock Road was constructed; it blocked the natural runoff from the Orchid Estates development. He said the general topography is that water will flow to the east. He said they worked with the Department of Public Works and with Maynard & Paquette, and the Conservation Commission about stormwater management. He said the plan is to construct a stormwater management area up in the northeast corner of the property.

He said the area is about one and one-half acres in size, set back from Indian Rock Road about 250 feet. He said they are also maintaining a 100 foot wide treed buffer between the stormwater management area and some of the rear properties along Indian Rock Road.

He said the stormwater management area will be designed in accordance with the City of Nashua standards and also the State standards. Both quality and quantity of stormwater will be reviewed qualitatively.

He said the outlet to this basin does flow in a northeasterly direction, into a natural watercourse on the college property, and then into the large wetland located along Perimeter Road.

He feels the solution is a good one, and is in accordance with the City guidelines, and picks up runoff from Orchid Estates and a majority of Northfield Estates. He said that Wild Rose Estates drains in a different direction.

Mr. Petropulos said in discussions with the City on this basin, they asked about the Indian streets up above, and the state of the infrastructure, if sometime in the future roads could be improved. He said the basin is designed to handle about 27 to 30 acres of the Indian streets that naturally drain down to this area.

He said the Conservation Commission wants to minimize the starkness of these basins, and to soften them up with plantings. Trees and shrubs are proposed.

He said for traffic issues, they said in meetings with the City they studied three key intersections: Northfield Drive/Pine Hill Road, Indian Rock/Coburn Road/Pine Hill Road, and the intersection of Charron Avenue/Pine Hill Road. He said the purpose of the study was to analyze existing traffic, to estimate future trips for all three developments, and to identify impacts created by the projects, and to recommend changes to these impacts. He said the traffic study is in the packages submitted to the Board.

He said there is an increase of approximately 102 vehicles in the AM peak hour, and approximately 122 vehicles in PM peak hour. The total amount of trips per day are about 1,184 trips. He said the study reviewed the proposed curb cuts onto Pine Hill Road, there are five in all, they evaluated these intersections and find that they will operate below capacity.

He said the intersection of Indian Rock Road/Coburn Road/Pine Hill Road is unique, it is asymmetrical, and has some problems. It is limited by right-of-way. The study revealed that the full built condition will operate at Level of Service (LOS) "C", which is reasonable, that there are some geometric problems with it.

He said the Pine Hill Road/Charron Avenue intersection operates today at a LOS "F" without the project. There will be a 6% increase in traffic at this intersection with the three projects.

The site distances of traffic accessing out onto Pine Hill Road looking in both directions for safe entrance are acceptable. He said they met with DPW on the traffic study and the City asked how can the intersection of Pine Hill Road/Indian Rock Road/Coburn Avenue be improved. He said they have a conceptual plan that attempts to do several things. It attempts to provide better connection from Coburn Avenue into Pine Hill Road, more of a 90 degree intersection. It also provides a signal beacon to be hung over the intersection that will flash red stop towards Coburn Avenue, Pine Hill Avenue and Indian Rock Road, and will flash yellow traveling westbound on Pine Hill Road.

He said the most significant improvement to the intersection will be vertically, as you approach westbound on Pine Hill Road, there is a vertical curb that impedes sight traffic. This will be revised to allow better visibility on Pine Hill Road.

He said that for Charron Avenue, the City has requested a contribution of \$200 per unit, which is included in the stipulations. He said the City is also requesting a Development Agreement which will outline what improvements are going to be associated with each project, how they will be bonded, and time frames for construction.

Ald. LaRose asked about Coburn Avenue and Pine Hill Road. He said in years past, the Federal government had a program about buying homes in that area, and asked if it is still viable.

Mr. Houston said three homes were looked at; it is an independent study, at the other end of Charron Avenue. One house was bought.

Ald. LaRose said in the future, if those two homes left were not there and a left turn lane could be constructed, the road will be improved.

Ald. Vitale asked if a four-way stop is proposed.

Mr. Petropulos said no, to stop westbound vehicles on Pine Hill Road would create stacking problems during peak hour periods.

Ald. Vitale asked if the reason is due to the rise in the road.

Mr. Petropulos said that he has no knowledge of that reason.

Ald. Vitale asked if there are any other alternatives to a three-way stop.

Mr. Petropulos said they even looked at a two-way stop, which also didn't make sense. The intersection did not meet warrants for a full signal, there are a series of nine items that need to be met, and this intersection did not meet it.

Ald. Vitale asked about the stop sign coming in from Hollis, and if the problems are due to speed coming down that road. She said perhaps a roundabout may solve the problem.

Mr. Petropulos said the overhead beacon will be a benefit to the intersection, and re-doing Coburn Avenue will help, too. A round about was not considered.

Ald. Vitale asked about the \$200 contribution, and if it was for only this intersection, and what is the total projected cost of all road improvements.

Mr. Maynard said all three projects have a value of \$250,000.

Mr. Lowe asked if the traffic study was done before the high school.

Mr. Petropulos said no, it was done at the end of 2003.

Mr. Slivinski asked where the water from Wild Rose will go.

Mr. Petropulos said it will be discussed in greater detail when that project comes up.

Mr. Slivinski said it is well known what a tough intersection it is, but if you look at the accident record, it is not as bad. Maybe the overhead beacon will be a benefit for traffic.

Mr. Petropulos said that Indian Rock Road comes up to a pitch, and Pine Hill Road is really pitched. During inclement weather, when you come up to a stop, by lowering the road, it will be better than it is today.

Mrs. Lasky asked staff if they had anything to add.

Mr. Yeomans said no.

Mr. Petropulos said he is now going to go over Orchid Estates. He said the purpose of case #1 is for final subdivision approval for a 32-lot residential cluster subdivision. The property is abutted by Pine Hill Road to the south, undeveloped land to the north and west (to be Northfield Estates), and residential homes along Indian Rock Road.

He said the property is 31.5 acres, and is zoned R30. There is about 1,050 feet of frontage along Pine Hill Road. The property was forested many years ago. The topography is moderate, from west to east there is a 40 to 50 foot grade change, and some small hills. Test pits have been done; it is mostly sand and gravel. There is some ledge along the westerly property line. Wetlands have been mapped, one is right in the middle of the property and a small finger-like wetland is in the northeast corner.

This part of the city has all available utilities. He said through 16-346, the project will be developed as a cluster. On January 27, 2004, the ZBA approved a special exception for the cluster development. It also approved a special exception to impact the two wetland areas for roadway and utility crossings.

He said in designing the site, there were two key issues. One was protection of the rear properties along Indian Rock Road, and protection along Pine Hill Road. The houses have been kept off Pine Hill Road, there is a 60 to 80 foot buffer off of Pine Hill Road. Two cul-de-sacs are proposed for access, connected internally by a separate road. He said that one of the cul-de-sacs to the west, there is a waiver request for its length, it is about 735 feet to the midpoint. He said they will be public streets, 26 feet in width, 24 feet in width at the cul-de-sacs.

He said there will be sidewalks on all the public streets, and a pedestrian path is proposed to connect the two cul-de-sacs, and a pedestrian path that will go to the north through the stormwater management area, and go back out to Indian Rock Road.

He said the centerpiece to this project is the open space, it is a requirement of the cluster regulations, and 10% is required, where this project will have almost 12 acres of open space and only about 3 acres are required. There will be 38% open space.

Mr. Petropulos said there are 6/10ths of an acre that are wetlands. He said that each property owner will enjoy access to the common land. He said the stormwater management is headed towards a detention basin in the northeast corner of the property. He said they have included a drain line along the lots along Indian Rock Road that will help with water.

He said there are a number of staff stipulations in the report, and they are found to be fair and reasonable. He said it will be a reasonable approach to developing the property.

Mr. Farkas asked about the connection between the two cul-de-sacs, and if it will be paved or gravel.

Mr. Petropulos said this project will not connect the two cul-de-sacs. There will be a pedestrian path.

Mr. Lowe asked about the pedestrian path, with the lot lines, and who will own the two lots and the pedestrian path.

Mr. Petropulos said the sidewalk will exist within an easement.

Mr. Lowe stated that it is supposed to be a pedestrian way, but it shows the lot line on someone else's lots.

Mr. Petropulos said they were asked to do it, it will be done via an easement, and it is done all the time.

Mrs. Lasky said on 1533, there is a considerable amount lost to the pedestrian walkway.

Mr. Petropulos said there is.

Mr. Dufour asked staff about the emergency access between Montclair and Crystal Drive. The Fire Department is reviewing the need for fire access, and it appears they have left it up to us.

Mr. Yeomans said that the Fire Department expects some sort of a connection. It is more of an improved path, not necessarily a roadway. He said it was a verbal comment.

Mr. Dufour asked Mr. Petropulos his opinion on the access.

Mr. Petropulos said he didn't feel it is warranted. The code allows the Planning Board to waive between 500 and 750 feet without emergency access. Montclair would be 735 feet, but making a

connection between these four lots wouldn't even look good. He said they have resisted.

Mr. Farkas asked about going from a pedestrian walkway to a gravel emergency access-only road.

Mr. Petropulos said it is between four lots, connecting two cul-de-sacs, and forcing it in. In most cases, the Fire Department. is looking for ten feet, but we don't feel it is warranted.

Ald. Vitale asked about the sidewalk for Pine Hill Road, can pedestrian crosswalks be put in from Orchid Estates.

Mr. Petropulos said that would be acceptable.

Ald. Vitale asked about crosswalks at the corner of the Indian Rock Road area.

Mr. Petropulos said a crosswalk is proposed on the south side of Pine Hill Road to go to Coburn Road. He pointed out on a map where it would be.

Ald. Vitale said it is still a dangerous intersection, and asked if there is any way that can be marked while the intersection is improved.

Mr. Petropulos said they will look into this issue with the DPW.

Ald. Vitale asked about the wet area along the houses on Indian Rock Road, and if there are going to be any trees that will be taken down where the drainage pipe is proposed.

Mr. Petropulos said the significant trees are intermittently spaced, and it is our goal to take measures to insure that they will be saved. The intent is to get drainage at the low points, and to not ruin the buffer.

Ald. Vitale asked if there will be any significant changes to the wetland area in the future, and the Spectacle Brook area.

Mr. Petropulos said the water is better channelized, and the water at Perimeter Road will not be affected.

**SPEAKING IN OPPOSITION OR WITH CONCERN:**

Lee Zompetti, 18 Apache Road. Mrs. Zompetti said her concern, for years, is that exiting left on Pine Hill Road, will that incline

will be re-engineered, and will part of Indian Rock Road will be lowered somewhat. She also asked about the blinking red lights, and if the stop sign will be removed.

Mrs. Lasky said they both will be there.

Mrs. Zompetti asked why the traffic study made no mention of Dublin Avenue, with the addition of 112 new homes, and the traffic increase, it is difficult now turning left on Pine Hill Road from Dublin Avenue, and with the fences on both corner properties, the visibility is not great. She asked if there is a traffic light proposed for this location.

Mrs. Lasky said at this time, nothing is proposed in conjunction with these projects.

Steve Hanscomb, 8 Apache Road. Mr. Hanscomb asked about the intersection coming out of Indian Rock Road to turn left onto Pine Hill Road. He said when you are trying to take a left, when you look left, the trees block the visibility going down the road. He said speed is a factor at this intersection, and asked if anything is being done to the intersection to increase the visibility to turn left onto Pine Hill Road because of the tree line that is there.

He said a couple years ago, they installed some white markings to try to take traffic more to the center lane, so the front of their car wasn't clipped off.

Douglas Gagne, Pine Hill Road, Hollis, Hollis Planning Board. Mr. Gagne said that the Hollis Planning Board is concerned about the extent, and increase in traffic on Pine Hill Road. He said that vehicles travel at a high rate of speed. Their other concern is lighting. He said that Hollis has very little street lighting, and Nashua has a lot.

He is concerned about light pollution, and wanted to know the extent of street lighting and lighting in the pedestrian path. He Said there are some sections of Pine Hill Road that are of concern, heading west on Pine Hill Road, there is often solar glare with school buses in this area.

He said this section of Nashua seems to be developing aggressively, and understands that development will occur, but thinks it's unfortunate that each one is being built simultaneously.

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Peter Lacey, 10 Indian Rock Road. Mr. Lacey asked about the drain line behind the houses on Indian Rock Road, and who is responsible for maintaining it, and how it will be funded.

Alex Julewitz, 3 Indian Rock Road. Mr. Julewitz asked about the storm drainage. He said that every spring, behind Orchid Estates, there is significant spillage, it's almost a lake in the spring. He asked about the drainage pipe that goes across Indian Rock Road, particularly on the west side of Indian Rock Road, has been damaged severely, and there is sheeting action across Indian Rock Road in the spring.

He said with all the construction equipment going to the projects, the road has already taken a beating, not only with road damage but also the drainage pipes underneath the road. They have repaired it three times in the past three years. The heavy trucks will take a toll on the road.

Kathryn Nelson, 4 Massasoit Road. Mrs. Nelson asked why clustering was not considered for Northfield, where the other two developments are clustered. She also asked about the need for blasting in the area, as there are residential wells for homes in the area.

She said about the plan for Northfield Estates, and said where the public drainage easement is proposed, there is considerable spring runoff in that area, there is a drainage channel between where the topography goes between two hills, there is an intermitting spring. She asked whether the calculations for the treatment area will handle this runoff, whether the treatment can handle the surcharges in the spring.

She also asked about the smaller stormwater treatment area in the area of Lot 171. She said it is an area slated for a recreation area, and wanted some more information about it.

She also asked about the area around Lot 1571, which seems to be truncated, and with the drainage easement going into that back yard area, wanted to know if they were combined.

Alex Julewitz, 3 Indian Rock Road. Mr. Julewitz asked about the three-way intersection of Coburn, and suggested advanced signage prior to the intersection, that a stop sign is coming up. He also said there is a sign on Pine Hill Road, east of the intersection of Indian Rock Road, that shows the three-way split, but no one trims those trees and the sign is completely covered.

Mrs. Lasky asked if the trees were in the right-of-way.

Mr. Julewitz said they are on Pine Hill Road, east of his property line. He said the City takes care of them.

**SPEAKING IN FAVOR:**

Jim Petropulos, Civil Engineer, Hayner & Swanson Inc. Mr. Petropulos said that Mrs. Zompetti asked about the grade on Indian Rock Road, and that she is correct. He said they are lowering it about one foot, and it probably needs more, but the lower they make Indian Rock Road, the steeper Coburn Avenue becomes, it is a balancing act. Stop signs will be incorporated, as well as the flashing beacon. He said there are some advanced signs that are covered by trees, and they are on private property, and we should have a right to clear within the right-of-way.

He said there is a telephone pole on the inside corner of Pine Hill Road and Indian Rock Road, and he spoke with Public Service about it, and there is a possibility it may need to be relocated. It may need to be moved a couple feet.

He said that Atty. Prunier used to live at that corner, and gave the city an easement to cut back those trees.

He said that Mr. Gagne mentioned traffic and lighting. He said that Orchid Estates will have approximately 5 to 6 twelve foot high lights, it will look like a colonial fixture, and will provide lighting at night. They are more decorative.

He said that Mr. Lacey mentioned the drain line. He said the drainage is will be maintained by the homeowners of Orchid Estates, there will be a small homeowners association created for the maintenance of the common space lots.

Mrs. Lasky asked about the ownership and maintenance of the pump station.

Mr. Petropulos said it will be owned and maintained by Pennichuck. For drainage and road construction issues on Indian Rock Road, they are poor right now, typically they will videocam the road before they put their equipment on it, and if there is damage, they will fix it.

He said that Mrs. Nelson's questions will be addressed by Maynard & Paquette later this evening.

Mr. Dufour asked to confirm if there will be a homeowners association.

Mr. Petropulos said he believes so.

Mr. Dufour asked who will be replacing the light bulbs on the street lights.

Mr. Petropulos said they are in City right-of-way, and they will be responsible for them.

Mr. Dufour asked about the drain line, and will it be a ditch or swale to divert the water away.

Mr. Petropulos said the basins will be in locations that are currently low points. He said there is a series of natural dishes.

Mr. Dufour said where in an approved subdivision, Brickyard Estates, where one of these was constructed, and it functioned fine, and then one of the homeowners filled his section in, and it wreaked havoc with the rest of the street. He said there was nothing the city could do except to write him a letter saying he was responsible for the damage that occurred. He asked if there's anything the City can do to ensure that this doesn't happen.

Mr. Petropulos said the drain line is in a common space lot, it is not in anyone's property. Any individual property owner has no right to do this and block it up.

Mr. Lowe asked if the power lines will be underground.

Mr. Petropulos said yes.

Mrs. Lasky said there is a letter from Mrs. Zompetti that is rather lengthy. She asked about the two telephone poles.

Mr. Petropulos said only one pole. There is limited space there.

Mrs. Lasky asked about winter snow banks, and the snow has to go somewhere.

Mr. Dufour asked staff about installing stop signs, saying stop sign ahead, and if that is in the Board's review.

Mr. Yeomans said that Mr. Dookran should address this.

Mr. Dufour said it will be a blinking red light with a three-way stop sign. One of the abutters suggested that there should be a sign saying stop ahead. Can this be stipulated, or does it need to go before the Board of Aldermen?

Atty. Gerald Prunier, 20 Trafalgar Square. Atty. Prunier said if it is not related to speed, so he thinks that if a sign is needed, the Board can stipulate it. It is more of an informational sign.

Ald. LaRose said it is a request from the Aldermen to the Traffic Department. You do not need an ordinance for it.

Atty. Prunier said you can address staff to send a letter to the Aldermanic committee with the concerns, that way the Board wouldn't be putting in a stipulation that the applicant cannot do.

Mr. Dookran said for the signing of the intersection, we had concerns about the intersection being atypical. The traffic engineer did write to the applicant requiring them to come up with a sign package looking into this issue and make recommendations.

Mrs. Lasky said that the Board can say that recommendations have been made, and the signage can be worked out.

Mr. Petropulos said it is a warning sign, which carries a lesser degree of scrutiny than a traffic sign. There will be a sign package that DPW will review, and if a warning sign is needed, they will install one.

Ald. Vitale asked about the wetlands in the center area, and if they will be marked.

Atty. Prunier said they agreed to put some signs there.

Ald. Vitale said on page 4 of the traffic report, it references traffic counts, and if they were only done on the dates mentioned in the report, and if they considered the time that school lets out.

Atty. Prunier said is that the City does traffic counts all over the city at different times. He said you look at all the traffic numbers and make recommendations based upon them.

Ald. Vitale asked about the intersection of Dublin Avenue and Pine Hill Road, and is there any future intersection being re-routed with University to connect with Dublin Avenue.

Atty. Prunier said the traffic study did not include Dublin Avenue.

Mr. Robert Bollinger, Steven G. Pernon Company, Concord NH. He said that with regard to the ATR data, they get information on roads that have already been studied. He said that NHDOT performed a traffic count about three years ago in this area. He said that they look at the overall assessment of the area, and the hourly data gives indication of peaks of traffic. He said that all the analysis is from the data they collected in the AM and PM peak traffic counts. He said the study is based on the 2003 data.

Mr. Lowe said if the study starts at 4:00, the school is already let out. The problem is that 750 cars get out at the same time at Dublin Avenue and Pine Hill Road, and the study doesn't include these cars.

Mr. Bollinger said the commuter patterns are the heaviest in the AM and PM peak traffic times in this area, given the residential nature of the developments. He said city staff had no comments with regard to midday peak hour periods.

He said with regards to Dublin Avenue, per Susan Klasen, they were not specifically asked to study this road, and the college, too.

Mr. Dookran said the reason why the school wasn't brought into the picture, is that whatever is happening at this intersection is related to the roundabout. The roundabout is busiest during the week from 7:00 a.m. to 9:00 a.m. and the counts were done between this time. The roundabout does not have these counts in the PM peak traffic periods. He said the school traffic is released at staggered times, and would not help the traffic study.

Mr. Bollinger said the 2001 data indicates between 7,000 and 8,000 vehicles per day. The school wasn't built at that time, but it is reasonable to assume that with school traffic added in, it could be a potential increase to 8,000 to 9,000 vehicles per day.

Mr. Dookran said there is a letter from a resident that people try to avoid the roundabout. It would be nice to know if this is a true statement.

Mr. Bollinger said they do not have any way to document cut-through traffic, it may or may not be true, only a very detailed question and answer study with commuters, would this be known.

**MOTION** by Mr. Dufour to approve Orchid Estates with the finding that it complies with NRO Section 16-108, with the 17 staff stipulations, along with four additional stipulations, as follows:

1. Prior to recording of the approved subdivision plan, a development agreement between Orchid Development, LLC and Second Generation Properties Limited Partnership, outlining each parties responsibilities for construction, bonding and phasing, shall be submitted for review and approval to the City of Nashua Division of Public Works and Planning Department. (Note #16 on Sht. 1 of plan set)
2. Prior to recording of the approved subdivision plan a typical landscaping plan for the cul-de-sac islands and houses shall be provided, and any other final drafting corrections made.
3. Prior to the recording of the approved subdivision plan bonding for the required street and utility improvements shall be approved by the Department of Public Works and Corporation Counsel.
4. Prior to recording of the approved subdivision plan the Planning Department and Corporation Counsel shall review and approve all required easement, dedication, and storm water operation and maintenance documents. Said documents shall be recorded with the plan.
5. Prior to any work being conducted a pre-construction conference shall be held with the Planning Department to review erosion control, tree and material removal, and tree protection. Wetlands, and trees shown on the plan to be saved shall be marked by flagging and protected from cutting or other disturbance with suitable temporary fencing. Bio-fence shall be used adjacent to wetlands.
6. Prior to any work being conducted approval of the NH Site Specific permit shall be obtained.
7. Prior to any work being conducted requiring blasting a pre blast survey shall be conducted. Written results of the survey shall be provided to the Planning Department.
8. Prior to the first certificate of occupancy being issued the proposed water booster station, connection to the existing line in Indian Rock Road, and access road, shall be constructed. The water booster station shall be operational and accepted for operation and maintenance by Pennichuck Water Works.

9. Prior to the first certificate of occupancy being issued the stormwater management area including the outlet control structure, overflow drain line, pipe work to the headwall, outlet at Indian Rock Road, and the proposed culvert improvements at University Drive shall be completed to the satisfaction of the Division of Public Works.
10. Prior to the first certificate of occupancy being issued all improvements to the Pine Hill Road, Coburn Avenue, Indian Rock Road intersection shall be completed to the satisfaction of the Division of Public Works.
11. Prior to the first certificate of occupancy being issued the Division of Public Works shall review the intersections of Montclair Drive and Crystal Drive at Pine Hill Road for adequate sight distance.
12. Prior to the first certificate of occupancy being issued the applicant shall install a permanent street name sign at the intersections of Montclair Drive and Crystal Drive at Pine Hill Road, and both intersections of Jasper Lane.
13. Prior to the first certificate of occupancy being issued a stormwater operation and maintenance plan for drainage and utilities to remain under the owners control shall be recorded.
14. Prior to a certificate of occupancy being issued a voluntary contribution in the amount of \$200 shall be paid per residential unit. Said contribution shall be paid to the Planning Department and applied to Pine Hill Road improvements through the Division of Public Works.
15. Prior to a building permit being issued for each lot access shall be provided to the satisfaction of the Planning Department, the Department of Building Safety, the Fire Department and the Division of Public Works.
16. Prior to the final certificate of occupancy being issued all required site improvements shall be completed according to the approved plan, and all work conducted in the public right-of-way completed to the satisfaction of the Division of Public Works.
17. This plan is subject to compliance with all conditions of approval including the Nashua Conservation Commission, Zoning Board of Adjustment and the New Hampshire Department of Environmental Services.

18. Crosswalks shall be delineated on Pine Hill Road in front of Crystal Drive and Montclair Drive.
19. Crosswalk shall be delineated on Pine Hill Road at Coburn Avenue.
20. Homeowners Association shall be responsible for the maintenance of the drain line behind the homes on Indian Rock Road, unless the City of Nashua requires city control.
21. The cul-de-sac length waiver shall be granted to 750 feet.

Ald. LaRose asked for further clarification on stipulation #20.

Mr. Dufour repeated the stipulation. He said over time, if this area gets filled, or cluttered, that someone is responsible for maintaining it. He said he is not sure of any other language in approving this that requires the association to be responsible for it. He said he wants to avoid a situation like what happened on Broad Street.

Ald. LaRose said he wonders if this is something that should be in their deeds.

Mr. Dufour said it is not individuals that own the common land.

Atty. Prunier said there is a similar situation in Majestic Heights. He said that pre-Eric Teitleman, the City of Nashua wanted control of all of the drainage ditches and ponds, and the developer would deed them over to the City. In post-Eric Teitleman, he wanted the homeowners association to be responsible for them, but he added a caveat that anytime the City wants to take it over, they will give it to us. He suggested adding the language to #20 "unless the City of Nashua requires city control".

**SECONDED** by Ald. LaRose

Mr. Farkas said he wants to see something more definitive from the Fire Department regarding the connection between the two cul-de-sacs. He said the Fire Department should be making this decision.

Mr. Dookran said he sat through the deliberations for this area, and found the co-applicants very accommodating, for the benefit of the citizens in this area, it should be a marked improvement. There is a good effort to solve problems at these intersections.

**MOTION CARRIED 7-0.**

**2. Northfield Estates, Second Generation Properties Limited Partnership (Applicant) JOTE Realty, LLC (Owner) - Proposed subdivision of three lots into 54 single-family lots and 2 non-buildable lots, Pine Hill Road, Northfield Drive, Victoria Drive & Indian Rock Road, Sheet F - Lots 40, 925 & 929, Zoned "R30" Suburban Residence.**

Mr. Sawyer said that there is a supplemental staff report with new conditions, and letters from abutters, that the Board should refer to.

Richard Maynard, Maynard & Paquette. Mr. Maynard pointed out the location of the project on a map. He said it is a 54-lot, standard grid subdivision, located on 54 acres of land. He outlined the existing roads in the subdivision, which will be on either side of Northfield Drive. He said there are two existing homes in this subdivision, and we are creating lots on the existing frontage, and four cul-de-sacs. One of which, Oldenburg Drive, is 750 feet long, which will require a waiver, and is so noted as stipulation #16 in the staff report.

He said the lots range in size from 30,000 square feet to over 90,000 square feet. He said the drainage goes in two directions, one way towards Indian Rock Road and Perimeter Road, and towards Pine Hill Road and Wild Rose Estates. He said that Mr. Petropulos explained the common drainage facility, both firms have designed this, and it has been reviewed by the DPW.

He pointed out the location of a wetlands area, and identified where the drainage will go on the plan. He said both his firm and Hayner Swanson have reviewed the drainage for this project.

He said there are two lots that will be dedicated to the City. He pointed them out on the map. One is 4.3 acres in size, and the other is 1.73 acres.

He said there is access off of Indian Rock Road to get into the property for maintenance of the detention basin and stormwater management system, and also for Pennichuck to maintain and service the booster station.

He said that sanitary sewer goes out and joins the existing sewer system, and storm drainage exits out in its historical route. He

said there is a clear wetland area which has been mapped by the wetland scientist, and there is a drainage channel, however, it is not considered wetlands because it has a very steep slope, it does not retain any water, also the soils are sandy, and there is no wetlands vegetation. The wetlands scientist has certified that it is not a wetlands area. However, a public storm drain easement will be dedicated to the City for control of the area, if necessary.

He said the booster station is for domestic water pressure, not for fire flows. There is adequate pumping capacity for the Indian streets should water ever get extended to that particular area.

Mr. Maynard said of the lot that is dedicated to the city, right now Northfield Drive has a 90 degree turn on it, we will change it into a smooth curve for safer access. Also, there will be a parking area and a tot lot. There will be an eight space public parking area and he pointed out an upper area that will be available for local recreation and the tot lot.

Mr. Dookran asked about the condition of Indian Rock Road, and what about provisions for repairing this street.

Mr. Maynard pointed out one area of Indian Rock Road, which will be totally re-built because water, sewer and storm drainage will be installed. Also, sidewalks will be put in. As for the other area on Indian Rock Road, he is not sure, if it is damaged due to construction activities, the developer is responsible. He said they are likely to use Pine Hill Road to access the majority of the project.

Mr. Dookran said they may want to put in a condition as to the use of Indian Rock Road during construction.

Ald. Vitale mentioned the GIS map with the seasonal runoff. She said it does show up as an intermittent stream, and the end of it shows a wetland area.

Mr. Maynard said the GIS topography map shows the dashed line, but it also shows that this information is estimated. It is a heavily wooded area, and the wetland area shown on the topo map does not exist on the ground. The wetland scientist confirmed that it is not a wetland. He is not sure why it is shown on the map. He said the GIS map is an estimate because they cannot see the ground, and they are educated guesses. He said there is a channel there, but it is not a wetland.

Mrs. Lasky asked if staff had anything to add.

Mr. Sawyer said Mr. Maynard covered everything. He said the cul-de-sac waiver has been mentioned. The Fire Department did not have a concern with the cul-de-sac length for this project. He said it is listed as stipulation #16, and the staff report now has 17 stipulations.

Mr. Maynard said in the supplemental report, for Lot 1556, the request was that a conservation easement be placed on that lot, which is fine. He said the plan shows three or four wetland conservation markers that the Conservation Commission asked for, which is reasonable. He pointed out the driveways for two lots, Lots 1550 and 925 will come out side by side along a common lot line and into one curb cut.

Mrs. Lasky asked about the lighting.

Mr. Maynard said they will have standard city street lighting, no different than anyplace else in town.

Ald. Vitale asked about the area that doesn't show up as a wetland, and when reviewing the topo map, it seems like it is a lower area and is wet, and asked how the drainage will be handled in this area.

Mr. Maynard pointed out the location and how the drainage will work in this area. He said the rate of flow won't increase, but the volume of water will continue to be similar.

Ald. Vitale said there is standing water there.

Mr. Maynard said it is not a wetland.

Ald. Vitale asked about the glare on the road. A nice option would be to bring the cul-de-sac off of the Orchid Estates development.

Mr. Maynard said it wasn't discussed. He said this development is a grid, not a cluster, and there are a lot of different items.

Ald. Vitale asked about the drainage in front of the house with the drainage easement.

Mr. Maynard explained how the drainage will operate.

Ald. Vitale asked if were to be grass or rip-rap.

Mr. Maynard said it will be grassed, it is an underground treatment swale.

Mr. Dookran asked if staff had missed a wetland.

Mr. Sawyer said according to Mr. Maynards wetland scientist, it is not a wetland. On the GIS map, that area is based on a 1998 flyover, taken in the springtime, so the ground may have been frozen, they may have seen water, but there is no scientific evidence that it is a wetland. There is no background that proves that it is a wetland.

He said that the basin along Pine Hill Road is about six feet deep, and there is a small area of rip-rap at the outlet headwall, so along the road you may see a depression about six feet deep.

Mr. Farkas asked about access coming off of Pine Hill Road to Lots 925 and 1550.

Mr. Maynard said the driveways are side by side, with one curb cut.

**SPEAKING IN OPPOSITION OR WITH CONCERN:**

Lee Zompetti, 18 Apache Road. Mrs. Zompetti said that the homes in Indian Rock Estates have wells, and as an abutter, they are concerned with the removal of trees, the increase of impervious areas, and a decrease in groundwater discharge. She said they are also concerned with blasting. She said it is sad that with the development of this land, there will be only one farm left in the City of Nashua.

Kathryn Nelson, 4 Massasoit Road. Mrs. Nelson agrees with Mr. Maynard, in that the area is not a wetland, but is more of a drainage canal or an intermittent stream. She said they show a public drainage easement, but wants to know where it will go. In the spring, it looks like a stream, and flows in the spring, but is gone in the summertime. She wants to know where the water will go. She also wants to know if clustering was considered, and right now the area is a field in agricultural use. In Hollis, fields such as this are a priority for preservation. If it was clustered, perhaps more of the field can be saved.

She said there would be another smaller stormwater treatment area to the south of Lot 171. She said the tot lot is proposed for this area.

Bill Ferriero, 35 Indian Rock Road. Mr. Ferreau said he heard that the present condition of Indian Rock Road is poor, and that the heavy equipment would further degrade the roadway. He asked if there is a requirement to make this more firm. He also is concerned with the private wells, and with the blasting, what the impact will be.

Douglas Gagne, Hollis Planning Board. Mr. Gagne said he is concerned with lighting and traffic. He also stated that the two driveways coming off of Pindus Drive will be somewhat dangerous. He also wanted to know more about the 680 feet of Pine Hill Road that will be re-graded, and wanted to know where that will be.

He said for lighting, he said this is a country setting, not a city setting, and that city lighting should not be considered here. He asked about putting in a stipulation about having no lighting, or if that is against the ordinances, perhaps to install low level full cutoff fixtures be installed.

**SPEAKING IN FAVOR:**

Richard Maynard, Maynard & Paquette. Mr. Maynard said with regard to wells, most of the project is down-graded. He said they are detaining and recharging the groundwater, so there should be no net effect. He said they will be bringing in public water. It is not likely that blasting will be done, and pointed out on a map where it is possible that it will be done. Any of the blasting that may occur will be far away from existing homes, and there will be a pre blast survey, and if anything gets destroyed or affected, insurance will cover it. The project is far away from most of the homes.

He said the 20 foot easement is purposely placed so that the centerline of the channel is right down the middle of the drainage easement. He said the drainage easement feeds down, and goes into the detention basin/stormwater management area. The basin is oversized to handle everything in this area.

He said they looked at clustering, but because there are existing homes in the project, and an existing street, it was preferred to design the subdivision with a grid. He said they will preserve wetland areas, some open space, and there will be underground utilities.

He said on Lot 171, which has the tot lot area, this lot is large, and there is another stormwater treatment/detention area.

He said for Indian Rock Road, he identified an area on a map where they will be putting in improvements, has to be repaved and rebuilt. The rest of Indian Rock Road is the City's road, which we are not touching.

He said on Pindus Drive, the common curb cut for those two driveways, they cannot do anything about the sun or glare, but they will do some tree/brush trimming so that sight distance issues will be improved, which is stipulation #13.

He said he has no comment on the lighting, it is a public road and street lights are required.

Mrs. Lasky asked about the parking for the tot lot.

Mr. Maynard said there is an eight space, paved parking lot.

Mrs. Lasky asked if it will be anything like the one on Spit Brook Road.

Mr. Maynard said it is up to Parks and Recreation, there is plenty of room there.

Mr. Slivinski asked about blasting, and if any will be done, reiterated that it will be minor.

Mr. Maynard said that is his educated guess.

Mr. Slivinski stated that there would be a stipulation that trucks would use Pine Hill Road, to keep trucks off of Indian Rock Road.

Mr. Maynard said that will not be an inconvenience, and going on Indian Rock Road would be taking the long way to the project.

Mr. Slivinski asked about the driveways to the two lots on Pindus Drive, and said he is not happy about them, but wouldn't want them to remove the lots because of it. He wished it could go into a cul-de-sac.

Mr. Maynard said the road is still a low traffic road in this area of the City.

Mrs. Lasky asked if staff had anything to add.

Mr. Sawyer said for street lighting, there is a section in the code, Section 16-117, that requires lighting, and he read the code

section into the record. He said the Board has some leeway, but it is the practice of the City to light all public streets, and these are public streets. He said the City has generally been following this.

Ald. Vitale asked if there's anywhere in the City that lighting has been done differently, to be more of a country setting.

Mr. Sawyer said there are some existing streets in the south end of the City, but none are developments such as the ones proposed. He said there are many more calls from residents who want more, or better street lighting, rather than stating that there is too much.

Mrs. Lasky said there is a letter from Stephen and Carol Parnell, 20 Indian Rock Road. Their concerns are the impact and noise pollution from the booster pump. Mr. Petropulos said you will not hear anything from it. The letter also said a project of this size should require more than one hearing. She said there was a discussion in November, and there is always one hearing for a subdivision.

She said the communications from Kathryn Nelson have been addressed.

Ald. Vitale asked what the hours of construction will be.

Mrs. Lasky said the ordinance addresses this issue. [There was discussion that was unintelligible about the hours]

Mr. Alex Julewitz, 3 Indian Rock Road. Mr. Julewitz asked if the hours include when equipment arrives on site, or the start of the work.

Mr. Sawyer said they can get the ordinance that addresses this, it is located downstairs.

Mrs. Lasky said whatever the times are, they must abide by the ordinance.

Ald. Vitale suggested setting the times for the arrival of construction equipment at a reasonable hour.

Mr. Dufour said the ordinance states that it must be a reasonable time.

Mrs. Lasky asked if 6:30 was not a reasonable time, most people are awake and going to work or school, and it's not on weekends.

Mr. Dufour said if you cut the hours down, the project takes longer.

Ald. Vitale wanted to confirm that it's Monday through Friday.

Mrs. Lasky said it is six days.

Ald. Vitale said 6:30 a.m. is early, and if it's a construction project it will take a long time, and would like to see it later.

Ald. LaRose said it would behoove the Board to find out what the ordinance states.

**MOTION** by Mr. Dufour to approve the subdivision of Northfield Estates, and that it meets NRO Section 16-108, with the 17 stipulations of staff's supplemental report, and to add two additional stipulations as follows:

1. Prior to recording of the approved subdivision plan, a development agreement between Orchid Development LLC and Second Generation Properties Limited Partnership, outlining each parties responsibilities for construction, bonding and phasing, shall be submitted for review and approval to the City of Nashua Division of Public Works and Planning Department. (Note #23 on Sheet 1 of plan set)
2. Prior to any work being conducted, final approval of the engineering plans shall be obtained from the Planning and Engineering Departments.
3. Prior to the plan being recorded, bonding for all public improvements, shall be submitted to and approved by the Engineering Department and Corporation Counsel.
4. Prior to the plan being recorded, the Planning Department and Corporation Counsel shall review and approve all required easement, dedication, and storm water operation and maintenance documents. Said documents shall be recorded with the plan.
5. Prior to any work being conducted a pre-construction conference shall be held with the Planning Department to review erosion control, tree and material removal, and tree protection. Wetlands, and trees shown on the plan to be saved shall be marked by flagging and protected from cutting or other disturbance with suitable temporary fencing. Bio-fence shall be used adjacent to wetlands.

6. Prior to any work being conducted approval of the NH Site Specific permit shall be obtained.
7. Prior to a final subdivision being recorded, a pedestrian easement and trail details will be added for a portion of lot 1575.
8. Prior to a building permit being issued for each lot access shall be provided to the satisfaction of the Planning Department, the Department of Building Safety, the Fire Department and the Division of Public Works.
9. Prior to a certificate of occupancy being issued for each lot that includes wetland buffers the buffers will be clearly and permanently delineated. The applicant shall work with Planning Department staff concerning the location of the markers.
10. Prior to the first certificate of occupancy being issued the proposed water booster pump station and associated improvements shall be constructed. The water booster station shall be operational and accepted for operation and maintenance by Pennichuck Water Works.
11. Prior to the first certificate of occupancy being issued the stormwater management area including the outlet control structure, overflow drain line, pipe work to the headwall, outlet at Indian Rock road, and the proposed culvert improvements at University Drive shall be completed to the satisfaction of the Division of Public Works.
12. Prior to the first certificate of occupancy being issued all improvements to the Pine Hill Road, Coburn Avenue, Indian Rock Road intersection shall be completed to the satisfaction of the Division of Public Works.
13. Prior to the first certificate of occupancy being issued the Division of Public Works shall review the intersections of Pindus Drive and the driveways for lots 925 and 1550 at Pine Hill Road for adequate sight distance.
14. Prior to a certificate of occupancy being issued a voluntary contribution in the amount of \$200 shall be paid per residential unit. Said contribution shall be paid to the Planning Department and applied to Pine Hill Road improvements through the Division of Public Works.

15. Prior to the final certificate of occupancy being issued all required site improvements shall be completed according to the approved plan, and all work conducted in the public right-of-way completed to the satisfaction of the Division of Public Works.
16. With approval of the plan the waiver of Section 16-112 (h) cul-de-sac length for Oldenburg Drive has been granted.
17. Prior to the plan being recorded, a conservation easement shall be added to the plan over the wetland and wetland buffer areas of proposed lot 1556.
18. Construction vehicles shall utilize Northfield Road except on those occasions as authorized by staff.
19. Construction hours shall coincide with existing city ordinances.

**SECONDED** by Ald. LaRose.

Mr. Dookran asked about stipulation #18.

Mr. Dufour said to prohibit them altogether is unreasonable. He said the road is in bad shape, but after construction it will be worse. He doesn't feel there is a way to regulate it.

Mr. Dookran said it is even harder to have staff allowing on those occasions when they want to use Indian Rock Road.

Mr. Farkas said the applicant has agreed to rebuild a portion of Indian Rock Road from Lots 1569 to 1574.

Mr. Sawyer said it is already detailed in the plan that they are rebuilding a portion of this road, it shows grading, curbing, drainage, sidewalks, and there's no doubt that that portion of the roadway is being reconstructed and repaved. He said the intersection improvements will be about 200 feet down Indian Rock Road.

Mrs. Lasky asked if all the work has to be done before the final certificate of occupancy.

Mr. Sawyer said yes.

Ald. Vitale said Mr. Toulawitz mentioned that the pipe underneath the road has been broken by heavy trucks going over the road, and

if there would be construction traffic down Indian Rock Road that would deteriorate the road further, or cause any damage underneath the road, she doesn't find it unreasonable for them to repair the damages.

Mr. Slivinski replied that he believed it is standard procedure, that they would repair any damage that they make.

Mr. Sawyer said he would defer to Mr. Dookran because it would be covered with the bonding. He said to his knowledge, he didn't think that is typically done offsite.

Mr. Slivinski said that this is a site that potentially would have additional damage from heavy equipment trucks.

Mr. Maynard said the drainage pipe is towards the intersection of Indian Rock Road and Victoria Drive. The reason why it's so deteriorated is that it was built in the early 1960's, and may not have been property founded. That whole area is being rebuilt and the drainage pipes are being replaced. He said if a pipe is just barely under the pavement, everyone is driving right over it, it's not just one truck ruining it.

**MOTION CARRIED 7-0.**

**3. Orchid Development, LLC (Applicant) John & Anna Gelazauskas (Owners) - Proposed 11,736 square foot right of way dedication, Pine Hill Road, Sheet F - Lot 33, Zoned "R30" & "R18" Suburban Residence.**

**Note: This case to be taken together with:**

**NEW BUSINESS - SITE PLANS**

**4. Wild Rose Estates, Orchid Development, LLC (Applicant) John & Anna Gelazauskas (Owners) - Proposed 26-unit, single-family cluster development with associated access and site improvements, Pine Hill Road, Sheet F - Lot 33, Zoned "R30" & "R18" Suburban Residence.**

Jim Petropulos, Hayner & Swanson, 3 Congress Street. Mr. Petropulos said there are two requests, one is a dedication of right-of-way, and the other one is site plan approval for Wild Rose Estates.

He referenced a plan on the lower level, which represents the entire perimeter of the Wild Rose project, about 20.2 acres. He said they are dedicating approximately 11,000 square feet of land to the Pine Hill Road right-of-way. It has been surveyed, we will have 25 feet on our side, and it is a typical dedication of right-of-way.

He said the site plan, indicated on the upper level, is a 19.9 acre property. It is surrounded by Pine Hill Road to the north, undeveloped land and the Hollis town line to the west, Holden Farms condominiums to the south. He said the property is split zoned, it is R30 and R18, with 1,400 feet of frontage along Pine Hill Road.

He said the property was surveyed in 2003 by Hayner Swanson. He said it used to be a field, it is overgrown now. The topography is quite gentle, unlike the other side, it slopes from Pine Hill Road to the wetland in the rear, a 4% to 5% constant grade from front to back.

He pointed out the location of a large wooded wetland at the rear of the property which separates this project from Holden Farms. There is also an isolated small wetland located in the middle of the property.

He said they are proposing to construct a 26-unit cluster residential project, it is a condominium form of development. There will be no individual lots for these homes. On January 27, 2004, the Zoning Board approved a special exception for the cluster development.

He said that there are principally two accesses off of Pine Hill Road, Wild Rose Drive is a 750 - 800 foot long cul-de-sac, it will be 22 feet wide private road, and will have 19 homes on it. The other road is Crimson Court, which will have seven units.

He said the Fire Department asked if these two roads could be linked together. He said they asked for a 10 foot walkway between the two cul-de-sacs, which was agreed upon.

Mr. Petropulos pointed out the proposed sidewalk along Pine Hill Road. He said other projects such as Tanglewood and Bowers Pond have pedestrian sidewalks set off the pavement, which weave their way through the woods and are aesthetically pleasing. This is proposed along the entire frontage here, it will be five feet in width. He said they will work with staff to keep selected trees.

He said the key features to the project is the open space. The cluster regulations require 10%, or about 2 acres. This project has 84% open space, which is 16.7 acres. He said 5.8 acres of the 16.7 acres is wetlands. He said there are no driveways proposed off of Pine Hill Road, and there is no clubhouse for this project either.

He said that 50% of the site will remain in its natural state, which is shaded in green on the map. He said there are no wetland impacts for this project.

He said the project is served by underground utilities. Lighting for this project is private, and it is planned for nice low-level lighting.

He said there is a stormwater component to this project, they are looking at quantity and quality. He said they are establishing two stormwater management areas, one to the east of Crimson Court, and the other to the east of Wild Rose Drive. Both promote recharge, both reduce peak rates of runoff, and ultimately the discharge is in the large wetland in the rear, which is ideal.

He said they have requested a waiver for cul-de-sac length for Wild Rose Drive, he said they are providing the emergency link that the code allows.

He said there is a waiver for the dedication plan, too, it is supposed to be drawn at a 50 scale, but was done at an 80 scale for recording purposes.

Mr. Petropulos said there are 13 stipulations as outlined by staff, which we have agreed in principal with. He said that this is a good way to develop this property.

Ald. Vitale asked if snow removal on the sidewalks along Pine Hill Road can be built into the homeowners association.

Mrs. Lasky said that is a Board of Alderman function.

Mr. Petropulos said it will be in an easement dedicated to the City of Nashua along Pine Hill Road.

Mrs. Lasky said this is an aldermanic function.

Ald. LaRose said it is a Department of Public Works function. His understanding of state law is that they cannot put in a stipulation that the owners remove the snow, because the state is responsible.

Ald. Vitale asked if the wetland area in the back is going to be deeded to the city.

Mr. Petropulos said it is association land, to remain in perpetuity in its natural state. He said there is good protection there.

Ald. Vitale asked if there is any need for litter removal, and will the association be responsible for that.

Mr. Petropulos said correct. He said they appeared before the Conservation Commission, although they had no obligation to do so. He said they have agreed to put some markers along the back property. There will be between 5 and 10 markers.

Mrs. Lasky asked if staff has any comments.

Mr. Yeomans said the issue of lighting has come up. The applicant has come up with a lighting plan, which meets the ordinance. They have a very modest lighting plan, and staff requested that the trail connector be illuminated, since during the winter it gets dark at 4:00 p.m., as a good safety precaution.

**SPEAKING IN OPPOSITION OR WITH CONCERN:**

Mr. Peter Ladd, 1 Sugar Hill, President of Holden Farms Association. Mr. Ladd said they are the southerly abutter to the project. He said that they drain the wetlands from Holden Farms. He said there are 138 owners that are complaining about water. He said they are on the low side of the hill, and that of all of the three developments proposed, all of the water seems to be going towards our development. The water goes into the wetlands, and then drains down the back of Holden Farms, we have a pond in the middle of our community, the pond holds the water from the wetland. He said there is retaining on the pond, and then it goes down the hill.

His concern to their community is if it will increase the water flow, which means additional erosion, and they'll lose their little pond. A couple of their owners have flooded cellars, who have pumps. He said most of the water concerns are groundwater, surface water. He questioned if there have been any hydrology tests done, and if they considered our community downstream. He asked how the water is measured. He asked if the wetland scientist has looked at how the water will impact our community. He said there is concern by some of his owners with low water pressure. He said since the high school has been put it, traffic has increased dramatically.

**SPEAKING IN FAVOR:**

Jim Petropulos, Hayner & Swanson Inc. Mr. Petropulos said the water pressure is better answered by Pennichuck (Don Ware). He said that Holden Farms has a high groundwater condition. Our projects sit up a little higher. He pointed out on a map a natural drainage area, where drainage goes in the area. He said they reviewed the Holden Farms drainage computations, and it was designed to receive a large flow from up above. He said what they are getting there now, is what they will be getting there after development. He said they do not want to get into a situation where they are degrading another development downstream. He said the system is designed to not add flow downstream.

Mr. Yeomans said he did not put in a specific recommendation for the waiver, it's been done both ways before. If you approve the plan, you approve the waiver, or it can be a separate motion.

Mr. Dookran asked if an inter-applicant developers agreement as well.

Mr. Yeomans said the developers agreement will cover all projects.

Mr. Lowe asked if there is a topo map for this project.

Discussion ensued about the contours and the topography.

**MOTION** by Mr. Slivinski to approve the lot line relocation and dedication plan for Orchid Development (Applicant) John & Anna Gelazauskas (Owners), and that it meets NRO Section 16-108, with no stipulations, and to approve a waiver of the plan scale.

**SECONDED** by Mr. Farkas.

**MOTION CARRIED 7-0.**

**MOTION** by Mr. Farkas to approve Wild Rose Estates, Orchid Development for a 26-unit single family cluster development, and that it meets NRO Section 16-123, with the following stipulations:

1. Prior to any work being conducted a pre-construction conference shall be held with the Planning Department to review erosion control measures, tree removal and protection. Wetlands, and trees shown on the plan to be saved shall be marked by flagging and protected from cutting or other disturbance with suitable temporary fencing. Bio-fence shall be used adjacent to wetlands.

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2. Prior to any work being conducted approval of the NH Site Specific permit shall be obtained.
3. Prior to the issuance of the first building permit bonding for the required street and utility improvements shall be approved by the Division of Public Works and Corporation Counsel.
4. Prior to the issuance of the first building permit the applicant shall provide a landscape detail for the detention basins to the Planning Department for approval.
5. Prior to the issuance of the first building permit the Planning Department and Corporation Counsel shall review and approve all required easement, dedication, and storm water operation and maintenance documents. Said documents shall be recorded.
6. Prior to a building permit being issued for each lot access shall be provided to the satisfaction of the Planning Department, The Division of Building Safety, the Fire Department and the Division of Public Works.
7. Prior to the first certificate of occupancy being issued the proposed water booster station, connection to the existing line in Indian Rock Road, and access road, shall be constructed. The water booster station shall be operational and accepted for operation and maintenance by Pennichuck Water Works.
8. Prior to the first certificate of occupancy being issued the Department of Public Works shall review the intersections of Crimson Court and Wild Rose Drive at Pine Hill Road for adequate sight distance.
9. Prior to the first certificate of occupancy being issued the applicant shall install a permanent street name sign at the intersection of Crimson Court and Wild Rose Drive at Pine Hill.
10. Prior to the first certificate of occupancy being issued all improvements tot eh Pine Hill Road, Coburn Avenue, Indian Rock Road intersection shall be completed to the satisfaction of the Division of Public Works.
11. Per the recommendation of the Conservation Commission prior to the issuance of the 21<sup>st</sup> certificate of occupancy the applicant shall install up to 10 placards along the wetland buffer to delineate the wetland boundary. The applicant shall work with the Planning Department staff concerning the location of the markers. The markers may be attached to trees.

12. Prior to a certificate of occupancy being issued a voluntary contribution in the amount of \$200 shall be paid per residential unit. Said contribution shall be paid to the Planning Department and applied to Pine Hill Road improvements through the Division of Public Works.
13. Prior to the final certificate of occupancy being issued all required site improvements shall be completed according to the approved plan, and all work conducted in the public right-of-way completed to the satisfaction of the Division of Public Works.
14. Approval of cul-de-sac waiver, Section 16-112(h).
15. An inter-development agreement shall be required.

**SECONDED** by Mr. Dufour.

**MOTION CARRIED 7-0.**

5. **Southern New Hampshire Medical Center (Owner) Motiva Enterprises, LLC (Owner) - Proposed amendment to NR1707, NR 1017 and NR1331 for a 3-story, 39,440 square foot addition to the existing hospital building, the demolition of the former Texaco and development of a parking lot and associated access, parking and site improvements, 8 Prospect Street, Main Street & Spring Street, Sheet 31 - Lots 5, 22, 37 & 40, Zoned "CB/MU" Central Business/Mixed Use.**

Jim Petropulos, Hayner & Swanson, Inc. Mr. Petropulos thanked the Board and staff for their diligence and help on the previous three projects. He said that with him is Scott Cote, Southern New Hampshire Medical Center, Rick Duguay, Vice President for Southern New Hampshire Medical Center, Bob Strickland, JSA, Architect, Bob Bollinger, and Attorney Gerald Prunier.

He said they met with the Board two weeks ago for a discussion of the Hospital's Master Plan and the proposed plan.

He said the campus is located on Main Street, surrounded by four public streets, Main Street to the west, Spring Street to the north, Dearborn Street to the east, and Prospect Street to the south. In total, the campus controls about 20 properties, including about 15½ acres. Site plan approval is sought tonight for expansion to the emergency department, which is near the Main Street/Spring Street intersection.

He said it also includes parking lot expansions to the former Texaco property, which the hospital has under contract. He said the site is located in the CB/MU district, the overlay district seeks to maintain the goals of the Master Plan, and gives the Planning Board authority on dimensional standards such as parking and setbacks. This project meets the current zoning, so no relief is required.

He said the hospital has 188 licensed beds by the State of New Hampshire. It is a 263,000 square foot building. It is the intent to demolish the existing Texaco site. The Texaco site is contaminated beneath the surface, and it will take roughly five years to reclaim the site. He said that on the site plan, there is a small, temporary reclamation unit, about 12'x16' in size, that will be used to house the equipment to reclaim the site. After 5 years, it will be a useable site.

He said that the proposal is in two parts. One is the emergency department expansion, which will be a three-story expansion. The first floor will be the emergency department, the second floor will be for the cardiopulmonary unit, and the third floor will be a shell, and will be used for future operating tables. No new beds are proposed as part of this expansion. It does include a new entrance on the north side of the hospital. Currently, there is a canopied entrance on the south side, across from the parking garage. On the north side there is the emergency department, and the outpatient entrance in the northeast portion of the site.

He said the proposed addition does displace parking in this area, however, it does include a new system of ambulance delivery and loading, and a new entrance to the emergency department.

Mr. Petropulos said the proposed addition is where the emergency department drop-off and parking is. A one-way system is proposed, with an entrance off of Spring Street, ambulances would back into their designated delivery areas. He showed where this will be on the site plan.

He showed where the new entry and parking will be on the site plan as well. He showed where the emergency department parking will be, and it will have 46 spaces, which is more than currently exists.

He said across the site, they are proposing a new curb-cut, directly across from the discharge. He said they are reconstructing a parking lot where they would enter into the new parking lot, and pointed this out on the site plan. By doing this,

there is much less dependence on the outpatient entrance. He pointed out where two curb-cuts will be taken away, which are on the inside of the curve, and it will be a much safer place for pedestrians to cross Spring Street.

He pointed out where there will be decorated fencing, to prevent someone from parking and going across to the emergency department, and will be relocated to another location, and it will only be operational when there is a red light on Kinsley Street.

He pointed out where a curb-cut will be eliminated at the Texaco site, it will be a two-way entrance, and pointed out where another curb-cut will be eliminated, behind the park (Constitution Park). In total, there will be three curb-cuts that will be deleted. The most important one is the one at the corner of Spring Street and Main Street.

He said the MRI cell is portable, that comes in periodically. It is generally loaded at night, and it has been agreed to continue to do that. It is expected to come in on a tractor trailer under the supervision of hospital security to provide traffic control.

He said the parking for Texaco will probably be used for the outpatient parking that will be displaced by the emergency department parking, and also for visitors to the emergency department.

He said that there have been some notes put on the master site plan for the hospital, for informational purposes, that there are 769 parking spaces required, and almost 1,100 parking spaces are being provided.

He said the plan includes new lighting and landscaping, and pointed them out on the site plan. He said they will be in some of the end-caps of the parking aisles.

Mr. Petropulos said for the stormwater, it is an existing combined system, and they are maintaining existing drainage patterns. For the Texaco site redevelopment, we are requesting a waiver, the discharge is currently on Main Street, we are putting it in some catch basins. The waiver is on the recharge component of the regulations, because it is a contaminated site.

He said the other item in which a waiver is requested is the five-foot landscape strip between property lines. He pointed out the location of a common property line between the Texaco site and the

Southern New Hampshire hospital site. He said the hospital does not own this lot yet, but the intent is to merge these lots afterwards.

He said the package includes a site suitability report, which states that the project is being developed in accordance with the Master Plan, which this project does. He said the current emergency department was designed a number of years ago to serve 20,000 patients per year, currently there are about 45,000 patients per year.

He said that there is architectural review. Plans have been submitted a couple weeks ago to the Board for preliminary comment. He pointed out the elevation plans, and described the atrium, and the upper two floors. He said the masonry will tie in to the existing building. The key element is the new atrium entrance, it is three-story, with a combination of glass and metal. It is very similar to the building on Dearborn Street.

Mr. Lowe asked about the entrance/exit on Main Street, and asked if it will be a right turn only.

Mr. Petropulos said it is proposed to be a full entrance, right in, right out. Texaco operated for years with two full accesses. Coming out of that parking lot and making a left is difficult. He said it will be available for options to get into the parking lot. This item has been discussed in detail with DPW, but the number of times it will be operational is hard to judge. The City is willing to monitor it for approximately six months, and if it becomes dangerous, changes may be made.

Mr. Lowe said he is concerned about during construction, and how it will be constructed, and if traffic pressure will be relieved. He said he believes the Texaco site should be done first. He said he is concerned for drivers taking a left turn.

Mr. Petropulos said the Texaco site will be done first, because it will be needed for parking.

Mr. Lowe said during construction, it should be that no left turns can be made out of that lot onto Main Street.

Mr. Petropulos said the curb-cut should be open, because that is where the pedestrian crossing is located.

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Mr. Slivinski commented that parking is tough to find now, and in two years it may be that 80,000 patients will be coming to the hospital.

Mr. Petropulos said they are providing fencing along the property to try to prevent CVS customers from parking there and going around. He said the emergency department has been sized for 20,000 patients per year, but for the past few years it has been 45,000 patients, and it has leveled off.

Ald. LaRose asked why there isn't a designated green arrow to turn left from Main Street onto Spring Street to access the hospital properties. If this were done, then it would be much easier to get into the old Texaco parking lot.

Mr. Dookran asked about the south side of Spring Street, and how the stormwater will be handled there.

Mr. Petropulos said there is currently an underground storage system that was designed in 1992 that will be maintained, and the area directly in front of the emergency department drop-off has a drain line that runs off in a northeast direction, and a basin will be put on it. It will be maintaining what is there today.

Mr. Dookran said that is for storage, and asked if a waiver being requested for the infiltration on the north side.

Mr. Petropulos said they are utilizing existing systems that are working fine.

Mr. Dookran asked about catching the roof water because it is clean, not the parking lot water.

Mr. Petropulos said they will look into it.

Scott Cote, Director of Facilities Management, Southern New Hampshire Hospital. Mr. Cote said a Master Plan was provided for the hospital. He said the hospital has acquired additional lots on Prospect Street, and development is proposed in the spring, which will add 125 parking spaces to the inventory. He said this is important, and linked to the proposed project, because on the Spring Street side of the lot, much of that lot is comprised of employee parking. More access will be provided for outpatient visitors that will occur in this area. This will re-direct a lot of employee parking to the Prospect Street side. The 125 spaces will add about 10% to the existing parking inventory. It is a short term measure, but will provide a lot of relief.

He said the long term goal is to see the Texaco site to be environmentally capable of supporting development, and a parking garage will be constructed there.

He said as part of the addition for the emergency department, there is a leg that comes off the rotunda that will have a pedestrian crosswalk that will go above Spring Street directly to the parking garage. This will resolve a lot of the pedestrian concerns when they go across Spring Street. It will also have a nice connection to the downtown.

He said for the left hand turn out of the Texaco site, Bob Bollinger has provided the proposed flow and movement of traffic to the DPW. The left hand turn is requested to be there as an option, because many times drivers make decisions regardless of what is posted on signage. If this left hand option would be removed, particularly at peak times, people would have to go all the way to East Hollis Street, or cross over to Main Street and go to Dearborn Street.

He said the information provided by the traffic consultant suggests that the peak times and movements in these lots do not directly conflict with the peak traffic times on Main Street. The peak times for the emergency department start at 11:00 a.m. As expected, other peak times are on weekends, late at night. A lot of the emergency department traffic comes via an ambulance, with lights and sirens.

He said there is a letter from the Traffic Department that should be in the package, that addresses a number of traffic issues. He said there is two points in the letter. One is that they reference any further expansion to the Southern New Hampshire Medical Center will require a traffic impact report. He said their discussions with the Traffic Department, the future development of the Texaco site and a parking structure was discussed. The hospital agrees that when that time comes, a traffic impact study should be done.

He said that when a surface parking lot comes before the Board this spring, they do not believe that a traffic study should be done.

He said the second stipulation in the letter is that they monitor the site for six months, and that the hospital work with the Traffic Department, which is fine. In the letter it suggests that if there is a degradation of traffic the applicant will take action to come up with a solution. He said this is fine, as long as the traffic is attributable to the proposed project. He said the

traffic can go downhill in this area depending on a lot of factors, not necessarily this project.

He said to clarify Mr. Lowe's earlier question, it is the hospital's intent to build the parking lot at the Texaco site first, before the emergency department expansion.

Mr. Slivinski said he believes that growth at the hospital will continue. If this were to be planned and built from scratch, the hospital may be built somewhere else. He asked if the hospital has looked 15 to 20 years from now, and what type of land requirements the hospital may need.

Mr. Cote said they have. He said they have been around the Main Street site for over one hundred and ten years. He said if they were to do it all over again, they would love to have the luxury of thirty acres of open space. He said they feel like they are an important part of the downtown, they employ nearly 2,000 people, and provide a tremendous difference in the success of the downtown area.

He said they have identified sites which they own now, and have a 2010 Vision Plan, the Texaco site is one which could support a 75,000 square foot building, and there are other properties that have been acquired over time to accommodate growth. They will grow and meet the demands accordingly.

Mr. Rick Duguay, Vice President, Southern New Hampshire Medical Center. Mr. Duguay said as far as growth opportunities, they have purchased the "west campus", which is the Brookside facility, which is also being developed for hospital related services, so there is the opportunity for additional services at that location. This location is also noted in the 2010 Vision Plan.

Mr. Dookran said he read that the emergency department is designed for 20,000 to 25,000 patient visits. It is now planned and designed for 40,000 to 45,000 per year. He asked what assurance the City may have for a future of 65,000 or 70,000 visits per year.

Mr. Cote said they don't strive for 65,000 or so visits to the emergency department. The growth really depends on the community. Based upon the data the hospital has, the current numbers have remained steady for the past few years. The growth is dependent upon the growth of the community. He said right now, the emergency department is designed to serve roughly 20,000 to 25,000 visits per year, and the hospital is seeing about 44,000 visits, which has remained steady for the past few years.

He said the west campus is looking into providing a convenient care, urgent care operation, which may help with growth. He said the expansion of the emergency department is to serve the population that is coming in now.

Mr. Dookran said they may want to monitor for over six months.

Mr. Cote said that is fine, the additional development opportunities and expansion will drive that.

Ald. LaRose said the soil is contaminated at the Texaco station, and asked if the proposed parking garage where the former Public Works garage is has any contaminated soils.

Mr. Cote said there are monitoring wells at the property and the adjacent property, and suggested that Mike Richer describe the soil contamination issue.

Mike Richer, Geologic Services Corporation, Hudson, Ma. Mr. Richer pointed out on the plan where the contaminated soils are. He identified where the underground storage tanks were, and the dispenser islands. He said the extent of the soil impact is limited to the underground storage tanks and the perimeter of the dispenser islands. There were three sources where the gasoline released into the environment; where the underground tanks were, the dispenser islands in the southern portion of the lot, and pointed out another location.

Mr. Dufour said the question was adjacent to the parking lot, it used to be a City Public Works Department garage, and asked if this area was contaminated.

Mr. Richer said there is no soil impact in this area.

Mr. Slivinski asked if the soil is continuing to contaminate the ground, or has it been removed.

Mr. Richer said they are in a remedial action plan. The most cost effective and efficient remedial approaches are used to clean up a site. He said that based upon the soil impact, depth of groundwater, that solvent extraction and air spatch system would be the most effective remedial approach to clean up this site. It will take up to five years to accomplish this.

Mrs. Lasky asked if staff had anything further to add.

Mr. Sawyer said there is a letter from the Great American Downtown. Also, there is a letter from Mr. Dookran and Ms. Klasen, who are recommending two additional stipulations.

**SPEAKING IN OPPOSITION OR WITH CONCERN:**

No one.

**SPEAKING IN FAVOR:**

No one.

Mrs. Lasky said she would like the letter from John Mitterholzer of the Great American Downtown, dated February 19, 2004, put in the record. In summary, the letter states that they are in favor of the hospital's expansion, and it will enhance the downtown and add to the vitality of the district surrounding the Medical Center. It also says they are pleased with the design and the landscaping plan. It also says that a more decorative fence is needed and they appreciate the Medical Center's willingness to change the design.

She asked if the decorative fence has been discussed with the Hospital.

Mr. Cote said it has been discussed, and it is covered in a stipulation.

Mr. Sawyer also said it is covered in one of the stipulations for approval.

Mrs. Lasky said the letter also indicates that there is concern about the left hand turn onto Main Street, and they hope that a safe alternative can be found. She said the letter also stated that the landscaping should be carried over to include the existing building.

Mr. Sawyer said this has been discussed, and the Community Development Department has requested that some of the improvements should be made, and this has been relayed to the Hospital.

Mr. Farkas asked Mr. Cote if he had any specific language proposed for stipulation #8.

Mr. Cote said this stipulation should be linked to development projects that would bring in additional traffic, related to a physical expansion.

Discussion ensued about this stipulation.

Mr. Farkas said if the Hospital comes to the Board in the future with an expansion proposal, if a traffic report is warranted, it must be done anyways.

Atty. Prunier said the Board can ask for a traffic report at any time.

Mr. Farkas asked Mr. Cote about DPW's stipulation #2, and suggested adding in "due to the implementation of this plan" in the sentence that is "If there is a degradation in traffic operations, the Applicant will take action to implement a solution."

Mr. Cote said this is fine.

Mr. Dookran said he realizes that proposed stipulation #1 in the DPW's letter is broad. He said as development on the property continues to develop, they would like to make the traffic reports cumulative as they look at traffic impacts. He briefly discussed parking, access and traffic with regards to this letter and the stipulations.

**MOTION** by Mr. Farkas to approve the site plan for Southern New Hampshire Medical Center for a 3-story, 39,440 square foot addition and parking lot expansion with the 7 stipulations from staff's report and the second stipulation as amended in the DPW's letter, as follows:

1. Prior to ANY work being conducted, a pre-construction conference shall be set up with the Planning Department to review the overall details of the plan.
2. Prior to a building permit being issued, bonding for all public improvements, shall be submitted to and approved by the Engineering Department and Corporation Counsel.
3. Prior to a building permit being issued, final drafting corrections shall be made to the plan and approval of the right of way improvement details shall be obtained from the Engineering and Planning Departments.
4. Prior to a building permit being issued documents pertaining to the storm water operation and maintenance plan shall be recorded.

5. Prior to a building permit being issued, the final decorative fencing details shall be approved by the Community Development Division.
6. With approval of the plan the landscaping waiver of Section 16-213 (f)(4) is granted.
7. With approval of the plan the recharge to groundwater waiver of Section 16-145 (d) is granted.
8. The traffic operations at the Main/Kinsley/Spring Street intersection, along Spring Street and at the hospital site and parking lot entrances will be monitored initially when the expansion is complete and 6 months later. This monitoring will be conducted by the Traffic Department staff and may include but are not limited to such measures as traffic counts, accident data, vehicle queues, etc. if there is degradation in traffic operations due to the implementation of this plan, the applicant will take action to implement a solution. This may include a Traffic Impact Report and implementing its recommendations. The Traffic Impact Report and recommendations must be approved by the City of Nashua.

**SECONDED** by Mr. Lowe.

**MOTION CARRIED 7-0.**

6. **Salmon Brook Flats, Sequel Property Management, Inc. (Applicant) Club Christopher, Inc. (Owner) - Proposed demolition of the existing structure (Club Christopher) and the development of a 3-story, 27,264 square foot, 22-unit elderly housing building with associated access, parking and site improvements, 173 Chestnut Street, Sheet 100 - Lots 121-124, Zoned "RB" Urban Residence.**

Bill Keating, Dubois & King. Mr. Keating said with him tonight are Peter Dolloff and Steve Vallier of Sequel Development. He said this is an elderly housing complex off of Chestnut Street, at the corner of Lovell Street. He pointed out the green areas on the site plan which is landscaped areas, in gray is where the 3-story, 22-unit building is proposed.

He said there will be 18 parking spaces, with 2 handicap spaces. They will be replacing part of the sidewalk on Chestnut Street, and on Lovell Street. He said there will be a privacy fence put on the westerly and southerly side of the property.

He said that there will be underground storage for drainage in the parking lot area, and a leaching basin will be installed in the northerly grassed area, which will capture about one-half of the runoff from the roof. He said it will be a big improvement from what is there now. He also pointed out where landscaping will be installed.

Mr. Keating said one of the waivers requested is to not have landscaping installed on the back part of the parking lot. The other is to not install trees around the building, so that the Fire Department will be able to put up ladders to access the building.

Mr. Lowe asked if this is for senior citizen living, and if the building will have elevators.

Mr. Keating said yes.

Mrs. Lasky pointed out the rendering, and asked if this is what the building will look like.

Mr. Keating said yes.

Mr. Peter Dolloff said they are using the same building footprint that the existing Knights of Columbus building has. The existing building will be demolished and removed from the site. The main entrance to the building will be from where the parking lot is located.

Mrs. Lasky asked if there will be any parking underneath the building.

Mr. Dolloff said it will be a slab construction, with no parking underneath the building.

Mr. Lowe said there is a letter from Fire Chief Michael Buxton, and it states that the site plan is not acceptable, and asked if these issues have been addressed.

Mr. Dolloff said these issues have been addressed, and has a letter stating such.

Mrs. Lasky asked about the lighting plan.

Mr. Sawyer said they have it, and it meets all regulations.

Mrs. Lasky read a letter from Assistant Fire Chief Brian Morrissey to Fire Chief Michael Buxton, dated 2/18/04 for Salmon Brook Flats, which states that the 12/11/03 site plan submitted by Dubois & King

has been reviewed for fire apparatus, access and hydrant distribution, and required fire flows. The letter says the hydrant plan is ok as existing. It also says that fire flow data needs updating. Fire lanes are recommended on rear drive access. Overall, the site plan is acceptable.

Mr. Keating said the Fire Department is looking for updated fire flow data from the hydrant. They are satisfied that there is acceptable fire flow between hydrants.

Mr. Dolloff said the fire hydrant directly across from the subject building has not been fire flow tested in years. They went to test the hydrant at the corner of Lake Street, which has been tested recently, and the Fire Department is satisfied.

Mr. Farkas asked about the overhead power lines which may need to be relocated.

Mr. Keating said it is not a requirement now. The Fire Department feels that they have access with their ladder truck without interference of any wires, there will be no trees allowed, too.

Mr. Dolloff said the wires run along Chestnut Street. There are no wires on Lovell Street. The Fire Department was originally under the impression that there were wires along Lovell Street. PSNH visited the site, and they are not in favor of having just this property having underground wires. The Fire Deputy Chief asked for two stipulations; on Lovell Street and Chestnut Street they asked that no fencing be placed so that firefighters can access the site with ground ladders, and that there be no trees on the Lovell and Chestnut Street sides.

Mrs. Lasky asked if staff had any comments.

Mr. Sawyer said no. The waivers the applicant has asked for are covered in stipulation #7.

**SPEAKING IN OPPOSITION OR WITH CONCERN:**

Ruth Onsworth. Mrs. Onsworth said her mother lives in the house. She appreciated that Mr. Dolloff came by to explain the project to her. She said her concern is that a retaining wall is going to be put starting on Lovell Street going to the back of the property. She said there are tires there now, and asked what the new retaining wall will be made of. She said her parents put up a chain link fence years ago, and wanted to know exactly where the

fence/retaining wall will be.

Mr. Keating said the City has no setback requirements for fences, and there will be a four foot gap to build the retaining wall so we won't go in the neighbor's property.

**SPEAKING IN FAVOR:**

Ald. Vitale asked how snow removal will be handled.

Mr. Sawyer said that snow storage is limited, and it may be removed off-site.

Mr. Dolloff said on either side of the dumpster at the end of the parking lot, there is some room for snow storage. They anticipate that they have ample parking, so they might cordon off some area for snow storage.

Ald. LaRose asked if the parking requirements are fulfilled with this plan, and meets the code.

Mr. Keating said there is a code for parking for elderly housing, and it is met. He said that a lot of the people living here will be singles or will only have one car.

Mr. Sawyer said the code requires one parking space for every two units for elderly housing projects.

Ald. LaRose asked if all the units will be one bedroom, or will there be a combination of one and two bedroom units.

Mr. Dolloff said they will all be one bedroom apartments, approximately 700 square feet each.

Mr. Dookran asked about the chain link fence, and if it will affect the proposed retaining wall.

Mr. Dolloff said they will leave the chain link fence there. However, the neighbors said they might like to have the chain link fence taken down, because there will be a retaining wall with a six foot stockade fence on top of it, so the chain link fence is not necessary. He said they would be happy to remove the old chain link fence for them.

Mr. Dookran asked if anything built along that property line will be a hardship to the abutting home.

Mr. Dolloff said it will be an improvement, there is a retaining wall made up of old discarded tires, it is about seven feet tall at its highest point. All of these tires will be removed, and a more conventional interlocking block retaining wall will be constructed. There will be no impact to access or anything, it will be nicer looking than what exists today.

Mr. Dookran asked how much room will be available from the retaining wall and the house.

Mr. Keating said it is roughly four feet.

Mr. Farkas said in the staff report, they are requesting a 36 inch tall rubberized pedestrian crosswalk sign.

Mr. Keating said the owner has agreed to it.

Mr. Sawyer said this stipulation is covered in #5. He said it is one of those yellow signs with a rubber base. They will pay for it, and the City will install it. It is \$390.

**MOTION** by Ald. LaRose to approve Salmon Brook Flats, with the seven stipulations, and with the finding that the site plan complies with Section 16-123, as follows:

1. Prior to ANY work being conducted, a pre-construction conference shall be set up with the Planning Department to review the overall details of the plan.
2. Prior to a building permit being issued, the stormwater operation and maintenance plan shall be recorded.
3. Prior to a building permit being issued, bonding for all public improvements shall be submitted to and approved by the Engineering Department and Corporation Counsel.
4. Prior to a building permit being issued all overdue taxes shall be paid to the City of Nashua in accordance with the agreement between the City Treasurer and the applicant.
5. Prior to a building permit being issued a \$390 contribution shall be paid to the City for the installation of traffic control signage.
6. Prior to a certificate of occupancy being issued, the existing parking lot floodlight shall be removed.

7. With approval of the plan the landscaping waivers of Section 16-123(f)(2 & 4) are granted.

**SECONDED** by Mr. Lowe.

**MOTION CARRIED 7-0.**

8. St. Joseph Hospital (Owner) - Proposed amendment to NR1806 and NR1959 for a 68,000 square foot addition to the existing hospital building a two story parking garage and associated access, parking and site improvements, 172 Kinsley Street & Lake Street, Sheet 90 - Lots 1, 2, 4, 6 & 7 & Sheet 91 - Lots 2, 4, 22, 23 & 25, Zoned "RA" & "RB" Urban Residence. (Postponed Until the March 4, 2004 meeting)

**OTHER BUSINESS:**

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

**MOTION** by Mr. Dufour that there are no proposals of regional impact.

2. Referral of the FY 2005 Capital Improvements Program from the Capital Improvements Committee to the Nashua City Planning Board.

Mr. Dufour said this has been submitted in the packages, and would like to send it forward.

Mrs. Lasky asked how the numbers compare from last year in total.

Mr. Dufour said he didn't have the exact numbers available, it is broken down by the numbers of requests.

Mr. Houston said it's about the same, maybe a little more. The number of long term projects has decreased. He said the summary should have the totals.

Mr. Dufour said their job is to listen to the projects and proposed expenditures, and rate them. Economic situations are not factored in. There were fewer long term projects. All the Department heads realize the budget, and tried to contain their requests.

Mrs. Lasky asked if an approval is requested by the Planning Board this evening.

Mr. Dufour said it is up to the Board. If it is tabled, it will be ok.

Mr. Houston said it will be voted on at the first meeting in March.

Mrs. Lasky said the next meeting is March 4, 2004.

Mr. Houston said yes, and it will be on the agenda for approval.

Mrs. Lasky said it is usually on the agenda for a referral on one meeting, and for approval on the next meeting.

**DISCUSSION ITEMS:**

Mr. Dufour asked about the memo from Karen Berchtold about the East Hollis Street Area Master Plan. He said the first rule in any Master Plan is "do no harm". He thought that the interpretation of the plan is that there were a lot of concerns. He said there is a meeting scheduled before the March 4<sup>th</sup> meeting at 6:00 in Room 208, and the steering committee is invited. He does not think that this is the correct approach to remedy the issues that were presented at the last meeting.

Mrs. Lasky said a lot of the items brought up were repetitive, and ultimately there should be another meeting.

Mr. Farkas said it was his understanding that there would be another public hearing, but prior to that, the consultant and staff would get together and discuss all the questions and comments addressed at the last public hearing.

Mr. Houston said he reviewed the minutes of the last meeting, and a lot of the comments and concerns were brought up at the three public meetings with the neighborhood, and a lot of the issues were addressed. He said that Karen is putting together a response to the questions and comments raised.

Mr. Lowe said his conclusion was the short term plan was fine and made a lot of sense, but no one was listening to the long term phase. His impression was that the consultant was not listening to the long term plan, at least from what he heard from the people who testified.

Mr. Farkas said that he also heard these concerns raised by the public, and they had these concerns, and nothing has changed. He heard a lot of frustration from the audience, who brought up these

concerns and questions, but there have been no solutions.

Mrs. Lasky said the scope of the project changed in mid-stream. Whether that changed the outcome or not, she is not sure. She said she was surprised that the public seemed so surprised that the expectations may not have been addressed.

Mr. Dufour said the overall finished outcome of the plan was done very nicely, but it needs to be redone. He mentioned the Corriveau Routhier site, and if the plan shows a park or playground across the street, it may affect their long term salability or resale value if the property is put up for sale, and they see the plan which shows a playground or park, and a prospective buyer might not want to risk buying it if the City would take it by eminent domain. He said there were other sites that may have a problem. He also mentioned the potential traffic issues for the rail station. He said the neighbors saw this as such a drastic change from what it is today, and it was intimidating.

Mr. Farkas said they shouldn't expect that they get together for an hour and then approve the plan.

Mrs. Lasky said the next time is still a workshop, and everyone isn't really in a particular hurry to do something with the plan.

Mrs. Lasky asked if there should be a different format for the next meeting.

Mr. Farkas said if it is informational, and more of a working session, that is ok, but he would like to see more of a community involvement.

Discussion ensued about the next meeting date and time. Mrs. Lasky said she would talk to Karen about this.

**NEXT MEETING:**

March 4, 2004.

**ADJOURN**

Mr. Lowe declared the meeting adjourned at 11:45 p.m.

APPROVED: \_\_\_\_\_

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Bette Lasky, Chair, Nashua City Planning Board

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