

NASHUA CITY PLANNING BOARD
October 7, 2004

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

Ken Dufour, Vice Chair conducted the meeting.

Members present were: Ken Dufour, Vice Chair
Mike Lowe, Mayor's Representative
Ald. Richard Larose
William Slivinski
Hugh Moran
George Torosian

Also present: Roger Houston, Planning Director
Richard Sawyer, Planner III

APPROVAL OF MINUTES

September 9, 2004

MOTION by Mr. Lowe to waive the reading of the 9/9/04 meeting, waive the reading and place on file. If there is a videotape of the meeting he is recommending that it be kept for a period of one year because there is a lot missing in the minutes.

SECONDED by Mr. Larose.

MOTION CARRIED 5-0-1, Mr. Torosian abstaining.

COMMUNICATIONS

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

Draft of the 2005 Meeting & Deadline Dates

Preliminary Planning Board Agenda for 10/21/04 Meeting to determine regional impact

Technical Review meeting sheet on items coming up in the future

REPORT OF CHAIRMAN, COMMITTEE & LAISON

Ald. Larose said the Planning Board Chair, Bette Lasky, was re-nominated and voted back in as a Planning Board member for the next three years.

He said the Alderman passed a new ordinance on abandoned cars. Although he can't recall all the details of the ordinance, it is a better ordinance than they had before.

Mr. Dufour 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. Steven Soucy & Robert L. & Adriana Gervais (Owners) - Proposed lot line relocation, 586 & 590 West Hollis Street, Sheet E - Lots 8 & 235, Zoned "R9" Suburban Residence.**

Richard Maynard, Professional Engineer, Maynard & Paquette. Mr. Maynard said this is a simple lot line relocation where 20,800 square feet of land is being swapped. The two lots in question are on West Hollis Street next to Ledgewood Hills Drive. Lot 8 is

increasing in size and Lot 235 is decreasing in size. The lots are located in the R9 Zone. There are no other plans at this time other than the lot line relocation.

Mr. Slivinski said he noticed that both lots have a well. He asked if the City line goes through here.

Mr. Maynard said it does. He said they have chosen not to connect.

SPEAKING IN OPPOSITION OR WITH CONCERN

David Fredette, 18 Laurel Court, President Laurel Hills Association. Mr. Fredette said that they are a direct abutter to this property. He said they have 376 homes. He said they don't have opposition or concern as long as somebody in the future should want to bring water in and build several homes. They would want to be notified in a decent amount of time so they can review the plans. He said he has to notify every owner at Ledgewood when something like this comes up.

SPEAKING IN FAVOR

No One.

MOTION by Mr. Lowe to approve the lot line relocation for 586 & 590 West Hollis Street, Sheet E - Lots 8 & 235 with the finding that the plan meets NRO 16-108.

SECONDED by Mr. Slivinski.

MOTION CARRIED UNANIMOUSLY

- 2. Carol & David R. Angus (Owners) - Proposed subdivision of one lot into three single family lots, 189 East Dunstable Road & Niquette Drive, Sheet B - Lot 87, Zoned "R9" Urban Residence.**

Tony Basso, Hayner/Swanson Engineering. Mr. Basso said this proposal is to subdivide approximately 1.6 acres of land into three lots, one with an existing residence. The site will be serviced by municipal water and sewer. There is frontage on East Dunstable Road and Niquette Drive.

He said the three lots, starting with the existing residence are 12,000 square feet, 21,000 square feet and the large one on the bottom is 36,000 square feet. He referred the Board to the plan.

He said Salmon Brook is along the backside of the property. The cross-hatched area is a conservation easement that they were asked to provide. He said they will bring sidewalk down East Dunstable for the length of the frontage along with vertical granite curb as well as sidewalk along the length of the frontage on Niquette Drive with sloped granite curbing.

Mr. Basso said they have been through review with the Engineering Department and the Planning staff and as far as he knows they are all set.

Ald. Larose referred to the lot that is on Niquette Drive. He said he is not sure exactly where the driveway is going. He said there is a telephone pole there. He asked if the telephone pole is being moved.

Mr. Basso said one of the options would be to move the telephone pole. They were asked to show the curb cut by Public Works. He said it can be shifted. It's a wide driveway.

Ald. Larose said the further away from the corner, the better.

SPEAKING IN OPPOSITION OR WITH CONCERN

Doris Marois, 12 Niquette Drive. Mrs. Marois asked if the access to these homes is going to go through Niquette Drive or East Dunstable Road.

Mr. Dufour said there is one that will be on Niquette Drive and the other two are off East Dunstable Road.

Mrs. Marois said where the pumping station used to be on Niquette Drive is where the sewer line is now. She asked how they are approaching this with the home that will be built there.

Mr. Basso said they are not going to be within the sewer easement. They will be outside of it.

Mrs. Marois asked how the construction is going to affect their street. She said she has lived here for 34 years and their street has never been paved.

Mr. Dufour said the developer is not paving the street.

Mr. Basso said this is a single family residence. He said it's not extended construction over a long period of time. He said there is

going to be a small amount of excavation to build a home and the driveway, but its not anything excessive.

Mrs. Marois asked if the home is basically going to be located where the City pumping station used to be.

Mr. Basso said it will be along side the easement where the sewer is.

SPEAKING IN FAVOR

No One.

MOTION by Mr. Lowe to approve the subdivision of one lot into three single family lots, 189 East Dunstable Road & Niquette Drive, Sheet B - Lot 87 with the finding that it meets NRO Section 16-108 and with the following stipulation:

1. Prior to ANY work being conducted, a pre-construction conference shall be set up with the Planning Department to review erosion control measures and tree removal.
2. Prior to the plan being recorded, the Planning Department and Corporation Counsel shall review and approve all required easement and storm water documents. Said documents shall be recorded with the plan.
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 existing house shall be connected to the municipal sewer system.
5. Prior to a certificate of occupancy being issued, the conservation easement shall be marked to the satisfaction of the Planning Department.
6. Prior to the final certificate of occupancy being issued, all public improvements shall be completed to the satisfaction of the Division of Public Works.

SECONDED by Mr. Torosian.

Mr. Lowe said he just noticed that there is a large piece of open land in the back and he wondered about the potential to put in another street back there. He asked if it is all wetlands and not

usable or if any homes can be put back there.

Mr. Basso said he isn't sure what could be done back here. He said there is a substantial area that is Salmon Brook, a big area that's within the 100 year floodplain. The sewer easement bisects it - the same one that goes through their property.

Mr. Lowe said he was trying to find out who owned the existing shed shown on the plan and it turns out the person two houses over owns the existing shed. He wondered if anything is going to be done with it.

Mr. Basso said it is not owned by his client and he is not aware of any plans to do anything with it.

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SITE PLANS

None

OTHER BUSINESS

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

MOTION by Mr. Dufour with a finding that there are no issues of regional impact on the tentative agenda.

SECONDED by Ald. Larose.

MOTION CARRIED UNANIMOUSLY

2. **Referral from the Board of Alderman on proposed O-04-19, amending the Planning and Zoning Ordinances of the City of Nashua in their entirety. (Tabled from June 3, 2004 Meeting)**

No Motion was made to remove from the table.

3. **Referral from the Board of Waiver of School Impact Fees for The Huntington at Nashua.**

Mr. Houston said he believes the Aldermanic Planning Committee took action or made a recommendation at their last meeting. He said the staff report from Mr. Yeomans is in their materials. He said Mr.

Yeomans does recommend approval. He said it does meet the requirements of Section 16-594 of the Nashua Revised Ordinances. Mr. Slivinski asked for an explanation of the School Impact Fees and what's involved here. He said he understands that this is a facility for the elderly and that there would be no children, but there are going to be people working there who might have to come to the community who will have kids and they will impact the schools one way or another.

Mr. Houston said if you are an employee and you buy a house in the community you live in and you send your children to school, if it's a new home they would pay the impact fee if they live in the City of Nashua. The fee is \$1.00 per square foot up to a maximum of \$3600 for a new home.

Mr. Lowe said there was a motion and there was a stipulation that if there were children of school age living there then the impact fee would have to be paid.

Mr. Dufour asked what would be the likelihood of that happening.

Ald. Larose said there is probably no likelihood of this happening, but Mr. Lowe brought it up and it kind of makes sense. The attorney & C.E.O. of the Hunt Buildings said they didn't have any problems with the stipulation.

Mr. Houston said before the Board takes final action they may want to consult with Corporation Counsel. The impact fee is normally assessed at the time of the Certificate of Occupancy. To assess it later on would be very difficult. He said this type of facility is regulated by the State as well. The likelihood of children being here on a permanent basis is pretty remote.

He said if it were to change use and come back before the Board as a multi-family project some fifty years from now, even then it would be an existing facility. It's meant to assess impacts for developments that generate school age children.

Mr. Lowe said there are twenty-four units of duplex units outside the main area. If push comes to shove and they can't do anything with those units they might decide to rent them out so that they can get some income. That is the reason he asked the Committee to make the stipulation. There may be grandparents that have their grandchildren living with them.

Mr. Dufour said if this were to happen if they wouldn't be in

violation of the site plan since it was approved as a senior housing facility.
Discussion ensued.

Mr. Lowe said all he is saying is that this Board should concur with the stipulation that the Committee placed on the granting of the request.

MOTION by Mr. Lowe for a favorable recommendation on the Waiver of School Impact Fees for The Huntington at Nashua.

SECONDED by Ald. Larose.

MOTION CARRIED UNANIMOUSLY

4. Planning Board reappointments to the Capital Improvement Committee for a two-year term to expire August 1, 2006:

- Laurence C. Szetela
- Louise Trottier

Mr. Dufour said as current Chair of the Capital Improvements Committee he asked the Board to re-appoint these individuals. He said they have both been on the committee longer than he has. He thinks he's been on the committee at least five years. He said they're a wonderful asset to the City and the community. They both have finance background - Mrs. Trottier is Vice President of Bank of New Hampshire and Mr. Szetela is a CPA. They are fully aware of the issues that have come before the City the past years. They make an excellent contribution. Continuity on Boards is very important.

MOTION by Mr. Slivinski to reappoint Laurence C. Szetela and Louise Trottier to the Capital Improvement Committee for a two year term to expire August 1, 2006.

SECONDED by Ald. Larose.

MOTION CARRIED UNANIMOUSLY

Discussion Item

Mr. Lowe said the bridge at the end of Sheffield Road is done.

Other Business

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ADJOURN

Mr. Dufour declared the meeting closed at 7:31PM

APPROVED: _____
Ken Dufour, Acting Chair, Nashua City Planning Board

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OFFICE HOURS.
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AND PAYMENT OF THE FEE.**

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Taped Meeting