

NASHUA CITY PLANNING BOARD
July 13, 2006

The regularly scheduled meeting of the Nashua City Planning Board was held on Thursday, July 13, 2006 at 7:00PM in the auditorium at City Hall.

Bette Lasky, Chair, conducted the Meeting.

Members Present: Bette Lasky, Chair
 Ken Dufour, Vice Chair
 Steve Dookran, City Engineer
 William Slivinski
 Steve Farkas
 George Torosian
 Robert Canaway

Also Present: Roger Houston, Planning Director
 Mike Yeomans, Deputy Planning Manager
 Rick Sawyer, Deputy Planning Manager
 Angela Vincent, Planner III

Approval of Minutes

June 15, 2006

MOTION by Mr. Slivinski to approve the minutes of June 15, 2006, waive the reading and place on file.

SECONDED by Mr. Torosian.

MOTION CARRIED 5-0-2, Mr. Dufour & Mr. Dookran abstaining.

Communications

Mr. Houston said the following items were in the Board's folder tonight:

1. A memo regarding the flood plain criteria Item #5, Mine Falls Park on the agenda.
2. A stormwater report for Item #5, Mine Falls Park on the agenda.

3. A letter dated July 13, 2006 from the Dunstable Rural Land Trust in support of Item #1, The Nature of Things Grade School.
4. A letter dated July 6, 2006 from Robert and Maria Gernuda with questions regarding Item #4, Riverhurst Realty.

REPORT OF CHAIR, COMMITTEE & LAISON

Mr. Slivinski indicated that he is reviewing the final exterior changes to the Jackson Falls project and that they conducted a site visit to the project on July 10, 2006.

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 Board will decide that the application is complete and ready for the Board to take jurisdiction of the application. If so, the applicant or representative will be given time to present an overview and description of their project. The applicant shall speak to whether or not they agree with recommended staff stipulations. The Board will then have an opportunity to ask questions of the applicant and staff.

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

The Board asks that both sides keep their remarks to the subject at hand and try not to repeat what has already been said and to be courteous at all times.

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

She asked that everyone turn off his or her cell phones.

OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLAN

None

OLD BUSINESS - SITE PLAN

None

NEW BUSINESS - CONDITION/SPECIAL USE PERMITS

1. 2nd Nature Academy (The Nature of Things Grade School), O'Glesain Farm, LLC (Owner) -Application acceptance and proposed Conditional Use Permit for the establishment of a proprietary grade school. 17 Gregg Road, Sheet D - Lot 4, Zoned "R40" - Rural Residence.

MOTION by Mr. Dufour that the conditional use permit application is complete and the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Farkas.

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SITE PLAN

3. 2nd Nature Academy (The Nature of Things Grade School), O'Glesain Farm, LLC (Owner) - Application acceptance and proposed site plan to show the conversion of the existing house to be a proprietary grade school, with associated site improvements. 17 Gregg Road, Sheet D - Lot 4, Zoned "R40" - Rural Residence.

MOTION by Mr. Dufour that the site plan application is complete and that the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Farkas.

MOTION CARRIED UNANIMOUSLY

Brian Polly, Cuoco & Cormier Engineering. Mr. Polly presented the project and answered questions of the Board.

Deborah Gleeson, Owner of the Nature of Things Grade School reviewed how the project met the conditional use permit criteria and answered questions of the Board.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No One.

SPEAKING IN FAVOR

Attorney Gerald Prunier, 20 Trafalgar Square.

Pat Holt, 18 Groton Road.

Robert E. Kennedy, 346 High Street, Dunstable MA, The Dunstable Land Trust.

Robert Lolley, 7 Gregg Road.

MOTION by Mr. Slivinski to approve the conditional use permit for the Nature of Things Grade School, 17 Gregg Road, with the finding that it meets the requirements of NRO Section 16-432(f).

SECONDED by Mr. Dufour.

MOTION CARRIED UNANIMOUSLY

MOTION by Mr. Dufour to approve the site plan for the Nature of Things Grade School, 17 Gregg Road with the finding that it meets NRO Section 16-450(d) and with the following stipulations:

1. Prior to a building permit being issued all final drafting corrections shall be made to the plan.
2. With approval of the plan the Planning Board has approved the use of a gravel driveway.

SECONDED by Mr. Farkas.

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SUBDIVISION PLAN

2. **Kathleen A. DeMello (Owner) - Application acceptance and proposed subdivision of one lot into three. 2 Hammar Road, Sheet C - Lot 160, Zoned "R9" - Suburban Residence.**

MOTION by Mr. Slivinski that the subdivision application is complete and the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Farkas.

MOTION CARRIED UNANIMOUSLY

Steve Auger, Hayner Swanson, Inc. Mr. Auger presented the project and answered questions of the Board.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No One.

SPEAKING IN FAVOR

Attorney Gerald Prunier, 20 Trafalgar Square.

MOTION by Mr. Dufour to grant the subdivision of one lot three, 2 Hammar Road with the finding that it meets NRO 16-440(g) and with the following stipulations:

1. Prior to the recording the subdivision plan bonding for work in the public right-of-way shall be approved by the Division of Public Works and Corporation Counsel.
2. Prior to the plan being recorded the storm water operation and maintenance plan shall be reviewed and recorded with the plan.
3. Prior to the issuance of the final certificate of occupancy all work within the public right-of-way shall be completed to the satisfaction of the Division of Public Works

SECONDED by Mr. Farkas.

MOTION CARRIED - UNANIMOUSLY.

NEW BUSINESS - SITE PLAN

4. Riverhurst Realty Trust (Owner) - Application acceptance and proposed 1-year extension for an amendment to NR1227 for the demolition of an existing building and the construction of a 4-story, 33,366 square foot mixed use building (15 apartments & 3,681 square feet of retail) with associated access, parking and site improvements. 116 West Pearl Street, 3-5 Elm Street & Cedar Street, Sheet 79 - Lots 62 & 64, Zoned "D-

1/MU" - Downtown-1 / Mixed Use. Previously approved on July 20, 2005.

MOTION by Mr. Canaway that the site plan application is complete and that the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Farkas.

MOTION CARRIED UNANIMOUSLY

Steve Auger, Hayner Swanson, Inc. Mr. Auger presented the project and answered questions of the Board.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No One.

SPEAKING IN FAVOR

Attorney Gerald Prunier, 20 Trafalgar Square.

MOTION by Mr. Dufour to approve the one year extension for site plan NR1227 Riverhurst Realty Trust 116 West Pearl Street and 3-5 Elm Street with the finding that it meets NRO Section 16-123 and 16-557 and with the following stipulations:

1. All stipulations imposed by the Planning Board on July 20, 2005 shall continue to be in effect.

SECONDED by Mr. Torosian.

MOTION CARRIED UNANIMOUSLY

5. **Mine Falls Park, City of Nashua (Owner) - Application acceptance and proposed amendment to NR1936 for Phase III site improvements including a new pedestrian bridge, a new boat ramp, rehabilitation of six existing bridges, Soifert Field improvements and additional landscaping and signage. Whipple Street, Riverside Street & Ledge Street, Sheet E - Lots 1487, 2191, 2193 & 1359, Zoned "RB" - Urban Residence, "R9" - Suburban Residence, "PI" - Park Industrial.**

Mr. Dookran recusing as this involves his department.

MOTION by Mr. Dufour that the site plan application is complete and that the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Torosian.

MOTION CARRIED UNANIMOUSLY

Nick Caggiano Jr., Superintendent of Parks, Introduced the project.

Rich Rooney, McFarland-Johnson, Inc.. Mr. Rooney presented the project and answered questions of the Board.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No One.

SPEAKING IN FAVOR

No One.

MOTION by Mr. Slivinski to approve site plan NR1936 City of Nashua Mine Falls Park Phase III improvements with the finding that it meets NRO Section 16-450(d) and with the following stipulations:

1. With approval of this plan the Planning Board has determined that the requirements for development within a Special Flood Hazard Area have been met.
2. Prior to a building permit being issued, any final drafting corrections shall be made on the plan.
3. Prior to any work being conducted, a preconstruction conference shall be set up with the Planning Department.

SECONDED by Mr. Farkas.

MOTION CARRIED UNANIMOUSLY

OTHER BUSINESS

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

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

SECONDED by Mr. Torosian.

MOTION CARRIED UNANIMOUSLY

2. Planning Board reappointments to the Capital Improvement Committee for a 2 year term to expire, August 1, 2008.

MOTION by Mr. Dufour to appoint Laurence C. Szetela for a 2 year term to expire, August 1, 2008.

SECONDED by Mr. Slivinski.

MOTION CARRIED UNANIMOUSLY

MOTION by Mr. Dufour to appoint Louise Trottier for a 2 year term to expire, August 1, 2008.

SECONDED by Mr. Slivinski.

MOTION CARRIED UNANIMOUSLY

Discussion Items

1. PK's Traffic Improvements

Attorney Gerald Prunier, 20 Trafalgar Square, and Robin Bousa of Vanasse Hangen Brustlin, Inc. represented the applicant.

Wayne Husband, Superintendent of Traffic reviewed his concerns with the Board.

General discussion ensued.

2. Dunkin Donuts, 315 West Hollis Street - Revocation of Site Plan

Attorney Gerald Prunier, 20 Trafalgar Square, and Gregory Williams, Director of Operations for Dunkin Donuts represented the applicant.

General discussion ensued.

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The Board requested that Dunkin Donuts provide a schedule within 30 days as to when a revised site plan could be presented.

Other

None

ADJOURNMENT at 10:15PM

APPROVED: _____
Bette Lasky, Chair, Nashua Planning Board

TAPES OF THIS MEETING ARE AVAILABLE FOR LISTENING DURING REGULAR OFFICE HOURS.

COPIES OF TAPES MAYBE MADE AVAILABLE UPON 48 HOURS ADVANCED NOTICE AND PAYMENT OF THE FEE.

Taped Meeting