

NASHUA CITY PLANNING BOARD
October 5, 2006

The regularly scheduled meeting of the Nashua City Planning Board was held on Thursday, October 5, 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
 Mike Lowe, Mayor's Representative
 Alderman Richard LaRose
 Steve Dookran, City Engineer
 William Slivinski
 Hugh Moran
 George Torosian
 Robert Canaway

Also Present: Roger Houston, Planning Director
 Mike Yeomans, Deputy Planning Manager
 Rick Sawyer, Deputy Planning Manager

Approval of Minutes

September 14, 2006

MOTION by Mr. Slivinski to approve the minutes of September 14, 2006, waive the reading and place on file.

SECONDED by Alderman LaRose.

MOTION CARRIED 4-1-4, Mr. Lowe against, Mr. Moran, Mr. Torosian, Mr. Dookran and Chairman Lasky abstaining.

Communications

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

1. A letter dated September 26, 2006 from the Dunstable Rural Land Trust regarding the Nature of Things Grade School on the agenda tonight.
2. The preliminary agenda for the October 19, 2006 meeting.
3. A letter dated October 5, 2006 from Scott Bourcier of DuBois & King regarding cases #2 & #3 on the agenda tonight.

REPORT OF CHAIR, COMMITTEE & LAISON

Mr. Dufour stated that the Capital Improvements Committee will hold their first meeting in November.

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 PLANS

1. Joel & Stacie Sanborn (Owners) - Proposed subdivision of one lot into two. 48 Sawyer Street, Sheet 93 - Lot 32, Zoned "RB" - Urban Residence. (Tabled from the September 14, 2006 Meeting)

Chairman Lasky recused herself for this project and Mr. Dufour conducted the meeting.

MOTION by Mr. Lowe to remove from the table.

SECONDED by Mr. Torosian.

MOTION CARRIED UNANIMOUSLY

The Board reviewed the memo provided by Corporation Counsel.

MOTION by Mr. Lowe to grant Old Business #1, Subdivision Joel & Stacie Sanborn owners, with the finding that it meets NRO 16-440(g) and with the following stipulations:

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 storm water operation and maintenance plan shall be recorded.
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 garage shall be razed or relocated to comply with the accessory structure setback requirements.
5. Prior to a certificate of occupancy being issued, all public improvements shall be completed to the satisfaction of the Division of Public Works.

SECONDED by Mr. Torosian.

MOTION CARRIED - 6-1-1 with Alderman LaRose opposed and Mr. Dookran abstaining.

MOTION by Alderman LaRose to make the memo from Corporation Counsel part of the Public file for this case.

SECONDED by Mr. Canaway.

MOTION CARRIED UNANIMIOUSLY

Chairman Lasky returned to conduct the remainder of the meeting.

2. **Richard Gentile (Applicant) Nashua Airport Authority and OIA Real Estate, LLC (Owners) - Proposed subdivision to create a lease lot and a lot line relocation. 1 Perimeter Road, Sheet E - Lots 60 & 2138, Zoned "AI" - Airport Industrial. (Tabled from the September 14, 2006 Meeting)**

OLD BUSINESS - SITE PLAN

3. **Richard Gentile (Applicant) Nashua Airport Authority and OIA Real Estate, LLC (Owners) - Proposed site plan to show the construction of a 13,650 square foot aircraft hanger/office building with associated access, parking and site improvements. Perimeter Road, Sheet E - Lots 60 & 2138, Zoned "AI" - Airport Industrial. (Tabled from the September 14, 2006 Meeting)**

MOTION by Mr. Lowe to remove Old Business #2 & #3 from the table.

SECONDED by Mr. Canaway.

MOTION CARRIED UNANIMOUSLY

Scott Bourcier, Dubois & King Inc., 100 Perimeter Road, Nashua.
Mr. Bourcier updated the Board on the changes with the plan since the last meeting.

MOTION by Mr. Lowe to grant Old Business #2, Subdivision and Lot Line Relocation, Richard Gentile, Applicant with the finding that it meets NRO 16-440(g) and with the following stipulation:

1. This plan approval is subject to compliance with the conditions of approval as may be stipulated by the Nashua Airport Authority and Planning Board.

SECONDED by Mr. Dufour.

MOTION CARRIED - 7-0-2 with Mr. Dookran and Mr. Moran abstaining.

MOTION by Mr. Dufour to approve Old Business #3, Richard Gentile, applicant with the finding that it meets NRO Section 16-450(d) and with the following stipulation:

1. Prior to any work being started, the applicant and their contractors shall hold a pre-construction conference with Planning staff to review erosion control and related construction activity. All erosion control shall be installed prior to the start of construction.
2. This plan approval is subject to compliance with the conditions of approval as stipulated by the Nashua Airport Authority and Planning Board.
3. Prior to a building permit being issued a cross access and parking easement shall be recorded.

4. Prior to a building permit being issued all drafting corrections shall be shown on the final plan set submittal.
5. Prior to a building permit being issued site plan NR1866 shall be amended to show the revised parking area.
6. Prior to a certificate of occupancy being issued all site work shall be completed to the satisfaction of the Nashua Airport Authority.
7. The waiver request for utility details is granted.
8. The waiver request for lighting is granted.
9. The waiver request for building elevations is granted based upon the letter dated October 5, 2006 from DuBois & King.
10. The record shall include the staff report dated October 5, 2006 - Old Business #3.

SECONDED by Alderman LaRose.

MOTION CARRIED - 7-0-2 with Mr. Dookran and Mr. Moran abstaining.

NEW BUSINESS - CONDITION/SPECIAL USE PERMITS

4. The Nature of Things Grade School, O'Glesain Farm, LLC (Owner) - Application acceptance and proposed Conditional Use Permit for the expansion of a proprietary grade school from an existing structure to a new 18,835 square foot building. 17 Gregg Road & Groton Road, Sheet D - Lots 3, 4, & 65 Zoned "R40" - Rural Residence.

NEW BUSINESS - SUBDIVISION PLAN

5. O'Glesain Farm, LLC, Patricia Terrell-Holt, Carmina Lolley, Robert Lolley (Owners) - Application acceptance and proposed consolidation of lots 3, 4 & 65 and lot line relocation. 7 & 17 Gregg Road and 18 Groton Road, Sheet D - Lots 3, 4, 65, 225 & 264 Zoned "R40" - Rural Residence.

NEW BUSINESS - SITE PLAN

6. The Nature of Things Grade School, O'Glesain Farm, LLC (Owner) - Application acceptance and proposed site plan to show the construction, in three phases, of a 18,835 square foot proprietary grade school, with associated access, parking and site improvements. 17 Gregg Road & Groton Road, Sheet D - Lots 3, 4, & 65, Zoned "R40" - Rural Residence.

MOTION by Mr. Lowe that the applications are complete and the Planning Board takes jurisdiction of the applications.

SECONDED by Mr. Dufour.

MOTION CARRIED UNANIMOUSLY

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

Attorney Gerald Prunier, Prunier & Prolman, 20 Trafalgar Square informed the Board that the applicant has agreed to construct the bypass lane prior to a certificate of occupancy of phase III.

Deborah Gleeson, Owner of the Nature of Things Grade School reviewed the architectural elevations for the school and answered questions of the Board.

Wayne Husband, City Traffic Superintendent reviewed the issues regarding the construction of the by-pass lane.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No One.

SPEAKING IN FAVOR

Robert Lolley, 7 Gregg Road.

Patricia Terrel Holt, 18 Groton Road.

Bob Bollinger, Robert E. Bollinger Engineering, PLLC, 74 Northeastern Boulevard.

Denis Glesson, 15 Tanglewood Drive

MOTION by Mr. Dufour to approve the conditional use permit for New Business #4, The Nature of Things Grade School with the finding that it meets the requirements of NRO Section 16-432(f).

SECONDED by Mr. Canaway.

MOTION CARRIED UNANIMOUSLY

MOTION by Mr. Dufour to grant New Business #5, Lot Line Relocation O'Glesain Farm, LLC, Patricia Terrell-Holt, Carmina Lolley, Robert Lolley (Owners), with the finding that it meets NRO 16-440(g) and with the following stipulations:

1. The request for the waiver of Section 16-1100, B-37(a) that requires plans to be drawn at a maximum of 1 inch to 50 feet is granted.

SECONDED by Mr. Canaway.

MOTION CARRIED UNANIMOUSLY

MOTION by Mr. Dufour to approve New Business #6, The Nature of Things Grade School site plan with the finding that it meets NRO Section 16-450(d) and with the following stipulations:.

1. Prior a building permit being issued documents pertaining to the storm water operation and maintenance plan shall be recorded.
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, approval of the NH Site Specific permit shall be obtained.
4. Prior to a building permit being issued, final approval of the septic system design shall be obtained from the State of New Hampshire and the Nashua Health Department.
5. The request for the waiver of Section 16-588(a) - maximum number of off-street parking spaces is granted.
6. Prior to a building permit being issued for Phase III, final design of the site driveway and Groton Road intersection improvements shall be submitted to and approved by the Planning Department and the Division of Public Works.
7. Prior to a certificate of occupancy being issued for Phase III, the Groton Road improvements shall be completed to the satisfaction of the Planning Department and the Division of Public Works.

SECONDED by Mr. Lowe.

MOTION CARRIED 7 - 2 with Alderman LaRose and Mr. Moran opposed.

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. Moran.

MOTION CARRIED UNANIMOUSLY

2. Referral from the Board of Alderman on proposed O-06-38, amending the zoning ordinance to establish the duty for the Zoning Board of Adjustment to make recommendations to the Board of Alderman concerning zoning amendments.

MOTION by Mr. Moran to send a unfavorable recommendation to the Board of Aldermen on O-06-38 as the legislation is inexpedient.

SECONDED by Mr. Lowe.

MOTION CARRIED 7 - 2 with Mr. Dookran and Mr. Canaway opposed.

Discussion Items

1. Mr. Dufour reviewed how the Planning Board makes decisions and discussed how all boards in the city make decisions.

Other

None

ADJOURNMENT at 9:40 PM

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