

NASHUA CITY PLANNING BOARD
February 1, 2007

The regularly scheduled meeting of the Nashua City Planning Board was held on Thursday, February 1, 2007 at 7:00PM in the auditorium at City Hall.

Ken Dufour, Chair, conducted the Meeting.
Alderman Richard LaRose acted as recording Secretary.

Members Present: Ken Dufour, Chair
Alderman Richard LaRose
Steve Dookran, City Engineer
Mike Lowe, Mayors Representative
Hugh Moran, Secretary
Bob Canaway, Alternate

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

Chairman Dufour noted that Mr. Canaway would be voting due to the absence of regular members.

Approval of Minutes

January 11, 2007

MOTION by Mr. Moran to approve the minutes of January 11, 2007, waive the reading and place on file.

SECONDED by Alderman LaRose.

MOTION CARRIED 3-2-1, Mr. Lowe and Mr. Moran opposed, Mr. Canaway abstaining.

Communications

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

- 1) Letter from Attorney Prunier dated January 30, 2007 withdrawing item number two, MacMulkin Chevrolet on the agenda tonight.
- 2) A Draft of the FY2008 Capital Improvements Plan.

REPORT OF CHAIR, COMMITTEE & LAISON

Mr. Dufour said that the Capital Improvement Committee had met on Monday and have voted on the projects and he stated the Board members should pay close attention to paragraph two on page one and paragraphs five, six and seven on page two of the Draft Report.

Chairman 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 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 as well as write your name and address on the sign in sheet provided. 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. This will also be the time for the applicant to address any issues or concerns raised by prior testimony.

The Board will then ask any relevant follow-up questions of the applicant if need be.

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.

Above all, the Board wants to be fair to everyone and make the best possible decision based on the testimony presented and all applicable approval criteria established in the Nashua Revised Ordinances for site plans or subdivisions. Chairman Dufour noted that the Planning Board does not make zoning decisions. Zoning determinations are made by the Administrative Officer prior to the Board's legal public notice being sent to abutters.

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

Chairman Dufour thanked everyone for their interest and courteous attention and asked that everyone turn off his or her cell phones and pages.

OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLAN

None

OLD BUSINESS - SITE PLAN

None

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

NEW BUSINESS - SUBDIVISION PLAN

None

NEW BUSINESS - SITE PLAN

1. NHCg, LLC (Applicant) - CABO Realty, LLC (Owner) - Proposed amendment to NR1725 to show a change of use from restaurant (formally Ground Round) to games of chance as defined in RSA 287-D & E. 407 Amherst Street & Somerset Parkway, Sheet H - Lot 469, Zoned "GB" - General Business.

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

SECONDED by Moran.

MOTION CARRIED UNANIMOUSLY

Attorney Gerald Prunier, Prunier & Prolman, 20 Trafalgar Square.
Attorney Prunier 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. Lowe to approve New Business #1, NHCG, LLC applicant with the finding that it meets NRO Section 16-450(d) and with the following stipulations:

1. Prior to the issuance of a building permit a stormwater operation and maintenance plan shall be recorded.
2. The request for waiver of a topographical survey is granted. (Sec.16-500(b))
3. The request for waiver of a lighting plan is granted. (Sec. 16-235(b))
4. The request for waiver of a landscape plan is granted. (Sec. 16-570(b))
5. Shrubs on the corner of Amherst Street and Somerset Parkway shall be pruned at least on an annual basis.

SECONDED by Mr. Canaway.

MOTION CARRIED UNANIMOUSLY

OTHER BUSINESS

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

MOTION by Alderman LaRose 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-06-51, amending the definition of "two-family" in the Zoning Ordinance to establish standards for common walls. (Tabled from the November 2, 2006 Meeting)**

No action taken however Alderman LaRose stated that a memo is expected from Alderman McCarthy soon.

3. Referral from the Board of Alderman on proposed O-06-52, amending the provisions of the Zoning Ordinance with respect to elderly housing. (Tabled from the November 2, 2006 Meeting)

No action taken

4. Referral from the Board of Alderman on proposed O-06-57, amending the land use code to authorize acceptance of land or interests in land when deemed appropriate by the Planning Board or Zoning Board of adjustment as a condition of approval. (Tabled from the December 14, 2006 Meeting)

No action taken

Discussion Items

1. Mr. Houston reminded members of the upcoming OEP conference.
2. Mr. Houston requested that the members update their contact information with Chris Webber.
3. Mr. Moran requested that the Dunkin Donuts plan be presented in color.
4. Chairman Dufour noted that the Board is currently down three members and that he was appointing Alderman LaRose to chair meetings should he be absent.

Other

None

ADJOURNMENT at 7:40 PM

APPROVED: _____
Ken Dufour, 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