

NASHUA CITY PLANNING BOARD
June 7, 2007

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

Members Present: Ken Dufour, Chair
Mike Lowe, Mayor's Rep
Bob Canaway
Hugh Moran
George Torosian
Cynthia Overby (Alt)

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

Approval of Minutes

May 17, 2007

MOTION by Mr. Moran to approve the minutes of May 17, 2007, waive the reading and place on file.

SECONDED by Mr. Canaway

MOTION CARRIED 4-0-1 (Mr. Torosian abstained)

Communications

Mr. Houston stated following items are in everyone's packets:

- The minutes of site walk. Everyone took a few moments to review the minutes.

MOTION by Mr. Canaway to approve the site walk minutes of May 24, 2007.

SECONDED by Mr. Moran

MOTION CARRIED UNANIMOUSLY

- A revised agenda is included. Both Discussion Items 1 and 2 are off the agenda for tonight. Also included are copies of the e-mails from Jim Petropulos to Mr. Yeomans requesting to withdraw of both of the discussion items.

- Revised Staff Report for New Business 2 Site Plan.
- The Board of Aldermen referred to the Planning Board two pieces of legislation that were acted upon previously by the Planning Board. They have made some amendments, which are significant so they have sent them back to the Planning Board for re-reviewing and recommendations. Both the old and new versions of both of those ordinances are under discussion under Other Business.
- Also, preliminary Planning Board Agenda for determination of regional impact at your next meeting.

REPORT OF CHAIR, COMMITTEE & LAISON

None.

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

1. Charles H. Farwell Jr. c/o Farwell Funeral Home (Owner)
Application acceptance and proposed conditional use permit to show the relocation of 4 existing parking spaces and the construction of 6 new parking spaces for a total of 17 spaces with site and drainage improvements. 18 Lock Street, Sheet 44 - Lot 14, Zoned "RC" - Urban Residence

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

SECONDED by Mr. Torosian

MOTION CARRIED UNANIMOUSLY

Tim Watson, Cuoco & Cormier

Mr. Watson is representing the applicant, Farwell Funeral Home for this portion on the conditional use permit. They are also

requesting approval of a site plan for an expanded parking lot. The reason they are here for the conditional use permit is because when they came forward with the site plan, it was requested that they also apply for the conditional use permit so that the City has a current conditional use permit as the site has been operating for decades as a funeral home.

The eight criteria are as follows:

1. The building use or structure is specifically authorized by the use matrix as a conditional use. A funeral home is listed as item 243 and it is allowed in the RC resident zone as a conditional use.
2. If completed, the development in its proposed location will comply with all the requirements of this article and with specific conditions or standards established in this chapter for this particular building structure or use. The proposed work under this application will comply with all the applicable standards.
3. The building structure or use will not materially endanger the public health or safety. The building has been in use and in operation for several decades, and is a well-regulated service. The public safety will be enhanced by the reduction of off-street parking.
4. The building structure or use will not substantially devalue abutting properties. The funeral home has been in this location for many years and has the appearance of a residential dwelling, similar to the surrounding dwellings. The business is professionally run and the building and property are well maintained. There is also additional landscaping proposed with the site plan which will also enhance the site plan.
5. The building structure or use will be compatible with adjoining or abutting uses in the area in which it is to be located. The funeral home has a residential look and is compatible with the uses in the surrounding area. In the general vicinity there is a church, other funeral homes, and several other businesses.
6. The building structure or use will not have a substantial adverse impact on highway or pedestrian traffic. The proposed work will help reduce the existing impact on vehicle

and pedestrian impact by reducing the need for on-street parking.

7. The building structure or use will not have a substantial adverse impact on the natural and environmental resources of the city. The proposed work will reduce existing impact on the natural and environmental resources by collecting, treating, and infiltrating portions of the site's stormwater run-off and also decreasing the amount of run-off going into the combined sewer system.
8. Adequate public utilities and community facilities are available to the property to ensure that the proposal will not necessitate excessive expenditures and providing services. The proposed work will not increase the load on existing public facilities or community facilities, as there is no increase expansion of the funeral parlor service.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No one.

SPEAKING IN FAVOR OF THE PLAN

Mr. Farwell owner of 18 Lock Street. In the last few years Orange Street has become a cut-through from Concord Street to Canal Street. Orange Street has become quite busy. When there are viewings at the funeral home, this narrow street becomes quite clogged. He stated that he hopes this proposal will hopefully alleviate this problem. They have been also using the church's parking lot across the street. There is a blinking light there, but it doesn't slow traffic down. Traffic comes by at 30 mph and he is afraid someday some of their clients will get hurt. This is one of the reasons that they want as much parking on the property as possible. Secondly, by adopting this plan, they do have plans for future expansion along the north side of the boundary, which would probably alleviate problems on the street.

For the record, Mr. Lowe has now joined the Board and will abstain from voting.

MOTION by Mr. Torosian to approve New Business 1 Conditional Use Permit Parking improvements, Charles Farwell Jr. (Owner), Farwell Funeral Home, relocate 4 existing parking spaces and construct 6 new spaces. It conforms to NRO 16-432 with no the stipulations.

SECONDED by Mr. Moran

MOTION CARRIED (Mr. Lowe abstained)

NEW BUSINESS - SUBDIVISION PLANS

None.

NEW BUSINESS - SITE PLANS

2. Charles H. Farwell Jr. c/o Farwell Funeral Home (Owner)
Application acceptance and proposed site plan to show the relocation of 4 existing parking spaces and the construction of 6 new parking spaces for a total of 17 spaces with site and drainage improvements. 18 Lock Street, Sheet 44-Lot 14, Zoned "RC" - Urban Residence.

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

SECONDED by Mr. Torosian

MOTION CARRIED UNANIMOUSLY

Tim Watson, Cuoco & Cormier

Mr. Watson spoke for the applicant, Charles Farwell (owner), Farwell Funeral Home. Mr. Watson explained that on the board on the left hand side is what currently exists and on the right is what they are proposing. The site is boarded by 3 streets. On the south side is Lock Street, to the west is Orange Street, and on the east is Granite Street. The current parking circulation is one-way that comes off of Orange Street and exits out onto Granite Street. There are 4 parking spaces off the major portion of the open space. There are a couple of covered parking spaces in the garage off to the rear and a couple of covered parking spaces in the north end of the building as well as 3 parking spaces off to the north near Granite Street. What they are proposing is to relocate those 4 parking spaces that are awkwardly placed. They would like to expand the parking lot to the northwest portion of the site. By doing this they will be able to move the parking spaces and add 6 new ones. Five new spaces will be in that area and the sixth space will be over by Granite Street. Included in this proposal is also a drainage system that will collect all the stormwater runoff from the parking area. It will be treated and discharged at a reduced

rate into the Nashua drainage system. There is no increase in the size of the use and it has been there for quite awhile.

Mr. Watson was asked about the retaining wall and if it is sturdy enough to hold the proposed use.

Mr. Watson replied that is was. The parking is about 20 feet off the retaining wall.

Mr. Lowe asked how many handicap parking spaces there are. Mr. Farwell replied that at the north end of the building they have a handicap space. When they aren't busy, one of their vehicles is housed there. During calling hours they can move their vehicles out of the vicinity and use that for some handicap.

The plan right now only shows one handicap space and wants to know if they can designate a second one. Yes, they will in the carport area.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No one.

SPEAKING IN FAVOR OF THE PLAN

No one.

MOTION by Mr. Lowe to approve New Business Site Plan 2 Parking Improvements Charles Farwell (Owner), Farwell Funeral Home, relocate 4 existing parking spaces and construct 6 new parking spaces. 18 Lock Street. It conforms to NRO 16-450(d) with the following stipulations and waivers:

1. Prior to any work being started, the applicant and their contractors shall hold a pre-construction conference with Planning staff.
2. Prior to the issuance of a building permit documents pertaining to the stormwater operation and maintenance plan shall be recorded.
3. The waiver request for lighting plan, Sec. 16-1100 B34 (n) is granted.
4. A second handicapped spot will be located near the carport.

SECONDED by Mr. Torosion

MOTION CARRIES UNANIMOUSLY

OTHER BUSINESS

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

There are no projects that have regional impacts.

MOTION by Mr. Canaway has reviewed the technical review notes and has made the determination that there are no issues of regional impact.

SECONDED BY Mr. Moran

MOTION CARRIED UNANIMOUSLY

2. 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 motion to remove this from table.

Discussion Items

Case #1 and #2 have been withdrawn.

Other

None

MOTION TO ADJOURN by Mr. Lowe at 7:35 p.m.

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