

NASHUA CITY PLANNING BOARD
May 15, 2008

The regularly scheduled meeting of the Nashua City Planning Board was held on Thursday, May 15, 2008 at 7:00 PM in the auditorium at City Hall.

Members Present: Ken Dufour, Chair
William Slivinski, Vice Chair
Bob Canaway, Secretary
Alderman Richard LaRose
Steve Dookran, City Engineer
George Torosian
Mike Lowe
Daniel Latham
Cynthia Overby (Alt)
Peggy Trivilino (Alt)

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

Approval of Minutes

March 1, 2008

MOTION by Alderman LaRose to approve the minutes of May 1 2008, waive the reading and place on file.

SECONDED by Mr. Canaway

MOTION CARRIED 5-0-2 (Mr. Torosian, Mr. Lowe abstained)

COMMUNICATIONS

Mr. Houston went over the following items that were received after the mailing went out.

- Revised Planning Board Agenda, case items 4 and 5 have been postponed.
- E-mail from Jim Petropoulos dated May 14, 2008 requesting the postponement of case 3, 195 Daniel Webster Highway.
- Letter from Merrill Associates, Inc. requesting postponement of case 5 to the June 19th Public Hearing.
- Technical Review Meeting Sheet to determine regional impact.

- Copy of this quarter's Planning Commissioners Journal

REPORT OF CHAIR, COMMITTEE & LIASON

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. 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 PLANS

None

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

1. City of Nashua, Main Dunstable School (Owner) - Application acceptance and proposed conditional use permit to show expansion of the existing parking lot to add 32 new spaces, a bus and fire lane with drainage and site improvements. 20 Whitford Road, Sheet C - Lot 64, Zoned "R30" Suburban Residence.

Together with

NEW BUSINESS - SITE PLANS

3. City of Nashua, Main Dunstable School (Owner) - Application acceptance and proposed amendment to NR1694 to show expansion of the existing parking lot to add 32 new spaces, a bus and fire lane with drainage and site improvements. 20 Whitford Road, Sheet C - Lot 64, Zoned "R30" Suburban Residence.

MOTION by Mr. Lowe that application for the New Business - Conditional/Special Use Permit Case #1 is complete and the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Torosian

MOTION CARRIED UNANIMOUSLY

MOTION by Mr. Lowe that application for the New Business - Site Plan Case #3 is complete and the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Torosian

MOTION CARRIED UNANIMOUSLY

Patrick Coburn, Keach-Nordstrom Associates

With Mr. Coburn tonight is Shawn Smith, Plant Operations Director, Nashua School Department. This project is located at 20 Whitford Road. The existing facility is in a footprint of about 44,000 square feet. There are about 540 students and 25 teachers at Main Dunstable School. There are two driveways. The westerly drive is an entrance and exit. The easterly drive is an exit only. The vehicles that run out of space on site, including buses, queue on both sides of Whitford Road facing in both directions. Buses and vehicles exit the site on the easterly drive only. Following the dismissal period, cars that park in the faculty lot will use both the westerly and easterly driveways. During dismissal the only exit used is the easterly drive. This is a big problem out there today. You are queuing out on Whitford Road on both sides. The applicants are proposing to correct the deficient traffic problem. They would keep the existing thru loop road, essentially as it is today with a few grade modifications to shed stormwater where they want it to go. They have segregated the buses from the passenger vehicles with a 16-foot bypass lane for the queuing of the vehicles that currently queue on Whitford Road. They will be allowed to queue on site. The buses as they fill up with students will be allowed to leave. In addition to the traffic and circulation problems on site the school principal, Chris Gosselin, has expressed a concern over the current parking. Currently there are 68 parking spaces. Proposed are 100 parking spaces. There will be one-way traffic circulation instead of two. They will greatly improve the stormwater management on site, improve the landscaping and lighting. There are 8 new double headlight poles proposed and they are requesting two waivers. One waiver is for additional parking. The second is for internal green space on site. Because it is a school it is difficult to maintain grass or mulch in the center islands due to all the students waiting to be picked. They are proposing concrete islands. Due to having more than 10 parking spaces on site that they provide medians with internal landscaping.

They are also requesting a Conditional Use Permit. Mr. Coburn read into the record the letter dated April 15, 2008 from George A. Chadwick, Vice President Keach-Nordstrom Associates, Inc. to Mike Yeomans.

Chairman Dufour asked Mr. Coburn to show the loop road on the map.

Mr. Coburn said the loop road starts off fine and then it turns to gravel and that is where it needs work. The gravel loop road continues and navigates out to an existing parking lot.

Mr. Dufour asked how they will be shielding the light from the neighborhood.

Mr. Coburn showed Sheets 8 & 9, which have the proposed lighting design.

Mr. Torosian asked if this is approved would the work be started and completed in the summer months.

Mr. Coburn said yes.

Mr. Canaway asked about the landscaping.

Mr. Coburn showed on the map what and where the landscaping would be.

Mr. Slivinski said when he was there he didn't see the need for the additional parking, there were empty spaces.

Shawn Smith, Director of Plant Operations, Nashua School District

Mr. Smith said he has been out there and a lot of cars were parking on gravel and grass. Two parking spaces per classroom was the established rule way back. Now they have more staff at the school. The parking lot is pretty full. There is also the possibility of closing an elementary school in the future and there could be more staff at this school.

Mr. Dookran asked if the new access arrangement and extra parking spaces will these alleviate the traffic on Whitford Road.

Mr. Coburn said it will absolutely help the situation. They have essentially doubled the queuing area on-site.

Mr. Dookran asked if the new exit is a private drive.

Mr. Coburn said it isn't their property, but a right-of-way to Whitford Road.

Mr. Dookran asked if they propose a crosswalk.

Mr. Coburn said yes he would. Mr. Yeomans had sent an e-mail to Mr. Smith that was forwarded to him making that request. They have updated the plans to provide a crosswalk connecting the sidewalks at the exit and the proposed entrance.

Mr. Dookran asked about a stabilized construction entrance showed on the plan.

Mr. Coburn said that is an erosion control feature that they are looking to provide. It is a way to keep debris and mud from construction traffic from entering the right-of-way and road.

Mr. Dookran asked if the new landscape area is proposed to be mounted. Mr. Dookran asked if they would shape it otherwise.

Mr. Coburn said what they are concerned with in that area is ledge. They are looking to blast the ledge, but not over blast. On the drainage plan they are attempting to utilize a portion of the existing infrastructure that sets their grade. They are looking to discharge through the existing 18 inch RCP pipe they need to catch grade to tie the stormwater to that system.

Mr. Dookran asked if they have two underground storage tanks.

Mr. Coburn said what they have is a treatment component and a detention component. They cannot provide any infiltration with the drainage system. Test pits showed that wasn't possible. There will be two parallel water quality units. Once water flows through the water quality units it enters the detention component.

Mr. Dookran asked if this was similar to those used at other school locations.

Mr. Coburn said it is used at the Birch Hill School.

Mr. Dufour said although they are putting more parking on this site than is required; it will not alleviate all the parking problems. There are events at the school such as parent's night, election, etc. and you will continue to have parking on Whitford Road.

Mr. Slivinski asked if in the auto queuing line is there room for somebody to pick up a child and get out of line. Do you have to wait for the person up front to move.

Mr. Coburn said it is a queuing lane, only 16 feet wide. You would have to wait for the person in front to move.

Mr. Slivinski asked if people would be queuing in the parking lot.

Mr. Coburn said it would have to be enforced by the school. They have put up signs but it would be an enforcement issue.

Mr. Slivinski asked how many cars will fit in the queue line.

Mr. Coburn said they need approximately 420 feet to accommodate the 10 school buses that currently run this route. He estimated 30 vehicles.

Mr. Canaway asked how many parents pick up children on average.

Chris Gosselin, Principal

Mr. Gosselin said on average cars that are queuing on Whitford Road from their entrance/exit all the way beyond the eastern exit, within a 100 yards of Main Dunstable Road. Beyond the school it goes onto Pioneer Drive. There are between 40 to 50 cars that are queuing.

Mr. Canaway asked if the paraprofessionals are there through dismissal.

Mr. Gosselin said they are there, approximately 5 to 10 minutes after dismissal. The proposed parking will greatly improve the overall site. The prime focus of this improvement is to maintain safety to children.

SPEAKING IN OPPOSITION OR WITH CONCERNS

Donald Mercer, 12 Whitford Road

Mr. Mercer thought this plan was excellent with one exception. There is a lot of congestion. In the winter there is no way a fire truck could ever get down the road. Parking is a huge issue and they need more spaces. Mr. Mercer would like the new parking lot at the end is going into the woods to his property. Right now there is a buffer zone. He would like to see the proposed parking changed to keep the buffer.

Mr. Dufour asked if it couldn't be reconfigured, would a fence be helpful along the backline.

Mr. Mercer said it may. Still cars will be brought closer to his property.

Alice Walton, 25 Musket Drive

Ms. Walton concern is the playground. There is a big fir tree sitting in the middle of the fire road, 10 yards from the basketball court. Next to the playground is a big mud pile and the children are playing in it. Since they are doing improvements they should take care of that. There is a tremendous amount of traffic and speeding.

Mr. Coburn said they will need to do limited clearing on the southwest corner of the basketball court to accommodate the fire loop road. They are proposing cape cod berm to control stormwater flow and get it away from the buffer.

SPEAKING IN FAVOR OF THE PLAN

Terry Cogiliano, 19 Whitford Road

Ms. Cogiliano would like to speak in favor of the plan because she sees this solving a lot of the current issues. In the morning the drop offs back up. Some are queuing and others are parking on Whitford to escort children in. With the new plan everyone who wants to drop off into the queue lane and if they want to go into the school, parents can park in the visitor parking lot. In the afternoon it would be more complicated but would be an enforcement issue for Mr. Gosselin. If the queue line starts to back it could be a problem.

Chris Gosselin, Principal

Their main goal is safety for the children. The second goal is to fit in with the neighborhood. The third goal is the safety and security of the building. Being able to get emergency vehicles around will be a tremendous improvement. Another goal is ease of access. The new queuing system and parking will be a great improvement. Mr. Gosselin said the tree in the fire land blew down in the fall and Mr. Smith's crew came in and pushed it out of the existing fire lane. In the new proposal he suspects it would be pulled out.

Mr. Dufour asked if it would be worth wild to have an Alderman propose legislation to ban parking 7:30 to 9:30 and 2:30 to 3:30.

Mr. Gosselin said to prohibit parking might not be a good idea. They may want to have it in some capacity.

Mr. Dookran asked if the plan they are proposing now provide service for future growth or possible redistricting of the schools.

Mr. Gosselin said it was discussed. The parking and existing footprint of the site will be improved. They will always be a school of 500 to 600 students unless they build up or out.

Don Mercer, 12 Whitford Road

Mr. Mercer thought that restricting parking to one side of the street, especially in the winter was a good suggestion.

Mr. Smith said they will address the mud pit with loam and seed. They will remove the tree that was pushed off the fire lane. They will minimize the tree cutting.

Mr. Coburn said he understood the abutter's concern. They could relocate the exit to the faculty parking lot. If they relocate the 20 foot access drive back, thereby losing 3 to 4 spaces and regaining those spaces on the back side. They can gain 20 feet of the buffer. Mr. Coburn said he can look into whether or not he can accommodate that with grade and stormwater management. They had planned on heavily planting that area but it would be up to the Board how they wish them to proceed.

Chairman Dufour asked Mr. Mercer what he would prefer.
Mr. Mercer said he would prefer the extra 20 feet of buffer.

Mr. Canaway (??) asked if there would be blasting.

Mr. Coburn said if you ask Mr. Connors from the Maintenance Division he assures them that there would be limited blasting. They dug test pits and they had 60 inches to ledge. There may be ledge excavation in the area of the proposed stormwater management facility. Due to the grades and storage required they will need to be significantly deep in those areas.

Mr. Canaway said whoever makes the motion should have a stipulation for a pre-blast survey.

Mr. Coburn said that was agreeable.

Chairman Dufour said this concludes the public hearing and the Board will now carry their deliberations into the public meeting. The Board reserves the right to recall any party to this case for clarification.

Mr. Slivinski said the solution to the traffic is an inadequate parent queue line that people get locked into with no bypass. Maybe a different layout could solve that problem.

Mr. Dookran said he would like to find out if this parent queue has been done at other places and how it is working at other schools.

Mr. Canaway said he shares Mr. Slivinski's concern with the parent pick up lane. He said some parents might try to avoid the queue and go back to old habits and park on Whitford Road.

Alderman Larose said the bus loop is 24 feet wide and the auto loop is 18 feet wide. It appears they need a few more feet in the automobile lane so when they queue up they can pull out. Is it possible to move the bus lane four feet west so they can add four feet to the car lane. That may solve the problem.

MOTION by Alderman LaRose to reopen the public hearing for the purpose of asking the applicant the answers to the questions that have come up.

SECONDED by Mr. Lowe

Mr. Smith said Birch Hill School is working out quite well. They turned the old bus loop into the parent drop off loop. They have enough room to pull out and pass. They took the bus traffic and created a new loop to the right around the existing parking lot. That is the only other school they can compare to this. Charlotte Ave School is mainly putting the kindergarten drop off in the back as more of a circular drop off. Sunset Heights they separated the bus traffic so it goes out through the neighborhood through a gate. The parents drop off at the old bus loop. Every time they have separated the parents from the bus loop it has worked out pretty well. Mr. Smith said he spoke with Mr. Coburn and they have some ideas on how they might be able to expand it so traffic can get by.

Mr. Coburn said there are some site limitations. They have maintained the existing 8 foot wide concrete walk that takes you north out of the school directly to Whitford Road. That is only proposed to be modified where they are providing a tip down for

the fire loop road. The area of proposed work for cost limitations solely was the area to the east of that existing concrete walk. The city also carries a 20-foot setback for parking spaces from property lines. The existing facility oversteps its bounds by about 5 feet. They have pulled it back out and that is why they haven't requested a waiver for the buffer requirements. Without having a bus turning template with him tonight he would guess that because they are performing a 90 degree turn for the buses he would assume he would need the whole 24 feet to navigate the bus. That seems to accommodate the bus traffic. At this point if they were to rethink the parent queue they would possibly contemplate rotating the parking to be more parallel to the property line east of parking lot, which would allow for an area to increase the width of the queuing line. He didn't know if he could accommodate that with the number of parking spaces required. He may lose a space or two. Mr. Gosselin is happy with the proposal. The parent pick up students are dismissed first followed by the students that ride the bus.

Mr. Dookran asked if the bus loop could be reduced.

Mr. Coburn said it was possible. He didn't know the minimum requirement. A minimum comfortable width would probably be 20 feet.

Chairman Dufour said this now concludes the public hearing and they will re-enter the public meeting and continue the deliberations.

Chairman Dufour said the problem exists approximately 45 minutes a day, morning and night. He said he didn't want to see the widen the parent drop off lane because it could create a dangerous situation. If the cars could go around there could be two lanes of traffic. It could be more dangerous. There are a lot of things the applicant doesn't have quite right yet. It may be better to table this and discuss this at the next meeting. Chairman Dufour is concerned if they shift it over and widen the parent pick up lane we will create a dangerous situation.

Mr. Dookran said Mr. Slivinski's idea that if this drop off lane isn't adequate, people won't use it could happen. He thought he is right. In an effort to improve safety but there is no guarantee it will work. Mr. Dookran said he didn't think the two lanes would be unsafe. At Birch Hill School they have two lanes of traffic. He thinks it will be just as safe as having a single lane.

MOTION by Mr. Lowe to table New Business - Conditional/Special Use Permit #1 Main Dunstable Elementary School, 20 Whitford Road for the extension of the bus lane to make it narrow and the parent pick up lane wider and check to see if redirection of the exit on faculty parking lot works.

SECONDED by Mr. Canaway

MOTION CARRIED (6 to 2)

MOTION by Mr. Lowe to table New Business - Site Plans #3 Main Dunstable Elementary School, 20 Whitford Road for the extension of the bus lane to make it narrow and the parent pick up lane wider and check to see if redirection of the exit on faculty parking lot works.

SECONDED by Mr. Canaway

MOTION CARRIED (6 to 2)

NEW BUSINESS - SUBDIVISION PLAN

2. Marcia Desantis (Owner) - Application acceptance and proposed subdivision of one lot into 2. 11 Beauview Ave, Sheet 59 - Lot 157, Zoned "RA" - Urban Residence

MOTION by Alderman LaRose that the application is complete and the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Torosian

Jamie Bodwell, Cuoco & Cormier

This is a subdivision of one lot into 2 lots. There is a single-family home on the lot currently. Both lots meet the current zoning requirements. They will remove a portion of the existing dwelling and save part of the existing driveway. They meet all the requirements of stormwater management for the lots. There are no issues with the site distances or the driveway coming out onto Beauview Ave. In regards to the sidewalk contribution. They would like to donate to the N.E. Quadrant Fund.

Mr. Canaway asked to show on the plan the new driveway.

Mr. Bodwell showed on the plan the driveway the new driveway and that it will accommodate 2 cars and a turnaround.

Mr. Dookran asked about the shed.

Mr. Bodwell said it was an abutter's shed.

Mr. Dookran said in the stormwater report no numbers were provided. Mr. Bodwell said he wasn't the engineer but he can look into that.

Mr. Dookran said Beauview is a steep street and the lot is lower than the street there is a tendency of runoff of the street to go to the driveway. Are you going to berm the driveway to keep the road runoff into the street.

Mr. Bodwell said there are some spot grades that should take care of that and he showed it on the plan. Currently there aren't any issues on the existing driveway.

Mr. Yeomans said he has the drainage report if Mr. Dookran would like to see it.

SPEAKING IN OPPOSITION OR WITH CONCERNS

Robert Lembree, 84 Manchester Street

Mr. Lembree shares a 170-foot border with the applicant. He has been in the neighborhood 39 years. What they are proposing is to take a desirable house and bulldozing $\frac{1}{2}$ to $\frac{2}{3}$ of the length of the building, which dramatically changes the character of the house. There are mature plantings, very attractive and fenced in yard. The house now is centered on the lot and well proportioned. One of the primary concerns Mr. Lembree has is they will be bulldozing the garage and the breezeway. That house is being replaced with 2 houses, which are not near the quality of the house that is there and that will adversely impact property values and desirability of the neighborhood. The construction of the drainage ditches are close to some tall trees and many of the plantings will die as a result of the construction. While the proposal meets all the requirements of zoning he felt that it makes for a couple of properties that fall outside of the character of the neighborhood. This is incompatible with the neighborhood and adversely impact the neighborhood as a whole.

Alexis Kavada, 11 Beauview Ave

Ms. Kavada said when they rented the house it was to rent with option to buy. It wasn't disclosed to them until after they

signed the lease that it was going to be subdivided. Ms. Kavada read a letter into the record from her and a neighbor.

Michael Whalen, 17 Beauview Ave

Mr. Whalen has a few concerns. There is a big drop off 5 feet away from his driveway. Are they going to put up a retaining wall so there won't be a landslide and lose his driveway. The berms that were put in there was a problem at 11 Beauview with water puddling in front of the garage. It is nice to have the trees as a buffer.

Don Brown, 86 Manchester Street

He supports what the others have said. He is concerned about the value of the neighborhood. If this were the owner of the property that was going to live in the neighborhood it would be one thing. Some thought and compassion should go into the thought and character of the neighborhood.

Adele Goyette, 24 Beauview Avenue

Ms. Goyette has been there 12 years. This is a beautiful neighborhood. There are beautiful Victorians, bungalows, capes and they are being destroyed. The property values will diminish if they keep allowing this to happen.

SPEAKING IN FAVOR OF THE PLAN

Gerald Prunier, Esq.

Atty Prunier said these plans meet all the zoning requirements. In the RA Zone, they could divide this into 3 lots but they are just dividing it into 2 lots. The applicants are not trying to mess up the property. The house that exists is going to stay. The driveway will be on the opposite side and will not affect the abutter. The applicant's rights have to be protected as well.

Chairman Dufour asked Atty Prunier to speak to the type or style home.

Atty Prunier said that hasn't been determined.

Mr. Dookran said you will be excavating close to the abutter's driveway, which sits high up, and there could be a problem with erosion.

Atty. Prunier said they would be responsible for erosion. They cannot adversely effect his property.

Mr. Lowe said he remembers they did something with Grant, which is the side of the new proposed house. The applicant is also proposing to extend the house into where Grant Street was, where the sewer, power and electrical lines went. They referred to note 7.

Atty Prunier said note 7 says it was never laid out, or accepted by the City. Once a street that has nothing done with it, it is automatically discontinued and the people on each side of the street get $\frac{1}{2}$ each.

Mr. Lowe if the house has a full foundation over the area where the sewer and power lines are.

Cynthia Boisvert, Cuoco & Cormier

Ms. Boisvert is a land surveyor. The utilities are in Beauview Avenue. There are no utilities in Grant Avenue.

Mr. Dookran said one of the criteria for subdivision is that the subdivision should be compatible with the existing character of the neighborhood. Is what you are proposing meets that requirement.

Atty Prunier said there is nothing they are doing different. Their lot is twice the size of what is required. They meet the dimensional requirements and they are going to put up a similar type house that is in the neighborhood. The existing house will stay.

SPEAKING IN OPPOSITION OR WITH CONCERNS - REBUTTAL

Don Brown, 86 Manchester Street

Mr. Brown said that Atty Prunier said the house is going to remain, but not remain the same. The garage and breezeway are being removed. There will be a small driveway. The retaining wall could be a problem. There is going to be a lot of change in character of the house. The neighbors are concerned about the value of the neighborhood. What kind of house will be built and does it blend in with the character of the neighborhood. They would like to preserve what they have.

Chairman Dufour said this concludes the public hearing and the Board will now carry their deliberations into the public meeting. The Board reserves the right to recall any party to this case for clarification.

Chairman Dufour said the applicant is proposing to turn 1 lot into 2 lot and they are still greater than the Land Use Code allows and bigger than some of the lots in the neighborhood. It conforms to the Land Use Code.

Mr. Dookran asked if character of the neighborhood is ambiguous, why is it listed as a criteria.

Chairman Dufour said the Courts say the people have the right to develop their property. Character of the neighborhood is one of the requirements that the Board has to consider.

Alderman LaRose said often the character of the neighborhood changes. If they meet the criteria of the Land Use Code the Board has no choice but to grant it.

Mr. Canaway said the character of the neighborhood has come up. The neighborhood has changed. Frontage wise, these lots are similar to other lots. There are some bigger, some smaller.

Mr. Slivinski said he would also like to consider the character of the neighborhood.

MOTION by Mr. Torosian to approve New Business #2- Subdivision Plan Alan James Development, LLC (applicant), Marcia DeSantis (Owner), 11 Beauview Avenue. It conforms to NRO 16-440(g) with the following stipulations and waivers:

1. Prior to the plan being recorded bonding for work in the public right-of-way shall be approved by the Division of Public Works
2. Prior to the plan being recorded the stormwater operation and maintenance plan shall be reviewed and recorded with the plan.
3. Prior to the issuance of the certificate of occupancy all work within the public right-of-way shall be completed to the satisfaction of the Division of Public Works.
4. The request for waiver of sidewalk construction and acceptance of a contribution is granted. If granted the contribution is to be applied to the N.E. Quadrant Sidewalk Fund.

SECONDED by Alderman LaRose

MOTION CARRIED (7 to 1)

NEW BUSINESS - SITE PLANS

4. **TUVA, LLC c/o Peter's Auto Sales, Inc (Owner) - Application acceptance and proposed amendment to NR895 to show a change of use from retail shoe store to car sales with drainage and site improvements. 195 Daniel Webster Highway, Sheet A - Lot 997, Zoned "HB" - Highway Business [POSTPONED TO THE JUNE 19, 2008 MEETING]**

NEW BUSINESS - SITE PLANS

5. **Red Fall, LLC & Hera Development Corporation (Applicants) Nicholas Heras, Jr. (Owner) - Application acceptance and proposed amendment to NR1699 for the construction of a 1 story, 6,480 square foot building for retail/restaurant use with associated access, parking and site improvements. 341 & 345 Amherst Street, Sheet G - Lots 28 & 30, Zoned "GB" - General Business [POSTPONED TO THE JUNE 19, 2008 MEETING]**

OTHER BUSINESS

Review of tentative agenda to determine proposals of regional impact.

None

MOTION by Mr. Slivinski that there are no issues of regional impact.

SECONDED by Mr. Canaway

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEMS

Dufour minute - parking spaces requirements

Chairman Dufour met with Personnel Affairs Committee for his reapproval and it hasn't been voted on yet by the full Board of Alderman.

Chairman Dufour suggest the Board have a workshop regarding some of these issues.

NCPB
May 15, 2008
Page 18

Mr. Slivinski said at the last meeting the Board had a split vote on a sidewalk contribution and he didn't think there should be a split vote on a sidewalk contribution. He would like to have a workshop on sidewalks.

MOTION TO ADJOURN by Mr. Lowe at 10:30 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