

NASHUA CITY PLANNING BOARD
August 7, 2008

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

Members Present: Jody Wilbert, Mayor's Rep
Ken Dufour, Chair
William Slivinski, Vice Chair
Bob Canaway, Secretary
Steve Dookran, City Engineer
Mike Lowe
Daniel Latham
Cynthia Overby

Due to the absence of regular Board Members, Mrs. Overby will be voting.

Also Present: Roger Houston, Planning Director
Mike Yeomans, Deputy Planning Manager
Lucy St. John, Deputy Planning Manager
Chris Sullivan, Planner II

Approval of Minutes

July 10, 2008

MOTION by Mr. Lowe to approve the minutes of July 10, 2008, waive the reading and place on file.

SECONDED by Mr. Canaway

MOTION CARRIED 6-0-2 (Mrs. Wilbert and Mrs. Overby abstained)

COMMUNICATIONS

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

- Letter dated August 7, 2008 from the Mayor regarding case #2 on the agenda regarding the Pheasant Lane Mall.
- Four items regarding case #3, 25 Front Street, Dispersions Services.
- Two items dated August 4th and 6th regarding case #16, Riverside Office Building.

- Letter dated August 7, 2008 with concerns regarding case #18, 14A Broad Street.
- Letter dated August 5, 2008 with concerns regarding case #13, 158 Amherst Street.
- Letter dated August 1, 2008 with concerns regarding case #12, Talaria Realty, LLC.
- Revised site plan for Riverside Realty, case #14.

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.

Chair Dufour said that tonight the Board has before them roughly 15 cases. The Board will hear cases up until 11:00 p.m. The rest will be heard at another date. The Board decided on August 21, 2008 as that date.

OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLANS

None

OLD BUSINESS - SITE PLANS

1. 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. (Tabled from the May 15, 2008 Meeting)

Atty. Prunier asked that this remain tabled and be heard on September 11, 2008.

OLD BUSINESS - SITE PLANS

2. Pheasant Lane Mall, Simon Property Group, Inc. (Owners) - Application acceptance and proposed amendment to NR1729 to show the demolition of the former Macy's Department Store and the construction of a 104,026 square foot lifestyle center addition with associated access, parking and site improvements. 310 Daniel Webster Highway, Sheet A - Lot 737, Zoned "GB" - General Business. (Tabled from the July 10, 2008 Meeting)

MOTION by Mr. Lowe to remove from the table.

SECONDED BY Mr. Latham

MOTION CARRIED UNANIMOUSLY

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

SECONDED by Mr. Lowe

MOTION CARRIED UNANIMOUSLY

Gerald Prunier, Esq.

This plan was before the Board and approved. They were here a few months ago to get an extension, and it was granted. There are a couple of changes. The major change is in the center drive aisle. There are 4,000 more square feet added to the building. All the stipulations are to remain in place.

Chair Dufour asked about the trailers that have been parked in the parking lot that are unsightly.

Atty. Prunier said that he was told that Target has rectified their problem and Sears will within the next few weeks remove the trailers and be in compliance.

Chair Dufour asked what the biggest reason for the parking change.

Chair Dufour said it was tenants wanted parking closer to the storefronts.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No one.

SPEAKING IN FAVOR OF THE PLAN

No one.

Chair Dufour said this concludes the public hearing on this application. They will now carry the deliberations into the public meeting. The Board reserves the right to recall any party to this case for clarification.

MOTION by Mrs. Wilbert to approve Old Business - Site Plan #2, Pheasant Lane Mall, with prior stipulations and amended date of no construction from November 15, 2008 to January 6, 2009. It

conforms to NRO 190-146D with the following stipulations and waivers:

1. With approval of this site plan all prior conditions of approval including waivers are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

SECONDED by Mr. Latham

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

3. **Dispersion Services, LLC (Applicant) 25 Front Street, LLC (Owner) - Application acceptance and proposed conditional use permit for chemical manufacturing of bio-diesel, 25, 31 & 33 Front Street, Sheet 78 - Lot 88, Zoned "GI/MU" - General Industrial - Mixed Use.**

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

SECONDED by Mr. Latham

MOTION CARRIED UNANIMOUSLY

Together with

NEW BUSINESS - SITE PLAN

8. **Dispersion Services, LLC (Applicant) 25 Front Street, LLC (Owner) - Application acceptance and proposed site plan for chemical manufacturing of bio-diesel. 25, 31 & 33 Front Street, Sheet 78 - Lot 88, Zoned "GI/MU" - General Industrial - Mixed Use.**

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

SECONDED by Mrs. Wilbert

MOTION CARRIED UNANIMOUSLY

Gerald Prunier, Esq.

Atty. Prunier said what is being proposed is a 2,400 square foot interior part of a building to separate vegetable oil. Vegetable oil is accumulated from various restaurants and

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processed. This is not a flammable type of liquid. They must comply with all the requirements of the fire department. There will be between 2 to 4 employees.

William Lynch, President, Dispersion Services, LLC

Mr. Lynch went over the process of converting the vegetable oil and the chemicals used. Mr. Lynch said the materials used and generated are relatively a nonhazardous product. They are converting fats and oil into a usable product for fuel.

Mrs. Overby asked what the capacity of the setup that is being created. Is this the capacity for the facility?

Mr. Lynch said they could probably double it, maybe 2-1/2 times.

Mrs. Overby asked if there is an odor to the finished product.

Mr. Lynch had a sample for the Board members. There is no odor during the converting process.

Chair Dufour said if the Board goes ahead and approves this, if there is an odor, there could be a problem.

Mr. Canaway asked how the chemicals used in the process are handled and if they are vented.

Mr. Lynch said you do have a certain amount of risk. The odor should be contained and does not vent out into the atmosphere. It is done in enclosed pipes. The only ventilation is in the room.

Mr. Dookran said one of the stipulations talks about obtaining a railroad access easement. Is that in place?

Mr. Lynch said they are researching whether one exists. They can operate without one until the issue is resolved.

Mrs. Overby asked if there are potential hazards.

Mr. Lynch said he isn't aware of any at any other plants.

SPEAKING IN OPPOSITION OR WITH CONCERNS

Dan Richardson, 70 Berkeley Street

Mr. Richardson said there are a lot of good aspects to this project. In reading the details he has a few concerns. Particularly the chemicals used in the process and if there are hazards. There is also a school located nearby and this is a concern.

Paul Berbe, 7 Gettysburg Drive

Mr. Berbe is here on behalf of Nashua Christian Academy of 55 Franklin Street. It is about 150 feet from the applicant. He has concerns about the chemicals being used so close to the school and is it safe.

SPEAKING IN FAVOR OF THE PLAN

No one.

Mr. Lynch explained the process and the chemicals used. They would not be storing large quantities on site.

Mrs. Wilbert asked if there are requirements with the Haz Mat team to list hazard materials with the fire department.

Mr. Houston said the fire department has specific requirements, they know how to respond in case of an emergency.

Mr. Lynch explained the washing process.

Mr. Canaway asked when the applicant applies for a sewer permit will the sewer department know this chemical is being flushed into the system.

Mr. Lynch said yes.

SPEAKING IN OPPOSITION OR WITH CONCERNS - REBUTTAL

Dan Richardson, 70 Berkeley Street

Mr. Richardson asked if there would be any harmful gas released.

Paul Berbe, 7 Gettysburg Drive

Mr. Berbe asked where the storage tanks will be located.

SPEAKING IN FAVOR OF THE PLAN - REBUTTAL

Mr. Lynch said they do not foresee anything in the process releasing any harmful gases. Any storage tanks will be within the building.

Chair Dufour said this concludes the public hearing on this application. They will now carry the deliberations into the public meeting. The Board reserves the right to recall any party to this case for clarification.

The Board discussed that this is a mixed-use area and the concerns that they have for this project regarding the chemicals.

MOTION by Mrs. Wilber to approve New Business #3 - Conditional/Special Use Permits. It conforms to NRO 190-133(f) with the following stipulations and waivers:

1. Prior to a building permit being issued, the comments identified in memo from the Traffic Department, Jean Marie Kennamer received July 30, 2008 should be addressed to the satisfaction of the Traffic Department.
2. All notes and details included on the plan are incorporated by this reference as specific conditions of approval and compliance with these notes, details and other information is required. Non-compliance of the site plan may result in revoking of the site plan and or other penalties/fees that may apply.
3. That the requirements of the Nashua Fire Department are included as conditions of approval, and must be addressed to the satisfaction of the Fire Department. They are further required to provide a complete list of chemicals used and or created on site.
4. That any minor changes to the plan be incorporated in the final plan including but not limited location of designated parking spaces for the employees, checklist item # 31 regarding future building construction foundation drainage, that the plan notes reference the previously approved site plan for the Cotton Mill Square residential development, and other minor changes as determined by staff.
5. Documentation shall be provided for the Planning Department file prior to the issuance of an occupancy permit that the applicant has the right to utilize the easement areas shown on the plan.

6. That the "member" of 25 Front Street LLC that signed the application provides documentation that he/she is authorized to sign the Planning Board application on behalf of the LLC. The members name is printed illegible on the application.
7. Per 190-182 (Screening of service or storage areas) and 190-183 (Additional screening requirements for industrial and business uses) screening shall be installed along the southern side of the building on or near the existing granite wall should any outside storage or parking of tractor trailers/tankers occur. This will provide a visual barrier to the adjoining approved residential development. A plan showing the extent and type of screening shall be submitted for review and approval by the Planning Department staff.
8. The applicant be further required to get prior approval of the Waste Water Treatment/Public Works Division

SECONDED by Mr. Lowe

AMENDED by Mr. Lowe to add the following stipulation

9. Sodium hydroxide is to be stored separately as a hazardous material

No one seconded the amended motion by Mr. Lowe

ORIGINAL MOTION FAILS (4 TO 4)

MOTION by Mr. Slivinski to table New Business #3 Conditional Use Permit and New Business #8 Site Plan to the next meeting pending the applicant coming before the Board with additional information with a list that will be provided to them.

SECONDED by Mr. Canaway

MOTION CARRIED 7 TO 1

The following is the list of additional information the applicant is to provide to the Board:

- Odor emission
- Information about safety of similar sized operations that are in existence
- Storage of sodium hydroxide

- Something in writing from Nashua Fire Department and Waste Water Treatment that they have reviewed the chemicals used, and approves them
- Layout floor plan showing processing, storage tanks and stacks
- Safety procedures

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMIT

4. Club National Franco American (Owner) - Application acceptance and proposed conditional use permit to show the building addition for enclosure of 2 AC units and parking improvements. 127 Pine Street, Sheet 96, Lot 98, Sheet 95, Lot 2 and 4, Zoned "RB" - Urban Residence.

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

SECONDED by Mr. Latham

MOTION CARRIED UNANIMOUSLY

Together with:

NEW BUSINESS - SITE PLANS

9. Club National Franco American (Owner) - Application acceptance and proposed site plan amendment to NR2003 to show the building addition for enclosure of 2 AC units and parking improvements. 127 Pine Street, Sheet 96, Lot 98, Sheet 95, Lot 2 and 4, Zoned "RB" - Urban Residence.

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

SECONDED by Mr. Latham

MOTION CARRIED UNANIMOUSLY

Mark Goodrich, DuBois & King

Mr. Goodrich represents the applicant. They are here tonight to enclose the HVAC units and revise the parking layout. The applicant also began construction of 2 new HVAC units to replace a single unit and it was brought to their attention they needed to amend the site plan. A noise consultant was brought onboard and has three recommendations to minimize the noise from the

HVAC units. The first is to put 8 ft walls around the HVAC. The second is to place a chimney above the vents to direct the noise and finally encompass the ductwork that has been installed. Those measures will reduce the noise levels. Mr. Goodrich read into the record the letter he wrote to Mike Yeomans dated July 31, 2008 in response to the Conditional Use Permits approval criteria. The applicant will also need to go to the Zoning Board because they will reduce the open space requirement.

Chair Dufour asked how they will deal with the non-conforming site plan.

Mr. Yeomans said this plan corrects the deficiencies because the applicant is in with an amended site plan.

Mr. Goodrich said they are requesting several waivers, to exceed maximum noise level and a waiver for landscaping.

Mr. Lowe said he would like to see waiver request #2 changed to say the waiver request to exceed the maximum noise level by 4 db, Sec. 190-172F.

Mr. Dookran asked if the applicant was connected to combined sewer.

Mr. Goodrich said they are. The facility has gone through 2 expansions. The amount of the impervious run off is minimum.

Mr. Dookran asked if need be, could they could install some storage for infiltration.

Mr. Goodrich said they do have one infiltration basin with an overflow and existing two connection points and they could probably install another one.

Mike Paterian, Noise Control Engineering

Mr. Paterian explained the process he used on how he measured the noise level of the HVAC. They conducted two different surveys, on two different nights.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No one.

SPEAKING IN FAVOR OF THE PLAN

No one.

Chair Dufour said this concludes the public hearing on this application. They will now carry the deliberations into the public meeting. The Board reserves the right to recall any party to this case for clarification.

MOTION by Mrs. Wilbert to approve New Business #4 - Conditional/Special Use Permits. It conforms to NRO 190-133F with no stipulations or waivers.

SECONDED by Mr. Lowe

MOTION CARRIED UNANIMOUSLY

MOTION by Mr. Lowe to approve New Business #9 - Site Plans. It conforms to NRO 190-146(d) with the following stipulations and waivers:

1. The stormwater operation and maintenance plan shall be recorded within 30 days from the date of site plan approval.
2. The waiver request to exceed the maximum noise level by 4 db, Sec. 190-172 F is granted.
3. The waiver request for landscaping, Sec. 190-184 C. is granted and 185 B is not granted.
4. The applicant shall provide written confirmation from Noise Control Engineering, Inc. that noise level maximums have been met upon completion of the sound mitigation installation, and prior to their operation.
5. With approval of this site plan the Planning Board approves the building materials used on this building.
6. Approval of the site plan is contingent on the Zoning Board of Adjustment granting a variance for open space.
7. The applicant shall work with Planning Staff concerning the final landscape design and its' implementation.

SECONDED by Mrs. Wilbert

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SUBDIVISION PLAN

5. **Sam Katz (Owner) - Application acceptance and proposed 1 year extension of approval of the subdivision of one lot into two. 7-7C Page Ave, Sheet 45 - Lot 257, Zoned "RC" - Urban Residence. (Approved on August 9, 2007)**

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

SECONDED by Mr. Lathan

MOTION CARRIED UNANIMOUSLY

Together with

NEW BUSINESS - SITE PLANS

10. Sam Katz (Owner) - Application acceptance and proposed 1-year extension of site plan approval to show the reconfiguration and expansion of an existing multifamily parking lot to provide parking for 7 vehicles with site and drainage improvements. 7-7C Paige Ave, Sheet 45 - Lot 257, Zoned "RC" - Urban Residence. (Approved on August 9, 2007)

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

SECONDED by Mr. Canaway

MOTION CARRIED UNANIMOUSLY

Richard Maynard, Maynard & Paquette

This project subdivides off a 5,000 s.f. lot. There is an existing 4-unit building on the property. The site plan creates 7 parking spaces. There are no changes, just requesting a one-year extension.

Mr. Dookran said he took a look at the site and he wants to make sure there are enough controls to capture and reduce runoff to the neighbor's properties. If the Board reapproves this, the drainage needs to be managed.

Mr. Maynard said this site will have an improved storm water control over and above what exists today. The parking lot will have 2 sets of leaching catch basins. The house itself will also have 2 sets of leaching catch basins to capture the runoff from the roof drains.

Mr. Dookran asked what would it take to raise the garage above the grade.

Mr. Maynard said they could raise a section at the t-turnaround so the water doesn't come down the street into the driveway.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No one.

SPEAKING IN FAVOR OF THE PLAN

No one.

Chair Dufour said this concludes the public hearing on this application. They will resume the public meeting. The Board reserves the right to recall any party to this case for clarification.

MOTION by Mr. Slivinski to approve New Business #5 2-lot subdivision, one year extension, Sam Katz (owner), 7-7C Paige Ave, Zoned "RC" - Urban Residence. It conforms to NRO 190-138(g) with the following stipulations and waivers:

1. With approval of this subdivision plan all prior conditions of approval, including the waiver are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

SECONDED by Mr. Lowe

MOTION CARRIED UNANIMOUSLY

MOTION by Mr. Slivinski to approve New Business 10 - Site Plans, one year extension request, Sam Katz (Owner), Zoned "RC" - Urban Residence. It conforms to NRO 190-146D with the following stipulations and waivers:

1. With approval of this subdivision plan all prior conditions of approval, including the waiver are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.
2. Grade the end of Paige Avenue so water flow travels from northeast corner to a catch basin at the corner of the t-turnaround.
3. The proposed house and garage at lot 178 be increased in elevation by one foot.

SECONDED by Mrs. Wilbert

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SUBDIVISION PLANS

7. Leanne Visnaskas and Milton Edward Family, LLC (Owners) - Application acceptance and proposed lot consolidation and lot line relocation. 18 Hutchinson Street, Sheet 127 - Lots 28, 30 and 31, Zoned "RB" - Urban Residence.

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

SECONDED by Mr. Canaway

MOTION CARRIED UNANIMOUSLY

Richard Maynard, Maynard & Paquette

The property is 3 lots of record. The proposal is to consolidate two end lots into one and relocate the lot line. The house lot will be 9,397 square feet. The new building lot will be 12,571 square feet. They will also be building a sidewalk along the front. Drainage will be handled by leaching catch basins.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No one.

SPEAKING IN FAVOR OF THE PLAN

No one.

Chair Dufour said this concludes the public hearing on this application. They will resume the public meeting. The Board reserves the right to recall any party to this case for clarification.

MOTION by Mr. Lowe to approve New Business #7 - Subdivision Plans, lot line relocation, Leanne Visnaskas and Milton Edward Family, LLC (Owners). It conforms to NRO 190-138(G) with the following stipulations and waivers:

1. Prior to recording the plans the applicant shall add a note to the plans stating the date the iron bound were set.
2. Prior to the issuance of a building permit documents pertaining to the stormwater operation and maintenance plan shall be recorded.

SECONDED by Mrs. Wilbert

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SUBDIVISION PLANS

6. The Stabile Companies (Applicant) Virginia D. Stabile Revocable Trustee (Owner) - Application acceptance and proposed subdivision of one lot into three. 52 Indian Rock Road, Sheet F - Lot 100, Zoned "R30 - Suburban Residence. [Postponed until September 11, 2008]

NEW BUSINESS - SITE PLANS

11. The Stabile Companies (Applicant) Cotton Mill Square (Owner) - Application acceptance and proposed second 1 year extension of approval of amendment to NR2102 for the demolition of two buildings and the construction of 162 residential units in three-5-story buildings and a 3-story, 9,000 square foot mixed use building with associated access, parking and site improvements. 30 & 36 Front Street, Sheet 78 - Lot 87, Zoned "GI/MU" - General Industrial/Mixed Use. (Approved on September 14, 2006)

MOTION by Mrs. Wilbert that the application is complete and the Planning Board takes jurisdiction of the application.

SECONDED by Mr. Canaway

MOTION CARRIED UNANIMOUSLY

Jim Petropoulos, Hayner/Swanson, Inc.

The applicant is seeking a second, one-year extension to the site plan that was approved on September 14, 2006. Nothing has changed with the site plan. The primary reason for the extension is due to the slow down in the economy.

SPEAKING IN OPPOSITION OR WITH CONCERNS

David Gleneck, 34 Tampa Street

Mr. Gleneck is speaking in opposition for two reasons. One this is converting industrial zoned land into a different use and there will be a traffic problem. There is no cross access with B&M.

SPEAKING IN FAVOR OF THE PLAN

No one.

Mr. Petropoulos said they an agreement with B&M for crossing through the development. It is part of the site plan. This building was for sale for 20 years, which is why it is being, developed the way it is.

Chair Dufour said this concludes the public hearing on this application. They will now carry the deliberations into the public meeting. The Board reserves the right to recall any party to this case for clarification.

MOTION by Mr. Canaway to approve New Business #11 - one year extension, The Stabile Companies (Applicant) Cotton Mill Square (Owner), 30 & 36 Front Street, Zoned "GI/MU" - General Industrial/Mixed Use. It conforms to NRO 190-145(D) and complies with the Mixed Use Overlay District 190-23 with the following stipulations and waivers:

1. With approval of this site plan all prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

SECONDED by Mr. Lowe

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SITE PLANS

12. Talaria Realty, LLC (Owner) - Application acceptance and re-approval of amendment to NR936 for the removal of an existing building (19 East Otterson Street) and the construction of 15 parking spaces, with associated site improvements. 19 & 21 East Otterson Street, Sheet 17 - Lot 15 and Sheet 18 - Lot 9, Zoned "D3/MU" - Downtown 3/Mixed Use. (Approved on June 21, 2007)[Postponed to September 11, 2008]

NEW BUSINESS - SITE PLANS

13. Paul Grigas (Owner) - Application acceptance and proposed site plan for the conversion of a single family home to professional office with associated access, parking and site improvements. 158 Amherst Street, Sheet 61B - Lot 113, Zoned "RA" - Urban Residence.

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

SECONDED by Mr. Lowe

MOTION CARRIED UNANIMOUSLY

Richard Maynard, Maynard & Paquette

The proposal is to convert an existing house into a professional office. They received ZBA approval on May 27, 2008. This area of Amherst Street is in transition. There are a lot of mixed uses in this area. The building contains 1,540 square feet and 7 parking spaces are being proposed. The curb cut is being eliminated on Amherst Street and the sidewalk will be continued. Runoff from the site is being handled by infiltration chamber at the low corner of the parking lot. There will be a dumpster and handicapped ramp. They have a landscape plan and there is a solid stockade fence on one side and a chain link on the other side. There is no stand-alone lighting. Mr. Grigas will construct the sidewalk on Amherst Street but requests a waiver for the sidewalk on Norfolk Avenue.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No one.

SPEAKING IN FAVOR OF THE PLAN

No one.

Chair Dufour said this concludes the public hearing on this application. They will now carry the deliberations into the public meeting. The Board reserves the right to recall any party to this case for clarification.

MOTION by Mr. Lowe to approve New Business #13 - Site Plans, Paul Grigas (Owner). It conforms to NRO 190-146(D) with the following stipulations and waivers:

1. The request for waiver to construct sidewalks is not granted.
2. Prior to the issuance of a building permit documents pertaining to the stormwater operation and maintenance plan shall be recorded. (Declaration of Covenants and Restrictions and the Easement Documents).

3. Prior to the issuance of a building permit, any final drafting corrections shall be made on the plans. Subject to the review of the Planning Department.

SECONDED by Mrs. Wilbert

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SITE PLANS

14. Southern New Hampshire Medical Center (Owner) - Application acceptance and proposed amendment to NR1707 for a 1-story, 227 square foot addition to the existing hospital building and pad for MRI equipment with associated site improvements. 8 Prospect Street, Sheet 31 - Lot 22, Zoned "D1/MU" - Downtown 1/Mixed Use.

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

SECONDED by Mr. Latham

MOTION CARRIED UNANIMOUSLY

Jim Petropoulos, Hayner/Swanson, Inc.

The applicant is seeking approval of a one-story 227 square foot building addition and a MRI pad site for the hospital. There will be a fixed 14 x 55-unit MRI and 227 square foot square foot addition. The purpose of the new addition is to link the main hospital to the MRI.

Mr. Lowe asked about the drainage.

Mr. Petropoulos said it is all paved now. There is no increase in impervious surface. There is drainage into a pump station and lifts it up into the combined sewer system located on Main Street. The MRI sits on a pad 6 inches high.

SPEAKING IN OPPOSITION OR WITH CONCERNS

No one.

SPEAKING IN FAVOR OF THE PLAN

No one.

Chair Dufour said this concludes the public hearing on this application. They will now carry the deliberations into the public meeting. The Board reserves the right to recall any party to this case for clarification.

MOTION Mr. Slivinski to approve New Business #14 - Site Plans, Southern New Hampshire Medical Center (Owner), 8 Prospect Street, Zoned "D1/MU" - Downtown 1/Mixed Use. It conforms to NRO 190-146(D) and 190-23 Mixed Use Overlay District with the following stipulations and waivers:

1. Prior to the issuance of a building permit documents pertaining to the stormwater operation and maintenance plan shall be recorded.
2. The Planning Board has determined that the application meets the requirements of Sec. 190-23, Mixed Use Overlay District.
3. The waiver request for building materials, Sec. 190-20(a)(2) (c) is granted.
4. The waiver request for architectural features, Sec. 190-20(A) (3) (b) is granted.
5. The waiver request per Sec. 190-16 states 10' setback, is granted.

SECONDED by Mrs. Wilbert

MOTION CARRIED UNANIMOUSLY

MOTION by Mrs. Wilbert to create a special meeting on August 21, 2008 to hear additional cases on agenda

SECONDED by Mr. Lowe

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SITE PLANS

15. **Lizzie Garage Doors, LLC (Applicant) J. Alcide Lizzie, Jr. Trust, (Owner) - Application acceptance and proposed site plan for the addition of a second floor on an existing commercial building. 4 Daniels Street, Sheet 122 - Lot 504, Zoned "GB" - General Business**

MOTION by Mr. Canaway to table until August 21, 2008

SECONDED by Mrs. Wilbert

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SITE PLANS

16. Riverside Realty, LLC c/o MEG Asset Management, Inc (Owner) - Application acceptance and proposed site plan for the construction of a 2 story, 40,000 square foot medical office building with associated access, parking and site improvements. 15 Riverside Street, Sheet 75 - Lot 49, Zoned "PI" - Park Industrial.

MOTION by Mr. Canaway to table until August 21, 2008

SECONDED by Mr. Latham

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SITE PLANS

17. Fleetboston c/o Bank of America (Owner) - Application acceptance and proposed site plan amendment to NR523 to show revised parking layout with associated access, drainage and site improvements. 500 Amherst Street, Sheet H - Lot 124, Zoned "GB" - General Business.

MOTION by Mr. Canaway to table until August 21, 2008

SECONDED by Mr. Latham

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS - SITE PLANS

18. Riverwalk-Hudson, LLC (Owner) - Proposed amendment to NR2044 for the change of use from delicatessen to restaurant and show its hours of operation, and to change 1 unit from professional office to retail. 14A Broad Street, Sheet 62 - Lot 68, Zoned "RB" - Urban Residence and "GI" - General Industrial.

MOTION by Mr. Canaway to table until August 21, 2008

SECONDED by Mr. Lowe

MOTION CARRIED UNANIMOUSLY

OTHER BUSINESS

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

MOTION by Mr. Slivinski to table to August 21, 2008

SECONDED by Mr. Canaway

MOTION CARRIED UNANIMOUSLY

2. Planning Board reappointments to the Capital Improvement Committee for a 2-year term to expire August 1, 2010

- Laurence C. Szetela
- Louise Trottier

MOTION by Mrs. Wilbert to appoint Laurence Szetela and Louise. Trottier to Planning Board Capital Improvement Committee.

SECONDED by Mr. Lowe

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEMS

Letter from David Bangs, accept letter, and place on file.

MOTION TO ADJOURN by Mr. Lowe at 11:35 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