

EXPANDED DRAFT MEETING SUMMARY
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NASHUA CITY PLANNING BOARD
March 19, 2020

The regularly scheduled meeting of the Nashua City Planning Board was held on March 19, 2020 at 7:00 PM in the 3rd floor auditorium in City Hall.

Members Present: Scott LeClair, Chair
Adam Varley, Vice Chair *(Teleconference call)*
Mike Pederson, Mayor's Rep *(Teleconference call)*
Edward Weber, Secretary *(Teleconference call)*
Ald. David Tencza *(Teleconference call)*
Dan Hudson, City Engineer *(Teleconference call)*
Bob Bollinger *(Teleconference call)*
Larry Hirsch *(Teleconference call)*

Also Present: Linda McGhee, Deputy Planning Manager

Due to concerns regarding the COVID-19 Pandemic, the Chair has asked all other members to attend via teleconference call

Approval of Minutes

February 20, 2020

MOTION by Mr. Bollinger to approve the minutes of the February 20, 2020 meeting, as written.

SECONDED by Mr. Hirsch

MOTION CARRIED 7-0-1 (Pederson abstained) (roll call)

COMMUNICATIONS

Ms. McGhee went over the following items that were received after the case packets were mailed:

- Email from Street Construction Engineer Joe Mendola re: Case #2
- Updated waiver request from Steve Auger (Hayner/Swanson Inc.) re: Case #2

REPORT OF CHAIR, COMMITTEE & LIAISON

Historic District Commission: Mr. Weber gave a report of the February 24, 2020 meeting, regarding 4 Canal St

PROCEDURES OF THE MEETING

Mr. LeClair went into the procedure of the meeting as follows: After the legal notice of each conditional, special use permit, site plan, or subdivision plan is read by the Chair, the Board will determine if the application is complete and ready for the Board to take jurisdiction. The public hearing will begin at which time 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 or 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. Please 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 public testimony will come from anyone wishing to speak in favor of the plan. The applicant will then be allowed a rebuttal period at which time they shall speak to any issues or concerns raised by prior public testimony.

One public member will then be granted an opportunity to speak to those issues brought by the applicant during their rebuttal period. The Board will then ask any relevant follow-up questions of the applicant if need be.

After this is completed the public hearing will end and the Board will resume the public meeting at which time the Board will deliberate and vote on the application before us. The Board asks that both sides keep their remarks to the subject at hand and try not to repeat what has already been said.

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 conditional, special use permits, site plans, and subdivisions. Thank you for your interest and courteous attention. Please turn off your cell phones and pagers at this time.

OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLANS

None

OLD BUSINESS - SITE PLANS

None

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

1. Roman Catholic Bishop Finance Real Estate Office (Owner)
Family Promise of Southern New Hampshire (Applicant) -
Application and acceptance of proposed conditional use permit
to convert a school to transitional housing and offices.
Property is located at 6 Harvard Street. Sheet 26 - Lot 7.
Zoned "RC" Urban Residence. Ward 7.

MOTION by Mr. Weber that the application is complete and the
Planning Board is ready to take jurisdiction.

SECONDED by Mr. Pedersen

MOTION CARRIED 8-0 (roll call)

Atty. Gerald Prunier, Prunier & Prolman PA, 20 Trafalgar Sq,
Nashua NH

Atty. Prunier introduced himself to the Board as representative
for the applicant, Family Promise of Southern New Hampshire. He
said that because they are not doing any exterior changes to the
site, he would like to ask the Chairman of Family Promises to
give the Board some background on their proposal.

Pamela Wellman, Executive Director, Family Promise of Southern
New Hampshire, 180 Lowell Rd, Hudson NH

Ms. Wellman described the organization's mission. She said they
provide transitional housing for average working families who
are temporarily experiencing homelessness. She said their
clients are families that are not subject to substance or
alcohol misuse, or criminal activity. Families can live with
Family Promise for up to twelve months, during which time they

help with every aspect of what caused their homelessness, and overcoming those obstacles. Over 50% of the families in their program graduate to home ownership. She said in the past two years there has been a 23% increase in family homelessness in New Hampshire. She said they serve 44 communities, and have outgrown their current premises.

Craig Jones, Architect, Dennis Mires PA, 697 Union St, Manchester NH

Mr. Jones gave an overview of the proposed changes. This is an existing school that will be converted to 29-units of transient housing. The existing cafeteria space on the first floor will be utilized as is, and some space will be converted to laundry and other facilities. The upper two levels will consist of living units and some offices for Family Promise to conduct operations from. He said there will be no changes to the exterior of the building; this is an interior fitup.

Mr. LeClair asked how parking will be dealt with.

Mr. Jones said they have approximately 40 parking spaces onsite shared with the church. If the 29-units were all full they would anticipate 1 car per person. During the day there are 6-8 staff members onsite, so they wouldn't be filling the space. There is ample parking onsite, as well as street parking all around.

Mr. LeClair asked if the intent is that the site would be capable of holding the parking demand.

Mr. Jones said correct.

Mr. LeClair asked what the average length of stay might be.

Ms. Wellman said the average length of stay last year was 313 days. In 2018 it was 268 days. They are able to stay as long as 12 months while they save their money, look for better jobs, and find permanent housing.

Mr. LeClair asked if they have an idea of the expected occupancy.

Ms. Wellman said they have 29-units being built, but that translates to about 24 families. The units will be able to house 4 people each, but they can't predict the size of the families.

They have had some families with 6 children. All of the units will remain fluid to accommodate their families.

Mr. LeClair asked if a family could have two units.

Ms. Wellman said correct.

Mr. Weber asked if the dumpsters onsite would be enclosed.

Ms. Wellman said their plan is to fence the dumpsters in before they take occupancy.

SPEAKING IN OPPOSITION OR CONCERN

Sean Doherty, 12 Harvard St, Nashua NH

Mr. Doherty said he has concerns about the parking situation. He said this area is heavily congested, with no overnight parking. He is also concerned about trash pickup. He said that he abuts the school, and asked if there were any available plans for exterior renovations.

Mr. Doherty is concerned what this will do to home values in the area, and said the city would gain more tax revenue if this site was sold to a developer to make for-profit apartments. A non-profit community will not bring tax dollars to the city, and could be detrimental to the home values in the area.

Steven Mwangi, 7 Crown St, Nashua NH

Mr. Mwangi praised Family Promise, but said he is concerned with parking. He said some times during the week people park on the street to the extent that they are breaking up driveways. He asked that they consider this in their proposal.

Kyle Tavares, 12 Harvard St, Nashua NH

Mr. Tavares asked if the families in this program are being screened, and what qualifies them to be living in this facility. He asked if they are drug users, have alcoholism, and if that is why they can't afford a home. He wants to know more about the type of people coming into the neighborhood.

SPEAKING IN FAVOR

None

SPEAKING IN FAVOR - REBUTTAL

Atty. Gerald Prunier, Prunier & Prolman PA

Atty. Prunier said as far as they are concerned, there are no exterior changes.

Pamela Wellman, Family Promise of Southern New Hampshire

Ms. Wellman said they have been practicing for 16 years, and they have a very intensive intake process. They have a lengthy application about past, current, and future plans and backgrounds. They practice state, federal, and sex offender criminal background checks. They do not tolerate anything that would pose a danger to communities, especially within the transitional home. They have never had an issue with exiting a client for substance abuse, and perform initial drug screening as well. She said it is a dry campus.

Ms. Wellman said the quality of their clients is those who might be less fortunate than most. She cited reasons for homelessness, including eviction, job loss, and divorce. These are people who don't have support systems to go to when they need help. She said with the COVID-19 virus, these are the families that will be affected by layoffs and job loss. She said their clients don't want to be homeless; they just want to rebuild their lives and be successful again. That is what their program is based on.

Mr. LeClair asked if they held activities that would increase parking.

Ms. Wellman said most of their families have one car. So with 24 families in 29 units, they might have 22-24 cars. With their staff, they will have 6 additional cars. Their parking need is under 30 cars, and they wouldn't need the street.

Mr. LeClair asked if in most cases the residents wouldn't have multiple cars.

Ms. Wellman said they parents might each have a car. About 30% of their clients are a two parent family; most are single parents.

Mr. LeClair asked if it would be unlikely that they would exceed parking capacity onsite.

Ms. Wellman said they wouldn't. That was a huge consideration in this project.

Mr. LeClair asked about onsite security.

Ms. Wellman described their security systems, door alarms, and curfew. She said two of their staff lives onsite to provide overnight service 24/7.

SPEAKING IN OPPOSITION OR CONCERN - REBUTTAL

None

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the hearing. He said he is comfortable with the proposal.

Mr. Pedersen said this facility seems to be a valuable resource for people looking to get back on their feet. He said it is conveniently located by bus services and the future commuter rail line. He thinks it is a good idea.

Mr. Weber requested that a stipulation be added to enclose the dumpsters prior to certificate of occupancy.

Mr. Varley said he agrees with Mr. Pedersen. He said the abutters raised some important points, which he believes were addressed adequately by the applicant.

MOTION by Mr. Weber to approve New Business - Conditional Use Permit #1. It conforms to § 190-133(F) with the following stipulation:

1. Prior to Certificate of Occupancy, the dumpster shall be enclosed.

SECONDED by Mr. Pedersen

MOTION CARRIED 8-0 (roll call)

NEW BUSINESS - SUBDIVISIONS

2. John & Colleen-Lyons Dupre (Owners) Application and acceptance of proposed two lot subdivision. Property is located at 7 Fairway Street. Sheet 1 - Lot 102. Zoned "R9" Suburban Residence. Ward 7.

MOTION by Mr. Weber that the application is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Hirsch

MOTION CARRIED 8-0 (roll call)

Steve Auger, Project Engineer, Hayner/Swanson Inc., 3 Congress St, Nashua NH

Mr. Auger introduced himself to the Board as representative for the applicant. He thanked the Board for the opportunity to present tonight, given the circumstances.

Mr. Auger presented their proposal to subdivide the target lot into two. He described the lot dimensions, zoning requirements, and site characteristics. He described the abutters, mainly Rivier College and the Country Club. He said they appeared before the Board of Public Works prior to this meeting to work out the sewer connections. If they receive approval tonight, they will incorporate the stipulations from the Board of Public Works into their final plans.

Mr. LeClair asked if this was a sewer easement.

Mr. Auger said yes. He described utilities that will be provided to the new lot. He said there are two sewer easements, and indicated them on the plan. He outlined the Stormwater Management techniques, including a detention pond on the new lot. They have received additional comments from the Engineering Dept., and have no issues with incorporating them into the plan.

Mr. Auger said they are requesting three waivers as part of their plan. The first is from §190-221, which requires underground utilities for new subdivisions. The second is from §190-185(B)(1), which requires that there be one shade per 40 linear foot of frontage along public streets and major private streets. The third is from § 190-215(B)(1), which requires post development discharge rate not exceed the pre-development discharge rate for the 10-year storm. He described in detail their reasons for requesting the waivers.

Mr. LeClair asked for the slope of the driveway. Is there going to be a lot of water running off into Fairway Street?

Mr. Auger said no. The driveway is fairly flat, 1.3%.

Mr. LeClair asked if there was an intent to crown the driveway.

Mr. Auger said there is a rock wall and some rock pillars that inhibit really doing anything. The only area they are really touching is outside the rock wall is for the water pipe. They will do most of the grading inside. The increase in driveway area is measured in hundredths of cubic feet.

Mr. Hudson asked about the proposed utility pole. He said it looks like it comes off of a number of transformers, and asked if this has been coordinated with the utility company to verify that it is feasible as shown.

Mr. Auger said they haven't coordinated that yet, and would during the home building process. If there is something that needs to be worked out, they'll work with the utility company.

Mr. Hudson said it may be feasible to come off of the next pole up the street, it just may require clearing of trees along the frontage.

Mr. Auger asked which pole he was referring to.

Mr. Hudson said there is a pole between the driveway on Fairway Street.

A brief discussion of pole usage and easement ensued.

Mr. Weber asked if they would be amenable to a stipulation requiring a construction control affidavit that the site matches what was proposed on the plan.

Mr. Auger agreed that they could monitor the detention basin construction.

Mr. Bollinger asked if the garage onsite would be razed as part of this application, and if the new lot would have exclusive driveway access. Would they share a driveway, and would that require an access easement?

Mr. Auger said the existing garage will be razed. There will be a proposed cross-access easement covering the driveway for both parcels. You cannot grant an easement to yourself, so this will

be done when the lot is sold. This is marked down in Note #23 on the plan.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

Mr. Varley asked about a construction control affidavit.

Mr. LeClair said the applicant agreed to one for the detention basin, which is really the only design feature on the plan with regards to stormwater.

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the hearing. He doesn't see any issues with this plan.

Mr. Hudson requested that the drainage waiver be incorporated into the stipulations of approval.

MOTION by Mr. Varley to approve New Business - Subdivision #2. It conforms to §190-138(G) with the following stipulations or waivers:

1. The request for a waiver of § 190-221, which requires underground utilities for new subdivisions, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
2. The request for a waiver § 190-185(B)(1), which requires that there be one shade per 40 linear foot of frontage along public streets and major private streets, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
3. The request for a waiver of § 190-215(B)(1), which requires post development discharge rate not exceed the pre-development discharge rate for the 10-year storm is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
4. Prior to the chair signing the plan, all minor drafting corrections will be made.

5. Prior to recording of the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.
6. Prior to any work and a pre-construction meeting, a financial guarantee shall be approved.
7. Prior to the Chair signing the plans, all comments in an e-mail from Joe Mendola, Street Construction Engineer dated March 17, 2020 shall be addressed to the satisfaction of the Engineering Department.
8. The applicant shall submit a construction affidavit for the stormwater basin to be submitted prior to certificate of occupancy.

SECONDED by Mr. Bollinger

MOTION CARRIED 8-0 (roll call)

NEW BUSINESS - SITE PLANS

None

OTHER BUSINESS

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

MOTION by Mr. Bollinger that there are no items of regional impact.

SECONDED by Mr. Varley

MOTION CARRIED 8-0 (roll call)

2. Referral from the Board of Alderman on proposed Petition for Street Discontinuance - Portion of Palm Street

MOTION by Ald. Tencza to postpone Other Business #2 to the April 23, 2020 meeting

SECONDED by Mr. Varley

MOTION CARRIED 8-0 (roll call)

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3. Referral from the Board of Alderman on proposed Petition for Street-Re-Numbering - Almont Street

MOTION by Ald. Tencza to postpone Other Business #3 to the April 23, 2020 meeting

SECONDED by Mr. Varley

MOTION CARRIED 8-0 (roll call)

DISCUSSION ITEMS

MOTION to adjourn by Mr. Weber at 8:14 PM.

MOTION CARRIED 8-0 (roll call)

APPROVED:

Mr. LeClair, Chair, Nashua Planning Board

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Prepared by: Kate Poirier

Taped Meeting