

NASHUA CITY PLANNING BOARD  
STAFF REPORT

*AMENDED 04/29/2021*

TO: Nashua City Planning Board  
FROM: Linda McGhee, Deputy Planning Manager  
*Matt Sullivan, Planning Manager*  
FOR: April 8, 2021  
RE: **New Business - Project A21-0046 Site Plan**

**I. Project Statistics:**

Owner: Prabhakar Properties, LLC  
Proposal: Site plan to show a 4,800 sf commercial building  
Location: 537 Amherst Street  
Total Site Area: 0.580 acres (25,277 sf)  
Existing Zoning: HB-Highway Business  
Surrounding Uses: Commercial and residential

**II. Background Information:**

The original structure was built before 1953 and enlarged over time evolving into various commercial uses. The most recent use was a restaurant and consignment store. On November 17, 2016 the Planning Board approved a two lot subdivision and site plan project for NTB Tire and Service Center (Lot 88). As part of that project, Lot 652 was subdivided off, creating the subject property.

On January 26, 2021 the Zoning Board of Adjustment granted a variance to encroach a maximum of 20' into the 20' front yard setback to allow parking spaces to allow this project to move forward.

The approval letters, staff reports and minutes are attached.

**III. Project Description:**

It is being proposed to redevelop Lot 652 to construct a 4,800 sf multi-tenant commercial building consisting of a dental office and a future commercial tenant space along with associated improvements. Access to the site will be provided via the existing curb cut and shared driveway located upon the adjacent Lot 88. Improvements include 27 parking spaces, curbing, sidewalks, utility service extensions, lighting, landscaping and stormwater improvements. There are no wetland or wetland buffers located on site. A stormwater management report was submitted as part of this project (see attached). The overall construction of the site disturbs approximately 26,100 sf of contiguous area; no NHDES Alteration of Terrain Permit is required.

A traffic memo was submitted for this project and indicated that a formal Traffic Impact Report (TIR) is not required as the daily and peak hour trip estimates are below the TIR threshold values; the traffic memo is attached.

Several waivers are being requested. One waiver is from the requirement for a cross access easement with the commercial property to the east (Lot 139). At the time that 531 Amherst Street (Lot 139) received planning board approval on February 3, 2005, a condition of approval was a cross access easement was required. However, the applicant is seeking a waiver to provide a cross access easement to Lot 139.

City staff reviewed the plans; comments are attached.

#### **IV. Staff Recommendations and Findings:**

The Planning Board should make a determination that the plan meets, or does not meet, the requirements outlined in the Site Plan NRO § 190-146(D). The Board should review these prior to making a motion. If the Planning Board chooses to disapprove the plan, specific reasons should be given. If the Planning Board chooses to approve this plan, staff recommends the following stipulations be made part of that approval:

1. The request for a waiver of § 190-209(F), which requires cross access easements between adjacent commercial properties, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
2. The request for a waiver of § 190-172(D)), which requires certain architectural design standards for non-residential buildings, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
3. The request for a waiver of § 190-89(A), which requires lighting levels not exceed 0.2 footcandles along the property line, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
4. Prior to the Chair signing the plan, minor drafting corrections will be made to the plan.
5. Prior to the Chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer dated March 29, 2021 will be addressed to the satisfaction of the Division of Public Works.
6. Prior to the Chair signing the plan, all comments in an e-mail from Mark Rapaglia, Inspector/Investigator dated March 24, 2021, **and subsequent comments by Fire Marshal Adam Pouliot**, shall be addressed to the satisfaction of the Fire Marshal's Office.
7. Prior to the issuance of a building permit the applicant shall give a contribution of \$3,800 to the Amherst Street Traffic Corridor Account as outlined in an e-mail dated April 1, 2021 from Wayne Husband, P.E.
8. Prior to any work and a pre-construction meeting, a financial guarantee shall be approved.
9. Prior to the issuance of a certificate of occupancy, all off-site and on-site improvements will be completed.