

NASHUA CITY PLANNING BOARD
STAFF REPORT
Amended on
9/3/2021 & 9/22/2021

TO: Nashua City Planning Board
FROM: Scott McPhie, Planner 1
FOR: October 7, 2021
RE: **New Business – Project A21-0177 Subdivision Plan**

I. Project Statistics:

Owners: Jigna & Sachin Patel
Proposal: Relocation of drainage easement
Location: 69 Cherrywood Drive
Total Site Area: 12,900 sf
Existing Zoning: R40-Rural Residence & FUOD Flexible Use Overlay District
Surrounding Uses: Residential

II. Background Information:

The original phase six approval of the Carriage House Common at Maplewood occurred on March 17, 2005. Lot 2755, also known as 69 Cherrywood Drive, was approved with drainage easement “FF” taking up a good portion of the backyard. It has come to the attention of the owner if the easement were moved further to the back lot line it still would be able to function and he could better utilize his property. The owner will need to seek relief from the Zoning Board of adjustment for driveway width and *the presence of a shed located in two setbacks.*

III. Project Description:

The purpose of this plan is to move the drainage easement from its present locations, shown on original subdivision plan 3289, to the location shown on the new plan set as surveyed by Jeffrey Land Services. The stamped Topography line plan shows current conditions after the back yard Gazebo area was added. The new metes and bounds description of the drainage easement has been provided and *recording* the updated easement is part of the approval. No other changes to the site are proposed. Building permit issues related to the Backyard/Gazebo will need to be resolved. Pages 1,8, and 10 of the original subdivision 3289 have been provided.

Four waivers are requested. The first waiver is from the requirement to show multiple physical features on site and within 1,000 feet of the subdivision. The second waiver request is for plan scale and size. The third waiver requires a traffic letter, the fourth the production of a drainage study.

City Staff reviewed the plans; comments are attached.

Staff Recommendations and Findings:

The Planning Board should make a determination that the plan meets, or does not meet the requirements outlined in the Subdivision NRO § 190-138(G). 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 stipulation be made part of that approval:

1. The request for a waiver of § 190-282(B)(9), which requires physical features on site and within 1,000 feet, **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 § 190-282(A), which requires plan submittal to be a certain scale and size, **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 § 190-283, which requires a traffic letter or report, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
4. The request for a waiver of § 190-282(B) 25, which requires a drainage letter or study, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
5. Prior to the Chair signing the plan, all minor drafting corrections will be made.
6. *Prior to the Chair signing the plan, the owner's surveyor will prepare an application to the Nashua Zoning Board to seek relief for driveway width and for a shed located in two setbacks.*
7. Prior to the Chair signing the plan, the electronic plan file of the subdivision shall be submitted to the City of Nashua.
8. Prior to the Chair signing the plan, all remaining building permit issues should be being addressed.
9. *Prior to recording the plan, the applicants legal representative will prepare an updated drainage easement document reflecting the new metes and bounds description and any other required details to be reviewed by City Staff and recorded with the plan at the applicant's expense.*

10. Prior to recording the plan, stormwater documents will be submitted to planning staff for review and recorded with the plan at the applicants expense.
11. 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.