The regularly scheduled meeting of the Nashua City Planning Board was held on June 6, 2019 at 7:00 PM in the 3rd floor auditorium in City Hall.

Members Present: Gerry Reppucci, Acting Chair
Mike Pedersen, Mayor’s Rep.
Maggie Harper, Acting Secretary
Ald. David Tencza
Steve Dookran, City Engineer

Also Present: Roger Houston, Planning Director
Linda McGhee, Deputy Planning Manager
Scott McPhie, Planner I

MOTION by Mr. Pedersen for Mr. Reppucci to act as Chair tonight and Ms. Harper to act as Secretary.

SECONDED by Ald. Tencza

MOTION CARRIED 5-0

Approval of Minutes

June 6, 2019

MOTION by Ald. Tencza to approve the minutes of the June 6th, 2019 meeting.

SECONDED by Mr. Pedersen

MOTION CARRIED 5-0

COMMUNICATIONS

Mr. Houston went over the following items that were received after the case packets were mailed:

• Amended agenda
• Email re: Case #1 to postpone until July 11th
• Email from Fieldstone Land Consultants re: Case #4, with waivers and revised plan
• Email from Engineering Dept. re: Case #6, revised comments
• Emails re: Other Business #3 & #4, to postpone to July 11th
• Workshop on Housing Advocate Training, June 24th

REPORT OF CHAIR, COMMITTEE & LIAISON

None

PROCEDURES OF THE MEETING

Mr. Reppucci 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

None

NEW BUSINESS – SUBDIVISION PLANS

1. Public Service Co of NH and City of Nashua (Owners) – Application and acceptance of proposed lot line relocation plan. Property is located at 3 & 21 Pine Street Ext. Sheet 77 - Lots 2A & 17. Zoned "GI/MU" General Industrial/Mixed Use. Ward 4. *(Postponed to the July 11, 2019 meeting)*

For the purposes of discussion, Case #2, Case #3, Case #4, and Case #5 were considered together.


3. John J. Flatley Company (Owner) – Application and acceptance of proposed site plan amendment to NR2165 to show a lot line relocation. Property is located at 100-326 Innovative Way Sheet A - Lot 798. Zoned "PI" Park Industrial and "RC" Urban Residence. Ward 8.

NEW BUSINESS – SITE PLANS

5. John J. Flatley Company (Owner) – Application and acceptance of proposed site plan amendment to NR1256 to show a lot line relocation. Property is located at 10 Tara Boulevard. Sheet A - Lot 713. Zoned "PI" Park Industrial. Ward 8.

MOTION by Mr. Pedersen that all four applications are complete and the planning board is ready to take jurisdiction.

SECONDED by Ms. Harper

MOTION CARRIED 5-0

Chad Branon, Project Engineer, Fieldstone Land Consultants PLLC, 206 Elm St, Milford NH

Mr. Branon introduced himself to the Board as representative for the City of Nashua. He also introduced Kevin Walker of the John J. Flatley Company.

Mr. Branon said that all four applications are related to a proposed climate controlled self-storage facility at Gateway Hills. In order to create a separate parcel for the development, they have to amend two existing site plans, subdivide a property, and obtain site plan approval for the new facility.

Mr. Branon said Staff has asked them to address the site plan amendments first, followed by the subdivision request, and then finish with the proposed site plan.

Mr. Branon started with the site plan amendment for parcel A-798. This parcel is part of the larger Gateway Hills, and formally known as the Nashua Technology Park. The Flatley Company has acquired a number of parcels over the years, amounting to roughly 400-acres of contiguous land. Gateway Hills is a mixed use development property with professional offices, research and development buildings, retail space, a hotel, multifamily housing, and recreational spaces. Gateway Hills is serviced by one public road, Tara Blvd, and three private roads known as Innovative Way, Research Dr, and Digital Dr. This proposal would reduce the parcel size by 1.1 acres, for a final size of 128.62 acres. This new area will partially accommodate the new self-storage facility parcel. This application is simply for the movement of a lot line. There are no changes proposed to the property, besides changing the size of the property itself.
Mr. Branon said they are requesting two waivers in this application. The first waiver is from § 190-282(A) which requires drafting standards to be no smaller then 50-feet to one inch. The second waiver is from NRO §190-282(B)(9), which requires the plan to depict physical features within 1,000 feet of the site. They do not object to any stipulations in the Staff report.

Mr. Branon said the second site plan amendment pertain to parcel A-713. This site plan amendment consists of modifications to parcel A-713. This parcel is located at 10 Tara Blvd, and is comprised of 10.11 acres. The site is occupied by an office building with associated site improvements. This site plan amendment proposes to reduce the size of the property by 1.12 acres for a total size of 8.99 acres. The new area will partially accommodate the new self-storage facility. There are no changes proposed to the property besides reducing the size of the property.

Mr. Branon said that in this application they are requesting a waiver from NRO §190-282(B)(9), which requires the plan to depict physical features within 1,000 feet of the site. They have depicted everything onsite and within vicinity of the site, but not within 1,000-ft. They do not object to any stipulations in the Staff report.

Mr. Branon said the third application pertains to the proposed subdivision. They propose to take the land listed above from parcels A-798 and A-713 and create a new lot. This lot will consist of 2.22 acres, and have access off of Innovative Way. The proposed lot A-1018 will be created to accommodate the new self-storage facility. To their knowledge, this lot will comply with all ordinances. They do not object to any stipulations in the Staff report.

Mr. Branon said they are requesting two waivers in this application. The first waiver is from § 190-282(A) which requires drafting standards to be no smaller then 50-feet to one inch. The second waiver is from NRO §190-282(B)(9), which requires the plan to depict physical features within 1,000 feet of the site.

Mr. Branon said the last application is for the site plan of proposed lot A-1018. They propose to develop the lot as a 73,440-sq.ft. climate controlled self-storage facility. The facility will be three-stories high along the front, and four-stories high in the rear, in effect creating a walk-out
basement. The site improvements will include reconfiguring existing parking to provide better traffic flow and 47-parking spaces for the facility, including 2 handicap spaces. They have reviewed the application with Fire Dept. and made modification to address their concerns. They also worked with Engineering Dept. to review site design and stormwater management design. Stormwater management will be mitigated with a stormwater basin along the south side of the proposed parcel. The southeast part of the property will see a reduction in impervious surfaces due to the reconfigured parking. They meet city requirements, and have gone through Engineering Dept. review. Lighting will utilize existing onsite lights with the addition of mounted building lighting. They have submitted a landscaping report. The site will be serviced by municipal sewer, Pennichuck water, and Natural gas.

Mr. Branon said there are wetland buffer impacts associated with this project, mainly due to the utility extensions and the construction of the stormwater mitigation measures. They received a favorable review from the Conservation Commission. At the March 26, 2019 the Zoning Board granted a special exception for the request. This plan complies with all of the conditions imposed by both boards. They do not object to any stipulations in the Staff report.

Mr. Branon said they are requesting three waivers in this application. The first waiver is from NRO §190-282(B)(9), which requires the plan to depict physical features within 1,000 feet of the site. The second waiver is from NRO § 190-198, which requires minimum parking standards for the site. The parking requirements are equal to that of office space, which requires one parking space per 1,000-ft, and therefore would require 73 parking spaces on the new parcel. They will have in place a parking agreement between parcels A-1018 and A-713. When the parking agreement is established they will have additional parking available above the required number. The third waiver is from NRO § 190-172(C), which requires varied rooflines. The architecture proposed is similar to surrounding structures that also obtained the waiver.

Mr. Reppucci pointed out staff indicated earlier today some of the Staff reports have erroneous dates in them, and should all be dated June 20, 2019.

Ald. Tencza asked how many parking spots will be left on the pre-existing parcel (A-713), and how many are required.
Mr. Branon said the minimum requirement per the ordinance is 158 parking spaces. Lot A-713 will have 554 spaces remaining after the subdivision therefore meeting the ordinance requirements. Parking between the two lots will be 601 spaces, far exceeding the minimum. What is important is how it actually functions. The parking lot in the back is primarily vacant, and the building is 90% occupied. They are very comfortable that there is adequate parking onsite.

Mr. Pedersen said that the plans refer to the new proposed lot as lot A-1016.

Mr. Branon said they submitted revised plans correcting the error.

Mr. McPhie said the updated map is in your packet tonight.

Mr. Dookran said on the subdivision plan one of the stipulations is about blasting, stipulation #7. He thinks that stipulation should be on the new site plan. Mr. Dookran said stipulation #8 on the subdivision plan states the applicant shall provide a public and emergency cross access easement in the event that the lots are sold. On the existing conditions plan there is pedestrian access through the parcels, so there should be a conditional access easement as well. Mr. Dookran said there will be utilities crossing parcels. There should an easement for utilities, drainage, and anything that crosses across the boundaries. Mr. Dookran referred to the shared parking, and said that the new property line would go right across the parking lot. There needs to be an easement in the event that one of the lots is sold.

Mr. Branon said absolutely. They have agreed to the easement. He said that they do a blanket easement for utilities on the property, so he thinks that they can address all of those comments.

Mr. Dookran noted that there is a minor change on parcel A-798 to change the crosswalk.

Mr. Branon said yes, there was an engineering comment relative to making some changes to the crosswalk.

Mr. Dookran said parcel A-713 has minor changes for curbing, so this is more than a lot line change.
Mr. Branon said yes, it is a matter of the sequence of the applications they presented. The order was the amended site plans, the subdivision, and the new site plan. When they talk about the major changes to the amended site plans, they’re really talking about area swaps. With the self-storage facility there are internal changes, but at that time they are making revisions to the site from a stormwater standpoint to mitigate those changes.

Mr. Dookran asked if A-713 will be left 554 parking spaces.

Mr. Branon said correct.

Mr. Dookran said there should be some parking counts on that site plan.

Mr. Branon said that there is a parking calculation in the notes on that site plan.

Mr. Reppucci asked if there was anything additional they should stipulate.

Mr. Dookran said he would like to see the blasting stipulation transferred to the site plan. He would also like to see the blanket easement be outlined and reflected somewhere on the subdivision plan.

Mr. Branon suggested a condition that the applicant works with Staff to provide the appropriate easement documents for the proposal. That could be a condition on the subdivision and site plan.

Mr. Pedersen asked if the climate controlled self-storage facility will have a location for trash storage and pick-up.

Mr. Branon said they are not proposing dumpsters onsite. They have a couple of compactors within the Gateway Hills facility, so the property management will utilize that for the office space. People will be responsible for taking their own trash and possessions from the storage units themselves.

Mr. Pedersen asked, instead of leaving it for the management company?

Mr. Branon said correct. If people left things behind, the management company would have to deal with it and there would be costs associated with it.
Mr. Reppucci closed the public hearing and moved into the public meeting.

Mr. Reppucci said the application was well represented and it is clear to him in what their intention is. He didn’t see anything that would make him wonder if there was something deficient in some way.

Ald. Tencza said that with the development of multifamily apartments in the area, this will fit in with the character of the area. It looks like self-storage is necessary.

Mr. Reppucci said that in regards to parking typically self-storage is a low intensity use. He feels comfortable that they are more than covered.

**MOTION** by Mr. Pedersen 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 § 190-282(A), which sets the minimum scale for subdivision plans, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.

2. The request for a waiver of § 190-282(B)(9), which requires an existing conditions plan, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.

3. Prior to the chair signing the plan, all minor drafting corrections will be made.

4. Prior to the chair signing 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.

5. Prior to the chair signing the plan, the plan electronic file of the subdivision plan shall be submitted to the City of Nashua.
6. Prior to the Chair signing the plan all addresses shall be shown on the approved site plan.

7. The applicant shall provide a public and emergency cross access easement the full length of the property prior to any of the lots being sold or conveyed to different owners, which shall be reviewed and approved by Corporation Counsel and planning staff, and then recorded.

8. All easements will be submitted to City Staff for review and recorded with the plan.

9. Applicant will work with staff with regards to the easements.

SECONDED by Ald. Tencza

MOTION CARRIED 5-0

MOTION by Mr. Pedersen to approve New Business – Site Plan #3. It conforms to § 190-146(D) with the following stipulations or waivers:

1. The request for a waiver of § 282 (B)(9) which requires one to show all existing features within 1000-feet 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 of § 190-282(A) which requires drafting standards to be no smaller then 50-feet to one inch, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.

3. Prior to the issuance of a building permit, all comments in an e-mail from Joe Mendola dated June 4, 2019 will be addressed to the satisfaction of the Engineering Department.

4. Prior to the Chair signing the plan, minor drafting corrections will be made.

SECONDED by Ms. Harper

MOTION CARRIED 5-0

MOTION by Mr. Pedersen to approve New Business – Site Plan #4. It conforms to § 190-146(D) with the following stipulations or waivers:

1. The request for a waiver of NRO § 190-279 (EE), which requires existing conditions to be shown, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
2. The request for a waiver of NRO § 190-198, which requires minimum parking standards for the site, 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 NRO § 190-172(C), which requires varied rooflines, 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 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.

5. Prior to the Chair signing the Plan, stormwater documents will be submitted to the Planning Department for review and will be recorded at the Registry of Deeds at the applicant’s expense.

6. Prior to the Chair signing the plan all addresses shall be shown on the approved site plan.

7. Prior to the Chair signing the plan, minor drafting corrections will be made.

8. All other areas to remain wooded and undisturbed shall be flagged with a no cut tape prior to any site work or tree cutting.

9. Prior to the issuance of the first building permit all comments in an e-mail from Mark Rapaglia, dated April 30, 2019 shall be addressed to the satisfaction of the Fire Marshal.

10. Prior to the issuance of a building permit, all comments found in an e-mail from Joe Mendola, PE dated May 17, 2019 will be resolved to the satisfaction of the Engineering Department.

11. Prior to the issuance of a certificate of occupancy all temporarily disturbed wetland buffers will be restored and wetland markers installed to delineate the buffer area as required under Section 190-116(B).

12. All Zoning Board of Adjustment (ZBA) conditions of approval are incorporated herein as indicated in the enclosed March 27, 2019 letter.

13. If blasting will occur as part of any construction activities, that the applicant submit a pre-blasting and post blasting survey

SECONDED by Ald. Tencza
MOTION CARRIED 5-0

MOTION by Mr. Pedersen to approve New Business – Site Plan #5. It conforms to § 190-146(D) with the following stipulations or waivers:

1. The request for a waiver of § 282 (B)(9) which requires one to show all existing features within 1000-feet for new subdivisions, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.

2. Prior to the issuance of a building permit, all comments in an e-mail from Joe Mendola dated June 4, 2019 will be addressed to the satisfaction of the Engineering Department.

3. Prior to the Chair signing the plan, minor drafting corrections will be made.

SECONDED by Ald. Tencza

MOTION CARRIED 5-0

NEW BUSINESS – SITE PLANS

6. Walnut Nashua, LLC (Owner) - Application and acceptance of proposed site plan to change the use of the existing building from court house to offices and show a 13,666 sf building addition and associated site improvements. Property is located at 25 Walnut Street. Sheet 80 - Lot 93. Zoned "D1/MU" Downtown 1/Mixed Use. Ward 4.

MOTION by Ald. Tencza that the application is complete and the planning board is ready to take jurisdiction.

SECONDED by Mr. Pedersen

Jim Petropulos, Project Engineer, Hayner/Swanson, Inc, 3 Congress St, Nashua NH

Mr. Petropulos introduced himself to the Board as representative for the owner, 25 Walnut LLC. They are seeking a site plan approval for a building addition and change of use.

Mr. Petropulos described the proposal. The property is an oval-shaped, 1.2 acre site, and is surrounded completely by Walnut St, Chestnut St, Central St, and Factory St. The most immediate abutters are Clocktower Apartments to the north, some commercial properties to the east, an auto retailer to the south, and a
commercial building to the west. This property is located in the Downtown-1/Mixed Use zone, which blankets much of the downtown area. He said it gives the Planning Board much authority in regards to dimensional criteria and land use.

Mr. Petropulos said this is the former site of the Nashua District Court, constructed in the late 1970s. It contains a 2-story structure with a basement, and 34 parking spaces. Access to the site is off of Walnut St. The building has been vacant since 2010.

Mr. Petropulos said their proposal is to change the use from courthouse to office, and to propose a 2-story 14,327-sqft addition along the eastern side of the side. The first floor will be parking for employees, with 17 parking spaces on the first level. The second story will be roughly 7,000-sqft of office space connected to the existing building. Access will remain off of Walnut St. They will provide new lighting and landscaping onsite. The project adds about 1,900-sqft of new pavement, and they are using a leaching basin at the southern end to handle the additional runoff. He said that the current building will be completely renovated as well, and new offices will be added.

Mr. Petropulos showed the new architectural drawings, which will attempt to match the current building. They submitted a traffic impact report with comparison to the former use, and the office use will produce 50 fewer cars than the courthouse facility. The applicant hopes to begin site improvements and construction in summer 2019 so that it can be occupied by spring 2020.

Mr. Petropulos said that this project required a site plan suitability report. He said the redevelopment of this vacant building is consistent with the goals and objectives of the mixed use overlay district. They are maintaining a significant character, size, and scale of the building. There are economic benefits, and he believes there will be a long term positive impact. They are requesting no waivers, and agree to all stipulations outlined in the Staff Report.

Mr. Reppucci asked if they think the parking requirement will be satisfied onsite.

Mr. Petropulos said that the site plan suitability report identifies the prospective tenant as Pennichuck Water Works Inc. They currently have roughly 65 parking spaces, and this site would provide 52. There are 19 street parking spaces along the
oval, as well as the High Street parking garage nearby. They believe there will be enough parking available. Some of the spaces will be designated as visitor parking, for those who still pay their bills in person.

Mr. Reppucci asked if this would be administrative, not mechanical stuff.

Mr. Petropulos said yes. This is the first step towards bringing Pennichuck Water Works back into the downtown area. That is the hope.

Ald. Tencza said that part of the area by Factory St and Walnut Street is closed off and no longer in use. This proposal seems to continue the current design. Is the applicant not requesting the city change the traffic pattern?

Mr. Petropulos described the area, sectioned off and painted into a sort of urban park. They are not proposing to touch anything outside of the property lines.

**SPEAKING IN OPPOSITION OR CONCERN**

None

**SPEAKING IN FAVOR**

None

Mr. Reppucci closed the public hearing and moved into the public meeting.

Mr. Reppucci said that nothing could be worse than the traffic impact of the courthouse while it was in operation at that site. He sees this development as a bonus to the city. He doesn’t feel quite comfortable with the amount of parking, but he doesn’t have any reason to object to it. He thinks the presentation is reasonable considering the limitations of the site.

Ald. Tencza agreed with Mr. Reppucci. This is an underutilized piece of land.

**MOTION** by Ald. Tencza to approve New Business – Site Plan #6. It conforms to § 190-146(D) with the following stipulations or waivers:
1. Prior to the Chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer dated June 19, 2019 shall be addressed to the satisfaction of the Engineering Department.

2. Prior to the Chair signing the plan, minor drafting corrections will be made.

3. Any work in the right of way shall require a financial guarantee.

SECONDED by Mr. Pedersen

MOTION CARRIED 5-0

7. Fab-Braze Corp (Owner) U-Haul Co. of Eastern Massachusetts (Applicant) – Application and acceptance of proposed amendment to NR1314 to renovate existing 19,450 sf 1-story industrial building for use as a truck leasing and self-storage facility and construct a new 76,000 sf 2-story self-storage building with associated site improvements. Property is located at 476 and "L" Amherst Street. Sheet H - Lot 23 & 116. Zoned "PI/MU" Park Industrial/Mixed Use and "HB" Highway Business. Ward 2. (Postponed to the July 11, 2019 meeting)


OTHER BUSINESS

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

MOTION by Ald. Tencza that there are no items of regional impact.

SECONDED by Mr. Pedersen

MOTION CARRIED 5-0

2. Referral from the Board of Aldermen on Proposed R-19-147, Authorizing Purchase and Sale of City land at 21 Pine Street (Map 77, Lot 17) and land of Public Service Company of New Hampshire d/b/a Eversource Energy at 3 Pine Street Extension (Map 77, Lot 2A). (Postponed to the July 11, 2019 meeting)
3. Referral from the Board of Aldermen on Proposed R-19-148, Amending the authorization for the sale of land on Bridge Street and Sanders Street. (Postponed to the July 11, 2019 meeting)

4. Referral from the Committee on Infrastructure – Petition to Release Façade Easement.

Mr. Houston referred the Board to Attorney Prolman’s email asking this to be tabled to the Board’s July 11th meeting. He stated that the staff would provide information on the property to the Board at their next meeting to assist in their recommendation to the PEDC. He suggested that the Board send the petition to the Historic District Commission because of their expertise in Historic buildings in case they had any opinion or recommendation so they could convey their thoughts, if any, directly to the PEDC for their meeting on July 24th.

MOTION by Mr. Reppucci to forward Other Business – Case #4 to the Historic District Commission.

SECONDED by Mr. Pedersen

MOTION CARRIED 5-0

DISCUSSION ITEMS

None

MOTION to adjourn by Mr. Reppucci at 8:11 PM.

SECONDED by Ald. Tencza

MOTION CARRIED 5-0

APPROVED:

Mr. LeClair, Chair, Nashua Planning Board

DIGITAL RECORDING OF THIS MEETING IS AVAILABLE FOR LISTENING DURING REGULAR OFFICE HOURS OR CAN BE ACCESSED ON THE CITY’S WEBSITE.

DIGITAL COPY OF AUDIO OF THE MEETING MAY BE MADE AVAILABLE UPON 48 HOURS ADVANCED NOTICE AND PAYMENT OF THE FEE.

Prepared by: Kate Poirier
Taped Meeting