

EXPANDED DRAFT MEETING SUMMARY
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NASHUA CITY PLANNING BOARD
March 5, 2026

The regularly scheduled meeting of the Nashua City Planning Board was held on March 5, 2026 at 7:00PM in the 3rd floor auditorium in City Hall.

Members Present: Bob Bollinger, Chair
 Cameron Green, Secretary
 Dan Hudson, City Engineer
 Ald. Patricia Klee
 Benjamin Zoller, Alt.

Also Present: Sam Durfee, Planning Manager
 Connor Muise, Deputy Planning Manager
 Scott McPhie, Planner I

APPROVAL OF MINUTES

February 5, 2026

MOTION by Ald. Klee to approve the minutes, as written

SECONDED by Mr. Hudson

MOTION CARRIED 5-0

COMMUNICATIONS

None

REPORT OF CHAIR, COMMITTEE, & LIAISON

None

PROCEDURES OF THE MEETING

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 that 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.

NEW BUSINESS - CONDITIONAL USE PERMITS

A26-0026 John J. Flatley (Owner & Applicant) requesting conditional use approval for a flex space (office and warehouse building) with no outside storage. The property is located at L Shakespeare Rd. Map A - Lot 986. Zoned Park Industrial (PI). Ward 8. **(Postponed to April 2, 2026 by Applicant request)**

A26-0012 ARBI Farms, LLC (Owner & Applicant) requesting conditional use and site plan approval for a 41,000 SF charitable gaming facility, five-story parking garage, and associated site improvements. The property is located at 11 Tara Boulevard. Map A. Lot 333. Zoned Park Industrial (PI). Ward 8. **(Postponed to April 2, 2026 by Applicant request)**

NEW BUSINESS - SUBDIVISION PLANS

A26-0006 Conote, LLC (Owner & Applicant) requesting approval for a 7-lot subdivision, with associated stormwater improvements. The property is located at 164 Tinker Road. Map G - Lot 443. Zoned Rural Residence (R-40). Ward 2.

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

SECONDED by Mr. Zoller

MOTION CARRIED 5-0

Paul Chisholm, Civil Engineer, Keach Nordstrom Associates, 5 Commerce Park N, Bedford, NH

Mr. Chisholm introduced himself on behalf of the applicant. We are proposing a 7-lot subdivision, each lot will have its own single family home. There will be a short cul-de-sac road called Chimney Stack Way. The lots will be serviced by public utilities.

Mr. Chisholm said this project comes with a compliant stormwater management plan. Some grading work will need to occur to provide adequate sight distancing for the road, and some vegetation will need to be removed. We are creating easements to the left and right of the road on each lot to maintain good sight lines. We are proposing street trees and a shrub plan. There are three waivers, as detailed in the staff report. We have reviewed the staff report, and found no issues.

Mr. Bollinger asked if the sight line easements would be granted to the city.

Mr. Chisholm said he's happy to work through the language of it with Division of Public Works, Engineering, and Planning. He would like to put the onus on the homeowner to keep it clear.

Mr. Bollinger said the grading is the best benefit, there's a lot of buildup out there. It is kind of a blind curve there right now, it might be better to clear that sooner than later during construction.

Ald. Klee said on the GIS map the property looks fairly close to 158 Tinker Road, to the south. Will they be building any homes close to that?

Mr. Chisholm said he thinks the homes will sit somewhere in the middle of the lots. The further back you go there is a grade change, there's a balance with the earthworks. It would benefit the developer and homeowner to keep some vegetation. That said, anyone can come in and change it to suit the future landowner.

Ald. Klee asked if they have not designed the homes, only the lots.

Mr. Chisholm said correct.

Ald. Klee asked how much vegetation will remain in the south.

Mr. Chisholm said that's about 25-ft up from where the road will be, it will be hard to get far back there.

Mr. Bollinger asked if this meets all requisite setbacks.

Mr. Chisholm said yes. We don't anticipate any variances, there is enough space to build a substantial building. Anyone can propose anything, but there are too many challenges to realistically overcome.

Ald. Klee asked if there are sidewalks across the street, and why this needs a waiver to construct them.

Mr. Durfee said it would be a waiver for the construction of sidewalks on the new cul-de-sac, not Tinker Road.

Mr. Zoller said in regards to the stormwater drainage design, did they assume a maximum footprint for the homes?

Mr. Chisholm said we don't know exactly what will be on these properties, but the standard practice is to assume a 60x40' box. That's essentially a 2,400-sqft footprint, that's very healthy margin. This is a realistic assumption, he is comfortable with that they have.

SPEAKING IN OPPOSITION OR CONCERN OR WITH QUESTIONS

Benjamin Workinger, 12 Adella Dr, Nashua NH

Mr. Workinger said he sent an email with some questions.

Mr. Bollinger said his email was part of their case packet.

Mr. Workinger said he was given an answer to the easement that passes through 12 and 14 Adella, and that it would not be used. His other question was regarding vegetation and sight lines. Will there be any other buffer toward the back? Will more trees be taken down? He is not against the project.

SPEAKING IN FAVOR

None

APPLICANT REBUTTAL

Paul Chisholm, Keach Nordstrom Associates

Mr. Chisholm said in terms of the utility easement, that is actually not an easement; that is a right of way. When Adella Drive was created there was a 50-ft right of way. It doesn't make any sense to use it; you end up using a lot of road for really no benefit. We have good access to utilities from Tinker Road, that's not a part of this project.

Mr. Chisholm said in regards to the buffer, he would imagine there are some additional trees that will be taken down, especially the large one at the end of the cul-de-sac. The footprints on our plan are just a proof of concept that the lots can support a home. The existing condition plan shows the tree line, he doesn't envision cutting to the property line. But who knows what might happen 20-years down the road.

Mr. Bollinger asked if there is a 40-ft elevation change to the rear of the property.

Mr. Chisholm said it's about 30-ft.

Mr. Bollinger asked if the intent is to work within that to the extent that they can, not to level the lot.

Mr. Chisholm said correct. Someone could come in and want that, but that costs money and other resources to put in.

Mr. Green asked if the assumption is a 2,500-sqft footprint and two stories, to make 5,000-sqft homes.

Mr. Chisholm said yes, basically. We pick a relatively large footprint for stormwater purposes. The key is the correct amount of impervious surface.

Mr. Bollinger said the homes are speculative, the true footprint will not be known until a builder comes forward.

Mr. Chisholm said they will have to comply with all zoning and building regulations.

Mr. Hudson asked if he can confirm that all infrastructure and public right of way will be constructed by the developer.

Mr. Chisholm said yes.

Mr. Hudson said that would be necessary before the city accepts this as a public street. He appreciates the conceptual grading, if there are changes that change the drainage pattern so that the plan system doesn't work the way it was intended, that would be grading that we would require changes to.

Ald. Klee said relative to the right of way between 12 and 14 Adella Drive, nothing stops then from putting a road through, correct?

Mr. Chisholm said it's the city's right of way.

Mr. Bollinger said it's not an easement, it's a right of way.

PUBLIC MEETING

Mr. Bollinger closed the public meeting and opened the public meeting. He said overall the applicant provided good documentation. He lives in this area and they have alleviated any concerns he had about sight distance. He is in favor.

Mr. Zoller said there is some precedent for lighting at the end of cul-de-sacs. There is a light at the end of Fireside Circle on the opposite side of the road.

Mr. Bollinger said that is a good point.

Mr. Zoller said there would be a light at the beginning of the cul-de-sac.

Mr. Bollinger said the waiver was with respect to drafting a full lighting plan.

Mr. Zoller said there is only a hydrant on the cul-de-sac.

Mr. Bollinger said we can reopen the hearing to ask the applicant.

Mr. Green said it doesn't substantially change his opinion of the plan.

MOTION by Ald. Klee to reopen the hearing

SECONDED by Mr. Zoller

MOTION CARRIED 5-0

Mr. Chisholm said they are not proposing anything new. The light that is existing is on Tinker now. The light on Fireside is on a utility pole. We don't have any utility poles, all the utilities are underground. We don't know if the cost benefit ratio makes sense, but there wouldn't be any heartburn if we have to install one. These will be nicer homes, we feel there will be exterior lights on the lots.

PUBLIC MEETING II

Mr. Bollinger closed the public meeting and opened the public meeting. He said the existing conditions waiver is fairly common, he has no issues. They are offering a payment in lieu for sidewalk construction, he has no issue with that. In regards to lighting, he thinks Mr. Chisholm's point is well taken. That said, if it's appropriate to consider a light, he is all ears.

Mr. Zoller said it is a valid point, there is a lot of lighting on homes in the area. That would be satisfactory. He would be in favor of the waiver.

Mr. Bollinger said it would also be the lighting of the road. In this case he wouldn't be overly concerned. He appreciates Mr. Zoller bringing light to this matter.

MOTION by Mr. Green to approve the following waivers for New Business - Subdivision Plan A26-0006:

- a. §190-282, B. (9): To waive the requirement to show existing conditions within 1000' of property boundaries;
- b. b. §190-275: To waive the requirement that a lighting plan to be submitted for subdivision approval.
- c. c. §190-212 (A)(1): To waive the requirement that a sidewalk be located on at least one side of the street, and provide a payment in lieu of \$17,500.

As per RSA 674:36(II)(N), RSA 674:44(III)(e), and §190-148(D), Strict conformity would pose an unnecessary hardship to the Applicant and the waiver would not be contrary to the spirit and intent of the regulations; and specific circumstances, or conditions of the land, and the waiver will properly carry out the spirit and intent of the regulations.

SECONDED by Mr. Hudson

MOTION CARRIED 5-0

MOTION by Mr. Green to approve A26-0006 - Subdivision Plan. The Board finds that the application meets the Approval Criteria under §190-138(G) with the following conditions:

- a. All conditions from the approval letter will be added to the cover page of the plan.
- b. Any waiver(s) granted shall be listed on the plan. Should any waiver(s) be denied, the plan must be revised to comply with the applicable site plan regulations.
- c. All conditions from the Planning Board decision letter will be added to the plan.
- d. The plan set shall be sealed and signed by a New Hampshire licensed land surveyor.
- e. All proposed demolition activities require inspections for the presence of asbestos-containing materials prior to Environmental Health's sign-off on Nashua's Building Safety Department's Demolition Permit Approval Form. If any asbestos-containing materials are found, they must be abated and documented according to state and local regulations.

- f. Prior to the recording of the final plan, all technical review comments listed in Section 5 of the Planning Board staff report shall be addressed to the satisfaction of the Planning Department.
- g. Prior to the recording of the final plan, all outstanding review comments from the Engineering Department shall be addressed to the satisfaction of the Division of Public Works.
- h. Prior to the recording of the final plan, all comments from the Fire Inspector, in a letter dated, February 9th, 2026, shall be addressed to the satisfaction of the Fire Marshal's Office.
- i. Prior to the recording of the plan, a CAD file depicting the new lot line configuration shall be submitted to the Planning Department.
- j. Following signature of the final plat by the Planning Board Chair, the Applicant shall submit recording fees required by the Hillsborough County Registry of Deeds for the plat to be recorded.
- k. Prior to the commencement of site work, a pre-construction meeting shall be held, and a financial guarantee, to be reviewed and approved by City staff, shall be in place.
- l. Prior to the issuance of a building permit, driveway plans shall be submitted and approved by the Engineering department
- m. Prior to the issuance of a Certificate of Occupancy, all relevant stormwater documents shall be recorded at the Applicant's expense.
- n. Prior to the issuance of a Certificate of Occupancy, all site improvements will be completed in accordance with the approved plan.
- o. Prior to the issuance of a Certificate of Occupancy, school impact fees shall be paid for the newly created residential lot, in accordance with Article VIII Impact Fees of the Nashua Land Use Code.

SECONDED by Mr. Zoller

MOTION CARRIED 5-0

NEW BUSINESS - SITE PLANS

A26-0010 John J. Flatley (Owner & Applicant) requesting approval of a site plan amendment to move a proposed building forward 40' and update associated grading and site improvements. The property is located at L Shakespeare Rd. Map A - Lot 986. Zoned Park Industrial (PI). Ward 8. **(Postponed to April 2, 2026 by Applicant request)**

A26-0013 ARBI Farms, LLC (Owner & Applicant) requesting conditional use and site plan approval for a 41,000 SF charitable gaming facility, five-story parking garage, and associated site improvements. The property is located at 11 Tara Boulevard. Map A. Lot 333. Zoned Park Industrial (PI). Ward 8. **(Postponed to April 2, 2026 by Applicant request)**

OTHER BUSINESS

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

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

SECONDED by Mr. Ald. Klee

MOTION CARRIED 5-0

DISCUSSION ITEMS

ReCode Update: Postponed

MOTION to adjourn by Mr. Zoller at 7:37 PM

MOTION CARRIED 5-0

DIGITAL RECORDING OF THIS MEETING IS AVAILABLE FOR LISTENING DURING REGULAR OFFICE HOURS. DIGITAL COPY OF AUDIO OF THE MEETING MAY BE MADE AVAILABLE UPON 48 HOURS ADVANCED NOTICE AND PAYMENT OF THE FEE.

Kate Poirier - Taped Hearing