

EXPANDED DRAFT MEETING SUMMARY
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NASHUA CITY PLANNING BOARD
June 4, 2026

The regularly scheduled meeting of the Nashua City Planning Board was held on June 4, 2026 at 7:00PM in the 3rd floor auditorium in City Hall.

Members Present: Joe MacIntyre, Mayor's Representative
Bob Bollinger, Chair
Adam Varley, Vice Chair
Dan Hudson, City Engineer
Cameron Green, Clerk
Ald. Patricia Klee
Benjamin Zoller

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

APPROVAL OF MINUTES

May 21, 2026

MOTION by Mr. Zoller to approve the minutes, as written

SECONDED by Mr. Varley

MOTION CARRIED 7-0

COMMUNICATIONS

- **A26-0012 & A26-0013, 11 Tara Blvd**
 - o Request to postpone to the June 25, 2026 meeting
 - o Abutter correspondence
- **A26-0077, 55A Middle Dunstable Rd**
 - o Updated staff report
 - o Updated supplemental documentation
- **A26-0084, 11-13 Mulberry St**
 - o Updated staff report
 - o Abutter correspondence
- **Other Business #2, O-26-013**

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.

OLD BUSINESS - CONDITIONAL USE APPLICATIONS

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 the June 25, 2026 meeting by applicant request)**

OLD BUSINESS - SITE PLANS

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 June 25, 2026 by Applicant request)**

NEW BUSINESS - SUBDIVISION PLANS

A26-0071 24 Simon Street Development Corporation (Owner & Applicant) requesting approval for a 2-lot subdivision. The property is located at 24 Simon Street. Map E - Lot 401. Zoned Park Industrial (PI). Ward 4.

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

SECONDED by Mr. Zoller

MOTION CARRIED 7-0

Michael Dalhburg, Surveyor, TF Moran, 48 Constitution Drive, Bedford NH

Mr. Dahlburg briefly described the subject lot. He said the owners wish to subdivide 2.6 acres of land at the northern end. We are asking for one waiver, as detailed in the staff report. We have no issues with the conditions in the staff report.

Mr. MacIntyre asked if this is simply a lot subdivision.

Mr. Bollinger said they showed a hypothetical building but right now this is just a lot subdivision. If they had an actual building, they would be subject to site plan criteria.

Mr. Muise said the applicant put setback lines on the plan, not a building.

Mr. Hudson said condition "d" should be stricken, Engineering did not issue any comments.

Ald. Klee asked if there would be an address change.

Mr. Zoller said 36 Simon Street.

Mr. Muise said that was assigned by the Fire Department.

Mr. Zoller asked if the minimum lot size is adhered to.

Mr. Dahlburg said yes, there are no issues.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. It said this seems pretty straightforward. He did not ask the applicant to speak on the waiver because it's a fairly common one the Board sees. He didn't think there was a lot to be gained by further discussion.

MOTION by Mr. Green to approve the following waivers for New Business - Subdivision Plan A26-0071:

- a. §190-282 (B) (9): To waive the requirement to show existing conditions within 1000-feet of property boundaries;

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 Ald. Klee

MOTION CARRIED 7-0

MOTION by Mr. Green to approve New Business - Subdivision Plan A26-0071. The Board finds that the application meets the Approval Criteria under §190-138(G) with the following conditions:

- a. 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.
- b. The plan set shall be sealed and signed by a New Hampshire licensed land surveyor.
- c. 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.
- d. Prior to the recording of the plan, a CAD file depicting the new lot line configuration shall be submitted to the Planning Department.
- e. 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 plan to be recorded.

SECONDED by Mr. Varley

MOTION CARRIED 7-0

NEW BUSINESS - SUBDIVISION PLANS

A26-0077 Bentley Family Trust (Owner), Marathon Building & Development, LLC (Applicant) requesting approval for a 2-lot subdivision. The property is located at 55A Middle Dunstable Road. Map B - Lot 1614. Zoned B Suburban Residence (R-18). Ward 9.

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

SECONDED by Mr. Zoller

MOTION CARRIED 7-0

Jim Petropulos, Civil Engineer, IMEG Corp, 3 Congress St, Nashua NH

Mr. Petropulos introduced himself on behalf of the applicant. He described the subject lot and surrounding properties. He said a small drain course runs through the property, which is culverted

and heads west. It is a mapped wetland and is also blanketed by a 20-ft drainage easement.

Mr. Petropulos said his firm became involved in this project after the engineer the property owner was working with closed. The project received a variance for minimum lot width from the Zoning Board on August 13, 2024. The project also received a favorable recommendation from the Conservation Commission on April 7, 2026, and a Special Exception from the Zoning Board on May 12, 2026 for wetland buffer impacts.

Mr. Petropulos said the plan is to subdivide the lot into two lots. The current lot will contain the current home and its driveway on the northern half of the property. The new lot will have its driveway off of Middle Dunstable Road, which is a condition of ZBA approval. Our client proposes a narrow 28x50' home. The back of the home is 70-ft from the rear property line to the west, the second ZBA approval condition. There will be 1,290-sqft of wetland buffer impact, which is lawn area today and will remain so after construction. Only one tree was impacted. There are no wetlands being impacted by this proposal. The property will be serviced by municipal sewer and public water. Other than the lot width, the lot conforms to all dimensional standards.

Mr. Petropulos said we are asking for two waivers, as detailed in the staff report. We believe the application is reasonable and conforms to the intent of the Land Use Code. Staff conditions are acceptable. We have received engineering comments, they were fair and he believes we can readily address them.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

Mr. Zoller asked the engineer to speak to the 15-ft wide sewer easement on the plan. Does that service the new building?

Mr. Petropulos said it is a sanitary service running in a northwesterly direction through lot 1614 to get to the gravity sewer in Ridge Road. We are able to service this new lot with gravity. If not, it would have required a lift up into the sewer on Middle Dunstable Rd. That sewer in Ridge Rd is off the shoulder. Middle Dunstable Rd is currently under a street cutting moratorium

for penetration of new trenching. It's a longer distance but it's not a pump and we stay out of the moratorium road.

Mr. MacIntyre thanked Mr. McPhie for the project description and background in the staff report. It was thorough and readable.

Mr. Bollinger said that is the norm, very elaborate site histories.

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. He said this seems very straightforward. He has no issues with either waiver request. As evidenced by them going to the conversation commission they are aware of the wetland area and have done what they can to offset that impact to the extent possible. He is in favor of this.

Mr. Zoller said there is a cobra head in front of the two lots, he doesn't think lighting will be an issue.

MOTION by Mr. Varley to approve the following waivers for New Business - Subdivision Plan A26-0077:

- a. §190-282 (B) (9): To waive the requirement to show existing conditions within 1000-feet of property boundaries;
- b. §190-275: To waive the requirement to provide a lighting plan.

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 Ald. Klee

MOTION CARRIED 7-0

MOTION by Mr. Varley to approve New Business - Subdivision Plan A26-0077. 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. The plan set shall be sealed and signed by a New Hampshire licensed land surveyor.
- d. All technical review comments listed in Section 5 of the Planning Board staff report shall be addressed to the satisfaction of the Planning Department.
- e. All comments in a Memo dated June 1, 2026, from Joseph Mendola, PE, senior staff engineer, will be addressed to the satisfaction of the
- f. All comments in an e-mail dated from Jeff Labrie, Fire Marshall's Office, dated May 7, 2026, will be addressed to the satisfaction of the Fire Department.
- g. The Applicant shall submit the recording fees required by the Hillsborough County Registry of Deeds for the plat to be recorded.
- h. Prior to the recording of the plan, a CAD file depicting the new lot line configuration shall be submitted to the Planning Department.
- i. 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.
- j. Prior to the issuance of a building permit, driveway plans shall be submitted and approved by the Engineering Department.
- k. Prior to the issuance of a Certificate of Occupancy, all relevant stormwater documents shall be recorded at the Applicant's expense.
- l. Prior to the issuance of a Certificate of Occupancy, all site improvements will be completed in accordance with the approved plan.

- m. 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. Green

MOTION CARRIED 7-0

NEW BUSINESS - site PLANS

A26-0070 Gar-Bar Realty Trust (Owner & Applicant) requesting a one-year extension of site plan approval, originally granted May 15, 2025, to construct a 65,100-sqft, 4-story, 40-unit multi-family building and associated site improvements. Property is located at 24 East Otterson. Sheet 18 - Lot 75. Zoned Downtown-3/MU-Mixed Use Overlay (D-3/MU) & C-Urban Residence (RC). Ward 7.

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

SECONDED by Mr. Varley

MOTION CARRIED 7-0

Mr. Bollinger said there does not appear to be anyone here to speak for this application. We have taken jurisdiction, what is the procedure?

Sam Durfee, Planning Manager

Mr. Durfee said the Board can act, there is no requirement that an applicant can show. We have a complete application, the fees have been paid. We can act on the application.

Mr. Bollinger said he hasn't seen this in his time on the Board. This is an extension, not a herculean effort here.

Mr. Green asked if there have been any updates from the applicant.

Mr. Durfee said yes. The property was sold, which is indicative of a buyer who wants to execute the plan as is.

Ald. Klee said this extension forces them to stay within the previous approvals.

Mr. Durfee said they are not requesting any changes.

Mr. MacIntyre asked if this was approved May 2025 and already extended.

Mr. Durfee said no, this is the first extension so far.

Mr. MacIntyre asked if this is typical.

Mr. Durfee said it's not unusual, especial with multifamily development. Some property owners have the goal to sell the property with the entitlements in place. There are developers that want to buy properties like that. It's not rare by any means.

Mr. Bollinger said it's always at the Board's discretion, when something comes back for a third or fourth time, to scrutinize that further. Conversely, there have been some applications where we granted a longer period upon initial approval, understanding that some lots have unique characteristics. There has been a bit of latitude if the development is not for profit. As it stands right now they are asking for a continuance with no change to the terms that were approved a year ago.

Mr. Muise said we received the application for continuance in April this year so we honored that request until the next Planning Board meeting, that is why there is overlap.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting.

MOTION by Mr. Green to approve New Business - Site Plan A26-0070. The Board finds that the application meets the Approval Criteria under §190-146(D) with the following conditions:

- a) All Previous conditions of approval granted at the May 15th, 2025, Nashua Planning Board meeting are included as conditions of this approval.

SECONDED by Ald. Klee

MOTION CARRIED 7-0

NEW BUSINESS - site PLANS

A26-0084 Mulberry Street Nashua, LLC (Owner & Applicant) requesting one-year extension of site plan approval for a 67,000-sqft, 5-story, 64-unit multifamily development with associated site improvements, originally granted June 5th, 2026. The property is located at 11-13 Mulberry Street. Sheet 28 - Lot 26. Zoned Downtown (D-1) and Mixed-Use Overlay (MU). Ward 4.

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

SECONDED by Mr. Varley

MOTION CARRIED 7-0

Atty. Robby Johnson, Gottesman & Hollis PA, 39 East Pearl St, Nashua NH

Atty. Johnson introduced himself on behalf of the applicant. This property originally received approval June 5, 2025. We are requesting a further extension of this application due to the complexities of the demolition and lack of staging area. The applicant needs further work with lenders and contractors.

Mr. Bollinger said this is the first extension.

Atty. Johnson said correct.

Mr. Zoller asked staff if there is a grandfathering in place when the Land Use Code updates.

Mr. Durfee said correct. It was approved under the current code, they could still be extended further under the approval of this code. It grandfatheres the regulatory environment.

Ald. Klee said when this first came to the Board she had concerns about the lack of parking and waste management. She doesn't think this is a good project even though the city is in dire need of housing. She still has the same concerns she had when it was originally put forward.

SPEAKING IN OPPOSITION OR CONCERN

Letter from C. Rittenbach, 249 Main St, Nashua NH

SPEAKING IN FAVOR

None

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. He is in favor of granting the extension, this is the definition of a blighted property.

Ald. Klee asked staff if there is any need to come forward after this extension.

Mr. Durfee said no, unless they come back for another extension next year.

Ald. Klee said or a different plan.

Mr. Durfee said correct.

Mr. Hudson said there was some correspondence in the packet from a resident at 249 Main Street complaining about lack of parking. He finds this ironic, as this is development that had no parking included in its plan. This is in a zone that doesn't require any parking. He doesn't think that would be a basis to not approve this extension.

Mr. Bollinger said there was a lot of discussion in the original case about parking. All we're being asked to act upon is the extension, not to relitigate the original application. Should the city decide to amend the ordinance to require parking, that would be out of the Board's jurisdiction.

Ald. Klee said the area does not require parking, there were also conversations about how the trash would be handled. She understands that this is an extension of the approval already granted. She still doesn't believe in the project.

MOTION by Mr. Green to approve New Business - Site Plan A26-0084. The Board finds that the application meets the Approval Criteria under §190-146(D) with the following conditions:

- a. All previous conditions of approval granted at the June 5th, 2025, Nashua Planning Board meeting are included as conditions of this approval.

SECONDED by Mr. MacIntyre

MOTION CARRIED 7-0

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. Varley

MOTION CARRIED 7-0

2. Referral from Board of Aldermen O-26-013, Amending the Zoning Map by Rezoning Land Along Northeastern Boulevard And Industrial Park Drive To Highway Business (HB)

Sam Durfee, Planning Manager

Mr. Durfee said this extends the Highway Business zone northeasterly along Northeastern Boulevard, converting a portion of the Park Industrial district.

Mr. Bollinger asked if this would otherwise be permitted under the recode.

Mr. Durfee said the impetus is the change of 20 Industrial Park Drive to a restaurant use. In the new code all of the property along Northeastern Boulevard and the turnpike would be zoned Commercial Industrial, restaurants would be a permitted use. This would be legal under the recode.

Mr. Bollinger asked if they are ahead of the curve.

Mr. Durfee said yes.

Ald. Klee asked if this was denied for some reason, it will happen anyways. This would just delay it.

Mr. Durfee said that is a way to look at it.

Mr. Bollinger said if you look at the area, you have the McDonalds on the corner of Harris Rd, you have the restaurant in the Holiday Inn that was permitted by zoning. It doesn't seem out of character for the area.

Ald. Klee agreed. Up the street is a pizza place. She doesn't see it being a large traffic generator. Right now, they have a casino on that street.

Mr. Hudson asked if they could have gone to the Zoning Board for relief from the zoning. He gets concerned when we go to the Board of Aldermen to rezone an individual property for one thing.

Mr. Durfee said yes, they could have applied for a use variance, but what is the hardship? This was the route they chose.

Mr. MacIntyre said he is familiar with this area. The strategic plan does have commentary about this section of Nashua. This doesn't seem like a big stress, but what is the connection here on the master plan to another restaurant?

Mr. Durfee said that's an excellent question. The Northeastern Blvd corridor has been identified in the Master Plan as an area that should remain industrial and commercial in nature. The question is whether a restaurant meets that intent. On its face it's not commercial or industrial, but he doesn't think it's uncomplimentary to the uses in the area. It's not a use that would be inherently in conflict with the vision for this area.

Mr. MacIntyre said this area is at the cusp where residencies end. He thinks the Mayor is one of the endorsers. He is not against it, but he wanted to hear about the Master Plan.

Ald. Klee said she agrees with Mr. Hudson, she doesn't like to see a single property coming in. Regardless of what we say there will be a public hearing.

Mr. Durfee said correct, that is scheduled for the Planning and Economic Development Committee.

Ald. Klee said the PEDC will also make a recommendation to the Board of Aldermen. If this did go to Zoning Board it would be a one and done hearing, this allows for three different conversations. Doing it this way gives the public more of a chance to speak out.

Mr. Hudson said the sketch cuts across existing property lines. In the recode, will the boundaries be drawn along existing lot lines? That would seem to be a more traditional way of doing it so you don't have split zoning.

Mr. Durfee said he has had some back and forth with the city's Legal Counsel on how to define the bounds of this new district. If you want exact dimensions, rely on the written legal location of the new boundaries. We have many split zoned properties as a result of drawing errors.

Mr. Zoller asked if this is an extension of Highway Business, rather than creating something new.

Mr. Durfee said correct. This is a new district for the parcel, which has only existed under Park Industrial.

Mr. Bollinger said he has no problem supporting this.

MOTION by Ald. Klee to favorably recommend O-26-013 to the Board of Aldermen, as proposed

SECONDED by Mr. MacIntyre

MOTION CARRIED 7-0

DISCUSSION ITEMS

Mayor's Representative Appointee: Mr. MacIntyre introduced himself to the Board.

MOTION to adjourn by Ald. Klee at 8:03 PM

MOTION CARRIED 7-0

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