

EXPANDED DRAFT MEETING SUMMARY
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NASHUA CITY PLANNING BOARD
July 9, 2026

The regularly scheduled meeting of the Nashua City Planning Board was held on July 9, 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
Benjamin Zoller

Also Present: Sam Durfee, Planning Manager
Connor Muise, Deputy Planning Manager

APPROVAL OF MINUTES

June 4, 2026

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

SECONDED by Mr. Green

MOTION CARRIED 6-0

COMMUNICATIONS

- **A26-0012 & A26-0013, 11 Tara Blvd**
 - o Request to postpone to the August 6, 2026 meeting
 - o Abutter correspondence
- **A26-0104, 63 Arlington St**
 - o Updated staff report
- **A26-0132, 103 Temple St/2 Spruce St**
 - o Updated staff report
- **A26-0103, 28 Lincoln Ave**
 - o Request to postpone to the August 6, 2026 meeting

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 July 9, 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 July 9, 2026 by Applicant request)**

NEW BUSINESS - SUBDIVISION PLANS

A26-0103 Kelly A. McAllister (Owner & Applicant) requesting approval for a 2-lot subdivision. Property is located at 28 Lincoln Avenue. Map 9 - Lot 18. Zoned B-Urban Residence (RB). Ward 7. **(Postponed to August 6, 2026 by Applicant request)**

A26-0104 Trustees of the Arlington Street Methodist Church (Owner & Applicant) requesting approval of a two-lot subdivision. Property is located at 63 Arlington Street. Sheet 21 - Lot 67. Zoned B-Urban Residence (RB). Ward 7.

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

SECONDED by Mr. Zoller

MOTION CARRIED 6-0

Alex Giuffrida, Civil Engineer, IMEG Corp., 3 Congress St, Nashua NH

Mr. Giuffrida provided a brief presentation of the project. He described the subject lot and surrounding uses. He outlined parking, utilities, and the church's history. The site contains the church, a parsonage, and detached garage, and has served the public for 127 years. The proposal is to subdivide the lot to separate the church from the parsonage and garage, with the goal to sell the parsonage. The church will continue to operate. He said both lots comply with the dimensional requirements of the zone. They are requesting one waiver, as detailed in the staff report. They accept the proposed conditions of approval and staff comments.

Mr. Zoller asked if the existing garage currently encroaches onto the rear and side yard.

Mr. Giuffirda said correct.

Mr. Zoller asked if it's an existing nonconformity.

Mr. Giuffirda said correct.

Mr. Zoller asked why the dimensional table listed "N/A" for the rear yard setback but not for the side. Is the 7.9-ft from the property line?

Mr. Giuffirda said the 7.9-ft is from the left property line to the parsonage house.

Mr. Hudson said in addition to Mr. Mendola's comments, he would ask that the plan references Nashua "Division" of Public Works, not department.

Mr. Hudson said churches have special disposition in the law in terms of what criteria they are required to meet. Unless the parsonage is sold to another church, does that disposition go away and it becomes a regular lot of record?

Mr. Durfee said correct, and it would pay tax.

SPEAKING IN FAVOR

Rev. Sharon Sargent, Granite District Board of Church and Buildings, New England Conference of United Methodist Churches, 389 N Main St, North Salem NH

Rev. Sargent said her Board has agreed to allow this subdivision.

SPEAKING IN OPPOSITION OR CONCERN

None

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. He said this seems straightforward. The Board has seen this waiver request before.

Mr. Green led a brief discussion regarding Engineering conditions.

MOTION by Mr. Green to approve the following waivers for New Business - Subdivision Plan A26-0104:

- a. §190-282(D)(10): 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 Mr. Zoller

MOTION CARRIED 6-0

MOTION by Mr. Green to approve New Business - Subdivision Plan A26-0104. 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 shall be sealed and signed by a New Hampshire licensed land surveyor.
- c. All technical review comments listed in Section 5 of the Staff Report shall be addressed to the satisfaction of the Planning Department.
- d. All outstanding Engineering comments shall be addressed to the satisfaction of the Division of Public Works.
- e. Prior to the recording of the plan, a CAD file depicting the new lot line configuration shall be submitted to the Planning Department.
- f. 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.

SECONDED by Mr. Hudson

MOTION CARRIED 6-0

NEW BUSINESS - SITE PLANS

A26-0132 Property Possible, Inc. (Owner & Applicant) requesting a one-year site plan approval extension, originally

granted on July 13, 2023, and amendment to include project phasing details in the plan set. The property is located at 103 Temple Street, Sheet 37-Lot 6, Zoned GI-General Industrial/TOD-Transit Oriented Development, 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 6-0

Ethan Beals, Civil Engineer, IMEG Corp, 3 Congress St, Nashua NH

Mr. Beals introduced himself on behalf of the applicant. With him is Matt Lavery from Property Possible Inc. This site has historically contained several larger buildings dating all the way back to the 1920s. More recently the site has been used as a contractor's yard, a kitchen store, a tire repair and sales garage, a church, a shelter, and a bingo hall.

Mr. Beals said we are seeking approval of an amendment and extension of a previous approval from July 13, 2023. Large scale projects like this take a lot of time, especially when there is NH Dept of Environmental Services remediation and NH Housing Financing processes. Since our last approval we have started some of the building demolition and is hoping to start some of the construction next month. The subdivision was recorded in November, which created three lots, which is a financing function.

Mr. Beals said the application tonight is another year extension and introduces a phasing plan. Building A, the L-shaped building on the corner of Temple St and Spruce St, contains 205-units and would be Phase I. Phase II would be Buildings B and C on the southwest and southeast sides of the property, containing a total of 180-units. Other than that, there are no design or plan changes proposed. All other local, state, and federal permits are in hand. We plan to start construction as early as next month, pending receipt of our NH Housing backed financing. The conditions outlined in the staff report are acceptable.

Mr. Zoller asked to go through the proposed property line setbacks for the buildings.

Mr. Durfee said this is under the Transit Oriented Development overlay. The Planning Board has the authority to modify dimensional

requirements. When it was originally approved, that step was taken. All subsequent approvals have carried that over.

Mr. Zoller asked if that is a separate item the Board will have to take up.

Mr. Durfee said no, that was handled in the original approval.

Mr. Bollinger said there have been a couple of instances where the Board has acted in that manner.

Mr. MacIntyre asked what the estimated time of completion for Phase I would be.

Matthew Lavery, Property Possible Inc

Mr. Lavery said it should be a roughly 22-24 month process.

Mr. Bollinger asked if they would expect similar timeframes for other buildings to come online.

Mr. Lavery said the other two buildings have 90-units each and would be a shorter time.

Mr. Hudson asked what the timeline is to complete Phase II construction. Is there a deadline for progress?

Mr. Durfee said no there is not.

Mr. Hudson asked if they don't break ground on Buildings B and C this year, will they have to come back for an extension?

Mr. Varley asked if work on Phase I would not be sufficient for active and substantial development.

Mr. Durfee said it's a fair point, given that they have a subdivision and phasing plan. If the Board felt so inclined, they have the opportunity to state that it would apply. Building permits for Building A would vest the site for B and C. If that is the intent, it would behoove the project to state that. Staff would support it.

Mr. Bollinger asked if the applicant has to request that formally.

Mr. Durfee said it would be advisable. They could do it now.

Mr. Hudson said he would be in favor of something like that, but not for forever. If it's ten years down the line and Phase II hasn't been built yet, should they come back at that point? He wouldn't want an indefinite approval with no guarantees of it being constructed anytime soon.

Mr. Green asked if it would make sense to do 12-months after certificate of occupancy?

Mr. Bollinger said he would prefer not to craft a timeline on the fly here.

Mr. Hudson said the Board could determine that the granting of Phase I doesn't count as substantial completion towards Phase II so that they would have to return for an extension of Phase II.

Mr. Durfee said the question at hand is whether the issuance of a building permit for Building A vests the approvals for Building B and C so much that they don't have to come back for additional approvals.

Mr. Hudson said there was a recent change to state law where these were vested for longer.

Mr. Durfee said that's after building permit. The issuance of a building permit for Buildings B and C would lock in the code as it is today for 7 years. We're talking about before that, the 12 month approval of the site plan prior to the issuance of a building permit.

Mr. Hudson said he doesn't want to create problems, he doesn't know the nature of the agreements and financing mechanisms at play. He doesn't want to craft something on the fly. But in the future if we have a phased proposal we should discuss it further.

Mr. Bollinger said the role of the Board is not to craft how these long-term agreements should be structured. On its surface he has no issue with one year, but if there are other cases we should have something more structured.

Mr. Varley asked what is the legal significance of having phasing.

Mr. Durfee said we have a universal condition; all site improvements shall be completed prior to the issuance of a certificate of occupancy. If an element of that site plan is Buildings B and C, without a phasing plan the argument could be made that they could not get a certificate of occupancy for

Building A. By phasing it, they clearly separate Building A from B and C, and create two projects. Given the conversations around timing of financing, Building A would be able to move forward without being tied down by B and C.

Mr. Varley asked if we had a 70 lot subdivision, what would happen in that case if "X" number of houses were built and there was several years of delay in the remaining lots? What would be the level of significance before it's vested in that part?

Mr. Durfee said subdivision is slightly different because it creates the lots of record, at any point a building permit could be pulled for that. There's an assumption there that there are bonding requirements for the road. They couldn't build a house down the road line if the road hasn't been built. There's a relationship there with utilities and parking for each building.

Mr. Hudson said we have had an outside limit on construction of the outside elements, which he is appreciative of. That's justification in his mind not to hamper this further.

Mr. Bollinger said he would like to see this move forward and not have the Board take any action that would unintentionally unravel something that has been in the works. He can accept the phasing as is, he doesn't think they would walk away from the approved site plan. He thinks the extension passes the sniff test.

Mr. MacIntyre asked staff if they have any issues with the Board moving forward with the request as proposed.

Mr. Durfee said no, we support it.

Mr. MacIntyre asked if staff has a concern about whether there is a time limit on Buildings B and C.

Mr. Durfee said we are operating under the assumption that something will happen in the near term. He sees the concern that they would languish. If they do it's a reflection of market forces and all the things that could kill development. It may mean that they come back to the product that is more marketable. It doesn't preclude them from a different development plan.

Mr. MacIntyre said he doesn't want to put a shackle on the applicant. But if things change, is the city protected? This is a beautiful project for that area of the city. He just wants to make sure we are not putting ourselves in a compromising position.

Mr. Bollinger said the applicant is taking on all the risk. They purchased the land and paid for the engineering.

Mr. Beals said if we are successful this will be the fourth year of approvals we have received. There is a good amount of money, time, and effort the owner has put into this project. There is a significant NHDES remediation permit in place, along with the other permits that go along with it. We are hopefully ready to start the biggest building, Building A, as early as next month. He predicts that they are looking at 8-10 months before they start buildings B and C, but it would likely be a different owner and different financing pieces. If there are different owners and builders we need to separate this somehow so that this isn't one owner pointing the finger at another owner and it becomes a much larger mess. We are comfortable with a 12-month extension and hopeful that they all get off the ground this year. But there is a chance that we come back next year looking for more time.

Mr. Bollinger said he is okay with this as is. He doesn't want to keep swirling around the bowl for a one-year extension.

Mr. Varley said he agrees. It's easy enough to move forward with what is being requested.

SPEAKING IN FAVOR

None

SPEAKING IN OPPOSITION OR CONCERN

None

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. He said he thought that was a worthwhile discussion. Maybe in the future staff can discuss this in advance so it doesn't have to be deliberated by this Board.

Mr. Durfee said it's a reflection of how diligent this Board is in asking questions.

Mr. Bollinger said he is willing to support this as presented.

Mr. Zoller asked if all of the buildings function alone in terms of utilities and parking. If Phase I goes through and is

constructed but Buildings B and C fall behind can Building A still function? Are they independent if need be?

Mr. Durfee said Building A is its own independent site. There are shared utility and parking arrangements for Buildings B and C. The idea is that the two phases are independent.

Mr. Zoller said that lends itself toward granting the extension, one piece can function by itself.

MOTION by Mr. Green to approve New Business - Site Plan A26-00132. 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 July 10th, 2025, Nashua Planning Board meeting are included as conditions of this approval.

SECONDED by Mr. Zoller

MOTION CARRIED 6-0

MOTION by Mr. Green to approve New Business - Site Plan A26-00132. The Board finds that the application meets the Approval Criteria under §190-146(D) with the following conditions:

1. All technical review comments listed in Section 4 of the Planning staff report shall be addressed to the satisfaction of the Planning Department.
2. Prior to the commencement of any demolition activities, the Applicant shall complete all inspections for asbestos-containing materials as required by the Environmental Health Division. If asbestos-containing materials are identified, they shall be abated and documented in accordance with all applicable federal, state, and local requirements.
3. Prior to any work, a pre-construction meeting shall be held and a financial guarantee shall be approved.
4. Prior to the issuance of a building permit, a sewer permit shall be obtained from the Division of Public Works.
5. Prior to the issuance of a building permit, all building permit-related fees shall be paid.

6. Prior to the issuance of a building permit, storm water documents will be submitted to City staff for review and recorded at the applicant's expense.
7. Prior to the issuance of the first Certificate of Occupancy, all safety and directional signs shall be posted as per the Fire Marshals.
8. Prior to the issuance of the first certificate of occupancy, all necessary easements shall be recorded at the Applicant's expense.
9. Prior to issuance of any certificate of occupancy, the following items shall be completed: All work in the ROW including but not limited to crosswalks, curbing, sidewalks and signage. All work in the driveways connecting to the ROW including, but not limited to curbing, striping and signage. For any miscellaneous item on site not completed, issuance of certificate of occupancy will be at the discretion of the City's Planning Department.
10. Prior to issuance of the final certificate of occupancy, an as-built plan locating all driveways, units, other buildings, utilities and site landscaping shall be completed by a professional engineer and submitted to the Planning Department. The as-built plan shall include a statement that all construction was generally completed in accordance with the approved site plan and applicable local regulations.
11. Prior to September 30, 2028, the entirety of the Spruce Street Connector along the frontage of Lots 6, 46 and 47 on Temple Street, Spruce Street and Howard Street shall be completed.

SECONDED by Mr. Varley

MOTION CARRIED 6-0

OTHER BUSINESS

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

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

SECONDED by Mr. Hudson

MOTION CARRIED 5-0-1 (Bollinger abstained)

2. Board of Aldermen Referral O-26-019, Incorporating the Environmental Health Department Subdivision Review Fee with the Other Subdivision Plan Review Fees.

Sam Durfee, Planning Manager

Mr. Durfee said this ordinance enshrines a fee that Environmental Health levies on subdivision applications. This adds a \$50 fee for their review. It's a housekeeping item.

Mr. Bollinger asked if you were collecting money before this, do you have to give it back?

Mr. Durfee said he would defer to Legal Counsel on that.

Mr. Bollinger asked if this is codifying something that has already been in practice.

Mr. Durfee said correct.

MOTION by Mr. Varley to favorably recommend O-26-019 to the Board of Aldermen, as written

SECONDED by Mr. Zoller

MOTION CARRIED 6-0

3. Board of Aldermen R-26-047, Authorizing Amended and Restated Master Development Agreement and Fourth Amendment to Purchase and Sale Agreement with Lansing Melbourne Group, LLC Regarding "Nimco" Site.

Atty. Andy Prolman, Prunier & Prolman PA, 20 Trafalgar Sq Ste 100, Nashua NH

Atty. Prolman said he is here on behalf of the Lansing Melbourne Group. We are seeking a positive recommendation for a change in the plan for the Nimco site. The plan originally contemplated a single apartment building with 250-units.

Atty. Prolman said we are changing the plan to a two phase, two building approach, with 242-units. When the purchase and sale

agreement was originally signed in 2024, his client then purchased the Bagshaw building next door. That changed the dynamic of the future development and creates the opportunity to have a grid road system in the Millyard. That roadway would continue south to the Bagshaw site.

Atty. Prolman said when Lansing Melbourne built the High Street Flats, that apartment building leased up much slower than anticipated. So they are being cautious here by breaking it up into two phases. With the two phases the pricing increased to \$1.8 million for the city. To maintain the right to build Phase II we will be making nonrefundable increasing option payments to the city, not to be credited to the purchase price. It's a better project for his client and more money for the city.

Atty. Prolman said this has received positive recommendation from the Finance Committee and BIDA. We go back to the Board of Aldermen next Tuesday.

Mr. Zoller asked if there is any intention to preserve public access through Spine Road.

Atty. Prolman said yes, Spine Road will remain public road to Mine Falls Park. It will be a public street and access the dog park.

Atty. Prolman said in regards to phasing and active and substantial development, when this comes before the Board for subdivision and site plan review, make sure that is on the table. This will need that type of attention and massaging.

Mr. Bollinger asked Mr. Durfee to make a note before it comes to the Board.

Mr. Durfee said he went back to the Mohawk Tannery project, which has phasing. The ordinance states that footings of all buildings need to be there for active and substantial completion. For 103 Temple Street, that would mean foundations. With Mohawk we were very explicit in what active and substantial completion was, we should do similar for this project, as it has a large scale and long build-out horizon. This will come before the Board under a new land use code.

Mr. Bollinger said he appreciates the additional context. This is a project that has been around for a while. He has no issues supporting this.

MOTION by Mr. MacIntyre to favorably recommend R-26-047 to the Board of Aldermen, as written

SECONDED by Mr. Green

MOTION CARRIED 6-0

4. Board of Aldermen R-26-046, Authorizing the Sale of Surplus Property.

Mr. Durfee said this is surplus Right of Way associated with the Veterans Memorial Parkway. The sale would facilitate development of the area. It has been determined that there is need for a mixed-use path along the parkway, and we have identified an alignment that would connect Broad Street down to the Nashua River. This parcel is surplus and can be sold. Any revenue will be returned to NHDOT, as we received money from them to acquire this land for the parkway construction.

Mr. Bollinger said he trusts that this has been vetted by staff.

Mr. Hudson said the parcel is currently a slope supporting the parkway. Whatever features that parcel contains would need to be replicated. He supports this.

Mr. Zoller said a few months ago the Board was asked to give a recommendation for a transitional housing and a warming center. Is it safe to say that this site could not be used for that purpose?

Mr. Durfee said that has not been floated as a concept for development of the site.

Mr. Zoller said given Mr. Hudson's description of the slope, he would be inclined to say it would not be ideal.

Mr. Durfee said it's a fair point. Given the site work and expense that would be associated to make the land developable, a civic use does not justify the cost. It would be better suited in the hands of a market rate developer to justify the cost of making the land viable for development.

Mr. Zoller said the geometry is not conducive to that use either.

Mr. Durfee said think of it as merging this with the parcels to the south. That creates more viability for those parcels.

Mr. Bollinger said given the constraints, if a private entity wanted to take it on, good for them. Perhaps folding that in to a southerly lot would better accomplish development. It's excess right of way purchased for the parkway, it's no longer needed.

MOTION by Mr. Green to favorably recommend R-26-046 to the Board of Aldermen, as written

SECONDED by Mr. MacIntyre

MOTION CARRIED 6-0

DISCUSSION ITEMS

Site Visits: Mr. MacIntyre led a brief conversation regarding site visits.

Annual Workshops: Mr. MacIntyre led a brief conversation regarding Board training and workshops.

MOTION to adjourn by Mr. Zoller at 8:20 PM

MOTION CARRIED 6-0

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