

EXPANDED DRAFT MEETING SUMMARY
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NASHUA CITY PLANNING BOARD
December 4, 2025

The regularly scheduled meeting of the Nashua City Planning Board was held on December 4, 2025 at 7:00PM in the 3rd floor auditorium in City Hall.

Members Present: Bob Bollinger, Chair
 Adam Varley, Vice Chair
 Dan Hudson, City Engineer
 Ald. Patricia Klee
 Larry Hirsch
 Cameron Green
 Benjamin Zoller, Alt.
 Scott LeClair, Alt.

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

APPROVAL OF MINUTES

November 6, 2025

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

SECONDED by Mr. Varley

MOTION 5-0-3 (LeClair, Zoller, Bollinger abstained)

COMMUNICATIONS

- **A25-0162, 40 Groton Rd**
 - Revised staff report
 - Updated plans
 - Additional waiver letter
- **A25-0041, 16 Pennichuck St**
 - Abutter correspondence
- **A25-0181, 169 Daniel Webster Hwy**
 - Added condition to staff report
- **A25-0180, 106 Pine St**
 - Revised staff report
- **Revised tentative agenda**

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

A25-0164 City of Nashua, Division of Public Works (Owner & Applicant) Requesting conditional use permit approval to

construct a 127,555-sqft garage and maintenance facility, with associated site improvements. Property is located at 840 West Hollis Street. Sheet D - Lot 54. Zoned A-Suburban Residence (R30) and C-Suburban Residence (R9). Ward 5. **(Postponed to the January 8, 2026 meeting by applicant request)**

NEW BUSINESS - SITE PLANS

A25-0165 City of Nashua, Division of Public Works (Owner & Applicant) Requesting site plan approval to construct a 127,555-sqft garage and maintenance facility, with associated site improvements. Property is located at 840 West Hollis Street. Sheet D - Lot 54. Zoned A-Suburban Residence (R30) and C-Suburban Residence (R9). Ward 5. **(Postponed to the January 8, 2026 meeting by applicant request)**

NEW BUSINESS - CONDITIONAL USE PERMITS

A25-0179 EC NH Real Estate Holdings, Inc. (Owner & Applicant) requesting modification of condition #1 of the Conditional Use Permit of a casino gaming facility, originally approved on September 7th, 2023 and subsequently modified on September 19th, 2024. Property is located at 310 Daniel Webster Highway (Pheasant Lane Mall). Sheet A - Lot 733. Zoned General Business / Transit Oriented Development (GB/TOD). Ward 7.

Mr. Bollinger and Mr. Varley recused themselves from the meeting. Mr. LeClair assumed the role of Acting Chair, but not of voting member. Mr. Zoller assumed the role of voting member.

MOTION by Mr. Hudson that A25-0179 is complete and the Planning Board is ready to take jurisdiction.

SECONDED by Mr. Hirsch

MOTION CARRIED 5-0 (Hirsch, Green, Klee, Zoller, and Hudson)

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

Atty. Morgan introduced himself on behalf of the owner and applicant. He said when this project was originally approved on September 7, 2023, there was a condition of approval that the applicant shall reconstruct the Pheasant Lane Mall/ Daniel Webster Highway intersection prior to the issuance of a certificate of occupancy. During the course of working out those improvements it

became clear that they had to reconfigure access for Zimmerman's Ski and Boards. Over the past two years they have worked with the mall owners and are at the finish line, but construction cannot occur after September and before March. We weren't able to get it done this year, and we are hoping to extend the approval until next year. This requires an amendment of condition 1 of the approval. The next step is an amended site plan for Macy's, Target, Pheasant Lane Mall, and Zimmerman's site plan, to be completed in the next month or two.

Ald. Klee asked if they feel they could start construction in March.

Atty. Hollis said yes. There are some details to work out between the owners.

Ald. Klee asked if these negotiations would be done before March.

Atty. Hollis said yes, he is very confident.

Mr. Hudson said he proposes the intended completion deadline to be August 31st. Is that problematic?

Atty. Hollis said no problem.

Mr. Hudson said he is aware of the discussions that have happened and can confirm they have been working to bring this to fruition. He is in support of this.

Mr. Green asked if this would be 2026.

Mr. Hudson said yes, 2026. We don't want to impinge on Zimmerman's business. He is comfortable with an August 31, 2026 deadline.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

PUBLIC MEETING

Mr. LeClair closed the public hearing and opened the public meeting. There was no further discussion from the Board.

MOTION by Mr. Green to approve A25-0179 - Conditional Use Permit. The Board finds that the application meets the Approval Criteria under §190-133(F) with the following condition:

1. Prior to the issuance of a Certificate of Occupancy, the applicant shall have received final approval from the City of Nashua's Engineering Department of the Division of Public Works for the design and reconstruction of the Pheasant Lane/Daniel Webster Highway intersection and shall post a financial security in a form approved by the City of Nashua and in an amount approved by the Engineering Department for all improvements. Said improvements shall be completed prior to August 31, 2026 to the satisfaction of the Engineering Department.
 - a. All prior conditions of approval from the September 23, 2024 approval and September 5, 2024 are incorporated herein and made a part of this approval, unless superseded by a new condition

SECONDED by Mr. Zoller

Mr. Hudson asked if an interim Certificate of Occupancy has already been granted. Would we rescind the approval if the improvements aren't done by the deadline?

Mr. Durfee said we are still holding a bond surety.

Mr. Hudson said if the work is not completed by that date then, the hook would be to pull the bond. Perhaps we should amend the condition.

Mr. Durfee said we are amending a condition that was set before the certificate of occupancy was issued. While there is that disconnect because it's occupied now, the intent is still to have the improvements by August 31, that still stands. We can come up with some language and run that by the applicant.

Mr. Hudson said he is satisfied in light of that.

Mr. LeClair said it is the old condition. Some of it has been met but not all. It seems appropriate to leave the condition as is.

Ald. Klee said the condition reads that no one can be there, they already have the certificate. She thinks there should be a comment

that the surety bond will be held in lieu of the certificate. It's already been done, she doesn't feel comfortable.

Mr. Durfee said the condition reads that prior to the issuance of the certificate we require approval of the design, that has been done. Then we have financial surety, that has been done. Then there is a period of time. The condition and the design have been completed, therefore the certificate can be issued. The last part is relative to the completion of those improvements. We have the flexibility to shift the date while the certificate has been granted, because those two conditions tied to the certificate have been completed. He thinks we are okay leaving it as is.

Ald. Klee said she feels comfortable when it is stated like that, the improvements are separate and distinct from the issuance of the certificate.

Mr. Hudson asked if they can delete the first sentence of the approval and amend the second sentence. All of that has been satisfied.

Ald. Klee said that would be cleaner. The only thing we are changing in the condition is the date.

Further discussion ensued. The Board concluded that the motion should stand as written.

MOTION CARRIED 5-0 (Hirsch, Green, Klee, Zoller, and Hudson)

Mr. Bollinger and Mr. Varley resumed their positions on the Board. Mr. LeClair and Mr. Zoller resumed their positions as alternate members.

NEW BUSINESS - CONDITIONAL USE PERMITS

A25-0181 169 Daniel Webster Realty Trust (Owner & Applicant) requesting Conditional Use Permit approval for medical office space. Property is located at 169 Daniel Webster Highway. Zoned C-Urban Residence (R-C). Map A - Lot 228. Ward 8.

Mr. Hudson led a brief conversation regarding the role of alternate members on the Board.

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

SECONDED by Mr. Hirsch

MOTION CARRIED 6-0

John Crowley, Optima Dermatology, 111 New Hampshire Ave,
Portsmouth NH

Mr. Crowley introduced himself on behalf of the applicant and owner. He said they are proposing a medical office use for dermatological and cosmetic outpatient services. He outlined all points of the conditional use permit as per their application and how this request complies with the requirements.

Mr. Hudson asked if they received the December 1, 2025 engineering comments and take no exception to the conditions.

Mr. Crowley said he had not.

Mr. Hudson said the sewer service dates back to 1980, we are requesting a video that the sewer service is in good condition. We are requesting a modification of the sewer permit for the change in use. We are requesting a stop bar on the approach to the driveway intersection and a traffic impact report to document changes in traffic volumes and whether any additional mitigation is required.

Mr. Crowley said he is happy to meet the conditions, but in regards to the traffic report there is already a medical office on this property.

Mr. Hudson asked if that is the same space.

Mr. Crowley said no, they are occupying a standard office.

Mr. Hudson said he would like to leave the condition as is. We can further discuss it with Senior Traffic Engineer Wayne Husband.

Mr. Bollinger said this is not a full traffic study along the entire highway corridor, it's a fairly rudimentary form. He thinks DPW can assist the applicant and it would not be terribly burdensome to their efforts.

Ald. Klee said asked what we are looking for in the traffic impact report.

Mr. Hudson said he doesn't think this will be a significant impact. We just want to document the change in peak hour trips to see if

there is a basis for any financial contribution. It's not a full traffic study.

Mr. Bollinger said it's generally required of all applications, it's a preliminary worksheet. He thinks for completeness that is what they are asking for. Any documentation they can provide would further the city's goals to maintain and upkeep that corridor.

Ald. Klee asked if that shows any significant change, do we explicitly have to state that fee.

Mr. Hudson said it would be better to have a condition to request a contribution of \$250 per trip per increased trip.

Ald. Klee said that would make her more comfortable.

Mr. Varley said it is a request for a contribution, he doesn't think it is a condition they could make.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. He summarized the discussion.

MOTION by Mr. Varley to approve A25-0181 - Conditional Use Permit. The Board finds that the application meets the Approval Criteria under §190-133(F) with the following condition:

1. Prior to issuance of building permit, all comments in a memo from Joe Mendola, Senior Staff Engineer, dated December 1, 2025, will be resolved to the satisfaction of the Division of Public Works, and furthermore to the extent the TIR report would indicate that additional traffic would be generated a financial contribution of \$250 dollars per additional trip will be assessed.

SECONDED by Mr. Green

MOTION CARRIED 6-0

NEW BUSINESS - SITE PLANS

A25-0162 Brothers of The Sacred Heart of New England, Inc (Owner & Applicant). Requesting a one-year extension plan to show an athletic field complex along with associated site improvements. The Applicant is also requesting amendment to site plan approval to incorporate construction phasing plans. Property is located at 40 Groton Road. Sheet D - Lot 7. Zoned Rural Residence (R-40). Ward 5. **(Postponed to the December 4, 2025 meeting by applicant request)**

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

SECONDED by Mr. Hirsch

MOTION CARRIED 6-0

Tom Zajac, Civil Engineer, Imeg Corp., 3 Congress St, Nashua NH

Mr. Zajac introduced himself on behalf of the applicant and owner. He said this is an extension of the site plan approval originally granted on September 15, 2022. He summarized the request.

Mr. Zajac said the previous delays are a result of the long fundraising campaign and the need to resolve the triangle shaped lot owned by Division of Transportation. They are seeking a third extension and a waiver to extend the 12-month period to establish the use onsite, as well as a phasing plan. The phasing plan is driven by a realistic view of what BG can construct over time and vest the project. It is also required by the Dept. of Environmental Services under their Alteration of Terrain permit.

Mr. Zajac the first phase is earthworks and prep to make the site. Phase two is work on the west side of the site, including the public parking and trail head. Phase three is the maintenance locker room and additional parking. Phase four is the track and field and some additional improvements along Groton Road. The new conditions outlined in the staff report are acceptable.

Mr. Bollinger said the staff report refers to a waiver for a 24-month extension, but the letter has a second request related to site plan standards.

Mr. Zajac said that is just his justification for meeting the waiver requirements. Just one waiver.

Ald. Klee said she understands the need to have approvals in place in order to get fundraising. Is that where they are coming from?

Mr. Zajac said correct. We have the initial momentum to be able to start, and hope that once people see the site we can move quicker.

Mr. Hudson said when we approved this there were some unsolved traffic mitigation questions, he doesn't believe they fully resolved what the offsite improvements will be. Four phases make sense, but he doesn't want to wait years for the offsite work to be completed. He briefly summarized the traffic improvements they are looking for.

Mr. Bollinger said he appreciates his thoughts on that. That said, is the applicant amenable to working with DPW through the process? He wouldn't want to put the applicant on the spot.

Mr. Hudson asked if we are up against a deadline or should table the application to let the applicant an opportunity to review the comments. 2-3 years ago, there was urgency to get this approved, so some of the traffic details weren't resolved. These issues still remain.

Ald. Klee said she would rather table this case so these things don't get buried again. Certain conditions should be put in place before we give this extension. She understands that they need this approval to get fundraising but they are not breaking ground right now. If we table this, does this hurt the applicant?

Mr. Durfee said the approval would not expire, they have an application before the Board for the extension. We would consider it "in process". The applicant would prefer a favorable recommendation tonight but if they are amenable to a continuance, their approval would not be in jeopardy to expire.

Mr. Zajac said the goal is to get the site plan extension and waiver tonight. If you look back through the meeting minutes from previous approvals, Mr. Hudson is correct. The original conditions put the onus on the applicant to work with DPW related to the traffic items. As this project stalled, neither side pushed things. He would like the opportunity to meet with staff to go through these items, but in terms of a tabling, he thinks the language is

already there that the burden is on the applicant to satisfy traffic related comments before final site plan signing.

Mr. Varley asked to hear the specific phrasing of the original condition.

Mr. Zajac read it out loud.

Mr. Varley said he is comfortable with that original condition, he feels it would allow DPW to come to an agreement with the applicant.

Mr. Bollinger agreed. He appreciates Mr. Hudson reminding the Board that there were outstanding issues to be resolved.

Mr. Hudson said he didn't want to get to the end of this before it's resolved. Given that this has to be ironed out before work starts, he is fine with it.

Ald. Klee said she would leave it up to DPW.

Mr. Hudson said we would be looking for the safety improvements up front. We can work with the applicant.

Mr. Bollinger said that seems reasonable. There is a willingness between both parties for a resolution. He would lean towards approval of the extension as written.

SPEAKING IN OPPOSITION OR CONCERN

Sridhar Donepudi, 9 Airley Ave, Nashua NH

Mr. Donepudi said in the past few years a lot of trees have died in the buffer zone between this property and his, are they going to replant those trees to reduce the noise? He said there is no shoulder on the Main Dunstable intersection, it's dangerous during the winter.

Jonathan Trechok, 5 Airley Ave, Nashua NH

Mr. Trechok asked what the planned use of the facility is, is it for practice or games? Would this be used weekdays, weekends, or nights? What will be done to improve vehicle and pedestrian safety on the corridor for the increased traffic? On the north side of Groton Road there is a crosswalk that just ends. When you cross

there is no sidewalk on the south side. Will anything be done there to make a better sidewalk? Is there going to be any public use of the facilities?

Joseph Frawley, 7 Airley Ave, Nashua NH

Mr. Frawley said there's a lot of kids in the area, the area has changed a lot over the past few years. During construction what kind of equipment is going to be coming down the road? Who will fix the road after the heavy equipment comes through? Will there be construction on the weekends or nights? What kind of safety measures will be in place? That road is pretty heavily traveled and it's become pretty dense over the past few years.

Mr. Frawley asked if there would be lights installed, and whether there is a cut-off. He would also like to have his kids be able to use the facilities when they are not in use. There needs to be a crosswalk, it's extremely dangerous.

SPEAKING IN FAVOR

None

APPLICANT REBUTTAL

Tom Zajac, Civil Engineer

Mr. Zajac said the Airley Ave and Terrell Farm developments were not yet constructed when this project was originally approved. He would be happy to speak to the residents about all the information they went through as part of the original project regarding the use and hours of operation.

Mr. Zajac said regarding the tree buffer, Airley Ave is a conservation subdivision. There is a stretch of open space land on their side of the line. On our side there will be a tree buffer after the project is completed. We are planning on working our way from west to east, so furthest away from them to start.

Mr. Zajac said hours of operation and use are already on record, this is intended to be an offsite practice facility for varsity, JV, and freshman levels, as well as competition games for some lower intensity uses. It is a private, fully fenced facility not open to the public. This property sits between Southwest Park, Yudicky Farm, the rail trail, and the Dunstable Conservation land. The public currently parks along Groton Road and trespasses through

the property. As part of this project we are proposing a public trailhead and parking area, which would allow the public to park in a safe manner and access these trails. There is also a shoulder extension proposed along Groton Road which will improve the connection to the rail trail to the west. We are also going to connect to the crosswalk on the other side of the street and formalize that connection. A lot of those pedestrian improvements will benefit the general public.

Mr. Zajac said in regards to traffic, there are some further discussion with DPW to be had. This project is not responsible for fixing all of the ills along the entire corridor all the way back to Main Dunstable Road. But we will work with Mr. Hudson for a solution that works for all parties.

Mr. Zajac said during the original approval we didn't really get into the lighting, mainly what the city park standard hours would have. This is a private facility for Bishop Guertin, it will have more of a seasonal use.

Mr. Zajac said in regards to constriction traffic and noise, BG would have their site team follow all city ordinances regarding traffic and hours of construction.

Mr. Bollinger said the request this evening is for a time extension, not to reopen the discussion from the original approval. This is not a reapplication.

Ald. Klee said many of the comments weren't towards the waiver. She understands that the residents do have concerns. She agrees that this project is not responsible for fixing the corridor's traffic ills. But as things grow, the people on the ends suffer. Someone has to pay the piper. The residents shouldn't have to suffer. But that is not the waiver request, and as long as they are truly willing to work with Engineering she feels comfortable.

Unintelligible from audience

Mr. Bollinger asked if this is something that has not already been addressed. At some point we have to close the public hearing.

Joseph Frawley, 7 Airley Ave, Nashua NH

Mr. Frawley asked what the city gets out of this extension besides the applicant not having to do extra paperwork. This could be a completely different situation in 24-months, why not have them

come back to the Board in a year to reassess what the property looks like? Two developments were built in this area within two years, what's not to say that it won't change anymore? He thinks they should have to come back next year.

Mr. Bollinger said he is not going to address that other than that it was a legal application and the Board is bound to act on the legal application that we took jurisdiction over.

Mr. Zajac said he thinks their waiver letter lays out the uniqueness of the application. The two years is to get to the vesting of the building permit or vesting of the use. We are not asking for 24-months for the next site plan extension, it is for once we get going to have 24-months to establish the use.

Ald. Klee asked if they started work tomorrow and weren't finished within a year, they would have to come back and ask for an extension.

Mr. Durfee said if they have achieved active and substantial development, generally defined as foundations and footings, your approval has vested and remains active.

Ald. Klee asked if they were granted 12-months and were able to break ground in 12-months, that would not be an issue.

Mr. Durfee asked if by breaking ground she meant achieving this level of threshold.

Ald. Klee said yes.

Mr. Durfee said if so they would not have to come back for extensions.

Ald. Klee asked the applicant if they don't feel they could reach that goal in 12-months.

Mr. Zajac said yes, it's about the uniqueness of the project and the phasing. Typically, that process is achieved when you receive a building permit, but this is mostly site work. We just have a small locker room/maintenance building in a later phase. This makes sure that as BG moves through that phasing process, they can establish that use without having to come back. This is still a conditionally approved plan, we are asking for 24-months to get to the point of vesting.

Mr. Varley asked staff if some material change was required to the site plan, the applicant would have to return to the Board.

Mr. Durfee said yes.

Mr. McPhie said that they would be starting with the fields and then moving on to the buildings.

Mr. Bollinger said the previous conditions still hold. It's the same application, it's a time extension that is the crux of the matter. It's been approved, there are existing conditions of approval, and the matter before the Board is whether a 2-year extension waiver is applicable.

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. He summarized the discussion. He thanked Mr. Hudson for his feedback on the outstanding traffic, and said it seems there is a path to resolution there with proportional impacts relative to this application. He has no issues granting the waiver.

Mr. Varley said the only change being proposed other than the extension is the phasing. None of the underlying features of the site plan are being modified. This is unique in that there has been some development on the surrounding properties, but this plan was vetted by Planning staff and this Board when it came in. We think we have effectively addressed the issues through the conditions proposed.

MOTION by Mr. Green to approve the following waivers for New Business - Site Plan A25-0162:

1. §190-146 E (1) to allow the approval extension to be valid for twenty-four months.

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. Varley

MOTION CARRIED 6-0

MOTION by Mr. Green to approve A25-0162 - Site Plan. The Board finds that the application meets the Approval Criteria under §190-146(D) with the following condition:

1. All prior conditions of approval as indicated on the September 15, 2022 & October 17, 2024, planning board meeting stipulation letters are incorporated herein unless otherwise determined by the Planning Board.
2. Prior to the issuance of a certificate of occupancy (CO) for the athletic fields completed under Phase 2, the use and maintenance of any portable toilet and/or temporary restroom facilities proposed on site shall be in accordance with Env Wq 1607.02 and to the satisfaction of the Environmental Health Department.

SECONDED by Mr. Hudson

Ald. Klee asked if we do not have to include the subsequent conditions Mr. Hudson stated, if they were originally included.

Mr. Hudson said those conditions are covered via the previous condition referenced here.

MOTION CARRIED 6-0

A25-0041 Gateway Homes, LLC (Owner & Applicant), requesting site plan approval to construct a 6-unit condominium site plan with associated site improvements. Property is located at 16 Pennichuck Street. Sheet 49 - Lot 120. Zoned RA-Urban Residence. Ward 2.

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

SECONDED by Mr. Hirsch

MOTION CARRIED 6-0

Trevor Yandow, Civil Engineer, Meridian Land Services, 31 Old Nashua Rd, Amherst NH

Mr. Yandow introduced himself on behalf of the applicant and owner. He said they are proposing a 6-unit single family detached condominium on a 1.8-acre parcel. The applicant received a variance

from the Zoning Board for more than one principal structure on July 22, 2025. The density proposed is 3.27 units per acre, where 6 is allowed. We have proposed what we think will reasonably fit and keep in character with the surrounding area. The surrounding use is single family residential on .25-.5 acre lots.

Mr. Yandow said this will be serviced by municipal sewer and water. The sewer is unique due to the topography of the lot, we are proposing to connect to Brinton Street via an easement through two lots to the northwest. The units will be served by a cul-de-sac road 24-ft wide. Stormwater will be handled via three infiltration basins. We didn't encounter high water table or ledge, soils are sandy and will promote water infiltration. Post-development peak flow rates are all less than pre-development conditions.

Mr. Yandow said at the Zoning Board hearing there were concerns about traffic. The increase is fairly negligible when looking at the surrounding area, 6 trips at peak hours.

Mr. Yandow said the staff report included three comments for follow-up, we don't take any exception to them. They will all be incorporated into the final drawings. At this time the applicant is not going to pursue a development sign, if they want to they understand they will have to come back.

Mr. Yandow said we are seeking three waivers, as detailed in the staff report. He briefly outlined each request. He said we have received the Engineering comments and take no exception to them.

Ald. Klee said that is a narrow entrance way into this site, which is a concern for the nearby residents. In regards to the requested waiver to survey 1,000-ft nearby, where is that required?

Mr. Yandow said section 190-282(B)(9).

Ald. Klee said she means, where does the 1,000-ft end.

Mr. Muise said the land use code requires that a number of site conditions be shown and notated on plan sets, roads, trails, large rocks, terrain. It's 1,000-ft past the property line. A lot times the applicant requests to waive that because it's not necessary for the review of the site. They have given us a general layout of the surrounding properties but you won't see the terrain, all the structures there. This is a waiver from that requirement.

Ald. Klee asked if this is not within 1,000-ft of an abutter that could affect their property. Or is it just of structures.

Mr. Muise said no, it's strictly a notational survey requirement in the land use code.

Ald. Klee said the opposite side of the street is her ward, so she has heard from concerned constituents. They have asked for a yield or stop sign. It's not a requirement.

Mr. Yandow said they have proposed a stop bar and sign at the exit.

Mr. Zoller asked if the intent is to have DPW trucks come into the site to manage rubbish and make collections, or along the street.

Mr. Yandow said the intent is for a private waste management company to make collections.

Mr. Hudson said DPW doesn't pick up trash on private streets.

Mr. Bollinger asked if the city won't plow either.

Mr. Hudson said no, the city would not do anything.

Mr. LeClair asked if there is a reason why the sewer easement couldn't come off the northwest corner and only affect one property. It goes across two lots and has a significant easement lane. It seems they could cut that in half.

Mr. Yandow asked if he meant lot 49-270.

Mr. LeClair said yes.

Mr. Yandow said they looked at it, it's a shorter run, but there is a ledge outcropping and some improvements. The owner has been working with both abutters and they're on board with it.

Mr. Hudson said that will be a private service, an easement between private entities. This appears to be more feasible.

Mr. Bollinger said the Board received correspondence from an abutter. Has he seen it?

Mr. Yandow said he has not.

Mr. Muise displayed the letter on the screen.

Mr. Varley said in the staff report the sidewalk contribution is listed as \$2,250, it should \$2,550 based on the calculations in the applicant's letter.

SPEAKING IN OPPOSITION OR CONCERN

Letter from Amy Dube, 5 Brinton Dr, Nashua NH

SPEAKING IN FAVOR

None

Mr. Bollinger said this Board does not have the authority to mandate that the applicant remove a tree from Ms. Dube's property.

Mr. Yandow said the owner has discussed it with the abutter.

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. He said there was quite a list of Engineering comments, but nothing seemed insurmountable.

Mr. Hudson said he can affirm what Mr. Yandow stated, most are fairly minor. Drainage needs to be resolved, there are a few things that need further discussion. He is comfortable moving forward.

Ald. Klee said this development will be similar to what it abuts on Nathan's Court and Brinton Street. She feels comfortable as long as all issues from Engineering get satisfied.

Mr. Bollinger said the 1,000-ft waiver request is one of the most common the Board sees. In regards to the sidewalk contribution, he thanked Mr. Varley for checking the math. He asked staff for comment on the lighting waiver and whether it is reasonable.

Mr. Muise said we don't feel that an interior utility light layout is necessary for the site. It will be similar to what the neighborhood already is, lighting on the buildings.

Mr. Bollinger said he feels this was a complete package and presentation. The technical matters on remaining issues can be resolved by staff. He is inclined to support it.

Ald. Klee said there was a technical comment about installing a sign.

Mr. Bollinger said there was testimony that they were not going to include a sign at this time.

MOTION by Mr. Green to approve the following waivers for New Business - Site Plan A25-0041:

- a. §190-279(EE) Site Plan Submittal Requirements: To waive the requirement to show existing conditions on 'adjacent parcels as appropriate'.
- b. §190-275 (B): to waive the requirement to provide a lightning plan.
- c. §190-212(A)(1), to waive the requirement that a sidewalk be located on at least one side of the street. The applicant has agreed to make a contribution in the amount of \$2,550 in lieu of sidewalk construction pursuant to §190-212(D)(2).

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. Hirsch

MOTION CARRIED 6-0

MOTION by Mr. Green to approve A25-0041 - Site Plan. The Board finds that the application meets the Approval Criteria under §190-146(D) with the following condition:

- 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. All conditions from the Planning Board decision letter will be added to the plan.
- c. The plan set shall be signed and sealed by a New Hampshire licensed land surveyor and engineer.

- d. Prior to the signing of the plan, all technical review comments listed in section 6 above shall be addressed to the satisfaction of the Planning Department.
- e. Prior to the signing of the plan, all comments in an e-mail from Joe Mendola, Senior Staff Engineer, dated December 1st, 2025, shall be addressed to the satisfaction of the Engineering Department.
- f. 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.
- g. Prior to any work, a pre-construction meeting shall be held, and a financial guarantee for all off-site improvements shall be approved and submitted to the City.
- h. Prior to building materials are on site, the new hydrant inside the cul-de-sac will need to be tested and flow data provided to the FMO.
- i. Prior to the issuance of a building permit, stormwater documents in accordance with §190-217 shall be submitted for review by City staff and recorded at the Applicant's expense.
- j. Prior to the issuance of a building permit, proof of a recorded private sewer easement, traversing 205 Concord Street and 4 Brinton Drive to serve the development, shall be provided to the City.
- k. Prior to the issuance of a building permit, a contribution in lieu of construction of sidewalk, in the amount of \$2,550, shall be made to the City.
- l. Prior to the issuance of the first Certificate of Occupancy, provide for Staff review, the HOA committee charter, condominium documents, or similar, that speaks to the private maintenance of all infrastructure internal to the site, including but not limited to: streets, utilities, landscaping, lighting, and infrastructure.

- m. Prior to the issuance of the first Certificate of Occupancy, all site improvements will be completed in accordance with the approved plan.
- n. Prior to the issuance of a Certificate of Occupancy, school impact fees shall be paid, in accordance with Article VIII Impact Fees of the Nashua Land Use Code.
- o. Prior to the release of any financial guarantee held for project improvements, an as-built plan locating all driveways, structures, utilities, and landscaping shall be completed by a professional New Hampshire licensed engineer or surveyor and submitted to the Planning and Engineering Departments. As-built submittals shall include .pdf documents and CAD files. The as-built shall include a certification by an NH-licensed Professional Engineer that all construction was generally completed in accordance with the approved site plan and applicable regulations.

SECONDED by Mr. Varley

MOTION CARRIED 6-0

A25-0180 Marguerites Place, Inc. (Owner & Applicant) requesting a one-year extension for approved site plan for 15-unit residential with associated site improvements, originally approved on October 17th, 2024. Property is located at 106 Pine Street. Sheet 84 - Lot 134. Zoned C-Urban Residence (R-C). Ward 4.

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

SECONDED by Ald. Klee

MOTION CARRIED 6-0

Tom Zajac, Civil Engineer, Imeg Corp., 3 Congress St, Nashua NH

Mr. Zajac introduced himself on behalf of the applicant and owner. He said this is a fairly straightforward request, a 1-year extension from the September 5, 2024 meeting. The reason for the extension is that they are waiting for the last piece of their funding, which they hope will come in the beginning of 2026. They are looking forward to starting the project.

Mr. Zajac said there may be an update to the staff report.

Mr. Muise said there was a typo from using a previous staff report, we referenced a property that isn't part of this case.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

PUBLIC MEETING

Mr. Bollinger closed the public hearing and opened the public meeting. He said he is favor of this.

Ald. Klee agreed. She feels this has met all the criteria and understands that you can't get funding without approvals.

MOTION by Mr. Green to approve A25-0180 - Site Plan. The Board finds that the application meets the Approval Criteria under §190-146(D) with the following condition:

- a. All Previous conditions of approval granted at the September 5, 2024, Nashua Planning Board meeting are included as conditions of this approval.

SECONDED by Ald. Klee

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 Ald. Klee

MOTION CARRIED 4-0-2 (Hudson, Green abstained)

2. Board of Aldermen Referral R-25-221, Relative to Tax Deeded Property Auction

MOTION by Mr. Hudson to favorably recommend R-25-221 to the Board of Aldermen, with staff to comment on environmental/conservation related parcels

SECONDED by Mr. Varley

MOTION CARRIED 6-0

DISCUSSION ITEMS

Annual get-together at Martha's Exchange Restaurant & Brewery, after adjournment - postponed

Commentary from Beth Raymond, 14 Pennichuck Street, regarding website accessibility and packet information.

MOTION to adjourn by Mr. Green at 9:24 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