

JOINT MEETING – COMMITTEE ON INFRASTRUCTURE and PLANNING AND ECONOMIC DEVELOPMENT
COMMITTEE

JANUARY 11, 2023

A joint meeting of the Committee on Infrastructure and Planning and Economic Development Committee was held Wednesday, January 11, 2023, at 7:13 p.m. in the Aldermanic Chamber.

The roll call was taken with 8 members of the Committee on Infrastructure and Planning and Economic Development Committee present:

Alderman-at-Large Michael B. O'Brien, Sr., Co-Chair
Alderman Richard A. Dowd
Alderman Alex Comeau
Alderman Tyler Gouveia
Alderman Ernest A. Jette

Alderman-at-Large Melbourne Moran, Jr., Co-Chair
Alderman June M. Caron
Alderman-at-Large Ben Clemons

Members not in Attendance: Alderman Derek Thibeault

Also in Attendance: Alderman Patricia Klee
Tim Cummings, Director
Matt Sullivan, Community Development Director
Kevin Rourke, Police Chief

ROLL CALL

PUBLIC COMMENT - None

COMMUNICATIONS

Without objection, Chairman O'Brien suspended the rules to allow for a communication that was submitted after the agenda was approved.

From: Sam Durfee, AICP, Planning Manager
Re: Planning Board Report Dozer Road Discontinuance Petitions

There being no objection, Chairman O'Brien accepted the communication and placed it on file.

UNFINISHED BUSINESS – None

PETITIONS

Petition for Street Discontinuance – Dozer Road (A-712)

**MOTION BY ALDERMAN GOUVEIA TO ACCEPT THE PETITIONER'S WITHDRAWAL OF THE PETITION FOR DISCONTINUANCE OF DOZER ROAD WITHIN LOT A-712
MOTION CARRIED**

Chairman O'Brien

This next one that's coming up just to brief the Infrastructure Committee. For lack of a better term, it isn't 100% solid yet. There are still some negotiations that are going on. I'm sure Mr. Prolman would agree and as well as Mr. Sullivan. So what the Chair will be looking for is a Motion to Table this particular so that the principals can get to work on this, and to get it done, and come back with a better solution. I am hoping for a target date by February 8th that we can get things expedited on this. It will travel from this Committee.

There is an additional hearing that's going to be held before the Planning Board and then it will be referred back to us. So February 8th we'll have a little bit more of the pie to bite into. Alderman Comeau?

Petition for Street Discontinuance – Dozer Road Lots (A-990, 132-85, A-994, A-768, A-68, 132-1, A-67, and A-58)

Alderman Comeau

Yes, thank you Mr. Chair. I move to Table.

MOTION BY ALDERMAN COMEAU TO TABLE THE PETITION FOR DISCONTINUANCE OF DOZER ROAD FOR THE 8 LOTS IDENTIFIED TO THE COMMITTEE ON INFRASTRUCTURE MEETING OF FEBUARY 8th OR FEBRUARY 22nd, 2023 AT 7PM IN THE ALDERMANIC CHAMBER

Chairman O'Brien

Very good. A Motion to Table the Petition for Street Discontinuance of Dozer Roads for Lots 8 identified to the Committee on the Infrastructure Meeting on February 8 or February 22, 2023 at 7:00 p.m. in the Aldermanic Chamber.

MOTION CARRIED

NEW BUSINESS – RESOLUTIONS

R-22-077

Endorsers: Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Alex Comeau
Alderman June M. Caron
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

REGARDING THE CARE AND CONTROL OF 9 RIVERSIDE STREET

MOTION BY ALDERMAN GOUVEIA TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Chairman O'Brien

Okay the Motion is for final passage. Discussion on the Motion?

Alderman Dowd

Alderman O'Brien we do have members of the Police Department here to discuss.

Chairman O'Brien

Yes, Chief?

Tim Cummings, Director of Administrative Services and Economic Development

If I may, Mr. Chairman. If I could just open up for a few remarks before we hand it over to the Chief.

Chairman O'Brien

Yes.

Tim Cummings, Director of Administrative Services and Economic Development

Thank you, Mr. Chairman. I'm here before you to ask for your favorable consideration on R-22-077. R-22-077 is a petition where I'm asking for your favorable consideration to transfer the care and control of 9 Riverside from DPW to the Police

Department.

As you know, 9 Riverside is home to the administration portion and engineering portion of the Division of Public Works along with Transit and actually Cable Access is there as well. With all that being said, we have been working fast and furiously to get a new DPW building up and running this spring. We are making good headway with that. I fully anticipate a March timeframe where DPW will be vacating their current site. With that being said, that necessitates the question of how we're going to handle 9 Riverside.

As you may be aware, the Police Department uses a building over in the millyard for their training. They would like to take that training operations and move it over to 9 Riverside. I've asked the Chief to come here tonight to talk in a little more detail about exactly what they would be doing at 9 Riverside. The Project Manager internally within the Police Department is Captain Kenney. He's here with him as well. Those two individuals have been working very closely with me in an effort to advance this initiative. So with that being said Mr. Chair, I'd like to hand this off to the Chief now that I have provided a little background context.

Chairman O'Brien

Thank you Director Cummings but before you go, any questions while Director Cummings is before us? Alderman Jette?

Alderman Jette

Is Director Cummings leaving?

Tim Cummings, Director of Administrative Services and Economic Development

I am not leaving because I believe later on in the agenda I'm going to be speaking to you at length about hopefully some property in the Millyard.

Alderman Jette

So I'll reserve my questions until we hear from the Chief.

Chairman O'Brien

Very good. Thank you, Director Cummings. Welcome to Chief Rourke of NPD.

Chief Rourke, Nashua Police Chief

Good evening. So this would be the takeover of DPW would be very beneficial to the Police Department for many reasons. One of them as you know as Director Cummings said, our training now is at the Pine Street Extension. It's a smaller area. This allows us to grow a little bit more and have more space. I know last year, a year and a half, Chief Carrigan had a plan where he looked to he got some money to do an assessment of our building to build or building. Obviously, that's very costly especially these days. So when this idea came up of taking over DPW, we jumped on it.

What we would use this building for is our training facility but we'd also it for many other things where we can utilize storage for our evidence. As you know in this business, we collect a lot of evidence. It builds over the years. We do a pretty job in the last couple of years of getting rid of some of this evidence but again, not that it's piling up but we have a lot of evidence that we store. It takes up a good portion of the building that we're in right now. It would allow us to secure this building correctly over at Riverside and move a large portion of the evidence over there.

Also records, files, again, takes up a good portion of our building. We would be able to move that over there with a secure building. It also allows us to if you came through the building, some of our people we've put into small areas. Some actually closets that we've enlarged and put them into. It would allow us to use some of these other areas that we're using for storage from our records and from our specialty units of all the equipment. We would allow all that stuff to go over to this new building. It provides us an additional class room, conference rooms. We do a lot of training with federal agencies. It allows us to have a bigger conference room for that than we have at Pine Street Extension. It would also open up space in the building for officers - our firearms training unit would be able to be over there full time if needed because it has a lot of classroom space.

Like I said, this building is about 15,000 square feet. It's much larger than what we have right now. It's newer. The training

that we do have is our de-escalation classes, our use of force classes, our simunition classes, evidence and crime scene would be able to train over there, canine training, drone training, SWAT training, and also we'd be able to utilize with a bigger area a simulator. So that is just a brief breakdown of the benefits of why we want to go over there. I would just open up to questions if you have any questions.

Chairman O'Brien

Alderman Jette did you have a question?

Alderman Jette

Yes, thank you. So Chief I know that one of the reasons we're building a new building for the Department of Public Works is that they complained that that building has all kinds of problems. One of the problems is a severe air quality problem. I know you had problems at the firing range with air quality and we had to spend some money and hopefully we fixed that for you. So have they given you full disclosure about the condition of this building and are you willing to occupy it with all these air quality problems?

Chief Rourke, Nashua Police Chief

We'll do an assessment to go into that building. Again, we're not going to be in there 24/7. It's a training facility. We utilize that training facility when we have to. Obviously, we would look at that and if it was hazardous, then we'd obviously be back here I think.

Alderman Jette

May I continue?

Co-Chairman O'Brien

Follow-up.

Alderman Jette

So that raises a question because when the Department of Public Works complained about the air quality, the cost of fixing the air quality problems my memory is that they said it was cost prohibitive. That's one of the reasons why we're building this new building. So I'm concerned about our police officers now going into this building. Are you're going to come back next year and say you need several million dollars to fix the building?

Tim Cummings, Director of Administrative Services and Economic Development

Yeah, thank you. Great question. I actually wanted to stand up and add a few comments because what you may or not be aware of is as the Chief alluded to, we are doing an assessment right. That assessment is going to be of the entire site. I fully anticipate that we're going to need to have some capital upgrades to that building when the times comes. We don't know what that number is. I would not quantify it as a few million dollars or by any stretch but I do anticipate and would expect that we are going to need to maintain our asset that we have over there. We are going to keep it under the same use code that will minimize any type of capital improvements that are going to be required on us but nonetheless, we're going to have to make sure that we keep it as a safe building for our employees.

So we'll have that information later on this spring. Actually, I'm working very closely with Captain Kenney to get a contract before the Finance Committee where an architectural firm will be coming in hopefully sometime in the next few weeks to do that type of assessment.

Alderman Jette

Okay. Could I follow-up?

Chairman O'Brien

Follow-up.

Alderman Jette

So I'm wondering why - since DPW hasn't left the building yet and the building belongs to the City one way or the other, why is it necessary to turn it over to the Police Commission at this point in time and what does that really mean by turning it over to the Police Commission do we no longer own it? We have no say in what happens there? Could you explain what the effect is going to be?

Tim Cummings, Director of Administrative Services and Economic Development

Again, another good question. We're just following the rules that are outlined actually in the Charter and this is something that was very clearly articulated that when an asset is no longer under the use of a certain division, it comes back to general government unless another purpose is specified in which case the care and control would then go to whatever division or governmental unit that was going to need to use it. So we're just planning ahead. We're just planning accordingly. If this did not occur, it would come into central administration. It would come into general government and we would have to maintain the care, custody, and control of the building. We understand that the police have a use for it. It seems like a very appropriate use. We would like to keep it going. We want to maintain that asset as best as we can because it does have some functional use and benefit from a business perspective for the City. So that's why we wanted to get our ducks in a row.

Chairman O'Brien

If I may too. Alderman Jette, unfortunately somebody thought it was cute to change the name of this particular Committee but the original name by the City Charter is "Lands and Buildings". So when a place used by the City is vacated, it comes to the Lands and Buildings Committee, which is now known as the "Infrastructure Committee". So this is following exactly. We're going to see it again perhaps maybe in anticipation of the Elm Street School. This is why we're holding meetings and discussions about that because once the School Department is done with that building, it will revert back to the Infrastructure Committee. That's been, like I said, codified in the Charter if that helps you.

Alderman Jette

Could I continue?

Chairman O'Brien

Yes, you may.

Alderman Jette

So currently the building is also occupied by the Cable TV people and the Nashua Transit. Is that going to continue?

Tim Cummings, Director of Administrative Services and Economic Development

Yes, that will continue.

Alderman Jette

So could you explain? So the Police Commission is going to have charge of the building but then are they going to sublease it these other groups? How does that work?

Tim Cummings, Director of Administrative Services and Economic Development

No, again, it's all owned by the City of Nashua. I mean it's the municipal corporation is still the owner of the building per our Charter. The entity that has dominant control over the asset falls in the purview of that specific division - schools, libraries, fire, police, DPW, whatever it may be. Unless of course and we have this and there are some buildings that we maintain but we're not necessarily using for one of those functions. Good example - 14 Court Street. Another example - Hunt Memorial building in which case, that falls into the central administration's control - general government. Obviously with the use at hand that wants to be used by the Police Department, we're trying to move it along. From my perspective, this is really housekeeping. This is just a matter of just trying to be in good working order so we're doing things appropriately.

Alderman Jette

Thank you.

Chairman O'Brien

Thank you Alderman Jette. Alderman Clemons you had a question?

Alderman Clemons

I did and it just goes to the functionality of the Transit Department and the Cable TV. So if they have a request for I don't know an upgrade or something like that, does it have to go - because the way that we do things now, right for example if we're doing this room here when we upgraded this room and we did some major work to it or whatever, it's obviously under the purview of the Board of Aldermen. So any work we do that. If they have a major, I don't know, I can't anticipate what it might be but something that they want to add or something like that, does it go before the Police Commission or does it come here?

Chairman O'Brien

I'm going to let you field the capital question.

Tim Cummings, Director of Administrative Services and Economic Development

So excellent question. I would suggest if it's within the area that they're working within their walls, it would come before the appropriate entity that had approval and jurisdiction. Non Police Commission if it was the Cable Access or Transit. If it was within the property itself, the map, and parcel, or anything that was within the care and control of the Police Department, then that obviously would go through the Police Commission.

Alderman Clemons

Okay.

Chairman O'Brien

And I know you know the answer, you've been on the Board for a while. We're not talking painting the walls. We're talking it has to be a capital improvement. Alderman Dowd?

Alderman Dowd

Yes. One of the main things it does is it takes the budgetary control for the maintenance of that building and it's from the DPW since they'll have another building to take care of and it transfers it to the Police Budget. So that's what the Charter was all about. It's transferring who is paying for the - I don't want to keep saying care and upkeep, but it's the various costs associated with that building now falling to the Police budget and not in the DPW budget anymore. They will have legislation that says now that the new building falls under them, then it's under their budgetary control. That hasn't come before us yet.

The other thing I wanted to mention as liaison to the Police Department, and being on Infrastructure over the new building, this is as Director Cummings has said, this is part of the Charter that we have to transfer who is responsible for the building so that it can fall in the right budgetary line.

Chairman O'Brien

Well because of that statement, we'll Velcro you to Infrastructure. Alderman Moran?

Chairman Moran

Thank you, Mr. Chairman. I want to try to phrase this the right way to make sure it comes out of my brain correctly. So I had an off-the-cuff conversation with George Russell when I was doing a public access show. He had hoped for, not like tomorrow, for larger space to expand there or somewhere else. I'm assuming there. If it were to ever be an option, it would now have to go through the Police Commission?

Tim Cummings, Director of Administrative Services and Economic Development

Yeah if I may, Mr. Chair? I've also had a similar type conversation but his focus wasn't so much staying on Riverside but actually talking about maybe being more in the inner core somewhere in the inner core area of Nashua not necessarily out on Riverside. Yes he is looking for more space. I think he has a vision. We want to help him with that but I don't think he necessarily wants to stay at 9 Riverside for a longer term.

Alderman Moran

Did he talk to you about the late night talk show? Thank you.

Chairman O'Brien

Alderman Clemons?

Alderman Clemons

Thank you for answering that and actually Alderman Moran's point was more to where I was going with that. I just wanted to state for the record that I do think it's a great idea. It's not every day that an opportunity where the building of that size comes into use for a department that clearly is growing and needs to have access to a building that size. So I think where it's right adjacent to the Police Department, I think that's kind of the perfect fit. I hope that it works out. I hope we don't uncover a lot of issues with it but I think for what the Chief laid out there, I think it's a great opportunity and it's something that I certainly will support.

Chairman O'Brien

Very good. Alderman Comeau?

Alderman Comeau

Thank you, Mr. Chair. I don't have a problem with the paperwork side of this but some of the other concerns that my colleague from Ward 5 raised, I share those concerns as well. We're moving a City department out of this building for numerous listed concerns. I would be curious maybe through you to Director Cummings what happens if this assessment comes back with a list of things that have to be done before the police can move in that makes it cost prohibitive like it was for Public Works? Would it make more sense to wait for that assessment to come to do this legislation? I guess what is the reason to do this right now as opposed to waiting for that assessment to tell us that the building is going to suit these needs?

Tim Cummings, Director of Administrative Services and Economic Development

Thank you. If I may? So really good questions there and quite a few points to hit on. First, I want to start by saying I think it's pretty fair to say that although one of the drivers of moving to a brand new building for the DPW was the condition of 9 Riverside but it wasn't the sole reason. Getting all the district departments together, centralizing them into one building will create some efficiencies. It was really a bigger, long-term vision of trying to get our Department of Public Works all under one roof to help to start create a culture to help add some of those efficiencies. The life of that building was at its end and instead of investing there when you wanted to do some of these other things, it made sense, again, from a long-term perspective to move in the direction of new construction.

Segwaying from there, we're going to have that conversation. I'm not going to shy away from it. If the assessment comes back and says certain things are going to need to be done, we're going to have a conversation with the Police Department and with you as to whether you want to proceed in that direction. We don't know yet and we still have a responsibility to maintain the asset. The Police Department has a plan, has a vision. We just want to help them along in that. I fully anticipate we're going to have to spend some money, albeit I'm trying to do everything we can not to spend as much money as possible. I'm trying to keep it within reason but we're going to need to bring it up to certain code. One example, and I don't want to go too far down the path because I don't have all the information, but there's going to be some security elements going to need to be introduced. That's just a minimum standard that we're going to need to do. So we will have that information and then we can come back before you and have a discussion about spending some money on 9 Riverside.

Chairman O'Brien

Director Cummings - Alderman Klee I have you but I would just like to state, keep in mind with this regardless if the police take over or not, it's going to become a municipal building. We currently own it to date because it is part under the DPW. Once they vacate, again with the Lands and Building in our Charter, it comes back to us. So if the building is deficient, we've got deficient property. It may be very tough to determine. When we do real estate transactions, keep in mind we do it sort of like "with our pants down" for lack of a better term but people can see exactly what we discuss at a public meeting and to be full disclosure on what it is. So hopefully there isn't much with this building and we could repurpose it. And with that, Alderman Klee?

Alderman Klee

Thank you, Mr. Chairman. A couple of comments. I'm glad that Director Cummings mentioned the purpose of the new Public Works building was to bring all groups together. As many of my colleagues here have done, we've kind of toured them and we've seen that the Parks and Rec building is truly horrific. Of the three between Parks and Rec, the landfill, and the 9 Riverside, that's probably the better building of all of those. So this intent was to bring them all together and I see that. I'm glad that you brought up the security of that because as Chief Rourke was speaking and talking about bringing records over there and so on. I actually wrote that down "security in the building". So I'm glad that you brought that up.

I know this is just the beginning and to what Chairman O'Brien had said, this is kind of a paper chase based on our Charter. If it does go to them, and we do an assessment, and they say this is just too much we can't handle it, it would just revert back to the City, is that correct?

Tim Cummings, Director of Administrative Services and Economic Development

That is absolutely correct. It will just come to Administrative Services. It would rest and reside there. We would still have all these obligations that we're talking about now.

Alderman Klee

If I may?

Chairman O'Brien

Yes you may. Follow-up.

Alderman Klee

Thank you. It's not really a follow-up, it's more of a comment. So again, just the clarification is this is just a paper chase based on our Charter. I think it said item #60 of the Charter and so on. I don't see this as anything of controversy unless we find out that it's going to cost \$5 million to make it to what the Chief needs and so on but I'm sure everybody will work really hard to make that happen. Thank you.

Chairman O'Brien

Thank you, Alderman Klee. Next is Alderman Gouveia. In the que will be Alderman Clemons.

Alderman Gouveia

Thank you, Mr. Chairman. Just a question to start off. So there was no previous study when DPW was looking at a new building? Making the new building, there was no previous study like when you were doing now to look at the condition of the building?

Tim Cummings, Director of Administrative Services and Economic Development

No. There was absolutely I believe there was a previous study done of all the assets by DPW and they did a life cycle analysis of the various assets. 9 Riverside was one of them.

Alderman Gouveia

Okay. And then I think with that, it's just kind of surprising to me. I have no issue. I think it's great. It's great proximity to

the police station. It would add some great space but I think we could be looking at farther down the road a big and what could potentially be an expensive project because when I first got elected and DPW sat me down, it was a big sales pitch on why they were moving. Building the new one was the sub-par conditions at 9 Riverside. They had a whole second floor that they said they weren't really using because of the condition. So I am for this. I'll be interested to see what happens farther down the line and how this project really prevails out. Thank you.

Chairman O'Brien

Alderman Clemons?

Alderman Clemons

So one point to think about is that by doing this and transferring this property over to the Police Commission, they can have these discussions there and they're better suited, in my opinion, to have them because I'm sure detail oriented as to the operations of the Police Department, what they need it for, how they're going to retrofit some of that building. To me, I'm of the opinion that I would rather transfer that property to them, let them figure out whatever they need, and then come back to us. Ultimately, the purse strings come here anyway. So if it's going to be too much and the taxpayer can't afford it, then we're going to have to have a discussion to say will we have to scale this down or we'll have to do whatever? I would rather have the Police Commission be the one to look at that, see what the needs are, talk with the Chief, talk with the stakeholders, and really get that plan in place after this is done - the initial study is done. Because to be honest with you, I don't know the first thing about what they may or may not need and it has nothing to do with the fact that it's just that I respect you, and your job, what you do. You're the professional and you're going to come back to us hopefully with what you need. So I think that's a great reason to support this legislation and move it forward.

Chairman O'Brien

Thank you. Further comments/questions by the Board? Alderman Jette?

Alderman Jette

Thank you, Mr. Chairman. So Chief after you get the building and you bring it up to the standards that you need, you mentioned that in one of the things you said to me in answer to one of my previous questions was that you're going to be using it as you need to. You won't be there 24/7. So my question is after you get it fixed up and you fix the problems that the Department of Public Works found and you have more space than you really need, will the Police Commission be willing to allow other City groups to use it like the Cable TV people and the Nashua Transit if there are other groups that need space will you be amenable to sharing the building with other City groups if necessary?

Chief Rourke, Nashua Police Chief

Well we'd have to access that when we get to that point. Again, it's going to be a secure area. It's a Police Department so definitely not going to just let George take a room in there and get free rein. Not that I don't trust them but we have accreditation that we have to follow and procedures. So like Director Cummings said, that has to be secure and no one else has access to it but our police officers. Can there be a deal made where if someone needs room or something like that, and we're not using it, and then we're able to secure that area, that's something I'd obviously be willing to talk about. Right now, I think we're in the infant stages of assessing the whole property and what we're going to use it for. That would be my answer.

Alderman Jette

Okay, thank you.

Chairman O'Brien

Alderman Caron?

Alderman Caron

Yes, thank you. I think that it's important that this building is going to a department that's right there. If you do nothing but utilize it as a storage area and it's secure, the issues that DPW had would not be high priority I would think.

The other thing is as far as DPW - trying to build a facility for DPW has gone on for 20 years. We have tried to get out of Greeley Park, Street Department, and DPW. Before Riverside, they were on Simon Street. So this is a long process and I say it all the time, we have these buildings but we don't maintain them and then we're stuck in the situation as Alderman Jette said that costs us millions. But the idea that you want this building and you're willing to work with it, I think we need to move the process paperwork as Alderman O'Brien said, give it to the Police Commission, let them come to grips with it, and what's going to happen because it's budget season. So that would be another facility that they have to consider for utilities, etc. etc. So I'm in agreement with it. Yes if you come in with a \$10 million project that might not go that way.

Chief Rourke, Nashua Police Chief

And I can assure you I will not do that.

Alderman Caron

Thank you. I think it's important that you have a safety component in a building that's near you that you can utilize. I think it's important and I don't think Channel 16 should be utilizing police space.

Chief Rourke, Nashua Police Chief

It just makes sense. It's right next to our facility that we have now. Again, I hope there's very little cost in this but again, we do have to make sure it's secure. It's a Police Department and that is not something I want to see on the news of someone breaking in and stealing evidence and stealing records. That's the number one point.

Alderman Caron

I agree wholeheartedly. I would support this transfer. Thank you.

Chairman O'Brien

Further questions or comments on the motion? Captain Kenney do you have anything you'd like to add?

Brian Kenney, Police Captain

No Mr. Chair. Thank you.

Chairman O'Brien

Please give my regards to your father. Thank you.

Okay seeing no questions from the Board, I will now call for a vote. The motion is for final passage of R-22-077.

MOTION CARRIED

MOTION BY ALDERMAN GOUVEIA TO SUSPEND THE RULES AND ALLOW DISCUSSION AND RECOMMENDATION OF R-23-080 WHICH WAS REFERRED TO INFRASTRUCTURE AT LAST NIGHT'S BOARD OF ALDERMEN MEETING

ON THE QUESTION

Chairman O'Brien

I know we heard this last night at the Board of Aldermen. It is very timely. I did have the discussion with Alderman Dowd and it is of importance. So therefore, I will recognize Alderman Dowd for a motion.

Alderman Dowd

I guess the first thing is to...

Chairman O'Brien

Oh yes, to suspend the rules. Any discussion on the motion? Seeing none.

MOTION CARRIED

R-23-080

Endorsers: Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderwoman-at-Large Gloria Timmons

REGARDING THE CARE AND CONTROL OF SCHOOL BUILDING PROPERTIES

MOTION BY ALDERMAN DOWD TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Dowd

This is sort of another cross the "t's" and dot the "i's". It's a State requirement. The State has authorized the use of funds for the redo of Birch Hill and Main Dunstable. We've already passed a bond to cover the City's part of it. But the State requires that we pass this legislation that says that we guarantee that the school building will be used for 50 years or longer. It's much like when the airport has to have a lease of 99 years when they give State and federal funds to the airport.

By the way, we have not closed a school in over 100 years. The first one coming off the block will be Elm Street and that's 88 or 89 years. So we're redoing these entire buildings and therefore, we have no intention nor does the School Department of closing them anytime within the next 50 years. So the reason for the expedition of this legislation is that the next Infrastructure meeting which was earmarked for this is after the next Board of Aldermen meeting. Therefore the only way to resolve this other than tonight, would be to have a special Infrastructure meeting. Calling another meeting, going out another night, or this wouldn't finally pass the full Board of Aldermen until sometime in February. This project is under way. We have architects and construction managers working this project as we speak. As I said as soon as we had the okay from the State to spend the money but they will not allow us to bill a State until this legislation is passed. So we need to move this along quickly because we have people that need to get paid. I'm sure they're not gonna want to wait three months to get their first payment.

So with that, I would like to recommend that we pass this this evening so it can go to the next Board of Aldermen meeting, get settled, and we're good to bill the State for their portion of the funding. Can I answer any questions if anybody has any?

Chairman O'Brien

Thank you, Alderman Dowd. Discussion on the motion? Alderman Klee?

Alderman Klee

Thank you, Mr. Chairman. Just for clarification, this is for the ESSR funds, correct?

Alderman Dowd

This is for the ESSR funds for Main Dunstable and Birch Hill.

Alderman Klee

Right. I'm just bringing that up to the public. It came with a lot of heavy criteria and of the 50 years or I think the useful life of the property whichever was longer which will probably be 50 years. So just so the public knows, this is all part of that ESSR funding that the State has been giving out. As you pointed out, people need to get paid. The project has been approved and moving forward and so on. I hope this Board gives a positive recommendation.

Alderman Dowd

There's a lot of approvals to go through and the State's approved everything, and authorized the project, authorized the

spending. They just need this as part of their packet that says we'll keep the school open.

Chairman O'Brien

Follow up?

Alderman Klee

Just more of a comment. I say this as being one of your cohorts on the Joint Special School Building Committee. We discussed this and these funds. We have made really good headway through Chairman Dowd's tutelage and so on so thank you so much.

Chairman O'Brien

Alderman Clemons?

Alderman Clemons

Thank you, Mr. Chairman. Yeah, we have closed schools in the last 50 years but it's more that we've replaced them. Spring Street Junior High was replaced by Pennichuck and the Crowley School was closed. The point is, is that I don't think we're going to put all that money into these two schools and then close them. Hopefully, you know, we keep track of this so that if we ever do have to close a school, it's not going to be one of these and that's kind of the point of this. I don't have a problem with it. I think Nashua's population as we saw last night is growing, will grow into the future, and I think the need for school buildings is only going to grow with that. I think this is the kind of legislation that's a no brainer to me.

Chairman O'Brien

Alderman Dowd?

Alderman Dowd

Yeah just for clarification those two schools you mentioned, one of them didn't transfer to them but they were both over 50 years old.

Chairman O'Brien

Very good. Further comment? Discussion on the motion? Seeing none, I'll call for the vote.

MOTION CARRIED

NEW BUSINESS – ORDINANCES - None

TABLED IN COMMITTEE - None

Co-Chairman O'Brien

At this particular time, we're going to reconvene. You won't even notice it. It will be blip on the radar but we're going to the combined with the PEDC and Infrastructure Committee. I would like to thank our sister Committee. As you can tell with the items that were discussed this evening, a lot of these were timely and had to be done. I thank you for your patience and with that both Co-Chairs would like to recognize Director Cummings which is going to give us a presentation on the NIMCO building which is in the Nashua Millyard. Welcome Director Cummings.

DISCUSSION

- NIMCO building and Millyard

Tim Cummings, Director of Administrative Services and Economic Development

Again, thank you, Mr. Chairman. I want to come before you this evening and have a conversation about the Millyard and specifically the NIMCO site. The reason why is because over the last year or so, we've been studying this specific site at length because the idea would be is we'd be looking to put it out to an RFP and sell this three to four acre piece of land. So we've gone relatively far in the study of this site. I wanted to brief you all on it, seek your feedback, and guidance. Based on this conversation, I'm going to make a decision whether to ask for a resolution to be filed and actually get an officially adopted direction from the Board of Aldermen that we proceed with the RFP predicated on the plan that you're seeing before you.

So that would obviously delay the issuance of an RFP. The reason why I feel strongly that I need to do that is because I need to make sure that when I'm speaking to the private sector, I'm doing so with the understanding that I have some consensus from this body here and I can make accurate representations. And so this is going to be a conversation this evening where I'm going to walk you through some of the slides, and some of the work we've done, and hopefully we can get some – hopefully I can get some feedback from you all and some direction and hopefully hear what your priorities are.

So with that being said, a lot of this has been developed by Ikon Architecture. I'm going to skip through some of this here which is a little unnecessary. The idea is obviously the idea will be this document will be available to developers and to the private sector. We wanted to give some sort of orientation, some context. So this is the Millyard itself. We're looking at the reuse of three and a half to four acres a site located in the Nashua Millyard. The study provides the basis for a developer of the RFP. The study process included evaluating and making planning recommendations for the site conceptual plans. We're looking to sketch some perspectives and get some construction cost numbers. That's really important so we actually understand the value of what we have and you can decide appropriately as to how you'd like to proceed.

The most likely highest and best use will be a multi-family residential. I should take a step back and remind you all that Ikon Architecture was the lead consultant but they had some sub-consultants underneath them. There was a market consultant. Abramson & Associates - Barry Abramson is a market expert and he studied the market as a sub-consultant to Ikon. We had Desmond Parking - our parking consultant generally for the City, also a sub on this project. Hayner Swanson - Civil Engineer, sub-consultant on the project. Andy Prolman as you know Prunier and Prolman, he was a sub-consultant on the project. They all played a role to help put this report together for our benefit. With that said, it's looking as though it's going in the direction of multi-family residential and this is what this plan says. Obviously, I'm going to be looking to you to affirm that direction and we can talk about that because I need to get a sense from you as to where your priorities may lie. How much affordability are you looking for? Are you looking for rentals or condominiums? How much density? We vetted out these ideas. When I write an RFP, I want to make sure I'm going to appropriately.

So here's the initial assessment of the site. You're all, I believe, pretty well aware or familiar with the area. Here is the Pine Street, Pine Street Extension connecting over to the Veteran's Memorial Parkway. This is our traditional Millyard area for the City itself. This is referred to as the "Millyard Technology Park". It's a larger office building to the north. To the south, actually this is a piece of property that I believe will be coming into play depending on the wishes of the Board of Aldermen. This is actually ironically enough the training facility that we were just talking about that the police currently occupy. Should they proceed over to 9 Riverside, this building would get turned back to the City to Administrative Services. I'm going to be looking for direction on what to do with it. Subsequently, I sent a memo to the Board of Aldermen which I believe you have received that says actually BIDA has expressed an interest in potentially redeveloping this area and that's a future conversation should everything I just mentioned prior kind of take effect.

With that being said, this is a publicly-owned parking lot. This is what we refer to it as the "Pine Street parking lot". We've got some Millyard conversion office buildings right here. We have the Bagshaw building right here. That is for those of you who don't know, a long-term family owned pin making company. They make pins and that then leads onto the NIMCO site. The NIMCO site is a hodgepodge of parcels where Ultima NIMCO once was a manufacturing facility at this site. We originally took the site under the auspices of building out the parkway when we believed the parkway was going to be four lanes. It got redesigned into a much more narrower two-lane type of roadway that did not necessitate as much of land being necessarily used for the road. So you have this three to four acres available now that we have an obligation to dispose of per the agreements that we developed with the State. We couldn't it prior because it was under litigation for many years. That litigation has now subsided and we've moved beyond that. So we are at a point where we can actually look to dispose of the property.

So here it is here in closer detail. You can kind of take a look at it here and get sense of what I was just referencing. The green is the NIMCO property. One of the other things that we did to help enlarge the site and this was all in lead-up-to to this conversation here today was while this site was under litigation, we took advantage of that time and we actually swapped out this substation right here which was contiguous to our property, I'm sorry it was right here, it was contiguous

to the property, and we shifted it a little further north and so it expanded the footprint that we currently have to work with which is this green site right here. We slid that substation that Eversource uses again to plan north.

So probably to no one's surprise, this land is burdened with a lot of easements, and a lot of conditions, and a lot of obligations, and that's okay. I feel as though we need to just make sure we understand what the obligations are and so we had Andy Prolman work with us to do an analysis to tell us what easements would need to be extinguished to be able to get this development site ready. One of the reasons why it was important to do this is because if we're going to issue and RFP, a developer is going to want to know how big of an area that they have to work with and what some of the constraints would be that would preclude them from being able to do the development or the vision that they have. We want to be able to point out and let them know what might be real and what not might be real. So that's why we did some of that due diligence.

This is also a way of showing the site circulation currently as made up. You can see the red arrows just kind of show the way vehicles would traverse and I believe the dash would show the way pedestrians could traverse. It's a little difficult to see on this light here but if you were to get a hard copy, there's some small black lines within the green boundary area. Those are all the easements that I referenced that we'd have to clean up.

So along the way, we had some public conversations. Some of you may have participated in that. We did something in the February timeframe. We did something in the spring timeframe. It was all to help generate an idea as to what could potentially be possible. So that led to some ideas as to some conceptual site layouts. We landed on option number two as a recommendation to you all but essentially what this shows you - and I'll blow this up a little bit so you can see it a little bit better - so what this kind of shows you is some options. I kind of put a black line through what we as a consulting team and the project team working on this is recommending to you so you can kind of keep that in the back of your mind. But this was one iteration if you can look to see how we did the development. These white buildings would be to potential new development. You could kind of see the thought process. Again, the orange being more of a pedestrian. The red being more vehicular.

So this is another thought process. I highlighted option two because this is ultimately the recommendation that's being made which is you keep the vehicular the same and then you keep the pedestrian pretty much the same. You can maximize the density and the potential layout of the site. Now you might be asking well what's the thought process there. We wanted to obviously provide as much development potential as possible as if you will the biggest square for development. The trade off to that being is I'm going to use the word "conflict" because that's how we refer to it in urban planning but essentially what it means is you've got two modes of transportation happening in the same area. The pink, reddish, and the orange are going to be working in the same area. That's just something to be aware of. It's a trade-off. As opposed if you do something like this which you can see we minimized that "conflict" where we are encouraging vehicular movement through the site, trade-off being you're not getting as much density but you're keeping the pedestrians more away from the vehicular traffic. Again, not a recommendation that we're making but something I wanted you to be aware of and I would love to get your thoughts. Again, another iteration of something like that being shown here.

I will note that the feedback that we got from the market consultants was that the private sector really doesn't want to encourage public vehicles traversing their properties. So if we went down this path, we would have to see if we could lay out a plan that a developer would do this on their own and another developer would do this on their own. You know they wouldn't necessarily want to encourage the through point here. So again and other reasons why we didn't necessarily want to make this recommendation to you all. Obviously, it does happen. It's just not a preference that was the sentiment expressed.

So that gives you a little context about the site analysis that occurred. We ultimately landed on that option two that I talked about with you before. Here's how we envision the full entire circulation kind of occurring and something that I think we should kind of talk about is this idea of one of the great things about the site is it lends for pedestrian connection so if this is the Riverwalk here, you're going to connect on through to like right about here, and then we're going to do a mid-block crossing right in through here, and that allows you to go straight on down to Mine Falls, and you have this nice pedestrian walk that we could encourage as well as the vision was to encourage a pedestrian walk in and along through this way, and continue on along through here. Again, Mine Falls back in through this way or continuing back along. So this is the ultimate circulation that is being suggested as we continue to look at this area of the City differently moving from that traditional industrial or light industrial use into what's probably going to be more of a mixed use environment and definitely have more residential.

So let's talk a little bit about the assessment of the market. So I'm going to summarize this. You can look at this in more detail. Bottom line is yes you could do light industrial in that area if that's your so wish. There's somewhat of a market for

that. You would have to be more patient to actually see any type of development happen on it. It would probably be a build to suit type of environment. You would not see any type of speculative type of development happening on that site. If you wanted to wait for the right opportunity for a job type of entity as opposed to a residential and housing unit type of entity, that could be possible. You would not see a hotel necessarily show up unless there was a strong subsidy provided by the City. The market just doesn't allow for it at this time. Same with retail. What you would see, and if you wanted to go in the direction and what is being recommended to you is to pursue some sort of residential development, really no mixed use component on the site and what you'd think of as much more traditional vertical mixed use because the market doesn't support that. If you were willing accept just a residential and some "horizontal" mixed use which could be the other areas in and around this particular site or maybe a small portion of this site being used for a non-residential use, that would be acceptable or something you could potentially see in a relatively short timeline. You need to get a target range of about 150 to 200 units if we were to even do any type of residential development because that is the type of market demand that we're looking at.

Earlier, I mentioned I'm looking for some direction as to what you'd like to see and part of that is also like how patient you are willing to be. One of the things you may be willing to do, but you'd have to be a little bit more patient, is you could potentially see live work units and you could potentially see condominiums. If that's something of interest to you, I'd like to know that. That would take you more time to potentially achieve that. When I'm talking time, I'm talking years as opposed to what I believe is if we put it up for rental you would probably see something immediately and that would be much more attractive to the market place.

So now we'll talking about some massing options. So let's assume that we're going in the direction of multi-family and we're assuming that we are wanting to be in that 150 unit range, 200 unit range. This is the type of site that you'd see. So this right here is basically a layout where you have a u-shaped building, surface parking in the front supporting that building, and there's a suggestion of maybe doing an amenity building out front here, or that could be small retail if you wanted to have small retail 2,000 square feet no more, maybe 5,000 square feet no more. You'd have to be willing to mix the parking in there and they would have to use that surface parking lot right in front of you. You might be able to encourage and support that. I don't know if you'd see a full restaurant per se but you might be able to get a small scale food type of establishment. You might be able to keep that level and just provide the - a developer may be willing to provide the utility hook-ups. You might be able to create a couple food truck spots there as well. These are some of the outside the box ideas that were talked about for trying to activate this space right in through here. That's probably the only real difference that you're gonna see between the other options.

So again, this is option 1A had 155 units, 170ish parking spaces, and this box represented that 2,000 square foot type retail. 1B - same type concept except for the elimination of that 2,000 square foot retail but maybe it could be a pad site that could be like a pavilion. You could put some picnic tables out there if you wanted. You could create a little pocket park. You could activate that space in some way if you wanted to and that was just something that was being called out by the design team.

Option 2 - 171 units, 180 parking spaces, that 2,000 square foot retail. If you noticed, the designs have changed. This 2A has it now as two separate buildings with a little bit of a courtyard here and then again the design changed in 2B with a front building and then a miniature u-shaped building. I believe the thought process is the parking would be in the rear. So now think about this as being a little bit different. You're coming down the roadway here. You're not necessarily gonna stare at parking here, you're going to have a building right in front of you right here. The parking would be in the rear. I think it would be pretty safe to say though under this scenario it would be much harder to develop any type of retail because you'd be moving the parking further away. So that's just a trade-off that you need to be aware of.

Another type of option is, again, this 3A. Now we've removed the bar that's right here. We create a little bit more of a courtyard. Talking about a little bit smaller of a project, you know, just under 100 units. 3B - you'd have 122 units. Again, as shown right here. Basically the difference here is you're lowering the floors here so you're not as high. You don't have the verticality here would increase the views for this building right here. It's just something to be aware of. One of the things I should note and I want to make sure everyone is aware of was we set a target parking ratio of about 1.25 to 1.5. That's typical of what we've done in the past. That's not precedent setting. That's something that we have accommodated here in the City. It's something we would recommend. Everything that we're showing here would mean that parking could be contained on site. You could use some of that ancillary parking, that public parking on Pine Street Extension or in the Pine Street Parking lot but it was really discouraged. That should really only be used for visitors, guests, incidental type uses but you really want to be able to have that parking on site. So the preferred scheme by the development team was this idea of what I believe was 180 units here, 6 story building. The least dense option was I'm gonna say 130 units but I could have that wrong. I'm going to double-check that.

Again, most dense right here, least dense right here. The biggest difference is, is you're removing the "U" and creating two different buildings as opposed to having that. This could all have units in it if you so desired. So that's the biggest trade-off between the two options being recommended. I told you a little about the parking assumptions. I'm sorry I said 133 units, it's actually 124 units. So one of the things I was going to make sure everyone understands and realizes is so when I said you could utilize some of Pine Street Extension parking, I want to give you an orientation. This right here would be the massing of a new building right here. This is Pine Street Extension to give you an understanding of where I am. Think of this area as the Bagshaw building right here. This would be the Bagshaw parking lot. You'd be facing and looking towards Mine Falls Park. You're going down a grade. You'd be going to the future dog park if you will. This is the type of roadway that we would suggest being built out for that area which has two drive lanes. We're suggesting some parallel parking, sidewalk, a little bit of a buffer right here. All this can be accommodated within the footprint of the current landsite that we'd be putting up for development. It would be right in and along through here. I believe it's this edge right here would not be part of the project. So anything this sidewalk, this curb line represents the property boundary if you will, so we would ask the developer to build out this type of streetscape if that was the desire, and make that part of the project, and then this streetscape would be available for use. This is the type of what we refer to as a "street profile" we'd be looking at. I'm sorry I just want to clarify. I had the property line on the wrong curb, I said it was here it's actually the property line would be here. It would be this curved line.

So again when you look at this, this kind of shows you the parking layout. How the parking would come into fruition. I think what would be best to show to you is a side profile that we've developed. Again, these are just other various type of renderings amassing views that you can take a look at, at some point. But really what I want to show you is how the parking would be accommodated. I believe it's on my next slide here. So here it is here. This is really something I wanted to illustrate because I think it would help give you context as to how it would be handled. So this is gray is like the land, the terra firma. You see how the grade goes down. This would be the river right in back through here. This would be your future dog park over here. So using the grade to your advantage, you can see that you can tuck the parking for the most part before you get to street level over here. So that's something that was really a priority for the development team because that's how they really wanted to kind of activate the space, get as much units as possible. You would be using the grade to your advantage. As you go down the grade, you turn into and go essentially under the building and you'd park the car there.

That is the most cost effective way to be able to accomplish this type of design which bring us to the last part of the project that I really wanted to highlight, which was we costed all these estimates. The reality is it's all within the market of the City of Nashua. So a developer could afford and here's the summary of the development costs here. They could afford to develop this and get a return on their investment. It is a project that does pencil and that was a goal we had at the very beginning if they were to follow one of the preferred schemes that we've demonstrated or we've articulated. So I'll close my comments there. I'm going to be emailing this all to you. It may already actually up on our website as well. Nope. So we'll also get it up on the webpage as well. It will be available to you all so you can kind of look at it at your leisure. So again to frame my comments this evening, what I'm really looking for is some direction as to what you'd like to do. I can proceed without an official authorization through a resolution to go to an RFP that you've accepted this plan or otherwise I can wait. I can submit legislation, get an official vote of the body, and then we'd proceed to an RFP. I'm trying to get a sense as to what the appetite of the Board may be. A critical component of this, and I want to make sure, I'm clear and it's why it's my last comment, this all talks about market rate type housing with the understanding that we would only be following our inclusionary ordinance or policy which would be that the expectation would be 20% of the housing units of whatever they may be would be provided at 80 percent of AMI. If that is not something that all of you are not interested in doing, I need to know that because the profile, the type of developer I would be seeking to court, would be different. So with that being said Mr. Chair, I'd ask that we open it up for discussion and I'd love to get the groups thoughts.

Co-Chairman O'Brien

Thank you. I will and I've seen a couple hands go up but I would like to just make a couple clarifying statements. What was presented to us by Director Cummings is a concept. Nothing is etched in stone at this particular time. I think Director Cummings to get back to what he said is looking for a directional type of way that he's on the right course. Keeping that in mind, I would like to piece mail some of the discussion so that we can stay with it and follow because this is quite a large project. So keeping that in mind, I'll open up discussion on what Director Cummings says seems to be the favored recommendation from the Committee is option two. So we'll start off with that, see what you people think of option two, and I'll open up the floor for discussion of option two. Alderman Clemons?

Alderman Clemons

Thank you, Mr. Chairman. I have a question and then I have a couple of comments. But my question, I think, is going to

predicate, well the answer to it will predicate where I'm thinking. So have you had discussions with the current occupants in the Millyard? So like Bagshaw Company, the Millyard building. Have you had conversations and what is their reaction to potentially having residential sandwiched between all these industrial building?

Tim Cummings, Director of Administrative Services and Economic Development

Great question. Mr. Chair if I may?

Co-Chairman O'Brien

You may. It's not on option two but please feel free.

Tim Cummings, Director of Administrative Services and Economic Development

Yeah I would suggest that they have not given an expressed opinion as to one way or the other, other than they are very aware of this project. They were part of the process. I am on the Millyard Board of Directors. I bring this up to them every time we meet but with that being said, I have not gotten their opinion as to whether they would not or would be opposed to residential. I think they presume by just a fait au complet it's going to be residential and so that has been the focus of the conversation. I think not so much the uses of concern to them, I think more is how would the Pine Street parking lot be used. I think more of a concern to them is specifically for Bagshaw in particular, what does the roadway look like and that road profile that I showed you is of concern to them. I think another concern for them, and again these are all concerns that we discussed and that's why I can speak to this, vehicular movement but specifically 18 wheeler type trucks moving in through the Millyard. So everything we showed you we did radius, and circulation, and we only presented options. Would could have designed something much larger but you wouldn't have be able to fit those 18 wheeler trucks in and around through. That's very important to some of the stakeholders here in this area and that's what lead to some of our design.

Now with that being said, I also want to remind everyone that there's no question the transition of this neighborhood over the next 20 to 50 years is going to be mixed use residential. I think the current owners of this land understand that and they are all making their own businesses decisions based on that.

Co-Chairman O'Brien

Follow-up?

Alderman Clemons

Yes. So thank you for that. I'm glad that there was conversations with them. I'm glad that whatever we do here will accommodate the traffic that we need for the existing businesses that are there because I think that's ultimately the most important aspect because we want to make sure that we're supporting the economy that exists. So with that being said as far as the options go, I do like option two. I would prefer the most dense option. I think we should get as many units as we can out of the property. That would be my opinion. The highest density that we can do and go from there. I did want to also just mention too that I think that going with our inclusionary ordinance is the right way to go. I don't think we should put any special stipulations on this. We passed the inclusionary ordinance for a reason and it went through the market iterations to make sure that anything that was of this scale we would still attract people who wanted to develop in the City. Therefore I think in my opinion with this particular project, I think we should move forward with the inclusionary zoning as it is. Thank you.

Co-Chairman O'Brien

Thank you. Again, Director Cummings can you bring up the traffic flow that you did have under option two. It seems to have been a concern but this echoes. Alderman Clemons, I didn't know where you were going with your questions but you did focus on option two, which was the traffic flow which is a concern absolutely. Alderman Moran? We're discussing option two.

Co-Chairman Moran

Thank you, Mr. Chairman. So right next door you have that Pine Street Extension space where you have Peer H.E.A.R.T.S Respite.

Tim Cummings, Director of Administrative Services and Economic Development

Yeah, that's like right in and around through here.

Co-Chairman Moran

You have the mobile crisis apartments for people who are one step below in-patient psych. You have Stepping Stones. You have a lot of social services in that area and mental health treatment. Is that going to be an impact? One – is it going to drive out those services from there or two, is it going to be an impact on who would want to live there whether it's apartments or condos? A lot of people don't usually jump to live next to an in-patient psych hospital, right? Would that be a divergent factor for a developer per se?

Tim Cummings, Director of Administrative Services and Economic Development

It may. I don't know. I do want to touch upon one of the points you made though that I fi may Mr. Chair. So again for the record, I don't know about the first part of your question or comment. The second part of your question, "would this drive them out?" I don't know how to respond to that because I don't know if this development or any development is going to "drive out" the tenancy because the market is going to just continue along. As this market changes, and it's not this use that's changing it, it's actually the roadway. It's the parkway. Once you built that parkway, this area is going to change. Nothing is a better example on that as the presentation you heard last night. The only reason why last night we had the conversation we had is because there's a parkway there. Now that we've got a parkway here, inevitably the market is going to continue to evolve. So I don't want to misrepresent anything. I think that that is going to be a long-term conversation that is going to need to be had and folks need to be aware of. I believe that's separate from this particular development.

Co-Chairman Moran

Follow-up?

Co-Chairman O'Brien

Follow-up.

Co-Chairman Moran

So have you had conversations with Greater Nashua because they just put that in there like 6 to 8 months ago just to see what it might impact their business? I'm sure you've had it with the private businesses it sounds like with all the non-profits that are over there?

Tim Cummings, Director of Administrative Services and Economic Development

We spoke to the property owners. We did not necessarily engage tenants of property owners but we spoke to all the property owners in that area.

Co-Chairman Moran

One final thing.

Co-Chairman O'Brien

Follow-up.

Co-Chairman Moran

Does option two have that spot for the retail space?

Tim Cummings, Director of Administrative Services and Economic Development

Yes to answer your question. This is just the circulation of the vehicles and the pedestrians but I can get to the preferred if you'd like.

Co-Chairman Moran

This area is known to be a food desert. So I'm not sure if that were to be continued on even with maximizing the space for rental or condos that there's any particular way to push for a small food market or something like that.

Co-Chairman O'Brien

Director Cummings?

Tim Cummings, Director of Administrative Services and Economic Development

So again I want to kind of - the analysis of the market doesn't say that you can justify it. I hear what you're saying and honestly the best way to do that is you need to bring in more what I refer to as "rooftops" because retail follows rooftops. So the more residential you bring in, you will start to see that food market maybe come later on down the line.

Co-Chairman Moran

Great. Thank you.

Co-Chairman O'Brien

You're welcome. Alderman Comeau?

Alderman Comeau

Thank you, Mr. Chair. Director Cummings if you could go back to 13. I remember from some of the Town Hall meetings that we had, the different options, and I recall liking option two myself. I echo some of the earlier comments about having the higher density. I think that's the best idea. Forgive me this might be too specific of a question but I'm curious why when you look at these two layouts, I imagine most of the units when you look out your window you're going to be looking at another building or a parking lot. Why wouldn't you flip that around to maximize how many balconies you can put along the river or something like that? It just seems that everywhere you look you're seeing another building or somebody's balcony. If you took like the one on the left and reversed it 180 degrees, I think you'd have some more desirable units.

Co-Chairman O'Brien

Director Cummings?

Tim Cummings, Director of Administrative Services and Economic Development

We can definitely study that. I think it has to do with the parking, and the parking situation, and being able to accommodate the parking that's actually kind of underneath it. I can definitely ask that question.

Then also what you'd also change is this area here would become more of a greenspace courtyard I guess. You'd see, if you will, this - I'll just draw it out here - you'd see this. It would be like this and then in the middle here it would be green space. I believe the limiting factor in that is really the parking and how they got the parking to work.

Co-Chairman O'Brien

Okay. What we have here is right now Alderman Klee, Alderman Gouveia, Alderman Dowd. Gouveia and Dowd in the cue and then Alderman Jette in the cue. So Alderman Klee?

Alderman Klee

Thank you, Mr. Chairman. I know the City owns...

Tim Cummings, Director of Administrative Services and Economic Development

If I could? If I may, I apologize. I just want to be really clear about something and that question actually is a great teaser for me to bring this up specifically. So what we're talking about is just concepts here. We're not necessarily going to get what we're seeing here. So we could show something like this but ultimately a developer is going to respond. We can

encourage maybe that balcony view that was just mentioned a second ago. We may never see that. We can ask for it. Really what I want to know is are we good with residential? Are we good with the affordability? Are we good with home ownership versus rental? Are we good with the amount of density and the parking ratio? It's these higher level type of indicators I will be writing into an RFP and saying to the development community respond and show us your concept, your vision, and we can show you what we kind of put out there, and what we thought was successful based on these parameters. So I just want to clarify that because we may never see this after we put out an RFP.

Co-Chairman O'Brien

Right. That's why I said what I said at the beginning but Alderman Klee?

Alderman Klee

Thank you so much and I'm so glad you said that because that was exactly what my question was going to be. Basically we pitch it, we court people that come in that will give us ideas but they may not want exactly this. I'm so glad that you said that because that is exactly what I was going to ask. When we talk to the public and we talk to the Aldermen here, this is just kind of potential ideas. When you say if we did this scheme, we could have 180 apartments, or homes, or whatever - a 6-story building. If someone comes in and says no, I want to do it this way. They would be buying the property and then developing it, is that correct or are we just going to keep the property and have them develop it? That's what I want clarification on.

Tim Cummings, Director of Administrative Services and Economic Development

Thank you. Mr. Chair if I may?

Co-Chairman O'Brien

Director Cummings?

Tim Cummings, Director of Administrative Services and Economic Development

It's always subject to negotiation but my preference always is, is to retain ownership until we get the design approved that we know you'll like. So that way we retain control. So that is my preference on how to outline or frame this transaction. That's what I would work towards. Again, it's subject to negotiation in the market but that's how we did the School Street project. That's how I've done all my projects here in the City so we can maintain the control as best we can.

Alderman Klee

Follow-up, Sir?

Co-Chairman O'Brien

Follow-up.

Alderman Klee

Thank you and thank you for that clarification. That all makes sense to me. I prefer it that way rather than just giving it off to someone and holding our breath that we get what we want.

I also remember much to what Alderman Comeau said conversations in these meetings. One of the conversations I do remember was with the other business owners. There's not any property owners in there and their biggest concern was the roadways. When you showed that in the option you're parking and the way cars are going, this is going to allow - is this still going to cause the 18-wheelers as you pointed out coming into the new homes and so on. That's still going to happen - no or yes?

Tim Cummings, Director of Administrative Services and Economic Development

The 18-wheelers could still come in through here. Essentially, they would enter in through here, they would come in through here, they would go in down through here, and come in back around through here if that was necessary. Honestly though what I at least under the current scenario, really all they need to be able to get into is right in through

here. There's really no need for 18-wheelers in back through here. They need to be able to get down in through here, reverse, and then being able to make the swing to go into this building here. So that's really the driver of this conversation. It limits the type of development you can do right in through here so they can make the turns. We don't want to preclude that because we don't want to hurt the Bagshaw business. We need them to still continue to perform and so that's in the back of our mind.

Alderman Klee

I appreciate that and I don't think that...

Co-Chairman O'Brien

Follow-up?

Alderman Klee

Yes, please. Thank you. I don't think that they would be having a negative impact on those homes there but I just want to make sure much to what Alderman Clemons had asked as well that these conversations have happened. I remember them happening at the meetings as well. Thank you.

Co-Chairman O'Brien

Thank you. I think next we have Alderman Gouveia. In the cue will be Alderman Dowd and Alderman Jette. Alderman Gouveia?

Alderman Gouveia

Thank you, Mr. Chairman. I like the schemes that we're looking at here. I think it flows well with the area just generally speaking. Obviously, it can kind of go any direction once you put it out there. I agree with my colleague Alderman Clemons that I would even take it one step further when it comes to the affordability aspect that I would like to see it even more targeted at the lower income area in a dense kind of set up. Across the river, we're building condos that are going high 3's low 4's. That was one of the biggest things we heard last night that there wasn't a ton of affordability there. Well here's an opportunity to really do something real when it comes to affordability and housing in Nashua. I think this would be a more prime location close to the downtown where you have that potential to see a real project come in focused on low income housing. I think you have the space here to do it. I'd like to see it pursued more in that angle as kind of a dense low income if you will housing type development.

Co-Chairman O'Brien

Thank you. Alderman Dowd?

Alderman Dowd

A couple things. When I used to be in real estate, there were three primary aspects to real estate - location, location, location. Has there been any discussion with the Bagshaw Company about improving the outside of their building?

Tim Cummings, Director of Administrative Services and Economic Development

If I may Mr. Chair?

Co-Chairman O'Brien

Yes you may.

Tim Cummings, Director of Administrative Services and Economic Development

So actually I won't put it necessarily like that. What the Bagshaw Company has represented is they would actually like to maybe part of this project in a way. As I alluded to earlier, they all recognize the trending of the way this land area is going. So I think they recognize the potential. Subject to further conversations, I wouldn't be surprised if it was them or anyone else that says you know what now is the time for us to kind of maybe putting our land out there and seeing what

type of additional phases if you will would come about with this potential development that we're talking about this evening. That was the only real type of conversations we've had to-date. We've never had any conversations about doing façade type of improvements to their building but your point is well taken.

Alderman Dowd

Follow-up?

Co-Chairman O'Brien

Follow-up.

Alderman Dowd

Yeah there's a couple things. One - unless construction costs come down significantly, a project like this is going to cost a heck of a lot of money. Developers are going to have to get their money back. They don't build things for free. If you increase the beyond the 20%, you're going to drive an issue with it being affordable and won't get anybody to develop it.

The other part is that much like in Washington, DC, around the capitol building, and in Boston when the brownstones fell to sort of disrepair and then people started buying them, fixing them up, it drove the tax rate up in that area. If you do a really nice development here, are you going to be driving the tax rate into a situation where Bagshaw has to sell and are you going to drive the taxes up in the Industrial Park to the north? I would see that if we start putting residential in here in mid-level if you will even residential, you're going to drive the tax rate up in this neighborhood.

Tim Cummings, Director of Administrative Services and Economic Development

If I may?

Co-Chairman O'Brien

Director Cummings. Can I remind the group, there's a lot of pieces here. That's why I was trying to focus on bits and once we get the clearance on option two, we can move on to other subjects but Director Cummings.

Tim Cummings, Director of Administrative Services and Economic Development

Thank you, Mr. Chair. So I'm just going to tweak a little bit what was just said. I don't believe the tax rate will change. I think you're talking about the valuations. So the valuations in this area, the land itself may change. The buildings are classified in a different way. So industrial whether you're in the Millyard, or whether you're in northwest or Northeastern Boulevard, or whether you're in Amherst Street, all the industrial buildings are classified in a certain way. They're assessed in a certain way. Apartment buildings, again, they're assessed a certain way. Now apartments depending on where they are if you're in south Nashua it's a little bit different because the market is stronger in south Nashua as opposed to maybe the downtown area itself. Nonetheless, you're always being judged against the same classification of your building. I think that this would be judged against the other apartments within our market. I'm saying apartments, again, I don't know if we're doing apartments or whatever that use is, it would be homogenous to that use. You wouldn't if you just introduced this use necessarily cause too much strain on the office buildings or the industrial buildings in and around this because they're judged against other office buildings within the market place. But the point underlying that though is this land area, the land area is changing due to the roadway. That will continue to increase.

Co-Chairman O'Brien

All set? Thank you Alderman Dowd. Alderman Jette with Alderman Comeau in the cue.

Alderman Jette

Thank you, Mr. Chairman. So I agree with the others who said that the best use of this would be high density residential. As you point out, it's going to be up to the developer to come up with a plan. I did want to comment that when you showed us the circulation of this U-shaped building, the traffic circulation – when you were talking about the roadway, I think you said that cars would be going from Pine Street towards Mine Falls and that they would turn to the right and go into some sort of underground parking. The circulation that you showed, the red didn't show that. It showed it going off in a different direction.

Tim Cummings, Director of Administrative Services and Economic Development

Yes so can I clarify? If I may, Mr. Chair? I just want to clarify. So I think this is kind of a good visual. So what I was talking about is so think of the red line here. Then the red line went this way to show you how the vehicles could go. They could go down here, they kind of stop right here. They can't go much further than right here. The vehicles would continue on along this way and then over here, you'd have like a public parking lot. What I was referencing is actually, and I'll show it to you in a second, is they would turn – a vehicle could turn right in like through here and use the grade, because you're starting to go down a grade here, and you turn this way. This is where the parking would be all in through here.

Co-Chairman O'Brien

Follow-up?

Alderman Jette

Please. So when you showed us the – there was one graphic that showed two lanes of traffic and a parking lane. The thought occurred to me, here we have people coming out of Mine Falls Park. A lot of them by bicycle but there's no bicycle lane provided. I would like to see a provision made for bicycle traffic to use that roadway in a safe, protected manner.

When other people talked about affordability and you talked about the current ordinance that requires 20%, 80% AMI. Just remind us what is the current AMI?

Tim Cummings, Director of Administrative Services and Economic Development

Of a family of four, it would be approximately \$80,000 - a little less than that - \$75,000ish, \$1,000.

Alderman Jette

That's the AMI. So 80% of that?

Tim Cummings, Director of Administrative Services and Economic Development

No, no. That would be 80% of AMI.

Alderman Jette

That's 80%. So 80% would be \$80,000.

Tim Cummings, Director of Administrative Services and Economic Development

Yeah a little less than that but approximate, correct.

Alderman Jette

So it's really not low income people.

Co-Chairman O'Brien

Follow-up?

Alderman Jette

Yes, thank you Mr. Chairman. My last point was I was impressed that the developer last night talked about that the buildings that he's talking about, they're not going to be heated with gas. Gas is on its way out. I would hope that whoever does this project would also follow in that vein as another opportunity to get away from fossil fuels, which I think we need to do. I would think that would be part of the pitch hopefully that they would take. Thank you.

Co-Chairman O'Brien

Thank you. Loved how you stayed on option two. Thank you so much. Alderman Comeau?

Alderman Comeau

Yes, thank you Mr. Chair. Actually that screen you were on was perfect. I think you touched on this briefly in one of the Town Hall meetings but if you could refresh my memory. Is there a reason other than pedestrian traffic why we couldn't create an additional cut in onto Pine Street like around where that orange line is to maybe alleviate the tractor trailers coming through the residential portion? Is there a logistical or traffic reason why we couldn't create an additional entry way so that there's not just the one way in and out of this really large parcel of land?

Tim Cummings, Director of Administrative Services and Economic Development

I'm just going to follow my cursor. If I may Mr. Chair?

Co-Chairman O'Brien

Yes you may. To expedite matters, you may feel free to answer any questions directed to you by them.

Tim Cummings, Director of Administrative Services and Economic Development

Thank you. So vehicles coming in this way here and you're saying that if particularly an 18-wheeler, you're saying you'd like them to go out this way here?

Alderman Comeau

In or out that way they're not interfering with the residential.

Tim Cummings, Director of Administrative Services and Economic Development

There's one right here actually. So what you might not know or you might not see is there's actually a curb cut here already. A lot of times what happens is the vehicles go this way and continue on, they go around here, and actually you can leave right in through here, and you can actually enter right in through here too. I don't think you would be able to have a curb cut here, a curb cut here, and a curb cut here. I think you'd have to have a closing of one. To answer your - the point of your question was the development team was just going off of the roadway that was just designed. They were not given instruction to redesign this roadway because we had just designed it and created this main entry point like right in here.

Alderman Comeau

Okay, thank you.

Co-Chairman O'Brien

Further do I have anybody else in the crew? Okay. Yes, Alderman Moran.

Co-Chairman Moran

As Co-Chair could I propose a motion?

Co-Chairman O'Brien

Yes you may.

Tim Cummings, Director of Administrative Services and Economic Development

If I may? Before that motion is made, I feel it important to note although Alderman Lopez isn't here this evening, he has expressed to me the desire that this site have a stronger affordability component. I just want to represent his sentiments to you all because he's not here this evening for this conversation. It's one of the main reasons why I wanted to have this conversation. I want to make sure it's clear - I'm given clear direction as to what we're doing. I'm recommending to you all that we follow the inclusionary ordinance that we have set aside. That is what the development team came up with as

their recommendation. I'm following their lead here. Ultimately, it's your pleasure as to what you'd like to do. It is important to me to be able to represent to the private sector community that we have consensus and that's what I don't want to do is misrepresent the consensus here with this body. I'll leave my comments there but I do think it's important that folks know Alderman Lopez' position.

Co-Chairman O'Brien

And to my Co-Chair, if your motion is to – and I don't know you haven't proposed it yet. The thing is to go with option two so be it but I don't think we specifically need a motion on that. I think it's just generally to give the direction is what - or do you want it by a motion Director Cummings?

Tim Cummings, Director of Administrative Services and Economic Development

Actually I think what I'm here is and I'm actually, at least as of right now, my current thinking and I reserve the right to sleep on it tonight, I'm actually thinking I'm going to file a piece of legislation that actually asks that you formally accept this plan and that that Resolution say that you'd like the RFP to issue in accordance to this plan and then you can amend that document as you see fit. You can have the consensus of the entire body. I'm hearing too much cross goals here trying to be achieved and that's good, that's fine. I want to make sure we get a majority sentiment here because whatever comes before you is going to need the entire Board.

Co-Chairman O'Brien

Alderman Moran?

Co-Chairman Moran

Hearing that, my motion would have been to proceed with market rate condos/apartments at the 80% AMI...

Co-Chairman O'Brien

The Chair would like to clear up the option two.

Co-Chairman Moran

Of option two but hearing, you'll probably write it a lot better in legislation than I can articulate what you need verbally. So I'm going to hold off on that motion.

Co-Chairman O'Brien

Okay so barring any objections, I think it's the direction of the joint Committee to recommend to you Director Cummings to look at the option two plan.

The next question that I have you down on is there has been discussion with the maximum amount within option two which is I think is 180 units. Then I'll open up at the same time in trying to get to that 180 is it going to be mixed occupancy, or what I mean low income/mixed, or into a full retail market? So with that in mind, I'll open the discussion on that. Alderman Clemons?

Alderman Clemons

Thank you. I stated this before but I would prefer to go with what our ordinance states right now, which is I think it's 20% of the units would be 80%. So I think that's the way to go with this because we want it to be a viable project. I want to make sure that we get somebody in there that is going to come with a plan and come with a plan soon. So if we put too many stipulations on it and it becomes harder for them to build something, then I think that's where we get dragged down into the mud, I guess, of things and create a quagmire for ourselves. So I don't want to see that happen. I think it's cleaner. We passed the inclusionary act for a reason and I think we should go with it.

Co-Chairman O'Brien

Thank you. Alderman Dowd?

Alderman Dowd

I'm good.

Co-Chairman O'Brien

Somebody had their hand up. Alderman Moran?

Co-Chairman Moran

I would like to echo what Alderman Clemons said.

Co-Chairman O'Brien

Okay seeing that, I think we cleared that up. We're going to go and just to make sure Alderman Clemons, we're going to go with the maximum option that we possibly can for residential occupancy with the aye to go to a mixed occupancy. Am I using the right term Director Cummings?

Tim Cummings, Director of Administrative Services and Economic Development

Mixed income.

Co-Chairman O'Brien

To look at the mixed occupancy.

Tim Cummings, Director of Administrative Services and Economic Development

Mixed income.

Co-Chairman O'Brien

Mixed income. Thank you so much. Are we all in agreement of that? Seeing none. Okay, move on. And that's what I kind of wrote down for options and different things in looking at. Did you have a further question or you need any more direction?

Tim Cummings, Director of Administrative Services and Economic Development

If I may Mr. Chair, the 1.25 to 1.5 parking ratio is really something that I want to make sure is a comfort level. Again, it's not precedent setting. We've done it in the past but again, I put it out to the group to make sure you're comfortable with that.

Co-Chairman O'Brien

Alderman Clemons?

Alderman Clemons

Yeah, I'd prefer closer to the 1.5 because I think the reality is most people have two cars. You want to make sure that they have a place to go. My opinion would be to go closer to that 1.5, maybe even increase it if possible because the reality is we are not Boston. We're Nashua. We're a suburb and people drive cars so it is what it is.

Co-Chairman O'Brien

Okay. So 1.5 is on the issue. Alderman Jette?

Alderman Jette

Could I ask Director Cummings? What does our current ordinance require?

Tim Cummings, Director of Administrative Services and Economic Development

Well that's a great question. I would have to double check.

Alderman Klee

1.5.

Tim Cummings, Director of Administrative Services and Economic Development

Well I was going to say, it actually should be in here. I would say 1.5 is probably the standard.

Alderman Klee

With none in the downtown area. No requirement in the downtown area.

Co-Chairman Moran

You should apply for Director of Economic Development.

Alderman Klee

No. I've only learned that because of my Ward. The downtown area has no requirement of parking.

Tim Cummings, Director of Administrative Services and Economic Development

But I'm not sure that this in that...

Alderman Klee

This is not in the downtown area, so I think it's 1.5.

Tim Cummings, Director of Administrative Services and Economic Development

I'm thinking this is in a GI Zone.

Co-Chairman O'Brien

With that being said, may I offer a solution that when we get to that particular item that the two Chairs can get together and co-sponsor legislation and such into looking at the 1.5 if the Committee so agrees. Does that help you out Director Cummings?

Tim Cummings, Director of Administrative Services and Economic Development

Yeah I was just looking to see. So this is in with the mixed-use overlay. So within the mixed-use overlay, you have to apply for what's called a "suitability" and that suitability report is presented to the Planning Board. If you can reasonably accommodate the parking outlined to support your development no matter what that ratio is, that is the number that is used. It has been interpreted to be 1.5 as the parking ratio. So that's just what I wanted to double check to make sure we were within the mixed use zoning overlay.

Co-Chairman O'Brien

We can fix that with any questions on that at a later date. Alderman Klee?

Alderman Klee

Thank you. I want to echo the 1.5. I think it's really important. Parking has become an issue throughout the entire City. I've become close and closer to becoming more knowledgeable about it because of what's happening in my own Ward.

When you spoke about the parking in the ancillary parking lot, the public parking lots that was not counted towards this 1.5. The 1.5 would be on property, is that correct? Thank you. Just wanted that clarification. Thank you.

Co-Chairman O'Brien

Okay so without objection, there seems to be the flavor of this Committee to go to 1.5 and direct Director Cummings to look at the 1.5 as far as managing parking for the facility. Are we in agreement? Okay everybody is nodding their heads. Very good. Any additional questions Director Cummings that you want us to assist you with?

Tim Cummings, Director of Administrative Services and Economic Development

Yes, absolutely. A couple. I just want to kind of go back to the street profile here. I want to make sure that there's a comfort level with the street profile as outlined. I noted the comment about a bike lane. We can absolutely accommodate a bike lane within the street profile. It's really making sure that we're going in the right direction. I mean right now, it's kind of more like an alley ask. It doesn't have a sidewalk. It doesn't have a curb. You know it lacks some of the traditional street amenities that you'd typically think of. We would be suggesting of adding those things including like street trees, on street parking. Again the reason why I bring it up is because it kind of changes the feel of the area once you do something like this.

Co-Chairman O'Brien

Alderman Clemons?

Alderman Clemons

Thank you. My bottom line is regardless of what - to be honest with you, I don't have an opinion on any of that. What matters to me is that whatever street is created supports the businesses that are there currently, and that tractor trailers, or whatever kind of trucks need to get in and out that it's supported for those businesses. As long as that goal is reached, you can do whatever you want with the street in my opinion.

Co-Chairman O'Brien

Thank you. Alderman Comeau?

Alderman Comeau

Thank you, Mr. Chair. Regarding the roadway, I think it has been mentioned a couple of times about a bike lane. I know there was talk about connecting this to the Riverwalk with a crossing across Pine Street, which I think is a great idea. So I would like to see a dedicated bike/pedestrian portion of the roadway.

I'm wondering if this plan would include the regrading of the roadway that goes down towards the park. I know there was discussion. It was either at one of these Town Hall meetings or it was about something else about making that grade ADA compliant. So is that part of the streetscaping that would go along with this project or is that part of something else?

Tim Cummings, Director of Administrative Services and Economic Development

If I may Mr. Chair?

Co-Chairman O'Brien

Yes you may.

Tim Cummings, Director of Administrative Services and Economic Development

So we would be looking at a developer to really kind of - the project limits I would suggest would be somewhere like right in about here. If you wanted to continue on down beyond this point, they may go a little bit beyond to a safe point right here. They're not going to continue all the way down and through. The project limits would be pretty much the green box that I showed you previously. This would be the project limit. So you might not get everything that is in the back of your mind and I just wanted to point that out to you but you get a lot.

Alderman Comeau

Thank you.

Co-Chairman O'Brien

Alderman Dowd?

Alderman Dowd

The street that you were just pointing out with all these amenities, it's off the property line. It belongs to the City. Is the City paying for it, or are you going to drive them to develop something that's not on their property, or are you going to give them the land? Don't need a question. I think you put that in your proposal.

Tim Cummings, Director of Administrative Services and Economic Development

Yeah we would encourage that the developer develop the streetscape the way we outline the way we want it to be. We would accommodate that accordingly. Part of it is an ongoing maintenance issue. Essentially that area is changing because in theory, there's going to be a future dog park. That is a connection and a gateway to Mine Falls Park. I do believe it's going to connect onto the Riverwalk so you're going to see more and more pedestrian type uses in and around that area. I would suggest that's what you're going to need to accommodate. I think to be able to accommodate the truck traffic as mentioned and do some of these other things - probably and I'm hearing the conversation, this is the reason why I wanted to have this conversation this evening is because as I'm discussing it with the developer, I'm going to tell them to prioritize the truck traffic and the pedestrian traffic. That may mean to - because everything is a trade-off, to the trade-off of parallel parking. So you only have so much right of way to work with or so much land to work with. So I would say don't worry about having that parking. It's more important for us to have that bike lane, that pedestrian sidewalk.

Alderman Dowd

Follow-up.

Co-Chairman O'Brien

Follow-up.

Alderman Dowd

Actually, I think it's premature to be talking about that road and whether you're going to get a developer to develop it, especially if you're talking about continued maintenance. By the way if you're developing a road for 18-wheelers, it's much more expensive than a regular City street. I think you just see if you can get a developer to even bite on that. If not, it's a moot point and probably shouldn't try to kill it in discussion.

Tim Cummings, Director of Administrative Services and Economic Development

Fair enough.

Co-Chairman O'Brien

I would just like to say Director Cummings, I support Alderman Jettes' request for a bike lane. I'm going to ask you the favor, please don't turn it into a mini Cambridge. Those that don't know what I'm talking about, you park your car 10 feet off the curb, which is man you know but we'll leave it at that. They have the sovereign right of the good people of Cambridge.

Tim Cummings, Director of Administrative Services and Economic Development

Mr. Chair I just want to say but you do get the dedicated protected bike lane by doing that. That's the strategy there, right?

Co-Chairman O'Brien

Oh they're protected all right. Alderman Jette?

Alderman Jette

Thank you. Some of my best friends live in Cambridge.

Co-Chairman O'Brien

Well they're wrecking my old town.

Alderman Jette

So when you talk about the width of the road, and accommodating the tractor trailers, and the bike lane, and everything if you just move the building over, you could have as big a right away as you want, can't you?

Tim Cummings, Director of Administrative Services and Economic Development

To the trade-off of less units. Once you fall under a certain unit count, you've lost development. You lost any market potential but yes, you're correct.

Alderman Jette

So are you saying that that lot is so narrow that it can't accommodate that building without the...that you're running up against the boundary lines?

Tim Cummings, Director of Administrative Services and Economic Development

I'm not sure I following the question.

Alderman Jette

Are you saying that the lot is so narrow that you can't put that building in without the building being right against the property line?

Tim Cummings, Director of Administrative Services and Economic Development

Yeah.

Alderman Jette

It's that narrow?

Tim Cummings, Director of Administrative Services and Economic Development

Yeah.

Alderman Comeau

I can't even picture how that building fits on that little piece. It's pretty narrow.

Tim Cummings, Director of Administrative Services and Economic Development

And that's part of the reason why I wanted to do this exercise was because if I issued the RFP without doing this exercise and a developer came in and said I want to do 188 units, your reaction would be you can't do that. That's overwhelming. But actually no, we can accommodate it. It doesn't look like it would be out of place. So I really appreciate this conversation because this is why I'm suggesting we go in this direction is because it looks as though we can do it.

Co-Chairman O'Brien

Okay moving along, Director Cummings do you have any more seeking any more directionary comments?

Tim Cummings, Director of Administrative Services and Economic Development

Sure. Another one is, and again, this is just so I have good intelligence. Is there a strong opinion as to whether we should do something in this area right here whether it's retail or keep it as something else? Could be potentially a food market. It could be potentially a hook-up for food trucks, a pavilion of sorts, activate the space as pocket park. Would you like to see a structure here or is this a little less is more type of approach? That feedback would be very helpful. Think about it when you're driving down the roadway, you're coming down through here, this is going to be your visual cue that you'll be seeing as you continue on down or vice versa.

Co-Chairman O'Brien

I would just like to comment on that. Keep in mind there is already an existing bodega on the corner of Central and I think Walnut or around one of the corners there. But then again, look to what we're building off of Central Street - 400 units. So it gets into a legitimate request. Alderman Comeau your opinions.

Alderman Comeau

Thank you, Mr. Chair. My preference as it relates to the RFP would be to leave the option open. I would have no problem seeing a food market as Alderman Moran alluded to. I'm also thinking about something like the California Burrito that's outside of Clocktower. So if it was a small bistro, even just something as simple as a Starbucks. You're bringing a lot of people into this neighborhood and with those people, like you mentioned earlier, the market is going to bring need for other things. So I would just say when sending this out to quote, we don't tie a developers hand one way or another. If the plan makes sense to have it, I'm all for it. If they bring us a plan that doesn't have it, I'm all for that too.

Co-Chairman O'Brien

Alderman Klee?

Alderman Klee

Thank you, Mr. Chairman. I completely agree with my colleague from Ward 6 over there. I even like the idea of a platform for a food truck to come in and have a variety of type things. So I think leaving it to the developer to come up with some ideas, and some plans, and just put it forward. It's not a huge space. We're not looking at putting giant retail in there. I think leaving it up to them would be the best.

Co-Chairman O'Brien

Alderman Gouveia and Alderman Clemons?

Alderman Gouveia

Thank you, Mr. Chairman. I agree. I agree that we should do something with it. What that is I think that should be kind of open but I agree we should do something. I drive by it every time I come to City Hall, go right down the Parkway so it would be nice to see something nice there. As for what that might entail, I think the sky's the limit for the developer on that one.

Co-Chairman O'Brien

Thank you. Alderman Clemons?

Alderman Clemons

Agreed with all the previous comments.

Co-Chairman O'Brien

Okay. So I think you got the road map on this one. Let's keep the option open. We're in favor of some development at that site. Okay. Further discretionary concerns that you want to bring before the Committee?

Tim Cummings, Director of Administrative Services and Economic Development

No Mr. Chairman. I think we've hit upon all of them that I was looking for some guidance on. If I could just ask a clarifying question. Does this group feel as though based on this conversation here I can proceed right to an RFP, or would you like me to memorialize this into legislation and then get that official approval, and then proceed? All we're doing is extending the timeline of an issuance of an RFP of eight ish or so weeks.

Co-Chairman O'Brien

Do you have a motion?

Co-Chairman Moran

No, I would say to Director Cummings that if you could write the legislation, one - I would like to sponsor it. I'm sure others would too and then that will give opportunity for public comment on the legislation.

Co-Chairman O'Brien

Okay. Do you want to leave it at that? Everybody in support that is the flavor of the Committee at this particular time to have Director Cummings scribe and look into obtain to go ahead to get an RFP on the project so we can move forward with it? Beautiful. All right then. That's your direction. Anything else?

Tim Cummings, Director of Administrative Services and Economic Development

If you have an interest in sponsoring, please let me know. I will make sure I get it memorialized.

Co-Chairman O'Brien

You get your pen ready because I think you have a couple active participants. Do you want it now?

Tim Cummings, Director of Administrative Services and Economic Development

Sure, yeah I can...

Co-Chairman O'Brien

All those in favor to be co-sponsors on this legislation brought forward. You're going to need an author, correct because I don't think you can write it?

Tim Cummings, Director of Administrative Services and Economic Development

No, I can write it.

Co-Chairman O'Brien

You can write it, okay. If not, I was going to offer as such if you want. All those that would like to be a co-sponsor, please raise your hands so it could be put on the docket.

Tim Cummings, Director of Administrative Services and Economic Development

Got it. Thank you.

Co-Chairman O'Brien

That's about it that you got for us right now?

Tim Cummings, Director of Administrative Services and Economic Development

That's it.

GENERAL DISCUSSION

Co-Chairman O'Brien

So I will open up the general discussion on the project or anything else that tickles your fancy. Alderman Moran?

Co-Chairman Moran

Excellent presentation. I appreciate all the work that you did in getting community input to make this presentation to us.

I do have a quick question for you from our last joint meeting since we're in general conversation. You don't have to answer this. You can give me an answer later on. So we got an email about the ice rinks from the Conway Executive Director, I think. Very harsh. It's available to read. We can send it to people who want to see it. Yesterday I saw a letter from their Chairperson that pretty much said disregard that other person. We are 100% in agreement with the City's plans on all this stuff. What happened? If you're not prepared in the public trying to answer that. It strikes me as bizarre.

Tim Cummings, Director of Administrative Services and Economic Development

If I may, Mr. Chair?

Co-Chairman O'Brien

Okay. I was going to say conversations can go offline too.

Tim Cummings, Director of Administrative Services and Economic Development

No. I think it was the elephant in the room. I appreciate it being brought up because it needs to be addressed. I was hoping to get away from tonight without addressing it to get it at another evening because I think it's worth more conversation. I have some thoughts and I have some speculation as to how and why that came about. I'm not going down that path. That's not appropriate for me to do that.

What was really appropriate for me, and I was very concerned when that communication came about and actually had a long conversation with Alderman Comeau. I called him right away when he brought it to my attention because I have a responsibility not to misrepresent things. I have a responsibility to do my due diligence. I come before you when we have these conversations I need you to trust me when I say something. So when the idea first came up, I literally said to myself did I miss something? Did I not understand something? Through multiple conversations, it turned out that no I didn't miss anything. The sentiments that we were expressed were the City of Nashua would have to move forward with a parking garage - a \$60ish million dollar structure, whatever that number is but a lot of money to be able to go in the direction as was being suggested. That element was missing for me because I thought maybe there was a way to try to do something differently that wouldn't necessarily go in that path. Once I vetted that out and I realized that my sentiments were accurate, I'm pleased to see that that clarifying communication came about. So I guess I'll leave my comments there.

I also want to note a lot of what I do is sensitive. A lot of what I do is you know when you're dealing with real estate has a lot of emotion to it. I recognize that. I try really hard to be sympathetic and empathetic to those situations and try to work with all the various stakeholders. Those folks who work with me should know that at this point. I also try to illustrate that this was the beginning of a conversation. I was trying to do it in a very transparent and public way because it was this new idea. I said to everyone who was listening, you know, the City's position is we're relatively ambivalent as to where the ice rinks go but we knew that 4 or 5 sites, 5 might be a stretch, but at least 4 sites were really vetted hard before the idea of the Elm Street Middle School was even presented. The alternative was starting to be well maybe we should look at other communities. From my perspective, I was saying well it would be a loss to the City of Nashua if Rivier University decided to go to Hudson, or go to Tyngsboro, and that was a very real conversation that was occurring because that was where they were at. That's why I felt like hey this is a new idea. We're trying to figure out this 9ish acres and we're trying to program it. Let's through another thing in there and see what the appetite is. See what folks want to do. If it seems plausible, let's go in that direction. That was all that I was trying to do that other night.

I planned to come back before you again with the - we just extended the Marvel contract. What I'd like to do now is I'd like to bring the architects to this body to a joint PEDC and Infrastructure Committee meeting and we're going to do what's referred to as "a blocking exercise". We're gonna actually block out based off of the 9 acres how 4 quadrants could look. One of those quadrants can have the ice rink in it. We can take that out as well. I mean we can move this all around. I'm doing this to ultimately get us to a place where we're comfortable of issuing an RFP. I knew going into this conversation the Elm Street Middle School was going to be a very sensitive conversation because of the building and the structure that was housed there. I would love to think that we could get to a point that we could treat it just like the way we did with the

NIMCO building. Look at how great of a conversation we just had relative to the NIMCO building. It's the exact same exercise. I think we are making great forward progress. I'm looking forward to the continued conversation. I'd like to put everything that's happened in the last couple of weeks in the rearview. For the benefit of the City of Nashua, just try to keep moving it forward.

Co-Chairman O'Brien

Alderman Moran?

Co-Chairman Moran

Just a statement. Thank you for clarifying that. I think you didn't do anything wrong in my opinion. You brought forth a plan that was proposed to you by a local University, to the public, the representatives of the public. You didn't dump it on anyone. You just brought it up and it's a long process. We got to talk about it in a public setting which is great. It just frustrates me when the good names of the City employees get raked over the coals for nonsense and then it turns out the Chairman pops in who is ultimately the head person and says no please move forward with your plans its great. Disregard the previous because some people latch onto anger, and feed into the anger, and then take the good names of you guys that are doing all this hard work and just unfortunately say negative things. I'm sorry that you have to continue to endure that.

Tim Cummings, Director of Administrative Services and Economic Development

I appreciate that. Thank you.

Co-Chairman O'Brien

Okay. Any other discussion or comments by Aldermen? Alderman Caron?

Alderman Caron

So let's add to that. Parking study - when are we going to see that?

Tim Cummings, Director of Administrative Services and Economic Development

Great question. Nope, that's a great question. There is another meeting schedule of the working group I want to say in the 3rd week in January - January 18th of the top of my head. I fully anticipate right after that meeting we would have something before the Infrastructure Committee probably the first meeting in February.

Alderman Caron

Thank you.

Co-Chairman O'Brien

Be careful what you wish for. Okay any other comments by members of the Committee, questions or anything? Seeing none. As Co-Chair of this particular meeting, I wanted everybody to be heard. We can understand now after we have helped Director Cummings and give him a compass point on where to head. There was a lot of moving parts to this. If I was a little bit too much, I'm not apologizing. The thing is as up at the State House, we need to move forward in one unified direction. I didn't have my firemen running into the wrong building believe me. So I thank you all for that because this was a complex issue and I thank you for all your comments, and open-minded, and coming up with a recommendation. I'm sure that sentiment is expressed by the Co-Chair Alderman Moran as well. Do you have anything you want to add Alderman Moran?

Co-Chairman Moran

No. I concur.

PUBLIC COMMENT - None

REMARKS BY THE ALDERMEN - None

ADJOURNMENT

**MOTION BY ALDERMAN MORAN TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 9:29 p.m.

Alderman Tyler Gouveia
Committee Clerk, Pro Tem



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STAFF MEMORANDUM

DATE: January 10, 2023
TO: Board of Aldermen – Committee on Infrastructure
FROM: Sam Durfee, AICP, Planning Manager
RE: Planning Board Report Dozer Road Discontinuance Petitions

In accordance with § 285-24(B) Aldermanic Procedure for Discontinuance of Streets, the purpose of this memo is to serve as the required report from the Planning Board on the petition to discontinue portions of Dozer Road.

The petition is to discontinue two portions of Dozer Road. One portion associated with lot A-712 (the southern discontinuance), and the other associated with Lots A-990, 132-85, A-994, A-768, A-68, 132-1, A-67, and A-58 (the northern discontinuance).

At the January 5, 2023 Planning Board meeting, the Board made a motion to continue the petitions' referral consideration to the February 2, 2023 Planning Board meeting. The reason for the motion to continue was that there are a number of questions associated with the southern discontinuance including, but not limited to the ownership of the underlying fee of Dozer Road, the ownership of the land to the east of the Dozer Road right-of-way, and which entities would assume full or partial ownership of the land within the Dozer Road right-of-way once discontinued. The Petitioner subsequently withdrew the southern petition.

The northern discontinuance of Dozer Road abuts a small City-owned parcel. Once discontinued, the parcel would have no access to a public way. Staff are currently in discussions with the petitioner as to a solution to this issue, which would likely take the form of an access easement granted to the City, or the conveyance of the parcel to the petitioner for fair market value. This matter will be likely be addressed as a recommended condition of the Planning Board's referral.

Pending additional information and the resolution of the access issue for the City-owned parcel, the Planning Board will make a recommendation to the Aldermanic Committee on Infrastructure on the discontinuance at the February 2, 2023 meeting.

Sincerely,

Sam Durfee, AICP
Planning Manager

Cc:
Matt Sullivan, Community Development Division Director
Celia Leonard, Deputy Corporation Counsel
Scott LeClair, Chair, Nashua City Planning Board
File