

COMMITTEE ON INFRASTRUCTURE

JULY 24, 2019

A meeting of the Committee on Infrastructure was held Monday, July 24, 2019, at 7:01 p.m. in the Aldermanic Chamber.

Alderman-at-Large Michael B. O'Brien, Sr., Chair, presided.

Members of Infrastructure Committee present: Alderman Tom Lopez, Vice Chair
Alderman Jan Schmidt
Alderman Ernest A. Jette

Members not in Attendance: Alderman Ken Gidge

Also in Attendance: Alderman Richard A. Dowd
Kim Kleiner, Administrative Services Director

PUBLIC COMMENT – None

Chairman O'Brien

We do have a presentation of City Hall and you have a couple slides. Can we hold that and can we go out of order, while I've got this up. We are going to do something different since I have the computer screen up with the Cotton Road, I will call that and then we will go right into; and that way we're not playing too much with the computer, which we are probably going to do anyways.

NEW BUSINESS – ORDINANCES

O-19-048

Endorsers: Alderman Richard A. Dowd
Alderman-at-Large Lori Wilshire
Alderman Linda Harriott-Gathright
Alderman Mary Ann Melizzi-Golja

AUTHORIZING A STOP SIGN ON COTTON ROAD AT ITS INTERSECTION WITH THE COTTON ROAD CONNECTOR

MOTION BY ALDERMAN SCHMIDT TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Chairman O'Brien

Alderman Dowd do you have anything to add on this particular one?

Alderman Dowd

I was contacted by the Department of Public Works to sponsor this legislation. Evidently it came to their attention that there has been near accidents at this site and they want to put a stop sign to control traffic better.

Chairman O'Brien

And from where my cursor is basically pointed, the happy hand there, that's about the general vicinity that we will be talking about. So this is the Press Café that I think what we are talking about here and this will kind of make it a safer intersection.

Alderman Dowd

That's the plan.

Chairman O'Brien

Has everybody got that? Any further discussion on the motion?

MOTION CARRIED

Chairman O'Brien

At this time, we will call Kim Kleiner up to do a presentation. This has to do with the City Hall Front Entrance.

PRESENTATION

City Hall Front Entrance

Kim Kleiner, Administrative Services Director

So the Mayor asked that I join you this evening and quickly go through a project that we are working on. This is actually our Building Department, our Purchasing Department and Risk are working collectively on this project. It started back in May so I quickly would like to go through with you some of the issues with our current door and what brought this to light.

So currently the door doesn't close properly. You can see in that picture the door is very difficult to open both from the inside and from the outside. It doesn't automatically lock; meaning we can't lock it from the inside. And there is no access control system on that door like there are on our other doors. There's a lot of issues with the door frame around the door. It has weathered and the interference at the doorjamb, that doorjamb cannot be replaced. So the door is at an age where there really is nothing that we can do to it to repair it.

Here you will see, because the door doesn't close there is actually weathering to the inside of the tile floor. So that's if you are looking from the inside heading out you can see where that tile has eroded. It is even more pleasant to look at it when you are coming in the door and you can really see – and we want to maintain that current architecture of our front entry way. So that was really important in looking at this project that whatever construction company we chose could replace that and make it seamless with the other tile in the entryway.

This actually went out to bid on May 14th. We had a couple responses; none that we thought fit the project in our eyes so we went back out to bid. We got a couple other bidders at that time one of whom we chose. So the project includes demolition and site preparation. This project is totally inclusive, so the company chosen has to not only do the door replacement, fix the framing, fix the tile replacement and also work with our vendor on the security control access. We wanted one vendor that would perform the whole project.

Factors that we considered were obviously energy efficiency. Now we know we've had some of our energy heading out the door and obviously we want to always keep our energy cost low. We wanted a welcoming aesthetic. We wanted to maintain the same color and direction. So right now it is bronze with a reflective

glass and that is what we asked for in the bid; we didn't want to change the architectural look of City Hall. That was very important to the Mayor. And we said that the door must open out as it does now. And then cost is always a large factor with the City; we wanted to keep the costs low. I can tell you we received bids all over the place. It really is an expensive project but we think we've gotten the best bid.

We needed something that we could lock should we need to from the inside. So we are actually looking at if Risk Management who currently controls and works with our access control system, needed to lock that door for whatever reason in today's climate, we needed them to have the access to do that from within Risk Management. So this vendor will work with our access control system at the time that they are installing it and currently our IT Department handles that along with Risk. Then making sure that tile was of similar material to maintain the original design. Which leads us to, so we looked at this point of having a double door entryway. The entryway does provide enough space to put in a double door. The thought was that a double door is just naturally more welcoming and we wanted to be able to really give that welcoming feel to City Hall. It will be bronze, it will have the reflective glass, we will have the City Seal etched within the glass as it currently is.

Looking from the street view this is the design that the construction company has given us. It is Northpoint and although the contract doesn't require by amount to go to Finance, we wanted to share with the Committee that the cost is \$24,869.00; so it is close and we wanted to share that with you so that you are aware. I can take any questions.

Chairman O'Brien

Any questions by members of the Board?

Alderman Dowd

Is this going to have a card swipe for after hours if the Mayor or Treasurer or anybody wants to get in?

Ms. Kleiner

We are not going to card swipe the front door. Generally most of our staff comes through the back door. We were more concerned with being able to lock it remotely if we needed to. So looking at it and the wiring that would be required to put in a card swiper at that door, it is going to interrupt the framing that is currently there. So we really didn't see it as a need considering the side doors and the back.

Alderman Dowd

Follow up? And you said insulation thermo-glasss?

Ms. Kleiner

It is, yes.

Alderman Dowd

Any type of security glass like we are putting in our schools?

Ms. Kleiner

No it did not.

Alderman Dowd

OK.

Chairman O'Brien

Ms. Kleiner I would have to say I do agree with you I think that a double door is more attractive. I like the idea, I was going to suggest the City Seal on it. For our folks at home so they can understand, they see the stairs and they see the double doors and they don't see handicap access. But we do have handicap access to City Hall. We are compliant. Can you explain where that handicap access actually is in the rear of the building.

Ms. Kleiner

It is. Yes. I think that is something that has been looked at. It would be extremely expensive to have any additional handicap access in the front of the building and you would have to deal with kind of historical architecture of the front of the building. But our rear, as you have stated Chair, is handicap accessible. That's where the parking spots are located. And most of the time that's where find that our citizens enter the building from.

Chairman O'Brien

Ok very good. I have you down as presentation, do you need a vote from us on this or anything or just an agreement?

Ms. Kleiner

No the Mayor just wanted to make sure that it was ok with the Committee and that there were no problems and that we informed you.

Chairman O'Brien

Thank you Ms. Kleiner for the transparency because I think like I said, I think you guys chose well again. The double doors will good and everything and thank you to the Mayor for keeping us informed of this.

Alderman Dowd

Does this have to go to the Special Finance Committee that is coming up?

Ms. Kleiner

No. So it just under the \$25,000.00 threshold but we wanted to be transparent and that's why we brought the cost to you because it is close.

Chairman O'Brien

Thank you Ms. Kleiner. Now we do have items that are still on the table, tabled in Committee. And one of them is a petition to release Façade Easement. That has been referred, and this is for the Amherst Street property, that has been referred to the planning board is still continuing and it is going to be discussed at their August 8, 2019 meeting so we will wait pending that particular meeting before we will bring it back to the Board.

UNFINISHED BUSINESS – None

TABLED IN COMMITTEE

Petition to Release Façade Easement

- Referred to NCPB; Continued to its 8/8/2019 mtg

R-19-147

Endorsers: Mayor Jim Donchess
Alderman Tom Lopez

AUTHORIZING PURCHASE AND SALE OF CITY LAND AT 21 PINE STREET (MAP 77, LOT 17) AND LAND OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A EVERSOURCE ENERGY AT 3 PINE STREET EXTENSION (MAP 77, LOT 2A)

- Also assigned to the Nashua City Planning Board and the Mine Falls Park Advisory Committee
- NCPB Issued Favorable Recommendation - 7/11/2019
- To appear on Mine Falls Park Adv. Cmte agenda of 8/5/2019
- Tabled 6/17/2019

**MOTION BY ALDERMAN SCHMIDT TO TAKE FROM THE TABLE R-19-147
MOTION CARRIED**

Alderman Lopez

Can I just make an observation? The Agenda actually says regarding the Petition to Release Façade Easement that it is continued to 8/8/19. Is that the Planning Board or is that our next meeting?

Chairman O'Brien

Oh yes excuse I'm on to the wrong one, thank you Alderman Lopez. Can we rescind the vote because I do have here, I got confused with my Ordinance numbers. The one I really wanted was 148. On 147 we have the Mine Falls Park Advisory Committee is not going to meet until August 5th. So can we keep 147 move it back on to the table until we hear from the Mine Falls Park people.

**MOTION BY ALDERMAN O'BRIEN TO RESCIND THE VOTE TO TAKE FROM THE TABLE R-19-147 AND TO KEEP R-19-147 ON THE TABLE
MOTION CARRIED**

R-19-148

Endorser: Mayor Jim Donchess

AMENDING THE AUTHORIZATION FOR THE SALE OF LAND ON BRIDGE STREET AND SANDERS STREET

- Also assigned to the NCPB; Favorable Recommendation issued 7/11/2019 with the suggestion that the \$775,000 payment in lieu of the rectangular field be used to maintain existing fields or the creation of new fields
- Tabled 6/17/2019

**MOTION BY ALDERMAN SCHMIDT TO TAKE FROM THE TABLE R-19-148
MOTION CARRIED**

MOTION BY ALDERMAN SCHMIDT TO RECOMMEND FINAL PASSAGE

Chairman O'Brien

Mr. Prunier would you like to come up and we can have the discussion and may we have Mr. Cummings come up? I am going to yield to Mr. Cummings to explain the City's position on this first please?

Tim Cummings, Economic Development Director

I would be happy to Mr. Chair, I will keep my comments brief because I do know we have Attorney Prolman here to speak on behalf of his client. But I want the record to reflect, and again before I begin, Tim Cummings, Director of Economic Development. I'm here to echo the Business/Industrial Development Authority what we colloquially refer to as BIDA's support of this Resolution, R-19-148 and also make sure that you understand the administration here in the City is also supportive of this legislation. This legislation is essentially I believe the fourth amendment to a contract that the City entered into some years ago where it contemplates an overall development plan working with a third party private developer, a master developer if you will for 20 plus acres over on the east side of the City to be re-developed mainly for mixed use development, but the thought process being is multi-family development.

I will defer to Attorney Prolman on the details but I do want to make sure that it is understand that not only BIDA but also the Planning Board here in the City have made a favorable recommendation for this legislation here before you.

Chairman O'Brien

Mr. Prolman please excuse me for calling you by the wrong name.

Andy Prolman That's quite alright. Mr. Chairman and members of the Committee, good evening. My name is Andy Prolman, Attorney with Prunier & Prolman. I am here on behalf of Renaissance at Nashua LLC. Also with Tim along with BIDA as Renaissance and BIDA are largely partners in developing out this Bridge Street project. Mr. Chairman, members we are asking for your positive recommendation to the Board of Aldermen on Resolution 148. This is the fourth amendment to this development agreement and what we are doing with this fourth amendment is that we are setting a purchase price for these two lots that you see up on the screen; 40 Bridge Street and 10 Sanders Street. We are setting a price for payment in lieu of an athletic field to the City. We are setting some deadlines and benchmarks for Renaissance to hit; that was very important to members of the BIDA Committee. We are setting a price at which if we bring in more than 147 units that's now on a conceptual plan, there is payment to the City of \$775,000 for each unit over 147.

This addresses a lot of issues that were raised over the past year or two between the parties. We think we have a good agreement and we are hoping for your positive recommendation.

Chairman O'Brien

Now just for the public at home, this particular area here was a former John Mansfield plant, Sanders Street which is shown there was the main entrance into the side factory for that. There was an intention to put a sports field, but you are going to make a payment of \$775,000 in lieu of the rectangular field.

Mr. Prolman Essentially. Correct.

Chairman O'Brien

And some of that money can be used to maintain existing or whatever ...

Mr. Cummings

So I actually want to be very clear on this point if I could Mr. Chair because I've heard some gossip inuendo secondhand conversations on this. The Legislation before you doesn't contemplate how the \$775,000.00 is to be used and what the desire or the wish of the City is. It is going to have to be thought in a separate piece of legislation that will need to be filed. I can tell you that the Business & Industrial Authority has represented to me that they have a desire to see whatever the proceeds are above and beyond what it would take to produce a new rectangular, athletic field; that money be set aside for the future use of BIDA so they can continue the

good work that they are doing on behalf of the City in terms of re-developing or rehabilitating blighted properties. I also want to be clear to say that it is also my understanding that members of the Board of Aldermen as well as some members of the Planning Board have different opinions as to how that money should be used. So I think it's going to be a conversation that is going to need to be had. I think it is a good conversation for a later date when we have all the stakeholders and all the various parties in the room so we can have that conversation. But we are not even there yet so we already spending money that we actually don't even have. So all we are trying to do is set up the framework right now so we can actually have that good conversation when the time comes.

Chairman O'Brien

Any questions by members of the Committee?

Alderman Lopez

Yeah through the Chair to Director Cummings. You said this was going to be mixed use family housing?

Mr. Cummings

No I believe what I said it was, the overall master plan for this area this 20-ish acres, the original concept was for a mixed use development. The major thrust of it would be multi-family development. That is my understanding as to the concept plan as it was originally conceived back in 2010 and then updated along the way with a couple different variations. This stays true to that current theme or thought process.

Alderman Lopez

Is there anything maybe not planned for family housing to be concrete or is it just a general idea?

Mr. Cummings

Oh no, no there is absolutely. So for that multi-family to be concrete.

Alderman Lopez

By concrete I mean solid not actual concrete.

Mr. Cummings

Understood, yes, there's going to be a couple plans that will need to be approved by the various entities here in the City. If it is a concept plan, BIDA will need to approve it. If it's a site plan, the Planning Board would need to approve it. There will be approval processes along the way to make sure that the City gets what was originally contemplated in both the concept plan and the master development agreement. I am just letting you know that this amendment stays to the spirit of to what was originally contemplated.

Alderman Jette

Could someone talk about kind of tell us what the original plan was and how this differs from the original plan and why a change is necessary?

Mr. Cummings

If I may Mr. Chairman, the major thrust of the change is that the original development agreement contemplated a rectangular athletic field on-site in this general vicinity of the development. But as plans further developed and became more crystallized I think it became clear that wasn't going to be possible.

So in lieu of that, putting it onsite and to be able to move this project forward the idea was that we would take a payment and we could then replicate the field somewhere else. That is the major change in addition to that as Attorney Prolman outlined and I am sure he can go into more detail. We also planned some timelines and other further clarity into the contract. When the contract was originally anticipated a lot of this was still gray and amorphous and it was back 9, 10 years ago whatever it may be. It just made sense now as we are doing a project to kind of clean it up a little bit.

Alderman Jette

So when you say that the athletic field is no longer possible, why not?

Mr. Cummings

So I'll defer to Attorney Prolman but my understanding is to achieve the unit count that they are looking to achieve. Again the City is very much desirous to see as we all know, we need housing here in the City. It's a tradeoff and we needed to have a give and take and we understand that the athletic field couldn't necessarily be accommodated.

Alderman Jette

I hate to keep asking the same question but are you saying that it is not possible to build an athletic field there or you are saying to get the number of units that the developer would like to have, we are sacrificing the athletic field so he can put more units there?

Mr. Cummings

Well I wouldn't want to phrase the conversation as the "developer would like to have" because I can tell you from the beginning that BIDA and this administration has worked in concert with the developer to have a plan that would allow for a mixed use, multi-family development of substantial density, right. So it had always originally been anticipated that potentially an athletic field could be there. But we had that conversation very early on before engineering occurred and before any real analysis of the site occurred. And so as that became more clear, I think to achieve the unit count that we are currently talking about it became very much understood that we wouldn't be able to have the athletic field.

Alderman Jette

So again if I may, so whether it is the developer or BIDA or the City or the three of you combined I guess want more units than you are able to build without sacrificing the athletic field. And you need the athletic field in order to build the number of units you want. Is that what you are saying? If you wanted to build an athletic field could you?

Mr. Cummings

Yes.

Chairman O'Brien

Well to help Alderman Jette out if I may, part of this money if we allowed this, like Director Cummings may go to another couple of projects. One of the projects is maybe we can do the quality of a park somewhere else?

Mr. Cummings

Correct.

Chairman O'Brien

Go to astro-turf for a rectangular field and much improved and talking about lights which is key to have for particularly adult sports. You know the people of the community that want to play those type of sports; soccer in the evening. So there might be some benefit. So this is one of those tit for tats. And if I may remind the Aldermen and perhaps Director Cummings can speak to this, as we go down Bridge Street a ways and as we look at the intersection there coming over the bridge we did have plans in the presentation, was it not by the DOT to look at this particular crisscross that we are looking at here and to enhance it to a better traffic flow. And part of the plans at that time was not a rectangular playing field but to I think a residential garden spot where people within that community, particularly the renaissance would once they could get across Bridge Street you know, but be able to enjoy the park atmosphere at that time and fix that little crisscross that is kind of antiquated a bit there.

Mr. Cummings

Yes thank you Mr. Chair. Yes to just echo those sentiments and again, we can't say definitively today what we are going to use the money for. But the thought process could be to put some of that money and again our understanding roughly is it about \$350,000.00, what it would take to have a rectangular, athletic field if the City so desired. You could put that towards another field in the City, create a new field, do an enhancement, do astro-turf. Or, as the Chairman alluded to, there is a traffic improvement project currently underway with the X and it is contemplated that about where 40-44 is, doing some sort of park or some sort of nice recreational community neighborhood asset that folks could enjoy. You could put funds towards that. That is all within the realm of a possibility and that's why we were all in agreement that we need to try to move this project forward; because it will without any question improve the neighborhood. Right now it is rather undeveloped, we haven't seen really much economic investment in this area of the City. We are just starting to get it and we need to further, we need to further maximize that benefit.

Alderman Lopez

I have some reservations about this, first because you were looking at having an amenity removed from the neighborhood that was planned to be there. In my mind like the Renaissance project had a lot of amenities in the past that were proposed that have been dialed back or removed similar to this; the waterfront and all that kind of stuff. So I am concerned about how the neighborhood particularly would respond to this, that lives there now and whether they would be particularly open to another number of buildings. I'm also thinking about the traffic flow and part of the area re-design is because of the increased traffic because of the Renaissance Project so adding more housing to reach the density that they are looking for, I could see how that would be appealing to the developer, even to the City which is trying to solve housing issues.

But at the same time making sure that we don't overbuild in a certain area is a concern to me. Because the other boards have recommended this, I kind of am willing to just go in the direction that they are going. But I am concerned about the open-endedness of funding for this, what would have been a soccer field, now going into a later conversation. I would like to insist that we have the conversation and ensure that we put the soccer field somewhere else because soccer is a very sought after and attractive sport in Nashua. We have lost revenue and destination appeal because we haven't supported soccer in the past and I know that each of the fields are competitively sought after; there's a waiting list. It is a point of tension where people who are trying to develop soccer teams and you know athletic skills and all that kind of stuff, they are not able to find space.

So I would just want to encourage the Board if we do move forward with this that we do need to preserve that soccer field elsewhere in the City and the funding for that use rather than saying well convert it into a garden. One amenity is as good as another; there's no way you are going to want to have a soccer game in the middle of a bunch of roads. So I just think we should be mindful of that, that we are losing something that we planned to put there for a reason. I don't think anybody rolled the dice and said – Oh let's put a soccer field in there. I think they looked at what do we actually need in the City for other reasons too.

So those are just my thoughts. I think I'll support this but I am very mindful that you should earmark at least the money for a soccer field to go elsewhere in the City.

Alderman Schmidt

One thing that we wanted to consider, I'm on BIDA as well, the one thing that we wanted to consider is that if we are going to change anything about this part of the City that that park or field or whatever should be in that location. It should be there for those people. And that's one of the issues that we are dealing with right now; we are looking for a piece of City land that might be able to be used for a soccer field. If not, it could make a really nice garden, it could be children's play area, it could be a walkway along the river. But we will have that little bundle of money to manage. I think we need to stay in that area because I think they deserve to have the amenity that would give them.

Mr. Prolman Last week or whenever the Planning Board, I lose track of time, the Planning Board had a positive recommendation back to the Board of Aldermen on this Resolution. But they did some of the caveat that the funds that were to go to a rectangular field stay in this area of town, stay in this Bridge Street/East Hollis neighborhood. So that might be something that the Committee may want to consider as well.

Chairman O'Brien

I would also like to remind my Committee here that the X pattern on the traffic, Alderman Schmidt and I are completely ecstatic with the Governor not signing and allowing to passage the Rail Bill. And if the people realize we are right down the throat here of the potential designated where the rail station is. So when the DOT and everybody else is talking about the rejuvenation of that particular area, particularly the traffic pattern is going to really enhance as we build the pieces of the puzzle going forward, will enhance that. Yes, right there. So people are going to need to get to Hudson so to have that traffic pattern resolved to some degree and that is another thing to consider as we move on. But we are getting a little bit off track. No pun intended. But Alderman Lopez I share your concerns and you know being on the fire department we had this old adage, sometimes it is better when we have a fire to get multiple lines on the fire, but it's always better to get one good line, at least you were extinguishing it, you know what I mean? And if we could get to stay within the focus of the park I am in agreement. I mean if it comes down in the future, a quality park, astro-turf, lights and everything it is greatly going to enhance, something that is going to be used a lot more. I think this would be good and that money could be very well spent to that. It sounds like we will have a discussion upon another day on how to do that.

Director Cummings

I think that is the critical part, that we make sure we are cognizant, and I very much am keeping it in the forefront of my mind that we have a separate deliberate conversation. We have DPW at the table, we have BIDA at the table, we have members of the Planning Board, we have members of the Board of Aldermen, we have the Mayor and key people including the neighborhood residents. And you have a conversation about what it is that we would like to see. But to be able to have that conversation, we need to have a pathway forward and this legislation before you does that. So with that being said, I hope this Committee will make a favorable recommendation.

Alderman Jette

I'm kind of the same point of view as Alderman Lopez, I acknowledge that we as a Committee are hearing about this and we don't have the extensive knowledge that may be, you know when this thing was first created the people had at the time or the knowledge that Director Cummings or Attorney Prolman has about this whole project. But what concerns me as I am looking at an area of the City which is fairly well developed as far as density is concerned, you know, there is a project that, you know this Renaissance Project that anticipated providing additional housing to the City which is valuable and we appreciate that. But my memory is not perfect but I know that part of the project is that we had to move the skateboard park from that area.

You know we've got valuable waterfront there that would be great to have developed so we can take more advantage of the rivers there. And I see the project that anticipated having maybe it's not a rectangle maybe it is more like a parallelogram but some geometric figure there where the old John Mansfield plant was. It was anticipated that would be an athletic field for that neighborhood. And I also know that there's a developer that is developing part of the old railroad yard with additional housing; a couple hundred on one side of Temple Street and another hundred or so on the other side of Temple Street. So I'm seeing there is going to be an increase in housing, which means an increase in people, an increase in automobiles in a neighborhood that is already kind of congested. And what appears to be the remaining open space that we have, we are giving up. And I know we are getting \$775,000.00 I hope that is an appropriate amount of compensation for it. But then I hear talk about that money what we are going to do with that money is going to be subject to some later discussion. I am afraid that we are giving up a piece of open land that could be used for recreation; filling it up with more housing.

I just hope that we are not putting ourselves in a situation; I mean once you put houses on there we are not going to tear them down and return it to an open field so that's going to be gone. What happens within Bridge Street and East Hollis Street remains to be seen but I am going to support this reluctantly because I bow to the Planning Board recommendation. But I don't know the full extent of the Planning Board's recommendation. All I see is in our agenda that they recommended that the money be used to maintain existing fields or the creation of new fields. I don't know if they said it elsewhere Attorney Prolman but there's nothing that I see that limits it to this neighborhood and how that fits into the Parks & Receptions desires. I'll go along with this but I wanted to voice my concerns Director Cummings.

Director Cummings

Thank you Mr. Chair and thank you Alderman Jette and your points are well-taken. I hear you loud and clear with them. I will say that is one of the good things about us coming forward with a Master Plan. And I think as we have the Master Plan conversation, we will be able to address some of these issues because – and I am glad to hear we are not going to penalize this legislation this evening with some of these concerns. Because this whole area of the City is zoned in a way to do exactly what is being contemplated. And so whether it was this site or another site this question or this issue or these concerns that are being raised, are all good conversations to be had. But the project applicants who would be coming before you would have a right to be able to do these projects. So as we have that Master Plan conversation, we absolutely can ask the questions as to whether the zoning in this area of the City needs to be changed or tweaked and further looked at to take into these concerns that are being raised here today. Relative to this specific site all I can say is we are under a contractual obligation. This was a contract that was entered into and again I am not lying and Attorney Prolman can probably correct me if I'm wrong, but something that is longer than 10 years ago, maybe even 15 years ago, in that range where it was always understood that we would be developing. And the concept plan for this area, contemplated just under 800 units of housing. So we are not going to realize or see anything near that type of development, but that was the plan that we were bound to work under.

Alderman Lopez

I take some issue with characterizing our discussion which I consider to be our responsibility as penalizing legislation. And I don't think that area has a right to be developed because it was planned a certain way 10 to 15 years ago because a lot of plans were involved in that design and those elements have not shown up. At this point I believe all we have put in so far are buildings and it was a legitimate concern of the neighborhood because I was involved in the original Renaissance Downtown Visualize Nashua discussions. Those neighbors were very concerned about what was going in there, how it was going to affect the character of the neighborhood. So I think we do need to be very conscious of that and at no point should we say – Well there's a right to just develop this a certain way. Because while a Master Plan is important, that Master Plan needs to be developed along the lines of what is best for people living in Nashua now as well as what our long-term plans are. And I am very conscious of that because again I was involved in the earlier parts of it. I know there were talks about boat launches and about waterfronts, about restaurants and all that kind of stuff and it just doesn't look like any of that is really happening here.

We are about to trade a soccer field and I am not going to die on the hill of a single soccer field. I do not see a soccer field in that space but who knows, maybe there is some other part of the neighborhood that I am not aware of. So I think it is kind of a wash when it comes to that amenity which is particularly popular in Nashua. I do think that there is still space within that little X to put some kind of reasonable green space and I think it is really important that we do that. Because when you put that many people in an area without even like a small park then that's not good for anybody. I am also fully aware of the need for more housing stock but I do not believe that the projects that Renaissance Downtown have been accessible to the majority of Nashuans and I don't even think they are marketing towards Nashuans, I think they are being marketed towards people coming to Nashua. So there is a housing shortage in Nashua but that's because people live in Nashua now who need housing. So I don't see this as particularly contributing to that solution I think that luckily, we have other housing projects that would probably be more suited for that.

Alderman Jette

I just wanted to add that replacing this potential soccer field with a soccer field at Yudicky Farm for example. I was a coach in the Nashua Youth Soccer League and we really had to fight for places to practice, you know, spaces to practice? And for these kids and all of these new kids that are going to be coming in and occupying these new housing units, where are they going to go? Another field in the southwest part of town in Ward 5 which we would welcome, you know, these kids are going to have to get there. They are going to have to be transported by their parents and a lot of their parents won't be able to do that because they are working.

Alderman Lopez

And traffic.

Alderman Jette

I am just concerned that we are giving up something that we won't be able to replace. But I hope that Director Cummings has thought about these things and will have a plan to present that will satisfy us.

Chairman O'Brien

I would like to say I am comfortable with this deal. I am surprised nobody has mentioned it but John Mansfield Company used to make asbestos products on that particular site. John Mansfield, in the old days before we were educated in such negative things of asbestos, we had it on the hoods of our cars. But those in the Navy and everything else, everything was asbestos, you went to school it was asbestos. Asbestos is fine and I don't say, go running out because of any asbestos, but there are several sites that John Mansfield gave a lot of asbestos to the City to use as landfill and I bet a lot of people would be surprised where they actually are. I know where some are and they are fine as long as they stay encapsulated. And with this particular site, when you have kids running up and down the field, I don't think that is encapsulation. I kind of questioned that.

So when I saw this proposal I think like you say with a building upon it, you are talking a lawn, you are talking other types of different things that will work towards encapsulation and keep that particular area safe. I think there are better areas that we can try to strive to go and am willing to do that. I agree with you Alderman Jette. I too was coaching NYSL, they gave me a little strip of land next to Fairgrounds Elementary School and I prayed that my kids wouldn't put a ball through the window. But you are right, we are kind of tight for space and everything else. I think it is the quality of space and again if we could get into an astro-turf field somewhere or lights and everything we would be better. I am willing to support this myself and then have the debate later on what we will do with the funding and everything.

Alderman Lopez

Just so we are not taking this for granted, this is cleared by the EPA because there was like a Superfund area and with all the discussion at the tannery they were saying that you could only have a soccer field or parking lot over certain types.

Chairman O'Brien

If I may clarify and Director Cummings please support me or if I misspoke or anything else like that; I don't think it would be available, we wouldn't be sitting here discussing this if there was any thought. I would just like to stipulate it is not as clean and pristine as some other areas within the municipality. We do have other places that people don't even know and as long as it doesn't get disturbed it is perfect. I think there's not a particular health problem and the construction will be appropriate. They know what it was there and I think Mr. Prolman can agree that the construction company would do due diligence with that, they know how to handle such issues and everything else like that. I personally and the reason I brought it up I would feel comfortable to have the children at another location than a former asbestos plant. I wish I had a nickel for every time I walked through there at 3:00 in the morning behind the Fire Department. We didn't know about the asbestos stuff back then; we had a lot of fun anyways that's why you did it. Any other further comments? I have spoken enough. May I call for a vote?

MOTION CARRIEDChairman O'Brien

Mr. Cummings can you stay for 5 minutes in case there is a question?

Mr. Cummings

Happy to.

Chairman O'Brien

Mr. Prolman, thank you sir.

Mr. Prolman Thank you, have a good night.

R-19-150

Endorsers: Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman Mary Ann Melizzi-Golja

**AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A LICENSE AGREEMENT FOR A
PARKING AREA OFF ARTILLERY LANE, NASHUA ABUTTING MAP 63 LOT 45**

- Also assigned to the Board of Public Works; Tabled 6/27/2019
- Tabled 6/17/2019

Chairman O'Brien

Before us this evening too is R-19-150 authorizing the City of Nashua to enter into a licensing agreement for a parking area off of Artillery Lane; the Board remembers that. Well we sent it over to the good folks at Public Works and they tabled it on June 27th. So we have not heard anything back from them. We tabled it on the 17th, they tabled it on the 27th. It remains now, at this time, in limbo. So I don't see any need to take it off the particular table. Just to mention it is a situation that I think is kind of raw that we are going to have to take a look at. It is commercial property adjacent to, speaking of parks, and everything else.

So probably we would look to see what is a good solution for everybody with this one. So I think in order to do that I am willing to keep it on the table for now until we get better information on that. Is everybody in agreement with that? Love it, outstanding, very good. We will keep on the table, because we are still working on that.

O-19-036

Endorsers: Alderman Tom Lopez
Alderswoman Mary Ann Melizzi-Golja
Alderswoman-at-Large Shoshanna Kelly
Alderman Patricia Klee

DESIGNATING AN ADDITIONAL SECTION OF BOWERS STREET ONE-WAY EASTERLY

- Tabled 2/27/2019

Chairman O'Brien

While Mr. Cummings is here, this is still on the burner, Ordinance 19-036 designating additional section of Bower Street one-way easterly; we are still working with the stakeholders of the neighborhood on that particular issue.

Mr. Cummings

Yes Mr. Chairman and if I may, last time I checked on this was probably maybe two months ago now. I know engineering had solicited a quote, when I say engineering, our City Engineering Department was soliciting a quote and trying to line up counts of cars with the Nashua Regional Planning Commission to try to get some further data for the proposal that they were entertaining to try to have a study done in this area to address the issue. So I am not exactly sure if engineering has executed on that proposal so I would have to check back but that's the last I knew of it. I will look into and follow-up.

Chairman O'Brien

Well thank you because you know I do realize and I think everybody realizes if you change one thing you might up changing something. We do have the time to do it correctly; so let's do it correctly. So we will leave that one on the table. If that's what the members are all in agreement.

Alderman Lopez

If I could just add we've changed a bunch of things in that neighborhood including adding two new housing places and all that kind of thing. So the conversations that I had with Director Cummings regarding it were that that region needed to be looked at, because otherwise we will have a domino effect of we changed one thing over here, we changed one thing over there. And there are other issues. So that is what made me particularly supportive of the Master Planning process because there's a lot of issues that are interrelated such as traffic flow, parking, overnight parking that we have been looking at them piecemeal and we really need to be looking at them in totality.

Mr. Cummings

Absolutely.

Chairman O'Brien

I would like to come up with something where all stakeholders are on board with it. Alright then.

GENERAL DISCUSSIONAlderman Lopez

As a follow up to my earlier comment about on-street, overnight parking, I am aware that a number of areas have been reaching out one at a time with regards to – can we have parking here, can we have parking here, can we be able to park nearby. And I know Director Cumming's office is working on reviewing the most frequently requested streets at the City Clerk's Office and then figuring out which ones are amenable to Fire, amenable to Police, which ones should get permits, which ones should get parking spaces. So we are working on that and I just wanted to make that comment so the public knew that we hadn't forgotten.

And then Alderman Clemons and I were working on adding to the Tenant Bill of Rights, which is supposed to be signed as part of any lease agreement in the City. Some kind of recognition that a landlord really needs to tell an incoming tenant what parking they can provide and accurately describe the City's ability and responsibilities in providing parking. Because surface area can't just be created; we just took out a soccer field. I mean in the denser inner city neighbors where people are just like – Well the City is responsible for providing parking – is not and it can't, literally there is no way to do it. So there are some areas where the tenant needs to be informed that the place they are moving into is going to have a difficult parking situation. Because you are creating really unfair expectations on the part of that person who feel like they are entitled to more support than the City can feasibly give. So we are working on those things and I just wanted to comment on those.

Chairman O'Brien

Thank you Alderman Lopez. One of my greatest fears, I mean it's happening today, people petition and they come up and are asking and they say there's not enough spaces. Then I ask the question, did you get approved by the Planning Board to have four apartments? And – HUH? Because the Planning Board would say – Where are you going to park the cars? Now the landlords, and I don't want to paint the landlords as bad people, that's not the issue here, it is their property they have the right but within certain aspects of it. You divide up some of these buildings that were just two family homes into four to six apartments; everybody wants a car. Why does it become our responsibility and you look at it. So we've got to gingerly walk that street, no pun intended but to come up with it and to really look at it. Quite comically I went down to visit my sister in Everett, Mass. and I swear that it is I think everybody now moving into the neighborhood has to be handicapped, because there's handicap parking all the way down the street. So whenever I go to visit her, I have to walk a half a mile. It would be better to take the "T" I think you know.

It can and Everett is very much in some of the density equivalent to our density in some of the neighborhoods and everything. It is something and I am glad you are coming up with that Tenant Bill of Rights because I think that would help to alleviate. Because I hate to see somebody come and get an apartment then all of a sudden find out that something that they should have looked into. And to assist the young people who are coming in and yes, Director Cummings, please.

Mr. Cummings

It is happening and so I applaud Alderman Lopez and Alderman Clemons for this initiative. I can tell you it is something that the parking office here in the City deals with regularly. And we feel terribly because we know that these individuals are renting apartments and they come in and they are acting under the assumption that they can park on the street. And with our current regulations being the way it is, that is sometimes not the case and they have limited means and so they don't necessarily know what to do and they feel stuck. And we really feel very badly because we are stuck in a hard place at that point. So if we can do anything to help move that along it is something that I think would help the City tremendously.

Chairman O'Brien

I'm clearly and if I may follow-up I mean I am not against overnight parking and particularly coming from the Fire Department end of it. What happens if you have a fire at 2:00 in the afternoon; does it matter at 2:00 in the morning? You are going to do what you have to that argument never really cut any mustard with me. But the thing is, overnight parking, once that is given away it'll never come back, you know? So we have got to look at it, I'm not saying not to do it, but be very methodical and have a plan we come up that's fair to all the neighborhoods. From what my swimming in the shallow end of the pool on it, it's tough. It is a very tough issue. But I'm with the best Committee to work it out, but it is tougher than you think.

Alderman Jette

So on that point, I know that we've had this discussion before, I'm in my second year on the Board and so sometime between the last year and a half or so we talked about overnight parking and the issues some of which we have just brought up again. The whole problem with single family homes being developed into multi-family homes; people with one car in the family if they were lucky to now everybody who is 16 years old seems to have their own vehicle. And our laws that prohibit overnight parking you know has had I think an unfortunate side effect in that we had downtown properties where you had lawns and gardens and trees and hedges and have all, not all, but a lot of them have been stripped in order to provide on-site parking because they can't park on the street. So we've talked about this before and I am wondering are we all waiting for somebody to come up with a brilliant idea or is our esteemed parking department

Chairman O'Brien

We all love brilliant ideas but I think we are methodically looking at it. I mean from my past experience, probably this is my personal fear, my mother was that lady that shoveled the spot in the front of the house. Director Cummings probably can picture what I'm talking about. She had lawn furniture designating that was the official O'Brien parking spot. She even did the downstairs tenant spot for them, the two spots for the house. She guarded them vigorously. She hung her underwear off on a stick to mark Maggie's to say that was her parking space and it was tough. This is where we are basically heading to. I mean I grew up with 5 brothers and the big thing was trying to get the keys off the old man for a Friday night date. Most of my dating was done off an MBTA bus, we didn't have the parking. And we are getting to that particularly in the downtown area. So we are trying to be guarded that is the only thing that I'm saying, you know.

Alderman Schmidt

I'm thinking maybe it is time for a parking study over the whole City where we can actually make some good plans going forward on what's where and how. Yes?

Mr. Cummings

I'd like to echo those sentiments that Alderwoman Schmidt just said. I think it is, so if I could step back for a second. So prior to this infrastructure committee in a previous Board of Aldermen when I first got here to the City, we spent a year, year and a half and we looked in a rather detailed way in the downtown area and expanded overnight parking where we could. Since that time we have on a case-by-case basis, evaluated different streets and making sure it met the criteria that the City set out and if it did then we proposed it as one type of solution where we heard from the neighborhood that there was an interest. It still is pretty clear to me that there isn't consensus among the Board of Aldermen that the entire City should go one way or the other. And so with that being said, I also heard very loud and clear from the Board of Aldermen a few months back that a Master Plan for the parking garages and the parking lots and definitely from a maintenance standpoint but then also relative to managing parking and making sure that the City understood what were some best practices as well as industry standards today for managing parking was necessary. We are definitely going to be looking forward to having some sort of plan in place that can give everyone the comfort level to move forward.

Chairman O'Brien

Anybody got a magic wand? That's why I say we are on the right track.

PUBLIC COMMENT

Peter Schaefer 15 E Street. The previous map you had up with the traffic, my house is just left of that. So I live in that area. And many years ago when the Renaissance project was proposed, I actually spoke in favor of it. There were some very nice things that they were saying that they were going to do. I'm still not opposed to it but I want to point out that what have today and what we are contemplating isn't anything near what we were told was going to happen. Right now, we've lost the skate park because of the first part of this development. And we are going to lose the field, I think we are going to lose it. They are going to build buildings and I don't see that really going away. That area needs re-development, I'm not against re-developing that whole area. Corrivveau-Routhier and all of that, I think it is reasonable to put a lot of developments down. It's old construction, you know, industrial development is moving out anyway so you've got to put something in there. The fact though is that there's a community here right now already OK? And they've lost the skate park, they are losing this field, so they are losing things OK? Not only that we are getting perhaps thousands of people in that area OK? And the question is what are they going to do?

You are taking stuff away and you are not providing any services, you are just taking stuff away and you are putting more people in. I'm not against it as long as it is a health urban environment that we are building there. I'm not opposed to having something that is a linear environment you know along the water. It can't be a ball field but you could put something linear because people have to go somewhere, you know. And right now, where are these people going to go? Most of these people in those developments don't even have you know a little patio. So when you go outside, where do you go, what do they do? So in terms of a healthy environment you have to have those pieces. Right now it is going to be re-developed and it is going to be high density, there is a very good justification for it because we've got the trains coming in hopefully OK, so higher density that can use those trains because people don't want to go forever to get to the train station either. So I see a lot of positives here but potentially, but they are all potential because no one is putting any money to anything that is helping to develop the urban character of that area. They are just putting a lot of apartments in. And in fact that apartment that you are talking about here now, they are going to have mixed things, not just apartments.

What they were going to have, you know in fact Dunkin Donuts wanted to put a store over there, because they've got one on the other side on East Hollis. In the morning when cars come in, they would like to have people go into the Dunkin Donuts there and then when you come in the evening, going back over to Hudson have a Dunkin Donuts on that side, but they didn't like that. What I am saying is there really ought to be more than housing. Years ago, in an extreme case, in the 60's they used to build these very dense populated areas, because they felt it was a really good idea. Then 20 years later they dynamite it. I'm not saying that's we are doing here, but I'm saying if there has got to be a mix it has got to be healthy. And there is already a community there, it's not like we are not there, no one is talking about us. We live there now and all these changes are occurring and they need to be balanced somehow. And that area by the river is probably one of the most beautiful areas in the whole City if it were, if there was a linear park there. I keep hearing people talking about this but and even where the X is now, they are going to re-develop that and rebuild that and we are talking about potentially, because I asked can there be a playground or a few other things there, but there's no money. In other words before we were told about a bunch of things that were going to be, boat docks in the Nashua River and all of that and that never happened. So people keep talking about a very nice area along the river but nothing has ever happened. But apartments are happening, so what I am saying is they should be happening at the same time so we have a developed community. I don't know how you go about doing that.

The other thing I thought about a little while ago was that the first Phase that area that was built, for example that was City property and the City sold it to the developer and the developer put these apartments in there. What I think the City could have done, because the City controls the property along the river, because that's a

levy and the City controls that. But when they sold it they just sold it outright rather than having a, none of them deciding that we are going to have a right of way, the City could have, it was their property. They could have put a right of way on it to make sure people could go down to the river. But they sold it outright. So what happens is that in theory you really can't go through that property if you live in the area because that's private property to get to there. There are other ways of getting there. Now this other property that we have right now that we are selling, you've got the same situation. It is City property but we are selling outright and we should have, we should put something in there that basically says there's a right of way without interfering with what the contractor or developer is going to do. There's no reason why you couldn't say there has to be a way to get back to the river, some pathway or right of way that the City controls before they sell it. And if it is in agreement with the developers and doesn't get in the developer's way, because there's going to be a road in there anyway. What I am saying is you ought to think a little more in more detail about how we ought to make sure we have this healthy environment. Because once you give it away, it's gone. Thank you.

REMARKS BY THE ALDERMEN - None

POSSIBLE NON-PUBLIC SESSION - None

ADJOURNMENT

**MOTION BY ALDERMAN SCHMIDT TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 8:17 p.m.

Alderman Jan Schmidt
Committee Clerk