

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

JULY 6, 2004

A meeting of the Planning and Economic Development Committee was held on Tuesday, July 6, 2004 at 7:47 p.m. in the Aldermanic Chamber

Chairman David Rootovich presided.

Members of the Committee present: Alderman Richard LaRose, Vice Chair
Alderman Kathryn D. Vitale
Alderman David MacLaughlin
Alderman Robert G. Shaw, Jr.

Members Not in Attendance:

Also in Attendance: Alderman-at-Large Brian S. McCarthy
Alderman-at-Large Paula I. Johnson
Alderman-at-Large David W. Deane
Mike Lowe, Planning Board Liaison
Kathy Hersh, Div. Director, Community Development
Roger Houston, Director/Manager, Planning Department
Jay Minkarah, Director, Economic Development

-
COMMUNICATIONS

From: Christopher Hodgdon, President, Greater Nashua Chamber of Commerce
Re: O-04-19, Amending the Planning & Zoning Ordinances of the City of Nashua in their Entirety

-
MOTION BY ALDERMAN LAROSE TO ACCEPT AND PLACE ON FILE
MOTION CARRIED

UNFINISHED BUSINESS - None

NEW BUSINESS – RESOLUTIONS

-
R-04-58

Endorsers: Mayor Bernard A. Streeter
Alderman Marc W. Plamondon
Alderman-at-Large Brian S. McCarthy

DESIGNATING A DISTRICT ADMINISTRATOR AND ESTABLISHING AN
ADVISORY BOARD

FOR THE TAX INCREMENT FINANCING DISTRICT ESTABLISHED UNDER
RESOLUTION
03-197

MOTION BY ALDERMAN LAROSE TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman LaRose

Could you elaborate a little on this? For some reason I can't remember the resolution at all.

Chairman Rootovich

-
Alderman McCarthy since you are one of the co-sponsors do you wish to give us a brief overview?

Alderman McCarthy

My recollection is that by State law the Tax Increment Finance District were we to do it requires an advisory board and this legislation would simply put in place that structure that we need to have according to RSA:162(k).

Chairman Rootovich

Are there any further questions?

Alderman LaRose

Do we know who the advisory board will be or is this just to get everything in motion to get an advisory board?

Chairman Rootovich

It is made up of members of the business community surrounding that particular district.

Alderman LaRose

Now it is starting to come back to me.

Alderman Deane

The advisory board would oversee any of the TIF districts that were set up if there were more than just the one that is currently proposed?

Alderman McCarthy

I believe that the advisory board is specific to the TIF that it is the plan for – were we to have another TIF it would have a separate advisory board consisting of a community of interest to deal with that TIF rather than this one.

Alderman Deane

This board would only oversee the current TIF district down in the downtown area?

Alderman McCarthy

Yes.

Chairman Rootovich

This advisory board would report to the Economic Development Director.

Alderman Deane

And the City Treasurer?

Chairman Rootovich

No just the Economic Development Director is my understanding.

Alderman Deane

Thank you.

Alderman Vitale

Could I ask that we get a list of the people that are being recommended for this advisory board and maybe the businesses that they represent?

Chairman Rootovich

We could get that for you.

Alderman Johnson

Alderman Deane kind of muttered what I was going to ask – who appoints them and how do they become appointed? Do they send in a letter of qualifications?

Chairman Rootovich

The resolution is pretty specific. It clearly states in there that it is members of that particular district, business owners of that district.

Alderman Johnson

Do they have to ask to be appointed and who will be the one that actually appoints them? Is it the Mayor? Is it Mrs. Hersh? Who does the appointment and does it come before the Board of Aldermen for approval?

Alderman McCarthy

Appointed by the Mayor and confirmed by the Board of Aldermen.

Alderman Johnson

Thank you.

Alderman MacLaughlin

How many proposed members to this board would there be and what are the lengths of terms?

Alderman McCarthy

It says not less than 5, no more than 7 members and their terms are for 1 year or until their successors are qualified.

Alderman MacLaughlin

Thank you.

Alderman Shaw

I was just going to try and clarify some of those points, but I think we have covered that. My only concern having looked at it was that those members are either basically they are the owners of the actual properties in the TIF district or the abutters and I was concerned whether or not – maybe it is a matter of how strictly the definition of abutter is in this case, but whether we were able to draw upon at least 5 members of that committee or of the abutter population to populate the committee, and it seems a little concerned about whether or not we will have the sufficient ability to do that. It might be a matter of how strictly the term abutter would be interpreted.

Chairman Rootovich

I guess my perspective abutter to me would mean somebody who is clearly within the district or abuts the district.

Alderman Shaw

That seems to be a very small possible number of choices then.

Alderman McCarthy

I think the traditional definition of abutter is one who has a common property boundary with or is on the other side of the street or stream.

Chairman Rootovich

Alderman Shaw you may be correct it may be somewhat limited, but that is how the resolution is written. Is there further discussion?

Mike Lowe

I would just comment on Alderman McCarthy's statement – that would mean the library too right?

Alderman McCarthy

One would expect yeah.

Mike Lowe

Somebody from the library could actually sit on the board. There isn't much on the other side of the river except the library and there are 2 or 3 small buildings – the old Telegraph building – there are some people in there, but I assume there is just one owner.

Alderman MacLaughlin

Mr. Chairman my own reservation about R-04-58 is that I am leaning against the proposed use of the bond money for the project that we are talking about between the Jackson Falls and Goodales bike building that by voting in favor of this I am sort of sending a conflicting signal. My preference is to see any and all monies raised from increased assessment or in taxes from that area to go into the general fund. That is kind of where I am leaning on this resolution. Thank you.

Alderman Johnson

I just want to go back to the abutters – so any business owner basically even on Canal Street would be considered an abutter wouldn't they?

Chairman Rootovich

According to the definition Alderman McCarthy gave you have to share a property line.

Alderman McCarthy

I was just thinking about the number of people that are there that qualify and certainly you have the two land owners within the TIF itself; Mr. Conneely and Mr. Maynard, you have Margarita's, you have Dunkin Donuts, and you have the Telegraph building, which constitutes 5 right there. The people that are on the other side of Canal Street would be I believe eligible because they are essentially abutters to that zone. I don't think there is a problem of getting sufficient representation in the area to form an advisory committee.

Alderman Johnson

Thank you.

Alderman LaRose

I am going to throw a curve in here. The railroad tracks belongs to B&M so B&M is an abutter. Is Dunkin Donuts an abutter because now they are on the other side? The reason I raised my hand the first time is I noticed that the Director of Economic Development is here. Maybe he could shed some light on this ordinance.

Jay Minkarah

I think a lot of the questions have already been answered. The committee is comprised of property owners within the TIF district or abutting the TIF district and there are an adequate number – we have already looked at that – abutters even excepting of the railroad tracks wouldn't be – I think you are an abutter on the other side of the railroad tracks, but even if you weren't we do have actually two partners who are property owners of the Jackson Falls site, we have Mr. Conneely who is the property owner of course for the proposed pub, BAE is actually the direct abutter. To the east across the stream I would say it does include the Telegraph building. It may include the library property, which is actually city property. We also have the Grace Fellowship Church, which would be directly across Main Street. There is definitely an adequate number of property owners. We said 5-7 because you want it to be as inclusive as we could to allow – it is relatively limited, but it is certainly adequate to cover the number.

I appreciate the comment that I think Alderman MacLaughlin made – I would have to say whether or not the bond is passed we do have a TIF district that already exists, it was approved, and having an advisory committee is a requirement under the statute when you have a TIF district. Obviously there won't be a tremendous amount of development if there isn't a bond approved, but nevertheless they do exist to oversee whatever development exists. The advisory committee doesn't report to the Economic Development Director or the administrator so much as

it is designed to ensure that the interests of the property owners in and around the district are represented so that they have some voice and some input in whatever happens. They also have the ability if the district is administered in some way in a manner that bothers them or that they feel does not represent their interests then they have the ability to appeal any decisions made to the Board of Aldermen. That is primarily why they are there as an advisory board to make sure that the interests of the property owners are protected.

Alderman MacLaughlin

You mentioned something very briefly there to the point that if the bond is not issued there would be very little economic development there, and I think that I heard through the testimony presented so far not just tonight but through the hearings held to date that the Jackson Falls Condo complex is going to go forward, it is the developer's intent to build that complex with or without the bond being issued, and I believe the same is true for the Goodales building whether it is a restaurant and pub or some other type of retail format. I am not sure that there is actually that link.

Alderman McCarthy

Actually at a meeting that I don't believe you were at last week Alderman MacLaughlin, it was pointed out to us that the stipulations on the Jackson Falls Condominium plan call for having a requirement for a pedestrian access, which at this point can only be attained by the riverwalk because there is not sufficient right of way in the entry to the building to acquire it so it is believed at this point that the building cannot be built under the Planning Board stipulations without the riverwalk being constructed.

Jay Minkarah

I think I spoke too broadly. It isn't the role of the advisory board to oversee any development activity within the TIF district only the development that is covered under the development plan that was approved as part of the TIF district.

Chairman Rootovich

Are there any further questions?

MOTION CARRIED

R-04-77

Endorsers: Mayor Bernard A. Streeter
Alderman-at-Large Brian S. McCarthy
Alderman Lori Cardin

RELATIVE TO THE APPROVAL OF THE EAST HOLLIS STREET AREA PLAN
ADOPTED
BY THE CITY PLANNING BOARD

Chairman Rootovich

I would ask for a motion to hold this in committee. Karen Berchtold who is the primary staff member from the Economic Development Department who is the main individual that put this together is on vacation. She asked that she be allowed to speak at our next meeting, and I assured her that we could do that.

MOTION BY ALDERMAN VITALE TO HOLD R-04-77 IN COMMITTEE
MOTION CARRIED

NEW BUSINESS – ORDINANCES

O-04-19

Endorser: Alderman-at-Large Brian S. McCarthy

AMENDING THE PLANNING AND ZONING ORDINANCES OF THE CITY OF
NASHUA
IN THEIR ENTIRETY

MOTION BY ALDERMAN LAROSE TO HOLD O-04-19 IN COMMITTEE

ON THE QUESTION

Alderman LaRose

I guess for people that may not understand the motion to hold is so that we can discuss and go through this.

Chairman Rootovich

I will have to confirm this with the President of the Board of Aldermen and Sue, but I have selected 6 dates from now through September 1st to go through this extensive document in that period of time. If we need more than those 6 meetings on an average of 3 hours a meeting we will either fit them in or go into September, but it is my intention to have at least 6 meetings within this and next month to go through this document.

Alderman McCarthy

Are those intended to be on the normal nights of Planning & Economic Development?

Chairman Rootovich

These are all Tuesday nights. The dates are July 20th, 27th, August 3rd, 17th, 24th, and the 31st.

MOTION CARRIED

DISCUSSION

Alderman LaRose

We held the East Hollis Street master plan and I know I talked to you before the meeting – I just hope that we can really take a look at this master plan and I also suggested to the Chairman that maybe we take a couple of Saturday mornings or something and walk that whole area so that we can really understand what is there. Thank you.

ADJOURNMENT

MOTION BY ALDERMAN LAROSE TO ADJOURN
MOTION CARRIED

The meeting was declared adjourned at 8:10 p.m.

Alderman Kathryn D. Vitale
Committee Clerk