

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

SEPTEMBER 7, 2004

A meeting of the Planning and Economic Development Committee was held on Tuesday, September 7, 2004 at 7:01 p.m. in the Aldermanic Chamber.

Chairman David Rootovich presided.

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

Members Not in Attendance:

Also in Attendance: Alderman-at-Large Brian S. McCarthy
Alderman Marc W. Plamondon
Jay Minkarah, Economic Development Director

Mike Lowe, Planning Board Liaison
Roger Houston, Director/Manager, Planning Department
Bette Lasky, Chair, Nashua City Planning Board
Christopher Hodgdon, President, Chamber of Commerce
Katherine E. Hersh, Div. Dir., Community Development

Division

Sean Duffy, Zoning Board of Adjustment
Don Carter, Urban Design Associates
Brad Whitney
Neil Barrett

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Chairman Rootovich

Before we get started. We set aside tonight to discuss D1, D2, and D3, which are the three new areas for downtown. Before we get into the zoning we have a presentation this evening by Mr. Don Carter who is from the Urban Design Associates who will give us an overview of the downtown master plan.

Don Carter

The presentation that I am going to show you is the one that I did I think in February of 2003, which was the final step in our planning process. I May 2003 it was adopted by the Planning

Board and then adopted by this Board of Aldermen. What Kathy has asked me to do is present the ideas of the master plan again because now that you are going through this new zoning specifically the three downtown zones it would be a good idea to kind of go back and see where we were. Just a reminder Urban Design Associates was the lead plan, we were the planning firm, but we had Stu Pats and Associates who did a marketing study and we had Walter Coolatch from Gladding, Jackson from Orlando Florida who was our traffic consultant.

We had a steering committee that we worked with in the very beginning representing a whole range of downtown including neighborhood residents, property owners, and business people. The process was very open and very participatory. We had literally hundreds of people involved and we did that in a very strategic way to make sure that we had enough input that out of it would come a plan that would have a consensus in terms of public approval.

It went through three phases of a planning process. In the summer starting with August of 2002 we came for our first trip. In that first trip we had focus group meetings with about 6 or 7 focus groups, a public meeting, and we did a lot of data collection and photographing. The reason we did the focus groups is we wanted to meet with interest groups. One focus group was business people and retailers and another focus group was institutions with another being neighborhood residents. We also had an opportunity to interview the Mayor, certain Aldermen, people who were on other boards and responsible for other institutions in this city such as the library and the hospital. We had a lot of input. That was Phase I, which we call data gathering.

Phase II we did in the fall. It was October 2002 at the Goodales Bike Shop, which is now going to be redeveloped as a pub. That was part of our plan that we hoped that would happen. We were there for a week. We convened all of the focus groups. We were doing our design and alternative studies right there in the bike shop. We had a public presentation that night. We had a lot of input. That was the end of Phase II, which we called testing out the alternatives. Remember we had a market study and we had transportation consultants at the same time. We had design ideas that were grounded in market and engineering.

Phase III was to turn it into a policy document, which we presented in February of 2003. This is the document here. It is now available in CD ROM. That is the process we went through. Now I was asked to come back and remind everybody how we got there and what we learned as we went through the process. One thing we asked people about at the very first Phase when we were here in August of 2002 is what are the good things and the bad things about downtown Nashua and what are the things you would like to see happen here. We had hundreds of responses, but when you boiled them all down the good things had to do with the heritage, the historic buildings, walking Main Street, the potential for the riverfront activities, the Heritage Rail Trail coming through.

Those were the good things. People were concerned about the fact that the river hadn't been exploited enough; there hadn't been enough trails along the riverfront. Although we have a great walking Main Street the brick sidewalks are starting to warp a bit and move around and people were concerned about that. There were parking issues that people were concerned about.

There was concern about there is not enough economic activity – those kinds of issues.

People's visions for what should be really had to do with making it a great downtown. It is already a good downtown. When I came here for that first trip having worked all across the United States and a lot of distressed communities I said well what is the problem – any town of this size should be glad to have a Main Street like you have with the economic vitality that is here and the historic buildings – it is a good downtown. I think what people were telling me is they wanted it to be a great downtown. That was one of our goals is to take the assets that you have and make it a great downtown.

Wish list included more houses downtown, a performing arts center, a hotel, some more employment, maybe even some colleges offices downtown – an area that would be active 7 days a week morning, noon, and night – a real kind of vibrant downtown. Those were the wish list items that we started off with. We turned to our marketing consultant and said well what is the reality here – this is what people want and after all this is Nashua, NH it is not Greenwich Village or downtown Boston. What can we expect. He met with a lot of the people here in this room perhaps – developers, bankers, etc. He did a regional analysis. He met with all of the owners of the hotels in the area, major employers, did his demographics and census information, and concluded that the strongest market was to have housing downtown. There would continue to be a market for that housing downtown. For the next 3-5 years he could see another 500 units. The demand is there. If you actually had the product you could have that many units.

There is also a demand for affordable units over and above the 500 market rate units. On the commercial side he was less foolish – starting with the office market – at that time, remember this was a year and a half ago, the office market was very weakened. I can't speak to what it is like now, but at that time he said you really shouldn't count on a whole lot of office uses coming into downtown. On the retail side he felt again the highway interchange was creating a lot of demand for kind of Nashua playing a larger scale in retail. The real potential for Main Street and the downtown was the kind of retail you have already – restaurants, locally owned businesses, businesses that serve the City of Nashua and the people who work in Nashua. You can build on that. He could see anywhere from 50,000 – 150,000 sq. ft. just coming in that way. He thought that there was probably in that same period of time the likelihood of another 150,000 sq. ft. of office space down the line, but now right now.

His big number, his overall number for increasing commercial use in retail and office space is about 500,000 sq. ft. over 5 or 10 years. We also asked him to look specifically at a hotel in the next 6 years because a lot of people felt there should be a downtown hotel. Well at that time the occupancy rate for the hotels around the perimeter was already too low to justify building any new hotels out there. How could you justify and the occupancy percentage was in the low 60s or sometimes in the high 50s or the declining room rates. That is a signal to any financial group, any major chain, any developer; this is not the time to build a hotel. He did feel that in the long run there would be a need for a hotel downtown. If we do a performing arts center it would create a demand for that and the existing business that are here already and the potential for

more coming in. We pushed him on this and said well what does that mean. He said well maybe in 3-5 years you could have a Holiday Inn Express or a Residence Inn – a limited service hotel. You wouldn't have a full restaurant – it would have maybe 85-100 rooms. You have seen these. It would be right in the middle of downtown. It would probably be a successful operation, but not given the current economic situation.

The other thing we asked him to explore was the performing art center. When we were here in August of 2002 we heard a lot especially from the arts community. That was one of our focus groups. We heard a lot about the need for a performing arts facility. With the performing arts facilities now performing in a school auditorium they felt that was not the kind of atmosphere that would really attract both the artists and the audience that they were looking for. He did an analysis. We had a study that the group had commissioner themselves. We looked at that. At that point the arts community that was supporting this was thinking of 1,000-seat auditorium for the symphony, the ballet, the various performing arts and playhouse groups that were there. When Stu passed in his analysis he looked further outside.

He looked at Manchester and all the regional facilities that are out there right now. In his view there is already enough of that larger scale 1,000 – 3,000 seat auditorium that actually spending the money to build one here unless you had an angel who wanted to build it anyway you couldn't justify it on an annual operating basis. He could see a justification for a 400-seat auditorium that would actually function for all of these groups that we met with other than the symphony. He was saying a 400-seat auditorium would make some sense again if you could raise the money. That is what we learned from our marketing study.

On the transportation side Walter Coolatch was looking at really four things. He was looking at traffic on Main Street itself and making sure that the traffic moves but it didn't interfere with pedestrians. We discovered all your one-way streets. We wanted him to look at that because in many ways they have screwed up a lot of downtowns. In some places they have actually screwed it up here in our view. The third thing we looked at was parking. We heard a lot of complaints about parking. There is not enough parking on the East side of Main Street. All of the parking garages are on the West side of Main Street. What was curious is you had 3,500 parking spaces, which is enough to serve the demand that you have. Some are privately owned, some are fenced off, some are not available to the public and some are in inconvenient places. He was looking at parking management. The fourth thing was the Broad Street Connector Highway project and how that would impact downtown. We did some studies on that as well.

Going into our design charrette we had an analysis on market, we knew what the land uses were, we heard from people and knew what they were looking for, and we had some ideas on the transit uses. The goal here was out of this planning process we were hoping based on what we heard that three things would come out of this that we would actually end up celebrating the history of Nashua. We heard what the strengths were. In the bottom line, if this plan didn't in the long run really celebrate the history of Nashua and build on the heritage that already exists both the physical and the social and religious that this neighborhood and this downtown and this

city – then we probably didn't do a very good job. Number two we felt that we had to open up access to the river. We had to get the Nashua River involved in the downtown plan in a much stronger way than it was now. Third at the end of the time, in February of 2003 if we didn't have consensus of the people that we met with, the hundreds and hundreds of people, then again we hadn't achieved what we wanted to do.

Those of you who participated in the process or came to the final public meeting or have watched things that have happened since then I think can verify that we were all on the same page at that point. The goals of the plan, the specifics of the plan that we came to were exactly a consensus position at that point. That is kind of the introduction of how we got to where we were, the process we went through, and the people that were involved.

There is our aerial photograph (referring to a chart being projected in the room) looking north with the hospital in the foreground on the great Main Street. There is our walking Main Street, which didn't exist 10 or 15 years ago with outdoor dining and all of the activities that go on there. You should be so proud of that. All over the country people are trying to do something you have already achieved. Then we have Main Street south, which is an atmosphere of automobile oriented retail, pedestrian amenities that are very poor. I walked down there again today and when you are walking on that sidewalk you feel very unsafe with cars coming right along side your shoulder practically – a whole mix of uses, some historic houses that are still there, some new insertions of buildings. You have new pharmacies, parking in front of buildings, parking behind buildings, and signage of all kinds – overhead wires – certainly a contrast between downtown Main Street what we call walking Main Street versus driving Main Street.

Then there is Railroad Square and its history and all the streets that come through there and Veteran's Park and the historic hotel building that is there. We mustn't forget what it is all about, why this is actually a thriving city – originally of course was like many towns in New England dominated by the riverfront mills and these have now as you know been adaptively used for housing. In 1823 Asher Benjamin, a great American architect only designed one city, Nashua. Known for his architecture, his churches, his city halls – he designed several of those buildings here, but this is the city that he laid out along the river north and south.

Just a reminder you are still in a very strong position in terms of the region because as we know there is the big monster, the Boston metropolitan area, and this is within the commuter shed as we all know (again referring to a chart projected in the room) because of the growth that you have seen in the new housing especially close to the interchanges. It has had an impact. That is a strength that people didn't talk about in the interviews specifically, but as regional planners and urban designers and architects we recognized it right away as something we needed to deal with.

Here is our downtown Nashua, here is the City of Nashua, and you can see that the original lifeline of course was the Merrimack River and the Nashua River. Now we have I3, which is another lifeline. All of that kind of converges on downtown either with the interchanges or the

crossings of the rivers here. It puts us in – when you start to analyze it though you can see Hollis and Amherst are converging on one crossing on the Merrimack River. Main Street is one of the few places that crosses the Nashua River. In a way we have a situation where we have a lot of roads, but only a few that actually serve downtown and continue on to other places.

This is our study area just so everybody understands from this black dotted line that you see here. It includes BAE and up to Railroad Square and over to the Mill yard and down to the Trees neighborhood and includes the school all the way down here to Salmon Brook and then all the way behind this point. That is also the same area of the greater American Downtown area that they consider their area. This is a very interesting. We call these x-ray drawings, which you will see next, which is to take one layer of information at a time and expose it and say what are we looking at. This happens to be building coverage. Everything you see in black is a building. You have a big shopping center here and a school here and BAE and you have the historic mills that were converted. Those are the big ones.

Along Main Street of course there are a lot of big buildings, but then the neighborhoods of course the houses and garages are very small. There are two different scales really. There are really three scales for very big industrial buildings, commercial buildings, and then you have this small grain here. You might ask what are the red. Those red things are buildings and developments that have occurred since 1960. There is the Bronstein Apartments right there, a couple of parking garages downtown, government buildings, the library over here, etc. Those are the things that happened – what you don't see are some things along Spring Street that used to be there that aren't there now. We have a lot of abused vacant lots or parking lots where buildings have been torn out. That is a significant drawing for us to understand where development activity has been happening especially in the north part of downtown.

Here is your one way street pattern so you can see of course Hollis and Kinsley here, but within the Tree neighborhood you have it here, you have other places where you don't even have a paired one way you just have a one way street with – normally one way streets come in pairs you go up and down. So we had these strange places all over downtown for one reason or another and so we will come back to that. This is what we saw a few years ago this strange pattern of one-way streets. This is land use series of x-rays. The dark red buildings are buildings in commercial use of some kind. The light pink are usually parking areas that are associated with those buildings. You can see along Main Street and the cross streets off Main Street are where the primary commercial buildings are. We look at residential uses in the downtown area you can see these yellow blocks are really where the neighborhoods are and they really are pretty much everywhere it isn't red it is yellow, and these neighborhoods in some cases have been fractured quite a bit and in some cases are fairly intact.

We also are very interested in what people call their neighborhoods and where the neighborhoods begin and end. You can read this for yourself. There is the Tree streets neighborhood named after the tree streets, Salmon Brook named after Salmon Brook, Temple Street, East Hollis neighborhood, Jackson Square. At one of our steering committee meetings with members of French Hill and north and Fairmount Heights. Downtown although our

boundary is kind of big like this that is a number of neighborhoods that people identify with. When we are doing our planning we don't want to tread on people's sensibilities about what is their place.

This is an x-ray that shows industrial use. Typically they were along the Nashua River and along Hollis as well and some further south, and of course those are related to the railroad line. Just this is the same in every city – industrial was originally along the rivers and then when the railroad came through that is the next place that it went. In some cases those uses have gone away and here in Nashua that is the case too. This may be the most revealing of all the x-rays. See the light gray and the dark gray – there are three dark gray things – those are parking decks. The light gray things are surface parking lots either publicly or privately owned. You can actually say in the central part of the downtown the primary land use is asphalt. In the sense that we were building for some of these things but now we have a lot of parking.

One of the things we need to think about is that the proper use for all of this land? Do we have more parking than we need? Do we have enough parking? You can see how that starts to interface with the parking management site – look how patch worked it is. It is all over the place. As those of you who come here everyday know it is not well managed as a total system.

The purple buildings you see are institutional buildings, which are anything from the hospital to a school to a church or a series of churches. The green things are parks or spaces around public buildings. Here is this wonderful park that you have created along the river – the French heritage. There is the Rail Heritage Trail right there. What you see in red are the long-term intentions to create additional trails and bikeways that will connect to a larger regional system, which will collect to county, regional and statewide trails. You can see we have a lot of institutional uses downtown, but the potential to connect a lot of these things to each other with pedestrian ways and trails.

That was the physical analysis. We have already heard the market study and the transportation analysis. The study area that we are talking about is fairly big. Remember it is this boundary right here. We concluded with the steering committee and with Kathy's department there wasn't too much point in us developing initiatives for the neighborhood areas, for residential. Our thing was about commercial development and how to make downtown a more viable commercial district. It turned out that there were 5 areas that were different from each other what we call nitrogen areas – there is the west riverfront, which has a very distinct feel to it, the east riverfront, the Railroad Square area, Main Street North, which we continue to call walking Main Street, and then Main Street South, which is more automobile oriented. Within each of those areas we projected the analysis and the market study to see what we could come up with in each of those areas.

We will start with the west riverfront. This was the master plan for that. Let me orient you to where we are – here is Main Street right here. This is the Bronstein apartment area, and the mill yard over here. What you are seeing are recommendations that came out of this planning

charette that we did. One of the most significant ones was right over here on the north side of the river. This is property primarily owned by Reverend Barabase organization. It is in the floodplain, which means we never will be able to build on it. We had long discussions about what could happen over here, his need to expand and the continuing expansion here, and we kind of worked out a deal. We felt that a new service road along there, upgrade mill road along here could serve this complex a lot better than what he has right now. In return if we did that infrastructure this property could go to the city for a riverfront park. We could have a boat landing over here, we can have pavilions, we could have an amphitheatre here, and we could even have active recreation over on this side. This building that is sitting here right now could be renovated.

A couple of people have looked at it for renovating it for affordable housing and market rate housing. We talked to Reverend Barabase about his need to build a new auditorium or expand or build a new auditorium – he will need additional parking. We looked at parking locations here. We also looked at parking locations closer to Main Street because they had actually helped Railroad Square deficit in part. This is an idea of the North side of the river really becoming a recreational amenity for the city at large and to expand this idea of the trail system. It would be a gathering place and a place of festivals.

On the South side of the river is the possibility of a heritage and technology museum. Many of you who knew Alan Manoian knew that he was very passionate about getting something started there and he had started raising money for that. I think it would be a wonderful thing if somebody still wants it to happen because of the industrial heritage you have here and this architectural area would be great.

Continuing to work on the riverfront property here, but the major move on this side really had to do with the Bronstein Apartments. It is public housing community – all over the country housing authorities are tearing these barrack type places down – they are really warehouses for poor people, and replacing them with mixed income housing. We have probably done 30 of them around the country. What you end up with about 1/3 of the units are public housing, 1/3 of them are market rate units and about 1/3 of them are what we call moderate income and income from low income tax credit. As you may know these streets were cut off when the Bronstein Apartments were built so it becomes its own kind of onsite.

We are proposing that the Tree streets open up again all the way through and that this be turned into a mixed income neighborhood. The Housing Authority since this time has decided to go another way. They are going to modernize these buildings one more time. This is about the third time they have tried to modernize them. My hope, and I think the hope of the planners, is that when they try to do that one more time 10 years from now maybe they will come back to this idea of extending a really great neighborhood rather than creating a place that isolates and stigmatizes poor people and puts them in one place.

Another thing we worked on was the courthouse overload here, which was a very bad and still is today a very bad traffic situation. We extended the grid of the city back again and created a nicer green space here to allow that to happen. You might see on here a new bridge and a

crossing over the river. As you may remember the Broad Street Connector comes down and makes its way through the downtown. In the course of the discussions with the Department of Transportation and Public Works people here and various property owners, we came up with an idea of making the Broad Street Connection more of a local street rather than a parkway kind of thing and connecting it to Franklin so that you could bleed off some of the traffic and not take them all down this way.

Some of the traffic is actually destined either for east or for this part of Main Street. My understanding is that some of these ideas have then been adopted so that it was at one time a four-lane parkway and now it will be two lanes. That will save a lot of money. There wasn't a demand for four lanes in the first place. It won't be as fast. They are connecting at Franklin here and it is making its way down into downtown. This part of the plan I don't think any longer is active based on what I have heard today.

This is standing in the park on the south side of the river. You can see the statute there looking over towards the north side of the river where Nashua Manufacturing buildings were and this is what it will look like if you took that floodplain – the white house remains and becomes an historic again one of the historic celebrations – see the mill buildings in the back, and then here is the boat landing – you have pleasure boating on the river and this could be all open and active and recreational.

This is just a close up of the Bronstein Apartments. We will create a little park here and extend all of these. I will show you a perspective drawing looking this way today and then I will show you how it could change. The Bronstein apartments we all know and love right. If we would replace it with what everybody else is doing around the country it would be like this and you wouldn't be able to tell who was living in a public housing apartment and who was living in a market income because they are all designed the same. Only the landlord knows who has applied for different kinds of housing. I can take you to 50 developments around the country where this is what has been achieved. Imagine if we had that instead of the apartments that are there now?

Now we will look briefly at Railroad Square. It is a small area and there is not too much intervention that needs to be done here. We looked at maybe making this street a two way street, but we decided that wasn't going to make any sense. There will still be a street that connects through. We think the park ought to be upgraded. There is possibility of a new infill project here, a new commercial development of some kind, and we also looked at sharing parking either if it was located here or we even looked at a parking garage location here and another one right in here. The closer you get to Main Street the better we think the parking would be that would serve these businesses here.

Now we will look at the east riverfront kind of in a way almost a forgotten place when you think about it. Just quickly getting to the master plan ideas, on the North side of the river it is a very narrow shore length other than where it spans here at the BAE parking area. Several ideas cropped up. Number one is you had this very underutilized rail line that goes through here, and

we thought that would be a place alongside there that would be a good place to put another trail of some kind. We identified a site here that could be a development site. Low and behold you are building a 22 unit condominium unit there right on the waterfront, which was one of our recommendations in the plan. Now as we get over to the BAE parking we felt it might be good for us to have a better landscaped area here not to diminish their parking, but it could make it a better amenity.

We also felt if we had a trail coming through here and a kind of green space that these very narrow commercial buildings like the restaurant could actually be two sided. We will show you what that might look like. I think that is the next slide. Here we are looking east – there is the railroad tracks and the BAE parking over here – this was that site that we identified as potential development for the condos. This is the perspective of what could happen if you put a trail right beside there. This was still shown as open space. Now if we did this growing again we should show a building in it, and then here is Cattleman's from the back if they put a porch now they would be looking over a trail, new development, at the river on the other side.

When we go to the other side of the river we propose a series of things that resonated with a lot of people starting off with the fact that it might be nice to have a pedestrian bridge across the damn to connect both sides of the river especially if we are going to put trails on both sides of the river. Imagine now there is a trail over here right now that kind of dead ends down below and it had a bad name – somebody told us it was called Rape Park. I don't know if that is true or not, but you don't feel you are watched when you are down there. You are down below the river. Another thing that we were aware of is that the library – what a wonderful asset that is, but in doing the library you cut off the streets here so now the library is very undefined where you park at the library, how do you pick up or drop off a kid. The librarians themselves, the managers at the facility said that is a problem they have. We were looking at how we could actually make that more accessible. At the same time we heard that there was a need for elderly housing over here in this neighborhood.

A whole series of things came together for us. First of all we thought if we took this road through here between the Court Street building and the library we could continue it along the edge of the embankment and create a new street that would face the river. These properties along here that are now unused could be developed for townhouses and single-family houses that actually overlook the falls and the river. We would have an upper level park and trail that would be much more accessible and useful for the neighborhood and your senior housing and community center could be right here and we could bring this street right around. Now we have re-opened the grid of the city, which was kind of broken when all this happened.

Now we go back to the 400-seat performing arts center – where would we put that? Well right here in this Court Street facility – we looked at that site, we have looked at the possibility of expanding that facility and allowing that kind of use to happen here. Imagine if the street came through and on one side of it is the library and its plaza and on the other side it is the performing arts facility and its plaza – you have created a wonderful place in the city right here that would be a real draw for people and would also indicate the kind of strength that you feel in the arts and

culture in the city.

In doing that we turned up a site here that could be for that small hotel that we talked about. It would be right on the river, near the library, near the performing arts center – it would be a great place for a hotel. On the South side of the river there is a lot more intervention on the North side, but both sides of the river are important to be dealt with just as we did on the western side of the riverfront, and we have already seen that.

Now we are going to go to Main Street North. That is everything kind of North of Kinsley right here. What I am showing you again are the interventions that we talked about or the development opportunities. Obviously most of it is in tact and you don't need to do very much about it. Here at the corner of our crossing right here where we are sitting on Hollis and Main is really the 100% border. At least two years ago there were two vacant lots on the main two corners and city hall on one corner and a kind of underused building on the southwest corner. What we conceived of here is to create a real urban place so that where Citizen's Bank building is now, at that time two years ago we had thought maybe a 2 or 3 story building with a ground floor bank and upper floor offices would hold that corner quite well. The same kind of building can happen on the south side of the street that would probably serve the hospitals there.

They always need more potential offices, clinics, whatever it might be. We would deal with the parking in parking decks along Spring in the back. We wanted Hollis to feel like it was part of the downtown. It would be an urban street. Buildings would be right up on the sidewalk with one exception. Because we have the Rail Heritage Trail coming through here we felt if we wanted to continue it through here we would set these buildings back further North from the curb line than we normally would in the downtown and create a kind of line of trees along here that would reflect on both sides of Main Street as a really wonderful amenity/park connection.

We also met with the churches, and we were thinking that the gymnasium here is really an inappropriate thing to have on Main Street. One of the goals we heard from people was for the downtown to have a gathering place so we thought perhaps if a gym were built over here on the other side of Spring Street it would still be next to the church – this could be turned into a downtown greeting/gathering place. If we can't do the performing arts center up here this would be another place you might want to think about building it because you have the Episcopal Church on this side, the Catholic Church here and then you could have some kind of institutional use here. We also talked to Rivier College and the Community College about bringing some of these teaching spaces downtown. Where better to do it would be either on the upper floors of this building or its own building over here. What we have illustrated here is the 400-seat auditorium captured in here. There are some ideas here that would make some sense to bring some light and some 24-hour a day activity into this area.

One thing we wanted to make sure was to deal with the parking. The circles that you see is a 5 minute walking distance from the middle of the circle, which is pretty much along Main Street. We were looking at parking facilities and we made some recommendations as to where a good location for a parking facility that would serve the centers of gravity and activity either retailers or

office users or institutional users or law firms or government organizations – all of them have great need for parking everyday in the downtown.

This is just summarizing what we have recommended on the one-way streets. Everything you see in red there is a one-way street. What you see in black, the heavy black, are the conversions to two-way streets. In our view none of these is going to be a problem for any property owner or anyone. In fact it will all be an enhancement in terms of accessibility in downtown. Of course Spring Street becomes a two way street. We felt this should be heavily landscaped and turned into a pedestrian area because we have a performing arts facility, the library, the hospital south as far as the gymnasium and other uses along there it would make sense for that to be a very nice amenity as well. These streets are only 30 feet wide in the Tree street neighborhood. We met extensively with the people living in that neighborhood. They want to keep it that way and don't want to change it. We agreed with them.

So here is an aerial drawing of the central part. There is our city hall right over there. Just highlighting again on a drawing areas of North Main Street where we are talking about this so you can see in three dimension what I was talking about. Here is where Citizen's Bank sits now with its big roof – a single-story building. If it were a 203-story building with a clock tower in the corner you could have still had a bank on the ground floor and offices above. This could have been more offices or performing arts center. This is indicating that the gymnasium goes away and create a green space and open up all of these historic buildings. The parking deck in the back. Landscaping Kinsley as well as the green space, this continuation of the Rail Heritage Trail across there. This gives you an idea of the scale of the buildings we were talking about and why it was so important that they be up on the sidewalk.

I will finish with Main Street South, which was the last thing that we looked at. Let me jump right to the recommendations. There is the school over here and Salmon Brook over here and there is Kinsley coming across Otterson. What we are recommending in red are potential development sites. There may be buildings there now, maybe gas stations or a number of things or there may be vacant lots. What we are suggesting is that these buildings go up on the sidewalk. They don't sit back anymore like CVS with the parking in front of it, they will be up on the sidewalks. I know that Burger King and Walgreens have come in on the west side of the street and wanted to do the same thing CVS has. We are recommending that is not a downtown environment. That again is something that doesn't create a pedestrian atmosphere. It is the wrong scale of development. We are seeing that towns around the country are finally recognizing the buildings themselves should be up on the curb. That is why this part of Main Street works much better for that kind of amenity than south.

That was the big idea here, which was any development that would occur along Main Street South any new developments should be up on the sidewalk close to the sidewalk. Another idea we explored again going back to the open space issue and the transportation and pedestrian pass and historic heritage – the Salmon Brook could be opened up and daylighted again underneath Main Street and there could be a heritage area here. . . .tape inaudible... speaker away from microphone... it could be part of a whole open space and historic

places that could be celebrated. Obviously this shopping center is being reconfigured. They have gone along with buildings up on the street. The hospital again is interested in expanding and dealing with their parking issues. Another thing that was very apparent to us was kind of historic houses that exist along the west side of Main Street in this area between Kinsley and Otterson and to a certain extent a little further down.

There is one wonderful house right across the street. Of course if you looked at historic photographs there were a lot of those big houses there. We talked about one of our key issues at the very beginning was that we wanted to celebrate, preserve, and protect the history of Nashua – we save some of our mill buildings and use them, but these larger houses that really were the identity of this part of Main Street there are few left now and we think they are great and should be retained and again celebrated. It does raise some issues regarding scale of use and what might happen here.

As we developed this plan we dealt with not only how to deal with the parking of these buildings, the new ones that are down here now, we are saying that parking should be behind it with a service alley created so that you can access the parking for garbage, deliveries and those kinds of things. We think the same kind of thing should happen along here to make these buildings accessible from the rear so that you don't have to park in the front of them and they could be preserved. Anything that is inserted next to these historic buildings should be of the same character as the buildings themselves. Don't necessarily have to be an historic recreation of the house, but should have the same size, should have windows that are similar, porches that are similar – those are some of the things we looked at regarding that.

We felt that in terms of the market we talked about how much retail was available we felt there was too much linear expansion of the retail all the way from Railroad Square down here to the Salmon Brook. That his suggestion, based on marketing analysis, is that demand - there is already a group of retailers down here. That seems to be enough retail. That should be strengthened, which is why he supported this kind of idea here. Then when you get North of City Hall from here that is another retail node that is already pretty healthy, but in between them you have institutions and these smaller scale buildings that is probably a good relief in terms of the urban design plan and also in terms of the capabilities of the market to absorb that much more retail.

One of the most important things about dealing with this part of Main Street is to make it more pedestrian friendly and more attractive than what it is right now. We looked at the cross section of the street as it exists now. You saw the map. This is exactly what the situation is – you have 5 travel lanes 11 feet wide at every major intersection that is a left turn. There is no on-street parking. They are very narrow sidewalks that are right up next to the street. People park in front of the buildings. Some buildings are right up to the curb. There is a whole list of things. How do we civilize this street? How do we make it a better environment for the uses that are there and the uses that may come and how do we make it feel a better gateway to downtown? The one idea we had was to – there was a great consensus that the 5 driving lanes had to go. One of the things we first look at when we look at re-doing streets is maybe one or two of those lanes could

go away and we could have on street parking even in the off peak hours.

Looking at the numbers and talking to the various people who watch over Main Street that wasn't in the cards. What we also felt was that there needed to be on street parking because on street parking achieves a number of things – two very important things. First of all it allows retailers to have somebody park right in front of their building. If they don't have a parking lot right in front of their building what are they going to have? We can have on street parking. Even if it is not there you think it might be – this is your day. The second important reason is to protect pedestrians from the traffic. There is nothing better to protect you from a speeding car or truck than a car parked beside you. Streets that have on street parking are absolutely safer for pedestrians and people know that and actually gravitate to streets that have on street parking when they have a choice.

So how do we achieve that when we are going to keep the same 55-foot right of way? What we discovered is that all up and down the street there is the opportunity on one side or the other to capture another 8 feet in order to widen the actual public right of way. When it is all said and done we have a sidewalk, we have an 8-foot planting strip at the corner, but in between the corners we would have on street parking. This is why it looks like this tree is growing out of the car when in fact the tree is at the corner and the car is in the middle of the block. Now we have on street parking, protecting pedestrians, and we have the same number of driving lanes. Now it is probably going to be easier for you to see with respect to growing. Here is Main Street right now. I guess that is the American Lobster Company there whatever it is called. There is an empty lot here. You can see these one-story buildings long the way.

If we do what we are talking about the buildings can be set back maybe 5-10 feet to allow you to add outdoor seating for a restaurant for instance or store on the street. These one-story buildings are now two story buildings over here with ground floor retail maybe upper floor residential, and then you have trees along here. If we have a standard for banners or signs in downtown then we would want to have that same standard in Main Street South as we are going to have in Main Street North. Now it becomes part of the downtown – this part of Main Street South would become the commercial district and has an identity, but it also is related to this broader idea of what downtown should be and it connects aesthetically and in density terms to Main Street North.

Just concluding here we are looking again North this is what we have – then of course Citizen's Bank is now there since this drawing was done. Then these were the interventions that we talked about. The three big ones really being riverfront West, riverfront East, kind of Main Street North – what is not shown on here is what we are proposing for Main Street South, but I have gone through that in some detail. Just to remind you some of the images there is Main Street South, there is the Bronstein apartments, there is the riverfront. Thank you.

Chairman Rootovich

Thank you for your presentation. Are there any questions?

Alderman LaRose

I would like to go back to the one-way streets. Are you saying that Kinsley Street should be two ways or one way?

Don Carter

Two ways.

Alderman LaRose

The problem with that is and I used to be on the Board of Aldermen in the '80s and that was after the one-way streets were created, and I can remember the Alderman from Ward 4 saying to us I want Kinsley Street back to two ways. What I told him was you want to go back to the way it used to be because the problem with Kinsley Street being two ways is when you are on the side streets you cannot get out. If you want to go East on Hollis Street or Kinsley Street and you are on the North side you can't take that left turn because there is so much traffic on those two streets that it is almost impossible to get out. I would like to hear your comments on that.

Katherine Hersh

In the end, the recommendation was to do a one way conversion study not to just – to take this as this is a great first look now let's look at it in more detail, let's do the counts, etc. That is the recommendation that is in here. If I recall correctly, and correct me if I am wrong other people that were involved in the discussions, we talked quite a bit about Kinsley and West Hollis, and in the end I thought we concluded that there were advantages and disadvantages to each and I thought in the end that the recommendation in here was actually not to convert it. If you let me look a little longer I might find it.

Alderman LaRose

I would also like to mention that the one-way streets were not a creation of the Board of Aldermen they were done by – they hired a consultant and that is what they came up with. Some of it was street and –like all of Spring Street used to be one way and they changed that to two ways. The same thing with part of Elm Street between Kinsley and Hollis was one way and they changed that to two ways. There has been some tweaking of it, but primarily most of it stayed the same.

Don Carter

A virus swept the country in the 1950s and almost every city in the United States it was decided to go one-way streets in the downtown. The idea was to be able to move traffic through the

downtown fast. That was the main reason. Nobody was thinking about whether that was good for the downtown or not good for the downtown because what happens is just what you see here and in Indianapolis, Pittsburgh – you go anywhere and you will see the same thing. It ended up taking parking off the streets. It ended up making it confusing. You actually had to drive further to get to your destination because you are always having to go that extra turn around the block. In some cases it makes sense to have one-way streets. Midtown Manhattan for sure those cross streets have to be one way or you will never move anything, but in smaller towns like Pittsburgh, Cleveland, and Nashua you should look very carefully at keeping them. Those that are here can make some sense as I said in the Tree Street neighborhood. There was a broad brush just thrown over all our American cities at the same time. It was lowering the quality of life, but nobody noticed it right away because it didn't happen right away.

If you talk to retailers for instance – to be on a two way street is a much better location than a one-way street because people see you going both ways. Having on street parking when you are a retailer is much better than having no on street parking beachside of the potential of people being able to park in front of your place. Retailers have really joined the battle in saying we would much rather have two-way streets. People who are interested in pedestrian safety are pushing for two-way streets. People who are looking for calming traffic in the downtown rather than having it drive through are pushing for two-way streets. You don't want to go the other way and say get rid of them all because when you look at it you see some of them make sense. Kathy is absolutely right. Our recommendation was here are some ideas, but you have to go out and do a real study because just the points you are talking of may actually flip the coin and say it really should ... tape flipped ... that was our final recommendation because we didn't do a study as much as do a broad brush look at it. From our instincts and from Walter's instincts he kind of knew which ones were questionable.

Alderman Plamondon

On that one point, being the current sitting Alderman for Ward 4 I too have a lot of anxiety over the proposed one way changes. I do agree that some of them do need to be changed. I do agree that one of the advantages of two-way traffic flow slows traffic down. Some of the largest complaints we have in the city is speeding vehicles. However, talking West Hollis and Kinsley it is Route 111 and they handle a tremendous amount of traffic volume. To go back to a two way on that I think would be very problematic especially in conjunction with a point that Alderman LaRose had mentioned getting out from these cross streets is tough. Another point is Walnut and Chestnut Streets between Kinsley and West Hollis is extremely narrow. You could not make it two-way traffic without basically removing buildings and widening the street. I have also asked on the traffic study – the one-way pattern committee as well so we can fine-tune some of these streets. We certainly do need to look at some of them. I have tried to point out and I was hoping this year to do something with Factory and Hellenic Circle, which are two – they are a traffic nightmare.

Factory Street we have businesses that are struggling there or moving because it is one way. It is an ample width street. You've got parking on both sides. There is absolutely no reason in

conjunction with you have the High Street Parking Garage there that if you are on Main Street you can see it, but you can't get to it. Those are the things we need to look at and correct. I think just in those two examples – Factory and Hellenic Circle we need to do it as soon as possible. I think those are critical pieces to our downtown.

Also Court and Park Street. I think the traffic flow should be reversed. That is one of the streets that you had proposed two way traffic, but again because of the narrowness and the 90 degree turn I think that would be tough, but I think if the traffic flow were reversed it would make more sense and give greater access to a very unique area of downtown – up on the hill the library area and the American Legion and the arts center – it is another example of you can't get there from here. I think that overall the downtown master plan brings forward a ton of great ideas that we need to look at and see in detail to make our good American downtown great.

Brad Whitney

I would like to comment on the Kinsley Street and Hollis Street. Mr. Carter is right in everything he says, but he doesn't do it in Nashua. We were here before when it was two way and then when it went one way. Would two way – these are very narrow streets and they are feeder streets. Before they went one way we had a pharmacy on West Hollis Street – actually we put that there right after they went one way, but what we heard was I hate going downtown because they couldn't move very well. With a two way street the traffic gets all plugged up when a snowplow is plowing, when they are removing snow banks, when they are collecting garbage, when a moving van is unloading. If you have a two way street and you have a moving van unloading you have stopped traffic one-way. It just is unworkable to have it two ways plus with snow banks or whatever being narrow streets you are facing ongoing traffic. When you are on a narrow street facing ongoing traffic you tend to go slower whereas with the one way traffic you can speed past the slow moving car. People get out of the city faster on a one-way street and they get into the city faster on a one-way street coming in. For the benefit of downtown and my experience in being in both places at both times I don't think your recommendation would work for those two streets. There are other streets where I am sure it would work.

We all know that businesses like to be on two-way streets and all that, but I am talking moving of traffic and the importance of it and what happens when there is a plug up and it just is a disaster and it would steer people away from downtown.

Don Carter

I agree. One size doesn't fit all. Think about you have a lot more two way streets than you have one way streets so if one way streets made all the sense in the world then all your streets should be one way. You have the same plowing problems and moving van problems on the two-way streets that you would have anyway. I think the main thing is you have to do the study. Some of these things are going to turn out to be sensible conversions and some are going to say we have already been down that road before and our decision was right it should be a one way pair. That

is a very important corridor for this city this east/west connection through the city. It has got to work. It has to work and move traffic there is no doubt about it.

Chairman Rootovich

Are there any further questions for Mr. Carter?

Brad Whitney

When I was a kid we used to rent canoes on Salmon Brook at the end of Pine Street and that might be another area – this is up river from Fields Grove where there is a walking bridge, but just above there as kids we would rent a canoe for \$.25 an hour and it was a nice canoe ride up and through those marshes. I would suggest that is an opportunity to make another park and it was great. There are some islands up in there. I think it would work again.

Don Carter

That is a terrific idea.

Chairman Rootovich

We are going to start on page 49 this evening, which is again Districts 1, 2, and 3. Starting with 16-31 – Downtown Districts – I should ask first Mrs. Hersh or Mr. Houston do you have any preliminary comments you would like to give before we start?

Katherine Hersh

I think the only comment I would like to make is that the reason that I had asked Mr. Carter to come and present the downtown master plan is because the ordinances before you were written with a committee by a consultant based on the master plan. The consultant took the master plan, which was adopted by the city, took the citywide master plan, the downtown master plan and the other master plans that we have and that was the basis for the ordinances before you. That was really the point that I was hoping people would understand is that the basis for the master plan and why the master plan is written the way it is because that is what leads to this to the ordinance document.

Alderman McCarthy

I guess I would like to hear, as we go through the comments on the downtown district I would like to hear Mr. Carter's comments on some of the issues that we discuss because I suspect some of them are painfully close to the policy issues that came up in the discussion of the master plan.

Chairman Rootovich

Mr. Carter I would ask that you join us.

Bard Whitney

I would like to say that the downtown master plan and the downtown districts are unprecedented and have a multitude of regulations and totally new and different restrictions, limitations, and ramifications, which require full and adequate comment and a response to each one. Since part of the time for the public comment has been used by the consultant extra time will be required at the next meeting in order for all comments to be presented.

The D2 section of downtown affects our properties very much, which we have had for 47 years on Main Street. I am very scared about its affect on our properties. I have a lot of fears. A lot of my speaking comes out of fears and being scared. Please bare with me because I don't know what would happen to our properties that we have put a lifetime of savings and sacrifice into. I want to say that on 16-31, on the purpose it says to promote goals in the downtown master plan. I want to state that I attended every single master plan neighborhood meeting, which Mr. Houston can attest to except the East Hollis Street meeting.

I was there and there was no discussion or comment about removing or even discouraging retail business in any part of downtown at any of these meetings particularly on Main Street. Only hugs giant sized retail stores were mentioned as not keeping in the traditional small size retail stores downtown and that more people living in downtown – approximately 4-6 blocks east and west of Main Street would strengthen the vitality of these downtown businesses.

I believe the consultant is incorrect to use the master plan with the design from neighborhood comments as a reason for moving retail business in the D2 area on the Main Street and downtown in the GB zone. It says on page 49 that the purpose is to protect value and efficiency of surrounding properties. My reasons why I believe D2 discourages that and reduces efficiency – it says the focus is to guide the orderly and timely transition from one land use to another within areas subject to building obsolescence, changes in technology, and adjoining development patterns and influences. Well that is all excellent except that this could be an invitation that the city would be able to or have to take adjoining property by eminent domain to accomplish adjoining development patterns. For the orderly transition from one land use to another and then an abutting property owner does not want to sell to the owner of an undersized, non-conforming lot who could not develop his property. I believe they need to change the words – that eminent domain should not be used to guide these transactions. I think that should be inserted.

Changes from retail use to office use and back again to retail – within an existing building with only slight cosmetic changes or a change of copy on a sign should not be considered a change of use. This is a normal renting exchange and should be allowed to continue as such to protect property value. Additional wording is needed to clarify changes in tenants – a retail bottle shop to an insurance office and then back to a retail camera store a opposed to major changes to

building design and structure.

According to this paragraph's wording it says building obsolescence...

Chairman Rootovich

Mr. Whitney what paragraph are you talking about now?

Brad Whitney

Seven bullets down from the top – it says to guide each orderly and timely transition. On building obsolescence I fear that this designation by the city as an obsolete building could be used to force an eminent domain taking for demolition or for adjoining development patterns to allow a change of use by another abutter and also generate increased tax revenue for the city. The reason for my fears is that recent news articles have described some American cities have used this devastating method. Then another goal is to develop unified façades and signage standards. My strong feeling is that unified facades are indicative of a generic and boring rubber stamp or copycat appearance presenting Nashua as having the same uninviting character or appearance as most any other city.

Another goal it says here on this page – in accordance with the downtown master plan now D2 is an area characterized by residential building forms with retail uses discouraged and residential building design standards. At the downtown master plan meeting, only giant box type retail stores were discussed as not keeping with the traditional goals of downtown type stores and they were discouraged, but not retail stores or retail use was never discussed or talked about being discouraged. I feel the word discourage for all retail in D2 does not mean prohibited, it does not mean abolishment, and it does not mean omission.

Number 2 on page 49 subsection a ...

Chairman Rootovich

We are going to go through this section so I would prefer to have everybody else comment on the first section before we go through the entire section. Is there anybody else with respect to comments on the purpose? There being none we will go to subsection (a) – Generally (1) Applicability – comments? Anything with respect to section 2 and 3?

Christopher Hodgdon

I am referring to the second line of (1) – Applicability – the trigger is the building permits – applications submitted for D-1, D-2, and D-3 – district that involves the additional or enlargement of structures or any amendment to an approved site plan – this will relate to later comments, but I think we're wondering whether or not the trigger might be related to façade improvements or improvements that are made to the outside of the building not simply enlargement or a site plan

adjustment. When it comes to the design standards that we will talk about as we go farther, I think it is our thought that this trigger is a little too quick.

Katherine Hersh

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I am not sure I understand the comment.

Christopher Hodgdon

Right now the applicability will be triggered by a building permit that was issued for the purpose of an enlargement of structure so you might desire to add on a structure to the back of your building, etc. some sort of enlargement to the footprint – or any amendment to an approved sit plan is the subject of this section – it is our suggestion that the trigger be one that if you are doing work to your façade then you would trigger the design standards that relate to the façade that are mentioned later on in the document. It is a different trigger.

Katherine Hersh

I guess I would have to see how that works through. I think it is a little difficult because if you are doing any kind of addition or enlargement onto a building that impacts a façade of the building, a side of the building. Even if it is the back side of the building -- if you go around and look at some of the buildings downtown and look at the back sides of those buildings the back sides of those buildings are visible from other places as well so that ...

Christopher Hodgdon

Let me clarify. There are certainly buildings in downtown like the Aubuchon building, which has a well functioning entrance in the back and the front. There are other buildings in the downtown like the building the Chamber resides in where I may have a back door there, but it is not a public entrance, it is not for all practical purposes a part of the building that I would desire my customers to come in and out of. There are a lot of those types of buildings just as there are some buildings that have a back that is functioning almost as a storefront. When I am talking about façade I am referring to the side of the building that is the side that faces – where the customers come and go out of. I am thinking of those facades that are right on Main Street.

If I own Michael Timothy's and I want to do some work on the back of the building that would require a building permit, it would enlarge the building – I don't know that it is fair to then trigger the design standards for the façade. I understand that ...

Chairman Rootovich

You are talking the front façade?

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Christopher Hodgdon

Sure. It is reasonable to say certainly that the constructor can go to the Planning Board and ask for a waiver, but that suggests that there is some sort of negotiation process that in return for the waiver the businessperson would be asked to do something. It could be a million different things. I don't think that in that example there are a lot of instances downtown where that can be applied. Is it fair to say to the business owner while you are doing this work to the back of your building or the side – it doesn't have any relation to the comings and goings of your customers, but we would like you to do X, Y, or Z now. You can point to this document and any person would be hard pressed to say well this doesn't intend for me to have to make these other changes to my building because it does talk specifically about an addition or an enlargement.

I think our comment is that these source of standards whatever the final product may be could be triggered by something other than the building permit for an addition or enlargement. It could be when they do work on the façade of their building. I don't think these sorts of design standards would be applied to the back of the building if the intention wasn't for the customers to come and go out of it.

Katherine Hersh

I understand the points that you are making and as we go through we should look at maybe there are other ways to do this, but I can think of some backs of buildings that – for example on Mechanic Street where people use the backs of those buildings as much as they use the fronts of those buildings. The backs of those buildings are visible from Water Street as the fronts of those buildings are visible from Main Street. I think as we go along we should look and see if there are ways that we can distinguish between some of those. I don't think you can just say Main Street versus ...

Chairman Rootovich

I guess what you are saying Mrs. Hersh is that if a business owner decides to add 800 sq. ft. on the back of their building for storage let's say and there will be a cost associated with that. What he is concerned with is that you will also make him now do something to the front since he has asked for a site plan now that you have a site plan in the back we want you to spend X amount of dollars on the front to do the façade on the front.

Christopher Hodgdon

I assume that the property owner can come and get a waiver from the Planning Board, which is a process that exists now. My concern is that during the course of getting that waiver a negotiation that shouldn't have to take place occurs and the business owner either loses time or spends more money on a project than they anticipated.

Alderman McCarthy

I guess using the same example of the Aubuchon building I would want to be very careful because it was not long ago that the backs of those buildings were not particularly attractive or as useful as alternate entrances and they are only there because we put significant effort into trying to get the owners of those buildings to make the back entrances attractive. If you don't do that, if you simply say leave it on an individual decision basis it is possible that no individual building owner is going to say I am going to make that an attractive place as I build on the back. If you don't guarantee that you will never get one of them to do it because why would I put an attractive entrance on the back of my building next to a guy who will add another 800 feet of storage that he built with minimal cost. We need to be very careful about that. That particular block has had a lot of success at making improvements to the public space that was back there and at the same time in getting all of the building owners on that lot to make improvements to their rear facades so that we have now dual access in there. You are not going to get that advantage elsewhere if you don't do that.

I think from a policy perspective we need to be looking at how do we get the affect that we have on Main Street to be projected out to streets that are to the east and west of Main Street? We need to be very careful about that. I understand about not requesting changes to the other end of the building if I am not touching it, but I think we have to be very careful about the external faces that are modified as to what we do and don't consider important facades during that kind of development.

Mike Lowe

I agree with Mr. McCarthy that – basically we want to remove if we can some of the traffic off of Main Street to the back streets to expand the back streets. If you can just throw a box in the back of a building next to somebody who has put up a nice façade you just aren't going to get that. That is the whole purpose of it. That has happened in the past.

Neil Barrett

First off I think that this is going to happen quite often tonight is that when we are talking about the downtown districts we are going to start talking exclusively about Main Street and there are a lot of other streets that are affected. I think that the concern is that there are a lot of properties that don't extend a block or all the way back to the building – the Aubuchon example – there are other properties that back up to another property where someone is doing something on the back. I think that it is understandable that if some addition is being done that will be reviewed and the façade issues will be reviewed. I think that is currently being done. I think the way it is written right now is that the whole property can come under review and I think that is the concern of the study committee of the Chamber is that if there is a façade change as Mr. Hodgdon said on the back of the building, the side of the building then that could come under the review. I think these are issues that can be looked at individually as site plan issues. To say that the whole property comes under review if there is only a change on one of the facades I think that will be a concern to the property owners.

I have to thank Mr. Whitney for going through the purpose section very carefully. One of the bullets says disinvestments and I will get into that further when we get into some of the other issues – if the property owner has to put his whole property under site plan review and façade review even though he is just doing something on one side it may be cost prohibitive to do the whole project and he may not invest at all into his property, and that would be again contrary to the goals of this master plan.

Chairman Rootovich

Are there any further comments?

Roger Houston

One of the I think beneficial things with the new code is the proposal is in conformance with the terms of the ordinance so you can avoid going for a site plan process entirely. It is handled by staff under the zoning permit process. As long as it meets the design criteria. If it doesn't well then it goes through the standard site plan process. Historically since all the properties within the current downtown district, what we call the central business district, are required to go for even minor site plan approvals and normally the focus in the past anyway – I assume the past will be a predictor of how it is handled in the future – we review what is submitted to us. If they are making improvements to the rear of the building then that is what we focus on. We don't say well what about the front of the building as well. Certainly that is within the purview I think when it goes to the Planning Board as part of the process, but generally I don't see that happening or it hasn't happened.

Jay Minkarah

I assumed that was the intent, but if it is really a concern I would imagine we could readily slip in a line to that affect that standards would only apply to that section being improved.

Bette Lasky

I was going to agree with Mr. Houston. There rarely is any kind of a -- if you want to do the back side of your building that you have to do the front as well. It just doesn't happen. We don't ever as I can recall make demands. Maybe in the planning process things will be encouraged that perhaps while you are doing one thing you can, but certainly when it comes to the Board we don't...

Chairman Rootovich

I think it is some language that he is interpreting that might trigger that and that is what his concern is.

Bette Lasky

I agree certainly if we can do something to set that out that it is not ambiguous. It would just follow practice as it is now as I see it.

Neil Barrett

I agree that it is unlikely to happen given the past history, but it is what is in the ordinance and it is subject to this section. I think some language could be inserted to accomplish the goal and as simple as that.

Chairman Rootovich

Any other questions with respect to section (a)?

Christopher Hodgdon

I have a comment about c – this is where I would like to encourage everyone not to just think about Main Street or downtown – just in relation to the frontage on Main Street – there is a prohibition against the use of wood as an exterior wall material. There are a significant number of buildings on the streets off of Main Street that have wood, they appear to be residential units that were converted to commercial use over time. I would like to see – I think the Chamber would like to see some consideration given to those types of structures. On Main Street certainly wood plyboards, vinyl probably not appropriate. There is a big difference between those blocks right on Main Street and those blocks off of Main Street. There is a real mix back there – certainly some concrete, some brick, some wood, probably some vinyl. I am not sure that we want to do a complete prohibition on wood as we move back off of Main Street.

Jay Minkarah

Commenting on C I am not sure if I can think of those examples. Maybe they are there. I was going to specifically reference the D-2 where I think clapboard is consistent of the character of the D-2 district. Then I was going to go on and comment under 3, but I am not sure if we are there yet.

Chairman Rootovich

Anything to do with 1, 2, or 3.

Jay Minkarah

I wanted to follow up on the comment – what first jumps out is that this section gives two alternative approaches to how you approach development for the district and I think it is very significant. As Roger alluded to if you choose to conform to the standards that are set on the

following pages you actually proceed directly to a building permit whereas currently you do have to go to the Planning Board. It really is significant that is – it allows the goals of the plan to be advanced while hastening the process for development. I think that is an important incentive in the ordinance. Just to note also that if you choose not to do that you still have the opportunity to proceed with the process as pretty much it is now. I think this is a significant advantage over the current process.

Brad Whitney

I would like to comment on generality on number 2 – I don't know if we are done with the c part, but on number 2 under permitted uses I have some comments to make.

Chairman Rootovich

We can address anything in sections 1, 2, or 3.

Brad Whitney

Under (a) – generality, number 2 – standards applicable to 1,2, and 3 districts permitted uses – Permitted uses for each district are established in the use matrix 16-26 on page 24. Under there if you want to look at that there is a whole matrix, however, it says offices, residential, institutional, hospital, and medical uses – these are uses that are already present and have been allowed in the GB district on Main Street. This is a concept to remove retail, but there is no valid reason to exclude general retail enterprises to create an exclusive zone that favors institutional, medically services.

Under permitted uses are houses, apartments, offices, libraries, hospitals, churches, post office, gas compressor stations, cemeteries, mausoleums, ambulance services, hotels, motels, bed & breakfast, studios, adult care facilities with no medical services, clubs and vegetables gardens – those are permitted uses. Conditional uses they state offices, parks, medical clinics, medical equipment sales and rentals, pharmacies restricted to medical related items only under 10,000 sq. ft., farmers markets and market shops, vegetable gardens, office buildings, office buildings over storefront, professional services, real estate sales, leasing and funeral homes and schools. Some of these permitted uses are unrealistic in the small area that the zone has ended up to be. They also create problems.

The proposed downtown D-2 district permits vegetable gardens on downtown Main Street. The small size and the short growing season will not support the taxes for the property. With total strangers coming through our yards anyway anything left outside day and night is subject to theft. I think they would take the fruit right off the vine on a vegetable garden.

We have had ceramic flour plats, bicycles, motorcycles, car radios, hitching posts, ladders – all have been stolen from our properties not to mention urination, continued damage from vandalism. The downtown areas where you want to have side yards they create total strangers

at all hours of the day and night walking through your property so you are in a prison scared of breaking. There have been no residents build in a D district for at least 70 years. The proposed downtown D district prohibits small traditional retail pharmacies like the one I have operated for 43 years and prohibits retail sales of flowers, greeting cards books, toys, sandwich shop or gift items yet this same proposed D-2 district is designed to prohibit private retail, give the hospital institution a zoning monopoly. By limiting prescription sales and medical related items to only hospital or medical/clinical type facilities. Hospital institutions also sell coffee, sandwiches, flowers, greeting cards, books, toys, and gift items to the general public. Even a daycare center is prohibited from providing any medical service to their customers.

Why select a small area on Main Street opposite the hospital to prohibit medical sales among other traditional items? Should the hospital plan to expand across Main Street to promote its walk in health services, which they can do right now in a GB district, D-2 zoning would certainly give them a monopoly by restricting sales of health items to only clinical/hospital type facilities on Main Street abutting the hospital. Prohibiting retail stores from selling anything that would compete with a hospital institution or medical clinic style business that bought those offices from selling health related items or even daycare facilities from providing medical services. This creates a business monopoly. The public is always better served by competition. Retail sales should definitely be allowed to continue in this area.

A number of years ago the city switched the east side of Main Street GB zone south of Hollis Street to a central business zone with no side yard setbacks and possibly different height limits. Shortly thereafter the hospital built an addition. Not long after that the central business zone went back to a general business zone. A few years ago after a proposed downtown demolition zone was defeated Mr. David Bush, Nashua's Director of Community Development Division, stated with assurance for concerned downtown property owners and to the public that "Downtown would be retail, office, and residential, and that the Planning Board was ready and prepared to support it." My families have made long term possibly improvements and sacrifices with every assurance of retail perpetuity on downtown Main Street.

The city has had no problem converting Mabelle Chandler's house into a library institution in the GB district nor has the hospital had any problems expanding its institutional buildings and parking lots in the same GB district. The institutional and office uses are already permitted on either side of Main Street in today's existing GB district. No new selective designation is needed. This proposed D-2 district I feel is discriminatory, it is anti-business, and monopolistic by prohibiting competition from general business selling health related items.

On page 42 (a)(2)(b) which is setbacks and other regulations, which is on dimensional matrix 16-27 on page 45 and it also is shown here on page 54 with the diagrams – my comments are on setbacks the D-2 25 minimum foot rear setback that is greater than RB, RC, LB, GB, D-1, D-3, HB, PI, GI, and CI. For this section of Main Street is greater than some of the residential areas. I don't think that is proper and I think it is excessive. D-2 the 5-15 foot minimum setback – that is 5 times greater than D-1 and D-3 areas of Main Street, and that is out of character for the size of the lots.

This 5-15 foot maximum side setback is unreasonable. If a 15-foot setback would occupy either 37%, 43%, 100% or 47% of the width of the four lots we own in the D district. The D-2 15 foot minimum front side setback – with a front setback of 15 feet and two side setbacks of just 5 feet plus a 25 foot rear setback that equals 49% of our property that cannot be used to support a building or the taxes. The D-2 open space requirement of 50% in the middle of Nashua's shopping district on downtown Main Street because would cause a larger percentage of unusable open space than RB, RC, LB, which is in neighborhoods, GB, the D-1, the D-3, HB – it is greater than PI, GI, and CI and AI districts. It makes the property in D-2 financially deficient to compete for tenants for business with other areas that don't have those restrictions and can have more earning power on their property.

D-2 would limit affordable development and leave it affordable only to a non-profit institution that wouldn't have to support taxes. This creates indirect spot zoning by excessive setbacks. It is unreasonable, arbitrary, disruptive to property values, it will not provide adequate building size to support property expenses, I believe it is out of character for Nashua's central shopping district, it was never mentioned or discussed at the downtown master plan public meeting. I believe the consultants are in error to make this suggestion. I believe the concept is wrong. I have been operating retail and been in business on Main Street for 47 years and I have been in business in Nashua for 62 years. I also represent the 7th generation of my family in business in Nashua. Just a comment my great grandfather brought the first banana into Nashua and had to show the people how to use it. His sign is a historical treasure that can be seen from the bridge at C.B. Marshall wholesale produce.

D-1 and D-3 have no minimum lot depth limitations. With D-2 100 foot minimum lot depth requirement that is greater than R9, RA, RB, RC, LB, GB, D-1, D-3, HB, GI, and CI. This 100 foot minimum lot depth requirement when compared to other downtown Main Street lots from Concord Street to Allds Street is unreasonable. I believe it is discriminatory, selective, and destructive to property values. There are 13 lots in the D-2 section including the Chandler Library. Five would be non-conforming. Two of them are on Main Street frontage lots. If an owner wants to develop a non-conforming lot and the abutters land is not for sale then the city would have to take the abutters land by eminent domain and sell it to the non-conforming lot owner to provide a developable sized lot. How else could a new owner of an undersized non-conforming lot make a change of use or build a new building. This is wrong to have this devastating restriction, and it is nowhere else on Main Street.

With D-2 setbacks my family would be required to destroy a minimum of 47 years of building investment for a change of use. Recently we have had to replace 4 boilers, remove asbestos from two buildings, install new carpeting, painting and vinyl siding. Also there have been rumors of another possible reason to change the GB district to D-2 that has not been discussed or mentioned. That is the city's needs for turning lane on Main Street between Mulberry and Otterson Street. There is no side lanes there. That is coincidentally just where the D-2 zone happens to end up. D-2 with no retail would reduce property value. The city would benefit by

paying less money and by removing traffic backups on downtown Main Street. The hospital would benefit with a turning lane to improve patient, visitor, and customer vehicular movement into the hospital parking area. The property owners would lose value and building potential. Therefore the existing GB district can better adapt to a future turning lane as a D-2 district. That is my thought for that page.

Chairman Rootovich

That page? I thought we went through the entire book.

Brad Whitney

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For those two for permitted use and for setbacks.

Chairman Rootovich

I would ask that you also get a copy of those comments to me as well.

Mike Lowe

Why do we have a D-2? It looks to me like it really should be part of D-1.

Alderman McCarthy

Could we have Mr. Carter go through that again? I thought it was actually pretty well explained during his presentation.

Don Carter

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Recognize that we did not write the zoning ordinance so I am not an expert on anything that is in here having just seen it really the last day. What I said in the master plan had to do with the character of that street – historic values of the buildings that were there recognizing that most of them are not used for single family use anymore – there is a Siberian grocery store, there is a nail salon, and a number of other things. There are some other buildings that are even residential buildings on that side of the street. The point we were making in our analysis was existing buildings are a great value in themselves as really the history of this town. They seem to be economically viable in the way they are being used right now. What we were suggesting is that would be a good place to preserve that character and style and density of buildings. What our intention was to protect those buildings not to put them in jeopardy, but just the opposite so that something doesn't come in there that is in jarring contrast to what it is.

The idea of providing parking in the rear and access to the rear that is all to make those buildings more economically viable. Imposing design standards on new buildings or buildings

that are added to is in a sense raising the bar and making those properties more valuable. Our idea and when we go through these neighborhoods whether historic or not historic is to make the properties worth more money for the owners and for the city as a city return can be in taxes from increased property values. The idea was to look at a very valuable kind of ensemble of buildings starting with the Chandler Library and on down and saying these are a great resource for the community at large just in terms of what they look like. They are also owned privately by families such as Mr. Whitney's family and they have a right to continue the use that they have there and to make money on it. That is what they are there for.

I think there is a common ground there that if we can increase the value of that property by imposing design standards on anybody who comes in here – what you have is a situation if you adopt the zoning ordinance that levels the playing field for everybody that says no matter who you are whether you are Mr. Whitney of 7 generations or Mr. Carter of zero generations, when you come in here to build a building in D-2 you are going to have to build it this size, you will have to respect your next door neighbor, you will have a setback and we will ask you to park in the back. We are going to ask you not to build a box with no windows in it. We are going to ask you to conform to our new signage ordinances, our landscaping ordinances, and we are going to raise the bar for everybody. That is the idea. The last thing in the world anybody wants to do is punish a landowner or property owner who is a good citizen. On the other hand, you do want to protect the community values.

Out of our plan we came up with and one of the most important community values was to preserve, celebrate, and protect the historic heritage of Nashua. It is priceless. You can't go to Tucson, AZ and find these buildings. What you have here has been created over those 7 generations. Much have been torn down. I admire what you said. What we found in our analysis and from other people's comments is that there is a gemstone of two blocks that also should be preserved without having to go to eminent domain. I don't think anything that I have heard or read or anybody told me was that anybody is going to buy anybody's property. This is intended to raise the quality of everybody's property. That is where we were coming from. I can't speak to the details of all of these matrixes and legalisms here because I didn't generate it, but I can tell you what the intent was. I believe that these consultants were trying to deal with that intent. Taking the ideas that were more conceptual and now turning them into regulations and ordinances – it is no easy step for sure.

Chairman Rootovich

Does anyone else wish to speak?

Neil Barrett

I wanted to go back to section (2) (C) regarding the façade issue – there is concern I think Chris Hodgdon has concerns that it is not just Main Street it is other properties within the downtown district; the D-1, D-2, and D-3 that are off Main Street. Also it is mandating certain types of facades be used. This is a document that will be not just for this year and next year. I think the

existing document is approximately 30 years old so we will be looking at a document that will be around for a while. Going through this whole process and being involved with the Chamber committee – there is a lot of new technologies and materials out there – I am just going to read something from the comments that were already submitted to the Chamber – “As technology changes and new uses are designed for various materials this could become an impediment to the use of potentially acceptable and desirable building materials for facades.” I think that if you go over to Section 13, 16-31 under the purpose in the 6th bullet – to support new construction, adapt or ... of building through appropriate engineering, architectural and design solutions. I think that there are ways of accomplishing the look, the aesthetic in the downtown district, the D-1, D-2, and D-3. You can accomplish that without mandating or prohibiting certain uses. I think that it has to be a living-breathing document.

Roger Houston

The way the proposed ordinance is set up is if you want to follow the standard mixed use process like you do today you can do so and you wouldn't be constrained by those design materials he just spoke of. You have that option. As Mr. Minkarah spoke earlier and I said first that you have an option without going to the Planning Board and meeting those standards or you can just simply go through the existing process today of the mixed use overlay process and proceed as you would today under the existing plan. I know it is somewhat confusing, but it is one or the other. You have that option under the proposed code.

Neil Barrett

In what section is this – where is the optional procedure mentioned?

Roger Houston

Page 50, (3) – Procedures and Alternative Standards.

Neil Barrett

I will have to look at this another time. It says that applied to any lot under applicability – D-1, D-2, and D-3 – that section 1 comes before section 1, which is procedures and alternative standards – I would have to look at that. I guess if there is flexibility I would have to look at it further and have other people on the committee look at that as well.

Christopher Hodgdon

This is strictly a comment, not one I am asking for a response to. I do wonder how a request for a project that included wood or vinyl or one of the items that are listed as not being permitted would be treated by the Planning Department and the various oversight boards if it came in. I understand that there may be a process for them should they decide not to use one of these standards. I think that using this document as a guide would be expected – that sort of request

would be met with quite a bit of discouragement.

Chairman Rootovich

Are you asking for someone to answer now how they would handle it?

Christopher Hodgdon

I don't think you can because anything would be a case-by-case example.

Alderman McCarthy

I guess I want to comment just in general on the notion of it being a living document and technologies and materials that were unknown at the time ... tape flipped ...

I guess I don't know what technologies or materials were discussed but to go to an example that I think we are all more familiar with in the case of signage I guess I would much rather that we had ordinances that completely banned new technologies and as we discover them modify the ordinances to allow them to the extent that we wish rather than have them sprung upon us on Amherst Street and have to regulate them in advance after the horse is out of the barn and vested rights are in place that we can't remove. Again if we want to preserve the look and feel it is very nice to say yeah well new technologies and things will – frankly what will happen is you will see applications of things you didn't want. Until you understand them you really don't know what it was you wanted to be able to preserve the character of the neighborhood. I would urge us to be very cautious about trying to encompass global statements about things that will happen ten years from now because for every vision there is an equal and opposite revision and we are constantly slammed by the law of unintended consequences in this area.

Brad Whitney

I would like to Rebut Mr. Carter, but I think if you are all done with that...

Neil Barrett

Just to follow up on what Alderman McCarthy said is the law of unintended consequences may be that the cost of improving the property will lead to no investment in the property at all if the costs become prohibitive.

Brad Whitney

In rebuttal to Mr. Carter's statement he wants to preserve the historical value and all he said was no residences...

Chairman Rootovich

It is not what Mr. Carter wants by the way. Mr. Carter is doing exactly what we as a policy would like to see. This is not coming directly from Mr. Carter.

Brad Whitney

Thank you, but he did mention – I thought he said there were no residences in that area.

Don Carter

I just said along Main Street I wasn't aware that there were any single-family houses.

Brad Whitney

This doesn't even call for a single family. It would allow a house, but there has never been a house built.

Don Carter

My only statement was as far as I could see and I walked down there again today – I didn't see a single-family house that was occupied by a single family.

Brad Whitney

I don't think you ever will.

Don Carter

Okay. That is all I said.

Bard Whitney

I also want to mention that our 4 buildings with residences and three with multiple residences in that short district.

Don Carter

I saw that.

Brad Whitney

So you have character – a great deal of character, and by having that 100 minimum lot depth I have a map here that I would like to show that shows the size of those original lots with those buildings and if a person had to sell that property – died or whatever – the new owner could not

develop his property because it was non-conforming and he wanted to build a new building – he could force an eminent domain – force the city to take the next guy's property because otherwise you couldn't do anything with the property. There is a big problem with this 100-foot minimum depth requirement. Not only – the concept is very nice, but it could cause a devastation that was unintended and it should not be so. These buildings...

Chairman Rootovich

Mr. Whitney again Mr. Carter did not author this document. He had nothing to do with it. The 100-foot setback has nothing to do with him. He did not prepare the language and he is not saying he agrees or disagrees with the language. His job was strictly with the master plan so you are kind of holding him accountable and it is not from him.

Brad Whitney

Well his design was what he looked on in these thoughts. Thank you.

Chairman Rootovich

Are there any further comments with respect to generality? If the committee has no objection I would take a moment – there are a couple of people in the audience that want to comment on it.

Richard Kane, Flatley Company

We own no property in downtown. We have no intention of coming to the downtown in all honesty. These comments are strictly done in a constructive fashion not to make any disparaging comments about the ordinance other than I think some details that need to be addressed as part of your process.

On your – really some of this you haven't gotten to yet, but there are two areas that I don't understand in the ordinance what you are talking about under building fenestration, which is (3) B on page 51. You refer to façade fainting or visible from the A street. I don't know what A street is. You use the same term on page 53 at the top under C – Entrances – you talk about A street. I don't know what is intended...

Jay Minkarah

I assumed that this was taken from a general source, and that A street refers to Main Street.

Sean Duffy

I believe it stands for an artery. I could be wrong, but I think there was some language in there that was taken out.

Richard Kane

I think that needs to be straightened out.

Chairman Rootovich

Your point is well taken.

Richard Kane

Second issue – on page 54 where you talk about 50% open space on a D-2 lot – listening to Mr. Carter's comments I don't disagree with what his theory is trying to do, but if you are trying to put all the parking to the rear of buildings on very small lots and still try and meet a 50% open space requirement, which means half the lot has to be green it cannot be paved or built on I think the standard is much too high to try and achieve what the design criteria are that were established by Mr. Carter.

Also on page 55 (3) a – Parking it says all parking must be on street parking. Off street parking is not permitted. Yet we were just talking about parking being to the rear of the buildings. This seems to be again inconsistencies in the ordinance. The only other comment I will make onto building fenestration, which I have to be honest I had to look in a dictionary to find out what fenestration was, but I now know.

Chairman Rootovich

Do you wish to share that with us?

Richard Kane

Apparently design element – the ordinance requires as it is written that any new building and again this is not just Main Street it is every building within a D-1, D-2 or D-3 zone. It is not just Main Street. I think we have to be careful – it is not just the street next to it – a Pearl or even an Elm. It is also Walnut and Chestnut and a lot of other streets – you have to meet four of these design elements. Every building has to have them. I think it may make sense to do some of it on Main Street, but when we start getting to the side streets to ask every building and maybe every rear of a building if it is now going to have an entrance and be considered a façade have to meet 4 of the 5 elements. I think that is being extreme. You are trying to regulate design and architecture, which I think is a mistake.

I have no problem with the things that you are trying to accomplish, but instead of saying it shall in include I think it should say it should to give it some discretion for everybody; the architect to design the building that in fact fits the use and the character of the area, it allows the Planning Board and staff to watch and look at these items and make some rationale decisions – does every building have to have a cornice, does every building have to have a pediment, does every

building have to have a recessed doorway in the entire D-1, D-2, and D-3 zones? Those are my only comments. I hope you believe they are constructive. I thank you for the chance to speak to you.

Katherine Hersh

I just wanted to comment on the parking on page 55 because we have all picked that up as far as that inconsistency. Definitely that needs to be addressed,

Chairman Rootovich

Is there anybody else?

Robert Early, Esq. – Represent owners of property at 275, 277, 279, and 281 Main Street

I just want to respond briefly to some of the comments between Mr. Whitney and Mr. Carter with respect to the big matter that has gone unaddressed and perhaps appropriately so and that is to what extent are the private land owners required to subsidize the celebration of the heritage of the City of Nashua? We have no problem as far as celebrating that heritage the question is who will pay for the celebration. There was some discussion about enhancement of the property that was in the D-2 district by people who are subject to these controls and regulations. We talk about property – I think it is a mistake to conceive the property as some kind of physical object. Property in a matter of law is nothing more than a bundle of rights. The most essential right that a property owner has is the manner in which he can use his property. If you take property that is in a GB district now, which has all kinds of commercial potential in terms of retail development, and you take that you are harming that property. I think that is what Mr. Whitney is saying as I listen to him here. If this ordinance is adopted what could happen is we could have a situation where the only recourse a property owner would have would be after the fact he would have to file a petition to challenge the taking of the property on the grounds that some of these restrictions are so onerous and burdensome and cause so much damage to the property value that they come under the purview of the state and federal constitution that requires just compensation for the taking of property.

I don't want to get into a lecture on inverse condemnation because first of all it is not an area in which I am ... as a general rule I think we all understand that a court will look at it and weigh the harm that is done to the property by the ordinance that imposes the restrictions and balance that against what is accomplished from the standpoint of the public welfare and police powers of the state. I don't know what the answer to that question would be in any given fact situation. That is something that only a court can decide. I would just like to suggest at this point that to the extent that we are taking and harming the potential value of property from a very disproportionate group in the city – there are 12 property owners possibly in this D-2 district – by adopting this ordinance this city may be committing itself to the purchase of the development rights to an entire section of Main Street. That is the only comment I have to make. Thank you.

John Mitterholzer, Director, Great American Downtown

I just wanted to make a general comment. A lot of the comments I have heard have been saying this is not just about Main Street, and I would say that the downtown master plan is precisely that. It is not just about Main Street. When you are talking about design standards and making sure that the investments that have already been made by people you are talking about all the downtown, and that is why we have these design standards. That is precisely why we are here today. We want to protect the investment of everyone whether you are on Pearl Street or on Temple Street.

I don't want us to lose sight of that fact. We have a very solid Main Street, but we also have some fabulous buildings and a lot of investment that is happening on all of the ancillary streets, and that is the purpose of this to make sure that the investment that has been made in our core continues to be made, and now we take the lead and extend out downtown to South Main so that as we make these investments they are investments for the future for 100 years not for 5 or 10. As I have sat here and heard this repeatedly mention not just Main Street – we need to think more locally.

First of all we have many more historic buildings and much more character to our downtown than just Main Street and we are looking to make sure that we improve all of downtown not just that area that we consider sort of the Main Street area.

Chairman Rootovich

Is there anybody else from the audience that wishes to comment at this time?

Sean Duffy

Again I think as the committee is working on the ordinance one thing has to be made really very clear – this ordinance does not – there is no way or fashion through this D-1, D-2, D-3 district going to take away the rights of any existing property owners. It actually expands the right of the property owners that are currently and already – might even be a non-conforming use already in a GB zone anyway – to be able to expand their business basically in an unlimited fashion and these are again we bump into this problem – if you want to have some future growth or future change you have to write the ordinances first. That is why I think the committee was working on trying to come up with some ideas for the future, which tie to the master plan, which is the requirement that the committee had to address. We couldn't just come up with ordinances by themselves. We took the master plan and tried to say what is the master plan trying to do?

Given reality we have – since 1980 and '86 the South side of Nashua with all the design standards down from the Pheasant Lane Mall and the border all the way up to Rivier College – there are no façade requirements, there were no structures, they paved the roads a couple of times and that is a pretty big community business center. The Nashua Mall renovations that are going on now – big boxes, big frontage – look what it looks like on Coliseum Drive. The people

on the other side of Coliseum drive the seniors that sit up on the 8th floor that look down to the back of brick walls. Wow that is really cool. We've got Amherst Street that goes all the way out to Merrimack and Hollis again and we have East of Main Street and the East Hollis Street area.

The reality is from what we have heard over the last 6 years is that the Greater American Downtowns in other cities and towns in the region are coming up with ways to bring people back downtown. We have surrounded Nashua with these big commercial centers because nobody is building commercial sites in Amherst and Merrimack and all these other little cities and if you want them to come back downtown you are going to have to do something to your downtown. You can't go back 47 years or 62 years. I wish we could. I want to stay in Nashua as long and again I have brought up problems with this ordinance – you have to do something different if you want people to come down and spend the time downtown because they are either going to walk here or walk down here. They are either going to drive through here or drive to her. If you don't do something in the next 5-20 years it is not going to be what you want it to be.

Brad Whitney

I would like to rebut Mr. Duffy...

Chairman Rootovich

Before you rebut I would like to – we have to get through the document. I would ask that we stick with the language that is before us and if you have any comments relative to the language that is in front of us rather than theory, rebutting, and things of that nature. I will allow this this time, but again I would prefer that we talk about the language that is before us – concerns, issues, amendments that we have.

Brad Whitney

I am one of the victims if this thing develops.

Chairman Rootovich

That is why I am asking you to submit your comments to us in writing and any further comments you have in writing...

Brad Whitney

He is talking about existing...

Chairman Rootovich

Mr. Whitney I am trying to help you here – that is why I am asking you the comments you have this evening and any further comments that you have that you submit them to this committee

and we will give those to the consultant when he comes on board to take a hard look at that so that he can address those specific concerns that you have and come back with some possible alternatives, language, etc. that will address the concerns you have.

Brad Whitney

Thank you. I will rebut Mr. Duffy and then I will only introduce new items. I just want to mention that Mr. Duffy mentioned on existing property uses and when a person wants to have a change of use and they can't make it because there is a 100 foot depth and they can't do that this creates a serious mis-intent when in order to comply with the ordinance a non-conforming smaller lot they would have to take the property next door by eminent domain to create a workable lot and I don't think that is right. I think there is no need for it. The changes from what D-1 is they don't have those restrictions, D-3 doesn't, and why is this just this little tiny section – to require a 100 foot lot depth or a 50% open space?

Sean Duffy

That was what the master plan indicated were the requirements, which is what I think the committee was charged with.

Alderman McCarthy

I want to comment on something that has come up several times tonight about use of eminent domain to take adjoining lots. I don't for the life of me believe that in New Hampshire we have any authority to do so. We are authorized under several circumstances to take property for use by the municipality under eminent domain. We have no authority to take a piece of property by eminent domain and then sell it to another private individual. I don't understand where that comes from.

Chairman Rootovich

Are there any further comments with respect to Section (a) – generality?

Jay Minkarah

With regard to response to Mr. Whitney -- ... tape inaudible – speaker away from microphone ...

Chairman Rootovich

I think a lot of the concerns that you have Mr. Whitney and other people too that allow us to at last go through the entire document. You may find that there is language in there that might address some of your concerns further in the document. Once we go through the document that will be the time for us to address them.

Naomi Lyons

I don't know how much consideration you people have given to the elderly. I have lived where I am now for greater than 60 years. Have you given the elderly any consideration when you are starting to do this paperwork on their property? I have gone to the county clerk – ... tape inaudible ... I had to put it in one piece. On my deed they go back to when Proctor Lumber Company lost that all – I lived up there I know. That was Hooker Street and Hooker Street goes to Cushing Ave. They let somebody build in the middle of it. Sheraton Street is the same way it is Sherry Ave. On my deed it is Sheraton Street. It has been. When Proctor Lumber Company lost that all that was all named, the streets were measured and it was all named. The great depression came and affected that. It would just about kill me I think if I had to give it up. I don't get much money.

I wonder how much you have thought about what it will do to some elderly people. It has been very bad and difficult for me the last couple of months. I sat out in my yard the other morning eating my breakfast because I love it there. A neighbor came over with some hot biscuits for me and he is a man – a good neighbor. You lose all those things. If I have to sell it I will have to live downtown. I have never lived downtown. Nashua is not the city that it was. I laughed when he talked about canoeing on Salmon Brook. I live way up there by Pennichuck School. I used to walk down there. We walked everywhere we went. The boys I graduated from High School with they moved the library in their arms from Spring Street to Elm Street although we never got in there. I am sorry to ball you out, but I just the elderly have not been thought of in my mind. Money isn't everything.

Chairman Rootovich

Mrs. Lyons I assure you that before we speak for the entire committee and the entire Board that before we put the product before the full Board of Aldermen we will take into consideration the elderly, the businessperson, and everybody else in this city. Thank you Mrs. Lyons.

Are there any further comments with respect to section (a) – generality? What is the committee's pleasure? Do you wish to continue this evening or on the 21st?

Alderman LaRose

Continue on the 21st.

Chairman Rootovich

Alderman Shaw?

Alderman Shaw

That is fine.

Chairman Rootovich

We will continue the discussion on the downtown districts on the 21st. I am going to ask from our meetings starting with the next one – I am going to be a little more restrictive when it comes to getting off on tangents – we will address the language that is before us and comments strictly on the section that we are talking about. With all due respect to everybody here if we continue to have rebuttals then I will retain the comments and participation strictly to the committee members. I don't think that is necessary, but we have to get through this. It is a very comprehensive document. I would ask for your patience. If there is anything we have not discussed as we go through the document I promise you towards the end that we will have as many sessions as necessary to address any and all concerns you have that we did not address going through it. Again we have to get through the document. I would ask that we stick to the section – again the section generality I think half our discussion was on everything else but that, and I would ask that we stick to the language.

If you have any concerns with the sections that we have gone through I would ask that you submit those in writing to me and I will make sure those get to the consultant so that he can take a hard look at those, comment, and make suggestions with respect to your concerns.

Alderman Shaw

Do we have a targeting section for subjects for that meeting on the 21st?

Chairman Rootovich

We will continue until we finish the downtown districts on the 21st – strictly the downtown districts. Because of the emotion behind it and the concern we have I would assume that it would take up not only the 21st, but also one additional meeting. That is my intention.

Brad Whitney

Is there a meeting between now and the 21st?

Chairman Rootovich

No our next meeting will be the 21st. Next Tuesday is the Primary. Our meeting has been moved to Monday night because of the Primary. It will be on the 21st. Are there any further comments or discussion?

COMMUNICATIONS - None

UNFINISHED BUSINESS - None

NEW BUSINESS - None

HELD IN COMMITTEE

o-04-19

Endorser: Alderman-at-Large Brian S. McCarthy
AMENDING THE PLANNING AND ZONING ORDINANCES OF THE
CITY OF NASHUA IN THEIR ENTIRETY

DISCUSSION

-
ADJOURNMENT

MOTION BY ALDERMAN LAROSE TO ADJOURN
MOTION CARRIED

The meeting was declared adjourned at 9:30 p.m.

Alderman Kathryn D. Vitale
Committee Clerk