

NASHUA CITY PLANNING BOARD  
May 5, 2005

A meeting of the Nashua City Planning Board was held on Thursday, May 5, 2005 at 7:00 PM in the Auditorium at City Hall.

Ken Dufour, Vice Chair conducted the meeting.

Members present were: Ken Dufour, Vice Chair  
Mike Lowe, Mayor's Representative  
Ald. Richard Larose  
Steve Dookran (City Engineer)  
William Slivinski  
Steve Farkas  
Hugh Moran  
George Torosian

Also present: Mike Yeomans, Deputy Planning Manager  
Rick Sawyer, Deputy Planning Manager

**APPROVAL OF MINUTES**

None

**COMMUNICATIONS**

Mr. Yeomans said the Board should have the following items available:

Tentative agenda for meeting on May 19.

Memorandum from Katherine Hersh, Director, Community Development Division concerning stipends

**REPORT OF CHAIRMAN, COMMITTEE & LAISON**

Mr. Lowe said there was a meeting of the school impact fees for the property on Daniel Webster Highway, which is on the Board's agenda tonight. It was tabled because they are awaiting the recommendation of the Planning Board.

Mr. Slivinski said there was a meeting of the Historic District Committee this past week concerning architectural changes at the Riverfront condominium complex. They do expect to have the building up and sealed before winter. He said the developer indicated that he expects a year from now people are going to be living there.

He said the developer also began discussing his thoughts and ideas about the gate system that was discussed for quite some time with the Planning Board. He said he wouldn't be surprised if he wouldn't be discussing this further with staff.

Mr. Dufour indicated that if a change to the gate system is proposed he would like the applicant to return to the Board for approval.

Mr. Dufour went into the procedure of the meeting as follows:

After the legal notice of each site plan or subdivision is read by the Chair, the applicant or his representative will be given time to present an overview and description of their project. The applicant shall speak as to whether or not they agree with the staff stipulations.

The Board will then have the opportunity to ask questions of the applicant or staff. The Chair will ask for testimony from the audience, first anyone wishing to speak in opposition or with concern to the plan may speak. Come forward to the microphone and state their name and address for the record. This would also be the time to ask questions they have regarding the plan.

Next follows testimony coming from anyone wishing to speak in favor of the plan before the Board. The Board asks that both sides keep their remarks to the subject at hand and try not to repeat what someone else may have said.

After the public testimony is given the Board will discuss the issue and render their decision.

**OLD BUSINESS - SUBDIVISION PLANS**

None

**OLD BUSINESS - SITE PLANS**

None

**NEW BUSINESS - SUBDIVISION PLANS**

None

**NEW BUSINESS - SITE PLANS**

- 1. City of Nashua (Owner) - Proposed construction of a 20, 124 square foot fire station with associated access, parking and site improvements, 70 East Hollis Street, Map 36 - Lot 71, Zoned "GI" - General Industrial.**

Steve Auger, Project Manager, Hayner/Swanson, 3 Congress Street, Nashua. Mr. Auger said Chief Brian Morrissey, Nashua Fire Rescue, is also present as well as Mr. Paul Hayner of Hayner/Swanson, Mr. Kelly Davis from Sumner Davis Architects, Mr. Chris Baker from VHB, and Mr. Carl Dubar from Harvey Construction.

Mr. Auger said they are seeking approval for a 20,124 square foot two-story fire station with a partial basement. He said they came before the Board last June to lay the groundwork for this project. They subdivided off a portion of the Robbins auto store. They also submitted a dedication discontinuance plan for the west portion of Hudson Street to the Board of Alderman. He said the site is zoned General Industrial and consists of 1.074 acres in size.

He said on April 26, 2005 they appeared before the Zoning Board of Adjustment and were granted a variance to allow foot-candle levels to exceed the minimum required .2 foot-candles at the surrounding property lines. Given the size of the building and the length of the site it didn't work effectively where they could light the parking lot areas to proper safety level.

He said the site is abutted by businesses to the south, west and east and by an abandoned B&M railroad strip to the north. The site will be serviced by Pennichuck Water and Nashua sewer.

He said the site will have access to East Hollis Street and to Commercial Street. The main access point will be the East Hollis Street access point that will have access to three bays on the front that are located in the middle of the building.

He said the City of Nashua is currently negotiating to purchase the B&M strip in back. The Fire Department is fairly confident that this transaction will take place. Upon purchasing this land an access point to Howard Street will be constructed through the parking lot. In the event of any gridlock in East Hollis Street, the fire trucks will be able to swing out of the bay (he

NCPB

May 5, 2005

Page 4

demonstrated on the plan) and get onto East Hollis Street via the traffic light at the Wendy's intersection.

He said the Commercial Street access point, which will go into the basement of the building, is strictly for storing vehicles that are out of service for repairs or other reasons.

He said as part of this project there will be improvements to the Robbins Auto Parts parking lot that was discussed last year. The work had to wait until the work for the Fire Station could begin.

Mr. Auger said there are going to be sidewalks constructed along the "Robbins" land and will continue on the Fire Station's land. He showed an area on the plan that will be done in cobblestone. He showed where the sidewalk would be ended. He indicated that at that point you have to cross East Hollis Street to gain access to the sidewalk. There is also a proposed staircase that will take you down to Commercial Street.

He said the Board is aware that there are huge retaining walls associated with Hudson Street and East Hollis Street. A portion of those granite stones is going to be taken down and saved and re-incorporated into other areas of the site. He showed the areas where this was planned. He indicated the majority of the stone is going to be left in place.

Mr. Auger said Hudson Street and an end of "Robbins" (he pointed the area out) is a sea of asphalt. The current open space is 4.1%. The zone requires 10%. When the project is complete the open space will be 27%.

He said they are hoping to break ground in mid to late June. It will probably take about 9 - 10 months to construct. They are hoping that by the time winter arrives they will have the building totally up and enclosed so that they will be working on the inside during the winter.

He pointed out the location of a proposed staircase. He said there is a grade change of around 16' from East Hollis Street to Commercial Street. They have discussed this and have decided to remove the staircase. One of the reasons is the safety aspect. The other is that the Fire Station is concerned about having the public accessing their land and constantly going up and down the staircase.

NCPB

May 5, 2005

Page 5

He said as part of this project there will be improvements to East Hollis Street from the intersection of Marshall Street all the way down to the intersection of Allds Street. There will be two lights that are going to stop traffic in the event of an emergency response. He indicated the location of the lights on the plan. He said there is going to be a center left turn lane down East Hollis Street. There will be a light at the Allds Street intersection and there will be a couple of pedestrian crosswalks. He said VHB designed the plans and he will have Mr. Baker address those.

Mr. Auger referred the Board to the elevation drawings from the architect with views from the front, back, and sides of what the final product will look like.

Chris Baker, VHB. Mr. Baker said essentially East Hollis Street will be ground and overlaid and then striped with the appropriate striping for the improvements. The existing jersey barriers on the north side of East Hollis Street will be removed and steel guardrail will be placed in that area. There will be no curbing at that point. It will extend down to Allds Street, at the corner of Hudson, Allds, and East Hollis.

He said there will be a new signalized intersection and pedestrian crosswalks at the Allds Street intersection. Those will tie into small sidewalk improvements at Allds Street in a diagonal fashion. He pointed this out on the plan.

He said Mr. Kennedy was before the Planning Board in March and presented an overall view of the signalization plan. He said the signals will be coordinated from Arlington Street back to Main Street. Main Street is the control signal for East Hollis Street.

He said the long-term plan, not part of this project, is to eventually consider removing the Arlington Street signal.

Mr. Baker said there is a shared cost between the Division of Public Works and the Fire Department's project so there is going to be some signal equipment that is provided by the Traffic Department and the equipment not readily available from them will be provided by the project.

Mr. Lowe said there was a problem with trucks getting up with what remains of Hudson Street into Allds Street.

NCPB

May 5, 2005

Page 6

Mr. Baker said one of the things that was asked of Mr. Kennedy at the last meeting was to determine the truck turning capacity at Allds & Hudson. He said they looked into that. The trucks can make that movement, but they have to occupy the center as well as the left hand turn lane.

He said one of the things that were discussed was the actual number of trucks. Mr. Kennedy talked to both owners of the two major commercial properties and both were amenable to making their movements over to Temple Street. He said Mr. Kennedy checked the truck turning templates on that street as well as found that the trucks are able to make their movements at the intersection of Commercial Street and Temple.

Mr. Torosian asked if the purchase of the land that was referred to (Howard Street) is in jeopardy considering the current financial condition of the City. He said it seems like this piece is crucial to making the entire station a success.

Brian Morrissey, Asst. Fire Chief. Chief Morrissey said they are continuing negotiations with Guilford at this time. He said they have some funds available and there may be some other funds available through other City agencies for the Fire Station to purchase the land. At this time they don't have any agreement with Guilford.

Mr. Dufour asked if they are confident that they are going to get an agreement before the Station opens.

Chief Morrissey said if it was just up to them he would say "yes", but they haven't come to terms with Guilford at this point in time.

Ald. Larose said the plan is to buy the whole strip so they can have a rail to trail system. He would suspect there would more than likely be some Federal funds available also.

Mr. Dufour said it's his understanding that when Guilford determines that these old railroad beds are going to be sold that the City has first option.

Ald. Larose said he believes the State gets the first option.

NCPB

May 5, 2005

Page 7

Chief Morrissey said the State would sign off as a refusal. He asked that the project not be hinged on this sale. It raises the potential value of the rail property.

Mr. Dufour said he thought whatever the price is going to be for the property, that's what it is. He didn't think they negotiated every single strip.

Ald. Larose said he thinks that the Fire Department is thinking that if they could get hold of this land it would give them a second option. He said the fact is that once they start leaving the site, all the lights along Hollis Street are going to go green so everybody is going to be moving. It won't be any different than what happens at Amherst Street.

Chief Morrissey said it gives them some flexibility if they have that option open to them.

Mr. Lowe asked if this works without Howard Street.

Chief Morrissey said it does. He said there is a center turn lane that runs down the middle. He said there are an east/west lane and a third lane that gets them out onto it.

Mr. Dookran said that Mr. Auger mentioned the possible removal of the staircase. He said this came as a surprise to him and asked the reason for wanting to remove the pedestrian staircase.

Asst. Chief Morrissey. Chief Morrissey said as they've reviewed the project in the last several weeks it appears it's going to create somewhat of a liability issue and a security/maintenance issue as they put the staircase right on the lawn going down to Commercial Street. It's going to be inviting for bicycles, skateboards and the like to access that area. They would like to avoid this if they can.

Mr. Dookran said it will create a problem for pedestrians on Commercial Street trying to get to Wendy's, McDonald's, etc.

Mr. Dufour people will have to walk twice the distance. All of a sudden they want to take the staircase out. He said he has a problem with that.

NCPB

May 5, 2005

Page 8

Mr. Dookran said during the discussion some weeks ago it was the alternative to requiring a sidewalk on the north side of East Hollis Street.

Mr. Dufour asked if it is Mr. Dookran's opinion that there's not enough land there to put in a sidewalk.

Mr. Dookran said they reviewed the plans and in order to get the turning lane to work well and to install a guardrail and a fence, they needed as much pavement width as they can get on East Hollis Street. There was an alternative design that would allow a sidewalk and a rail, but it turned out to be cost prohibitive.

Mr. Lowe said without the stairway there's no purpose for the crosswalk.

Mr. Dufour said there are people walking up from the other side.

Ald. Larose said if you are on the north side of Hollis Street and you're at Wendy's and you want to cross over to go to Allds Street, you have a nice safe crossing or you can cross as the corner of East Hollis & Harbor Avenue. He said somebody indicated it would be difficult to get to Wendy's or McDonald's, but if he was on Temple Street, east of Commercial Street, he would continue on until he got to Scripture Street and then he would proceed to Wendy's or McDonald's. He said he didn't see where it would be any further than going down Commercial Street and climbing a fairly steep set of stairs to get there. He doesn't think they are cutting people off - they just have to go a different way.

Discussion ensued concerning the safety issues that might be involved, ADA compliance, etc.

Chief Morrissey said they would not like to have the staircase there, but they will leave it up to the Planning Board to decide.

Ald. Larose asked what kind of material would be used for the stairwell.

Chief Morrissey said it would be concrete.

Mr. Lowe asked if anybody had considered putting in a serpentine stairway.

Steve Auger. Mr. Auger said when they were before the Board in March as a discussion item they had already looked into a serpentine stairway. They didn't want to do that because it was going to take about 250' of concrete and from a cost standpoint it was a lot more than just putting in the staircase that has been talked about.

Mr. Dufour said they can always require the applicant to put in the stairway unless they come up with another alternative.

Ald. Larose recalls reading and hearing about a gas line in that area. He asked if that had been solved.

Steve Auger. Mr. Auger said they've had several meetings with Keyspan and to this point it has been solved. There are two gas lines that run up Hudson Street. One's a high pressure and one's a low pressure. There's also a gas line that runs in Commercial Street. Keyspan is going to put in a new high pressure line that's going to run across the front of the site and it will tie back into East Hollis Street near the end of the proposed driveway. The two existing lines are going to be cut and capped and left in place. The low-pressure line from Commercial Street will be tied into an existing 8" line that runs the opposite way into Hudson Street.

Mr. Dufour asked Mr. Auger if they did any environmental testing where they will be cutting in for the garage under.

Mr. Auger said they have had an environmental assessment done on the site and there aren't any issues.

Mr. Dufour asked staff for any comments concerning the stairway.

Mr. Sawyer said it is an important connection. There are employees and there is one house that actually accesses the lower part of the area. He said they really would be forcing them to walk the long way around. He said he understands winter conditions on staircases. Ice has to be kept off of them and he's sure there may be other considerations. It's up to the Board.

#### **SPEAKING IN OPPOSITION OR WITH CONCERN**

Valerie White, 30 Howard Street. Mrs. White asked how close the building would be to her house.

NCPB

May 5, 2005

Page 10

She said she talked to the railroad people some time back when she first purchased her house and they said something to her about buying that piece. She said she didn't realize the State had first option and then the City.

Mr. Dufour said she would be third down the line and she might want to check with the Staff from time to time to see where this is in the process.

He referred her to the plan so she could see where her house is in relationship to the station.

Mrs. White asked if they are going to take all the trees down. There is also a barbed wire fence that is up and belongs to the railroad. She wondered about that.

Steve Auger. Mr. Auger said behind the station there is 15 1/2' to the property line and then there is the railroad bed which is 27' wide so the building is roughly 42' - 43' to Mrs. White's property line.

Mr. Dufour asked if the rail bed would just be green space if the City obtains it.

Mr. Auger said there are no plans to touch any portion of the rail bed directly behind the building. The only point they would access is to cross over to Howard Street.

Mr. Lowe asked if this isn't part of the rail trail.

Mr. Dufour said the City's long-term goal with the rail bed is to convert it into a trail system, much like they see behind City Hall. If this is obtained the City would try to give it the same type of treatment so at that point they would likely clean it up. He said what's been indicated is that they would just pave that portion that they need.

Mr. Sawyer said if the City does go forward with a bike trail or something like that there would be another public hearing with the Planning Board and there will be a chance for the public to make comments.

**SPEAKING IN FAVOR**

Ald. Jim Tollner, 1 Sequoia Circle. Ald. Tollner said that during this process there was a meeting about six to eight weeks ago with people from Board of Public Works, Chief Morrissey, the architects, Mr. Auger, and others. That was when a couple of issues popped up. One of them was the pipeline. One was the sidewalk out front. They thought it was a good idea that prior to presenting the final process to the Board of Alderman that they bring all the different parties together. Bette Lasky participated in some of the meetings because they wanted to pick the brain of a Planning Board member and she provided some insight, as did Mr. Auger. As everybody knows the Board of Alderman approved the bonding for the station a while back.

He said he knows a lot of projects come before the Board and there is a debate about the impact on the neighborhood. He said there is no doubt that when this new fire station goes in that it will benefit the neighborhood compared to what's there now.

Mr. Dufour asked the likelihood of this project going forward.

Ald. Tollner said it's very good. He said they are having some budget issues right now, but according to Carol Anderson, the CFO, the first payment on the bond won't be until 2007.

**MOTION** by Mr. Lowe to approve the site plan for a 20,124 square foot fire station with associated access, parking and site improvements at 70 East Hollis Street with the finding that it meets NRO 16-123 and with the following stipulations:

1. Prior to a building permit being issued documents pertaining to the storm water operation and maintenance plan shall be recorded.
2. With approval of the plan the landscaping waiver of Section 16-123(f)(4a) is granted.
3. The stairway will remain in the plan.

**SECONDED** by Mr. Farkas.

Mr. Dookran said that they do have stairways in the City. There is one on Water Street and DPW maintains it as best as possible.

**MOTION CARRIED UNANIMOUSLY**

- 2. Kentucky Fried Chicken, 300 Main Street Realty, LLC (Owner) - Proposed amendment to NR1067 for the construction of a 66-seat, 2,827 square foot restaurant with associated access, parking and site improvements, 300 Main Street, Map 17 - Lots 9, 13, 21 & 24, Zoned "GB/MU" General Business/Mixed Use.**

Atty. Gerald Prunier, 20 Trafalgar Square, Nashua. Atty. Prunier said this is another piece in the long-standing renovations of Simoneau Plaza, now known as 300 Main Street Marketplace. This Kentucky Fried chicken is proposed to be built in the old Burger King location.

He said the intent is to build this relatively close to Main Street - about 20' away - so that it's pedestrian friendly. He showed a plan showing the elevations. He showed the location of the drive-thru and the parking. He said there will be a little patio area.

Mr. Dufour asked if you will be going uphill for the drive thru.

Atty. Prunier said you won't recognize it. He said he's sure that it meets the EDA for cars.

Mr. Dufour said when the Burger King was asking to relocate from this location to their present location there was a lot of discussion by the Board about getting another drive thru restaurant on the site.

Atty. Prunier said at that time he believes there was discussion that a Kentucky Fried Chicken would probably move there and if they did that it would be a drive-thru.

Mr. Dufour said he recalls this. He said as he looks at this plan he sees that all of the parking for this proposed restaurant has to go through the drive-thru.

Atty. Prunier said this is no different than the Burger King at the other end of the mall. He said the drive-thru movement through a Kentucky Fried Chicken is different from a Burger King or a Dunkin Donuts.

NCPB  
May 5, 2005  
Page 13

Mr. Lowe said he has looked at the drawings, but he can't find one that really shows him the traffic circulation.

Atty. Prunier showed how the traffic circulates.

Mr. Slivinski asked how many cars would be able to queue.

Atty. Prunier said about ten. If it backs up it won't be out into Main Street, it will be on the mall's property.

Mr. Dookran asked if Kentucky Fried Chicken is going to be making a contribution towards the lights.

Atty. Prunier said they will be making a contribution as requested by the Traffic Engineers.

Mr. Slivinski asked if they can assume that all the trash and garbage on the site now will be cleaned up.

Atty. Prunier said he would think so.

**SPEAKING IN OPPOSITION OR WITH CONCERN**

No One.

**SPEAKING IN FAVOR**

No One.

**MOTION** by Mr. Lowe to grant the amendment to NR1067 for the construction of a 66-seat, 2,827 square foot restaurant with associated access, parking and site improvements, 330 Main Street for Kentucky Fried Chicken with the finding that it meets Section 16-123 & 16-577 and with the following stipulations:

1. Prior to any work being conducted, a pre-construction conference shall be set up with the Planning Department.
2. Contribution of \$920 to be made for traffic light signals at Main & Lake Streets.

**SECONDED** by Mr. Farkas.

**MOTION CARRIED UNANIMOUSLY**

**OTHER BUSINESS**

- 1. Review of tentative agenda to determine proposals of regional impact.**

**MOTION** by Mr. Dufour finding that there are no issues of regional impact on the tentative agenda.

**SECONDED** by Mr. Farkas.

**MOTION CARRIED UNANIMOUSLY**

- 2. Referral from the Board of Alderman on proposed O-04-19, amending the Planning and Zoning Ordinances of the City of Nashua in their entirety. (Tabled from June 3, 2004)**

No motion to remove from the table.

- 3. Referral from the Board of Alderman on proposed R-05-204, Authorizing the conveyance of a 12-acre parcel on Gilson Road (Tax Map D, Lot 521) to Deborah A. Gelleson for \$100,000 for use as a private school.**

Mr. Yeomans said one of the subcommittees still has to look at this proposal and there should be no action taken on this at this time. It will come to the Board at a later date.

**MOTION** by Mr. Moran to table.

**SECONDED** by Mr. Lowe.

**MOTION CARRIED UNANIMOUSLY**

- 4. Referral from the Board of Alderman on proposed Street Discontinuance - A portion of an unmarked way off of Edinburgh Drive.**

Mr. Yeomans said this is a housekeeping measure. This is a small tract of land that was set aside some time in the past for a future road connection and it was not utilized. Maplewood has been developed and there are identified wetlands. There is no option

for a road connection. The land will go to the owner of the properties that are on both sides of this tract.

**MOTION** by Mr. Lowe for favorable recommendation to Board of Alderman on proposed street discontinuance - a portion of an unmarked way off of Edinburgh Drive.

**SECONDED** by Mr. Farkas.

**MOTION CARRIED UNANIMOUSLY**

**5. Referral from the Board of Alderman for Petition of Waiver of School Impact Fees for 160 Daniel Webster Highway.**

Mr. Yeomans said this is another request from an elderly project where it is not expected to be any school children living on the premises. It is basically a controlled environment.

Mr. Lowe said that there is a Federal regulation that says that 20% of elderly housing can be used for non-elderly. If they have somebody living there that is 55 years old they could have a 16-year old kid so there would be high school aged children. That's in addition to the 20% that is allowed.

Mr. Dufour said it's his understanding that there are ways for the developer to control who actually occupies the units.

Mr. Lowe said it has to be put in the charter because it's a condominium charter. They have to make sure that they at least do that.

Mr. Dufour said an option would be for the Board to table this and they can come back with an answer.

Ald. Larose said that Mr. Lowe brought this up at last Tuesday's Planning & Economic Meeting and the Chairman said that he would invite the attorney for the condominium to come. He said the Planning Board could pass it with a caveat that says it has to be part of their condominium rules and regulations and send it to the Planning & Economic Committee.

Mr. Farkas said that just by putting this in the condominium documents, particularly in the rules and regulations, it's almost

unenforceable. It has to be in the deeds, and even then some courts have overturned it.

He said from his own perspective, he's not in favor of waiving here and there and letting people pick what portions of the taxes or special fees they want to pay.

Mr. Dufour said if he knew this evening that 100% of the units would have people age 55+ living in them he would agree to waive it. The waiver was an option for someone who wasn't going to utilize those services (school). He said Mr. Lowe has a valid point. If up to 20% of the people are not "elderly" the Board should consider looking for 20% of the contribution.

Mr. Yeomans said the code provides for a maximum fee of \$500 for each unit. There are 76 units. They took this number and 20% of that is \$7600.

Mr. Slivinski said at the Board's last meeting they approved two new apartments going in on Courtland Street. He asked if there would be a school impact fee on these new units.

There were several members who said there would be.

Mr. Slivinski said if he had an empty lot and he was over 55 years old and he builds on the lot would he pay the school impact fee - even if he didn't have any children and would not be using the services.

Several members said he would.

Mr. Slivinski said he agreed with Mr. Farkas about not waiving the impact fee.

Mr. Dufour said he assumes that they have set a precedent on this matter.

Mr. Yeomans said what they haven't done is had a conversation about what they want to do with these things and that they have taken their best guess at what seems reasonable for what's come to them. He said to his recollection there have only been three or four of these type requests. He said he thinks what the Board is saying is that they need to sit down and have a meeting to talk about it and come up with a fair and reasonable approach.

NCPB

May 5, 2005

Page 17

Mr. Dufour asked if that would be independent of the Planning & Economic Development Committee and is the Board bound by whatever that Committee decides to do.

Mr. Lowe said if the Planning Board gives an unfavorable (or favorable) recommendation the Board of Alderman would have to have a 2/3 vote to reverse that decision.

**MOTION** by Mr. Lowe for unfavorable recommendation to the Board of Alderman on petition of waiver of School Impact Fees for 160 Daniel Webster Highway.

**SECONDED** by Mr. Farkas.

Mr. Lowe said his feeling is that there is more and more elderly housing in the City and the school costs are going up. He said he is a senior citizen and he has to pay. He asked why one group should be separated from another group. He doesn't think it's fair that the homeowner in a single-family has to pay where the condominium owner who's in a special condominium doesn't have to pay.

Mr. Dufour said in the big picture if you charge a lot of money for impact fees, most of it gets passed on to whoever is buying.

Mr. Lowe said when he bought his house he had to pay the impact fee.

Mr. Dookran asked if Ald. Larose could tell the Board whether the previous one or two of these types of requests were treated.

Ald. Larose said they were granted. The last one that he recalls that was granted was for the condominiums that are going up on Chestnut Street where the old K of C Hall was. It's a similar type of arrangement - 55 and over. He said he suspects that if he bought into that type of condominium and he was on the Board of Directors or even a member going to meetings he would make sure that the rules would be that there would be no children in the complex.

Mr. Dufour said the courts have ruled otherwise.

Ald. Larose said he understood that. He said his point is that people who are in those types of settings know what the rules and

regulations are and they monitor what's going on. When they have their monthly meetings those things come up.

Mr. Dufour said he's not sure that the Alderman understood that 20% of the housing doesn't necessarily have to be people without children with the requests that were previously approved. It's important that the Alderman are aware of this.

**MOTION CARRIED UNANIMOUSLY**

**Discussion Items**

**Steve Williams, Director NRPC - Introduction of 2004 Regional Housing Needs Assessment and Draft Regional Bicycle and Pedestrian Plan**

Mr. Williams said this presentation is to introduce two items that NRPC has been working on. The first is the Draft Regional Bicycle & Pedestrian Plan. It is a full update of their original bicycle and pedestrian plan that was first adopted in 1995. He indicated after Matt Watkins is done with that presentation and the Board has asked any questions, he (Mr. Williams) will present the 2004 Regional Housing Needs Assessment that NRPC adopted at their March 16, 2005 meeting.

Matt Watkins. Mr. Watkins said there are quite a few quantifiable benefits to shifting some motor vehicle trips to non-motorized travel.

He said the goal of the plan is to provide for the guidance for planning, development, and implementation of safe usable facilities for bike transportation in the Nashua region.

He asked the Board to look at a table he displayed. He indicated it came from the National Household Transportation Survey of 2001. It represents a percentage of personal trips taken in this country on a daily basis by trip length. The first column in the table shows the trips divided up by one mile or less up to 2-3 miles. He said the next two columns represent the percentage of personal trips for that trip length. Column two represents urban areas and column three represents all areas averaged together, including urban areas.

NCPB

May 5, 2005

Page 19

He said at the Regional Planning Commission they have twelve communities. Some are rural and some are Cities so at the regional level they are probably talking about column three. Some sections of Nashua would be considered urban areas. Referring to the chart he said that over 60% of all personal trips in this country on a daily basis are five miles in length or less and in urban areas 63.5% are five miles in length or less. The same survey finds that about 81% are taken in motor vehicles, 1.3% is on bikes and around 14% are by foot. The trend in vehicle miles traveled is projected to increase in the future.

He said they already have problems with congestion and it's probably not going to get any better. One way to mitigate that is to add more pavement/more lanes. That's expensive when you have the real estate to do it on and it's impossible when you don't have it. They are running out of places to put extra pavement.

He said another way to mitigate this is to shift some of those motor vehicle trips to non-motorized. Many of the trips are five miles or less in length. They have a lot of potential for being shifted over.

Mr. Watkins said there are economic benefits to shifting over. The cost of operating an average automobile for one year in New Hampshire is around \$7600. According to AAA that's 15% of the median household income. The cost of operating an average bike is \$120.

He said there are national health care costs related to diseases associated to sedentary lifestyle - way more than one hundred billion dollars a year. Sixty percent of Americans lead a sedentary lifestyle and this lifestyle is directly linked with those chronic health problems. Health care professionals are in consensus that increased biking and walking can help prevent those diseases.

He said there are transportation efficiency benefits to this shift. Cycling is the fastest mode of transportation door to door in urban areas. There would be reduced traffic congestion. Ten bikes can fit into one parking space. He said there are some cities in this country that require developers to put in a certain percentage of bicycle parking spaces.

NCPB

May 5, 2005

Page 20

He said there are also environmental benefits, for example, improved air quality. He said motor vehicles emit pollutants that cause ground level ozone or smog. The EPA has designated the Nashua area as in non-compliance for the pollutants that combine to cause smog. Biking and walking don't cause any air pollution.

He said they realized early on that the process for encouraging and increasing walking and biking needs to be comprehensive in nature. It definitely has to include the physical improvements to the infrastructure that make it safer and more convenient to use. He said this would be bike trails and sidewalks. It also has this behavioral change component that has to do with encouragement and education efforts that promote biking and walking as viable modes of travel. In the bike and ped-planning world this is referred to as the four Es - engineering, encouragement, education, and enforcement.

He said their plan reflects that process. They have identified recommended regional and sub-regional routes. It also includes land use strategies that encourage biking and walking. The behavioral change component is about education and safety, encouragement and law enforcement. The plan includes a lot of recommendations. He said this is also about management and coordination of that action plan and identifying funding for the improvements.

He said the Board members have a copy of the plan so he will not cover it in detail. He did, however, want to talk about a few of the recommendations so the Board has an idea of what they are talking about.

He said the municipalities' DPWs should have a bicycle friendly grate program. Storm drains are usually on the edge of the road and that's where people bicycle. He said the old-fashioned grates, if not installed properly, are going to catch a tire and somebody is going to take a spill. There are bicycle friendly grates where that won't happen. In the course of normal maintenance they recommend that DPWs just replace those grates with bicycle friendly grates.

He said they talk about a shoulder striping policy for rural roads in the plan. Usually the travel lane measured from the center of the yellow line to the center of the white line is about twelve

NCPB

May 5, 2005

Page 21

feet. NHDOT now has a policy to narrow this down a little bit, which has the effect of giving another foot on the shoulder. They encourage municipalities to also take on that policy wherever it's practical.

He said another recommendation would be a shoulder repair program. It tends to be where the pavement crumbles first. They would like to see a program where people could call in and get quick action on fixing something like that.

Mr. Watkins said they recommend that there be bicycle and transit links as well as provide end of trip facilities. This is a fancy name for bike racks. He said they really don't see a lot in this region. One his favorites is the bicycle transit link. What he's talking about here is putting bike racks on City buses. There are two reasons for this. One is that it increases the capture area of the transit system. Someone who may live a little too far from the bus stop for walking could ride their bike to the bus stop and put their bike on the rack. The other good thing about this recommendation is that if you are walking down Main Street in Nashua and the City bus goes by and there's a bike rack on it with a bike in it you get that feeling that biking and walking are encouraged in the City.

He said it is also important to teach kids biking skills. Kids don't have driver's licenses. They aren't really aware of what cars are supposed to be doing and what they can do. Studies have shown that kids that have collisions with cars make the same set of basic mistakes. They can be taught to avoid these mistakes.

He said they encourage the increased use of bikes for transportation purposes. He said they would look into updating traffic laws that affect bicyclists and pedestrians. For example, right behind the NRPC office on Main Street is the Water Street parking lot. There's a one-way alley from Factory Street to the parking lot. Bicycles, by law, have to follow the same rules as motor vehicles. Technically someone on a bike cannot go the other way from that parking lot out to Factory Street. It may not be necessary to limit bikes in that fashion. It may be that a simple sign could be posted to show that bikes are the exception.

Mr. Watkins said the implementation component is about the action plan and managing that plan and finding funding. He said their

recommendation is to use the action plan as a guide for implementing the recommendations. He said they're going to create a steering committee to oversee implementation of the recommendations. They would appoint a staff person from NRPC to be the Program Manager to basically provide staff assistance to the steering committee.

He said in summary, the goal of the plan is to increase non-motorized transportation options in the region. The framework is comprehensive. It's about quantifiable benefits, including economic health, transportation efficiency, and environmental benefits.

He said they had public input sessions at strategic locations throughout the region last November. Copies of all of the proposed routes were sent out to all Town Planners and all DPW Directors prior to the meetings. They also presented the draft document to their commission in March. It was positively received. One of the things the commission requested was to have further public review, which is why they are before the Board tonight.

He said their next steps are going to be to complete the public involvement process that they are working on right now and incorporate any additional comments. They want to present a final draft to the commission at the June meeting and hopefully adopt the plan as official policy and move forward with implementation.

Mr. Lowe said there is a City policy that you can't ride a bicycle on the sidewalk, at least in the downtown.

Mr. Watkins said they are not proposing that people ride bikes on sidewalks.

Ald. Larose said it's illegal for anyone to ride a bicycle in the business district. It's illegal for somebody over thirteen years of age to ride a bicycle on a sidewalk in the City of Nashua.

Mr. Watkins said this is an example of the enforcement issue.

Ald. Larose said he lives on Charlotte Avenue. They have an 8' sidewalk. The reason they put in a wide sidewalk was to help slow down traffic. However, they eliminated the bike lane that was there and DPW said they could ride their bike on the sidewalk. He

NCPB

May 5, 2005

Page 23

said maybe the presentation should be made to the Public Works people because when they start paving some of the streets, there are some places where they could widen the road a little bit so they could incorporate a bike lane. He said there are also a lot of joggers and on some of the country roads they are fighting the traffic.

Mr. Watkins said during this whole process they have talked quite a bit with DPW and the Planning Department. They've been very encouraging and supportive.

Mr. Dookran said he was at a neighborhood meeting last night - it's the second one in that neighborhood trying to put together a plan that would incorporate sidewalks and bike lanes. He said they were being sent very clear signals that they don't need them and that they were happy with what they have. He asked if NRPC has plans to go out to neighborhoods in different communities with the plan to promote it.

Mr. Watkins said he would be open to doing this at some level. One of the recommendations is to be involved with Safe Routes to School. They did their first pilot study out on Ledge Street. A lot of these issues are discussed with the PTOs, the teachers and the kids. It's been very encouraging there.

He said when the steering committee gets up and running all these recommendations and how they all happen and in what sequence will probably become a little more clear. If it's important to go out to neighborhoods then it may be the steering committee will decide to do that.

Mr. Williams said if they want to look at this in broad historic terms, one of the first slides that Mr. Watkins showed the Board, showed that a huge percentage of short trips in this nation are made in automobiles. This is a change that has taken place since WWII. He said they believe it's going to take an equal length of time to shift American behavior back in the other direction.

Ald. Larose said it seems to him that if they could get together with the people who are planning the project on Broad Street and put together a small presentation similar to what Mr. Watkins has just done they could understand what a bike lane would do and any other improvements would do.

NCPB

May 5, 2005

Page 24

Mr. Yeomans said he does a lot of cycling and one of the things he is envious of others who are cycling that have a place to change their clothes and sometimes shower off. You can't go out and do some heavy duty cycling at lunchtime because there are no facilities to change or shower.

Mr. Watkins said this refers to end of trip facilities. Showers is one of them and that's in the policy. He said he hears this a lot.

Steve Williams. Mr. Williams said they have been invited to the Aldermanic Infrastructure Committee at the end of the month to make a presentation to them on the Bicycle and Pedestrian Plan. They are going to be holding a public input meeting at that time. That will be the opportunity to bring this to the attention of the Board of Alderman.

He said he is here to talk about the Regional Housing Needs Assessment. He questioned why should NRPC produce a regional housing needs assessment and why should any of the municipalities care. He said it's really related to RSA 36:47(2) which states that the purpose of the regional housing needs assessment is to assist municipalities in complying with RSA 674:2 III. Each regional planning commission is to compile a regional housing needs assessment which should include an assessment of the regional need for housing for persons and families of all income groups. They are supposed to update that every five years.

He said the purpose of this assessment is to help municipalities understand and plan for housing needs. It is an advisory document. No municipality is required to produce a particular amount of housing by NRPC or the State. There are no penalties or sanctions for not producing housing.

Mr. Williams said this is actually their fourth regional housing needs assessment. The first one was produced in 1989, the second in 1994, and the third in 1999.

He said they conducted a comprehensive study of housing in the region. They found there's been about a 12% increase in housing units in the region over the course of the ten year period from 1990 -2000. Only about 2.3% of housing units in the region are vacant. This is actually a rather low vacancy rate.

NCPB

May 5, 2005

Page 25

He said about 70% of the housing units in the region are owner occupied. This is almost exactly the same percentages they see in the rest of the State of New Hampshire.

He said they found that the Nashua region is heavily interconnected with other regions around the State of New Hampshire and of Massachusetts. He referred the Board to the graph/map that was displayed. It showed the place of work of Nashua region residents. He said the darker colors represent higher numbers of employees commuting to those particular locations for work. Nashua is the highest destination, but Hudson, Merrimack, Milford and Manchester are very high. He listed some other communities, including some in Massachusetts. He said Nashua is sort of a hub for commuting over a wide area. Nashua is also receiving commuters coming to work from all over the two states.

He said what this suggests is that State or multi-State initiatives may be an important component of housing solutions for this region. Initiatives on a single town or city level are probably not going to be sufficient to meet the housing needs of this broad inter-related region.

He said one of the interesting trends that's taking place in housing development in the region has been the shift over the course in time in the development of housing units. In 1990 there were just a little over 200 multi-family housing units developed and just a little over 400 single-family units were developed that year. The development of single-family units increased and peaked in 1998. Exactly the opposite trend took place with multi-family housing units. The year 1990 actually represented the peak of multi-family housing development for many years. In the housing crash of the early 90s the development of multi-family housing dropped off almost to zero for a number of years until the middle 90s. Since about 1998 they've had a very steady increase in the amount of multi-family housing that is being developed in the NRPC region. A lot of that is being developed in the City of Nashua.

Mr. Williams said owner-occupied housing in the Nashua region has had an interesting cost trend between 1990 and 1998 - very little price appreciation, but since that time they have been seeing increases of about 9.3% per year over that seven year period. Renter-occupied housing cost has been increasing very steadily. In 1990 the median rent in the region was \$656 per month. By 2003 it

NCPB

May 5, 2005

Page 26

had reached \$984 per month. The increase was consistent all the way across the board for different types of multi-family units. It was a 3.3% increase per year for one-bedroom units, 3.0% increase per year for a two-bedroom and three or more bedroom units increased by about 3.2% per year.

He said the interesting thing about this is how evenly the market has been moving and how consistently the market for multi-family housing in the region has tracked inflation over the course of time. This is telling them that the market is doing an efficient job of producing multi-family housing that's needed in this region. The market is doing a good job in the area of multi-family housing for the average person who is interested in that particular type of housing. They believe if the market was not working efficiently they would be seeing other types of statistics with significant spikes and prices.

He said overpayment for housing is one of the biggest issues they always look at when they are producing one of these plans. The accepted standard is that a household can afford to pay up to 30% of its annual gross household income for housing. Payment over that 30% threshold is considered overpayment and it begins to cut into the household's ability to do the other things they need to be able to do financially.

He said in the Nashua region there are 6,980 renter households paying more than 30% of their household income for housing in the year 2000. This represents 32.5% of all renters and this is a relatively high percentage. This is almost exactly the same percentages they see throughout the State of New Hampshire. What this tells us is that although it's a relatively high percentage, it is consistent with the State. If you look at the rest of the State you would see that the rent prices in the Nashua region are higher than they are in the rest of the State, but income is also higher. In many ways the Nashua region is reflecting the trend in the rest of the State.

Mr. Williams said they identified 7,689 owner households who were paying more than 30% of their household income for housing in the year 2000. This represents about 22.5% of all owners and is actually a little below the percentage of New Hampshire owners who are over-paying, which was at about 25%. Even if things are more expensive in the Nashua region than they are in the rest of the

State, the statistics for the Nashua region are very consistent with the rest of the State.

He said they went through two steps to determine housing needs for the years 2000 - 2010. First they projected housing needs for owners and renters and then they projected housing needs for all income groups. They looked at three different models for projecting housing needs. The average of those models was that the Nashua region would need to produce about 14,666 new housing units between 2000 and 2010 - 10,538 owner units and about 4,128 renter units.

He said their Housing Advisory Committee reviewed about eight different methods for distributing that regional housing need to the twelve NRPC municipalities. These methods are documented in Chapter 4 of the report. Methods that tended to work well for the specific conditions in Nashua didn't tend to work well for specific conditions in more rural communities like Milford, Amherst, Mt. Vernon, Lyn borough, etc. Methods that worked well in the rural communities did not tend to work well in Nashua. The conclusion reached by the committee was that there wasn't an equitable way that could be recommended to doing that distribution. The suggestion that was made by the committee is that any approach to encouraging the development of affordable housing with simplistic models that attempt to treat all municipalities the same are probably not going to be adequate because all the municipalities are, in reality, different and they all face different challenges in the housing market.

He said when they looked at the distribution of projected housing need by income group, it was disturbing was the large need that they face in the next ten years for renter housing for those under 80% of the area median income. He referred the Board to the chart which shows the distribution. He said the first line shows the amount of housing they need to be developing for renter households under 50% of the area median income. Right now that represents a rent of less than \$500 per month. Forty-four percent of households fall into this category. Based on the figures they have they estimated a need for 1,816 more units for those groups in the course of this ten year period or about 182 units per year. One of the biggest conclusions they reached in the process is that as a region they are probably producing about 3/4 of the total housing that they actually need to serve the housing market. A lot of the

NCPB

May 5, 2005

Page 28

shortfall is in the area of owner housing, but the major shortfall they are facing is in the area of housing that is affordable to lower-income households. He said the table shows this conclusion very clearly.

Mr. Williams said they identified some strategies for meeting local housing needs. They are included in the report for information to Planning Boards in this and other communities as well as for local planning Staff members. He said Chapter V identifies these and they run the gamut from community character, inclusionary housing, cluster housing, etc.

Mr. Dufour asked how NRPC defines multi-family housing.

Mr. Williams said multi-family housing is any structure with two or more housing units attached. Attached condominiums qualify as multi-family.

Mr. Dookran asked what some of the factors are that drive the price of homes up to make them unaffordable.

Mr. Williams said in general there are only a few components on the cost of housing. Construction cost, land cost and financial costs are the three biggest. Land cost is the biggest issues in this region because of the rapid escalation in land prices that have taken place here in recent years.

Mr. Dookran asked what some of the economic impacts could be for a region if they didn't have affordable housing for the lower income sector.

Mr. Williams said the impacts could be fairly severe. Those who are in the lower income groups form a very important part of the labor pool. They are doing a large number of jobs that have to be done in the economy for it to function. If you lose that particular group or price them out of your region, your economy begins to have labor problems that begins to drive your prices up in other ways.

He said there are also significant transportation impacts that result because if the jobs are here and people are being pushed further and further away from those jobs they obviously have to get to them somehow and that puts more cars on the road. The areas in

NCPB

May 5, 2005

Page 29

the nation where you see the highest housing prices and the greatest disparity between housing price and income are also the areas where you see the highest level of long-distance commuting and the highest levels of congestion.

He said NRPC is in the process of producing some interesting studies. He said they are doing a regional build-out study right now where they are not only going to be looking at build-out of residences, but also build-out of commercial, industrial, and office space for the region. They are going to be using that to project traffic impacts, school impacts, police and fire service impacts, and water requirements into the future. He said they hope to be presenting this to the commission at their June meeting. They also hope to have the opportunity to present it to the Planning Board sometime later in the summer. He said all their reports are on the NRPC web site and they will be happy to provide copies of the reports to any member who is interested.

#### **Other**

Mr. Moran said in the two presentations that were made tonight there was some color. He said in the future any developer or engineering firm or other party who has a presentation before the Board should present colored documents to show not only the boundaries, vegetation, but all the materials listed on the legend. He said when he went to a seminar in Manchester several weeks ago the person in charge asked how many had colored presentations, close to 75% raised their hands.

He understands from the staff that there may be some legal problems or legislative requirements, but he still feels that for the Board to get a very detailed presentation, they should be in color.

Mr. Dufour said he isn't sure that the Board can control this. He said they can turn this over to staff, discuss it with Mr. Houston and maybe they can talk about it at their next meeting.

Mr. Moran said that he isn't asking for everything the Board receives in their packets to be in color - only that any presentation made with any exhibit be in color so the Board can see tree lines, wetlands, boundary lines, fences - everything that is shown in the legend on the drawings.

NCPB  
May 5, 2005  
Page 30

**ADJOURN**

Mr. Dufour declared the meeting closed at 9:09PM

**APPROVED:** \_\_\_\_\_  
Ken Dufour, Vice - Chair Nashua City Planning Board

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