

COMMITTEE ON INFRASTRUCTURE

JULY 14, 2016

A meeting of the Committee on Infrastructure was held Thursday, July 14, 2016, at 7:00 p.m. in the Aldermanic Chamber.

Alderman-at-Large Mark S. Cookson, Chair, presided.

Members of Committee present: Alderman David Schoneman, Vice Chair
Alderman Sean M. McGuinness
Alderman Tom Lopez

Members not in Attendance: Alderman Richard A. Dowd

Also in Attendance: Alderman Don LeBrun

PUBLIC COMMENT

Jim Cutter, 86 Palm Street.

“Dear Alderman Cookson,
On 11/23/49. Article IX-Admin., Sect. 36. Plats. was approved with 'All applications for building permits shall be accompanied by a plat in duplicate, drawn to scale, showing the actual dimensions, etc.'. N.B. Actual dimension is one side of the deed measurements. On 5/12/50. A building permit was given to Leo Caron of 88 Palm St. with 53.57' along Palm St. when his actual dimension was 51'. The bldg. inspector ignored the above Plat ordinance. Leo Caron took the 2.57' gap aside of 84 Palm St. and added it to the 51'. On 2/17/62. The Desrosiers Family had lived in our house for 20 years and as a result, we do not have a 3' long gap in our deed. Note. RSA 508:2(1) Real Actions (Adverse Possession) 'No action for recovery of real estate shall be brought after 20 years', etc.. Our deed begins east side of Palm St, goes east, south, west and north to the beginning. The old gap was at end of last dimension. On 1/12/68. James L. and Annette R. Gilbertson bought 88 Palm St. not aware 86 Palm St. had been cleared of any gap. They did not know our front steps had been *in* the gap too far away in the deed to be made part of their property. On 5/13/71. A building permit was given to Jim Gilbertson of 88 Palm St. that was added to the 1950 permit for Leo Caron giving Gilbertson the impression the City thought he owned part of our driveway and clothesline area. With that *in* mind, sometime *in* March 1973, when our property was vacant and ground had thawed following Joseph Desrosiers' passing on 12/23/72, Jim Gilbertson installed a fence to match the false actual dimension on his 1971 building permit. In September 2006, I asked Angelo Marino of the Assessing Dept. to have the 88 Palm St. Tax Map corrected to read 51' and it has been that way since 2007. We are paying the property taxes on our driveway and do not want the Gilbertsons trespassing on our land.
Sincerely, Jim.”

COMMUNICATIONS

**MOTION BY ALDERMAN MCGUINNESS THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE ACCEPTANCE OF MR. CUTTER'S COMMUNICATION RECEIVED THIS EVENING
MOTION CARRIED**

PETITIONS – None

UNFINISHED BUSINESS – None

NEW BUSINESS - RESOLUTIONS

R-16-044

Endorsers: Mayor Jim Donchess
Alderman Richard A. Dowd
Alderman Ken Siegel
Alderman Mary Ann Melizzi-Golja
Alderman Sean M. McGuinness
Alderman Don LeBrun
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Tom Lopez
Alderman-at-Large Brian S. McCarthy

AMENDING R-15-188 TO ALLOW THE CLOSING FOR PURCHASE OF THE HYDROELECTRIC FACILITY IN MINE FALLS PARK TO OCCUR ANYTIME BETWEEN DECEMBER 15, 2016 AND DECEMBER 15, 2017

MOTION BY ALDERMAN MCGUINNESS TO RECOMMEND FINAL PASSAGE OF R-16-044

ON THE QUESTION

Madeleine Mineau, Waterways Manager.

The resolution in front of you is extending the date of closing for the Mine Falls Hydroelectric Facility. The resolution that was passed last December to authorize this transaction had a set a closing date of December 15, 2016, but the lease agreement with the current company that leases the facility from the city actually allows up to two years from when we notified them last December. We think it's not realistic at this point to close by December 15, 2016, so we're amending the resolution to allow for more time. We are optimistic that we are not going to go all the way to December of 2017. We are anticipating early 2017 or spring of 2017 closing date.

Alderman Lopez

I think this came up at a budget committee meeting when we were going over the city budget. The explanation has already been provided to me.

Chairman Cookson

I believe at one of our previous Infrastructure Committee meetings that Director Marchant was at, I believe it was also discussed in this committee as well.

MOTION CARRIED

R-16-048

Endorsers: Mayor Jim Donchess
Alderman-at-Large David W. Deane
Alderman-at-Large Lori Wilshire
Alderman Ken Siegel
Alderman Richard A. Dowd
Alderman David Schoneman
Alderman Mary Ann Melizzi-Golja
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Tom Lopez
Alderman-at-Large Brian S. McCarthy

APPROVING A LOCATION OFF STADIUM DRIVE AS THE REPLACEMENT SITE FOR THE DAVID W. DEANE SKATEBOARD PARK CURRENTLY LOCATED ON BRIDGE STREET

- Also assigned to the Board of Public Works; to appear on its 7/28/16 agenda

MOTION BY ALDERMAN LOPEZ TO HOLD R-16-048 UNTIL THE NEXT INFRASTRUCTURE MEETING

ON THE QUESTION

Chairman Cookson

I received a phone call from the Mayor earlier this week indicating that tonight Public Works was having an event at Holman Stadium. Therefore, Director Fauteux was not going to be available to join us. I've also heard since then that Alderman Deane is unable to join us to speak specifically about this legislation. The intention was to hold it or table it until our next meeting. Our next meeting right now is scheduled for the 27th of this month. It would be expected at that point in time that we would take it from the table and discuss it at that point.

Alderman Schoneman

I have a question about the summertime schedule. I was under the impression that we were going to be meeting once a month. Will we have other business on the 27th or would this be better held until next month?

Chairman Cookson

I can work with the Legislative Office to determine if there's another date. I was planning on having the meeting on the 27th so we could make it for the next full Board of Aldermen. But if I find that members of this committee or members of the public that would like to speak to this particular piece of legislation aren't available, I wouldn't want to stymie the conversation with regard to it, so I am flexible.

Alderman LeBrun

If I was a member of this committee, I would be in favor of tabling or holding this out of respect to the alderman that cannot be here this evening. I would also like to say that this is not the location for such a facility. This is an over congested area. It's over congested not only traffic-wise but noise-wise, illumination-wise. It's in the area of nursing homes, assisted living homes, residential areas. It is not the place for such a facility.

Alderman Lopez

My original motion was to hold until the next meeting. I agree the two people that know the most about it in my opinion, Director Fauteux and Alderman Deane, should be here. I don't understand myself why that is an ideal location. Moving it so far from its original place, I believe it not only the neighborhood people who most likely to have been using it when it was on the eastern side of Nashua but also potentially people from Hudson may have been coming over and using it to support the use of it. I don't know what property we have in that similar neighborhood, but I would be interested in pursuing that and at least understanding the reasoning behind putting it where it is. I think we want to do right by the people who regularly use it. It doesn't help the city to build a skate park that isn't going to be utilized. If we move it away from the more urban parts of the city, we may be drawing in a different population. It's a puzzle piece that doesn't fit where it's going. I'm sure there's reasoning behind it. I just don't understand it, so I think it's fair to wait until we have that reasoning in front of us.

MOTION CARRIED

R-16-050

Endorsers: Mayor Jim Donchess
Alderman Richard A. Dowd
Alderman Tom Lopez

AUTHORIZING THE SALE OF SURPLUS BROAD STREET PARKWAY PROPERTY

MOTION BY ALDERMAN LOPEZ TO RECOMMEND FINAL PASSAGE OF R-16-050

ON THE QUESTION

Tim Cummings, Director of Economic Development. I am just in the early stages of understanding this project. I don't want to speak too much, but I have been involved in the most recent meetings so if there are so very elementary questions, I may be able to address them to help expedite matters or at the very least I could take your questions tonight and make sure you get answers tomorrow. However you would like to handle it.

Alderman Lopez

This legislation could be interpreted as all surplus Broad Street parkway property. My understanding is there's multiple pieces of it.

Chairman Cookson

I understand it to be multiple pieces. I thought it was just two pieces.

Alderman LeBrun

I believe there's seven.

Alderman Lopez

I don't know if this will create an inconvenience or hopefully not a decrease in the market value, somehow, but if we were to table this as well to our next meeting and it turned out there was a piece of property that makes sense to put a skate park on, I would hate to have authorized for it be sold right before we had that conversation.

Chairman Cookson

You make a good point.

Alderman Schoneman

We've had various pieces of surplus property come before us for sale in the past. We have approved them largely on the recommendation that produced the resolution which would have come from the finance office. I would tend to concur with the recommendation that they be sold. I know when Mr. Vancor came and spoke a number of times there were specific time limits on some of the sales in order for the money to be credited appropriately to Broad Street Parkway.

Director Cummings

That is correct. There is some time sensitivity to some of the parcels, although I don't know which parcels you actually have in front of you this evening. I know, overall, with the project that there are some federal implications and there is some time sensitivity.

Alderman Schoneman

Regarding the authorization to sell, it doesn't require that they be sold immediately. I would be in favor of granting the authorization and recommending final passage of this resolution knowing two things: One, I think the finance office looked at it very carefully. I think if there's a time sensitivity, number two, I don't want to take a risk of missing any kind of a time sensitivity issue that we don't know about. And, three, I would suspect the value of the property to the city would have been

carefully looked at and, fourthly, if these were bought with federal funds for the right-of-way of Broad Street Parkway, we may not have the option to just hang onto them.

Chairman Cookson

We will not be meeting again as a full Board until August 9th. If we do in fact have a meeting of this committee on the 27th, we would be able to address both of these pieces of legislation and still get it on the agenda for the August 9th full Board meeting if there is something that's time sensitive. I personally I'd be of the mindset that we should do our due diligence. I don't believe we have enough information this evening to forward this particular legislation. I would not recommend final passage. That would be my vote; I certainly wouldn't expect that to sway any of your individual votes if you so feel we should move this forward. I would just again suggest that we have a meeting on the 27th that's available to us. We could certainly make sure that Treasurer Fredette or an appropriate delegate would be available to present this piece of legislation.

Alderman Lopez

If we make a recommendation this week, can we make a recommendation not to pass it in the next meeting?

Chairman Cookson

Certainly. If we were to meet again on the 27th and we had made a recommendation today, we could alter that recommendation I suppose.

Alderman McGuinness

Mr. Chairman, I agree with everything you said. There is probably some more due diligence that ought to be done.

**MOTION BY ALDERMAN MCGUINNESS TO TABLE
MOTION CARRIED**

NEW BUSINESS – ORDINANCES - None

GENERAL DISCUSSION

Alderman Lopez

I would like to discuss the general traffic infrastructure around the oval area. I have received constituent complaints almost since my first day in office that people were speeding up and down the back parking lot behind Clocktower. They were coming in through French Renaissance Park using the straight-away to speed through and then getting onto the Broad Street Parkway faster. I've also heard complaint about the speed of traffic that's happening through the oval, itself, and how it seems to be increasing because more people want to go from Main Street to eh Parkway Way and Parkway to Main Street. I know some effort has been made on the part of the city to traffic calm the area by closing part of the oval, and I know the upcoming construction project that Clock tower is undertaking will include speed bumps behind Clocktower, but I recently received a report that a woman that worked for Wingate Pharmacy was struck crossing Factory Street. It seems like we're playing whack-a-mole with the traffic. Every single change we make, people will just learn or determine a new way to do something about it. I just wanted to have a discussion about how we could look at the region collectively and develop a plan where there's a way for people to get where they want to go through an avenue meant for them to use that rather than potentially dangerous ones.

Chairman Cookson

The pedestrian that was in the accident, where on Factory was that?

Alderman Lopez

It wasn't specific through the report. It was just between Main and the intersection of Factory and Water. The comment from my constituent specifically said there's only one crossing point there, and it's a very difficult one. I know that crossing point also is in close proximity to both the veterans housing and the harbor care clinic. It's particularly concerning that somebody whose abled body and quickly able to cross was struck when there's so many people with mobility issues also trying to use that crosswalk.

Chairman Cookson

Is there another crosswalk that crosses Factory right near the parking garage?

Alderman Lopez

Yup. While we're pulling up the map, can we ask what efforts are underway in the area, if any? If this an area that's already being looked at as a focus of development? Is the concern of traffic connecting Main Street and the Broad Street Parkway something that the Economic Development Office or the Downtown Specialist, specifically, are working on?

Director Cummings

The question at hand relative to are we looking at this area for future development, the simple answer is yes. With the start of closing down part of the courthouse oval, we are starting to look at that area somewhat differently and trying to understand what we may or may not be able to do in terms of creating a bigger, better higher use and a pad development site. Overall regarding traffic in that area, I would defer to others and particularly in regard to public safety, I'm still getting acquainted with this city. I can speak more broadly to relative to mixed used development and the spirit behind mixed use development in a downtown should have pedestrian friendly nature to it. We should be looking to calm traffic to make it friendly for pedestrians and residential housing overall.

Alderman Lopez

I was particularly interested in managing the traffic flow between the Broad Strete Parkway area, Pine Street Extension and Main Street. What avenues are currently in place and how are they functioning and what avenues would be suggested and how would they function.

Chairman Cookson

I'm going to zoom out and try to get a look at the entire area. Here's Factory Street. Here's Water Street. Your oval. Then the Pine Street Extension leading into the Broad Street Parkway is over on the left side of the screen. Alderman Lopez began the conversation by saying that traffic was coming down through this area and cutting behind Clocktower and then coming out on this side where it could get onto the Broad Street Parkway. This is an older map so it still has the boiler house and such, but this is the Broad Street Parkway right here. I think we're talking about traffic to and from, coming through and utilizing the Broad Street Parkway opens up the back of downtown. For several years the only way to get to downtown from the north was to go down Broad Street to Amherst or Amherst, get to Library Hill and then make a right. This is opening up a new traffic pattern. To Alderman Lopez's point, people take the point of least resistance. Therefore, they are finding opportunities to cut through different areas to get to the location of their desire.

Alderman Schoneman

To answer Alderman Lopez and bring us back to a conversation we had last year, there was a downtown circulation study that was completed. There was talk about taking some one-way streets and making them two-way streets. Everything was done with the anticipation of waiting to see what the Broad Street Parkway did. I would expect that study to be revisited because now we are starting to get some information. There's going to be an overall because we can't just fix one street because then something else happens. That's what we're seeing here. I think we need to have a comprehensive strategy, what are we going to do with all of this? What's going to happen to Main Street? Is Main Street going to stay two lanes each way? There was talk about angled parking and all kinds of things. Everything seemed to hinge on the Broad Street Parkway. Now that it's done, I'm sure it's not going to happen overnight but there are going to be efforts spent to address all of these things so there's a comprehensive plan rather than a patchwork.

Chairman Cookson

Is everyone in possession of the Broad Street Parkway Circulation Study? I'm not.

Alderman Schoneman

I would suspect it's available on the website.

Director Cummings

We can make sure you get it.

Chairman Cookson

Thank you. That would be helpful. Alderman Schoneman, you're absolutely correct. You're working within a system of streets. When you affect the input, the output changes. We have to understand the holistic view of what's going on with the traffic. Correct me if I'm wrong, I believe the NRPC recently did a traffic study count. That might be available so we could understand where traffic is flowing to and from.

Director Cummings

That's correct.

James Vayo, Downtown Specialist. I've reached out to NRPC about two months ago requesting some specific counts in this area. That data has gotten back to us recently. I can share it with this committee when we send over the circulation study.

Chairman Cookson

We would appreciate that. Does NRPC report provide truly directional information? Does it tell you which way the cars are travelling or does it just provide counts?

Mr. Vayo

It's a combination of regular counts and turns. The turning information is gathered as part of a consideration for the signal changes at the corner of Ledge and Pine Street where the Broad Street Parkway terminates to address some signalization issues there. I was piggy-backing some basic counts on top of that. This data is raw data. There's no assessment of what you are looking at. It might be difficult to understand if you are just looking at the raw numbers.

Chairman Cookson

Are you able to provide an overall picture? I saw the strips being laid down on the Broad Street Parkway themselves. Do you know the other locations within the downtown that NRPC was counting?

Mr. Vayo

NRPC was looking at an area between the terminus of Broad Street Parkway, the Walnut and Chestnut Street areas near this Factory Street oval, some portions of West and East Pearl Street, and I believe a portion of Spring and Temple Streets.

Alderman Lopez

Did they study the traffic flow on Factory Street?

Mr. Vayo

I believe there's a count somewhere adjacent, if not on Factory Street. It escapes me whether or not there's one actually on Factory Street.

Alderman Lopez

I'd just express my concern that when Clocktower plugs that route off, so to speak, I'm concerned the traffic patterns may push more south and then there will be more people using Factory Street and maybe West Pearl. But also High Street, particularly. It's a street, but it also goes through parking lots on both sides. While it's technically a roadway, it's functionally a parking lot. People can drive through there. They may be focused on quickly getting to the oval or quickly coming from the oval. I would just encourage any city planning to not necessarily direct any traffic through those particular areas and focus on the larger streets.

Chairman Cookson

Are you suggesting that High becomes a traffic route?

Alderman Lopez

I would be concerned that traffic would shift to start using that as a quicker shortcut. People trying to cut through Factory Street from Main Street might come through that way. I just wouldn't want to increase the traffic volume moving to and from on High Street from people trying to cut that. I have at times seen people deliberately go up the one way street while coming out of the High Street garage, Harbor Homes parking lot, that shared space between them. They just went the wrong way up the one-way street because it was quicker and they thought they could get away with it. One of them started to go and his buddy honked at him and he pointed, and they quickly went the other way. I think people are looking for shortcuts. Rather than fight that trend, I'd rather we come up with a plan that gives them an easy way to get back and forth.

Chairman Cookson

I believe the direction that you see traffic flowing is off of Main Street in some way towards the Broad Street Parkway or to the backside of downtown.

Alderman Lopez

To be honest, I see it in both directions. At the moment all of the westbound traffic comes from Main Street going towards the Broad Street Parkway can take that shortcut with Clocktower and

they may try to figure out other avenues. I think people coming off of the parkway heading towards Main Street probably shoot straight into the oval and then down Water Street and Factory Street. That might be some of what contributed to the woman getting hit. They went through the oval, took a right turn, a little bit difficult to see around those corners and weren't paying attention when someone was trying to cross.

Chairman Cookson

Someone could just as easily take the front side of Clocktower. They would have to go over a few more speed bumps.

Alderman Lopez

I think that's the disincentive right now. There's actually a lot and traffic moving in and out of it. It's easy to shoot down the back.

Chairman Cookson

If I move a little bit further south, what's to keep someone from going through these two buildings? I'm not sure if you can get to Myrtle Street from the back of this, but I know you can get through this path between those two buildings. There's usually a cop sitting right there too.

Alderman Lopez

There's also different shaped intersection things. You have to kind of maneuver a little bit rather than just quickly driving through.

Chairman Cookson

I get your concern. We've got to understand where traffic is flowing. We've got to make sure that they are doing it in a safe manner and they are abiding by the speed limits that we have posted. At the same time, our pedestrians have to follow the rules of the road, and would strongly suggest that they use crosswalks versus j-walking. Everybody has to be aware. The pedestrian has to be aware. The driver has to be aware of the pedestrian. We need to make this environment as safe as possible. To you point, traffic calming measures and so forth, speed bumps behind which you indicated are being constructed by Clocktower, no city taxpayers dollars are going to that installation of speed bumps behind Clocktower. I think we've opened up the floor to is there any other things we should be thinking about, any other Lego heads that we need to put out.

Director Cummings

I'd be remiss not to point out that when the time is appropriate that you loop in DPW and engineering as part of this conversation because they would be an integral stakeholder.

Alderman Lopez

Is there a general timeframe for how long it will be before we get to the point where the city engineer could look at this? Two months?

Director Cummings

That's a great question. I will ask the Director of DPW and circle back to you on that. Now that we are very well aware of this issue, I'll make sure that we bring it to their attention.

Chairman Cookson

The two rotaries that we have in the city, one on Broad and one on South Main Street, I believe that both of those require the vehicle entering the rotary or the roundabout to yield to traffic that's already in the roundabout. This particular oval acts differently than that. It's those that are already in the oval that have to yield to traffic that's coming in from one of the side streets. If you're leaving here and take West Pearl Street, you've got a stop sign at West Pearl Street. But right here there's this little diamond that comes out and there's a yield sign for those people either coming into or coming around the oval to yield to persons that are entering the oval. Is there an opportunity there?

Director Cummings

That's a good point. We'll look at that.

Chairman Cookson

I'm not sure why this was created in such a way. Do we know what the history of the Hellenic Circle is and the oval and why the path or route is in such a way?

Director Cummings

I don't. I haven't heard the history on it.

Alderman LeBrun

I'm looking into the history of Hellenic Circle at this time. I have an interest in that property, and I'm looking into how it originated. What group originated it. What part the city played in it. As of yet, I haven't been able to get all the way back to the origin of it.

Chairman Cookson

We look forward to hearing that if you get to that point.

Alderman Schoneman

I want to go back to the point to bring in public works and the streets department. I think they ought to be involved, but we had a consultant come in to do the downtown circulation study. It might be worth it what it would cost to re-engage them now that the Broad Street Parkway is done because their primary comment was we need to see what affect the Broad Street Parkway has.

Chairman Cookson

The parkway, we've had open for about almost eight months now. It was opened in December of last year. There might be enough data to make projections, at least forecast additional traffic or peak hours, light hours.

Alderman Schoneman

One thing I noticed about Broad Street Parkway is, in my opinion, it appears to be underutilized. I asked the police department to do a traffic study on it back in March or April. I don't know what the projections for use were but the numbers are pretty small. It's about 1,000 vehicles a day, either direction, total. The speed was probably a little high because the road kind of invites it. When we do these counts, we find that 85 percent of the vehicles are at that speed limit or below. It's really a relatively small percentage that's just a couple of miles more and then it's very few that's much faster. I don't remember what the speed numbers were, I was more interested in the count

because count is utilization. What the Broad Street Parkway represents is underutilized capacity. We can start to make changes on Main Street and Canal Street or wherever else in our downtown flow, knowing as we create choke points to bring in some traffic calming, that some of that traffic that's choked out could go to the underutilized Broad Street Parkway. We should look for overall vision for downtown. From my sense, the Broad Street Parkway is underutilized. I'm a pilot. I'm a flight instructor. I'm flying overhead the Broad Street Parkway practicing landings multiple times a day. When I look down I can see Broad Street, itself, bumper-to-bumper. And I can look down and see the Broad Street Parkway with one or two cars on it.

Chairman Cookson

Downtown Specialist Vayo and I were having a conversation sometime last year or early this year particularly about High Street and just making it a pedestrian street versus allowing traffic on it or some version of that, very European, right? Maybe that's an opportunity to revisit something like that.

Director Cummings

I just want to say for the record, I think that's a wonderful idea. I'm excited to hear that. I don't think you have to go as far as Europe. I think you have a great model for it in Lexington, Massachusetts. In their downtown center what they did to create more of a pedestrian friendly way, they closed off some of their ancillary routes that feed into their main street area. I think High Street closing off is a great example of that here in Nashua. I think that's very forward thinking.

Alderman Lopez

The part of High Street from the parking lot to the oval seems like it was designed already to be pedestrian friendly. You have Nashua Wall on one side, you have a place to eat, the Courthouse Pizza. The people working at Harbor Homes probably go across a lot on foot. But on the other side of it you have a cab company that probably wouldn't love having their road shut down.

Director Cummings

To that point, I don't think you need to shut the entire roadway down. I think you could actually just close off access on Main Street. That would get you pretty far, and if you wanted to even go as far as looking at bringing it to the area of the taxi, I think that would be appropriate as well. I think this is something that should be furthered study to actually look at the implications and have a conversation about it. I just like the direction of the overall thought and concept behind it.

Alderman Lopez

It was my intention to bring this up as a discussion topic to avoid putting Band-Aids that get in the way later. I just want to make sure that we have the discussions going, that the city engineers are going to be looking at this, the streets department so it's not just a series of incidences that are isolated but the traffic pattern. There's more people going east and west than north and south in that area now.

Mr. Vayo

In the coming months we will be going through a process of designing way-finding signage for downtown. That will play into this as well.

Chairman Cookson

Hellenic Circle, we've closed off that north east side of the oval. You have to come to a stop and make a left at the T-intersection. I believe the last time we met we indicated that painting and

things like that would be supplied at some time right around now. Are we expecting to see some more action at that particular point in the circle? I believe that we had said that somebody was donating paint so I'm assuming paint is going to be applied to the roadway.

Mr. Vayo

The paint has been applied to the street prior to the planters being put down. I will be out there Sunday putting out some tables and chairs. Just today I had my first solicitation to make use of the space. Two actually. One from PALs and one from an organization that wants to have a cookout in the space. I also received today two commitments for donations for putting nice plantings inside the planters.

Chairman Cookson

We'll look forward to seeing something bloom in the near future at that portion of the circle.

Alderman Lopez

I already saw several flocks of Pokémon players on that oval.

Chairman Cookson

I'm sorry to hear that.

Alderman LeBrun

Does your map go over to Exit 5?

Chairman Cookson

Let me see if I can find 5 for you.

Alderman LeBrun

The intersection at the police department, just off of Exit 5. Riverside Drive and West Hollis is specifically what I am looking at. Further west, my complaint about traffic congestion, and I don't know if either one of the gentlemen can answer any of my questions is when you travel west on West Hollis Street, you have a two lane street. On both sides you have assisted living and residential areas. The left lane going west, there's a through lane plus a left turn lane. However, in less than 3/8 of a mile an individual in that left hand lane has to either cut someone off in the right hand lane who may be making a right hand turn because you have assisted living and also a chartered school and a medical facility or they come up behind someone trying to make a left hand turn. Any way you look at it, this is an absolute deathtrap. It's only a matter of time before there is serious fatalities on that roadway, especially in the evening when traffic is backed up all the way from Exit 5 to Riverside. Then they take off from Riverside literally spinning rubber to try to make one of those cutoffs to cut someone off before they come to the traffic light at Ledgewood Hills. I've talked to many department heads about this. They all agree with me that this is a bad situation, but no one does anything.

Chairman Cookson

Alderman LeBrun, I don't believe that this is the appropriate personnel to speak to with regard to this matter. I would point you in the direction of Public Works and Director Fauteux.

Alderman LeBrun

I've met with her a few times.

Chairman Cookson

I believe streets would have a piece of this as well. As we move forward and we start talking about the David Deane Skate Park and we invite these other personnel in, I believe that would be an appropriate time to have a public conversation with them, but don't let me hinder you from reaching out to them personally.

Alderman LeBrun

Absolutely not.

Chairman Cookson

I think with Director Fauteux, with her guidance, I believe she should be able to have a dialogue and conversation with you and engage the right people to address that concern. I don't know if it's a Board of Public Works conversation as well. I wouldn't think that it would be. I don't think that they have to make a decision on how to use the roadway. I think it's just public works and streets.

PUBLIC COMMENT- None

REMARKS BY THE ALDERMEN

Alderman Schoneman

Just going back to the hydroelectric contract, I appreciate the committee's indulgence letting Ms. Mineau come up and speak on it. As long as there's representation here, I think it's good for the public's benefit.

Chairman Cookson

I appreciate the suggestion, Alderman Schoneman. I think it was very appropriate especially for our viewing audience or anybody who might be reviewing the minutes at a later in point in time to actually hear the rationale or the reasoning why we're proposing to extend the purchase date through December of 2017.

POSSIBLE NON-PUBLIC SESSION

ADJOURNMENT

**MOTION BY ALDERMAN LOPEZ TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 8:07 p.m.

Alderman Sean M. McGuinness
Committee Clerk

From: James B. and Mary E. Cutter
86 Palm St., P.O. Box 69-Nashua, NH 03061. Ph. 889-4246
Dates: July 14, 2016
To: Alderman-At-Large Mark Cookson, Chair,
Infrastructure Committee
Cc: Jim Donchess, Mayor, Steve Bolton, Corporation Counsel
Subject: Notifying the Gilbertsons they are violating RSA 635:2
Criminal Trespass.

Dear Alderman Cookson,

On 11/23/49. Article IX-Admin., Sect. 36. Plats. was approved with 'All applications for building permits shall be accompanied by a plat in duplicate, drawn to scale, showing the actual dimensions, etc.'. N.B. Actual dimension is one side of the deed measurements.

On 5/12/50. A building permit was given to Leo Caron of 88 Palm St. with 53.57' along Palm St. when his actual dimension was 51'. The bldg. inspector ignored the above Plat ordinance. Leo Caron took the 2.57' gap aside of 84 Palm St. and added it to the 51'.

On 2/17/62. The Desrosiers Family had lived in our house for 20 years and as a result, we do not have a 3' long gap in our deed.

Note. RSA 508:2(I) Real Actions(Adverse Possession) 'No action for recovery of real estate shall be brought after 20 years', etc.. Our deed begins east side of Palm St., goes east, south, west and north to the beginning. The old gap was at end of last dimension.

On 1/12/68. James L. and Annette R. Gilbertson bought 88 Palm St. not aware 86 Palm St. had been cleared of any gap. They did not know our front steps had been in the gap too far away in the deed to be made part of their property.

On 5/13/71. A building permit was given to Jim Gilbertson of 88 Palm St. that was added to the 1950 permit for Leo Caron giving Gilbertson the impression the City thought he owned part of our driveway and clothesline area.

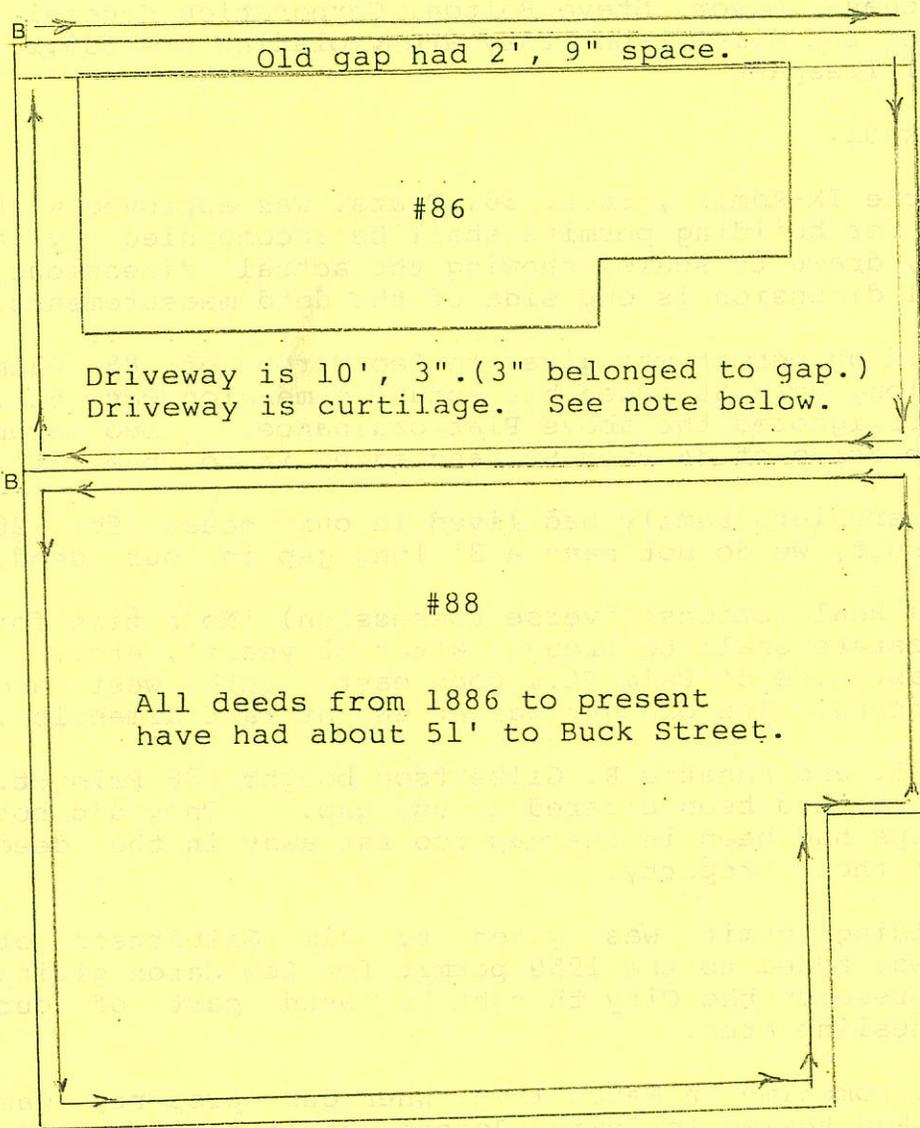
With that in mind, sometime in March 1973, when our property was vacant and ground had thawed following Joseph Desrosiers' passing on 12/23/72, Jim Gilbertson installed a fence to match the false actual dimension on his 1971 building permit.

In September 2006, I asked Angelo Marino of the Assessing Dept. to have the 88 Palm St. Tax Map corrected to read 51' and it has been that way since 2007. We are paying the property taxes on our driveway and do not want the Gilbertsons trespassing on our land.

Sincerely,



(Over)



Note. Curtilage like government property, public land and railroad land are exempt from adverse possession with no statute of limitation.