

COMMITTEE ON INFRASTRUCTURE

JULY 27, 2016

A meeting of the Committee on Infrastructure was held Wednesday, July 27, 2016, at 7:03 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 Richard A. Dowd
 Alderman Tom Lopez (Arrived after roll call at 7:10 p.m.)

Also in Attendance: Alderman-at-Large David W. Deane
 Alderman Don LeBrun
 Mr. David G. Fredette, Treasurer

PUBLIC COMMENT

Ms. Paula Johnson, 15 Westborn Drive

I have a question. I have a lot of comments to make about the David W. Deane Skateboard Park. Are you going to be opening it up for comment again after the presentation?

Chairman Cookson

I am not sure that there is a presentation this evening.

Ms. Johnson

I'm not very happy about where this skateboard park is going to be located. I brought my concerns last night to the Board of Public Works meeting. I live in Ward 5 and nobody was notified because there are not really direct abutters into the neighborhood except the Y, Stellos and maybe the Pratt Home. When they built Stellos I was on the Board of Education and I protected the neighborhood. We had promises made and broken by Mayor Streeter. We were told that there would never be a marching band there because of the noise and that was broken. How many of you walk in Mine Falls?

Chairman Cookson

Mrs. Johnson, this is your opportunity to make statements and not a question and answer so I don't expect that any member of this Board will respond to any questions that you may pose at this time.

Ms. Johnson

That's why I asked if there will be a period to ask questions with this whole thing because I never knew this was coming before the Board and I kept asking about infrastructure for months; I even asked Director Fauteux and never knew anything about this and never saw it in the paper. The neighborhood was left out in the dark again. I have questions and I'd like answers on it. That's why I am asking how many people go walking in Mine Falls, especially down by Stellos Stadium because of the fact that where this is going to be located and last night I showed the pictures of the area is in the cul-de-sac. This cul-de-sac here goes into the entrance

Mine Falls. These are some pictures on the weekend, it's very congested down there and we are just going to add another piece to the landscape. That particular entrance into Mine Falls is also the boat ramp and people can't even walk on that road to go in there because of the congestion of the traffic coming in and out. So we will put a skateboard park there. Why, so we can get rid of the bond faster because that's the plan. If the bond goes then that whole thing opens up to Conway Ice so they get another sheet of ice. This picture is of the parking around the cul-de-sac. I do my homework and look at this; they are going to move all of this so there is a skateboard park. When the traffic tries to get in and out to the boat ramp, are we going to move the boat ramp too? I want people at home to be able to see what's going on here. I am going to ask if this could be tabled so my Alderman who is Don LeBrun can have a Ward meeting and get people together because he was supposed to have meetings and they got cancelled and the meetings never happened in May. We used to have a quiet neighborhood. I guess I am a nimby because I listened to Commissioner Bergeron last night saying his neighborhood had the high school. I fought against that high school going into a neighborhood. We have the high school south and we know what the kids are like when they get out of the high school, there are always accidents. We've got the Y, we've got Stellos, we've got Conway Ice and then we are going to have another sheet of Conway Ice. Now you are going to put kids in the middle of all of this in a skateboard park. I find it very hard to believe that there was no place else to put it. I remember when you were going to put it where the Broad Street Parkway is, people came in from that neighborhood and were outraged and that got dismissed. But because nobody else knew about this, there is nobody else here except Mrs. Johnson again. The lack of the neighborhood participation, Alderman LeBrun asked for meetings, the geographic area; I asked Director Fauteux today, what is the geographic area from where these kids are coming from to skateboard. Why wouldn't you try to keep the park near where it is now and when is Renaissance going to build? We have kept hearing for years and years that Renaissance is going to build and we had to move this and now all of a sudden there is this urgency that it has to be moved because they are going to build now. Secondly, what is the real cost for this? I know the cost right now \$537,854 which is from an expendable trust fund, 5704; where did that money come from and how much is it going to cost to actually build this? The city gives us one figure; like we bought the old Ingersoll-Rand building and it was like \$4 million to buy and then it cost us \$10 million. Every time government gets involved the cost goes up. How much is going to come from the taxpayers? Why didn't they have someone from the neighborhood serve on the committee to get their input? We've been blind-sided. Why did the Board of Aldermen give up their authority to BIDA which is just an appointed Board and not an elected Board that doesn't have to take the heat for any of this? We vote you people in to represent us, you get paid with our tax dollars with you stipends and then you give your authority to somebody who isn't even elected but appointed by the Mayor and it's who they like. Most of the appointments on there were from Mayor Lozeau.

Alderman Deane

Point of order, Mr. Chairman.

Ms. Johnson

You can't do point of order.

Alderman Deane

I am sitting here listening and I don't need you...

Chairman Cookson

Alderman Deane, we are just going to let Ms. Johnson finish her comments.

Ms. Johnson

I don't need someone smirking at me.

Alderman Deane

Ms. Johnson, I was not smirking at you.

Ms. Johnson

What are the hours of operation? Alderman Deane said last night that the lights are on at night at the other park. With late hours of operation are you going to be disturbing people at the Pratt Home? Nobody talks about our senior citizens who live in these buildings, there's no concern for anything. Again, what part of Nashua do the skateboarders come from? I'd like to know. Why don't we make, to defer to cost, why doesn't this become a membership skateboard park like we do at the dog park. I think you are taking a round peg and putting it into a square whole in this area because of the traffic pattern over in that area too. What are the rules and regulations of the skateboard park? I also just wanted to say that I made calls to some of the Aldermen and I wish that they would have called me back to discuss this with me prior to this meeting, it would have been nice. I shouldn't have to be chasing aldermen. When you are going to be putting things in neighborhoods you really need the input of the neighborhood and you really should add people to a Board that's going to be looking at areas. What's the difference? What's the bad thing about finding out if there are any constituents that want to go on any of these committees in the area; that they will represent the Ward as a constituent and not just as an elected official because we, the people, look at things differently than elected officials and this is really a shame. That are is getting squeezed and squeezed because it has to be the athletic complex. Streeter started, Lozeau continued it and now Donchess is going to finish it off so I am hoping there are some answers to my questions and I hope you will give us a chance later on to respond.

Mr. Jim Cutter, 86 Palm Street

Mr. Cutter read aloud a letter dated July 27, 2016, addressed to Alderman-at-Large Mark Cookson, Mayor Jim Donchess and Attorney Steve Bolton. The letter is attached to these minutes.

Mr. Brian Fisk, 228 Daniel Webster Highway

I managed Eastern Border in south Nashua. I am here to help clarify some of the issues with the skate park. I am in support of the site location. I am on the committee and we have been working on this for a long time. Comments about constituencies; when you don't have a site you can't have a constituent come down and participate. I can probably think of four articles in the Telegraph and two in the Union Leader that spoke about the skate park going as far as to have footprints shown as graphics at the site we are looking at now that were just mock ups that got to so many people that people came to Eastern Border to question if this was happening. The reason that we are here is that the city needs the skate park. We brought the park community together to try to figure out the relocation because this is what was good for the city. We worked with the Director of Economic Development, Nick from Park & Rec; we came into this with a 1,100 signature petition to make sure that park was not going to be removed without a replacement. We have looked everywhere in the city and we have the issues of contamination. We needed a piece of land that wasn't economically viable for the city. The sites presented were either swamps or on a hillside and were unusable because of ground water, ledge and other issues. When it came to the site; if you look at a satellite picture of it it's potentially one of the most buffered sites that we looked at because it doesn't encroach on the land of Mine Falls. It is in that cul-de-sac area but that's basically the end of the line. It's completely insulated so it should not bother anyone. You can also see from a satellite that it's nothing but parking. That was one of the other real attributes of the site; we didn't have to use the funds to build a parking lot. I think \$180,000 of that money has come directly from the cell phone tower that we decided to put in on the land at the other skate park when it was built. The location is in a stone's throw of both high schools. If you live on Exit 4 you can come up Northeastern Blvd. The city bus goes everywhere and it certainly goes there. If you live on Broad Street where it's hard to get anywhere you can come through Mine Falls on a bike or a skateboard. It's probably equal distance from this area downtown as the other park is. It's a little troubling to read in the paper that skateboarding...people sort of want to put it in

this inner city type of place. I think if you build a skateboard obstacle in the inner city you are going to see inner city kids there, however, the skateboarders in this town and there are a lot of them, they are not centrally located. I grew up on Exit 4 and Exit 5 is about as central as you get. You don't drive through a neighborhood to get there, you come right off of the highway and there's plenty of parking. I don't even think noise would be an issue because there is so much around it. Safety concerns...the police department is right there. Everything about this location makes sense but most importantly it was chosen because it was workable and it could be used. We have personally put in hours into designing the Broad Street Parkway spot before that got shut down. We had another proposed spot that we thought we were going to get a green light on. This doesn't happen overnight, there is a lot of design in effort involved to bring a first class facility to Nashua. This also is a very important and positive outlet for younger people. People who have a tendency to have a negative opinion about the skate park because they see younger people over there well younger people live in this town. I come into contact with so many parents and it's like this is not video games or walking around with an app on your phone. It's a creative, individualist, not everybody makes the team type thing that happens in this town. If you listen to the problems that are plaguing our state, young people could use a positive outlook. Why not have them at the skate park. If they skate when they are young and things go wrong and I've seen this at the shop, they come back to what made them happy when they were younger. It isn't inner city kids alone. I mean we could have flooded this place in support but that's not what we wanted, we wanted our facts to be heard with the reason that we came to this decision. It was well known; people would constantly call and ask about it. These are guys in their 20's with jobs and grew up around here; it's a culture. We would like the city to support itself in this respect. What you probably have are more individuals that are willing to get involved on their own free time and put forth phone calls and design and e-mails and discussion. When they are going to build a new baseball field people are not going to come out of the wood work for that they just do it. I just want to counter the fact that skateboarding is not an inner city thing, this is Nashua. It's not really even the environment of this time and what we intend on doing on that site is something that will eventually become a real asset to the community. As a skateboarder I have two interests, to make sure that it gets built right and not going out to bid to somebody who just wants to build it and they don't know what they are doing and two, to set the example for all of these other towns who have wasted hundreds of thousands of dollars on skate parks that are awful. The whole northeast is plagued by it and the rest of the country does it right. We can make way for the boat launch and work around things like that because they are important too. We just want make sure that it doesn't get marginalized because of some opinions by people who really don't know anything about it. I don't even think this affects the neighborhood, you get off of Exit 5 and you turn right by the police department and you are there.

Mr. Heath Gaffney, 27 Cathedral Circle

I am the Vice Chair of the Business and Industrial Development Authority. Kids need outlets and this is one of the better outlets that team sports don't get involved with. From a BIDA perspective there have been countless discussions on five or six different locations for the skateboard park. The importance of moving this park from a business and industrial development perspective is the tax revenue that the land that we have owned since the 1930's and it would be great to start producing something for the benefit of the city on that location. I've been in the BIDA for almost five years and they have been working on developing this land for over 12 years and it is very close to that breaking ground point. Moving the skate park has been a known element since I have been involved with BIDA. I think there were two locations Ward 1 that they took a close look up. I would be happy to give up back yard to give those kids that outlet. There are multiple phases in this project and in the first phase alone we would be looking at about \$200,000 per year in tax revenue for the city. As a person that lives in this city maybe it would keep my taxes from going up one year and that would be fantastic.

Ms. Johnson

Once the location was chosen, why couldn't they get someone from that area to become part of the Board? Yes the police department is over there but you don't get the police that quickly even if you get hurt over there, they still have to send the call out. With respect to the neighborhood we are just right through the woods and that's where the neighborhood begins. I guess what troubles me is the fact that again, people were left out of the process and once that was found out we should have been brought in. Why don't they have someone from the public on this Board? It seems like we just heard from the skateboarding community but why didn't you have people from the public on this? When they look for a superintendent they get the public's input. This is a project that goes into neighborhoods and my biggest thing is that you are taking a round hole and putting it into a square peg. In that area you've got the cars that are going through into Mine Falls and I can't see that this is going to be workable with all of that congestion and traffic. It's just more traffic that's going to be dumped on West Hollis Street; we have enough problems on that. Even when you get off the highway traffic backs up for miles now.

COMMUNICATIONS

**MOTION BY ALDERMAN DOWD THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE INTRODUCTION OF A COMMUNICATION RECEIVED AFTER THE AGENDA WAS PREPARED
MOTION CARRIED**

From: Celia K. Leonard, Esq., Associate Corporation Counsel
Re: Amended R-16-053 – Authorizing the Sale of Surplus Broad Street Parkway Property

From: Mr. James B. and Mary E. Cutter
Re: City Traffic Patterns

MOTION BY ALDERMAN MCGUINNESS TO ACCEPT AND PLACE ON FILE

ON THE QUESTION

Alderman Dowd

Is this related to the authorization of sale of surplus property that is on our agenda which is R-16-050 because she is quoting R-16-053?

Chairman Cookson

It is so we should just take note that R-16-053 that she references within her communication is actually with regard to R-16-050.

MOTION CARRIED

PETITIONS – None

UNFINISHED BUSINESS – None

NEW BUSINESS – None

TABLED IN COMMITTEE

Chairman Cookson

Does the committee have a preference on which of the two tabled items we should take up first, the surplus or the skateboard park?

Alderman Lopez

Maybe the skateboard park because there are people here from the public to comment on that specifically.

Alderman McGuinness

I would concur with Alderman Lopez.

Chairman Cookson

I agree but I was thinking that the Broad Street Parkway conversation might be brief but I am fine either way.

Alderman Schoneman

I appreciate the order that's on the agenda but I think the discussion on the surplus property may be brief.

Chairman Cookson

I believe we share the same mindset Alderman Schoneman.

**MOTION BY ALDERMAN MCGUINNESS TO TAKE FROM THE TABLE R-16-048
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 7/26/16 agenda
- Held in Committee – 7/14/16

MOTION BY ALDERMAN DOWD TO RECOMMEND FINAL PASSAGE

Alderman LeBrun

As a non-voting member of this committee I would like to speak on my opposition to this. We heard all sorts of statements about being the most buffered area; that's one of the most ridiculous statements that I have ever heard. There is no buffer in this area. This area is already polluted by illumination, noise and there is elderly living housing within less than 500 feet of Stellos Stadium. We already have congested traffic that even the

traffic department cannot figure out what to do. On a daily basis they change the pattern. This does not belong in this area. Last night all I heard was we looked at so many different areas. I tried to find out what areas last night and I was told it doesn't matter. It does matter to the people who live in this area. I don't see any Aldermen jumping up saying I love this and this will be great for the city so put it in my Ward. I see everyone saying no, shove it in your Ward, and shove it down your throat whether you like it or not. That's exactly what is happening here.

Alderman Lopez

Just for the record we have a skate park in Ward 4 which does really well so I would have no objection to putting it there. However, my understanding is that the concerns are with regard to the traffic pattern and to the immediate neighborhood. I was wondering since you brought the screen down if we could look at the space and if it would be appropriate to invite anybody who was on the committee for selection to come and join us to speak to its points.

Alderman Deane

I wanted to clarify my position. The traffic issue that has been brought up by people tonight has nothing to do with the skateboard park, absolutely nothing. That's located further down the road after the Pratt Home on the left. There has been a traffic pattern change down there, there have been arrows put in but that has no bearing on the skateboard park location.

Alderman Schoneman

In the resolution it talks about additional parking and right now that circle seems to have cars parked on it so is there going to be additional parking and where is that going to be? Secondly, how many people drive to the skateboard park as opposed to bike or skate there?

Alderman Deane

At the current park we have probably around 18 to 20 parking spots and more often than not they either come in groups or they are on foot, on a bike or the bus. Those parking spots aren't going to be replaced, we are going to put some parking in for this but it is going to be minimal. More often than not a lot of the users of the facility will walk there or take the bus. Parking has never been a big issue at the existing park. The only time you will see anything like that is if they bring in some renowned skateboarder that draws a crowd.

Alderman Schoneman

How about access to the boat ramp? It looks like the skateboard park is going to be built where there is currently an access to a boat ramp. What will be the effect?

Alderman Deane

Can we have the Director of Public Works come up?

Chairman Cookson

Of course and can we have Director Cummings as well please.

Ms. Fauteux

The access to the boat ramp will not be affected. We are going to replace all of the existing parking close to where the current salt barn is. We will have more parking that actually exists now, the magnitude of about 15

to 20 additional spaces.

Alderman Schoneman

Would the addition of the skateboard park have a negative impact on streets and in the event that streets is unable to move to Burke Street is streets going to be okay at this location even if there is a skateboard park?

Ms. Fauteux

Yes, absolutely.

Alderman LeBrun

Again, I don't think there has been enough input from the residents of Ward 5 and I don't think that Alderman Deane, in particular, is aware that no longer is this a rural route. This is a residential area; there are residences on both sides of the street and behind Stellos Stadium. It is no longer a farm area which you seem to think it is. That's not the case anymore. The traffic that you are talking about being so far away is not that far away; it's within 200 to 300 feet of Stellos Stadium.

Chairman Cookson

Alderman LeBrun, pardon the interruption, but if you would address your comments to the committee and not a particular individual it would be appreciated.

Alderman LeBrun

Thank Mr. Chairman but I had to respond to a statement that was made. I tried to respond to some of the statements that were made last night at the meeting and I was told that it didn't matter.

Chairman Cookson

Alderman LeBrun, I am happy for you to respond to any comments and any statements that you need to make. What I am asking is that you don't direct them to another individual on the committee or present here this evening. If you would like to address them you may do so through the Chair but you will not respond to them directly.

Alderman LeBrun

I believe I did respond through the Chair as I said "thank you, Mr. Chairman," and then addressed Alderman Deane.

Chairman Cookson

You have to ask for permission to ask to respond to Alderman Deane. If you would like to make a comment, make the comment, otherwise I am not dealing with this.

Alderman LeBrun

Thank you, Mr. Chairman.

Alderman Dowd

Without indicating one way or another, I wanted to add that I go by the existing skateboard park a number of

times per week and there doesn't appear to be loud noises and there doesn't appear to be loud noises or parking issues. The few times I stopped you couldn't even hear the sound of the skateboards from the street which is fairly close. I've never seen a significant number of cars parked there. I think you might find that the kids that drive are finding other things to do. Also at Exit 5 the police department is there but if somebody gets hurt I doubt the police will respond but the ambulance service is also right there. I want to hear the rest of the testimony but I don't think that a lot of the concerns that have been raised have any validity yet.

Chairman Cookson

With regard to emergency services responding, if there were a situation in which someone was injured, if they placed a call to 911 the response would be the closest EMT, fire station as well as police. All three are notified so all three would arrive in bulk.

Alderman Deane

I don't know the exact time but by ordinance our parks close at 10:00 p.m. The \$537,854; out of that \$287,854 of that was raised through cell tower fees on the site and that, from my discussions and understanding, that cell tower money is going continue to go into that same account to be utilized even though the location of the facility has changed. The posting of agendas and the idea that the public wasn't aware of any of this, we followed the right-to-know law and all of our agendas have been posted on-line as well as two other locations. In fact, this was tabled on the 14th and taken off of the table this evening. It has its first reading at the Board of Aldermen meeting so it has been out there. We have been working on this for the last three years. We did try another location but it wasn't feasible and this is the one location out of the three we looked at on the site where there was no remediation work that needed to be done. Kids have a lot of opportunities and sometimes they don't make wise decisions and I think the one thing with the existing park that has happened is that a lot of these young people have gotten to know our police department and understand that they are not the enemy. Some of the officers that I talked to loved going over there and talking to the kids. You have to give kids and young adults a place to go and things to do. The cost of incarceration is...not only what it does to somebody's life but if you can do something to stop a lot of that from happening it's a good thing for a community to do. We looked at a lot of sites, designs and sub-surface issues without getting into any heavy geo tech stuff and what exists in this one spot we don't have the water table issues or the ledge issues. When you look at remediation you could choke through a lot of that money in short order. We have also been in touch with an individual who has looked at a lot of this already. We've been e-mailing back and forth showing them different findings on the sites. I tried to explain the government process with them but they really didn't really want to pick up on any of that they just said when things are ready to go then let us know. They have been very helpful. A lot of people have taken a lot of time out of there life to date on a lot of this. It wasn't just thought up yesterday. I can tell you this much, I'd rather not move the existing park. I'd rather take this money and add to it but a decision was made and with that decision come the movement of it. I don't feel there is going to be a large net effect where we are going to locate this. I think it's a nice site. We did look at what parcels the city owned and it's a limited amount of money that we have to work with and when you start to get into remediation we could end up with nothing. I support this obviously because I brought in the legislation with the Mayor and I've got eight other co-sponsors and I'm not going to use the Renaissance issue as pushing us but we've been at this for almost three years.

Chairman Cookson

I know that when we spoke about hours of operation we identified when it closes at 10:00 p.m., is there a time when it begins? With the hours for our parks, is it sunrise or is it 8:00 a.m., do we know?

Alderman Deane

It used to be dusk to dawn.

Chairman Cookson

We do know that the lights go out at 10:00 p.m.?

Alderman Deane

Right.

Chairman Cookson

Can you talk a little about who participated in the committee?

Alderman Deane

Sure, we had myself, public works Commissioner Bergeron, Director Fauteux, Tom Galligani who was the economic development director and James Powers and Brian Fisk from Eastern Boarder as well as Nick Caggiano from Parks and Rec. In the beginning we did have Shawn Smith from the school department but we didn't pursue any of the school sites so Mr. Smith was relieved of his duty. There was also "Earl the Pearl" who worked at Eastern Boarder.

Chairman Cookson

Okay so you had various people from the city and then you had three members from the skateboard community.

Alderman Deane

Their tentacles got out to other parts of the community who knew design and things like that.

Chairman Cookson

I know that we've made reference to several sites, whether it is a dozen or whether it is six and now we are down to just a few. There was one that was referenced that was near the entrance to the Broad Street Parkway, was that ever taken before committee?

Alderman Deane

Yes it was. There were concerns from some of the neighbors but there was more of a use of that land that could be used for economic development which was a major argument and there were also safety concerns raised.

Chairman Cookson

I also think we made reference to the cul-de-sac near the salt barn and the Y and Stellos. The cul-de-sac itself and I saw a suggested image in the Union Leader, this potential skate park would take over part of the cul-de-sac.

Alderman Schoneman

I assume the hours are the same year round but are their rules and regulations...

Chairman Cookson

We are having some issues with the audio so we will take a five minutes recess. Committee recessed at 8:00 p.m.

**MOTION BY ALDERMAN DOWN TO TAKE A FIVE MINUTE RECESS
MOTION CARRIED**

Chairman Cookson called the meeting back into session at 8:05 p.m.

Alderman Schoneman

I was asking about if there are rules and regulations regarding noise.

Director Fauteux

I don't know the answer to that but I will look into it.

Alderman Deane

We did put some rules and regulations down there but the facility was self-policed, we didn't have a taxpayer funded employee on call. The other thing about the park is any and all of the repairs if they weren't done voluntarily by some of the skateboard community that can work with concrete, lots of times people would donate their labor and the materials are purchased with the cell tower account money so it wasn't taken out of the tax base.

Alderman Schoneman

This new location would be close to the police department and I think that's a good thing. Do we have any information on how many calls there were to the existing skateboard park and were there activity that required frequent police calls?

Alderman Deane

I have no idea; I can think of just one but I don't think there was a frequency but I can find that out.

Director Fauteux

I did ask the superintendent if he were aware of any instances and said there were very few but we can follow-up on that.

Alderman LeBrun

Mr. Chairman, this was thrown in my lap in February of this year. I was not even aware that this project was in the works before that. I have not had the chance to go back and look at any minutes of any meetings that were held to look into this with any more detail. I would believe that it would be at least respectful for this Board to delay this and give me time enough to go back and look at transpired for three years before it was thrown in my lap.

Alderman Lopez

The skate park that we have in Ward 4 there are residents living right on top of it. Most of Palm Square Apartments have a direct view of it and Ash Street itself is pretty densely populated and I'm not aware of any

particular noise complaints coming from the skate park itself. It seems like the people there are focused on positive activity. I keep hearing references to it would be good if the police were there and I just want to clarify that I am not aware of the skateboarding community in Nashua being an epicenter of crime. The park that we do have on Ash Street happens to be by the Police Athletic League and they get along with the staff over there. I think half of the kids over there are PAL kids. I just wanted to clarify that we do have one in a densely populated neighborhood and it doesn't seem to be causing particular amounts of trouble.

Chairman Cookson

The motion by Alderman Dowd is to recommend final passage to the full Board.

Alderman Schoneman

Putting a facility anywhere in the city can be very challenging. There are difficult concerns to address and when I look at this site and I am completely respectful of all of the comments that I've heard, it looks like we have a location here that's not taking something from the tax base and does have some natural buffers like the river and the woods and other industrial facilities that are not immediately adjacent to someone's yard; like the streets department and the stadium. This site to me looks pretty good.

Alderman Lopez

I understand that practically speaking as an Alderman that we have to look at the economic assets that our city has but I also think it's important that when we try to develop a skate park that we pick a location that is suitable to the skate park's needs. I think it's important to find a piece of property that fits the needs of the skateboarding community and I think the committee did that by including Eastern Boarder and the skateboarders in the city. It also seems like the committee recognized the needs of the city. Personally I am hesitant to revisit all of the decision making of a committee that was assigned to work on this project. My original concern was that I was not familiar with the reasoning behind it but I am told that there was a study done. I am inclined to have faith in the committee that we appointed.

Chairman Cookson

Director Fauteux, I believe that earlier this evening that you made a statement that the location of this skate park, if this is the location, would not impact egress to or from the boat ramp or entrance into Mine Falls.

Director Fauteux

That's correct.

Chairman Cookson

Can you explain that?

Director Fauteux

The only thing that will be impacted will that cul-de-sac where the parking currently is. As far as the access to the boat ramp it won't be impacted at all.

Chairman Cookson

I am happy to share the diagram that Alderman Deane shared with me. It appears that there is corner that goes over this 10-foot wide gravel trail which I believe is the roadway that goes into the boat ramp area.

Director Fauteux

If there is a trail there then we can relocate that but I am not aware of that. There should be no impact to what already exists. We haven't done a final design yet it's just conceptual right now. It will all be addressed during the final design process.

Chairman Cookson

I also made a note here that the current park had 18 to 20 parking spots and there will be 15 to 20 additional spaces. If you remove the cul-de-sac and the parking associated with it where do the additional spaces come from?

Director Fauteux

Right behind the salt barn and the old traffic building and it will be paved.

Chairman Cookson

Alderman LeBrun had made a request to delay this just a little bit longer so he could have additional time. No motion has been made but I just wanted to give that opportunity to a member of the committee.

MOTION BY ALDERMAN LOPEZ TO TABLE UNTIL THE NEXT INFRASTRUCTURE COMMITTEE MEETING

Chairman Cookson

If you change that to a hold instead of table we could have a brief discussion.

Alderman Lopez

Then I would prefer to hold.

Alderman LeBrun

I just wanted to state, Mr. Chairman, that you stated I was a member of this committee and I am not a member of this committee.

Alderman Dowd

I would like to find out just what the time phasing is for Renaissance and how long it would take to put the new park in. Is there any urgency that we would be bumping into if we delay this?

Director Cummings

Time is of the essence. We are still working out the details but we are working with a plan that would allow us to close on the site in the fall timeframe and we need to have this issue worked out so the delay really would not be beneficial to us. I don't know any new information that could come to light and I would respectfully ask that with all of the evidence submitted thus far that the committee does act this evening.

Chairman Cookson

I am looking at the calendar briefly. Is there a single Board of Aldermen meeting in the month of August?

Alderman Deane

Yes.

Chairman Cookson

So even if we took this up on the 10th of August, we wouldn't have our next Board of Aldermen meeting until the beginning of September; I believe September 13th.

Alderman Deane

I would ask the committee not to support Alderman Lopez's motion because what has transpired to date and the amount of work we have done on this is public information. I don't know what people are searching for but at the end of the day we have to move the facility. I would ask the committee to send the resolution on to the full Board and our next meeting is on August 9th and between now and August 9th it will give my colleague, Alderman LeBrun plenty of time to do his research and it can be discussed at the full Board and if the full Board wants to re-refer it to committee then they can do so but I would ask that it not be tabled and that it be sent forward to the full Board.

Alderman Lopez

Can I ask through the Chair if Alderman LeBrun will be able to do his research by then?

Alderman LeBrun

I can certainly try, I don't know that I can complete what I am looking for because I still think this is something that is being rammed down people's throats without due diligence.

Chairman Cookson

In my prior time on the Board, when we were told that Renaissance downtown was looking at this location off of Bridge Street to do the development my understanding was that Renaissance was going to contribute some amount of money. In addition to that comment, when you do a search for the David W. Deane Skateboard Park on Google you find a YouTube video that was generated by somebody at the skateboard store.

Alderman Deane

That's the world famous Earl.

Chairman Cookson

Earl enlightened this afternoon because I watched the video again and in particular he said, man that David W. Deane is pretty smart because in that legislation that he wrote a long time ago he said that whoever buys that land is going to contribute money toward the rebuilding of the skate park. I want to know what happened between then and now to where I don't believe that Renaissance is contributing any dollar amounts to the rebuilding of the skate park and in fact, in addition to the money that was generated by the cell tower, I believe that there is probably an additional \$300,000 or there about that is within this expendable trust fund. The expendable trust fund has a value of \$538,000 so I am supposing that \$250,000 is taxpayer money.

Alderman Deane

That was done through a resolution and I believe you were on the Board when that happened. It was a transfer from contingency.

Chairman Cookson

Okay so we've got \$538,000; why isn't Renaissance contributing to this project?

Director Cummings

My understanding is that idea had never been contemplated and was not part of the agreement that was established and Renaissance has not expressed a desire or an ability to do that thus far. We have a responsibility per the agreement that was executed that we would actually undertake the search of moving the skate park.

Chairman Cookson

We the city, have a commitment with which agreement, with Renaissance?

Director Cummings

With Renaissance to go through the process of trying to use the skate park.

Chairman Cookson

And that agreement was negotiated by whom? Was it by legal or BIDA?

Alderman Deane

It was in a resolution that was voted on by this body.

Director Cummings

To that point I don't know the timeframe of that but I understand it was quite a while ago.

Alderman Deane

There has been a lot of talk about Renaissance making a contribution and that didn't happen. They weren't legally bound to it through the agreement that was executed. They weren't legally bound to anything outside of participating...the BIDA played a role with then economic development director Tom Galligani on process and skate park relocation but monies were never made a part of it. There are a lot of people who wish there were but that didn't happen. The Board voted on a couple of pieces of legislation associated with this project and gave BIDA the authority to market the property as well as the agreement that was executed with Renaissance. We can sit here and rehash and say they should have contributed but in essence it was the Board of Aldermen that decided they wanted to market that property and get in on the tax rolls and get it developed and I believe as was mentioned earlier about a \$200,000 plus contribution that will come from the assessment on the properties when they are completed.

Director Fauteux

I wanted to add to Director Cummings' statement that I am contacted almost weekly by corporation counsel about when the skate park is going to be moved and they have asked that it be moved by the end of this year and as it's not even been designed yet time is of the essence. I would respectfully ask that the Board take action as that would be very helpful.

Chairman Cookson

If this particular site location isn't approved for whatever reason, what is the location that the skateboarders will go to or utilize if there is not one in the City of Nashua?

Alderman Deane

I can't give you a similarity but whatever the city had to offer would be over in Alderman Lopez's ward which is Ward 4 which isn't even a comparison.

Chairman Cookson

I am asking if Mr. Fisk...

Alderman Deane

The understanding was that the new facility would be constructed prior to the old one being removed.

Chairman Cookson

Understood, I am just asking if it doesn't get built for whatever reason, I am asking what is the next closest facility that is of similar quality, size or offers the same type of things that are currently at the David W. Deane Skateboard Park.

Mr. Fisk

Boston would be the closest one that would be comparable. There is a concrete park in Pepperell that's probably 25% of the size and Manchester; you can't even skateboard there because it's a total disaster. There are a few metal parks but nothing that offers concrete or the shape at all.

Alderman Dowd

I think your discussion on the hold is getting a little longer than we anticipated.

Alderman Lopez

Can I withdraw my motion?

**MOTION BY ALDERMAN LOPEZ TO WITHDRAW THE MOTION
MOTION CARRIED**

Chairman Cookson

Since Alderman Lopez withdrew his motion we will return to the motion by Alderman Dowd for final passage.

MOTION CARRIED

Chairman Cookson

Alderman LeBrun, please let me know if you need any assistance. I am certain that Director Fauteux and Director Cummings will provide any information that you may request prior to the next full Board meeting on the 9th of August.

Alderman LeBrun

Thank you, Mr. Chairman; I believe all decisions have been made.

**MOTION BY ALDERMAN MCGUINNESS TO TAKE FROM THE TABLE R-16-050
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

- Tabled in Committee – 7/14/16

MOTION BY ALDERMAN DOWD TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Chairman Cookson

Treasurer Fredette, we received a communication earlier from Celia Leonard and it makes reference to amending R-16-053 authorizing the sale of surplus broad street parkway property but I believe it is actually in reference to R-16-050 so within the subject line in her memo it is incorrect but we are using this as what we are basing our discussion on this evening.

Treasurer Fredette

Yes.

**MOTION BY ALDERMAN DOWD TO AMEND R-16-050 TO ADDRESS THE PARCELS AS STATED IN
CORPORATION COUNSEL'S MEMO DATED JULY 22, 2016**

ON THE QUESTION

Chairman Cookson

Treasurer Fredette, we've got three properties or portions thereof that are identified; 44 Broad Street, 73 – 75 Broad Street and 11 Baldwin Street and we also have 2 Pine Street Extension and Alpine Street. Would you please walk us through these properties?

Treasurer Fredette

As you probably know this is not the first type of these resolutions, actually I think it's the third one in the past couple of years and probably the last. 44 Broad Street is actually a vacant lot, it's quite large and it's known as Plywood Ranch and that is the biggest parcel. 73 – 75 Broad Street is just a small triangle and the abutter will probably want it more than anyone else, you can't build on it but there is a home that abuts it. 11 Baldwin Street has a home on it that was built about 12 years ago and I have a list of people that are interested in that property. It's in fairly good shape and they used it for an office as the construction was done over the last few years. The other two lots below that were actually tax deeded properties back in 1991; they are really very small but there are two abutters to each of those who I think will be very interested in bidding on those. We have to do an appraisal on the first three along with some other ones that have been approved in the past. That's going to take some time and I've been told that we will be lucky if we get the appraisals completed by October so I am not sure if this will sell this year or early spring of next year but it is in that timeframe; hopefully

everything we have will be sold at the same time. When the bond was approved for the project there was an estimate of selling property and that money going back into the project so we wouldn't have to bond as much and that is still the intent of a lot of these properties.

Alderman Schoneman

I have a question about 2 Pine Extension, the Alpine Street; is one of these potentially a parking lot by the traffic light?

Treasurer Fredette

We own a big parking lot down there already and that was on another resolution, these are fairly small. One abuts a property owned by Stiliias, it's a fabric cleaning business and the other one abuts a property that is owned by former Judge Gauthier so I don't know about a parking lot.

Alderman Schoneman

The one that I was concerned about was the one that was owned by Judge Gauthier. Is he aware that this is on the list?

Treasurer Fredette

He is aware of it, yes. I should add that in the past prior to us doing anything I always notify all of the abutters that property is going to be sold. We don't have to do that but out of common courtesy we do that.

Alderman Schoneman

Which one of these two properties is the one that abuts Judge Gauthier's property?

Treasurer Fredette

It's the second one, sheet 77, lot 42.

Alderman Schoneman

Alpine Street?

Treasurer Fredette

Yes.

MOTION CARRIED

**MOTION BY ALDERMAN DOWD TO RECOMMEND FINAL PASSAGE AS AMENDED
MOTION CARRIED**

GENERAL DISCUSSION

Alderman Lopez

Mr. Cutter's public comment gave me an opportunity to double check with the Department of Public Works regarding the chisel comment that he had made during public comment some months ago; that when the Broad Street Parkway was being implemented and when there were construction changes on Palm Street a

chisel marking the boundary of his property was removed. The Department of Public Works wasn't able to find any evidence that the chisel was there so essentially they didn't know where to put it back so they weren't able to replace anything.

Chairman Cookson

But they did remove something?

Alderman Lopez

They were not able to confirm that they did. It was their opinion that they didn't.

PUBLIC COMMENT

Ms. Paula Johnson, 15 Westborn Drive

I'm getting tired of all of this in my neighborhood. First of all, we actually had horrible negotiators in this city that definitely do not negotiate in the best interest of the taxpayers. To let the Renaissance not be responsible to pay for anything for that skateboard park and to dump it all on the backs of the taxpayers of this city. Maybe we should have had Donald Trump here negotiating we would have had a fantastic deal. Guaranteed it would have come in fast and under budget in the right areas. Second of all, I think this was a done deal before it got to this committee. The sad thing is there are people on this committee that I helped when it came to Greeley Park and I'm not happy about this. I thought they would at least come to the forefront of the people in this neighborhood and what they went through up in their area. The third thing I am going to ask is that we get a citizen representative, maybe myself, to be on that committee to see how this whole thing is going to play out from now on up until the build and that way there will be a voice for the residents in that area and to make sure I know the traffic patterns. I don't care what anybody said here and Director Fauteux, she doesn't live in Nashua and I made that very clear to her today. She said well, I do most of the time because I am here. No, she doesn't because at 4:00 p.m. or 5:00 p.m. that traffic from the highway up to 505 West Hollis Street you can't move, you are sitting there from 15 minutes to 30 minutes and I've complained about the traffic lights and it's not moving and now it's backed up all the way. Now we are going to add another thing that's going to put a round peg in a square hold. All of you who don't go into Mine Falls, I walk there all the time and it's going to be a complete mess and a horrible situation. I wish I could say thank you all for making our lives wonderful in the neighborhood but I guess next time when something goes in your neighborhood then the nimby in me is going to say put it there because the Veteran's couldn't get into Arlington Street because everybody fought against that. For our own Veteran's, because they were afraid they were going to get drunk and kill the kids in the neighborhood; our Veterans who defended this country; we couldn't let them go onto Arlington Street and a skateboard park that could have been elsewhere. I mean you can't tell me in this city that they couldn't find another area, it's now going into the sports complex to make it more congested for us in the neighborhood who walk and like to enjoy the area. We are not going to have that enjoyment so when my taxes go up again I am going to start screaming even louder; what have you done for me as a taxpayer in this city other than congest my area more and more so I hope you will allow me to be on that committee and insist that we have somebody in that neighborhood to oversee this and make sure this doesn't become a bigger and more colossal mess than it is over there. Thank you.

REMARKS BY THE ALDERMEN

Alderman LeBrun

Mr. Chairman, at the last meeting you asked me if I would bring documentation on the Hellenic Circle and I brought all of the documentation that you asked for. I have newspaper articles, the letters between the organizations and Mary Arell and I have the minutes of the meetings that approved the establishment of the memorial and the fact that the city would maintain it.

Chairman Cookson

That's wonderful. I think it would be interesting to make it available to the entire committee if you want to provide it if it's in hard copy. Why don't we accept it as a communication?

Alderman LeBrun

I would suggest that I reproduce it for the committee as I don't want my originals to get misplaced.

Chairman Cookson

If you can provide one copy we can have the staff reproduce it for the committee.

Alderman LeBrun

I will.

Alderman Schoneman

Tomorrow night in Greeley Park as one of the Summer Fun Events is the Yankee Brass Band. It's a great event. This is co-sponsored by the Friends of Greeley Park and I would encourage anyone interested in good music, Greeley Park activities or historic events to come out tomorrow night.

Alderman Dowd

Tomorrow night at 7:00 p.m. is the Construction Committee and the Joint School Building following and it's the normal business to go over the Sunset Heights construction project.

POSSIBLE NON-PUBLIC SESSION

ADJOURNMENT

**MOTION BY ALDERMAN DOWD TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 8:47 p.m.

Alderman Sean M. McGuinness
Committee Clerk



CITY OF NASHUA
OFFICE OF CORPORATION COUNSEL

Memorandum

To: Alderman-at-Large Cookson, Chair
Committee on Infrastructure

From: Celia K. Leonard, 
Office of Corporation Counsel

Date: July 22, 2016

RE: Amended R-16-053 – Authorizing the Sale of Surplus Broad Street Parkway Property

Amended R-16-053 differs from R-16-053 in that the following two properties have been removed from the properties to be declared surplus:

L Pine Street (f/k/a 84 Pine Street Ext.)	(Sheet 77, Lot 14)
L Pine Street Ext.	(Sheet 77, Lot 31)

L Pine Street (f/k/a 84 Pine Street Ext.)(Sheet 77, Lot 14) is a small, irregular shaped parcel which contains a water main stub for future connections for multiple parcels. As such, it has been determined to be an uneconomic remnant and it will be part of the right of way.

L Pine Street Ext. (Sheet 77, Lot 31) is also a small, irregular shaped parcel abutting and under so-called "Spine Road" which does not have any portion of a building on it. Spine Road provides, among other things, an access to Mine Falls Park. While there is an access easement over Spine Road, retaining title to the parcel itself allows the city to hold in fee ownership that portion of the access.



RESOLUTION

AUTHORIZING THE SALE OF SURPLUS BROAD STREET PARKWAY PROPERTY

CITY OF NASHUA

In the Year Two Thousand and Sixteen

Archive retrieval

WHEREAS, property was acquired for the Broad Street Parkway;

WHEREAS, some properties or portions thereof are not needed for the alignment as constructed and they should be declared surplus properties and disposed of by the city;

WHEREAS, the properties or portions thereof are identified as follows:

44 Broad Street	(Sheet 71, Lot 2)
73-75 Broad Street	(Sheet 133, Lot 33)
11 Baldwin Street	(Sheet 62, Lot 233)

WHEREAS, the properties were obtained using federal funds and thus the revenue realized from the sale of eligible properties must be used on the Broad Street Parkway project. All properties listed above are eligible.

WHEREAS, the following property, the "Boiler House" lot, was obtained by tax deed by the City of Nashua on April 25, 1991, Hillsborough County Registry of Deeds Book 5250, Pages 1889 and a portion of it was used for the Broad Street Parkway, leaving two lots;

2 Pine Street Ext.	(Sheet 77, Lot 28)
L Pine Street	(Sheet 77, Lot 42)

WHEREAS, the Board of Aldermen has determined that the reminders of the Boiler House lot as described above should not be retained for public use.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Nashua that all the above referenced parcels or portions thereof as determined by the final layout are surplus properties and shall be sold in accordance with NRO Section 5-116 (relative to tax deeded property), state law and federal law where applicable.

The Mayor, with the assistance of the Office of Corporation Counsel, is authorized to prepare and execute all necessary documents.

LEGISLATIVE YEAR 2016

RESOLUTION: Amended R-16-050

PURPOSE: Authorizing the sale of surplus Broad Street Parkway property

SPONSOR(S): Mayor Jim Donchess

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: The revenue realized from the sale of eligible surplus property must be used for the Broad Street Parkway project.

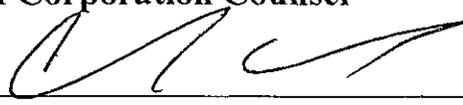
ANALYSIS

This resolution authorizes the city to sell property and remnants that are no longer needed for the Broad Street Parkway project or for public use.

The Division of Public Works has offered the following additional information: if the property was taken by the eminent domain process the city will first offer the property to the original owner at the purchase price if ten years has not elapsed since the transaction. If that does not apply, the City will use the property appraisal, along with other data (such as assessed value and known local market conditions) to determine a target value. Proceeds from eligible properties purchased with federal funds need to be used for the Broad Street Parkway project. The City is free to market the parcel as it wishes, and will consider each parcel individually to determine appropriate marketing. The NHDOT has disposed of their surplus properties by public bidding and by having a real estate firm market as they would for private properties but recognizing a minimum acceptable price.

Approved as to form:

Office of Corporation Counsel

By: 

Date: 7/22/2014

From: James B. and Mary E. Cutter
86 Palm St., P.O. Box 69-Nasua, NH 03061
Date: July 27, 2016
To: Alderman-At-Large Mark Cookson, Chair
Infrastructure Committee of BOA
Cc: Jim Donchess, Mayor
Steve Bolton, Corporation Counsel
Infrastructure Committee
Subject: City traffic patterns.

Dear Alderman Cookson,

There are other streets that lead to or back from the Millyard beside Palm and Pine Streets to relieve traffic congestion downtown. They could be exposed with directional signs.

Also, allow parking on both sides of our streets. It is a traffic calming measure and would keep someone from hunting for a parking space.

Eliminate speed humps because they do not slow down traffic and harm parking by taking away two(2) parking spaces on both sides of a street. I invite you and rest of the Committee to visit Palm St. to see for yourselves.

Sincerely,

