

JOINT MEETING  
COMMITTEE ON INFRASTRUCTURE  
AND  
PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

MAY 27, 2020

Immediately after the Special Board of Aldermen meeting

---

Meeting is being conducted remotely in accordance with Governor's Emergency Order #12 pursuant to Executive Order 2020-04

**To access Webex:**

<https://nashuanh.webex.com/nashuanh/j.php?MTID=med37f1c096221143409433a7e905d5d6>

Meeting number/access code: 718 669 011 – Password: iFu4SpvKX57

To join by phone: 1-408-418-9388 - Meeting number/access code: 718 669 011

If for some reason you cannot connect to Webex, please contact us at (603) 821-2049 and they will help you with connectivity. The public may also view the meeting via Channel 16.

ROLL CALL

COMMUNICATIONS

From: Linda McGhee, Deputy Planning Manager

Re: Referral from the Board of Aldermen on proposed R-20-033, authorizing the Mayor to execute a confirmatory deed to Pennichuck Water Works

PETITIONS

UNFINISHED BUSINESS

NEW BUSINESS - RESOLUTIONS

**R-20-033**

Endorsers: Mayor Jim Donchess  
Alderman-at-Large Michael B. O'Brien  
Alderman Patricia Klee  
Alderman Richard A. Dowd  
Alderman Linda Harriott-Gathright  
Alderman Skip Cleaver  
Alderman-at-Large Lori Wilshire

**AUTHORIZING THE MAYOR TO EXECUTE A CONFIRMATORY DEED TO PENNICHUCK WATER WORKS**

NEW BUSINESS – ORDINANCES

**O-20-008**

Endorsers: Alderman-at-Large Ben Clemons  
Alderman Patricia Klee  
Alderman-at-Large Michael B. O'Brien  
Alderman Thomas Lopez

**CHANGING THE STARTING TIME OF THE OVERNIGHT PARKING TIME LIMIT RESTRICTION IN CERTAIN LOCATIONS**

**O-20-014**

Endorsers: Mayor Jim Donchess  
Alderman-at-Large Benjamin Clemons  
Alderman-at-Large Lori Wilshire  
Alderman-at-Large Shoshanna Kelly  
Alderman Jan Schmidt  
Alderman Patricia Klee  
Alderman Thomas Lopez  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Richard A. Dowd

**RELATIVE TO TEMPORARY AJUSTMENT TO SITE PLANS**

TABLED IN COMMITTEE

**O-20-004**

Endorsers: Alderman Thomas Lopez  
Alderman Patricia Klee  
Alderman-at-Large Shoshanna Kelly  
Alderman Linda Harriott-Gathright

**ALLOWING PERMITTED OVERNIGHT ON-STREET PARKING ON EIGHTH STREET**

- Tabled at 2/26/20 meeting

**O-20-006**

Endorsers: Alderman Thomas Lopez  
Alderman Patricia Klee  
Alderman-at-Large Shoshanna Kelly  
Alderman Linda Harriott-Gathright

**ALLOWING PERMITTED OVERNIGHT ON-STREET PARKING ON A PORTION OF PRESCOTT STREET**

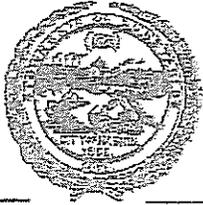
- Tabled at 2/26/20 meeting

GENERAL DISCUSSION

REMARKS BY THE ALDERMEN

POSSIBLE NON-PUBLIC SESSION

ADJOURNMENT



City of Nashua  
*Planning Department*  
229 Main Street  
Nashua, New Hampshire 03061-2019

Planning & Zoning 603 589-3090  
Fax 603 589-3119  
WEB [www.nashuanh.gov](http://www.nashuanh.gov)

## MEMORANDUM

Date: May 22, 2020

To: Ald. Lori Wilshire, President, and Board of Aldermen  
Ald. Richard Dowd, Chair and Budget Review Committee

From: Linda McGhee, Deputy Planning Manager

RE: Referral from the Board of Aldermen on proposed R-20-033, authorizing the Mayor to execute a confirmatory deed to Pennichuck Water Works.

At the Nashua City Planning Board's regularly scheduled meeting of May 21, 2020 the Planning Board voted unanimously to make a favorable recommendation on R-20-033.

If you have any questions concerning this notification, please contact me at 589-31102.

cc: Mayor Jim Donchess  
Donna Graham, Legislative Assistant  
Susan Lovering, City Clerk  
Scott LeClair, Chair, NPCB  
Sarah Marchant, Community Development Director



## RESOLUTION

AUTHORIZING THE MAYOR TO EXECUTE A CONFIRMATORY DEED TO  
PENNICHUCK WATER WORKS

### *CITY OF NASHUA*

*In the Year Two Thousand and Twenty*

**RESOLVED** by the Board of Aldermen of the City of Nashua that the Mayor is authorized to execute a Confirmatory Deed to Pennichuck Water Works for undeveloped property located in the northeast corner of the City, substantially in the form of the attached.

Return to:  
Pennichuck Corporation  
25 Manchester Street  
Merrimack, New Hampshire 03054

TAX STAMP: EXEMPT

### CONFIRMATORY DEED

KNOW ALL BY THESE PRESENTS, that the **City of Nashua**, a municipal corporation, with a mailing address of 229 Main Street, Nashua, Hillsborough County, New Hampshire, 03061 for consideration paid, grants to **Pennichuck Water Works, Inc.**, a New Hampshire corporation, with a place of business at 25 Manchester Street, Merrimack, Hillsborough County, New Hampshire 03054, WITHOUT COVENANTS, the following described premises:

A certain parcel of land situated on Harris Road, also known as Ferry Road, in Nashua, County of Hillsborough and State of New Hampshire, shown as Lot 57 on a Plan of Land entitled, "Plan of Farley & Johnson's 'Concord Street Addition', Nashua, N.H. Scale: 1 Inch = 40 Feet, 1897" recorded with the Hillsborough County Registry of Deeds as Plan No. 234-1.

For further reference, Lot 57 was also known as City of Nashua Tax Map 52, Lot 57. See also Voluntary Merger of Parcels dated March 20, 2001 and recorded in the Hillsborough County Registry of Deeds on March 20, 2001 in Book 6375, Page 322.

Meaning and intending to describe and convey the same premises as conveyed to the City of Nashua by Tax Deed dated March 31, 1961 and recorded in the Hillsborough County Registry of Deeds at Book 1638, Page 123 on March 31, 1961. See also Tax Deed, dated May 11, 1961 and recorded in the Hillsborough County Registry of Deeds in Book 1643, Page 4 on May 12, 1961.

This deed is being recorded to replace the original deed which was lost, destroyed, or misplaced.

This deed is exempt from transfer tax pursuant to NH RSA 78-B:2.

WITNESS my hand this \_\_\_\_ day of April, 2020.

CITY OF NASHUA

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
James W. Donchess, Mayor

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

Then personally appeared before me on this \_\_\_\_\_ day of April, 2020, the said James W. Donchess, in his capacity as Mayor of the City of Nashua, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained on behalf of the City of Nashua.

Before me:

\_\_\_\_\_  
Name:  
Notary Public  
My Commission Expires: \_\_\_\_\_

**LEGISLATIVE YEAR 2020**

**RESOLUTION:** R-20-033

**PURPOSE:** Authorizing the Mayor to execute a confirmatory deed to Pennichuck Water Works

**ENDORSERS:** Mayor Jim Donchess  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Patricia Klee  
Alderman Richard A. Dowd  
Alderman Linda Harriott-Gathright  
Alderman Skip Cleaver  
Alderman-at-Large Lori Wilshire

**COMMITTEE  
ASSIGNMENT:** Committee on Infrastructure  
Planning Board

**FISCAL NOTE:** No fiscal impact.

---

**ANALYSIS**

This resolution authorizes the Mayor to execute a confirmatory deed on behalf of the City to Pennichuck Water Works substantially similar to the attached document. It is believed that the City deeded this parcel to Pennichuck in the 1960s along with other surrounding property but that deed was never recorded and is now lost. Pennichuck has been paying taxes on the property since the 1960s.

Charter §77(f) provides that the Planning Board “shall review and make recommendations to the mayor and board of aldermen on . . . on the purchase and sale of any land by the city.”

---

**Approved as to form:** Office of Corporation Counsel

**By:** /s/ Steve Bolton

**Date:** April 23, 2020



## ORDINANCE

### CHANGING THE STARTING TIME OF THE OVERNIGHT PARKING TIME LIMIT RESTRICTION IN CERTAIN LOCATIONS

#### *CITY OF NASHUA*

*In the Year Two Thousand and Twenty*

*The City of Nashua ordains* that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, Article XIII “Night Parking” Section 320-78 “Parking time limits” of the Nashua Revised Ordinances, as amended, be and hereby is further amended by deleting the struck-through language and adding the new underlined language as follows:

**“320-78. Parking time limits.**

A. Except in the locations described in Subsection B-as hereinafter provided, it shall be unlawful for an operator of any vehicle to park the vehicle for a period longer than two hours between 12:00 midnight and 6:00 a.m., daily, on any public way in the City where overnight on-street permit parking is not allowed. It shall be unlawful for an operator of any vehicle to park the vehicle for any time period between the hours of 12:00 midnight and 6:00 a.m., daily, without a permit on the public ways where overnight on-street permit parking is allowed.

(B) It shall be unlawful for an operator of any vehicle to park the vehicle for a period longer than two hours between 2:00 a.m. and 6:00 a.m., daily;

(a) in any metered space; or

(b) in any nonmetered space on:

[1] Clinton Street;

[2] Lowell Street;

[3] Orange Street, between Canal Street and Lowell Street; or

[4] Canal Street, between Main Street and Lowell Street

unless the operator has a overnight on-street parking permit and is parked in a location where overnight on-street permit parking is allowed.

**ORDINANCE**

**O-20-008**

- BC. Anyone violating this provision shall be fined a minimum of \$25. If such fine is not paid within seven days, the fine shall increase by \$10, to \$35.
- CD. Residences within the City of Nashua who have overnight guests occasionally may call the Parking Department and ask for temporary relief from the overnight ban when their guests must park on city streets.”

This ordinance shall become effective upon passage.

LEGISLATIVE YEAR 2020

ORDINANCE: O-20-008

PURPOSE: Changing the starting time of the overnight parking time limit restriction in certain locations

ENDORSERS: Alderman-at-Large Ben Clemons  
Alderman Patricia Klee  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Thomas Lopez

COMMITTEE  
ASSIGNMENT: Committee on Infrastructure  
Personnel/Administrative Affairs Committee

FISCAL NOTE: Possible loss of some revenue from overnight parking tickets.

---

ANALYSIS

This legislation changes the starting time of the general restriction on overnight parking in certain locations, starting the two-hour restriction at 2 a.m. instead of midnight.

---

Approved as to form: Office of Corporation Counsel

By: Donny Clarke

Date: 18 February 2020



## ORDINANCE

RELATIVE TO TEMPORARY AJUSTMENT TO SITE PLANS

### *CITY OF NASHUA*

*In the Year Two Thousand and Twenty*

*The City of Nashua ordains*

The Director of Community Development or designee is authorized to approve administratively the temporary modification of site plans to allow restaurants to provide additional outdoor seating and to waive any provision of Chapter 190 of the Nashua Revised Ordinances for such purpose. The director or designee may accept for purpose of review such plan or sketch deemed by him or her to be sufficient for this purpose. Fee shall be charged for such review or approval.

This authorization and any approval issued thereunder shall not waive compliance with any building code, fire code, health code, or any otherwise applicable provision of law.

This authorization and any approval issued thereunder shall expire on January 1, 2021 unless extended by further legislation.

This legislation shall take effect following its passage.

The clerk is directed not to codify this ordinance in the Nashua Revised Ordinances but to designate it as Covid-19 Emergency Measure No.1 and publish it and any subsequent emergency measures on the city website.

**LEGISLATIVE YEAR 2020**

**ORDINANCE:** O-20-014

**PURPOSE:** Allowing the temporary adjustment of site plans by the community development director or designee to allow for greater outdoor seating at restaurants.

**ENDORSERS:** Mayor Jim Donchess  
Alderman-at-Large Benjamin Clemons  
Alderman-at-Large Lori Wilshire  
Aldерwoman-at-Large Shoshanna Kelly  
Alderman Jan schmidt  
Alderman Patricia Klee  
Alderman Thomas Lopez  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Richard A. Dowd

**COMMITTEE** Planning and Economic Development  
**ASSIGNMENT:** Planning Board  
Committee on Infrastructure

**FISCAL NOTE:** None.

---

**ANALYSIS**

This legislation enables the community development director or designee to modify existing site plans to enable restaurants to provide additional outdoor seating.

This measure should be referred to the Planning Board and a public hearing scheduled.

---

**Approved as to form:** Office of Corporation Counsel

**By:** /s/ Steven A. Bolton

**Date:** May 12, 2020