

A special meeting of the Board of Aldermen was held Tuesday, June 16, 2020, at 7:00 p.m. via Webex.

President Lori Wilshire presided; Deputy City Clerk Nicole Reyes recorded.

Prayer was offered by Deputy City Clerk Nicole Reyes; Alderman Skip Cleaver led in the Pledge to the Flag.

#### President Wilshire

As President of the Board of Aldermen, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

***a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:***

*To access Webex, please refer to the agenda or the City's website for the meeting link.*

*To join by phone dial: 1-408-418-9388 - Meeting number/access code: 712 962 326*

*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.*

***b) Providing public notice of the necessary information for accessing the meeting:***

We previously gave notice to the public of the necessary information for accessing the meeting, through public postings. Instructions have also been provided on the City of Nashua's website at [www.nashuanh.gov](http://www.nashuanh.gov) and publicly noticed at City Hall, Public Health Department, and in the Nashua Telegraph.

***c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:***

If anybody has a problem accessing the meeting via phone or Channel 16, please call 603-821-2049 and they will help you connect.

***d) Adjourning the meeting if the public is unable to access the meeting:***

In the event the public is unable to access the meeting via the methods mentioned above, the meeting will be adjourned and rescheduled. Please note that **all votes** that are taken during this meeting shall be done by **roll call vote**.

Let's start the meeting by taking a roll call attendance. **When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-To-Know Law.**

Deputy City Clerk Reyes called the roll and asked them to state the reason he or she could not attend, confirmed that they could hear the proceedings, and stated who was present with him or her.

The roll call was taken with 12 members of the Board of Aldermen present: Alderman Michael B. O'Brien, Sr., Alderwoman Shoshanna Kelly, Alderman Richard A. Dowd, Alderman Benjamin Clemons, Alderman David C. Tencza, Alderwoman Elizabeth Lu, Alderman Ernest Jette, Alderman Jan Schmidt, Alderman Brandon Michael Laws, Alderman Skip Cleaver, Alderman Linda Harriott-Gathright, Alderman Wilshire.

Alderman Patricia Klee, Alderman June M. Caron, and Alderman Tom Lopez were recorded absent.

Also in attendance: Attorney Gerald Prunier

Alderman O'Brien

I am present, I can hear the proceedings. I am alone and I am following the Governor's guidelines for social distancing.

Alderwoman Kelly

I am here, I am alone I can hear everyone and I am practicing social distancing per the Governor's Order.

Alderman Dowd

Yes, I am present and I am here alone. I can hear everyone and I am practicing social distancing in accordance with the Governor's directive.

Alderman Clemons

Yes, I am here, I am by myself, I can hear everyone and I am at home per the Governor's wishes.

Alderman Tencza

I am present, I can hear everybody, I'm alone. I am here because I am practicing social distancing and because there is no other physical location for the meeting.

Alderwoman Lu

I am here by myself, I can hear you and I am practicing social distancing per the Governor's Orders.

Alderman Jette

I am here, I am alone and I am obeying the Governor's Order to stay home.

Alderman Schmidt

I am present, I can hear the proceedings, I am alone and I am at home per the Emergency Order.

Alderman Laws

I am present, I can hear you, I am alone and I am also following the Governor's Order to social distance.

Alderman Cleaver

I am present, I am alone and I am following the social distancing.

Alderman Harriott-Gathright

I am present, I can hear you, I am alone, and I am practicing social distancing.

President Wilshire

I am here, I am alone and I am practicing social distancing. I did hear from Alderman Klee and Alderman Caron that they could not join us this evening. As is customary, I will turn over the meeting to the Chairman of the Planning & Economic Development Committee Alderman Tencza.

Alderman Tencza

Thank you, Madam President. The purpose of tonight's Special Board of Aldermen Meeting is to hold a Public Hearing on two pieces of Legislation. The first is O-20-01, Amending the Zoning Map by Rezoning Land off of Tinker Road from rural residence (R-40) to "B" Suburban Residence (R-18) and O-20-013, Amending the Zoning Map by Rezoning Land off of Amherst Street from Park Industrial to Industrial with Mixed Use Overlay District. I notice that Attorney Prunier is joining us tonight. Attorney Prunier will you be presenting on both of these Ordinances or someone else.

Attorney Gerry Prunier

Both of the Ordinances I will be presenting. I am here at the office alone.

Chairman Tencza

Ok, could we have you just describe both Ordinances and then we will do the Public Hearings separate from each.

Attorney Prunier

Let me take the first one which is the one off of Amherst Street which is a continuation of the Ordinance that was passed back over a year ago, they zoned this area, Park Industrial MU. They, at that time, should have gone further, they only went up to Deerwood Drive they should have gone all the way to State Street. The properties that are in-between Dumaine Avenue and State Street that are all in the same area, the same type probably and they are the same type they want to be developed according to the types that have. The PU, EI, MU classification allows the developer to use the property and the people that own the property in good fashion and allows the City to help build this, the City is involved in the zoning when it comes up to the Planning Board. So it just a continuation. It's the same type zone and it would continue the same type zoning for the people in that particular area.

The one off of Tinker Road is surrounded by various zoning classifications from Park Industrial R-18, R-C, R-9 and so forth. Usually the R-40 is used when there is no water or sewage because they need a large lot in order to put a septic take and put a well. At this point, the water and sewer is at the site and that's why it is being proposed to deliver it to or to zone it R-18.

Both of these Ordinances were discussed with Sarah Marchant, with the Planning Staff, and at the Planning Board and all are in favor, as far as I know.

Alderman Tencza

Thank you, Attorney Prunier. Does anyone have questions for Attorney Prunier? Alderman Clemons.

Alderman Clemons

Thank you. Are these changes being proposed because of potential future development in that area?

Attorney Prunier

There will be, I assume, future development. There is some that's already proposed for the Amherst Street property which is multi-family housing in that particular area. On this particular road probably single-family housing because R-18 is only single-family housing.

Alderman Clemons

Ok, thank you.

Chairman Tencza

Further questions? Seeing and hearing none, we will move into the public session. I'm sorry, is someone trying to get my attention?

Attorney Prunier

You should have in your file a communication from the Planning Board supporting these two zoning. Thank you

Chairman Tencza

Thank you. And those communications are in the packet with the Planning & Economic Development Committee if anyone is interested in those. So at this point, I will open the Public Hearing for O-20-012.

**PUBLIC HEARINGS**

O-20-012 AMENDING THE ZONING MAP BY REZONING LAND OFF OF TINKER ROAD FROM RURAL RESIDENCE (R-40) TO "B" SUBURBAN RESIDENCE (R-18)

TESTIMONY IN FAVOR - None

TESTIMONY IN OPPOSITION - None

TESTIMONY IN FAVOR - None

Alderman Jette

This is a Public Hearing and I noticed that there are no members of the public I can see on the participant list. I am assuming that means that nobody from the public wants to testify in favor or against this? I just want to check with Mr. McLean that that's the case. That there's nobody that's trying to get in that is not able to?

Jim McLean, Videograher

That is correct. Nobody has called or contacted me at the number to request that that be done.

Alderman Jette

Ok, thank you.

Mr. McLean

You're welcome.

Chairman Tencza

So just for Clarification, I will one last time call for testimony in opposition of O-20-012.

TESTIMONY IN OPPOSITION – None

Chairman Tencza

OK both hearing and seeing none, I will close the Public Hearing as it relates to O-20-012.

Chairman Tencza closed the public hearing on O-20-012.

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O-20-013 AMENDING THE ZONING MAP BY REZONING LAND OFF OF AMHERST STREET FROM PARK INDUSTRIAL (PI) TO PARK INDUSTRIAL WITH MIXED USE OVERLAY DISTRICT (PI/MU)

TESTIMONY IN FAVOR - None

TESTIMONY IN OPPOSITION - None

TESTIMONY IN FAVOR - None

TESTIMONY IN OPPOSITION - None

Chairman Tencza closed the Public Hearing on O-20-013.

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN TO ADJOURN, BY ROLL CALL**

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderwoman Kelly, Alderman Dowd,  
Alderman Clemons, Alderman Tencza, Alderwoman Lu,  
Alderman Jette, Alderman Schmidt, Alderman Laws,  
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 12

Nay: 0

**MOTION CARRIED**

The special meeting was declared adjourned at 7:16 p.m.

Attest: Nicole Reyes, Deputy City Clerk