

COMMITTEE ON INFRASTRUCTURE

JUNE 28, 2023

A meeting of the Committee on Infrastructure was held Wednesday, June 28, 2023, at 7:32 p.m. in the Aldermanic Chamber.

The roll call was taken with 5 members of the Committee on Infrastructure present:

Alderman-at-Large Michael B. O'Brien, Sr., Chair
Alderman Richard A. Dowd
Alderman Alex Comeau
Alderman Tyler Gouveia
Alderman Ernest A. Jette

Members not in Attendance:

Also in Attendance:

Alderwoman-at-Large Gloria Timmons
Alderman Derek Thibeault
Alderman-at-Large Melbourne Moran, Jr.
Matt Sullivan, Community Development Director
Liz Hannum, Economic Development Director
Tim Cummings, Administrative Services Director
Jason Haviland, BIDA Chairman
Lydia Foley, BIDA Vice-Chairwoman
Chris Lynch, Nashua Airport Manager
Attorney Daniel Muller

ROLL CALL

PUBLIC COMMENT - None

COMMUNICATIONS

From: Sam Durfee, Planning Director

Re: Referral from the Board of Aldermen on proposed Petition – L Deerwood Drive, Lot H – Sheet 103

From: Holly Hardt

Re: L Deerwood Drive

There being no objection, Chairman O'Brien accepted the communications and placed them on file.

Alderman Gouveia

Mr. Chairman?

Chairman O'Brien

Yes.

Alderman Gouveia

Thank you, Mr. Chairman. Can I please suggest that we move the discussion of the petition to above the other discussion we were supposed to have tonight?

Chairman O'Brien

Any objection? Without objection from members of the board? I think that is common sense. We do have people here and although what we do is very, very important but we'll let them get out of here. Very good, without objection so ordered.

Alderman Comeau

Mr. Chairman if I may. We've also received a communication that was received after the agenda was prepared from Chris Lynch, Nashua Airport Manager, regarding the Nashua Airport Authority vehemently opposing proposed single-family home.

From: Chris Lynch, Nashua Airport Manager

Re: Nashua Airport Authority vehemently opposing proposed single-family home

There being no objection, Chairman O'Brien accepted the communication and placed it on file.

PETITIONS

- L Deerwood Drive – Lot H-103

Chairman O'Brien

Okay, I will open up the discussion on that. Mr. Sullivan, would you like to join us in the horseshoe, if you wish. Mr. Cummings you want to join too? I see you poking up over the dais.

Without objections, we're gonna open up the general discussion by members of the Board on this. I would ask can we have Committee members speak first and then, of course, we definitely want to hear from all the members of the Board. But seeing no pending motion or yes there is. Okay. There we are. Okay. For the point opening up discussion, any members of the Committee? Alderman Dowd would you like to open up the discussion?

Alderman Dowd

Yeah just for clarification on the record, I was on the Airport Authority for 15 years. I was Chairman. I see a lot of unanswered questions relative to this particular property. One especially is that I don't see anywhere where the FAA has been queried about this. But I have some concerns much like the airport relative to this property that I think need to be resolved before final action can be taken. I'll reserve that and see where we go.

Chairman O'Brien

Okay. I think the members of the Committee and non-members of the Committee would have questions. So without objection, I'll extend the invitation to the Counselor if you want to come up and take a seat. Welcome to the big game. Here we go. That way it will make it easier if some of the members do have some questions for you. Okay. Thank you Alderman Dowd. Alderman Gouveia did you have any comments?

Alderman Gouveia

I will withhold until my other Aldermen can speak first.

Chairman O'Brien

Okay. Alderman Jette.

Alderman Jette

Thank you. So I have questions about - I see that there's nobody here from the Corporation Counsel's office but maybe Director Sullivan is able to answer these questions. So I have concerns about the allegation of lack of notice and whether we have at any kind of procedural issue with the lack of notice alleged by Ms. Hardt and also the Airport Authority. Also we're here under 674:41. What exactly is our role? My understanding is that since the Planning Board has approved this, our authority is very limited and I don't know if I'm correct about that whether we have any right to, you know, if Corporation Counsel says that the steps have been followed and they're willing to, you know, the Statute provides as Attorney Muller explained, the Statute provides that they have to agree to certain things and has to be recorded at the Registry. As long as they do all of that is there anything left for us to – if we chose to, do we have any grounds to reject this?

Chairman O'Brien

Director Sullivan.

Matt Sullivan, Community Development Director

Thank you, Mr. Chair. To Alderman Jette, Matt Sullivan, Community Development Director for the record. To address the notification question first, it's an interesting one Alderman Jette. In fact and I expect I might steal the floor from Attorney Muller to my left on this question actually and that is that the Statute does not require abutter notification in any way, shape, or form for an application under RSA 674:41 nor does the Statute actually require a public hearing process. What it does is it provides the municipality with the ability, in my opinion and I'm not Attorney for the public record, it provides the municipality with the ability to outline certain procedures, and policies, and practices for considering and ultimately choosing to approve or deny applications for relief under RSA 674:41.

To that end, the City of Nashua has historically and there is some mixed history on this in fact has included a public hearing process as part of consideration under RSA 674:41 and has also treated these applications in almost the same manner that it does a discontinuance, albeit a completely different process. To that end, it has customarily provided notification as part of that process. So assuming for the purposes of this discussion that both notification to abutters and ultimately a public hearing are customarily part of the city's process on this type of application or petition, I can say the notification processes were followed. Now I've had an opportunity to speak with Miss Hardt via email and I'm sympathetic to her concerns particularly in light of the circumstances. I think we do have a procedural issue with our GIS in the assessing data and the way that those two things work together. I know that seamless integration is something Director Cummings and the folks in Assessing are working diligently on but I do believe that notification should have been provided to Miss Hardt but that's not ultimately what the assessing card said. As a result although it's not satisfying, I think that we're compliant with the notification requirements under State Statute but ultimately, she was not able to collect the notification appropriately. So I'm very apologetic to her for this circumstance. I believe we're compliant. I think we have the ability to proceed here. The processes were followed customarily as we have with these applications in the past.

Relative to your second question, the Statute absolutely does provide the governing body, this group well the full Board of course not the Committee itself, but provides the Board of Aldermen with the authority to I believe the word is "authorize" within the Statute a building permit under the circumstances of 674:41. So to that end, the full Board absolutely has the ability to deny, or approve, or authorize, or not authorize an application for a building permit under the under the provisions of the Statute.

Your last question, I believe, is assuming that an agreement is made to record a limit of liability and the associated mechanisms included therein, does the Board have the authority to deny, or reject, or vote not to authorize? In my opinion, again I'm not an attorney but I've had some experience with the Statute, the answer is absolutely yes. You are entitled to review standards such as access, construction of that access, the ability of certain fire suppression services although there is a limit of liability. There are other considerations that can be made in the consideration of the Statute and deciding whether or not to authorize the building permit. In some communities, they have actually memorialized these other criteria within a Class 6 road policy and those exist in several locations around the State of New Hampshire. That's not the case in Nashua and so the approach that we've taken is that we essentially put these petitions through a technical review process which is a review by our Engineering Department, our Fire Department, and our Planning Department. Absent those Class 6 road criteria, we've used those three departments to add to that or provide comment on the basic infrastructure availability, suitability of access, ability to provide fire suppression services. Those groups are traditionally weighed in, provided comments, and those comments have customarily been incorporated as conditions of any aldermanic approval or authorization of a building permit. So I absolutely do think you have the authority to make additional requirements and to ultimately vote to either authorize or not authorize provided that the criteria have or have not been met.

I think that's a very long answer to your question but I hope it covers each of the three questions that you asked.

Alderman Jette

Right and I appreciate it. Can I follow up?

Chairman O'Brien

Follow up?

Alderman Jette

So you talked about there not being a requirement of providing notice for this meeting. What about the meeting where the Planning Board considered this? Aren't abutters required to be notified of that meeting?

Matt Sullivan, Community Development Director

Not for their consideration of this type of petition. The petition is effectively treated as a referral from the Board of Aldermen and the Planning Board process was itself not a public hearing. It was simply a really a consideration of the referral of the petition by the Board of Aldermen and so those referral considerations are not treated as public hearings by the Planning Board and as a result although they meet the public notice requirements for the meeting obviously that we have to under State Statute, there's not an abutter notification nor a public notification with the customary 10 days because it's not a public hearing at that level.

Alderman Jette

Okay. Could I ask another question?

Chairman O'Brien

Follow up?

Alderman Jette

So when the Planning Board considered this was it listed on their agenda, was there a public notice of the meeting, although the public notice appears in the Nashua Telegraph and how many people read that? I'm not sure anymore. So whether it effectively anybody gets notified of those things is a question but it did appear in that notice, the public notice?

Matt Sullivan, Community Development Director

It did. Yes it did.

Alderman Jette

Okay. I have another question. So there was testimony about when I looked at the GIS map for this - so on the GIS map there's Deerwood Drive and there's something called South Deerwood Drive. It looks like South Deerwood Drive - I'm not sure if it goes into Hollis or not. Does it end at Indian Rock Road? Is the only access to Ms. Adams' property via Indian Rock and Massasoit?

Matt Sullivan, Community Development Director

To my knowledge, the sole access to this property is via Deerwood Drive via Massasoit. South Deerwood Drive does not connect to my knowledge to the South. I've not conducted any detailed deep research or done that with partnership Corporation Counsel but I don't believe that connects to the South.

Alderman Jette

Okay. Then going, I assume, north to the I assume this is oriented so that top is north. So there's Deerwood Drive and I guess there's part of Deerwood Drive that comes from Amherst Street. My memory is I remember trying to bicycle south on Deerwood Drive and being stopped by at the time there was a police officer there who stopped me and said I couldn't go down Deerwood Drive. I couldn't access behind the runway. So is that closed off?

Matt Sullivan, Community Development Director

Attorney Muller had spoken to this. So the portion above the wishbone if you will there is discontinued up to the north if you want to scroll just a bit to the north. So from that wishbone there, up really to that point right there, there's no public road to my knowledge. There's a gate right where the cursor is right there that now prohibits access into the airport proper. There's been a substantial effort over the recent decade to fence all areas of the airport and that area is fully fenced in right there.

Alderman Jette

Okay.

Chairman O'Brien

Yeah the Fire Department has access to it. If it makes you feel better, North Fork of Bloods Crossing.

Alderman Jette

I'm not sure why that would make me feel better.

Chairman O'Brien

Well that's the name of it.

Alderman Jette

So from Miss Adams' property is there a fence that keeps people from going north on Deerwood?

Matt Sullivan, Community Development Director

There is not a fence. Assuming that one walks the Massasoit right of way to the Deerwood right of way - so they'd walked down the end of Massasoit. Thank you Vanna White or whoever's doing that and they take the take the right there that is not gated. There is, however, and Alderman Comeau if you wouldn't mind clicking the layers and then bringing up the imagery we might be able to get a better sense of this. If you go to street map defaults up at the top, parcel map with aerials. So Perimeter Road right there is behind a gated entrance that exists to the east. So if one walks Massasoit Road to Deerwood Drive, they can theoretically bypass the gate. I think this speaks to some level up to the airport's concern about access to the approach and the approach lights. If the access is upgraded, then someone could theoretically drive a car or another type of vehicle along Massasoit along Deerwood up to the airport approach lights. It's important to point out that this area in front of Miss Adams' lot has been improved as a gravel road for the purposes of the airport's maintenance and access to its assets on the western side of the runway. The road is well built, albeit not by the municipality, and so theoretically opening up the access of Massasoit and Deerwood could create security issues at the airport but those issues could possibly be mitigated through a set of gates and other things but that does not necessarily resolve the FAA concerns. I mean it's a complicated situation here.

Chairman O'Brien

Alderman Jette may I remind you we have other people at the meeting too.

Alderman Jette

Right and they'll have an opportunity when I...

Chairman O'Brien

Yeah, I'll allow a follow up.

Alderman Jette

Thank you. So the airport's concerns could they not be answered by the airport providing security itself with fences and gates as you mentioned? The approach to the runway isn't that much farther up? Isn't the runway – that's the runway over there, right? I mean these other things are.

Matt Sullivan, Community Development Director

So Mr. Chair, if I may address this?

Chairman O'Brien

Yes.

Matt Sullivan, Community Development Director

I'm certainly not the Airport Manager and I fear Chris Lynch will be upset with me for trying to answer here but I would say what can be addressed is fence and gating could be constructed that would effectively do or replicate the conditioning that exists today which is restricting access to the airport approach lights. What I can't speak to is the airport on either end of the runway has a cone or trapezoid of approach zone in which there needs to be a level of clearance and removal of obstructions. I can't speak to whether or not this parcel impacts that cone or trapezoid. That's sort of the FAA component that I'm not comfortable with but I can only say that security could be put in place. Absolutely. That will be costly. It could be done but this FAA concern is something that I simply can't speak to this evening. I think we'd need to get clarification from that entity to understand whether there's actually a functional problem.

Alderman Jette

Is it possible to ask Mr. Lynch to comment?

Chairman O'Brien

Go ahead then Mr. Jette.

Alderman Jette

With your permission Mr. Chairman?

Chairman O'Brien

Yes, you have it.

Alderman Jette

Mr. Lynch?

Chris Lynch, Nashua Airport Manager

What can I tell you? So what Matt was alluding to, and I don't have the paperwork in front of me to give you all the dimensions, but there's what's called "a runway protection zone". Like he said, it's a trapezoid and it extends out. Does it go all the way over to Miss Adams' property? I don't believe so but one of the things that Matt was talking about is where the road is discontinued. That was discontinued to the best of my knowledge many years ago when they put those approach lights out there so that we wouldn't have traffic going through there.

Fences and security - somebody had suggested, not tonight, but somebody said well what if you put fences all around the lights themselves? I can't do that. Everything out there has to be frangibly mounted so if there ever were an accident, it just falls apart. If you went out to those approach lights and push on them with your hand, they would tip over. So I can't fence in the individual lights. As Matt was saying if you went in and put a gate across the road, it would be very costly for us if we were tasked with it. We'd have to bring electricity out there and a gate. I just did another gate. It was \$40,000 for a gate inside the airport. So that could be done but again, you know, my primary concern is restricting that access out there.

Alderman Jette

Okay. Thank you, Mr. Chairman.

Chris Lynch, Nashua Airport Manager

Excuse me. I could get you specifics on the dimensions of all that. I'd call the engineering firm tomorrow and I can forward that to Matt so you can have that.

Chairman O'Brien

Okay. Mr. Lynch before you leave, currently from what I remember my days of working up at the airport fire station, Perimeter Road is one access point and Deerwood Drive off of Amherst Street closer to Amherst Street, that's the only two

access points to that whole area?

Chris Lynch, Nashua Airport Manager

Correct. There is another one that's further out. If you take the paved access road if you were coming up to the railroad tracks, you're going up to the tracks take a left on that paved road.

Chairman O'Brien

Yup.

Chris Lynch, Nashua Airport Manager

Go all the way down there, it's probably a good mile right by the Autajon Packaging Company. We have a gate there as well. That's not a power gate. It's not used unless there were a fire out there. Fire Department has keyed access to that.

Chairman O'Brien

Yup. If a plane's in trouble, generally they're designed to fly but generally their critical mode takeoff and landings. There have been issues in the past where they have gone down in that area.

Chris Lynch, Nashua Airport Manager

Correct.

Chairman O'Brien

Because of some form of failure that was picked up by the pilot, am I correct?

Chris Lynch, Nashua Airport Manager

Yes, Sir. Your greatest chances of failure upon full power input and power reduction. So when you're landing and taking off, that's the most critical phase of flight. That road, that access road, the paved access road that goes out that parallels the railroad tracks, Pennichuck came and got an easement. I think it was two years ago and they had to put a connecting loop to Amherst Street because they had to shut down Amherst Street and the Fire Department put in five fire hydrants which came in handy by the way. We had an arsonist out there that was lighting fires and they lit a fire the size of a football field out there right beside a hydrant so it paid off real quick.

Chairman O'Brien

Thank you, Mr. Lynch.

Chris Lynch, Nashua Airport Manager

Thank you.

Chairman O'Brien

Alderman Dowd.

Alderman Dowd

Being the person responsible for a lot of that development, that Perimeter Road that you see on the bottom there that was built when we extended some power lines out that way. The only gate that I'm aware of is almost where that blue box is on the far-right hand corner.

Chairman O'Brien

There is one there too.

Alderman Dowd

I don't know if they put in a gate further down? So I'll just give a summary. If I were the Airport Manager, I would attempt to buy this lot because it's completely surrounded by properties owned by the City that get acquired by the Airport Authority then turned over the City in an agreement with the State. In order to secure the equipment, you would have to run a fence wherever that last gate is all the way around the property to the other gate on Deerwood Drive. You would have to do a further discontinuance if this lot were to be built upon. I would do a discontinuance from that point all the way across the airport - discontinue that road entirely. I'm sure we have an Alderman on the floor who would want to sponsor that.

Chris Lynch, Nashua Airport Manager

And I had suggested that in the letter if we do build, we'll have to...

Alderman Dowd

So that cone that you were talking about does not extend over to that property?

Chris Lynch, Nashua Airport Manager

I don't believe so.

Alderman Dowd

It's a clear zone and it goes out in a cone shape and it's by height. So when you're close to the airport, you can't have any trees or any buildings in that zone because it would be interfere with the aircraft.

My other concern is where that property is. It's gonna be a lot of noise. I mean as much as the people who build aircraft these days that made those aircraft less noisy. They still are very noisy because when you go to take off in the left or right direction up there, they sit at the end of the runway and they run their engines up full power so they can take off. Makes a lot of noise. I can hear them where I live and I'm a few miles away. I believe last time I checked we had somewhere in excess of 20 jet aircraft on the airport.

Chris Lynch, Nashua Airport Manager

We have about a dozen based and we have a few more coming. We have a lot of transient jet traffic.

Alderman Dowd

Most of them have the high bypass ratios which make it less noisy but some don't. When they fire up, it's going to be noisy. My concern would be if somebody builds there, you know, back when I was the Chairman of the Airport Authority every time somebody bought a house in the neighborhood, they complained about the airport noise. No. You have to know that you're building next to an airport and there's noise from the aircraft.

My other concern is where the property is located. I would certainly want the FAA to tune in because they're reactionary. They're not proactive. They may not even know about this but they may want to contribute to buying that property. So I think that's necessary to check into. That equipment I can tell you is very expensive. So it may be expensive to put a fence in but it would be a lot more expensive if you damaged that ILS equipment. So I don't know if the FAA would help with fencing but you'd have to look into that. So there are a lot of unanswered questions about that lot before I'd feel comfortable, you know, saying you could build a house on it. There's a lot of actions I think the City would need to take to protect itself before actual construction. So I still have a lot of questions.

Chairman O'Brien

All right. I think most of the members of the Committee had spoken so Alderman Thibeault. Thank you for your patience.

Alderman Thibeault

Sure. Thank you, Mr. Chairman. So this is a tough one, right? So I can see both sides of this in a general sense. Obviously if the Board decides to vote this down, I'd hate to see Miss Adams not have - I mean she has a great property here and it's worth something. So I would love to see something happen if the Board rejects it somewhere to help her with

that.

Then on the other side obviously, you know, the neighbors would like to see it stay the same. So I'm on the Planning Board and I sat in for Alderman Klee who couldn't make it. When you look at the paper for the Planning Board the petition is down and the other cases above it and so I can see where it can kind of get lost. I will tell you that was the same night as the asphalt plant if I remember correctly.

Matt Sullivan, Community Development Director

What asphalt plant?

Alderman Thibeault

Yeah, right. So I think that really, you know, there was nobody that spoke against it at the Planning Board because I don't think anyone knew. I hate to see it not be - I'm glad there's people on both sides here tonight to speak on it. So when it does come to us, we can make a strong decision on it. The Planning Board looks at it, and I thought and Director Sullivan can correct me if I'm wrong, but we looked at it based on our criteria for pushing things through especially a petition that a letter of the law, it was it was good enough to pass the Board of Aldermen. I did put a caveat on it and I think maybe someone else did as well. I wanted to make sure that it was okay with the Conservation Commission. I thought that was at least part of it and we had to at least make sure they were good with it because they didn't know about it. It seems like a lot of people didn't know about it. I think that's the biggest piece here is that people didn't know that our stakeholders in. They live around it, the airport, the Conservation Commission. I think all those things were needed before and to Alderman Dowd's point, a lot of other unanswered questions before we can really decide when it comes to the Board what we're going to do with it. So I just wanted to put the Planning Board perspective into it because I did vote on it that night. I did vote to pass it here. It was unanimous, I believe, to pass it here. So that's kind of where I was going with that. Thank you.

Chairman O'Brien

Yes, Alderman Moran.

Alderman Moran

Thank you, Mr. Chairman. I have 15 to 30 questions.

Chairman O'Brien

You might as well.

Alderman Moran

With everyone else here seems to be very important. A bit concerned. It seems like the property has no value unless we grant relief. You can't build on it and if we didn't grant relief what would be the point the Airport Authority or FAA would want to buy it? Nothing changes. It'd be stuck there maybe to prevent something in the future. I'm just curious was this bought in 2005 is that what I heard?

Unknown Speaker

2002 I believe.

Alderman Moran

And did the property owner know about all the steps that would need to go into building on that land at the time of the purchase?

Unknown Speaker

That I don't know. I can say legally you're generally presumed to know the land restrictions applicable to your land that that's just the law.

Chairman O'Brien

Follow up?

Alderman Moran

Why now? Why would the owner want to develop it now?

Unknown Speaker

I think Mr. Goodspeed sort of gave at least an implicit answer to that. She's 80 years old. She's held it for this period of time and it's just time for her to move on from just holding it for all this time. So that's why it's now.

Alderman Moran

Has there been any attempts to sell it without the variances or anything like that? My question along this line is the value, right? Is it valued less to that property owner because no one wants to buy it with the restrictions and then we grant relief and then all of a sudden it has value again.

Unknown Speaker

There has been an effort to sell it. Practically speaking, and I can confirm with Mr. Goodspeed as he's been the realtor on it, but speaking from experience through law land use, most people want their approvals in place before they go to buy it. Nobody wants to put the money down, you know, particularly in the residential setting without things being in place. I think there has been interest but at the same time when you're still looking for approvals, the interest dwindles. I mean that's just the reality of it. People don't want to say yeah so I'm going to put this money down and then we'll spend the next however months to a year trying to get the approval so I can use whatever I paid all this money. So that's practically speaking. So there has been interest but nobody has purchased the property obviously. Hasn't gone all the way through, but there has been interest.

Alderman Moran

One last statement. I just think it was a poor purchase to begin with and I hope maybe even my colleague from Ward 1 would motion to table this for further consideration from public concerns that we heard here today. I'd make that motion but I'm not on this Committee.

Chairman O'Brien

Yeah well let's not get ahead of the game. I think the intention of this whether you support it or not support it. The thing is I think if I can put the pulse of the victim that still has a pulse, this is not ready for primetime. It needs some work. It needs some more negotiation. I have some questions. In the example how long is the driveway? Who's going to be responsible? How are we going to get a fire truck up to that particular driveway? Is there adequate water supply for hydrants in that area? Who's going to supply that us or Pennichuck? Looking at it, there's a significant lay to get water into that particular area. So there's a lot of unanswered questions that may come out of this.

So the thing is perhaps maybe the motion in the future to table might be in order but the thing is to give the opportunity to come up. I would like Mr. Muller and the particulars to leave his meeting educated with an understanding of some of our concerns. If it's going to come, we'll try to reach that particular goal. If they choose to continue to invest consider this a good investment so that's what I would like. Director Sullivan?

Matt Sullivan, Community Development Director

Mr. Chair I think you took some of the words out of my mouth. My statement is neither an endorsement nor a statement against the petition but this petitioner has worked diligently over the last two years to at least pursue a path towards this event tonight and the consideration of this. So I think out of fairness to Mr. Goodspeed, Attorney Muller, and Miss Adams, I think the Committee is headed in this direction. Any feedback that you can provide us as staff to at least seek clarification on specific items that are being proposed or questions that you have, we'd greatly appreciate that. I think we're hearing safety and security, some level of engagement from the FAA, confirmation of service availability for any infrastructure. I do think we've addressed many of the fire access questions and the reality is the access can be upgraded to the extent that safe fire access can be provided to the property.

Speaking for myself, I want to ensure that when I leave this meeting and I'm working with Attorney Muller that I have clear guidance as to what items additional information is needed on. That's not to say that the petition will be favorably recommended but if there are additional pieces of information, I very much appreciate the Committee's guidance on what that might be.

Chairman O'Brien

Director Sullivan you're writing this down I hope.

Matt Sullivan, Community Development Director

Some of it yes.

Chairman O'Brien

Some of the recommendations.

So if I may influence as Chair the new direction or tone of this meeting, you know, if you have some input on what would you like to see going forward with this particular project that hasn't been yet to discuss to give Director Sullivan and Attorney Muller a goal to see if they can achieve that. Yes, Alderman Comeau.

Alderman Comeau

Yes, thank you Mr. Chair. Along those lines if we were going to take a pause and allow for the opportunity to collect some more information, some of the concerns that I have which have already been mentioned - the security of the airport, the maintenance of the road, and the impact on the surrounding conservation land, as well as the lack of notice to the abutters. I realize we got the explanation that we're not required to notify the abutters but maybe we should. Something like this happens in the neighborhood, I think it'd be a good thing to let them know. So if we could get some clarification on those items the next time we meet I would appreciate that.

Chairman O'Brien

Okay. Did I have another hand? Okay because I do have Attorney Muller who would like to speak but Alderman Thibeault please.

Alderman Thibeault

Yeah thank you. It's a question through you Mr. Chairman to Director Sullivan. When this goes to the Board of Aldermen is that the last place it goes? It doesn't go back to Planning, or Zoning, or anywhere else? That's where it ends?

Matt Sullivan, Community Development Director

Mr. Chair to Alderman Thibeault's question. The remaining step would actually be a building permit application to the Building Safety Department. Based on what we know now, that would be the last step. The one caveat I would add there is that we have some understanding of the construction needed to build the road. Certainly Keach-Nordstrom has produced the design. That's been included within the packet this evening. I know there's been representations about wetlands where, you know, I can't say I agree with the representations or not but there may be some permitting associated with wetlands impacts. We just don't know at this point in time. What I can say with some confidence, to my knowledge the Aldermen would not be involved in any further decision-making beyond the granting of an approval or the denial.

Alderman Thibeault

Thank you.

Chairman O'Brien

Okay, Attorney Muller.

Attorney Muller

Thank you, Mr. Chair. I just want to clarify one issue that was with respect to the notice at least as it concerns tonight. As I indicated earlier, the lot of land use and the issue of notice even where it's required by Statute, particularly in the various contexts has come up before. In particular, there's a case called "ten" out of Manchester where somebody literally did not get a notice at all. They were just skipped. They appeared at the hearing. They then complained about the lack of notice, went all the way up to the Supreme Court. The Supreme Court - this is just keep this in mind for future purposes - basically said that if you appear at the hearing, there's no prejudice in the lack of notice and therefore the issue basically goes away. That as I said is in the case where by Statute you have to provide abutter notice under State law. So that was the only sort of clarification I want to add at least with regard to tonight.

Chairman O'Brien

Okay. Are you withholding a motion Alderman Gouveia at this time? I do have two Aldermen that have raised their hands to speak. Would you be so gracious? Thank you. Alderman Jette.

Alderman Jette

Thank you. So on the point of notice, I know the people are here tonight but my understanding is they weren't at the Planning Board meeting where if they would have had the opportunity to express their concerns to the Planning Board, the Planning Board may have voted differently. Am I wrong about that?

Attorney Muller

There's no abutter notice provision for the Planning Board hearing. So apparently in the City of Nashua if I understand Director Williams correctly, there has been at least a practice of a policy where a board and Mayor Aldermen conduct public hearings for these types of petitions. It's not required by Statute. The Statute basically says the governing body votes after getting a recommendation from the Planning Board. There is no public hearing requirement for Planning Board so you wouldn't have the abutter notice there.

I would also note, however, there was a reference to it earlier not by myself or one of those in opposition. This did go to the Zoning Board of Adjustment for a frontage variance back in 2021 September. There is public notice for that. Abutters do get notice for that hearing. When it was eventually granted, there were no appeals. No complaints about notice to my knowledge for that. So there has been at least with regard to the project in general an opportunity after notice to abutters to make comments. There were comments. There was that my memory was originally got denied, went to rehearing, and got granted after rehearing. So there was obviously opposition there and people were listened to it at that stage.

Alderman Jette

Okay. Okay well that's good to know. So if I could just one last thing. So asking for feedback, I guess my own feeling is that I would hope that Miss Adams would be able to find some way to get the benefit of her purchase and perhaps the best way to do that would be - I think I heard you say that she would entertain an offer from the City or the Airport Authority as far as if they wanted to purchase it. So perhaps - I guess that would somehow a deal could be made where she could get the benefit of selling it and the Airport Authority could get it so that it doesn't interfere with anything and it would take us off our table. I guess that would be ty choice.

Attorney Muller

To be clear, I don't believe she would not entertain any offers from anybody if anyone came in. Obviously it would have to make sense for her but I don't know of any reason why she wouldn't at least entertain discussions with either the Airport Authority, the City, or whoever else had an interest in the property. Obviously in response to your colleagues question, she has put it on the market before, has received offers, but not offers but there was some discussion that didn't go anywhere because of the approval issues among other things. As I said if people would like to speak to her, I can direct them to her realtor and they can go through him.

Alderman Jette

Thank you. Thank you, Mr. Chairman.

Chairman O'Brien

Alderman Dowd.

Alderman Dowd

Yeah I know we're looking for questions before my colleague makes a motion. One thing I would definitely want to see is I would want to make sure that the Airport Authority contacts the FAA just to see what their feeling is. I believe this would be an R9 septic. There's no sewage out there. So we don't know the answer to that and it would also be the purchases requirement to run gas, and necessary sewer, and water lines to the property at their expense.

The other thing I'd like to know is I want to go out to the airport with the Airport Manager and look and see where the fence and the gates are today. It's been a long time since I've walked out that part to see what fencing would cost. Based on where the fencing might have to go, it could be cheaper to buy the property so that's one thing to look at.

I would also look at developing legislation if we allow the property to discontinue that road from the edge of that property all the way to Amherst Street any part that's not discontinued already. That road was originally constructed because it was had some airport requirement and it wasn't really intended to be a road. The Fire Department was geared to use it and that's why there's a gated fence near the beginning of those hangars - the other one at Amherst Street but they never wanted to use it because the road's not in great shape and they don't like those fences that are there. Trust me, we've been through the fence thing with the Fire Department extensively. So just questions that I have. I don't know where the fences end up or where the fences could go but you notice all your airports today especially with the type of traffic we now have at this airport to safeguard many aspects of the airport. There's a lot of aircraft maneuvering around. All those hangars you see there in that paved area, none of that was there when I was the Airport Manager. That's all new or relatively new. I don't know what year that was put in. So there's people work on the aircraft in those hangars and they run them up and make noise. From what I can see, it looks like there's not a lot of coverage between those hangars and that property. So I'm just thinking somebody buys and wants to build, they're gonna have a lot of noise all the time. Again, I want to see what the FAA has to say, and make sure we have answers to all our questions, and if we approve this that we have all our ducks in a row for the things that need to be done to make it safe and equitable to the airport.

Chairman O'Brien

Okay. Thank you Alderman Dowd. Attorney Muller, Director Sullivan before I introduce our next speaker would be Alderman Gouveia. Did we give you enough information something to work with here? Are you still looking for anything else that can assist you off of this Board while we're here?

Attorney Muller

I think I understand the basic questions. One is just generally the airport security and safety question dealing with the road and basically access to what is still Deerwood Drive. There is a question or a concern relative to noise. We talked about the notice issue. I think you're looking for a little bit more detail about the recommendations from the Engineering Department and the Fire Department in terms of what we agreed we would do. There was some basic questions about the development of the law in terms of septic and things of that nature. I also heard a basically an issue that was raised by I believe the Chairman of the Conservation Commission before the Planning Board about protecting the wetlands restrictions. I'll be a little bit more specific about that. I believe that more or less covers or what I understand are to be the issues. The only other one I think I have to do a better job of explaining it is there's been some questions about who's responsible for the maintenance of essentially the access way. I can answer that now. It will be the homeowner. That's what you had to put that notice on record for because by law, you have to do it. It still is a public way but the maintenance and making sure that the Fire Department can get there and things of that nature, that falls on whoever owns that lot.

Chairman O'Brien

Director Sullivan same question.

Matt Sullivan, Community Development Director

I would agree with Attorney Muller. I feel as though we have guidance to at least continue the discussions between Attorney Muller's client and my office, the Engineering Department, and Fire Department, and other utility entities as appropriate, and certainly Mr. Lynch, and the Airport Authority. I expect we'll be able to return to you in fairly short order with answers to some of these questions. So we'd be happy to work with a tabling motion to come back to this body and have a further discussion at a future meeting.

Chairman O'Brien

Yeah and I would like to give the usual caveats. This Board is willing to work with you Attorney Muller but you're going to have to put a little bit more you know work on this but still no guarantee. You know what I mean. You still got to appear back to us. I just want you to understand that.

Attorney Muller

Oh I understand that fully. It's one of those things I - that one I do get.

Chairman O'Brien

Okay then our work here is done and I recognize Alderman Gouveia.

Alderman Gouveia

Thank you, Mr. Chairman. I have been withholding my comments. This is my ward. The area I represent so I've been kind of knee deep in this for the past few weeks now. Hearing from my constituents who are here in the gallery today, it's pretty loud and clear what I'm hearing. As it stands right now, I would not support the petition as is for multiple different reasons, including that I think there's a lot of unanswered questions here. I also think as stated by one of our speakers in the public hearing is when they moved in, they were told nothing else would go up around them. People moved into Ward 1 for the feel of what Ward 1 is which is not downtown. You're still in the City. You have the accessibility of the City. You have the services of the City but not so much of that very clustered city feel. That's why I moved out into Ward 1 was for that exact reason.

I feel that is a point that I really want to drive home here is that the neighborhood doesn't seem to really want this. I haven't heard too much testimony in support from anybody other than the developers which is honestly expected. I don't expect many people to come out and say I think this is a good development. I think there's just a lot of unanswered questions. A Class 6 road I think opens up a lot more questions and I think that some of the dive deeper and I have a strange amount of experience with Class 6 roads. My in-laws own a camp up in Ellsworth, New Hampshire, that's on a Class 6 road. I can tell you at times it's an absolute mess. It's an absolute mess and that's only a town of 65. So I can imagine in a city it's not going to make it too much harder. I have concerns of what that Class 6 road opens up into. There could be a lot of ruffraff that could go on in there and that's not what the neighborhood's gonna want. They want to, in my opinion and what I've been hearing, is they want to just be left alone. Life is good right now up in that area and I don't think they're ready or want for change.

So going forward, I think we have a lot of questions to ask. I know Director Sullivan kind of gave his opinion and the opinion of his Division which I think is absolutely reasonable. The one question I still do have here is is the development counsel aware of the questions that were submitted in the communication by Mrs. Harden?

Attorney Muller

I have seen that letter.

Alderman Gouveia

You have seen it. Okay.

Attorney Muller

Yes.

Alderman Gouveia

And is there a way we could get responses to some of those questions?

Attorney Muller

Some of those questions yeah as I said, a lot of those are...

Alderman Gouveia

Of course are addressed.

Attorney Muller

Yes but in some of those, I think such as the notice issue is a little bit beyond my thing.

Alderman Gouveia

Of course.

Attorney Muller

I understand that there are concerns that were raised in that letter. I have a copy of it.

Alderman Gouveia

Okay, perfect. Yeah if we could get some more answers based on just the questions that you have the ability to answer, I think that would definitely be helpful in the decision-making process. As we said, I think we're awaiting some airport documents that can come in tomorrow. So I think there's just a lot left to go on here but as of right now, it's a very tough sell on me in the Ward. So hearing from the constituents, it's a hard sell for me.

**MOTION BY ALDERMAN GOUVEIA TO TABLE
MOTION CARRIED**

DISCUSSION

- Business and Industrial Development Authority – Update

Chairman O'Brien

Okay, Director Cummings. We have just one item which is Los Amigos Park but do you want to go next?

Tim Cummings, Administrative Services Director

I'd be happy to Mr. Chairman but I'm actually going to be deferring to our new Economic Development Director, Director Hannum who's here this evening. Of course I will be in the audience to support her and I believe Director Sullivan is going to be sticking around as well. So if it pleases the Chair, I'd like to hand this off to Director Hannum.

Chairman O'Brien

Okay. Director Hannum please welcome to the horseshoe. You may come up. You can sit next to Alderman Dowd. He will not bite you I guarantee.

Alderwoman Timmons

That's not true. Be careful.

Liz Hannum, Economic Development Director

I'll watch out.

Chairman O'Brien

Okay thank you for joining us. Alderwoman Timmons, yes?

Alderwoman Timmons

Yes, I like to make a motion to amend renaming the park to...

Chairman O'Brien

Excuse me Alderwoman Timmons. I asked we do have people here for a BIDA presentation. Yeah, okay. I would entertain that motion.

Alderwoman Timmons

Okay.

Chairman O'Brien

Okay and what we'll do with that first we'll make the motion to pass and then you may amend it further. Okay? Very good. Director Hannum welcome.

Liz Hannum, Economic Development Director

We've invited the Vice-Chair and Representative from the BIDA Authority. I'm learning.

Chairman O'Brien

You're doing a fine job. Would you like to come forward and sit in the horseshoe?

Unknown Speaker

We'd love to.

Chairman O'Brien

These are no longer the cheap seats.

Unknown Speaker

The upgraded seating.

Chairman O'Brien

Saves you from stretching your back I noticed.

Liz Hannum, Economic Development Director

So we just wanted to reintroduce BIDA to the Infrastructure Committee and I'll hand it over to them.

Jason Haviland, BIDA Chairman

Hi. I'm Jason Haviland. I'm the Chairman of the Committee. I was here several years ago with Jack Tully.

Chairman O'Brien

Excuse me, did Alderman Moran leave?

Alderman Jette

Yes.

Alderman Moran

Yes. I was just here for the petition.

Chairman O'Brien

Okay. Thank you Alderman Moran.

Jason Haviland, BIDA Chairman

I was here several years ago with Jack Tully talking about the Bridge Street Project. We have another project underway and we thought it would be helpful to do two things. One - just come by and let you guys ask some questions of us who we are, what we do. I do have two slides that I'm happy to share. I don't know what the protocol is, how much time we have, what you want to do but we can share who we are and what we do.

Chairman O'Brien

Do you have the thumb drive?

Jason Havigland, BIDA Chairman

I'll actually send it to you in email. That's not going to work?

Alderman Comeau

No, I can't pull it up.

Jason Havigland, BIDA Chairman

Okay then we can just talk. I actually have enough copies. Is it okay to pass something out?

Chairman O'Brien

Yes, absolutely.

Jason Havigland, BIDA Chairman

All right. So I guess before I just jump in is there anything anybody wants to make sure I know or ask before I just start talking?

Chairman O'Brien

No why don't you go through your presentation.

Jason Havigland, BIDA Chairman

I'll be brief.

Chairman O'Brien

You have to introduce yourself but give us an overview because sitting at home is John Q public and they may not be familiar with BIDA. So he's your opportunity for the sell.

Jason Havigland, BIDA Chairman

Okay, so I'll be brief. I'll tell a little bit about what we do, and then a little bit about our next project, and part of what we also wanted to do is discuss a little bit about our approach for how we would do that, and just get your input, and ideas about that as well.

All right. So we are the Nashua Business – actually also let me introduce Lydia Foley the Vice-Chairwoman of our Committee. So we are the Nashua Business and Industrial Development Authority, BIDA for short. Here is our current Committee. So it's myself, Lydia is the Vice Chairwoman, and then Mark Prolman, Carl Andrade, David Denehy, Scott MacKnight, Jaron Slattery, Deb Novotny, and then we currently have an open position that was recently vacated by John Stabile. So this is our volunteer but appointed by the Mayor board. We also have representation from the City Treasurer and from two of your fellow Aldermen.

What's our mission statement? What do we do? Why do we exist? So we are Nashua area residents in coordination with the City volunteering is in bold because I like to point this out to people who come to our meeting and complain. We're here to donate our time and energy to support the continued growth and business develop in Nashua through the evaluation, consultation, and facilitation of business development opportunities, and through the redevelopment of

unproductive and underutilized real estate. Basically, we take the stuff, again now in fairness, we've done one project in like 12 or 15 years. We're hoping to accelerate the pace of that so we have our second one lined up but we're trying to help, right? We're trying to help take the unutilized and unproductive stuff and help the City move that forward back onto the tax roll and generally just make Nashua a more developer friendly City. That's who we are. That's why we exist.

So what do we do? Page two, we basically do four things. So we try to build public/private partnerships like we did with the Bridge Street Project. So we worked on many of probably the same things this group does other departments in the City. We help zoning changes come into effect. We help with environmental studies. We found a developer for the Bridge Street Project. We facilitated the review of that project and helped just make every - it took 12 to 15 years. We can't argue it went smoothly but we did have constant communication and constant oversight with that partnership.

We're financial stewards, right? So we look over the costs. We review what's happening. We review the project process. In the case of the Bridge Street Project specifically, it went from no revenue to \$680,000 a year back on the tax rolls. If you sort of add that up since it's been on the tax rolls to now, you're at \$2.3 million since it came on. So we're very proud of that. Like I said, we do oversight. We meet monthly. We've got budget oversight. Again, I was here with Chairman Tully talking about the specifics of the deal last time we were here. Why we sold it for the price we did and what were the economics around that. So we helped review that as well as every other key aspect of the project.

Then we try to provide business leadership. We have realtors but we also have a nice cross-section of Nashua residents serving on this Board all with different perspectives, different ideas trying to just bring our best ideas forward and help Nashua become the most fair, increase the attractiveness for development in Nashua. On the very bottom of that slide is the Statute for which we are authorized. So that's us in a nutshell. Questions on that?

Chairman O'Brien

Open up for questions. Alderwoman Timmons.

Alderwoman Timmons

Oh, thank you. I have two questions. One, you say you guys are all volunteers?

Jason Havigand, BIDA Chairman

That's correct.

Alderwoman Timmons

Is that full time or part time?

Jason Havigand, BIDA Chairman

Part time.

Alderwoman Timmons

Part time. I was wondering.

Jason Havigand, BIDA Chairman

Yes we meet once a month and then we typically take action items of some sort to do various things. We take tours of properties. In the past, we helped organize and run a developer tour where we got on a city bus and took the bus around the city and allow the developers to see the kind of the best and brightest ideas that they might be interested in seeing in the City. We attend meetings, talk to developers, eventually we'll talk to abutters on the property we're talking about. So we have some activity outside to the order of like several hours a month.

Alderwoman Timmons

May I?

Chairman O'Brien

Follow up?

Alderman Timmons

Yes. Secondly, what is the next project?

Jason Haviland, BIDA Chairman

So that's kind of the next agenda item. If we're ready to move on to that we can do that next or again, I'll field any other questions about who we are and what we're up to.

Chairman O'Brien

Any initial questions? If not, we can move on to the next page two.

Alderman Thibeault

Alderman Jette has a question.

Chairman O'Brien

Alderman Jette. I'm sorry. I didn't see you Sir.

Alderman Jette

Yes but I can wait. I can wait and ask my question afterwards.

Chairman O'Brien

It's up to you. Okay.

Jason Haviland, BIDA Chairman

All right. So we are working on the project that we describe as the "police training facility in the Millyard". It has come through city consultations that that might be a good property for us to work on next. It is our hope that, you know, we take on projects like this and sort of get them to a place where a developer wants to come in, buy it, and fully develop the project. In this particular case, we are taking the proceeds from the Bridge Street Project and rolling them forward into the early work on this project to again, I think the environmental study is complete. I don't know is that true?

Matt Sullivan, Community Development Director

It's very close to being complete.

Jason Haviland, BIDA Chairman

I'll invite Director Sullivan up as well. Certainly welcome to come up and add more things that are of interest rather than my color commentary on them but it's our intent to get the project past the point where as in like the last presentation you were looking at where there was risk, right? We want to try to take that risk out, get it to the place where a developer comes in, knows what's there, and can build it. They'll have certainly some input, we'll have some input. Lydia and I met with the Mayor last week. I think it was last week, yep. Got some of his input and so we'll consolidate all of that and eventually our hope would be to get a resolution from the Board of Aldermen similar almost in many ways to the Resolution that was passed for Bridge Street to basically convey the property to us for the purposes of building it and developing.

Chairman O'Brien

Any questions from members of the Board? Alderman Jette.

Alderman Jette

Thank you, Mr. Chairman and thank you Mr. Haviland and Miss Foley for coming. We understand what it's like to be

volunteers because we are essentially volunteers ourselves. Almost all of us have other full-time jobs so we know what it's like to do that and also to spend time on city business. It's good to see you in person because it's always better when you're just dealing with names, projects, and stuff that come before us. It's nice to be able to know the people behind it. It's suddenly dawned on me, I mean I've always thought the Business and Industrial Development Authority I kind of think of it like it's the Boston Redevelopment Authority.

Jason Havigland, BIDA Chairman

Yes, it could be that but we're not there yet. We're going to take some baby steps before we do that.

Alderman Jette

So I've expressed kind of a disappointment not knowing any better that we haven't had more projects coming from you. When the project that you did on Bridge Street, it was very successful but it was essentially housing. What you're talking about in the Millyard is more housing.

Jason Havigland, BIDA Chairman

Correct.

Alderman Jette

I'm kind of looking for, you know, somebody last night mentioned IKEA coming here or the development - someone else spoke very favorably about the development in Salem Tuscan Village I think if I got the name correct. I don't know Tesla. There's some big company coming in and we've got a lot of mill buildings. Somebody coming in with employing a lot of people and you know you understand.

Jason Havigland, BIDA Chairman

The big stuff. Yeah, for sure.

Alderman Jette

So I realize that your time is limited, your resources are limited, and maybe it's our Economic Development Director who would play that role better with your assistance.

Jason Havigland, BIDA Chairman

Yeah certainly. We can and we would like to play a role in doing all of those things, right. I I don't think we want to be the Boston Redevelopment Authority but we'd like to do more than one project every 12 years, right. We'd like a little bit more of a pace, right. We can probably handle a couple at a time, right, and I guess I'll leave it if Director Cummings or Sullivan would like to weigh in and the value of our Board and sort of what we bring in. We think we do a good job and we think we could play a role in helping the City in those regards. At some point if we could build some budget, build some capacity do a couple of these projects, get well - I mean we're not probably well known like you're the Aldermen. You didn't even know about it, right? So we got some work to do to try to be a little bit more well-known but possibly all of those things could happen and yeah we'd very much like to do more than our previous pace.

Alderman Jette

Thank you.

Chairman O'Brien

Further questions? Alderman Thibeault.

Alderman Thibeault

Thank you, Mr. Chair. I guess this question is more like how you guys look at things. So I mean there's not empty buildings on every corner but there are some empty buildings out there. We're supposed to do Amazon Fresh and then now the building is just sitting there and Daniel Webster Highway. The Building 19 building has been there forever. That's

a big building.

Jason Havaland, BIDA Chairman

Right.

Alderman Thibeault

Could you develop that? That would be a giant I mean it's just sitting there. So I look at a lot of those empty buildings and I think, you know, before I was like is Director Cummings doing something about this or not? You guys could get involved in some of these things. So this is like a city property. Can you get involved in properties that aren't owned by the city?

Jason Havaland, BIDA Chairman

Yes, we can. We surprisingly have the authority to raise bonds. That could be an interesting mechanism where the bullets can be directed in another area if something like that were to come along and have any consternation. Yes that's a possibility. We actually have a significant amount of authority well beyond what we've exercised or used. We actually looked at a couple of individuals. So our budget coming off of Bridge Street was \$250,000. What can we buy for 250 and then again roll forward from there. We looked at a couple and said yeah no we don't want to do like a little tiny one. Let's invest in a bigger one, have that sell for more, and then again with the intent being let's continue to roll the projects forward. So yeah, those are all things that we could engage with and do.

Alderman Thibeault

Do it. Let's do it. Thanks. Good luck.

Lydia Foley, BIDA Vice-Chairwoman

Mr. Chairman could I?

Chairman O'Brien

Yeah, absolutely.

Lydia Foley, BIDA Vice-Chairwoman

So the process currently is we look to the Economic Development Director to identify underutilized property and help determine the higher and best use. So the talented people on BIDA we look at different projects, we pull up the GIS map like we're seeing here, and for the most part we are looking at City owned property. The public/private partnership is a little bit more cumbersome. So these projects the City already owns is what we have experienced with so far but certainly we could look at a proactive approach engaging with private owners.

Jason Havaland, BIDA Chairman

Like I said, we probably have to do some smaller like bite sized chunks and then we can look for something bigger. But there's also other ways that we can, you know, I feel like in some ways we're a little bit of an underutilized asset. Like there's some real highly talented people on this Board with wonderful business insights. John Stabile just resigned but there was an amazing wealth of knowledge in his head at the Board and there's so much insight and both practical and nostalgic knowledge about Nashua. Again, we're all there because we want to be. We're just trying to help, right? Everyone on the Board is very willing to, you know, talk about ideas and projects that we might help with any way we can.

Chairman O'Brien

Okay. Director Hannum I do have something for you. Is this Committee familiar with the work that is currently going on through PEDC with the overlay up at the Amherst Street area and stuff like that which would seem to be groundbreaking opportunities. If you're looking for that bigger fish in the pond, I can tell you the right hole he's in but that's an area that could use some TLC and monitoring.

Liz Hannum, Economic Development Director

We haven't done a kind of comprehensive rundown of what's happening but that's certainly something we could add to the agenda to the beginning of those meetings. I think that would be really helpful and we've talked about it just in the two meetings that I've been at as well. So I think that that's something that we can start working on.

Chairman O'Brien

Yeah and then also too, I am so pleased that you came before this Committee but there's always been a little bit of overlap. I know you're relatively new. Director Cummings and Director Sullivan can verify between PEDC and Infrastructure. Our goals are common. Unfortunately, Alderman Moran and that's why I tried to say you're in a seat but he is the Chairman of PEDC.

Jason Havigland, BIDA Chairman

What does that stand for? I'm sorry.

Chairman O'Brien

You had to ask that. Planning and Economic Development. Just by that title, I think you can see why because that seems to be fit right within, my opinion, equally as well as us but equally as well with your focus and stuff like that but unfortunately he had to leave. I'm sure he would have extended the invitation to discuss that. So maybe moving down farther down the line, please don't take all our summer nights but we are volunteers since that brought up.

Liz Hannum, Economic Development Director

Yeah I will say just in the two meetings that I've attended, I'm really excited. There's a lot of really ambitious people and these kinds of projects are well within their scope of work and their ability. So I'm pretty excited to have a really great support system going forward.

Chairman O'Brien

Yeah because as we go on in the future, Director Cummings will probably throw a shoe at me and so will Director Sullivan, but I'm hoping as the objective of the Infrastructure Committee as we march on I mean we have some infrastructure that we've definitely going to need to take a peek see at and to come up with some solutions and stuff like that. So very shortly, I would imagine our plate will start getting full. We're great at building. We're not so great at maintaining. We're gonna change that. Even the house has to be painted every seven years unless you go vinyl and that's fine.

Any other questions by members of the Board? Alderman Jette.

Alderman Jette

Thank you, Mr. Chairman. I did want to acknowledge in my comments I didn't mean in any way to forget the great efforts that Director Cummings has made. I mean he has brought - there are companies that have come to Nashua under his work and I didn't want him to think that I've forgotten about those things. I can't remember all of them but it's not like he's done nothing.

Jason Havigland, BIDA Chairman

So yeah I will also add that I as a several hours a month Board, we can't do what we do without support from the city staff. They're fantastic. They work with us very closely. Again, I think we help them. They certainly help and drive the on the ground activity that moves on our Committee. That partnership is great and we look forward to more of it.

Chairman O'Brien

Okay. Other questions members of the Board? Director Sullivan.

Matt Sullivan, Community Development Director

Just one comment.

Chairman O'Brien

Please.

Matt Sullivan, Community Development Director

Because I can't shut my mouth. I can't help myself.

Alderman Comeau

Stop volunteering for things.

Matt Sullivan, Community Development Director

Well you said that the other night too.

Alderman Comeau

I've said it like three nights in a row.

Matt Sullivan, Community Development Director

I can't help myself. I want to first start by giving credit to Jason, Lydia, and the Committee. They've pushed Planning staff significantly to tweak some existing processes that are really focused on development applications. John Stabile who is I guess late in the sense that he's no longer on the Committee but had very vocally expressed some frustration with the way the processes were working in the City and he was right. So we've made some small tweaks that we hope will make a big impact. I just want to give them credit for that.

Although they weren't intimately involved with the mixed-use overlay, they will be intimately involved with the Land Use Code update moving forward. That's something we've been talking actively about and they're really going to be a significant voice from an economic development perspective on that adding to Director Hannum's conversation that she'll have with our planning team.

I do just want to mention two very brief things about this exciting project that is bringing forward. One is that I know there's been some very deliberate discussion at this Committee about sort of the revenue split and how that arrangement will work moving forward. I want to say for the record tonight, I don't want to get through this meeting without saying this, that we're actively talking about how that will play out and it will be part of the resolution that's brought to you at a later point in time. Any representations made today are still sort of currently under negotiation and discussion. I know Director Cummings had come to this group several months ago and had some discussions about this. We're now taking a closer look at all those numbers. Although there's certainly some conversation on the record, you might see some new information presented moving forward.

The other piece that I want to point out, and it's not clearly within the boundaries of the project, but there is a parcel to the north that's a large city parking lot. It's not actually included within the contemplation of what BIDA is working on directly right now. It's the parcel to the left but this is something that is part of the environmental work we're actually taking a look at just to understand what, if any, environmental conditions might exist here. I guess I'll make the controversial comment here. This is possibly a future redevelopment opportunity as well. It's currently a surface parking lot. We know that parking is needed here and this is not within the scope of the BIDA project today but this is an opportunity with all of the mixed use and residential redevelopment opportunity within the Millyard. This is something you may see BIDA look at in the future or certainly something that will be contemplated in the work that they're doing. I just wanted to quickly say that to this Committee so it's on your radar. Thank you.

Chairman O'Brien

Thank you, Director Sullivan. Again, further questions members of the Board? Well I would like to thank you for coming in and give us a presentation. This is my first opportunity to meet you. So I thank you for coming in so the other members of the Board can meet you. Yes, you have a comment?

Alderman Comeau

Jason when's the next meeting in case anybody wants to attend?

Jason Haviland, BIDA Chairman

Excellent question. July 21st.

Chairman O'Brien

And where?

Lydia Foley, BIDA Vice-Chairwoman

Upstairs.

Chairman O'Brien

Friday, July 21, 9:00 a.m. upstairs auditorium. Be there or be square.

Jason Haviland, BIDA Chairman

Sometimes on Zoom.

Chairman O'Brien

Sometimes on Zoom, yes.

Jason Haviland, BIDA Chairman

Thank you again for the invite. Appreciate it.

Alderman Dowd

Chairman I've got to go. I've got that procedure in the morning.

Chairman O'Brien

Come on you're not going to tough it out with us. Alderman Dowd thank you for your attendance and your input tonight. Thank you.

Okay, final thing on the agenda tonight. I'll let the Clerk read the title please.

NEW BUSINESS – RESOLUTIONS

R-23-130

Endorsers: Alderman Thomas Lopez
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Melbourne Moran, Jr.
Alderman-at-Large Shoshanna Kelly
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Derek Thibeault
Alderman-at-Large Gloria Timmons
Alderman-at-Large Lori Wilshire

RENAMING "LOS AMIGOS PARK" TO "REVEREND DOCTOR PERKINS LOS AMIGOS PARK"

MOTION BY ALDERMAN COMEAU TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Chairman O'Brien

It seems Alderman Timmons does have a pending amendment that she would like to put in to this. Alderman Comeau

would you work with Alderman Timmons on the...

Alderman Comeau

Yes I write very slow so bear with me.

Alderwoman Timmons

Okay. There you go and I'll give it to you. It's renaming the park to Reverend Doctor Bertha A. Perkins Los Amigos Park.

MOTION BY ALDERWOMAN TIMMONS TO AMEND BY RENAMING THE PARK TO "REVEREND DOCTOR BERTHA A. PERKINS LOS AMIGOS PARK"

Chairman O'Brien

So basically the change would be the first name involved, correct? Yes. Okay.

Alderwoman Timmons

Right.

Chairman O'Brien

Okay. Open up discussion on the amendment which is basically putting the name Bertha to the Reverend Doctor Bertha Perkins Los...

Alderman Timmons

A. Perkins.

Chairman O'Brien

A. Perkins. Excuse me. On the amendment. Any discussion? Seeing none.

MOTION CARRIED

MOTION BY ALDERMAN COMEAU TO RECOMMEND FINAL PASSAGE OF R-23-130 AS AMENDED

ON THE QUESTION

Alderman Jette

Yes, thank you. So I'm in favor of recognizing the Reverend Doctor Bertha A. Perkins. This is sponsored or I think originally sponsored by Alderman Lopez. It's his Ward and he's doing great work there. I will support whatever he wants but the thought occurred to me that the question I had isn't there some other way of honoring Dr. Perkins other than renaming the Park only because the Reverend Dr. Bertha A. Perkins Los Amigos Park is not only a mouthful, it's going to be very difficult to put that on a sign. I suspect that after we do this and I mean the sentiment of honoring Dr. Perkins, I'm fully in favor of. I just wish there was some other way, some other thing that we could name after her because I suspect that after we do this it's either still going to be called "Amigos Park" or maybe it will be changed to "Perkins Park" but I guarantee it hardly anybody is ever going to call it the "Reverend Doctor Bertha A. Perkins Los Amigos Park".

I had a similar thought when we renamed the "Broad Street Parkway" to the "Veterans Memorial Parkway". I knew that the memorial part was going to get dropped and that people are going to call it the Veterans Parkway in short order. If that's what the neighborhood wants, that's fine with me. I just raised that issue as to whether or not there'd be some other something else near the church that would be better suited to honoring her. I just had that. I don't know if you've thought about that or have an answer to that. I don't know.

Alderwoman Timmons

May I?

Chairman O'Brien

Yes you may.

Alderwoman Timmons

One - it's not about the church. It's about the community, the entire community. As far as the parkway, I call it the shortcut. So no matter what you do, somebody is always going to shorten that name. So that's a moot point to me. To shorten that would be slapping those people in the face and that's why it's that long. I get it. It's a lot and nobody is going to say that but it's the symbolic emotions behind it more than the name itself. That community really cared a lot about her and she did a lot for the community. I mean I've seen her I bypass her and give her a \$20 bill and this person who's walking by and she handed that \$20 bill over to that particular person. So it's more than just the church. It's what she does. It's what she was doing for the entire community, and the church, and the City, and the State itself. She's instrumental in passing the Martin Luther King, Jr. holiday as well. I mean she did a lot for this State.

Alderman Jette

Could I follow up?

Chairman O'Brien

Follow up.

Alderman Jette

I don't dispute the contribution that she has made and that she's very deserving of an honor. I just thought that long name on a park that's already got a name I'm just wondering if there's something else that we couldn't come up with but I'll leave it at that. Thank you.

Chairman O'Brien

Thank you Alderman Jette. Alderman Thibeault.

Alderman Thibeault

Thank you, Mr. Chair. Yeah I'm agreeing with Alderman Jette with a lot of it. I mean I agree 100% that she deserves something. I think it's in some of the other parks in the City - Drescher Park, Libby Park, Dominico Park. They don't use like the full name of the person. I'm probably going to vote for this no matter what because I think it's probably the right thing but it will probably be the longest name of any park in the City. I don't even know who Greeley – I don't even know the name it's not Horace Greeley but I don't know was it James Greeley? I don't even know, right, because we go by Greeley Park.

Chairman O'Brien

They will it to the City.

Alderman Thibeault

You know like I said, I would still vote for this but it is a mouthful.

Chairman O'Brien

Alderman Comeau.

Alderman Comeau

Yes, thank you. I have no problem with the Ordinance or the amendment. I'm ashamed of myself as a Clerk for not catching this but Alderwoman Timmons isn't on the Committee so she can't make a motion so I will retro actively say I made the motion on her behalf.

MOTION BY ALDERMAN COMEAU TO AMEND BY RENAMING THE PARK TO “REVEREND DOCTOR BERTHA A. PERKINS LOS AMIGOS PARK”

Chairman O'Brien

For clarification.

Alderman Comeau

I had written Motion by Alderman Timmons and then I'm like wait a second. So I just wanted to make sure I say that out loud.

Chairman O'Brien

Well that's why I asked you to work with her. That was my point.

Alderman Comeau

I have a lot of scribbles on this paper today.

Chairman O'Brien

Well that's why we pay you. Okay. I think what it comes down to there are infinitesimal ways that you can honor people in this City. Maybe not people would agree in the concept but probably have a better idea. I know in Somerville, MA, they have a fire station of three firefighters who were killed and that's a mouthful but it's in a certain square and that's what the people call it you know what I mean because it's the neighborhood. The thing is she will get a plaque that will be outside the facility. If not, in my opinion, is what we're in search for is that brief moment somebody might read that particular plaque and reflect back and think about that. Maybe we achieved that goal. So everybody here their points are well-taken. The thing is, is there a clean way makes everybody happy? I don't know. Any further comment by members of the Board?

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

UNFINISHED BUSINESS - None

NEW BUSINESS – ORDINANCES - None

TABLED IN COMMITTEE - None

GENERAL DISCUSSION - None

PUBLIC COMMENT - None

REMARKS BY THE ALDERMEN

Chairman O'Brien

I personally would like to say thank you. We had a very tough discussion. I think everybody was very good and brought up points of view. I'd like to compliment you all. I mean my goal was to give the City Director Sullivan and Attorney Muller direction on what to go by, and then they'll come back to us, and then we could weigh the balance, and have better information. When you have like unanswered type of questions, it's not the way. Refer back to my time up at the State House if a Bill isn't ready for primetime, then you reject it because then it's not a good Bill. This wasn't 100% clean. So I thank you all for your due diligence of working on that. Hopefully, we'll have something a lot cleaner coming back shortly that we could take a look at. Okay. My next favorite motion. Alderman Comeau?

Alderman Comeau

Don't get ahead of yourself. I have to make another one first. Can I make a Motion to accept and place on file the

communication we received from Business and Industrial Development Authority?

Without objection, Chairman O'Brien suspended the rules and accepted communication that was received after the agenda was prepared.

From: Business and Industrial Development Authority
Re: Mission Statement and Approach

There being no objection, Chairman O'Brien accepted the communication and placed it on file.

ADJOURNMENT

**MOTION BY ALDERMAN COMEAU TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 9:11 p.m.

Alderman Alex Comeau, Committee Clerk

Nashua Business and Industrial Development Authority (BIDA)

C - Jason Haviland, Business Owner, Cottage Street Advisors, Investment Management
VC – Lydia Foley, Business Owner, Purple Finch Real Estate
B – Mark Prolman, Business Owner, Prolman Realty
B – Carl Andrade, Business Owner, Consultant
B – David Denehey, International Affairs Professional
B – Scott MacKnight, President, Triangle Credit Union
B – Jaron Slattery, Project Manager, Etchstone Properties
B – Deborah Novotny, Senior Vice President Commercial Lending at Enterprise Bank
B – OPEN, recently vacated by John Stabile

BIDA MISSION STATEMENT: Nashua area residents, in coordination with the city, **volunteering** their time and energy to support the continued growth and business development of Nashua through the evaluation, consultation and facilitation of business development opportunities and through the redevelopment of unproductive and underutilized real state.





Nashua BIDA



APPROACH: *Civically engaged business Leaders of Nashua, coming together to Leverage their collective experience to build and execute the shared vision of Nashua becoming a world class community.*

Public-Private Partnerships:

- **Championed** a zoning change in to allow mixed-use development.
- **Initiated** environmental testing to help ensure public safety and to provide transparency to developers.
- **Solicited, screened, attracted and retained** a private sector partner to redevelop the Bridge Street site.
- **Helped facilitate** new project review and approval process to help achieve goal of Nashua becoming more developer friendly.

Financial Stewards:

- “BIDA’s efforts opened the City’s eyes to a redesign that ultimately placed the facility underground and out of sight, preserving the Bridge Street site for future, impactful development. This redesigned facility resulted in a project savings of over \$4 million.” - State of the City 2015
- Increased the tax revenue of the Bridge street property from no revenue to \$680k/yr.
- Generated \$2.3M since being added to tax roll.

Expert Oversight:

- **Monthly meetings:** provide general project oversight, **budget oversight** and project financial due-diligence.
- Provided financial education and insight surrounding project financials and land sale to the public and Board of Aldermen.
- Provided final approval of **all key project elements and partners**.
- **New Skate park upgrades:** located near other sports amenities and better monitoring.

Business Leadership:

- Facilitated and hosted a developers showcase in to allow area developers and investors the opportunity to see the “best of” development opportunities in Nashua.
- Ensured coordination and collaboration with approved \$3M East Hollis St. Traffic Improvement Project.
- Continually review, tour and provide strategic input to City’s development and business expansion efforts.



93 Perimeter Road
Nashua, New Hampshire 03063
Tel (603) 882-0661 · Fax (603) 881-5415

June 23, 2023

Dear Mayor Donchess and Distinguished Members of the Special Board of Aldermen,

I recently received notification from a City of Nashua resident, Holly Hardt, 17 Massasoit Road, Nashua NH 03063, that the City of Nashua has granted a zoning variance for L-Deerwood Drive – Lot H-103 for a non-conformal frontage requirement. Subsequently, the property owner is seeking a building permit to construct a single-family home on said property. A Special Board of Alderman – Public Hearing, L Deerwood Drive – Lot H-103 is scheduled for June 28, 2023. This has the NAA deeply concerned.

This portion of Deerwood Drive (between Perimeter Road and the RR Tracks to the Northeast) has been a Nashua Airport Authority access road only, closed to public access vehicular traffic, and has been maintained by the Nashua Airport Authority for decades. Allowing development of Lot H-103 and consequently opening this road to public access vehicular traffic exposes the Nashua Airport to serious security and safety risks. The RPZ (Runway Protection Zone) extends through/beyond Deerwood Drive. Additionally, the Airport has a precision approach to Runway 14 with associated equipment (MALSR: Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights) located within the RPZ. This Instrument Approach Lighting System is a critical component associated with the ILS RWY 14 Approach which ensures that aircraft can land safely during inclement weather conditions. Opening Deerwood Drive to public vehicular traffic could compromise this system's reliability.

Lot H-103 abuts the Nashua Airport property. As you may know, the Airport property is zoned "Airport Industrial". Developing residential housing abutting an airport should be discouraged. This Lot H-103 property is located within the Airport's traffic pattern and is subject to frequent or even constant noise from aircraft and other airport-related activities. This should be disclosed to all potential buyers.

As the Manager of the Nashua Airport, I strongly recommend that the City of Nashua (Airport Sponsor) put an end to this development proposal and if need be, move to acquire the parcel of land, L Deerwood Drive – Lot H-103, from its current owner via eminent domain or other means necessary to ensure the safety of the public, and security and prosperity of the Nashua Airport.

In conclusion, the Nashua Airport Authority vehemently opposes this proposed single family home development and opening/allowing public vehicular access to Deerwood Drive abutting the City of Nashua Airport property. Additionally, the NAA strongly recommends that the City of Nashua move forward with a discontinuance of said portions of Deerwood Drive.

Regards,

Chris Lynch
Nashua Airport Manager