

EXPANDED DRAFT MEETING SUMMARY
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NASHUA CITY PLANNING BOARD
September 23, 2021

A special meeting of the Nashua City Planning Board was held on September 23, 2021 at 6:30PM in the 3rd floor auditorium in City Hall AND via Zoom virtual meeting.

Members Present: Scott LeClair, Chair
 Adam Varley, Vice Chair
 Mike Pedersen, Mayor's Rep
 Maggie Harper, Secretary
 Dan Hudson, City Engineer
 Bob Bollinger
 Larry Hirsch
 Mark Meehan

Also Present: Sarah Marchant, Community Development Dir.
 Matthew Sullivan, Planning Manager
 Scott McPhie, Planner I
 Christine Webber, Department Coordinator

ALL VOTES ARE TAKEN BY ROLL CALL

1. ACCESS

This meeting is accessible in person in the 3rd floor auditorium in in Nashua City Hall and via Zoom. Members of the public and representatives of the applicants have been urged to attend the meeting via Zoom, but they may attend in person at City Hall. Real time public comment can be addressed to the Board utilizing Zoom or in City Hall, 3rd floor auditorium.

2. PUBLIC NOTICE AND ACCESS

If anybody has a problem accessing the meeting, please call (603)589-3115, and they will help you connect.

3. ADJOURNING THE MEETING

In the event that the public is unable to access the meeting via the methods above, the meeting will be adjourned and rescheduled. Please note that the board will continue to take vote via roll call.

The Planning Department and Board thank you for your understanding and patience during this difficult time.

APPROVAL OF MINUTES

None

COMMUNICATIONS

Mr. McPhie went over the following items that were received:

- Memo from Legislative Affairs Manager Donna Graham re: Imagine Nashua Master Plan
- Memo from Legislative Affairs Manager Donna Graham re: R21- 0169

REPORT OF CHAIR, COMMITTEE & LIAISON

None

OLD BUSINESS - CONDITIONAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLANS

None

OLD BUSINESS - SITE PLANS

None

NEW BUSINESS - CONDITIONAL USE PERMITS

None

NEW BUSINESS - SUBDIVISION PLANS

None

NEW BUSINESS - SITE PLANS

None

OTHER BUSINESS

1. Referral from the Board of Alderman on proposed R-21-170, relative to the Approval of the Imagine Nashua 2021 Master Plan.

Amber Logue, Chair of Master Plan Committee, Utile

Ms. Logue said she is honored to present the master plan and framework for their future city. Over the last year, the master planning steering committee, city staff, and Utile have met extensively with the residents of Nashua. Through a series of more than a dozen public meetings, 40 focus group meetings, and the feedback gathered from their interactive website they present a community and citizen master plan to be proud of. This plan is reflective of what they have heard from everyone as a community.

Ms. Logue said for some citizens this presents their dreams of what they will leave behind. For others, this is the future they wish to work for. This framework not only illustrates ideas and ideals, it includes recommendations and details. The hardest work is now to ensure city policies and land use codes are reworked to make this vision a reality.

Ms. Logue thanked everyone involved in the process.

Will Cohen, Project Manager, Utile, 115 Kingston St, Boston, MA

Mr. Cohen said the full draft is available on the Imagine Nashua website. He will be going through the primary highlights that this plan has to offer.

Mr. Cohen said the six topic areas of this document are Land Use & Development, Housing, Mobility & Transit, Economic Development, Open Space & Natural Resources, and Arts & Culture. Within those are several initiatives that the city will be working towards in the short, medium, and long term. This can also be seen in a spatial aspect, places the city predicts the most change. Each of these locations is gone into as a scenario later in the document.

Mr. Cohen said there is also an Implementation Report Card. Each focus area has a list of metrics over the next 5-10 years that should be met to be considered successful. A primary goal of this document is that it be a tool usable by the public, not only city officials. The document should be understandable at a glance and easily referred to, and the sections should be able to be pulled out and stand on their own.

Mr. Cohen described the various ways they received input from the community and focus groups, especially through Zoom meetings. A lot of the changes they made were to emphasize the diagrams and concepts used in the public engagement process so that developers and members of the public can see what the vision of the Master Plan is.

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Mr. Cohen outlined the main areas for future redevelopment, including the Amherst St corridor, Main St, the former Daniel Webster College site, and the former Beazer site.

Mr. Cohen said the second big goal was carbon-free transportation and building design. They heard from many participants repeatedly that a clear and coherent way to move that forward in a progressive and time sensitive manner is a priority. This was broken down into various actions to achieve this, and the recommendations for each action. There will be a recommended timeframe and partners to involve in each action.

Mr. Cohen said this Master Plan relies heavily on other planning project the city is actively working on. One of the sources was the recent large 2020 Housing Study. They reviewed many key issues related to the general housing crisis in Nashua to see which were most actionable goals.

Mr. Cohen said after the ten top priorities for the city, there's a lot of additional stuff in the document about strategies to effect change. At the end is a glossary to help readers wade through the various terms and abbreviations used in the plan. At this point there are substantively no more changes, and it's really formatting and layout that they need to work on. The document presented is 99% complete.

Mr. Sullivan said there are some minor details to be ironed out. Functionally they are asking the Board to conditionally adopt this and send it off to the Board of Aldermen for their approval. This document is important not only for future development proposals but also for the upcoming comprehensive update to the Land Use Code. This will be a formative piece of rewriting the zoning ordinance and regulations they use to review proposals on an everyday presence. They want this document to be opened on a regular basis, and for this to be a more living document than the previous mater plan.

Mr. Varley asked if this is like a typical referral, or if this will come back to them after the Board of Aldermen.

Mr. Sullivan said the adoption would happen here conditionally, and not return to them prior to it being final.

Mr. Bollinger asked if there would be changes associated with the ordinances.

Mr. Sullivan said absolutely.

Mr. Bollinger asked if any new zoning maps have been drafted showing any potential changes.

Mr. Sullivan said no, they have not proposed any spatial adjustments at this time. This allows them to identify areas where there might be misalignment between the existing zoning and what they would like to see, or areas they anticipate development. They have not had specific conversations about where the boundaries might be drawn.

Mr. Bollinger said one of the items is in the implementation report card, under income inequality. It was not clear how that term was defined and how the city would develop a reportable matrix.

Mr. Cohen said from the most quantitative look at it, there is a genie coefficient, which is the measure between purely equalized income stratification. The complication is that there is a healthy debate in the United States as to what the right answer to differing incomes is. He suspects they will not have a perfect number.

Ms. Marchant said where this started was the housing study, and they have some very good data about the income of households of White, Black, Hispanic, and Indian households. The income inequality is very significant. The challenge is finding a reasonable rate by 2030 to correct this.

Mr. Bollinger said Main St from East Dunstable Road to Amherst St is designated as part of the National Highway System, which is a federal designation. He encourages the city to work with the NHDOT, because there are very prescriptive measures by which they can alter it. If there were any federal dollars used to improve Main St, he wouldn't want the city to be in a bad position for payback within the right of way prior to making significant modifications.

Mr. Meehan said the plan is beautifully comprehensive. He was struck by how much was being redeveloped and the idea of equity. Redevelopment often means pushing people out and bringing new people in. How did they balance that out in their efforts?

Mr. Cohen said it is absolutely true in the past and present that when you want to talk about a redevelopment process they use words like 'revitalization', 'redevelopment opportunity', or 'vibrant districts', when it can also be described as 'displacement' or 'gentrification'. That bothers him as an urban planner, and the authors of this document feel that very strongly.

Mr. Cohen said many of these changes will take an extremely long time to be implemented. State zoning enabling acts say that the power of a city to do things is when they are in accordance with their plan. They need a document, through the community process, that has a mediated long term plan for how development should happen. There are many ways that redevelopment, when done carefully, actually can benefit all. Home ownership is the single most best way to develop, retain, and build generational wealth. Redevelopment, as long as it creates opportunities for home ownership in a more expanded way, is probably the best lever anyone has to make this happen. Doing it over the long term that doesn't make the public realm worse or only let fancier things exist, can be less about displacement and gentrification and more about expanding opportunities.

Ms. Marchant said she can talk about the boots on the ground implementation of this plan. Ever since the housing study they have been working on a financial feasibility analysis of inclusionary zoning, which is one of the many ways they are trying to balance this process. This is one of the many potential tools they are planning to use.

Mr. Meehan said he is concerned that the impact of the potential rail service to Boston would be to further make Nashua a bedroom community of Boston and losing its own sense of being a city unto itself. As he reviewed the plan, he thought about how much of this was for Nashua and how much was for the greater metro area. Did they wrestle with that?

Mr. Cohen said that was part of their early conversations. This plan assumes that ultimately the commuter rail will come to Nashua, and capitalize upon the benefits as much as possible. In a larger sense, the reason they took that approach is because Nashua will never be that close to North Station. The people who will take the rail will have to be okay with that kind of commute. To the degree that happens, it will allow the city to draw upon the slightly insane economic engine that is the Cambridge area. It would be remiss of the plan not to include that.

Mr. Cohen said however, this is not Newton or Brookline, which are true bedroom communities. He described two maps created during the initial planning, of those who work in Nashua and where they live, and those who live in Nashua and work elsewhere. Ideally those two maps should equalize.

Ms. Harper said this is the first master plan she has seen where the end result has been good. She is curious about how the zoning map will look like, especially for infill lots.

Mr. Cohen said this plan, unlike zoning, is to be the guiding document to help the Planning Board make its decisions. That's fundamentally its purpose. It's not a binding code. The primary changes that will most likely come are either modified new zones or overlay districts, and tweaks to the dimensional and use tables. The Board should decide whether this plan and potential outcomes are the raw materials for the zoning updates.

Mr. Cohen said momentum is key to make this happen. Zoning code overhauls can get bogged down by increasingly more and more initiatives. The minimum code changes needed to make the master plan possible will simplify the process.

Taskina Tareen, Urban Designer, Utile Inc.

Ms. Tareen said it's not typical of comprehensive plans to go into detail in so many areas. That already gives them an advantage moving into the next step. They have provided all the guidelines for specific areas, and already starting to hit what they think is required for those areas.

Mr. Hirsch asked what happens in areas where they have proposed significant changes, when the zoning code they currently have is the opposite. How do they move forward for the next couple of years before the Land Use Code can be updated?

Ms. Marchant said what they talked about in the last committee meeting was that until the code can be updated, they include a memo that starts referring to this plan. Although it isn't the underlying law, they want to keep the content and discussions in front of the Board as they are reviewing applications. It does have a legal standing as the vision of the community even if it isn't quite in ordinance yet.

Ms. Marchant said they have the money and will soon be going out for RFP to rewrite the Land Use Code. The first step is to adopt the master plan, and figure out the structure for the process. The next step is hard, and has a lot of detailed discussion. They need to be picking the ways to structure the code to best reflect how they want to achieve the goals in the master plan. They need to decide whether they want a flexible process such as the suitability report, or a more structured approach. These conversations will start happening soon in the new year.

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Mr. Hirsh asked if any projects going forward should be taking the master plan into account. His concern is the future Amherst St widening project getting this shut down for a while.

Ms. Marchant said the Land Use Code is law. In many development areas they already have a suitability analysis, and they can bring this in as something to think about and use in their evaluation. This is not law and it is not saying 'you shall build this way'. This isn't zoning. It's an idea that needs to be vetted into details. The law that exists is the current Land Use Code.

Mr. Hirsch asked if the existing Land Use Code will govern all applications.

Ms. Marchant said yes.

Mr. Sullivan said as the Board is aware, much of the development review process happens before applications come to the Board. Nearly all involve meetings with Planning or Engineering staff. As part of those, although strict conformity regulations is a priority, there is a conversation about the proposal's viability in the eyes of the Board beyond those regulations. That will be the opportunity for them to take these concepts forward from the master plan and show applicants what Nashua is striving for. It may not have regulatory force, but they can present it in the development review process. That has a lot of weight for developers as they look at risk in a development proposal.

Mr. Cohen said time is money. To the degree that a developer can be slightly more of a mind reader toward the goal of the Planning Board, that is a time saver. The more consistent they are with the new vision within the discretion available to them, the more developers will try to emulate that in the first place. This is a carrot for developers to move quickly, because this is supposed to be what the city wants in the first place.

Mr. Hirsch said his concern is the lack of certainty. This is a subjective type of thing.

Mr. Cohen said that is why momentum is key. When this becomes formally adopted, that is the first signal to the market that the city wants to see. It generally creates renewed interest for developers that there is profit to be made. That is why it's essential to begin the zoning ordinance update soon, because that is further evidence of a follow-through to make this not so uncertain. In all other cities where they have performed rezoning

efforts, creating a master plan and showing that they are actively working towards updating the zoning ordinance is as good as it gets for a developer.

Ms. Marchant said they meet with people on a regular basis about the redevelopment potential along Amherst St, and have been talking with them for a long time about the DOT widening uncertainty. That uncertainty won't change with this plan. But they talk regularly about the ideals they have heard from the community throughout this process, and they still have people coming in excited about the prospect of redevelopment for Amherst St. Best case scenario is that they will have a new zoning ordinance in a year.

Mr. Sullivan said they have had several development meetings where the developers have proactively brought out a concept design as a result of the master plan discussions. There is a level of the development community paying attention to what is being recommended as a part of this plan. While they may not see that executed through the development review process, they are starting to think about it. That is a very positive when it comes to implementing this master plan.

Mr. LeClair said having been on the Board for a long time, the current Land Use Code isn't very reflective of the existing master plan. The current master plan is 20 years old, and the current Land Use Code has been modified a hundred times since that plan was developed. The confusion is high right now, and this master plan clarifies things not in great alignment anyway.

Mr. Hirsch asked if they will be throwing out the entire zoning code.

Mr. Sullivan said it is a comprehensive review, but certainly not a comprehensive rewrite. They have a few priority areas to target. They will not throw the entire code out. He thinks this master plan doesn't identify any crises of identity. It shows areas they should be proactive, and potentially a few they should be reactive in. This isn't a diagnosis of emergency as far as misalignment between the code and the current plan. It's about being proactive.

[Unintelligible]

Mr. Sullivan said they don't expect a lot of change in the more rural areas of the city. It's really more in the redevelopment opportunity areas they expect to see some change. They have had several conversations about the flexibility in the downtown, mixed

use, and transit oriented areas of the city. He thinks they want to look at that process now that they are seeing increased development there. It's not going to be an entire rewrite of the code.

PUBLIC COMMENT

Bob Keating, 111 Coburn Ave U-5A, Nashua NH

Mr. Keating said he has deeply appreciated this process in terms of getting as much input as possible. He thinks it's all the more difficult in the pandemic and the time of a newspaper that only publishes once per week. The office of Community Development has worked tirelessly to solicit input. The Planning Department and consulting team have worked very hard in challenging times.

Mr. Keating said he thinks Daniel Webster College is a gem, and would hate to see it be lost. In terms of the housing, he appreciates multiple things placed in there. Two out of five renting households in Nashua spend more than 30% of their income on rent. The idea that they want to decrease the amount of housing costs for renters would be good to highlight. He approved of the idea of a housing trust, but would like more information on how it would be funded and sustained. He highly appreciated the attention paid to income inequality, which is one of the most challenging issues of their time. He thinks putting out a target would be a significant improvement in that it makes things very explicit. He appreciates all of the work put into this.

Mr. Sullivan said they have not received any written comments on the master plan.

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He thinks the overall product is well done and pretty comprehensive. He was excited to see the amount of engagement they had from the broader public. He is in favor of a positive referral to the Board of Aldermen.

Mr. Varley said he has been on the Board for quite a while. He thinks this is long overdue. It's important because of the need for the Land Use Code to reflect the master plan, and the need to have a living document so that in ten years' time they aren't starting from scratch. Utile and staff have done an incredible job to draft this document. One of the things he has found on the Board

is that he never felt they had a good sense of how the master plan should inform what they're doing on the Board. This plan provides a great opportunity to change that going forward. The idea that they are looking at this regularly, this document lends itself to that process. He strongly supports the plan and would be in favor of recommending it.

Mr. Meehan said as a new Board member, they don't have anything to refer to for an ideal for some areas. He asked if they adopt this plan, do they own it? Is this something that will be in their permanent file folders, something to hold proposals against to see if they fit?

Mr. LeClair said that is accurate. The first requirement of site plan approval criteria is that the proposed development is consistent with the city master plan.

Mr. Varley said one of the things they discussed in the steering committee is potentially having something in addition to the full master plan that would be a narrower focused document to help direct the Board.

Mr. LeClair said staff mentioned that they would be reviewing this against the applications and providing some feedback in the staff report in regards to consistency with the master plan.

Mr. Sullivan provided clarification to the referrals received.

MOTION by Mr. Varley to adopt the 2021 Imagine Nashua Master Plan and favorably recommend R-21-170 to the Board of Aldermen

SECONDED by Mr. Pedersen

MOTION CARRIED 8-0

2. Referral from the Board of Aldermen on proposed R-21-169, authorizing the City of Nashua to enter into an Agreement and Consent to Joint Use with Liberty Utilities and making a supplemental appropriation of \$38,394.

Dan Hudson, City Engineer

Mr. Hudson said off the end of Swart Terrace there is a drainage easement which takes stormwater and sewage down towards the east. This proposal is to enter an agreement with Liberty Utilities to allow them to cohabitate the easement. This will allow them to

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install high pressure gas lines to better service the area. Given the proximity to the city's drainage pipe, they have asked for a contribution so they can line the pipe. This will buy them additional life and alleviate any concerns about conflicts with the proposed gas main.

Mr. Varley asked if the contribution is \$38,394, to be appropriated for the pipe improvements.

Mr. Hudson said correct. They are doing a lot of pipe lining as part of their public works operations. That number is directly taken from a contract they have with a pipe lining company, and that's what it is intended to be used for.

MOTION by Mr. Bollinger to favorably recommend R-21-169 to the Board of Aldermen

SECONDED by Mr. Hirsch

MOTION CARRIED 8-0

DISCUSSION ITEMS

Mr. Sullivan said next week there will be a presentation on inclusionary zoning and the financial feasibility analysis to the Board of Aldermen.

Mr. LeClair said he would email information to the Board about becoming the new Historic District Commission liaison.

MOTION to adjourn by Mr. Meehan at 8:53 PM

MOTION CARRIED 8-0

APPROVED:

Mr. LeClair, Chair, Nashua Planning Board

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Prepared by: Kate Poirier

Taped Meeting