

This set of minutes was approved at the Town Council meeting on September 14, 2009

**Durham Town Council – WORK SESSION
Monday August 10, 2009
Durham Town Hall - Council Chambers
MINUTES
7:00 PM**

MEMBERS PRESENT: Chair Neil Niman; Councilor Jerry Needell; Councilor Karl Van Asselt; Councilor Peter Stanhope; Councilor Doug Clark; Councilor Diana Carroll; Councilor Robin Mower

MEMBERS ABSENT: Councilor Julian Smith; Councilor Mike Sievert

OTHERS PRESENT: Town Administrator Todd Selig; Fire Chief Cory Landry; UNH planner Doug Bencks; Roger Jacques

I. Call to Order

Chair Niman called the meeting to order at 7:08 pm.

II. Approval of Agenda

Councilor Needell MOVED to approve the Agenda as submitted. Councilor Mower SECONDED the motion, and it PASSED unanimously 7-0.

III. Discussion on municipal facilities/needs site analysis

Chair Niman explained that the origin of this meeting was a discussion at a Council meeting with the Library Board if Trustees and Mary Westfall of the Oyster River Youth Initiative on possible synergies with the Town regarding facilities. He noted that the Town needed a new fire station and police station, and said there were other facility concerns and needs to be addressed.

He said Councilors Doug Clark and Mike Sievert had been tasked with putting together a list of potential facilities, as well as a list of possible locations for facilities based on discussion on these locations over the past several years. Chair Niman said he hoped the Council could accomplish something at the work session, and he asked Administrator Selig if he had some other things he wanted to talk about.

Administrator Selig noted that he had brought GIS photos of the Town, to show the various sites as well as the different corridors and possible connectivity between properties. He said there was also preliminary information on the Jacques parcel that could be used in a very general way right now. He said those involved were still trying to

get a sense of what that site could be utilized site for, given wetland and other issues.

He noted the matrix Councilor Clark, Councilor Clark, Fire Chief Landry, Mr. Campbell, and he had put together, which provided an overview of facility category needs and potential sites. He said Mr. Campbell was on vacation so would not be present at the meeting.

Councilor Clark said there was no easy way to avoid repetition with the list that had been developed, because many sites could potentially serve several categories of needs. He said it was decided that it would be easier to organize things into categories, and he provided details on this.

He suggested that the Council set some objectives for the meeting that they would find satisfying, while realizing that they wouldn't come up with the answers that evening. He said he thought they should come up with the needs they thought would link together well.

Councilor Clark said an interesting conclusion of the Council's last meeting was that certain parcels surfaced that might be able to solve a lot of problems. He said it would be good if the Council could develop a list of these parcels at the work session, so the conversation wouldn't have to be recreated five years from now. He said he would like them to be on a list of prioritized properties that would meet certain needs.

Councilor Mower said the flip side was that there were priorities in terms of what the needs were, with some greater than others.

Councilor Clark agreed, but said he didn't think he had included any needs on the list that hadn't been talked about over the last 2-3 years, so it was a very current list.

Chair Niman asked Library Trustee Doug Bencks if the Trustees were still on an aggressive timeline.

Mr. Bencks said they were, noting that there was an anonymous donor who was prepared to donate \$200,000 or a bit more toward a library project if the Trustees could make a decision on the site. He said initially, the deadline was February of 2009 but an extension to October of 2009 was given. He said the donor was looking for something that showed a very clear direction toward a new library.

Chair Niman noted that some time back, the Council had approved an appropriation of funds to hire a consultant to help identify potential sites for a new fire station. He asked Fire Chief Landry to give the Council an update on this process.

Chief Landry said 21 proposals were received, and had been narrowed down to 4. He said interviews were taking place this week, and said the final choice would come to the Council for approval. He said there was a 60-day timeline for the work to be done, starting the day the consultant was hired. He said there were 4 possible sites for the new

fire station, and explained that 2 would be chosen as the best, and that schematics would be developed for both sites. He noted that they were actively looking for a possible donor.

Councilor Mower asked if the proposal was that there be a stand-alone fire station or more than that.

Chief Landry said this was being left open. He also said the 2 sites might be able to include a parking structure, and also said they would definitely be considering other possible means of income from other private development on the site, including student and/or faculty housing. He said the housing could provide a good income, and would have expansion opportunities.

Councilor Needell asked if the 4 sites had been identified.

Chief Landry said yes. He said the first was B Lot, which had been UNH's premier site since 1974. He said the second was 17 Madbury Road (the Greens), which could be a great place to also put parking and rentals. He said the third site was the Pines, and the fourth was the Stone Quarry Drive site.

Chair Niman noted that the Mill Pond Center was on the list that Councilors Clark and Sievert had developed with Town staff. He said the Seacoast Repertory Theatre had gotten the variances it needed, and asked what the status of the property was.

Administrator Selig said their purchase and sale agreement was contingent on selling their existing property in Maine. He said if someone came forward with an offer on the Mill Pond Center site, they would have a chance to beat it. He also noted that some neighbors had had some concerns about the variance application, and said there was still time to appeal the ZBA's decision.

Administrator Selig spoke about the fact that there had been a lot of focus on the Library and Mill Plaza for the last two years, but said the owner of Mill Plaza was not in a position to move forward with a development there right now. He said if the Council was interested in moving something forward in the near term, they should probably set that site aside for now.

Councilor Mower asked whether there was discussion about a land swap, since the Trustees had been interested in a portion of that property.

Administrator Selig said there was, but said at this time the owner of Mill Plaza wasn't making any arrangements until he decided what to do with the property. He said he had inquired on this in a number of ways and on a number of occasions.

The Jacques property (The Pines)

Administrator Selig said the property discussed most recently was the Jacques property

on Dover Road, next to the Pines. He said the Jacques had signed a letter of intent with the Town, and said the Town had agreed to share with them any studies done of the property. He explained that the property involved was not the Pines bed and breakfast property, and also said it was important that whatever the Town did on the adjacent site would need to correspond well with that on-going business.

Administrator Selig said he, Mr. Bencks, and Ms. Westfall had spoken with Bill Doucet of Doucet Survey, and had contracted with the company to do an initial analysis to evaluate the extent of buildable land on the site, and how it might be configured. He said there was a very preliminary conceptual idea of how a library and a youth center might be configured on the property. He noted that they hadn't talked with the property owners yet, and were just trying to get a sense of what might be located there.

He said it appeared that some other structures could be fit in that location. He also said a good feature of the property was its proximity to Jackson's Landing, across the street, although noting that there were road crossing issues because Dover Road was such a busy road. He said there was a Town an easement along Route 4 that Doucet survey was researching.

Administrator Selig also said the Jacques property was close to the High School, and he showed the property and surrounding area on a GIS map. He spoke about a Town easement in the area, and also said the owners of a property between the Jacques property and the High School were interested in working with the Town on a pedestrian way so the Jacques property would be walkable from the High School and the Middle School.

He said there were some real inherent benefits to the Jacques site. He also said there were limitations in terms of highway access, and noted that only one driveway cut was allowed for the property. He said there was an existing driveway at the Pines property, and said the Jacques were willing to discuss with the Town how the entrances and exits could be utilized to meet everyone's needs.

Administrator Selig noted that the Jacques also owned another property in the area, which could be discussed with them. He also spoke about two properties across Dover Road that abutted the parking lot at Jackson's Landing, which were currently student rentals, and said the Town could perhaps approach the owners. He also noted that there was a ravine in this area on land the Town owned, near the parking lot, and said there might be some buildable land nearby. But he said any building there would need to melt into the area, much as the New England Center had done.

He said another benefit of the Jacques property was the fact that the Durham Business Park was nearby. He said there were right of ways in place so that one could build either a pedestrian way or a roadway parallel to Route 4 to access the Business Park, which meant there could be a link to facilities there. He also noted the proximity to Stone Quarry Drive, where the TIF district had been created.

Councilor Clark asked if there was a specific site at Stone Quarry Drive that the Fire

Department liked, and Administrator Selig noted it on the map. He also said there had been discussion about possibly locating the fire station at the Business Park, but said a new roadway would have to be created, and that there would be costs associated with this.

Roger Jacques spoke before the Council. He said there was one driveway cut for each of the two 7 acre parcels he owned, one of which was occupied by the Pines bread and breakfast. He provided some history on the creation of the parcels and the driveway cuts. He said there was a driveway going in, and said they had offered all the land to the right of the driveway. He said the land to the left of it tended to encroach on the Pines. He said they were willing to listen.

Administrator Selig showed a very preliminary conceptual design for the site, which included a new library, a youth center, some parking, and the connecting trail to the High School.

Councilor Clark noted that there was no space at the High School for a track, but said a lot of money had been raised to build one. He said the Jacques property had always seemed like an obvious solution, and asked whether a development there could perhaps meet the need for a track.

Administrator Selig said Doucet Survey had looked at the GIS maps, wetlands surveys, etc., and was trying to determine to what extent the area was buildable, where things might be placed, what the full buildout could be, and what the property owners would be comfortable with. He said very small steps were being taken, and said the next step would be to get a soil scientist and an architect involved.

Councilor Mower said having heard some concern from the Jacques about the fitting in of any project with their property, she wondered if it was appropriate to be considering a full build-out, as compared with a more scaled back project.

Mr. Bencks said the question was defining full build-out. He said the conversations so far had been about a limited impact development approach that was sensitive from a sustainability and a land use perspective. He said as part of this, a question was what other land use possibilities there were as well. He said the way this had been approached was not to consider how much could be packed into the site. He said the idea was to do a development that was sensitive to the owners of the property and the environment.

Councilor Mower said in that case, they were not looking at just physical structures, and were looking at the use of the land.

Councilor Clark noted that a third of the items on the facilities list involved recreational land use, and didn't involve structures. He also said it would be irresponsible to look at only part of the property, in terms of the use of tax dollars, but said that didn't mean that they should build structures all over the site.

Councilor Mower said she was just concerned that they might be going down a road that wouldn't be amenable to the owners.

Councilor Clark asked Chief Landry what part of Town he would like the fire station to be located in.

Chief Landry said he would prefer to be in the inner core of Town, at either B lot or the Greens property, but he said they were running out of properties in that core, so needed to extend the circle out to include properties like Stone Quarry Drive and the Pines.

Councilor Stanhope asked if there had been discussion on the availability of land on the Yeager property adjacent to the Jacques property, as an assemblage. He said it would be logical to put a track on that parcel if the owner had an interest in selling all, or a portion of it. He said it was a good-sized parcel that was significantly underutilized, and also said if the Town acquired it, the Fire Station could perhaps be put next to the school.

There was discussion on the Yeager property. Chief Landry said it was not an ideal location for a fire station, but wasn't bad.

Mr. Bencks said there was a great deal of topography out there.

Chair Niman noted the assemblage idea Councilor Stanhope had suggested. He said as part of such a concept, perhaps parking could be put across the street from the Jacques property instead of on it, and people could walk through a tunnel to get to the parking. He said it might be very expensive to do this, but noted that the State had been talking about doing a park and ride in that area.

There was discussion about a Town property near Jackson's Landing, and that it had a lot of limitations from a development perspective, but was a wonderful natural area, and could make a spectacular public spot.

Councilor Mower said she thought it should be valued for that purpose.

Administrator Selig said the various pieces in this area could create a nice enclave.

Councilor Clark spoke about the potential connections from the Jacques property to these other sites that had been mentioned, and the importance of this in a town that didn't have a lot of land, and wasn't interested in sprawl. He said there could be Town-owned parking with private enterprise, and also said there could be enough commercial opportunities to enable the Town to put in a road to connect the Business Park to Old Piscataqua Road; to put in a tunnel to connect the Jacques property to the hockey rink, and to create a path to connect the Jacques property to the High School.

He said he was also hoping this conversation went to the next level of considering a transit path, like a trolley, to help people get around without their cars.

Councilor Needell said there weren't a lot of places to fit a track, and suggested that if the track could be built on the High School property, the field (which would no longer be at the High School site because of the track) could be put in someplace else.

Councilor Clark agreed.

Administrator Selig noted that there some were opportunities to use land near the wastewater treatment plant.

Councilor Stanhope asked Chief Landry if consideration had been given to the triangle of land created by Old Piscataqua Road, Route 4, and Route 108.

Chief Landry said there wasn't enough area there, and said there was also a topography issue.

Councilor Carroll asked what the minimal amount of land was that would be needed for the fire station, as well as what would be optimal for their needs.

Chief Landry said for a one-story fire station, they would need 2.5 acres.

Councilor Van Asselt asked if any of the options for the fire station involved using UNH land, and Chief Landry said there was B lot. He also said if they used the 17 Madbury Road property, there was a UNH property adjacent to it that could be used for access.

Councilor Mower said she had heard from a variety of concerned residents about safety issues regarding a pathway to the High School. She asked if this was something that could be addressed.

Administrator Selig said this issue had been discussed, and noted that Doucet Survey had expressed concerns about it. He said if it was a narrow, meandering path, there would be concern about people walking there alone. He said there were a number of issues they would have to think through carefully, but said his sense was that people wanted to look at how to address them.

He also noted that if a corridor there became a part of the Town's walking trails, more people would use them, so with more activity there would be more safety. But he said there would have to be enough width and natural light for people to feel safe on it.

Councilor Carroll asked if anyone had walked this area, and Administrator Selig said Doucet Survey would be doing this.

Councilor Mower asked if the Council could perhaps do a site walk.

Administrator Selig said he was waiting to hear back from Bill Doucet, and said they could see about doing a site walk at that point.

Chair Niman noted that if the pathway could be built adjacent to Route 4, cars driving by would be able to see people walking the path, which would alleviate some of the safety concerns.

Administrator Selig said Bill Doucet would think this through.

Councilor Clark noted that this issue existed with numerous places in Town.

Chair Niman said an advantage of the Jacques site was possible connections with a lot of other properties, which would provide flexibility for the Town. He noted possible interest in development along the waterfront in the future, which could help pay for some of the improvements, and help tie everything together.

Administrator Selig said there was the potential to talk with the property owners on Dover Road who owned the rental units, and he provided details on this. He also said the intersection of Old Piscataqua Road and Dover Road was not the best, and said if a lot more traffic was going to be generated there, they would need to talk with the State about this.

Chair Niman said if the Town owned all the property around the triangle, things could be re-routed if needed.

Administrator Selig said they might want to talk with the Jacques about the property they owned on the other side of Dover Road, and the fact that the Jacques might have some interest in some Town land, which potentially could make things more affordable for the Town.

Councilor Carroll said she liked the possible synergies here. But she said in the back of her mind was what infrastructure could be built downtown that could have a positive effect on economic development there. She said with a new library downtown, people going there could then stop at the market, etc.

17 Madbury Road (the Greens) property

Administrator Selig spoke about the Greens property, located near the downtown, which the Master Plan had identified as a potential location for a Town center. He said the tension there was that it was a highly marketable property because of its location, and said a question was whether or not the Town would want to take it off the tax rolls.

Chair Niman asked Chief Landry about the Greens property as a possible location for the fire station. He noted that it was 2 plus acres, but asked where the parking structure could go.

Chief Landry said a fire station on that site would be a two story building because with the price of land downtown, it would be cheaper to go up than out. He said there would therefore be room for a parking structure on the site.

Administrator Selig noted on the map the location nearby which had potential as a conference center. Regarding the parking issue, he said they had looked at doing structured parking at the Pettee Brook parking lot, but said it was a little too small to make this cost effective. He said in order to make this work, they would need to have use of the adjacent Town parcel on the other side of Pettee Brook Lane, which would involve building a bridge over the road.

There was discussion that Pettee Brook Lane could perhaps be cut off.

Councilor Mower noted that the Pettee Brook lot had been considered as a site for the library.

Mr. Bencks said the Trustees had discussed this property, but felt there wasn't adequate land there, by itself.

Administrator Selig provided details on easements in this area, which would need to be extinguished if the Town was to build there. He noted that there could be some collaboration on how the site was used if a hotel/conference center development was involved.

He said if the Town acquired the Greens and then combined it with the Pettee Brook lot, structured parking could be created that could be ringed with municipal buildings, etc. He said the benefit would be that parking that was needed for the downtown would be created, which would allow greater density downtown.

He said this meant there could be the municipal campus downtown, which had been discussed for years. He said there were a lot of potential win-wins. But he said the challenge was whether the owner of the Greens was willing to sell the property at the right price.

Chair Niman said there was also a weird deed restriction on the property, and there was discussion on this. There was also discussion on the proposed site for the new UNH business school.

Administrator Selig said there had been discussion of a possible public partnership for a performing arts center in the area, and he provided details on this.

Chair Niman noted that the wooded area the University owned next to the Greens was wetland, so couldn't be built on.

Councilor Needell said that in the University Master Plan, the Garrison Ave. site was identified as a possible location for a potential fire station.

Mr. Bencks said it was still potentially available, but said there wasn't enough land for a fire station.

Councilor Mower asked if the option had been considered of having parking for fire department staff off site, at a park and ride lot.

Chief Landry said fire personnel had to come to the station when there was a fire. He then spoke about how some unrealistic sites for the fire station had been identified in the Master Plan.

Chair Niman said he liked it that Chief Landry was thinking outside the box about combining a fire station with other things that might create revenue, or serve other needs. He also said he agreed with Administrator Selig that the downtown needed parking, and that perhaps there could be some leveraging with the Pettee Brook lot. But he said there was the cost of the Greens. He also said that with the cost of construction of the parking, it seemed that they would be really expensive parking spaces.

Councilor Clark said the reason it was thought that the Greens was a high priority site was that it could be combined with contiguous lots around it. He said this would also address the opportunity to have a mixed municipal and commercial application.

He said he liked Administrator Selig's vision of a downtown core with a ring of buildings with an open pedestrian way in the middle. He said if some of these lots could be put together, he wondered if this kind of design could be done downtown, and said potentially it could be the core of Durham.

Chair Niman said he was just worried about what the numbers would look like. But he agreed the Town needed parking, and that there were few other options. He said this was one of the better approaches, and said it would be a wonderful place for parking, with the new business school and new performing arts center nearby, as well as other development in the downtown.

Councilor Clark said another reason he was optimistic about this idea was the report done for the town that had indicated that if municipal buildings were combined, this would save the Town money. He said he thought \$2.5 million could be accounted for by combining some uses to save on unnecessary common space, and by selling some Town land.

Councilor Needell said the concern about the cost of parking was real, but he said almost all the possible plans so far had discuss the need for parking, so if the Town was moving in the direction of structured parking, there would be a large expense for this wherever it was done.

Chair Niman said that was a good point. He spoke about the Mill Plaza discussion on structured parking. He then said Councilor Clark's point was well taken, and said if they could sell some Town property, then the numbers would start to work.

Councilor Mower noted that there would be revenue from the parking lot.

Chair Niman said if they could sell some Town assets, and UNH was paying for a portion of the fire department project, using the Greens site would be less expensive.

Councilor Clark said this would address one of the constraints to development downtown, and said they would then need to crack the access issue.

Mill Pond Center property

Administrator Selig showed on the map the Mill Pond Center property and the developable acreage there, and explained that there was a conservation easement on it. He noted that it was near downtown as the crow flies, but said a problem was walking to the property along Newmarket Road. He said there were limited sight lines in some locations, and said if the Town were to use the property, it would need to improve this situation.

He said a potential benefit of the location was the possibility of connecting it to the downtown by a footbridge over a narrow point on the Oyster River. He noted that the Dubois owned the parcel of land between the Mill Pond Center property and the town-owned Milne parcel on the other side of the river.

He said there would certainly be more to work with if the Mill Pond Center property was combined with some of the Dubois property and there was a footbridge. He said the Dubois might be interested in talking with the Town, and also said there would certainly be costs associated with a footbridge.

Administrator Selig said The Library Trustees had looked at the Mill Pond Center parcel a few years ago, and the concern was that it was too far from the central core of Town and was not walkable in its current state. But he said there were some interesting possibilities.

Councilor Mower asked if there had been any discussion with the Dubois family, and Administrator Selig said he had a discussion with them on a different matter, and they said they would be interested in talking with the Town.

Mr. Bencks said a small group of the Trustees met with the Dubois about a wooded portion of their property, and said they were amenable to discussion but were not at a stage to make a commitment. He said there clearly would need to be some kind of connection in order for use of the Mill Pond Center site to be viable, and said there was no way to get good access to the site unless it could be obtained from Mill Pond Road.

Councilor Clark said the Milne property would allow this connection.

Administrator Selig noted that the Milne property was a preserve, so they would have to be very sensitive to how the connection was done. He said he thought it could be done tastefully.

Councilor Carroll said it would have to be done very carefully, because Margery Milne's trust had asked that this remain as a wildlife preserve, and a place where people could have some quiet time. She said people would need to stay on a trail, and said it was not meant to be a recreational area or even a picnic area. She said this was made very clear in the trust, and was accepted by the Town.

Administrator Selig said if a pedestrian bridge was created, there was the potential to use Chesley Drive as an access for pedestrians and bicyclists.

Chair Niman asked whether, if there were a commitment to do some sort of bridge over the Oyster River, and all the things required to make that happen were in place, the Trustees would be interested in the Mill Pond Center property.

Mr. Bencks said the Mill Pond Center property came with a lot of liabilities from a development perspective, including the conservation easement and the historic buildings, which were of value, but not to the day-to-day functions of a library. He said if someone else took on those pieces, and there was a place for a new library, with some kind of connection to the downtown, he thought the Trustees would be amendable. But he said what had been discussed before were these various constraints.

Councilor Needell asked if the Town owned the land that Smith Chapel was on. There was discussion that this land didn't go down to the water.

Administrator Selig said some years back, it had been estimated that the cost of spanning the river would be approximately \$1 million. He also noted that there could be flooding issues there. In addition, he said that although there were some great buildings on the Mill Pond Center property, the Town had no desire to take on more historic buildings.

Councilor Needell asked whether it was a given that these buildings would remain, for anyone who acquired the property.

Chair Niman said if the Town acquired the property, there would be a lot of pressure to preserve them as compared to a private owner

Administrator Selig said if the Town acquired the property, it would likely take the barn down and create a structure that met its needs. He said they would probably want to keep the homestead and somehow integrate it into something more there.

Councilor Stanhope suggested that if the Town acquired the property, it could subdivide off the historic structures and put them on the market, and find someone who was willing to co-exist on the greater site. He said the Library Trustees wanted a nice piece of land for a library, not a project that would eat dollars indefinitely.

Councilor Clark said he saw the Mill Pond Center property as best suited to meet municipal needs, if they knew there could be a walking path, and they knew it could be

big enough to accommodate municipal needs. He said he pictured a comprehensive municipal center there with a library, Town Hall, recreational facilities, and ideally a playing field, but not public safety facilities.

Chair Niman asked how much of the property would be left for a library and a Town Hall if the Town acquired it and subdivided off and sold the land with the historic structures to the Seacoast Repertory Theatre.

There was discussion. Mr. Bencks said an issue would be vehicular access, which was a huge challenge.

Chair Niman noted that there would be an increase in traffic as a result of the municipal facilities there.

Councilor Stanhope asked who owned the conservation easement on the property.

Administrator Selig said the Southeast Land Trust owned it, with the Town in a secondary position on the easement. He explained that NHDOT was planning to widen Newmarket Road and do bike lanes, and said the State would need to take a marginal amount of land by eminent domain for this project. He said the Town could do this as well, and provided some details on this.

But he said the challenge with the Mill Pond Center property was that there were conflicting goals. He noted that the primary goal some years back had been to preserve the gateway and viewscape, and said there had been a lot of thought around the Council table about doing this

Councilor Mower said it seemed that this was a property with some significant challenges.

Administrator Selig said that had been his own assessment as well, and said this was why he hadn't pursued it. He said a positive side however was that the Town could get the property at a very competitive rate now, at about \$550,000-600,000, as compared to a few years ago.

Councilor Clark said the three priority sites that would solve the most problems for the Town had now been covered.

Administrator Selig said another property the Library Trustees had talked about was the Varsity Durham property, and he provided details on why this site had become problematic to consider.

He said there was also the Town Office site, where potentially there could be a combined Town Office and Library.

Administrator Selig also noted the Old Town Landing site, which was terribly

underutilized and begged for some improvements. He said it would be wonderful to have a restaurant in that vicinity, but said the Oyster River would need to be dredged in order to allow boats to come in there. He also said there were residential properties in that area. There was discussion about properties in the area that the Town owned.

Councilor Carroll asked if the parking lot at the Old Town Landing site was large enough for the construction of a library.

Administrator Selig said one challenge was that during flood events, a portion of the parking lot was flooded.

Mr. Bencks said the Trustees had never talked about this site, and said he assumed there were limitations in terms how close to the waterfront something could be built.

Chair Niman said his favorite spot for a Library was the lot above the parking lot at Old Landing, which would have a beautiful view of the water. He said the parking could be at the parking lot, and said the library could perhaps close on the few days when the parking lot flooded. He said people could walk from the library and picnic on Old Landing, and said it was a gorgeous location.

Councilor Mower said it would be, but said there were access issues, noting that it was awkward to get on Old Landing Road.

Chair Niman agreed, and there was discussion.

Administrator Selig said it would be difficult to put a restaurant there because people wouldn't know it was there.

Chair Niman said he was trying to be creative. Using the map, he said if the student housing parcels were obtained, perhaps access could be obtained through them, which would ease the traffic issues somewhat. He also said the properties could perhaps be converted to some kind of commercial use. He said if there were these commercial uses and the parking area and the gorgeous waterfront and the library, perhaps eventually the area would turn commercial.

Councilor Mower said this seemed to imply that the idea of shifting the center of Town was being considered, but Chair Niman said he was not suggesting that.

Councilor Mower said typically a library anchored the center of a town and fostered economic activity.

Chair Niman said he felt that in order for Durham to be viable and have the businesses and amenities it wanted, there would have to be several centers of Town.

Councilor Mower noted that this might be, because there weren't enough pieces of land in the center of town.

Chair Niman agreed, stating that there wasn't enough room downtown to do everything, and said they needed to be creative in using their natural assets.

Councilor Clark said he sort of agreed, but not completely. He noted the lots around the Greens, and the conversations two years ago about Mill Plaza. He said he saw Church Hill as a transition to commercial, compared to the parcels Chair Niman had spoken of. He said his first instinct was that the priority should be put on focusing commercial development in the very center of Town on Main Street, and slowly circling out from there.

He said he thought there were many examples of libraries being on the perimeter of a town. He also said it was important not to put too many municipal facilities in the downtown core in place of commercial projects, when there was limited space there and they wanted to have a vibrant downtown.

Councilor Clark said he was more likely to say they should put municipal facilities at a location like the Jacques property or the Mill Pond Center property, and should invest in as much developable commercial land as possible, in ways that allowed them to lay the Town out so there could be a dense commercial area, with lots of pedestrian ways.

Councilor Mower said she appreciated that sense of concentration, but said what she was learning from a variety of sources was that the key to that kind of vibrant activity was something that went well beyond retail. She said if it wasn't the library, it needed to be something else, and said it was likely to be a municipal facility, an arts center, etc.

Councilor Stanhope said he agreed with Councilor Clark that there were some interesting parcels. But he said his concern was that they were economically frozen in that the ownership wasn't motivated to sell. He said he thought this went back to the core problem that until Durham was perceived as a town with a positive growth economy in the downtown, it wouldn't justify the kinds of development and prices that would motivate developers to partner at Mill Plaza, etc. He said it didn't matter if the library was put downtown or not.

He said perhaps the development planned by the University would make a difference. He asked whether, if the developer of the hotel/conference center wasn't successful in working through an agreement with the chosen properties, there had been any discussion with them on the Greens property and Pettee Brook lot as an alternative.

Administrator Selig said the developers had had conversations with many property owners downtown, including the owners of the Greens. He said to date, they had focused on the ATO property, and said if that fell through, he wasn't sure what they would do. He said he had learned that the Greens property didn't work for them because it was too costly.

Councilor Stanhope asked if they might entertain the idea of partnering with the Town in

some way, noting that smart growth would require these kinds of partnerships.

Chair Niman said he thought Councilor Stanhope had hit on a major challenge, that the Greens property was too expensive for many of the possible commercial applications. He said the ATO site was not the developers' first choice, but the numbers didn't work with the Greens.

He said this was the biggest impediment to seeing development downtown. He said if the Town was lucky, it would get new UNH facilities downtown and a new hotel, which would give property owners the kind of windfall they were looking for. But he said short of that, the only option was partnering with the Town, or using tools like RSA 79E, to get a developer to do a commercial development that didn't include student housing.

But he said it was difficult, and said he wasn't sure what it would take to get property owners to sell or redevelop their properties. He said they were either afraid of taking on a lot of debt, or had numbers in mind that realistically no business could support.

Councilor Needell asked if this was still driven by the perception that student housing was the only economically viable industry downtown.

Councilor Stanhope said the kinds of prices to take out the student housing couldn't be supported by alternative uses. He said a way to get around this would be if the Town sold the Town Hall site, and it could effectively stimulate growth by paying a premium for the Greens property. He said this could perhaps be used to create a library site, Town Hall site, and perhaps even a fire station site. But he said he didn't see this happening absent the Town being aggressive in terms of packaging.

Councilor Clark agreed, and said this was a much better conversation than the Council had had in the past. He spoke about the fact that in Salt Lake City, they had created an initiative called "Raising Salt Lake City" after the Olympics. He said they were investing in infrastructure, and also said the amount of building renovation going on was remarkable, with about a third of the downtown renovated within the last three years.

He said it was a campaign, and said he wondered if it was going to take something like this to get the attention of John Pinto, UNH, etc. He said he thought it would all start with the Town taking the lead on infrastructure.

Administrator Selig noted that a conference facility had sparked this redevelopment in Salt Lake City, and he provided details on this.

Councilor Mower asked if some of the motivation of local property owners in holding out was not only financial, and might be that they thought there was some value in a movement toward a greater sense of community, etc. She asked if any of the conversations with these property owners had included a question on this, and asked if perhaps these people, who had been in Durham for many years and had enough money, were interested in something beyond money.

Administrator Selig said the Town had the resources to pursue a few of these properties concurrently. He said the Jacques parcel had tremendous potential, and said he thought they should continue to pursue this. He also said if there was interest on the part of the Council, there could be discussion with the owners of the Greens.

He said if there was openness to the idea of partnering with a private entity, they could start to look at this as well for the Greens site. He said there was an opportunity there, but said there hadn't been an investment of much time in it because the price had been high, and there hadn't been community consensus that they should move forward with this site.

Councilor Clark said another conversation the Council needed to have was on infrastructure. He said he believed that one of the biggest prohibitions on using the downtown was the need to drive there and park there. He said there needed to be more parking as well as non-vehicular access downtown.

He said it wouldn't be that big an investment, and noted that there were federal funds available, especially if the schools were involved, to create a pilot electric trolley loop connecting a neighborhood to the downtown, municipal buildings and the schools so people could get used to the idea. He said he believed the Town could benefit from having 3 or 4 of these loops in Town to connect the neighborhoods, and to get people out of their cars and downtown.

Councilor Mower noted that it could also connect to the playing fields.

Administrator Selig said it would be great to have an electric transit system, but noted that what they did have currently was UNH Wildcat Transit, which was the largest transit system in the State. He said they could and should open more of the neighborhoods to that system and have them come through regularly enough so people would use them.

Councilor Clark said he couldn't picture big buses going down Sandy Brook Drive.

Councilor Carroll noted that there were shuttles that were smaller, and said any Durham resident could get on them now to come downtown. She said there was a problem right now in that they didn't come down Edgewood Drive, noting that some of the neighbors didn't want large buses on that road.

Administrator Selig said the Traffic Safety Committee had recently discussed this issue. He said there was an interest in opening up Edgewood, and said the new buses were quieter and had no diesel smell.

Councilor Clark said he was thinking of having paths independent of roads that people could walk and bike on, and where there could also be a trolley. He said he believed this would create a signal for commercial activity downtown, along with more parking.

Councilor Mower said the Energy Committee would be addressing this in the Energy

chapter of the Master Plan.

Councilor Needell noted that B lot, one of the four possible sites for the fire station, was different than the others in that it was owned by the University. He asked what a decision to use this site for the new fire station would do to this whole conversation the Council was having on facilities.

Chief Landry said UNH had discussed this idea for 30 years. He said if it was used for a fire station, there would be a loss of faculty parking that would need to be replaced. He said a parking structure would have to be included on the site, but said this was not in the University Master Plan. He noted there would be costs associated with this.

Councilor Mower said presumably the location of a fire safety building would impact the neighborhood it was put in, and was a factor to consider.

Chief Landry agreed. He noted that there were rental properties near the Madbury Road property, and said the Police Department was excited that locating a fire station there could help the area.

Chair Niman summarized that the Council would continue discussion with the Jacques about their property. He said Administrator Selig would talk with the Gangwers about the Greens property on Madbury Road, and would develop a dollar figure. He asked what else should be pursued right now.

Administrator Selig summarized other properties that had been considered for municipal purposes. He said that about two years, ago, the Evangelical Church had been considered as a potential location for the Town Offices, a police station, and a library. But he said the concern was the property's location at the edge of town.

He said another location, Amber Acres on Mast Road, contained a lot of land, and was more affordable than land in the downtown. He also said the owner was interested, but said an issue was that it was far from the downtown core.

Councilor Clark asked where things were at with the strategic plan.

Administrator Selig said the contract was being negotiated for work that would include the development of the strategic plan.

Councilor Clark said sharing elements of this analysis that the Council had been doing would be useful. He also said if the consultants thought about how to group different projects together and find sites that could accommodate this, and even more ideally, could prioritize the Greens, Jacques, and Central Business District, this might give the Council some answers.

Councilor Mower said she also thought that consideration of groupings and what should be put where should be done in the larger context of thinking about what they all wanted

the image/identity of Durham to be. She said things like the gateway should be considered, and said while some of these considerations were related to architecture, some were land use related.

Administrator Selig noted that a good thing about the municipal facilities was that the architecture of particular buildings could be tailored to where they were located. He said for a facility at the Jacques property, he envisioned something pastoral that would melt in nicely with the Pines. He said a facility placed downtown could be fit in there as well.

Councilor Stanhope said that in regard to what Councilor Mower had said, there were a lot of examples of high quality developers working with municipalities to create architecture that enhanced town gateways. He noted a client who created a commercial structure in Kingston that incorporated architectural features of the town into the structure.

He said a high quality developer would do that in Durham as well, and said that kind of quality development tended to attract other good quality development. He said the Council needed to create excitement in order for developers to want to do that.

Councilor Mower agreed, but said they had to choose that quality development in the first place.

Councilor Van Asselt said a question he had was regarding the fact that Durham had been unable to expand the tax base beyond single family home owners. He said it was fine to list possible municipal uses, but said unless there was also a list of commercial uses, they wouldn't be able to expand the tax base.

He said a parking structure would cost \$5 million, and said if the Town sold all the land it owned, perhaps it could get that much for it. He asked at what point they would be willing to change the Zoning Ordinance and standards so development could happen.

He said if that didn't change, he didn't think single family home owners could pay for it. He said he didn't understand where the dollars would come from unless they changed the way development was encouraged, and said they had been reluctant to do that for the most part.

Councilor Clark said he agreed that the Zoning Ordinance was a piece of the equation, but said a purpose of this discussion for him was frustration with watching the Town going down the road that led to a new library on a multimillion lot all by itself that might not be perfect. He said there might also be a multimillion dollar conversation on a new Town Hall, unless they agreed to sell the present Town Hall property and moved the new Town Hall to the outskirts of Town, which he felt would be less than desirable.

He said to him, the purpose that evening was to try to have a conversation on municipal needs that was more comprehensive, and to find possible synergies that could save millions of dollars. But he said plans weren't enough, and identifying needs wasn't

enough. He asked what it was going to take so people believed this was for real, and wanted to build their businesses here.

Councilor Needell said he was hearing two different discussions on possible directions to go in. He said the Greens was an appealing property for municipal uses, and one that had been discussed for a long time. But said he thought it would have a tremendous impact in terms of costs, and said the question was where the revenue to pay for this was going to come from. He said it was a wonderful vision, and said if they could transform the downtown with it and this spurred redevelopment, maybe it would work.

He said the other direction the conversation had gone in involved the Jacques property, and a far more modest plan to provide some necessary services for the Town, with a library, youth center and possibly a fire station on Stone Quarry Drive. He noted that this possibly could spur the development of the Stone Quarry Drive property.

He summarized that these were two very different approaches being put forward, with the Jacques property representing a step toward providing Town services, and the Greens property representing a reconstruction of Durham's downtown.

Chair Niman said what Councilor Needell had said was a good summary of where they were at. He said that regarding the Greens, he hadn't really considered it until Chief Landry had said perhaps a fire station there could be combined with a parking structure. He said it was an interesting idea, but said he wasn't sure the numbers would work.

He said a parking structure would stimulate economic development downtown, and might be an investment that was well worthwhile. But he said his personal view was that he had liked the idea of using the Jacques property from the beginning, because it had the potential to save some money by combining functions and using land that was close to the downtown, but was less expensive than land downtown. He said this would be a big advantage for the taxpayers.

Chair Niman said a question was if one could think imaginatively about leveraging this into developing commercial opportunities, with possible mixed use development of the Business Park, pedestrian and bike access from there, consolidating municipal functions, and commercially developing that part of the waterfront. He said meanwhile, there might be a good anchor with a new UNH business school, hotel/conference center, performing arts center, etc.

He said agreed with Councilor Van Asselt that they couldn't afford this unless they made some of those other changes, but said he thought the conversation that evening had been about making some of those changes, and doing the things they knew needed to be done, in a more cost-effective and strategic manner.

Councilor Van Asselt said he was not dismissing the conversation that evening. But he said another source of revenue, including public investment, would probably be needed in order to make even the Jacques project work. He provided details on this.

Councilor Clark said there was a really interesting opportunity involving the Jacques property and Jackson's Landing as the core of a potential municipal and commercial district that extended to the Business Park, and which used the project as a way to get infrastructure in place in that area.

He said there was also an interesting concept involving using the Greens property and the Pettee Brook lot as the core of the same kind of development.

Councilor Clark said he thought it would be really interesting to put two groups to work, with each working on one of these scenarios, in order to see what they could look like and which one made more sense. He said they were the two best possibilities to meet the Town's numerous needs, and to stimulate concentrated economic development without sprawl.

Councilor Mower asked if the Council would have more time to extend the boundaries of the TIF district, and Chair Niman said yes, if the plan was amended. Councilor Mower asked if in this way, it could include more area along Route 108, so the captured benefits could go toward a library, fire station, etc. , and Chair Niman said yes.

Councilor Mower said she hoped they would be able to figure out the true cost of development, in these proposals, noting that they often didn't see a breakout of these costs.

Councilor Clark asked if this was done with the Mill Plaza study, and Councilor Mower said no, because things hadn't progressed to that point. Councilor Clark said there needed to be costs shown for construction and operation.

Administrator Selig said something to remember was that there was no need to move ahead with the Town facilities now. He said the Fire Department's goal this year was to identify a site to focus on, to determine the size and cost of the new fire station, and to build that into a long term plan. He said they were relatively secure in their present space.

He said Town staff could also stay at the present Town Hall for now, but said the situation regarding the library was more urgent.

Regarding the Greens property, he said a unique advantage, if the Town was able to move forward with it, was that it wouldn't need the whole property today, and could potentially allow the present owner to operate parts of it for a long time, until the Town needed it. He said there would be tax benefits from this, and said it might also influence what the sale price would be. He also said affordable housing might be worked into that property, and he provided details on this.

Councilor Mower noted that the article from Councilor Smith on libraries being at the heart of communities indicated that in one of the towns discussed, there was affordable housing and parking at the library complex itself. She said this was a creative way to look

at this.

Chair Niman summarized that the Town would be moving forward with hiring a consultant to do the analysis on the fire station; the Library Board of Trustees were continuing to explore the Jacques property as an option; Administrator Selig would talk with the Gangwers about the Greens property; and the consultants were being brought on to assist with the development of the strategic plan for the downtown.

He said the Council would continue to have this conversation.

IV. Adjourn

Councilor Clark MOVED to adjourn the meeting. Councilor Mower SECONDED the motion, and it PASSED unanimously 7-0.

Adjournment at 9:16 pm

Victoria Parmele, Minutes taker