

## **BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY (BIDA) MEETING**

August 13, 2025

A monthly meeting of the BIDA was scheduled for Wednesday, August 13, 2025, 9:00 a.m., Room 208, City Hall, 229 Main Street, Nashua, NH.

### Members present:

Lydia Foley – Acting Chair  
Jason Haviland – Chair (on zoom)  
Dick Cane  
Mark Prolman  
Deb Novotny  
John Ziemba  
Derek Gagnon  
Carl Andrade

### Staff members present:

Liz Hannum, Econ. Dev. Director  
Matt Sullivan, CDD Director  
Sam Durfee, Planning Manager  
Dawn Enwright

Mr. Andrade said that at last night's Board of Alderman meeting, BIDA was brought up in relation to the Chinese company buying a property on Northwest Boulevard.

Ms. Foley said that what is great about this purchase is the visibility, and is the State of NH in charge of this type of thing, or the Federal Government in charge, but someone privately sold a piece of property to another company, and there's really not a lot of rules and regulations or governance over it, and even the City doesn't.

Ms. Novotny said that perhaps permits can be stopped if they apply for any.

Mr. Cane said that just because we're suspicious, it would be very hard to deny a permit.

Mr. Prolman said that from a property rights standpoint, they have every right to buy the property. He said that there was a rumor of them acquiring Pennichuck, but there is a lot of regulatory involvement there, it's not going to happen.

Ms. Novotny said that the owner of DW college is looking to sell it, they were using it to get student visas and the State did not give them their accreditations, so they're not allowed to do that.

Ms. Hannum said that they are actively trying to sell it. She said that she heard the price is \$18 million, and they bought it for \$12 million. She said that Dean Kamen was looking for information, and let him know, but he said no.

Mr. Prolman said that the cost for the demo would be a lot. He said that its antiquated for a college. He said that we should have a dialogue with the property manager.

Ms. Hannum said that Mr. Kamen is looking for 70 acres, they're looking for a precision manufacturing facility.

**MILLYARD PROPERTY RFP UPDATE:**

Mr. Sullivan said at the last meeting, when there wasn't a quorum, the committee talked about the next step might look like for the Millyard property. He said that the direction is to authorize staff to prepare a fairly open-ended RFP. He said that the sense is that BIDA is interested in, recognizing that the charette work is more comprehensive, and there may be an opportunity for BIDA to play a role in the larger planning and redevelopment exercise, his sense is that BIDA still wants to see what can happen to these two properties, see if the market would respond to the RFP's. He said that for today, staff would like authorization to proceed in alignment with the motion the Board of Aldermen made disposing these properties to BIDA to do this very thing. He said that the RFP requesting development or redevelopment proposals that would maintain parking on site, and then a prioritized list below that, housing being the highest priority, and then below that, maybe some other mixed use development such as light retail, other commercial uses, maybe residential accessory, staff would present the prioritized list with parking being a requirement, housing being the first priority, and then the other compatible uses below it. He said it would include a survey as back-up material, the NIMCO redevelopment planning study, including the Millyard charette work, other documents that BIDA has produced including the Phase I and II documents and the title work, and then let the development community review it, and see what they come up with. He said that the RFP would intend on the result of the disposal of the property. He said that he's hoping for a motion to prepare an RFP, structured the same way as the NIMCO RFP, without the massive planning study that backs it up. He said that staff would be happy to share a draft by email and collect feedback on a one-on-one basis, and then bring a final draft to the next meeting. He said that it's time to move on or not with this property.

Mr. Cane said that for the list of preferred alternatives, that industrial use wasn't mentioned at all. He said that he can see a plumbing supply company going in for distribution and sale, or maybe another light industrial use, and is not so sure that multi-family should be the preferred use.

Mr. Sullivan said it could be artist space with some manufacturing, or a multi-bay commercial space. He said that whatever's in the RFP doesn't specifically exclude anything, but it would have to say that other uses will be considered by BIDA based upon their compatibility or alignment with the overall City Master Plan and area planning for this site.

**MOTION** by Mr. Andrade to give staff authority to begin preparing the RFP.

Mr. Prolman agreed with Mr. Cane, he said he'd identify the zone, and let people use their own creativity.

**SECONDED** by Ms. Novotny.

Mr. Prolman said that for the valuation of the lot, the lot is the value, and doesn't know how high the value can trade up, and doesn't know what others in the area would pay for it. He said to not restrict it too much, and is in favor of going forward, it's time, but don't restrict it too much.

Mr. Cane said that there's very little industrial land left in the City of Nashua, and it's not a terrible market, it's still viable.

Mr. Sullivan said that the vision should be that it would outline the current zoning, and what's allowed, and likely include what visioning has been done for the property, and a nod to the future zoning, not in a binding way, but take into account the Community's Master Plan and the City is working on a land use code update, that zoning update is a major carrot for a potential developer.

Mr. Prolman said that this will be a supply and demand thing, and hoping the NIMCO buyer, Bonnette, they all get together and let the market figure it out.

Ms. Foley said that the zoning is approved, Bagshaw would be next, and can BIDA highlight what's happening in the general ecosystem.

Mr. Sullivan said yes, and the map done for Quad 1 had the in-process development properties, and perhaps some visuals can be worked up so there's a map of what's going on.

Mr. Prolman asked if someone comes along and wants to buy, is BIDA required to have an appraisal on it to make sure that we get fair market value.

Mr. Sullivan said it would be wise to do that, but not right yet. He said that the parking component of this will be hard.

Ms. Hannum said that the Parking Department will not sell parking lots, unless it's going to be replaced with public spaces. She said that it has to replace public parking, so there has to be public parking on the site, it doesn't say one for one, there's not a number of spaces that have to be replaced.

Mr. Prolman said that one space may be \$60,000.

Mr. Sullivan said that they'd like to get a draft together. He said that staff can bring it back for discussion, and try to craft something around parking. He said that if we really want public parking that bad in the Millyard, the purchase price is flexible.

Mr. Cane said that you can't expect the developer to build parking spaces for the public for free. He said that there will be some bargaining in this process, perhaps they can be used at non-peak times or something like that.

Ms. Foley said that Mr. Andrade made the Motion, Ms. Novotny seconded it, we've had discussion.

**MOTION CARRIED UNANIMOUSLY.**

Mr. Sullivan said that he hopes a rough draft can be ready about Labor Day.

#### **DEVELOPER TOUR UPDATE:**

Ms. Hannum said that they had originally going to do it at the September 10<sup>th</sup> meeting, but there hasn't been enough time to put it together, now, we're thinking of November 12<sup>th</sup>.

Mr. Sullivan said that they're getting started on the Elm Street project, and the Riverfront. He said staff doesn't want to rush and do it poorly.

Mr. Cane said it would be helpful if we can put the Daniel Webster College property on that tour, that would hopefully entice a developer.

#### **LAND USE CODE UPDATE:**

Mr. Durfee said that it would be done with form standards, so it's a hybrid form based code, there still would be a Use Table. He said that the base zonings are accurate, and some target redevelopment areas as defined by the Imagine Nashua Plan, and we'll test it.

Mr. Durfee said that building types will be the basic building block of the new Code. He said that they've quantified the qualitative look and feel of buildings, and there will be a blueprint for developers, while also having some predictability for the developer and the neighborhood. He said that there are 25 different building types in the Code, all of these are based upon surveys on the ground conducted by our code consultant. He said it includes all types of buildings, even strip center buildings.

Mr. Durfee said that the current zoning map has so many nonconformities across all districts, and the new map will try to have greater levels of conformity. He showed the proposed map, it's much more granular, there are some zoning lines, especially in the southwest, that are not moving, they were developed under zoning that still exist, and they're accurate. He said its areas that are much more detailed, a lot more fabric that especially exist in the older neighborhoods that have a lot of nonconformities, we had to get really granular to ensure conformity.

Mr. Durfee showed a district sheet from the Urban Residential district, which is one of the most complicated districts, as there are a blend of rural, or suburban style development, with a mix of uses and building types. He indicated the building types that are permitted in the district, but there are some lot standards as well.

Mr. Sullivan said that currently, the ordinance does not regulate building types, it regulates height, setbacks.

Mr. Durfee said that those are all form characteristics, if you look at the building standards, there is a huge level of variability, you can do a classic Victorian, or modern architecture, it doesn't tell you what style, it tells you what percentage of windows, or percentage of glazing, to be a good

neighbor and have a good looking building, that still fits in the character.

Mr. Prolman asked what the intent of all this.

Mr. Durfee said it's to make development easier and more predictable, and part of that ease is to facilitate a more predictable public process, but the Overlay districts is where it will turn up the dial on development capability. He said that currently, there is the Mixed Use (MU) district, which is very flexible, which is great, but at the Planning Board public hearing process, the public does not know where the flexibility ends, there's a huge spectrum of what the Planning Board will allow, and we're bringing that in just a little bit, by predictability, and calibrating a lot of density bonuses and other incentives to hit community goals. He said that the base zoning has so much nonconformity right now, that if you want to add a deck in an R9 zone, you'd have to go to the Zoning Board for a setback variance. He said that the process now is just onerous to change anything on your property. He said that the new code will try to incentivize the parking market too, and it will be codified.

Mr. Durfee said that for the Overlays, you can utilize the base zoning, but opting in provides opportunities for density and other incentives, and these areas were identified in the Imagine Nashua Master Plan. He said that as an example, commercial business is proposed, it's pretty standard on the Amherst Street corridor right off of the corridor, those adjacent parcels to the right-of-way, that is the commercial business, and if you opt into the redevelopment overlay, you could then be assigned a district of MR-6, (Mid Rise 6), a six story building, and the commercial and the mid-rise building have very different building type libraries that can be used, and there are also use implications, whereas residential wouldn't be allowed in commercial business, it now is an MR-6, a higher level of intensity through the form standards.

Mr. Durfee said that staff did a test at 27 Airport Road, just a regulatory experiment, there are no requirements that the property owner do what is shown. He said that in the base, it is Commercial Industrial Zone, a warehousing distribution facility, wholesale, retail, large building, loading docks in the back, parking for employees, and fairly good circular access to the site. He said that in evaluating this, it would be known as a box building in the building types, the proposed building with this is 500 feet wide and the Code has a 400 foot max. He said that the overage is an easy fix, and because it's such a large building at 80,000 sq.ft, it would violate the 65,000 sq.ft floorplate maximum, it can also be increased with no problem.

Mr. Sullivan said it's zoned CI, and for example, a developer wants to build that box building, and the first question, is it allowed, and box buildings are allowed in CI. He asked if the use could be a plumbing warehouse, another permitted use, so, the form and the use are both allowed in CI. He asked what the form standards allow if the size would be above and beyond what the maximum size is, and how would the form standard change.

Mr. Durfee said that assuming the Code is adopted, and the maximum building width is 400 feet, and someone comes in looking for relief. He said that the consultant and staff are currently developing a mechanism similar to the MU zone to give the Planning Board some latitude.

Mr. Cane asked why there is a 400 foot building length requirement.

Mr. Durfee said that number came from the consultants, and where these form standards matter most, is in the downtown neighborhoods, less so in commercial and industrial. He said that the intent is not to worry about form in the industrial districts, but more functionality.

Mr. Cane said that he is concerned that the Code will be the designer of buildings, instead of allowing the landowner or user to determine what they need within the parameters that are set up for setbacks, yards, open space, detention ponds that are required. He said it seems that this is being made too complicated, with a minimum and maximum size.

Mr. Durfee said those items can be waived, if that does not apply to industrial buildings.

Mr. Cane said that they're applying the same standards to every type of use, every type of building, whether it's commercial, retail, industrial or residential, the Code is deciding the design standards to comply with. He said that in going to all the meetings, the same standards are being waived.

Mr. Durfee said that those standards are awful.

Mr. Cane said that more restrictions are being put on design.

Mr. Durfee said that the consultant spent a lot of time with existing character of the City, all existing properties were surveyed to ensure that the standards are replicating what is already there.

Mr. Sullivan said that staff constantly hears that proposals are not compatible with the existing fabric, so the intent is to look at what the existing fabric is, and put out a set of standards that align with what folks say that they're comfortable with in the community. He said that the waiver process is not ideal, but if there's a proposal that comes forward that proposes a 100,000 sq.ft building, and the context is right and the site plan is right, the Planning Board has the authority to waive that.

Mr. Cane said that it's very discretionary, things can be waived, or not.

Mr. Sullivan said that in the current zoning environment, it's even more discretionary, there are mixed use overlay zones, in which there are no standards, it's an anything goes environment, so we're trying to have the development community clear about what are the baselines.

Mr. Cane said that's in the mixed use, where there is additional flexibility, but we'll put some standards on it, that's fair, but when you say that you have to develop within the allowed uses, and there is a minimum building size that's required, it's not reasonable. He asked why it would have minimum sizes.

Mr. Durfee said that for example, an apartment house, if it's 36'x60', if it's any bigger, it's just a

different building type.

Mr. Cane said that as long as it fits within the side yard setback requirement, why is it an issue how big the building is, or the open space.

Mr. Ziemba asked if the City is getting pressure from the State to increase housing.

Mr. Durfee said that the State has given Nashua money, because we've said that we want to do something about housing.

Mr. Cane said that Nashua is an example of what the State should be saying to allow, a lot of uses are here that wouldn't even be considered in towns.

Mr. Sullivan said that the current zoning environment has a variety of different issues, one is that the base zoning is not reflective of what the actual conditions are, and what people would like to do with their properties. He said that they our more innovative districts, such as the mixed use districts, have very little parameters within them, resulting in several different development proposals over the last few years that are completely inappropriate, they're allowed under the flexible zoning, but are completely inappropriate in the context of the area, such as the asphalt plant, and the crematorium, and the asphalt plant is the holy grail of this issue, so we're trying to tighten this up. He said that staff would love to see some master planning in, such as DW College, the Flatley-owned properties, to create more clear, predictable regulatory environments. He said that this is in response to a very public sentiment that predictability and compatibility and Nashua-compatible buildings are what is wanted.

Mr. Cane said that he understands about the overlay districts, there hardly are any standards, and tightening those up is reasonable, but is concerned about making a standard use in a standard lot so complicated and expensive that it becomes detrimental to the development of the city. He said that he has concerns about what this will do to the base zones.

Ms. Foley asked if this will be presented to the Board of Alderman, and then there will be some back and forth, and then some happy middle ground that gets adopted.

Mr. Durfee said that staff fully intends on going through a public process, and it has been before the PEDC many times to get their feedback, and are happy to meet in the middle, compromise.

Mr. Prolman said that he gets what would be done in the inner city, there are smaller lots, a three-story building, we're trying to preserve all that.

Mr. Durfee said that there are areas where form standards are more appropriate. He said that given Nashua's geographic location, on the border with Massachusetts, in talking with Boston area-based developers, when they look at our current ordinance, they go through their normal due diligence, and they say that we don't have what they have for options, and we're leaving a lot on the table.

Mr. Prolman asked why Portsmouth is getting \$1,100/sq.ft for a condominium downtown, and Nashua can't get \$400.

Mr. Sullivan said that Portsmouth's regulatory environment is incredibly difficult. He said that Nashua is going out on a limb so many times to ask developers to do things that Nashua really has no authority to do, because our toolbox is so weak, and developers hate that.

Ms. Foley said that the intended outcome is to make the City more developer friendly, and easier to do projects in.

Mr. Cane said that a project is what Flatley is doing down on the south end, and one of the problems he saw was that the City's site plan regulations, if a project wants to do a little addition to the business, say a 100 square foot addition for a new entryway, you have to go through a lot, and it costs a lot for the engineering and site design, and that is unfair, versus, doing 100,000 square foot building, as it's a major investment. He said it's too complicated for the simple uses, don't make it worse than it is now.

Mr. Durfee said that for the district groups in these overlays, there is no existing neighborhood fabric or character, so in the downtown, the overlays have a strict upzoning to the next appropriate level of increment, as it would look to the existing character, where there is no neighborhood character on these commercial corridors, we are trying to create district groups. He said that district groups, there are a slate of districts, with minimum and maximum percentages to create your own zoning for your parcel, but it has to be a mix, a variety, it applies mostly to large sites where you can accommodate this.

Mr. Durfee showed a site on the screen, with its boundaries, the Midrise-3 and urban core that are districts that fall within the Main Street center, so the Urban Core is the most intense, and as you come away towards the airport, it is downzoned in intensity. He said that it shows a seven-story building, parking garage with 375 spaces, wrapped in a shell of commercial on the first floor, and residential above, with 170 units and 18,000 square feet of commercial space, and it serves as the parking asset for the neighborhood. He said that on another site, there could be another block building, six-stories, commercial on the bottom, 205 units, and using the density factor, 650 square feet per unit, and the lot is just under 40,000 square feet, a couple townhomes for building types, and as you fade back towards the Midrise-4 and Midrise-3, it shows the flexibility of building types that you can apply in these zones.

Mr. Prolman said that with regards to height restriction, the downtown allows six stories. He asked why can't there be ten or fifteen stories in the downtown.

Mr. Durfee said that high-rise construction costs are very steep. He said that if rail ever comes, you can only get under current rent market, 22 stories around a train station, that is where the cost of vertical construction could be supported.

Mr. Cane said that other than a little land left in the southwest part of the City, and DW College,

Nashua is built out. He said the cost of demo is very costly, particularly in older buildings that may have asbestos.

Ms. Novotny said that one thing that may be beneficial in the presentation is to show how other towns have done this successfully, maybe with pictures of how it looks, to help people understand.

Mr. Durfee said that the consultant wrote the Code for Somerville, Mass., and the proposed Code is similar. He said that Somerville had 22 lots that were conforming when the ordinance went into effect, and now they are seeing a flood of redevelopment.

Ms. Foley said that when the new code is presented, the intended outcome of this re-code is mindful redevelopment, as properties become available, larger lots that were able to determine the highest and best use, it would show what the collective of what Nashua wants.

Mr. Durfee said that collective presents itself in building standards and district standards. He said that the community doesn't get to say yes or no to a given project, but it does get to set the parameters, which is manifested in the zoning through the public input process.

Mr. Cane said that for the public input process, if you get 1/10% of the population of Nashua represented, you're doing well, and you typically get the people coming out who are opposed rather than for something. He said that it is a difficult process going through rezoning, it's time consuming, and is concerned that this is optimistic to get adopted by the end of this year. He said that the criticisms that are being said are not on the base code, they're on the overlay zones. He said that as a developer, things change so much, even ten years ago, shopping centers were great, big malls were great, they change, and years ago, you couldn't do apartments in the City, or anywhere, because no one wanted the density. He said it's very hard to say what you want to do with three or four hundred acres of land within the next twenty years, the market changes. He said that you want to encourage people and redevelop, and that is the mixed use in the overlay zones, and it would help to simplify the standards and the overlay changes would make more sense. He said that the existing overlay zones are too weak.

Ms. Foley said that the next meeting is September 10, 2025, and the committee should expect to have a draft of the RFP, and we'll continue the conversation of the new Code.

Mr. Durfee said he's happy to do this again, and go through a different area of the Code if BIDA wants it, the feedback is appreciated.

**ADJOURNED** at 10:28 am.

Submitted by: Mr. Falk, Deputy Planning Manager  
CF - Taped Hearing