

1 **LONDONDERRY, NH PLANNING BOARD**  
2 **MINUTES OF THE MEETING OF JULY 9, 2008 AT THE MOOSE HILL COUNCIL**  
3 **CHAMBERS**  
4

5 7:00 PM: Members Present: Art Rugg; Rick Brideau, Ex-Officio; Kathy Wagner,  
6 Ex-Officio; Charles Tilgner, P.E., Ex-Officio; Mary Soares; Rob Nichols; Lynn Wiles;  
7 Laura El-Azem (arrived at 7:10); Melissa Nemon, alternate member (left at 8:25);  
8 Greg Warner, alternate member  
9

10 Also Present: André Garron, AICP; Tim Thompson, AICP; John Trottier, P.E.;  
11 Cathy Dirsra, Planning Department Secretary; Nicholas Burnham, Planning Intern  
12

13 A. Rugg called the meeting to order at 7 PM. A. Rugg appointed M. Nemon to vote  
14 for J. Farrell and G. Warner to vote for L. El-Azem until she arrives.  
15

16  
17 **Administrative Board Work**  
18

19 A. Plans to Sign – Elwood Subdivision – Map 5, Lots 39  
20

21 J. Trottier said all precedent conditions for approval have been met and the  
22 staff recommends signing the plans.  
23

24 **M. Soares made a motion to authorize the Chair and Secretary to sign**  
25 **the plans. R. Brideau seconded the motion.** No discussion. **Vote on the**  
26 **motion: 9-0-0.** A. Rugg said the plans will be signed at the conclusion of the  
27 meeting.  
28

29 B. Plans to Sign – Comcast Minor Site Plan - Map 2, Lot 35  
30

31 J. Trottier said all precedent conditions for approval have been met and the  
32 staff recommends signing the plans.  
33

34 **M. Soares made a motion to authorize the Chair and Secretary to sign**  
35 **the plans. R. Nichols seconded the motion.** No discussion. **Vote on the**  
36 **motion: 9-0-0.** A. Rugg said the plans will be signed at the conclusion of the  
37 meeting.  
38

39 C. Regional Impact Determinations  
40

41 T. Thompson referenced the memo with staff recommendations for the  
42 following proposed projects:  
43

44 Coca-Cola Bottling Company of Northern New England is proposing a  
45 115,000 square foot building addition on Map 15, Lot 98.  
46

47 Water Wonders, LLC is proposing a 20,000 square foot professional office  
48 building on Map 17, Lot 5.  
49

1 Water Wonders, LLC is proposing a 38,500 square foot professional office  
2 building on Map 17, Lots 5-3 & 5-4.

3  
4 William and June Puglisi are proposing a 3 Lot Subdivision on Map 17, Lots  
5 30 & 30-1.

6  
7 T. Thompson said that staff recommends all 4 projects are not developments  
8 of regional impact, as they do not meet any of the regional impact guidelines  
9 suggested by Southern NH Planning Commission (SNHPC).

10  
11 **M. Soares made a motion to accept staff recommendations that these**  
12 **4 projects are determined not to be of regional impact under RSA**  
13 **36:56. G. Warner seconded the motion. No discussion. Vote on the**  
14 **motion: 9-0-0.** Regional impact determinations accepted.

15  
16 [ L. El-Azem arrived 7:10pm. G. Warner returned to alternate member  
17 status. ]

18  
19 D. Signing of Minutes – June 4 & 11

20  
21 Minutes for June 4 and 11 have been signed.

22  
23 E. Discussions with Town Staff

24  
25 T. Thompson said that due to the email problems encountered last week at  
26 the town hall, we did not receive the request from Cider Mill for an extension.  
27 He stated they are requesting an extension to August to obtain their updated  
28 Wetland Permit and that staff recommends approval of the extension.

29  
30 **M. Soares made a motion to grant an extension for 60 days. R.**  
31 **Nichols seconded the motion. No discussion. Vote on the motion 9-0-0.**  
32 **Extension granted to September 10, 2008.**

33  
34 T. Thompson said he received a letter from Steve Freeman, Enterprise Rent-  
35 A-Car (Perimeter Road). They have modified the site slightly and now need to  
36 add two storage sheds. Consensus of the Board was that the request can be  
37 handled administratively by staff.

38  
39 T. Thompson and J. Trottier said that staff plans to come before the Board  
40 next month to discuss the subdivision regulations. He said that staff has  
41 come to a consensus on the road standards and they need to put together  
42 the draft language.

43  
44 A. Rugg said the SNHPC will be sponsoring a special event to discuss  
45 passenger rail in NH on July 14 from 7:00 to 8:30 PM at the NH Institute of  
46 Politics Auditorium at St. Anselm College.

47  
48 M. Soares said on July 28 from 10am-6pm at the town common donations  
49 will be accepted to restock the food pantry for Londonderry.

1  
2 **Public Hearings**  
3

4 A. Economic Development Financing Discussion – William Fazioli, First  
5 Southwest Company (Investment Banker)  
6

7 A. Garron introduced William Fazioli. He said the first TIF district was done in  
8 the 1980's to fund a sewer line where Coca-Cola now sits. He also said that  
9 W. Fazioli is a former town manager and has an extensive background in  
10 municipal finance. A. Garron said First Southwest Company have done two  
11 bonds with the town through W. Fazioli. He gave the Board some background  
12 on the definitions, history and use of TIF. He discussed the TIF policy & credit  
13 criteria and also how to garner community support. (See attachment #1)  
14

15 A. Rugg asked for public comment.  
16

17 Deb Paul, 118 Hardy Road, said the TIF that was successful in Derry was  
18 because they had an outside agency (Derry Economic Development Corp.)  
19 which ensured a pre-determined amount of revenue. A. Garron said the  
20 Keene TIF was managed by the Keene Economic Development Corp. Paul  
21 DiMarco, 30 Holstein Ave (Town Councilor), asked what would happen if a TIF  
22 is built and is wildly successful and what happens when it's not successful. W.  
23 Fazioli said when successful, you can prepay the bonds earlier or refinance  
24 the TIF. When not successful, the Town must pay for the bond through the  
25 general tax revenue. J. Ratigan, attorney with Donahue, Tucker & Ciandella,  
26 said that Peterborough used a TIF district to allow the community hospital to  
27 be updated and allow for road improvements along with other community  
28 improvements. Mike Brown, 5 Carousel Court (Town Councilor), asked if  
29 there was any difference between using completely undeveloped land vs.  
30 developed land for a TIF. W. Fazioli said if the TIF is located near existing  
31 economically developed property it would make the TIF more successful.  
32

33 M. Nemon summarized some research articles she recently read regarding  
34 TIF districts.  
35

- 36 - Some examples of the major success of TIF's in the U.S., such as Chicago  
37 and one in Los Angeles, were successful because there was a powerful  
38 community contingent. This means that there were very strong  
39 community groups who actively pursued community benefits as a result of  
40 enacting a TIF. For example, L.A. got financial improvements for local  
41 schools, parks and other community concerns. In fact, it has been argued  
42 in much of the research that the greatest success of TIF's in the nation  
43 comes not from a great economic development project but rather in the  
44 external and consequential benefits to the citizens as a result of  
45 community organizing.  
46
- 47 - Consequently, one of the nation's worst examples of TIF is in  
48 Massachusetts who enacted TIF's in 1993 and has miserable experience in  
49 maintaining accountability, affordability, and minimal to no direct benefits.  
50 In fact, there is no consistent regulatory group that oversees TIF's in

1 Massachusetts and there is no tangible number of how much TIF deals  
2 have cost Massachusetts towns and cities since 1994.

- 3  
4 - The end point here is that if TIF is something we wish to bring into  
5 Londonderry, the ownership falls on the residents to make sure they are  
6 getting something out of the deal. There is plenty of precedent for doing  
7 such things and with other risks involved with TIF's, it makes sense that  
8 residents will need to ensure their future through a community contingent  
9 designed for the purpose of creating opportunities in a TIF deal.

10  
11 [ M. Nemon left at 8:25pm. A. Rugg appointed G. Warner to vote in her  
12 absence on behalf of J. Farrell. ]

- 13  
14 B. Bernard Filion, Map 3, Lot 131 – Continued Public Hearing for a Site Plan and  
15 Conditional Use Permit for a change in use on the site from  
16 warehouse/drywall supply company to various small commercial uses.

17  
18 Tony Marcotte, Bedford Design, represented the applicant.

19  
20 J. Trottier said the application was accepted on June 4. He also stated that  
21 the **originally requested waivers were granted on June 4**. The  
22 applicant has requested an additional waiver, to Section 3.08.b.5 and Exhibit  
23 D-3. The applicant indicates 220 feet of sight distance where 365 is required.  
24 **Staff recommends denial of the waiver**. Staff recommends the Applicant  
25 provide the proper sight distance for the existing driveway and update the  
26 sight distance plan and profile accordingly with a proper certification in  
27 compliance with the regulations and obtain any sight distance easements as  
28 required. The applicant has not approached the abutting lot to inquire about  
29 a sight distance easement and permission to make improvements to achieve  
30 the sight distance. Until such time that the applicant has submitted written  
31 documentation (currently only anecdotal observations are offered by the  
32 applicant, no communication from the abutter has been offered to the staff  
33 by the applicant) that the abutter is not willing to provide the easement and  
34 allow for necessary improvements, staff cannot support the waiver request.

35  
36 J. Trottier stated that staff recommends granting the conditional use permit,  
37 per the recommendation of the Conservation Commission and that staff  
38 recommends conditional approval as outlined in the staff recommendation  
39 memo.

40  
41 J. Trottier summarized the design review items from the DPW/Stantec memo.

42  
43 T. Thompson said that he and staff agree the waiver should be denied. He  
44 said there are some minor traffic comments that have not been addressed.  
45 He also stated that staff agrees the conditional use permit should be granted.

46  
47 T. Marcotte asked the Board to consider written documentation 'in the future'  
48 from the abutter's agreement to an easement for the required sight distance.

49

1 T. Thompson suggested that if the Board conditionally approves the plan, but  
2 denies the waiver, the Board could hold a public hearing at the time of plan  
3 signing and reconsider the waiver if they so choose.

4  
5 A. Rugg asked for public input.

6  
7 Debbie Mason, Old Nashua Road, said she has had some close calls driving in  
8 that area. Tom Estey, 9 Old Nashua Road, said that Mark Lawrence uses the  
9 green areas for taking pictures.

10  
11 T. Thompson noted the hours of operation are now noted on the plans as  
12 requested by the Board last month.

13  
14 **M. Soares made a motion to grant Conditional Use Permit per the**  
15 **recommendation of the Conservation Commission and staff. R.**  
16 **Brideau seconded the motion. No Discussion. Vote on the motion: 9-0-**  
17 **0. Conditional Use Permit granted.**

18  
19 **M. Soares made a motion to deny the waiver based on the applicant's**  
20 **letter and staff recommendation, but that the applicant can request**  
21 **the waiver again at the time the plans are signed, if they are unable**  
22 **to reach agreement with the abutter. R. Nichols seconded the motion.**  
23 **No discussion. Vote on the motion: 9-0-0. Waiver denied.**

24  
25 **M. Soares made a motion to conditionally approve the site plan with**  
26 **the following conditions:**

27  
28 "Applicant", herein, refers to the property owner, business owner, or  
29 organization submitting this application and to his/its agents, successors, and  
30 assigns.

31  
32 **PRECEDENT CONDITIONS**

33  
34 All of the precedent conditions below must be met by the Applicant, at the  
35 expense of the Applicant, prior to certification of the plans by the Planning  
36 Board. Certification of the plans is required prior to commencement of any  
37 site work, any construction on the site or issuance of a building permit.

- 38  
39 1. The revised driveway sight distance plan in the northerly direction on  
40 sheet SD1 indicates a sight distance of 220 feet and does not comply  
41 with the minimum 365 foot sight distance per section 3.08.b.5 and  
42 Exhibit D-3. The Applicant shall revise the sight distance plan in  
43 accordance with Exhibit D3 that includes updating the required  
44 certification, indicate the necessary improvements to achieve the  
45 required sight distance and obtain any easements for the sight  
46 distance as applicable.

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2. The Applicant shall address the following relative to the revised project drainage report:
  - A. The pond routing analysis for pond BP1 notes a storage volume elevation to 301.11, but a majority of the pond embankment only goes to elevation 300.67 and thus it appears the pond analysis is not consistent with the proposed design. The Applicant shall review and update the pond area to be representative of the proposed conditions and verify the proper and minimum freeboard of twelve (12) inches is provided above the 50-year elevation as required by the regulations.
  - B. The pond routing analysis for pond BP1 notes a top of grate elevation of 299.27 and is not consistent with the plans and detail indicating a top of grate elevation of 299.46. The Applicant shall review and revise the plans and details to be consistent with the analysis.
  - C. The pond routing analysis for pond BP2 notes the 4-foot wide weir at elevation 301.45 and thus the 0.20 foot wide weir height is less than 2.00 as noted in the calculations. In addition, the Applicant shall review and clarify the 3'-0" minimum dimension indicated in the revised retention pond outlet structure detail and revise as necessary. The Applicant shall review and revise the analysis and/or plans and details to be consistent.
  - D. The riprap calculations indicate the downstream apron from the detention basin (R2) should have a width of 24 feet but the plans do not indicate the proper width. In addition, the riprap apron detail provided is not consistent with the calculations including references to the drains structures. The Applicant shall review and revise the plans and details to be consistent with the analysis.
  - E. Reach R3 indicates a swale width of 20 feet in the analysis that is substantially greater than the 10 foot width of the level spreader, which we would not anticipate. The Applicant shall explain and clarify this analysis and revise as necessary. The Applicant shall address any potential erosion issues as may be applicable.
3. The Applicant shall address the following on the site plan:
  - A. The Applicant shall update note 4H to properly account for the two vehicle repair service bays that require a minimum of 3 spaces per bay as necessary meeting the requirements of the regulations.
  - B. The Applicant shall dimension the aisle widths between the northeasterly group of parking spaces for proper construction.
  - C. Revised Note 1 indicates the site is designed for a WB-50 vehicle but is unclear how the delivery vehicle will properly access the designated loading areas. The Applicant shall provide Auto-Turn templates to clarify how the delivery vehicle will properly access the designated loading areas for the Planning Division's file.
  - D. The Applicant shall clearly indicate the CO District sign locations on the plan for proper construction. In addition, the Applicant shall

- 1 update sheet EC-1 to indicate the proper CO District consistent with  
2 the site plan.
- 3 E. The Applicant shall clarify the 4 foot dimension in the vicinity of the  
4 proposed detention basin and revise as necessary.
- 5
- 6 4. The Applicant shall address the following on the grading plan:
- 7 A. The proposed grading design for the revised swale along the  
8 easterly side of the paved driveway does not properly indicate the  
9 two foot wide and two foot deep ditch with 3H:1V side slopes as  
10 indicated in the drainage report. The Applicant shall correct the  
11 detail on sheet D2 to properly indicate the swale for proper  
12 construction. In addition, a proposed 304 contour at the pavement  
13 appears to be missing. The Applicant shall review and clarify how  
14 the swale with the proper width and side slope do not impact the  
15 existing utility pole and guy that can not be moved as noted in the  
16 response letter. The Applicant shall provide a utility clearance letter  
17 or work order that addresses the proposed impacts to the pole and  
18 guy and clarify/label any additional work required as may be  
19 requested by the utility company.
- 20 B. The Applicant shall clarify the revised grading for the bio-retention  
21 basin (proposed contour 298) does not extend over the property  
22 line into the ROW for Route 102.
- 23
- 24 5. The project is located along a significant portion of Old Nashua Road.  
25 The Applicant shall verify if additional off-site improvements to Old  
26 Nashua Road will be necessary under this application with the  
27 Department of Public Works.
- 28
- 29 6. The Applicant shall address the Stantec Consulting Services, Inc.  
30 memorandum relative to the submitted traffic report dated July 9,  
31 2008.
- 32
- 33 7. Note all waivers and the conditional use permit granted on the plan.
- 34
- 35 8. The Applicant shall provide a digital (electronic) copy of the complete  
36 final plan sent to the Town at the time of signature by the Board in  
37 accordance with Section 2.05.n of the regulations.
- 38
- 39 9. Financial guaranty if necessary.
- 40
- 41 10. Final engineering review
- 42

43 **PLEASE NOTE -** Once these precedent conditions are met and the plans are  
44 certified the approval is considered final. If these conditions are not met  
45 within 120 days to the day of the meeting at which the Planning Board grants  
46 conditional approval the board's approval will be considered to have lapsed  
47 and re-submission of the application will be required. See RSA 674:39 on  
48 vesting.

1  
2 **GENERAL AND SUBSEQUENT CONDITIONS**  
3

4 All of the conditions below are attached to this approval.  
5

- 6 1. **No construction or site work for the amended site plan may be**  
7 **undertaken until the pre-construction meeting with Town staff**  
8 **has taken place, filing of an NPDES-EPA Permit and the site**  
9 **restoration financial guaranty is in place with the Town.** Contact  
10 the Department of Public Works to arrange for this meeting.  
11
- 12 2. The project must be built and executed exactly as specified in the  
13 approved application package unless modifications are approved by the  
14 Planning Division & Department of Public Works, or if staff deems  
15 applicable, the Planning Board.  
16
- 17 3. All of the documentation submitted in the application package by the  
18 Applicant and any requirements imposed by other agencies are part of  
19 this approval unless otherwise updated, revised, clarified in some  
20 manner, or superseded in full or in part. In the case of conflicting  
21 information between documents, the most recent documentation and  
22 this notice herein shall generally be determining.  
23
- 24 4. All site improvements must be completed prior to the issuance of a  
25 certificate of occupancy. In accordance with Section 6.01.d of the Site  
26 Plan Regulations, in circumstances that prevent landscaping to be  
27 completed (due to weather conditions or other unique circumstance),  
28 the Building Division may issue a certificate of occupancy prior to the  
29 completion of landscaping improvements, if agreed upon by the  
30 Planning Division & Public Works Department, when a financial  
31 guaranty (see forms available from the Public Works Department) and  
32 agreement to complete improvements are placed with the Town. The  
33 landscaping shall be completed within 6 months from the issuance of  
34 the certificate of occupancy, or the Town shall utilize the financial  
35 guaranty to contract out the work to complete the improvements as  
36 stipulated in the agreement to complete landscaping improvements.  
37 **No other improvements shall be permitted to use a financial**  
38 **guaranty for their completion for purposes of receiving a**  
39 **certificate of occupancy.**  
40
- 41 5. As built site plans must be submitted to the Public Works  
42 Department prior to the release of the Applicant's financial guaranty.  
43
- 44 6. All required Traffic, Police and Fire impact fees must be paid prior to  
45 the issuance of a Certificate of Occupancy.  
46
- 47 7. It is the responsibility of the Applicant to obtain all other local, state,  
48 and federal permits, licenses, and approvals which may be required as  
49 part of this project (that were not received prior to certification of the



1 plans). Contact the Building Division at extension 115 regarding  
2 building permits.

3  
4 **R. Nichols seconded the motion.** No discussion. **Vote on the motion: 9-**  
5 **0-0.** Plan is conditionally approved.

6  
7 A. Rugg announced that the Board would hear item D out of order and then  
8 item E and item C.

9  
10 D. Historic Properties Preservation Ordinance Workshop

11  
12 K. Wagner recused herself from this agenda item, as the owner of one of the  
13 potentially included properties.

14  
15 N. Burnham and T. Thompson gave the Board a presentation of the draft  
16 ordinance, developed after the public workshop held on June 25 (see  
17 attachment #2).

18  
19 Jane Filmore, 302 Mammoth Road, wants to understand the difference  
20 between the historic district commission and the historic overlay district.

21  
22 T. Thompson explained the differences for her.

23  
24 John Ratigan, attorney representing Twin Gate Farm, offered his suggestions  
25 for some amendments to the historic district zoning. T. Thompson asked the  
26 Board if they would do a public hearing in August and they agreed.

27  
28 E. Conceptual Discussion – Rezoning of 7 Rockingham Road from C-II to C-III

29  
30 Corrie & Roger Binette, 11 Apple Blossom Road, would like to purchase 7  
31 Rockingham Road to open a day care facility. 6:30am-6pm. T. Thompson said  
32 this is map 13, lot 97 and it is close to the Derry town line (formally Good  
33 News book store). C. Binette is the President of Wings Early Learning Center.  
34 T. Thompson said that if the Board approves this use, the applicant would  
35 need to provide a site plan, with drainage and traffic reports. The Board said  
36 they would likely support the rezoning from C-II to C-III.

37  
38 C. FI District Workshop

39  
40 T. Thompson gave the Board a summary of the proposed changes from  
41 December. T. Thompson said they plan to have a workshop in September.  
42 (see attachment #3)

43  
44 **Other Business**

45  
46 None.

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**Adjournment:**

**M. Soares made a motion to adjourn the meeting. K. Wagner seconded the motion.** No discussion. **Vote on the motion: 9-0-0.** Meeting adjourned at 9:55 PM.

These minutes prepared by Cathy Dirsa, Planning Division Secretary.

Respectfully Submitted,

Mary Wing Soares, Secretary

# Town of Londonderry, New Hampshire Planning Board

## *Tax Increment Financing Overview*

July 9, 2008



## Outline

- The What and Why of TIFs
- TIFs Statutes & Process in New Hampshire
- TIF Policy & Credit Criteria
  - *Establishing Community Support*
- Case Studies
  - Development of a New Corporate Park
  - Redevelopment of Former Lumberyard & Mill Site
  - Redevelopment of an Urban Waterfront Area for Mixed Use

## TAX INCREMENT FINANCING (TIF)

### ➤ *What is a TIF?*

- ▶ A development tool for municipalities to promote private investment in a blighted or under utilized area. The TIF area is created by a local government usually in order to provide infrastructure improvements to that area.
  
- ▶ **TIFs were first issued in California, and are also very common in Texas, Illinois, Missouri and Florida.**
  
- ▶ **In most states this is a limited tax special obligation security**
  - ▶ *In NH it is a self-supporting General Obligation Bond*
  
- ▶ **In New Hampshire TIFs have been issued in several instances including;**
  - ▶ Keene
  - ▶ Concord
  - ▶ Durham

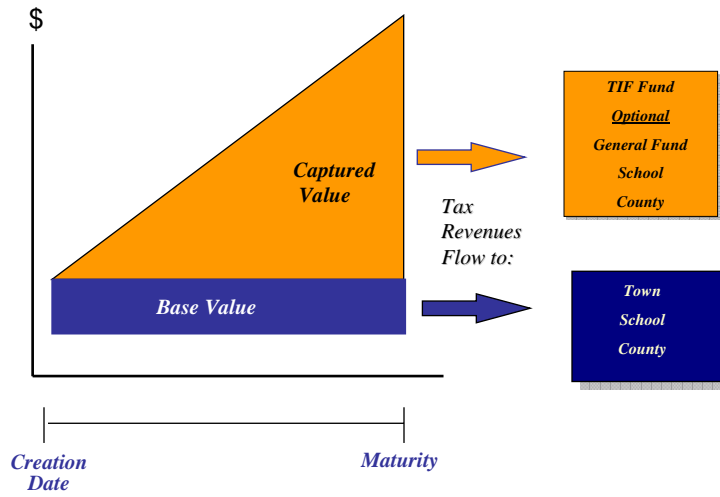
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## Why Issue TIFs?

- **Stimulate Economic & Community Development**
  - *Expand Tax Base*
  - *Promote Job Creation*
  - *Enhance Quality of Life*
  
- **Strategic Tool To Leverage The Desired Form Of Private Investment In A Particular Area**
  - *The Carrot first then the Stick*
  
- **No Existing Taxes are Used For New Projects**

4

## TIF DISTRICT REVENUES



5

## TIFs In New Hampshire

## **TAX INCREMENT FINANCING in New Hampshire**

### **➤ *Governing State Law***

➤ *RSA 162-K – Municipal Economic Development & Revitalization Districts*

### **➤ *Who issues the debt?***

▶ **General Obligation debt is customarily issued by the Town, which seeks to leverage and earmark the area's projected revenue stream {annual tax increment or captured value} to finance improvements.**

### **➤ *How is the debt repaid?***

▶ **Upon the creation of the development district the "Original Assessed Value" is established. Any incremental increase in value, or the "Captured Value", may be used to pay for project costs or to repay any debt or obligation to finance project expenditures within the district.**

7

## **NH TAX INCREMENT FINANCING**

### **➤ *What can be funded from a TIF?***

▶ **Acquire, construct or improve physical facilities**

▶ **Acquire land or easements**

▶ **Install lighting systems, signage, landscaping and snow removal systems**

8

## **ESTABLISHING TIF DISTRICTS in NH**

- *Local governing body must adopt RSA 162-K and make a finding that the improvements will serve a public purpose*
- *A specific development district must be adopted by the municipality after requisite public hearings*
- **Development Program**
  - ▶ Statement outlining the public facilities to be constructed within the district, the open space to be created, the proposed reuse of private property
- **TIF Financing Plan**
  - ▶ Statement that allocates the intended use of tax increments for retirement of bonds, operation and maintenance and improvements in the district and for general municipal purposes.
  - ▶ Also identifies whether if all or a portion of the “captured value” will be designated for expenditures within the district

9

## **NH TIF DISTRICT CRITERIA**

- ▶ **The total acreage in any one development district shall not exceed 5% of the total acreage of the municipality.**
- ▶ **The total assessed value of taxable real property of any one development district shall not exceed 8% of the most recent total assessed value in the municipality**
- ▶ **An Advisory Board must be established for each development district which consists of the property owners within or adjacent to the district**
- ▶ **The Advisory Board advises the local governing body on the implementation of the development plan**

10

## TIF Policy & Credit Criteria

## TIF Policy & Credit Criteria

- **Project Area Characteristics**
  - Size, Location and Composition
  - Diversity of Property Owners & Uses
  - Current & Proposed Development
  - Zoning Issues
  
- **Redevelopment Plan**
  - Economic Viability
  - Growth Assumptions
  - Area Competitors
  - Historical Tax Collections
  - Status of Valuation Appeals



## TIF Policy & Credit Criteria

- Project Area Management
  - ❑ Development Oversight
  - ❑ Operating Agreements
  - ❑ Permitting Regulations
    - Comprehensive and or Streamlined process
  - ❑ Construction Milestones
  - ❑ Financial Back Stops & Safeguards
    - Minimum Investment Guarantees
    - Performance and Surety Bonds

13

## Garnering Community Support

- Diversion of tax dollars for private development can be controversial
- Raises Policy Questions regarding the proper role of government
- Issuance of “public debt” for “private purposes”
- Development triggers emotional responses

14

## Garnering Community Support

- Establish Clear Goals & Objectives
- Have a “transparent” process
- Seek Consensus among all stakeholders
  - *Residents*
  - *Chamber of Commerce*
  - *Citizen Groups*
  - *Development Community*
  - *Overlapping Jurisdictions*
- Be Realistic about Financing Plan
- Further Information - [www.cdfa.net](http://www.cdfa.net)

15

## Case Study of a Successful TIF Program in New Hampshire

## City of Keene, NH

### *Black Brook Corporate Park*

- City's Master Plan Goal of increasing industrial portion of tax base from 10% to 20%
  - Identified former cornfield property
    - *350 Acres accessible by Rt. 12 and 101*
  - Original AV of \$12.9MM (1997)
  - Current AV of \$39.5MM (2006)
  - Net Captured Value of \$27MM in AV which equals \$689,000 in annual taxes
    - *Bonded Debt Service is \$318,750*

17

## Black Brook Corporate Park

- City worked with initial company to build a medical manufacturing facility
- City signed Development Agreement
  - City financed \$4MM in public improvements for roads, sewer/water lines and land acquisition
  - Company guaranteed to construct new facility and make minimum investment of \$9MM in park and remain a taxable entity
  - Company posted security bond during construction

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## Black Brook Corporate Park

- Additional Park tenants include Fed Ex, C & S Wholesale, Janos Technology and other commercial entities
- Lead to Future Development of an adjacent property “Black Brook North”

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## Case Study OF Recent Redevelopment Project In New Hampshire

## Concord, New Hampshire

### *Re-development of Lumberyard and Mill Complex*

- 40 acre highly visible site with contaminated soils and dilapidated buildings
  - Intersection of I-93 and 393
- City's Master Plan identified need for First Class Hotel and Conference Center
- City acquired land and agreed to finance public improvements to make the property more marketable

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## Concord, New Hampshire

### *Corporate Center at Horseshoe Pond*

- City partnered with private developer to build hotel and conference facility
- Additional development includes medial office buildings and elderly housing facility
- City's tax base increased by \$40MM
- Annual "TIF" taxes are more than sufficient to pay the debt service on the bonds
- Improved Gateway Entrance to City
  - *Elimination of Blight*

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## Case Study of Formulating a TIF Plan for Urban Waterfront

### City of East Providence Waterfront District

## Background

- East Providence population: 49,123 (2006 US Census estimate)
- Nineteen percent (19%) of residents are over 65, second largest proportion of elderly residents of any RI municipality
  - for ages 60+ years, the number increases to 24% of residents
- City has reached build-out: no place to expand = no new property tax revenue

## Existing Conditions

- Industrial or heavy commercial uses, petroleum and chemical storage
- Vacant buildings, weed-strewn fenced parcels of land
- Environmental contamination
- Existing infrastructure is limited (sewer, water, transportation)
- Soils are poor



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## Waterfront District

- Approximately 300 acres of property along Providence and Seekonk Rivers
- Waterfront District Plan and Commission created in 2003 with **Permitting Powers**
- Greatest potential for attracting new business and jobs, creating new housing, recreational, civic and cultural opportunities
- Potential for over 2 million square feet of office/commercial space and 2,500 new residential units
- Opportunity to expand local tax base
  - **Current AV of \$75MM**
  - **Potential AV in excess of \$1B**



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## Developer Funds Requested

Most developers are looking to the City for funding assistance with project infrastructure:

- Roadway construction
- Railroad crossing upgrade
- Power line relocation
- Underground electrical conduit
- Sewer and water line extension
- Environmental remediation
- Recreational amenities
- Streetscape improvements



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## Kettle Point

- Acquired former petroleum storage facility from BP
- 280 residential units on 40 acres of land
- 15,000 square feet of commercial/office use
- Marina, boat launch, public trails, coastal access, additional parking for bike path



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## Other Economic Development Financing Tools

- Special Assessment Bonds
- Public Improvement Districts
- Pay as you go TIFs
- PILOTs, Tax Abatements & Development Agreements

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## First Southwest Company Profile

# About First Southwest Company

- Privately held firm headquartered in Dallas, Texas founded in 1946
- 365 employees located in 23 offices across the United States
  - » Recent expansion demonstrates commitment to public finance
- Regulated Financial Advisor
  - » All employees adhere to strict oversight and compliance
- Registered Broker/Dealer
  - » Enables first hand market knowledge and insights
- First Southwest has represented more of America's state and local governments than any other firm.

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# About First Southwest Company

First Southwest provided financial advisory services on 1,350 city, town or village transactions, totaling \$26.63 billion par amount.

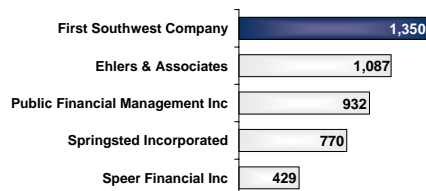
From January 1, 2003, to December 31, 2007, we provided financial advisory services on 2,137 general obligation bonds nationwide, totaling \$46.34 billion par amount

## NATIONAL FINANCIAL ADVISORY RANKING

### City or Town

January 1, 2003 - December 31, 2007

Number of Issues

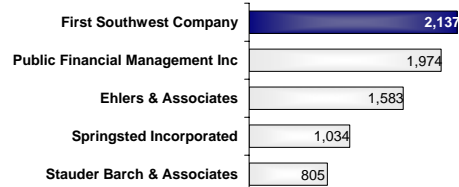


## NATIONAL FINANCIAL ADVISORY RANKING

### General Obligation

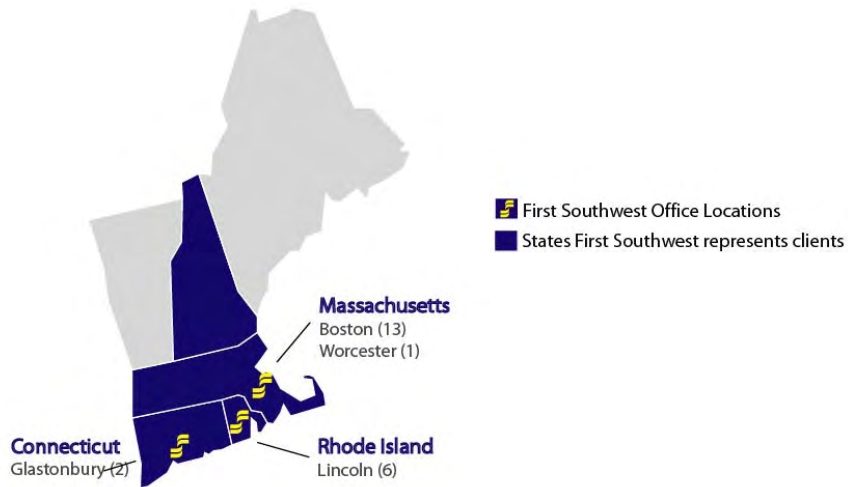
January 1, 2003 - December 31, 2007

Number of Issues



32

# New England Representation



33

# New England Experience

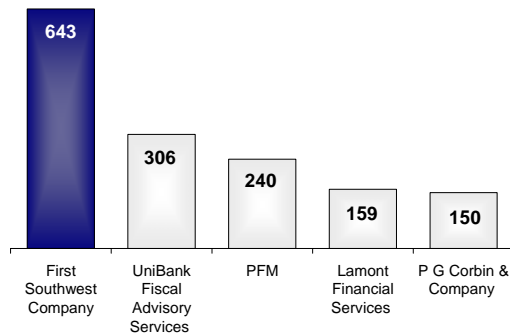
*First Southwest consistently ranks as one of the top financial advisory firms in the nation in terms of number of issues and par amount.*

## NEW ENGLAND FINANCIAL ADVISOR

### Overall Ranking

January 1, 2003 - December 31, 2007

Number of Issues



**From January 1, 2003, to December 31, 2007, First Southwest ranks first in number of issues with 643 and fourth in par amount totaling over \$9.58 billion dollars.**

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# New Hampshire Experience

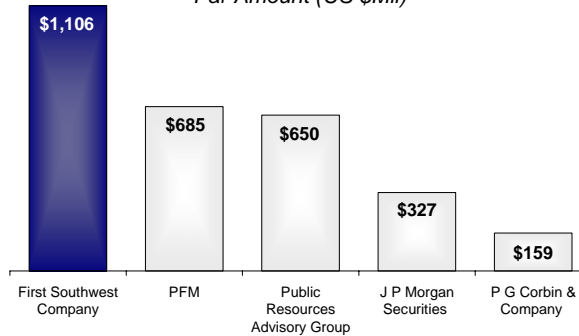
First Southwest consistently ranks **number one in New Hampshire** in total par amount, according to Thomson Financial Services

## NEW HAMPSHIRE FINANCIAL ADVISOR

### Overall Ranking

January 1, 2003 - December 31, 2007

Par Amount (US \$Mil)

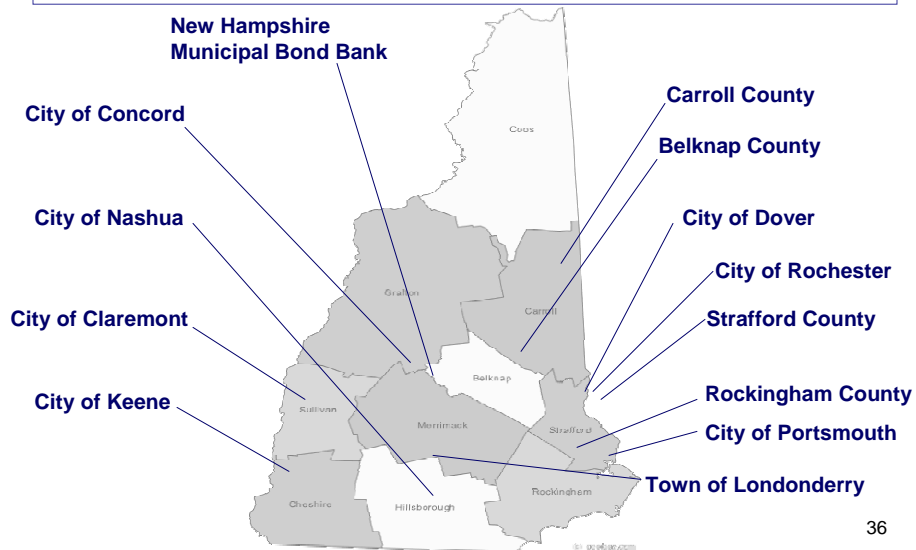


From January 1, 2003, to December 31, 2007, First Southwest ranks first in par amount totaling \$1.1 billion, and second in number of New Hampshire issues with 41.

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# New Hampshire Clients

(Partial Listing)



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## William J. Fazioli

### *Senior Vice President – First Southwest Company*

- **Experience:** William J. Fazioli has more than 20 years of municipal finance experience in New England with particular emphasis on working with distressed communities. He recently rejoined First Southwest after serving as City Manager of East Providence, Rhode Island, for two years. As City Manager, Mr. Fazioli was instrumental in stabilizing the City's fiscal condition as well as implementing a number of initiatives, including a fully funded capital improvement program and an economic development campaign that included the redevelopment of Brownfields properties. In addition, he has held two government finance positions, including Treasurer of Charlestown, Rhode Island, and Finance Director for the Town of North Providence, Rhode Island, along with previous banking experience as a Financial Advisor.
- **Education:** Mr. Fazioli holds a Master of Public Administration degree from the Rockefeller College at the State University of New York – Albany, and two Bachelor of Arts Degrees from Rhode Island College.
- **Professional Organizations:** Mr. Fazioli is an active member of the Rhode Island Government Finance Officers Association ("GFOA"), serving as the Executive Secretary since 1997, and he has served as the Executive Director of the New England States GFOA ("NEGFOA") since 2002.
- **Licenses Held:** Mr. Fazioli is a registered representative with the Municipal Securities Rulemaking Board, and is licensed as a Municipal Securities Principal (Series 52) and a Uniform Securities Agent (Series 63).

# **Historic Properties Preservation**

## **Historic Overlay Ordinance Workshop**

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**July 9, 2008**

**Presented by:  
Nick Burnham - Planning Division Intern  
Tim Thompson, AICP - Town Planner**

## **Summary of Proposed Changes**

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- Inclusion of Historic Overlay District regulations with Historic District section in zoning ordinance.
  - Re-formatting/Renumbering of existing Historic District Section, minor clean-up and update to existing Historic District language.
  - Inclusion of Purpose and Intent section.
  - Additional and specification of requirements in use table.
  - Conditional Use Permit criteria which allows Planning Board flexibility.
  - Criteria for guiding rehabilitation and construction within district.
-

## **Public Participation**

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- Results from Task Force Summary and Recommendations Report conducted by Historic Properties Preservation Task Force. Feedback included:
    - Flexible zoning tools and regulations
    - Encouraging re-use of properties
    - Possible tax breaks from the state
    - Historic preservation
    - Incentives for joining the overlay district
    - Zoning that could increase the character of the town
- 

## **Historic District**

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- Create 2 subsections of 2.6.4 (now re-titled Historic District/Historic Overlay District)
    - 2.6.4.1 – Historic District
    - 2.6.4.2 – Historic Overlay District
-

## **Historic District**

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- Renumbering of entire section, following addition of the Overlay District.
  - Revisions to the Demolition section, referencing the Demolition Delay Section of the Building Code that did not exist when the original Historic District was developed.
- 

## **Historic Overlay - Sections 2.6.4.2.1 and 2.6.4.2.2**

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- 2.6.4.2.1: Authority
    - Statutory authority to have overlay district requirements.
  - 2.6.4.2.2: Purpose and Intent
    - To develop appropriate zoning technique that encourages alternative uses.
    - Help preserve Town's historic resources.
    - Guide the character and encourage responsible development.
    - Support and promote historic preservation and provide economic benefit to the Town.
-



## **Sections 2.6.4.2.3 and 2.6.4.2.4**

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- 2.6.4.2.3: District Defined
    - Outlines the 17 homes/structures/sites which could be included in the district as chosen by HDC and Planning Board.
  - 2.6.4.2.4: Uses
    - Permitted Uses and Permitted Uses by Conditional Use Permit.
    - See Permitted Use Table, Section 2.2 of the Zoning Ordinance.
- 

## **2.6.4.2.3 – District Defined**

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## **2.6.4.2.4 - Uses**

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- Permitted Uses by Conditional Use Permit include:
    - Multi-family dwelling (3 Units or less)
    - Day Care Center
    - Retail sales establishment
    - Professional Office
    - Restaurant
    - Service establishment
- 

## **Section 2.6.4.2.5: Conditional Use Permits**

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- 2.6.4.2.5.1: Planning Board will review each application on a case-by-case situation.
    - Appropriate conditional uses shall be based on, but not limited to,
      - Size of the selected parcel
      - Effect on abutting properties
      - Traffic access and impact/Pedestrian impact
      - Preserving historic qualities for the community.
-

## **Conditional Use Permits**

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- 2.6.4.2.5.2: Criteria for Planning Board to grant conditional use permit, the Applicant shall demonstrate that:
    - Proposed use is consistent with purpose and intent of the district.
    - Granting the application would fulfill a public need and satisfy public interest.
    - Property design is reasonable for requested use.
    - Design of the site preserves historic and cultural value. Site should reflect the time period it was erected in.
- 

## **Conditional Use Permits**

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- 2.6.4.2.5.2: Criteria for Planning Board to grant conditional use permit, the Applicant shall demonstrate that:
    - Planning Board must receive written recommendations from HDC before granting permit.
    - A Historic Preservation easement protecting external features of the structure shall be required.
-

## **Conditional Use Permits**

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- 2.6.4.2.5.2: Criteria for Planning Board to grant conditional use permit, the Applicant shall demonstrate items including:
    - Scale and Size of selected parcel
    - Traffic Access/Parking/Pedestrian Impact
    - Landscaping
    - Project impact
    - Compatible Uses
    - Preserving historic qualities for the Town
    - Possible alterations and compatibility
- 

## **Conditional Use Permits**

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- 2.6.4.2.5.3: If an applicant has been granted a CUP, it is non-transferable and change in ownership will require a new CUP.
    - Is this something the Board would want to require or not?
  - 2.6.4.2.5.4: Any site with a CUP can be altered, added to, expanded or relocated with a one-time additional CUP .
    - Must be of a scale determined by Planning Board with recommendations from HDC.
-

## **Section 2.6.4.2.6: Criteria**

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- 2.6.4.2.6.1: All criteria in this section applies **only** to the properties already granted a CUP.
  - 2.6.4.2.6.2: Purpose of these criteria are to guide rehabilitation and construction within overlay district.
    - To ensure properties are not altered inappropriately.
- 

## **Section 2.6.4.2.6.3: Changes to Existing Structures**

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- Painting and other routine maintenance shall be permitted.
  - New designs shall incorporate character and history of the building, of the era the structure was built in.
    - Doors, windows, roofs, colors/finishes.
    - Patios, decks, porches/entrances shall not be changed in a drastic manner.
  - Proposed construction will not make structure ineligible in HPPTF report.
-

#### **Section 2.6.4.2.6.4: Construction of New Buildings Additions to Historic Structures**

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- Applicant must obtain CUP before additions can take place.
  - Elevation drawings must be submitted to HDC & Planning Board.
  - New additions/construction must be built, if needed to be removed, would not harm the property environment.
- 

#### **Section 2.6.4.2.6.4: Construction of New Buildings Additions to Historic Structures**

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- Site features and improvements must fit in character with existing features.
    - Size and scale (height, width, # of stories, doors/windows, etc)
    - Exterior design (colors, texture, materials)
    - Landscaping and ground covering
    - Architectural details
-

### **Section 2.6.4.2.6.5: Demolition**

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- Permitted if structure is designated as non-contributing to the district.
  - Permitted if structure has been damaged in excess of 75% of previous value in fire, flood, etc.
  - Permitted if ordered by Building Inspector and HDC for health & safety
  - Structural instability or deterioration must be determined by Registered Architect or Professional Engineer.
  - Refers to the Demolition Delay section of the Building Code.
- 

### **Section 2.6.4.2.6.6: Relocations**

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- Only be considered as an alternative to demolition.
  - Can be relocated to a site within overlay district if its seriously threatened at its location and if the property cannot be adapted for any other use determined by HDC.
-

### **Section 2.6.4.2.6.7: Signage**

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- New signs and changes to existing signs require approval from HDC.
  - New signs shall be constructed of wood, metal or stone.
    - No internal illumination
  - Size determined by site context.
  - No more than 1 freestanding sign and/or wall sign within district.
- 

### **Section 2.6.4.2.6.8: Streetscape/Off-Street Parking Design**

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- Parking should be placed to the rear of buildings where possible.
  - Must be constructed with reduced noise materials.
  - Appropriate light fixtures, avoid other properties and public right of way.
  - Historical markings will be preserved.
  - HDC may allow for non-paved or alternatives to asphalt paved parking.
-



### **2.6.4.2.6.9: Lighting**

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- Outdoor lighting shall be designed to harmonize with their surroundings.

### **2.6.4.2.7 and 2.6.4.2.8: Certificates of Approval**

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- 2.6.4.2.7: Certificates of Approval for modifications to lots where a CUP has been previously approved.
  - Follows same procedure as Historic District, Section 2.6.4.1.6.
- 2.6.4.2.8: Appeals of Certificates of Approval
  - Persons aggrieved by Commission decision can appeal to the ZBA.

## **Sections 2.6.4.2.9 and 2.6.4.2.10**

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- 2.6.4.2.9: Enforcement/Penalties
    - Violation of this Ordinance subject to RSA 676:15 and 676:17.
  - 2.6.4.2.10: Validity/Severability
    - If any portion of the Ordinance is deemed unconstitutional, the remainder of the Ordinance is not affected.
-



## **FI District**

## **Zoning Ordinance Amendments**

## **Workshop Discussion**

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July 9, 2008



## **Summary of Proposed Changes from December**

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- Cleaned up language in Objectives & Characteristics section.
  - Changed all references of "open space" to "green space."
  - Reduced minimum green space requirement from 33% to 25%.
  - Clean up of language for easements (when provided, not a requirement) for open space.
-

## Summary of Proposed Changes (cont'd)

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- Clarified Conditional Use Permit Language for what CUP's can be used for.
  - Added additional CUP Criteria relative to LEED building and site standards and Transportation Demand Management methods.
  - Increased building size thresholds for when a CUP is required.
-