R-09-174

RESOLUTION

RELATIVE TO THE MAYOR SUBMITTING AN APPLICATION FOR A SHORELAND EXEMPTION AS PROVIDED FOR IN RSA 483-B:12 FOR SELECTED AREAS IN THE CITY OF NASHUA, PRIMARILY IN DOWNTOWN ALONG THE NASHUA RIVER AND NASHUA CANAL WHICH ARE PROTECTED UNDER THE COMPREHENSIVE SHORELAND PROTECTION ACT (CSPA)

CITY OF NASHUA

In the Year Two Thousand and Nine

RESOLVED *by the Board of Aldermen of the City of Nashua* that

WHEREAS, the City finds that special local urbanization conditions exist in the protected shoreland for which the exemption is being sought;

WHEREAS, the City has documented in the application packet the requirements per the RSA including such evidence as current and past building density, commercial and industrial uses, municipal and other public utilities and other information needed to justify the exemption application;

WHEREAS, the City believes that this exemption will expedite development and redevelopment opportunities which would otherwise need to apply to the State Shoreland Protection Bureau for permitting, lengthening the review and permitting process;

WHEREAS, the City believes this exemption will promote and enhance economic development opportunities within the City;

WHEREAS, the City has documented in the shoreland application that the City of Nashua has ordinances which include an array of land use provisions in NRO Chapter 190 (Land Use) which protect the natural features and environment of the city including wetland protection provisions (Article XI - Wetlands), floodplain management provisions (Article VII - Floodplain Management), landscaping provisions (Article XXVII - Landscaping) and stormwater management provisions (Article XXXI – Stormwater Management);

WHEREAS, the City has a proactive Planning Board and conscientious Conservation Commission that review plans for consistency with local and state regulations to protect and enhance the natural features of the community and promote the protection of vegetation and trees, and other natural amenities during their review of development proposals; and

WHEREAS, the City believes the application for the exemption meets the requirements and will be approved by the Commissioners.

NOW THEREFORE BE IT RESOLVED, by the Board of Aldermen of the City of Nashua that the Mayor be, and hereby is, authorized to file an application with the New Hampshire Department of Environmental Services (NHDES) and the New Hampshire Office of Energy and Planning (NHOEP) for a shoreland exemption, as provided for in RSA 483-B:12.

LEGISLATIVE YEAR 2009

RESOLUTION: R-09-174

PURPOSE: **Relative to the Mayor submitting an application for a shoreland exemption as provided for in RSA 483-B:12 for selected areas in the City of Nashua, primarily in downtown along the Nashua River and Nashua Canal which are protected under the Comprehensive Shoreland Protection Act (CSPA)**

ENDORSER(S): **Mayor Donnalee Lozeau**

COMMITTEE ASSIGNMENT:

FISCAL NOTE: **If a shoreland exemption is granted, the city would not have to pay fees for shoreland permits for any municipal building projects within the exemption area.**

ANALYSIS

This resolution authorizes the filing of an application with the New Hampshire Department of Environmental Services (NHDES) and the New Hampshire Office of Energy and Planning (NHOEP) for a shoreland exemption, as provided for in RSA 483-B:12.

Approved as to form: **Office of Corporation Counsel**

By: Dorothy Clarke

Date: March 5, 2009

RESOLUTION R-09-174

Relative to the Mayor submitting an application for a shoreland exemption as provided for in RSA 483-B:12 for selected areas in the City of Nashua, primarily in downtown along the Nashua River and Nashua Canal which are protected under the Comprehensive Shoreland Protection Act (CSPA)

Endorsed by Donnalee Lozeau Mayor

IN THE BOARD OF ALDERMEN

1ST READING MARCH 10, 2009

Referred to:

PLANNING & ECONOMIC DEVELOPMENT COMMITTEE AND NASHUA CITY PLANNING BOARD

2nd Reading APRIL 14, 2009

3rd Reading

4th Reading

Other Action

Passed APRIL 14, 2009

Indefinitely Postponed

Defeated

Attest: Paul R. Bergeron
City Clerk

President

Approved Donnalee Lozeau
Mayor's Signature

4/17/09
Date

Vetoed:

Veto Sustained:

Veto Overridden:

Attest:
City Clerk

President