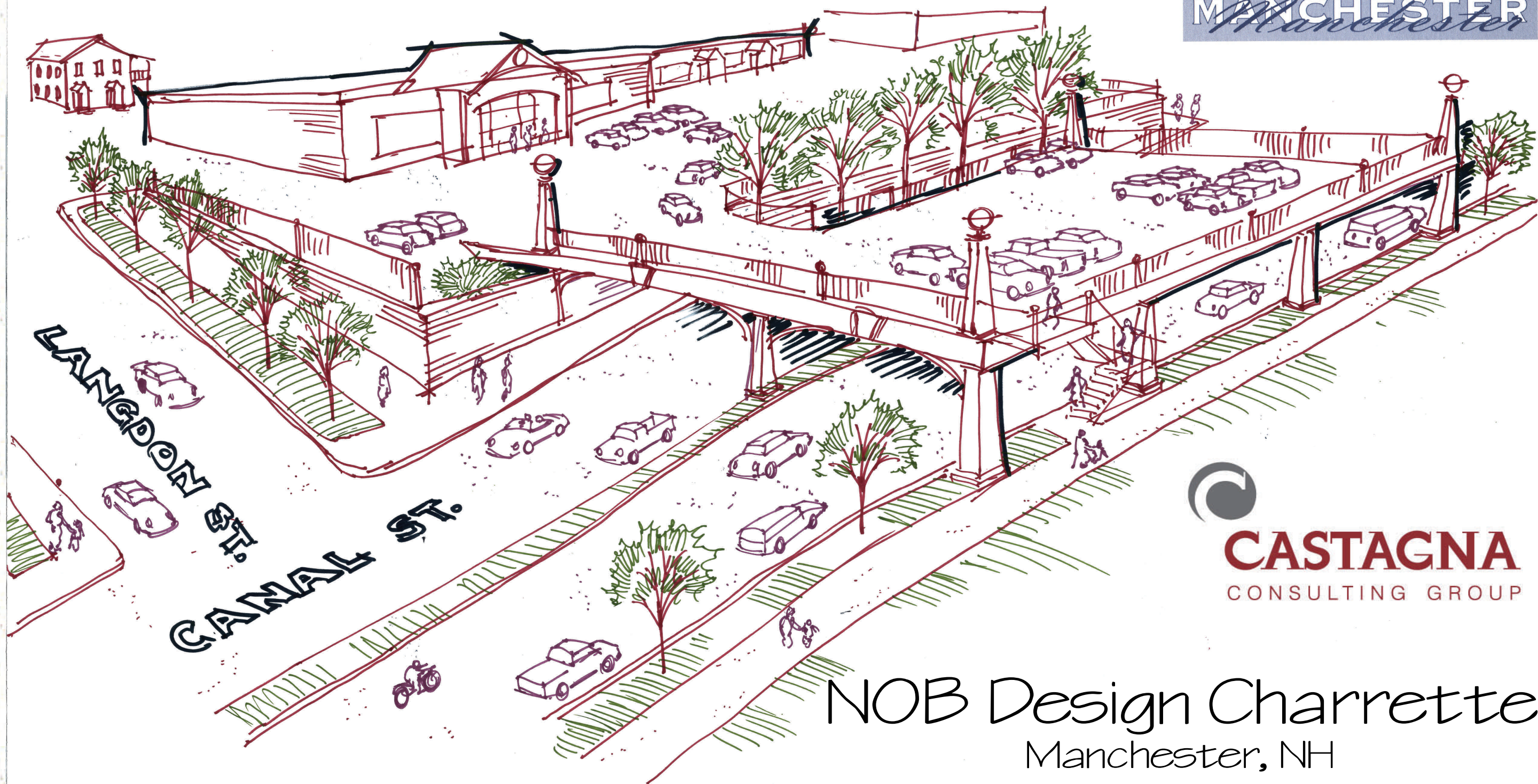


INTOWN
MANCHESTER
Manchester




CASTAGNA
CONSULTING GROUP

NOB Design Charrette
Manchester, NH

January 18 & 19, 2008

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NOB Design Charrette Acknowledgments

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Building Character: Communities leverage their unique assets to help breathe life into downtown areas²

By Michael Stern

American author Gertrude Stein once complained of Oakland, Calif., her hometown, that there was no "there" there. Stein moved to Paris for the reason that people continue to be attracted to cities of distinct character and charm - from San Francisco to Charleston. Their strong sense of place defines them as great cities and creates memorable communities. Many cities today are concerned about not having enough "there" as they compete to attract businesses and residents or seek to create more attractive environments for current residents.

Some communities have suffered economic or demographic changes that have drained the life from their streets; other up-and-coming places simply want to stand out. Cities as large as Hartford, Conn., with 1 million residents, and as small as Hermitage, Pa., with just 16,000, are using basic principles of place-making to guide public and private development.

The fundamental principle of urban design starts with streets. Streets are where the life of the city happens. The challenge for cities is how do they connect pieces together and how do they create a whole that is greater than the parts rather than isolated elements? That leads to place making. Cities are walkable, suburbs are drivable. Cities are interconnected, suburbs are disconnected.

Different communities, different needs - yet all of the places began with a vision that brought together public and private interests to accomplish long-term goals for improving the sense of place in their towns. Thoughtful leaders are leveraging their assets from the small details of landscape and signs to substantial building programs to build identity and community pride as well as competitive advantage.

2 Excerpts come from Michael Stern's article published in American City & County in November 2007 and from his keynote speech at this NOB Charrette January 18, 2008



Principles of Place

City officials, planners and economic development officers around the country use a variety of strategies and tactics to build stronger communities.

Create a neighborhood "Heart"

Interesting streetscapes, and inviting pedestrian environment and controlled development will create a place to call the center of town, not just a geographic center.

Develop open spaces for the community

Towns need gathering places, typically at their Heart. Such places serve functional needs while creating a visual center that establishes a recognizable image for the town.

Connect the pieces

Under modern zoning codes, many cities are divided into residential, business and retail areas that are located in separate parts of the city, often requiring a car to get from one part of town another. New connections, both vehicular and pedestrian, need to be made.

Promote walkability

People enjoy waling between destinations when the walk is convenient, pleasant and interesting. That is apparent in historic towns and cities and in new developments modeled on historic shopping districts. Cities need to create the infrastructure to foster a pedestrian environment.

Establish mixed uses

The true key to establishing a walkable community lies in creating a mixed-use environment that places living, working, shopping, and creating in the same environment, eliminating the need for a car for every activity.

Reflect a unique character

Many elements of the urban design contribute to the character of a town. It is the combined set of elements – the landscape, buildings, streets, sidewalks, signs, and infrastructure – that are a part of the historical development. Each of the elements presents an opportunity to enhance a city's unique character.

Intown Manchester's Proposal for Design Assistance

The subject area is located in the CBSD (Central Business Service District) in downtown Manchester, NH. It is a mixed-use, low density area just north of the commercial center of downtown that is unattractive in appearance and functions below the highest and best use for downtown properties. Rejuvenation of this area would result in increased density, market rate real estate activity, and commercial vibrancy - not only for these few blocks, but for the entire CBSD. Properties located within the parameters are within walking distance of the most active blocks in downtown and the Millyard. They include a few sections of market rate and low income residential properties, historic mill buildings, older buildings with a mix of office and service retail, vast amounts of surface parking, a college, and some light industrial uses. It is wedged between the commercial center and downtown, to the south, and an unimproved mixed-use area to the north, including the National Guard Armory and PSNH service facilities.

The City of Manchester is nearly a decade into its recovery following a recession that decimated the economy, particularly downtown, and the spirit of those who lived and worked there. The city has made giant strides in repositioning itself to become competitive, leader, within the New England region, and the center city is vibrant with entertainment centers and restaurants.

“Growth is inevitable and desirable, but destruction of community character is not. The question is not whether your part of the world is going to change. The question is how.” — Edward T. McMahon, The Conservation Fund

This project would pick up where the City left off, nearly ten years ago, when they conceived a two step revitalization plan. The first step focused on streetscape improvements along the Elm Street corridor, between Bridge and Granite Streets. The second phase, which was to focus on the area currently in question, was never fully developed. Because other opportunities that

presented themselves in the southern end of downtown (arena and ball park/hotel) demanded the attention and resources of City departments, it has yet to be revisited. Left to languish without a plan by the City, some properties fell into dispute over their appropriate use, causing financial hardship on both sides and revealing the crucial need for a plan for the area.

Not all is dismal north of Bridge Street. The private sector has seized the occasional opportunity in this target zone, affirming that market rate redevelopment can, and will, be successful. Private revitalization efforts include a market rate apartment building (more than 200 units, which opened two years ago), a new bank and the opening of a pharmaceutical college.

The target area consists of privately owned lands, mixed in with a nonprofit low income housing unit and publicly owned segments. A significant portion of the privately held tracts are owned by members of the Intown Manchester Board of Trustees, who has enthusiastically endorsed this project.

The northern border is a gateway to the City and has wonderful potential for attractive landscape redesign. North Canal Street, the Amoskeag Falls and the access to the river offer interesting design opportunities. Along North Elm Street, the broad boulevard entrance to downtown provides a canvass of opportunity for making a statement of place, a walkable neighborhood.

The historic Amoskeag Millyard is on the western boarder of our target area; relating the Millyard to the area designated for the charrette will be an important goal. Over the years, the Millyard has been transformed into an urban business and education park, becoming once again, a significant economic engine for the City. The Millyard was chosen by the National Trust for Historic Preservation to receive the 2006 Honor Award, recognizing the City's accomplishments to reinvigorate the buildings, while preserving their heritage.

Mayor Frank Guinta states “the City of Manchester is very interested in working as partners with property owners and other stakeholders in the target zone to reinvigorate this part of our downtown, which has been the target of controversy due to inappropriate tenants, vandalism, and concern for public safety. Additionally, North Elm and North Canal Streets are gateways into downtown; it is important that we develop landscaping, signage, and lighting that help to create a welcoming impression of Manchester.”

A challenge will be the transportation lanes that inhibit pedestrian activity and separate the downtown from the Millyard. The target area is bound on the east by Elm Street and on the west, Canal Street. These are the major roadways into downtown. Further complicating the situation, on the western boundary lays a railroad right of way. The railroad and Canal Street provide formidable barriers for pedestrians wishing to cross into the Millyard, and vice versa. In addition, the vast amounts of surface parking provide both opportunities and challenges. It would be an excellent model for environmentally sound redevelopment practices, but overcoming the cost barriers may be quite burdensome.

When this area of downtown is redeveloped, it will continue the revitalization process of downtown, as envisioned over a decade ago. Mixed use development, including a variety of housing and retail options, will help to increase density in the CBSD, enhancing the City's efforts to remain competitive among its peers. The vast amount of surface parking is not only an eyesore, but it may contribute to undesirable runoff into the river. Further, it discourages pedestrian activity. Addressing this through redevelopment and landscape improvements to the area will contribute to a better environment.

Seth Wall Executive Director-Mass College of Pharmacy and Health Sciences states; “We are committed to improving the neighborhood through our investment as well as working with neighboring businesses, residents, and political leaders. The section of the city is sorely in need of improvement as can be seen by the contrast two blocks down from our building past Bridge Street on center Elm Street. Improvements to this area are critical as it is a major thoroughway for people working, living, and visiting the downtown area. Improvements in this section will help elevate the stature of Manchester making it an even greater city.”

Ralph Sidore, One Dow Court States, “The Elm Street and Canal Street Arteries provide the primary access to Downtown Manchester from the north, and need to present as attractive and enticing a vision of a dynamic city as is reasonably possible. We very much want our visitors to see Manchester as a place to do business, to live, to enjoy the recreational and entertainment opportunities and to spend time. Given the city's lack of uncommitted resources, we need to find other ways of funding the creation of a development structure that will provide a positive and worthwhile approach to the improvements and/or refurbishing of this neighborhood.”

Study Area for NOB (Northern area of Central Business District)



Introduction: Assessing the NOB

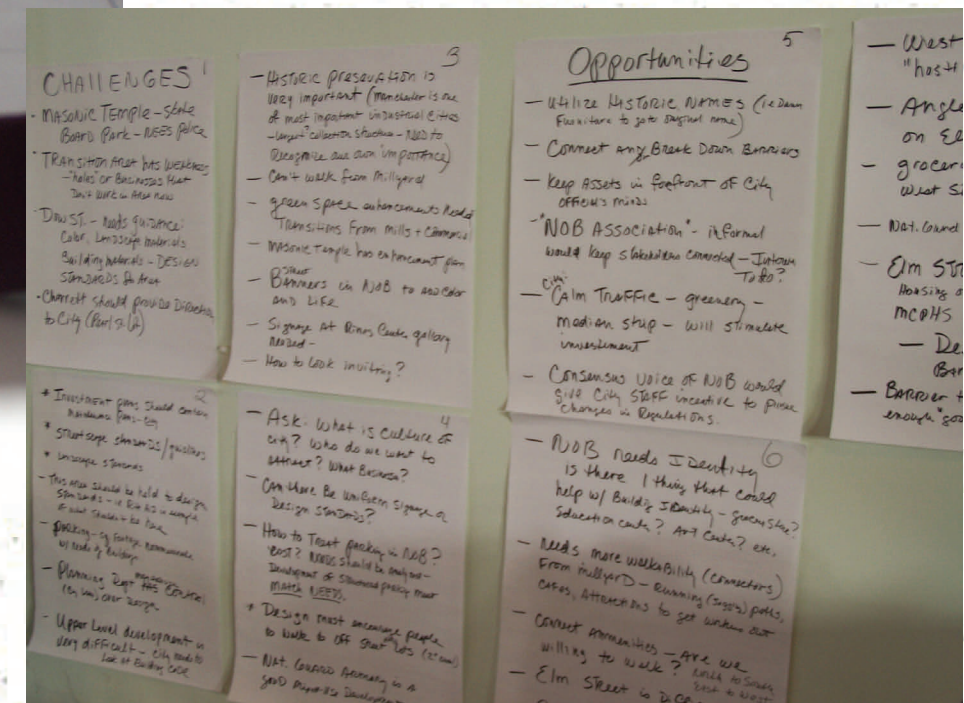
Stakeholders, city officials, and interested citizens gathered with the NOB Charrette Team on a wintery day in January 2008 to discuss the details of the task in front of us. Design professionals on the team include architects, planners, civil engineers, construction managers, cost estimators, and Real Estate professionals. The critical piece that the Charrette Team lacked which only the local residents could offer, was the knowledge of the city, the central business district, and the study area.

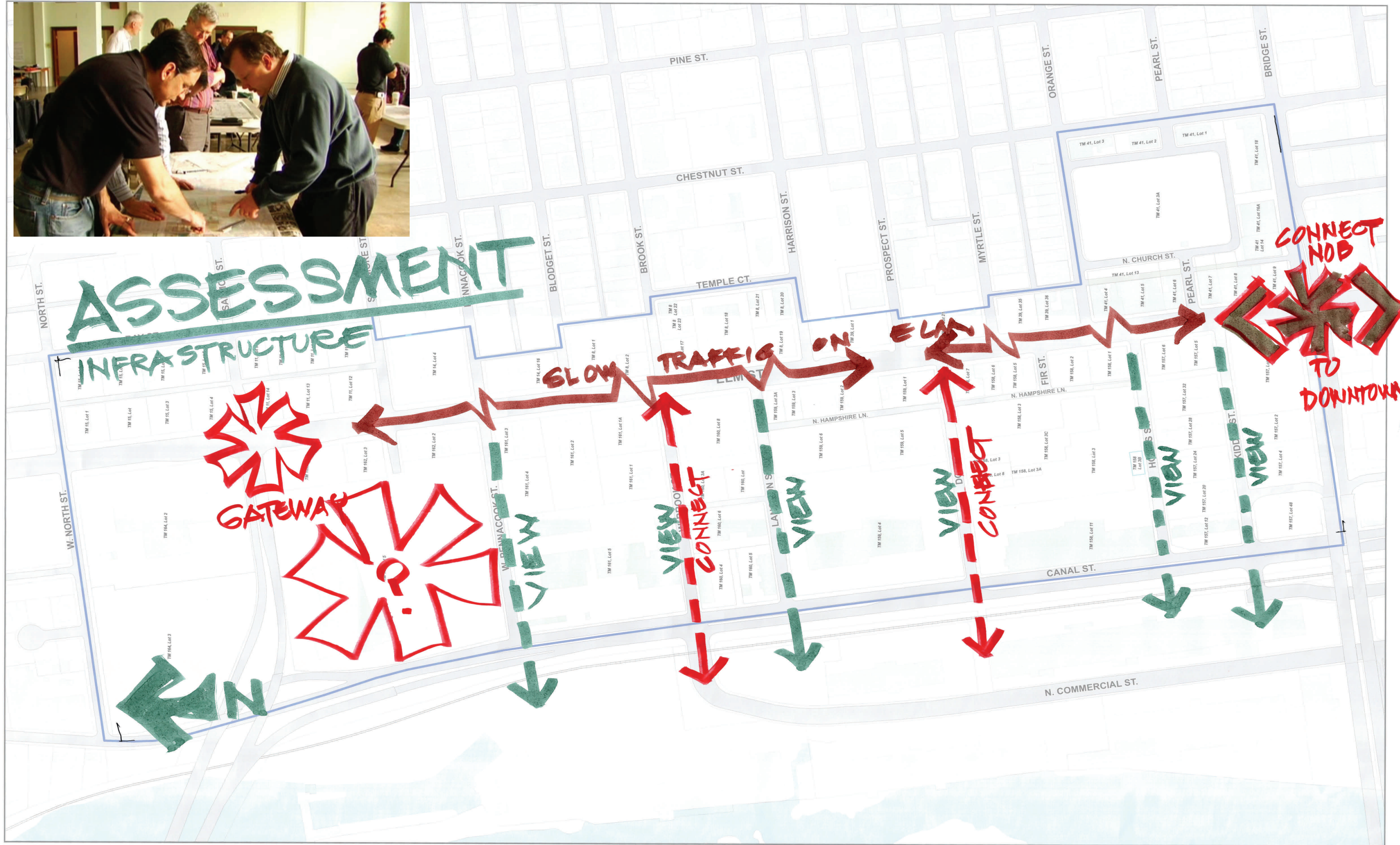
Local residents are the experts on their community: what makes sense, what history has brought forth, and what will pass at the local board meetings. The design team relies on resident input and knowledge to develop viable suggestions and proposals.

With that in mind, the team and residents began formulating the future of the area along Elm Street, North of Bridge Street, north to Salmon Street, Chestnut Street, west to Canal Street.

The charrette team started by touring the area. Starting at the Masonic Temple, the team headed down Langdon Street to Canal Street. The team continued up Dow Street, through the alley up to North Hampshire Lane to the College of Pharmacy. From Hollis Street the team traveled through a residential community to Kidder Street and back up to Elm Street. The team proceeded east across Elm Street to the Pearl Street parking lot, then north through the back alley, and back to the Masonic Temple.

Observations from the walk revealed the difficulty of pedestrian travel throughout the area. Parking is very fragmented and underutilized mainly because of the undesirable and difficult pedestrian infrastructure. Topography reveals vast parking lots, disconnection between Millyard and target area, and a lack of amenities and ambiance to draw one from work to walk and spend time in the target area. Many people park in this area and work in the Millyard. There is a pedestrian disconnect from the Millyard up into the target area. Changing the streetscape and making the area pedestrian friendly will open up opportunities to develop many of the underutilized properties and fill in many "holes."







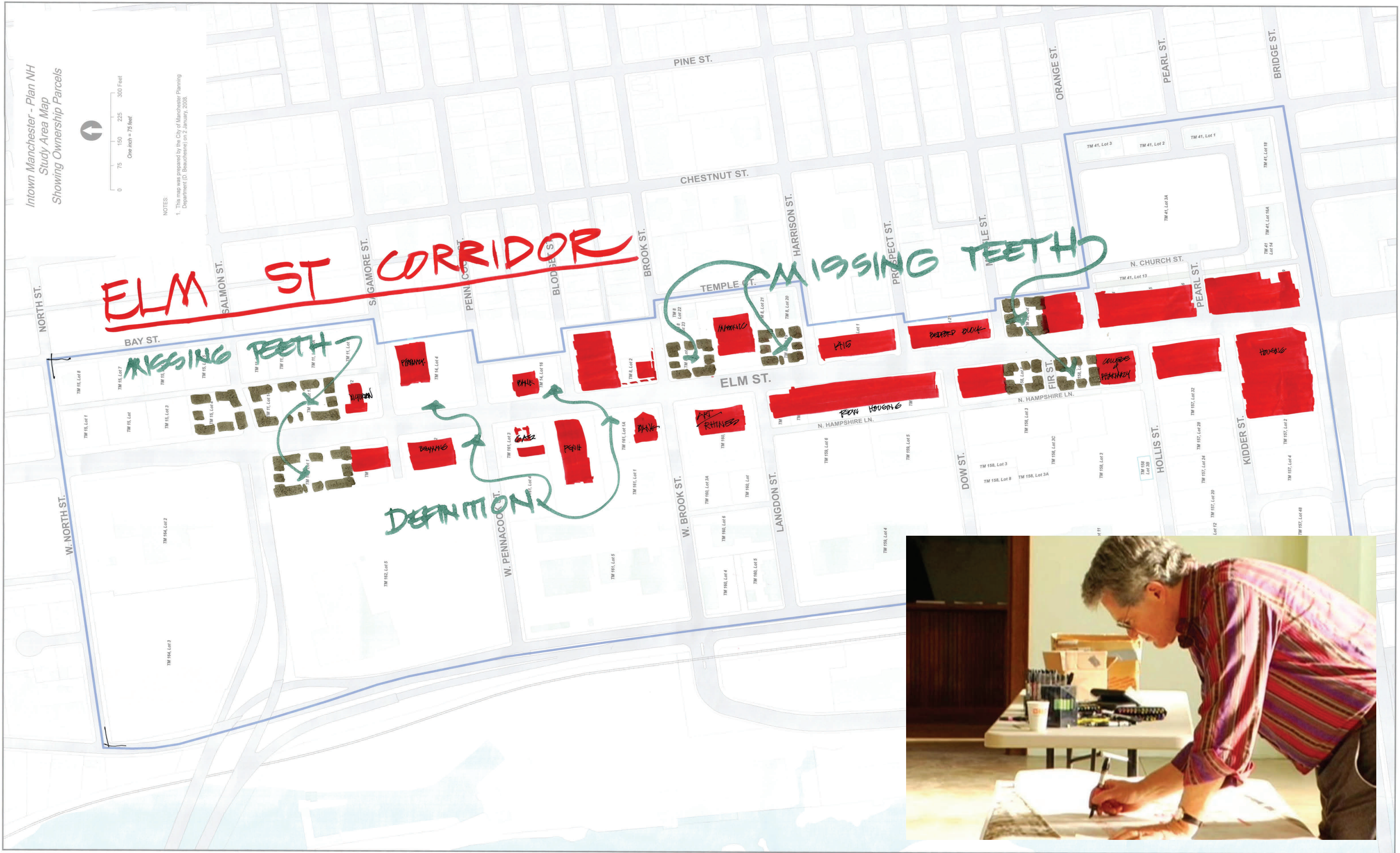
NOTES:
1. This map was prepared by the City of Manchester Planning Department (D. Beauchessne) on 2 January, 2008.

ELM ST CORRIDOR

MISSING TEETH

MISSING TEETH

DEFINITION



The Listening Session

During the public session, stakeholders including residents, public officials, business and civic leaders, city department personnel, and property owners, all gathered together on a Friday afternoon in January to identify specific issues and desires for the area along Elm Street, north of Bridge Street, to Salmon Street, east of Canal Street, and west of Chestnut Street. The issues that were discussed include enhancing the city streetscape, making the area pedestrian friendly, addressing connectivity to the Millyard, improving traffic patterns, suggested infrastructure improvements that would create opportunities for property owners, propose future development plans for business owners, Airing parking concerns for businesses and residential properties and how all these issues effect their quality of life.

Challenges:

- There needs to be more of a police presence to cut down on personal and business property vandalism.
- Design standards should to be adopted to ensure that a continuity of design is met throughout the district. The consensus of opinion is to maintain the historic nature of design that presently exists.
- Need to streamline the planning and approval process for new construction and renovation projects.
- The need to adopt the code standards for historical properties for redevelopment.
- Adoption of signage standards.
- The Board of Mayor and Aldermen are not involved early enough in the development process as a stakeholder, to make an informed decision on development projects and city opportunities.
- People who work and live in this area need pedestrian friendly access within the NOB area.
- Lack of green space and gathering space promotes the underutilization of the NOB area.
- Garage fees are too high to promote Class "B" office space.
- Directional signage to identify parking areas is needed.
- Armory is an asset that is underutilized. Should be more productive, maybe for a mixed use.

Issues or problems with use of owner's buildings:

- 1260 Elm Street (Mass College of Pharmacy) – Limited student housing and space for department and classroom growth. College has been approached by developers to build dorms to provide housing for students that are presently housed around the city. There needs to be a building that can be renovated for dormitory use, as well as a building for educational growth. Also need to make area safe and pedestrian friendly for student use and provide amenities for their use without leaving the NOB area.
- Need Neighborhood Association to advocate in keeping improvements flowing.
- There is a lack of safe and easy connectivity between both sides of Elm St. The lack of greenery, better lighting, and inviting streetscape does not promote the creative use and renovation of buildings.

Wish List for NOB:

- Present and future residential occupants have a need for a grocery store.
- NOB needs cute and inviting places to promote social capital and a neighborhood feel.
- Trails with lighted and easy access are needed for walking, biking and running.
- Make side streets more welcoming to promote open connection to Elm Street and down to Millyard.
- Construct pedestrian ways along or near ramps near Armory for easy and safe walking would promote new uses for Armory and access to NOB/Elm Street.
- More cultural centers would promote the use and patronage of the NOB area.
- Better plowed sidewalks would promote the use of NOB area.
- Create safer ways for biking on Elm St. and across bridges.
- Create more residential units.
- Slow down traffic and make more areas for Elm St. crossings. (see pages 15, 16, & 17)
- Better and more leased parking space.
- More space for long-term parking
- Create an Interesting Gateway into city from Amoskeag Bridge. (see Page 21)
- Creative and inviting Streetscape would promote use of the NOB area.
- Continue and extend the look and usage from Phase One of Elm Street into the NOB area.
- Eliminate the sense of a barrier between NOB and the Center City

What do the building owners want to see or need to make their properties more valuable?

- Renovation incentives from the city.
- Owners need a more inviting environment to be able to attract market rate residential and commercial tenants.
- Improve interest in NOB with creative renovated environment.
- Long term parking solutions
- Sign Ordinance with design review in keeping with historic nature of NOB.
- Continuity in the exterior look of all structures would create a warm and inviting attractiveness for future tenants.

Ginger Hobbs-Lever, Director, Office of Marketing & Community Relations, UNH Manchester, "We are a commuter Campus and we do little to open the discussion for housing. The work and information we've done has been a band aid approach to respond to the real inquiries we get as a way to broaden the appeal for students and lesson the concerns for parents sending their children here. Students and their families are looking for: a way to create a complete college experience on a commuter campus and the opportunity for growth and making new friends. Students are looking for a non-dorm environment where they can have a college life. Unique and innovative housing concepts would make the Manchester campus a greater draw to be sure."



The NOB Charrette Team Proposals and Recommendations

The Assessment

Many opportunities exist to reclaim the NOB, through new construction and building renovations, efficiently designed parking to maximize space, traffic calming, and attractive landscaping. Unlike South Elm Street, for example, the original pedestrian-based historical context remains in tact; so even modest improvements can produce impressive results that will increase density, improve commerce, and yield higher property values.

Recent new construction projects, such as the Residences at Manchester Place and the Bank of New England building, and numerous renovations to older structures, from historic residences to the Massachusetts College of Pharmacy and its neighbor, the Brady Sullivan Building, demonstrate the



potential for market-rate reclamation of the NOB.

Parking solutions are mandatory in the NOB; better spatial design, incorporated with modern techniques for parking and transportation management, can help to resolve parking issues.

It will be important to reassess traffic patterns, once the Granite Street interchange has been completed. Access to the highway at Granite Street may change the traffic dynamic in the NOB, particularly along Canal Street and Elm Street.

Challenges

Visitors don't know where to go, because way-finding and parking signs are lacking or nonexistent.

Some areas are in desperate need of landscape/streetscape improvements.

The streetscape is "missing teeth"; that is, construction opportunities exist - lots between buildings and

between streets should be developed.

The Bridge and Elm intersection produces a psychological barrier to pedestrian activity.

Traffic calming measures are needed: Elm Street and Canal Street

The unkempt condition of the railroad bed visually degrades property and forms additional barrier between the Millyard and the NOB.

Long-term parking solutions are necessary, when planning for redevelopment.

Opportunities Gateway

The Amoskeag Bridge artery should be established as a visual entrance to the city. One design suggests that this is a possible site for round-about, which changes traffic flow and establishes the area as a gateway.

Redevelopment Catalysts

Armory site – this is a future redevelopment parcel that could have a major impact on the entire NOB

Colleges – MCPHS is currently expanding its facilities and increasing its students, so it will need additional parking. UNHM is undertaking a study to expand its urban campus in Manchester. Students of both schools are in close proximity and will be looking for near-by housing, convenience shopping, cafes and casual dining, and support services.

PSNH call center – expand workforce

Pearl Street Lot – has been studied for redevelopment, although at the moment, there are no proposals.

Parking and Way-finding

Visitors need to know how to get to their destinations, and where to park. A new signage initiative is almost ready to be unveiled by the Planning Department, and it will direct visitors to the destinations most visitors are

seeking. Signage for parking lots and garages should be installed immediately.

Metered parking is available on the street for customers, and this meets the needs of the retail businesses. However, an increase in leased or long-term parking facilities is needed, so redevelopment can progress.

Parking facilities in the NOB are not matching demand –one area is overcrowded, and another has more than enough. For example, in the northern section of the NOB, there are no public lots, and the need for leased parking is above capacity. In the mid-section, a hollowed out area exists (former building sites between Langdon and Hollis Streets) that currently serves as parking lots. This under-used space is available for Millyard over-flow, or it could be redeveloped to incorporate parking with residential units above. In addition, the garage at Manchester Place remains under-used. It provides long-term parking, close to the city center. While the psychological barrier at Bridge and Elm makes this garage a less desirable option for many further to the south, it does present an opportunity for the NOB employers.



Sloping topography from Elm Street into the Millyard makes it cost effective to consolidate parking by building decks for long-term users. New construction - residential units, for example - can be built in the redesigned parking lots, being mindful to incorporate

parking into the new design.

Streetscape Design and Landscape Improvements

Wide sidewalks along Elm Street offer opportunity for pocket gardens and trees. This is a simple solution to making the residential sections, in particular, more appealing. The width of Elm Street provides an opportunity to build landscaped medians, which will calm traffic, make crossing safer, and add significant visual appeal to the neighborhood.

Two options are presented here to create a pedestrian friendly area and to slow down traffic with visual barriers that tell a motorist that they are coming into a significant and different area of the city.

One option has one center lane median with walking path and landscaping. The raised median should start just north of Kidder Street and run north on Elm Street. Vehicle traffic would allow one lane each way north and south. It will also allow for parallel parking along Elm Street. (see page 17)

At the Bridge Street intersection, there should be some kind of street print with brick pavers to create a highly visual crosswalk intersection. All the crosswalks should have voice and horn alert signals.

Another option for the raised median is a 15 foot wide landscaped area with no walkway. This would allow 2 lanes running north and one lane running south as well as the option for wider sidewalks. (see page 16)

Design Criteria should be set up for the NOB area to ensure a consistent look and feel of all of the parts. With a unified design approach, future development will adhere to the "big picture" design scheme that has been established. Major components of a streetscape are the "bones" of the area, these elements include the buildings, the roadway, the plantings, the lighting, and the signage. All these elements are factors that will create NOB's "sense of place"

It is very important to treat this mixed use area with a neighborhood feel. This can be accomplished with appropriate landscaping with color and trees for shade.

The NOB Charrette Team Proposals and Recommendations (cont.)

Residential Meets Commercial

The market has proven that there is a growing interest in urban residential living for the young professional and for the empty-nester. Both groups want to live in attractive housing, with accommodations for their automobile, and they generally do not object to the mixing of residential with commercial. As a rule, both groups are active, engaged in community life, and they enjoy urban ambiance.

The NOB has the proper foundation for the development of this market. The goal should be to create a climate where mixed-use residential development can flourish. People will want neighborhood cafes and small grocery stores that sell fresh produce and convenience items. They will enjoy out-door activities along the river, such as walking, jogging, and bike riding, and in the winter, they will want indoor exercise facilities.

The stage has already been set. Recently a gourmet pizza shop, **900 Degrees** opened in the NOB, joining **The Way We Cook** and **Fratello's** as dining destinations. **Gold's Gym** is at the center of the district, and a small grocery store (such as **Trader Joe's**) is proposed for that site as well.

With an increase in activity comes the need to control traffic in and out of the area. Dow Street could be changed to run one-way east, while Brook Street might be one-way west. Attractive walking paths would be created between the blocks to enhance pedestrian access to these destinations.

a parking deck over Canal Street for approximately 150 vehicles is proposed at the Gold's Gym and grocery store location that will connect to a pedestrian walkway that will run north and south along the railroad tracks. This east west connection will encourage more pedestrian activity, reduce the strain on Millyard parking, and spur growth in the NOB. (See pages 18, 19, & 22)



Where can you get help?

Foundations and private funding sources:

Wal-Mart Good Works – www.walmartfoundation.org

The Home Depot – Community Impact Grants, http://corporate.homedepot.com/wps/portal/!ut/p/.cmd/cs/ce/7_0_A/s/7_0_121/s.7_0_A/7_0_121

The Timberland Company – Community Involvement Program, <http://www.timberland.com/corp/index.jsp?page=communityinvolvement>

The Ford Foundation, <http://www.fordfound.org/>

PSNH – Community Giving program, http://www.psnh.com/Community/Support/corp_giving.asp

The Allstate Foundation - <http://www.allstate.com/Community/PageRender.asp?Page=foundation.html>

The Verizon Foundation - <http://foundation.verizon.com/>

Merck Family Fund <http://www.merckff.org/index.html>

The Madeline G. von Weber Trust - Funds projects in community development, neighborhood development, human services and the performing arts. Contact: Madeline G. von Weber Trust, c/o James d. Dow, 95 Market St., Manchester, NH 03101.

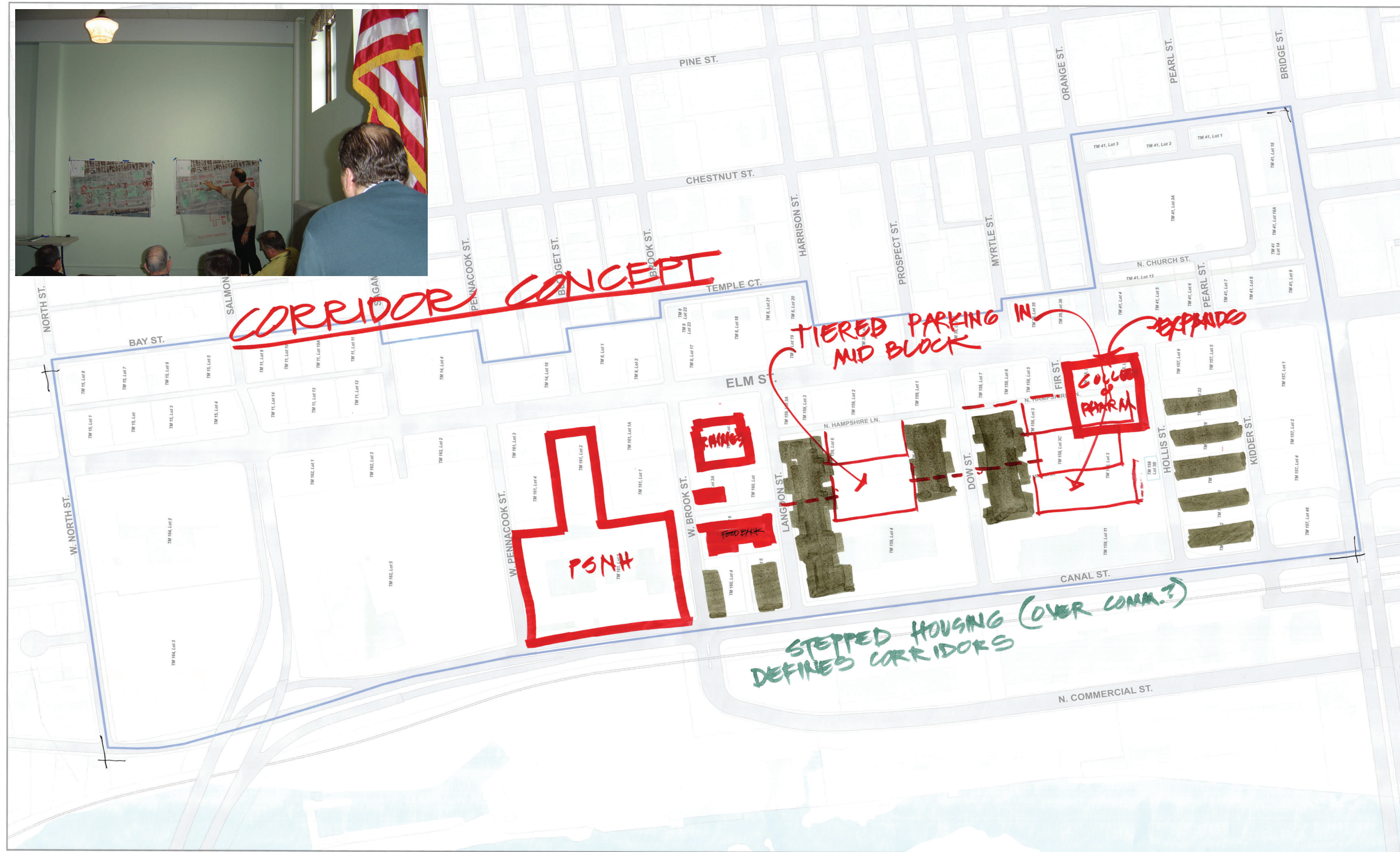
New England Grassroots Environment Fund - <http://www.grassrootsfund.org/>

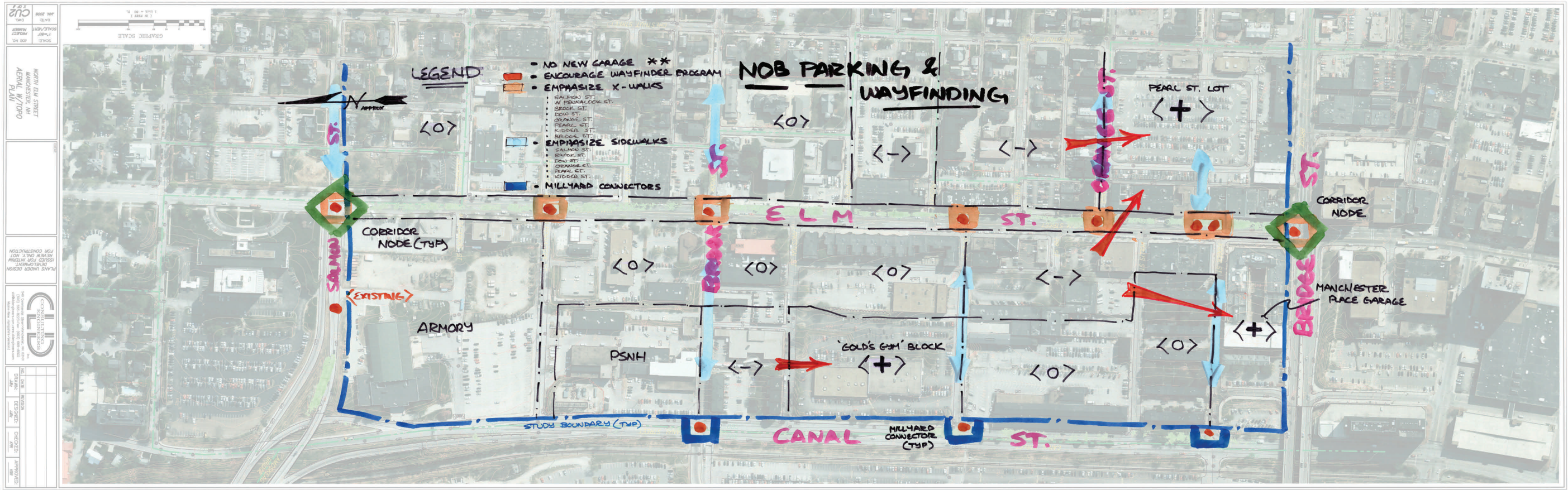
Transportation Enhancement Act Program - Project categories include: facilities for bicyclists and pedestrians; safety and educational activities for bicyclists and pedestrians; acquisition of scenic easements and scenic or historic sites; scenic or historic highway programs; landscaping and other scenic beautification; historic preservation; rehabilitation and operation of historic transportation buildings, structures or facilities; preservation of abandoned railway corridors; control and removal of outdoor advertising; archaeological planning and research; environmental mitigation to address water pollution due to highways or vehicles; and establishing transportation museums. - <http://www.nh.gov/dot/municipalhighways/tecmag/index.htm>

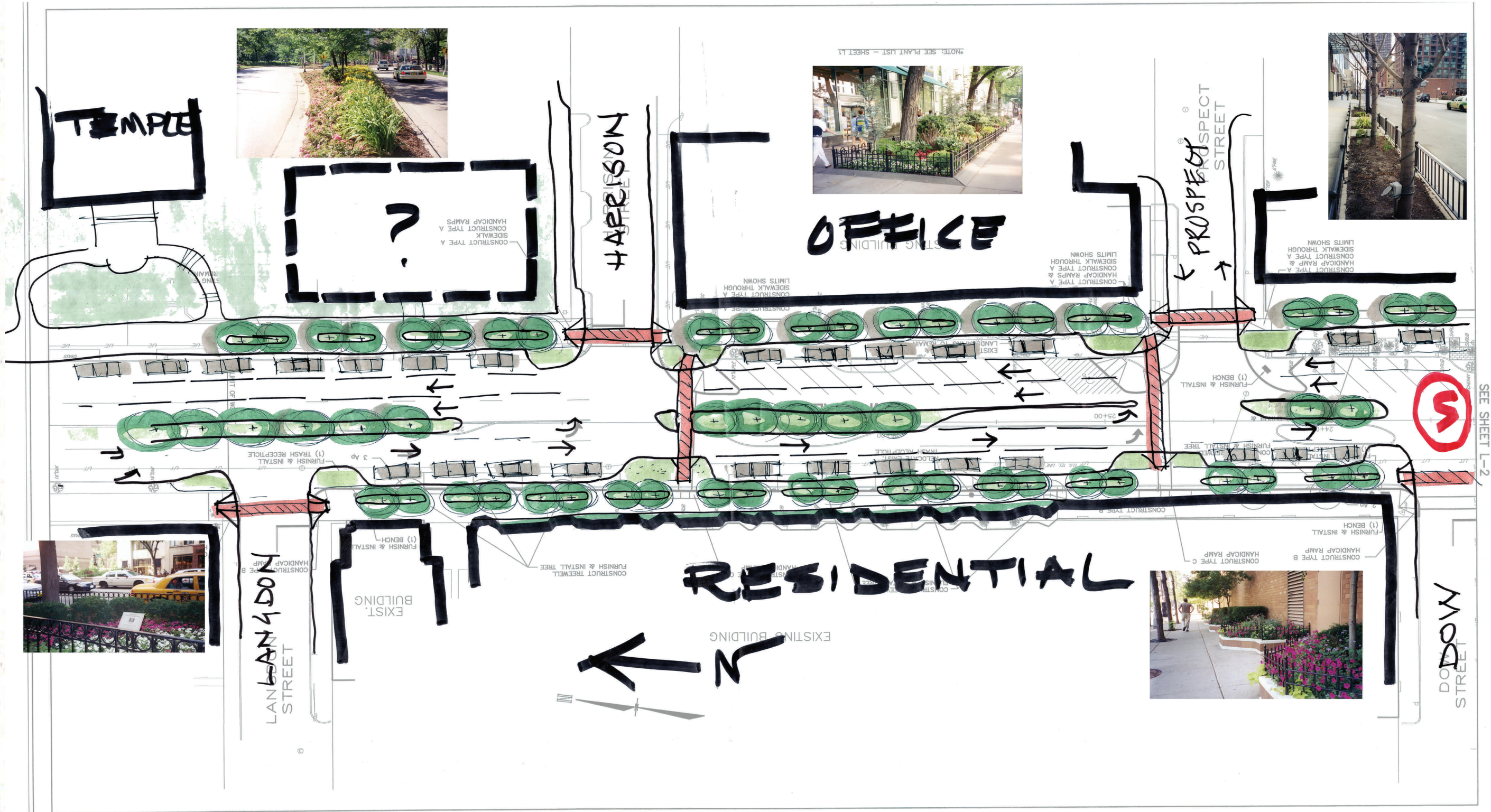
Waste Management Charitable Giving Program - Support for Environment, Education, and Community Impact Programs - <http://www.wm.com/WM/community/Giving.asp>

Enterprise Community Partners - <http://www.enterprisecommunity.org/>

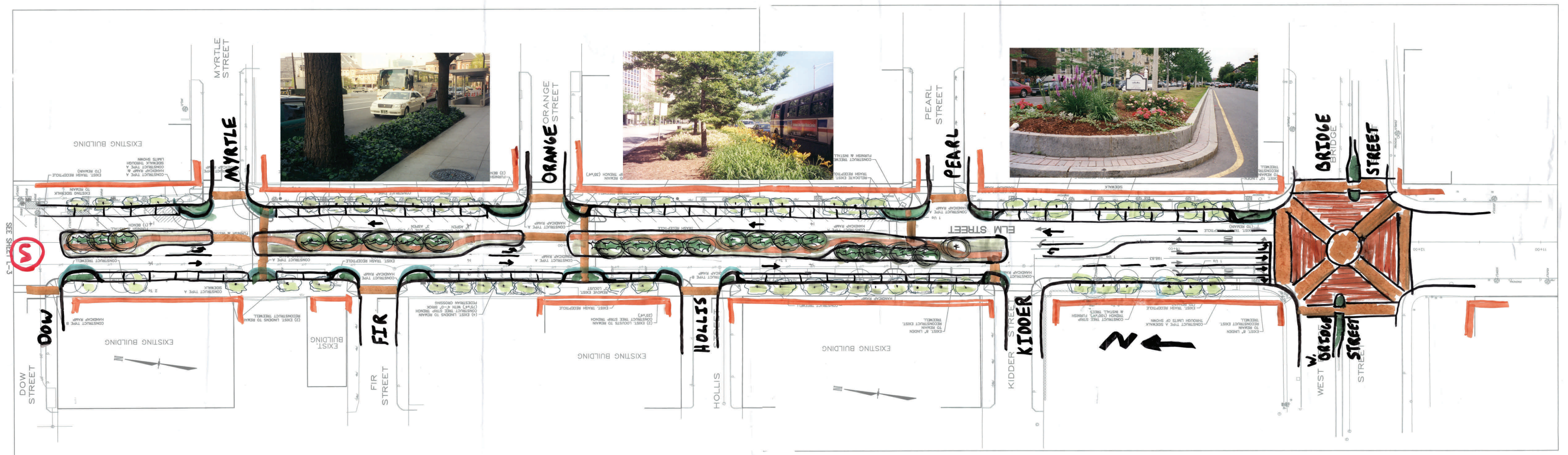
BUZGate™ is a public/private collaborative project between America's public entrepreneurial assistance network and the Knowledge Institute. As a free public service, the Knowledge Institute works with thousands of public technical assistance agencies across the country to aggregate and further promote access to federal, state, regional and local economic development programs that specifically serve individuals seeking to start, grow and succeed in entrepreneurial ventures. www.buzgate.org



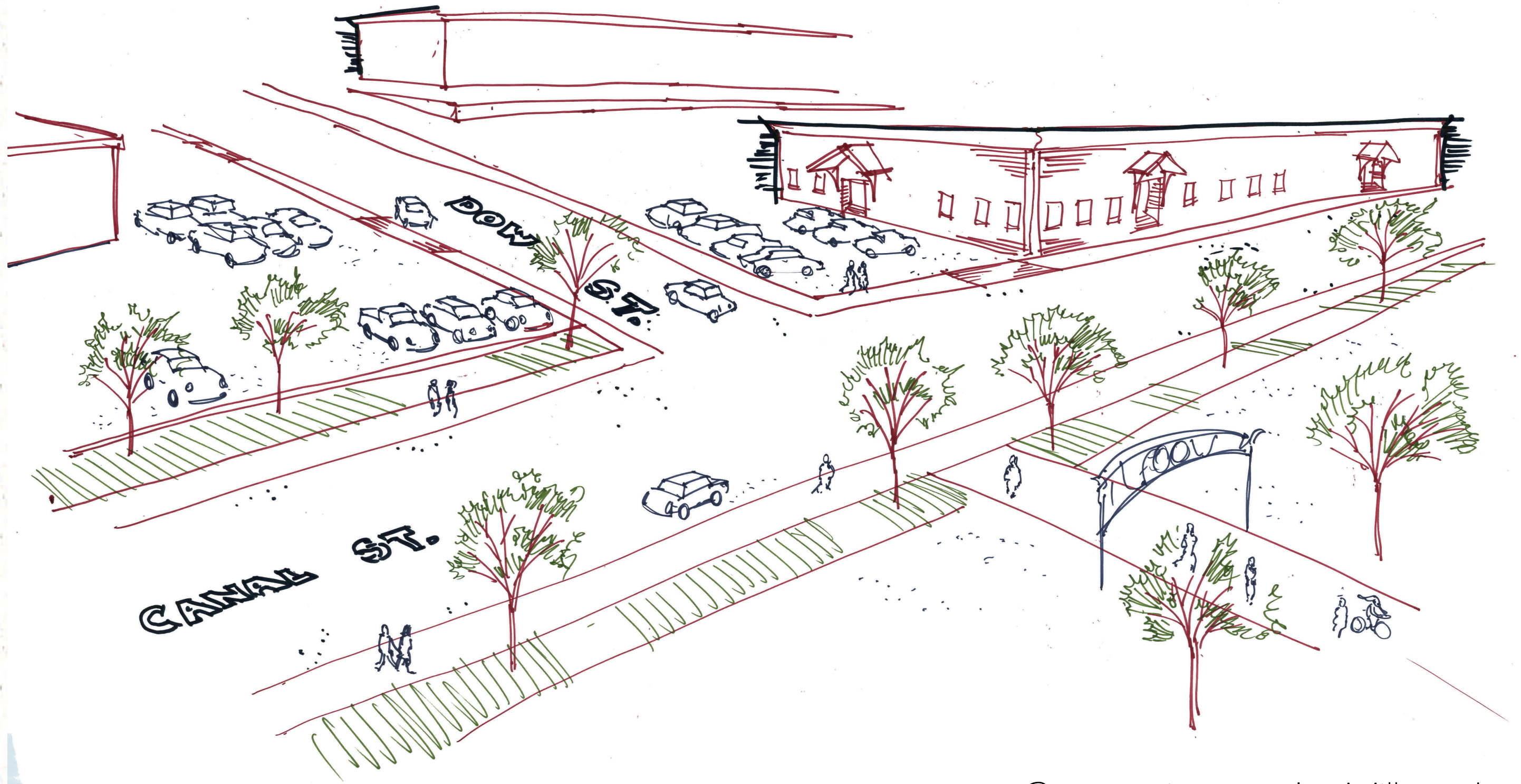




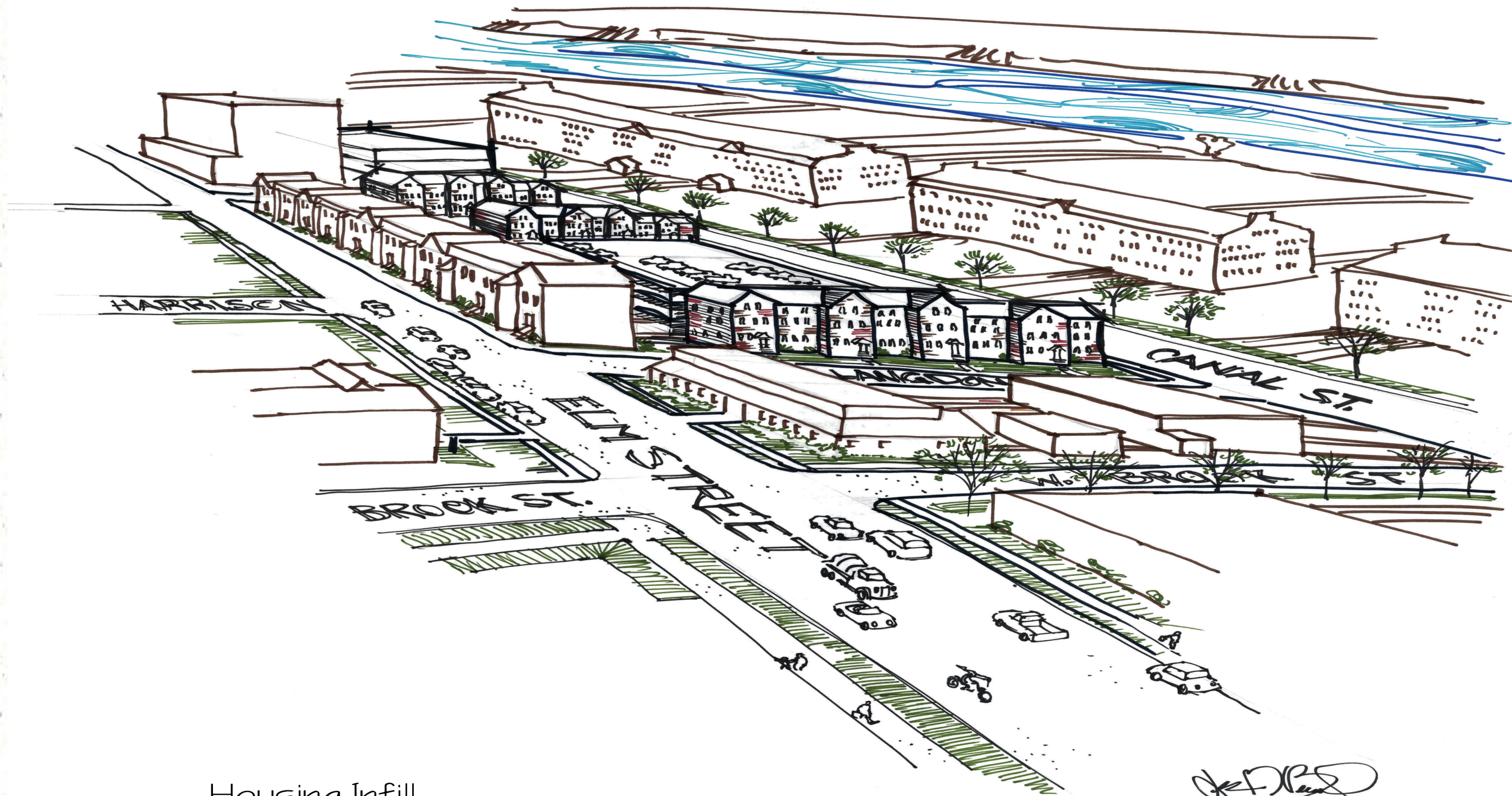
Pocket Gardens



Traffic Calming

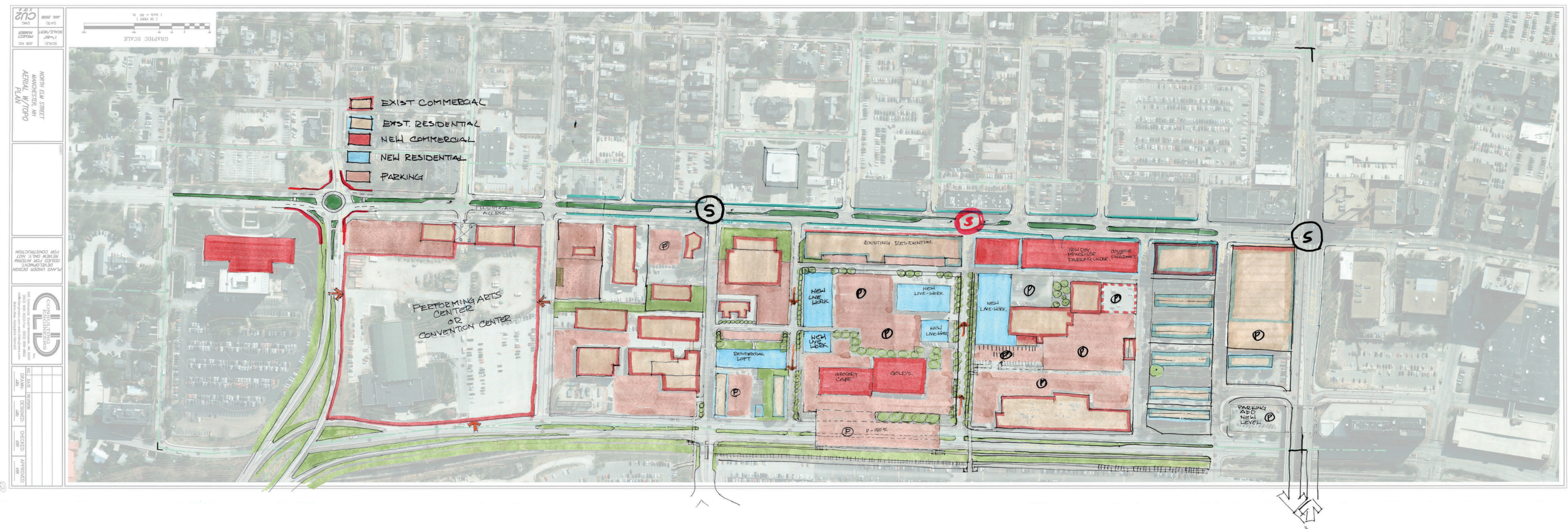


Connecting to the Millyard



Housing Infill

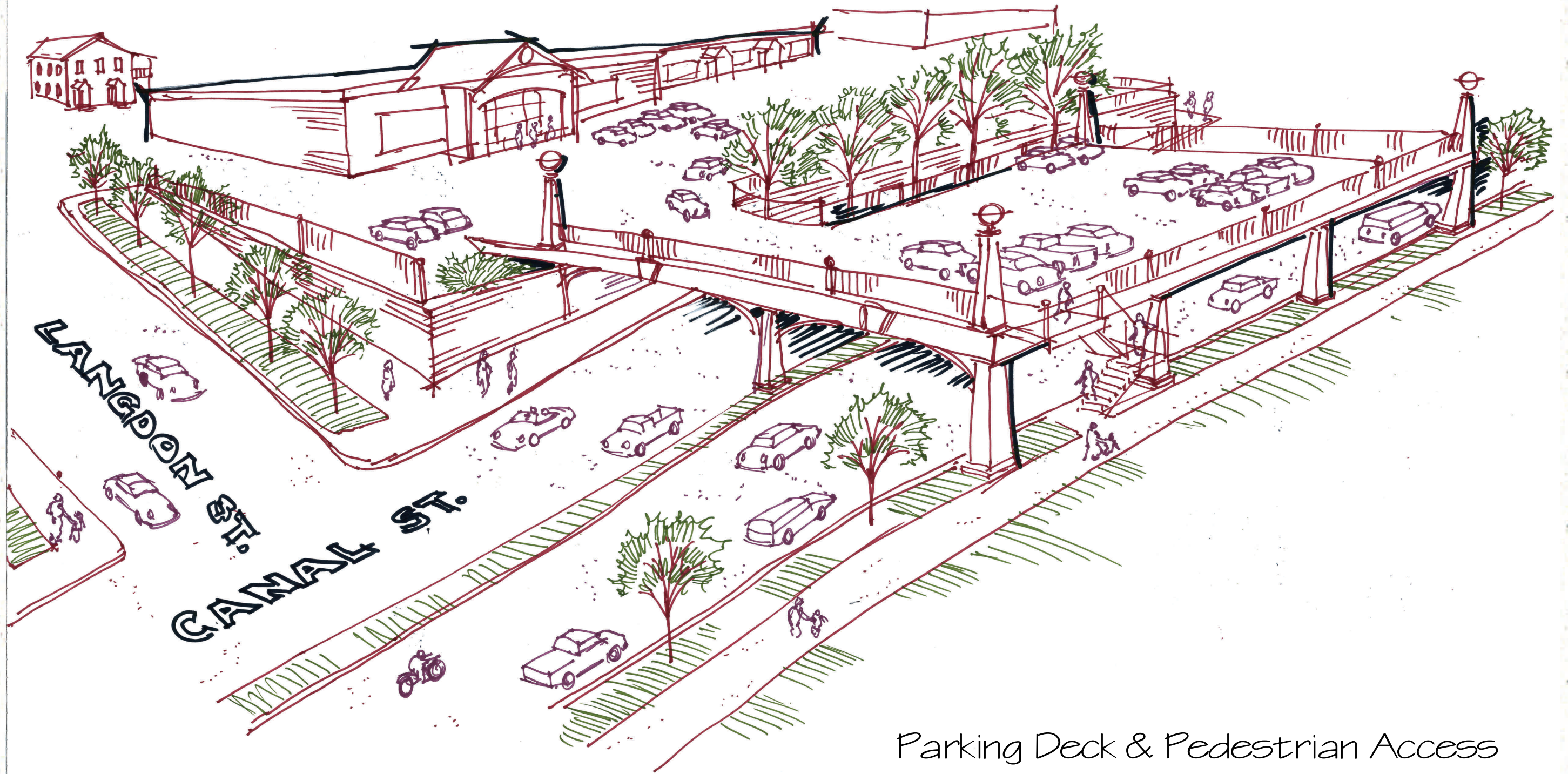
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FRANK MARTEL
ARCHITECTURE INC.
3/5/08



Neighborhood Improvement Concept



Gateway Traffic Round-about



Parking Deck & Pedestrian Access

Next Steps

The NOB Charrette provided a process through which stakeholders, both public and private, might become aware of many possibilities for improving their neighborhood. From this exercise, stakeholders should emerge with an understanding of the factors that influence or impede economic prosperity in their neighborhood, and they will be better positioned to grow their investment within the context of an overall vision for the area.

A charrette is intended to be a creative stimulus – a brain storming event – which yields both practical design and redevelopment ideas. Stakeholders, including the City, should take the most reasonable elements of this charrette and devise a comprehensive strategy for improving the NOB neighborhood.

A long-range development strategy should be established. Because stakeholders will have different investment time-tables, it will be advisable to identify projects that can be implemented in stages, over time. When various sectors of the market become advantageous for development, certain elements of the NOB Task Force Plan should be ready to launch.

Listed elsewhere in this report are traditional and non-traditional funding resources; in addition, there are strategies to offset portions of the public development phase, such as establishing a TIF (tax incremental financing) district. For the private sector, the Community Revitalization Tax Incentive may be useful.

Recommendations for immediate next steps:

- Activate a NOB Task Force, using the list of stakeholders who attended the charrette to get it started. The goal will be to keep momentum going by establishing regular meeting dates, with benchmarks for accomplishment outlined.
- Develop a good action plan with a list of priorities, both public and private, for neighborhood improvement. Use the recommendations in this report as a starting point.
- The public priorities, including streetscape and landscape improvements, will require consensus building, advocacy, and leadership from the Task Force.
- The private sector will want to work in tandem with public improvements, so the prioritized action plan will be a valuable planning tool.
- Regular press coverage will build credibility and help sustain momentum; it may serve to attract additional investment as well as volunteers.

The action plan should recognize current growth sectors in the Central Business District, particularly higher education, as development opportunity. It should be mindful of the expansion plans for the Massachusetts College of Pharmacy and Health Sciences and the expansion strategy of the University of New Hampshire, Manchester campus.

The NOB Task Force should plan to partner with the City to create design guidelines for the landscape and street infrastructure improvements. Unless there is volunteer expertise readily available, it is recommended that a facilitator be utilized early on to keep track of the various elements of the total plan.

Tools for Implementation

There are a wealth of resources for planning and funding to explore. When applying for grants and foundation monies, many of the funders require plans or a detailed program to be in place as an assurance that projects will be completed to qualify for funds.

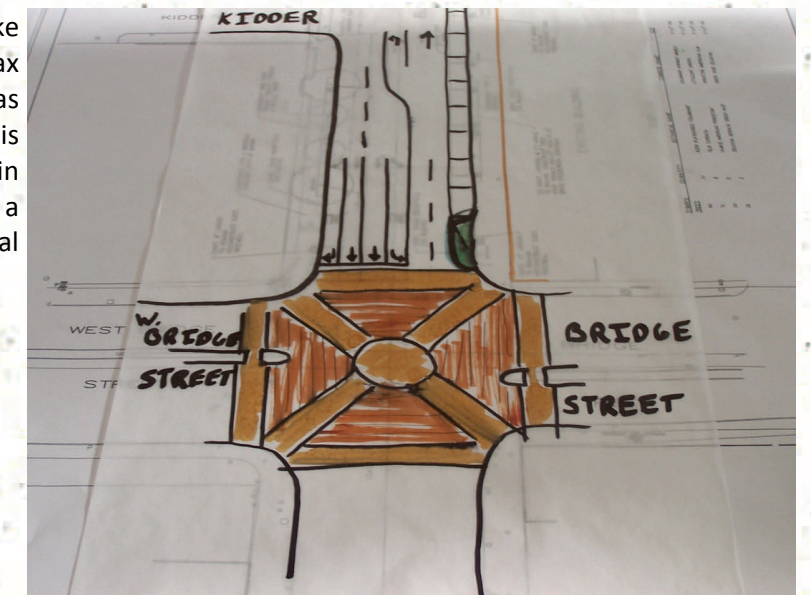
Planning Expertise:

- NH office of Environment and Planning (OEP)
- NH office of Travel & Tourism
- Division of Economic Development (DRED)
- Division of Historical Resources
- NH Council on the Arts
- Small Business Administration (SBA)
- NH Preservation Alliance

Funding Resources:

- Community Development Block Grants (CDBG)
- Economic Development Administration
- NH Department of Transportation (NHDOT)
- Conservation License Plate Funds
- Land and Community Heritage Investment Program (LCHIP)
- Community Development Finance Authority (CDFA)
- Tax Increment Financing (TIF)
- Town Trust Funds

We also suggest that property owners take advantage of the Community Revitalization Tax Incentives (RSA 79-E), a measure which was approved by the City of Manchester in 2007. This makes it possible for property owners interested in substantially rehabilitating a building, located in a downtown or village center, to apply to the local governing body for a period of temporary tax relief.



Consensus Building and The Charrette Process

BUILDING CONSENSUS¹

Locating a large superstore, siting a new landfill, reviewing a major new development, reconstructing an abandoned railroad line for a bike path – all of these can create conflict. In most communities, the usual process is for the planning commission or zoning board to hold public hearings, review the evidence presented, and render a decision. When a project is highly controversial, odds are good that this decision will be appealed, ultimately ending up in court. But court proceedings can be costly and time consuming. Moreover, the final outcome will likely be unsatisfactory to at least one of the parties. Over the last twenty-five years, a growing body of evidence suggests that mediation and facilitation – what we term “consensus building” in this article – can be effective in helping align divergent interests, develop creative solutions, and resolve heated disputes. Consensus building can lead to outcomes which all parties to a dispute find acceptable. Perhaps the earliest consensus building effort in the environmental and land use context was initiated in 1973 and focused on a long-standing dispute over the location of a flood-control dam on the Snoqualmie River in Washington. In one year, with the help of a mediator, the parties agreed not only on a location for the dam, but also on the creation of a river basin, planning council, and the purchase of development rights to maintain the area’s rural character. Since then, hundreds of land use and environmental conflicts have been resolved through the use of consensus building techniques. Consensus building can be particularly helpful in:

1. Resolving appeals of contentious local commission decisions; and
2. Resolving “not in my backyard” (NIMBY) disputes.

RESOLVING APPEALS OF LOCAL COMMISSION DECISIONS

Despite a community’s best efforts, a land use decision may find its way into court or be appealed to some other review body. Proponents of a project that has been turned down may feel they have no choice but to pursue litigation, especially if they see their case as strong and their sunk costs high. Similarly, opponents of a project that has been approved may feel they have no recourse but to go to court to block the project. While mediation is not always the answer, in many situations it can help the parties address the issues and reach settlement faster and at lower cost than litigation.

Take the following example. After the recession of the early 1990s, a local bank in a community north of Boston found itself in repossession of 97 acres of developable land. The bank (through an investment corporation) proposed to build a 100 unit residential development, of which 25 units would be affordable housing. Local officials, however, were worried that the project would eliminate one of the last major parcels in town available for commercial development.



After a lengthy review, the town’s zoning board rejected the application on the basis of wetlands and traffic concerns. The bank appealed the decision to the Massachusetts Housing Appeals Committee, relying on a state law that allows this state board (under certain circumstances) to override local zoning denials when affordable housing has been proposed.

The Housing Appeals Committee, with a heavy backlog of cases, encouraged the parties to try to mediate the dispute. The parties agreed. For the bank, mediation held the promise of avoiding protracted and costly litigation. For the local officials, mediation offered the possibility of reaching an agreement which they could help shape, instead of one imposed by the state. The Massachusetts Office of Dispute Resolution helped arrange for a mediator. Over a period of nine months, the mediator worked with the parties, keeping them focused, and reminding them of agreements already reached on key issues.

Ultimately, the bank and town officials agreed to a mixed-use development of 40 single-family homes, with a 20-acre commercial/industrial park. Ten of the homes would be affordable; land would be set aside for open space; and the wetlands would be protected. The parties also agreed to jointly select an outside engineer to review plans and monitor construction.

RESOLVING NOT IN MY BACKYARD DISPUTES

Siting landfills, homeless shelters, halfway houses, and countless other uses can provoke strong, and frequently bitter, reactions from nearby residents or businesses. Opponents will fight every inch of the way to prevent something they deem unsafe or destructive to the property values of their homes or businesses. On the other side, proponents will spare no cost in promoting the need for their project and generating support for it. Local officials often find themselves caught in the middle, between groups with firmly set opinions that seem miles apart. Consensus building can help the

parties step back, consider possible options, and determine if there may be a way to satisfy the interests of all sides.

In West Chester, Pennsylvania, a proposed downtown homeless shelter divided the community. Local business owners organized in opposition, fearing the shelter would hurt nearby businesses and cause the downtown to further deteriorate. Others saw the shelter as essential to meeting an important community need. The County Commission wanted the dispute resolved, but also wanted to see if this could be done outside the context of a formal zoning permit hearing.

At the County Commissioners’ urging, the parties agreed to try mediation. The County assisted by covering its costs. The mediators started by conducting a “conflict assessment,” which included a series of confidential, one-on-one meetings with those involved in the dispute. The mediators then convened several meetings which all the stakeholders attended.

One major concern to the business owners was that the shelter would operate 24 hours a day, with the homeless not merely seeking a bed for the night, but other support services. Although shelter advocates argued strongly for day time job training and counseling services, the parties reached agreement that, at least initially, the shelter would operate only in the evenings. The shelter provider also offered a pledge to the community to be a good neighbor. The agreement ended with a motto coined by one of the original opponents: “Together we can do it.” Four years later, after proving itself to be a good neighbor, the shelter was allowed to expand its operations to include daytime hours and additional services.

ELEMENTS OF CONSENSUS BUILDING

The two examples described above provide just a flavor of how consensus building can make a difference. Given these examples, you might ask, “OK, this might make some sense, but how does it really work?”

The consensus building process typically includes five key steps: convening; clarifying responsibilities; deliberating; deciding; and implementing agreements.

1. Convening. A sponsoring or “convening” body (usually a government agency) typically initiates discussions about whether or not to have a consensus building dialogue. This is best done by commissioning a mediator or some other “professional neutral” to talk privately with the obvious stakeholders to see if they have sufficient reason to support such an effort. Such consultations usually lead to the preparation of a draft conflict assessment report, which maps the views and interests of all the stakeholders (without attributing any statements to specific individuals). This assessment provides the means for both the mediator and the stakeholders to clarify whether it is worth trying to reach an agreement through open deliberations (see step 3 below). If there does appear to be sufficient interest in moving forward with the mediation, the conflict assessment report can then be used to generate a work plan, timetable, operating ground rules, budget, and an outline of the data or technical material that needs to be gathered.

One of the advantages of conducting a conflict assessment is to test the idea of consensus building with the participants before diving in. Assessments can also provide a “cooling off” period during which the parties can review their interests and more calmly weigh how to proceed. Assessments take no commitment from the parties beyond the willingness to be interviewed confidentially for an hour or so and to review the draft conflict assessment report.

2. Clarifying Responsibilities. Assuming the parties decide to proceed, they must agree on a mediator. This does not necessarily have to be the same person who conducted the conflict assessment. The mediator’s responsibilities should be spelled out in a contract between the mediator and the parties. It is also necessary to agree on who will participate in the mediation sessions as representative for each of the parties. Since the subsequent consensus building process usually takes place in a public forum, it is essential to agree on rules about the role of observers (i.e., individuals who are not stakeholder representatives) during the mediation process. Finally, the relationship between the consensus building process and any legally required decision making (e.g., a ruling of a zoning board or a court) must be clearly spelled out.

3. Deliberating. It is the mediator’s job to ensure that each face-to-face session is professionally managed. This can be a daunting challenge especially when a group involves 15, 20, or more participants. An agenda (approved by all participants) must be prepared prior to each meeting. Often subcommittees of participants assisted by outside experts agreed to by all involved; prepare reports on specific issues, laying out options or arguments for the full group to consider. Deliberations are most effective when the parties take sufficient time to “invent” options for each issue, and explore various combinations of those options before final decisions are made. It is common for the mediator to meet privately with each of the parties to identify and test possible trades or “packages.” Often, the mediator will develop a “single text draft agreement” synthesized from the views and ideas expressed during this phase of the deliberations.

The mediator may also help the participants articulate the proposed agreements to their respective constituencies, ensuring that all representatives have been in touch with the groups or individuals they are supposed to represent.

4. Deciding. It is at this point that the consensus building process differs most sharply from what most people are accustomed to in public decision making settings. The goal is not necessarily to arrive at a result which most closely meets the local ordinance’s review criteria. Neither is it to find an agreement only barely acceptable to all (i.e., lowest common denominator). Instead, the goal is to reach an agreement which maximizes the joint gains of all participants. Given the group problem-solving nature of the consensus building process, participants are responsible not only for presenting their own views, but for suggesting ways of meeting the interests of others. The mediator will typically help formulate a set of proposals, and will seek to have the participants clarify why they support or do not support a particular proposal. The new solutions developed in this way often satisfy more of the parties’ interests than would have occurred without negotiation.

Reaching consensus does not mean that every participant has to be pleased with every aspect of a proposed agreement. But consensus does require concurrence by all participants – or at least an overwhelming number – with the overall agreement.

5. Implementing Agreements. Any agreement resulting from the consensus building process should include means to ensure it will be effectively implemented. This may be through provisions where third party experts are assigned the job of monitoring various aspects of an agreement’s implementation, or through dispute resolution clauses which clarify how disputes over implementation will be resolved. The product of a consensus building effort may be a plan that must still be formally adopted by a local board or commission, or a legal settlement that must be signed off by a judge. If consensus is reached (and assuming the mediator has kept the local board or the judge updated on the group’s progress), boards or judges will likely be more than happy to finalize and formalize the agreement. Indeed, many mediations were convened in the first place by local officials, or were authorized by the court.

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