

**MANCHESTER PLANNING BOARD**  
**PUBLIC HEARING / LIMITED BUSINESS MEETING MINUTES**  
**Thursday, January 02, 2020 – 6:00 PM**  
**City Hall, Third Floor – Aldermanic Chambers**

**Members Present:** Chairman Mike Harrington, Vice Chairman Michael O’Donoghue, June Trisciani, Pat Long, Dan Leclerc

**Alternates Present:** Robb Curry

**Excused:** Member: Alderman Joe Kelly Levasseur  
Alternate: Chris Wellington, Barry Lussier

**Absent:** Member: Beth Charlebois

**Staff Present:** Pamela Goucher, Deputy Director of Planning and Zoning; Jeffrey Belanger, Senior Planner; Jonathan Golden, Senior Planner; & Jodie Nazaka, Planner

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**I. The Chairman calls the meeting to order and introduces Planning Board Members and Planning Staff.**

**II. PUBLIC HEARING:**

Chairman Harrington advised that SP2019-045, PD2019-003 (1045 Hanover Street) has been postponed to February 6, 2020 at the request of the applicant.

*With respect to the following applications, appropriate materials have been submitted to invoke the jurisdiction of the Board. Although additional information may be required prior to final consideration, it is the recommendation of the Staff that the Planning Board determine the applications complete and conduct a public hearing. (A motion would be in order.)*

*Mr. O’Donoghue made a motion, which was seconded by Mr. Long, that the following applications are complete and available for a public hearing: S2019-019, S2019-020, CU2019-029, SP2019-040 and CU2019-034. (Motion Carried)*

1. **S2019-019**

**Property located at 112 Minot Street (Tax Map 483, Lots 4, 4A, 5, 5A, and 6), a subdivision application to consolidate multiple lots totaling more than half an acre and to subdivide them into two lots of approximately 0.2 and 0.3 acres, in the R-1A Zone. Keach-Nordstrom Associates, Inc. for Scott Lavoie.**

Matt Peterson of Keach-Nordstrom Associates appeared on behalf of the applicant. This is a lot that is located at 112 Minot Street. It currently consists of five subpar lots that they consolidated into one and they would like to subdivide it into two lots. In November they went to the Zoning Board and obtained a variance for the second lot, which is to the north. Lot 1 is about 14,000 SF and has the house and garage on it. Lot 2 used to have a swimming pool, which is shown in the existing conditions plan, and the concrete around it. That lot now is approximately 9,000 SF. Two variances were obtained for Lot 2 to be under the minimum

requirement of the 12,500 SF for the lot and for both lots that don't have the depth. They are about 89 feet deep. They abut the railroad on the back so there is no ability to expand the depth of the lots.

Ms. Trisciani confirmed with Mr. Peterson that this was a residential zone. She saw a lot of equipment and asked if a business was being operated out of the home. Mr. Peterson said it is just a machine shop for stuff that the applicant does after work. He does not run a business out of the shop. Ms. Trisciani asked if the equipment will be removed. Scott Lavoie explained that is his hobby shop. He has since moved a lot of the stuff out of the area because he has another place where he can work on his hobby. He does not run a business there.

Mr. Belanger said the amount of equipment that has been parked there historically constitutes a zoning violation. He advised you cannot have that many vehicles. Mr. Lavoie said right now there is only a van, a pickup truck and his plow truck on the property.

Mr. Belanger said that the two parking spaces shown on the plan just to the north of the garage are the legal parking spaces where vehicles can be parked. Outside of those, other than inside the garage, vehicles cannot be parked. Mr. Lavoie advised he has four parking spaces in the garage he can utilize.

Mr. Belanger said there are a couple of fences that go beyond the boundaries of the property. One is in the back and the other is in the public right-of-way in the front. Both of those would need to be relocated as part of the approval. Mr. Lavoie said the fences were there when he bought the property and he was not aware of that. He said it wouldn't be a big deal to take them down.

Chairman Harrington asked what the plan was for the property. Mr. Lavoie said he was thinking about building but if not he will sell the lot at some point.

Mr. Leclerc asked if the back yard gets wet. Mr. Lavoie said in the back along the railroad tracks there is a drainage thing. Mr. Leclerc confirmed with Mr. Lavoie that the water stays there and doesn't flood the property.

Mr. Long confirmed with Mr. Lavoie that the concrete pad on Lot 2 was removed. Mr. Belanger said when the final version of this plan is submitted, the concrete pad will be removed from the plan.

Mr. Long asked if that included the walkway on the other lot. Mr. Lavoie advised they would be removing that as well.

Ms. Trisciani asked which property the swale was on. Mr. Lavoie advised it was on the railroad property. Ms. Trisciani inquired if they can rely on that for drainage for that lot. Ms. Goucher thought from back when Anderson Equipment was there, that there was a drainage swale that runs along the back of that property somehow. She thought runoff is mostly contained in a drainage easement back there. She said if there is no flooding on the property, currently that's a good sign.

Chairman Harrington turned the hearing over to the public. No one came forward either in favor of or in opposition to this application and the Chairman brought the hearing back to the Board.

Chairman Harrington closed this public hearing and said it would be deliberated later this evening at the limited business meeting.

2. **S2019-020**

**Properties located at 108 Sixth Avenue and 112 Seventh Avenue (Tax Map 273, Lots 31 and 22), a subdivision application to adjust the property line between two lots, conveying approximately 7,124 square feet from Lot 22 to lot 31, with no new, buildable lots to be created, in the R-1A Zone. *Joseph M. Wichert, LLS, Inc. for Amey and Michael Skladony and Shekira Morehouse.***

Mr. Belanger advised that Mr. Wichert was not present and asked if this could be taken up later in the agenda to give him an opportunity to show up and the Chairman agreed.

This was heard after the third agenda item.

3. **CU2019-029**

**Property located at 719 South Willow Street (Tax Map 438, Lot 23), a conditional use permit application for a reduction in required on-site parking. The applicant proposes 29 spaces where 47 are required in a B-2 Zone. *Bernstein, Shur, Sawyer & Nelson, P.A. for 717 South Willow Street Realty Trust.***

**SP2019-040**

**Property located at 719 South Willow Street (Tax Map 438, Lot 23), a site plan application for a proposed 9,410 SF 24-Hour Outpatient Healthcare Facility. The applicant proposes razing the existing structure, and reconfiguring the site layout, parking, and access in a B-2 Zone. *Bernstein, Shur, Sawyer & Nelson, P.A. for 717 South Willow Street Realty Trust.***

Roy Tilsley of Bernstein Shur appeared on behalf of Randy Parker, trustee of 717 South Willow Street Realty Trust for the property at 719 South Willow Street. Also present was Will Crunk of Crunk Engineering. Present in the audience was Michael Reed of Stebbins Realty and Leo Urban, the landscape architect.

Mr. Tilsley said this is a 3/4 acre lot on South Willow Street abutting Leclerc Circle. The existing building on the site is about 8,600-8,700 SF. It was built in 1945. There is an approval on the site that goes back to the 1970's. The existing building is probably best remembered as Don's Family Sports Center up until sometime in the 1990's. Recently it has been a mattress store in its last incarnation.

With it being an approval that dates back to the 1970's, this is a lot that really doesn't meet modern planning standards. There is no curb cut on Leclerc Circle. There are two kinds of uncontrolled curb cuts on South Willow Street. There is little, if any, landscaping to speak of. Rather than simply putting another retail tenant into this dated property, they are proposing a redevelopment of the property with a new 9,400 SF 24-hour outpatient healthcare facility.

This will allow them to bring their property if not into compliance, much closer to compliance with modern planning requirements. They are able to create a landscape buffer for the property where really there is next to nothing there. They are adding a curb cut on Leclerc Circle to improve traffic flow as well as reducing the curb cuts on South Willow to one better controlled curb cut. The use for outpatient healthcare is an allowed use in the B-2 zone. One of the things they like about this proposal is it compliments many of the existing uses on South Willow Street rather than another retail operation that will put more pressure on Black Friday and the day after Christmas. It is a complimentary use that doesn't necessarily see the same peaks and valleys in terms of usage as the typical retail use on South Willow Street.

Mr. Tilsley said they proposed and got variances to essentially relocate the building towards the rear of the property. One side abuts Ashley Furniture. 777 South Willow Street where Stop & Shop used to be located is the Siberia of this parking lot. He didn't think those spaces ever get used. This is about as far away from those stores as you can get. They have pushed their building back on the property where it abuts the lightly used parking spaces and allows them to use the front and the Leclerc Circle side of the property for their parking and also to incorporate a reasonable landscape buffer. They have received variances from the ZBA for the building location, side yard setbacks, landscape buffer and parking setbacks. There are maybe 3 or 4 parking spaces that edge into the parking setback. There are a couple small spots where they don't meet the full 10 foot landscape buffer. He believed they supplied 95 percent of the landscape buffer that they are supposed to provide under the regulations. They initially proposed to put the building right on the line but the ZBA had them push it four feet off causing them to lose one parking space. As such, they have submitted a conditional use permit for 29 parking spaces wherein 47 spaces are required. They are proposing 29 spaces as it is their conclusion that additional parking would not be needed or used for this type of outpatient healthcare facility. He said they have an easement right, as noted on the plan, to eight parking spaces at the outer edges of Ashley's lot. They have not factored those spaces into their calculation as they do not believe they will need them, should they be needed. With regard of diminution of value, this is an area that is going through redevelopment and getting this outdated property up to modern standards will be a good thing for property values.

Will Crunk of Crunk Engineering said the developer who is looking to build this building has done several of these similar clinics all over the country. They had access to four facilities that they looked at and had analyzed parking during the four hour peak window where they see the most patients and parking demand. During that four hour peak window on two consecutive days, the number of vehicles were counted in the parking lot in those similar facilities and the number of patients during each of those hours were also counted. The average number of patients observed over the four facilities was 8.8 patients and the number of vehicles were 20.8 over that same peak hour. The average over the four hour total was 5.4 patients and the vehicles counted were 15.4. Of the four facilities they observed, two of them are actually located in New Hampshire and two are in Virginia. This size building is a smaller prototype than is typical. This is an eight exam room facility and the typical standard for this developer is ten bed; which three of the facilities they included in the study were the ten bed size. The developer has done a market study to anticipate their expected demand for this facility and they expect to see on average 29 patients per day or 1-2 patients per hour. In providing 29 spaces they believe that enough parking is provided on site to meet the anticipated number of parking spaces utilized. The number of employees ranges from 8-10 on site at any given time and there are two twelve hour shifts so there are at least eight

employees on site at any given time.

Chairman Harrington asked what the peak hour was. Mr. Crunk said it varied per facility but typically they were in the afternoon any time from 3:00-7:00 PM.

Chairman Harrington asked if the sites in New Hampshire that they studied were similar demographically. Mr. Crunk said one was in Dover and the other was in Seabrook. Mr. Tilsley said the one in Seabrook is on the Route 1 strip so it is similar to South Willow Street.

Ms. Trisciani asked what a 24 hour outpatient facility is. Mr. Crunk said it is along the lines of an urgent care facility except it allows for treatment of more critical patients to stabilize and then transfer to a hospital if need be. They have a canopy and a spot for ambulances to back into and unload patients or pick up patients if need be. Mr. Tilsley did not believe there would be regular office visits. This will be for people who have an urgent need to get to a doctor. He said it is sort of “urgent care plus”, it’s a little bit more than a typical urgent care, but it is on an outpatient basis so it is not a hospital.

Chairman Harrington asked about traffic flow and parking. Mr. Crunk showed the existing site plan with the existing building and said right now from Leclerc Circle all the way over to the property line it is virtually all asphalt with two curb cuts. One curb cut is about 30 feet wide and the other is about 36 feet wide. Their site plan shifts and only provides one curb cut along South Willow that is a right in/right out due to the curbed median in South Willow Street. There will be a new two-way curb cut to Leclerc Circle which provides easier access to the signal at Driving Park Road. This allows for two-way traffic in and out of the site. There is a main entry drop-off that allows access into the building to the reception waiting area with one-way flow, parking and an ambulance drop-off. There is sidewalk access to that main entry building.

Chairman Harrington thought this was a huge improvement compared to what is there today.

Mr. Golden said there were a number of technical review comments that he has been working with the applicant and the team – most are a result of not being familiar with local details. The engineer has addressed most of the comments. There is another letter that will be coming. The sheets have been updated note by note from Water Works, Fire and DPW. They had their zoning issues taken care of at the ZBA. The plans have been updated since the original submission.

Chairman Harrington asked about signage. Mr. Crunk said right now they are showing a monument sign along South Willow near the new curb cut as well as proposed signage on the building itself. He showed future signage on the building and canopies to identify the building and what those drop-offs would be. Chairman Harrington asked if they anticipate any of the signs being digital reader boards and Mr. Crunk said he thought it was all static lit signage.

Mr. Leclerc asked if there was going to be anything facing east toward South Willow toward the people that live along South Willow. He asked if it was going to be brightly lit 24 hours. Mr. Crunk said most of the lighting is provided on the building radiating out to where by the time it gets to the property lines and South Willow there is not any bleed over from that

lighting.

Chairman Harrington turned the hearing over to the public.

The one speaker (did not share name) asked what the name of the facility was. She was concerned about who would be running the facility and the care that is provided to the citizens of Manchester. She said there is a need for inpatient mental health care.

There were no further comments from the public and the Chairman brought the hearing back to the Board.

Chairman Harrington asked the applicant if they are at liberty to disclose who the actual occupant will be. Mr. Tilsley advised the applicant is Mr. Parker who is the current property owner. He has a potential purchaser that is a national healthcare organization, but they have not authorized him to disclose their identity.

Chairman Harrington asked if there will be mental healthcare as well as physical healthcare. Mr. Tilsley said the potential purchaser did a demand study and determined that there is sufficient demand for this in the Manchester market. It was his understanding there is not a dedicated mental health component to this. It is certainly possible that if people present on an urgent basis for some type of mental health treatment that they will receive some treatment and either be discharged on their own or discharged to a hospital if necessary.

Ms. Goucher asked if the other facilities in Dover and Seabrook are also 24-hour facilities. Mr. Tilsley said they were open 24 hours.

Chairman Harrington advised there was a question with the opioid crisis in the area if there would be treatment available for those people as well. Mr. Crunk thought they would be able to treat them medically but anything long term, behavioral treatment, etc. would be done at a different facility.

Ms. Trisciani asked if they would be affiliated with a local hospital or if there was any hospital backing them up. Mr. Tilsley advised at this point the applicant is the current landowner so he did not have information concerning that.

With regard to the eight spaces behind the building, the Chairman Harrington asked if that is a permanent deeded easement. Mr. Tilsley said they haven't used it for a while, but it a permanent deeded easement. They don't think they will need to use it so he didn't put it in the calculation. He didn't want to mess with what Ashley Furniture has going on but if push came to shove at least they have a relief valve.

Chairman Harrington closed this public hearing and said it would be deliberated at the next business meeting.

2. **S2019-020**  
**Properties located at 108 Sixth Avenue and 112 Seventh Avenue (Tax Map 273, Lots 31 and 22), a subdivision application to adjust the property line between two lots, conveying approximately 7,124 square feet from Lot 22 to lot 31, with no new, buildable**

**lots to be created, in the R-1A Zone. *Joseph M. Wichert, LLS, Inc. for Amey and Michael Skladony and Shekira Morehouse.***

Mr. Wichert appeared on behalf of Amey and Michael Skladony and Shekira Morehouse. He said this is a relatively straightforward lot line adjustment. What is driving the application is both of these parties are sort of innocent bystanders to what happened. Mr. & Mrs. Skladony bought their property, which is Lot 31 (108 Sixth Street). After Mr. & Mrs. Skladony purchased Lot 31, they had the property surveyed and found that the existing lot line cuts through the existing in-ground pool that sits north of the house. They attempted to resolve this through their title attorney and came up with a bunch of iterations and the approach that everybody went with was to talk to Ms. Morehouse and see if she would be agreeable to doing a lot line adjustment. They looked at two options and decided to take the westerly line of Lot 31 and extend it north. Parcel A is 7,124 SF and would be taken from the Morehouse property, Lot 273-22, and it would be annexed onto the Skladony property, Lot 273-31. Hopefully, should the Planning Board approve this, it would resolve the encroachment and it would clear up the title for both parcels. The Morehouse property as it sits is almost .81 acres. The Skladony property is about .29 acres. The total acreage is large for two city lots. He referred to the gray shaded area on the Morehouse property and advised it is all steep slopes so it is non-buildable. The majority of this property is either steep or encumbered with the sewer easement or it had the encroachment on it. The application is being done to correct an encroachment and the parties were amenable to going through the process so this was simpler than trying to do it through the courts.

Mr. Wichert said the only waiver requested is because they have not had a wetlands scientist delineate the wetlands on the Morehouse property and the topography they are showing isn't field based.

Ms. Goucher asked if Mr. Wichert was aware of the deck change on the Skladony property and he advised he was. He advised that they will make sure the new deck is shown on the plan before they submit.

Chairman Harrington turned the hearing over to the public. No one came forward either in favor of, or in opposition to, and the Chairman brought the hearing back to the Board.

Chairman Harrington closed this public hearing and said it would be deliberated later this evening during the limited business meeting.

4. **SP2019-045/PD2019-003**  
**Property located at 1045 Hanover Street (Tax Map 488, Lot 14), a site plan application for a proposed 4,800 SF retail development with associated site improvements. The new structure will be located on the same lot as the Dunkin' Donuts building in the R-1B Zone. *TFMoran, Inc. for HSMN LLC.***

At the request of the applicant, this item was postponed to the February 6, 2020 public hearing.

5. **CU2019-034**  
**Property located at 655 Chestnut Street (Tax Map 13, Lot 23), a conditional use permit**

**application to allow a change of use (through interior layout modifications) from a convenience store to a barbershop in the R-3 Zone. Susan Daudier, owner.**

Edison Fajardo advised he is the translator for one of the business partners for the barber shop. The actual owner had a family emergency. He is also translating for Anthony.

Mr. Fajardo said 655 Chestnut Street is currently a corner store that has been shut down. They currently have a barber shop open in the building but they want to move to this location because they want a little more space. Right now they only have two chairs and they are looking to get up to seven chairs in this new location. He advised he is also the electrical contractor for the location so he is helping out with the renovations.

Chairman Harrington asked if the barber shop moving to this location is the same one that is in the building now. Mr. Fajardo said it is. The Chairman asked if that would be vacant or if something else will be going in there. Mr. Fajardo said it will be vacant. He said on January 1<sup>st</sup> they closed that one so they want to move into the new location as soon as possible.

Mr. Curry asked if they were going to paint murals on the outside of the building. Mr. Fajardo said they are just planning on a sign with the barber shop name.

Ms. Trisciani said in the drawing it shows a cooler as you walk in the door to the left. Mr. Fajardo said the convenience store still has some of their coolers in there. Because no one is buying them they are going to take one of them and sell juices, water and sodas for customers.

Chairman Harrington turned the hearing over to the public. No one came forward either in favor of or in opposition to this application and the Chairman brought the hearing back to the Board.

Mr. Fajardo asked if exterior murals are frowned upon. Ms. Curry said when done tastefully it is an improvement. Ms. Trisciani said they could speak to the Manchester Arts Commission for some guidance on that.

Chairman Harrington closed this public hearing and said it would be deliberated in the limited business meeting this evening.

Chairman Harrington concluded the January 2, 2020 public hearing of the Manchester Planning Board.

**III. LIMITED BUSINESS MEETING:**

Chairman Harrington called to order the January 2, 2020 limited business meeting of the Manchester Planning Board.

*(Current Items)*

1. **CU2019-034**  
**Property located at 655 Chestnut Street (Tax Map 13, Lot 23), a conditional use permit**

**application to allow a change of use (through interior layout modifications) from a convenience store to a barbershop in the R-3 Zone. *Susan Daudier, owner.***

***Mr. Long made a motion to approve CU2019-034, which was seconded by Mr. Curry.***

Mr. Long said it is not frowned upon to do a mural with permission from the owner of the building.

***(Motion Carried)***

2. **S2019-019**

**Property located at 112 Minot Street (Tax Map 483, Lots 4, 4A, 5, 5A, and 6), a subdivision application to consolidate multiple lots totaling more than half an acre and to subdivide them into two lots of approximately 0.2 and 0.3 acres, in the R-1A Zone. *Keach-Nordstrom Associates, Inc. for Scott Lavoie.***

Chairman Harrington advised there was a staff recommendation and the Board took a moment to review that information.

Mr. Belanger advised he wanted to add one additional proposed condition of approval for the fence relocation, which was brought up in the public hearing. The condition would read; *“Prior to final approval, the plan shall be amended to note that both fences shall be relocated to the owner’s property.”*

Mr. Leclerc said another thing that was brought up was all the vehicles and the parking. Mr. Belanger advised that does not need to be part of the conditions although the Board could certainly do so if they wanted to. He advised that the Code Enforcement Department has been notified of the issues. The property owner said he was already working to address them so it may not be an issue at all but enforcement could be another way to go. Mr. Leclerc said he went by there today and didn’t see all those vehicles there. Ms. Goucher said prior to signing the plan staff would probably do another visit out there to make sure the fence was squared away and there aren’t vehicles in violation of the Ordinance.

***Mr. Long made a motion to approve S2019-019 per staff recommendation and adding the condition regarding the relocation of the fences, which was seconded by Mr. Leclerc. (Motion Carried)***

**Conditions of Approval:**

1. Conditional approval of this plan shall be valid for one year, during which time all conditions precedent to final approval shall be completed and plans shall be submitted for final approval;
2. The applicant shall obtain sign-off from all City reviewing agencies, including the Planning Department, prior to submitting plans for final approval;
3. All new boundary monuments are to be set prior to submitting plans for final approval;

4. Prior to final approval, the plan shall be updated to reflect that concrete and other site improvements have been removed;
5. Prior to final approval, the property owner shall convey the lots such that they are all in the same ownership;
6. Prior to final approval, the property owner shall relocate the two fences shown on the plan so that they are entirely on the property;
7. The plan shall contain a note stating, "No certificate of occupancy shall be authorized until all required improvements have been completed, unless addressed by the provision of a financial guarantee, pursuant to the requirements of Subsection 4.14 of the Manchester Subdivision and Site Plan Review Regulations."
8. The plan shall contain a note stating, "All conditions subsequent to approval shall be completed within two years of final approval."
9. All conditions subsequent to final approval shall be noted on the recorded plan, or the notice of decision shall be recorded simultaneously with the plan, pursuant to RSA 676:3;
10. Prior to final approval, the applicant shall provide to the Highway Department a digital file in AutoCAD, .dwg format with boundary lines and horizontal and vertical features based on N.H. State Plane Coordinate System (NAD83/92-NGVD 88);
11. To submit plans for final approval, the applicant shall submit one set of mylars for recording, one complete set of mylars to remain on file with the Planning Department, and four complete paper sets;
12. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Subsection 4.13 of the Manchester Subdivision and Site Plan Review Regulations, the Planning Board shall hold a hearing to revoke this approval, pursuant to RSA 676:4-a;
13. The applicant shall provide the Planning Department with the recorded plan number within 30 days of final approval;
14. An excavation permit from the Manchester Department of Public Works is required for all work within the public right-of-way. All work shall conform to the City of Manchester Standard Specifications;
15. All material changes to the approved plan shall be reviewed and approved by the Planning Board at a public hearing;
16. The school impact fee of \$4,589 per single-family dwelling unit shall be submitted prior to the issuance of a certificate of occupancy for the new, buildable lot; and
17. The fire impact fee of \$571 per single-family dwelling unit shall be submitted prior to the

issuance of a certificate of occupancy for the new, buildable lot.

3. **S2019-020**

**Properties located at 108 Sixth Avenue and 112 Seventh Avenue (Tax Map 273, Lots 31 and 22), a subdivision application to adjust the property line between two lots, conveying approximately 7,124 square feet from Lot 22 to lot 31, with no new, buildable lots to be created, in the R-1A Zone. *Joseph M. Wichert, LLS, Inc. for Amey and Michael Skladony and Shekira Morehouse.***

Chairman Harrington advised there were a couple of waivers to address.

Mr. Belanger advised there are two issues. Mr. Wichert is asking for a waiver from the wetlands because they are not proposing any construction. The regulations require notifying if there are wetlands and Mr. Wichert is just asking to not have to delineate them. Also, the contours were not field verified but taken from aerial maps. Ms. Goucher said the owners are just trying to correct the issue that a pool was built by the previous owner over a property line and by doing this lot line adjustment, at least the Skladony's pool will be on their property. With all the steep grades that exist between the two lots now, she did not think there would be any construction so there is not a lot of value in locating the wetlands.

***Mr. Long made a motion to grant the waiver from Appendix B with respect to the wetlands being identified on the plan, which seconded by Mr. Leclerc. (Motion Carried)***

***Mr. Long made a motion to grant the waiver from Appendix B with respect to elevation and contours being identified, which was seconded by Mr. Curry. (Motion Carried)***

The Board took a few moments to review the staff recommendation.

***Mr. Leclerc made a motion to approve S2019-020 per staff recommendation, which was seconded by Ms. Trisciani. (Motion Carried)***

**Conditions of Approval:**

1. Conditional approval of this plan shall be valid for one year, during which time all conditions precedent to final approval shall be completed and plans shall be submitted for final approval;
2. The applicant shall obtain sign-off from all City reviewing agencies, including the Planning Department, prior to submitting plans for final approval;
3. All new boundary monuments are to be set prior to submitting plans for final approval;
4. Prior to final approval, the applicant shall provide Planning and DPW staff with a draft of a deed for the conveyance of land from lot 22 to lot 31. The draft shall include a reference to the sewer easement on the lots;
5. Prior to final approval, the applicant shall update the plan to reflect the construction of a deck at 108 Sixth Avenue and any other site improvements;

6. Any waiver from the Subdivision and Site Plan Review Regulations granted by the Planning Board shall be noted on the recorded plan;
7. The plan shall contain a note stating, "No certificate of occupancy shall be authorized until all required improvements have been completed, unless addressed by the provision of a financial guarantee, pursuant to the requirements of Subsection 4.14 of the Manchester Subdivision and Site Plan Review Regulations."
8. The plan shall contain a note stating, "All conditions subsequent to approval shall be completed within two years of final approval."
9. All conditions subsequent to final approval shall be noted on the recorded plan, or the notice of decision shall be recorded simultaneously with the plan, pursuant to RSA 676:3;
10. Prior to final approval, the applicant shall provide to the Highway Department a digital file in AutoCAD, .dwg format with boundary lines and horizontal and vertical features based on N.H. State Plane Coordinate System (NAD83/92-NGVD 88)
11. All material changes to the approved plan shall be reviewed and approved by the Planning Board at a public hearing;
12. To submit plans for final approval, the applicant shall submit one set of mylars for recording, one complete set of mylars to remain on file with the Planning Department, and four complete paper sets;
13. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Subsection 4.13 of the Manchester Subdivision and Site Plan Review Regulations, the Planning Board shall hold a hearing to revoke this approval, pursuant to RSA 676:4-a; and
14. The applicant shall provide the Planning Department with the recorded plan number within 30 days of final approval.

*(Tabled from March 15, 2018)*

4. **SP-01-2018**  
**Property located at 55 Edward J. Roy Drive (Tax Map 645, Lot 34B), a site plan application to construct a retail motor fuel outlet with eight fuel dispensers / 16 fuel pumps and a 6,500 SF building, including two fast food restaurants and convenience store with onsite parking, loading, landscaping, and lighting in the B-1 Zone. MHF Design Consultants, Inc. and Z-1 Express for Victory Distributors, Inc.**

Remain on table.

#### **IV. ADMINISTRATIVE MATTERS:**

1. **Review and approval of the Planning Board Minutes of November 7, 2019 and**

**November 21, 2019.**

Ms. Trisciani advised she reviewed both sets of Minutes.

*Ms. Trisciani made a motion to approve the Planning Board Minutes of November 7, 2019 and November 21, 2019 with minimal grammatical changes, which was seconded by Mr. Long. (Motion Carried)*

**2. Any other business items from the Planning Staff and Board Members.**

561 Gold Street

Ms. Nazaka advised that the Board had asked for the applicant of 561 Gold Street, the Kitchen Cabinets Store, to submit a proposed landscaping plan that he felt comfortable with since he is not the actual property owner. She provided the Board with a copy of what the applicant submitted. He claimed that the six trees along Ross Avenue are not dead so he will prune them up and add bark mulch around those and then also add two planters at the front of the store. He will also re-seed the grass area.

Chairman Harrington asked if the applicant was going to re-stripe. Ms. Nazaka advised the condition read that prior to final certificate of occupancy, he is to stripe the parking lot. If that happens to be over the winter months, then he would have to put up an escrow account for whatever the cost would be to do that.

Ms. Trisciani asked if those trees don't come back to life if he was willing to replace them. Ms. Nazaka said they would probably give him the benefit of the doubt and if they don't survive, they are shown on a plan that the Board reviewed they would have to be replanted.

Ms. Goucher thought it would be fair to say that Ms. Nazaka could relay to the applicant, who is not the property owner, that the Board was okay with the proposal but should the trees not survive, the Board would expect them to be replaced.

Attendance

Chairman Harrington praised Ms. Trisciani and Vice Chairman O'Donoghue for having perfect attendance in 2019.

Board Member Vacancies

Ms. Goucher advised she spoke to the Mayor's office and they are aware that Mr. Hebert resigned and that Ms. Sanuth is no longer an ex-officio member. It is in their court as to how they are going to fill those positions. As a matter of timing, once the new Board of Aldermen has their inaugural meeting and the chairman of the Board of Mayor and Alderman is chosen, then it will be his choice as to which Alderman will sit as an aldermanic rep and an alternate.

Chairman Harrington gave a shout out to the Planning Staff because 2019 was a very challenging year for them. They had the Master Plan being kicked off, which required a lot of additional work, additional time, additional effort and they kept up with the existing

workload. They had several major projects come before the Board last year and they did a terrific job with that. Also, at the end of this past year to cap it all off, they had to relocate their offices. The Chairman thanked them for supporting the Board because without them they would not be as well informed as they are. The Chairman also thanked Director Leon Lafreniere as well as Lori Moone who prepares the Minutes.

***Mr. Leclerc made a motion to adjourn, which was seconded by Mr. Curry. (Motion Carried)***

ATTEST: \_\_\_\_\_  
Michael Harrington, Chairman  
Manchester Planning Board

APPROVED BY THE PLANNING BOARD: April 30, 2020

With Amendment  
 Without Amendment

**The above minutes are a summary of the meeting and are not intended to be verbatim.  
Audiotapes are available in the Planning and Community Development office for a limited time.**

*Transcription by Lori Moone, Planning & Community Development*