

**MANCHESTER PLANNING BOARD  
PUBLIC HEARING / BUSINESS MEETING MINUTES  
Thursday, April 30, 2020 – 6:00 PM**

**Due to the emergency orders issued by the Governor and on the guidance of public health officials, the Planning Board is authorized to meet electronically and there will be no physical location in which to attend the meeting. Public comment will be taken by sending an email to [planningboard@manchesternh.gov](mailto:planningboard@manchesternh.gov) or by leaving a voice message at 603-792-6737. The phone line and the email will be monitored by staff up to, and during, the public hearing.**

**Members Present:** Chairman Mike Harrington, Vice Chairman Michael O’Donoghue, June Trisciani, Alderman Pat Long, Dan Leclerc, John St. Pierre, Andy Boyle, Robb Curry

**Alternates Present:** Barry Lussier, Bryce Kaw-uh

**Recused:** Alternate: Chris Wellington

**Staff Present:** Pamela Goucher, Deputy Director Planning & Zoning; Jeffrey Belanger, Senior Planner; Jonathan Golden, Senior Planner; Jodi Nazaka, Planner, Kristin Bixby

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**I. The Chairman called the meeting to order and introduced Planning Board Members and Planning Staff.**

**II. PUBLIC HEARING:**

*(Continued from March 5, 2020)*

**1. S2020-004**

**Property located at 605 Old Wellington Road (Tax Map 645A, Lot 6), an application to subdivide a lot of approximately 1.6 acres into three lots of 20,022 SF, 17,954 SF, and 31,887 SF in the R-SM Zoning District. *Granite Engineering for 605 Old Wellington Development, LLC.***

**PDSP2020-001**

**Property located at 605 Old Wellington Road (Tax Map 645A, Lot 6A), an application to construct 5 townhouse units with associated site improvements on a newly subdivided lot totaling 17,954 SF in the R-SM Zoning District. *Granite Engineering for 605 Old Wellington Development, LLC.***

**PDSP2020-002**

**Property located at 605 Old Wellington Road (Tax Map 645A, Lot 6B), an application to construct 8 townhouse units with associated site improvements on a newly subdivided lot totaling 31,887 SF in the R-SM Zoning District. *Granite Engineering for 605 Old Wellington Development, LLC.***

Jeff Merritt of Granite Engineering appeared on behalf of the applicant. They were before the Board back in March for a project on the property at 605 Old Wellington Road. The property has frontage on Old Wellington Road, Eastern Avenue and Karatzas Avenue. It is developed. There is a home on the property and then a garage with an apartment above it. The intent of

this project is to subdivide this parcel into three separate tracts. There would be the lot adjacent to Karatzas Avenue titled Lot 6A that is roughly 4/10 of an acre. The existing dwelling and the existing garage and apartment would be retained on the middle parcel, which is roughly .46 acres in area. To the south off of Eastern Avenue and Old Wellington Road would be proposed Lot 6B, which is almost 3/4 of an acre of land area.

In addition to the subdivision Mr. Merritt said they had two associated applications, which proposed to develop those newly created lots. He showed the site plan for Stone Ledge Townhomes. This would develop Lot 6A, the 4/10 acre parcel. As proposed they have five townhouse units with drive under garaged with two stories of living above. This development is off of Karatzas Avenue only; there is no access off of Old Wellington Road.

The site plan for the south side of the project is called Eastern Crossing Townhomes. This project involves a similar style unit. It is a drive under townhouse configuration with two stories of living above it. They have shown eight units on this parcel. Access to this development would be from Old Wellington Road. There would be no access from Eastern Avenue.

Mr. Merritt said where they left off in March is the Board had a few items that they wanted them to take a look at and come back and try to address. One of them, probably the most significant one, was relative to a sidewalk network along Old Wellington Road, Karatzas Avenue and a little bit of Eastern Avenue. DPW had done an initial engineering review on the project and requested the installation of a sidewalk along Old Wellington Road connecting to the Eastern Avenue intersection. Mr. Merritt said after their initial meeting with the Planning Board they went back to DPW with a plan which proposed a sidewalk layout. What they are proposing and what has been incorporated into the revised project plans includes the installation and construction of a sidewalk along Karatzas Avenue from the driveway that they are proposing running west and then going down the south or east side of Old Wellington Road. It ultimately terminates at the Old Wellington Road/Eastern Avenue intersection. That layout and the scope of that offsite improvement were acceptable to DPW.

Mr. Merritt said the other thing they talked about at their prior meeting with the Planning Board and subsequently with DPW was a waiver relative to construction of the sidewalk. The standard City sidewalk section includes a paved sidewalk, a grass panel and then a section of vertical granite curb. In this neighborhood Old Wellington Road, Karatzas Avenue and Eastern Avenue are not built to current City standards there is a host of different curbs out there. Eastern Avenue as well as a portion of Old Wellington Road have concrete curb. Old Wellington Road has bituminous curb and Karatzas Avenue, at least in the area where this project is, has no curb at all. What they discussed with the Board and then what they discussed with DPW was a proposal which would install the sidewalk but retain the existing bituminous curb along Old Wellington Road, install new bituminous curb along Karatzas Avenue and then along Eastern Avenue where there is concrete curb today that would be replaced with bituminous curb. That was presented to DPW who supported the sidewalk layout and the waiver. Included in the Board members' packets was the waiver request they submitted to the Board, which was relative to utilizing the existing curbing that is out there as opposed to cutting Old Wellington Road, Eastern Avenue and Karatzas Avenue to install vertical granite curb. He asked that the Board consider granting that waiver as he believes it

meets the spirit and intent of the section of the regulations and it will certainly provide a sidewalk network that the Board was interested in and that DPW was interested in.

With regard to some of the other comments discussed last time, Mr. Merritt said there was concern relative to whether or not this would be a condominium association or a single owner and rented. There is still no direction as to whether or not this will be a condominium or a rental. They are trying to be flexible; it may be a condominium and it may end up being a single ownership, they really don't know at this time. However, one or more of the Board members had concern that there wasn't specific language relative to a covenant or a condominium declaration that some units may choose to store their trash exterior to the building. They discussed that with staff about what they could do there. They added a note to each plan set that requires the trash to be stored internal to the building and only stored exterior on trash pickup days.

Mr. Merritt advised they submitted a landscape plan with the initial application. One or more Board members requested that they increase the amount of landscaping proposed. The prior plan had shade trees interior to the parking lot but they did not incorporate planting beds and shrubs to supplement those trees. They circulated the landscape design back to their landscape consultant and have provided an enhanced landscape design for both projects, which incorporates not only the shade trees but supplements the islands with shrubs and plantings. They also added some entrance identity with landscape beds.

Mr. Merritt showed the updated landscape plan for Eastern Crossing. He said the initial plan had some interior street trees but it lacked landscaping in the islands and around the perimeter in terms of shrubs and perennials and that has been substantially increased on this version.

Alderman Long confirmed with Mr. Merritt that no signage was being proposed.

With regard to the abutter that had concerns, Alderman Long asked about the elevation of the property. Mr. Merritt said it looked like their site was about 15 feet lower than the abutter and added that there is a significant buffer between them and the abutter.

In reviewing the staff report, Ms. Trisciani said there were two minor issues from DPW about tactile panel and striping added to the crosswalk at Eastern Ave and then also new tip down panels on the crosswalk. Mr. Merritt said those are the two remaining comments from DPW, which they can address. What DPW was asking for was a tip down and a crosswalk and then there is a sidewalk off Wellington Way that they wanted a crosswalk on as well. He said they don't take any issue with those comments and will be happy to address them on the final plan.

Mr. Curry asked if there was any consideration for where children would wait for the bus. Mr. Merritt said the sidewalk network was also requested by the School Board and their correspondence suggested that this was the area that the kids should meet for the bus. Mr. Belanger said the school was looking for the sidewalks to be built as Mr. Merritt showed so they are now satisfied with what the applicant is proposing.

Chairman Harrington said he drove by the site and noted that their topography was going to be challenging. He asked if they had already calculated their cut and fills, particularly the one

that is at the corner of Eastern Avenue. Mr. Merritt said the applicant site contractor might have done it. It likely is an export. He thought last time they said they had a version which actually exited and entered off of Eastern Avenue and based on the test pits and everything like that they switched the design to come off of Old Wellington Road. That allowed the entire site to be raised as high as possible.

Mr. Leclerc said it looks like a great site with what's there but it looks like there is going to be a lot jammed into a small place. He was concerned about sight lines from the driveways. Mr. Merritt said he knows they have good sight distance on Karatzas. The road does curve but they are on the outside of the curve so they have good sight distance there and they can see right to the stop control off of Old Wellington Road at the intersection.

Mr. Leclerc asked if the stone walls on Karatzas Avenue and Old Wellington will be taken out. Mr. Merritt said the one that is across the center has to be removed but they may be able to salvage the other because they are not grading in the right-of-way.

Mr. St. Pierre agreed that there were an awful lot of units going on a fairly small lot. Mr. Belanger confirmed that the density of units is allowed in this zone.

Chairman Harrington turned the hearing over to the public. Ms. Nazaka advised that no emails were received from the public and Ms. Bixby advised that no voicemails were received.

Chairman Harrington repeated the telephone number (603) 792-6737 for anyone to call in to comment. He advised they could also email [planningboard@manchesternh.gov](mailto:planningboard@manchesternh.gov).

The Chairman confirmed with Ms. Nazaka and Ms. Bixby confirmed no public comments were received and Chairman Harrington brought the hearing back to the Board.

With them not being sure that they are going to make them condos or not, Alderman Long asked if there was any responsibility on the buyers with respect to the spillway or common areas such as a covenant or something they are looking to form prior to a condo. If the individual units would be sold then it would have to be a condominium. If the individual units are to be rented then it could be held in one single form of ownership. If it is held in a single form of ownership the responsibility to maintain the property goes with the owner. If they become condos, then the responsibility to maintain the property would be part of the condominium association's responsibility.

Chairman Harrington took a rollcall of the Board whether they were in favor or opposition of closing this public hearing. The Board members unanimously voted to close this public hearing. *(Rollcall: O'Donoghue, Lussier, Boyle, Kaw-uh, Leclerc, Trisciani, Long, St. Pierre, Curry, Harrington (unanimous- in favor of closing).*

Chairman Harrington closed this public hearing and they will try to take this up in the Limited Business meeting tonight.

2. **Review of new applications for Regional Impact and comment by the Manchester Conservation Commission.**

The staff has received and reviewed the applications listed below, and the Planning Board should determine if any of the applications are likely to have impacts beyond the boundaries of Manchester, requiring regional review pursuant to RSA 36:54, 55, 56 & 57, or warrant comment by the Manchester Conservation Commission.

1. **S2020-005**

Properties located at 300 Karatzas Avenue (Tax Map 747, Lot 6 and Tax Map 743, Lot 1B), a subdivision application to adjust the common lot line between Tax Map 747, Lot 6, and Tax Map 743, Lot 1B in the R1-A Zoning District. *Eric C. Mitchell & Associates, Inc. for Jean Gagnon.*

2. **SP2020-003**

Property located at 591 Second Street (Tax Map 332, Lot 8), a site-plan application to change the use of a nail salon and supplement store to a 4,000 SF church in the B-2 Zoning District. *Alan D. Guibord.*

3. **CU2020-004**

Property located at 591 Second Street (Tax Map 332, Lot 8), a conditional use permit application for a reduction in required on-site parking to 0, as no on-site parking available but has utilized 6 striped parking spaces within a portion of Arnold Street with no status in a B-2 Zoning District. *Alan D. Guibord.*

4. **SP2020-004**

Property located at 303 Belmont Street (Tax Map 129 Lot 10), a site-plan application to change the use of medical offices to a limo service in the RDV Zone. *Manchester Black Car, LLC.*

5. **SP2020-005 (Conservation Commission Review Required)**

Property located at 310 Second Street (Tax Map TPK3, Lot 60), a site-plan application to change the use for a landscape yard with retail sales, and associated site improvements in the B-2 Zoning District. *Joseph M. Wichert, L.L.S. for James S. McDowell*

6. **SP2020-006**

Property located at 593 Maple Street (Tax Map 24, Lot 23), a site-plan application to change the use of an existing nursing home to congregate housing, a business office, and sale of general goods in the C-1 Zoning District. *Greenman-Pedersen, Inc. for New Hampshire Catholic Charities.*

7. **CU2020-005**

Property located at 593 Maple Street (Tax map 24, Lot 23), a conditional use permit application for a reduction in required on-site parking from 27 spaces required 12 spaces

provided in the C-1 Zoning District. *Greenman-Pedersen, Inc. for New Hampshire Catholic Charities.*

**8. SP2020-007**

Property located at 434 Union Street (Tax Map 73 Lot 53), a site-plan application to change the use from congregate housing to 11 multi-family units in the R-3 Zoning District. *Keach-Nordstrom Associates, Inc for New Horizons For NH/Families in Transition (FIT)*

**9. CU2020-002**

Property located at 434 Union Street (Tax Map 73 Lot 53), a conditional use permit application for a reduction in required on-site parking from 16 spaces to 5 spaces provided in the R-3 Zoning District. *Keach-Nordstrom Associates, Inc for New Horizons For NH/Families in Transition (FIT)*

**10. CU2020-003 – INCOMPLETE**

*Property located at 273 Dubuque Street (Tax Map 186, Lot 32), a conditional use permit application to allow the use of a Sober Living facility in the R-3 Zoning District. McLane Middleton for Into Action Sober Living.*

***Mr. O’Donoghue made a motion, which was seconded by Alderman Long, that the following applications do not have regional impact: S2020-005, SP2020-003, CU2020-004 and SP2020-004. The following application does not have regional impact, but does require review by the Manchester Conservation Commission: SP2020-005. The following applications do not require review by the Manchester Conservation Commission: SP2020-006, CU2020-005, SP2020-007, CU2020-002 and CU2020-003.***

*Rollcall: Lussier, Boyle, Leclerc, Trisciani, St. Pierre, Curry, Harrington (unanimous).*

***(Motion Carried)***

*(New Items)*

*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 Planning staff that the 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 Alderman Long, that the following applications are complete and available for a public hearing: SP2020-003, CU2020-004, SP2020-004, SP2020-006, CU2020-005, SP2020-007 and CU2020-002.***

*Rollcall: Lussier, Boyle, Leclerc, Trisciani, St. Pierre, Curry, Harrington (unanimous).*

***(Motion Carried)***

**3. CU2020-004**

**Property located at 591 Second Street (Tax Map 332, Lot 8), a conditional use permit application for a reduction in required on-site parking to 0, as no on-site parking available but has utilized 6 striped parking spaces within a portion of Arnold Street with no status in a B-2 Zoning District. Alan D. Guibord.**

**SP2020-003**

**Property located at 591 Second Street (Tax Map 332, Lot 8), a change of use site plan application for the conversion of a former nail salon and supplement store to a 4,000 SF church in the B-2 Zoning District. Alan D. Guibord.**

Alan Guibord from Fences Unlimited and the Stove Shoppe along with Ebenezer Kaizer and Pastor Sylvia from the Revow Church advised they purchased the building about three years ago and have been renovating and cleaning it up. They previously had two tenants; a nail salon and a nutritional supplement store. They have since both left the building and they are before the Board tonight to get a new tenant in the building. They are looking to get approval to allow them to move into the vacant part of the building.

Mr. Guibord advised when they purchased the building they found out there was a paper road next to them that an action was never taken on. It was called Arnold Street and was previously called Bell Street on the plan they got from the City. They applied and received a release and discharge of that street and they are in the process of acquiring Quiet Title for that portion of the land on the side and behind them. In addition to that, they have also come into an agreement with the lot directly next to them, which is a lot that has 18 parking spaces and they have leased out. That spot is an open parking lot that was originally intended to have a drive-up ATM that was never installed. It is a separate parking lot, separate from Burger King. It is not being utilized and they are looking to be able to have the recognition for this tenant to be able to use that parking as well. The church would be providing service on Sunday mornings and Wednesday evenings, both of which is when The Stove Shoppe is closed so there would be no overlap at all. There should be less traffic than with a nail salon and another typical retail store. They offered a site plan that shows this as well as a floor plan for the church.

Mr. Golden advised there was a waiver request from the full requirements of a site plan submittal as well as a traffic report. Chairman Harrington asked Mr. Guibord why he felt that wouldn't be needed in this case. Mr. Guibord said they have been in this building for about six years and they know the traffic flow when they had all the tenants there versus where it is now and also with the church coming in. The fact that the church will be conducting business on Sunday morning and Wednesday evenings there will be no impact on traffic during commuting hours or heavy retail hours. The church will be operating in off hours.

Chairman Harrington asked if the church currently exists. Mr. Guibord said they do and they are in a little bit of a bind now because of the Covid-19 situation. He explained they signed a lease for this location in hopes of almost being moved in by now. They are now displaced from their previous home, which was 188 Conant Street.

Chairman Harrington asked about the size of their congregation. Mr. Guibord said they are planning on doing two different services; one on Sunday and one on Wednesday nights. The

floorplan has seating for thirty people at each service.

Alderman Long asked what the capacity of the space is. Mr. Guibord said their floorplan will be roughly for that amount of seating. He said over half of the unit is for office, a breakroom out back and other meetings they are going to have out back. The worship area is just in the front part. Alderman Long confirmed with Mr. Guibord they were not anticipating over 30 people in attendance. Mr. Guibord has spoken to them and he is comfortable if there is a restriction that needs to be placed on that because of the parking or whatever else works they are fine with that.

With respect to that last statement, Mr. Golden said the Fire Department has mandated that occupancy not rise above fifty. Further for context to the site plan, since the applicant was pursuing the discontinuance and the release and discharge as well as the Quiet Title, he is looking to expand his site to bring it into conformity. Currently he has seven spaces striped on the south side of the building but crosses over the property line into the former Arnold Street so they can't be recognized as legal and since there are no other striped spaces on the lot it required the conditional use permit. Pending a positive outcome for his Quiet Title his lot could then become conforming and striped spaces could be added. Hopefully at that time a plan can be created for staff's files since they don't have one currently.

Mr. Curry asked about signage. Mr. Guibord said they are planning on having one side on the building. There were previously separate signs for the nail salon and the nutritional supplement store but there will only be one sign at this point along with the current sign for their own business that is up there right now.

Mr. Leclerc asked if there will be gatherings other than the two days specified. Mr. Kaizer said they will only have the two days of services. He said sometimes they will have services for the children in an office. Mr. Leclerc asked if there will be people occupying the offices during the week. Mr. Kaizer said there would not.

With regard to the 18 parking spaces, Mr. Boyle asked how many entries there are into that parking lot and how foot traffic would travel from those parking spaces to the church. Mr. Guibord said there is an entrance right now from Second Street into that parking lot. There is an entry currently on Arnold Street that gets into that parking lot. The people that park there now literally walk from that parking lot right across into the building. There is a sidewalk all the way across with a crosswalk now on the Arnold Street that exists currently. Mr. Boyle said the sidewalk goes along Second Street but ends at that Burger King sign and does not come around into the parking lot. Mr. Guibord confirmed it does not come along into that parking lot. Mr. Guibord said he has ever seen anyone actually walk on that sidewalk; they literally walk right through the parking lot right to the building and they will their main entry will be in the front of the building.

Chairman Harrington turned the hearing over to the public and provided the telephone number and email address to comment. Ms. Nazaka and Ms. Bixby advised that they had not received any comments via email or telephone.

Chairman Harrington brought the hearing back to the Board.

Alderman Long asked if they intend to bring the Arnold Street release and discharge to the Board of Mayor and Aldermen. Mr. Guibord said that was already presented and approved and they have already received the release and discharge.

Mr. St. Pierre asked if they are attempting to lease the parking spaces adjacent to Burger King. Mr. Guibord clarified that he has a lease in place for the spaces and he also has first right of refusal for purchase of the property.

Chairman Harrington polled the Board if they were comfortable closing this public hearing.

*Rollcall: Lussier, Boyle, Leclerc, Trisciani, O'Donoghue, Long, St. Pierre, Curry, Harrington (unanimous).*

Chairman Harrington advised they had sufficient information to close the public hearing on this application and it will be deliberated at the limited business meeting this evening.

4. **SP2020-004**  
**Property located at 303 Belmont Street (Tax Map 129, Lot 10), a change of use site plan application to change the use of medical offices to a limo service in the RDV Zone. Manchester Black Car, LLC.**

Attorney Jim Kelley appeared on behalf of Manchester Black Car, LLC. He said this is classified as a limousine service/car service but really it is the call center for that service. As such, there are no changes to anything. There will be no changes to any of the structure or parking. There are four offices on the second floor and one on the first floor. There is a large conference area as well. There will generally never be more than four to six people onsite and using any of the offices. There is always someone there 24/7 answering calls and dispatching car service mostly to business travelers.

Ms. Trisciani asked if they have any intention to sell cars on that site. Gerry Mandelbaum, the management consultant to Manchester Black Car, advised they are currently operating at five percent capacity as they are in the same financial downturn as everybody else during the Covid-19 situation so they have many vehicles sitting doing nothing right now so they took two vehicles that they felt were obvious candidates to be sold and put them in the driveway for sale to try to raise some cash. On a normal basis they will not be selling vehicles but right now they are looking to turn some vehicles that are not being used into cash so they can continue operating. This will not be a normal situation but this is the situation right now.

Mr. Leclerc went by the site today and there were a lot of cars on the property. He asked if the dirt lot was next door or part of his property. Attorney Kelley advised that was not their lot.

Mr. Leclerc asked about the orange dumpster and Mr. Mandelbaum advised that belonged to Luigi's. He explained that the property to the south side of the building actually belongs to the City. That is where there was a railroad going through that property for years and Luigi's is currently leasing that property from the City and she has the dumpster located on that

property abutting his property. There is really not much of a property line between the City property and his property and Luigi's are locating their dumpster on that property line.

Alderman Long asked if the 1991 plot plan was the current plan and Attorney Kelley advised that it was.

Ms. Nazaka advised they are seeking a waiver of all the requirements for a site plan submission and they are asking to utilize the 1991 plot plan from a previous building permit. She pointed out that this 1991 plan has spaces shown in the rear of the building and those two spaces are non-compliant with zoning so even though they are shown on this plan, they are not going to be recognized as two spaces with the City. In addition, she was not sure if there ever was any parking lot striping or if it has worn off, but currently there is no delineation of the spaces and there are also no wheel stops. She also advised there is no separation other than where pavement ends and that neighboring parking area begins.

Chairman Harrington asked Attorney Kelley if he was representing the applicant or the owner. Attorney Kelley advised the owner is not the applicant, Manchester Black Car, who he represents.

With their submission of the former site plan they would like to use if the Board grants this waiver, Chairman Harrington advised they will have to park their vehicles as the plan is designed. He asked if they would be willing to stripe it or if they were going to have the owner stripe it. He explained for enforcement there needs to be delineation of parking spaces so the Board knows that the tenant, in this case, is going to be parking his vehicles where they are supposed to be parked per the design of the plan. Because they presented a plan that was previously approved back in 1991 the striping is all gone. Attorney Kelley said whatever the last tenant did there they are not doing anything different. He said it is a really tight area so there really isn't too much they could do with any parking issues. You may just fit ten cars there at the maximum. There are no customers coming and going so essentially most of the cars that come and go are just employees and then a couple cars are parked that are owned by the business owner. It is fairly easy to delineate where each car is and to notice how many cars are parked there so they didn't plan on any expense to deal with striping or didn't think that they might have to. They would like to not have to spend the money, especially in this current environment. Chairman Harrington said typically that would be a question they would talk to the owner about, not necessarily an applicant who is leasing the space. Mr. Mandelbaum advised that they would be more than willing to stripe the parking lot if that was deemed necessary. He said they intend to on a regular basis not have nearly as many vehicles there as might be there today. Due to the Covid-19 situation their vehicles are parked because they have no business. He said they own twenty eight vehicles. There are more vehicles parked on the property right now than there would be in a normal situation because those vehicles are not being utilized.

Ms. Nazaka advised there were two sets of photographs in the staff report; the first set being from before the Covid-19 lockdown really began and then during the Covid-19 lockdown. She said it can be seen that the applicant was correct that there is quite an expansion of the use of the site during the pandemic compared to before.

Ms. Trisciani said she appreciated the situation they were in right now with everything going on and knowing that your business is taking a hit. She said she would like to see striping added and she would also like to see some sort of barrier between where they are parking cars and the neighboring property. She asked if they could give them more of a grace period than their normal time to have it done in, but she thought a commit to doing that over time would go miles in improving and getting the site plan to where it needs to be. Attorney Kelley said they would absolutely look into that.

Ms. Goucher clarified while there was striping once upon a time and while there was a comment about the last user not striping it, the last user also didn't have a Certificate of Occupancy to be in there. This project before the Board tonight does represent a change of use and as such the normal conditions come into play and that is why striping is required. She understood what Ms. Trisciani was saying, but she was not sure of the timing of all of this because they are actually in the building now and there were no Certificate of Occupancy for the use.

Chairman Harrington turned the hearing over to the public and provided the phone number and email address to comment. Ms. Nazaka and Ms. Bixby advised that they had not received any comments via email or telephone.

Chairman Harrington turned the hearing back to the Board.

Mr. Leclerc said they typically don't have too many cars on site but they do offer 24/7 service. He asked if the drivers take their vehicles home. Mr. Mandelbaum said typically anywhere from 16-20 drivers are assigned an individual vehicle that they take home with them. The vehicles that are on site on a general basis are multi-passenger vehicles that the drivers come in and get when they have a multi-passenger situation. Those are mainly the vehicles that will be onsite on a regular basis as well as some office staff. There are three Mercedes Sprinters, three Ford Expeditions and there are at most four office staff onsite at a time. He pointed out that there was quite a buffer between them and the nearest residential property but the dirt parking lot between their property and the next property is about 100 yards long.

With regard to the original site plan from 1991, Mr. Boyle said there will be ten parking spots and he also noticed there was a note "end of pavement with a berm". Instead of a berm would they be putting wheel stops. Mr. Mandelbaum advised the building was leased to them with sixteen parking spots. He said there are ten spots in the main parking lot on the north side of the building. There are two parking spots in the rear of the building facing east. There are two parking spots in the driveway in front of the garage and there are two parking spots in the garage. Right now due to Covid-19 they are using all sixteen of those parking spots.

Ms. Goucher said while she understands the business was told there were sixteen parking spaces, there are not sixteen parking spaces that are legal. The reason for the issue of the striping and the reason the issue about the number of spaces that are actually on site came up has to do with the change of use to this building and to this site. As Ms. Nazaka mentioned earlier on, the spaces in the back are not legal spaces, which is what the Zoning Officer implied. As such, they are looking to have the ten spaces along the property line striped. She

explained if the applicant came in with a brand new site today for this project, they do not have the depth for the aisles that would normally be required by zoning and they don't have the setback from the street so the recognition of this particular plan gives them at least the vested rights on the spaces along the southerly property line. Ms. Goucher said while she knows the business owner was representing the sixteen spaces was because the owner of the property represented that to him, unfortunately they don't have sixteen legal parking spaces. Attorney Kelley said they completely recognize those two spots are not legal and they won't be used.

Alderman Long said he knew they can currently have limousines; however, nobody is going anywhere. He asked what will be a sign that will give them a clear indication that their business is picking up. Attorney Kelley said they can get the ball rolling in striping the lot. Business will pick up when airline travel is busy again.

Chairman Harrington polled the Board if they were comfortable closing this public hearing.

*Rollcall: Lussier, Boyle, Leclerc, Trisciani, O'Donoghue, Long, St. Pierre, Curry, Harrington (unanimous).*

Chairman Harrington advised they had sufficient information to close the public hearing on this application and it will be deliberated at the limited business meeting this evening.

5. Prior to reading the case into the record Chairman Harrington advised in the past he did some work for Catholic Charities who hired him on an ad hoc basis to help them with real estate matters. He did not represent them in either buying or leasing it and he had no interest in it. He advised he felt he could be impartial and planned to hear the application and rule on it.

**SP2020-006**

**Property located at 593 Maple Street (Tax Map 24, Lot 23), a change of use site plan application to change the use of an existing nursing home to congregate housing, a business office, and sale of general goods in the C-1 Zoning District. *Greenman-Pedersen, Inc. for New Hampshire Catholic Charities.***

**CU2020-005**

**Property located at 593 Maple Street (tax map 24, lot 23), a conditional use permit application for a reduction in required on-site parking from 27 spaces required 12 spaces provided in the C-1 Zoning District. *Greenman-Pedersen, Inc. for New Hampshire Catholic Charities.***

Nicole Duquette of Greenman-Pederson appeared on behalf of New Hampshire Catholic Charities. Also present was Jeff Nelson from the Liberty House.

Ms. Duquette referred to the street view of the property and advised that the project site is located at the corner of Maple Street and Orange Street and is within the civic institutional district. It has access off of both streets. The existing parking is along Orange Street along the corner and two parking spaces along the Maple Street side. It is currently being used as the Bishop Peterson Residence as a nursing home for priests and office and IT space for New

Hampshire Catholic Charities. Right now the New Hampshire Catholic Charities has a new facility in Windham that they are moving their priests to. They are also moving all the office space that resides in that space to their Windham facility. New Hampshire Catholic Charities was looking for a new use to fit in this property, which is when the Liberty House came into play here. Liberty House currently resides in Manchester on West Baker Street and those facilities will be coming to this location.

Ms. Duquette advised that New Hampshire Catholic Charities and Liberty House are requesting a change of use from nursing home to congregate housing for the Liberty House, which is an organization that focuses on helping homeless and struggling veterans. Most of the improvements on this site are internal. The existing second floor has ten bedrooms for the priests. In the past they have had a maximum of twenty residents in this house for retired priests. Some of the bedrooms were double occupancy and some were single occupancy. That will remain the same today. The only difference is they are adding one additional bedroom to the second floor. She explained there was an office space on the second floor that will no longer be needed so that space will be changed to a bedroom. They will also be adding a communal shower area and a laundry area. The first floor is where New Hampshire Catholic Charities had their offices, dining hall, kitchen and a chapel. The offices are remaining the same. The difference here is the chapel area will be turned into a recreation/game/fitness area for the residents. The dining room and kitchen will stay the same. The 6'x6' addition they are requesting is located at the midlevel entrance to the building and will be a vestibule to allow any guests to enter this area and be greeted by a secretary and allowed entrance in.

Ms. Duquette advised New Hampshire Catholic Charities had thirteen staff members in these offices. The Liberty House does not plan to have that many staff members in their office space. They currently have three full-time employees and two part-time employees and they hope to grow their operations in the future to be able to add two-three additional employees. A lot of the office space may not be used for actual office space by Liberty House; it could be used as a staff room, a place to store their donation material as well as storage rooms for files. The majority of the office space will be empty at this point.

Ms. Duquette advised that a portion of the basement is crawl space so it is unusable and the other portion is storage. There is another section that is currently being used as the IT offices and systems for New Hampshire Catholic Charities will be moving to the Windham facility. Liberty House has asked to use this space as a food and clothing pantry. This space will be run by the resident veterans and will be used only by veterans in the area. It has a separate entrance at the lower level of Maple Street. There will be two clothing bins on the back side of the house for Liberty House itself. Any donations that are made to this food or clothing pantry; any clothing donations that they cannot use or cannot be salvaged will go in those clothing bins and be recycled elsewhere. They are considering this as an accessory use to the congregate housing use on this property. According to the zoning officer the closest use to this would be general sale of goods and that is why it is listed in the description. There will be no exchange of money at this food and clothing pantry so there is no monetary process with this; it is just donating, giving and receiving the donated goods.

Ms. Duquette referred to the site plan and advised there are only a few changes to the exterior

of the property. They will add accessible signs to their existing accessible spaces along Orange Street. There was a minor encroachment to the sidewalk along Orange Street for the four spaces so that will be removed and the curbing will be reset and the sidewalk will be repaired. She pointed out the 6'x6' vestibule along the Orange Street façade. She pointed out the location of the two clothing bins, which are kind of hidden away on the corner of the building. Another improvement they are proposing on this plan is the dumpster relocation. Right now the dumpster sits on the pavement and is not enclosed. The 1995 approved plot plan showed a dumpster being located a little bit further back next to the garage but screened. They are relocating the dumpster, putting it on a pad and enclosing it the way the 1995 plot plan showed it.

With regard to the encroachment to the accessible spaces, Ms. Duquette said the 1995 plan shows this as an approved encroachment on that plan so she asked that they be allowed to keep it as is. One of the reasons why is because if the parking spaces are narrower they will not be ADA compliant. They could drop it down to one space and still may be ADA compliant for the number of accessible spaces but they would be losing one space on this lot.

Ms. Duquette advised another thing they are proposing is to be able to add three flagpoles on the corner of the property. They will be outside of the fifteen foot front setbacks. They probably won't be installed immediately but they want to have approval to construct them in the future. They are not proposing any lighting on them at this time. If that was decided in the future that would have to be approved. They are not requesting any improvements to the lighting elsewhere on this site. It will remain as is.

Ms. Duquette advised staff asked if they could add a tree along the Maple Street side. She said currently there are some more ornamental type trees in the front along Maple Street but they could add another maple tree to the corner along the driveway on Maple Street and that would match with the surrounding properties.

Ms. Duquette advised they are requesting a conditional use for alternative parking within the C-1 district in accordance with Section 10.02(d). Specifically, this request is to allow twelve onsite parking spaces where twenty three are required. Based on the proposed use she believes the reduction in the parking is justified.

Ms. Duquette said they feel, as does Liberty House, that twelve parking spaces are sufficient for this use given that at the most they will have five staff members onsite. Most of the residents that will reside on this property do not have vehicles and some of them do not even have licenses so on average there will probably only be two-three parking spaces being used for that. In addition, they have provided one space for the proposed clothing and food pantry use as well. With the twelve parking spaces they feel it meets the criteria what the building's needs are and maybe exceeding what the building needs for parking spaces. In addition, there are parking spaces along Maple Street that are offsite parking spaces for use for the building as well; however, they do not see this property will need it.

Ms. Duquette advised this will not devalue the abutting properties. The majority of the abutters are New Hampshire Catholic Charities. The property across Maple Street is an apartment building and they have some residences along the rear of the property.

Ms. Duquette stated this use fits the area and, in fact, granting this conditional use would be a benefit to the area because it will reduce the amount of parking spaces that are required today for the current use.

Ms. Duquette advised there will be no changes to the utilities on this property. The dumpster location will be improved as stated.

Ms. Duquette advised they are requesting a waiver from the landscape plan as they are not increasing pavement or changing anything to the parking. They feel the existing landscaping is sufficient for this property with the addition of the one maple tree along Maple Street.

Alderman Long thanked New Hampshire Charities for taking on Liberty House as it is a great organization.

Alderman Long asked about sidewalk repairs. Ms. Duquette advised there is a curbing along Orange Street within the sidewalk they will still have to repair that section of the sidewalk when they remove the curbing. That is all that is proposed.

Ms. Trisciani said this is a great use of this property and she appreciated that they met with the neighborhood to discuss this because that goes a long way when you are changing facilities over like this.

With regard to the pantry as far as people picking up and donations being dropped off, which is a big part of what they do and how they exist, Ms. Trisciani asked if they anticipate a lot of traffic for that. Mr. Nelson said they typically have five to seven community veterans coming in for food or clothing during the day and they expect that may increase slightly. As far as donations, the average is two to three that would come in. The average donation comes in parks and is there for maybe five to ten minutes while they offload. Typically the average donation is two or three garbage bags of clothing, maybe in boxes, but it doesn't take very long and then those folks leave. About eight to ten people traffic wise during the day is what they expect.

With regard to Alderman Long's question regarding zoning nonconformities, Mr. Belanger said the intent of that comment in the staff report was just to let the Board know that although there are zoning nonconformities present on this plan as you look at it for things like the setbacks and the dumpster, those are pre-existing nonconformities and they were not called out as needing any additional relief from the Zoning Board. Although there are some irregularities here, none of that requires ZBA approval.

With regard to Ms. Duquette's comment regarding the sidewalk, Mr. Belanger advised DPW commented that they wanted that curbing brought outside of the right-of-way and there would need to be approval from the Board of Mayor and Aldermen to maintain that. In looking at those two spaces, he saw a median between them. He asked if they could shrink the median and then move the curbing or if it was part of the access aisle. Ms. Duquette advised the access aisle is five feet and she believed that access aisle today is four feet but because it is an existing nonconforming accessible space they are allowed to have it. She said they could go

down to one accessible space but they would need to amend the conditional use permit to allow eleven spaces where twenty three is required. Mr. Belanger advised the Zoning Ordinance would require an eight foot access aisle there. He said they would need to discuss that because he thought DPW would want to see that brought in. Ms. Duquette believed the applicant would be okay with reducing one space; however, the approval for the conditional use permit would have to be amended to eleven spaces instead of the twelve that was presented. Mr. Belanger advised her she could request that.

Regarding the parking, Chairman Harrington asked if they felt they had sufficient parking for visitors. Mr. Nelson said it is their policy not to allow visitors at the house. The residents can visit outside of the house but they cannot have visitors to the house.

With regard to Ms. Duquette advising they may wish to have the flag poles lit at some point, Chairman Harrington asked if they would have to come back before the Board. Ms. Goucher said that should not be a problem. She said staff would work with that so they wouldn't have to worry about going back to the Board for that.

Chairman Harrington turned the hearing over to the public and advised they received some letters of support, which were included in the Board members' packets for review.

Chairman Harrington provided the telephone number and email address the public could use to provide comment. Ms. Bixby and Ms. Nazaka advised that they had not received any voicemails or emails.

Chairman Harrington advised the Board received correspondence in support of this from Ward 2 Alderman Will Stewart and Lucia Carlisle and they will become part of the file.

There were no further comments from the Board.

Chairman Harrington polled the Board if they were comfortable closing this public hearing.

*Rollcall: Lussier, Boyle, Leclerc, Trisciani, O'Donoghue, Long, St. Pierre, Curry, Harrington (unanimous).*

Chairman Harrington advised they had sufficient information to close the public hearing on this application and it will be deliberated at the limited business meeting this evening.

6. **SP2020-007**  
**Property located at 434 Union Street (Tax Map 73, Lot 53), a change of use site plan application to change the use from congregate housing to 11 multi-family units in the R-3 Zoning District. *Keach-Nordstrom Associates, Inc. for New Horizons For NH/Families in Transition (FIT).***

**CU2020-002**  
**Property located at 434 Union Street (Tax Map 73, Lot 53), a conditional use permit application for a reduction in required on-site parking from 16 spaces to 5 spaces provided in the R-3 Zoning District. *Keach-Nordstrom Associates, Inc for New Horizons***

***For NH/Families in Transition (FIT).***

Mr. Boyle recused himself as he has had business dealings with FIT. He advised he has not reviewed any of the plans nor has he taken any positions.

Matt Pedersen of Keach-Nordstrom Associates appeared on behalf of Families in Transition for the change of use application at 434 Union Street. This application was previously before the Board for fourteen congregate housing units. Unfortunately, when Chris Wellington and the group went through the financing process they ran into issues with their financing and having congregate care housing.

Mr. Pedersen advised what has brought them back before the Board tonight was to request to convert this to eleven multi-family standalone units. It will still support the exact same people and the exact same families they were before; they are really just trying to find the best way they can redevelop this site from a financial standpoint and this was one of the options they have. With the individual units now each one has its own kitchenette area and its own bathroom. He believed the bathroom sharing was an issue with some of the financing and the banks in the past with that type of use. Everything on this is still the same as what they proposed before.

Mr. Pedersen said the application tonight has two waiver requests. One is for the application fee of \$300 per unit. They would obviously like to utilize the money to support these families. The second waiver is from the landscape requirement. This is an existing site and there is landscaping on site. They believe that currently it meets the neighborhood that it is sitting in.

With regard to the conditional use permit, Mr. Pedersen said the Board was shown this last time for the fourteen congregate housing units. That required fourteen spaces for it and they showed five. This change of use to a multifamily requires 16.5 spaces. They are still showing the exact same five that was approved last time. The biggest reason for this is, as Families in Transition explained last time, the demographics and the families that these people are looking to help most of them do not have cars. The parking onsite is mostly for staff; the one or two that come to help out or make sure the site is in good shape. Most of these people use public transit. They don't have a great need for the parking onsite. They are really just trying to help a need in the City with some of the families and individuals who may find themselves homeless at this time and need a place to shelter.

Chairman Harrington turned the hearing over to the public and provided the telephone number and email address the public could use to provide comment. Neither Ms. Bixby nor Ms. Nazaka received any voicemails or emails.

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

Chairman Harrington polled the Board if they were comfortable closing this public hearing.

*Rollcall: Lussier, Leclerc, Trisciani, O'Donoghue, Long, St. Pierre, Curry, Harrington.*

*(Recused: Boyle)*

Chairman Harrington advised they had sufficient information to close the public hearing on this application and it will be deliberated at the limited business meeting this evening.

Chairman Harrington closed the April 30, 2020 public hearing of the Manchester Planning Board.

### III. BUSINESS MEETING:

Chairman Harrington called to order the business meeting of the Manchester Planning Board of April 30, 2020.

1. **S2020-004**

**Property located at 605 Old Wellington Road (Tax Map 645A, Lot 6), an application to subdivide a lot of approximately 1.6 acres into three lots of 20,022 SF, 17,954 SF, and 31,887 SF in the R-SM Zoning District. *Granite Engineering for 605 Old Wellington Development, LLC.***

**PDSP2020-001**

**Property located at 605 Old Wellington Road (Tax Map 645A, Lot 6A), an application to construct 5 townhouse units with associated site improvements on a newly subdivided lot totaling 17,954 SF in the R-SM Zoning District. *Granite Engineering for 605 Old Wellington Development, LLC.***

**PDSP2020-002**

**Property located at 605 Old Wellington Road (Tax Map 645A, Lot 6B), an application to construct 8 townhouse units with associated site improvements on a newly subdivided lot totaling 31,887 SF in the R-SM Zoning District. *Granite Engineering for 605 Old Wellington Development, LLC.***

*Alderman Long made a motion to grant the waiver from Section 8.2 of the Subdivision and Site Plan Review Regulations that sidewalks be constructed with vertical granite curbing, which was seconded by Mr. St. Pierre.*

Rollcall: *Boyle, Leclerc, Trisciani, O'Donoghue, Curry, Harrington. (Abstained: Lussier)*

*(Motion Carried)*

Mr. Belanger believed they had ten total members present tonight and only nine people can vote at once. As such, one alternate would not be voting. The Chairman advised that Mr. Kaw-uh would not be voting this evening.

Chairman Harrington advised there was a staff recommendation.

***Alderman Long made a motion to approve S2020-004 per staff recommendation, which was seconded by Mr. O'Donoghue.***

*Boyle, Leclerc, Trisciani, St. Pierre, Curry, Harrington. (Abstained: Lussier)*

***(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 Staff, prior to submitting plans for final approval;
3. The applicant shall obtain all necessary State and Federal approvals, as applicable, prior to final approval;
4. All structures to be removed from the property shall be removed prior to final approval;
5. Note 32 on sheet C2 shall be amended to state, "Trash removal shall be accomplished by a private contractor. The City of Manchester shall not be responsible for trash pickup. Trash shall be stored in dwelling units until trash pickup.";
6. The plan shall contain the following statement signed by the owner: "It is hereby agreed that, as the owner of the property, I will construct the project as approved and as shown on the enclosed set of plans. Further, I agree to maintain the site improvements for the duration of the use";
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 Section 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. Prior to final approval, the applicant shall provide a financial security that is suitable to guarantee the construction of the proposed sidewalk and any other infrastructure in the public right-of-way proposed by the plans submitted for development on lots 6A and 6B. One financial guarantee shall be submitted to account for both lots. The guarantee shall comply with the requirements of Subsection 4.14 of the Manchester Subdivision and Site Plan Regulations;
10. Prior to final approval, the applicant shall submit a draft of an easement deed that

grants the City access to make emergency repairs to private infrastructure that connects to public infrastructure, such as sanitary sewer and storm drainage located outside the public right-of-way. Upon approval by the Department of Public Works and the Planning and Community Development Department, the applicant shall record the deed within 30 days of final approval by the Planning Board;

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 seven paper plan sets to the Planning and Community Development Department;
13. Prior to applying for a certificate of occupancy, a signed and sealed letter from a NH licensed professional engineer shall be submitted to the Planning Staff certifying that the site improvements have been constructed in accordance with the approved plans;
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. Sidewalks consistent with those shown on approved plans for both lots 6A and 6B shall be constructed prior to the issuance of a certificate of occupancy for dwelling units on either lot;
16. The fire impact fee of \$511 per dwelling unit shall be submitted prior to the issuance of a certificate of occupancy;
17. The school impact fee of \$1,104 per dwelling unit shall be submitted prior to the issuance of a certificate of occupancy; and
18. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Section 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.

***Mr. Leclerc made a motion to approve PDSP2020-001 per staff recommendations, which was seconded by Mr. Boyle.***

*Rollcall: Trisciani, O'Donoghue, Long, St. Pierre, Curry, Harrington. (Abstained: Lussier)*

***(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 and Community Development Department, prior to submitting plans for final approval;
  3. The applicant shall obtain all necessary State and Federal approvals, as applicable, prior to final approval;
  4. All structures to be removed from the property shall be removed prior to final approval;
  5. Note 30 on sheet C2 shall be amended to state, “Trash removal shall be accomplished by a private contractor. The City of Manchester shall not be responsible for trash pickup. Trash shall be stored in dwelling units until trash pickup.”
  6. The plan shall contain the following statement signed by the owner: “It is hereby agreed that, as the owner of the property, I will construct the project as approved and as shown on the enclosed set of plans. Further, I agree to maintain the site improvements for the duration of the use;”
  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 Section 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. Prior to final approval, the applicant shall provide a financial security that is suitable to guarantee the construction of the proposed sidewalk and any other infrastructure in the public right-of-way proposed by the plans submitted for development on lots 6A and 6B. One financial guarantee shall be submitted to account for both lots. The guarantee shall comply with the requirements of Subsection 4.14 of the Manchester Subdivision and Site Plan Regulations;
  10. Prior to final approval, the applicant shall submit a draft of an easement deed that grants the City access to make emergency repairs to private infrastructure that connects to public infrastructure, such as sanitary sewer and storm drainage located outside the public right-of-way. Upon approval by the Department of Public Works and the Planning and Community Development Department, the applicant shall record the deed within 30 days of final approval by the Planning Board;
  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 seven paper plan sets to the Planning and Community Development Department;
13. Prior to applying for a certificate of occupancy, a signed and sealed letter from a NH licensed professional engineer shall be submitted to the Planning Staff certifying that the site improvements have been constructed in accordance with the approved plans;
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. Sidewalks consistent with those shown on approved plans for both lots 6A and 6B shall be constructed prior to the issuance of a certificate of occupancy for dwelling units on either lot;
16. The fire impact fee of \$511 per dwelling unit shall be submitted prior to the issuance of a certificate of occupancy;
17. The school impact fee of \$1,104 per dwelling unit shall be submitted prior to the issuance of a certificate of occupancy; and
18. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Section 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.

***Alderman Long made a motion to approve PDSP2020-002 per staff recommendation, which was seconded by Mr. Leclerc.***

*Rollcall: Boyle, Trisciani, O'Donoghue, St. Pierre, Curry, Harrington. (Abstained: Lussier)*

***(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 Staff, prior to submitting plans for final approval;
3. The applicant shall obtain all necessary State and Federal approvals, as applicable,

- prior to final approval;
4. All structures to be removed from the property shall be removed prior to final approval;
  5. Note 32 on sheet C2 shall be amended to state, “Trash removal shall be accomplished by a private contractor. The City of Manchester shall not be responsible for trash pickup. Trash shall be stored in dwelling units until trash pickup.”;
  6. The plan shall contain the following statement signed by the owner: “It is hereby agreed that, as the owner of the property, I will construct the project as approved and as shown on the enclosed set of plans. Further, I agree to maintain the site improvements for the duration of the use”;
  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 Section 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. Prior to final approval, the applicant shall provide a financial security that is suitable to guarantee the construction of the proposed sidewalk and any other infrastructure in the public right-of-way proposed by the plans submitted for development on lots 6A and 6B. One financial guarantee shall be submitted to account for both lots. The guarantee shall comply with the requirements of Subsection 4.14 of the Manchester Subdivision and Site Plan Regulations;
  10. Prior to final approval, the applicant shall submit a draft of an easement deed that grants the City access to make emergency repairs to private infrastructure that connects to public infrastructure, such as sanitary sewer and storm drainage located outside the public right-of-way. Upon approval by the Department of Public Works and the Planning and Community Development Department, the applicant shall record the deed within 30 days of final approval by the Planning Board;
  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 seven paper plan sets to the Planning and Community Development Department;
  13. Prior to applying for a certificate of occupancy, a signed and sealed letter from a NH licensed professional engineer shall be submitted to the Planning Staff certifying that the site improvements have been constructed in accordance with the approved plans;

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. Sidewalks consistent with those shown on approved plans for both lots 6A and 6B shall be constructed prior to the issuance of a certificate of occupancy for dwelling units on either lot;
16. The fire impact fee of \$511 per dwelling unit shall be submitted prior to the issuance of a certificate of occupancy;
17. The school impact fee of \$1,104 per dwelling unit shall be submitted prior to the issuance of a certificate of occupancy; and
18. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Section 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.

2. **CU2020-004**

**Property located at 591 Second Street (Tax Map 332, Lot 8), a conditional use permit application for a reduction in required on-site parking to 0, as no on-site parking available but has utilized 6 striped parking spaces within a portion of Arnold Street with no status in a B-2 Zoning District. *Alan D. Guibord.***

Alderman Long confirmed with Mr. Golden that the conditional use permit did not require a waiver.

Mr. Leclerc asked if lease of the adjacent parking lot was in place. Mr. Golden advised he had a letter from the property manager of Burger King granting permission for those eighteen spaces pending insurance. There is a condition in the staff recommendation for the site plan that there lease agreement for those parking spaces gets recorded so it is real. He did not think that would be a problem with the building owner, but it is covered.

***Alderman Long made a motion to approve CU2020-004, which was seconded by Mr. Leclerc.***

*Rollcall: Lussier, Boyle, Trisciani, O'Donoghue, St. Pierre, Curry, Harrington*

**(Motion Carried)**

**SP2020-003**

**Property located at 591 Second Street (Tax Map 332, Lot 8), a change of use site plan application for the conversion of a former nail salon and supplement store to a 4,000 SF church in the B-2 Zoning District. *Alan D. Guibord.***

***Alderman Long made a motion to grant the waiver from Appendix C for a full requirement***

*of site plan application and traffic study, which was seconded by Mr. Leclerc.*

*Rollcall: Lussier, Boyle, Trisciani, O'Donoghue, St. Pierre, Curry, Harrington*

***(Motion Carried)***

Alderman Long made a motion to approve SP2020-003 per staff recommendations, which was seconded by Mr. Leclerc.

*Rollcall: Lussier, Boyle, Trisciani, O'Donoghue, St. Pierre, Curry, Harrington*

***(Motion Carried)***

Conditions of Approval:

1. Conditional approval shall be valid for one year, during which time all conditions precedent to final approval shall be completed;
2. Any new signage, which must comply with the zoning regulations, shall require a sign permit through the Planning and Community Development Department;
3. All approved building permits for the renovations relating to the proposed tenant shall be secured;
4. The property owner shall submit a copy of the recorded Quiet Title, pending a favorable outcome;
5. Pending full acquisition of the portion of former Arnold Street, the property owner shall submit a plan to staff for any modifications to the existing pavement, and provide legal parking and striping, landscaping, and product display; and
6. 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

3. **SP2020-004**  
**Property located at 303 Belmont Street (Tax Map 129 Lot 10), a change of use site plan application to change the use of medical offices to a limo service in the RDV Zone. Manchester Black Car, LLC.**

Alderman Long advised there was a waiver that needed to be addressed.

***Alderman Long made a motion to grant a waiver from all requirements of plan submissions contained in Appendix C of the Regulations, which was seconded by Mr. Curry.***

*Rollcall: Lussier, Boyle, Leclerc, Trisciani, O'Donoghue, St. Pierre, Harrington*

*(Motion Carried)*

Mr. Long asked if there was a delineation issue with the lot line or was staff okay with running it through staff.

Ms. Nazaka called the Board's attention to recommendation #2 and #4. Recommendation #4 states that the property owner shall restripe the parking lot as represented on the submitted plan, except for the two non-zoning compliant spaces in the rear, which they have agreed to do. She said it sounded like they are going to move forward with that as soon as possible. It was mentioned in the hearing that they are occupying the building but they do not have a valid Certificate of Occupancy so it would be nice to tie those types of things to obtaining a Certificate of Occupancy because it gives staff something tangible to hold against them. She suggested that language in there that says "before issuing a final Certificate of Occupancy" but then add a date certain. Also, with respect to #2, Ms. Nazaka said there seemed to be some inconsistencies with what is zoning compliant for spaces and what the property owner has told the applicant is available for spaces. As such, it might be worth having a further conversation on that since it is so specific.

With respect to #2 and the ten vehicles, Alderman Long thought although the owner said sixteen vehicles he thought he was okay with the ten spaces. Chairman Harrington thought the same thing because it actually is fourteen because he parks potentially two in the driveway and two inside the garage.

Mr. Long inquired about delineation of the lot line. Ms. Nazaka did not think it was specifically mentioned to the applicant a split rail fence, it was just mentioned that some sort of protection be installed. Ms. Trisciani said she would be willing for staff to work something out with them when they get to that appoint.

Mr. Boyle asked for clarification on how many spaces they would be approving. Ms. Nazaka said they want to massage the language a little bit because if they were driving by they are not going to look inside the garage to make sure there are vehicles in there. She thought when they were crafting these recommendations they put ten because one would assume that they wouldn't be parking in the handicap space if they are not handicapped. Mr. Boyle said he understood it was from the 1991 plan.

Mr. Belanger said the Board has the option to designate staff to handle something like this. Alternatively, the State statute envisions that staff has a very limited amount of authority so it is at the end of the day up to the Board; they can designate staff or they could hold this open if it is not possible to come up with a specific recommendation right now.

Chairman Harrington ask is they could just expand #2 a little bit and just say "ten vehicles parked on the north property line and then two in the driveway" and forget about the ones in the garage because that would be hard to enforce anyway. Ms. Nazaka thought that was a good way to handle it. She recommended the recommendation read "There shall be no more than ten vehicles parked along the north property boundary at any time".

*Alderman Long made a motion, which was seconded by Mr. Boyle, to approve SP2020-004, which was seconded by Mr. Boyle, per staff recommendation and the amendment to condition #2 with respect to ten vehicles parked on the north side of the side and allow staff to accommodate to where they see if the handicap spot for additional parking.*

*Rollcall: Lussier, Leclerc, Trisciani, O'Donoghue, St. Pierre, Curry, Harrington*

*(Motion Carried)*

Conditions of Approval:

1. There shall be no sale or rental of motor vehicles including autos and small trucks, motorcycles, and snowmobiles including incidental repair and selling of parts on-site at any time;
  2. There shall be no more than ten (10) vehicles parked along the northern property line at any time;
  3. Vehicles shall not be parked, stored, or otherwise located on landscaping or into the ROW;
  4. Before the issuance of a final certificate of occupancy, the property owner shall restripe the parking lot as represented on the submitted plan except for the two non-zoning compliant spaces in the rear. Additionally, wheelstops or a guardrail of some kind shall be installed along the parking lot so that vehicles cannot overhang or otherwise damage the neighboring property. The applicant shall work with staff to determine an appropriate installation;
  5. 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 Section 4.14 of the Manchester Subdivision and Site Plan Review Regulation, and.
  6. Any new signage shall require a sign permit from the Planning and Community Development Department.
4. **CU2020-005**  
**Property located at 593 Maple Street (tax map 24, lot 23), a conditional use permit application for a reduction in required on-site parking from 27 spaces required 12 spaces provided in the C-1 Zoning District. Greenman-Pedersen, Inc. for New Hampshire Catholic Charities.**

Mr. Belanger said they may want to have a brief discussion about the handicap spaces and their encroachment into the right-of-way because that may affect the number of spaces they wind up approving as part of the conditional use permit. Alderman Long said he wanted a little more explanation of that and what needed to be changed.

Mr. Belanger said Ms. Duquette clarified this evening that he was unclear on prior to tonight and that was their intention to maintain the two handicap spaces with a slight encroachment into the right-of-way. That is contradiction to the DPW recommendation to the Board that the curbing and the little bit of that handicap space be brought within the property boundary and that is going to have a kind of domino effect on the two handicap spaces that are currently on the property. They are, by the Zoning Ordinance, grandfathered there and they are allowed to stay as they are. There are certain requirements both from the Zoning Ordinance and the Federal ADA as to how wide handicap spaces need to be and how wide the access aisle to a handicap space needs to be. As Ms. Duquette stated this evening, she and her client would be willing to reduce the number of handicap spaces from two to one in order to accommodate the eight foot access aisle that is necessary and the eight foot wide handicap space that's necessary. There is about a total of just shy of twenty feet in that area and the access aisle plus one space would total sixteen so there really wouldn't be enough room for that second space. In other words, they would wind up losing a space and go from twelve to eleven. The other avenue to go with that is she could apply to the Board of Mayor and Aldermen to maintain the encroachment into the right-of-way. From the perspective of the Zoning Ordinance that would be acceptable and the spaces would remain grandfathered. It wouldn't impact the ADA at that point, but there would be this encroachment and it would be contrary to what DPW requested the Board do. DPW requested that the Board require that curbing be brought into the property line so there can be adequate room along the sidewalk.

Ms. Trisciani asked if they went down to one space would they still meet the requirement for the ADA parking. Mr. Belanger said they would just need to restripe and make it clear that there is an eight foot wide access aisle and an eight foot wide space, but they have more than enough room to accommodate those. Ms. Trisciani said she would rather see that happen than get rid of the encroachment and clean up the sidewalk than to maintain a space that is not necessary. Chairman Harrington advised the applicant verbally agreed to reduce down to one handicap space.

The Chairman said that changes them also going from twelve parking spaces to eleven spaces, which is what is in the CU. Mr. Belanger said they may just want to think about they're proposed use and the type of clientele they are expecting to have and what Ms. Duquette represented as far as the parking demand that would result from that use.

Chairman Harrington said his thought from what they explained, especially where there are no visitors that actually are allowed to go to the house, that they probably have sufficient parking to accommodate the people that are there. They have been doing this for a long time at a different location so they probably have a pretty handle on their parking requirements.

Mr. Leclerc agreed with the Chairman that they really don't allow visitation anyway and compared to where they are now they will have much more space. They have zero parking now so this will be 1,000 percent better and he didn't think that one parking space will make a difference.

***Alderman Long made a motion to approve CU2020-005 as amended to eleven spaces, which was seconded by Mr. Leclerc.***

*Rollcall: Lussier, Boyle, Trisciani, O'Donoghue, St. Pierre, Curry, Harrington*

*(Motion Carried)*

**SP2020-006**

**Property located at 593 Maple Street (Tax Map 24, Lot 23), a change of use site plan application to change the use of an existing nursing home to congregate housing, a business office, and sale of general goods in the C-1 Zoning District. *Greenman-Pedersen, Inc. for New Hampshire Catholic Charities.***

Mr. Belanger advised there was a waiver request from providing a landscaping plan.

*Alderman Long made a motion to grant the waiver from the requirement of Section 8.3 of the Subdivision and Site Plan Review Regulations to provide a landscape plan prepared by a landscape architect licensed in New Hampshire, which was seconded by Mr. Leclerc.*

*Rollcall: Lussier, Boyle, Trisciani, O'Donoghue, St. Pierre, Curry, Harrington*

*(Motion Carried)*

*Alderman Long made a motion, which was seconded by Mr. Leclerc, to approve SP2020-006 per staff recommendation with moving the curbing and all handicap spaces within the property line thereby reducing the number of handicap spaces from two to one and creating the access aisle.*

Chairman Harrington asked about the lighting of the flagpoles in the future. Mr. Belanger said there is a regulation on the books that they cannot exceed one foot candle when they go beyond their property line to the street. He believed Ms. Goucher's point was they didn't have to come back if they are just going to put lighting on the flagpoles.

Mr. Leclerc asked if it was a requirement for an American flag to be lit. Ms. Trisciani advised if you display a flag at night it does have to be illuminated. Mr. Belanger said it wouldn't hurt to put in a condition of approval that should the flagpoles be illuminated they will comply with the Board's regulations and not exceed one foot candle beyond the property line. Chairman Harrington said he doesn't want them to have to come back before the Board if they are not specific in this approval. Ms. Trisciani thought they should just add the language that should they choose to illuminate the flag they should follow the guidelines. She believes veterans are pretty well versed on flag etiquette.

*Rollcall: Lussier, Boyle, Trisciani, O'Donoghue, St. Pierre, Curry, Harrington*

*(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 and Community Development Department, prior to submitting plans for final approval;
  3. The plan shall contain the following statement signed by the owner, "It is hereby agreed that, as the owner of the property, I will construct the project as approved and as shown on the enclosed set of plans. Further, I agree to maintain the site improvements for the duration of the use;"
  4. 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 Section 4.14 of the Manchester Subdivision and Site Plan Review Regulations."
  5. The plan shall contain a note stating, "All conditions subsequent to approval shall be completed within two years of final approval."
  6. Prior to final approval, the plan shall be amended to show the planting of a deciduous shade tree of at least 3-inch caliper along the property's southerly Maple Street frontage;
  7. Prior to final approval, the plan shall be amended to correct the encroachment in the public right-of-way of a handicapped-parking space and associated curbing. The space and curbing shall be brought within the property line, which will likely result in the reduction from two handicapped-parking spaces to one. The remaining parking space and access aisle shall be striped in accordance with the Manchester Zoning Ordinance and the Americans with Disabilities Act;
  8. All material changes to the approved plan shall be reviewed and approved by the Planning Board at a public hearing;
  9. To submit plans for final approval, the applicant shall submit seven paper plan sets to the Planning and Community Development Department;
  10. 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; and
  11. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Section 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.
5. **CU2020-002**  
**Property located at 434 Union Street (Tax Map 73 Lot 53), a conditional use permit**

**application for a reduction in required on-site parking from 16 spaces to 5 spaces provided in the R-3 Zoning District. *Keach-Nordstrom Associates, Inc. for New Horizons For NH/Families in Transition (FIT)***

Alderman Long asked if the waiver related to the conditional use permit. Ms. Nazaka said the waiver is with the site plan. The CU is just for a reduction in parking.

***Alderman Long made a motion to approve CU2020-002, which was seconded by Ms. Trisciani.***

*Rollcall: Lussier, Leclerc, O'Donoghue, St. Pierre, Curry, Harrington (Abstained: Boyle)*

***(Motion Carried)***

**SP2020-007**

**Property located at 434 Union Street (Tax Map 73 Lot 53), a change of use site plan application to change the use from congregate housing to 11 multi-family units in the R-3 Zoning District. *Keach-Nordstrom Associates, Inc. for New Horizons For NH/Families in Transition (FIT)***

***Alderman Long made a motion, which was seconded by Mr. Leclerc, to grant the waiver from Appendix A, Section IV of the Residential Site Plans and Planned Developments to not pay the application fee of \$3,300 for the conversion into 11 multi-family units.***

Alderman Long said this is the time of year where non-profits are doing their large fundraisers and with the pandemic status we are in they are not able to do that so finances at this time are really running short for these non-profits.

*Rollcall: Lussier, Trisciani, St. Pierre, Curry, Harrington (Opposed: O'Donoghue) (Abstained: Boyle)*

***(Motion Carried)***

***Alderman Long made a motion, which was seconded by Mr. Curry, to grant the waiver from Section 8.3(C) Design Criteria for Site Plans and Planned Developments to not submit a landscape plan.***

*Rollcall: Lussier, Leclerc, Trisciani, O'Donoghue, St. Pierre, Harrington (Abstained: Boyle)*

***(Motion Carried)***

***Mr. Leclerc made a motion to approve SP2020-007 per staff recommendation, which was seconded by Ms. Trisciani.***

*Rollcall: Lussier, O'Donoghue, Long, St. Pierre, Curry, Harrington (Abstained: Boyle)*

***(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 staff, prior to submitting plans for final approval;
3. All material changes to the approved plan, including changes to signage, shall be reviewed and approved by the Planning Board at a public hearing;
4. Prior to a Certificate of Occupancy, a School Impact Fee of \$ \$3,125 per unit shall be paid;
5. Prior to a Certificate of Occupancy, a Residential Fire Impact Fee of \$512per unit shall be paid;
6. The plan shall contain the following statement signed by the owner “It is hereby agreed that, as the owner of the property, I will complete the project as approved and as shown on the enclosed set of plans. Further, I agree to maintain any required site improvements for the duration of the use;”
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 Section 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. To submit plans for final approval, the applicant shall submit seven paper plan sets to the Planning and Community Development Department;
10. 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; and
11. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Section 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;

**IV. ADMINISTRATIVE MATTERS:**

1. **Review and approval of the Planning Board Minutes of January 2, 2020, January 16,**

**2020 and February 6, 2020.**

*Ms. Trisciani made a motion, which was seconded by Alderman Long, to approve the Minutes of January 2, 2020, January 16, 2020, February 6, 2020 and February 20, 2020 with minor corrections.*

*Rollcall: Boyle, Leclerc, O'Donoghue, Curry, Harrington (Abstained: Lussier, St. Pierre)*

*(Motion Carried)*

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

Mr. Belanger believed there are a couple terms that are expiring on the first day of May; Mr. Leclerc and Mr. Lussier. Chairman Harrington said he was terming off as of that day; however, Ms. Goucher advised him that there was a request made to have him hold over.

Chairman Harrington said if it was okay with the Board he was certainly willing to hold over as Chairman at least through the end of May and give another 30 days even though his time is up.

Mr. Leclerc said in talking with Ms. Goucher, because the way his term began he is allowed another three years. If that is the case he would definitely like to stay on the Board. Mr. Belanger advised that Ms. Goucher confirmed that he does have another term and that has been relayed to the Mayor.

Mr. Lussier said he came in after Dan and replaced somebody's term. He has enjoyed his term serving on this Board. He advised he is only able to serve in an alternate capacity but he would be willing to continue on the Board. He said he has enjoyed his time on this Board and thanked the members.

Mr. Belanger said Ms. Goucher was on top of it and she will take care of Mr. Lussier's term as well.

The Board members thanked Chairman Harrington for doing a great job running the virtual meeting.

Ms. Trisciani thanked the staff for going above and beyond to come up with some way for the Board members to still do their jobs in rather unorthodox times.

Mr. Boyle said he works at a State nonprofit, New Hampshire Housing, and they have a Board and staff members and they have done these Zoom meetings as well. He has done that through the staff side and he wanted to commend the staff on what they have done and provided to the Board. He said he hasn't seen a smoother Zoom meeting ever than what they went through tonight and that also goes to the Chairman. He was really amazed and couldn't say enough how proud he is to be a member of this Board.

Chairman Harrington said he is on the Board of Directors of the Manchester Chamber and

they had a Zoom meeting on Tuesday and he brought it up in that meeting just how much he was grateful and complimenting the Planning Board staff for being willing to hold a meeting like this.

Master Plan Update

Ms. Trisciani inquired how this has impacted the Master Plan. Ms. Nazaka said right before all this happened staff received their client draft review of the document and they went forward with setting up meetings with the Think Tank to start reviewing that and then the State went in shut down mode and all meetings were canceled. As such, staff continued to review the document and they decided they will continue their review as staff and provide their comments to help tighten up the document a little bit more and then have a second pass draft that they will then share with the Think Tank and then ultimately share with the public. Unfortunately it did set them back a month or so in their timeline.

Next Hearing

Mr. Golden said they are working on getting the next round of abutter notices out, but they don't have an exact date yet. Ms. Nazaka said it would not be next week.

***Ms. Trisciani made a motion to adjourn, which was seconded by Mr. Leclerc.***

Rollcall: Harrington, O'Donoghue, Curry, Long, St. Pierre, Kaw-uh, Boyle, (Motion Carried)

***(Motion Carried)***

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

APPROVED BY THE PLANNING BOARD: July 16, 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*