

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(PUBLIC HEARING)**

May 27, 1998

5:45 PM

Mayor Wieczorek called the meeting to order.

Mayor Wieczorek called for the Pledge of Allegiance, this function being led by Alderman Girard.

A moment of silent prayer was observed.

The Clerk called the roll. There were thirteen Aldermen present.

Present: Aldermen Wihby, Klock, Reiniger, Sysyn, Clancy, Pinard, Shea,
O'Neil, Girard, Pariseau, Cashin, Thibault, Hirschmann

Absent: Alderman Rivard

Mayor Wieczorek advised that the purpose of the hearing was to hear those wishing to speak in favor of or in opposition to a proposed Ordinance; that the Clerk will present the proposed Ordinance for discussion at which time those wishing to speak in favor will be heard, followed by those wishing to speak in opposition; that anyone wishing to speak must first step to the nearest microphone when recognized and recite his/her name and address in a clear, loud voice for the record; that each person will be given only one opportunity to speak; and any questions must be directed to the Chair.

The Clerk presented the proposed Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district into an area currently zoned I-3 (General Industrial) on portions of two lots on the east side of South Willow Street and south of Huse Road (Map 852 - Lots 28 and 28-1). The expansion would bring the B-2 zone southerly along South Willow Street up to Dexter Shoe and easterly up to the I-2 (Industrial Park) zoning district located approximately 900 feet from South Willow Street.”

Mayor Wieczorek requested that Robert MacKenzie, Director of Planning, make a presentation.

Mr. MacKenzie stated I wanted to give you an idea of where this site was and give you a little bit of the history of this particular project and some of the Board members may remember a rezoning that came to the Board a couple of years ago, this is an extension of that rezoning and

you do have copies of this that was handed out in case you can't see the screen. Generally, to orient you this is South Willow Street from about where the Mall is extending down to the Cohas Brook, Huse Road cuts up from South Willow Street, up past the trailer park and Harvey Industries. Currently, the zoning has B-2 which is a General Business zoning district, it allows most commercial, retail and office uses. B-2 is on the westerly side of South Willow Street down to the brook and along Huse Road up to near the trailer park. A couple of years ago the owner of the property did approach the Board of Mayor and Aldermen to rezone a large parcel of land including about 50 acres to a B-2. There was concern about the traffic impact of a very large commercial project at this location. Generally, as you know traffic problems occur on South Willow Street at the interchange as well as to some extent at the Huse Road, Goffs Falls Road, South Willow Street intersection. As a result of that concern, the ultimate size of that rezoning request which extended much larger was down scaled to an area along Huse Road. The area I'm circling now is the area that was changed...the zoning was changed from I-3 (General Industrial) to a B-2 at that time. Since that time, two projects have been built...the Marriott Hotel as you can see penned in right now has been built and has opened. Beside it also the Antics Restaurant has been built and is open. There also is approved, but not constructed a potential third building on this site which is likely to be a restaurant. As far as I know there is no particular restaurant specifically identified. With this area pretty much built out, the applicant has come back to request the extension of the Business zone to extend further onto his property. The area cross-hatched on your plan is the area requested to be rezoned again from I-3 (General Industrial) to a B-2. Just to orient you a little bit more this building is Dexter Shoe building, directly across the street is NTB Pizzeria Uno is located right here and these long buildings that you can see on the other side of Cohas Brook is mini-warehouses. The particular parcel that they are requesting is about seven acres in size, although not all of that particular site is usable. I'm not sure if you can see it on your plan but there are several lines that are close together. The eastern half or eastern third of the site is within the Great Cohas Swamp and likely not developable. So, roughly the first four acres closest to South Willow Street is a relative flat site and the most developable portion of the area. Now, the proposal is to the Board of Mayor and Aldermen to rezone the property, the applicant has shown in the package that you have some possible or likely developed a convenience store with a gas station, a car wash lubritorium and a muffle shop. Again, they're not asking for approval on those particular ones, I think they're showing that as a likely development; that would have to come to the Planning Board for site plan review. At this point I would be happy to try and answer any questions that the Board might have.

Alderman O'Neil asked, Bob the access would be from South Willow Street no matter what was going there whether it was rezoned or not.

Mr. MacKenzie replied they actually have two main access points. One, right here on Huse Road and there is now a loop road that's started and will connect over to South Willow Street; that will be the main access to the property.

Alderman O'Neil asked would you get on that loop road to access the property or would you turn right off on South Willow's access.

Mr. MacKenzie replied I'm not sure if the curb cuts have been identified. Certainly, with the amount of traffic volumes we would not encourage a direct left-turn in going south on South Willow Street.

Alderman O'Neil stated the loop is an accept road.

Mr. MacKenzie replied yes it is.

Alderman Girard asked has the Planning Board had an opportunity to review this and make any recommendations.

Mr. MacKenzie replied no they haven't. They will be discussing it at their meeting tomorrow night.

Alderman Girard asked do you know whether or not the redraft of the Zoning Ordinance anticipates this action.

Mr. MacKenzie replied the redraft at this point doesn't show any changes in zoning district boundaries. The Master Plan generally, the overall plan for the City shows a potential for commercial development somewhere adjacent to South Willow Street, it doesn't exactly pin down a distance.

Alderman Girard stated this is not inconsistent then with the Master Plan.

Mr. MacKenzie stated certainly the front portion of this zoning may not be inconsistent with the zoning, I can't say right off the bat whether this back area which technically is not too developable given it's a swamp, I can't say that that would be consistent.

Alderman Thibault stated, Bob, I wonder if in the new proposed area what the impact of traffic alone in that area will be. Having to go by there myself many times in business sometimes the traffic is all the way down to Dunkin Donuts of Willow Street, so if we make this a business area also how will this impact the traffic flow in that area and before I say anymore maybe I'm probably going to be more waiting for your recommendation before I would give even my further thoughts on that. But, that certainly has to be...with the Airport expanding the way it is we're going to have to think about what's going to happen to the traffic in that area very shortly because as it is now with all of the changes that have happened it's basically overloaded now and I'm sure that is in Alderman Girard's area but I certainly would want to wait for your

recommendation before I would make any formal discussion on it. I would like to see what your recommendation is going to be based on what I just told you.

Mr. MacKenzie stated I have not seen any updated traffic analysis. Certainly, they would have to provide that to the Planning Board when it came to site plan review, the applicant is here and they may be able to answer some of those questions. We would normally ask for a traffic impact study to determine how many new cars would be created, what's the capacity particularly at this intersection. This is a critical intersection at Goffs Falls/Huse Road and South Willow Street. We don't want to add too much traffic or it reaches what is called a level of service "F" which is a failure.

Alderman Thibault stated I'm looking specifically in that area as to the new bridge that they've just constructed in that area in order to handle the traffic that increased to that level, what is the impact and I hope that the City doesn't put themselves in a position to have to widen that or strengthen that area in whatever way and I'm sure that you would have more on that than we would, but I would have to say that I would have to wait until I get your recommendation before I look at that any further.

Alderman Clancy stated I know we have a set of working lights at Goffs Falls and South Willow, we've got working lights at Harvey Road and South Willow. Now, on your diagram where it says B-2 and where the piece of land that is supposed to be rezoned...you said there is going to be a curb cut or not a curb cut in that area.

Mr. MacKenzie replied there is one approved for the entire property, it was originally approved for a right-turn in only and a right-turn out only. I'm not sure what they might be proposing.

Alderman Clancy stated you know that Pizzeria they exit onto Goffs Falls Road and South Willow Street, right.

Mr. MacKenzie replied that is correct; that would be the ideal that we would shoot for.

Alderman Clancy stated that should be the ideal thing for them to do too, if they get the approval.

Mr. MacKenzie stated they do have a large access point here between the Marriott and Antics that would be good access into the entire site and you can access it from all directions. This because of the traffic volume on South Willow Street might be more limited as to the access, the number of turning movements.

Alderman Pariseau stated with the shrinkage of industrial land available in the City would the Planning Department really recommend that this industrial land be converted to B-2.

Mr. MacKenzie stated I did speak with Jay Taylor the Industrial Agent for the City today and we've talked about this particular site for a number of years. Both of us are concerned about the long-term loss of industrial land and protecting the ability to access into major industrial areas like the Airport Industrial Park which is south of here. We have some key manufacturers from PolyTech, PolyVac, Sanima and others down there that we have to keep access to. Generally, we have encouraged in the past that you have some physical boundary that you don't cross with commercial development and we still believe that there should be no additional major commercial development certainly south of Cohas Brook and you can see that here on the map. Once you start developing commercial past that it's starts a domino effect that could go all the way to the Londonderry Town line. So, this site is zoned Industrial and I know that in the past the Industrial Agent has been concerned about loss of industrial land, but it is to some extent surrounded by other commercial properties.

Alderman Girard asked, Mr. MacKenzie, to follow-up on Alderman Pariseau's question does that land as it's zoned now have any practical industrial development use or value. Is it the type of place where you could put a manufacturing plant or warehouse or any of the other things that would be allowable under the zoning and would it fit with the development that has taken place in the area.

Mr. MacKenzie replied you do have a major manufacturing facility here at Harvey Industries, they manufacture various building products and they like that particular location, so I couldn't rule out the use of that lot for industrial purposes. I would anticipate though that with other commercial uses around it the property owner would anticipate a higher return if it was commercial versus industrial.

Alderman Pariseau asked is Dexter Shoe in the I-2 zone and it was granted a variance.

Mr. MacKenzie replied yes, Alderman, it was.

Mayor Wiczorek called for those wishing to speak in favor of.

Attorney Peter Rotch, McLane Law Firm, Manchester, NH, stated:

I'm here representing the property owner and the potential user of this site. We have requested this change of zone from the I-3 to the B-2 to be consistent with the other property in the vicinity. Mr. MacKenzie has explained the history of it, I have another mark-up that makes the use of the property, the current use more obvious in fact of the entire parcel which is a remaining I-3 parcel. Only a small portion will be used for any use because of the location of the access road off South Willow which goes from South Willow to Huse Road. As you can see that comes about halfway through this I-3 parcel. So, to answer the question of could this be used as industrial use, we don't think we're taking...we have enough acreage for any industrial use. I think we are all aware of the removal of industrial property, but the area in the light green to the wetlands is really a commercial use and that is why we are asking for the change to the B-2. Might call it spot zoning in reverse, we're bringing this back into the B-2 consistent with this area and I would like to just emphasize...I think the legitimate concerns of when this was not developed of getting large retail use have now been alleviated because these are open developments, this approval really locks up this site and we're talking about putting in commercial use in there, I think that's a logical use of the site. There was a lot of emphasis on the traffic, we had preliminary meetings with the Planning staff concerning the site plan. The second thing and the last thing the Planning staff said we're going to have to have a traffic study, they're were going to have to assure us before any development goes in that there is no adverse impact on the traffic. You can be proud of the Planning staff but it's been traffic, traffic, traffic and we certainly have that hurdle of getting the site plan review. This is the first step to doing it, we think it's a logical change and consistent with the Master Plan and the layout of the property there.

Mayor Wieczorek called for those wishing to speak in opposition to. There were none.

Mayor Wieczorek advised that all wishing to speak having been heard, the testimony presented would be referred to the Committee on Bills on Second Reading to be taken under advisement with reports to be made to the Board of Mayor and Aldermen at a later date.

There being no further business to come before the special meeting, on motion of Alderman Girard, duly seconded by Alderman Cashin, it was voted to adjourn.

A True Record. Attest.

City Clerk