

May 6, 2008

Tabled Items



CITY OF MANCHESTER

Office of the City Clerk



Carol A. Johnson
City Clerk

Matthew Normand
Deputy City Clerk

BOARD OF MAYOR & ALDERMEN

DATE: 02/19/2008

February 15, 2008

ON MOTION OF ALD. Lopez

SECONDED BY ALD. Domaingue

The Honorable
Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101

VOTED TO

Table

CITY CLERK

Re: Update on City Clerk Office activities

Honorable Members:

Given discussion at the last meeting of the Board, I felt it prudent to provide you with an update regarding the office activities and staffing. There are many functions and activities within the office that are currently not being undertaken or drastically falling behind. As you are aware, the office is substantially understaffed.

Items presently being impacted include the following:

- Agendas (incomplete, late or lacking information)
- Minutes (not completed)
- Follow up correspondence (couple meetings behind)
- Official recording of documents & minutes (months behind)
- Traffic regulations recording (about one year behind)
- Duplicate & deleted voters clean up – about 3,000 pending and climbing
- Voter history (incomplete)
- UWAC HAVA voters – not being entered for next cycle
- Voter registration filing – (incomplete since November 2007)
- Cash receipts – not being entered on system
- Alarm permits (not being issued though collecting money
– past due billing 6 months behind)
- Business Licenses – (minimal inspections being conducted – no retail follow up)
- NET TEAM (little to no follow up at present)
- Dog license (renewals not in process)
- Business licenses (renewals not in process)
- Work piles – beginning to interfere with productivity
- Budget for FY2009 and current analysis cannot be completed
- Future planning and upcoming needs for the elections are not being addressed.
- Voter registration (over 4,000 yet to enter)

Board of Mayor and Aldermen
February 15, 2008
Page 2

While, I am pleased to announce that we have filled one Administrative Assistant III position who will officially join our staff on March 3rd, the listing of items will continue to grow until all positions are filled. Revenues, which offset positions, will not be realized this year, and all customer service areas will and are now being impacted. We will do our best to continue to service our customer base, including the Board, and meet the statutory obligations we can. If necessary we will adjust the hours of service provided at the counter.

Mayor Guinta and I met on February 11th and two positions of the five approved by the Board on February 5th have now been released for advertising. (Admin. Asst. II and Vital Records/Leg. Supervisor). One position is anticipated to be filled from within. The supervisory position is currently posted within the department, awaiting outside advertising. I have requested of Mr. Thomas that any vacant positions resulting through transfer be advertised immediately. The remaining positions are being held.

On two occasions I have requested that the Mayor address our shortfalls within salary, as we are presently anticipating a shortfall of at least \$60,000 presuming we continue to await filling these positions. If this shortfall is not addressed through salary adjustment, I would request the Board transfer funds from another account to cover our overages.

Staff have now been requested to work overtime in attempts to meet the most critical needs. This action will have a serious impact our salary line budget while providing only a minor solution to the overall problems. We continue to employ some election workers to assist.

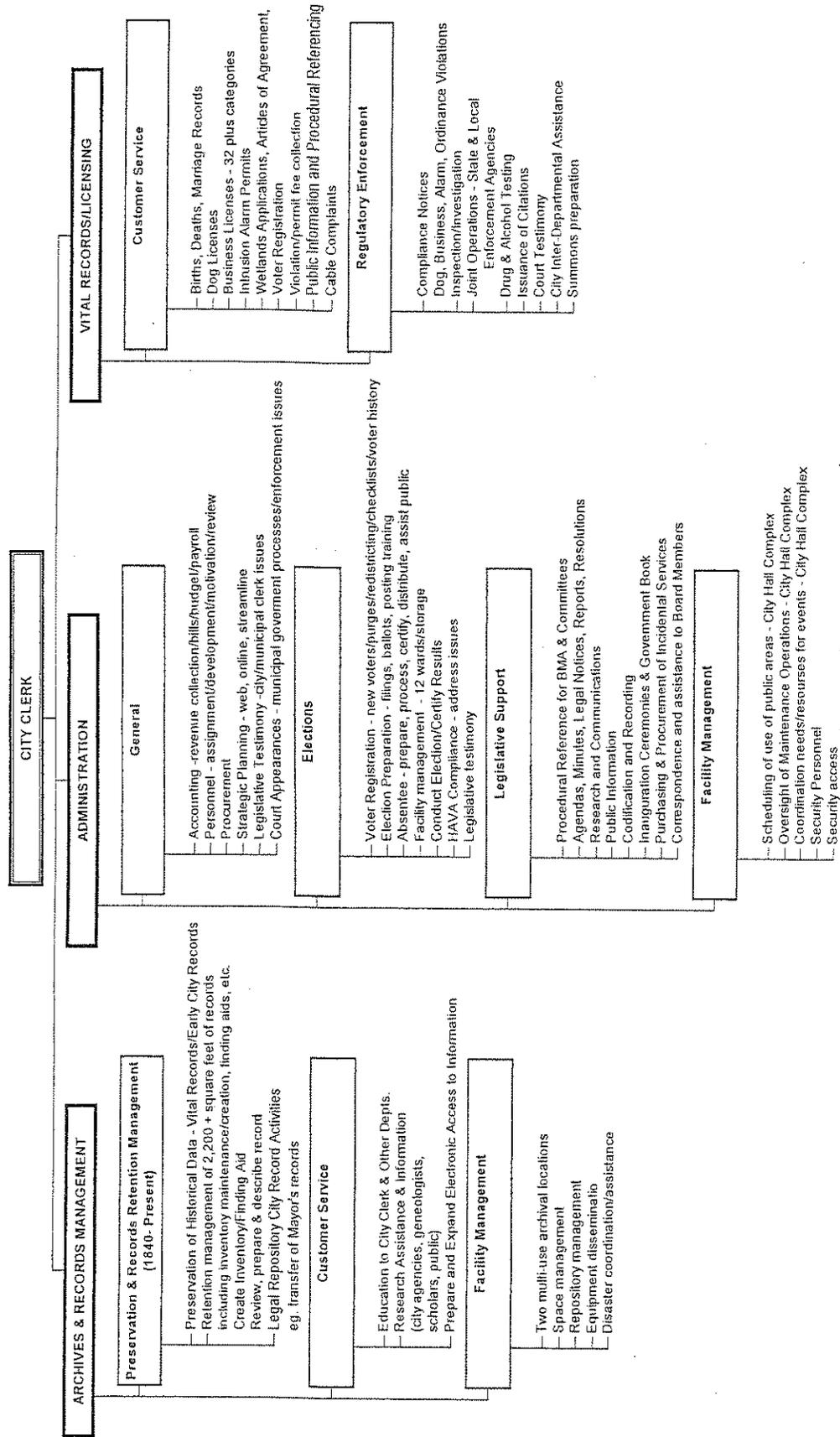
I will be present at the meeting to answer any questions the Board may have regarding these matters. For your reference, I have enclosed a copy of the functional activity breakout of our department and the most recent organizational chart adopted by the Board.

Sincerely,



Carol A. Johnson
City Clerk

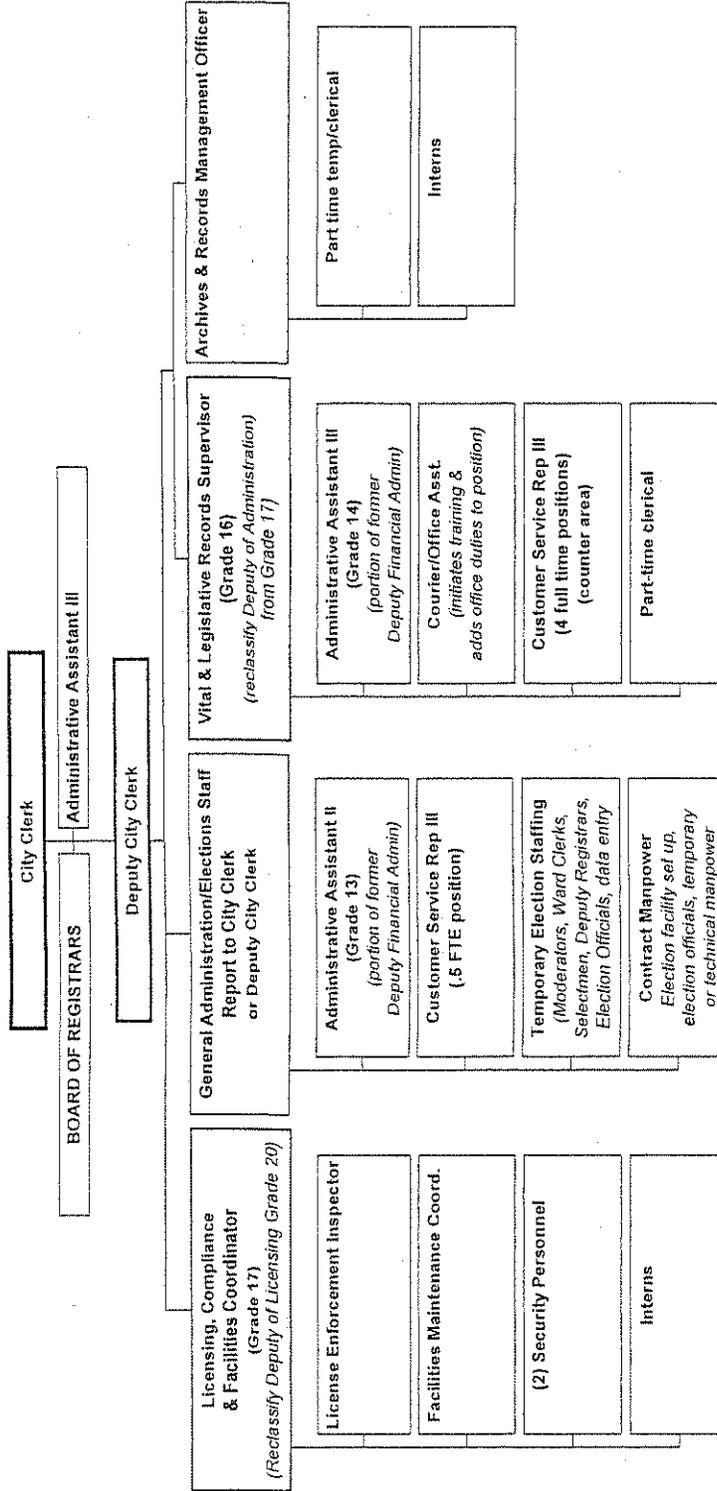
OFFICE OF THE CITY CLERK FUNCTIONS, PROGRAMS AND ACTIVITIES



23-3

Office of City Clerk

PROPOSED ORGANIZATIONAL PLAN - January 23, 2008



23-4

To the Board of Mayor and Aldermen of the City of Manchester:

The Majority of the Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

be denied at this time.

The Committee notes that the business owner should work with the neighborhood and may return with a petition after addressing issue as noted in a communication from Alderman Garrity enclosed herein.

(Aldermen Garrity, Pinard and Duval in favor. Aldermen Lopez and Gatsas opposed.)

~~IN BOARD OF MAYOR & ALDERMEN~~

DATE: June 5, 2007

ON MOTION OF ALD. Lopez

SECONDED BY ALD. Forest

VOTED TO table.

S. R. Bernier
~~CITY CLERK~~

Respectfully submitted,

[Signature]
Clerk of Committee
[Signature]

To the Board of Mayor and Aldermen of the City of Manchester:

The undersigned, being in the minority vote of the Committee on Bills on Second Reading respectfully recommend, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

ought to pass.

The minority advises that the proposed zoning, in its opinion, is consistent with the highest and best use of the property and that neighborhood concerns can be best addressed through the development process at the Planning Board level, therefore, that such rezoning should be considered subject to the Planning Board approving any plans for development of the property.

Respectfully submitted,


Alderman Mike Lopez

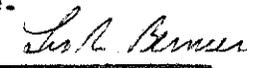
IN BOARD OF MAYOR & ALDERMEN

DATE: June 5, 2007

ON MOTION OF ALD. Lopez

SECONDED BY ALD. Forest

VOTED TO table.


CITY CLERK

City of Manchester New Hampshire

In the year Two Thousand and Seven

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION I. Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of Parkview Street, said point being on the zone boundary line between the B-2 (General Business) zone district and the R-1B (Residential One Family) zone district, and being approximately 115 ft. easterly of the centerline of South Lincoln Street, prior to this amendment;

Thence, easterly along the centerline of Parkview Street, for a distance of approximately 130 ft. to a point;

Thence, southerly along the property line of TM 381/47, and TM 381/46, extended, for a distance of approximately 162 ft. to a point;

Thence, westerly along the property line of TM 381/47, and TM 381/49 for a distance of approximately 30 ft. to a point;

Thence, northwesterly along the zone boundary line between the B-2 (General Business) zone district and the R-1B (Residential One Family) zone district, prior to this amendment, a distance of approximately 190 ft., to a point, said point being the point of beginning.

Said description to include a portion of TM 381/47 consisting of approximately 10,280 square feet of private land, to be rezoned from R-1B (Residential One Family) to B-2 (General Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

Craig, Deachman & Gowie, PLLC

ATTORNEYS AT LAW
Since 1929

84 Bay Street
Manchester NH 03104
Phone 603•669•3970
Phone 603•665•9111
Fax 603•296•2289

William H. Craig
James W. Craig
W. John Deachman
Marc van Zanten

April 17, 2007

Leo R. Bernier, Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

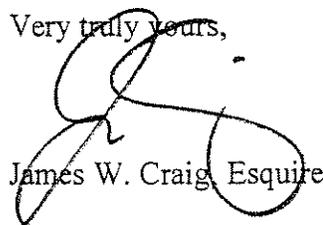
Re: Frederick H. Nixon, Jr.
466 So. Willow Street, Manchester, New Hampshire

Dear Mr. Bernier:

Enclosed herein please find an original Proposed Zoning Amendment which we are filing on behalf of Mr. Nixon regarding the above-referenced matter. Please also find enclosed our check in the amount of \$300.00 to cover filing fees for same.

Thank you for your attention to this matter.

Very truly yours,



James W. Craig, Esquire

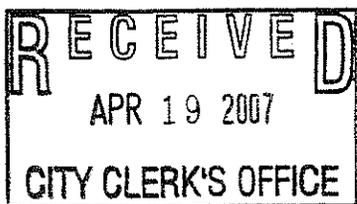
JWC/jlb
Enclosure

cc: Frederick H. Nixon, Jr.

May 15, 2007.
In Board of Mayor and Aldermen.

On motion of Alderman Smith, duly seconded by Alderman Thibault, it was voted to refer to the Cmte. on Bills on Second Reading and refer to public hearing on June 4, 2007 at 6:30 PM.

Leo R. Bernier
City Clerk



20-2

BOARD OF ADJUSTMENT

CITY OF MANCHESTER, NH

IN RE: 466 SO. WILLOW STREET, MANCHESTER, NH

PROPOSED ZONING AMENDMENT

OWNER: Frederick H. Nixon, Jr.

1. Property Description

The property at issue is located at 466 So. Willow Street in Manchester, New Hampshire. It is Map 381, Lot 47 on the Manchester Tax Map (TAB A) located at the intersection of So. Lincoln Street at Parkview Street. It is currently leased to Auto-Torium of 1313 Hooksett Road, Hooksett, New Hampshire. The entire lot is used as a car dealership.

2. Statement of Purpose

The Nixon lot has been used for years as an automobile dealership. The front portion of the lot, closest to So. Willow Street, is zoned B-2 (General Business District) which is a permitted use. The rear of the lot (in yellow) (TAB B) is zoned R-1B (Neighborhood) in which the use is not permitted. It is the intention of this proposal to have the City of Manchester extend the B-2 Zone to include all of Tax Map 381, Lot 47. We have also attached a Proposed site Plan for your information. (TAB C).

3. Property Tax Map

The property Tax Map indicates the Nixon Lot (381-47) and demonstrates how the lot is bisected by the current zoning layout.

4. Impact of Proposed Amendment

The Nixon lot has been used as an auto dealership since the 1960's. Since that time South Willow Street has developed into the premier retail/wholesale area in the City. The Nixon lot fronts upon So. Willow Street. Hertz Rental abuts the lot. Directly across So. Willow Street are commercial uses such as Dynatune Batteries Plus, Payday and U-Haul. Directly off of So. Willow Street and behind the Nixon lot are residential neighborhoods on Parkview Street and Doris Street. This is a classic case where commercial uses abut residential neighborhoods but since this has been the case since the 1960's and there will be no change in use, there should be no impact on existing adjacent neighborhoods.

5. Impact on City

Since this is a minor change in the zoning ordinance and since it is being requested to accommodate a long existing use, there should be no impact upon the City's economy, environment, municipal services or facilities.

6. Abutters

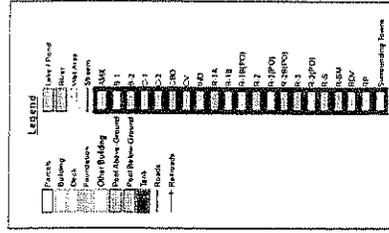
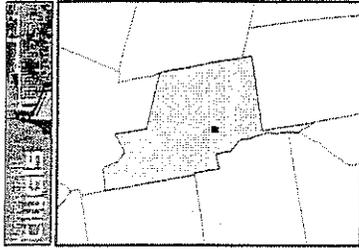
See attached list

7. Fee attached

\$300.00 Enclosed.

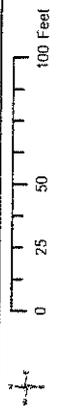
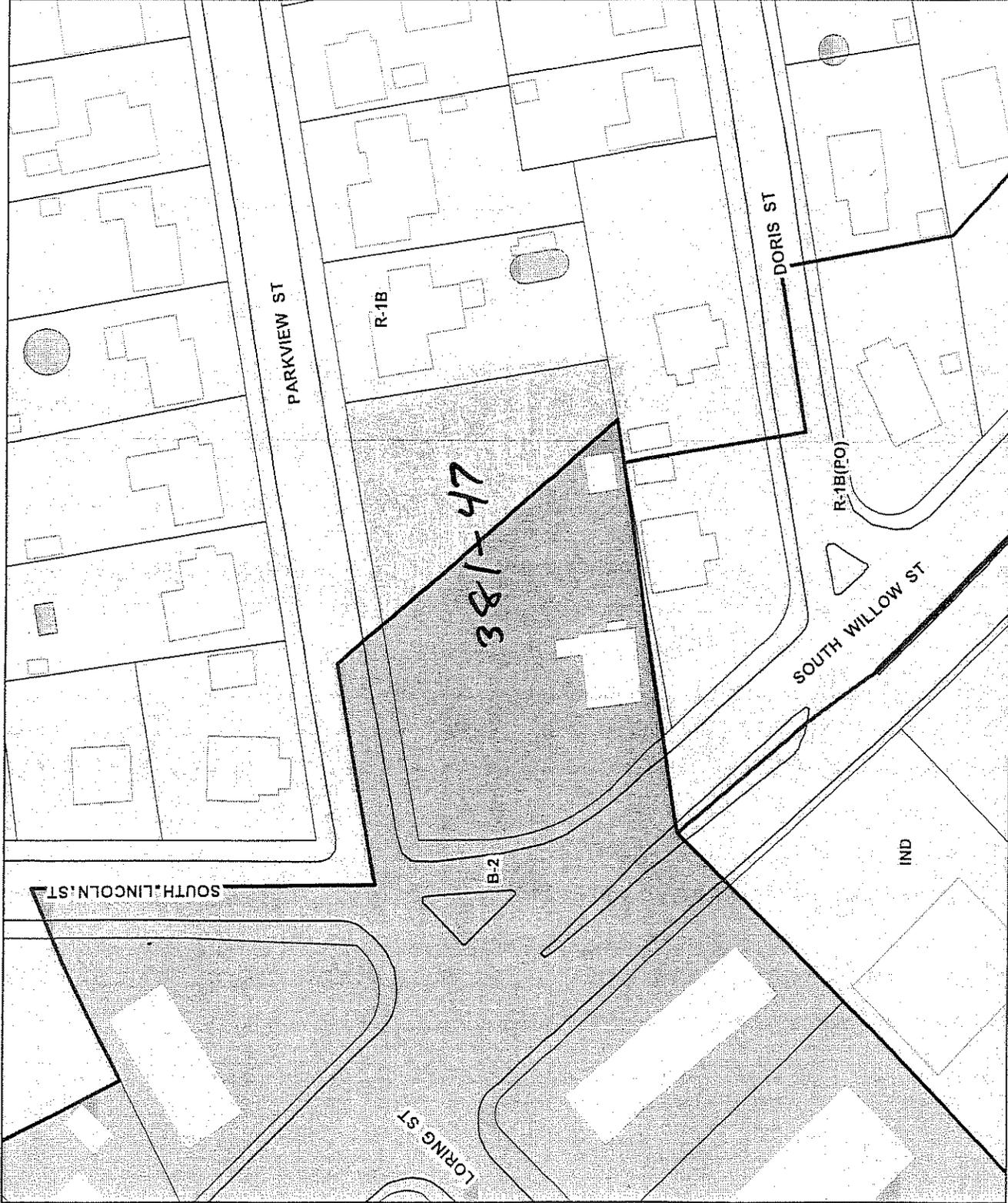
LIST OF ABUTTERS

- 446 So. Willow Street – Bradford Oil Co., Inc. – Lot 437-3
469 So. Willow Street – Charles Zoulias – Lot 437-1L, 1K
476 So. Willow Street – Theodore Katsarakes – Lot 381-48
428 So. Willow Street – Donald W. York – Lot 381-21
264 So. Lincoln Street – Dora Hitchen – Lot 381-33
24 Parkview Street – Thomas Stanley, Jr. – Lot 381-34
34 Parkview Street – Phyllis P. Kline – Lot 381-35
42 Parkview Street – Richard K. Provencher – Lot 381-36
41 Parkview Street - Jennifer L. Jones – Lot 381-46
24 Doris Street – Victoria Engheben – Lot 381-49



DISCLAIMER

The information appearing on this map is for the convenience of the user and is not an official public record of the City of Manchester, New Hampshire. It is provided as a public utility only. All boundaries, assessments, areas, maps, etc., appearing on this map should only be considered approximate, and as such have no official or legal value. The City assumes no responsibility for any errors or omissions concerning the information for any particular use. The City assumes no liability whatsoever associated with the use or misuse of this information. The official public records from which this information was compiled are kept in the offices of various City, County, and State government agencies and are available for inspection and copying during normal business hours. By using this map, you agree to these terms and conditions.



City of Manchester, New Hampshire - CityGIS Map Print

25-8



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

May 11, 2007

Mr. Leo Bernier
City Clerk
One City Hall Plaza
Manchester, NH 03101

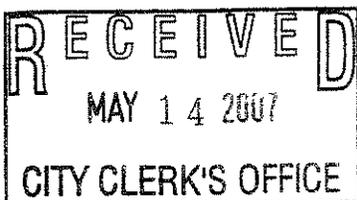
Re: Technical Review for Rezoning Petition – 466 South Willow Street

Dear Mr. Bernier:

In accordance with the policy on rezoning requests, the following information is provided in consideration of a rezoning request filed by the owner's counsel for property at 466 South Willow Street, known as Tax Map 381/Lot 47. The subject parcel is located on the southeasterly corner of South Willow Street and Parkview Street. The front portion of the lot is zoned *General Business (B-2)*, while the rear portion is zoned *Residential (R-1B)*. The applicant is requesting that the rear portion of the site be rezoned to *B-2*, consistent with the front portion of the site.

The entire parcel is approximately 32,700 SF, with more than half of the parcel in the *B-2* zoning district. The parcel has been used as an auto dealership since the 1960's, although the use of the rear portion of the site has been limited because it is zoned residential, not business. While the front portion of the site is adjacent to, and across from, business and industrial uses, the rear portion of the site proposed for rezoning abuts residences on both Parkview Street and Doris Street.

While the future land use map of the 1993 Master Plan for the City of Manchester indicates residentially zoned parcels on the easterly side of South Willow, southerly towards the area of Jobin Drive, many of these parcels are now developed with commercial uses either through variance action or rezoning. As with all rezoning requests that propose the extension of a commercial zone further into a residential zone, the issue that needs to be addressed is the impact of additional commercial activity on the adjacent residential parcels.



One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

25-10

From a technical perspective, the petition to rezone the rear portion of the parcel at 466 South Willow Street may be forwarded to the Board of Mayor and Aldermen for their consideration and for a public hearing. Consistent with the policy for rezoning petitions, I am forwarding a copy of this report and the petition to the Planning Board, the Building Department and the Office of the City Solicitor for their comment.

The Planning Director or I will be available to answer any questions that the Board may have.

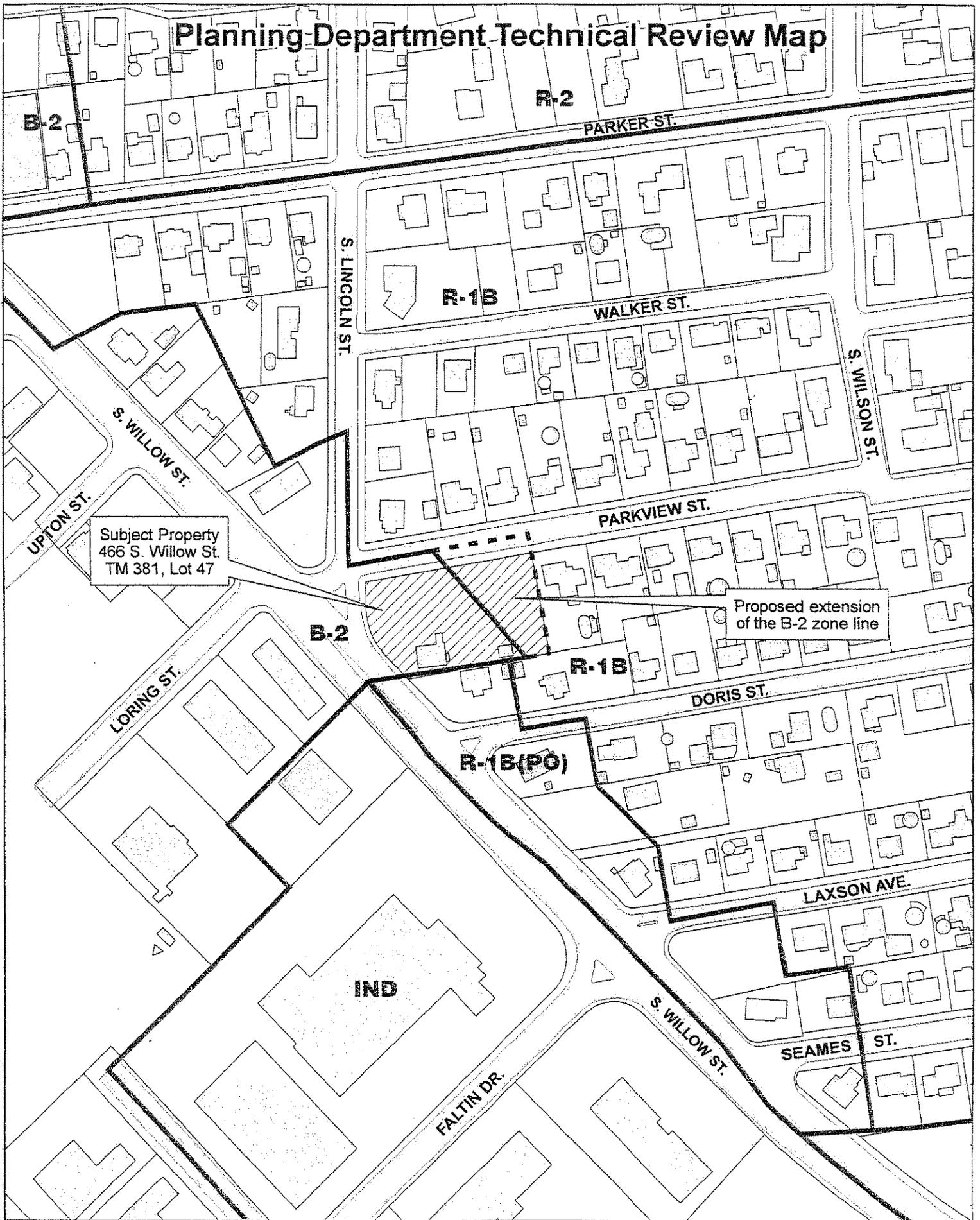
Respectfully submitted,



Pamela H. Goucher, AICP
Deputy Planning Director

C: Planning Board
Building Department
Office of the City Solicitor

Planning Department Technical Review Map



Subject Property
466 S. Willow St.
TM 381, Lot 47

Proposed extension
of the B-2 zone line

1. This map was prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on May 14, 2007.

0 25 50 100 150 200 Feet



25-12



CITY OF MANCHESTER

Planning and Community Development



Robert S. MacKenzie, AICP
Director

Planning
Community Improvement Program
Growth Management

Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

May 30, 2007

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Planning Board Comments on rezoning requests: 116 South Main Street; 316 & 322 South Main Street and 466 South Willow Street*

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the Planning Board has reviewed the above three rezoning requests and would like to offer the following comments:

116 South Main Street: The Planning Board, while recognizing that the property is split by the zoning boundary had some concerns about the potential impact of business activities on the backyards of residential properties on Walker Street (and perhaps the adjacent Piscataquog Trail). The Board would suggest that should the Board of Mayor and Aldermen wish to approve this request, that either the proposed Business zoning line be pulled back 25 feet from the residential properties on Walker Street or the BMA require the project to come to the Planning Board for site plan review so that an appropriate buffer and screening be implemented.

316 & 322 South Main Street: The Planning Board believes that these lots may be more appropriately zoned B-1 as requested. They also believed that the Board of Mayor and Aldermen may, at some point, want to consider rezoning the entire section of South Main Street from these properties down to Woodbury Avenue.

466 South Willow Street: The Planning Board again recognizes that the zone line crosses the property and makes a portion of the lot unusable. They did question the possible impact on adjacent residential properties, however. As in 116 South Main Street, the Planning Board suggests that should the Board of Mayor and Aldermen wish to approve this request, the BMA require the project to come to the Planning Board for site plan review so that an appropriate buffer and screening be implemented to protect the adjacent residential properties.

I will be available at your next meeting if you have any questions.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

C: Planning Board Chairman

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

25-13



CITY OF MANCHESTER

Board of Aldermen



June 5, 2007

The Honorable Jerome Duval, Chairman
Committee on Bills on Second Reading
One City Hall Plaza
Manchester, NH 03101

Re: "Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot."

Dear Mr. Chairman and Committee Members:

Based on the history and testimony from neighbors in the area at last evening's rezoning public hearing regarding the above petition I wish to note to following for the Committee's consideration.

This particular property has been a source of neighborhood complaints for many, many years. It would be my recommendation that improvements be made to the lot as it should have been many years ago! Once such improvements have been made we will be able to get feedback from the neighborhood residents. But, at this time considering the emotional testimony presented last evening let's not further destroy the quality of life in the neighborhood.

As their Aldermanic representative I, therefore, would strongly **recommend denial** of this petition for rezoning at this current time. Your favorable consideration of my request is greatly appreciated.

Sincerely,

Michael D. Garrity
Alderman - Ward 9

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot."

May 15 2007

In Board of Mayor and Aldermen.

Read a first time and

*Rep. to BOR
D + AN*

6-4-07 *PA held*
6-5-07 *BOR - Majority Rpt - deny
Minority Rpt - OK
Table both*
6-5-07 *BMA - Reports*

_____ City Clerk.

05-15

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

IN BOARD OF MAYOR & ALDERMEN

DATE: September 5, 2006

ON MOTION OF ALD. Garrity

SECONDED BY ALD. Smith

VOTED TO table.


CITY CLERK

Respectfully submitted,



Clerk of Committee

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, and 875-16.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. “Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (General Industrial/Industrial Park) located on Gold Street including Tax Map 875, Lots 14, 15, and 16, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Gold Street and John E. Devine Drive extended, said point being on the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, approximately 965 ft. to a point;

Thence, southerly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 570 ft. to a point;

Thence, southwesterly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 1,075 ft. to a point;

Thence, northwesterly generally along the centerline of the former Lawrence Branch of the Boston and Maine Railroad, a distance of approximately 1,090 ft. to a point, said point being the zone boundary line of the R-1B (Residential One-Family) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the new zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, after this amendment, a distance of approximately 515 ft. to a point, said point also being the point of beginning.

Said description to include TM 875, Lot 14, Lot 15, and Lot 16 consisting of approximately 19.43 acres of private land, to be rezoned from IND (General Industrial/Industrial Park) to B-2 (General Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

25-17

DEVINE
MILLIMET

ATTORNEYS AT LAW

By Hand Delivery

SUSAN V. DUPREY
603.695.8505
SDUPREY@DEVINEMILLIMET.COM

June 19, 2006

Office of the City Clerk
One City Hall
Manchester, NH 03101-2097

RE: GFI Gold Street, LLC - Petition for Rezoning

Dear Sir or Madam:

Enclosed please find a Petition for rezoning parcels Map 875, Lot 15 and Map 875, Lot 16. Also enclosed is our check in the amount \$300.00. Our office represents GFI, which requests this rezoning.

Please feel free to contact me should you have any questions regarding this matter or if additional information is required. Thank you.

Very truly yours,



Susan V. Duprey

SVD:ml

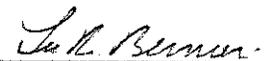
Enclosures

JAWDOX\DOCS\CLIENTS\16717\76570\M0875840.DOC

July 11, 2006.

In Board of Mayor and Aldermen.

On motion of Alderman Garrity, duly seconded by Alderman Forest, it was voted to refer the petition for rezoning to a Public Hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall and further to authorize execution of agreements enclosed subject to the review and approval of the City Solicitor.



City Clerk

25-18

STATE OF NEW HAMPSHIRE
CITY OF MANCHESTER

GFI GOLD STREET, LLC

PETITION FOR REZONING

NOW COMES the Petitioner, GFI Gold Street, LLC, by and through its attorneys, Devine, Millimet & Branch, Professional Association, and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to change the zone of and amend the Zoning Map regarding 2 parcels of land, one of which is located at 725 Gold Street and the other of which is near Gold Street, County of Hillsborough, City of Manchester and identified as Map 875 Lot 15 and Map 875 Lot 16 in the tax records for the City of Manchester. In support thereof, Petitioner states as follows:

1. GFI Gold Street, LLC is the owner of record of that parcel of land located at 725 Street and identified as Map 875 Lot 15 in the tax records of the City of Manchester (Property 1). Property 1 is approximately 15.178 acres in size and was formerly the site of Associated Grocers which has since relocated. Property 1 is currently zoned Industrial.

2. Ashkars Children's Limited Liability Company and John N. Ashkars own a parcel near Gold Street which has no building situate on it and abuts Property 1 which land is identified as Map 875 Lot 16 in the tax records of the City of Manchester ("Property 2"). Property 2 is approximately 36,864 square feet in size and is also zoned Industrial. Property 2 is subject to a purchase agreement in favor of GFI Gold Street, LLC.

3. The Petitioner, GFI Gold Street, LLC, for itself as owner of Property 1 and as agent for the owners of Property 2, seeks to change the zoning classification of Property 1 and Property 2 from Industrial to B-2 in order to locate a retailer on Property 1 and Property 2.

4. A copy of the tax map showing Property 1 and Property 2 as situated in the Industrial Zone and the zoning designations for the surrounding properties is attached is Exhibit A.

5. It is believed that the change of zone will have little impact on the surrounding area in that much of the surrounding area was either zoned B-2, has been rezoned from

Industrial to B-2 or variances have been granted to allow uses permitted in the B-2 zone. Changing the zone to B-2 will reduce heavy truck traffic in the area as Property 1 is now used as a 24 hour per day trucking terminal. Plans are being prepared to help address and to generally improve conditions on Gold Street.

6. This proposed change will have a substantial positive tax revenue impact for the City of Manchester and will have no effect on the environment as Property 1 is already developed for an industrial use. There will be no impact on municipal services or facilities.

7. The names, addresses, tax map numbers and lot numbers of all abutting property owners and all properties on the opposite side of the street from Property 1 and Property 2 are attached as Exhibit B.

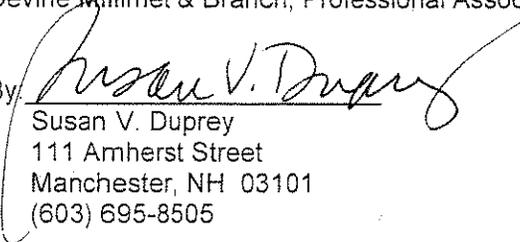
8. A metes and bounds description of Property 1 and Property 2 is attached as Exhibit C.

9. The Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the zone for Property 1 and Property 2 from Industrial to B-2 and to amend the Zoning Map to reflect this change.

Respectfully submitted,

GFI Gold Street, LLC
By its Attorneys,
Devine Millimet & Branch, Professional Association

By


Susan V. Duprey
111 Amherst Street
Manchester, NH 03101
(603) 695-8505

Dated: June 19, 2006

25-00

Exhibit C

Legal Description for Lot 875-15, located at 725 Gold Street, Manchester:

A certain tract or parcel of land with the buildings thereon, situate in Manchester, Hillsborough County, State of New Hampshire, being Lot 875-15 on Plan # _____, entitled "ALTA/ACSM Land Title Survey, 725 Gold Street in Manchester, New Hampshire (Hillsborough County), dated December 22, 2005, prepared by BSC Group, more particularly bounded and described as follows:

Beginning at a point on the northeasterly corner of the Lot on the southerly line of Gold Street; thence

1. South $9^{\circ} 17' 43''$ East, a distance of 80.15 feet to a concrete bound found; thence
2. South $09^{\circ} 76' 53''$ East, a distance of 488.15 feet by the westerly side of Lot 875-14; to an iron pipe at the southeasterly corner of the lot; thence
3. South $64^{\circ} 53' 52''$ West, a distance of 310.73 feet by the northerly line of the Interstate Highway 293 to an iron pipe; thence
4. South $82^{\circ} 28' 33''$ West, a distance of 517.33 feet by the northerly line of Lot 875-16 to an iron pipe at the southeasterly corner of the premises; thence
5. North $32^{\circ} 51' 25''$ West, a distance of 21.90 feet to an iron pipe; thence
6. North $08^{\circ} 01' 16''$ West, a distance of 19.62 feet to an iron pipe; thence
7. North $32^{\circ} 51' 25''$ West, a distance of 714.62 feet by the easterly side of the rail road tracks to an iron pipe at the northwest corner of the premises on the southerly line of Gold Street; thence
8. North $80^{\circ} 33' 28''$ East, a distance of 305.63 feet by the southerly line of Gold Street to an iron pipe; thence
9. North $80^{\circ} 16' 28''$ East, a distance of 586.18 feet by the southerly line of Gold Street to an iron pipe; thence
10. Curving in a southeasterly direction with a radius of 399.80 feet, along the southerly line of Gold Street, a distance of 230.44 feet to the point of beginning.

Containing 15.178 Acres, more or less.

Legal Description for Lot 875-16, located on Gold Street, Manchester:

A certain Tract or parcel of land, situated in Manchester, bounded and described as follows:

Beginning at a point on the southwest corner of the premises north of the Interstate Highway 293, thence

1. North $32^{\circ} 51' 25''$ West along said Manchester-Lawrence Railroad for a distance of 157.68 feet, more or less to an iron post set at land of Associated Grocers; thence
2. South $82^{\circ} 28'$ East for a distance of 517.33 feet, more or less to the interstate Highway 293; thence
3. South $64^{\circ} 53' 52''$ West for a distance of 471.90, along said Interstate Highway 293 to the point of beginning.

J:\wdox\docs\clients\16717\76570\M0869436.DOC

RECEIVED
MANCHESTER CITY CLERK

Ashkar Children's Trust Limited Liability Company
Mrs. Georgette Ashkar, Managing Member
8180 East Quincy Avenue
Cherry Hills Village, CO 80111
(303) 796-8128

Mr. John Ashkar
29 Fairmount Drive
Danbury, CT 06811
(203) 792-4963
JUN 20 12:21

June 19, 2006

The Board of Mayor and Aldermen
of the City of Manchester
One City Hall
Manchester, NH 03101-2097

Re: Authorization to Pursue Rezoning

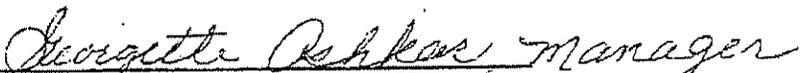
To Whom It May Concern:

We, the undersigned, being the owners of the real property sometimes referred to as Map 875, Lot 16, located near Gold Street in Manchester, New Hampshire, hereby grant our authority to GFI Gold Street, LLC, to take any and all actions required or deemed necessary to re-zone the property from "Industrial" to "B 2".

Thank you for your attention to this matter, and if you have any questions please contact our counsel, Susan Perkins of Perkins Ruschena, LLC, at (303) 779-8100.

Sincerely,

Ashkar Children's Trust Limited Liability
Company


By: Georgette Ashkar, Managing Member


By: John Ashkar



CITY OF MANCHESTER

Planning and Community Development



Robert S. MacKenzie, AICP
Director

Planning
Community Improvement Program
Growth Management

Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 28, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Technical Review, Rezoning Petition – Gold Street*

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by the owner of one property and agent for a second property on Gold Street (including two lots: Lot 875-15 and 875-16). The subject parcels are located on the south side of Gold Street east of the former Lawrence Rail Branch. The first property is 15.2 acres currently containing the Associated Grocers Building and the second is .85 acres in size that is vacant. The subject properties are currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to General Business (*B-2*).

Presently, while the parcels are adjacent to a B-2 on one side, the rezoning action would create one parcel that would be zoned IND and surrounded by B-2. As this could be considered spot zoning, we would recommend that the parcel at 835 Gold Street (Lot 875-14; 3.42 acres) also be considered by the Board for rezoning from IND to B-2. In the 1993 Master Plan for the City of Manchester, this area was identified as Industrial land use although the plan also recognized that extension of the business zone into areas of industrial zone was likely and that certain precautions should be taken. The key precaution from the Master Plan as it relates to this rezoning request states "...the proposed district should be evaluated to insure that possible projects will not encourage additional traffic impacts upon residential areas..." The applicants, working with the City, have devised a traffic calming plan to mitigate impacts on Gold Street and Sewall Street which may be considered by the Board of Mayor and Aldermen.

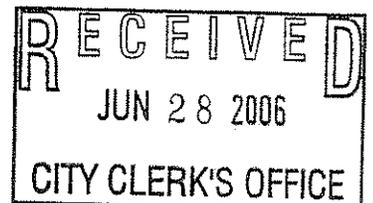
From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment.

I will be available for any questions that the Board may have.

Sincerely,

Robert S. MacKenzie, AICP
Planning Director

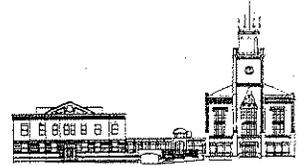
C: Planning Board
Office of the City Solicitor
Building Department
Economic Development Office
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





CITY OF MANCHESTER

Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Gold Street

Honorable Board Members:

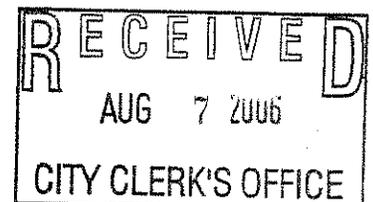
This to recommend the extension of the B-2 Zoning District to encompass the former Associated Grocer's Site, 725 Gold Street and an adjacent parcel. The proposed redevelopment of the Associated Grocers site into a new Home Depot store is projected to cost over \$21,000,000 and generate \$193,000 in new property tax revenue to the City annually. In addition the project will allow Home Depot to expand in the City of Manchester, rather than relocating out-of-town. The existing space leased by Home Depot is in great demand by quality national retailers and will be redeveloped in short order.

In addition GFI/Home Depot development venture is contributing \$4,000,000 to the Gold Street Improvement Project. This project will widen and/or bypass narrow portions of Gold Street and improve and signalize neighborhood street intersections resulting in improved traffic flow, increased safety, curbside visitor parking, sidewalks and landscaping. This improvement to Gold Street will enable the City to entertain additional retail zoning requests near the Associated Grocer/Home Depot site which could generate significant additional investment and new property tax revenue while reducing industrial traffic truck traffic in the area. Based on acreage and lot coverage projections, the City could realize as much as \$184,000 in additional new property tax revenue from future adjacent retail development. In addition, the City could negotiate to recover a portion of the City's Gold Street improvement costs from future developers.

The Gold Street site is adjacent to the growing and successful South Willow Street retail district in close proximity to residential neighborhoods. Industrial truck traffic is incompatible with consumer and neighborhood traffic automobile. In my recommendation that the highest and best use of this site is retail, not industrial.

Sincerely,

Paul J. Borek
Economic Development Director

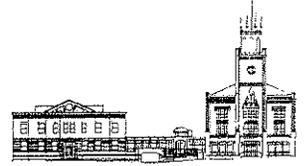


25-26



CITY OF MANCHESTER

Manchester Economic Development Office



August 18, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Subject: Gold Street Improvement Project

Dear Members of the Board:

This is to inform you that Home Depot has notified developer GFI Partners that it will remain at its existing site, and not relocate to the Associated Grocers site. The City, however, remains in a strong position, able to seek the involvement of another retailer with much of the current plan in tact.

At present, the Manchester Economic Development Office (MEDO) and the Mayor's Office are in direct contact with other retailers interested in the City of Manchester. We are confident that other users will value the highly visible and accessible site.

As for other integral pieces of the project:

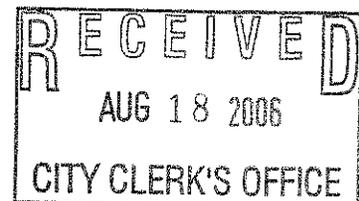
- The Manchester Diocese has been contacted and discussions are ongoing regarding these recent developments.
- GFI has up to an 18-month window to extend the purchase contracts with homeowners to perform the rerouting of Gold Street as proposed.
- Having made a considerable investment in the site, GFI is moving aggressively in concert with the City to identify and select other users.
- Alderman Garrity has informed me that he intends to postpone the vote to rezone the site scheduled for the September 5, 2006 meeting of the Board of Mayor and Aldermen.

We will keep you informed as this project develops. In the meantime, should you have any questions, please don't hesitate to visit the office or contact me at 624.6505 or on my cell phone at 854.0004.

Sincerely,

Paul J. Borek
Economic Development Director

Cc: Mayor Frank Guinta





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.. City

City of Manchester
Office of the City Solicitor

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6523 Fax (603) 624-6528
TTY: 1-800-735-2964
Email: solicitor@ManchesterNH.gov

Thomas R. Clark
City Solicitor

Thomas I. Arnold, III
Deputy City Solicitor

Daniel D. Muller, Jr.
Michele A. Battaglia
Gregory T. Muller
Michael A. Beausoleil

August 18, 2006

Frank C. Guinta, Mayor
One City Hall Plaza
Manchester, New Hampshire 03101

Re: **Gold Street Project**

Dear Frank:

This letter is in response to your e-mail request that I provide you with a written opinion as to whether the City has any exposure or liability on account of Home Depot withdrawing from the Gold Street project.

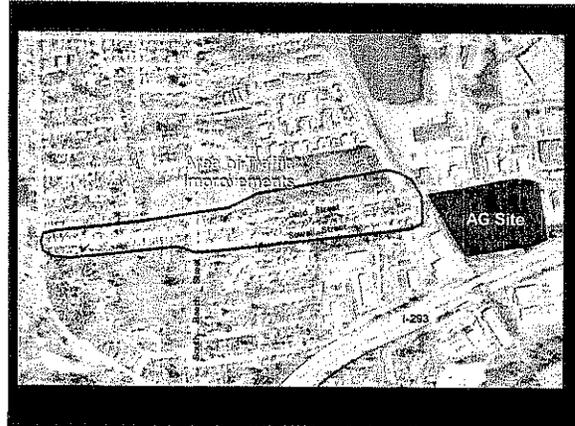
The Board of Mayor and Aldermen authorized and the City signed two (2) agreements with respect to the Gold Street project. One agreement was with the developer, GFI Gold Street, LLC. ("GFI") Pursuant to this agreement once the City rezoned the Associated Grocers lot (Tax Map 875, Lots 15 and 16) from Industrial to B-2, issued site plan approval as well any permits and variances necessary and Home Depot was to acquire all other necessary permits and approvals, the developer was obligated to transfer to the City numerous property deeds and easements as well as One Million Two Hundred Sixty-One Thousand Dollars (\$1,261,000.00). As the City did not obligate itself to rezone or issue permits and as the developer is no longer willing to transfer to the City all of the necessary deeds and easements the City does not have exposure or liability under this agreement. I would note that I do not believe that the developer has signed this agreement.

The second agreement was with the Roman Catholic Bishop of Manchester. This agreement provides that upon rezoning of a portion of Tax Map 691, Lot 143-1 and upon funding commitments required by the City's agreement with GFI, St. Anne-St. Augustine Parish will convey property to the City for the New Gold Street. As the City did not obligate itself to rezone Tax Map 691, Lot 143-1 and as the GFI funding obligations will not be fulfilled the City does not have exposure or liability under the agreement with the Roman Catholic Bishop of Manchester.

RECEIVED
18 2006
K'S OFFICE

26-28

Gold Street Improvement Project



Background

- Ongoing & Increasing Traffic Problems for 20-25 years
- Retail Variances Led to South Willow Retail Development
- Congestion Drove Traffic to Alternate Routes: Gold Street
- 5,000 - 7,500 Vehicles per Day
- No Visitor Parking

Narrow Right-of-Way



Dangerous Intersection



Poorly Aligned Intersection



Solutions Attempted in Past

- Dead-Ending Gold & Seawall Streets Prohibited Neighborhood Access (without alternative routes)
- Original Home Depot Project Mandated Sidewalk Construction, but Eliminated Visitor/Street Parking
- Traffic Volume and Problems Increase

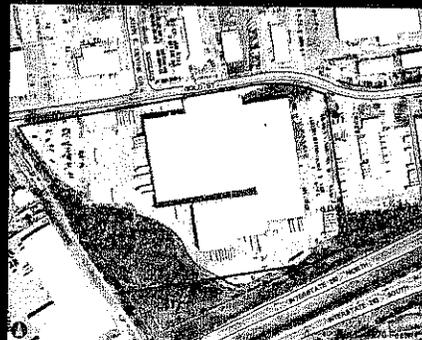
GFI Partners (Beginning Spring, 2005)

- Acquired Associated Grocers Site
- Requested B-2 Zoning
- Alderman Garrity / Mayor Guinta / Mayor Baines: "Not Until Gold Street Traffic Solution is Designed/Approved"
- 15 Months of Studies, Analysis, Discussions & Meetings

Associated Grocers Building



Associated Grocers Site



Alternative Solutions (Jun. - Oct, 2005)

- GFI's Transportation Engineers Proposed Alternatives
 - Frontage Road (along I-93)
 - Alternative Routes
 - Dead-End Street
 - One-Way Streets
- Not Feasible

Proposed Plan:

- Re-Route (By-Pass) Eastern Portion of Gold Street on 60-Foot ROW Through Diocese Property (from Bradley St. to 390 Gold St.)
- Cross-Over/Return to Gold St. - Acquire 2 Homes (374 & 390 Gold St.)
- Widen Remaining Portion of Gold Street (335 Gold St. to South Beech St./Acquire 5 Homes (335 to 233 Gold Street))
- Construct Sidewalks & On-Street Visitor Parking on Existing Gold St. & By-Pass

Proposed Plan (Continued)

- Install/Manage Traffic Signals & Align Intersection to Improve Safety at Gold & South Beech Streets
- Install Traffic Calming Measures on the West Side
- Dead-End East Gold St. & Sewall Street with aesthetically-pleasing treatment.
- Reviewed by Planning, Highways, Traffic, Fire & Police

Homeowner Meetings

(Nov., 2005-Jun., 2006)

- Describe Retail Project and By-Pass/Roadway Improvements
- Discuss Permitting and Review Process
- Developer (GFI) Presents Purchase Offers
- 7(of 8) Homeowners Committed

Diocese of Manchester

(April/May, 2006)

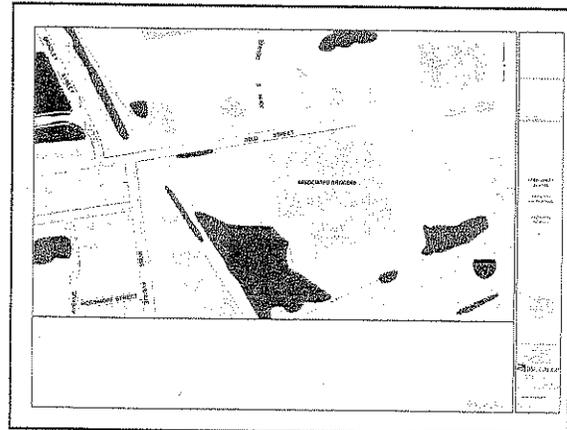
- City Proposes to Construct Gold Street By-Pass on Diocese Site
- Diocese to Contribute Gold Street By-Pass Right-Of-Way
- Diocese Agrees to Request Single Family Zoning South of New Gold Street By-Pass (Complimenting Existing Gold St. Homes)
- Diocese to Request Medium Density Residential (Townhome) Zoning North of New Gold Street By-Pass (Compliment Adjacent Zoning to North)

Specifications of Gold Street Improvement Project

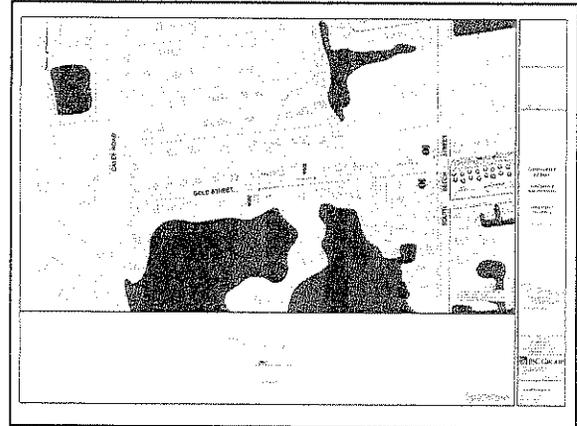
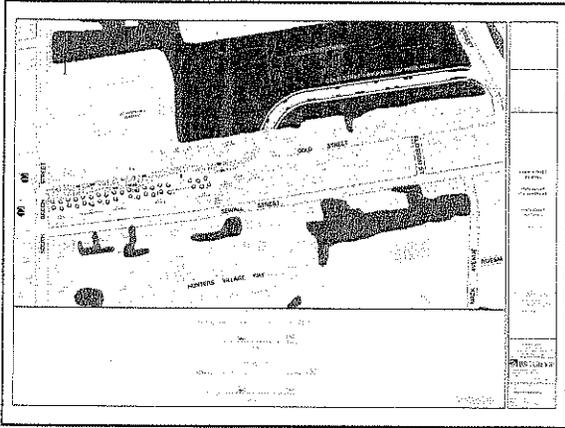
- 60-Foot City Standard Right-Of-Way
- Parking on Both Sides of Street
- Curves to Slow Traffic
- Traffic Signal and Intersection Alignment to Increase Safety at Gold & South Beech Sts.
- One-Way and Traffic Calming Measures on Gold, West of Beech Street
- Dead-End Gold & Sewall Sts. At Bradley

Advantages of Gold Street Improvement Project

- **Increased Safety** (Road Width, Traffic Signals, Traffic Calming/Reduced Speed, Intersection Alignment)
- **Enhanced Quality of Life** (Visitor Parking, Sidewalks, Landscaping, Architecturally Designed Dead-End Plazas)



25-31

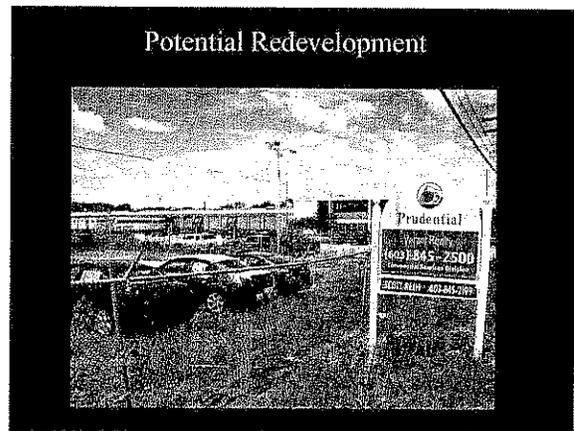


Economic Impact (Associated Grocers Site)

Current Valuation (Industrial)	\$ 7,622,000
Projected Valuation (Retail)	\$21,000,000
Current Annual Tax Revenue (Industrial)	\$ 125,777
Projected Annual Tax Revenue (Retail)	\$ 346,500
Net Increase Commercial Tax Revenue	\$ 220,723
Less Displaced Residential	\$ 27,429
Net Increase Total Annual Tax Revenue	\$ 193,294

Economic Impact (If Adjacent Parcels Are Redeveloped as B2)

	Assoc. Grocers/ Home Depot	Adjacent Parcels	Total
Current Valuation (Industrial)	\$ 7,622,000	\$ 8,299,600	\$ 15,921,599
Projected Valuation (Retail)	\$21,000,000	\$19,506,258	\$ 40,506,258
Current Industrial Tax Revenue	\$ 125,777	\$ 136,943	\$ 262,721
Projected Retail Tax Revenue	\$ 346,500	\$ 321,853	\$ 668,353
Net Increase Commercial Tax Revenue	\$ 220,723	\$ 184,909	\$ 405,632
Less Displaced Residential	\$ 27,429	\$	\$ 27,429
Net Increase Total Revenue	\$ 193,294	\$ 184,909	\$ 378,202



05-32

Gold Street Improvement Project

Cost

Acquisitions	\$2,400,000
Gold Street Construction	<u>2,300,000</u>
Total	\$4,700,000

Sources

GFI Partners	\$4,000,000
Approved CIP Road Reconstruction (FY 2007)	<u>700,000</u>
Total	\$4,700,000

Participants

- Gold and Sewall Street Home Owners
- Manchester Diocese
- GFI Partners
- City of Manchester/Mayor Guinta/Mayor Baines

Implementation Actions

- Extend B-2 Zoning to AG Site
- Extend Single Family & Townhome Zoning to Manchester Diocese Site
- Accept Donation of Right-of-Way from Diocese for Gold St. By-Pass
- Accept \$4,000,000 contribution from GFI to Re-Route and Reconstruct Gold St. (\$2.8M in Acquired Property, \$1.2M in Cash)

Review, Hearing & Permitting Process

- | | |
|--|--------------|
| • BMA Referral
(Zoning Extension, Property Transfer, Road Construction Contribution) | July 11 |
| • Public Hearing (Zoning Extension) | August 7 |
| • Traffic Committee: Property Transfer, Rights-of-Way, Easements, Construction Cost Contribution | TBD |
| • Planning Board Hearing | TBD |
| • Bills on Second Reading | August 14/15 |
| • BMA Meeting | September 5 |

Acknowledgements

- Attorney Susan Duprey, Devine Millimet
- Steve Goodman, GFI Partners
- Bob LaRochelle, Andover Strategic Alliances
- Paul Harrington, Manchester Diocese
- Mayor Baines
- Mayor Guinta
- City Staff

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

IN BOARD OF MAYOR & ALDERMEN

DATE: September 5, 2006

ON MOTION OF ALD. Garrity

SECONDED BY ALD. Smith

VOTED TO table.


CITY CLERK

Respectfully submitted,



Clerk of Committee

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin’s Cemetery”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin’s Cemetery and being more particularly bounded and described as follows:

Beginning at a point at the centerline of Bradley Street at a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1), said point being on the zone boundary line of the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment;

Thence, westerly across the Right of Way of Bradley Street and continuing along the northerly boundary of said property of the Diocese of Manchester TM 691-143-1, said line also being the zone boundary line between the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment, approximately 1206 ft. to a point;

Said point being the end of the northerly boundary of the Diocese of Manchester TM 691-143-1, and at the intersection with the following properties: TM 691-143, TM 691-135, TM 691-136 and TM 691-15A;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 285.94 ft. to a point;

Thence, easterly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 295.71 ft. to a point;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of approximately 130 ft. to a point, said point being on the edge of the proposed Right of Way of the Gold Street Bypass;

Thence, easterly across the Right of Way of the Gold Street Bypass to the centerline of said Bypass a distance of approximately 30 feet to a point;

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin’s Cemetery”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Thence, northeasterly and easterly along the centerline of the Right of Way of the Gold Street Bypass as extended to the centerline of Bradley Street a distance of approximately 1,017 feet to a point;

Thence northerly along the centerline of Bradley Street to a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (TM 691-143-1) a distance of approximately 324 feet to a point, said point also being the point of beginning.

Said description meaning to include a portion of property of the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1) consisting of approximately 8.1 acres of private land, to be rezoned from the R-1B (Single-family) zoning district to the R-3 (Urban Multi-family) zoning district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.



CITY OF MANCHESTER

Planning and Community Development



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

Robert S. MacKenzie, AICP
Director

Planning
Community Improvement Program
Growth Management

July 20, 2006

Honorable Board of Mayor and Aldermen
City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

re: Rezoning of Diocese Property behind Gold Street

Honorable Board Members:

This is to submit a request for rezoning for a portion of the Diocese Property adjacent to the proposed Gold Street Bypass from a single-family district (R-1B) to a multi-family district (R-3). The agreement that the Board recently acted upon called upon the City to initiate this rezoning. The Diocese has offered to donate the land necessary to create the new Gold Street Bypass as part of an overall plan to mitigate traffic in the area.

As this rezoning and the subsequent dedication of street area is necessary to complete the traffic improvements, it may be appropriate for the Board to time the final action on the rezoning of the Associated Grocers site with the rezoning of the Diocese property to insure that the creation of the Bypass is feasible.

From a technical standpoint, the Diocese rezoning is an extension of an existing multi-family zoning district and there are no other specific issues to preclude the rezoning to proceed to public hearing.

If you have any questions, I will be available at your next meeting.

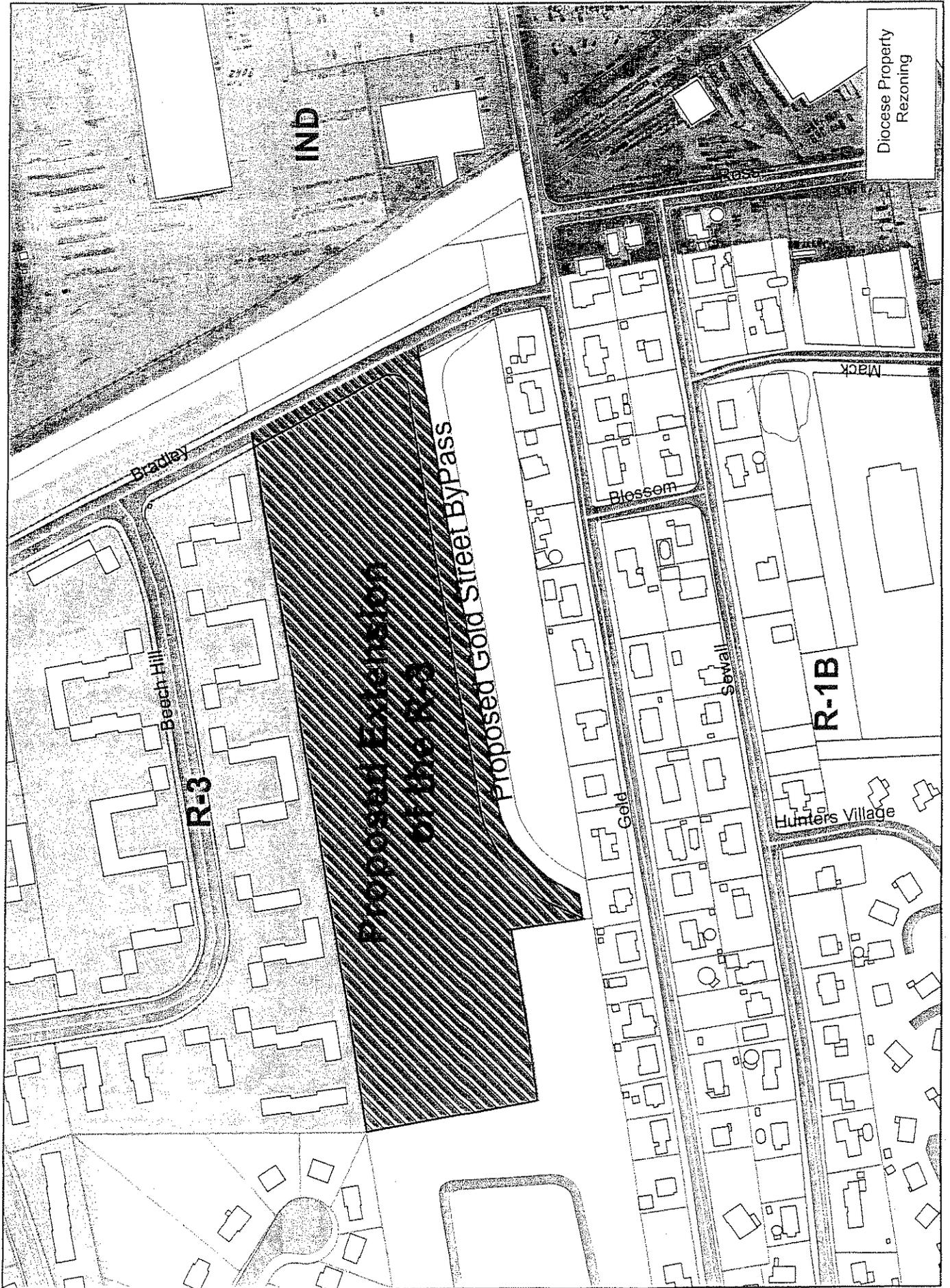
Sincerely,

Robert S. MacKenzie, AICP
Director of Planning & Community Development

C: Planning Board
Building Department
Brad Cook
Tom Arnold
Paul Borek

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

26-3

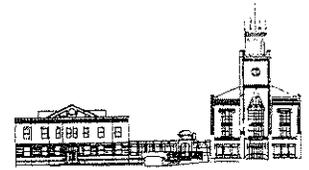


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CITY OF MANCHESTER

Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Diocese Property Behind Gold Street

Honorable Board Members:

This is to recommend that the R-3 Zoning be extended south to encompass a 9-acre parcel created by the Manchester Diocese donation of right-of-way for the proposed Gold Street Bypass. The remaining Diocese property, between the new Gold Street Bypass and existing single family homes will retain single family zoning allowing for a compatible buffer between existing homes and the proposed Bypass.

By donating the requested right-of-way, the Manchester Diocese enabled the City of Manchester, with the generous assistance of Home Depot, to solve a decades old traffic problem in the Gold Street neighborhood. Without the Diocese donation of right-of-way, further redevelopment of the Gold Street would be prohibited. Doing so allows Home Depot to expand, create new property tax revenue and allows other retailers to expand in or relocate to adjacent parcels the City of Manchester.

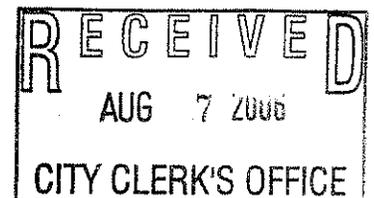
The Global Economic Development Strategy prepared by AngelouEconomics recommends that the City of Manchester “promote diverse housing that is affordable for local workers”, noting the following excerpt from the National League of Cities (<http://www.nlc.org>):

Local governments are responsible to their residents for maintaining communities where their people can live, work, enjoy recreational activities, and access services. Affordable housing, comprehensive community development, and well-planned and coordinated land use foster communities that are vibrant, diverse and sustainable. Further, these are critical components to the economic vitality of communities and local economic regions for creating jobs and increasing municipal tax base.

While this parcel is being considered for market rate development, Manchester’s growing employee base in The Millyard, Downtown and throughout the City includes skilled technology and financial service professionals who need housing appropriate to their desires, lifestyle and budgets. New Hampshire business leaders and demographic experts have articulated concerns about maintaining sufficient housing availability for the demand of a growing business economy. The requested rezoning helps to address the need for housing to accommodate the growing Manchester employment base. For these reasons, your approval of this request is recommended.

Sincerely,

Paul J. Borek
Economic Development Director



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