

**Project No. 4 Under Cooperation Agreement Dated  
November 6, 2002**

# **Northwest Business Park Development Plan**

**Manchester Housing  
and Redevelopment Corporation**

**Adopted pursuant to RSA 205 and 162-G**

**November 23, 2004  
Revised December 14, 2004**

NORTHWEST BUSINESS PARK

DEVELOPMENT PLAN

MANCHESTER HOUSING AND REDEVELOPMENT CORPORATION

BOARD OF TRUSTEES

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November 23, 2004

(Date of Board of Trustees approval)

PREPARED BY THE REDEVELOPMENT STAFF

## INTRODUCTION

Pursuant to RSA 205 and 162-G, New Hampshire Revised Statutes, Annotated, as amended, the Manchester Housing and Redevelopment Corporation has prepared this Development Plan for a portion of the City of Manchester designated as the Northwest Business Park.

This Development Plan approved by the Manchester Housing and Redevelopment Corporation on November 23, 2004 and adopted by the Manchester Board of Mayor and Aldermen on January 25, 2005, consists of Chapters I through XII, pages 1 through 14 of this document, Exhibit A containing a detailed property description of the Project Area, and Exhibit B containing project maps.

This Plan is the legal document which establishes the standards and controls for the redevelopment and renewal of the Northwest Business Park.

The work contemplated herein shall be carried out by the Manchester Housing and Redevelopment Corporation in conjunction with the Manchester Housing and Redevelopment Authority.

# Northwest Business Park

## Development Plan

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# Development Plan for the Northwest Business Park

## CHAPTER I DESCRIPTION OF THE PROJECT

### Section 100 Project Boundary Description

The Project Area is shown on Map No. 1, Project Area and includes all the area within the boundaries as set forth below:

#### **PROPERTY DESCRIPTION - See Exhibit A**

### Section 101 Development Plan Objectives

The objectives of this Development Plan ("Plan") include the following:

1. provide Development sites for construction of office, research and development uses together with other such uses as may be approved by the Board of Mayor and Aldermen;
2. improvement of vehicular traffic circulation;
3. improvement of utilities;
4. preservation of natural areas;
5. removal of impediments to land disposition and Development;
6. consistency of quality development projects;
7. establishment of a first-class business park
8. adoption of the necessary controls and regulations to attain and maintain the objectives of this Plan.

### Section 102 Types of Proposed Development Action

Proposed action consists of public infrastructure improvements and private Development. Project improvements include site preparation, grading, widening portions of adjacent streets, improvements to adjacent intersections, provision of new streets, separation of storm drainage and sanitary sewers, installation of underground utilities, installation of street lighting and appropriate landscaping for common areas of the project area.

### Section 103 Regulations and Controls to be Applied

The regulations and controls on the use of land, as set forth in this Plan, shall remain in full force and effect for a period of twenty (20) years from the date of approval of this Plan by the Board of Mayor and Aldermen of the City of Manchester. Notwithstanding any lesser requirements in the provisions of any zoning or building regulations, now or hereafter in force, such regulations and controls shall apply to the use of land and shall be implemented by appropriate covenants or other provisions in the land disposition instruments.

Compliance with this document shall be determined by the "Authority" which for the purpose of this document shall stand to mean the Manchester Housing and Redevelopment Corporation.

# Development Plan for the Northwest Business Park

## CHAPTER II LAND USE

### Section 200 Permitted Primary Uses

Real property shall be developed for uses allowed by right, conditional use or special exception in the Research Park Zone of the Manchester Zoning Ordinance (MZO).

1. Allowable primary uses of the property shall be as follows:
  - a. General Office Uses
  - b. Professional, Engineering, Research and Development Offices and Laboratories to the extent that such uses:
    - (1) are compatible with general office uses,
    - (2) do not create noise, light, traffic, odors, fumes, dust, smoke, pollution or other emissions greater than those produced by or associated with general office uses, and
    - (3) do not involve shipping and receiving activities inconsistent with the quality and character of the park.
  - c. In addition to the primary uses a. and b. above, light manufacturing as approved by the Authority and the City shall be an allowable use.

Accessory buildings such as greenhouses, storage facilities and private garages shall be allowed provided that (a) the design and construction of such buildings are comparable to that of the primary use, and (b) in no event shall the total gross floor area of all such accessory buildings exceed ten percent (10%) of the gross floor area of the primary allowed use.

### Section 201 Permitted Additional Uses

Real property shall be developed for uses allowed by right, conditional use or special exception in the Research Park Zone of the MZO. The following specific additional uses are allowed as appropriate to serve the park's occupants:

- (a) Childcare facilities holding childcare license
- (b) Health, fitness and recreational facilities
- (c) Retail facilities selling convenience goods and general merchandise
- (d) Restaurants
- (e) Banking
- (f) Parking garage and helipads
- (g) Essential public services, utilities and appurtenances

### Section 202 Interim Uses

Project land may be devoted to temporary interim uses such as parking, relocation purposes or public recreation provided the ultimate use of the land as denoted in Sections 200 and 201 is not impeded. The Authority may establish standards, controls and regulations for interim use as deemed appropriate.

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### **Section 203**     Prohibited Uses

In no event shall any use be allowed which is offensive due to the generation of noise, light, traffic, odors, fumes, dust, smoke, pollution or other emissions, or that is hazardous as a result of its potential to cause fire, explosion or other danger. Drive-through facilities such as are common with fast food or banking uses are strictly prohibited.

### **CHAPTER III   RIGHT-OF-WAY, UTILITY AND ZONING PLANS**

### **Section 300**     Right-of-Way Plan

New public rights-of-way to be constructed, public rights-of-way to be retained and widened, denials of traffic access and any other street changes shall be shown on Right-of-Way Plans to be developed.

### **Section 301**     Utility Plan

The Authority will construct or have constructed all sewer, water, storm drainage, gas, electric, telephone, alarm systems and other public utilities necessary to serve the Project Area. Adjustments in the layout of the gas, electric and telephone systems necessary to serve the Project Area will be made by the appropriate private utility company. All utilities shall extend to individual lot boundaries; connection and extension into individual lots shall be performed by and at the expense of the Developer.

All utility lines, with the exception of high-tension electric power lines located on land owned by or subject to easement of the Public Service Company of New Hampshire, shall be placed underground.

### **Section 302**     Zoning Plan

The Zoning for the Project Area is set forth on the City of Manchester's Zoning Plan. The Manchester Zoning Ordinance ("MZO") of the City of Manchester, adopted February 7, 2001 by the Board of Mayor and Aldermen, and including all subsequent amendments through the date of adoption of this Plan, is incorporated by reference in this plan. All proposed development must comply with the Zoning Ordinance, as may be amended from time to time by the City, at the time of Zoning Board of Adjustment use approval, including special provisions for Research Park zones as defined therein. It is the responsibility of the developer to ensure planned proposals are in compliance with the MZO.

### **CHAPTER IV   GENERAL REGULATIONS AND CONTROLS ON ALL PROJECT LAND**

### **Section 400**     General Regulations and Controls

The following controls and regulations shall apply to all land within the Project Area:

1. Real property shall be used and devoted only for the purpose and in the manner stated in the Plan.

## **Development Plan for the Northwest Business Park**

2. Real property shall be used and maintained in compliance with such terms and conditions as are necessary to implement the provisions of the Plan.
3. Each deed or lease shall include a covenant or other appropriate requirement prohibiting execution of any subsequent covenant, agreement or other instrument restricting the sale, lease, occupancy or use of real property upon the basis of age, color, disability, familial status, marital status, national origin, race, religion, sex or sexual orientation.
4. Construction of improvements shall commence and be completed within a reasonable time as determined by the Authority and as stated within subsequent Land Disposition Agreements.
5. Each deed shall include terms and conditions that prohibit and prevent the developer from holding real property for speculative purposes. However, the Authority reserves the right to allow a portion of a building to be retained for approved rental uses.
6. Architectural, structural, site and landscaping plans and specifications; lighting, sign and street furniture plans; and other relevant information shall be submitted to the Authority for written approval prior to commencing construction (See CHAPTER IX DESIGN REVIEW).
7. A building or structure may be erected, reconstructed, enlarged or moved only for a use permitted by and in compliance with the regulations and controls specified herein and each deed or lease shall contain these requirements.
8. During the life of the Plan, real property shall conform to the Plan and applicable federal, state and municipal laws, codes, ordinances or regulations. If a law, code, ordinance or regulation conflicts with the Plan, then the more restrictive requirements shall prevail.

### **CHAPTER V DEVELOPMENT CRITERIA**

#### Section 500 Project Development

The following criteria will be employed by the Authority to determine the conformance of any proposed development of a lot or lots to the objectives of this Plan:

1. The design, scope and size of development in relation to the size of the parcel.
2. The appropriateness of development in context with the natural and built environment.
3. The appropriateness of the proposed use.
4. The estimated cost of development.
5. The anticipated tax return.
6. The employment opportunities created.
7. The general economic benefits to the municipality.

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## CHAPTER VI SITE DEVELOPMENT AND DESIGN GUIDELINES

### Section 600 General Provisions

The following design guidelines shall apply to all site improvements within the park. No sitework shall commence unless it is in strict conformance with these guidelines and until all permits and approvals, including but not limited to the approvals required by the Chapter IX Design Review requirements herein, have been obtained.

### Section 601 The Preserve

As there exists a Preserve of national significance immediately adjacent to the park, there shall be no intrusion into the Preserve area except as allowed by easement, agreement or other recorded instrument. Furthermore, site and building development shall employ every effort to minimize runoff into the Preserve area, except as appropriately treated to remove suspended solids and other deleterious materials. Natural buffer areas and upland filter strips shall be provided adjacent to the Preserve boundary wherever possible.

### Section 602 Lot Size

All lots within the Project Area shall conform to the Manchester Zoning Ordinance regarding the physical lot including overall size, setbacks and frontage requirements.

### Section 603 Open Space

For all sites, a minimum of twenty-five (25%) percent of open space or pervious surface area shall be provided. Consideration shall be given to the creation and preservation of view corridors.

### Section 604 Preservation of Existing Features

Efforts shall be made so that where possible, existing natural features such as specimen trees, wetland areas, drainage courses, etc. shall be preserved and carefully protected throughout the course of construction. A thorough analysis of existing site features shall be prepared and submitted by the Developer and shall serve as the basis for site design.

### Section 605 Access

1. Access to all private property shall be from a public right-of-way by one or more curb cuts approved by the Authority.

To grant such approval, the Authority shall find that the proposed location and design of driveway curb cuts:

- a. will not create unnecessary hazards; and
  - b. will not unduly retard the traffic flow in the public right-of-way.
2. Driveway curb cuts shall not be wider than necessary to accommodate two 12-foot lanes and shall be designed with 25-foot radius curves.

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3. Distances from center line to center line of adjacent curb cuts and to center line of adjacent streets shall be no less than the following per MZO guidelines:
  - a. one thousand (1,000) feet on arterial streets
  - b. five hundred (500) feet on collector streets
  - c. two hundred (200) feet on local streets

### Section 606 Construction within Easements and Setbacks

1. No building, structure or other permanent obstacle shall be erected over a utility easement without the prior written approval of the Authority and the public or private utility being served by the easement.
2. No building, structure or other permanent obstacle except signs or screening devices may be erected within 100 feet of any public right-of-way.
3. No building, structure or other permanent obstacle except signs or screening devices may be erected within 50 feet of a side or rear lot line.
4. No freestanding sign may be erected within five (5) feet of a front lot line.
5. All lots will comply with MZO buffer requirements (if applicable).

### Section 607 Landscaping and Paving Standards

It is the intent of the Authority and the regulations within this Plan that as much of the natural environment of the Park be preserved as possible. In addition, special attention shall be given to creating a landscape plan that is in harmony with its indigenous surroundings.

1. As is practical, plant materials shall be native to the northeastern United States or landscape cultivars of native plant materials shall be utilized. Landscaping shall be used to:
  - (a) screen parking and loading areas
  - (b) provide separation of vehicular and pedestrian areas
  - (c) enhance and define views into and out of the sites
  - (d) provide shade in parking and pedestrian areas
  - (e) provide important infiltration areas and filters for runoff in the removal of non-point source pollution
  - (f) restore disturbed areas to a natural state
  - (g) provide a buffer between lots and residential districts where applicable
2. Newly planted deciduous trees shall be a minimum 3" caliper at planting; evergreen trees shall be a minimum 8' in height at planting; and ornamental trees shall be a minimum of 2-½" caliper at planting. Landscape materials shall conform to the American Standard for Nursery Stock, ANSI Z60.1, latest addition.

Site drives and public streets shall be planted with minimum 4" caliper deciduous trees no farther apart than 50 feet on center.

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3. Fences and walls shall be of architectural character appropriate to the building(s) and their appearance shall be as approved by the Authority. The use of chain link fencing is discouraged.

Guardrails shall be of all timber construction consistent with Park standards. Guardrails and similar safety features shall be in strict conformance with State of New Hampshire Department of Transportation standards.

Fences, hedges or other similar screening devices no higher than six (6) feet may be established in the setback areas upon written approval of the Authority provided that:

- (a) adequate sight distances are maintained, and
- (b) the appearance of the area will not be affected detrimentally.

Fences, hedges or other similar screening devices taller than six (6) feet shall conform to the setback regulations prescribed in Section 606 for buildings.

Other planting such as free standing trees and bushes may be located wherever they do not create a traffic hazard, subject to written approval of the Authority.

4. All parking lots, driveways, walks, patios and loading areas shall be durable, hard surfaces constructed of bituminous pavement, concrete or suitable pavers. Such hard surfaces shall not be closer to buildings than twenty (20) feet except as necessary for building access. All curbing shall be native gray granite.
5. Per the City of Manchester Zoning Ordinance, all parking lots, loading areas, outdoor storage and security fencing shall not be located within fifty (50) feet of an adjacent street or within twenty-five (25) feet of all side and rear lot lines. Such facilities shall be screened from adjacent streets and properties by retention of existing natural vegetation or the installation of landscaping or a combination of both that will, in the opinion of the Planning Board, create the most effective screening.
6. Storm drainage from paved areas and areas improved with buildings shall be accommodated by pipes, natural swales, man-made ditches and detention areas or a combination thereof. The system's design shall be approved in writing by the Authority.

Storm drainage flows from landscaped and unimproved areas onto adjacent land or public rights-of-way shall not exceed that which existed prior to development.

7. Unpaved areas shall be landscaped with grass, ivy, junipers or other ground cover as well as shrubs and trees. Alternative materials may be permitted by the Authority. Any disturbed areas must be treated per this section; undisturbed areas of vegetation may remain in their natural state. Formal lawn areas shall have irrigation systems.
8. Either all landscaping must be completed or a bond sufficient for any unfinished work must be posted with the Authority named as the beneficiary prior to the return of the Good Faith Deposit. A Certificate of Completion will not be issued until the Authority has accepted all improvements, including landscaping, as complete per submitted plans and the regulations set forth within this document.

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### **Section 608 Parking and Loading Standards**

The quantity and size of all parking and loading spaces shall conform to the MZO, latest edition, unless greater quantities are necessary to appropriately meet the needs of the related use.

All parking areas shall conform to the following criteria:

1. A minimum of five (5%) of the interior area of parking lots shall be landscaped area, with individual landscaped islands a minimum of 200 square feet in area. Interior area shall stand to mean the area occupied by the required parking spaces and associated access aisles.
2. Landscaped islands shall be included along the length of the parking rows to provide landscaped separations every four aisles of parking.
3. No less than one tree per 1,000 square feet of parking area (including drive aisles) shall be provided.
4. Screening of parking areas from both interior site drives and public ways shall be provided by the use of an appropriate combination of landscaping, earthen berms or fencing and walls.

All loading areas shall conform to the following criteria:

1. Loading and unloading shall be prohibited in all public rights-of-way.
2. Adequate off-street truck loading and unloading facilities shall be provided for all new uses as required by the MZO. All necessary backing and maneuvering shall be accomplished on the premises.
3. Loading and unloading facilities shall be located at the side or rear of each principal structure and shall be permanently screened from view from the public right-of-way.

### **Section 609 Trails and Pedestrian Access**

Pedestrian access to buildings shall be provided separate from vehicular circulation. Pedestrian paths and sidewalks shall be integrated with parking lot design, roadway design and the landscape design in order to provide safe, convenient access to buildings, parking areas and site amenities. Site pedestrian facilities shall connect to the overall system of bicycle paths, walkways and paths provided in public areas of the Park.

### **Section 610 Exterior Lighting**

Exterior building and site lighting shall be esthetically designed and shall be limited to the extent necessary for way finding and safety. Parking lot and area lighting shall be provided by cut-off light sources to ensure that such light sources are not directly visible from neighboring buildings or public ways. The use of building mounted fixtures for area lighting is discouraged. Pedestrian walkways and patios may be lit by soft, exposed light sources subject to the Authority's design review.

All fixtures shall be similar in design to model fixtures as determined by the Authority.

### **Section 611 Site Utilities**

All site utilities shall be installed underground. The use of overhead wires and cables shall be prohibited.

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### Section 612 Exterior Sign Standards

1. The Authority shall approve all exterior signs in writing prior to installation. Roof mounted and billboard-type signs are prohibited. Sign design shall complement the architecture of the building to reflect quality and harmony.
2. Permanent signs
  - (a) Each building lot shall be permitted one freestanding identification sign to be located near the entrance drive in an area approved by the Authority. Such signs shall not exceed forty (40) square feet per side (two sided only) and shall not exceed twelve (12) feet in height. Signs may be lit by exterior light from ground units only; internal lighting will not be allowed.
  - (b) A single additional sign, no larger than twenty (20) square feet, may be attached to the building's exterior near the main building entrance but shall not project above the building roofline.
  - (c) Site directional and traffic signage shall be provided as required for way finding and safety. On-site traffic signs shall be in strict conformance with State of New Hampshire Department of Transportation Standards.
  - (d) Portable signs of any kind are prohibited.
  - (e) The format and materials of all signage shall be in conformance with model signage as determined by the Authority. The design and location of all signage shall be subject to approval during the Design Review process defined herein. The use of beacons, flashing lights, changeable message, moving elements and the illusion of movement shall be prohibited.

### 3. Temporary Signs

Temporary signs of moderate size relating to construction, employment, sale or lease of the premises may be permitted subject to approval of the Authority.

## CHAPTER VII BUILDING DESIGN GUIDELINES

### Section 700 Buildings and Other Structures

The following design guidelines shall apply to all buildings and structures constructed within the park. No building construction or any building improvements shall commence unless they are in strict conformance with these guidelines and until all permits and approvals, including but not limited to the approvals required by Waivers herein, have been obtained.

#### 1. Building Area and Height

The minimum gross building area for a primary use in the park shall be not less than twenty thousand (20,000) square feet. This minimum requirement may be waived on a case by case basis depending on the size, configuration and other physical aspects of the site in question; however, the intended primary use shall not be a factor. Buildings of greater size and height are encouraged subject to compliance with the MZO.

#### 2. Building Exterior

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The architectural style of all buildings and structures constructed within the Park shall generally be described as Post Modern and shall be consistent with the character of other buildings and structures existing within the Park at the time of construction.

The exterior walls of all buildings and structures shall be predominantly constructed of durable materials such as brick and stone. Accents of prefinished, architectural metal and similar panels may be permitted, subject to the Authority's design review. The use of industrial corrugated metal panels and reinforced acrylic coatings as primary exterior building material shall be prohibited. Metal buildings shall not be permitted except as temporary facilities during construction. The use of prototypical building designs, i.e. for retail or restaurant facilities, shall be prohibited.

Roofs may be nominally flat (internally drained) or pitched as appropriate to the integrity of a high quality architectural design. Roof mounted equipment, vents, stacks, etc. shall be screened by elements to the building's overall design and shall not under any circumstances be visible from neighboring buildings or public ways when viewed from grade level.

### **CHAPTER VIII MISCELLANEOUS**

#### **Section 800 Confinement of Use**

Manufacturing, storing, parking, truck or trailer parking, loading and unloading and security fencing shall not take place within fifty (50) feet of an adjacent street or within twenty-five (25) feet of all side and rear lot lines. Outdoor storage shall be prohibited.

Service features such as loading, trash, recycling and ground mounted utilities such as transformers, condensers and cooling towers shall be located out of view from neighboring buildings and public ways. Such elements shall be screened with architecturally appropriate materials.

#### **Section 801 Easements**

The granting of easements, other than those set forth on any and all Right-of-Way Plans, shall not be permitted without written consent of the Authority.

#### **Section 802 Nuisance Control Standards**

Levels of noise, vibration, air contamination, glare, heat or other alterations to the environment shall not exceed those allowed by applicable City, State and Federal ordinances, codes, laws and regulations.

### **CHAPTER IX DESIGN REVIEW**

#### **Section 900 General**

Prior to the commencement of any on-site construction activities, the developer of a lot shall be required to participate in the following Design Review. Not less than two (2) submissions shall be required for Authority approval as described in Sections 901 and 902.

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### **Section 901 Preliminary Submission**

There shall be a Preliminary Submission of plans to the Authority for an informal review. The Authority shall receive three (3) sets of preliminary drawings and technical notes addressing not less than the following:

1. Analysis of existing site features.
2. Location of all structures and description of proposed uses.
3. Location of all parking, drives, loading, walks and patios.
4. Location and general character description of all landscape features.
5. Schematic elevation of each building façade, drawn to scale with material designations and proposed colors.
6. Data and calculations regarding building area, height, lot coverage and parking.

The Authority shall review the Preliminary Submission in-house and may choose to meet with the developer to review the plans and comments. Written comments will be forwarded to the developer. Should the Authority disapprove of a Preliminary Submission or request modifications, notice of such disapproval shall include a statement of the reasons for and basis of disapproval.

### **Section 902 Final Submission**

Following the developer's receipt of the Authority comments regarding the Preliminary Submission and prior to commencement of any construction activities, the developer shall make a Final Submission addressing not less than the following. Three (3) complete sets of plans are required.

The Final Submission shall consist of building and site construction drawings and specifications including but not limited to:

- (a) Site plans representing all grading, parking, driveways, loading, walkways, patios and curbs.
- (b) Landscape plans representing all existing trees to remain, new plantings, fences and screens.
- (c) Utility plans representing location, type and size of all utilities above and below grade.
- (d) Lot drainage plans, data and calculations.
- (e) Sanitary sewer discharge calculations.
- (f) Erosion and sedimentation control plans.
- (g) Building floor plans, exterior elevations, building wall sections, details, HVAC, plumbing and electrical plans.
- (h) Description of exterior building materials including colors and samples as applicable.
- (i) Location, type, size, height and intensity of all exterior lighting.
- (j) Location, design, size, color and materials for all exterior signage.
- (k) Copies of any permits which have been obtained as of the date of this submission and a schedule for the acquisition of all other approvals, licenses and permits required for the proposed construction.

The developer shall submit additional documents as the Authority may reasonably request providing that such requests are consistent with the intent of the review process as outlined

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above. The Authority shall review the plans and notify the developer of approval/denial in writing as established within subsequent Land Disposition Agreements.

Construction shall not commence prior to the transfer of a Deed conveying marketable title from the Manchester Housing and Redevelopment Corporation to the developer. Construction which is in any way inconsistent with, in addition to or materially different from the Authority approved Final Submission shall not be permitted unless such amendments are submitted to the Authority, and following a reasonable review period, the Authority grants approval of the amendments in writing.

Any approvals granted by the Authority are in addition to any and all approvals from the City of Manchester Planning Board, Zoning Board of Adjustment, Building Department and any other city, state or federal department.

### **CHAPTER X MAINTENANCE**

#### Section 1000 General

It shall be the responsibility of each property owner to properly maintain their improvements and overall property including but not limited to all buildings, walks, drives, parking lots, fences, walls, lawns, landscaping, drainage, lighting, utilities and other site improvements in a clean and safe condition.

Such maintenance shall include but not be limited to:

- a. exterior building painting and repairs
- b. mowing, trimming, fertilizing and weeding of landscaping
- c. cleaning and sweeping walks and other pavement
- d. removal of all trash, waste and other refuse
- e. snow removal from pedestrian and vehicular pathways

Property maintenance will be enforced using the same process for notice and penalties as described in the City of Manchester Housing Code Ordinance.

### **CHAPTER X1 PROVISION FOR WAIVERS AND TERMINATION**

#### Section 1100 Waivers

The Authority shall retain the right to waive or modify the requirements of this Plan as it may determine to be in the best interests of the City, Park and/or the Authority. Such waivers and modifications shall be made as determined by the Authority to be necessary in response to the natural conditions of a specific parcel and shall in any case remain in conformance with the general spirit and intent of this Plan.

The Authority may seek approval from owners and lessees of land within the Park at the time of any waiver request; however, such approval will only be sought if in the sole and final judgement of the Authority the waiver adversely affects the use of their land.

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If the waiver provides for any major changes in the Plan as previously approved by the Authority, the City of Manchester in its sole and final discretion may approve the waiver. The word "major" as used herein shall mean any one of the following:

1. Any change that would affect all parcels within the Park.
2. Any change in Sections 200 or 201 of this Plan.
3. Any acquisition not previously authorized by the Plan.
4. A change in the Project boundaries not previously planned.
5. An extension in the life of the Plan for developed parcels that have received a Certificate of Completion from the Authority. However, the Authority reserves the right to extend the Plan for all parcels/developers that have not received a Certificate of Completion at the time of termination of the Plan.

Nothing in this section shall prohibit changes made by any governmental or other entity that may at any given time have authority over certain requirements of this Plan, such as Zoning or Environmental Protection Agency, and that are more restrictive than this Plan.

### **Section 1101 Termination**

This Development Plan and/or any waiver herein shall be in full force and effect for a period of twenty (20) years from the date of approval of this Plan by the Board of Mayor and Aldermen of the City of Manchester or such other period of time as may result by modifying this Plan pursuant to Section 1100 Waivers.

## **CHAPTER XII OFFICIAL ACTION**

### **Section 1200 Local Approval of the Plan**

Section 4, Chapter 205, New Hampshire Revised Statutes, Annotated, as amended, provides that this Plan must be approved by the governing body of the City of Manchester, which is the Board of Mayor and Aldermen of the City. By approving this Plan, the governing body of the City of Manchester shall obligate itself to carry out the official actions necessary to enable the realization of this Plan.

## **CHAPTER XIII OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS**

### **Section 1300 State Statute Authorization**

Section 4, Chapter 205, New Hampshire Revised Statutes, Annotated, as amended, provides that: "...a plan (herein called the "Development Plan") may be authorized which provides an outline for the development or redevelopment of said area is sufficiently complete (1) to indicate its relationship to definite local objectives as to appropriate land uses and improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements; (2) to indicate proposed land uses and building requirements in the area; and (3) to indicate the method for the temporary relocation of persons living in such areas; and also the method for providing (unless already available) decent, safe and sanitary dwellings substantially equal in number to the number of substandard dwellings to be cleared from said area, at rents within the financial reach of the income group displaced from such substandard dwellings."

## **Development Plan for the Northwest Business Park**

### **Section 1301 Relationship of the Redevelopment Plan to Local Objectives**

The Development Plan is in accordance with specific local objectives, such as:

1. The provision of capital improvements that conform to the Community Improvement Program and Community Development Programs approved by the City.
2. The development of land use pattern for the Project Area that conforms to land use objectives of the City.
3. The development of land consistent with the City of Manchester approved Hackett Hill Master Plan and any approved amendments.

### **Section 1302 Relocation**

While it is anticipated that no relocation will be required, if it is, the Authority may, prior to acquisition, take all appropriate steps precedent to relocation. All relocation activities will be carried out in accordance with applicable State and Federal requirements.

### **Section 1303 Other Local Requirements**

No permit or Certificate of Occupancy for construction, alteration, repair, modification or occupancy of any building or structure shall be issued by the Building Department of the City of Manchester without written notification by the Authority that the proposed construction, alteration, repair, modification or occupancy conforms to the requirements of this Plan.

### **Section 1304 Zoning Ordinance**

The term "Manchester Zoning Ordinance" or "MZO" means the City of Manchester Zoning Ordinance as it exists on the date of the plan or as it may be amended from time to time.

## EXHIBITS

Exhibit A - Property Description

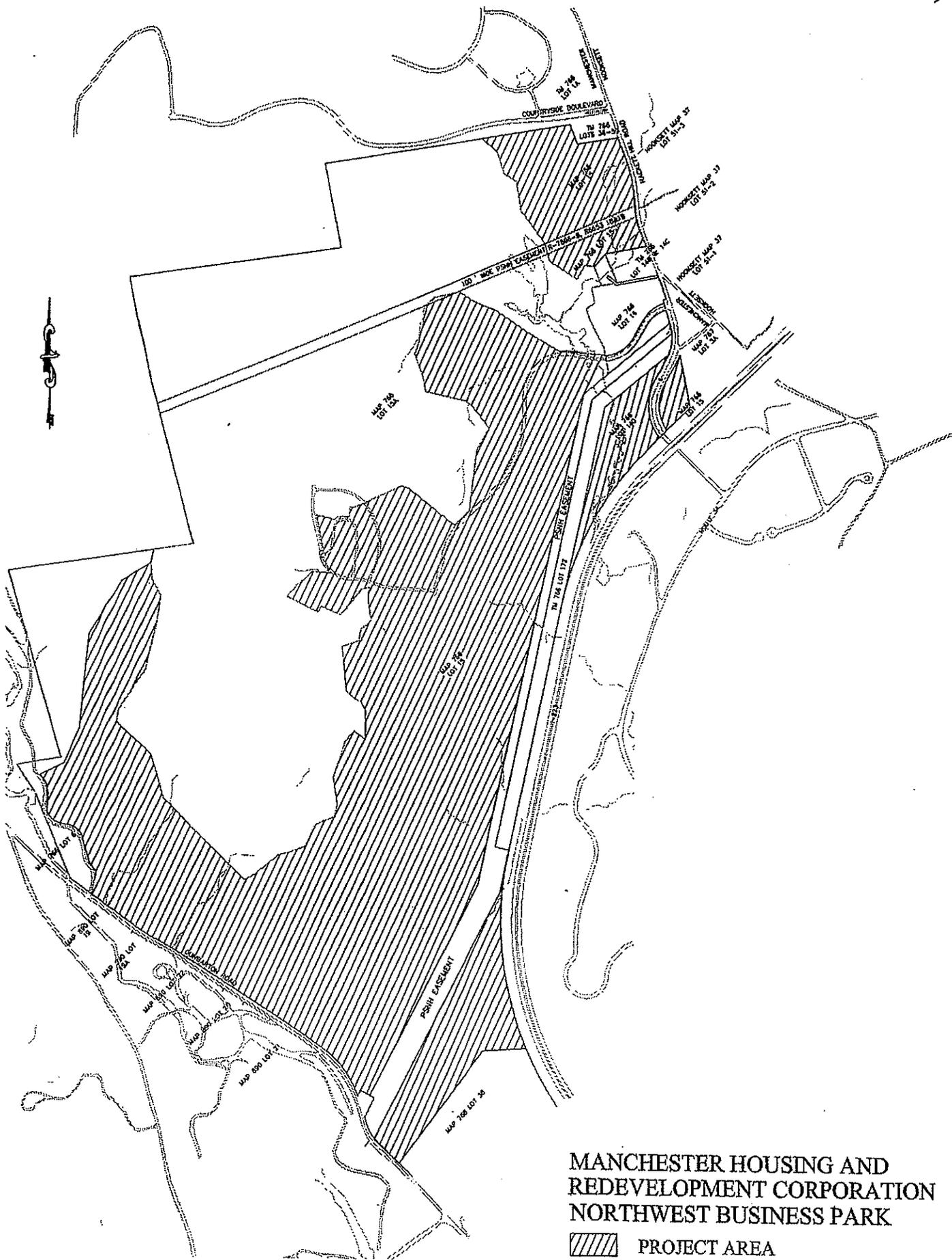
Exhibit B - Plan Maps

Map No. 1 Project Area Map

**Exhibit A - Property Description**

(To be developed)

(MAP NO. 1)



MANCHESTER HOUSING AND  
REDEVELOPMENT CORPORATION  
NORTHWEST BUSINESS PARK

 PROJECT AREA

HACKETT HILL ROAD