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

II. PUBLIC HEARING:

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

Vice Chairman Leclerc made a motion, which was seconded by Ms. Sanuth, that the following applications are complete and a public hearing should be conducted: S2019-007, S2019-008, SP2019-005, SP2019-006, SP2019-007, CU2019-007, SP2019-008 and IMP2019-001. (Motion Carried)

1. S2019-007

Property located at 289 Tory Road (Tax Map 915, Lot 12A), a subdivision application for the creation of two new lots of approximately 14,712 SF (Map 12A) and approximately 16,693 SF (Map 12A-1) in the R-1B Zone. S&H Land Service for Shawn M. Moreau

Tom Huot of S&H Land Services appeared along with Shawn Moreau of 289 Tory Road.

Mr. Huot advised that Mr. Moreau owns 289 Tory Road, which currently sits at 31,406 SF so it is a significantly large lot for the neighborhood. It is in the R-1B zone where the required area is 7,500 SF and 75 feet of minimum frontage, which these lots meet or exceed. The new building lot will be almost 17,000 SF so it is more than twice the required lot size. The remainder lot with the house will be almost 15,000 SF. As part of this application, Mr. Moreau would be removing his existing garage and relocating it to the northern side of his property. He would also eliminate the second driveway he currently has on his property feeding into the garage and he would relocate that with the new garage. He would also remove his carport and the other walls and structures that would make the lot noncompliant.
for the new lot. They feel this application significantly fits the neighborhood. A diagram was handed out depicting how everything fits in. Mr. Huot advised the lots are serviced by City water and sewer. Once subdivided, Mr. Huot advised the lots would be the two largest lots within the neighborhood so they feel it fits with the neighborhood. It would be for a single family home. They are not requesting any variances with the application nor are they requesting any waivers.

Mr. Long confirmed with Mr. Huot that both driveways would be on Tory Road. The existing northerly driveway is being removed. The southerly driveway will remain and be the driveway for the new house so they are not proposing a different new driveway on that lot.

Vice Chairman Leclerc asked if Mr. Moreau was going to build the house or if the property would be sold off. Mr. Moreau said he had not decided yet.

Vice Chairman Leclerc asked if that property could be subdivided again. Ms. Levandowski advised it would not have the proper frontage to be subdivided again. The Vice Chairman asked if a multi-family dwelling and Ms. Levandowski said not by right.

Mr. Moreau advised if he did build on the lot it would just be a one level ranch style house. Vice Chairman Leclerc asked if that was what was typical in that neighborhood and Mr. Moreau said that was what was on the other lot right now.

Ms. Goucher advised Mr. Moreau if this Board were to grant approval of the subdivision all of the work indicated as to be removed and relocated would all have to be completed before a plan could be signed and recorded. Mr. Moreau said he understood.

Chairman O’Donoghue turned the hearing over to the public.

Ms. Goucher advised that some of the immediate abutters to the property signed a petition in opposition and that was handed out to the Board members. Mr. Moreau requested a copy of the petition.

Ward 1 Alderman Kevin Cavanaugh of 368 Tory Road advised his house was three houses away from Mr. Moreau’s property. He said he received a lot of contact from the neighbors who were very concerned about this. He does not believe this fits the character of the neighborhood, which consists of ranch and cape style homes. This property was up for sale last summer but there was also a proposal to cut off the back section and sell it to the neighbor up on Hall Street. Now they are going to take off a double garage, a breezeway and the underneath garage and they are going to have to build a retaining wall. He was concerned about potential blasting.

Mike Allen of Redcoat Lane was concerned about water runoff into his yard and basement as well as trees being cut down.

Diane Dant of 260 Tuft Street said she and her husband have noticed quite a change since
the construction across the street of more water in their basement. They are very concerned about privacy. She said it is almost a mesa of stone so they are very concerned with the age of their homes if there is blasting that close with many of them already having water issues in their basements it will make the situation worse. She said they really love their neighborhood and are concerned about these changes.

There were no further comments from the public and Chairman O’Donoghue read the petition from the abutters into the record as follows:

“We the undersigned abutters of Tax Map 915, Lot 12A at 289 Tory Road, Manchester wish to object to this proposal for the following reasons: Fear that the natural resources and physical character of the neighborhood would be changed dramatically by the removal of trees, water tables and overall appearance, which would also affect the property values of said abutters. There are six abutters that directly touch the borders of Lot 12A. With the removal of the trees on three sides and the removal of a slope at the rear inside of Lot 12A that is a ledge could cause damage in many ways with any possible blasting to all of the abutters that are listed. We also fear the possibility of a house being built that is also not consistent with the character of the surrounding neighborhood. In summation, if this proposal is allowed to proceed and passes, we would appreciate a restriction to limit the number of trees removed and the house design consistent with the neighborhood character.”

Signed by abutters at: 1570 Hall Street, 317 Tory Road, 260 Tuft Street, 1588 Hall Street, 1585 Hall Street and 132 Red Coat Lane.

Chairman O’Donoghue brought the hearing back to the Board and invited Mr. Huot to address the concerns of the abutters.

With regard to the Alderman’s comments, Mr. Huot advised that at the end of 2017 Mr. Moreau came before the Board for a lot line to extend the line with the smaller lot to the east. It was approved. The deal fell through between the homeowners. No Deeds were recorded so the land never transferred. There was nothing nefarious with trying to sneak in another lot.

As far as blasting, Mr. Huot said that assumes a lot of facts that are not into evidence. He said this Board would have to look at every single subdivision equally and not hold his client to assumptions that there is ledge and things that couldn’t be handled. He said blasting and ledge are not the way they typically do things anymore now and if there was ledge the company that did anything would have insurance, they would have to go to all the houses and film the basements. He was sure the Board had heard all these things before with larger subdivisions.

Mr. Huot took issue with the Alderman saying they were trying to cut a “sliver” out. He said this new lot will be 17,000 SF in a zone that requires 7,500 SF with one single family home.
In looking at the map, he said everyone who signed that petition is likely on a lot that is anywhere from 5,000-7,000 SF smaller, almost an entire required lot size, so certainly Mr. Moreau is not trying to shoehorn a lot in. They are not asking for a variance. They meet the requirement for frontage. They are not asking this Board to waive any requirements of any of the regulations so he took issue that it is a “sliver” of the lot.

With regard to drainage and placement of the house, Mr. Huot referred to sheet 2 of the plan that has the topography, he advised that the contours right now slope at an angle to the southwest toward Tory Road and Mr. Smith’s lot. He said whoever builds the house there will likely take that hill down and make it more gradual. The driveway will stay where it is so, if anything, that would likely reduce some of the flow they have. He advised that Mr. Moreau has said that he will work with the City to make sure there are not any drainage issues.

As far as the trees go, Mr. Huot said Mr. Moreau could pull a permit and cut the trees on his lot today. He said a lot of the neighbors who abut the property have cut most of the trees on their property that come right up to the lot line but they would like to hold Mr. Moreau to not be able to utilize his land. He said Mr. Moreau does not plan to put the house in the back and realistically he thought any builder who built this would want to sell it as a house that had a nice backyard and not stick the house way in the back. As such, he doesn’t think they could assume that was going to happen.

With regard to the two lots on Tuft Street, Mr. Huot said those lots are half the size of what they are proposing. He did not think they could hold Mr. Moreau to issues or negligence from whoever built those if there are drainage problems. He reiterated they are proposing one single family home on a lot that is more than twice the required lot size.

Mr. Moreau said in the beginning he was asked if he was planning on building on that lot and he said he was undecided. He explained the reason he was undecided was because it depends on whether or not it gets approved. His intention was to build a single family home on that lot that is closer to the abutters that spoke here today. When he bought that property in 2016 he loved the neighborhood too. In fact, he spent three months going into that neighborhood and he almost purchased the house across the street until he saw a “For Sale By Owner” sign on the ground and he questioned it. He said he absolutely loves the neighborhood. The property needed a lot of work and he did all of that work. He has put over $75,000 into that home just in the short time he has owned it. To him, that is not making an eyesore so when he had that back lot originally he was just going to cut that off and give it to the people that were living there at the time, which was Brian Norton. He had a situation in his family and they sold the house and moved out of state. That is why that deal went through. It wasn’t to pull any kind of a shady deal or anything like that. Now he is looking at a lot back there that is absolutely doing no good.

With regard to the driveway that is where the garage is now is on an incline. His girlfriend parks in the lower driveway when it snows because she is petrified because she has already slid out of the driveway all the way to the back. He explained that the one car garage under
has a bunch of 6x6 posts that hold that garage up so not only by proposing this does he get a lot that he would like because the new lot is where he would like to build his house. He said he is not doing any blasting or taking down any trees. The only trees he would take down are the ones that are in danger of coming down in a windstorm. If he builds the house, he said it would be closer to the road. If the setbacks are 20 feet, he said he would probably build it at 30 feet. It will be in line with the house that is there now.

Mr. Moreau said he would like to stay in the neighborhood but it has been difficult. He said he can only tell them what he plans to do and if they look at the house it is not a dumpy house, it is a very nice house. He is not trying to harm the neighborhood. It is he, his girlfriend and her children. They do not have any animals. They keep up with the exterior. It is a nice neighborhood and they want to keep it that way. All he wants to do is build another home on the side of his house and sell that one off.

Mr. Moreau said he would like to stay in the neighborhood but does not want to have conflict.

Chairman O'Donoghue inquired if they did any test pits for ledge. Mr. Huot said this is on City sewer and water. They have not done test pits but he has done subdivisions for this Board and he did not think it was a standard to do test pits for one lot subdivisions. He didn’t think it was a typical thing that is generally asked.

Mr. Long asked if they could put in conditions. Ms. Goucher said the Board has the right to impose reasonable conditions if they were to move forward with an approval. There is nothing that would require a new homeowner or Mr. Moreau, if he were to maintain the home, to build it on the front of the lot as opposed to in the back. He said he may or may not sell the lot so what he might want to do versus what might happen depend on whether or not the lot would be sold to somebody else who would then have some control. As such, if this Board were looking to have some specifics put in place to guarantee something, they would have to impose some conditions, whether it is an area of no cut or restrictions on house location. She said some things would be considered reasonable conditions and others may get some push back as to the infringement on the property rights but that is up to the Board to decide.

Chairman O'Donoghue closed this public hearing and it will deliberated at the next business meeting.

2. **S2019-008**

Property located at 1200 South Mammoth Road (Tax Map 797, Lots 7 and 8), a subdivision application for the creation of two new buildable lots of approximately 8.1 acres and approximately 0.95 acres in the RS and IND Zones. *S&H Land Services for William Socha Development, LLC*

Chairman O'Donoghue advised there was waiver request to allow this Board to hear this application prior to the applicant going before the Zoning Board of Adjustment.
Vice Chairman Leclerc made a motion to grant the waiver allowing the applicant to go before the Planning Board prior to the Zoning Board hearing, which was seconded by Ms. Sanuth. (Motion Carried)

Tom Huot of S&H Land Services appeared along with Will Socha. Information was handed out detailing the reason they need a variance and why they needed the waiver request from the Planning Board.

In looking at the plan set, Mr. Huot advised there are currently two lots; Tax Map 797, Lot 8 which is a vacant landlocked piece and Tax Map 797, Lot 7 which currently has an industrial building on it that fronts on South Mammoth Road that being 1200 South Mammoth Road. That property is currently owned by the Molloys. Mr. Socha is proposing to buy what would be Lot 8 which is an eight acre lot and leave Lot 7 which would basically be almost a one acre lot with the existing industrial use on it.

Mr. Huot advised this is a unique case and explained that in 1982 the Molloys petitioned the City to change the zoning from RS (residential) to industrial so they could build the building that sits on the property today. That zoning change was approved in 1982, which basically pushes the industrial zone line to the north to the edge of Lot 6 and puts the building in the industrial zone. In 2001 when the GIS maps were done that zone line was drawn incorrectly. It is drawn as shown on their plan today shifted about 125 feet to the south. Because the governing body at that time voted accepting the zone lines as shown on the GIS, even though it was drawn incorrectly, it became part of the Zoning Ordinance and, therefore, the zone line even though shown incorrectly, puts the industrial use in the RS zone. The Molloys were unaware of this until this project came about some 30 years later. He advised the variance they are requesting is because a portion of the lot with the existing building is in the RS zone the City requires use of the most restrictive regulations. In other words, even though it is an industrial use they would be held to the same standards as a residential use, which again was not the intent for that. Because of that the impervious that is allowed in a residential zone is only 15 percent and they are proposing to leave what is there, which is about 29 percent. If it was in the industrial zone, which was approved in the original site plan and zoning change, you are allowed 75 percent so they would not need that variance. The only variance they would be asking for would be to leave a few storage containers that exist on the lot where they are within four feet of the side and too close to the building. The main issue is that the impervious area would not exist if the zone line had not been incorrectly drawn in 2001, which is why they are before this Board.

Mr. Huot said the Molloys will continue to own and operate Lot 7 as it is. They are not proposing any changes to that. They are also asking the Board to allow that lot to maintain the existing driveway that is 45.3 feet wide where only 24 feet is allowed. That driveway has existed there and they are not proposing to expand it, they are just asking to leave it as it is.

Mr. Huot said there are two lots now; one of them being landlocked. Because it is not a building lot it is technically a subdivision in Manchester but the reality is if approved it will be
two lots before and two lots after.

Vice Chairman Leclerc asked if this abuts the subdivision they are building right now. Mr. Socha advised it directly abuts him. Vice Chairman Leclerc asked if they were trying to get more land for the subdivision. Mr. Socha advised he was trying to get gravity sewer. If this gets approved he will be able to abandon the pump station plans for the back half at The Timbers Development and have gravity sewer for the entire development. Mr. Leclerc asked if they would build on this. Mr. Socha said he may potentially build an office in the industrial zone. Normally he would come forward with a site plan with the use but the unique situation is they started The Timbers Development and he needs an answer sooner than later on gravity sewer because it affects the beginning of The Timbers Development. They don’t have to change the layout in the back of the development, they just have to change the sewer design a little bit in terms of structures but they have plenty of pitch to make the whole run back to Mammoth Road. As a longtime owner of The Timbers Development, he said any means to get rid of a pump station is worth looking into. Vice Chairman Leclerc asked if Mr. Socha already owns the property. Mr. Socha advised that the Molloys own the entire parcel.

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

Chairman O’Donoghue proposed that this application be left open pending the zoning review and have a limited public hearing at the next meeting that would normally be a business meeting.

Mr. Socha inquired if they could also be part of the business meeting and Mr. Belanger advised that staff would be okay with that.

Chairman O’Donoghue advised kept this public hearing open until April 18, 2019. No further notice to abutters.

3. **SP2019-005**

Property located at 5 Kennard Road (Tax Map 541, Lot 6), a site plan application to change the use of an existing building from a retail antique store to an office in the R-1B Zone. Robert Wood for 5 Kennard Road, LLC

Chairman O’Donoghue advised there was a waiver request from Section 4.1(B)3 of the Subdivision and Site Plan Regulations that require a site plan review of all changes of use.

Mr. Belanger said the waiver request is for site-plan approval. It is not just for a site plan. He explained that if the Board were to grant the waiver, there would be no site-plan process necessary for this application. If the Board were to deny the waiver, the site plan process would apply and the applicant would at some point have to provide all of the normal things that a site plan comes with. If the Board were interested in getting more information about
the application, such as traffic and lighting, but not interested in requiring a survey and other plans that are normally part of a site-plan application, then there is a middle ground. The Board is authorized to grant its own waivers, so the Board could deny the waiver, then grant waivers to the requirements to the physical plans that are normally submitted.

Mr. Long asked if there were any current issues with this property. Mr. Wood said at the current time they have no issues. They are not planning on doing any construction or alterations to the exterior of the property aside from a paint job. As far as land lines, nothing is changing. If the property was operational as an antique shop or retail, which has been approved in the past, there would be less traffic than what they are dealing from this point going forward. They have three people that work in their office and that is the only traffic they expect in and out aside from the mail carrier. With regard to the interior, they are not adjusting anything aside from putting in desks and maybe refinishing floors. That was the reason that he requested relief from that section.

Mr. Long asked if anything on the site would be changing. Mr. Wood said they are not intending on any alterations aside from cosmetic.

Ms. Trisciani asked how much traffic there would be. Mr. Wood explained if it were utilized as an antique shop or a retail location as it was approved to be in the past, he thought those uses would have more traffic than the use he is going for.

Ms. Trisciani said she heard in the past that the building has a stream under it and there have been some issues with water in the space. Mr. Wood said from what he has seen the basement is dry. There is a sump pump in the basement that runs below floor and that is it.

Chairman O’Donoghue asked if they planned of putting tires or anything of that nature on the outside of the facility or any storage outside of the facility beyond what is there today. Mr. Wood said no.

Mr. Long made a motion to grant the waiver from Section 4.1(B)3, which was seconded by Alderman Levasseur. (Motion Carried) (Opposed: O’Donoghue)

4. **SP2019-006**

Property located at 2743 Brown Avenue (Tax Map 750, Lots 20A), a site plan application for a proposed 17,391 SF veterinary emergency hospital with the associated site improvements in the IND Zone. Bedford Design Consultants, Inc. for the Olga Katrycz Estate

George Chadwick of Bedford Design appeared along with Warren Friedenfeld, the architect on the project.

Mr. Chadwick advised the proposal is to construct an emergency veterinarian facility. The proposal is in two phases. The first phase will be 11,961 SF and all the infrastructure; drainage, parking and utilities. As part of the first phase they will leave grassed platform for
phase 2. According to the City parking requirements the entire project requires 35 parking spaces and they are proposing 44 spaces. The parking in front of the building adjacent to Brown Avenue will be customer parking and the parking along the Pine Island Park side will be for employees. All drainage will be sheet flowed to drainage basins, which will treat the runoff and then discharged. This is a unique parcel in the City that is basically a big sand hill. It receives stormwater very well so when he says that there is actually 60 percent decrease in stormwater from the parcel as a result of the underlying soil. There will be one large retaining wall around the cemetery, which is to the southwest of the property, and a four foot chain link fence on top of the retaining wall. As a result of the buffer requirements in the cemetery they are proposing either a sheet tile type of retaining wall. There are some discussions where that may change a little bit, but it will be a retaining wall in a manner that they do not disturb the 25 foot buffer to the cemetery.

Mr. Chadwick stressed that what they are proposing is an emergency center. It is a veterinary clinic that handles after hour types of emergencies. He believed the proposed user of this has approximately of the local 9:00-5:00 type clinics recommend their clients to this facility or their current facility during the afterhours so this truly is, although open 24 hours per day, a facility that generates it traffic during the after hours, not during daytime hours.

Mr. Chadwick advised that he prepared a traffic memo at the request of the staff. He also looked at a similar facility on Abby Road and compared what their customer base is and what their traffic demands are. According to ITE the total weekday traffic is 374 vehicles; 187 entering and 187 exiting. If he compared that to a facility that will be very similar and extrapolated so they have the same size buildings there is only 116 vehicles per day with 58 entering and 58 exiting. He said ITE is very conservative and it is conservative by about 60 percent. Being an after-hours facility it is not going to generate high peak volumes as a regular veterinary clinic.

When Mr. Chadwick submitted the plans to the City and Mr. Chadwick believed he addressed the majority of the comments from the different departments. DPW had a comment concerning their request for pervious pavement and that has been removed from the proposal and he sent a revised set of drainage calculations to DPW for their review, not including the pervious pavement. He has not heard back from DPW yet but expects to hear back from them after the hearing and he is confident things can be worked out.

Mr. Chadwick advised he went before the Conservation Commission and there should be a memo in the file stating they have no recommendations.

Ms. Trisciani asked if visitors during the day would be for emergencies only. Mr. Chadwick said it’s not that you are not allowed to go there, but their business truly is an emergency type business. Mr. Chadwick clarified traffic is generally weekends and after hours when your regular vet wouldn’t be open.

Warren Freidenfeld advised his firm specializes in veterinary hospitals. He advised this
facility does not want to compete with the very veterinary hospitals that refer their clients to this hospital. As such, they are not intending to take in general practice during the day. That would be the antithesis of what they would prefer. This is an emergency hospital for emergencies only and primarily evenings and weekends.

Ms. Charlebois asked if this was an existing business in the City of Manchester presently. Mr. Freidenfeld said it was.

Mr. Long asked if this was a corporate veterinary clinic. Mr. Freidenfeld said it was corporate and the applicant is the owner of the parcel and she has since deceased and it is an unoccupied structure. Mr. Long asked who the corporation was looking to do this. Mr. Chadwick said it was Veterinary Emergency Center of Manchester. Mr. Long asked if it was owned by a sole proprietor. Mr. Chadwick said it was owned by one person. Mr. Long said it would be helpful if he could tie in what other entities they owned to see if this will stay emergency. Mr. Chadwick advised they do not own any other facility other than the one that is Manchester now. Mr. Freidenfeld thought they were referring to veterinary hospitals that refer their clients to this facility; that is what the reference was to.

Mr. Long asked about the hours of operation and Mr. Freidenfeld said they are open 24/7 365 days per year.

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

Vice Chairman Leclerc lives down the street and did not know there was a cemetery there. Mr. Freidenfeld said it was up on the hill so it was hard to see. He thought there may be only 10-15 headstones.

Mr. Golden said the Fire Department had a few comments; one of them being the access aisle. He asked if they got clarification on the 26 foot width. Mr. Chadwick said he spoke to them and they are all set with the turnaround of the vehicle. He said what basically happens is the vehicle will pull into the site in front of the building, back up to where the dumpster is and then pull back out and they are all set with making that maneuver. Mr. Golden said staff would expect a letter to that effect.

Mr. O’Donoghue asked about the anticipated timing of the second phase. Mr. Freidenfeld said it is only if in time there is demand for additional specialty services they have space to expand. The basic emergency facility will be equipped to handle pretty much any type of emergency. If they need additional space that would come only if they need it. Mr. O’Donoghue confirmed with Mr. Freidenfeld that it was based on demand and future planning as opposed to any immediate plan to complete phase 2. Mr. Freidenfeld said that was true and said it will be a fully functioning emergency facility and if the demand really increases they will have the space. Mr. Freidenfeld showed images of what the facility and parking will look like. He said it is meant to be very friendly, welcoming and warm.
Generally people who go to the facility are pretty upset because something has happened to their pet so they want it to be comfortable and warm.

Mr. Long asked if the Board was reviewing both phases. Ms. Goucher said they are requesting that once the Board gets ready to take an action that they are taking an action on both phases, which would then mean that they would not necessarily need to come back to the Planning Board to build phase 2 unless for some reason down the road phase 2 changes. If they build it in the basic footprint they are representing they would just be coming to the Board this one time.

Ms. Charlebois asked if there was signage proposed for the entrance. Mr. Chadwick said there was and he pointed out the location of the monument sign. It would be down lit from under the eve of the sign.

Vice Chairman Leclerc asked if they were pouring a foundation or anything for the second phase in preparation or just waiting to see if they need it. Mr. Chadwick said they are going to wait and it will just be a grassed surface.

Vice Chairman asked how far their driveway was from the traffic light. Mr. Chadwick said they are approximately 300 feet from the light. He said there is a good 100 plus feet from the end of the turn lanes associated with the light to the driveway. The Vice Chairman was concerned about sight lines. Mr. Chadwick believed his engineers looked at it, but he will take another look.

Chairman O’Donoghue closed this public hearing and it will be deliberated at the next business meeting on April 18th.

5. **SP2019-007**
   Property located at 289 South Mammoth Road (Tax Map 705, Lot 24), a site plan application to change the use of an existing building from woodworking studio to an online auction office in the R-1B Zone. *Joseph M. Wichert, LLS Inc. for Denise A. Ryan*

Joe Wichert appeared on behalf of Denise Ryan. This property has always had a commercial use and it has always been in the R-1B district. It was previously approved to use as a woodworking shop in the late 1980’s/early 1990’s. It was used as a woodworking shop up until last year. Mrs. Ryan purchased it and her business is an online auction house. She has been to the Zoning Board of Adjustment and received a variance to change the use from woodworking to online auction in a residential district. She tried working with staff but she ended up having his firm prepare the site plan. As part of this application they are asking for waivers on landscape lighting, a landscape plan, a grading plan and a topography plan. There is really no physical change to the property as part of this application. It has a different use but everything else will stay as is sort of. He thought she added some awnings and flower boxes, just cosmetic improvements. Her business model is all online so basically he thought it was once every 1-2 weeks she holds an online auction that she streams. Once every so often she may have somebody call up and say they would like to be there when
they were streaming it, but 95-98 percent of the time everybody who is participating in the auction is doing it via the Internet so there is no one there. There is Denise, her husband and then one or two part-time employees; but the part-time employees are only in there if they have taken a large lot of merchandise to help catalog it and take the pictures, etc. There is very little traffic. It is not like a true retail use. A lot of the people that either drop off or purchase anything it will be done online so it might be a FedEx or UPS truck once a day and that is usually the limit of it.

Mr. Wichert said the reason they are before the Board is because there is no other site plan on file and it is a change of use. Physically, if you drove by six months ago before it was her business to now there is no physical change.

Mr. Long asked if there was any signage. Mr. Wichert thought she had signage on the front, but it is the existing signage and she just converted it. They did not do a sign detail.

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

Mr. Long asked if they would be putting any different lighting. Mr. Wichert said they would not and she is actually physically in the building now. He believed she has been trying to work with the Building Regulations side because there was a “snafu” they have kind of worked through and they have gotten the necessary permits.

Chairman O’Donoghue closed this public hearing and it will deliberated at the next business meeting on April 18th.

6. **CU2019-007**
Property located at 67 Central Street (Tax Map 168, Lot 2), a conditional use permit application to allow four dwelling units on the first floor of a multifamily dwelling, where two were previously approved, in the CBD Zone. *Fuss & O’Neill, Inc. for Christos Tsiaras.*

**SP2019-008**
Property located at 67 Central Street (Tax Map 168, Lot 2), an application to amend a conditionally approved site plan that allowed the conversion of 10,500 SF of offices to seven multi-family dwelling units by increasing the number of dwelling units to nine in the CBD Zone. *Fuss & O’Neill, Inc. for Christos Tsiaras.*

**IMP2019-001**
Property located at 67 Central Street (Tax Map 168, Lot 2), an application to reduce the impact fees for the conversion of a 10,500 SF office building to nine dwelling units in the CBD Zone. *Fuss & O’Neill, Inc. for Christos Tsiaras*

Rick Lundborn of Fuss & O’Neill appeared on behalf of the Tsiaras family. He said they are back before the Board tonight to amend the change of use site plan that was approved a few
months ago. When they did the financial work on the project they found that at the seven units it didn’t “pencil out” to make sense to do the renovation with all the stuff they had to do to the building and site but if they were to change two of the two-bedroom units to four one-bedroom units like the floor below it worked out. As such, they have come back to get four one-bedroom units and eliminate two two-bedroom units. Everything else will stay exactly the same as agreed to at the previous meetings. They are also seeking an impact fee waiver reduction that has been correctly calculated out.

As far as the exterior of the building and all of the modifications that were discussed in the last meeting such as landscaping, etc. Chairman O’Donoghue asked if those were staying the same. Mr. Lundborn said all of that stuff is the same.

Mr. Long recalled seeing a note from DPW with respect to the dumpster gate opening to Litchfield Lane. Mr. Lundborn said that was very similar to what was going on with the hotel project, they just requested a slide gate be an option instead of swing gates and his client is amenable to that.

Chairman O’Donoghue asked Mr. Lundborn to address the impact fees and the rationale behind that request. Mr. Lundborn believed the concern at the last hearing with the impact fee waiver wasn’t so much that were asking for a reduction of the impact fee, it was that they applied the same rate for all the units and there were a number of two-bedroom units where it was felt should be assessed at the full rate. He said a number of them are one-bedroom units and at the time he believed they had four two-bedroom units. The last time they came through they applied the formula reduction for the one-bedroom units to the whole building and rightfully so they were denied that waiver. After working with Mr. Golden and figuring out what should be done for the reduction, he said they basically followed the same logic that was discussed last time. At that time the Board members kind of agreed that they could get behind reducing the fees for those, but the two bedrooms would be assessed at the full rate and the amount that could be subtracted out for the commercial use that exists today could also be applied. That is essentially all that is happening. The two-bedrooms would be assessed at the full rate and then the one-bedrooms would be the ones they are seeking a reduction and, as discussed at the last hearing, they subtracted out the rate that would be assessed for the commercial use because it is going way.

Mr. Long said there was a current fee schedule required for the impact fee in their packet as well as a proposed fee schedule, but the total due added up to $21,330 and the fire impact fee and school impact fee added up to $15,828. He asked if their proposal was $21,330.

Mr. Lundborn presumed Mr. Golden prepared the summary that the current fee schedule, at a straight calculation, would be $29,982 and he believed the proposed request that they are asking for would reduce it to $21,330. He said they applied the townhouse rate to the seven one-bedrooms for the school fee. The fire fee was roughly the same regardless of the use. The two-bedrooms they assessed at the typical three or more unit multi-family rate for the zone and the fire rate was the same. There was also a credit for the commercial space for
the Fire Department impact fee for the space that they are converting.

Vice Chairman Leclerc asked if the parking would be affected at all. Mr. Lundborn said there is no parking required in the zone, but they were already providing nine spaces anyway. If they go to nine units, every unit would get one space.

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

Chairman O’Donoghue closed this public hearing and it will deliberated at the next business meeting on April 18th.

Mr. Lundborn asked if this could be deliberated this evening. The Chairman advised the public hearing was already concluded so it will be taken up at the next business meeting.

III. LIMITED BUSINESS MEETING:

(Tabled Item)

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

   Remain on table.

IV. ADMINISTRATIVE MATTERS:


   Review of the Minutes was tabled to the next meeting.

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

   Ms. Sanuth advised that the Board’s first meeting in May coincides with the Manchester Taco Tour so parking in this area will be a nightmare. It was agreed to hold the meeting on Wednesday, May 1st instead.

   Given the amount of projects that have come in, Ms. Goucher advised they will need to hold two public hearings. The second meeting would also include a business meeting.
ATTEST: _____________________________________________________

Michael Harrington, Chairman
Manchester Planning Board

APPROVED BY THE PLANNING BOARD:  June 6, 2019

☒ With Amendment
☐ Without Amendment