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

II. LIMITED PUBLIC HEARING:

(Continued from April 4, 2019)

1. 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

Tom Huot of S&H Land Services appeared on behalf of the Molloy’s who are the property owners and Will Socha, the developer.

Mr. Huot advised they have two parcels that comprise nine acres at 1200 South Mammoth Road. They will be leaving the existing industrial building on an approximate one acre lot and the larger lot will be about eight acres. They needed a variance due to a mapping error because the zoning map was incorrectly drawn in 2001 and voted on by the municipality so the public hearing was left open until they were able to proceed to get a variance. A waiver was granted by this Board to allow them to do that. They went before the ZBA last Thursday and the variance was granted.

Chairman Harrington opened the hearing up for public comment and there was none. The Chairman brought the hearing back to the Board and there were no further comments.

Chairman Harrington closed this public hearing.
The Chairman concluded the public hearing of the Manchester Planning Board April 18, 2019 and called to order the business meeting of April 18, 2019.

III. BUSINESS MEETING:

Chairman Harrington advised that they were one member short to make a quorum.

Alderman Levasseur advised they had to deal with the 67 Central Street issue. He thought the only change was from six to nine on the amount of units so he thought that application could be dealt with.

Ms. Goucher said they had the hearing at the last meeting because they proposed adding two additional units on the first floor which meant the CU they had gotten for two units was changed to four units and they presented their impact fee waiver at the last meeting. She said there were a couple of ways they could go about that. The impact fee was very different at the last hearing but she wondered if one member felt comfortable they could take an action potentially on the site plan and conditional use permit. She didn’t think they would want to take up the impact fee tonight because of the changes that were made on that. The others were very straightforward. They were not proposing any changes to the site plan or the building and the real difference was the increase from seven to nine units, which triggered the additional conditional use permit because the original CU was only granted for two units on the first floor.

Ms. Trisciani thought, at least with those two items, that would help the applicants keep moving forward with development and they could take up the impact fees at the next meeting when they have a full complement seemed very reasonable.

Ms. Goucher said there was a staff recommendation for Central Street.

(Current Items)

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*

   Due to a lack of a quorum, this item was postponed to May 1, 2019.

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*

   Due to a lack of a quorum, this item was postponed to May 1, 2019.
3. **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*

   Due to a lack of a quorum, this item was postponed to May 1, 2019.

4. **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*

   Due to a lack of a quorum, this item was postponed to May 1, 2019.

5. **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*

   Mr. O’Donoghue made a motion to grant CU2019-007, which was seconded by Alderman Levasseur. (Motion Carried)

   **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*

   Chairman Harrington advised that there was a staff recommendation and the Board took a moment to review that information.

   Mr. O’Donoghue made a motion to grant the waiver request for structure and use, landscape plan, signing and lighting and utilities, which was seconded by Alderman Levasseur. (Motion Carried)

   Mr. Leclerc made a motion to approve SP2019-008 per staff recommendation, which was seconded by Mr. O’Donoghue. (Motion Carried)

   **Conditions of Approval:**

   1. Conditional approval of this plan shall be valid for one year, during which time all conditions precedent to final approval shall be completed and plans shall be submitted for final approval;
2. The applicant shall reconstruct the sidewalk across the frontage of the lot with necessary permits, and to the specifications of Highway Department standards including the (2) street trees with tree grates or equivalent;

3. The representations of the Arena Overlay Design Review submission shall be included in the plan set;

4. The applicant shall obtain sign-off from all City reviewing agencies, including the Planning staff and Fire Prevention, prior to submitting plans for final approval;

5. The plan shall contain the following statement signed by the owner or developer: “It is hereby agreed that, as the owner of the property, I will construct the project as approved and as shown on the enclosed set of plans. Further, I agree to maintain the site improvements for the duration of the use;”

6. The plan shall contain a note stating, “No certificate of occupancy for the residential units shall be authorized until all required improvements have been completed, unless addressed by the provision of a financial guarantee, pursuant to the requirements of Subsection 4.14 of the Manchester Subdivision and Site Plan Review Regulations”;

7. The plan shall contain a note stating that excess snow shall be removed from the site so parking spaces and drive aisles are not compromised;

8. The plan shall contain a note stating, “All conditions subsequent to approval shall be completed within two years of final approval”;

9. All material changes to the approved plan shall be reviewed and approved by the Planning Board at a subsequent hearing;

10. To submit plans for final approval, the applicant shall submit seven paper plan sets to the Planning and Community Development Department; and

11. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Subsection 4.13 of the Manchester Subdivision and Site Plan Review Regulations, the Planning Board shall hold a hearing to revoke this approval, pursuant to RSA 676:4-a.

12. Prior to a CO, a school impact fee of $3,125/unit shall be paid for the 9 residential units. Additionally, a fire impact fee shall of $512/unit be paid for the residential use. The following fee schedule is required, and reflects commercial credits applied:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Impact Fee</td>
<td>$ 1,896</td>
</tr>
<tr>
<td>School Impact Fee</td>
<td>$ 28,125</td>
</tr>
<tr>
<td>Total Due</td>
<td>$ 30,021</td>
</tr>
</tbody>
</table>
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*

Postponed to May 1, 2019.

*(Tabled Item)*

6. **SP-01-2018**
Property located at 55 Edward J. Roy Drive (Tax Map 645, Lot 348), 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 the table.

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

The staff has reviewed the applications listed below and recommends that none of the applications have regional impact, and that only one, S2019-011, should be referred to the Manchester Conservation Commission.  If the Board agrees, the following motion would be in order:  “The following applications do not have regional impact and do not require review by the Manchester Conservation Commission [read all application numbers except item 4].  S2019-011 does not have regional impact but does require review by the Manchester Conservation Commission.”

1. **S2019-004**
Property located at 2108 River Road (Tax Map 557, Lot 5), an application to subdivide one lot of approximately 87 acres to create 1 lot of approximately 71 acres and 17 additional lots, all of which would be buildable and would be accessed from a new extension of Arthur Avenue, in the R-1A Zoning District.  *Joseph M. Wichert, LLS, Inc. for C&D Realty Trust.*

2. **S2019-009**
Property located at 932 and 964 Wellington Road (Tax Map 879, Lots 13 and 14), an application to consolidate two lots totaling approximately 5.3 acres and to subdivide them into 11 new lots and a new public street in the R-1A Zoning District.  *Joseph M. Wichert, LLS, Inc. for J&C Ryder Family Trust and Stanley J. Garczynski.*

3. **S2019-010**
Property located at 1414 N. Russell Street (Tax Map 280, Lot 80), a subdivision application for the creation of two new lots of approximately 19,142 SF (Lot 1) and
19,260 SF (Lot 2) in the R1-A Zoning District. *Fuss & O’Neill for Alexander Thomas Investments, LLC.*

*(Variance was not granted – subdivision as submitted will not move on to Planning Board)*

4. **S2019-011**
   Property located at 270 Stanton Street (Tax Map 507, Lot 64A), a subdivision application for the creation of 8 new buildable lots in the Partnership Park Subdivision utilized by the Manchester School of Technology. The proposal also includes a 300’ extension of the existing dead-end hammerhead roadway, with a new cul-de-sac and granite curbing in the R1-B Zoning District. *Fuss & O’Neill for the Vocational Partnership of Region #15.*

*(Conservation Commission review required)*

5. **S2019-012**
   Properties located at 122 and 200 McGregor Street (Tax Map 180, Lots 1 & 2), a subdivision application for the creation of two new lots of ± 79,712 SF (Lot 1) and ± 56,866 SF (Lot 2) in the B-2 and C-2 Zones. *TF Moran for St. Mary’s Bank and PJC Manchester Realty, LLC.*

6. **SP2019-010**
   Property located at 252 Willow Street (Tax Map 733, Lot 19), a site plan application for the proposed redevelopment of the existing mill building. The proposal for this mixed use development includes 64 studio and one bedroom residential units/artist studios, seven micro-hotel/short term rental units, retail, artist space, and undefined future tenants. The site improvements include approximately 100 parking spaces, granite curbing, patio and garden space, and closure of one existing curb cut in the RDV Zoning District. *Fuss & O’Neill for The Factory on Willow, LLC.*

7. **CU2019-008**
   Property located at 252 Willow Street (Tax Map 733, Lot 19), an application for a conditional use permit to allow a reduction in required on-site parking from 292 to 103 spaces in the RDV Zoning District. *Fuss & O’Neill for The Factory on Willow, LLC.*

8. **IMP2019-002**
   Property located at 252 Willow Street (Tax Map 733, Lot 19), an application to reduce the school impact fees for the residential component in this mixed use development, in the RDV Zoning District. *Fuss & O’Neill for The Factory on Willow, LLC.*

9. **PDSP2019-002**
   Property located at 766 and 778 Gold Street (Tax Map 438, Lots 5A and 5C), an application for site-plan and planned-development approval to construct an approximately 44,875-square-foot automobile dealership and service center and to maintain an approximately 6,000-square-foot building to be used as additional service area, with associated site improvements, in the B-2 Zoning District. *Allen and Major Associates, Inc. for AMR Real Estate Holdings, LLC.*

*(Request by applicant to postpone hearing until June)*
10. **CU2019-009**  
Property located at 766 and 778 Gold Street (Tax Map 438, Lots 5A and 5C), an application for a conditional-use permit to allow 135 parking spaces where 215 parking spaces would be required, in the B-2 Zoning District. *Allen and Major Associates, Inc. for AMR Real Estate Holdings, LLC.*  
*(Request by applicant to postpone the Hearing until June)*

11. **SP2019-011**  
Property located at 200 McGregor Street (Tax Map 180, Lot 1), a site plan application amendment to a previously approved plan (SP-3-2012 amendment to SP-21-2011) for improved parking, access and traffic circulation in the B-2 Zone. *TF Moran for St. Mary’s Bank*

12. **CU2019-010**  
Property located at 200 McGregor Street (Tax Map 180, Lot 1), an application for a conditional use permit to allow a reduction in required on-site parking from 69 to 55 in the B-2 Zone. *TF Moran for St Mary’s Bank*

13. **SP2019-012**  
Property located at 195 McGregor Street (Tax Map TPK5, Lot 2), a site plan application amendment to a previously approved plan (SP-29-2010 and SP-19-2007) for improved parking, access and traffic circulation in the ACH Overlay and AMX Zone. *TF Moran for Brady Sullivan Millworks, LLC*

14. **SP2019-013**  
Property located at 122 McGregor Street (Tax Map 180, Lot 2), a site plan application for construction of a new 1-story, 15,855 SF Rite Aid Pharmacy with associated site improvements in the B-2 Zone. *TF Moran for PJC Manchester Realty, LLC*

15. **CU2019-011**  
Property located at 122 McGregor Street (Tax Map 180, Lot 2), an application for a conditional use permit to allow a reduction in required on-site parking from 60 to 53 in the B-2 Zone.

16. **SP2019-014**  
Property located at 100 McGregor Street (Tax Map 180, Lot 2A), a site plan application for construction of a new 6-story, 220,560 SF, hospital addition, 94-space surface parking lot, and future 4-level, 327 space parking garage, with associated site improvements. *TF Moran for Catholic Medical Center*

17. **CU2019-012**  
Property located at 88 and 100 McGregor Street (Tax Map 180, Lot 2A), an application for a conditional use permit to allow a reduction in required on-site parking from 1,014
to 214 with an alternative parking arrangement in the C-2 and B-2 Zones. *TF Moran for Catholic Medical Center*

Given the number of applications received, Ms. Goucher advised there would be two public hearings in the May and she advised the Board which meeting the applications would be heard at.

Chairman Harrington questioned whether there would be regional impact for the CMC projects. Ms. Goucher advised if the Board felt there is they could certainly determine that to be the case. The Chairman didn’t think there was, but it is a significant project. Ms. Goucher did not feel it was a lot different than the Elliot when it came forward in terms or providing for expanded uses to the hospital. There was also Dartmouth Hitchcock that doubled their sized. She said there will be people who will be using the highway system to get there, but the traffic study has already documented the increases.

Alderman Levasseur asked if they were going to have a parking garage underneath or anything like that. Ms. Goucher said the plan is to build a six story addition to CMC. She thought they talked about 90 beds; however, they are not really going to be developing additional patient beds above and beyond what they are licensed for. What they are attempting to do is go to the model of having many more single occupancy patient rooms so there will be some shifting in there. They will have some additional operating suites and medical offices on the ground floor. When they present the project, they will be talk about a parking garage; however, it is a little bit in flux and it would only be built if they felt it was necessary after they completed the Elliot expansion. They are anticipating that the CMC addition is going to be out at 2022 because they have to deal with the Rite Aid and there is some realignment of their driveways because they wanted to move the driveway on McGregor Street further south and in the process they are going to impact the Brady Sullivan lot and realigning their driveways because they more or less line up now so it will affect the Brady Sullivan too. It is basically an amendment to their parking layout and St. Mary’s Bank wanted to acquire more parking in the front of their building so all of these projects are all interwoven but there are steps. There is a subdivision. There is a modification of St. Mary’s. There is a permitting process for Rite Aid while they still want to maintain the Rite Aid in the building in the back so CMC would not be taking down the building in the back until Rite Aid is up and operating in their new building. As such, it is a lot of phases in the project.

Alderman Levasseur was concerned how this would affect access to the highway. Ms. Goucher said you would be able to get onto the highway at the Amoskeag roundabout. What she was not sure about was the “slip entrance” just past Bridge Street. She was not sure if that would go away.

Alderman Levasseur inquired if any variances were needed and Ms. Goucher advised they were going to the Zoning Board of Adjustment on May 9th.

Mr. Belanger advised that RSA 36:55 says that “A development of regional impact means any proposal before a local land use board in which the determination of such land use board
could reasonably be expected to impact on a neighboring municipality because of factors such as, but not limited to, the relative size or number of dwelling units as compared with the existing stock, proximity to the borders of neighboring community, transportation networks, anticipated emissions such as light, noise, smoke, odors or particles, proximity to aquifers or surface waters which transcend municipal boundaries or shared facilities like schools and solid waste disposal facilities.

In hearing the definition, Chairman Harrington did not think it rose quite to that level. It will certainly have some impact on the neighborhood but not on another municipality. Alderman Levasseur agreed.


### IV. ADMINISTRATIVE MATTERS:

Chairman Harrington advised the administrative matters would be taken out of order.

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

**LaQuinta Hotel Signage**

Mr. Golden provided a spreadsheet of the signage and advised that they have been out of conformity since essentially they rehabbed the place. This is an effort to come into conformance. The spreadsheet denotes all of the signs and the map of where they are. The next couple pages are examples of taking the branding off of directional signage, which isn’t allowed in the Zoning Ordinance. The bulk of this is branding so now all of the signs are conforming as represented in the packets. The only new sign is represented on the last two pages of the packet. It is a 6x24 foot vinyl banner for the event center. The previous site plan approval required any changes to signage come back to the Board at a business meeting.

Chairman Harrington said seemed like this would clean it up and bring it into conformity.

Ms. Trisciani asked if they are changing out all the signage and just keep a banner hung on the side. Mr. Golden said all of the signage on the building that is LaQuinta branded, which is basically all the parking and directional signs, the branding needs to be removed. They have options for each one of those to do so. The only new sign is the banner, which has actually been up for some time. It is not very refined. Vinyl is kind of a temporary kind of sign but there isn’t any avenue for a temporary sign essentially.
Ms. Goucher said basically because the project was before the Board and there was a condition regarding review of signage back to the Board; that is why the Board is seeing it tonight.

Ms. Charlebois inquired about there being no “avenue” for temporary signs. Ms. Goucher advised they are not proposing this as a temporary sign and staff doesn’t really recognize those except for short term grand opening type of things so they don’t permit them. She thought Mr. Golden was alluding to is it looks like a temporary sign but what they are asking for is it to become a sign. Ms. Charlebois confirmed with Ms. Goucher that they are looking for approval of a temporary sign as a permanent sign. Ms. Goucher said many people would probably view the sign as temporary because of the nature of the material being used.

Ms. Trisciani said she was okay with everything but she didn’t want to be stuck with a temporary permanent banner stuck on the side of the building. It is in a pretty visible spot when you are coming in and out of the City. Ms. Goucher asked if they proposed something that wasn’t a vinyl banner she might be okay with what they are trying to accomplish. Ms. Trisciani said if they designed something that doesn’t look like a cheap billboard. Ms. Charlebois said she would feel uncomfortable approving a banner as a sign as it would set precedence for then approving more banners as permanent signs in the future.

Chairman Harrington asked if a condition could be placed that they replace the banner with a permanent sign in a period of time. Ms. Goucher said they are already not in conformance so with what the Board has seen for their proposed signage, which essentially exists, if the Board wanted to take an action on all the others and not the banner sign, they would have to make sure they got some enforcement on that. But if at the same time they are making that recommendation, they could put a caveat in there that they are not opposed to a sign in that location, but they do not feel that is the appropriate kind of sign and when they come up with something that is more permanent they can come back on that particular one.

Ms. Trisciani said that raised the question if there were any sort of rules about how long these temporary signs can be up. Mr. Curry asked if they were basing their decision on their location because they are on a highway where people can see them going in and out. There are other businesses in town that use banners as their signage.

Ms. Goucher said within the sign regulations what is exempt from the regulations is a sign indicating a special event such as a grand opening, fair, carnival, circus, festival and similar events. Such signs may be erected not sooner than two weeks before the event and must be removed not later than three days after the event. That is one that is exempt from permitting because it is essentially a temporary sign announcing an event. The other is if you have a banner building marker historic sign that doesn’t exceed four square feet in area. You can have a banner that is less than four square feet and it would be exempt from the sign permits. This particular “banner” is definitely not exempt because it is bigger than four square feet.
Mr. O'Donoghue said it looked like they could use this to announce more in a banner style where they are going to announce events that will be happening there. He wondered if that was their intent or if the signage as it exists what they want to keep there. Ms. Goucher said they want to keep the banner sign just like it is up there now.

Mr. Leclerc asked if the size of the banner is within the parameters in its location. Mr. Golden said size wise all the signs in the packet are conforming.

Mr. Belanger said Ms. Goucher read from the Zoning Ordinance, which applies to all signs that are erected in the City. He said the Board is considering this as a Planning Board application where he believed this came in front of them and there was a condition set on their approval that the applicant would come back to have the Board review signs. He said what they are looking at would happen in a much more limited circumstance. The Zoning Ordinance, which the Board does not rule on, applies to all signs. What the Board is doing is here is much more limited.

Chairman Harrington said the directional signage was just bringing it into conformity by taking off the branding and that seems to be okay. The issue is the banner sign they are trying to pass off as a permanent sign.

Alderman Levasseur made a motion that the applicant come back to the Board with a different format for the banner sign. Ms. Goucher said if the Board was not okay with the sign they are proposing then staff will follow up with enforcement and tell them the Board is asking for a different type of sign in that location.

Alderman Levasseur made a motion to approve the signs that were changed by the Planning Department and the banner sign be removed, which was seconded by Mr. Leclerc. (Motion Carried)

Quirk Kia Signage

Mr. Golden advised this one was much more straightforward and that are just updating signage, which is conforming.

Chairman Harrington said it is just branding and is consistent with the regulations.

Alderman Levasseur made a motion to approve the sign, which was seconded by Mr. Leclerc. (Motion Carried)


Ms. Trisciani advised she reviewed the Minutes of January 3rd and pointed out corrections to
be made.

Ms. Charlebois made a motion to approve the Minutes of January 3, 2019 with amendment, which was seconded by Mr. Leclerc. (Motion Carried)

Mr. Leclerc advised he reviewed the Minutes of February 21st and March 7th and pointed out corrections to be made.

Ms. Charlebois made a motion to approve the Minutes of February 21, 2019 with amendment, which was seconded by Ms. Trisciani. (Motion Carried)

Ms. Charlebois made a motion to approve the Minutes of March 7, 2019 with amendment, which was seconded by Ms. Trisciani. (Motion Carried)

Mr. O’Donoghue advised he reviewed the Minutes of March 21st and pointed out corrections to be made.

Mr. Leclerc made a motion to approve the Minutes of March 21, 2019 as modified, which was seconded by Ms. Charlebois. (Motion Carried)

2. Additional Business Item:

Mr. Belanger advised there is an issue pending litigation. There is a party that has sued this Board and there has been some new information that has come to light and the right-to-know law allows for a nonpublic session to be entered into when there is a discussion about pending litigation.

Chairman Harrington made a motion to go into nonpublic session in accordance with RSA 91-A:3IIe, Consideration of Pending Litigation, which was seconded by Mr. O’Donoghue. (Motion Carried)

Chairman Harrington made a motion to come back into regular session, which was seconded by Mr. Leclerc. (Motion Carried)

Chairman Harrington made a motion to seal the Minutes of the nonpublic session, which was seconded by Mr. Leclerc. (Motion Carried)

Alderman Levasseur made a motion to adjourn, which was seconded by Mr. Leclerc. (Motion Carried)

ATTEST: _____________________________________________________

Michael Harrington, Chairman
Manchester Planning Board