MANCHESTER PLANNING BOARD
LIMITED PUBLIC HEARING / BUSINESS MEETING
Thursday, October 17, 2019 – 6:00 PM
City Hall, Third Floor – Aldermanic Chambers

Members Present: Chairman Mike Harrington, Vice Chairman Michael O’Donoghue, Pat Long, Beth Charlebois, June Trisciani, Melanie Sanuth, Alderman Joe Kelly Levasseur, Dan Leclerc

Alternate Present: Robb Curry

Excused: Ray Hebert (Member), Chris Wellington (Alternate)

Absent: Barry Lussier (Alternate)

Staff Present: Jeffrey Belanger, Senior Planner; Jodie Nazaka, Planner

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

II. LIMITED PUBLIC HEARING:

(Continued From October 3, 2019)

1. **S2019-013**
   Property located at 2874 Brown Avenue (Tax Map 683, Lot 10), a subdivision application to subdivide one lot of 17,377 square feet into two lots, with one lot to have 8,501 square feet and the other lot to have 8,804 square feet, both in the R-1B Zone. *Eric Mitchell and Associates, Inc. for United Investors, LLC.*

   At the request of the applicant, this item was postponed.

III. BUSINESS MEETING:

1. **SP2019-031**
   Property located at 327 Silver Street (Tax Map 361, Lot 4), a site-plan application to construct 5 townhouse units and repave a parking area in the RDV Zone. *Silver Street Manchester, LLC, owner.*

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

   Mr. Long advised there were two waiver requests to be addressed.

   *Mr. Long made a motion to grant the waiver from Section E of Appendix C that requires a landscape plan stamped by a landscape architect, which was seconded by Ms. Sanuth. (Motion Carried)*
Mr. Long made a motion to grant the waiver from Section G of Appendix C that requires a utility plan, which was seconded by Ms. Sanuth. (Motion Carried)

Chairman Harrington thought the applicant did a good job coming back before the Board with a revised plan.

Mr. Long inquired about the trees. Mr. Belanger said the rear abutter was concerned about a rear buffer blocking their windows as well as encroachment of roots onto their property and the applicant is amenable to move them where ever they need to be moved. Ms. Trisciani advised that condition #7 addresses that.

Mr. Long made a motion to approve SP2019-031 per staff recommendation, which was seconded by Ms. Trisciani.

Mr. O’Donoghue proposed a condition that all utilities will be underground, which was discussed during the meeting and the applicant agreed to it. Mr. Belanger advised it was required as it is a new development.

Mr. Leclerc advised if the information was received from Water Works. Mr. Belanger advised the applicant is working with Water Works concerning the minute detailing on the fixtures. The applicant is amenable to do what Water Works wants them to do.

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 obtain sign-off from all City reviewing agencies, including the Planning staff, prior to submitting plans for final approval;

3. The applicant shall obtain all necessary State and Federal approvals, as applicable, prior to final approval;

4. The plan shall contain the following statement signed by the owner, “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;”

5. The plan shall contain a note stating, “No certificate of occupancy shall be authorized until all required improvements have been completed, unless addressed by the provision of a financial guarantee, pursuant to the requirements of Section 4.14 of the Manchester Subdivision and Site Plan Review Regulations”;
6. The plan shall contain a note stating, “All conditions subsequent to approval shall be completed within two years of final approval”;

7. The plan shall be amended to move the location of the trees away from the rear property line and the species of the proposed trees shall be reviewed by staff;

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

9. Any material change to the approved plan shall be reviewed and approved by the Planning Board at a public hearing;

10. Sidewalks shall be constructed along the property’s frontage, consistent with the Standard Specifications of the Manchester Department of Public Works, prior to issuance of a certificate of occupancy;

11. An excavation permit from the Manchester Department of Public Works is required for all work within the public right-of-way. All work shall conform to the City of Manchester Standard Specifications;

12. Prior to applying for a certificate of occupancy, a signed and sealed letter from a NH licensed professional engineer shall be submitted to the planning staff certifying that the site improvements have been constructed in accordance with the approved plans;

13. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Section 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;

14. The school impact fee of $1,104 per townhouse dwelling unit shall be submitted prior to the issuance of a certificate of occupancy; and

15. The fire impact fee of $511 per townhouse dwelling unit shall be submitted prior to the issuance of a certificate of occupancy

2. **SP2019-035**
   Property located at 99 Manchester Street (Tax Map 116, Lot 8), a site plan application for a change of use from congregate housing to a dormitory with office space on the first floor in the CBD Zone. *Matt and Jody Wilhelm for 99 Manchester St LLC.*

Mr. Long, Ms. Sanuth and Ms. Trisciani abstained. Ms. Charlebois advised she was not present for the public hearing but she has reviewed the material and is comfortable voting.
Ms. Nazaka advised there is a waiver from providing a survey plan and also a traffic impact letter. She referred to recommendation #1 and advised there was a lot of discussion at the public hearing relative to their proposed exterior elevation improvements. She advised they have applied for a building permit and the elevations they submitted for the building permit is exactly what the Board saw at the hearing.

Mr. O’Donoghue asked what treatment they were going to do on the bricks. Ms. Nazaka advised at the hearing they weren’t sure what they were going to do. Based on the elevation they submitted Ms. Nazaka said it appears they would be restoring the brick. It looked like a brick texture. Mr. O’Donoghue thought it would be hard to restore the brick with the paint and everything it has on it.

Chairman Harrington asked if the Board would like the applicant to come back before the Board with that kind of change. The Chairman said personally he would not like to hold this up for that. Ms. Charlebois said if it was going to be a drastic change it should probably come back to the Board. Alderman Levasseur said if they weren’t going to do anything at all then they should come before the Board because the current color scheme is not attractive. What he saw on Central Street was pretty easy stuff and it looks great and he would like to see something like that.

Ms. Nazaka said they could modify that condition to say any changes to the exterior elevation represented at the public hearing shall return to the Board at a business meeting. The Alderman said they said they were going to paint it at a minimum and if they don’t he would like to know. Mr. Leclerc said it looked like they will replace the T-111 with panels, which was night and day.

Chairman Harrington asked if this building was in the arena overlay district. Ms. Nazaka said it was not, but the building at 67 Central Street was. The Chairman said that is why the Board was so encouraging to the applicant in that particular case to make the aesthetic changes.

Mr. O’Donoghue said the applicant should come back to the Board if they do not physically represent the rendering. He believed someone mentioned a building on Canal Street that did the same thing and it looked great. Alderman Levasseur received a text from the applicant advising they applied for the building permit prior to the hearing and they will do the exterior improvements as discussed at the hearing. It will be painted red with gray accents or it will be sandblasted. That’s the minimum.

The Chairman said as long as they do what was represented, whether it is painted or sandblasted or whatever. The Board was okay with that. Ms. Nazaka said instead of condition #1 saying prior to issuance of a building permit she would say “any changes to the spirit of the exterior improvements represented at the public hearing shall require a return to the Board at a business meeting.” That covers whether it is sandblasted or brick.
Chairman Harrington advised there were waivers to address.

*Mr. Leclerc made a motion to grant the waiver from providing a survey plan, which was seconded by Alderman Levasseur.* *(Motion Carried) (Abstained: Sanuth, Long, Trisciani)*

*Ms. Charlebois made a motion to grant the waiver from providing a traffic letter, which was seconded by Mr. O’Donoghue.* *(Motion Carried) (Abstained: Sanuth, Long, Trisciani)*

*Mr. O’Donoghue made a motion to approve SP2019-035 per staff recommendation and with the amendment as discussed, which was seconded by Mr. Leclerc.* *(Motion Carried) (Abstained: Sanuth, Long, Trisciani)*

**Conditions of Approval:**

1. Any exterior changes to the elevations represented to the Board at the public hearing shall return to the Planning Board for review at a Business Meeting;

2. If a street tree is not an option because of the width of the sidewalk, the applicant shall work with staff to determine the best location for seasonal planters in front of the building;

3. 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;

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

5. No certificate of occupancy shall be authorized until all required improvements have been completed, unless addressed by the provision of a financial guarantee, pursuant to the requirements of Section 4.14 of the Manchester Subdivision and Site Plan Review Regulations;

6. Proposed signage shall be reviewed and approved by the Planning Board at a business meeting;

7. An excavation permit from the Manchester Department of Public Works is required for all work within the public right-of-way. All work shall conform to the City of Manchester Standard Specifications; and

8. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Section 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.
3. **CU2019-026**  
Property located at 2 Keller Street (Tax Map 874, Lot 1C), a conditional use permit application for a reduction in required on-site parking, where 116 spaces are required and 60 spaces are provided in the B-2 Zone. *Allen and Major Associates, Inc. for 70 Keller Street, LLC.*

**SP2019-036**  
Property located at 2 Keller Street (Tax Map 874, Lot 1C), a site plan application to change the use of an existing building from retail to an automobile dealership and warehousing, reconstruct a parking lot, and add site improvements in the B-2 Zone. *Allen and Major Associates, Inc. for 70 Keller Street, LLC.*

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

*Mr. Long made a motion to approve CU2019-026, which was seconded by Mr. Leclerc. (Motion Carried)*

Mr. O’Donoghue said during the discussion the applicant represented that no commercial vehicles, boats, trailers or any of the storage business would be stored external to the enclosed building. Mr. Belanger advised condition #11 addresses that point.

After they had significant discussion about the parking on the lawn of their existing dealership at the public hearing, Ms. Trisciani advised she drove by today and she was very happy to see that there were no cars parked on the lawn any longer and she expected that would stay that way even as they start to move into this new location.

Mr. Long thought there was a discussion with DPW regarding drainage. Mr. Belanger said applicants submitted some revised drainage calculations on the morning of the public hearing. He advised that as of yet DPW had not gotten back to staff on any review of those revisions but he believed they were comfortable in working with the applicant should the Board want to conditionally approve it. There is already a requirement that DPW has to be okay with the drainage calculations.

Mr. Long made a motion to approve SP2019-036 per staff recommendation, which was seconded by Mr. Leclerc. (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 obtain sign-off from all City reviewing agencies, including the Planning staff, prior to submitting plans for final approval;

3. The applicant shall obtain all necessary State and Federal approvals, as applicable, prior to final approval;

4. The plan shall contain the following statement signed by the owner, “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;”

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

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

7. Prior to final approval, the applicant shall submit to the Planning staff a declaration of easement guaranteeing the right of sewer service to cross Tax Map 874, Lot 1 for the benefit of Tax Map 874, Lot 1C. The declaration shall note that, although both lots are commonly owned, the easement would take effect should either lot be sold to another party and would be referred to in the deed. The declaration shall be recorded within 30 days of final approval and notification of the book and page number shall be provided to Planning staff;

8. Prior to final approval, the applicant shall submit to the Planning staff a declaration of easement guaranteeing the right for users of either Tax Map 874, Lot 1 or Tax Map 874, Lot 1C to cross to the other lot by way of the driveway provided between them. The declaration shall note that, although both lots are commonly owned, the easement would take effect should either lot be sold to another party and would be referred to in the deed. The declaration shall be recorded within 30 days of final approval and notification of the book and page number shall be provided to Planning staff;

9. A note shall be added to the plan stating, “No automobiles may be parked on the landscaping. Failure to comply with this requirement may result in fines and the revocation of the Board’s approval for use of the site;”

10. A note shall be added to the plan stating, “All loading and unloading of vehicles shall occur on Map 874, Lot 1C and not in the City ROW;”
11. A note shall be added to the plan stating, “Other than the display of vehicles for sale, there shall be no outside storage of any other vehicles or equipment;”

12. The plan shall be amended to provide a detail showing full-cutoff fixtures for all pole lighting. Lighting levels shall be made more consistent across the site. Planning staff shall review all lighting prior to final approval to ensure that lighting levels are more consistent throughout the site;

13. The existing banner signs on the property shall be removed prior to the issuance of a building permit and a sign permit shall be secured for any proposed signs prior to installation;”

14. All landscaping on the site shall be irrigated;

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

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

17. An excavation permit from the Manchester Department of Public Works is required for all work within the public right-of-way. All work shall conform to the City of Manchester Standard Specifications;

18. Prior to applying for a certificate of occupancy, a signed and sealed letter from a NH licensed professional engineer shall be submitted to the planning staff certifying that the site improvements have been constructed in accordance with the approved plans;

19. Should any condition precedent or subsequent to this approval not be met in the time periods provided for in Section 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.

4. **SP-01-2018 (Tabled from March 15, 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.

   *Mr. Long made a motion to take SP-01-2018 off the table, which was seconded by Mr. O’Donoghue. (Motion Carried)*

   Mr. Belanger advised he had a conversation with the City Solitor’s office and they thought a
decision would be forthcoming in the next few weeks.

Ms. Sanuth made a motion to return SP-01-2018 to the table, which was seconded by Mr. Leclerc. (Motion Carried)

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

The staff has received and reviewed the applications listed below and the Planning Board should determine if any of the applications are likely to have impacts beyond the boundaries of Manchester, requiring regional review pursuant to RSA 36:54, 55, 56 & 57 or warrant comment by the Manchester Conservation Commission.

1. S2019-017
Properties located at 85 and 95 Omega Street (Tax Map 774, Lots 3 and 4), a subdivision application to adjust the common lot line by annexing 3,965 SF from Lot 3 to Lot 4 resulting in one lot of 13,378 SF (Lot 3) and one of 20,049 SF (Lot 4) in the R1-B Zone. Allen & Major Associates for Michael and Donna Howe

2. S2019-018
Property located at 227 Lakeview Lane (Tax Map 860, Lots 6 and 6A), a subdivision application to adjust the common lot line by annexing 6,008 SF from Lot 6 to Lot 6A resulting in one lot of 26,176 SF (Lot 6) and one of 28,032 SF (Lot 6A) in the R1-A Zone. Joseph M. Wichert. LLS for Ryan & Kathryn N. Leach

3. SP2019-015
Property located at 32 Main Street (Tax Map 629, Lot 16), a site plan application for a proposed 6-unit residential condominium with the associated site improvements in the B-2 Zone. Alan Yeaton for 32 North Main Street Property Management, LLC.

4. CU2019-027
Property located at 555 Union Street (Tax Map 20, Lot 28), a conditional-use-permit application for a parking reduction in the C-1 Zone.

5. SP2019-038
Property located at 555 Union Street (Tax Map 20, Lot 28), a site-plan application to construct an approximately 4,700-square-foot addition to the Boys and Girls Club in the C-1 Zone.

6. PD2019-002
Property located at 605 Old Wellington Road (Tax Map 645A, Lot 6), a planned development application to allow a single unit apartment above a detached garage on a residential lot in the R-SM Zone. Granite Engineering, LLC for 605 Old Wellington Road Development, LLC
7. **CU2019-028**
   Property located at 201 Wilson Street (Tax Map 355, Lot 29), a conditional use permit application for a Domestic Laundry and Cleaning Service to replace a retail use on the first floor, in the R-3 Zone. *Steven Cotran for OGP, LLC.*

*Mr. Curry made a motion, which was seconded by Ms. Sanuth, that the following applications do not have regional impact and do not require comment from the Manchester Conservation Commission: S2019-017, S2019-018, SP2019-015, CU2019-027, SP2019-038, PD2019-002 and CU2019-028. (Motion Carried)*

IV. **ADMINISTRATIVE MATTERS:**

1. Review and approval of the Planning Board Minutes of August 1, 2019 and August 14, 2019.

   Ms. Trisciani advised she reviewed both sets of Minutes and submitted minor grammatical revisions to staff.

   *Ms. Trisciani made a motion to accept the Minutes of August 1, 2019 and August 14, 2019 with amendment, which was seconded by Mr. Long. (Motion Carried)*

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

   No further business items were brought forward.

   *Ms. Sanuth made a motion to adjourn, which was seconded by Mr. Curry. (Motion Carried)*

ATTEST: ____________________________________________

   Michael Harrington, Chairman
   Manchester Planning Board

APPROVED BY THE PLANNING BOARD: _________

☐ With Amendment
☐ Without Amendment

The above minutes are a summary of the meeting and are not intended to be verbatim. Audiotapes are available in the Planning and Community Development office for a limited time.

Transcription by Lori Moone, Planning & Community Development