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

II. LIMITED PUBLIC HEARING:

(Continued Items from November 7, 2019)

1. SP2019-033
Property located at 9 Willow Street (Tax Map 360, Lot 1), a site plan application to construct an addition to an existing convenience store, add automobile sales to the lot, and reconstruct a parking lot in the RDV Zone. T.F. Moran, Inc. for Tanveer Akhtier.

Nick Golon of TFMoran appeared with the owner of Maverick Gas Station, Tanveer Akhtier.

Mr. Golon said the Planning Board granted them the opportunity to speak to the project prior to going back to the Zoning Board. They had an opportunity to go over all the site improvements, talk about where the vehicle display is, the addition to the convenience store, the office addition, the improvements made relative to DPW’s request as well as some additional commentary from staff asking for some added landscaping and some changes to some of the trees. Since that meeting they received a clearance letter from DPW stating no outstanding comments. It is his understanding they have also addressed all the Planning comments. They had a trip to the ZBA where the four articles requested were approved unanimously.

In looking at the south elevation, Ms. Trisciani said it looked like there was clapboard, the metal that will be on the roofing part, the cultured stone and brick. She asked if there was any reason for that many materials. In looking at the 3D views she said she did not see brick used anywhere. Mr. Belanger confirmed with Mr. Golon the elevation A20 showed the correct colors and materials.
Chairman Harrington asked for a refresher with regard to the auto sales and display area. Mr. Golon pointed out on the plan where they will have the ability to park ten vehicles for display. The display area is a little over 2,400 SF. If the Board feels it is appropriate to place a condition on the project relative to the display vehicles, he said the applicant takes no exception to that.

Chairman Harrington asked about temporary signage. Mr. Golon said right now the only signage proposed is refacing the pylon sign out front. Relative to the building itself, if there is going to be any additional signage, it is their understanding they will have to file for that appropriate permit. Mr. Golon said there were no proposal for “whacky guys out on the side of the road” trying to wave people down to come buy used cars.

Chairman Harrington turned the hearing over to the public. There were no comments and the Chairman brought the hearing back to the Board.

Chairman Harrington closed this public hearing and it will be deliberated at the next business meeting.

Ms. Trisciani advised there was a staff recommendation and they could actually take this up tonight.

Chairman Harrington closed the December 19, 2019 limited public hearing of the Manchester Planning Board.

**III. BUSINESS MEETING:**

Chairman Harrington called to order the December 19, 2019 business meeting of the Manchester Planning Board.

(Current Items)

1. **CU2019-023**  
Property located at 100 Byron Street (Tax Map 435, Lot 9B), a conditional-use-permit application for a reduction in required on-site parking in the RDV Zone. *Fuss & O’Neill for Nylon Corporation of America.*

2. **SP2019-032**  
Property located at 100 Byron Street (Tax Map 435, Lot 9B), a site plan application for a proposed 9,150 SF, 5-story building addition along the north side of the existing Nylon Corporation facility in the RDV Zone. *Fuss & O’Neill for Nylon Corporation of America.* [Staff Recommendation]

Chairman Harrington advised that staff had received a letter from the abutter who spoke during the first meeting about concerns of what was being done to the building. As a result, those were addressed at the meeting and the applicant made some overtures. The
Chairman advised that the abutter apparently still has some concerns that weren’t fully addressed. Staff also received a reply from the applicant indicating that if the Board did not take an action tonight on their application, they would be willing to reopen and have a public hearing and allow the abutter to come and speak in the hopes of possibly avoiding a lawsuit, which is what the abutter indicated he would do if an action was taken tonight and the Board approved it.

*Alderman Levasseur made a motion to table CU2019-023 and SP2019-032, which was seconded by Mr. Leclerc. (Motion Carried)*

2. **CU2019-032**  
   Property located at 1725 Elm Street (Tax Map 15, Lot 4), a conditional-use-permit application for commercial, surface parking lot in the R-3 and R-PO Zone. *TFMoran, Inc. for Cronin Properties LLC.*

   *Mr. Long made a motion to approve CU2019-032, which was seconded by Mr. O’Donoghue. (Motion Carried)*

**SP2019-043**  
Property located at 1725 Elm Street (Tax Map 15, Lot 4), a site-plan application to construct a 32 space surface parking lot with associated site improvements in the R-3 and R-PO Zone. *TFMoran, Inc. for Cronin Properties 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 SP2019-043 per staff recommendation, which was seconded by Alderman Levasseur. (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. Prior to final approval, the applicant shall amend the plans to include a detail showing a decorative fence with brick pillars to be constructed where fencing is shown on the most recently submitted plans;
5. 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;”

6. 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.”

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

8. The plan shall contain a note stating, “All parking spaces on the lot shall be reserved for the use of the business immediately to the south, with an address of 1687 and/or 1705 Elm Street, with the exception of up to 5 parking spaces, which may be reserved for a separate business.”

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

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

11. 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;

12. 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

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.

3. **CU2019-031**
   Property located at 1687 and 1705 Elm Street (Tax Map 11, Lots 13 and 14), a conditional-use-permit application to provide 27 parking spaces onsite, where 44 spaces are required onsite, and to provide an additional 32 parking spaces on a nearby lot in the R-3 and R-PO Zone. **TFMoran, Inc. for Cronin Properties LLC.**

   *Mr. Leclerc made a motion to approve CU2019-031, which was seconded by Mr. Long. (Motion Carried)*
SP2019-044
Property located at 1687 and 1705 Elm Street (Tax Map 11, Lots 13 and 14), a site-plan application to construct an approximately 18,000-square-foot bank building with two drive-through tellers, 27 parking spaces, and associated site improvements in the R-3 and R-PO Zone. TFMoran, Inc. for Cronin Properties LLC.

Chairman Harrington advised there were waivers as well as a staff recommendation and the Board took a moment to review that information.

Mr. Belanger advised in reviewing the staff report after distributing it he noticed that he had neglected to add one recommended condition, which was regarding the lot merger. There are two lots and they are going to be using it all as one so staff recommended that the applicant file a notice of merger application. The intent of the condition would be prior to final approval the applicant would file and record a notice of merger application.

Mr. Long confirmed with Mr. Belanger that the egress on the east side of the alley was eliminated. He said the initial proposal was for 27 parking spaces on the lot and by eliminating that egress they now have 30 spaces.

Chairman Harrington said there was a waiver from Section 8.3(B)(1)(g) of the Subdivision and Site Plan Review Regulations, allowing landscaped areas with more than 30 percent mulch or crushed stone, as shown on the plans most recently submitted to the Board. The applicant’s waiver request stated the landscaping areas would have approximately 44 percent mulch due to the number of shrubs proposed.

Mr. Long made a motion to grant the waiver from Section 8.3(B)(1)(g) of the Subdivision and Site Plan Review Regulations, which was seconded by Ms. Trisciani. (Motion Carried)

Chairman Harrington asked how the Board felt about staff’s recommendation with the addition of what Mr. Belanger just talked about.

Mr. Leclerc made a motion, which was seconded by Mr. Long, to approve SP2019-044 per staff recommendation including the added condition regarding filing an application for a notice of merger. (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. Prior to final approval, the plan shall be amended to contain a sidewalk detail showing brick accents of a similar configuration to the concrete sidewalk with brick accents to the south of the property;

5. Prior to final approval, the applicant shall obtain authorization from the Manchester Board of Mayor and Aldermen to encroach into the public right-of-way with the proposed steps;

6. Prior to final approval, the applicant shall submit an application to merge Lots 13 and 14 and shall record a notice of merger, along with any mortgagee’s consent required by RSA 674:39-a, II;

7. 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;”

8. 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.”

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

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

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

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. Prior to the issuance of a certificate of occupancy, the applicant shall reconstruct the sidewalk along the property’s frontage. The sidewalk shall be constructed of concrete with brick accents;

14. 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;
15. 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; and

16. The fire impact fee of $0.20 per gross square foot shall be submitted prior to the issuance of a certificate of occupancy.

4. **SP2019-033**

   Property located at 9 Willow Street (Tax Map 360, Lot 1), a site plan application to construct an addition to an existing convenience store, add automobile sales to the lot, and reconstruct a parking lot in the RDV Zone. *T.F. Moran, Inc. for Tanveer Akhtier.*

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 SP2019-033 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, “All cars for sale shall be contained within the area marked ‘Display Parking’ on the plan and no more than 10 cars shall be on display for sale at any one time.”;

6. The plan shall contain a note stating, “All signage on both the building and site shall comply with the Manchester Zoning Ordinance.”;

7. 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.”;

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 public hearing;

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

11. 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,

12. 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;

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; and

14. The fire impact fee of $0.35 per gross square foot of building addition shall be submitted prior to the issuance of a certificate of occupancy.

(Tabled from March 15, 2018)

5. **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.

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. **S2019-019**
   Property located at 112 Minot Street (Tax Map 483, Lots 4, 4A, 5, 5A, and 6), a subdivision application to consolidate multiple lots totaling more than half an acre and to subdivide them into two lots of approximately 0.2 and 0.3 acres, in the R-1A Zone. *Keach-Nordstrom Associates, Inc. for Scott Lavoie.*

2. **S2019-020**
   Properties located at 108 Sixth Avenue and 112 Seventh Avenue (Tax Map 273, Lots 31 and 22), a subdivision application to adjust a property line between two lots, conveying approximately 7,124 square feet from lot 22 to lot 31, with no new, buildable lots to be created, in the R-1A Zone. *Joseph M. Wichert, LLS, Inc. for Amey and Michael Skladony and Shekira Morehouse.*

3. **SP2019-045/PD2019-003**
   Property located at 1045 Hanover Street (Tax Map 488, Lot 14), a site plan application for a proposed 4,800 SF retail development with associated site improvements. The new structure will be located on the vacant portion of the Dunkin Donuts lot in the R-1B Zone. *TFMoran, Inc for HSMN LLC.*

4. **SP2019-046**
   Property located at 333 March Avenue (Tax Map 438, Lot 2), a site plan application for a proposed 12,600 SF freestanding fleet maintenance garage added to the existing facility, with associated site improvements in the IND Zone. *Holden Engineering & Surveying, Inc. for R&L Investments, Inc.*

5. **CU2019-034**
   Property located at 655 Chestnut Street (Tax Map 13, Lot 23), a conditional use permit application to allow a change of use (through interior layout modifications) from a convenience store to a barbershop in the R-3 Zone. *Susan Daudier, owner.*

6. **CU2019-033**
   Property located at 720 Union Street (Tax Map 12, Lot 27), a conditional use permit application to allow a further reduction in the required on-site parking for a retail use in the R-3 Zone. *Amy Chhom, Pinwheel Properties for 720 Union Street, LLC.*

*Mr. Long made a motion, which was seconded by Mr. Leclerc, that the following applications do not have regional impact and do not require comment by the Manchester Conservation Commission: S2019-019, S2019-020, SP2019-045, PD2019-003, CU2019-034, CU2019-033. The following application is incomplete and requires additional review by the Manchester Conservation Commission: SP2019-046. (Motion Carried)*
IV. ADMINISTRATIVE ITEMS

1. Review and approval of the Planning Board Minutes of November 7, 2019 and November 21, 2019.

Review and approval was tabled until the next meeting.

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

1888 South Willow Street (SP2019-041)

Ms. Goucher advised that at the last meeting on December 5, 2019 the Board took an action on the revised Mazda project; however, there was no action taken on their waiver request. As such, it needs to get on the record if the Board is supportive of their waiver request. She handed out a memo highlighting an area with the curbing in yellow – this is the area of curbing that they are asking be waived from installation of granite curbing. They are requesting to use bituminous curbing in that area.

Mr. Long said it was his understanding this was for curbing that was not on the main road. Ms. Goucher said it is basically the new area of the lot that they modified and added the garage bays.

Chairman Harrington said he had asked them about the wetlands and they said they would add it to their annual maintenance that they would replace any asphalt berm that got plowed up during the year. He said the curbing also directs the sheet flow so they said they would do that if the Board would approve this waiver. He said he has found bituminous curbing gets more damaged as compared to the granite on a year in and year out basis. Chairman Harrington said he was okay with it as long as they add that as a provision as he thought that was an important thing that they maintain. He said it was a lot of money to add granite back there and it wasn’t in a visible area. The Board and staff discussed the difficulty in upholding a maintenance agreement.

Mr. Long made a motion, which was seconded by Ms. Trisciani, to grant the waiver request from Section 8.6(B)(5) of the Manchester Subdivision and Site Plan Review Regulations to allow the use of cape-cod asphalt berm. Approval of the waiver is restricted to areas specific to the rear of the building, at the loading and dumpster area, as well as at the perimeter of the car storage and staging area. Furthermore, all areas approved for cape-cod asphalt berm are subject to annual maintenance and repair in the spring of each year. (Motion Carried)

Planning Calendar

Ms. Goucher advised that staff is working on finalizing the Planning calendar for 2020. Given that the Cigna road race will be on Thursday August 6th, it was agreed to hold the August public hearing on Wednesday, August 5th. The Board did not have an issue with that.
May, the Taco Tour is scheduled for Thursday, May 7th so it was agreed to have the May public hearing on Wednesday, May 6th.

720 Union Street – Bike Barn

With regard to the regional impact they reviewed this evening, Ms. Goucher said 720 Union Street is the same building that To Share Brewery is in and the new retail use proposed for the building is the Bike Barn. The applicant submitted this material for the next Planning Board hearing but they are required to go to the Zoning Board first. They expect to be on the January 9th ZBA agenda. Ms. Goucher asked if this Board would be willing to add a limited public hearing at the beginning of their business meeting to accommodate them. It was the consensus of the Board to hold a limited public hearing on January 16th if they obtain the necessary relief from the Zoning Board on January 9th.

Mr. O'Donoghue made a motion to adjourn, which was seconded by Mr. Leclerc. (Motion Carried)

ATTEST: _____________________________________________________
Michael Harrington, Chairman
Manchester Planning Board

APPROVED BY THE PLANNING BOARD:  February 6, 2020  ☒ Without Amendment
                                      ☐ With Amendment