

MANCHESTER PLANNING BOARD
PUBLIC HEARING / LIMITED BUSINESS MEETING MINUTES
Thursday, February 06, 2020 – 6:00 PM
City Hall, Third Floor – Aldermanic Chambers

Members Present: Chairman Mike Harrington, Vice Chairman Michael O’Donoghue, June Trisciani, Robb Curry, Alderman Pat Long

Excused: Alternate: Chris Wellington, Barry Lussier, Dan Leclerc

Staff Present: Pamela Goucher, Deputy Director Planning & Zoning; Jeffrey Belanger, Senior Planner; Jonathan Golden, Senior Planner; Jodi Nazaka, Planner

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

II. Review of new applications for Regional Impact and comment by the Manchester Conservation Commission. (Followed Re-Opened and Postponed Cases)

III. PUBLIC HEARING:

(Re-opened at the request of the applicant)

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.*

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.*

Brian Pratt said after the last hearing, they believed they had addressed the concerns of the abutter. After that meeting, they received contact from the abutter, SMC/Sundial Center, advising they had additional concerns. Since then, they met the abutter twice about their concerns, which was primarily aesthetics and lighting. They asked the abutter to provide a specific list of their concerns, which were painting buildings in neutral colors, clean up graffiti, and trimming back vegetation. They were also concerned with the boiler building. Mr. Pratt said they intended to do something. They agreed to set up regular meetings to review the progress. They decided to do a yearly clean up along the river walk. They cleaned up the fabric and secured the fence. They will upgrade lighting.

Alderman Long asked if the painting will be done on the north face. He also wondered if the boiler building will be painted. Mr. Pratt said that would be one of the first things they do.

Chairman Harrington asked if the boiler building was still operational. Mr. Pratt said the front portion of it is. James Bizarro, the CEO of Nylon Corp., said they have several ideas of what to do with the building in the future.

Mr. Bizarro said they desire to be a better neighbor, and he thought the conversations have been constructive. They are trying to rebuild this business, and he looked forward to attacking the issues and growing this business. He felt in the future; they could increase jobs 20-30 percent.

Chairman Harrington turned the hearing over to the public.

Bob Simons of SMC Management who owns the Sundial Center. He said they had met several times with the applicants

Concerns: Make sure all traffic goes through their main gate, not Byron street; the size of the drainage pipe to the river; plan to improve the lighting along the side of the manufacturing building. He asked as part of this program if they could improve the lighting, an area of concern to SMC, and people traveling Queen City bridge. They asked the applicant to commit to a suggested timeline.

Mr. Simon thought the applicants were well-intended.

There were no further questions. Chairman brought hearing back to the Board.

Mr. Pratt said there is a little disagreement about the size of the drainage pipe, but it was his professional opinion the 12-inch pipe was suitable. He felt a 15-inch pipe would get damaged.

Mr. Pratt said they couldn't commit to everything SMC wants in the timeframe they want. Mr. Bizarro said they agree with everything in the 3-year timeframe, except for the boiler house and concrete façade on the main building, because he doesn't fully understand the scope. Mr. Pratt said they couldn't commit to redoing the concrete siding.

Ms. Goucher asked if they were willing to share the correspondence between the applicant and SMC. That correspondence was provided to Staff.

Ms. Goucher asked if the slope of the pipe was going to change. Mr. Pratt said, very slightly. The details of the drain line were requested by Staff, to be reviewed by DPW engineers in regards to capacity and flow.

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

(Postponed from January 2, 2020)

2. **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 same lot as the Dunkin' Donuts building in the R-1B Zone. TFMoran, Inc for HSMN LLC.

Chris Rice, Project Engineer from TFMoran, George Delegas, Project Architect, from REM

Central, LLC, and Jim Clifford of Screvanis, presented the application to the Board. The project engineer noted that the site location is at the intersection of Hanover and Page Street. There are currently two existing curb cuts to the property that will be reused.

The applicant is proposing a 4,800 SF retail building with three different uses: a proposed restaurant unit (1,680 SF), general retail (1,440 SF), and a financial institution (1,680 SF).

The project engineer noted that the City of Manchester Zoning Board granted several variances for this project. Mr. Rice said that per the City Zoning Ordinance, 18 parking spaces are required, and they are providing 31. They have also included a 5x8 school bus structure in their design. In response to DPW comments, they have updated the traffic report. Ms. Goucher believed that DPW was satisfied with the level of service and updated trip generation provided.

The applicant's architect shared building elevations. It was noted that the building will front on Hanover Street and will include gooseneck lighting, a forest green awning, and a vinyl dumpster enclosure.

Chairman Harrington asked if there would be outdoor seating. Mr. Rice of TF Moran, Inc. said there would not be outside seating.

Chairman Harrington turned the hearing over to the public. There being no comments either in favor or in opposition of the application, the Chairman closed the public comment portion and brought the hearing back to the Board.

The Board was satisfied with the proposal and felt it complied with the requirements of a Planned Development.

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

II. Review of new applications for Regional Impact and comment by the Manchester Conservation Commission. (Taken out of order.)

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. S2020-001

Property located at 90 Huse Road (Tax Map 507, Lot 89), an application to subdivide an existing parcel of 35,059 SF into two lots of 17,190 SF and 17,869 SF in the R-1B Zone. *Joseph M. Wichert, LLS for Shawn G. Fournier. (Conservation Commission review needed).*

2. S2020-002

Property located at 464 Amherst Street (Tax Map 85, Lot 1), an application to subdivide an existing parcel of 16,943 SF into two lots of 9,784 SF and 7,159 SF in the R-2 Zone.

S&H Land Services, LLC for Diamond Hill NH Properties, LLC

3. SP2020-001

Property located at 150 Spruce Street (Tax Map 54 Lot 20), a site plan application to change the use from a lock shop to a food processing facility in the R-3 Zone. *Jameson Small for Organization or Refugee and Immigrant Success (ORIS).*

4. CU2020-001

Property located at 150 Spruce Street (Tax Map 54 Lot 20), a conditional use permit to allow a reduction in required on-site parking from five spaces required to three spaces provided in the R-3 Zone. *Jameson Small for Organization or Refugee and Immigrant Success (ORIS).*

Ms. Trisciani made a motion, which was seconded by Vice-Chairman O'Donoghue; that the applications as mentioned above, did not have regional impact and that S2020-001 requires review by the Manchester Conservation Commission. (Motion Carried)

(New Items)

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, the Staff recommends that the Planning Board determine the applications complete and conduct a public hearing. A motion would be in order.

Vice-Chairman O'Donoghue made a motion that the following applications are complete and a public hearing should be conducted: S2020-001; S2020-002; SP2020-001 and CU2020-001. (Motion Carried)

3. S2020-001

Property located at 90 Huse Road (Tax Map 507, Lot 89), an application to subdivide an existing parcel of 35,059 SF into two lots of 17,190 SF and 17,869 SF in the R-1B Zone. *Joseph M. Wichert, LLS for Shawn G. Fournier.*

Joe Wichert appeared along with Shawn Fournier, the owner. He said the subject property is 90 Huse Road. Currently, there are about 158-159 feet of frontage on Huse Road, and they are proposing to create one new buildable lot. The rear of the property is wet and has an intermittent stream. The wet area has been delineated on the plan with the building envelope placed to accommodate the wetland setback. The buildable lot area with this delineation gives the smaller lot approximately 11,500 SF of the area, and the new lot will have about 12,300 SF of buildable area.

Mr. Wichert said the existing lot is serviced by sewer and water as will the new lot. Two waivers are being requested. The first for overhead utilities and the second from requiring a wetland scientist to delineate the wetlands. He explained to the Board that he believed he had conservatively located the wetlands on the property.

Mr. Wichert noted that the application was before the Conservation Commission. Staff distributed the findings letter from the ConCom to the Board.

Planning Board member Trisciani asked if the applicant was building on the new lot. Mr. Wichert stated that there is a builder with an agreement, pending subdivision approval.

Chairman Harrington opened the hearing up for public comment.

Jane Peters, an abutter on S. Mammoth Road, asked for assurance that they will only build a Single-Family home. She also wondered if the surveyor could locate her property corners at no cost to her. She also noted that she does not want the building to become an apartment complex. She asked if they would be taking out any of the trees.

Mr. Wichert responded that this is an R-1B zoned lot, so, by Ordinance, it can only be a Single-Family house. There will be some tree cutting in the front to open up the property. There will be no intrusion into the wetlands. Mr. Wichert has already marked the rear of the property; Mrs. Peters was satisfied with that. It was also stated that the new home would be set back from the road, as it is a busy street.

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

4. **S2020-002**
Property located at 464 Amherst Street (Tax Map 85, Lot 1), an application to subdivide an existing parcel of 16,943 SF into two lots of 9,784 SF and 7,159 SF in the R-2 Zone. S&H Land Services, LLC, for Diamond Hill NH Properties, LLC.

Planning Board member Trisciani stated that she has a working relationship with S&H Land Services in another town, but it will not conflict with an impartial position on this project.

Tom Huot of S&H Land services along with Christy Morrissey. Property is at the corner of Hall and Amherst Street. The proposal is to subdivide the property to leave one remaining parcel with the existing house and create a lot that will front on Hall St.

They received a variance for lot size on the new lot. Both lots will be serviced with City sewer and water. It was stated that the owner intends to build a duplex, which fits the character of the neighborhood. The duplex will have a garage under both units.

Mr. Huot advised they have addressed all the comments of DPW comments.

Ms. Morrissey plans to put her in-laws on one side of the duplex, and the other half of the duplex, as well as the main house, will be rented out.

There was a waiver request for the plan layout. Mr. Golden said it is just the orientation of the plan sheet. Mr. O'Donoghue confirmed that the staff was comfortable with this request. Mr. Huot said the orientation was to make the plan the most readable.

Ms. Trisciani asked about the architectural style of the building in this neighborhood. Ms. Morrissey said it would be a side by side duplex with garages under. She is still looking into plans. Ms. Trisciani said they should keep with the style and character of the neighborhood,

and Ms. Morrissey agreed.

Mr. Huot referred to sheet two and said the lot slopes up almost 8 feet so they couldn't do a standard stacked duplex.

The hearing was opened for public comments, which there were none, and it was brought back to Board.

Chairman said the owner has the right to build what she wants.

The Chairman closed the public hearing, and it will be taken up in the business meeting.

5. **CU2020-001**

Property located at 150 Spruce Street (Tax Map 54 Lot 20), a conditional use permit to allow a reduction in required on-site parking from five spaces required to three spaces provided in the R-3 Zone. *Jameson Small for Organization for Refugee and Immigrant Success (ORIS).*

SP2020-001

Property located at 150 Spruce Street (Tax Map 54, Lot 20), a site plan application to change the use from a lock shop to a food processing facility in the R-3 Zone. *Jameson Small for Organization for Refugee and Immigrant Success (ORIS).*

Robert Tierney of Southern NH Neighborworks and owner of the property and Jameson Small from Organization for Refugee and Immigrant Success (ORIS) appeared on behalf of the application. Mr. Tierney said their mission is to develop affordable housing. However, they knew this building had been a challenge to the neighborhood for a long time. Neighborworks purchased the property from the City last year to redevelop it to be an asset to the neighborhood and formed a partnership with ORIS.

Jameson Small of ORIS said they are trying to turn this place into a place where the farm program can aggregate, store and, distribute produce across the City of Manchester and Concord. It will act as a place of training and operate as a produce market for the neighborhood.

The property's last use was Matt's Lock Shop. To the right was a former meat shop. On the north side, there is a Laundromat, and on the other side, there is a multi-unit house.

Neighborworks has gutted the building. The ultimate plan is to have an accessory retail use upfront and classroom space. The back of the building will be a commercial kitchen space. There will be no cooking on site, just washing, packing and distributing. Mr. Small pointed out the location of a walk-in cooler.

Mr. Small noted that they would like to do cosmetic upgrades to the outside by replacing lighting, restriping the parking lot, and repainting the building. They also plan to update the fence by removing the barbed wire and replacing it with a wood face as well as adding parking bumpers for the three parking spaces.

Primary access is to the rear. Secondary access will be in the front on Spruce Street. Traffic flow will be primarily from Lake Ave south back and will use the back driveway as a one-way for loading and unloading. They plan to put automatic gate openers that swing in toward the building.

Mr. Small noted the waiver from the submission of a complete application, specifically to not supply a stamped site plan or landscaping plan. It was noted that there hasn't been a legal residential use at this location for the last 25 years.

As it relates to the Conditional Use Permit, there are three parking spaces on site where five are required. However, there are over 20 parking spaces on Spruce Street in the immediate area.

Mr. Small stated they are also seeking a waiver from the Planning Board from Article 6.08(10) of the Zoning Ordinance which prohibits HVAC units on the exterior of the building. There is currently a boiler in the basement that may work. It was suggested they look into a rooftop HVAC system. They asked if that could be added as a condition of approval. Ms. Goucher said the section referred to is a limited activity buffer. She said the concern was with the noise from commercial uses in a residential zone.

Ms. Trisciani asked if they would reconsider doing wall mounted window boxes and adding the bike rack. Mr. Small said they would be happy to use wall mounted boxes if it was okay with the Board. With regard to bike parking, he thought it would be a little tight, but they were open to figuring it out if possible and working with DPW.

Chairman Harrington asked what their organization does.

Matthew Thornton of ORIS said their organization has several social services they provide to new Americans in Manchester and Concord. Farmer training is provided. Their clients were farmers in their home country and they want to help them pursue their livelihood and help them find land. A lot of the farmers live in this neighborhood.

Chairman Harrington asked who would be doing the improvements. Mr. Tierney said it is a partnership between Neighborworks and ORIS. The ideal scenario is Neighborworks will retain ownership of the building and rent it to ORIS to start and then ORIS will take over.

Mr. Small shared their organization's website with the Board Freshstartfarmsnh.com.

Staff requested a five minute break to put together a recommendation.

Chairman Harrington turned the hearing over to the public. There being no comments either in favor or in opposition of the application, the Chairman closed the public comment portion and brought the hearing back to the Board.

There being no further comment from the Board, the public hearing was closed to be deliberated at the limited business meeting tonight.

Chairman Harrington closed the February 6, 2020 public hearing of the Manchester Planning

Board.

IV. LIMITED BUSINESS MEETING:

(Current Items)

1. **CU2020-001**

Property located at 150 Spruce Street (Tax Map 54 Lot 20), a conditional use permit to allow a reduction in required on-site parking from five spaces required to three spaces provided in the R-3 Zone. *Jameson Small for Organization for Refugee and Immigrant Success (ORIS).*

Alderman Long made a motion to approve CU2020-001, which was seconded by Ms. Trisciani. (Motion Carried)

SP2020-001

Property located at 150 Spruce Street (Tax Map 54, Lot 20), a site plan application to change the use from a lock shop to a food processing facility in the R-3 Zone. *Jameson Small for Organization for Refugee and Immigrant Success (ORIS).*

Alderman Long made a motion to grant the waiver from Appendix C for a survey plan and a landscape plan, which was seconded by Mr. Curry. (Motion Carried)

Ms. Trisciani made a motion to grant the waiver from Article 6.08(10) regarding the limited activity buffer as pertains to an HVAC unit, which was seconded by Mr. Curry. (Motion Carried)

Ms. Nazaka read the conditions.

Alderman Long made a motion to approve SP2020-001 per Staff recommendation, which was seconded by Ms. Trisciani. (Motion Carried)

Conditions of Approval:

1. The applicant shall work with Staff to develop proposed landscaping;
2. Any new signage shall require a sign permit from the Planning and Community Development Department;
3. Before the issuance of a final certificate of occupancy, the property owner shall restripe the parking lot as represented on the submitted plan; and
4. 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 Regulation.

IV. ADMINISTRATIVE MATTERS:

1. **Review and approval of the Planning Board Minutes of December 19, 2019, and January 2, 2020.**

Alderman Long made a motion to approve the Minutes of December 19, 2019 as presented, which was seconded by Mr. O'Donoghue. (Motion Carried)

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

Ms. Goucher advised that Ms. Charlebois resigned from the Planning Board today. Two names have been brought forward to fill the other openings. Mr. Curry has moved up from an alternate to a full member.

Car dealership next to Dairy Queen. Jam packed with cars.

Property on Manchester Street. City Year. They have done a good job making it look really good. It's made a huge difference to that building.

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

ATTEST: _____
Michael Harrington, Chairman
Manchester Planning Board

APPROVED BY THE PLANNING BOARD: April 30, 2020

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