

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(PUBLIC HEARING - REZONINGS)**

June 18, 2002

7:00 PM

Mayor Baines called the meeting to order.

Mayor Baines called for the Pledge of Allegiance, this function being led by Alderman Smith.

A moment of silent prayer was observed.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen Wihby, Gatsas, Guinta (arrived late), Sysyn, Osborne, Pinard, O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Mayor Baines stated prior to starting the meeting, I want to remind the Aldermen that tomorrow at noon time we're unveiling the City's new web site and I've assured Mark Hayward we've already addressed the concerns he raised in his newspaper article this morning and we thank you very much for your critique, Mark.

Mayor Baines advised that the purpose of the special meeting is to hear those wishing to speak in favor of or in opposition to proposed Zoning Ordinance changes; that the Clerk will present the proposed Zoning Ordinance changes for discussion at which time those wishing to speak in favor will be heard, followed by those wishing to speak in opposition; that anyone wishing to speak must first step to the nearest microphone when recognized and recite his/her name and address in a clear, loud voice for the record; that each person will be given only one opportunity to speak; and any questions must be directed for the Chair.

Mayor Baines requested the Clerk present the first proposed Zoning Ordinance changes:

"Amending Chapter 130: General Offenses of the Code of Ordinances of the City of Manchester by repealing Section 130.10 Tattooing in its entirety."

"Amending the Zoning Ordinance of the City of Manchester to include a new user group category for Tattoo Parlors, inserting changes to Table 5.10, adding supplementary regulations for tattoo parlors, and providing for location restrictions so as to prohibit such parlors within 600 feet from each other and not less than 500 feet from a Residential or Civic Zone."

Mayor Baines requested Robert MacKenzie, Director of Planning, make a presentation relative to the first proposed Zoning Ordinance changes.

Mr. MacKenzie stated this particular ordinance deals with the Zoning Ordinance in regulating proposed tattoo parlors. In the past, there have been no regulations in the Zoning Ordinance. There was a separate provision of the City Ordinances that dealt with regulation of tattoo parlors and primarily dealt with requiring that all tattoo parlors or all tattoos be administered by a medical practitioner rather than others. This proposed change which has been worked on, I know, by the Committee on Administration would provide or make specific in the Zoning Ordinance where tattoo parlors would be allowed and under this proposal they would be allowed in the Central Business District, the Downtown area, but not other business districts...other business districts include Second Street or South Willow or the Daniel Webster Highway, they would not be allowed in those outlying areas. The major provisions of this ordinance would ensure that they be separated from residential districts by 500 feet as a minimum, civic districts and from each other by about 600 feet or exactly 600 feet. The intent of the 600 feet provision was to make sure that there was not a concentration of tattoo parlors. I know there was concern about how it would change the face of the Downtown. So, the provision in essence would allow a limited number of tattoo parlors in the Downtown.

Mayor Baines called for those wishing to speak in favor.

Chad Ravellette, 491 Electric Avenue, Fitchburg, MA, stated:

It was noted Mr. Ravellette had to leave.

Mathew Gallagher, 491 Electric Avenue, Fitchburg, MA, stated:

It was noted Mr. Gallagher had to leave.

Mayor Baines called for those wishing to speak in opposition.

Stephanie Lewry, Intown Manchester, 889 Elm Street, Manchester, NH, stated:

I'm the Executive Director of Intown Manchester the organization of property owners that is opposing this ordinance tonight. Tonight's hearing...to reverse the long-standing Zoning Ordinance that prohibits tattoo parlors in Manchester has grave concerns for the business community in the Downtown area. We hope to make a convincing case that tattoo parlors should not be in Downtown. We must make it clear at the outset that we are not opposed to tattoos, this is not an issue about who likes tattoos and who doesn't like tattoos rather it's about community redevelopment, it's about bringing people back to Downtown to work, to play, to live, to enjoy your leisure hours...it's about protecting public and private investment by discouraging influences that may be detrimental to property values and the character of the community and the neighborhood. It's about developing healthy and inviting

downtowns. It's about setting policy that will encourage the strengthening of the Downtown economy. Before allowing tattoo parlors into the City of Manchester I urge you to think about two things. Will property values be affected and how will the quality of the commercial community be affected? Intown Manchester's Board of Trustees has considered these two questions and they have said that they cannot support this ordinance because it is contrary to their mission. We studied the proposal and talked to City officials, we took some measurements with the Downtown map in hand and discovered much to our dismay that the distances in the proposed ordinance that were supposed to protect us, in fact, had the opposite effect by concentrating tattoo parlors in a small section of Downtown. I brought a map so that I could show you where tattoo parlors could possibly be on Elm Street...this is Elm Street, this big blue line right here and the yellow area is where tattoo parlors could possibly go and you'll see red lines, red dots where tattoo parlors potentially could go. One of them is across the street from the Bridge and Elm Street project that this chamber approved only two weeks ago for a \$5 million investment in a garage. I'll leave this here for people to look at. If you have any questions about the potential location of tattoo parlors there are five or six locations where tattoo parlors could exist on Elm Street alone. Thank you.

Gary Hunter, 84 McCarthy Street, Manchester, NH, stated:

First, I'd like to thank you for this opportunity to speak and your service here. It's difficult to envision Downtown Manchester in which families come to enjoy their City. If our City is not going to use its prime real estate well, that is the majority of commercial sites in the Downtown are likely to be visited by a populace on repeated occasions. I think (largely) very positive influences on the community and add to a kind of festive renewal that we intend (I think) the Downtown to have. In my heart it's hard for me to perhaps warm up to tattoo parlors but regardless they certainly have a position and a place, I just cannot envision that that place need be the Downtown portion of Manchester when there is so little real estate there and such a need for us to call the families of Manchester to the Downtown for many purposes and I'd like to think for better purposes. I urge you to, at the very least, revisit the present proposal and seriously review some alternatives to a policy which would seem to indicate that only Downtown should have an accommodative policy toward tattoo parlors. The original intent of the ordinance or the law, if you will, is probably very dated was to limit altogether such commercial sites. If we're going to accommodate them in a booming economy in the Downtown certainly there's many other sites that should be considered rather than the streets that I would prefer to see filled with the citizens for more festive occasions than an occasionally tattooing. So, again, to close thank you for this opportunity. I wonder how Mr. Cashin would feel about the topic at hand tonight. I always like to look to my elders and I certainly am looking at many of them tonight. I hope your wisdom will prevail.

Robin Comstock, Chamber of Commerce, 889 Elm Street, Manchester, NH stated:

I'm here tonight on behalf of the Greater Manchester Chamber of Commerce to oppose zoning of tattoo parlors in the Central Business District. Jason Guilfy himself was recently quoted as saying "the City is so concerned about losing their beautiful Downtown, personally I think they've lost it a long time ago." This quote implies from the owner of a tattoo parlor himself that tattoo parlors are consistent with a business district that is less than beautiful and its suggests that Downtown Manchester fits the appropriate profile. We disagree with the premise and the implications. In fact, we'd like to go on record stating that Downtown Manchester is beautiful and that our community has made a tremendous investment into itself, to revitalize itself, build a community of character, add cultural assets that draw the public and create neighborhoods. At the same time, there has been an increase in dining establishments, growth in retail, the establishment of Verizon Wireless Arena and the increase in businesses relocating to or establishing in Downtown Manchester itself. Downtown business owners have contacted the Chamber to ask us for help in defeating this proposal. Business owners such as Dave Coutu and the owners of Fusion Coffee and Tea and a Downtown developer Christian Sylvestri of Sylvestri Development Corp. These business owners have made the Downtown into what we see today, a thriving, energized Downtown that is continually growing. To that end, our Board of Directors voted to oppose this Zoning Ordinance amendment. Let's be clear this is not about tattoos for us, but this is about the City's vision for the Central Business District. The Chamber believes that the ordinance amendment allowing tattoo parlors in the Central Business District will create a Downtown that is not consistent with the character of the community that we envision developing for the future nor do they support the major investments that the City and community have made into the Downtown during the last several years to create a safe and hospitable environment and they are not the highest and best use of the limited space that is available in the Downtown area, the Central Business District. We hope that you will consider other more appropriate zones for locating tattoo parlors and we'd like to thank you for the opportunity to address this subject tonight. Thank you.

Attorney Ken Viscarello, Sheehan, Phinney Bass & Green, 1000 Elm Street, Manchester, NH, stated:

I'm also the Chairman of the Board of Intown Manchester and I just wanted to put one concept out there. I understand that the City is in a tough position. Most of the cities that have tried to totally prohibit tattoo parlors have found that those ordinances have been struck down. It's going to be very difficult for the City to keep the ordinance they had in place that totally disallows tattoo parlors and have it survive a constitutional challenge or a first amendment challenge. However, a lot of cities and towns have been very successful in looking at some alternatives. A lot of cities and towns have had good luck regulating sexually-oriented businesses into industrial zones. So, I'm not saying that is specifically the best thing for Manchester to do but there are other alternatives without having all of the tattoo parlors Downtown. I, myself, was the one Stephanie talked about. I've got a little

measuring wheel and one Sunday morning I walked about with the measuring wheel and tried to measure the 600 foot distances and was really shocked and surprised as how many tattoo parlors could go Downtown. Given the fact that a lot of these tattoo artists charge \$100, \$150 an hour for their work I don't think the economy in the rental structure in going to prohibit them from coming Downtown. I understand what the Planning Department and the Committee on Administration tried to do was to come up with an ordinance that would try to protect us with the 500 foot buffer from the residential districts and the 600 foot buffer from one another, however, when you actually put it on paper and walk down Elm Street the results, I think, were startling and as Stephanie said and I agree at a time when the City is just appropriated a \$5 million investment at the corner of Bridge and Elm in an attempt to attract tenants who are willing to pay the top dollar in rent for the privilege of living Downtown, do we really want to have five tattoo parlors (potentially) Downtown. I think the answer is no. So, I would really urge the City, I understand that your hands are tied, you have to do something, but to go back to the drawing board and see if there are some other alternatives. Thank you very much.

Mayor Baines requested the Clerk present the second proposed Zoning Ordinance change:

The Clerk presented the second proposed Zoning Ordinance change:

“Amending the Zoning Ordinance of the City of Manchester by amending Article 10 - Off Street Parking and Loading Requirements, Section 10.03 by increasing the required stacking spaces for car wash and car care with automatic or drive-thru services from 5 to 10 stacking spaces.”

Mayor Baines requested Robert MacKenzie, Director of Planning, make a presentation relative to the second proposed Zoning Ordinance change.

Mr. MacKenzie stated currently the ordinance requires a certain number of stacking spaces for automatic car washes. There are different standards for the self-wash type uses. This proposal would increase the number of stacking spaces from five stacking up to 10 stacking spaces for each automatic car wash of which the City has a number of these. That's the quick summary of it, I'd be happy to answer any questions or move to public testimony.

Mayor Baines called for those wishing to speak in favor. There were none.

Mayor Baines called for those wishing to speak in opposition. There were none.

Mayor Baines requested the Clerk present the third proposed Zoning Ordinance changes.

The Clerk presented the proposed Zoning Ordinance changes:

“Amending the Zoning Ordinance of the City of Manchester by changing the zoning district of property currently zoned R-1B (Residential One Family District - High Density) to R-SM (Residential Suburban Multifamily District) on the east side of Brown Avenue at the intersection of Hazelton Avenue, extending to the Londonderry Town line. The area is more specifically identified as Tax Map 712, Lot 1 and 1A, and Tax Map 711, Lot 2 and contains approximately 12.08 acres.”

“Amending the Zoning Ordinances of the City of Manchester by changing the zoning district of property currently zoned R-SM (Residential Suburban Multifamily District) to B-2 (General Business District) on the west side of Brown Avenue at the intersection of Hazelton Avenue, extending to the Merrimack River. The area is more specifically identified as Tax Map 712, Lots 2 and 3, and contains 11.94 acres.”

Mayor Baines requested Robert MacKenzie, Director of Planning, make a presentation relative to the third proposed Zoning Ordinance changes.

Mr. MacKenzie stated this area is in what we call the “tail section” of the City, down Brown Avenue. There are actually two proposed for two separate types of districts. The first one I will talk about is an area on the west side of Brown Avenue and if I could orient you...the street coming down here is actually Hazelton, it meets Old Brown Avenue which is right here and they join back together to create Brown Avenue. There is currently an area zoned R-SM...that area allows for Residential Suburban, Multi-family uses. The tract is just under 12 acres in total, it is basically a vacant site...that area was rezoned to Multi-family probably about a decade ago. The proposal is to make this a B-2 District, I know the applicant is here tonight and he can speak more. His tentative plans for the site show, for example, an extended stay facility on this site. I would note that the Airport Access Road as currently proposed would swing in from Bedford, Route 3 area across the lower portion of this site, swing upwards and catch a portion of this other site I’ll talk about in a minute and then go directly up into the Airport. As we understand it now, originally the State has proposed taking this entire site for the project, but we understand now that a portion roughly the northern half of the area would remain and the applicant believes that this area would be appropriate for business with that new highway. The second change in zoning since they are adjacent to each other is on the east side of Brown Avenue and includes an area that includes a number of multi-family businesses currently on Old Brown Avenue and a smaller street not shown on the street here (Pettengill). The rezoning would in essence make these existing multi-family conforming. Currently, they are under variance and non-conforming. There would be an area to the southern portion that would be available for additional residential development. Again, the highway should trim the corner of this particular lot as it’s currently proposed. This parcel is also about 12 acres, but again only roughly 20% of it or less would actually be available for future development, the existing buildings take up

virtually all the balance of the property. At this point, I'd be happy to answer any questions or turn it back to the Mayor for public comment.

Alderman Gatsas asked how many units are on that piece right now that zoned R-1B.

Mr. MacKenzie replied I did know but I know that Mr. Peter King is here and he perhaps could answer that if he comes up and testifies.

Mayor Baines asked, Peter, how many units on that property?

Mr. King replied there's seven building with 84 units.

Alderman Gatsas in reference to the zoning to R-SM with the 12 acres asked what would the density allowance be?

Mr. MacKenzie replied the density under the R-SM is roughly...it depends on the shape and topography to some extent but it's probably going to be on the order of 12 to 13 units per acre. So, in essence, there could be higher density there although it's more difficult to build onto the existing buildings, but clearly you could see that there would be an increase in density on the site.

Mayor Baines called for those wishing to speak in favor.

Attorney Hank Stebbins, 66 Hanover Street, Manchester, NH, stated:

I'm a lawyer from Manchester. I am representing the Peter King Trust who owns all of the area that is to be rezoned B-2 and a small portion of the area that we are proposing to rezone from R-1B to R-SM. Interestingly, and we have a representative from T. F. Moran here tonight who will show it more graphically...this is the site of the crossing for the new Access Road to the Airport. The Airport Access Road will come through as Mr. MacKenzie described...the bottom part of the panhandled shaped parcel and will clip the bottom corner of the triangle shaped parcel. It will be a major highway. The planning for this has been underway for many years, most of you are familiar with it, takings have already begun and we've been advised by the Department of Transportation that they hope to begin pouring footings for the bridge within 18 months, this is a very real thing that's coming to Manchester. One of the great opportunities when there's a major interchange like this for the City is to proactively change zoning to make it more effective for the City. What we're proposing we do here tonight with regard to the panhandled shape parcel is to zone it B-2 which is a commercial use and the principal use that is intended right now is an extended stay hotel, I think you're familiar with those, there are a number of them now in the City and more proposed. It would be an ideal location for such a service for the Airport and for people using the Airport, but more importantly from the City's perspective it would provide a tremendous increase in tax base. In a time when the City is struggling to find monies to

cover budget items that its citizens say are dearly needed it's a wonderful time to take advantage of a new highway interchange coming into the City and create additional tax base. As you know, the Master Plan of the City very specifically provides that the City zoning is to look for enhancement enlargement of industrial and commercial space for this exact reason...to enhance the tax base. I'm finished, I have nothing really more to say, I think Mr. MacKenzie's described the proposals, the first proposal is just to bring into conformance a piece of property that is now being used for multi-family residences, yes there is a possibility that I think by the calculations that we've done as many as 23 more units might be built on the overall rezoned space, Alderman Gatsas, and for the commercial district the principal proposal that we think would make economic sense would be an extended stay hotel which would be a very attractive use. With that I would turn it over to someone from T. F. Moran.

Debra Deitz, T. F. Moran, Engineer representing the Peter King Trust, Manchester, NH, stated:

Now, Alex, to the left of me did hand out a package that we have in power point, this area is very dynamic where the Airport Access Road is coming into Manchester, it's serving as a gateway to our City in two directions. The first direction being the west, the second direction being the south and I guess I'd like to poll the Board if they'd be interested in hearing this power point presentation, it would be about 15 minutes to get the dynamics of this area...not only Manchester, but Londonderry as well to get some more history. If not, we'd just like to get your feedback.

Mayor Baines stated the power point will be brought to Committee because this goes to Bills on Second Reading which is when we would address it.

Mayor Baines called for those wishing to speak in opposition.

Geraldine Monnelly, 3954 Brown Avenue, Manchester, NH, stated:

I'm opposed to both of the, well I'm opposed to the panhandled shape on the west side of the river. I think it would be more appropriate to keep it as multi-family housing which it is zoned for now because you have single-family houses to the north and more single-family houses plus the river and not much land to the south. I don't think a high-rise hotel or a gas station would be conducive to the people that are living there who have already suffered a great deal, as you know. I have a very nice view from my house right now at the corner of Faith Lane and Brown Avenue across the river and I'm just afraid that a hotel or something large is going to obstruct my view and others as well. So, I'm opposed to changing that panhandled area to business, I would like to see it maintained as it is now (multi-family) and hopefully they will remain fairly small. And, lastly, I will now address on the other side, the east side...those seven units are beautiful, they're well-maintained, they're nicely spaced...I'm directly across from them on the corner, I would hope that they would not get any larger or more dense, I have no objection to them being rezoned to conform to what they

actually are now. I have no objection to more housing going a little further south, we need multi-family housing in the City, but again, I would hope that they would remain similar to what they are now, they're beautiful, they're well-maintained, they're nicely spaced and I think that would be a nice buffer and I think it should remain multi-family and like I say I have no objection to the zoning conforming so long as they don't add units to what already exists.

Kevin Souza, 28 Roseanne Lane, Manchester, NH, stated:

I'd like to show you on that map where that is...first, I'd like to show you that everybody who is an abutter got one of these. I'm not an abutter but I live...this is the house that was the abutter that had it, I live right here which is a stones throw away. If you look at this map it's not very accurate because this big chunk here that's 11 acres once the State takes half of it, let's say it leaves you six acres, that is going to put whatever they want to built which I'm told is a motel almost in their backyards. I oppose it, this is a residential area, I'd like to keep it residential...take a good look down on Brown Avenue all of the houses that are gone. We still live in this area...and, I'm inviting everybody that's here tonight that hasn't been down to this area before this vote goes in to come take a good look at it. You can come tomorrow if you want, I'm home almost all afternoon. Come walk the neighborhood with our neighbors and see what's going on down there because I'll tell you I've been involved with this now for 15 years. Every time I have put an invitation out for somebody to come down nobody shows up because...point blank, I don't think anybody really gives a care except for the tax dollars. Yes, it would be tax dollars but let's remember something all these houses right here are also tax dollars and they're tax dollars that have kids in the neighborhood that don't want a motel there because a lot of times motels bring in a restaurant next, then a lounge, then you're having people walking around half drunk, partying until the middle of the night, we don't want that in our neighborhood. So, here's my invitation...come on down, take a good look at this property, walk it with us and then walk all of this property in here...the neighborhood, the people that you don't see, the people that are paying the taxes right now that don't want a hotel or commercial property there now. Thank you.

Derek M. J. Shuter, 33 Hazelton Court, Manchester, NH, stated:

Had left the meeting.

Nancy Shuter, 33 Hazelton Court, Manchester, NH, stated:

I am opposed to this as well. I have two young children and this hotel where they would be putting it in would be going right into my backyard and like this man said I have a three year old and a seven year old and I just don't want this happening because for them...and a gas station because of their health and the fumes and everything I just don't want that in my backyard. Thank you.

Kevin Acorace, 21 Hazelton Court, Manchester, NH, stated:

I've lived in this City most of my life except for when I was in college and I've seen many residential areas, as you know, get eaten up by commercialism especially in the past couple of years mostly all of Brown Avenue north of us. I know that in a couple of years the end of Brown Avenue that we're talking about is going to look very different with a hundred foot high, so many lane highway going over it, but right now it's still our residential neighborhood and the fact that you want to rezone this from what most of us thought was single-family zoning and if it has been changed in the past decade I've been an abutter for 12 years and did not get any kind of notification of any kind of meeting to rezone that because I would have fought it going from single-family to multi-family because it just takes away from the neighborhood, but if I had a choice of multi-family or commercial I would take multi-family any day of the week. They propose an extended stay which really has a nice sound to it like long-term stay...people will be here for three months, six months, whatever...I had the fortune (I guess) of seeing a commercial for one of the more popular extended stay hotels called "Residence Inn", I think it was just last night or the night before and they're attracting people to come for weekends and that to me is not an extended stay, so this extended stay hotel could very easily turn into a Marriott Residence Inn that is trying to attract people for a short-term stay as well which would put a lot more traffic right in my backyard. And, also most of us have backyards and/or pools and just having transient people coming through and spectating into this residential neighborhood is not appealing. I really would like you to think about Second Street and South Willow Street and how those streets have changed so much...some of the last residential houses just recently being torn down on South Willow Street is really sad seeing residential neighborhoods just totally eaten up by commercial property. I am 100% in favor of this Airport, I am 100%...when I bought my house I knew the road would go anywhere in that land and I bought my house knowing that, I've lived on Beacon Street in downtown Boston and have no opposition to noise of that matter, but when it comes to losing my backyard to a hotel, I have a serious problem with that and if we do go commercial in three years when climates change and business needs change that could very easily be anything...a supermarket, a restaurant, more traffic...whatever...and I'm just not in favor of having an open commercial property. So, thank you for listening.

Lynn Makere, 325 Hazelton Avenue, Manchester, NH, stated:

I'm here tonight speaking on behalf of my parents Beverly and Orrin Stephens that reside at 297 Hazelton Avenue. First of all, in reviewing the impact on district and adjacent neighborhoods in this write-up it interests me that whoever wrote it believes that high traffic volumes will be created when the Airport Access Road is constructed. I'd like to notify whoever wrote this that those situations already are in place. We are living in a place of very high traffic volumes. We are living in an area with overcrowded schools. The proposal here tonight will impact both of those situations greatly. Mutli-family housing is necessary...how is it going to impact our school? How is the traffic going to impact Hazelton Avenue more

so now than we already have, the problems that we already have at-hand? Our area has been impacted so greatly, I've lived on Hazelton Avenue my whole life, we've lost our neighborhood, we've lost friends, my child cannot ride a bike on Hazelton Avenue and now we're going to add commercial...a gas station...I think Mr. King already owns a gas station property up on Industrial Avenue, why doesn't he fix that one up that way we can have five in a one-mile area. I don't know how many more businesses we need in that area for convenience. All I'm hearing tonight is that this is good for the Airport. At some point, the City has got to listen to what is good for the people in this neighborhood and for the kids in our neighborhood. I hope everyone takes this into consideration.

Michael Coons, 3836 Brown Avenue, Manchester, NH, stated:

Traffic has already increased dramatically since I moved in over 10 years ago. If I leave my house at the wrong time it takes me 20 minutes to get down to the highway. Another gas station...I don't know if you know Dunkin Donut's down at the Evan's Gas Station was just robbed this morning or sometime last night, it's easy access. The Super "8" Hotel is constantly getting robbed because they can go straight to the highway. My children can't play in the street, our school system is already overcrowded, we don't need multi-family housing...there's 30, 40 kids in a classroom now, what impact is that going to have on the City and the taxpayer. It says here that it won't have any effect, it will have a lot of effect...it will be a lot more high traffic volume, a lot more unsafe for the kids in the neighborhood and just like that other gentleman said I urge you to come down and see the kids...they're out of school playing in the streets and have to dodge all of the traffic now. I really don't think we need any more of that. We moved there...it was a good family neighborhood, we like the City, we'd like to stay in the City but the Airport Access Road coming through is going to come in and kind of isolate us we don't need any more commercial traffic. Either that or make that whole area commercial so I can sell my property for a million dollars and leave. Thank you.

Jeri House, 3829 Brown Avenue, Manchester, NH, stated:

My husband and I moved to New Hampshire seven years ago because he was transferred for his job and it was either move or don't have a job, so we moved. We bought our house here in Manchester...the neighborhood, at the time, was a great neighborhood. Our neighbors are great people, we really enjoy having them as neighbors. I enjoy the State of New Hampshire, we've enjoyed it a lot. But, in the seven year's that we've been here when we bought the house the real estate agent we bought the house from didn't explain to us that this Airport's expanding rapidly. After doing some research after we had bought the house and discovered this and went to a few Airport meetings and was shut down cold by various and sundry officials from the Airport...I've been ignored by Aldermen, I've been walked away from by executives or engineers who plan things, I've kind of gotten to the point where I can't wait to retire and leave. But, at the present time, the road that we live on Brown Avenue with the 84 units that are currently there owned by Mr. King. The people that live there I have nothing against them, however, there is a young environment there...there are

children that go to Goffs Falls School, the young environment that is there as far as young adults...their cars are powered by the bass in their stereos and eleven o'clock at night when I'm trying to sleep the last thing I need to hear is AC/DC coming through my windows. Then we have FedEx and UPS taking off and no one cares about the noise. Now, the DOT is going to come through and put a major highway through our backyards for every house that's left there, they're going to cul-de-sac the end of Brown Avenue, the Airport entrance (as I understand it) at this time will be four lanes down to just about where Faith Lane comes in with no stop light. No one has explained to any of us who live there how we're supposed to get in and out of our homes, how we are supposed to get fire engines or ambulances in there, the neighborhood that's there has been there a long time...those people...some of them are retired senior citizens and God forbid they should have a heart attack and not be able to get to the hospital because they can't get out. I strongly oppose Mr. King's plan, I hope that you, Aldermen, will understand our concerns as a neighborhood and believe me I've invited people to come to my house and have coffee and listen to the noise and gotten no response. I'll feed you anything you want. If you want to come to my house and just listen to the noise, see what goes on through there and listen to us who live there and possibly consider like Mr. Coons says if you're going to zone part of it commercial, zone it commercial so we can all get out. Thank you.

Denise & Don Hammer, 7 Hazelton Court, Manchester, NH, stated:

My name is Don and my wife Denise asked me to speak for us. I've been there for 17 years, I have been through every meeting that the State has, the City has...when Mr. King originally tried to rezone for multi-family housing it originally was single-family housing and this is approximately 15 years ago and I don't know how it's gone to multi-family housing because at that point it was turned down, so I think you may want to investigate that. What I'm really opposed to...this whole project...actually, I was also opposed to the Airport road going through my backyard, but the eagles (I guess) have moved it down 700 feet toward the south and by doing that I understand that land has now become landlocked so by bringing it into commercial he'll make more money. What I feel is that as my compatriots say that they'd like to have that whole area rezoned commercial because you really have destroyed a whole beautiful little residential area...when I was there 17 years ago we had prop jets, we didn't have the FedEx and the United Airlines coming through with their major jet planes and waking you up in the middle of the night at two o'clock in the morning. But, this whole area has been destroyed and it's almost like everybody just forgot about us. We just don't even exist any more. The way I feel, so I'm really against it and the other thing...I know he's proposing to put a gas station in there and I don't know of anyplace in the City of Manchester that's in a very nice residential area that has a gas station in it. You find these gas stations down on the other end of Brown Avenue, you'll find them on South Willow Street, but there are no houses that are single-family residential houses that are plunked right next to a gas station or even a hotel. I think if you look at the hotels, the hotels are all in areas that there are no single-family residential houses that are next to a hotel, so I am totally against it.

Karen Baron, 45 Hazelton Court, Manchester, NH, stated;

I'm opposed to this rezoning much for the same reason as my neighbors. I don't think we need a gas station, for sure we don't need a gas station. If the Council agrees to the rezoning and allows Mr. King to rezone commercial I ask that it make it a conditional rezoning. He can propose the most beautiful hotel that we could imagine, but we have no guarantees that this is in fact what's going to happen. He could change his mind, alright. At this end of town, we've had to endure a lot. More than anybody else in the City as far as I'm concerned. As my neighbors have stated we're a forgotten people. All we ever hear about is how wonderful the Airport is, it's good for the economy, it's good for the State, it's not good for us. It's done nothing for us but add heartache and headache to our lives, our quality of life has diminished, our property values are not there anymore and I would ask that the City please consider us, for once, hear us and what we have to say because this is wrong. We're a residential community. We don't need a hotel, we don't need a gas station. Keep it as it is. We've been through enough, don't put us through any more. Thank you.

Diane Soucy...has left the meeting.

Betty Conway, 69 Hazelton Court, Manchester, NH, stated:

I guess I agree with my neighbors. My concerns are over us having a gas station put in not just because of what it might bring to us but what it might do to the river which is behind many of our homes. I know it's a protected area at this point and I think it should remain that way. I'm kind of in the middle here. I know if we let multi-family come into the area our school system is going to suffer, Southside just can't afford to have any more kids in the school than they do right now. If we become commercial though we really don't know what will end up there in the long run unless parents say we have some conditions set up so that we know exactly what might be built there or whether it can be sold off to another higher bidder and God knows what might happen under those circumstances. If you want the area to become commercial, I agree, just make the entire area commercial and we can all move out and find a new place to live. Thank you.

Claude Sylvain, 3986 Brown Avenue, Manchester, NH, stated:

I'm opposed to any of this commercial or even this multi-families. We were told when we bought the house approximately 19 years ago that there would be no more multi-families built in this area plus this area in here is wetlands. As it's slated right now with this access road coming through these two end houses are slated to go and we're supposedly the last ones to remain with our road becoming a dead end with a cul-de-sac and now I keep hearing that all of this other stuff is changing and now you want to make this commercial and add more multi-families, I just want to go on record that it seems like the City has made this all residential, it has been a pretty nice family residence for everybody in the area and you guys keep trying to ruin it and you're going a pretty good job at it. I'd like to say that I agree with the rest of the people and maybe you ought to start considering the people that live in this area for a change. Thank you.

Debbie Smith, 87 Caldwell Street, Manchester, NH, stated:

I live in the area which is just north of this R-1B zone. We're the neighborhood that is just behind the new barn that the Airport has just constructed. We have faced (our neighborhood) similar to this neighborhood right now. We have been meeting as a neighborhood for the last three years at the Bethany Chapel every three or four months and I would like to lend my support to this neighborhood. Under the circumstances that we were all talking about and our neighborhood also have talked about being rezoned commercial and that has been overwhelmingly and unanimously turned down by our neighborhood and I would like to support this neighborhood in the same respect. Thank you.

Bob Finnell, 38 Hazelton Court, Manchester, NH, stated:

I just want to show support to my neighbors, they've all pretty much said my feelings also. I just wanted to show for the record that I am here also.

Mark Paul, 155 Olmstead Avenue, Manchester, NH, stated:

I'd like to say that I am totally and unequivocally opposed to this project. Our neighborhood has been totally decimated by the Airport's runway expansion program. We have very few neighbors left and I think that my personal family (Heather, Hannah, Hillary and Zachary and my wife Denise) have withstood tremendous pain due to this Airport project. I am in aviation, I've worked on airplanes for 25 years, I've never seen expansion without regard to the neighborhood as I've seen with this Manchester Airport. If you change this residential zoning to business I'm afraid you'll end up migrating north and I'm totally opposed to that. It seems like the traffic already the people from Massachusetts, Rhode Island and Connecticut have figured out that if they get off on Exit 5 they can back track and go through our residential neighborhood and I really wish you people would stick around, maybe come over to my house...I've got coffee as well and you can see the traffic that's coming from the southside heading north. They figured out that Brown Avenue is just too congested. I want to go on record saying I'm urging all of you people to vote against this project. Thank you.

Mayor Baines called upon Alderman Gatsas who had requested to speak.

Alderman Gatsas asked, Mr. Stebbins, is that negotiations at a contractual basis at this point?

Attorney Stebbins replied with regard to how much land will be left or how much the cost of selling it. They haven't yet determined the exact location, Alderman Gatsas, of the bridge and the access way. As you know it's migrated to the south and may continue to move to the south a little further. There has been a great deal of cooperation between the Department of Transportation and the King Family as is evidenced by a letter from Carol Murray that was recently received and I think distributed tonight to the Aldermen. The Department of Transportation has asked that we move forward with this planning at this time rather than wait until after the access road is done. The reason for that is that as they plan the access

road and the egress and the on and off ramps to the access road that are going to go from Manchester and into Londonderry they need to plan for what's going to be there and what they need is they need the planning done now so that the highway planning can be done second. That is what they have asked us to work on, that is why we're here tonight rather than waiting until, frankly, I think things might change if there was a 100 foot high bridge on pillars sitting over this piece of land. I think the reality of the view that that lady spoke of is going to change dramatically and that it would be much easier for our client to come here and speak to you after the bridge had been built but in the spirit of cooperation that Carol Murray of the Department of Transportation has asked we are trying to do the planning right now. Does that answer the question?

Alderman Gatsas stated I guess the answer to my question is you haven't negotiated a price.

Attorney Stebbins replied there has not been a price negotiated because we don't know what the size of the piece of the land they're taking is.

Alderman Gatsas stated obviously the zoning changes that this Board has been asked to look at would be changing one piece from an R-1B to a Multi-family. From a Multi-family to a Business zone which I think if I ask Mr. MacKenzie to give me his per acre price difference from a Multi-family to a B-2 is a much different price. Now, is that going to affect the State if we rezone this property tonight and looking at values?

Attorney Stebbins replied, Alderman Gatsas, I am going to be honest with you. You're right, the value of property as it's assessed is based to some great extent on the zoning. The issue that we've been asked to address by the Department of Transportation is what is the proper, what is the higher/best use for this property following the construction of the bridge and that's what we're trying to deal with. We are dealing with large parcels of property and historically this City has not wanted to divide those parcels of property by zoning lines. So, what we came to you with was rezoning the whole property(ies).

Mayor Baines advised that all wishing to speak having been heard, the testimony presented will be referred to the Committee on Bills on Second Reading to be taken under advisement with reports to be made to the Board of Mayor and Aldermen at a later date.

There being no further business to come before the special meeting, on motion of Alderman Smith, duly seconded by Alderman Thibault, it was voted to adjourn.

A True Record. Attest.

City Clerk