

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
FEBRUARY 3, 2014**

ROLL CALL:

Members Present: Eric Prause, Chair
Andy Kidd, Vice Chair
Horace Brown, Secretary
Chirag Thaker

Alternates: Donald Palmer (sitting)
Julian Stoppelman

Absent: Michael Stebe
Susan Shanbaum

Also Present: Mark Pellegrini, Director of Planning
Renata Bertotti, Senior Planner
Ginger MacHattie, Recording Secretary

The Chairman opened the Public Hearing at 7:06 p.m. The Secretary read the legal notice for the application when the call was made.

CUMBERLAND FARMS, INC. – request a special exception for a gasoline service station with a convenience store at 271 & 275 Main Street and 13 Middle Turnpike East, Business II and Design Overlay zones – Special Exception (2013-078)

Attorney Steve Penny spoke on behalf of the applicant, Cumberland Farms, Inc., which is seeking to locate a gasoline sales business with a retail convenience store in a Business II zone. The site is located at the northeast intersection of Main Street and Middle Turnpike East and is an assemblage of three parcels which total 35,204 square feet, or about 0.81 acre in size. There is 183 feet of frontage along Main Street and 200 feet of frontage along Middle Turnpike East. The property is bounded to the north by a commercially zoned parcel and the rear yards of two single family residences. To the east, the parcel is bounded by the rear yard of 14 Delmont Street and a Residence C zoned, commercially utilized property. To the south, the property is bounded by Middle Turnpike East, across which is the Business III zoned Walgreens Pharmacy. The property is bounded to the west by Main Street, across which are two other Business II zoned commercially used properties.

Public water and sewer are available to the site. A change of zone was granted in August 2013 and the entire site of these three assembled parcels is now zoned Business II. There are no wetlands or water courses on the site. The corner parcel has accommodated auto related uses for over 55 years. Gasoline service station use is legal and conforming at 275 Main Street.

Attorney Penny focused on the Special Exception application. A Business II zone is a commercial trade area intended to provide for general shopping and convenience. He reviewed permitted uses for a Business II zone. Gasoline stations are permitted by special exception. The retail convenience store use is a permitted use in the Business II zone. The Plan of Conservation and Development includes this site within the commercial corridor.

The plan for development of the site would include removal of the current structures. A 4,513 square foot convenience store would be built and four gas dispensers added under a 98' x 24' canopy. The business would be open 24 hours per day, seven days per week, with a maximum of four employees present at any given time.

Luke Destefano, P.E., explained that Cumberland Farms would like to redevelop the subject property and build a 4,513 square foot convenience store. This size is their prototypical store. The building, a convenience store, would have 18 parking spaces, which meets the Town's requirements. In addition, there will be 4 gas dispensers under a 24' x 98' canopy. This will mean a maximum of 8 cars fueling at any given time.

Mr. Destefano explained that the lot is currently serviced by a series of curb cuts. He proposes consolidating those into a total of two curb cuts. There will be one single, full movement curb cut on Main Street and one on Middle Turnpike East. The project will result in a major improvement to the subject property.

Mr. Destefano displayed a rendering of the proposed site, which will be well landscaped. The increase of 3% impervious surface will be offset with a better landscaping plan. The utilities will be reconstructed. There will be a major improvement in storm water management. Water will be collected, pretreated and contained, resulting in significant reduction in peak runoff rates.

In response to a question from Mr. Stoppelman, Mr. Destefano said changes since the initial plan include the building and architecture, additional landscaping, street trees, and consolidation of curb cuts.

Mark Vertucci, Transportation Engineer, pointed out the existing five driveways on the plan he displayed. Those will be consolidated into two, providing safer operation. The driveways were pushed as far north and east from the intersections as possible to reduce the potential for the driveways to become obstructed during peak traffic hours. Convenience stores rely on pass-by traffic; therefore, minimal new traffic will be added. The existing traffic operates at a level "C"; there will be no change during peak hours. Mr. Vertucci said queuing will not increase at the traffic signals. Sitelines are sufficient and meet DOT minimum criteria. He recommends trimming of the shrubs located at the corner by Walgreens, which are located within the Town's right of way.

Mr. Brown expressed concern with the number of accidents over a three-year period. This was while the property was being used as a car dealership. He would expect the dealership produced significantly less traffic than a Cumberland Farms might.

Mr. Vertucci said he is cognizant of the number of accidents in the area and consolidated the number of driveways to reduce the number of areas where people would be pulling into the intersection. Sightlines of the proposed driveways are good.

In response to a question from Mr. Brown, Mr. Pellegrini said he does not recall the Town's Traffic Engineer contradicting any findings of Mr. Vertucci's report.

In response to a question from Mr. Kidd, Mr. Vertucci said volume and number of accidents do not always correlate.

Mr. Palmer also expressed concerns about the increase in traffic at this intersection. He would like to talk to the Town's Traffic Engineer.

Mr. Pellegrini said the Commission can continue the Public Hearing and request that the Traffic Engineer come to the next meeting.

James Owens, Architect, displayed a prototype of the proposed building. Based on the surrounding buildings, the traditional look is the best design for the site. This consists of a simple rectangular farmhouse with a gable pitch. The main entrance consists of a portico with traditional columns. A patio with tables will be placed on the Main Street side. This is a prominent corner site and the plan for the site is a great improvement over what currently exists. Mr. Owens submitted material samples to the Commission.

In response to a question from Mr. Kidd, Mr. Destefano said the retaining wall on the east side is in the 3' to 4' height range. Materials will be harmonious with the stone wall being used on the building.

Ms. Bertotti reviewed outstanding staff comments, which she suggested be included as modifications should the Commission approve the application tonight.

Chairman Prause asked if any member of the public wished to comment either in favor of or in opposition to this application.

Keith Bolier, owner of the Main Street Pub, spoke in favor of this project. This is an opportunity to improve the aesthetics of the area, which he is excited about. He doesn't see any issue with the traffic; it is already such a busy intersection.

Wally Irish, owner of WJ Irish, will be a neighbor of the new business. He is excited that the conditions of the area will be improved. He expressed concern about traffic due to the fact that there are three bus stops in the area. He thinks the bus stops should be moved; not a great distance but further from the intersection.

Ryan Bilodeau, 42 Elizabeth Street, spoke against this application. He has concerns over traffic; the intersection is already jam packed. Although the site may look nice, he doesn't see the need for another convenience store or gas station. He is sick of seeing things approved when they are not needed. There is a lot of pedestrian traffic in that area, especially when the high school releases students.

Bob Bradshaw, Washington Street, expressed concern with the traffic this new business will bring. There is no way a vehicle will be able to take a left turn out of the driveway onto Main Street. Even turning left out of Washington Street takes quite a while. People are avoiding the area of Main Street and Middle Turnpike because of the traffic.

John Ryan, 42 Hollister Street, said traffic in the area is a problem and this will make it much worse. It is very aggravating to take a left onto Main Street from Hollister; turning left even closer to the intersection will be worse. He doesn't see how this will improve the quality of life in Manchester. There are five gas stations and eleven convenience stores within one mile of this site.

Ms. Bertotti received an e-mail from Bob Hetzel who said he has no concerns about Cumberland

Farms, but the use of this location is a serious mistake. It is the second busiest intersection in Town and the most likely to have the most accidents. People will have difficulty finding an opening in traffic, which leads to risky behavior.

Attorney Penny noted the comments made by several members of the public regarding gas stations. They are now permitted only where a gas station was located in 1972 or in a Business V zone. While people don't like looking at them, they do represent a significant need. The Traffic Engineer has explained that these types of businesses rely on pass-by traffic, which should not significantly increase volume.

There was a consensus among Commission members that the Town's Traffic Engineer should attend a Commission meeting and the public hearing on this item should be held open.

The Chairman closed the Public Hearing portion of the meeting at 9:13 p.m.

NOTICE: A DIGITAL RECORDING OF THIS PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.