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## Merrimack outlet mall gets go-ahead

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**MERRIMACK** – Before a packed room last night, the planning board approved a site plan with conditions for an estimated \$100 million, 135-store outlet mall project that would generate a combined 1,400 full- and part-time jobs and more than \$800,000 in property taxes.

The planning board voted 6-1 to approve the retail project, with Nelson Disco, Pete Gagnon, Alastair Millns, Stan Bonislawski, Tom Koenig and Tom Mahon in support. John Segedy served as the lone voice of opposition.

Segedy said he voted against the mall because he perceives it as unfair to the residents living near the retail project. He also said it would put a considerable burden on town staff and may be too much for them to handle.

Meanwhile, Koenig said he has put "a level of trust in Chelsea" Property Group despite some concerns he has about the plan. He added that there is no legal reason to deny the project, which could be justified in a court of law.

Millns said he's all for Chelsea coming in for the tax advantages related to the project, but reiterated his previous concerns on the traffic impact.

Gagnon described the project as "the most complex plan" he's ever seen, even more so than when Digital came to Merrimack years ago.

Disco and planning alternate Bill Boyd, a non-voting representative, also said they approved of the project. Mahon, the council representative to the planning board, did not comment.

The project, first pitched by Chelsea in September 2004, still has some hurdles to overcome before construction can begin this fall, as the developer has indicated it wants to do.

According to Disco, there are four or five conditions of the 19 recommended by Community Development Director Walter Warren that need to be resolved before the town can sign off on the project, including a letter from the Merrimack Village District stating that there is an adequate water supply for the outlet mall.

Although Chelsea sought to conduct a pre-blast survey for homeowners within 1,000 feet of the blasting area, planners unanimously supported extending it to 1,500 feet. The board estimated 70 to 75 homes would be included, an increase from the initial proposal of 34.

At the beginning of the meeting, Warren said his department has received 89 e-mails related to the project since the last session on Sept. 2. He added that 87 were in favor of the outlet mall and two opposed.

Planners spent roughly three months poring over reports and fielding input from the public on the New Jersey-based developer Chelsea Property Group's proposal to construct 608,916 gross square feet of retail space. The 170-acre site is on Commerce Drive, west of Exit 10 off the F. E. Everett Turnpike.

After the planning board's vote, Nancy Harrington, a Spruce Street resident and member of the town council, said she hopes Chelsea will follow through on its assurances related to the large-scale retail project.

"We'll see if the rubber meets the road and find out if the vast promises made to the citizens of Merrimack come to fruition," she said. "They already diminished the (proposed) tax revenue from \$1.4 million to approximately \$800,000 ... I pray the citizens will not be disappointed."

In April 2005, a majority of voters (about 55 percent) supported a town zoning ordinance to allow a conditional overlay for the outlet mall in an industrial-zoned district on the Industrial Drive site.

However, the Concerned Citizens of Merrimack Alliance (CCMA), a group mostly comprised of abutters opposed to the outlet mall project, brought a protest petition forward to the town with signatures of landowners abutting the property.

Town officials agreed that the petition demonstrated sufficient opposition from 20 percent of the homeowners abutting the property and retroactively required a super-majority vote.

In 2005, Chelsea and Monahan-Fortin Properties filed a joint lawsuit against the town and, in April 2006, Hillsborough County Superior Court Judge Bernard Hampsey, Jr. rejected CCMA's petition and sided with the developer.

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