

City of Concord Planning Board
November 16, 2016
Minutes

The regular monthly meeting of the City Planning Board was held on November 16, 2016, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

1. Call to Order

Chairman Woodfin called the meeting to order at 7:00 pm. Planning staff present included Heather Shank (Acting City Planner), Beth Fenstermacher (Acting Assistant City Planner) and Lisa Fellows-Weaver (Administrative Specialist).

2. Roll Call

Present: 6 – Chairman Richard Woodfin, Vice-Chair Carol Foss, Councilor Byron Champlin, Ian West, Matthew Hicks, and Alternate Chiara Dolcino.

Absent: 4 –Teresa Rosenberger (Ex-Officio for City Manager), John Regan, Susanne Smith-Meyer, and Alternate Frank Kenison.

3. Approval of October 19, 2016 Planning Board Meeting Minutes

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to accept the minutes of October 16, 2016, as written.

4. Planning Board Chair Overview

Chairman Woodfin noted that nothing has changed or been pulled from the agenda.

****Consent Agenda Items****

5. Design Review Applications by Consent – If an applicant, Planning Board member, or audience member wishes to remove an item from the Consent Agenda for discussion, it will be pulled for consideration during the public hearing segment of the agenda. Otherwise, consent items are approved subject to the recommendations of the Design Review Committee.

5A. Mattress Firm, on behalf of Centerco Concord LLC, requesting ADR approval for a replacement panel in a freestanding sign and a new wall sign consisting of internally illuminated channel letters at 240 Loudon Road in the Gateway Performance (GWP) District. *MBL:111/B3/14*

On a motion made by Councilor Champlin, and seconded by Mr. Hicks, the Board voted unanimously to approve the application by consent.

5B. Marshalls, on behalf of Brixmor Capitol SC, LLC, requesting ADR approval to install two replacement wall signs consisting of internally illuminated channel letters at 80 Storrs Street in the Opportunity Corridor Performance (OCP) District. *MBL:35/B1/1*

On a motion made by Councilor Champlin, and seconded by Mr. Hicks, the Board voted unanimously to approve the application by consent.

5C. Jane Sylvia Salon, on behalf of Alexander J. Constant, requesting ADR approval to install a new externally illuminated wall sign at 35 South Main Street in the Central Business Performance (CBP) District. *MBL: 34/4/1*

On a motion made by Councilor Champlin, and seconded by Mr. Hicks, the Board voted unanimously to approve the application by consent.

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- 5D. Merrimack Mortgage Co., on behalf of New Hampshire Troopers Association, Inc., requesting ADR approval to install a new wall sign at 109 North State Street in the Civic Performance (CVP) District. *MBL: 47/1/15*

On a motion made by Councilor Champlin, and seconded by Mr. Hicks, the Board voted unanimously to approve the application by consent.

- 5E. Rowley & Associates, requesting ADR approval to install a freestanding replacement sign at 46 N. State Street in the Civic Performance (CVP) District. *MBL: 46/2/3*

On a motion made by Councilor Champlin, and seconded by Mr. Hicks, the Board voted unanimously to approve the application by consent, subject to the recommendations of the Design Review Committee that the colored box be removed and a line used to delineate the various tenants instead.

****End of Consent Agenda****

Public Hearings

6. Design Review Applications – For sign applications pulled from the consent agenda, and building permit applications for exterior alterations in performance districts.

No action necessary.

7. Site Plan Applications

- 7A. Irving Oil Corporation requesting Major Site Plan approval for existing site work not previously approved, and a CUP to install a new 30,000 gallon above ground propane tank next to two existing 30,000 gallon tanks at 54 Chenell Drive in the Industrial (IN) District. *MBL: 111G/1/21 (2016-37)*

Ms. Shank noted that the application was previously accepted as complete. She provided an overview of the proposed project, stating that development of the site had occurred over the years, which was not indicated on the approved plan from 1997. The applicant was therefore required to go through the Site Plan review to legitimize work that had already occurred. She explained that the applicant had plans to pave the site, and this coincided with their request for the CUP. As a result, the plan review process resulted in a reduction of impervious surface, additional landscaping, and improved stormwater controls. .

The Chair opened the public hearing.

Chris Nadeau, of Nobis Engineering, explained the project is to add a 30,000 gallon propane tank. Improvements had been made on the property that were not included in the original approval from 1997. He explained that the current proposal includes paving, landscaping, and storm water controls. With the CUP a SPCC plan is required and has been provided along with a stormwater management plan.

The Chair asked if any member of the public had questions or comments. There being none, the Chair closed the public hearing.

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to **grant the CUP approval** in accordance with Section 28-3-6 (d)(4)(a) of the Zoning Ordinance (ZO) for storage of propane in the Aquifer Protection District.

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On a motion made by Mr. Hicks, and seconded by Mr. West, the Board granted Architectural Design Review approval for the site layout. On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to **grant Major Site Plan approval** for site work, including paving, landscaping, and the installation of stormwater facilities at 54 Chenell Drive, subject to the following conditions:

- (1) Address review comments from Jeffrey Warner, PE dated 11/16 to the satisfaction of the Engineering Division.
- (2) Submit two (2) copies of revised plans for sign off by the Clerk and Chair of the Planning Board.
- (3) Provide as-built drawings to the City Engineer in accordance with Section 12.09 of the Site Plan Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.
- (4) Provide digital information to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) and tax maps. The information shall be submitted in accordance with Section 12.08 of the Site Plan Review Regulations and all information shall be converted to a vertical datum of NAVD 88.

8. Other Items

- 8A. Horizons Engineering, on behalf of Freedom Village Cooperative, Inc., requesting a Conditional Use Permit (CUP) for disturbance of a wetland buffer to replace a culvert at 51 Fisherville Road in the RO (Open Space Residential) District. MBL: 304/Z2 (2016-54)

Mr. West recused himself from this case and moved to the audience.

On a motion made by Ms. Foss, and seconded by Councilor Champlin, the Board voted unanimously to accept the application as complete and Chairman Woodfin opened the public hearing.

Ms. Fenstermacher provided a summary of the CUP application stating that the applicant is proposing to replace and upgrade two undersized culverts between two properties located at 42 and 50 Skyline Drive, within a manufactured housing park. She stated that the disturbance is approximately 500 sq. ft. for the excavation. Ms. Fenstermacher stated that the applicant presented to the Conservation Commission and there was no comment except for a typo on the invert elevation in one of the catch basins.

Dexter Lefavour of Horizons Engineering was present representing Freedom Village Cooperative, Inc. He confirmed that there was a typo, and the elevations will work for the proposed drainage. Revised plans were provided.

There being no comments from members of the public, the Chair closed the public hearing.

On a motion made by Ms. Foss, and seconded by Mr. Hicks, the Board voted unanimously to **grant Conditional Use Permit approval** in accordance with Section 28-4-3-(d) (ZO) to allow disturbance of 506 sf of the wetland buffer to construct drainage improvements subject to the following conditions.

- a. Precedent Conditions – to be fulfilled within one year and prior to endorsement of the final plan by the Planning Board Chairman and Clerk, unless otherwise specified:

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- (1) Address to the satisfaction of the Planning and Engineering Divisions, technical review comments in Section 2, above.
- (2) The Professional Engineer and Certified Wetland Scientist shall sign and seal final plans.
- (3) The Applicant shall deliver to Planning, two (2) plan sets for endorsement by the Planning Board Chairman & Clerk.
- (4) The 50-foot wetland buffer shall be field located by the Licensed Land Surveyor and marked with Planning Division issued signs indicating “Protected Wetland Buffer. Do Not Disturb.” The signs shall be installed approximately every 50 ft. (maximum) to clearly mark the protected boundary in the vicinity of the work area.

Mr. West returned to the Board as a voting member.

- 8B. H.L. Turner Group, on behalf of the City of Concord, requesting Major Site Plan review under RSA674:54, for renovation of the community center at 14 Canterbury Road, including demolition of a portion of the existing building and an addition to create a total of 30,743 sf. The project includes demolition of an existing single family home at 28 Canterbury Road in the Single Family (RS) District. *MBL: 117/2/10 & 117/2/12 (2016-56)*

Councilor Champlin recused himself from this case and moved to the audience.

Chairman Woodfin opened the public hearing.

Matt Walsh, Director of Redevelopment of Downtown Services and Special Projects was present along with Gerard Blanchette from HL Turner Group, the project architect. Mr. Walsh provided the Board with an overview of the proposed community center renovations. He explained that one section will be renovated while another area will be demolished and replaced with a new 14,000 sf addition. The total footprint will be 30,743 sf. He noted that the separate gymnasium will remain and discussions are ongoing about the future municipal use for this building. He noted that the single family residence owned by the City will be demolished. Mr. Walsh discussed the issues with limited parking. He explained that there are 69 spaces proposed and there is potential to increase the spaces to 124, subject to available funds. This plan requires the removal of a large grove of pine trees. General discussion was held regarding the limited parking spaces provided, as well as the location of potential overflow parking for the variety of activities that are proposed to be offered in this center. Mr. Walsh explained that perhaps the overflow parking could be on grassy areas, on side streets in the adjacent neighborhood. He added that they are exploring options to create more parking spaces within the given budget.

Ms. Fenstermacher stated that staff provided comments regarding landscaping, parking, and other site constructability concerns. Staff will work directly with Mr. Walsh and the consultant to address these issues as well as comments from ADR.

There being no comments from the members of the public, the Chair closed the public hearing.

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Chairman Woodfin stated that the Board does not have a component to approve this application; however, appreciated the applicant coming in and the overall presentation provided. Councilor Champlin returned to the Board.

Other Business

9. Zoning Amendments to the Public Facilities Impact Fee Ordinance - Public Hearing to be noticed for the December 21st Planning Board meeting.

Ms. Shank explained that the amendment proposes to allow impact fees to be paid prior to issuance of a certificate of occupancy, rather than prior to issuance of a building permit. She stated that the RSAs also require fees to be paid prior to issuance of the certificate of occupancy. She also stated that the annual recommendation for adjustment of impact fee rates due to inflation would come before the Board next month.

She added that another amendment would come before the Board next month with regard to the restoration of merged lots, at the request of City Council.

10. Form Based Code presentation by Staff.

Ms. Shank gave a PowerPoint presentation for the Board explaining the elements of a Form Base Code (FBC). Slides contained visuals to show that a form-based code is a land development regulation using physical forms (rather than separation of uses) as the organizing principles for the code. A form-based code is a type of zoning ordinance that offers alternatives to conventional zoning regulations.

General discussion ensued. It was suggested that the changes or differences that FBC could have to specific blocks be illustrated as well as having municipal and developer perspectives that have gone through the FBC process.

Adjournment

With no further business before the Board, Councilor Champlin made a motion to adjourn at 8:18, seconded by Ms. Foss. Motion carried.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver
Administrative Specialist