

City of Concord Planning Board
May 16, 2018
Minutes

The regular monthly meeting of the City Planning Board was held on May 16, 2018, 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 (City Planner), Beth Fenstermacher (Assistant City Planner), Sam Durfee (Senior Planner), and Lisa Fellows-Weaver (Administrative Specialist). Engineering Staff present included Bryant Anderson (Associate Engineer).

2. Roll Call

Present: 4 – Chairman Richard Woodfin, Members Matthew Hicks, David Fox, and Ian West.

Absent: 7 – Councilor Byron Champlin, Vice-Chair Carol Foss, Teresa Rosenberger, Susanne Smith-Meyer, John Regan, Alternate Chiara Dolcino, and Alternate Frank Kenison.

3. Approval of April 18, 2018 Planning Board Meeting Minutes

On a motion made by Mr. West, and seconded by Mr. Fox, the Board voted unanimously to accept the minutes for April 18, 2018, as written.

4. Planning Board Chair Overview

Chairman Woodfin announced that Items 6C, 6D, and 6G have been postponed to the June 20, 2018 Planning Board meeting.

5. Determination of Completeness

5A. Nobis Engineering, on behalf of Concord Litho Group Inc., requesting Major Site Plan approval for new loading docks and parking lot improvements along with two Conditional Use Permits to allow existing driveways located closer than is required and to allow construction of fewer parking spaces than is required at 92 Old Turnpike Road in the Industrial (IN) District. MBL: 110J/1/6 (2018-19)

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to determine Item 5A complete and set the public hearing for June 20, 2018.

6. Public Hearings

6A. White Mountain Imaging requesting ADR approval to install a new freestanding sign at 46 Chenell Drive in the Industrial (IN) District. MBL: 111/G 1/59

No one was present to represent the application. With no comment, the public hearing was closed. On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted to approve the application as submitted. The motion passed unanimously.

6B. Kay Jewelers, on behalf of Siena Investments, requesting ADR approval to install a new internally illuminated wall sign at 265 Loudon Road in the Gateway Performance (GWP) District. MBL: 111/E 1/12

City of Concord Planning Board
May 16, 2018
Minutes

No one was present on behalf of the application. With no comment, the public hearing was closed. On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted to approve the application as submitted. The motion passed unanimously.

- 6C. Bread & Chocolate, on behalf of 31 South Main Acquisition, LLC, requesting ADR approval to replace an existing projecting sign at 29 S. Main Street in the Central Business Performance (CBP) District. MBL: 35/1/1 – Continued from March 13

This application was continued to the June 20, 2018 Planning Board meeting.

- 6D. Taylored Interiors, on behalf of 31 South Main Acquisition, LLC, requesting ADR approval to replace an existing projecting sign at 29 S. Main Street in the Central Business Performance (CBP) District. MBL: 35/1/1– Continued from March 13

This application was continued to the June 20, 2018 Planning Board meeting.

- 6E. Spring Corner Realty, requesting ADR approval for dormer additions to the multifamily structure at 2-10 North Spring Street in the Civic Performance (CVP) District. MBL: 36/2/1

No one was present on behalf of the application. Ms. Shank stated that the Architectural Design Review Committee (ADRC) recommended a darker metal for the proposed balconies to better match the rails associated with the entrances along North Spring St. The ADRC discussed the lengths of the dormer overhangs and felt that they were appropriate for the scale of the dormers. The ADRC recommended that a 3-foot wide single door be used in the dormer balconies, which would better match the existing windows and proportions of the building, instead of the proposed 4-foot wide double doors. She stated that the applicant agreed to these recommendations at the meeting.

With no additional comment, the public hearing was closed. On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to approve the design review application subject to the recommendations from the ADRC. The motion passed unanimously.

- 6F. New Concord Theater, requesting ADR approval for additions and modifications to an existing building and construction of a courtyard at 16-18 S. Main Street in the Central Business Performance (CBP) District. MBL: 35/6/4

No one was present on behalf of the application. It was noted that the balcony is the roof over the door and is not in the right of way. With no comment, the public hearing was closed. On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to approve the application, as submitted. The motion passed unanimously.

- 6G. Warrenstreet Architects, requesting ADR approval for a 826 sf two-story addition to the existing building at 27 Warren Street in the Civic Performance (CVP) District. MBL: 36/4/5

This application was continued to the June 20, 2018 Planning Board meeting.

City of Concord Planning Board
May 16, 2018
Minutes

7. Site Plan & Subdivision Applications

- 7A. Northpoint Engineering, LLC, on behalf of Concord Orthopaedics, requesting an extension of a Major Site Plan approval for the expansion of an existing parking lot at 264 Pleasant Street in the Institutional (IS) District. MBL: 95/3/1

No one represented this application. Ms. Shank stated that the applicant is requesting a one year extension of the approval, which was granted by the Planning Board on May 17, 2017, to allow more time to address all precedent conditions. In addition, the applicant hopes to construct the parking lot later this year or spring of 2019.

There being no comments from staff or members of the public, 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 request to a one year extension. The motion passed unanimously.

- 7B. Joseph Wichert, LLC, on behalf of Steven Burris and Burris Revocable Trust, requesting Minor Subdivision approval for a two lot subdivision at 152 Elm Street in the Residential Open Space (RO) & Medium Density Residential (RM) Districts. MBL: 15P/26

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to accept the application as complete and open the public hearing.

Mr. Wichert represented the application. He provided an overview of the plan noting that the parcel straddles the town line of Boscawen and Concord. He stated that he has met with the Town of Boscawen Planning Board, for information purposes only, as there are no changes proposed to the property in Boscawen. The Boscawen Planning Board will sign the plans if they are approved by the City of Concord.

Mr. Wichert stated that two waivers are requested. One is for Section 12.08(3) SDR for Topography, to not provide detailed topographic conditions because topographic information from the City's GIS database was provided for the remainder lot, no development is proposed on the remainder lot, and detailed topographic information was provided for the parent lot. The other waiver requested is from Section 12.08(5) SDR for Natural Features, to not identify wetlands because wetland information from the City's GIS database was provided for the remainder lot, no development is proposed on the remainder lot, and detailed wetland information was provided for the parent lot.

Mr. Hicks asked if there no regional impact component for this application as nothing is being built, at this time. Ms. Shank replied yes as there is no development at this time.

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

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to **grant the waiver to Section 12.08(3) Topography** to not show topographic conditions because topographic information from the City's GIS database was provided for the remainder lot, no development is proposed on the

City of Concord Planning Board
May 16, 2018
Minutes

remainder lot, and detailed topographic information was provided for the parent lot, and **grant the waiver to Section 12.08(5) Natural Features**, to not identify wetlands because wetland information from the City's GIS database was provided for the remainder lot, no development is proposed on the remainder lot, and detailed wetland information was provided for the parent lot.

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to **grant Minor Subdivision approval** subject to the following 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:

- (1) Prior to the final plat being signed by the Planning Board Chair and Clerk, digital information shall be provided 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 12.09 of the Subdivision Regulations.
- (2) A Licensed Land Surveyor shall sign and seal final plans and mylars.
- (3) The Applicant shall submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
- (4) The Applicant shall deliver to Planning, two (2) plan sets and one (1) set of mylars for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.

7C. Meisner Brem Corp., on behalf of James Carroll Revocable Trust, requesting Major Subdivision approval for a five lot cluster subdivision for property off of Carter Hill Road in the Residential Open Space (RO) District. MBL: 37Z/56

Ms. Fenstermacher stated that the project was determined complete at the April 18 meeting. She stated that the proposal is a five lot, cluster subdivision with two shared driveways.

Kurt Meisner of Meisner Brem Corporation represented the application. Mr. Meisner provided an overview of the project. He stated that the property is a 12 acre wooded site with some steep slopes. The proposal is for a five lot cluster subdivision with eight acres of open space in the rear of the development. He added that all buffers for the lots will be maintained during the project. He noted the small stream in the rear of the property and there is a wetland that runs through the west side of the property; the project will not impact the wetlands or stream. Mr. Meisner spoke to the rain gardens and swales proposed to address stormwater runoff. He stated that they will work with staff to establish a maintenance plan for the rain gardens and the conservation easement still needs to be reviewed. He added that the state subdivision approval from NHDES has been obtained.

Abutter Jonathan Sciuto, 133 Carter Hill Road, expressed concern with the maintenance of the rain gardens as his property is adjacent to the project and he has concerns about drainage onto his property. He stated that he purchased the property

City of Concord Planning Board
May 16, 2018
Minutes

one year ago and he does not feel that the project fits into the area. He referenced comments from the Conservation Commission relative to the project not meeting the intent of the Master Plan for preserving the rural character of the district. Ms. Fenstermacher stated that the eight acres will be under a conservation easement which the City will monitor on an annual basis, and the City can require that the easement include enforcement capabilities into the deed for the maintenance of the stormwater features; however, it will be the responsibility of homeowners to maintain the rain gardens and swales.

Rob Harrison, resident of the project area, stated that he does not feel that this proposal fits the character of area. He is also concerned with runoff and feels that Mr. Sciuto could be impacted by the project relative to the rain gardens and potential lack of maintenance by the homeowners.

A discussion was held regarding the buffer requirement along the frontage and the protection of the existing buffer affected during construction. Mr. Meisner stated that the project is compliant with all of the zoning ordinances of the City. He explained that there will be some clearing for the driveways and there will be an easement. The intent is to leave the existing tree buffer. Mr. West suggested that language be added to the approval to protect the perimeter buffer. Ms. Fenstermacher stated that subsequent condition (3) states that staff shall review clearing limits to ensure a sufficient perimeter buffer is maintained. Ms. Shank recommended additional language stating that if any vegetation is removed or dies during construction it would be replaced in kind, and the homeowner shall be responsible for maintaining the buffer in perpetuity. Mr. Meisner replied that there is an existing buffer around the property and the west end is over 300 feet of land that will remain untouched because of the existing vegetated wetland and high water table. Additional discussion was held regarding the placement of culverts along Carter Hill Road. Mr. Meisner stated that there is an existing ditch now as there is no crossing; however, a culvert will be added for each of the three driveway crossings.

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

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to **grant Architectural Design Review approval** for the 5-lot cluster subdivision.

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to **grant conditional Major Subdivision approval** with a revised subsequent condition (3) for the proposed 5-lot residential cluster subdivision on Carter Hill Road subject to the following precedent and subsequent conditions:

(a) **Precedent Conditions** – to be fulfilled within 1 year and prior to endorsement of the final plans by the Planning Board Chair and Clerk and issuance of any building permits:

- (1) Address Planning staff review comments to the satisfaction of the Planning Division.

City of Concord Planning Board

May 16, 2018

Minutes

- (2) Address Engineering staff review comments to the satisfaction of the Engineering Division.
 - (3) The Licensed Land Surveyor and Certified Wetlands Scientist shall sign and seal final plans and mylar.
 - (4) The conservation easement and deed for the open space, well radii easement, and access easement shall be submitted for review and approved by the City Solicitor, Conservation Commission, and City Surveyor, and be suitable for recording in the Merrimack County Registry of Deeds.
 - (5) Prior to the final plat being signed by the Planning Board Chair and Clerk, digital information shall be provided 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 12.09 of the Subdivision Regulations.
 - (6) The Applicant shall submit two (2) copies of fully revised plan set and one set of mylars for endorsement by the Planning Board Clerk and Chair.
 - (7) Applicant shall submit two checks for recording the plan and easement documents at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
- (1) Prior to the issuance of any building permits, the wetland buffers shall be clearly and permanently marked before, during, and after construction with Wetland Buffer markers available through the Planning Division, in accordance with Section 28.07 (SDR). In addition, prior to construction, erosion control measures protecting the buffer shall be installed.
 - (2) Prior to the issuance of any building permits, the Conservation Easement boundary shall be clearly and permanently marked before, during, and after construction in accordance with Section 19.04(3). The boundary shall be marked using markers provided by the Planning Division.
 - (3) Prior to the issuance of any building permits, the limits of clearing shall be clearly marked and approved by Planning Staff to ensure a sufficient perimeter buffer is maintained, with a focus on limiting clearing in the frontage buffer, and the street tree requirements are met. Any vegetation that does not survive construction shall be replaced in kind. The property owner shall be responsible for maintaining a vegetative buffer in perpetuity.
 - (4) Traffic and recreation fees shall be assessed for any construction on lots contained within this approved subdivision. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV,

City of Concord Planning Board
May 16, 2018
Minutes

Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection b) Computation of the Amount of Impact Fees; Table 2, Recreational Facilities Impact Fee per Variable Unit; and Table 3, Transportation Facilities Impact Fee per Variable Unit.

- a. Recreational Facilities – Single Family Residence (*example*)
- b. Transportation Facilities - Single Family Residence (*example*)

7D. Keach-Nordstrom, Inc., on behalf of 89 Fort Eddy Road LLC, requesting Major Site Plan approval for expansion of the existing Planet Fitness parking lot and a Conditional Use Permit for two driveways where frontage exists for one at 89 Fort Eddy Road in the Gateway Performance (GWP) District. MBL: 59Z/17

Ms. Shank stated that the project was determined complete at the April 18th meeting. She stated that the proposal is for the expansion of the parking lot with a conditional use permit needed for two driveways where only one would be permitted based on the frontage.

Steven Venezia from Planet Fitness and Brent Cole from Keach-Nordstrom represented the application. Mr. Venezia provided an overview of the company and the beauty of the typical club. He stated that the proposal is for substantial improvements to include interior renovations to allow additional equipment, relocate and update the bathroom facilities, exterior renovations, and a new parking lot design. Most renovations will occur with minimal disruption of operations and without shutting down the facility.

Mr. Cole presented revised building renderings from the original submission, which reflects recently constructed facilities. He also explained that the parking lot will be more efficient, larger, and safer. ADA requirements will be met and they will now be compliant. The renovation will add 25 parking spaces. Landscaping and site lighting were reviewed. Mr. Cole added that at this time the entire site is flat. There will be permeable pavers added. A waiver is requested for stormwater volume, which will be increasing such that the requirement to maintain current levels cannot be met. There are bad soils and a high water table; therefore, infiltration will be utilized to reduce the volume, but some stormwater will be conveyed offsite through the City's system.

Mr. Cole explained that the Merrimack Center currently has two driveways and that they would like to keep both driveways. One driveway is proposed to be relocated to improve circulation and safety. The Conditional Use Permit is required to relocate the driveway due to the amount of frontage and distance between driveways. He explained that the driveway will be located further away from the main entrance, which will minimize turning conflicts and be safer. He noted that the driveway is primarily for delivery and emergency vehicles and is right turn exit only.

A discussion was held regarding the landscaping. Ms. Shank stated that there are trees reaching approximately 60 feet in height along the edge of the parking lot, and smaller ornamental trees proposed for the interior of the parking lot. Ms. Shank stated

City of Concord Planning Board
May 16, 2018
Minutes

that she is okay with the landscaping plan proposed. She noted that the plan includes Red Maples, Little Leaf Lindens, and evergreens as a buffer along I-93.

Mr. Venezia stated that the current pylon sign will be lowered; it will be reduced to meet the current regulations. He added that the Planet Fitness sign and all other signs will be internally illuminated. Discussion ensued regarding the coloring for the sign pylon. Mr. Venezia stated that the pylon sign will be painted the business colors, purple and yellow. The applicant also stated that a bike parking area is proposed, which meets the recommendations.

Ms. Shank stated that the revised graphics presented need to be submitted.

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

Ms. Shank stated that staff does not usually support the waiver from Section 22.02(2) to allow a reduction in existing recharge rates for redevelopment. However, due to the location and the high water table and flood zone, and the increase in the impervious surface, infiltration cannot be accomplished in this location. She also added that the applicant is proposing stormwater treatment to improve water quality, which is not occurring presently.

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to **grant Architectural Design Review approval** for the site plan, building elevations and signage.

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to **grant the waiver from Section 22.07(2) of the Site Plan Regulations** to allow a reduction in existing recharge rates for redevelopment, based on the criteria of RSA 674:44(III)(e)(2), which states that specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations; and based on the fact that stormwater management of the site overall will be improved by the applicant's proposal.

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to **grant Conditional Use Permit approval** in accordance with Section 28-7-11(f) (ZO) to allow two driveways where only one would be permitted based on the lot frontage, based on the fact that the applicant's proposal will improve safety and increases compliance with the regulations.

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to **grant Major Site Plan approval** for the proposed redevelopment, subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – to be fulfilled within one (1) year and prior to issuance of any building permits, or the commencement of site construction, unless otherwise specified:
 - (1) Address review comments from Engineering Services to the satisfaction of the Engineering Division.

City of Concord Planning Board
May 16, 2018
Minutes

- (2) Any waivers or CUPs granted are to be noted and fully described on the plan including date granted and applicable Section numbers of the Site Plan Regulations. Should the Board vote to deny the waiver requests, applicant shall comply with said submission requirements.
- (3) Submit two (2) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.

(b) Subsequent Conditions – to be fulfilled as specified:

- (1) Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
- (2) A pre-construction meeting shall be required prior to the start of any construction activities onsite. The applicant shall pick up one (1) set of signed plans at the Planning Office to make copies for the pre-construction meeting. A total of five (5) copies of the signed plan set shall be provided by the applicant at the pre-construction meeting.
- (3) Prior to a Certificate of Occupancy or final construction sign-off, as-built drawings shall be provided 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) Prior to the issuance of a Certificate of Occupancy or final construction sign-off, digital information shall be provided 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.

7E. WarrenStreet Architects, on behalf of Concord Orthopaedics, requesting Minor Site Plan approval for a 846 sf expansion of the existing building at 264 Pleasant Street in the Institutional (IS) District. MBL: 95/3/1

On a motion made by Mr. Hicks, and seconded by Mr. Fox, the Board voted unanimously to accept the application as complete and open the public hearing.

Jonathan Halle, of Warrenstreet Architects, represented the application. He provided a brief overview of the project explaining that Concord Orthopaedics is proposing to construct a 18’x47’ addition to the second floor of their existing building for the placement of equipment. He explained that currently the MRI is located in a permanent trailer built in the early 1990’s. With the approval of the proposed addition the trailer will be removed. He noted that the exterior treatment will be consistent with the existing building.

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

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to **grant Architectural Design Review** approval of the site plan and elevations for the addition of an 846 sf second floor addition to the existing building,

City of Concord Planning Board
May 16, 2018
Minutes

subject to the condition that the clapboard infill between the columns be painted a darker color to blend in better with the brick columns.

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to **grant the following waivers** from the Site Plan Regulations based on the fact that a small area of the site is being affected and sufficient information has been provided to ensure compliance with applicable regulations, and utilizing the criteria of RSA 674:44 III (e) (1), which states that specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations:

- 15.03 Existing Conditions Plan – to reduce the amount and extent of information shown, specifically:
 - 15.03(3) Topography
 - 15.03(4) Soils
 - 15.03(5) Natural Features
 - 15.03(10) Municipal utilities
 - 15.03(11) Non-municipal utilities
 - 15.03(20) Existing vegetation
- 15.04(6) Topography – to not show topography on the proposed site plan
- 15.04(8) Natural features – to not show all natural features

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to **grant Conditional Minor Site Plan Approval**, subject to the following Precedent and Subsequent Conditions:

- (a) **Precedent Conditions** – to be fulfilled within one (1) year and prior to issuance of any building permits, or the commencement of site construction, unless otherwise specified:
- (1) Address Technical Review Comments to the satisfaction of Planning Staff.
 - (2) The final plans shall be signed and sealed by the Licensed Architect and Professional Engineer.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
- (1) Submit 3 sets of final plans to be signed by the Clerk and Chair of the Planning Board, prior to issuance of any permits or commencement of construction activities.
 - (2) Prior to commencement of construction activity, payment of any required inspection fees in an amount approved by the City Engineer shall be made.
 - (3) A pre-construction meeting shall be required prior to the start of any construction activities onsite if requested by the City Engineer.

City of Concord Planning Board
May 16, 2018
Minutes

- 7F. WarrenStreet Architects, on behalf of Fox Brook Holdings, LLC, requesting Minor Subdivision approval to create one additional condominium unit and merge four other units in the existing building at 16 Foundry Street in the Office Park Performance (OFP) District. MBL: 481/Z29 1/101 (2018-20)

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to accept the application as complete and open the public hearing.

Jonathan Halle, of Warrenstreet Architects, represented the application along with Bill Norton from Norton Asset Management. Mr. Halle provided an overview of the proposal explaining that this is a subdivision for the conversion of condominium units which will create one additional unit and merge four other units. He added that the site plan that is included is for the sole purpose of delineating the assignment of the parking for the units. He stated that there are no other improvements to the exterior of the area.

Mr. Norton provided the history of ownership and tenancy of the building. He stated that building will now be fully utilized.

Mr. Durfee provided an overview of the requested waivers.

A discussion was held regarding the waivers relative to the plan being stamped. Mr. Halle stated that he would request to be able to speak with staff to determine the most appropriate way of satisfying this requirement. Ms. Shank agreed to not have this be a condition of approval but that the applicant will need to work with staff to get the plan signed.

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted unanimously to **grant the waivers** to the Subdivision Regulations utilizing the criteria from RSA 674:36(II)(n)(2), based on the fact that the applicant is not aware of, or has any record of any variances, special exceptions, conditional use permits, or waivers previously granted for this project.

- **Section 13.01(5)** A copy of all previous variances and special exceptions
- **Section 12.02(3)/Appendix B** A copy of any previous conditional use permits
- **Section 12.02(3)/Appendix B** List of previous planning board waivers

And, to grant the following waivers to the Subdivision Regulations based on the fact that no new site construction is proposed:

- **Section 12.08(23)(c)** Tabulations of impervious surface coverage.
- **Section 12.08(23)(d)** Tabulations of useable land area
- **Section 15.03(11)** Location size and invert elevation of existing sanitary and storm sewers.
- **Section 12.08(10)** Location and size of all existing water mains, hydrants, gates, valves, blow-offs and service connections.
- **Section 12.08(11)** Location of all non-municipal utilities.

City of Concord Planning Board
May 16, 2018
Minutes

And, to grant the final waiver for **Section 15.02(1)**, to not provide a final plat prepared by a licensed surveyor, based on the fact that the applicant will work with staff to provide the correct documentation.

On a motion made by Mr. Hicks, and seconded by Mr. West, the Board voted unanimously to **grant Minor Subdivision approval** for the minor subdivision subject to the following 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:

- (1) Address Technical Review Comments, noted in Section 3 of the staff report dated May 16th, 2018, to the satisfaction of the Planning Division.
- (2) Any waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(S) of the Subdivision Regulations. Should the Board vote to deny the waiver request(s), applicant shall comply with said submission requirement(s).
- (3) The Certification statement on the Condominium Plans shall be signed by the Engineer of the Record.
- (4) Prior to the final plat being signed by the Planning Board Chair and Clerk, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) tax maps. The information shall be submitted in accordance with Section 12.09 of the Subdivision Regulations.
- (5) Applicant shall submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
- (6) The Applicant shall deliver to Planning, two plan sets and one set of mylars for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.
- (7) Submit a sheet depicting parking allocation to be recorded as an exhibit of the existing condominium documents.

Other Business

8. Main Street Update

Ms. Shank stated that the presentation at the Red River Theatre went very well and was well received. There was a lot of support from staff, councilors, and the public. She will continue to work on the recommendations and present a draft of the regulatory changes to the Board, and then move forward with a presentation to City Council.

9. Form Base Code Map Review

Ms. Shank updated the Board as to the progress of the From Base Code. She stated that the consultant has submitted maps formalizing what work will be accomplished in years 1 and 2. She noted that the Whitney Road area was added as it was recently rezoned; it was

City of Concord Planning Board

May 16, 2018

Minutes

included in year two. She stated that when we have the deliverables, a public meeting will be held to present the materials and obtain feedback. Ideally, by the end of the year we will have a draft code. She added that the consultant is behind; however, this gives staff the time to review changes that need to be made.

Adjournment

At the request of Chair Woodfin, Mr. Hicks made a motion to adjourn at 8:23 p.m., seconded by Mr. West. Motion carried unanimously.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,

Administrative Specialist