

**City of Concord Planning Board  
November 20, 2018  
Minutes**

The regular monthly meeting of the City Planning Board was held on November 20, 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).

2. Roll Call

**Present:** 8 – Chairman Richard Woodfin, Councilor Byron Champlin, Teresa Rosenberger, (Ex-Officio for City Manager), Vice-Chair Carol Foss, Members Matthew Hicks, Susanne Smith-Meyer, David Fox, and John Regan.

**Absent:** 2 – Alternates Chiara Dolcino and Alternate Frank Kenison.

3. Approval of October 17, 2018 Planning Board Meeting Minutes

On a motion made by Councilor Champlin, and seconded by Mr. Regan, the Board voted unanimously to approve the minutes for October 17, 2018, as written.

4. Planning Board Chair Overview

Chairman Woodfin announced that the Irving Oil application from the September 19, 2018 and October 17, 2018 meetings was continued to tonight's meeting and was not noted on the agenda.

MHF Design Consultants on behalf of Irving Oil, requests Major Site Plan approval for construction of a convenience store, fueling station, and related site improvements; and Conditional Use Permits to allow a fueling station in the CU District, and to allow two driveways on a frontage where only one is permitted at 22 & 24 Penacook Street and 163 N. State Street in the Urban Commercial (CU) and Urban Transitional (UT) Districts.

Chairman Woodfin stated that the applicants have requested that the application be tabled indefinitely. He noted that abutters will be re-noticed if and when they return and request to be taken off the table.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to table the Irving Oil application.

Chairman Woodfin announced that the applicants for Items 8, 9, 10, and 11 have submitted requests to continue their applications to the December 19, 2018 meeting.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to continue Items 8, 9, 10, and 11 to the December 19, 2018 meeting, at the applicants' requests.

5. Design Review Applications by Consent

The Board voted unanimously to approve the sign applications for 5A-5D by consent, subject to the recommendations of the Architectural Design Review Committee (ADR) as noted below.

5A. Age at Home, on behalf of Lake Life Properties LLC, requests ADR approval to install a new freestanding sign at 24 Hammond Street in the Opportunity Corridor Performance (OCP) District.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to approve the sign application, as submitted, by consent, subject to the

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conditions that the word **“Home” be outlined or contrasted better with the background graphic, and that revised drawings be submitted to Planning and Code.**

- 5B. Minuteman Press, on behalf of Raft Effie Trust, requests ADR approval to install (2) two new wall signs at 93 Storrs Street in the Central Business Performance (CBP) District.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to approve the sign application, as submitted, by consent, subject to the conditions that both signs will be aluminum, the Storrs Street sign may be externally illuminated, with the suggestion that the text on the bottom of the sign on the side of the building be removed.

- 5C. Pompanoosuc Mills, on behalf of Ciborowski Associates, requests ADR approval to install a new wall sign at 38 N. Main Street in the Central Business Performance (CBP) District.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to approve the sign application, as submitted.

- 5D. City of Concord requests ADR approval to install a new externally illuminated ground mounted sign and replace an existing wall sign at 125 Hall Street in the Industrial (IN) District.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to approve both sign applications, as submitted, with the condition that the **lighting fixture match the base, and that the text and graphics be better centered, with updated graphics submitted to Planning and Code.**

**Public Hearings**

6. Design Review Applications

- 6A. Comfort Inn, on behalf of Duprey Company, LLC, requests ADR approval to install a new internally illuminated wall sign, and a new internally illuminated ground mounted sign, at 71 Hall Street in the Opportunity Corridor Performance (OCP) District.

The applicant was not present. Ms. Shank stated that the applicant requested that this application be pulled from the consent agenda to have a public hearing so that they could ask for approval, where ADR recommended the applicant return next month with revised graphics. She explained that the ADR had a discussion regarding the proposed 8 foot tall free standing sign and suggested a monument sign at 6 feet. The ADRC recommended that the applicant return to the Committee in December with revised drawings. Ms. Shank provided the revised drawing and noted that she did contact ADR members who were receptive to the revisions. She stated that there is also an application for a wall sign, which was recommended for approval as submitted by the ADRC.

On a motion made by Ms. Smith-Meyer, and seconded by Councilor Champlin, the Board voted unanimously to approve both sign applications, as submitted and in accordance with the revisions provided at the meeting showing a change to a 6 foot monument sign.

7. Site Plan & Subdivision Applications

- 7A. J. Richard Jaques, on behalf of the Penacook Community Center, requests approval extension for a Major Site Plan previously approved on October 15, 2015.

Ms. Shank stated that the Planning Board granted a conditional approval to the Community Center for the design of a new facility on October 15, 2015. A one year extension was granted in July of 2017.

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Mr. Jaques stated that they are requesting an extension for an additional year. He explained that over the past year there has been a transition of directors and funding issues; they are trying to keep their options open. He noted that they may be doing a redesign of the original plan.

Ms. Shank noted that a waiver request in the amount of \$300 has been submitted for the application fee. Mr. Jaques stated that the fee has been waived in the past and he thanked the Board for doing that.

Ms. Foss asked about the extension as it appears that the plan expired in October. Ms. Shank stated that a waiver can also be requested to allow the Board to extend the timing. Mr. Jaques stated that the letter they sent in was submitted in October but did not make the October meeting.

Ms. Foss commented that should the approved footprint change, an amendment would need to be filed. Mr. Jaques replied that they are aware of that requirement.

On a motion made by Ms. Foss, and seconded by Mr. Regan, the Board voted unanimously to grant a waiver to Section 13.01(3) of the Site Plan Regulations (SPR) requiring application fees to be paid for extension requests, and to grant a waiver to Section 7.08(9) (SPR) to allow the plan to remain valid though the date of expiration of the approval had passed, and to grant the Major Site Plan extension to October 15, 2019.

Ms. Fenstermacher noted that over the past month the City removed red pines from this property due to infested trees posing a public safety issue. She added that notifications were sent to abutters making them aware of the activity, and the removal of the trees is not related to the proposed project.

- 7B. Richard D. Bartlett & Associates on behalf of Matthew S. & Allison T. Hicks, and Douglas W. Hicks, requesting Minor Subdivision approval to adjust a lot line at 126 Mountain Road and 95 Shaker Road in the Single Family Residential (RS) District and the Medium Density Residential (RM) Density.

Member Hicks recused himself from this application and moved to the audience.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to determine the application complete and open the public hearing.

Mark Sargent represented the application. He explained that the applicants are proposing to annex 23,601 sf (0.54 ac) of land from 95 Shaker Road (Map 28Z, Lot 33) to 126 Mountain Road (Map 28Z, Lot 23). He stated that this change puts the lot lines back to how they were in 2011. Lot 33 will become 1.03 acre and Lot 23 will become 50.29 acres. He stated that there is an easement proposed for the existing driveway.

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

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to **grant the requested waivers from the Subdivision Regulations**, utilizing the criteria from RSA 674:36(II)(n)(2): Specific circumstances relative to the subdivision, or

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conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

- Section 15.03(2) Dimensions to provide the lengths but not provide bearings for two of the property lines for the 95 Shaker Road property. The property lines subject to the waiver are not part of the lot line adjustment, and were originally surveyed by compass and tape in 1971.
- Section 15.03(4) Topography to not provide topography for the entire Shaker Road School lot. No improvements are proposed for this portion of the 50± acre lot.
- Section 12.05 Vicinity Plan to show the Vicinity map at a scale of 1"=5800' instead of 1"=1000' to 1"=2000'.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to **grant Minor Subdivision approval** for the lot line adjustment at 126 Mountain Road and 95 Shaker Road, subject to the following 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:

1. Address Technical Review Comments to the satisfaction of the Planning Division.
2. Address Engineering Review Comments to the satisfaction of the Engineering Division.
3. 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).
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, one plan set and mylar(s) for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.

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

12. Any Other Business

Ms. Shank stated that a discussion was held at the last ADR meeting about having a joint meeting with the Planning Board to talk about past sign projects and the design guidelines. Mr. Woodfin stated that ADRC is a subset of the Planning Board and the Board should be meeting with them periodically. A consensus was to hold a joint work session January 2, 2019 at 6 p.m.

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Ms. Shank reported that alternative ipads will soon be available for the ADRC, so Board members will be able to take their ipads home. Ms. Shank stated that she will have a policy at the next meeting for members to sign and hopes the ipads will be available at that time.

Mr. Regan asked about impact fees and requested that if changes are being proposed, that the Board be given sufficient time to review. Ms. Shank explained the process and stated that she would like to have changes before City Council in January or February in accordance with the requirements of the ordinance. She noted that City Council created an exemption for transportation impact fees for non-residential development last year. She stated that school impact fees were also zeroed out since the cost of the City's contribution for the construction of the new schools is paid. With regard to the use of funds, she explained that the City is divided into four quadrants for the purpose of allocating funds; funds are used for projects in the quadrant where the property is located. The funds remain in an account for that quadrant until there is a qualifying project. The funds can be used for increased capacity for transportation and recreation facilities, but cannot be used for basic maintenance and upkeep. She stated that staff would bring more information to the Board when presenting the ordinance update next month.

**Adjournment**

At the request of Chair Woodfin, Mr. Hicks made a motion to adjourn at 7:26 p.m., seconded by Mr. Fox. Motion carried unanimously.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,  
Administrative Specialist