

**CITY OF CONCORD PLANNING BOARD  
August 21, 2013 MEETING**

The regular monthly meeting of the City Planning Board was held on August 21, 2013, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Present at the meeting were Chair Drypolcher and Members Lavers, Hicks, Foss, Dolcino and Smith-Meyer. City Planner McPherson, Mr. Henninger, Ms. Hebert and Ms. Murray of the City's Planning Division were also present.

At 7:00 p.m., a quorum was present and the Chair called the meeting to order.

**PUBLIC HEARINGS**

**Architectural Design Review Applications**

1. Applications by the following for approval of signs at the following locations under the provisions of Section 28-9-4 (f), Architectural Design Review, of the City of Concord's Code of Ordinances:

The Chair opened the public hearings for all the sign applications.

- a. **Application by WBIN Media, Inc., requesting Design Review Approval for two new affixed signs and three new freestanding signs at 4 Church Street, the former Walker School, within the Institutional (IS) District.**

Mr. Henninger detailed the application for five signs; two affixed and three free-standing. He stated that the plans have been modified to reduce the size resulting in less obtrusive signs and that the location of the sign at the intersection of Bouton and North State streets had been pulled further from the street at an abutter's request.

The Board questioned the lighting of the signs. Ms. Hebert stated the lights would be halo lighting which is not internal nor spotlights. The Board expressed concern over the Residential Zoning rules around lighting since the property is in the Historical District. Ms. Hebert stated that the lighting, including sign lighting and building lighting, would be turned off at 11pm each night, although there is nothing in the Zoning Ordinance that requires this. Attorney Richard Uchida, representing Binnie Media, confirmed Ms. Hebert's comments.

Ms. Hebert noted that the Planning Division and Mr. Walker from the Building and Code Services Department believed the signs and lighting was in conformance with the Zoning Ordinance.

Hearing no comments from either the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Ms. Smith-Meyer moved to grant Architectural Design Approval for WBIN at 4 Church Street for two new affixed signs and three new freestanding signs with the condition that staff assures compliance with zoning ordinances concerning lighting time restrictions. Ms. Dolcino seconded the motion. Motion carried unanimously.

- b. **Application by Aryn Marsh/Live Juice requesting Design Review Approval for a new affixed sign at 5 South Main Street, within the Central Business Performance (CBP) District.**

Mr. Henninger said there is an application for one hanging sign and one window sign at the storefront.

Hearing no comments from either the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Mr. Hicks moved to grant Architectural Design Approval as submitted by Aryn Marsh/Live Juice requesting Design Review Approval for a new affixed sign at 5 South Main Street. Mr. Ms. Smith-Meyer seconded the motion. Motion carried unanimously.

**c. Application by Douglas, Leonard & Garvey, PC requesting Design Review Approval for a replacement freestanding sign at 14 South Street, within the Civic Performance (CVP) District.**

Mr. Henninger briefly described the proposed sign.

Hearing no comments from either the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Ms. Smith-Meyer moved to grant Architectural Design Approval for an application for a replacement freestanding sign at 14 South Street, as submitted. Ms. Foss seconded the motion. Motion carried unanimously.

**d. Application by Rouce Properties, Inc./Spirit Halloween requesting Design Review Approval for two new affixed signs at 270 Loudon Road, within the Gateway Performance (GWP) District.**

Mr. Henninger spoke to the application stating that the sign is exactly the same as what the Board approved last year, including location, size, design etc.

Hearing no comments from either the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Ms. Smith-Meyer moved to grant Architectural Design Approval for an application by Rouce Properties, Inc./Spirit Halloween requesting Design Review Approval for two new affixed signs at 270 Loudon Road, as submitted. Mr. Hicks seconded the motion. Motion carried unanimously.

**Site Plan Review**

**2. Application by Concord Housing Authority, for property at 40-42 South Main Street, requesting Major Site Plan Approval and Design Review Approval, for the conversion of existing office space and a theatre into six (6) residential dwelling units on the first floor of the Kennedy Apartment Building. (2013-38)**

The Chair opened the public hearing.

Mr. Henninger spoke to the application. The above listed plans would be subject to impact fees for school and recreation, but not transportation.

Hearing no comments from either the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Ms. Foss stated that she felt the conversion of the theater space was a loss to the community.

Ms. Smith-Meyer moved to grant Architectural Design Review Approval for the site and building plans, as submitted by the applicant. Mr. Lavers seconded the motion. Motion carried unanimously.

Ms. Smith-Meyer moved to grant Conditional Site Plan Approval of the site and building plans and for the conversion of office space and an existing auditorium, in the ground floor of the Kennedy Apartments at 40-42 South Main Street, into six residential apartments subject to the following conditions:

- 1) Traffic, recreation and school impact fees shall be assessed for any construction contained within the limits of the approved site plan. 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, 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 1, School Facilities Impact Fee per variable unit; and Table 2, Recreational Facilities Impact Fee per Variable Unit; and Table 3, Transportation Facilities Impact Fee per Variable Unit.
  - a. School Facilities – Multi-unit/Apartment – per attached worksheet = \$820.67 per dwelling unit
  - b. Recreational Facilities – Multi-unit/Apartment - per attached worksheet = \$546.33 per dwelling unit
  - c. Transportation Facilities - Multi-unit/Apartment per attached worksheet = \$0.0 per dwelling unit.
  
- 2) The applicant shall replant shrubbery removed during construction along the north and west walls with suitable plant materials acceptable to the City Planner.

Mr. Hicks seconded the motion.

Motion carried with three members affirming the vote and Ms. Foss voting nay.

3. **Application by Public Service Company of New Hampshire for property at the terminus of Farmwood Road, requesting Major Site Plan Approval, Design Review Approval, Conditional Use Permit pursuant to Article 28-2-4(j), Principal Uses Permitted by a Conditional Use Permit, and a Conditional Use Permit pursuant to Article 28-4-3(d), Disturbance of a Wetland Buffer, of the Zoning Ordinance, for the construction of the transmission substation adjacent to an existing distribution substation, including grading, drainage and related site improvements. (2013-45)**

Mr. Henninger recommended that the application be determined complete and the public hearing set for September 18, 2103.

Ms. Foss moved to determine the application by Public Service Company of New Hampshire, for property at the terminus of Farmwood Road, complete. Mr. Hicks seconded the motion. Motion passed unanimously.

4. **Application by Concord Country Club, for property at 22 Country Club Lane, requesting Minor Site Plan Approval and a Conditional Use Permit pursuant to Article 28-7-11 (b), Construction of fewer parking spaces, for the construction of a 3,106 square foot addition to the existing clubhouse, the construction of a new exterior deck and the reconstruction of 4,170 square feet within the existing clubhouse together with the associated parking, landscaping and utility improvements. (2013-46).**

Ms. Hebert spoke to the application and recommended that the application be determined complete and noted that the waiver for parking spaces was able to be approved by staff and required no further action by the Board.

Ms. Dolcino moved to determine the application by Concord Country Club, for property at 22 Country Club Lane, complete. Mr. Lavers seconded the motion. Motion passed unanimously.

The Chair opened the public hearing

Mr. Tim Bernier, representing Concord Country Club, presented the plans to the Board. He stated that the renovations would not affect club membership and therefore would not require additional parking spaces. They are in need of activity space which the addition would allow for. Mr. Bernier highlighted the addition and described its functions.

Hearing no further comments from either the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Discussions surrounding the possible conflict of functions which would require additional parking and ADA compliance ensued. Mr. Bernier stated that only one large function would ever be scheduled at a time so this would not affect parking. He also stated that all ADA requirements have been met.

Ms. Smith-Meyer moved to grant a Conditional Use Permit pursuant to Article 28-7-11 (b), for the construction of fewer parking spaces. Ms. Foss seconded the motion. Motion carried unanimously.

Ms. Foss moved to grant Conditional Site Plan Approval for the construction of a 3,106 square foot addition to the existing clubhouse, the construction of a new exterior deck and the reconstruction of 4,170 square feet within the existing clubhouse together with the associated parking, landscaping and utility improvements. Ms. Smith-Meyer seconded the motion. Motion carried unanimously.

5. **Application by Concord 93 Limited Partnership c/o Miller Favazzo Prop. Inc. for property at 55 Fort Eddy Road, requesting Major Site Plan Approval and Design Review Approval for the construction of a walk-up ATM kiosk within the Fort Eddy Plaza parking lot including modifications to the pavement, curbing, landscaping, signage and lighting. (2013-48)**

Mr. Henninger stated that the applicant requested postponement of any actions on the completeness of this application to the September Planning Board meeting. He confirmed that abutters would be renotified.

#### **REGULAR MEETING**

6. **Request by Concord Country Club for a one year extension of the period of validity of the Conditional Use Permit application for disturbances to a wetland buffer as a result of the reconstruction of the blue and white tee boxes at the 12<sup>th</sup> hole at the golf course. (2011-38)**

Ms. Hebert spoke to the request stating that there were no staff concerns and recommended that a one year extension of the period of validity of the Conditional Use Permit application for disturbances to a wetland buffer as a result of the reconstruction of the blue and white tee boxes at the 12<sup>th</sup> hole at the golf course be granted.

Ms. Dolcino moved to grant the one year extension of the period of validity of the Conditional Use Permit application for disturbances to a wetland buffer as a result of the reconstruction of the blue and white tee boxes at the 12<sup>th</sup> hole at the golf course. Ms. Smith-Meyer seconded the motion. Motion passed unanimously.

**7. Minutes of the July 17, 2013, Planning Board meeting.**

Mr. Hicks moved to accept the minutes of the July 17, 2013 Planning Board Meeting as written. Ms. Smith-Meyer seconded. Motion carried unanimously.

There was no further business to come before the Planning Board and the Chair adjourned the meeting at 7:44 pm.

A TRUE RECORD ATTEST:

Gloria McPherson  
City Planner