

**CITY OF CONCORD PLANNING BOARD
October 16, 2013 MEETING**

The regular monthly meeting of the City Planning Board was held on October 16, 2013, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Present at the meeting were Vice Chair Swope and Members Lavers, Foss, Hicks, and Kenison. Acting City Planner 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 Vice 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 Vice Chair opened the public hearings for all the sign applications.

- a. **Application by Northeast Credit Union, requesting Design Review Approval for a new hanging sign and two affixed signs at 1 South Main Street, within the Central Business Performance (CBP) District.**

Mr. Henninger spoke to the application recommending approval stating that none of the signs are to be lighted.

There were no other comments or discussions.

Ms. Foss moved to grant Architectural Design Approval as recommended by the Architectural Design Review Committee. Mr. Hicks seconded the motion. Motion carried unanimously.

- b. **Application by The Mortgage Center/St. Mary's Bank, requesting Design Review Approval for an affixed sign at 2 Pillsbury Street, within the Institutional (IS) District.**

Mr. Henninger spoke to the application stating that this is the only sign for the applicant. The sign will face Pillsbury St on the south side of the property.

There were no other comments or discussions.

Mr. Kenison moved to grant Architectural Design Approval as recommended by the Architectural Design Review Committee. Ms. Foss seconded the motion. Motion passed unanimously.

c. Application by New England College, requesting Design Review Approval for one affixed sign at 136 North State Street, within the Central Business Performance (CBP) District.

Mr. Henninger spoke to the application recommending approval.

There were no other comments or discussions.

Mr. Lavers moved to grant Architectural Design Approval as recommended by the Architectural Design Review Committee. Ms. Foss seconded the motion. Motion passed unanimously.

d. Application by Eddy Plaza Associates, requesting Design Review Approval for a replacement affixed sign at 56 Fort Eddy Road for Five Guys, within the Gateway Performance (GWP) District.

Mr. Henninger spoke to the application. He stated that sign approval should be contingent on the applicant obtaining all other necessary permits for any and all upgrades/renovations for the space. Tim Sullivan from Barlo Signs was present and reiterated that the applicant has no intentions of hanging any signage until all permits are granted.

There were no other comments or discussions.

Mr. Lavers moved to grant Architectural Design Approval subject to the applicant applying for and obtaining all necessary permits as deemed necessary by City staff. Ms. Foss seconded the motion. Motion passed unanimously.

Subdivision Applications

2. Application by Shawmut Holding, LLC for property located at 263 South Street, requesting Minor Subdivision approval to create one new lot on Goldenrod Lane for residential use. (2013-51)

- a. Determination of Completeness
- b. Public Hearing
- c. Deliberations and Action on the Application

Ms. Hebert recommended that the application be determined complete and the public hearing opened.

Mr. Kenison moved to determine the application complete. Mr. Hicks seconded the motion. Motion passed unanimously.

The Vice Chair opened the public hearing.

Gregory Marceau presented the plans for the subdivision. Mr. Marceau highlighted the lot sizes and explained the need for the waivers. The useable area on proposed lot #1 is 4,643

square feet and a waiver is needed to permit the creation of a lot that does not satisfy the 5,000 square foot usable area rectangle requirement. The parcel is a corner lot and does not meet the requirement because the front setback extends along both the South Street and Goldenrod Lane frontage. The second lot contains more than the required usable area (9,067 square feet) but does not satisfy the test of providing a rectangle with a minimum dimension of 60 feet.

The Vice Chair asked if members of the public had any comments or questions on the application.

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

Ms. Foss moved to grant a Waiver to Section 19.05(4) of the City of Concord Subdivision Regulations to allow the creation of a lot with 4,643 square feet of usable area where 5,000 square feet with a minimum dimension of 60 feet would be required. Mr. Hicks seconded the motion. Motion passed unanimously.

Mr. Kenison moved to grant a Waiver to Section 19.05(4) of the City of Concord Subdivision Regulations to allow the creation of a lot with 9,067 square feet of usable area without the entirety of the useable area being able to contain a rectangle with a minimum dimension of 60 feet. Ms. Foss seconded the motion. Motion passed unanimously.

Mr. Hicks moved to approve the minor subdivision application recommended by staff subject to the following conditions:

1. Prior to the final plat being signed by the Planning Board Chair and Clerk, the applicant shall revise the plat drawings to address the minor corrections and omissions noted by City staff, including the amending the plan to indicate the type and size of the street tree plantings.
2. Traffic, recreation and school impact fees shall be assessed for any construction on the new vacant lot 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, 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 – Single Family Residence.
 - b. Recreational Facilities – Single Family Residence.
 - c. Transportation Facilities – Single Family Residence.
3. 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.

Mr. Lavers seconded the motion. Motion carried unanimously.

Site Plan Review

3. **Application by Thomas Cheney and Zarembo Program Development, LLC for a proposed 9,278 square foot Dollar General retail store, and the construction of parking and loading areas, site lighting, landscaping, drainage, utility and signage improvements at 197-207 Fisherville Road. (2013-60)**
 - a. Determination of Completeness

Mr. Kenison moved that the Planning Board determine the application to be complete and to schedule the public hearing for November 20, 2013. Mr. Hicks seconded the motion. Motion passed unanimously.

4. **Application by Royal Concord Gardens, Castor Housing Associates, LP for property at Christian Avenue, requesting Major Site Plan Approval and Design Review Approval, for renovations to existing buildings including unit storage buildings and rear covered stairways, the construction of a new community building and new maintenance/storage building, and site improvements including utilities, parking, paving, curbing and landscaping. (2013-39)**

The Vice Chair opened the public hearing.

Representatives from Castor Housing were present to discuss the application. The application involves renovations to the existing 300 units which are mostly confined to the interior of each unit with the exception of new windows and doors. The exteriors will receive new solar panels on the roofs to help with heating costs and 20 covered decks and stairs will be added to the rear of some buildings to provide a second mean of egress for the existing one-bedroom units on the second story. A screen wall and storage sheds will be constructed to the rear of each unit. Wall air conditioning units will be replaced and upgraded.

The removal of 204 trees will be necessary and 254 new trees will be planted which will not interfere with the solar panels.

A community building and maintenance building are to be constructed, a parking lot reconstructed next to the community building, new and enhanced children's play areas will be created on each side of the community building. Screen fences will be installed for the existing dumpsters. There is no additional traffic impact with the project.

The applicant requested changes to the conditions surrounding Certificates of Occupancy because the project will necessitate rolling tenants in and out of apartments as the work progresses.

Mr. Henninger noted that renovations to the buildings and site improvements related to the 300 apartment units will not involve a Certificate of Occupancy. When the improvements are complete the site and buildings will be inspected to insure compliance with the approved plans.

Mr. Henninger noted that staff had no issue with the applicants request to separate the Certificate of Occupancy for the Community Building and Maintenance Building from the other site improvements and exterior modifications.

The Vice Chair asked if members of the public had any comments or questions on the application. No one present wished to testify. The Vice Chair closed the public hearing.

Mr. Kenison moved to grant Major Site Plan Approval and Design Review Approval as requested by the applicant with the following conditions:

1. Prior to the issuance of a certificate of approval by the Planning Board Chair and the issuance of any building permits for construction activity on the site, approvals of construction drawings and specifications for all public and private improvements shall be obtained from the Planning Division.
2. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the applicant will provide to the City Solicitor a financial guarantee for all public improvements in an amount approved by the City Engineer, and in a form acceptable to the City Solicitor.
3. No construction activity related to the development of site utilities, landscaping and parking shall be undertaken prior to the payment of inspection fees in an amount approved by the City Engineer.
4. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the applicant will provide a site stabilization guarantee to insure that the site is properly stabilized in an amount approved by the City Engineer.
5. No certificate of occupancy for either the new community center building, or the new maintenance building, shall be issued until all public and private improvements have been substantially complete to support these building to the satisfaction of the City Planner and City Engineer. The Board's approval noted that the buildings may be separately occupied.
6. Prior to the issuance of a certificate of occupancy, as-built drawings for the Community Building and Maintenance Building along with the associated site development shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Review Regulations.

Mr. Lavers seconded the motion. Motion carried unanimously.

REGULAR MEETING

5. Minutes of the September 18, 2013, Planning Board meeting

Mr. Lavers moved to accept the minutes of the September 18, 2013 Planning Board Meeting as written. Mr. Kenison seconded. Motion carried unanimously.

6. Consideration of the disposition of property acquired by Tax Title at 114 Iron Works Road and 282 North State Street

Mr. Henninger discussed the staff memorandum which recommended that the Board advise the City Council to dispose of both properties. Neither property is suitable for public use. The City Departments and the State of NH have not expressed any interest in the properties. The properties should be offered for sale and returned to the tax base.

Mr. Kenison made a motion to recommend to City Council that the two tax title properties be offered for sale and returned to the tax base. Mr. Lavers seconded the motion. Motion carried unanimously.

7. City Council Referral – Release of an existing right-of-way easement for the extension of a future road on tax parcel 122-2-28 as requested by Public Service Company of New Hampshire

Mr. Henninger presented a staff report to the Board and informed the Board that this easement is located on property at the end of Farmwood Road owned by PSNH. Farmwood is an existing 2300 foot dead end road. At the end of Farmwood Road is an existing substation and the site of a recently approved switching station. No other future developments are planned at the end of Farmwood Road and there is no likelihood of Farmwood Road being extended to either Snow Pond Road the road being connected. Mr. Henninger requested the Board recommend to City Council that this existing easement for a future road be released. .

Mr. Hicks made a motion to forward the petition to release a right-of-way easement to City Council for the November meeting with the recommendation that the easement for the future street right-of-way be released. Mr. Lavers seconded the motion. Motion carried unanimously.

8. Any other business which may legally come before the Board

INFORMATION

9. Minutes of the October 8, 2013, Architectural Design Review Committee meeting.

- **Next regular monthly meeting of the Planning Board will be on Wednesday, November 20, 2013.**

There was no further business to come before the Planning Board and the Vice Chair adjourned the meeting at 7:41 pm.

A TRUE RECORD ATTEST:

Stephen Henninger
Acting City Planner