

City of Concord Planning Board
August 19, 2020
Minutes

The regular monthly meeting of the City Planning Board was held on August 19, 2020, via Zoom, at 7:00 p.m.

- Attendees: Chairman Richard Woodfin, Councilor Erle Pierce, Members John Regan, David Fox, Matthew Hicks, and Susanne Smith-Meyer.
- Absent: Vice-Chair Carol Foss, Teresa Rosenberger (Ex-Officio for City Manager), Alternate Chiara Dolcino, and Alternate Frank Kenison.
- Staff: Heather Shank (City Planner), Beth Fenstermacher (Assistant City Planner), Sam Durfee (Senior Planner), Lisa Fellows-Weaver (Administrative Specialist), and David Cedarholm (City Engineer).

Chairman Woodfin read the following statement: As Chair of the Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through clicking on the following website address: <https://zoom.us/j/754076629>, or by dialing the following phone # 1-929-205-6099 and entering the password 754076629. For those calling in who want to provide public testimony, dial *9 to alert the host that you want to speak. The host will unmute you during the public hearing portion of the meeting.

b) Providing public notice of the necessary information for accessing the meeting;

We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the City of Concord's website at: <http://concordnh.gov/273/Planning-Board>

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access;

If anybody has a problem, please call 603-225-8515 or email at: planning@concordnh.gov.

d) Adjourning the meeting if the public is unable to access the meeting.

In the event the public is unable to access the meeting; we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes taken during this meeting shall be done by Roll Call vote.

1. Call to Order

Chairman Woodfin called the meeting to order at 7:02 p.m.

2. Roll Call

Chairman Richard Woodfin, Councilor Erle Pierce, Members John Regan, David Fox, Matthew Hicks, and Susanne Smith-Meyer.

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3. Approval of Planning Board Meeting Minutes

July 15, 2020 Minutes

On a motion made by Councilor Pierce, and seconded by Mr. Hicks, the Board voted unanimously by a Roll Call vote to approve the July 15, 2020, Planning Board Meeting Minutes, as amended, with edits that do not alter the outcome of the meeting.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

4. Planning Board Chair Agenda Overview

There were no changes made to the agenda; however, Chairman Woodfin noted that the applicants for Item 8 Brixmore Capitol SC, LLC, and Item 9 Mountain Lake Heating/Fuel, LLC have both requested to postpone their applications to the September 16th meeting.

On a motion made by Mr. Regan and seconded by Councilor Pierce, the Board voted unanimously, by a Roll Call vote, to grant the applicant's request to postpone the Brixmore Capitol SC, LLC, application and the Mountain Lake Heating/Fuel, LLC application to the September 16, 2020 Planning Board meeting.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

5. Determination of Completeness

5A. Stantec, on behalf of the New Hampshire Air National Guard, requests Major Site Plan approval for a 14,700 sf addition and associated site improvements at 26 Regional Drive in the Industrial (IN) District.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Hicks, the Board voted unanimously, by a Roll Call vote, to determine the application complete and that the application does not meet the criteria for a Development of Regional Impact, and set the public hearing for September 16, 2020.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

6. Design Review Applications by Consent

A discussion was held regarding the ongoing problem of signs being installed prior to Planning Board approvals. Ms. Shank stated that she has spoken to the City Solicitor as well as the Code Department and they are in the process of addressing this matter. She stated that if there is an application before the Board in which the signs are installed without an approval, the Board should move forward and approve the sign if there is no issue with the actual sign design, subject to the ADRC recommendations. She stated that there is a meeting scheduled for next week for further discussion and a course of action.

6A. Sanel Napa requests ADR approval for the installation of two new internally illuminated wall sign, a new non-illuminated monument sign, and the relocation of an existing non-illuminated monument sign at 102 Old Turnpike Road in the Industrial (IN) District.

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board approved the design as submitted by consent, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

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- 6B. Barlo Signs, on behalf of Shaheen & Gordon, requests ADR approval for the replacement of a non-illuminated wall sign at 107 Storrs Street in the Central Business Performance (CBP) District.

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board approved the design by consent, as redesigned per ADR comments reducing the size of the sign by 25% and centering the sign on the building elevation, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

- 6C. Neopco Signs, on behalf Penumbra, requests ADR approval for the installation of two new, non-illuminated wall signs at 10 N. State Street, in the Central Businesses Performance (CBP) District.

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board approved the design as submitted by consent, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

- 6D. CVS Pharmacy requests ADR approval for the installation of two new internally illuminated wall signs, the replacement of two internally illuminated and one non-illuminated wall signs, and the replacement of an internally illuminated freestanding sign at 4 Hall Street in the Gateway Performance (GWP) District.

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board approved the sign package by consent, as redesigned per ADR comments inclusive of making the white background of the freestanding sign opaque and relocating the Health HUB sign from the brick to the manila panel on the eastern elevation, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

- 6E. Advantage Signs, on behalf of 58 NSS Property LLC, requests ADR approval for the replacement of a freestanding sign at 58 N. State Street in the Civic Performance (CVP) District.

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board approved the design by consent, subject to the appropriate sign setback regulations, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

- 6F. Col's Kitchen requests ADR approval for the installation of a new externally illuminated projecting sign at 55 S. Main Street in the Central Business Performance (CBP) District.

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board approved the design as submitted by consent, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

- 6G. Granite State Credit Union requests ADR approval for the replacement of a non-illuminated wall sign and a non-illuminated freestanding sign at 311 Sheep Davis Road in the Gateway Performance (GWP) District.

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board approved the design by consent, provided the white background of the freestanding sign is opaque, by a Roll Call Vote as follows:

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Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor,
Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

Public Hearings

7. Design Review Applications

7A. Landmark Sign, on behalf of Genesis, requests ADR approval for the replacement of four monument signs at 227 Pleasant Street in the Institutional (IS) District.

Jason Moorehead from Landmark Design represented the application.

Mr. Durfee stated that the only items for approval are the two free-standing signs on Pleasant Street; the directional signs throughout the site will require Conditional Use Permits and/or variances.

Mr. Moorehead stated that revisions have been made based on the ADRC recommendations from the July 7 meeting.

On a motion made by Councilor Pierce, and second by Ms. Smith-Meyer, the Board approved the design for the two free-standing signs along Pleasant Street by consent, as redesigned per ADR comments, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor,
Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

7B. Sheldon Pennoyer, on behalf of Remi Hinxhia, requests ADR approval for the construction of a rooftop terrace for outdoor dining at 60 Pleasant Street in the Civic Performance (CVP) District.

Remi Hinxhia represented the application.

Mr. Durfee stated the proposal is to add a roof top dining space to the existing restaurant to allow for outdoor seating due to the pandemic situation. Mr. Hinxhia stated that the capacity will be 29-32 seats. The awnings will be replaced per suggestions off ADR. Umbrellas and trellises were proposed for shading. He added that he has received all necessary variances and will be required to build a privacy wall from the abutting residential units.

The Board reviewed the ADRC recommendations.

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

On a motion made by Mr. Hicks, and second by Mr. Regan, the Board approved the design as redesigned per ADR comments inclusive of extending the trellis over the doghouse, reducing the number of windows on the east elevation and setting them in a downward pattern, painting all the white on the building to match the galvanized metal siding, and the existing awnings be removed and maybe replaced with a more contemporary style.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor,
Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

7C. Dan O'Brien Kia requests an amendment to a previous ADR approval for a façade renovation at 158 Manchester Street in the Highway Commercial (CH) District.

Joe Gaukster, of Northpoint Construction Management, represented the application.

Mr. Durfee stated that the proposal is a façade upgrade, prescribed by KIA Motors. The existing storefront and roof of the showroom on the front of the building will be reconstructed in the exact same footprint.

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

On a motion made by Mr. Regan, and second by Ms. Smith-Meyer, the Board voted unanimously by a Roll Call vote to grant the amendment for a façade renovation, as submitted.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

8. Site Plan, Subdivision and Conditional Use Permit Applications

- 8A. Nobis Group, on behalf of CATCH Neighborhood Housing, requesting a one year extension of a Major Site Plan conditional approval for the construction of a multifamily residential development at 95 and 97 Village Street in the General Commercial (CG) District.

Chris Nadeau of Nobis Group represented the application.

On a motion made by Councilor Pierce, and second by Ms. Smith-Meyer, the Board voted unanimously by a Roll Call Vote to determine the application complete and that the application does not meet the criteria for a Development of Regional Impact, and open the public hearing.

Ms. Fenstermacher explained that the Planning Board granted a conditional approval in June of 2019 for a multifamily residential development. Due to COVID-19 there have been some challenges that have delayed the project. Revised plans were submitted on July 15, 2020, which address all of the Planning and Engineering Division comments. The extension is requested to bring the plan into compliance prior to the Planning Board Clerk and Chair sign off on the drawings for final approval. She stated that Staff recommends the request be granted.

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

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board voted unanimously by a Roll Call vote to grant approval of the request for a one year extension of the Major Site Plan approval for the proposed 42-unit multifamily housing development and associated site improvements at 95 & 97 Village Street in the General Commercial (CG) District.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

- 8B. Douglas Hicks, on behalf of the Shaker Road School, requests Minor Site Plan approval for an amendment to a previously approved site plan for the construction of an open pavilion at 131 Shaker Road in the Medium Density Residential (RM) District.

Matthew Hicks recused himself from this project.

Douglas Hicks represented the application.

On a motion made by Councilor Pierce, and second by Ms. Smith-Meyer, the Board voted unanimously by a Roll Call Vote to determine the application complete and that the application does not meet the criteria for a Development of Regional Impact, and open the public hearing.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Ms. Smith-Meyer – in favor.

Mr. Durfee explained the proposal is for an outdoor, 24 x 48 pavilion to the school. The addition is due to COVID-19 and will allow the school to have additional teaching space in the outdoor pavilion.

Douglas Hicks stated that they would like to have the pavilion to use for additional instruction and activities with the students. All DHHS and CDC guidelines will be met.

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Chairman Woodfin asked about the classification of the application as an amendment to the plan. Ms. Shank explained that staff determined that the request was minor and could be addressed as an amendment to the plan rather than and new site plan application.

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

On a motion made by Councilor Pierce, and second by Mr. Regan, the Board voted unanimously by a Roll Call vote to grant Minor Site Plan approval for the construction of a 24' x 48' pavilion at 131 Shaker Road subject to the condition that any disturbed area around the pavilion shall be revegetated and stabilized.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Ms. Smith-Meyer – in favor.

Matthew Hicks returned to the Board as a voting member.

- 8C. TFMoran, on behalf of Interchange Development LLC, and Bradley Whitney and Jennifer Habel, requests Design Review of a phased major site plan and condominium subdivision, which includes: a 80,775 sf supermarket with attached 22,483 sf retail and a separate 11,634 sf retail pad under Phase 1; 8 additional commercial buildings and a cell tower under Phase 2; and industrial development under Phase 3, for the property located at 1 Whitney Road in the Gateway Performance (GWP) District.

The following people represented the application.

Jason Hill - TFMoran

Eric Brown – PCA Architects (architect for Market Basket and Liquor Commission)

Randy Cheyne- TCD Construction (Gen Contractor for Liquor Commission)

Jim Lamp and Carmine Tomas – LT Development Corp (Market Basket Representative)

Andy Davis - NH Liquor Commission

Laurie & David Rauseo – Interchange Development

On a motion made by Councilor Pierce, and second by Mr. Hicks, the Board voted unanimously by a Roll Call Vote to determine the application complete and that the application does not meet the criteria for a Development of Regional Impact, and open the public hearing.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor.

Ms. Shank explained that the applicants requested to meet with the Board for the opportunity to obtain some feedback from City Staff and the public. The discussion that will occur is a non-binding discussion and will not include any motions or approvals.

Ms. Fenstermacher provided an overview of the ADR comments and concerns specifically relative to pedestrian circulation as well as impacts to the bluff buffer, which can be addressed with grading and drainage. She added that Staff will continue to work with the applicant regarding these issues.

Ms. Shank stated that there are improvements to both Hoit and Whitney Road that have not yet been presented. Designs continue to be developed. In addition, City Council will be addressing the need for a TIF district. Other site improvements will continue to be discussed. A public hearing with City Council will be scheduled in the near future.

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Mr. Hill, of TF Moran, gave an overview of the site plan and the layout of the development for an 80,000 square foot supermarket, a liquor store, and mixed size pad sites to include fast food restaurants, bank, medical offices, general retail, as well as an industrial area.

Mr. Brown, of PCA architects, described the Market Basket proposal explaining the architecture proposed reflects the community and the environment. He stated that this area is a rural site and the proposed detailing is clapboard and trim with metal roofing. He noted that they like to break up the scale at each entrance. The building will also have a separate retail tenant, which is not known at this time. He added that the rear of the building is not seen due to a heavily tall wooded area.

Mr. Brown also provided an overview of the liquor store, which is also designed with NE architecture; timber towers, dormers, granite bases.

Chairman Woodfin noted that ADR expressed concerns with the buffer. Ms. Fenstermacher explained there is a bluff area, which is required to remain vegetated. This area will also provide a visual buffer to the highway as well.

Ms. Shank stated that she appreciates the attempt of the comprehensive plan. She stated that she had hoped for closer groupings of the buildings that relate to each other and not be separated by all of the parking requirements. She suggested that the buildings could be moved around in order to function better. She stated that conversations about the location of the buildings should continue. She added that she would also like to see more attention to pedestrian connections on site and off site. She expressed concern with the fact that the development appears to be going in a direction of many different sized pad sites with no connections. Mr. Hill commented that they are open to more discussions in order to address the connection issues.

Ms. Smith-Meyer agreed with Ms. Shank's comments and asked if the sidewalks could be separated with a landscaped medium strip, which should provide a safe pedestrian experience, especially since the buildings are so far apart.

Jim Lamp stated that the problem with a development is tenanting and trying to cluster without knowing the tenants. He stated that it can be difficult and expensive to build. He added that it will be difficult to fill this development up given the current status.

Andrew Davis commended the Rauseos for their work. Having the Market Basket and liquor store will present a great opportunity. He stated that TF Moran and the Rauseos have put a lot of thought into this project. The site is a great area and has a lot of potential. There will be some challenges perhaps with the traffic and the demographics. However, he is confident in the contractors selected.

Public Comments

Matt Henry stated that a grocery store is a good idea for the area; however, the site is separate from the overall population. He stated he sees this as an opportunity to link the Sewalls Falls Bridge to the area neighborhoods and feels doing so would be better for customers and the developer. He added he understands the concerns from the developer with the placement of the close pad sites. He noted that pedestrian connectivity is very important and suggested to narrow the parking area. Overall, he sees the parking areas in front of Market Basket not pedestrian friendly. He suggested looking at one overall site plan rather than separate items.

Tyson Miller, Chair of the Town of Canterbury Planning Board, was impressed with the overall ideas. He reiterated the need for pedestrian and bicycle access to the site along. He added that with the current traffic burden it is almost impossible to turn from Old Boyce Road at the Whitney Road intersection now. He stated that the traffic in the area should be addressed prior to any progress with the development.

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Laurie and David Rauseo thanked the Board for the opportunity to come before them and to present to the public to collect comments and feedback. They want to work with the Board and staff to get a good plan and one with pedestrian access throughout the site.

Mr. Hicks stated that the City has talked about this site for many years and he is excited for the activity and movement of the development. He stated that the pedestrian access is a very sensitive issue along with traffic in the area that is only increasing. He asked how much of the development and the Board's job and what is the role that City Council will play. Ms. Shank stated that it is her understanding that VHB is working on a design now for the Hoit Road and Whitney Road intersection. Staff will make recommendations to Council and public hearings will be held relative to funding and responsibilities. She explained that the Planning Board may not be able to change some items as part of the funding by Council, funding from other entities, and items with regard to the TIF. However, the offsite improvements for traffic and related improvements to the site are a part of the Planning Board review process. Mr. Hicks commented that Penacook seems removed and the issues with access should be addressed now before the site plan review begins as it may be easier. Ms. Shank replied that bus stops have been discussed with CAT (Capital Area Transit) and it may not be an immediate item for them to address.

Mr. Cedarholm stated that the traffic plans are ongoing. He explained that there are other elements being broken out for cost reasons. Items being considered in the design include bicycle and pedestrian accommodations, a sidewalk connection to Hoit Road and Whitney Road and bringing down to development, as well as an improved left turn lane and a smaller sized roundabout. These discussions will continue to occur over the next few months.

Ms. Fenstermacher read two emails. The first email was from Carissa Corrow supporting the project; however, expressing concern with residents who do not have access to private transportation with hopes that there would be walking paths and/or City transportation available. The second email was from Richard Smith who referenced the Tilton Tanger Outlets design as an example for the developer to look at.

Ms. Shank stated that it would also be valuable to include some types of graphs perspectives of the plan showing the character intent and how the site will function.

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

Adjournment

At the request of Chairman Woodfin, Councilor Champlin made a motion to adjourn at 8:50 PM, seconded by Mr. Hicks.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Ms. Smith-Meyer – in favor, and Mr. Hicks – in favor.

The motion passed unanimously; 6/0.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,
Administrative Specialist