

City of Concord Planning Board
September 16, 2020
Minutes

The regular monthly meeting of the City Planning Board was held on September 16, 2020, via Zoom, at 7:00 p.m.

Attendees: Chairman Richard Woodfin, Councilor Erle Pierce, Teresa Rosenberger (Ex-Officio for City Manager), Members John Regan, David Fox, and Matthew Hicks.

Absent: Vice-Chair Carol Foss, Susanne Smith-Meyer, 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), Marth Drukker, David Hall and Todd Welch.

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 7:00 p.m.

2. Roll Call

Chairman Richard Woodfin, Councilor Erle Pierce, Teresa Rosenberger (Ex-Officio for City Manager), Members John Regan, David Fox, and Matthew Hicks.

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3. Approval of Planning Board Meeting Minutes

August 19, 2020 Minutes

On a motion made by Mr. Hicks, and seconded by Councilor Pierce, the Board voted to approve the August 19, 2020, Planning Board Meeting Minutes, as written, 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. Rosenberger – abstained, as she was not at the meeting.

4. Planning Board Chair Agenda Overview

There were no changes made to the agenda.

5. Determination of Completeness by Consent

- 5A. Nobis Engineering, on behalf of Brixmor Capitol, requests Major Site Plan approval for construction of two new buildings for restaurant, retail, and coffee shop use with a drive-through facility at 80 Storrs Street in the Opportunity Corridor Performance (OCP) District.

On a motion made by Councilor Pierce, and seconded by Mr. Regan, 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 October 21, 2020.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

- 5B. Whittmore Holdings requests Major Site Plan approval for expansion of vehicular storage area at 45 Chenell Drive in the Industrial (IN) District.

On a motion made by Councilor Pierce, and seconded by Mr. Regan, 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 October 21, 2020.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

6. Design Review Applications by Consent

- 6A. Concord Hospital requests ADR approval for a new non-monument sign at 250 Pleasant Street in the Institutional (IS) District.

On a motion made by Mr. Regan, and seconded by Mr. Fox, 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. Rosenberger – in favor.

- 6B. Granite State Independent Living Foundation requests ADR approval for the installation of a new internally-illuminated freestanding sign at 21 Chenell Drive in the Office Park Performance (OFP) District.

On a motion made by Mr. Regan, and seconded by Mr. Fox, the Board approved the design as submitted by consent, with the condition the sign's white background be opaque, 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. Rosenberger – in favor.

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- 6C. Caring Family Dentistry requests ADR approval for the replacement of an internally-illuminated monument sign at 327 Loudon Road in the Gateway Performance (GWP) District.

On a motion made by Mr. Regan, and seconded by Mr. Fox, the Board approved the design as submitted by consent, with the condition the sign's white background be opaque, 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. Rosenberger – in favor.

- 6D. The Smoothie Bus requests ADR approval for the replacement of a non-illuminated awning sign at 62 Pleasant Street in the Civic Performance (CVP) District.

On a motion made by Mr. Regan, and seconded by Mr. Fox, 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. Rosenberger – in favor.

Public Hearings

7. Design Review Applications

As a result of a discussion at the August Planning Board meeting, Deputy City Manager Carlos Baia and Code Administrator David Hall attended the meeting to address the Board's concerns with the problem of signs being installed prior to Planning Board approvals and establishing fines.

Mr. Hall stated that he was not previously aware of the Architectural Design Review Committee's and Planning Board's frustrations. He explained that there have been 225 sign permits issued within the last year. At this time, a penalty has been implemented once. The Code Department will be working on educating the public better and will be imposing the fees as written in the Ordinance. The website will be updated to clarify the process and he will work on making the process clearer to the public with outreach. He added that he will continue to work on the communication with the Planning Board and ADRC.

Additional discussion was held regarding enforcement. Mr. Hall explained that the infraction must be determined first and then a letter will be sent out. The applicant will then have two weeks to remove the sign and properly apply for the sign permit and then follow the approval process. Mr. Baia further explained the legal aspects based on the current zoning ordinances. He added that the process is complaint based, unless the infraction is seen by staff.

It was noted that all fines are only applied to applicants; they are not applied to the building/business owner or tenant.

The Board members thanked Mr. Baia and Mr. Hall for attending the meeting tonight and for the work put forth to address this matter.

- 7A. 230 North Main Street, LLC requests ADR approval for the installation of two new non-illuminated wall signs at 230 North Main Street in the Urban Commercial (CU) District

Mr. Durfee provided an overview of the proposal and noted that at the time of the Architectural Design Review Committee meeting the applicant did not have any tenant signs. The applicant has since provided a rendering for one of the tenant signs and has indicated that they will return to the ADRC when the second tenant is determined.

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Mr. Woodfin asked about the large sign with “230” on it. Mr. Durfee explained the “230” is a large address sign and the ADRC does not have the authority to regulate address signs. The address must be provided for fire safety and the regulations dictate a minimum size, but no maximum.

Mr. Woodfin opened the public hearing.

Scott Aubertin represented the application. He stated that at the time of filing he was not aware of the procedure and appreciated the prior discussion, anything to assist the applicants with the ZBA and ADR process with required approvals is appreciated. He explained that at the time of submission of the sign application to ADR there were no tenants. Subsequently there is a tenant now and he has resubmitted information for a sign for Hearing Enhancement Center. He acknowledged that he must come back to ADR and the Board for approval of the second panel sign when he gets a tenant for that space. He noted that the “230” is the only way to identify the building as there is no room for a free-standing sign as the building is very close to the road.

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. Fox, the Board voted unanimously, by a Roll Call vote, to approve the design of the Hearing Enhancement Centers tenant panel sign, as submitted.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

7B. Sheldon Pennoyer, on behalf of Chase Pennoyer and Kelly Buchanan, requests ADR approval for a building permit in a performance district for the addition of a dormer to a residential building at 31 Warren Street in the Civic Performance (CVP) District.

Chase Pennoyer, future property owner, represented the application.

Mr. Pennoyer stated that the property is currently used for a commercial office space. He is planning to purchase the property and will be converting it back to a single-family home. The space is small and he is planning to do some interior modifications to include a dormer on the south side, which will open up the bathroom.

Mr. Durfee stated that the addition of the dormer is what triggers ADR and Planning Board review. He noted the ADRC was complementary to the proposal. In addition, a landscaping plan was provided showing a decrease in the lot coverage. He added that single family residential requires two parking spaces and two spaces are being provided.

Mr. Woodfin opened the public hearing.

Abutter Susan Hillsgrove, 14 Blake Street, asked about the construction time frame. Mr. Pennoyer replied that he hopes that the project will be completed within one month. Ms. Hillsgrove stated that she does not have a problem with the time frame.

There being no additional 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 Mr. Fox, the Board voted unanimously, by a Roll Call vote, to grant ADR approval for the addition of a dormer to a residential building, as submitted.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

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- 7C. Concord Hospital requests a Conditional Use Permit and ADR approval to allow for a building sign over 25 feet above grade and a second Conditional Use Permit for a directory sign at 116 Langley Parkway and 250 Pleasant Street in the Institutional (IS) District.

Jay Gemmiti represented the application.

Mr. Durfee explained that Mr. Gemmiti came to the ADR in early summer. It was determined that a variance would be needed as all of the proposed signage was proposed to be internally illuminated which is not allowed in the IS. Variances were sought for relief and were not granted. The applicant is now submitting the same design; however, the signs are not internally illuminated. He stated that ADR, overall, recommended the signs with changes pertinent to legibility. Mr. Gemmiti stated that the signs would be externally illuminated, not internally illuminated.

Martha Drukker asked if the directory sign would be in the right of way of the future phase three of Langley parkway. She explained that during construction the sign may need to be more than five feet away. Should the sign need to be relocated due to the fact that it is obstructing construction, it would be done at the applicant's expense. Mr. Gemmiti stated that he would relocate the sign when phase three mobilizes. Ms. Drukker stated that engineering would be ok with that.

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. Fox, the Board voted unanimously, by a Roll Call vote, to grant ADR approval for the signs subject to the ADR comments and grant approval of the Conditional Use Permits for the installation of an externally illuminated building sign over 25 feet above grade at 116 Langley Parkway and the installation of a directional sign at 250 Pleasant Street, noting that the directory sign will be relocated at the owner's expense if it is deemed to be too close to the right of way and will obstruct the construction of phase three of Langley Parkway.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

8. Site Plan, Subdivision and Conditional Use Permit Applications

- 8A. Michael Foulds requests a Conditional Use Permit (CUP) to allow a second curb cut where only one is otherwise permitted based on the frontage at 60 West Parish Road in the Open Space Residential (RO) District.

Mr. Durfee provided an overview of the proposal explaining that the applicant is requesting a second curb cut to avoid backing up on West Parish Road. He stated that Planning staff has internally reviewed this application, but has not made a recommendation to approve or deny.

Mr. Woodfin opened the public hearing.

Michael Foulds represented the application.

Mr. Foulds explained the layout of the property noting a 52-foot rock wall and garden area in the front and proposed future construction of a mudroom. He stated that adding a curb cut is the only solution. A discussion was held regarding adding a hammerhead to the left side of the current driveway, in front of the house. Mr. Foulds stated that due to the short length of the driveway a hammerhead would not provide enough room for a turn-around with the existing garden and stonewall. Further description of the landscaping was provided along with a plan showing the layout and grade. Mr. Foulds stated that the circular driveway is the only option.

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Ms. Shank noted that the applicant is proposed paving in front of the house. She suggested using this area for a hammerhead. Mr. Foulds explained that he does not feel that there would be enough room to turn around with the addition he is planning in front of the existing driveway, or that there would be enough room to park their three vehicles with that layout.

Mr. Hicks empathized with the applicant; however, does not see any reason for an additional curb cut. He noted that the Board has consistently upheld the intent to reduce or eliminate curb cuts over the years, especially when another option seems feasible. Mr. Fox noted that he is sympathetic because he has a turnaround driveway.

There being no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing. Members of the Board felt that the applicant did not provide enough information or sufficiently demonstrate that another curb cut was the only alternative.

A motion was made by Councilor Pierce, and second by Mr. Regan, to grant the Conditional Use Permit, as submitted. By a Roll Call vote, the motion failed 2/4.

Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Woodfin – opposed, Mr. Fox – opposed, Mr. Hicks – opposed, Ms. Rosenberger – opposed.

8B. S&H Land Services, on behalf of the Laura M. Jobin Trust of 2006, requests Minor Subdivision approval for a 2-lot subdivision of a property located on Blackwater Road in the Residential Open Space District.

Ms. Fenstermacher provided an overview of the project. She stated that the applicant is requesting to subdivide 2.096 acres from a 19.042 acre lot; 16.946 acres will remain on Blackwater Road. She noted that all Engineering and Planning comments have been addressed.

On a motion made by Mr. Regan, 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, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

Ryan Fowler and Tom Huot from S&H Land Surveying represented the application along with Mr. Jobin representing the Trust.

Mr. Huot provided an overview of the project explaining the project is a subdivision of 2 acres off of a 19 acre parcel. The 2 acre lot will be a single-family residence with onsite well and septic. No waivers are being requested. He added that they have addressed all of staff's comments.

On a motion made by Councilor Pierce, and second by Mr. Fox, the Board granted Minor Subdivision approval for the two lot subdivision at Blackwater Road, subject to the following:

- (a) 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) Applicant shall provide a copy of the NHDES Subdivision approval.
 - 2) Address Technical Review comments to the satisfaction of Planning Division and Engineering Services Division staff.
 - 3) The monumentation for the proposed lot lines shall be set prior to recording.
 - 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) and tax maps. The information shall be

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submitted in accordance with Section 12.09 of the Subdivision Regulations.

- 5) 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.
- 6) The Applicant shall deliver to Planning, two (2) plan set(s) and one (1) mylar(s) for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.

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

- 1) Prior to the issuance of a building permit for Lot 15, the Applicant shall provide the location of the proposed house, and provide driveway profiles meeting City of Concord design and construction standards.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

- 8C. Mountain Lake Heating/Fuel, LLC requests Minor Site Plan approval for the conversion of a two-unit building to a four-unit building and the construction of additional parking spaces at 28 South Street in the Downtown Residential (RD) District.

No one was present to represent the application.

Mr. Durfee provided an overview of the project explaining the proposal is a conversion of an existing building from two dwelling units into four dwelling units and to provide paved parking for the two additional units. Mr. Durfee noted that variances have been granted for lot coverage and the driveway width.

The waiver request to not show the municipal utilities was discussed. Staff noted that there are no proposed changes to the sewer service. Mr. Welch commented that there may be some changes required to the water service due to fire suppression. He added that the sewer may be ok; however, it will need to be checked. Mr. Woodfin asked if there would then be any changes to the waiver requests and if additional variances would be required. Mr. Durfee replied that there would be no changes to the waiver requests as the waiver is for sewer and drainage; addressing the water issues should be made a condition of approval.

Martha Drukker stated that the sewer service will need to be videoed to assure adequate conditions for four units. In addition, she explained that should the existing sewer not be adequate there may need to be invert elevations provided, which is what a waiver was requested for. She requested that there be a condition of approval to provide elevations if existing conditions are not adequate for the sewer service

There being no further 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 the waiver to Section 15.03(10) to not provide rim and invert elevations of the existing sanitary and storm sewers utilizing the criteria from RSA 674:36(II)(N)(2): Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

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On a motion made by Councilor Pierce, and second by Mr. Regan, the Board voted unanimously, by a Roll Call vote, to grant the Minor Site Plan approval for the conversion at 28 South Street, 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:

- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to sign off by the Clerk and Chair of the Planning Board and issuance of any building permits, or the commencement of site construction, unless otherwise specified:
 - (1) Address all Review comments to the satisfaction of the Planning and Engineering Divisions. For all subsequent submissions, applicant shall provide a response memo addressing/acknowledging all comments.
 - (2) The sewer service must be videoed to ensure that the pipe in an adequate condition to service the four units proposed.
 - (3) Final plans shall be signed and sealed by the NH Licensed Land Surveyor, Landscape Architect, and Professional Engineer.
 - (4) Submit three (3) 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 issuance of the final 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.

8D. 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.

Mr. Durfee provided an overview of the project explaining that this is a proposal to expand the existing Concord Aviation Readiness Center with a 14,700 sf addition. He stated that this is a State of NH project; however, the property is currently leased from the City and therefore, must adhere to all applicable City codes and ordinances, per the lease agreement. He referenced the waiver requests and explained that staff does not support some of the waiver requests. He added that revisions have been received addressing several planning and engineering comments, as well as comments from VHB. A landscape plan has been submitted. It was noted that the outstanding comments from Engineering can be resolved with minor changes to the plans and additional communications.

Bryan Ruoff, project manager for Stantec represented the application.

Mr. Ruoff showed a PowerPoint presentation that gave an overview of the proposal and the layout of the facility. He explained the project objectives and also noted potential of future expansion. He

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stated that the addition, a 15,000 sf building. It is a partial lease of 2 acres from the City of Concord, with 7% of the site developed. Façade and landscaping plans were reviewed. The property is serviced by City water and sewer. Mr. Ruoff requested removal of three of the recommended conditions of approval.

Martha Drukker stated that since the City owns the property, all permits will need to be applied for with applicable fees assessed. She added that there will be inspections required for all municipal services as well. She commented that the Engineering Department does not support all of the waiver requests. She stated that staff does not support the request to remove any conditions of approval. In addition, she listed the FAA regulations that will need to be met prior to any work moving forward. Mr. Ruoff replied that they are aware of and agree with the requirements and will comply accordingly.

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

On a motion made by Mr. Fox, and second by Mr. Regan, the Board voted unanimously, by a Roll Call vote, to grant ADR approval for the building addition and site improvements at 26 Regional Drive.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

On a motion made by Mr. Fox, and second by Mr. Regan, the Board voted unanimously, by a Roll Call vote, to grant the following waivers from the site plan regulations 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(s) will properly carry out the spirit and intent of the regulations:

- 1) Section 12.05 to allow for a vicinity map with a smaller scale than is required as the applicant has provided a vicinity plan, but the scale of which must be provided;
- 2) Sections 12.04(3) and 12.04(8) to not provide abutter information on the plan set as the applicant has provided a separate plan documenting this information;

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

The Board voted by a Roll Call 4/2, to deny the following waivers:

- 1) Sections 12.08(b) and 15.03(1) to not provide property lines on the plan set as that is basic piece of information required of all plan submissions and is important to the review of plans;
- 2) Sections 5.03(19) to no provide setback and buffer information as this is basic plan information that is needed to determine that no proposed improvements fall within property line setbacks or other required buffers;
- 3) 6.02(14)(b) to not provide profiles of all municipal utilities as that work would fall on the City's Engineering Services Division if not performed by the applicant.

Mr. Woodfin – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Councilor Pierce – opposed, Ms. Rosenberger – opposed.

On a motion made by Mr. Regan, and second by Mr. Hicks, the Board voted unanimously, by a Roll Call vote, to grant Major Site Plan for the building additional and associated site improvements, subject to the following precedent and subsequent conditions;

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- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to sign off by the Clerk and Chair of the Planning Board and issuance of any building permits, or the commencement of site construction, unless otherwise specified:
 - (1) Address all Review comments to the satisfaction of the Planning and Engineering Divisions, inclusive of meeting all FAA requirements and applicable City Construction Standards. For all subsequent submissions, applicant shall provide a response memo addressing/acknowledging all comments.
 - (2) Waivers(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Zoning Ordinance. Should the Board vote to deny the Waivers(s), applicant shall comply with said submission requirement(s).
 - (3) Provide a boundary survey and add this information, along with setback dimensions to the plan set.
 - (4) Final plans shall be signed and sealed by the NH Licensed Land Surveyor, Landscape Architect, and Professional Engineer.
 - (5) Submit three (3) 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 issuance of the final 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.

Adjournment

At the request of Chairman Woodfin, Mr. Fox made a motion to adjourn at 9:15 PM, seconded by Councilor Pierce.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Regan – in favor, Mr. Fox – in favor, Mr. Hicks – in favor, Ms. Rosenberger – in favor.

The motion passed unanimously; 6/0.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,
Administrative Specialist