

City of Concord Planning Board
January 19, 2022
Minutes

The regular monthly meeting of the City Planning Board was held on January 19, 2022, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Attendees: Chairman Richard Woodfin, Vice-Chair Carol Foss, Councilor Byron Champlin, Members Matthew Hicks, Susanne Smith-Meyer, and David Fox.

Absent: Councilor Erle Pierce, Teresa Rosenberger (Ex-Officio for City Manager), Jeff Santacruce, 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 Gary Lemay (Associate City Engineer).

1. Call to Order

Chairman Woodfin called the meeting to order at 7:00 p.m.

2. Roll Call

Chairman Richard Woodfin, Vice-Chair Carol Foss, Councilor Byron Champlin, Members Matthew Hicks, Susanne Smith-Meyer, and David Fox.

3. Approval of Planning Board Meeting Minutes

December 15, 2021 Minutes

On a motion made by Councilor Champlin, and seconded by Mr. Fox, the Board voted unanimously to approve the December 15, 2021, Planning Board Meeting Minutes, as written.

4. Planning Board Chair Overview

Chairman Woodfin stated there were no changes to the agenda.

5. Determination of Completeness

- 5A. Nobis Group, on behalf of HLF East, LLC, requests a Major Site Plan approval for the construction of new 22,800 sf structure and 1,250 sf structure for the purpose of a car dealership, and associated site improvements, and Conditional Use Permit for the addition of impervious surface area within the Aquifer Protection District, at 134 Manchester Street in the Highway Commercial (HC) District.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to determine the application complete; and set the Public Hearing for February 16, 2022.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to determine that the project does meet the criteria for a Development of Regional Impact (DRI), per RSA 36:55.

- 5B. Wilcox & Barton, Inc, on behalf of SPCA of Concord-Merrimack County, request Major Site Plan approval for construction of a new 2,515 sf structure and associated site improvements for the purpose of a commercial kennel at 93-95 Silk Farm Road in the Open Space Residential (RO) District. The applicant is also proposing to merge the Silk Farm Road properties with 240 Clinton Street, also in the Open Space Residential (RO) District.

On a motion made by Mr. Fox, and seconded by Councilor Champlin, the Board voted unanimously to determine the application complete; determined that the project does not meet the

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criteria for a Development of Regional Impact (DRI), per RSA 36:55, and set the Public Hearing for February 16, 2022.

6. Design Review Applications by Consent

- 6A. Barlo Signs, on behalf of Market Basket, requests ADR approval for the installation of one new internally-illuminated wall sign at 15 Merchants Way in the Gateway Performance (GWP) District.

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

- 6B. Barlo Signs, on behalf of HomeGoods, requests ADR approval for the installation of one internally-illuminated wall sign at 17 Merchants Way in the Gateway Performance (GWP) District.

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

- 6C. Advantage Signs, on behalf of Holistic Family Health, requests ADR approval for the replacement of a non-illuminated monument sign at 102 Pleasant Street in the Institutional (IS) District.

On a motion made by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to approve the design as submitted by consent, with the recommendation that all panel boards be consistent with the same font and preferably not a cursive font for the sake of legibility.

- 6D. Sign-A-Rama, on behalf of Charles Leonard Steel Services, requests ADR approval for the replacement of an externally illuminated freestanding sign at 183 Pembroke Road in the Office Park Performance (OFP) District.

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

- 6E. NEOPCO Signs, on behalf of Casamigos, requests ADR approval for the installation of a new internally-illuminated wall sign at 94 Fort Eddy Road in the Gateway Performance (GWP) District.

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

- 6F. NEOPCO Signs, on behalf of Revelstoke Coffee, requests ADR approval for the installation of a new non-illuminated wall sign and a new externally-illuminated projecting sign at 100 North 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 design as submitted, by consent.

- 6G. Sousa Signs, on behalf of Irving Oil, requests ADR approval for the replacement of an internally-illuminated freestanding sign and a non-illuminated wall sign at 114 Fisherville Road in the General Commercial (CG) Zone.

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

- 6H. Sousa Signs, on behalf of Irving Oil, requests ADR approval for the replacement of an internally-illuminated freestanding sign and two internally-illuminated wall signs at 190 Pleasant Street in the Neighborhood Commercial (CN) District.

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

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- 6I. Sousa Signs, on behalf of Irving Oil, requests ADR approval for the replacement of a non-illuminated wall sign at 231 Loudon Road in the Gateway Performance (GWP) District.

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

Public Hearings

7. Design Review Applications

- 7A. Advantage Signs, on behalf of Greenblott & O'Rourke PLLC, requests ADR approval for the installation of one new non-illuminated projecting sign at 49 North Main Street in the Central Business Performance (CBP) District.

Ms. Shank stated that the applicant requested to pull the application from consent as he did not agree with the recommendations from ADR.

Chairman Woodfin opened the public hearing.

No one was present to represent the application.

Mr. Durfee stated that the original proposal was to place the sign in the archway, slightly off center within the arch. The representative had stated in earlier email communications with Staff that he suggested pursuing a blade sign; however, the landlord was not supportive with mounting on the column. The business is on the second floor. Mr. Durfee explained there were other locations discussed. The location of the sign as shown would need a variance.

Ms. Smith-Meyer suggested to include the logo within the sign and not have the logo projecting at the top. Mr. Durfee stated that the sign is at maximum square footage; therefore, any alterations would not be within the requirements.

Chairman Woodfin noted that the applicant and landlord have not agreed to changes. He suggested returning the application for further design clarity and a design that both the landlord and applicant agree with.

Mr. Fox stated that the apex of the arch is not centered.

Ms. Foss suggested moving the monogram over towards the right and it would not look like it was trying to be centered.

Councilor Champlin asked if the applicant tried to hang the sign. Mr. Durfee replied that this topic was not discussed at the ADRC meeting.

On a motion made by Chairman Woodfin, and seconded by Councilor Champlin, the Board voted unanimously by public hearing, to table the application to February 16, 2022, and to remand the application to ADR.

- 7B. Thorne's of Concord requests ADR approval for the replacement of an awning at 140 North Main Street in the Central Business Performance (CBP) District.

Ms. Shank stated that this application is for a building permit in a performance district. A license was obtained from Council for the awning. The applicant is requesting to keep the color scheme.

Mr. Durfee added that the ADR did not feel that the rendering was clear and felt the font color was similar to the awning color. They requested that the applicant provide samples.

Chairman Woodfin opened the public hearing.

Cristie Williams, represented the application.

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Color samples of the awning and font were provided. Ms. William stated that the awning color is carrot orange and the font choice is maroon. She stated that the ADR was concerned with the representation of the colors would not be clear; the samples provided show that the two colors are not the same.

A discussion was held regarding the proposed awning. Mr. Durfee stated that the awning will be curved. Ms. William stated that the awning will be fitted tight to the bottom of the frame; it is slightly smaller than the existing awning.

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

On a motion by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the design as presented, using the colors and material samples provided.

- 7C. National Sign, on behalf of Brothers Cortado, requests ADR approval for the installation of a new non-illuminated window sign and a new non-illuminated blade sign at 3-5 Bicentennial Square in the Central Business Performance (CBP) District.

Mr. Durfee stated that the ADRC did not have any concerns with the proposed window signage. He stated that the Committee expressed interest in the colors and suggested the projecting sign be a black background with white lettering as it may be more visible, relate better to the window sign, and be a better fit within Bicentennial Square. It was also noticed that the rendering of the projecting sign is not to scale.

Councilor Champlin commented that there is not much of a difference; if it were night time the colors of the window sign would be flipped from what is visible during the day.

Ms. Smith-Meyer commented that the signs look fine, as presented.

Mr. Hicks stated that the sign would look better; however, he would approve, as is, with the recommendation the colors be flipped on the sign. Chairman Woodfin agreed.

Mr. Durfee commented that there has been no follow up from the applicant.

On a motion by Chairman Woodfin, and seconded by Mr. Hicks, the Board voted unanimously to approve the designs as presented, with the recommendation that the blade sign be white text on a black background.

Councilor Champlin commented that it is gratifying to see downtown merchants sprucing up their properties throughout the City.

- 7D. Cowan & Goudreau Architects, on behalf of Technical Education Concepts, requests ADR approval for the renovation of the southern façade of a building inclusive of a canopy roof addition and new ramp at 32 Commercial Street in the Opportunity Performance District.

Ms. Shank explained that the application is for a building permit in a performance district.

Chairman Woodfin opened the public hearing.

Mr. Durfee explained that the applicant is proposing renovations to the existing building to include siding, canopy roof, stairways, etc. The renovations will be for storage of education technology material and to improve public access ways and delivery areas. He noted that the applicant recognizes the historic nature of the building and the area.

Gary Goudreau of Cowan & Goudreau Architects represented the application.

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Mr. Goudreau gave an overview of the proposal. He explained that the existing building, Technology Education Concepts, Inc. is an industrial, one-story, brick building with portions of wood cladding. Public access is on the south side of the building, which is the area proposed for renovations. The building is partially sided with T-111, which will be replaced with MCM and a combination of metal and translucent siding, allowing for more light, and virtually maintenance free. The existing doorways have ramps leading from the elevation of the loading dock to the parking lot. They will replace the existing stairways with poured in place concrete, along with an added concrete ramp with painted metal railings. A new canopy roof extension is proposed and will be sloped to protect the stairs and ramp from inclement weather.

Ms. Smith-Meyer asked about the existing shed on Constitution Ave. Mr. Gaudreau stated that the shed is existing and there is a stairway that leads to granite steps into the basement. There are no changes proposed for the shed at this time; it may be painted or changed to the new siding. Ms. Smith-Meyer stated that it would be nice to see the shed renovated and she suggested that it be painted a darker gray. Mr. Goudreau replied that he would look into it.

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

On a motion by Councilor Champlin, and seconded by Mr. Hicks, the Board voted unanimously to approve the design as submitted.

8. Site Plan, Subdivision and Conditional Use Permit Applications

- 8A. Reardon Builders, on behalf of Matthew & Elizabeth Finney and Mary & Christopher Miller, requests an amendment to a Minor Subdivision approval to request a waiver to allow overhead utilities where underground utilities are required at 23 and 25 Portsmouth Street in the Residential Neighborhood (RN) District.

Ms. Shank provided an overview of the project. She explained that the application is a request for amendment to a previously approved 2-lot subdivision for a waiver for installation of underground utilities.

Chairman Woodfin opened the public hearing.

Erin Reardon Lambert represented the application.

Ms. Lambert spoke to the application request noting that Unutil is also in favor of the requested waiver.

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

On a motion by Councilor Champlin, and seconded by Mr. Hicks, the Board voted unanimously to **grant** the waiver to Section 26.02(1) Underground Utilities, of the Subdivision Regulations, to not require the installation of overhead utilities at 23 and 25 Portsmouth Street, utilizing the criteria of RSA 674:44(1) which states that strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations.

- 8B. Wilcox & Barton, on behalf of New Hampshire Distributors, requests an amendment to a Major Site Plan approval to increase the height of the building, and a Conditional Use Permit to allow construction of fewer parking spaces than is otherwise required at 65 Regional Drive in the Industrial (IN) District.

Chairman Woodfin opened the public hearing.

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Mr. Durfee provided an overview of the project. He explained that this an amendment to increase the height of the proposed addition to 40 feet from 28 feet to allow for a racking system, and a CUP for fewer parking spaces.

Ms. Shank stated that ADR has not seen this application.

Erin Lambert of Wilcox & Barton represented the application along with Bill Hickey, of HL Turner Group.

Ms. Lambert stated that the site currently has 89 spaces, which they feel is adequate for staff. She noted that there will be no changes to trees or impervious surfaces. She added that they are also requesting to defer eight spaces and additional truck parking spaces and will build it in the future, if needed. Overall, there will be 11 spaces added and they are still able to reduce the impervious area.

Mr. Hickey also provided an overview of the building and delivery route. He noted the sloping roof on two sides, which will prevent the snow from drifting. The elevations were reviewed as well.

A discussion was held regarding the overall industrial look of the building. Ms. Shank suggested mitigating colors.

Ms. Smith-Meyer stated that the proposed plantings are not on the City's recommended planting list. Ms. Lambert replied that she would update the plan accordingly. Mr. Hickey stated there is plenty of greenery in the front of the building. Ms. Lambert added that this is one of the nicest manicured lots on Regional Drive. She stated that they will be doing infill along the road and adding landscaping around the building and it will all be more consistent.

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

On a motion by Councilor Champlin, and seconded by Ms. Foss, the Board voted unanimously to **grant the CUP** per Article 28-7-1(b) to defer the construction of 8 parking spaces and additional truck parking spaces to Phase 2, given the parking is not needed at this time.

On a motion by Councilor Champlin, and seconded by Mr. Fox, the Board voted unanimously to **grant ADR approval** for the modification of the height of the previously approved building addition from 28 feet to 40 feet tall.

On a motion by Councilor Champlin, and seconded by Mr. Fox, the Board voted unanimously to **grant the amendment to the previously approved site plan** for the 17,782 sf building addition, parking expansion, and associated site improvements at 65 Regional Drive, subject to the following precedent and subsequent conditions noted below:

- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to endorsement of the final plan by the Planning Board Chairman and Clerk, and prior to issuance of any building permits, or the commencement of site construction, unless otherwise specified:
 - (1) Address all review comments satisfaction of the Planning Division.
 - (2) Address all Engineering comments to the satisfaction of the Engineering Division.
 - (3) 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.

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- (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 seven (7) copies of the signed plan set shall be provided by the applicant at the pre-construction meeting.
- (3) At least two weeks in advance of the pre-construction meeting, provide financial guarantee for all public improvements on and off site and a guarantee for the site stabilization in an amount approved by the City Engineer, and in a form acceptable to the City Solicitor.
- (4) Prior to the issuance of a Certificate of Occupancy, 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.
- (5) Prior to the issuance of a Certificate of Occupancy, 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 12.08 of the Site Plan Review Regulations and all information shall be converted to a vertical datum of NAVD 88.

- 8C. Richard Bowen, on behalf of Arthur H. Morse, requests a Conditional Use Permit to allow a 30 foot driveway separation where a 40 foot separation would otherwise be required at 14 Walnut Street in the Residential Neighborhood (RN) District.

Mr. Durfee gave an overview of the project. He stated that the CUP request is for a 12-foot-wide driveway on a lot that currently does not have a driveway. The driveway will be located 60 feet from the Canal Street intersection and 30 feet from the adjacent driveway. 40 feet is the required separation to adjacent driveways in this district.

Richard Bowen represented the application.

Chairman Woodfin opened the public hearing.

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

On a motion by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to **grant the CUP** for the construction of a driveway with 30 feet of separation for an adjacent driveway where 40 feet is required.

Other Business

9. Proposed Ordinance Amendment to Section 29.2-1-2(b), Computation of the Amount of Impact Fee, updating the variable unit rate for Transportation, and Recreation Facilities in accordance with the annual inflationary rate.

Ms. Shank stated that staff is not recommending any type of change to the impact fees but are required to calculate the increase.

The Board held a discussion to determine whether to recommend an inflationary adjustment to the City Council to amend the impact fee table for Chapter 29.2, Public Capital Facilities Impact Fee Ordinance, to reflect an adjusted schedule of fees.

On a motion made by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to recommend no changes to the fees that are currently being collected of the Public Capital Facilities Impact Fee Ordinance, Section 29.2-1-2(b).

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10. Election of Officers

Chairman:

Mr. Hicks made a motion nominating Mr. Woodfin to continue as Chair of the Planning Board through December 2022. Councilor Champlin seconded the motion. With no other nominations, the motion passed unanimously.

Vice-Chairman:

Councilor Champlin made a motion nominating Ms. Foss to continue as Vice-Chair of the Planning Board through December 2022. Mr. Fox seconded the motion. With no other nominations, the motion passed unanimously.

Representative to Central New Hampshire Regional Planning Commission

Councilor Champlin made a motion nominating Mr. Hicks to continue as Concord's representative to the Central New Hampshire Regional Planning Commission through December 2022. Mr. Fox seconded the motion. With no other nominations, the motion passed unanimously.

Adjournment

At the request of Chairman Woodfin, Mr. Hicks made a motion to adjourn, seconded by Mr. Fox. The motion passed unanimously at 7:55 PM.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,
Administrative Specialist