

City of Concord Planning Board
November 16, 2022
Minutes

The regular monthly meeting of the City Planning Board was held on November 16, 2022, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Attendees: Chairman Richard Woodfin, Councilor Erle Pierce, Members Matthew Hicks, Jeff Santacruce, Amanda Savage, Susanne Smith-Meyer, David Fox, Teresa Rosenberger (Ex-Officio for City Manager)

Absent: Vice-Chair Carol Foss, Councilor Byron Champlin, Alternate Chiara Dolcino, Alternate Frank Kenison

Staff: Heather Shank (City Planner), Beth Fenstermacher (Assistant City Planner), Alicen Twardosky (Administrative Specialist), and José Lovell (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, Councilor Erle Pierce, Teresa Rosenberger (Ex-Officio for City Manager), Members Matthew Hicks, Jeff Santacruce, Amanda Savage, David Fox, Susanne Smith-Meyer

3. Approval of Planning Board Meeting Minutes

October 19, 2022 Minutes

On a motion made by Mr. Santacruce, and seconded by Ms. Rosenberger, the Board voted unanimously to approve the October 19, 2022, Planning Board Meeting Minutes, as written.

4. Agenda Overview

On a motion made by Mr. Fox, seconded by Mr. Hicks, the Board voted unanimously to postpone agenda items 7D and 7E until the December 21st meeting.

5. Determination of Completeness Items by Consent

- 5A. Wilcox & Barton, LLC, on behalf of the Boys & Girls Club, requests Major Site Plan approval for construction of a new structure to be used as a community center, and Conditional Use Permit (CUP) approval to allow for access drives to be less than 125 feet from the intersection of a local road at 76 Community Drive in the Neighborhood Residential (RN) District.

On a motion made by Mr. Hicks, and seconded by Ms. Smith-Meyer, the Board voted unanimously to determine the application complete and set the public hearing for the February 15, 2023 Planning Board meeting.

- 5B. Wilcox & Barton Inc., on behalf of Arts Alley, LLC, C/O Foxfire Property management Inc, requests Major Site Plan approval for construction of a five-story mixed-use building consisting of a first-floor restaurant and second floor office and/or event space at 20-20.5 South Main Street in the Central Business Performance (CBP) District.

On a motion made by Mr. Hicks, and seconded by Ms. Smith-Meyer, the Board voted unanimously to determine the application complete and set the public hearing for the February 15, 2023 Planning Board meeting.

6. Design Review Applications by Consent

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- 6A. Josh Messinger, on behalf of NH Bankers Association requests ADR approval for installation of a 9 sf non-illuminated wall sign at 2 Eagle Square in the Central Business Performance (CBP) District.
- 6B. Josh Messinger, on behalf of Alta Equipment Company, requests ADR approval for installation of a 93.6 sf wall sign consisting of internally illuminated channel letters at 114 Hall Street in the Industrial (IN) District.
- 6C. Glen Schadlick, on behalf of Simply Birkenstock, requests ADR approval for installation of an 11 sf externally illuminated blade sign at 29 N. Main Street in the Central Business Performance (CBP) District.

On a motion made by Councilor Pierce, and seconded by Ms. Smith-Meyer, the Board voted unanimously by consent to approve designs 6A-6C as submitted per the ADR recommendation.

Public Hearings

7. Site Plan, Subdivision and Conditional Use Permit Applications

- 7A. GPI, on behalf of WIN Waste, requests Minor Site Plan approval for construction of impervious surface for parking and circulation improvements at 11 Whitney Road in the Industrial (IN) District.

On a motion made by Mr. Hicks, seconded by Mr. Fox, the Board voted unanimously to determine the application complete.

Chairman Woodfin opened the public hearing. David Jordan (GPI) represented the application.

Ms. Fenstermacher stated that the proposed improvements are in response to the City's request for the Applicant to address the issue of trucks backing up and parking on Whitney Road. Mr. Santacruce and Chairman Woodfin both spoke to the issue of trailer trucks being on the side of the road when they made their visit to the project site. Mr. Jordan showed how reversing the flow of trucks coming in, continuing in a clockwise direction, would allow as many as eight full-size trailers to stand in waiting without impeding traffic flow. The plan shows a modification has been made by widening the internal driveway at the facility entrance to allow proper space for turns. Mr. Jordan reported at the Operations Manager at the facility said they will train and educate drivers on how to circulate and close up their trucks prior to leaving the facility to avoid the current practice of trucks parking on Whitney Road after leaving the facility. Mr. Jordan is unable to speak specifically to volume of trucks per day but used an estimate of ten trucks at any given time that come from all over.

Six existing trees will be removed in the visitor parking area. Mr. Jordan assured the Board that the trees will be replaced.

Mr. Santacruce asked that the dotted lines on the plan be changed to a solid yellow line to indicate two lane traffic appropriately.

Abutter to the northeast, David Rauseo, thanked those involved in the efforts of this application process, and voiced his support for the project.

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

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Hicks, the Board voted unanimously to:

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Grant Minor Site Plan approval for additional paving and reconfigured driveways to improve on-site truck circulation at 11 Whitney Road, subject to the following precedent and subsequent conditions noted below:

(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 Technical Review comments to the satisfaction of the Planning Division.

(2) Address Engineering review 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) Applicant shall verify any pre-construction requirements with the Engineering Services Division.

(2) Prior to a 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.

(3) Prior to the issuance of a Certificate of Occupancy or final construction sign-off, 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.

7B. NH Land Consultants, PLLC, on behalf of Thomas Cheney and NH Sustainable Communities, LLC, requests nonbinding Design Review for a mixed-use development consisting of 8,400 sf of commercial space and 120 residential multifamily units at 153 Fisherville Road in the General Commercial (GC) District. (2022-72)

Chairman Woodfin opened the public hearing. Scott Frankiewicz (NH Land Consultants, PLLC), Jeff Burd (RJB Engineering, LLC), and Shane Carter (NH Sustainable Communities, LLC) represented the application.

Ms. Shank asked the audience to consider that this is not assuming the current code, rather the proposed code that has not been made public or been adopted.

Mr. Frankiewicz stated that there has been a wetland scientist on site and no wetlands were found. There will be 1.25 parking spaces per unit equaling 296 spaces for resident and commercial use. The plan shows 24 residential units per building with townhouses in the rear of the property, six per units per structure. The proposed lot coverage is 73%.

Mr. Pierce asked what portion of this property will be market rate vs. subsidized housing. Mr. Carter said they are intended to be predominantly market rate, estimating at least 80%.

Ms. Smith-Meyer noted the lack of green space on the plans and voiced her desire to have this increased, supported by the Board. A concern was presented that the property is very dense. The two-story buildings are fronting on each other and the rest of the area is parking and pavement, leaving no space for trees. Ms. Shank stated in her report that green space is sought after by residents, and clarified that the draft code has not been released yet, though it would contain an open space requirement that would need to be met. Ms. Shank suggests reorganizing the design to

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allow more green space by shifting buildings or even deleting one. The Board would like to receive revised plans to show how they would increase the green space.

Mr. Santacruce stated that the alignment of the intersection should be moved because, as it sits, it enters into a drive aisle island across Pinehurst. Importance was stressed on reconstructing the pedestrian island on Fisherville Road and lighting the crosswalk well. Mr. Santacruce did not see any commercial loading zones and asked that the developer clarify where loading would occur, and take care in considering van / handicap accessible spaces for parking, noting that it will consequently reduce the number of spaces.

Mr. Hicks and Ms. Smith-Meyer voiced how the density of the applicant's concept plan does not reflect what they think of as appropriate for this location.

Mr. Santacruce noted that the City sidewalk is located partly on their private property, and expanding the sidewalk would push it further. Easements should be provided to accommodate this.

Nancy Nylen (183 Fisherville Road), abutter of this property since 1941 on the north side, attended the meeting. She does not object to this development. Ms. Nylen voiced concerns about the additional foot and vehicle traffic it will present to the existing conditions, which she finds unsafe. She implores the Board to consider the current safety of the streets, sidewalks, and crosswalks. Her concern is adding this living space will increase these risks. There is insufficient lighting for the crosswalks and bus stop. The sidewalk on her side of the road is used by bicycles and skateboards and she's almost been hit. The drainage system and snow removal are also insufficient. Ms. Nylen routinely has a pond at the end of her drive way due to the recent road paving. She noted that there is a drain about 5-6 feet from her driveway to the north. She wants a fence the full length between her property and the subject property.

Tim Robson, also an abutter, suggested increasing the green space by encouraging residents to seek other means of transportation through limiting the number of parking spaces. He voiced concern of there being no bicycle stations or charging stations for electric vehicles.

Mr. Santacruce mentioned this could be the time to establish a pullout for the busses to allow cars to pass during boarding.

Ms. Shank stated she and the applicant discussed the possibilities of reorganizing the street edge to provide on street parking. Aside from green space, Chairman Woodfin strongly encouraged screening and fencing on the applicant's side of the equation. They were asked to take into consideration snow removal and dumpster placement. Chairman Woodfin reinforced the need for lighting in the aforementioned areas. Mr. Santacruce recommended a shared use path to encourage pedestrian use to and from the Alice Ave. neighborhood.

The project representatives want to meet with Ms. Shank again. She encouraged them to indicate the green space they intend to have on a more detailed level.

Councilor Pierce offered to put together a neighborhood meeting.

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

The Planning Board provided non-binding comments and recommendations to the applicant after public testimony and discussion.

- 7C. NH Land Consultants, PLLC, on behalf of North & South Construction, request nonbinding Design Review for a 68-unit townhome development for property off Fisherville Road in the General Commercial (GC) District. (2022-73).

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Chairman Woodfin opened the public hearing. Scott Frankiewicz (NH Land Consultants, PLLC), Jason Garland (Project Manager, North South Construction Services, LLC), and Jeff Burd (RJB Engineering, LLC) presented the application.

Mr. Garland shared an alternative treatment for townhomes that feature garages in back with homes fronting on open space in response to suggestions by Ms. Shank. Ms. Shank noted that the revised design is very close to the suggestions she made. They also flipped the orientation, putting the clubhouse in the rear of the property, as suggested.

The townhome types are similar to Abbott Village. It was noted that this property does have an access easement from Pinehurst. It is not being accessed from Fisherville Road. Test pits and drainage calculations have been done. It sits on 7.04 acres and has accessibly drained soils. The developers are working on concepts regarding this. The design places 24 spaces of parking near the clubhouse. The desire is to keep parking away from the entrance, to encourage pedestrian greenspace.

Ms. Shank encouraged a walking path around the exterior of the development. The exterior will look a lot like Abbott. The design currently reflects the path on the interior of the building complexes. Mr. Garland stated that there will be some form of green space along Fisherville to block noise from the street. Mr. Santacrucce suggested placing a berm with trees atop so that it detracts from the street and traffic. Mr. Garland corroborated that the abutting residences will have a patio.

Ms. Shank proposed architectural treatment so the homes do not appear to be the backside on both sides. Mr. Garland clarified that the perception from Fisherville Road would be that it is the front of a home and not the back.

Mr. Santacruz suggested having a sidewalk going up Pinehurst on the development side, forming a direct connection to Fisherville. He noted that it doesn't make sense that the lighting is on one side but the sidewalk is on the other.

Mr. Santacrucce suggested that the two developments work together for the traffic study.

Ms. Smith-Meyer proposed reconsideration of that open space, not using it for a pool, rather place the pool in one of the property corners.

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

The Planning Board provided non-binding comments and recommendations to the applicant after public testimony and discussion.

- 7D. Wilcox & Barton Inc., on behalf of Morrill Mill Pond LLC, requesting Major Site Plan approval for structures of approximately 2200 sf and 2300 sf for the purpose of a restaurant with drive through and retail space, and Conditional Use Permit approval for the disturbance of wetland buffers at 10 Whitney Road in the Industrial (IN) District. Requests to postpone to December 21, 2022 Public Hearing.

On a motion made by Mr. Fox, seconded by Mr. Hicks, the Board voted unanimously to postpone agenda items 7D until the December 21st meeting.

- 7E. Andy Sanborn, on behalf of Big Step, LLC, requests Comprehensive Development Plan approval for a phased development to construct a charitable gaming hall, hotel, restaurant, and parking structure at 7 Break O' Day Drive in the Gateway Performance (GWP) District. Major Site Plan approval is also requested for Phase 1, which includes the gaming hall and restaurant, along with

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Conditional Use Permit approval for disturbance of wetland buffers. (2022-59) The applicant has requested to postpone to the December 21st, 2022 Planning Board meeting.

On a motion made by Mr. Fox, seconded by Mr. Hicks, the Board voted unanimously to postpone agenda items 7E until the December 21st meeting.

Other Business

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

Heather has received the Phase II portion of the code but has not had time to review. It will be released to the public after legal and staff review.

9. (Item 6D. from 10/19/2022 Agenda) PRM Holdings requests ADR approval for installation of a 15 sf non-illuminated window sign and 3 sf non-illuminated wall sign at 41 N. Main Street in the Central Business Performance (CBP) District.

Bill Lustig (Sign-O-Rama of Concord) attended by walk-in to present last month's public hearing item 6D. He answered questions for the Board.

On a motion made by Mr. Santacruce, seconded by Mr. Hicks, the Board unanimously approved the application subject to the recommendation that the design reflect the right-hand panel text be moved into the middle panel and graphics being moved to the right. They approve of the fade from dark blue to white.

Mr. Lustig will submit a revised plan to the Code office.

Adjournment

At the request of Chairman Woodfin, Ms. Savage made a motion to adjourn, seconded by Mr. Fox. The motion passed unanimously at 8:27 PM.

Information

Info1 November 1st, 2022 Architectural Design Review Committee Minutes

A TRUE RECORD ATTEST:

Alicen Twardosky,
Administrative Specialist