

City of Concord Planning Board
April 19, 2023
Minutes

The regular monthly meeting of the City Planning Board was held on April 19th, 2023, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

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

Absent: Councilor Erle Pierce, Teresa Rosenberger (Ex-Officio for City Manager), Members Jeff Santacruz, Alternates Chiara Dolcino and Frank Kenison.

Staff: Heather Shank (City Planner), Beth Fenstermacher (Assistant City Planner), Alec Bass (Senior 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, Vice-Chairman Carol Foss, Councilor Byron Champlin, Members Matthew Hicks, Susanne Smith-Meyer, Amanda Savage, and David Fox

3. Approval of Meeting Minutes

March 15th, 2023 Minutes

On a motion made by Councilor Champlin, seconded by Vice Chair Foss, the Board voted unanimously to approve the March 15, 2023 Planning Board Meeting minutes, as written.

4. Agenda Overview

Chairman Woodfin announced that the Applicant for Item 5A. requested to postpone action to the next meeting. On a motion made by Councilor Champlin, seconded by Vice Chair Foss, the Board voted unanimously to postpone agenda item 5A at the request of the applicants until the May 17th, 2023 Planning Board meeting. All in favor. Motion passed unanimously.

Chairman Woodfin announced that he was going to recommend continuing item 7C. since the information requested by the Board at the March meeting was not received in time for staff review. On a motion made by Chairman Woodfin, seconded by Councilor Champlin, the Board voted unanimously to continue agenda item 7C until the May 17th, 2023 Planning Board meeting.

All in favor. Motion passed unanimously.

5. Determination of Completeness Items by Consent

5A. Nobis Group, on behalf of Roman Catholic Bishop of Manchester / St. Johns Church requests Major Site Plan approval for the demolition of the existing food pantry and construction of a new 5,300 square-foot food pantry building with other associated site improvements at 60 South State Street in the Urban Transitional (UT) District.

Postponed to the May 17, 2023 meeting.

5B. Nobis Group, on behalf of St. Paul's School, request Major Site Plan approval for construction of a new 10,000 sf 2-story building and related site improvements for the purpose of an Admission Center, and a Conditional Use Permit for the construction of fewer parking spaces, at 325 Pleasant Street (16 Dunbarton Rd) in the Institutional (IS) District. (2023-98).

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- 5C. Kalapa Realty Trust, LLC requests Major Site Plan approval and Minor Subdivision Approval for an age restricted residential development consisting of attached condominium units, along with a Conditional Use Permit (CUP) for disturbance to a wetland buffer at 61 Borough Road in the Single Family (RS) and Medium Density (RM) Districts. (2022-44).

On a motion made by Councilor Champlin, and seconded by Vice Chair Foss, the Board voted unanimously to determine agenda items 5B. and 5C. complete, that they are not Developments of Regional Impact, and set the public hearing for the May 17, 2023 Planning Board meeting.

6. Design Review Applications by Consent

- 6A. Classic Signs Inc, on behalf of Service Credit Union, requests ADR approval for a new 40 sf internally illuminated wall sign at 8 Merchants Way in the Gateway Performance (GWP) District.

Vice Chair Foss requested to have this application pulled from the consent agenda for comment.

- 6B. Sousa Signs, LLC, on behalf of GNC, requests ADR approval for replacement with a 21.3 sf internally illuminated wall sign at 40 Fort Eddy Rd in the Gateway Performance (GWP) District.

- 6C. Serrato Signs, on behalf of Starbucks Coffee #68776, requests ADR approval for a new 19.63 sf internally illuminated wall sign, a new 32.76 sf internally illuminated wall sign and a new 34.09 sf internally illuminated wall sign at 68 Storrs Street in the Opportunity Corridor Performance (OCP) District. Refer to ZBA Case 0024-2023 for variance to allow 86.48 sf of combined sign area.

Chairman Woodfin requested to have this application pulled from the consent agenda and heard as a public hearing.

- 6D. KC Signs, on behalf of NHT 2022 LLC Co-Owner, requests ADR approval for replacement with a 100 sf non-illuminated wall sign and replacement with a 25 sf non-illuminated wall sign at 81 Hall Street in the Opportunity Corridor Performance (OCP) District. Refer to ZBA Case #16-2010 for variance to allow up to 125 sf sign at height in excess of 25' and above sills of the first set of windows above first floor and ZBA Case #20-2021 for variance to allow up to additional 25 sf sign at height in excess of 25' and above sills of first set of windows above first floor.

On a motion made by Councilor Champlin, and seconded by Mr. Fox, the Board voted unanimously by consent to approve items 6B. & 6D. as submitted with the Architectural Design Review comments.

Public Hearings:

- 6A. Classic Signs Inc, on behalf of Service Credit Union, requests ADR approval for a new 40 sf internally illuminated wall sign at 8 Merchants Way in the Gateway Performance (GWP) District.

Chairman Woodfin opened the public hearing.

Ben Devall (Classic Signs) represented the application. Ms. Foss felt the application lettering looked slanted and in italics. Ms. Foss felt that it looked odd considering the square shape of the building. Mr. Devall stated there is no italicizing, simply the font. It is the company's standard logo.

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

On a motion by Mr. Fox, seconded by Vice Chair Foss, the Board voted to approve the sign as submitted. All in favor. Motion passed unanimously.

- 6C. Serrato Signs, on behalf of Starbucks Coffee #68776, requests ADR approval for a new 19.63 sf internally illuminated wall sign, a new 32.76 sf internally illuminated wall sign and a new 34.09 sf

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internally illuminated wall sign at 68 Storrs Street in the Opportunity Corridor Performance (OCP) District. Refer to ZBA Case 0024-2023 for variance to allow 86.48 sf of combined sign area.

Ms. Shank updated the Board that the Architectural Design Review Committee made the recommendation to approve with the condition that the drive thru signs on the east and west sides of the building be removed because it was excessive signage and there was sufficient indication on where the drive thru was located. The applicants did not oppose this condition. It was later discovered that the variance they received was predicated on the argument that the Drive Thru signs increased site safety; they need to remain to maintain the validity of their variance.

On a motion by Ms. Smith Meyer, seconded by Mr. Fox, the Board voted to approve the sign as submitted without the recommendations by Architectural Design Review. All in favor. Motion passed unanimously.

7. Site Plan, Subdivision and Conditional Use Permit Applications

- 7A. Sebago Technics, on behalf of Encompass Health requests Minor Site Plan approval and two waivers from the Site Plan Regulations for the redevelopment of their rehabilitation courtyard located at 254 Pleasant Street in the Institutional (IS). (2023-96)

On a motion by Councilor Champlin, seconded by Vice Chair Foss, the Board voted unanimously to determine the application complete, and not a Development of Regional Impact.

Chairman Woodfin opened the public hearing. Stephen Harding (Sebago Technics) and Dennis Dubord (Encompass Healthcare) presented the application.

A Staff updated was provided by Mr. Bass. Encompass Healthcare sits in the backside of Concord Hospital. They are redesigning their rehabilitation courtyard, triggering a minor site plan. There have been some drainage improvements. They are asking for two waivers related to stormwater. Waiver one regards the City's off-site flows / discharge for two-and ten-year storm not to exceed the previous conditions. Staff is in support of this waiver. Waiver two regards the City's pretreatment section. Staff supports this waiver with the condition that they prepare and provide an Inspection Maintenance Plan and they increase their catch basin sump depths to two or three feet.

Mr. Harding informed the Board of the improvements which include various surface textures including stone, concrete, and roughened aggregate. They are creating therapy areas such as stairs, patios, and ramps. The development of the improved facility for the rehab hospital includes just over 2,000 square feet impervious area and four rain gardens. The first waiver is for the slight increase in peak flow generated from the redevelopment. The second waiver is for the pretreatment area. Because this project is encompassed within a pedestrian area it is not subject to the same sand/salt volumes of a roadway. They are also taking special care to control the amount of sand and salt that will be used.

Ms. Smith Meyer noted that the plants that are specked out are perennials but are listed as shrubs on the plans. Ms. Smith Meyer asked that the plan reflect the appropriate label and be signed by a landscape architect. Councilor Champlin recommended removing the Ash trees because of the prevalence of the Emerald Ash Borer.

Staff supports the pre-treatment waiver subject to the inspection of the stormwater maintenance plan provision.

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

On a motion made by Mr. Fox, seconded by Mr. Savage, the Board voted to:

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Grant the following waivers to the Site Plan Regulations using the criteria of RSA 674:44 III(e)(2) as guidance, specific circumstances relative to the site plan, or conditions of the land in such site place, indicate that the waiver will properly carry out the spirit and intent of the regulations:

- 22.08 (3) – Off-Site Flows to allow off-site peak discharge after development to exceed the pre-development peak discharge rates for the 2-year and 10-year storm events since the project area is less than .25 acres.
- 22.08 (4) – Pre-Treatment to not provide pre-treatment with the condition that the applicant include an inspection and maintenance plan for the stormwater improvements to ensure they will perform as intended, and that the Nyloplast field inlet detail be revised to have 2-3-foot sump for sediment storage.

On a motion made by Ms. Savage, seconded by Ms. Smith Meyer, the Board voted to:

Grant Minor Site Plan approval for the proposed renovated rehabilitation courtyard and associated site improvements at 254 Pleasant Street, 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 Planning Division.
- (2) Address Engineering Comments to the satisfaction of the Engineering Division.
- (3) Any waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Subdivision Regulations. Should the Board vote to deny the waiver request(s), applicant shall comply with said submission requirement(s).
- (4) Any CUP(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Subdivision Regulations. Should the Board vote to deny the CUP request(s), applicant shall comply with said submission requirement(s).
- (5) Final plans shall be signed and sealed by the NH Licensed Land Surveyor, Landscape Architect, and Professional Engineer.
- (6) Submit three (3) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board

b) Subsequent Conditions

- (1) Prior to commencement of construction activity, confirm with Engineering Services Division for pre-construction requirements and fees.
- (2) 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.
- (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.

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All in favor. Motion passed unanimously.

- 7B. NH Land Consultants, PLLC, on behalf of Penacook Realty Partners LLC, requests Major Site Plan and Major Subdivision approval for a 68-unit townhome development at 150 Fisherville Road in the General Commercial (CG) District. (2023-83)

On a motion by Councilor Champlin, seconded by Vice Chair Foss, the Board voted unanimously to determine the application complete, and not a Development of Regional Impact.

Chairman Woodfin opened the public hearing. Scott Frankiewicz (NH Land Consultants) and Jacob McManus (Compass Development) represented the application.

Ms. Shank provided the Board with a Staff update. The Applicants have met with Staff and the Architectural Design Review Committee. They have been receptive to the comments and suggestions they have received regarding layout and facades and orientations of the buildings. Ms. Shank provided the Applicants with the condo plat comments today. Staff is still awaiting Engineering and Consultant comments. Staff is not recommending approval tonight in an effort to get through comments with Engineering.

Mr. Frankiewicz reminded the Board that the applicatoin was originally accepted back in February, having attended the preliminary meeting back in November 2022. The Applicants requested an extension in March after receiving Engineering and Planning's comments. They resubmitted on April 3rd. They have received an Alteration of Terrain permit as well as comments from the Condo Subdivision. They have attended an Architectural Design Review Committee meeting. The property was surveyed last summer to include utility work. The Applicants are proposing access off of Pinehurst. They are projecting (2) 4-unit buildings, (2) 6-unit buildings, (6) 8-unit buildings with a pool and outdoor patio area. In addition to parking space in front of each unit, there is a garage. The clubhouse is 1,200 square feet. It has been moved to accommodate an open space with walkways running down the middle of the development. Walkways and lighting are in the revision phase. They have accommodated the request of Architectural Design Review Committee to develop the entrances with eaves on the perimeter of the development, along the street view. AOT approved the drainage system. The Applicants are working with Engineering on sewer water and awaiting the review. This is a 3-phase project. Buildings A & B, the roadway, a sidewalk off of Fisherville Road located between buildings B & (soon to be) C that connects to the center sidewalk, and utilities and drainage will be the first phase.

Ms. Shank shared that there was a quite a lot of discussion at Architectural Design Review on their open space design. Mr. Frankiewicz stated that the developers are struggling with drainage interference. Ms. Shank would appreciate more graphic depictions on the plan of how the drainage is working, for example it appears very shallow but there aren't enough spot elevations to determine what is going on. . Architectural Design Review suggested more landscaping and design of the outer four open space quadrants and the open space in the middle. They suggested natural element features for kids to play on. Ms. Foss stated how appealing the flat surface in the center is for kids to play ball and boulders would be better in the corner quadrants. Mr. Hicks feels trees could be difficult to maintain and negate the purpose for the open play space. Mr. Hicks felt that these are personal preferences being placed on the Applicant.

Phase two consists of building three buildings and the pool house. Phase three will develop the remainder of the buildings. Two corners will have dumpsters in them. The development has the potential for a playground in the southeast corner. There will be drainage in the middle with a depression. Utilities are being reviewed by the City. Per Planning request, there was a fire review done by FFC. A flow test is being completed by Empire Fire.

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Ms. Shank asked about the planters that currently reflect day lilies inside. The renderings show shrubs. Ms. Shank and Ms. Smith Meyer felt the shrubs or small trees to be a better choice to provide shade for the paved space and built environment. Ms. Smith Meyer felt there is plenty of room for a small tree to line each driveway. She would like to see (native) trees around the periphery of the landscape in some of the open spaces.

Approval of this application is currently pending. The Planning Board is awaiting a report from Engineering and revised plans.

Public Comment

Linda Schmidt voiced this development being an improvement with the family friendliness of this development versus the Abbott Village development in Concord, which the applicant also developed..

At Chairman Woodfin's request, Councilor Champlin made a motion, seconded by Ms. Smith Meyer, to continue the public hearing to the May 17th, 2023 Planning Board meeting.

All in favor. Motion passed unanimously.

- 7C. Andy Sanborn, on behalf of Big Step, LLC, requests Major Site Plan approval to construct a charitable gaming hall, restaurant, and microbrewery, along with a Conditional Use Permit approval for disturbance of wetland buffers, at 7 Break O' Day Drive in the Gateway Performance (GWP) District, (2022-59)

(Reference the Agenda Overview agenda item for the motion to continue) Staff had not received the requested emergency services impact report. Chairman Woodfin delayed the public hearing until the May 17th Planning Board meeting when the requested reports have been received and reviewed. Mr. Golon arrived after the motion was made and asked to approach the Board. Chairman Woodfin granted him permission. Mr. Golon expressed his frustration at the motion and stated that the attorney was on his way to explain the report. Mr. Woodfin reiterated that staff had no time to review the report and make a recommendation to the Board.

Other Business

8. Michael Chapman requests a one-year extension of a Minor Site Plan approval to add a third unit in an existing duplex at 27 Fayette Street in the Downtown Residential (RD) District. The plan was previously approved on April 20, 2022.

No one was present to represent the application. It was approved last year. Mr. Chapman was unable to get things done in time but optimistic that he will in the next couple months.

A motion was made by Mr. Fox to, seconded by Ms. Smith Meyer to grant a one-year extension subject to all of the original conditions. All in favor. Motion passed unanimously.

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

Adjournment

At the request of Chairman Woodfin, Mr. Fox made a motion, seconded by Ms. Savage, to adjourn the meeting. All in favor. The motion passed unanimously at 7:53 PM.

Next regular monthly meeting is Wednesday, May 17th, 2023

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TRUE RECORD ATTEST:

Alicen Twardosky
Administrative Specialist II