

City of Concord Planning Board
October 18, 2023
Minutes

The regular monthly meeting of the City Planning Board was held on October 18th, 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 Erle Pierce, Members Susanne Smith-Meyer, David Fox, Jeff Santacruce, Matthew Hicks, Teresa Rosenberger (Ex-Officio for City Manager)

Absent: Amanda Savage, Councilor Byron Champlin, and Alternates Chiara Dolcino and Frank Kenison

Staff: Heather Shank (City Planner), Alec Bass (Senior Planner), Krista Tremblay (Administrative Specialist II), and Peter Kohalmi (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 Erle Pierce, Members Susanne Smith-Meyer, David Fox, Jeff Santacruce, Matthew Hicks, Teresa Rosenberger (Ex-Officio for City Manager)

3. Approval of Meeting Minutes

On a motion made by Councilor Pierce, seconded by Mr. Fox, the Board voted unanimously to approve the September 20th, 2023 Planning Board Meeting minutes, as written. All in favor. Motion passed.

4. Agenda Overview

Chairman Woodfin stated that there were no changes to the agenda.

5. Design Review Applications by Consent

- 5A. Advantage Signs, on behalf of McAuliffe Shepard Discovery Center, requests ADR approval for a new 31 sf non-illuminated free-standing sign at 2 Institute Drive in the Institutional (IS) District.

On a motion made by Mr. Hicks and seconded by Councilor Pierce, this item was approved by consent, subject to the ADR condition that the sign being located a minimum of 5 feet from the stop bar and with the understanding that native shrubbery or plantings will be placed by the posts for aesthetic purposes.

- 5B. SAR Concord, on behalf of Adapt Health New England, requests ADR approval for a new 33 sf internally illuminated free standing sign at 66 Airport Road in the Industrial (IN) District.

On a motion made by Mr. Hicks and seconded by Councilor Pierce, this item was approved by consent, subject to the ADR understanding that the bottom white section of the sign is not illuminated, and the suggestion to add the address number to the sign or post.

- 5C. Sign Source, on behalf of Craft Market, requests ADR approval for a new 60 sf internally illuminated wall sign at 75 Fort Eddy Road in the Gateway Performance (GWP) District.

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On a motion made by Mr. Hicks and seconded by Councilor Pierce, this item was approved by consent, subject to the ADR condition that the sign be either centered with the other signs existing on the building, or the bottom of the text aligning with CBD sign.

- 5D. NEOPCO Signs, on behalf of Lauren Burdett, requests ADR approval for a new 8 sf non-illuminated bracket sign at 76 North Main Street in the Central Business Performance (CBP) District.

On a motion made by Mr. Hicks and seconded by Councilor Pierce, this item was approved by consent as submitted.

- 5E. SAR Concord, on behalf of Maddy's Food Hub, requests ADR approval for a new 16 sf internally illuminated wall sign and a new 19.17 sf internally illuminated pylon panel at 89 Fort Eddy Road in the Gateway Performance (GWP) District.

On a motion made by Mr. Hicks and seconded by Councilor Pierce, this item was approved by consent, subject to the ADR condition that the black text around the pylon sign be removed to match the proposed building sign, and either add a blackout behind the white or do a tan background as shown on the pylon rendering.

- 5F. Warren Street Architects, on behalf of Neville Companies, requests Architectural Design Review approval for construction of a new vehicle service ramp to a loading dock at 254 Sheep Davis Road in the Gateway Performance (GWP) District.

On a motion made by Mr. Hicks and seconded by Councilor Pierce, this item was approved by consent as submitted.

Public Hearings

6. Design Review Applications

- 6A. SAR Concord, on behalf of Exterior Plus, requests ADR approval for (6) new, non-illuminated vinyl window signs at 305 Village Street in the Central Business Performance (CBP) District.

A staff update was provided by Ms. Shank. She shared that the ADR Committee was generally in support and that the Applicant disagreed with ADR recommendations.

Mr. Bass read why ADR did not recommend approval and instead the Applicant should revise and resubmit the application. ADR provided the following suggestions to reduce text, enlarge business logo, contrast on the company name to be white, redesign to include the removal of the bottom left window caller email and right window website address, reduce size of lettering of upper left\upper right-side windows.

Bill Lustig the applicant explained the way the scale of the window is it does not allow for a re-size.

Chairman Woodfin suggested to have the windows adjusted and not have the services being shown and have the company name with contact information.

Ms. Smith-Meyer stated she agreed with the ADR recommendations to have the applicant re-submit a new design and go back to the ADR Committee.

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Chairman Woodfin asked if any member of the public wanted to discuss. No response. With no additional comments from Staff, members of the Board, or public, Chairman Woodfin closed the public hearing at 7:13 p.m.

On a motion made by Chairman Woodfin, seconded by Mr. Hicks, the Board voted to approve as submitted, with the condition of removing the bottom left and bottom right vinyl signs and rework the text on the upper left and upper right signs to reduce redundancy. Additionally, the lettering be changed to white instead of black with a white outline.

All in favor. Teresa Rosenberger opposed.

7. Site Plan, Subdivision and Conditional Use Permit Applications

7A. Granite Engineering, LLC, on behalf of Fifteen Integra Drive, LLC (Pitco), requests an extension to a Major Site Plan conditional approval amendment for 15 Integra Drive in the Industrial (IN) District. (2021-34)

Ms. Shank stated the Applicant is requesting an extension to a Major Site Plan amendment. Staff recommends granting the one-year extension subject to all previous conditions of approval.

There were no additional comments from Staff, members of the Board, or public.

On a motion by Vice-Chairman Foss, seconded by Councilor Pierce the Board voted to grant the one-year extension subject to all previous conditions of approval. All were in favor. The motion passed unanimously.

7B. Boys & Girls Clubs of Central NH, requests an amendment to an approved Major Site Plan for construction of a new community center at 76 Community Drive to waive the requirement to place electrical utilities underground. (2022-71)

Chairman Woodfin at 7:15 p.m. recused himself for this agenda item. Councilor Pierce will handle this agenda item.

Ms. Shank stated that the Boys & Girls Club of Central NH is requesting an amendment to the Major Site Plan previously approved by the Planning Board (2022-71) for the Penacook Community Center at 76 Community Drive. They are seeking a waiver to install overhead electric across Community Drive to a pole within the City right-of-way. The electric line will be underground from the new pole to the site and will remain underground throughout the development. There are overhead lines on the east side of Community Drive, and overhead services to nearby houses along Community Drive.

Councilor Pierce opened to the public at 7:16 p.m. No one present to discuss application. Councilor Pierce closed the public hearing at 7:16 p.m.

Mr. Santacruce made a motion to approve the waiver given that the electrical lines on site now are under ground. Mr. Hicks seconded. The motion passed 6/2 with Ms. Smith-Meyer and Ms. Rosenberger opposed.

Councilor Pierce advised at 7:24 p.m. to have Chairman Woodfin return to the meeting.

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- 7C. Sarah Steiner, on behalf of Emerald Plaza, LLC, requests a Conditional Use Permit (CUP) to allow the use of a doggy day care at 219 Fisherville Road in the General Commercial (CG) District. (2023-137)

Ms. Shank noted the Applicant is requesting a Conditional Use Permit (CUP) to allow a doggie day care. The use requires a CUP in the General Commercial District. A dog kennel is allowed in this district with a conditional use permit. This is not actually a kennel. They will hold dogs inside and there is no outside place for the dogs. Staff recommends the Board approves the conditional use permit.

Chairman Woodfin asked if applicant present. Sarah Steiner is the applicant and came forward to speak. Mr. Woodfin asked for Ms. Steiner to explain the business. She informed this is an inside recreation center for dogs. The hours will be split over the day. From 10 a.m. until 1p.m. will be the first group. Then they will clean. The next group would be from 4 p.m. to 8 p.m. There will not be any dog overnight boarding.

Mr. Santacruce asked about when dogs are being dropped off when they will go to bathroom. Ms. Steiner explained there will be a designated space in the back for the dogs to go to the bathroom.

The Board discussed and determined the findings of fact to be the applicant's submission, the staff report, and public testimony.

Ms. Foss wanted clarification on the verbiage for the application. Ms. Foss explained this is not a doggy day care as the owners will be present with the dogs. Mr. Santacruce suggested to call it an indoor dog park.

Ms. Smith-Meyer made a motion to **grant the Conditional Use Permit approval** to allow the use of an indoor dog park at 217 Fisherville Road, subject to the condition that if the Conditional Use Permit is not utilized within a two-year period from the date of the decision of the Planning Board, the CUP shall be deemed to have expired.

Ms. Foss seconded. All were in favor. The motion passed unanimously.

- 7D. T.F. Bernier, Inc., on behalf of Donna Raymond, requests Minor Subdivision approval for a Lot Line Adjustment to transfer approximately 10,000 sf of land from their parcel to the City railroad right of way, in exchange for transferring approximately 10,000 sf of land from the railroad right of way to their lot at 211 Bog Road in the Open Space Residential (RO) District. (2023-138)

Mr. Bass provided an update to the Board. This lot line adjustment is being performed in accordance with a settlement agreement between the Raymonds, the City of Concord, and the Friends of the Concord-Lake Sunapee Rail Trail Inc. No new development is proposed, no new lots are being created. He noted there are 15 waivers. Mr. Bass informed the Board that staff is in favor of supporting thirteen of the waivers and two will be conditionally. It is a land swap as part of a settlement agreement.

Chairman Woodfin asked Board members and public if there are any questions. No response from applicant or public. Chairman Woodfin closed public hearing at 7:30 p.m.

Councilor Pierce stated they discussed this at City Council as part of the rail trail and they were in support of the lot line adjustment.

The Board adopted the findings of fact which includes the information provided in staff reports and testimony provided during the public hearing, and made the following motions:

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On a motion by Ms. Smith-Meyer, seconded by Councilor Pierce, the Board voted to **grant the following waiver(s)** to the Subdivision Regulations 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.

- Section 12.08 (3) *Topography*,
- Section 12.08 (4) *Soils*,
- Section 12.08 (5) *Natural Features*,
- Section 12.08 (19) *Setbacks and Buffers*,
- Section 12.08 (20) *Existing Vegetation*,
- Section 12.08 (22) *Abutting Properties*,
- Section 12.08 (23) *Tabulations*,
- Section 15.03 (1) *Abutting Property*,
- Section 15.03 (2) *Dimensions*,
- Section 15.03 (3) *Tabulations*,
- Section 15.03 (4) *Topography*,
- Section 15.03 (6) *Natural Features*,
- Section 15.03 (8) *Setbacks*,
- Section 12.08 (22) *Abutting Properties* and Section 15.03 (1) *Abutting Properties*, subject to the condition that the Applicant revise the plat to indicate the address of 211 Bog Road
- Section 15.03 (2) *Dimensions*, subject to the condition that the Applicant provide dimensions and bearings for lot lines of 211 Bog Road as indicated on the plat.

All in favor. The motion passed unanimously.

On a motion made by Mr. Fox, seconded by Councilor Pierce, the Board voted to **grant Minor Subdivision** approval for the lot line adjustment at 211 Bog Road and the City of Concord parcel 32/Z 78, subject to the following conditions noted below:

- 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) Address Planning comments to the satisfaction of Planning Division.
 - 2) The monumentation for the proposed lot lines shall be set prior to recording of the plat.
 - 3) 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(s), the applicant shall comply with said submission requirement(s).
 - 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 submitted in accordance with Section 12.09 of the Subdivision Regulations.

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- 5) The licensed Land Surveyor shall sign and seal final plans and mylars.
- 6) 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.
- 7) Upon confirmation from staff that the review comments have been addressed, The Applicant shall deliver to Planning one (2) plan set(s) and one (1) mylar(s) for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.

Councilor Pierce seconded. All in favor. The motion passed unanimously.

7E. Hank Amsden, on behalf of Michael Gfoerer, request Minor Subdivision approval for a Lot Line Adjustment at 12 Tahanto Street in the Neighborhood Residential (RN) District. 2023-136

Mr. Bass provided a staff update. Several waivers are requested. Since the lot is flat and is an urban condition with existing disturbance, staff does not feel that the additional information is necessary. Additionally, without the lot line adjustment, the proposed work would not require this information. Staff is in support of these waivers.

Ms. Shank asked to make the determination that the application is complete.

Mr. Hicks made a motion to determine that the application is complete and not a development of regional impact. Mr. Pierce seconded. All in favor. The motion passed unanimously.

Chairman Woodfin opened the public hearing at 7:33 p.m.

Michael Gfoerer, the applicant explained that this is to allow a lot line adjustment for two properties he owns, to allow a garage to be constructed. Mr. Gfoerer is asking for additional waivers including,

- Per Section 12.08 (10) *Municipal Utilities*, please provide the location, size, material and type of municipal utilities currently serving the proposed subdivision.
- Per Section 12.08 (11) *Non-municipal Utilities*, please provide the location, size, material and type of non-municipal utilities currently serving the proposed subdivision.

Ms. Shanks explained to the Board that they can add those items to the waivers if they want to grant them.

Chairman Woodfin asked the public and Board if there are any more questions. There were none. Mr. Woodfin closed the public hearing at 7:35 p.m.

The Board adopted the findings of fact which includes the information provided in staff reports and testimony provided during the public hearing, and made the following motions:

On a motion made by Ms. Smith-Meyer, seconded by Councilor Pierce, the Board voted to **grant the following waiver(s)** to the Subdivision Regulations 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.

- Section 12.08 (4) *soils*, to not provide identification and classification of soils as part of this Lot Line Adjustment plat.
- Section 15.03 (4) *Topography*, to not provide topographic conditions for existing and any proposed changes as part of this Lot Line Adjustment plat.

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- Section 12.08 (10) *Municipal Utilities*, to not provide the location, size, material and type of municipal utilities currently serving the proposed subdivision.
- Section 12.08 (11) *Non-Municipal Utilities*, to not provide the location, size, material and type of non-municipal utilities currently serving the proposed subdivision.

All in favor. The motion passed unanimously.

On a motion made by Councilor Pierce, seconded by Ms. Foss, the Board voted to **grant Minor Subdivision approval** for the lot line adjustment at 12 Tahanto and 11 Summit Street, subject to the following conditions noted below:

- 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) Address Planning comments to the satisfaction of Planning Division.
 - 2) Address Engineering Comments to the satisfaction of the Engineering Division.
 - 3) The monumentation for the proposed lot lines shall be set prior to recording of the plat.
 - 4) 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(s), the applicant shall comply with said submission requirement(s).
 - 5) 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 submitted in accordance with Section 12.09 of the Subdivision Regulations.
 - 6) The licensed Land Surveyor shall sign and seal final plans and mylars.
 - 7) 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.
 - 8) Upon confirmation from staff that the review comments have been addressed, The Applicant shall deliver to Planning one (2) plan set(s) and one (1) mylar(s) for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.

All in favor. The motion passed unanimously.

- 7F. Eckman Engineering, on behalf of Continental Paving, requests Major Site plan approval and 3 Conditional Use Permits (CUPs) for disturbance to wetland buffers, the Shoreland Protection District buffer, and the Flood Hazard District, for the purpose of construction and relocation of a road and bridge across the Soucook River to access property in Pembroke, at 320 Sheep Davis Road in the Gateway Performance (GWP) District. (2023-125)

Ms. Shank read the item into the agenda, and noted that this project was determined a Development of Regional Impact (DRI) at the July 19, 2023 Planning Board meeting.

Mr. Hicks made a motion to determine that the application be determined complete and a Development of Regional Impact (DRI). Ms. Foss seconded. All in favor. The motion passed unanimously.

Chairman Woodfin opened to the public at 7:38 p.m. Mr. Woodfin asked if the applicant is present and for a staff update.

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Mr. Bass the stated that property is located at 320 Sheep Davis Rd where there is an existing single lane bridge crossing between Pembroke and Concord over the Soucook River. They are looking to construct a new two-lane bridge. The applicant is seeking multiple waivers. Staff is in support of the waivers with the exception of Section 15.03 (23) (g) *other tabulations* of the Site Plan Regulations (SPR), which is only required if requested by the Clerk. This application went before the Conservation Commission for the three Conditional Use Permits (CUP's) and they recommend approval as submitted.

Applicant present to discuss. David Eckman (Eckman Engineering, LLC) and Rick Chaiboneau (Continental Paving, Inc)

David Eckman discussed the replacement of the existing bridge, which goes over the Soucook River. It's been there since the 1950's, connecting the property between Pembroke and Concord. As part of the process to start the project they applied for a DES shoreland permit. They identified a couple rare endangered species. The Shoreland District buffer is two-hundred and fifty feet wide. They will be disturbing the Shoreland District buffer and will need to replant. The plan is to replant Oak, Pine, Beech and maple trees. The new bridge is higher than the existing bridge. The new bridge will be one foot above the one-hundred-year flood line. They will be driving piles to prevent disturbing the wetlands. The bridge will rest on the piles. The bridge will have rails.

Mr. Santacruce asked Mr. Eckman is they have to follow the stream crossing rules. Mr. Eckman explained this does not impact wetlands. The bridge expands beyond the wetlands.

Ms. Smith-Meyer asked if can see the city details with the plantings. Mr. Eckman stated he can provide those plans.

Councilor Pierce asked if they need approval from the Army of Engineers. Mr. Eckman explained they are well above the flood plane and it does not meet the requirements for them to get involved.

Chairman Woodfin asked if there are any other questions from the board or the public. No response. Mr. Woodfin closed to the public at 7:42 p.m.

The Board adopted the findings of fact which includes the information provided in staff reports and testimony provided during the public hearing, and made the following motions:

On a motion made by Ms. Smith-Meyer, seconded by Ms. Foss the Board voted to **grant the following waiver(s)** to the Site Plan Regulations utilizing the criteria from 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.

- Section 15.03 (23) – *Existing Conditions Tabulations*, to not provide tabulations for 15.03 (23) (c) *ground coverage for parking*, (e) *loading and internal landscaping*, (f) *parking required, net land area*. Additionally, to provide tabulations for 15.03 23 (a) *gross acreage*, (b) *Ground coverage of buildings and structures* and (d) *impervious surface* only within the project area and not the entire 53.8 +/- acre site.
- Section 15.04 (28) – *Site Plan Tabulations*, to not provide tabulations for 15.04 (28) (b) *area devoted to land uses*, (d) *ground coverage for parking, loading and internal landscaping*, (f) *net land area calculations*, (g) *total dwelling units*, (h) *dwelling density*, (i) *non -residential use floor area*, (j) *projected number of employees for parking*, (k) *Building occupancy or fixed seating for require parking* and (l) *calculations of required parking and loading areas*. Additionally, to provide tabulations 15.04 28 (a) *gross acreage*, (d) *Ground coverage of buildings and structures* and (e) *impervious surface* only within the project area and not the entire 53.8 +/- acre site.

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All in favor. The motion passed unanimously.

On a motion made by Ms. Smith-Meyer, seconded by Ms. Foss, the Board voted to **grant the following Conditional Use Permit applications:**

- Conditional Use Permit (CUP) in accordance with Section 28-4-3(d) of the Zoning Ordinance (ZO) to allow for wetland buffer disturbance to construct a road and bridge across the Soucook River.
- Conditional Use Permit (CUP) in accordance with Section 28-3-2 (e) of the Zoning Ordinance (ZO) to allow for the construction of a structure not designed for human occupancy, the placement of fill, or the placement of other encroachments in the Flood Hazard (FH) District.
- Conditional Use Permit (CUP) in accordance with Section 28-3-3 (f) of the Zoning Ordinance (ZO) to allow for the construction of road, bridge and necessary drainage improvements adjacent to surface waters in the Shoreland Protection (SP) District.

All in favor. The motion passed unanimously.

On a motion made by Councilor Pierce, seconded by Ms. Foss, the Board voted to **Grant Minor Site Plan approval** for the proposed relocated road and bridge crossing the Soucook River, subject to the following 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, unless otherwise specified:
 - 1) Address Planning comments to the satisfaction of Planning Division.
 - 2) Address Engineering Comments to the satisfaction of the Engineering Division.
 - 3) Conditional Use Permit(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 Conditional Use Permit(s), the Applicant shall comply with said submission requirements.
 - 4) 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(s), the applicant shall comply with said submission requirement(s).
 - 5) Final plans shall be signed and sealed by the NH Registered Land Surveyor, Wetland Scientist, and Professional Engineer.
 - 6) Submit three (3) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.
 - 7) City of Concord Landscaping and Planting details to be added to the plan set.
- b) Subsequent Conditions – to be fulfilled as specified:
 - (1) The Applicant or designated agent shall contact the Engineering Services Division to schedule a pre-construction meeting prior to the start of any construction activities onsite. See Engineering memo for additional pre-construction items to be addressed.
 - (2) Prior to the commencement of any clearing/construction activity or issuance of a building permit, whichever comes first, the 50' wetland buffer shall be marked with discs available at the Planning Division. Once in place, Planning staff shall be contacted to inspect the buffer

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area.

- (3) Prior to the issuance of the final approval of the building permit or 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.

All in favor. The motion passed unanimously.

- 7G. Stantec Consulting, on behalf of New England Family Housing, LLC, requests Preliminary Design Review for a multi-phased development consisting of mixed-use retail/residential structures, single use multifamily housing developments including market rate and affordable housing, a duplex condominium neighborhood, a townhome neighborhood, several restaurants, self-storage, and open space park areas on property off Whitney Road and Monitor Way in the Industrial (IN) District. (2023-134)

Chairman Woodfin asked for a staff update.

Ms. Shank explained this is a Preliminary Design Review and is non-binding. It is not a Major Site Plan review. They are not bound by anything presented to the Board, or by any comments made by the Board. This is to present a concept to the Board and get feedback from the public.

Applicants present are Kevin Lacasse (New England Family Housing), John Sokle (Hinkley Housing) and Ed Roberge (Stantec Consulting)

Kevin Lacasse (New England Family Housing) explained there is a need for housing in New Hampshire. Mr. Lacasse feels it is important to build all houses of different types for there to be a benefit in New Hampshire. The project plans on having one hundred and fifty-one workforce housing in an apartment neighborhood, a two hundred and twenty-three market-rate apartment neighborhood, two hundred and forty-five town homes, an Urban Village featuring 120,000 sf of commercial and retail opportunities with 327 market rate apartments and 100,000 sf of self-storage. When they were putting the plan together for this project they did not want to have these buildings in a sea of parking lots. The intent is to make this a walkable neighborhood with open green space. The intent is to keep forty-two percent of the land as green space. They will add 2 miles of walking trails. Almost five acres of parks and open space. They will add river access which does not exist now. They figure this will create approximately one hundred open jobs using the retail and commercial space.

Ed Roberge (Stantec Consulting) explained the site plan for the property. Mr. Roberge explained if they are to move forward with this change they will need zoning amendments. This is zoned as industrial. They are here tonight to get feedback from the Board to see if they would like to go forward with this project. They are aware there are here tonight for informational purpose only and looking for input. Phase 1 will be the townhouses in the northern section of the property. Phase 2 would be the urban village center. With this phase they would need to construct the remainder of the Whitney Rd extension. Phase 3 is the workforce housing neighborhood. Phase 4 would be the townhouse community in the south. Phase 5 would be the storage building. Phase 6 is the market-rate apartments. If this was to move forward it would start in 2024-2025 and potentially end 2028-2029.

Councilor Pierce asked if there would be public access to electric charging stations? Is there a bike path for people to get to work? Would public transportation have access via a bus? Has there

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been a traffic study considering this could bring more traffic to Mountain and Sewalls Falls Rd? Are there going to be two separate HOA fees for the town houses?

Kevin Lacasse explained there would be an HOA for the property. However, the condo neighborhoods will have separate HOAs. Mr. Lacasse stated they are going to be looking into the other issues when developing this project.

Councilor Pierce stated that he is aware of the time lines for this project. However, there are approved projects already passed with the city that has had no development. Councilor Pierce asked how they will be able to move forward with the project if this is approved?

Mr. Lacasse explained the housing need is greater than what is already approved. He explained not all projects that get approved are built. However, there is still a housing need for the State of New Hampshire.

Chairman Woodfin asked if they have an idea of what might go in the commercial space below where the apartments are located?

Mr. Lacasse explained they have not put a plan together for the commercial space. However, they have some ideas of what might go in those spaces. For example, restaurants, small medical, shareable work space and daycare.

Chairman Woodfin wanted to know if there is access to water.

Mr. Roberge explained they have looked at river access to have a look out but might not be feasible to have access on the water.

Mr. Hicks feels this is a great project. However, he lives on Mountain Rd and many people on Mountain Rd or Hoit Rd are concerned about the level off traffic that already exists now when there's a holiday weekend and people are using those roads to avoid I-93. Mr. Hick suggested look at how the rural roads will be impacted with more traffic caused by this development.

Mr. Sokle (Hinkley Housing) explained that they will have a traffic study to see how much of an impact there will be with this project. Ms. Shank informed the Board and applicant there was a traffic study completed for Merchant Way development project. The traffic study took into consideration this type of development of the corridor, so there were considerations in the improvements that have already been completed.

Ms. Smith-Meyers wanted it to be taken into consideration to have an exit off 93. She is also concerned with Mountain Rd having more traffic. She also suggested to move the storage to different location near the Concord Monitor with less visibility

Mr. Santacruce wanted to know if there was access to the end of the private road that has two driveways coming off of the road. Mr. Roberge said they cannot be emergency access without the Haywood Bridge. Ms. Shank explained it is staff's expectation that the emergency access would be built as part of Phase 1, that the woods road would be brought up to a level adequate for emergency vehicles.

Chairman Woodfin opened the public hearing at 8:54 p.m.

Elizabeth Szelo. Lives on Sewalls Falls Rd. Ms. Szelo is aware there is housing needed in the State of New Hampshire. After listening to the presentation, she cannot support this project. Traffic now is an issue and with this project it could get worse. There could be light pollution.

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Brien Murphy is in support of the project. Mr. Murphy feels there are great ideas for this project. Housing is important. There needs to be a well-designed plan moving forward with this project.

Lisa Beaudoin is in support of the project. Ms. Beaudoin and is aware there is a housing issue. She suggested to have more affordable housing and to mix demographics. Suggested for the board to ask developer how long they will have the work force housing as they could potentially change to market-rate housing.

Ron Rauner wanted to know where waste water will go. He wanted to have it noted for consideration for a worst-case peak scenario for fire emergency. Suggested to have car ports to help with snow removal. Suggested to have ground water infiltration basins.

David and Lauria Rauseo are in support of the project and feels it will complement the Merchant Way project. People will be able to go from Merchant Way to Monitor Way. They want to make sure the WIN Waste culvert will be considered with this project.

Alan Robidas recognizes there is a housing crisis. However, more people will make more traffic, strain on education system, city services, hospital and water. Mr. Robidas is not in support of this project.

Stephen Henninger feels having a second emergency access is important. Mr. Henninger feels the storage should be moved into a location that is less visible.

Ahni Malachi change is what we need, how we grow and get new people into our community. Ms. Malachi stated if we do not move forward with this project it will be a loss to Penacook and Concord.

Phil Leavy is in support of this project. Mr. Leavy would like to make sure responsible contractors will be hired for this project.

Aaron Fracht-Monroe generally agree with comments from the board and there are items that can be tweaked such as the bike trail.

Ms. Foss questioned if there is recycling considered to prevent from going to dump. Mr. Lacasse said they have not looked at recycling and will look into when moving forward with the project.

Chairman Woodfin pointed out to all that this is Preliminary Design Review which is a concept review and feedback. There will be more meetings to come. Mr. Woodfin closed the public meeting at 9:36 p.m.

- 7H. Ari Pollack, on behalf of Onyx Partners, Ltd. requests Comprehensive Development Plan approval for a mixed-use development consisting of residential apartments, restaurant, retail and professional office uses at 260-282 Loudon Road, the Steeplegate Mall and Regal Cinemas properties, in the Gateway Performance (GWP) District. (2023-131)

Ms. Shank stated that this is a meeting to get feedback. The Applicant understands that there are several application criteria that need to be addressed before the application is eligible for approval of the CDP.

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Ari Pollack introduced the team with him to present tonight. Doug Richardson, Brian Caplain, Wayne Morrill, Robert Dilsavio and Jen Martel.

Mr. Pollack stated that the City of Concord has a need for housing. The Steeplegate Mall will help anchor this property as a regional destination for retail. You can live, work and play all in the same place. This will create less traffic and small footprint. This is an early discussion on what could happen with the project.

Wayne Morrill said there are two parcels of land they will be using for this project. The first parcel is the Steeplegate Mall which is 50.19 acres located in the Gateway Performance District. There is one driveway off Loudon Rd, one driveway off Sheep Davis Rd and two driveways on D'Amante Dr. The Applebee's and TD Bank are on their own parcel of land. Currently today there is 563,450 square feet of space at the Steeplegate Mall. The Regal Cinema site is the next parcel to the north. That parcel is 9.11 acres also in the Gateway Performance District with one access to Loudon Rd. The Regal Cinema building has 27,300 square feet. The proposal is to demolish a part of the mall. The JC Penny, The Zoo and trampoline will remain on the site.

Councilor Pierce had similar questions regarding transportation. Would there be public access to electric charging stations? Is there a bike path for people to get to work? Would public transportation have access via a bus? Has there been a traffic study considering this could bring? Are there going to be two separate HOA fees for the town houses? He also wanted to know what they have said to the existing tenants. Mr. Caplain explained they have communicated to some tenants and will continue to inform them on how they can move forward.

Chairman Woodfin asked how many current tenants are there. Mr. Caplain said there are four tenants. One has a lease and others are month to month.

Ms. Smith-Meyer feels the green space is inadequate. She suggested moving parking which could enhance the outdoor space. She would like solar panels on the buildings.

Mr. Santacruce would like responsible development. He agrees with Ms. Smith-Meyer and there is potential for more green space and eliminate parking. Suggested to have a ball field or other large open space. There are no parks in this area. Mr. Santacruce asked if there was a regional development impact determined by Planning. Chairman Woodfin made a motion that this is a Development of Regional Impact as this moves forward. Mr. Santacruce seconded. All in favor. The motion passed unanimously.

Ms. Foss feels there is way too much parking. The green space needs to be re-configured. The building by the pond could move back.

Chairman Woodfin wanted to know if the project will be in phases. Mr. Richardson explained this will be done in one phase over a period of time. They will need to coordinate on sewage infrastructure.

Mr. Santacruce suggested to start educating people now to use 393 as primary route to get to Steeplegate. Mr. Fox pointed out green space is important and will mean a lot to all Board members.

Chairman Woodfin opened the public hearing at 10:34 p.m.

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Andrew Pinard explained he is a tenant, Hatbox, of Steeplegate Mall. Mr. Pinard expressed his excitement to see the development of the property. Mr. Pinard asked for consideration of tenants at Steeplegate Mall.

Lawrence Dibble explained he is not against the development of the Steeplegate Mall.

Steve Henninger agrees with Ms. Foss about not touching the pond. Mr. Henninger explained this is not a residential project and they need to re-organize the layout. He feels there will be a different traffic pattern that might not be too impactful. Mr. Henninger does not feel you need a large volume of parking based on the commercial space. He feels having green space is very important.

Tyler Puckett wanted the developers to consider current tenants. Also, questioned if there is another gas station needed for this property. Mr. Puckett is in support of this project and aware more housing is needed in New Hampshire.

Aaron Fracht-Monroe suggested to have the buildings moved to prevent traffic on Loudon Rd and divert to Sheep Davis Rd. Requested more green space and less parking. Agreed with suggestions from Board members.

Colton Piper is in support of this project at Steeplegate Mall. Mr. Piper has memories of when the mall at the height of popularity and now sad to see if the state it is in now. Mr. Piper is aware there is a housing shortage. He suggested to have more green space but not a major issue.

Stacey Dubia wanted to agree about the residential parking there is too much of a distance to get to the apartment as designed in the site plan.

Lester Zionas wants to ask the developer to put themselves in the mindset of the person that will live at this property.

Chairman Woodfin asked for Mr. Pollock to come back up to discuss some items that were mentioned tonight. They need to take into consideration the buildings, traffic flow and pedestrian walk-ways between the buildings.

Mr. Hicks asked how much of the existing leases are hindering the design for this project.

Mr. Pollack explained you cannot keep business when trying to relocate them when they have terms of lease that entitle them to possession.

With no further comments offered, Chairman Woodfin closed the public hearing at 11:04 pm.

Other Business

8A. Nobis Group, on behalf of Dakota Partners, requests two Major Subdivision approvals to create a land unit condominium and a building condominium for a new multifamily development totaling 98 units at 103 Old Loudon Road in the Medium Density (RM) District. The Applicant has requested to be postponed to the November 15, 2023 Planning Board meeting.(2023-124)

Ms. Smith-Meyer made a motion to postpone until the November 15th, 2023 Planning Board meeting, seconded by Councilor Pierce. All were in favor. The motion passed.

8B. Gareth Orsmond, on behalf of EWT 54, LLC, requests a Conditional Use Permit (CUP) to allow four (4) offsite parking spaces for the use at 89 N. State Street in the Civic Performance (CVP) District. The Applicant has requested to be postponed to the November 15, 2023 Planning Board meeting. (2023-139)

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Ms. Smith-Meyer made a motion to postpone until the November 15th, 2023 Planning Board meeting, seconded by Councilor Pierce. All were in favor. The motion passed.

- 8C. Warren Street Architects, on behalf of Delta Dental, requests ADR approval for an amendment to the originally approved Major Site Plan, specifically with regard to building and landscape lighting at 1 Delta Drive in the Institutional (IS) District. (2023-130). The Applicant has requested to be continued to the November 15, 2023 Planning Board meeting.

Ms. Smith-Meyer made a motion to postpone until the November 15th, 2023 Planning Board meeting, seconded by Councilor Pierce. All were in favor. The motion passed.

- 8D. T.F. Bernier, Inc, on behalf of Kevin Porter, requests Minor Subdivision approval for a 2-lot subdivision at 35 Reserve Place in the Open Space Residential (RO) Districts (2023-119). The applicant has requested to postpone to the November 15, 2023 Planning Board meeting.

Ms. Smith-Meyer made a motion to postpone until the November 15th, 2023 Planning Board meeting, seconded by Councilor Pierce. All were in favor. The motion passed.

- 8E. Webster Stout, on behalf of Wayne F. and Roberta L. Hall, requests to postpone to no date certain a Minor Site Plan approval for an amendment to a previously approved plan at 5 Lewis Lane in the Open Space Residential (RO) District. The Applicant requests to postpone to no date certain (2023-089)

The applicant requested to postpone to no date certain. Ms. Smith-Meyer made motion to table the application until no date certain. Councilor Pierce seconded. All were in favor. The motion passed.

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

Ms. Shank mentioned a letter which was sent to the Board and suggested to hold off on it until the meeting next month and it will be added to the agenda.

Adjournment

Ms. Foss made a motion, seconded by Ms. Smith-Meyer to adjourn the meeting. All in favor. The motion passed unanimously at 11:06 PM.

The next regular monthly meeting is Wednesday, November 15th, 2023 at 7:00 p.m.

TRUE RECORD ATTEST:

Krista Tremblay
Administrative Specialist II