

**CITY OF CONCORD PLANNING BOARD
November 28, 2012 MEETING**

The regular monthly meeting of the City Planning Board was held on November 28, 2012, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Present at the meeting were Chair Drypolcher and Members Regan, Smith Meyer, Hicks, Swope, Kenison, Dolcino, and Lavers. City Planner McPherson, Mr. Henninger, Ms. Hebert, and Ms. Muir of the City's Planning Division were also present, as was Ms. Aibel, the City's Associate Engineer.

At 7:00 p.m., a quorum was present and the Chair called the meeting to order. The Chair sat Alternate Member Kenison for Member Foss, who was not in attendance.

PUBLIC HEARINGS

Architectural Design Review Applications

- 1. Applications by the following for approval of signs at the following locations under the provisions of Section 28-9-4 (f), Architectural Design Review, of the City of Concord's Code of Ordinances:**

The Chair opened the public hearings for all the sign applications.

- **Application by Vermette Orthodontics, for Architectural Design Review approval of a replacement affixed sign and a replacement freestanding sign located at 2 Wall Street, within the Civic Performance (CVP) District.**

Mr. Henninger stated that the application is for a replacement affixed sign and a replacement freestanding sign. He explained that the Architectural Design Review Committee (ADRC) was concerned with the "day-glo" color of the sign and recommended approval of the sign as submitted with the recommendation that the green color be more like the color in the ADRC packets and not the updated graphic that was submitted to the ADRC.

Russ Aubertin, from Advantage Signs, was present on behalf of the applicant. He stated that the applicant was in agreement with the ADRC recommendation regarding the color.

Ms. Smith Meyer moved to grant Architectural Design Review approval for a replacement affixed sign and a replacement freestanding sign as submitted with the color approved by the ADRC. Mr. Lavers seconded the motion. Motion carried unanimously.

- **Application by David and Rebecca Darman / Primary Diner for Architectural Design Review approval of a replacement affixed sign and a new hanging sign located at 26 Pleasant Street, within the Central Business Performance (CBP) District.**

Ms. Hebert reported that the application is for a replacement affixed sign and a new hanging sign. She stated that the ADRC recommended approval of the sign as submitted.

Russ Aubertin, from Advantage Signs, was present on behalf of the applicant to respond to questions from the Planning Board.

Mr. Swope moved to grant Architectural Design Review approval for a replacement affixed sign and a new hanging sign. Ms. Smith Meyer seconded the motion. Motion carried unanimously.

- **Application by Andrew Turgeon / King's Barber Shop for Architectural Design Review approval of a new window sign located at 311 Village Street, Penacook, within the Central Business Performance (CBP) District.**

Mr. Henninger explained that the applicant is proposing a new window sign. He explained that the ADRC approved the window sign as submitted; however, the applicant resubmitted a revised graphic to the Planning Division, which the ADRC has not reviewed.

Ms. Smith Meyer moved to grant Architectural Design Review approval for the new window sign as revised by the applicant. Mr. Kenison seconded the motion. Motion carried unanimously.

- **Application by Charles Latchis / Spoon Revolution Vegan Bistro for Architectural Design Review approval of a new hanging sign located at 55 South Main Street, within the Central Business Performance (CBP) District.**

Ms. Hebert reported that the application is for a new hanging sign. She stated that the ADRC recommended approval of the sign, with the recommendation that aluminum faced wood be used for the sign. She explained that the application showed that aluminum faced wood was to be used, while the graphic showed that Gator Board with printed vinyl would be used.

Mr. Tim Sullivan, from Barlo Signs, was present on behalf of the applicant to respond to questions from the Planning Board.

Ms. Smith Meyer moved to grant Architectural Design Review approval for the new hanging sign, with the stipulation that the sign be made of aluminum faced wood. Mr. Hicks seconded the motion. Motion carried unanimously.

- **Application by BCM Environmental & Land Law for Architectural Design Review approval of a replacement freestanding sign located at 3 Maple Street, within the Civic Performance (CVP) District.**

Mr. Henninger explained that the application is for a replacement freestanding sign. He explained that the ADRC recommended tabling the application because they had some questions regarding the sign color, and the applicant was not present. Mr. Henninger reported that the applicant provided a new graphic to the Planning Division on November 14th showing a new darker green color.

Ms. Smith Meyer moved to grant Architectural Design Review approval for the replacement freestanding sign as submitted on November 14th. Mr. Swope seconded the motion. Motion carried unanimously.

- **Application by Christom Trust / Uno's Car Wash for Architectural Design Review approval of a new changeable copy sign on an existing freestanding sign located at 167 Loudon Road, within the Gateway Performance (GWP) District.**

Mr. Henninger reported that the applicant is proposing changes only to the variable message portion of the sign. He explained that the bottom two-thirds of the message sign will have the time and temperature on the top and manual changeable copy on the bottom. Mr. Henninger stated that the applicant will be using amber LED lighting which already exists in the sign. He reported that the ADRC recommended approval of the application as submitted.

Mr. Tim Sullivan, from Barlo Signs, was present on behalf of the applicant. He stated that the existing LED lighting is monochrome and not changeable.

The Chair asked whether the lights will only show where the letters are placed. Mr. Barlo responded that the letters are translucent and the lighting will only be visible through the lettering.

Mr. Swope moved to grant Architectural Design Review approval for the new changeable copy sign on an existing freestanding sign as submitted. Mr. Kenison seconded the motion. Motion carried unanimously.

- **Application by Roy Nails & Spa for Architectural Design Review approval of a replacement affixed sign located at 31A South Main Street, within the Central Business Performance (CBP) District.**

Mr. Henninger reported that the application is for a replacement affixed sign which has already been installed. He explained that the ADRC recommended tabling the application as the applicant wasn't present to respond to their questions or concerns regarding painting the backing board, painting a border around the sign, and lowering the sign on the backing board to tie it into the bottom of the sill in the building to the left. Mr. Henninger stated that the ADRC also requested that the Zoning Administrator contact the applicant to have the sign removed until final approval was received.

Mr. Jimmy Vu, the applicant, was present. He stated that he had been unaware of the ADRC meeting and that he had removed the banner that was hanging over the doorway.

The Chair asked whether the sign had been removed. Mr. Vu responded in the negative.

Mr. Kenison moved to table the application until the applicant attends the next ADRC meeting in order for the applicant to understand and address the concerns of the ADRC. Mr. Hicks seconded the motion. Motion carried unanimously.

- **Application by NH Odd Fellows Home / Presidential Oaks for Architectural Design Review approval of a new freestanding sign located at 200 Pleasant Street, within the Institutional (IS) District.**

Ms. Hebert explained that the applicant originally requested an internally lit sign, which is not allowed in the Institutional District. The applicant requested a variance from the Zoning Board of Adjustment (ZBA) and was denied. She stated that the current proposal is to have channel letters attached to a frame with a LED band attached to the top of the frame. She reported that the ADRC had some concerns regarding the sign because of its new style and the lighting. Ms. Hebert said that the ADRC recommended approval of the new freestanding sign as submitted, with the recommendation that a warm incandescent color be used for the lighting.

Mr. Russ Aubertin, from Advantage Signs, was present on behalf of the applicant to respond to questions from the Planning Board.

The Planning Board discussed the concerns of the ADRC in regards to the style of the sign and the lighting. Ms. Smith Meyer asked whether there would be any plantings behind the sign. Ms. McPherson responded that there is to be landscaping in the front of the sign, but the area between the sign and the stone wall would be without landscaping for maintenance purposes.

Mr. Swope moved to grant Architectural Design Review approval for the new freestanding sign, with the recommendation that a warm incandescent color be used for the lighting. Mr. Hicks seconded the motion. Motion carried unanimously.

- **Application by Lori Leitner / The Toy Shop for Architectural Design Review approval of a replacement hanging sign located at 10 North State Street, within the Central Business Performance (CBP) District.**

Mr. Henninger stated that the application is for a replacement hanging sign, which will be blue and yellow with white and black chess pieces. He stated that the ADRC recommended approval of the sign with the stipulation that the colors match the blue and yellow of the existing exterior window sign.

Mr. Bob Couture was present on behalf of the applicant to respond to questions from the Planning Board.

Ms. Smith Meyer moved to grant Architectural Design Review approval for the replacement hanging sign with the stipulation that the colors match the blue and yellow of the existing exterior window sign. Mr. Swope seconded the motion. Motion carried unanimously.

- **Application by Annis & Zellers for Architectural Design Review approval of a replacement freestanding sign located at 2 South State Street, within the Central Business Performance (CBP) District.**

Ms. Hebert stated that the application is for a replacement freestanding sign. She explained that the existing sign has changeable copy, but the applicant is removing that portion of the sign. Ms. Hebert reported that the ADRC recommended approval of the replacement freestanding sign as submitted.

The Chair asked if the applicant is going to keep the blank tenant panels on the sign. Ms. Hebert responded no.

Mr. Jeff Zellers was present to respond to questions from the Planning Board.

Mr. Swope moved to grant Architectural Design Review approval for the replacement freestanding sign as submitted. Ms. Smith Meyer seconded the motion. Motion carried unanimously.

- **Application by John Lalas / Bambino's Pizzeria for Architectural Design Review approval of replacement panels in an existing hanging sign located at 7 Depot Street, within the Central Business Performance (CBP) District.**

Mr. Henninger reported that the application is for replacement panels in an existing hanging sign, which has been in existence since 1962. He stated that the ADRC recommended approval of the sign as installed.

Mr. Swope moved to grant Architectural Design Review approval for the replacement panels in an existing hanging sign as installed. Ms. Smith Meyer seconded the motion. Motion carried unanimously.

- **Application by Trinity Christian School for Architectural Design Review approval of a new freestanding sign located at 80 Christian Street, within the Institutional (IS) District.**

Mr. Henninger explained that the application is for a second freestanding sign on the property and that the applicant received a variance from the ZBA. He stated that the proposed sign, which will be "V" shaped, matches the post of the existing church sign. Mr. Henninger reported that the ADRC recommended approval of the sign as submitted.

Mr. Swope moved to grant Architectural Design Review approval for the new freestanding sign as submitted. Mr. Kenison seconded the motion. Motion carried unanimously.

2. **Application by The Duprey Company, LLC, for Architectural Design Review approval of façade renovations and the installation of solar panels on the Comfort Inn, located at 71 Hall Street, within the Opportunity Corridor Performance (OCP) and Flood Hazard Overlay (FH) Districts. (2012-0056)**

The Chair opened the public hearing.

Mr. Henninger reported that the applicant is proposing to install 44 solar panels on the south roof and renovating the façade of the hotel. He explained that the renovations include residing the building, replacing the existing vinyl siding and cedar shakes with two shades of vinyl clapboard siding, replacing the existing windows with white double-hung operable windows, and replacing the existing trim with

vinyl white trim. Mr. Henninger stated that the ADRC recommended approval of the solar panels and façade renovations as submitted.

Mr. Steve Duprey was present to respond to questions from the Planning Board.

Hearing no additional comments from the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Mr. Swope moved to grant Architectural Design Review approval for the façade renovations and the installation of solar panels as submitted. Mr. Hicks seconded the motion. Motion carried unanimously.

Minor Subdivision Applications

3. Application by the City of Concord for property located at 55 Bradley Street requesting Minor Subdivision approval to create a new lot for the future right-of-way of Langley Parkway. (2012-0052)

Mr. Henninger reported that the application is complete and ready for public hearing.

Mr. Lavers moved and Mr. Swope seconded that the Planning Board determine this application to be complete and ready for public hearing. Motion carried unanimously.

The Chair opened the public hearing.

Mr. Henninger explained that the City of Concord is requesting to subdivide this parcel into two lots, with one lot including a portion of Kimball Park and the existing leased area of the Boys & Girls Club and the second lot to be reserved for the future layout of Langley Parkway. He reported that the intent is to remove any portion of the future right-of-way for Langley Parkway from Kimball Park, and that the City Council authorized this subdivision by resolution on November 13, 2012.

Mr. Swope asked how close the building is to the parcel boundary. Mr. Henninger replied that there is a ten foot setback from the boundary.

Ms. Dolcino asked whether any of the improvements to the Boys & Girls Club will be affected with this subdivision. Ms. McPherson responded in the negative.

Ms. Meredith Hatfield, a resident of 5 Perkins Street, addressed the Planning Board. She stated that she and other neighbors in the area would like to be part of the conversation of what is planned at Bradley / Penacook and Rumford / Penacook Streets in regard to the Langley Parkway, and questioned why those living in the area did not receive notification of the hearing for this project. Mr. Henninger stated that the Planning Division sends notices to direct abutters of the property, while the ZBA notification includes all property owners within a 300 foot area surrounding the property. The Chair stated that it may be possible to expand the list of those notified for the Langley Parkway project. Ms. Hatfield said that it would be great if the list was expanded to include the neighborhoods surrounding the affected area.

Hearing no additional comments from the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Mr. Swope moved to grant Conditional Final Subdivision approval for the "Subdivision Plat for the Land of the City of Concord at 55 Bradley Street" prepared by Richard D. Bartlett and Associates, LLC, subject to the following conditions:

1. Prior to the final plat being signed by the Planning Board Chair and Clerk, the applicant shall revise the plat drawings to address the minor corrections and omissions noted by City staff.
2. 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 12.08 of the Subdivision Regulations.

Mr. Regan seconded the motion. Motion carried unanimously.

4. Application by Forest Street Realty, LLC and Marcel Nadeau for property located at 94 Manchester Street and 47 Garvins Falls Road requesting Minor Subdivision approval to create a two-lot subdivision. (2012-0057)

Ms. McPherson reported that the application is complete and ready for public hearing.

Mr. Swope moved and Mr. Lavers seconded that the Planning Board determine this application to be complete and ready for public hearing. Motion carried unanimously.

The Chair opened the public hearing.

Ms. McPherson explained that the application is to create two lots in order to clear up a title issue from a conveyance of property in 2009 that was done without the benefit of a subdivision. She reported that the proposed subdivision would also make the newly created parcels consistent with the uses and zoning that are currently in place.

John Cronin, of Cronin & Bisson, was present on behalf of both property owners. Mr. Cronin provided the Planning Board with an overview of the history of the property and explained how the non-conformity came to light when a purchase and sale agreement was signed for the property. He explained that Tim Bernier of T.F. Bernier, Inc. completed a survey for this subdivision. Mr. Cronin stated that the application also includes waiver requests which are detailed on the plan. Ms. McPherson explained that there are no substantive waivers being requested.

Steven Foley, a resident at 53 Garvins Falls Road, asked whether there were any plans to build on the lot behind his property. Mr. Cronin responded that there were no plans at this time to build on the lot.

Marcel Nadeau, one of the applicants, asked whether the lot where his house is located is legal, as there is only 173 feet of frontage. Ms. McPherson responded that once the subdivision application is approved, his lot would be legal.

Hearing no additional comments from the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Mr. Swope asked whether the Board needed to approve each waiver individually. Mr. Drypolcher replied that the waivers are listed on the plan and if the Board approves the plan, the waivers are also approved.

Ms. Smith Meyer moved to grant Conditional Final Subdivision approval for the "Resubdivision Plan, Land of Forest Street Realty, LLC, 94 Manchester Street, and Land of Marcel J. Nadeau, 47 Garvins Falls Road, Concord, New Hampshire" prepared by T.F. Bernier, Inc., and dated October 2012, subject to the following standard conditions:

1. Prior to the final plat being signed by the Planning Board Chair and Clerk, the applicant shall revise the plat drawings to address the minor corrections and omissions noted by City staff.
2. 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 12.08 of the Subdivision Regulations.

Mr. Lavers seconded the motion. Motion carried unanimously.

Minor Site Plan Applications

- 5. Application by Quickwater Canoe & Kayak, LLC for property located at 15 Hannah Dustin Drive requesting Minor Site Plan approval, a Conditional Use Permit pursuant to Article 28-7-11(g), Driveway Width Reduction, a Conditional Use Permit pursuant to Article 28-7-11(e), Alternative Surfacing, and a Conditional Use Permit pursuant to Article 28-2-4(j), Table of Principal Uses, of the Concord Zoning Ordinance, for an outdoor recreation facility and related retail establishment, driveway access, parking, and associated site improvements. (2012-0054)**

Ms. Hebert reported that the application is complete and ready for public hearing.

Mr. Swope moved and Mr. Lavers seconded that the Planning Board determine this application to be complete and ready for public hearing. Motion carried unanimously.

The Chair opened the public hearing.

Ms. Hebert explained that the proposal is to establish a seasonal boat rental and sales business, which will operate approximately six months out of the year. She stated that the business will utilize space within the existing barn for the retail sale of boats and boating accessories, display, and storage space. Ms. Hebert reported that the property is primarily located in Canterbury, with frontage and a portion of the parcel located in Concord. All of the proposed improvements are located in Concord.

Aaron Constant, the property owner, was present. Mr. Constant stated that he was planning to open the business in 2013. He explained that he received variances from the ZBA for retail use in an area that it is not permitted and for parking to be permitted in a required front yard setback.

Hearing no additional comments from the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Ms. Smith Meyer moved to grant the Conditional Use Permit pursuant to Article 28-2-4(j) Use C5 of the Zoning Ordinance, to permit the establishment of the privately owned recreational facility within the Medium Density Residential District at 15 Hannah Dustin Drive. Mr. Kenison seconded the motion. Motion carried unanimously.

Mr. Swope moved to grant the Conditional Use Permit pursuant to Article 28-7-11(f) of the Zoning Ordinance to permit the use of an alternative surface for the seasonal parking area. The parking area will have a grass surface and will contain approximately 20 parking spaces. Ms. Smith Meyer seconded the motion. Motion carried unanimously.

Ms. Smith Meyer moved to grant the Conditional Use Permit pursuant to Article 28-7-11(g) of the Zoning Ordinance to permit the reduction of the driveway width from 24 feet to 18 feet for proposed driveway entrance to the Quickwater Canoe & Kayak seasonal boat rental and sales business. Mr. Swope seconded the motion. Motion carried unanimously.

Ms. Smith Meyer moved to grant Conditional Site Plan approval for the Minor Site Plan application of Aaron Constant for the establishment of the Quickwater Canoe & Kayak business, as shown on the documents and plans prepared and submitted by Aaron Constant on November 15, 2012, subject to the following standard conditions:

1. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, approvals of construction drawings for all private and public improvements shall be obtained from the Planning and Engineering Divisions. The applicant shall revise the plans to address minor corrections and omissions as noted by Staff.
2. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the gravel driveway and handicap accessible parking space shall be constructed with a stable, firm and slip resistant surface. Construction specifications for the driveway and parking surface shall be approved by the City Planner and City Engineer prior to construction.
3. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the existing residential driveway shall be reduced to a maximum width of 28 feet.
4. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the applicant shall provide a letter from the Town of Canterbury confirming that the proposed business and use does not require additional approvals from the Town of Canterbury or if approvals are required that they have been successfully obtained.

5. Traffic impact fees shall be assessed for any non-residential construction contained within the limits of the approved site plan. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 3, Transportation Facilities Impact Fee per Variable Unit.
 - a. Transportation Facilities - Small Retail

Mr. Swope seconded the motion. Motion carried unanimously.

Major Site Plan Applications

6. **Application by New Hampshire Distributors, Inc., for property located at 65 Regional Drive, requesting Site Plan approval, Architectural Design Review approval, and a Conditional Use Permit pursuant to Article 28-7-11(f), Driveway Separation Alternatives, of the Concord Zoning Ordinance, for the construction of a 38,365 square foot addition, a new one-way access driveway for trucks, and related paving, drainage, landscaping, and associated site improvements. (2012-0050)**

The Chair opened the public hearing.

Ms. Hebert reported that the applicant is proposing to construct an addition to their facility, which will include reconfiguring an existing parking area, construction of a new one-way access driveway, drainage, landscaping, and lighting improvements. She stated that the ADRC recommended approval of the plans as submitted.

Chris Brown, owner of NH Distributors, Inc., and Erin Lambert, of Nobis Engineering, were present.

Mr. Brown provided an overview of the history of the company and explained the need for this expansion in order to remain competitive.

Ms. Lambert discussed some of the constraints of the site and explained that trucks currently enter and exit from one of the full access driveways and visitors and employees utilize the other driveway. She stated that the proposal is to construct a third entrance-only driveway along the westerly property line for deliveries and truck queuing, which would improve efficiency and safety onsite. Ms. Lambert reported that the applicant has already received their Alteration of Terrain Permit for the project from the NH Department of Environmental Services.

Ms. Lambert explained that the applicant is working with the NH Fish and Game Department regarding a 30-foot buffer strip along the westerly lot line, which will be planted with native plants that will help support the Karner Blue butterfly and other rare species found in the area.

Ms. Hebert stated that the plan shows four existing trees within a landscape island that the applicant is proposing to improve hopefully providing an opportunity for the trees to recover. She stated that the

trees should be replaced at the time the proposed improvements are made. Ms. Smith Meyer agreed that the trees should be replaced at this time.

Mr. Lavers pointed out the letter from Jerry McCarthy which was received by the Planning Division regarding the separation of the driveways. Mr. Brown said that he has spoken with Mr. McCarthy and believed he addressed his concerns about the grading and driveway separation. He stated that the expansion has been moved 20 feet in response to Mr. McCarthy's concerns.

Ms. Lambert stated that the new driveway entrance will be posted has a "trucks only entrance" and that a signage plan will be presented to the Planning Board in the near future.

Hearing no additional comments from the applicant or the public, the Chair closed the public hearing and the Board began deliberations.

Ms. Smith Meyer moved to grant a Conditional Use Permit pursuant to Article 28-7-11 (f) Driveway Separation Alternatives to allow a third entrance-only driveway on Regional Drive within 76 feet of the existing driveway on the adjacent property to the west. The driveway will be used for truck traffic only. Based on the existing layout and circulation on the site, the third driveway could not be located in a manner to achieve the required driveway separation while also providing for the required truck turning movements. Mr. Swope seconded the motion. Motion carried unanimously.

Mr. Swope moved to grant Architectural Design Review approval for the site and building plans for New Hampshire Distributors for the construction of a 38,365 square foot addition to the existing distribution center, as prepared by Nobis Engineering and the H. L. Turner Group, Inc. Ms. Smith Meyer seconded the motion. Motion carried unanimously.

Ms. Smith Meyer moved to grant Conditional Site Plan approval for the site and building plans for New Hampshire Distributors to construct a 38,365 square foot addition and the related site improvements, subject to the following conditions:

1. Prior to the issuance of a certificate of approval by the Planning Board Chair and the issuance of any building permits for construction activity on the site, approvals of construction drawings and specifications for all private improvements shall be obtained from the Planning Division and plans shall be revised to address minor omissions and corrections noted by staff.
2. Prior to the issuance of a certificate of approval by the Planning Board Chair and the issuance of any building permits for construction activity on the site, the applicant shall obtain approval from Public Service of New Hampshire (PSNH) for the improvements located within the PSNH right-of-way.
3. Prior to the issuance of a certificate of approval by the Planning Board Chair and the issuance of any building permits for construction activity on the site, the applicant will provide to the City Solicitor a financial guarantee for site stabilization in an amount approved by the City Engineer, and in a form acceptable to the City Solicitor.
4. A pre-construction meeting shall be required prior to the start of construction activities onsite. Prior to the pre-construction meeting seven copies of the final approved site plan shall be

provided to the Planning Division for endorsement by the City Engineer as “approved for construction.”

5. No construction activity may commence prior to the payment of inspection fees in an amount approved by the City Engineer.
6. No certificate of occupancy for any building or use shall be issued until all public and private improvements have been substantially completed to the satisfaction of the City Planner and City Engineer.
7. Prior to the issuance of a certificate of approval, 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.
8. Prior to the issuance of a certificate of occupancy, the four existing trees within the parking lot landscape island shall be replaced, with Planning Staff approval of the tree species.
9. 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 Review Regulations.
10. Traffic impact fees shall be assessed for any non-residential construction contained within the limits of the approved site plan. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 3, Transportation Facilities Impact Fee per Variable Unit.
 - a. Transportation Facilities - *Warehousing (38,365 sq. ft.)*

Mr. Swope seconded the motion. Motion carried unanimously.

- 7. Application by D’Angelo / Papa Gino’s Inc., for property located at 87 South Main Street requesting Major Site Plan approval, Architectural Design Review approval, and a Conditional Use Permit pursuant to Article 28-7-11(f) Driveway Separation Alternatives, of the Concord Zoning Ordinance, for façade renovations, an expanded parking lot, and related driveway access, landscaping, and site improvements. (2012-0055)**

Mr. Henninger reported that the application is complete and ready to be set for public hearing on December 19, 2012.

Mr. Swope moved and Ms. Smith Meyer seconded that the Planning Board determine this application to be complete and to set the public hearing for December 19, 2012. Motion carried unanimously.

- 8. Application by the New Hampshire Association of Realtors for property located at 115A Airport Road, requesting Major Site Plan approval and Architectural Design Review approval of the construction of a new three-story, 23,832 square foot office building and related parking, access driveway, stormwater management, lighting, landscaping, and associated site improvements. (2012-0049)**

The Chair reported that the applicant requested a postponement until the December 19, 2012, Planning Board meeting.

REGULAR MEETING

9. Extension Request – 26 Centre Street (2009-0018)

Ms. Hebert explained that the applicant is requesting a second one-year extension of the Minor Site Plan and Condition Use Permit approvals, because of the current economic conditions. She stated that the applicant is still actively marketing the project.

Ms. Hebert reported that the house at 26 Centre Street is deteriorating and this has been an ongoing issue for the Code Administration, as well as an eyesore within the Civic Performance District. She explained that the shutters are in disrepair, as are the windows of the house, which leave the interior open to the weather. She stated that these issues have not been adequately addressed by the owner, despite calls from the Code Administration. Ms. Hebert stated that she has spoken with the applicant regarding a possible two-month extension to give the applicant time to adequately address these issues. She reported that the applicant was okay with this condition. Ms. Dolcino asked what would happen after the two-months. Ms. McPherson responded that if the issues have been adequately addressed, the applicant could request an additional ten-month extension.

Mr. Swope moved to grant a two-month extension for the Minor Site Plan and Conditional Use Permit applications of Twenty-Six Centre Street, LLC, with the provision that all conditions of approval as set forth in the decisions of the Planning Board on December 16, 2009, remain in full force and effect, to give the owner the opportunity to address the following outstanding issues:

1. Repair all windows to normal operation, including the replacement of glass panes and close windows so that the building is weather-tight and secure.
2. Remove shutters and store them onsite in case they can be restored in the future.

Ms. Smith Meyer seconded the motion. Motion carried unanimously.

10. Discontinuance of West Locke Road.

Mr. Henninger explained that West Locke Road is a remnant of a public road laid out in 1846 and the remaining segment extends from Locke Road to its terminus in an agricultural field. He stated that the unimproved driveway provides access to City-owned conservation land, leased farmland on City property, and an existing Unitil power line corridor. The road is gated near its intersection with Locke Road.

Mr. Henninger stated that there are only four properties that front on West Locke Road, three of which are conservation properties owned by the City, and the fourth property is owned by TTG Properties, LLC and is the home of the Turner Group, a multi-disciplinary consulting firm. This fourth property has no access to West Locke Road and all access and utility service is provided from Locke Road. TTG Properties has been contacted and expressed no concerns with the discontinuance.

Mr. Henninger reported that upon the discontinuance of West Locke Road, all rights to the property will revert to the abutting owners. He stated that the utility easement was conveyed with the assumption that West Locke Road will be discontinued at some time in the future. He explained that the leased agricultural operation will continue to have access over the existing woods road, which is City property, to the farm fields at the end of West Locke Road. He stated that the City or the Leasee could choose to allow other users access over the existing woods road, including the Concord Skyhawks model airplane club.

Ms. Dolcino asked whether any driveways would be affected by the discontinuance. Mr. Henninger responded that there are no driveways on West Locke Road.

The Chair stated that he had heard that the Skyhawks model airplane club has tried to restrict access to the conservation land. Ms. Hebert said that she had not heard of any problems or issues but will look into it.

Ms. Smith Meyer moved to have the Planning staff submit a letter on behalf of the Planning Board to City Council recommending approval of the resolution to discontinue West Locke Road, eliminating this Class VI road as a public highway. Mr. Hicks seconded the motion. Motion carried unanimously.

11. Mapped Lines of Future Streets.

Mr. Henninger presented an analysis and the background of three new and three abandonments of Mapped Lines of Future Streets. The six proposals include the following:

Amendments to Mapped Lines of Future Streets

- I. Extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road.
- II. New street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue.
- III. Extension of Whitney Road southerly to Sewalls Falls Road.

Abandonment of Mapped Lines of Future Streets

- I. Abandonment of the extension of Brookside Drive and the extension of Bow Street.
- II. Abandonment of existing remnants of mapped lined located between Old Turnpike Road, Manchester Street, Airport Road, and Terrill Park Drive.
- III. Abandonment of existing remnants of mapped lines located between Christian Avenue, Ormond Street, and East Side Drive.

Mr. Swope moved to set these six proposals for public hearing for the December 19, 2012, Planning Board meeting. Ms. Smith Meyer seconded the motion. Motion carried unanimously.

12. Consideration of the Minutes of the October 17, 2012 and October 22, 2012, Planning Board meetings.

Mr. Swope moved to approve the minutes of the October 17, 2012 and October 22, 2012 Planning Board meetings as written. Mr. Kenison seconded the motion. Motion carried unanimously.

13. Energy Master Plan Update

Ms. Hebert explained that the Energy and Environment Committee has been working on the City's Energy Master Plan update. The Committee is hosting a public input workshop on December 13th at 7:00 p.m. She invited the Planning Board members to attend the workshop. Ms. Hebert stated that she would send the Planning Board information prior to the public input workshop. She said that the Energy and Environmental Committee would like to address the Planning Board at some time in the near future.

INFORMATION

- The Chair reminded the Planning Board that the next regular monthly meeting will be held on Wednesday, December 19th, at 7:00 p.m., in City Council Chambers.

There was no further business to come before the Planning Board, and the meeting adjourned at 9:08 p.m.

A TRUE RECORD ATTEST:

Gloria McPherson
Clerk

djm