

The regular meeting of the City Planning Board was held on June 18, 2008 in the City Council Chambers in the City Hall Annex at 7:00 PM.

Present at the meeting were Members Drypolcher (who as Chair presided), Foss, Gross, McGonagle, Shurtleff, Swope, and Alternate Member Kenison (who was seated for absent Member Dolcino). Messrs. Woodward and Henninger, and Ms. Hebert and Ms. Osgood of the City Planning Division were also present, as was Ms. Aibel, the City's Associate Engineer.

EXECUTIVE SESSION

Prior to the regular meeting, the Planning Board met in Executive (non-public) Session with the City Solicitor, pursuant to RSA 91-A:3 II(e), in the Second Floor Conference Room of City Hall to discuss the status of litigation related to a prior decision of the Board.

The Planning Board adjourned its Executive Session at 7:25 PM and moved to the City Council Chambers for its regular meeting.

At 7:33 PM a quorum was present and the Chair called the regular meeting to order.

APPLICATIONS

The Chair announced that Item #3 on the agenda (Application by **125 North State Street LLC** for approval of a site plan for property at **125 North State Street**) had been postponed at the request of the applicant.

Minor Subdivisions

1. Application by **Sandy Brook Corporation, Dwight Keeler and Leslie Keeler** for approval of a minor subdivision of property on **Hoit Road**. (#2008-21)

Major Subdivisions

2. Application by **Sandy Brook Corporation, on behalf of Silver Leaf Properties**, for approval of a cluster subdivision of property on **Hoit Road**. Along with this application is a request for a Conditional Use Permit pursuant to Section 28-5-46, Single Family Dwellings in a Standard (non-cluster) Subdivision, and a request for a Conditional Use Permit pursuant to Section 28-4-3(d), Conditional Use Permits Required for Certain Disturbance of Wetland Buffers, of the Zoning Ordinance. (#2008-08)

The Chair noted that the Planning Board had determined these applications to be complete on May 21, 2008 and set them for public hearing this evening.

Mr. Swope asked if there was any reason that the two public hearings could not be heard concurrently and staff responded that they could be held together.

Mr. Gross moved and Ms. Foss seconded that the Planning Board hold the hearings for both applications related to Sandy Brook Corporation together. Motion carried.

Public Hearings

Mr. Henninger explained this proposal to convey 8.99 acres from an existing 114.35 acre parcel located on Hoit Road and owned by Sandy Brook Corporation to an existing 106.61 acre landlocked parcel north of Hoit Road and owned by Dwight Keeler. The resubdivision also involves the conveyance of a 5.98 acre parcel from an existing 85.9 acre parcel owned by Leslie Keeler to the Sandy Brook Corporation property.

He reported that this resubdivision will create road frontage for the landlocked parcel where none exists, making this 115.60 acre parcel a potentially buildable lot. The 8.99 acre parcel is almost entirely encumbered by wetlands along Hackett Brook. Access to the developable area of the landlocked parcel is located over a private easement over property owned by Paul & Jennifer Bofinger following the discontinued right-of-way of Tioga Road north from Hoit Road. The length of the driveway would be about 2000 feet and its construction will require wetland and wetland buffer disturbances. The private easement allows access for only one single family house.

He explained that, as part of the companion cluster subdivision, a private right-of-way is being conveyed to Leslie Keeler to allow the construction of a house on that lot, which has frontage and a building site on Hoit Road.

He reported that the main issue for this subdivision is the suitability of the Dwight Keeler property for development with a long 2000 foot plus driveway with wetland impacts. The applicants have not yet demonstrated that they have the wetland permits necessary to construct a driveway to the buildable area of the property along or immediately adjacent to the discontinued Tioga Road on the private easement granted by the abutter. Mr. Keeler has verbally discussed interest in placing a restriction on the plan that this lot will not be buildable until it is demonstrated that access can be permitted to this parcel. The plan has not yet been modified accordingly.

He reported that the 8.99 acre parcel being transferred is almost entirely encumbered by wetlands, wetland buffers, the Shoreland Protection District along Hackett Brook, and the floodplain of Hackett Brook. The City's Master Plan recommends the protection of significant environmental features by the conveyance of conservation easements. Hackett Brook is just such a sensitive area.

Mr. Henninger reported that the access for the Leslie Keeler parcel is in an area of steep slope and a layout for an acceptable driveway from the Sandy Brook property north to a building site will need to be demonstrated. An acceptable driveway layout has not been shown to the Leslie Keeler property.

He reported that the City's Conservation Commission is interested in protecting all or most of both Keeler properties for conservation purposes and trail access. The previous owners were advised of the Commission's interest in protecting the property as conservation land. This property has been identified as an area of regional significance

in the State Wildlife Action Plan. Sandy Brook Corporation has agreed to convey a conservation easement on the 8.99 acres being conveyed to Dwight Keeler. This easement would effectively include this area in the Open Space associated with the Glen Ellen cluster subdivision. Mr. Keeler has verbally indicated that it is his intent to create a single large estate lot and possibly convey a conservation easement on the rest of the property.

The Conservation Commission discussed this subdivision and the companion Glen Ellen Cluster Subdivision and unanimously recommended to the Planning Board that the applicant reduce the density of the development to eliminate the wetland buffer impacts. If the density is not reduced, the Commission stated that they prefer the use of the compost blanket and silt sox rather than a retaining wall to stabilize the slopes adjacent to the wetland. The Commission also expressed concerns regarding the proposed lot line adjustment and recommended that it be denied because the applicant has not demonstrated that the parcel adjacent to Tioga Road meets the City's requirements for a building lot.

Mr. Gross noted that the large lot would have a driveway of over 2,000 feet and asked if that would be approvable. Mr. Henninger responded that the City's regulations relative to dead-end streets and common private driveways longer than 1000 feet does not apply to driveways serving single lots.

Mr. Gross saw the minor subdivision application as simply to create frontage along a public road and not to make that parcel developable even for the construction of a single house.

Mr. McGonagle asked the logic of creating this lot if it does not have useable public road frontage.

Mr. Henninger then explained the companion application for a 30-unit single family, no lot, cluster subdivision. A conventional lot for the existing farm house and four conventional house lots on Hoit Road near the intersection of Graham Road are also proposed. A request for a Conditional Use Permit has been submitted for approval of the conventional subdivision to allow these five conventional two-acre lots to be created. The four new lots on Hoit Road will have two common drives to reduce the number of curb cuts along this difficult section of roadway. The existing home will retain its existing drive.

The applicant is required to set aside a total of 66.78 acres of open space for both the cluster and conventional subdivisions or a total of 60% of the combined properties. He reported that the applicant proposes to set aside a total of 77.04 acres of open space or 69.2% of the total property. The applicant meets the buildable area requirements for the open space.

Mr. Henninger reported that the applicant proposes two common private drives off Hoit Road. One drive (Taft Way) is proposed as an emergency drive and is intended to be one-way into the development due to sight distance concerns on Hoit Road. No

driveways are proposed on Taft Way. The main access from Hoit Road will be Gorham Drive which terminates at a cul-de-sac. A second cul-de-sac (Shelburne Lane) is located off Gorham Drive before the first cluster units on Gorham Drive.

He reported that municipal water and sewer service is not available and this area is not in any planned utility service expansion area. Each unit will be provided with individual wells and septic systems. Many of the individual wells and septic systems will be either partially or entirely in the condominium common area. None of the wells and septic systems is proposed in the open space areas.

He reported that a traffic study has been submitted which evaluates the impact of this development on the intersections of Graham Road/Hoit Road, Sanborn Road/Hoit Road, and Hoit Road/Mountain Road. The City's traffic consultant has reviewed the traffic study and concurs with the findings that the project will not have any adverse impacts on the capacity of any of the above referenced intersections. The traffic study noted a number of accidents at the intersection of Hoit Road and Mountain Road (NH Route 132) which resulted in personal injury but noted no obvious deficiencies and made no recommendations for this intersection. The Planning Division asked the City's traffic consultant to review the geometry of this intersection and advise if they had any recommendations to improve safety at this intersection. The existing intersection has a warning blinker at the intersection and advance warning signs. The City's consultant did not observe any safety deficiencies at this intersection.

He reported that the Fire Department has requested the Planning Board require residential sprinklers for homes in this development.

Mr. Henninger reported that the measures for protecting the open space areas have not been finalized with the applicant. The applicant will, at the minimum, provide a conservation easement for the property but would like to consider conveying a portion of the property to the City. The applicant wants to allow for the maintenance of the open fields on the site and this is something best left to the property owner's association or a private land trust rather than the City.

He reported that the applicant has requested a waiver to allow portions of the plat to be submitted at a scale of 1" = 100'. City staff has no concern with this request. The condominium units and the construction plans are all prepared at 1" = 50'.

The applicant has also requested a waiver to allow Taft Way to be constructed with less than a 22-foot paved driveway. Taft Way is proposed as a one-way drive. The plans currently call for an 18-foot wide common private driveway with 2-foot shoulders. The cross section of the road box will be 22 feet, which will address the requirements of the Fire Department. The City does not have a standard for a one-way common private drive. City staff is supportive of the concept and is reviewing whether the pavement can be reduced to 16 feet with 4-foot shoulders on each side.

He reported that a divided median has been proposed for the first 150 feet of Gorham Drive at Hoit Road. An extensive landscape package has been provided along the entrance road and within the median.

He reported that the applicant proposes a drainage retention basin partially within the 100-foot perimeter buffer at the end of Shelburne Lane. This buffer area is currently an open pasture, is intended to discharge into Hayward Brook, and is located over 350 feet from the nearest residence. The 100-foot buffer area is maintained intact between any of the proposed units and the nearest residential houses and lots. In addition, the disturbance does not affect the entire buffer area. The Board approved a similar disturbance for the Whispering Heights development. City staff believes the proposed disturbance is acceptable and will not adversely affect any abutting properties.

He reported that the applicant has requested a Conditional Use Permit for disturbances to Wetland Buffers to allow drainage outfalls at two locations, and side slopes for fill required for lot development at two other locations. He reported that the applicant proposes to construct two outlet swales through the perimeter buffer near Hoit Road. Both locations are necessary to drain the property and one is also for Hoit Road drainage. No clearing is required at either location, the disturbance does not affect the entire buffer, and plantings are being proposed to strengthen the buffer. A third outlet swale involves a small area of clearing on the north side of the property located far away from any proposed residential development. City staff believes the proposed disturbances are acceptable and will not adversely affect any abutting properties.

Mr. Henninger reported that the applicant has requested disturbances of approximately 2,000 square feet and 5,594 square feet for the grading of the proposed development sites. If the site was terraced, all disturbances to the buffer could be eliminated. While the areas of fill in the buffer are currently a grassed field area, the disturbance seems to be unnecessary. Planning staff is recommending that this buffer disturbance not be allowed.

He reported that the applicant proposes to create a flat development area along Gorham Drive and Spofford Lane for most of the units. Between Spofford Lane and Gorham Drive a central green is being created which is also being used for the leach field of six of the homes.

Matt Peterson from Woodland Design was present on behalf of the developer and explained the location of the septic systems had changed since the original concept was presented to the Planning Board in early 2007. The septic systems for the upper homes will be in the interior of the proposed loop between Spofford Lane and Gorham Drive. The remaining septic systems will be in the front yard of the individual homes.

He explained they have now reduced the impact to the wetland buffer in a number of locations and propose minimal tree cutting. He also described the proposal for the treatment of slopes that will allow wildlife to travel through the area. This is different from the original retaining wall proposed.

Judy Godbout, 158 Hoit Road, had questions regarding access to the development. She appreciated the fact that the proposed Taft Way will be a one-way access because she lives right across the road from it and was concerned about headlights into her home. She also expressed concern about drainage coming into her property. She also had

questions relative to septic systems, and what happens if they leak and how these septic systems will affect the groundwater for neighboring wells.

Jennifer Parrott, 161 Hoit Road, expressed concerns about the one-way access road running alongside her property. She was also concerned about her well water. These homes right alongside her home will affect her artesian well. Additionally, she uses no chemicals in her yard. She was concerned about chemicals being used in the development which will run down into her yard.

Mr. Peterson responded to the concerns expressed. He explained that the drainage coming down the hill will be directed through swales to the wetlands to the west so there will not be water running across the road. Right now there is no means of collecting it and directing it away so this plan should be an improvement.

He also discussed the one-way access road. He explained that most of the traffic will be likely to be using the westerly access road and the one-way Taft Road would likely be used mostly as an emergency access.

As far as well drawdowns, he reminded the Board that they are proposing 30 wells for a site of 114 acres. He has not done a drawdown study but indicated that typically that is not a problem. Typically, when there are both well and septic on site, what is removed is balanced by what is put back into the ground. The closest new well will be about 500 feet from the abutting well at 161 Hoit Road.

Ms. Parrott spoke again and noted the problems with visibility in front of her property and, consequently, she was concerned with the proposed one-way access as well.

Ms. Foss asked if the condominium association would be responsible for lawn and grounds maintenance so that, given the existing wetlands and lawn maintenance, there could be some agreement within the condominium documents to limit the use of chemicals for maintenance in the development. Mr. Peterson responded that is something they do in most of their developments now. There is a note on the plans to that effect. That would be on the plan and in the condominium documents as well.

At 8:44 PM Mr. Gross moved to recess the hearing on the minor subdivision application to allow the applicant to address the suitability of the new access to a compliant building site on parcel 123-1-18 owned by Leslie Keeler and the demonstration of a permissible access to a compliant building site on the Parcel 123-1-10 owned by Dwight Keeler, and to recess the hearing on the cluster subdivision application to allow the applicant to prepare a comprehensive update of the plans to address staff comments and to allow for full staff review and comment on the revised plans and Ms. Foss seconded. Motion carried.

Mr. Henninger asked for clarification from the members of the Board as to whether the applicant's proposal relative to wetlands buffer is appropriate.

Mr. Swope suggested that the Board agrees with the recommendation of the Conservation Commission; that is, the use of organic materials with no retaining wall.

Ms. Foss also suggested working with the Conservation Commission regarding density.

Minor Site Plan

3. Application by **125 North State Street LLC** for approval of a site plan for property at **125 North State Street**. Along with this application is a request for a Conditional Use Permit pursuant to Section 28-7-11(b), Construction of Fewer Parking Spaces, of the Zoning Ordinance. (#2008-29) (ref. #2007-55)

The Chair reminded the Board and members of the public that this public hearing had been postponed at the request of the applicant.

4. Application by **Woodside School, Inc. and William O. and Diane J. Pratt, Jr.** for approval of a site plan for property at **126 South Fruit Street**. Along with this application is a request for a Conditional Use Permit pursuant to Section 28-7-11(b), Construction of Fewer Parking Spaces, of the Zoning Ordinance. (#2008-30)

Determination of Completeness

Mr. Henninger explained this proposal for the conversion of an existing residence to a daycare facility at 126 South Fruit Street and the expansion of the existing parking lot at 114 South Fruit Street. A companion application for a Conditional Use Permit pursuant to Article 28-7-11 (b) Construction of Fewer Parking Spaces has also been submitted to allow the construction of 25 parking spaces where 39 are required for the existing pre-school building and the proposed conversion of the house to a pre-school use.

He reported that this application was complete and ready for public hearing.

Mr. Gross moved that the Planning Board find this application to be complete and to open the public hearing. Mr. McGonagle seconded. Motion carried.

Public Hearing

Mr. Henninger explained this proposal project involves the conversion of an existing residence to a daycare facility at 126 South Fruit Street and the expansion of the existing parking lot at 114 South Fruit Street. A companion application for a Conditional Use Permit pursuant to Article 28-7-11 (b) Construction of Fewer Parking Spaces has also been submitted to allow the construction of 25 parking spaces where 39 are required for the existing pre-school building and the proposed conversion of the house to a pre-school use.

He reported that the existing Woodside School building encroaches in the front and north side setbacks. The existing home at 126 South Fruit Street encroaches into the front setback. No changes are proposed to either building which would increase or change either buildings non-conforming status.

He reported that the existing lot at 114 South Fruit Street and the recently acquired lot at 126 South Fruit Street will need to be merged since the use and parking will cross the existing property lines.

He explained that there is an existing parking lot at 114 South Fruit Street containing 19 spaces which is to be reorganized and expanded to 25 parking spaces. There are currently two existing driveways to 126 South Fruit Street which are proposed to be eliminated. Both buildings will be served by the expanded parking lot. The total amount of impervious surface will be reduced slightly under this proposal. There is a sidewalk along the frontage of both properties with vertical granite curbing along the frontage of the existing school building. The applicants propose to extend the curbing along the frontage of the new facility.

Mr. Henninger explained that the applicant proposes to eliminate the front door to the 1950's vintage ranch house and to replace it with a window. The rear deck is to be removed and replaced with a handicapped ramp at the rear of the building. No changes are proposed to the existing school building.

He reported that the Design Review Committee reviewed the proposed site and building plans, and recommended approval as submitted.

The existing and proposed landscaping is acceptable. The fenced in playground is being extended southerly along the rear of 126 South Fruit Street.

He reported that an application for a Conditional Use Permit has been submitted to defer the construction of an additional seventeen parking spaces. The deferred seventeen space parking lot will entail converting three of the existing parking spaces to an access aisle, resulting in a net increase of fourteen parking spaces. The applicant has submitted justification for the amount of parking to be deferred as well as parking counts. The peak use at the existing facility was 15 cars.

He reported that there is a 12-inch storm drain line and a 20-inch sewer line along the back property lines of both 114 and 126 South Fruit Street. Both utility lines run side by side parallel to South Fruit Street. The 12-inch storm drain line was an old combined sewer which was later converted to storm water use only. There is a 10-foot wide sewer easement for the 12-inch storm drain line but no record exists of an easement for the larger 20-inch sewer line. City staff has recommended that a utility easement be granted 12.5 feet east of the center line of the 12-inch storm sewer line to the westerly property line. City property is located to the east which negates the need for a wider easement for the 20-inch line. The applicant has shown the easement area on the plan.

Erin Reardon from Nobis Engineering and Kathy Ellis from Woodside School were present to answer questions from the Board.

Mr. McGonagle had operational questions of Ms. Ellis, including times of operation. Ms. Ellis responded that they operate approximately 7:30 AM to 5:30 PM. Mr. McGonagle also asked about drop-off and pick-up of students and Ms. Ellis described the traffic plan.

There was no one present who wished to speak for or against this application and the Chair declared the hearing closed at 9:00 PM.

Deliberations and Action on Application
Deliberations and Action on Architectural Design Review

Mr. Gross moved that the Planning Board grant Architectural Design Review approval for the proposed site and building plans for 114 and 126 South Fruit Street for the Woodside School as submitted. Mr. McGonagle seconded. Motion carried.

Mr. Swope moved that the Planning Board grant a Conditional Use Permit pursuant to Article 28-7-11 (b) Construction of Fewer Parking Spaces for the Woodside School at 114 and 126 South Fruit Street. The Board finds the information provided by the applicant supports the construction of 25 parking spaces where 39 spaces are required, provided that the plan clearly shows pick-up and drop-off arrangements. Mr. Gross seconded. Motion carried.

Mr. Swope moved that the Planning Board grant conditional Site Plan approval for the proposed Woodside School expansion at 114 and 126 South Fruit Street subject to the following standard and special conditions:

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 on-site and off-site improvements shall be obtained from the Engineering and Planning Divisions.
2. 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 - Day Care Center - 1,226 square feet
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 following easement documents, in a form acceptable to the City Solicitor and suitable for recording in the Merrimack County Registry of Deeds, will be provided to the Planning Division:
 - a. Utility Easement for the existing city sanitary and storm water utility lines across the rear of the site.

Special Conditions

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), both parcels shall be combined by Voluntary Merger.

Mr. Gross seconded. Motion carried.

Minor Subdivision and Major Site Plan

5. Applications by **Washington Street Estates LLC** for approval of a site plan and for a minor subdivision by virtue of conversion to condominium of property at **45-47 Washington Street in Penacook.** (#2008-26 & #2008-28)

Ms. Hebert reported that it would be appropriate for the Board to take up the major site plan at this time. If the site plan is approved, then the Board can make a determination of completeness and take up the application for the minor subdivision for the conversion of the project to condominium ownership. The Planning Board agreed.

The Chair noted that the Planning Board had determined this application to be complete on May 21, 2008 and set it for public hearing this evening.

Public Hearing

Ms. Hebert explained this proposal to convert the existing cluster of buildings at 45-47 Washington Street to eight residential units. The property was historically part of the Hoyt Electrical Instrument Company and contains a farmhouse, barn, outbuilding, and warehouse. The warehouse is attached to the older farmhouse through a series of additions. There are three existing access drives onto the property. The proposal involves removing two of the access drives to allow for the creation of an interior courtyard between the buildings and to provide enough space to the south of the farmhouse/warehouse building for the required private yard areas for each unit. The existing driveway along the northern edge of the property will be widened to provide a 24 foot wide travel lane. The proposal also includes the construction of two new buildings, a three-stall garage and a four-stall garage.

She reported the Zoning Board of Adjustment had granted variances to Article 28-4-5(d)(5), Perimeter Buffer Required; to permit structures (garages) to be constructed within the 50 foot perimeter buffer with a side and rear setback of 15 feet; to permit parking facilities to be retained within the 50 foot perimeter buffer; and to permit walkways to be located within the 50 foot perimeter buffer. The ZBA had also granted variances to permit the required 300 square foot private yards to be located within the 50 foot perimeter buffer.

She reported that the applicant proposes to replace the existing siding with white vinyl siding, sections of the larger building, barn, and garages will have a red standing seam

roof, and the doors and shutters will also be red. The applicant proposes to restore the existing doorways to the old farmhouse and smaller building along Washington Street and replace the existing windows to maintain the historical appearance of these buildings. The roof pitch on the warehouse will also be modified slightly to provide a steeper pitch.

Ms. Hebert reported that the Design Review Committee had reviewed the proposed site and building plans, and recommended approval of the building and landscape design as submitted with a few minor changes. The Committee recommended that the doors to units 47-2, 47-3, and 47-4, within the old warehouse, should be revised to include a shed dormer over the doorway that is wide enough to cover the stairs; a small window should be added to unit # 47-3, and the shutters should be eliminated on the front facades.

She reported that the applicant proposes to replace a six-inch water line that was installed in 1923 with a new three-inch water line from the right-of-way onto the site. Because this is an older line and has been inactive for a long period of time, it may be corroded and may not be working sufficiently. The Engineering Division would like the City to inspect the line during construction. If the line is not in adequate condition, the applicant will also need to replace the section of the water line that is located within the right-of-way. The applicant also proposes to replace a six-inch sewer line from the edge of the right-of-way into the site. The Engineering Division would also like this line inspected during construction, if the sewer line is not in adequate condition, the applicant will need to replace the portion of the sewer line that is within the right-of-way at that time.

She reported that the landscape plan includes plantings to screen the Hoyt Electric property to the east as well as the adjacent lot the north. There is an existing cluster of mature maple trees along the southern property boundary that will remain and provides a separation between the proposed residential units and the adjacent property.

Timothy Bernier from TF Bernier, Inc. and Alan Johns as applicant were present to answer questions from the Board.

Mr. McGonagle asked if the Heritage Commission had been given an opportunity to photograph the entire buildings before the construction begins, and Mr. Johns responded that it was his understanding that they had done a complete review at the time of the subdivision creating this parcel.

There was no one present who wished to speak for or against this application and the Chair declared the hearing closed at 9:20 PM.

Deliberations and Action on Site Plan Application
Deliberations and Action on Architectural Design Review

Mr. Gross moved that the Planning Board grant Architectural Design Review approval for the site and landscaping plans, and building design of Washington Street Estates, LLC off Washington Street as submitted by T.F. Bernier, Inc. subject to the following conditions: the doors to Units 47-2, 47-3, and 47-4 within the old warehouse should be revised to include a shed dormer over the doorways that is wide enough to cover the

stairs; a small window should be added to Unit #47-3; and shutters may be used at the discretion of the applicant. Mr. Shurtleff seconded. Motion carried.

Mr. McGonagle moved that the Planning Board grant conditional Site Plan approval for the Washington Street Estates residential site plan as prepared by T.F. Bernier, Inc. subject to the following standards and special conditions:

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), the applicant shall revise the site plan drawings to address the minor corrections and omissions noted by City staff including but not limited to the following:
 - a. The limits of new pavement shall be clearly delineated on the site plan.
 - b. The sidewalk along Washington Street shall be reconstructed between units #43 & #47.
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), approval shall be obtained for the construction drawings and specifications for all public & private improvements from the Engineering and Planning Divisions. No construction activity may commence prior to the preconstruction conference.
3. No certificate of occupancy shall be issued until all public and private improvements have been substantially completed to the satisfaction of the City Engineer.
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 obtain approval of private utility plans from Unitil, FairPoint Communications, and National Grid.
5. Traffic, recreation and school impact fees shall be assessed for any 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 1, School Facilities Impact Fee per variable unit; and Table 2, Recreational Facilities Impact Fee per Variable Unit; and Table 3, Transportation Facilities Impact Fee per Variable Unit.
 - a. Recreational Facilities - 8 units - Townhouse / Duplex
 - b. School Facilities - 8 units - Townhouse / Duplex
 - c. Transportation Facilities - 8 units - Townhouse / Duplex

Special Conditions:

6. If, upon inspection of the existing water and sewer utilities that are to be replaced as part of this site plan application, the City Engineer determines that the existing condition of the sewer or water line within the public right-of-way is inadequate to serve the proposed residential development, the applicant shall also replace the portion of the utility line that lies within the right-of-way.

Ms. Foss seconded. Motion carried.

The Board then considered the application for subdivision by virtue of conversion to condominium.

Determination of Completeness

Ms. Hebert explained this proposal to convert the existing cluster of buildings at 45-47 Washington Street to eight residential condominium units.

She reported this application was complete and ready to open the public hearing.

Mr. Gross moved that the Planning Board find this application to be complete and to open the public hearing. Ms. Foss seconded. Motion carried.

Public Hearing

Ms. Hebert explained this proposal to convert the existing cluster of buildings at 45-47 Washington Street to eight residential condominium units. The property was historically part of the Hoyt Electrical Instrument Company and contains a farmhouse, barn, outbuilding, and warehouse. The warehouse is attached to the older farmhouse through a series of additions. The site plan application for the conversion of the existing structures to the multifamily residential units was the subject of the last public hearing held by the Board this evening. A waiver request has also been submitted to allow the applicant to submit plans at a scale of 1"= 20' instead of 1"=50' as required in the Subdivision Regulations.

Timothy Bernier was present on behalf of the applicant to answer questions from the Board.

There was no one present who wished to speak for or against this application and the Chair declared the hearing closed at 9:24 PM.

Deliberations and Action on Minor Subdivision Application

Mr. Gross moved that the Planning Board grant a waiver to Section 8.04 (2)(a)(ii) of the City's Subdivision Regulations to allow the subdivision plat to be submitted at a scale of 1"=20' instead of 1"=50'. Mr. Swope seconded. Motion carried.

Mr. Swope moved that the Planning Board grant conditional final subdivision approval for Washington Street Estates, LLC condominium conversion subject to the following standard conditions:

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, the condominium documents shall be approved by the City Planner and the City Solicitor.

Ms. Foss seconded. Motion carried.

Major Site Plans

6. Application by **2 Pillsbury Street LLC** for approval of a site plan for property at **30 Pillsbury Street.** (#2008-22)

The Chair noted that the Planning Board had determined this application to be complete on May 21, 2008 and set it for public hearing this evening.

Public Hearing

Ms. Hebert explained this proposal to demolish an existing 1,940 square foot brick building at 30 Pillsbury Street and to construct a new three story, 15,000 square foot office building. The tenant for the office building will be the Concord Regional Visiting Nurses Association. An existing office building on the easterly side of the property adjacent to South Main Street was previously the subject of site plan review and approval by the Planning Board. The proposed building will share parking with the 2 Pillsbury Street office building. The parking for the 2 Pillsbury Street building currently includes the existing parking area on the property, as well as two off site parking lots to the west of Dakin Street.

She reported that the applicant received a number of variances from the Zoning Board of Adjustment to permit 77% lot coverage where a maximum of only 75% is allowed at 2-30 Pillsbury Street; to maintain 75% lot coverage where a maximum of only 50% is allowed at 35 Allison Street; to maintain 67% lot coverage where a maximum of only 50% is permitted at 42-44 Pillsbury Street; to maintain a buffer width that averages between 10-15 feet along northerly and westerly property lines where a buffer width of 30 feet is required at 2-30 Pillsbury Street for non-residential uses in a structure more than 20 feet high that directly abuts a residential district boundary; to maintain a buffer width that averages between 10-15 feet where a buffer width of 15 feet is required for non-residential uses adjacent to a collector or local street in which a residential district boundary is located, at 2-30 Pillsbury Street; to provide only 454 parking spaces where

up to 648 parking spaces are required for uses at 2-30 Pillsbury Street; to maintain parking spaces which are approximately 16-17 feet in length and 8½ feet in width where 19 feet and 9 feet, respectively, are required, at 2-30 Pillsbury Street, and at 35 Allison Street and at 42-44 Pillsbury Street; to maintain parking aisle widths of approximately 18 feet for parking at an angle of ninety degrees and of approximately 15 feet for parking at an angle of sixty degrees where aisle widths of 24 feet and 18 feet, respectively, are required, at 2-30 Pillsbury Street, and at 35 Allison Street and at 42-44 Pillsbury Street; to maintain parking in the front yards where parking in such front yards is prohibited, at 2-30 Pillsbury Street, and at 35 Allison Street and at 42-44 Pillsbury Street; to maintain parking lot perimeter landscaping that averages between 5-10 feet in width where 10 feet is required at 2-30 Pillsbury Street and at 35 Allison Street; to maintain parking lot interior landscaping of approximately 3% where an area equal to 6% of the gross parking lot area is required, and to maintain parking lot interior landscape areas that are less than the required 9 feet in width and that are located such that some parking spaces are beyond the 120 foot limit, at 2-30 Pillsbury Street, and at 35 Allison Street and at 42-44 Pillsbury Street; to maintain off-site parking in a residential district at 35 Allison Street and at 42-44 Pillsbury Street; and to allow off-site parking not within the same district as the primary use or in a district where parking is an allowed primary use.

Ms. Hebert reported that a condition had been placed by the Zoning Board that once the building is occupied, the applicant must submit a report to Code Administration annually for a period of 5 years after completion relative to the number of parking spaces used. If Code Administration sees any problems, they will bring it to the Board's attention.

She explained that the building façade includes windows with a green tinted glass on all three levels, brick to match 2 Pillsbury Street, green spandrel glass panels also similar to the 2 Pillsbury Street building, and mechanical screening as needed. The new building will be fully sprinkler protected for fire suppression. The Design Review Committee reviewed the proposed site and building plans and recommended approval of the building design and landscaping as submitted.

She explained the reconfiguration of the existing access drive off Pillsbury Street which will be relocated approximately 130 feet to the west to provide greater separation from the 2 Pillsbury Street office building. The parking lot striping and landscape islands will also be reconfigured to accommodate the new driveway location. The entrance to the parking lot off Dakin Street has been reconfigured to emphasize the one-way circulation within the existing parking lot.

She reported that the proposed development will utilize low-impact development storm water techniques to detain the roof runoff from the proposed building. The LID methods include a tree box filter and a bio-retention area.

Ms. Hebert explained that the sidewalk along the west side of Dakin Street terminates approximately 140 feet before the intersection of Dakin Street with Pillsbury Street. This section of Dakin Street is also missing large sections of granite curbing. The applicant

has agreed to complete the granite curbing and the sidewalk construction along Dakin Street as a condition of approval. However, the owner intends to petition for the discontinuance of this section of Dakin Street (between Pillsbury and Allison Street), and would not want to construct these improvements if the street was discontinued. The applicant has asked that he be allowed to provide a bond to guarantee this work. The applicant will have until October 31, 2009, to install the granite curbing and construct the missing section of sidewalk if Dakin Street is not discontinued.

She reported that a traffic study was prepared on behalf of the applicant and reviewed by the City's Engineering Division. The study indicates that the greatest traffic impact will be at the intersections of South Main Street with Allison Street and South Main Street with Pillsbury Street. The left turning movement onto South Main Street from Pillsbury Street and Allison Street during the PM peak hour traffic indicates that there will be a significant delay. The City would like to encourage traffic to use the Pillsbury Street / South Main Street intersection rather than the Allison Street / South Main intersection. The 2 Pillsbury Street site plan and the 30 Pillsbury Street site plan have been designed to direct traffic to Pillsbury Street rather than Allison Street and the proposed traffic improvements have been centered on Pillsbury Street / South Main Street intersection. The City's Engineering Division proposes that the intersection of Pillsbury Street and South Main Street be reconfigured to accommodate left and right turning lanes onto South Main Street. This work will involve the dedication of additional right-of-way to provide enough room to construct the turning lanes, to reconstruct the existing on-street parking in front of the 1 Pillsbury Street building, to construct the missing section of sidewalk along the south side of Pillsbury Street, to complete the granite curbing along the north side of Pillsbury Street, and to accommodate the proposed drop-off area for 2 Pillsbury Street.

She reported that the City has included the widening of South Main Street to provide a center turning lane in the Capital Improvements Plan. This project extends beyond the scope of the proposed development at 30 Pillsbury Street, but the Engineering Division would like the applicant to dedicate a right-of-way easement that includes a strip of land 5 feet-wide along the South Main Street for the future road improvements.

She reported that the applicant has submitted a master sign plan for the entire site, including 30 Pillsbury Street. This is an outstanding issue from 2007 that also needed to be addressed for the building at 2 Pillsbury Street. The master sign plan will be reviewed at a later date as a separate Architectural Design Review item.

Mr. Gross had questions relative to the proposal by the applicant to discontinue Dakin Street. He also commented on the width of the parking spaces serving the existing Pillsbury Street complex. He indicated he finds the spaces to be too narrow and questioned the logic of the Zoning Board of Adjustment action in this regard.

Attorney Richard Uchida from Orr & Reno, James Spaulding from The HL Turner Group, and John Chorlian from 2 Pillsbury Street LLC were present to answer questions from the Board.

Mr. Uchida explained that the proposed site plan with the reduced number of parking spaces has been reconfigured to provide larger parking aisles and parking spaces. They expect it will prove to be a better design even though they are reducing the number of parking spaces by 49. There will be 503 total spaces in both the Dakin Street and the Pillsbury Street lots.

Mr. Drypolcher mentioned that at one time the Planning Board had been promised a parking lot usage study and Mr. Uchida responded that they had undertaken the study and provided a copy to the Zoning Board of Adjustment to support their requests for variances. He offered to provide a copy to the Planning Board as well.

Mr. Uchida explained that the tenant of the new building has been asked to encourage use of the Dakin Street parking lot for both employees and visitors.

Mary Devoe from the Concord Regional Visiting Nurses Association was present to answer questions as the prospective tenant. She explained that the VNA has about 310 employees but there are only about 50 administrative staff members who will be using this building on a daily basis.

Ms. Foss asked for further explanation of the stormwater treatment facilities. Mr. Spaulding responded by describing the proposed low impact drainage system.

There was no one present who wished to speak for or against this application and the Chair declared the hearing closed at 10:04 PM.

Deliberations and Action on Application
Deliberations and Action on Architectural Design Review

Mr. Gross moved that the Planning Board grant Architectural Design Review approval for the site and landscaping plans and building design for the 30 Pillsbury Street office building as submitted by the H.L. Turner Group. No approvals are being granted for the site or building signage. Mr. Swope seconded. Motion carried.

Mr. Gross moved that the Planning Board grant conditional site plan approval for the 30 Pillsbury Street office building subject to the following standards and special conditions:

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), the applicant shall revise the site plan drawings to address the minor corrections and omissions noted by City staff including but not limited to the following:
 - a. The applicant shall add a crosswalk on Dakin Street to connect the parking area on the west side of Dakin Street with the proposed office building.

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), approvals of construction drawings for on-site improvements shall be obtained from the Engineering and Planning Divisions. No construction activity may commence prior to the preconstruction conference.
3. No certificate of occupancy shall be issued until all public & private improvements have been substantially completed to the satisfaction of the City Engineer.
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 obtain approval of private utility plans from Unitil, FairPoint Communications, and National Grid.
5. 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 will provide to the City Solicitor a financial guarantee for all public improvements in an amount approved by the City Engineer, and in a form acceptable to the City Solicitor.
6. Prior to the release of a financial guarantee for any public improvement, an as built plan shall be provided to the City Engineer in form and content acceptable to the City Engineer.
7. The following improvements to be constructed are deemed to be eligible for credits against the assessed traffic impact fees. The procedures for determining the eligibility and the calculation of the credit 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.
 - a. The conveyance of the 5-foot wide right-of-way easement for the South Main Street improvements (value to be determined and applied against the assessed fee as a credit)
8. 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 - Single Tenant Office (15,000 square feet)

Special Conditions:

1. The applicant shall provide a financial guarantee for the installation of the granite curbing and construction of the sidewalk along Dakin Street (between the Pillsbury Street and Allison Street intersections). The applicant shall have until October 31, 2009, to install the granite curbing and construct the missing section of sidewalk. If Dakin Street is discontinued during this time period, the construction of the improvements and the financial guarantee will no longer be a requirement of this approval.
2. Approval from the City Council is required for the pick-up and drop-off area before the proposed area can be established on the north side of Pillsbury Street, in front of the 2 Pillsbury Street building. This drop-off and pick-up area should be designated as a bus and taxicab stand per Schedule III, Article 18-1-9 of the Code of Ordinances.
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 following easement documents, in a form acceptable to the City Solicitor and suitable for recording in the Merrimack County Registry of Deeds, will be provided to the Planning Division:
 - a. Conveyance of the 5-foot wide strip of land for the South Main Street improvement and the additional right-of-way needed to improve the intersection of South Main Street and Pillsbury Street as shown in the conceptual plan prepared by the Engineering Division.

Mr. Swope seconded. Motion carried.

Ms. Hebert suggested a redraft of standard condition #2 to include off-site improvements as outlined in the Engineering Division's review of the traffic study as well as on-site improvements.

Mr. Gross moved that Standard Condition #2 be amended as follows:

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), approvals of construction drawings for on-site and off-site improvements shall be obtained from the Engineering and Planning Divisions. No construction activity may commence prior to the preconstruction conference.

Mr. Kenison seconded. Motion carried.

7. Application by **Concord Christian Academy** for approval of a site plan for property at **37 Regional Drive**. Along with this application is a request for a Conditional Use Permit pursuant to Section 28-7-11(b), Construction of Fewer Parking Spaces, of the Zoning Ordinance. (#2008-24)

The Chair noted that the Planning Board had determined this application to be complete on May 21, 2008 and set it for public hearing this evening.

Public Hearing

(Mr. Gross recused himself and left the table.)

Mr. Henninger explained this proposal for the construction of a three-story classroom addition along with a 45-foot tall gymnasium at a private school located between Pembroke Road and Regional Drive. The existing building was originally constructed by the Centennial Senior Center and was converted to private school use in 2007. The addition is proposed to be constructed behind the existing building between the building and Pembroke Road and will involve an expansion of the existing onsite parking by 46 spaces. The development will increase the size of the facility from 22,884 square feet to 73,859 square feet, or a 223% increase in floor area. The number of classrooms will increase from 6 to 22 in number.

He explained that the Planning Board on May 16, 2007 granted conditional site plan approval, architectural design review approval and a Conditional Use Permit to show but not construct some of the required parking for Phase 1 of the Concord Christian Academy. The applicant returned to the Board and requested that the approval be split into two phases with the first phase being the conversion of the existing building to school use and to add two outside play areas. This change in phasing was approved by the Planning Board on September 19, 2007 along with the added play areas. The conditions of approval were satisfactorily addressed for Phase 1A and this phase was completed and occupied. The applicant has not and is currently not intending to undertake Phase 1B which involves the construction of an addition to the Regional Drive side of the building. The Board also granted approval for four temporary classrooms on June 27, 2007. The applicant has not moved forward with the temporary classrooms and is proposing the new addition on the site of the previously approved temporary classrooms. The Board will need to revoke the prior approvals since they are still current and in conflict with the current application.

He reported that the applicant has requested a revised Conditional Use Permit to not construct the required parking, based on the applicant's representation that the public assembly uses of the gymnasium and the cafeteria will not be used simultaneously. As independent uses, a total of 287 spaces are required. The applicant is proposing a total of 132 paved and 68 grassed spaces. If, during the non-school hours, two simultaneous events occurred which did use the full capacity of both the gymnasium and the cafeteria, these simultaneous public assembly uses would require a total of 213 spaces versus the total of 200 proposed, including the 68 overflow grass spaces. The applicant's representation that at no time would the cafeteria and the gymnasium be utilized for major events, which would allow the paved parking alone to meet the required non-simultaneous use of the cafeteria, gymnasium or school. Access and parking easements have been provided for the off-site parking spaces. The offsite parking can be utilized on nights and weekends by the property owner to the west.

Mr. Henninger reported that the applicants received approval from the Zoning Board of Adjustment on April 4, 2007 to allow a private school (K-12) in the OFP- Office Park Performance District. The Zoning Board on May 8, 2008 reviewed the latest version of the applicant's plan and agreed that it was consistent with what was previously approved by the Zoning Board.

He reported that the temporary overhead utility line along the easterly side of the site serving the property to the east is scheduled to be removed by October of 2008. Unutil has advised City staff that their intent is to have the line removed well before the October due date.

He reported that a trip generation study was prepared by the applicant's traffic engineer and was based on the assumption of a 500 student buildout for this site. Impact Fees were assessed for Phase 1 for 240 students based on estimated enrollments for Phase 1. Traffic impact fees for all of Phase 1 have been paid by the applicant. The current enrollment is now at 253 students. Traffic impact fees based on 500 students is a reasonable estimate for this use assuming an average of approximately 23 students per classroom.

The applicant proposes to clear an 18-foot wide fire lane in a portion of the 100-foot buffer strip next to Pembroke Road. The 100-foot buffer strip was established as a part of the use variances granted for the prior use as well as the current use as a private school. The maintenance of this buffer strip has been important to the abutting residential area located across Pembroke Road from this site. The 100-foot buffer is larger than required by the Zoning Ordinance but was an element of the prior ZBA approval. The Zoning Administrator has ruled and the ZBA has concurred that the proposed disturbance to the buffer is not a substantial deviation from their approval. The applicant proposes to add plantings in the buffer strip to improve the quality and effectiveness of the buffer. Planning staff has asked that the services of a Landscape Architect be engaged to develop a planting plan that strengthens the existing vegetative buffer.

He reported that the Design Review Committee had reviewed the proposed site and building plans and, with minor changes, recommended approval as submitted. The applicant's architect agreed to the changes and submitted revised elevations addressing the Committee's concerns. The Design Review Committee also requested the addition of several shade trees in the proposed playground between the existing building, the classroom addition and the gymnasium. The Committee noted that this area would be blocked from prevailing breezes and the provision of shade trees would mitigate high temperatures in this area during the warmer months.

Mr. Henninger reported that the previous Planning Board approvals for Phase 1B and Phase 2 for this project were conditioned on gating the Pembroke Road driveway. The applicant has shown on the site plan a gate at the Pembroke Road entrance and has included a detail for a proposed gate along with signage saying "Buses, Delivery Vehicles, and Emergency Vehicles Only."

Chris Adams from Nobis Engineering, Cindy Lewis from Architectural Link, and Fred Potter from the Board of Trustees of Concord Christian Academy were present to answer questions from the Board.

Mr. Adams explained that the only busses using the Pembroke Road entrance will be buses from visiting schools.

There was no one present who wished to speak for or against this application and the Chair declared the hearing closed at 10:25 PM.

Deliberations and Action on Application
Deliberations and Action on Conditional Use Permit
Deliberations and Action on Architectural Design Review

Ms. Foss moved that the Planning Board grant a Conditional Use Permit pursuant to Article 28-7-11 (b), Construction of Fewer Parking Spaces, of the Zoning ordinance, for the rear building addition of the Concord Christian Academy at 37 Regional Drive. The Board finds the information provided by the applicant supports the construction of 200 parking spaces, including 68 grass overflow parking spaces, where 287 spaces are required based on the representation that the non-school use in the public assembly space will not occur at both the cafeteria and the gymnasium. The Board determined that there was sufficient parking for school use and the full required parking would be needed only if the cafeteria and the gymnasium were used simultaneously for non-school activities. Mr. Kenison seconded. Motion carried with Mr. Gross abstaining from discussion and vote.

Mr. McGonagle moved that the Planning Board grant Architectural Design Review approval for the Concord Christian Academy Rear Building Addition at 37 Regional Drive as revised on June 11, 2008 subject to the condition that several shade trees be provided immediately adjacent to, or inside, the children's fenced play area between the existing building and the new addition. Mr. Shurtleff seconded. Motion carried with Mr. Gross abstaining from discussion and vote.

Ms. Foss moved that the Planning Board grant Conditional Site Plan approval for the Concord Christian Academy Rear Building Addition at 37 Regional Drive subject to the following Standard and Special Conditions:

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 on-site improvements shall be obtained from the Engineering and Planning Divisions. No construction activity may commence prior to the preconstruction conference.
2. 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 per worksheet in the amount of \$111,585.

Special Conditions

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 site plan shall be revised to include additional vegetative plantings designed to decrease the width of the cleared opening for the driveway to Pembroke Road. Said planting plan shall be submitted to the satisfaction of the City Planner.
4. The Pembroke Road entrance shall remain gated to vehicular traffic and shall be used only for "Buses, Delivery Vehicles, and Emergency Vehicles Only."
5. The Planning Board, upon action on the site plan, finds that this site plan both replaces and supersedes prior site plan approval for Phases 1B (2007-48) and Phase 2 (2007-50) for the Concord Christian School at 37 Regional Drive.
6. 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 planting plan acceptable to the City Planner for mitigation for clearing in the 100-foot buffer along Pembroke Road. Said plan shall be prepared by a Landscape Architect.

Mr. McGonagle seconded. Motion carried with Mr. Gross abstaining from discussion and vote.

Architectural Design Review

8. 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 Code of Ordinances.
 - **Anderson & Cloues** at 13 Green Street
 - **Fair Point Communications** at 12 South Street
 - **Granite State Naturals** at 58 North Main Street
 - **Honey Dew** at 374 Loudon Road (2 signs)
 - **St. John International University** at 35A Pleasant Street

The Chair opened the hearings on all of the signs.

- **Fair Point Communications** at 12 South Street

Mr. Henninger explained that the proposed sign is a reflection of the re-branding from Verizon. The new sign will be reduced in size from the existing signage to comply with the current Zoning Ordinance.

He reported that the Design Review Committee found the proposed design and placement of the sign to be appropriate for the location and use, and recommended approval as submitted.

There was no one present on behalf of the applicant.

Mr. Gross moved approval as submitted and Mr. McGonagle seconded. Motion carried.

- **Anderson & Cloues** at 13 Green Street

Mr. Henninger reported that the Design Review Committee found the proposed design and placement of the sign to be appropriate for the location and use, and recommended approval as submitted.

There was no one present on behalf of the applicant.

Mr. McGonagle moved approval as submitted and Mr. Kenison seconded. Motion carried.

- **Honey Dew** at 374 Loudon Road (2 signs)

Mr. Henninger explained these applications for a new panel in the existing freestanding sign and an affixed sign in the sign band at the newly constructed retail building.

He reported that the Design Review Committee found the proposed design and placement of the signage to be appropriate for the location and use, and recommended approval as submitted.

Tim Lanphere was present as applicant to answer questions from the Board.

Mr. Gross moved approval as submitted and Ms. Foss seconded. Motion carried.

- **Granite State Naturals** at 58 North Main Street

Mr. Gross noted that they have vacated their space on North Main Street and asked the point of acting on this.

There was no one present on behalf of the applicant.

Mr. Gross moved to table action on this application pending clarification of whether this is still an active application. Mr. Swope seconded. Motion carried.

- **St. John International University** at 35A Pleasant Street

Mr. Henninger explained that the Design Review Committee felt the sign was small and could get lost but that it served to identify the use for visitors.

He reported the Design Review Committee found the proposed design and placement of the sign to be appropriate for the location and use, and recommended approval as submitted.

There was no one present on behalf of the applicant.

Mr. Gross moved approval as submitted and Mr. Shurtleff seconded. Motion carried.

REGULAR MEETING

Minutes

Mr. Swope moved approval of the minutes of the meeting of May 21, 2008 as submitted. Mr. Kenison seconded. Motion carried.

MASTER PLAN

11. Consideration of adoption of the Master Plan 2030.

Mr. Gross noticed that the Table of Contents refers to a Public Utilities Chapter to be provided at a later date. He thought there should be a segment in the Master Plan that deals with communications facilities. He did not know if that would be appropriate under Public Utilities but he felt that the Planning Board should not let the opportunity pass to address planning for telecommunications facilities. He would really like to know that the Planning Board will be addressing the subject and if it means the City hiring a consultant then that is what should be done but it is important to include in the Master Plan. Mr. Woodward indicated that it would be incorporated in a future Public Utilities Section.

Mr. McGonagle moved to adopt the Master Plan. Mr. Gross seconded.

The Chair expressed appreciation to everyone for all of their hard work.

Mr. Gross also expressed appreciation to the staff for their hard work on the document. He felt there had been good public participation and was pleased with that participation. He felt this was a job well done.

Motion to adopt carried.

NEW BUSINESS

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

Mr. Woodward noted communications received by the Board and responses sent by staff relative to the Parmenter Road applications approved last month.

Mr. Woodward also noted that the Legislature has passed a statute effective July 1, 2008, to raise funds for the LCHIP Program in the form of a special fee tacked onto items recorded with the Merrimack County Registry of Deeds. He explained that the Board's application fees currently take into account recording fees. However, this will be an additional fee that will be sent from the Registry to LCHIP. For the time being, City staff will be passing along the requirement to pay the LCHIP fees to the applicant until the Board adopts a new fee schedule.

The Chair noted that this is the last meeting for Mr. McGonagle who has submitted his resignation effective June 30, 2008.

Mr. Gross indicated that he will miss Mr. McGonagle and his conscientious, capable, and clear thinking deliberations on each item before the Planning Board.

Mr. McGonagle responded and noted that due to the dedication of the citizens on the Planning Board and the support of the professional Planning staff, he felt the citizens of the community got tremendous value out of this process. The Planning Board decisions have been logical and reasonable as well as following the City's regulations.

There was no further business to come before the Board and the meeting adjourned at 10:50 PM.

A TRUE RECORD ATTEST:

Douglas G. Woodward
Clerk

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