

The regular monthly meeting of the City Planning Board was held on October 15, 2003 in the City Council Chambers at the City Hall Annex at 7:00 PM.

Present at the meeting were Members Drypolcher (who as Chair presided), Foss, Gross, Kuhlman Brown, McGonagle, Swope, and Walker. Messrs. Woodward, Henninger and Pollock, and Ms. Osgood of the City Planning Division were also present, as was Mr. Edmonds, City Engineer.

At 7:05 PM a quorum was present and the Chair called the meeting to order.

DEVELOPMENTS OF REGIONAL IMPACT

The Clerk reported there were no applications to be considered under Developments of Regional Impact.

ACCEPTANCE OF APPLICATIONS

The Chair asked that the Board consider applications for approval of subdivisions, resubdivisions and site plans to determine whether they were complete in accordance with the regulations of the Board. The Board was advised that all applications were complete and ready for public hearing with the exception of the application by Julia E. and Julia P. Runnells. He explained that Julia P. Runnells passed away yesterday and the Board now needed to have the executor of her estate act on her behalf. The City Solicitor suggested postponing the hearing until an executor is named.

Mr. Swope moved and Ms. Kuhlman Brown seconded that the Board accept as complete the applications listed for hearing with the exception of the application by Julia E. and Julia P. Runnells. Motion carried.

APPLICATIONS

The following applications for approval of certain subdivisions and site plans were considered complete when submitted and are recommended by the Planning Division for the holding of public hearings:

Minor Subdivision

1. Application by **Julia E. Runnells and Julia P. Runnells** for approval of a resubdivision and subdivision of property at **120 Merrimack Street in Penacook.**

Postponed until an executor is named for the estate of Julia P. Runnells.

Planned Unit Development

2. Application by **R. J. Moreau Communities LLC** for approval of a planned unit development of property on **Bog Road.**

Public Hearing

(Ms. Walker recused herself as the applicant is a client of the bank for whom she works and she left the table.)

Mr. Henninger explained the project.

David Walker and Ken Dickinson from Bedford Design Consultants spoke on behalf of the applicant.

Members of the public speaking were Cindy Hogan and Ken Thompson.

At 8:10 PM, Mr. McGonagle moved and Mr. Gross seconded that the hearing be recessed until the next regular meeting on November 19, 2003. Motion carried with Ms. Walker abstaining from vote.

Site Plan Review and Conditional Use Permit

3. Application by **David J. and Jennifer L. Albert** for approval of a site plan of property at **290 & 292 North State Street** along with a Conditional Use Permit pursuant to Section 28-7-11(f), Driveway Separation Alternatives, of the Zoning Ordinance.

Mr. Pollock explained this project.

David Albert was present as applicant.

There were no members of the public speaking for or against the application.

At 8:25 PM the Chair declared the hearing closed.

Deliberations and Action on Applications
Deliberations and Action on Architectural Design Review

Ms. Kuhlman Brown moved and Ms. Walker seconded that the Conditional Use Permit be granted. Motion carried.

Mr. Swope moved to deny the request for waivers relative to curbing and landscaping. Mr. McGonagle seconded. Motion carried.

Mr. Swope moved conditional approval under Architectural Design Review and Ms. Foss seconded. Motion carried.

Ms. Kuhlman Brown moved to table action on the application to resolve site issues and Mr. McGonagle seconded. Motion carried.

Architectural Design Review

4. 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.

- **Concord Family Dentistry** at 4 Wall Street

Mr. Swope moved approval as revised and Mr. McGonagle seconded. Motion carried.

- **J. Maze Design** at 19 Pleasant Street

Mike Delloiacono was present on behalf of the applicant.

Mr. McGonagle moved approval of Alternate 1 for the South State Street façade as submitted. Ms. Foss seconded. Motion carried.

- **Mitsubishi Motors** at 95 Manchester Street

Mr. Gross moved approval as revised to a reduce height of twenty feet and with the base of the sign set back 23 feet from the existing curb line. Mr. Swope seconded. Motion carried.

- **Riverbend** at 3-5 North State Street (2 signs)

(Mr. Gross recused himself because his law firm represents Riverbend and he left the table.)

Ms. Kuhlman Brown moved approval for one site on the rear façade as submitted, and conditional approval for the sign on the North State Street façade subject to the following modifications:

1. The sign shall be converted to a hanging sign to be located underneath the second story window sills with a decorative black bracket.
2. The sign shall be oval in shape rather than rectangular as proposed.

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

- **Riverbend** at 34-36 Pleasant Street

(Mr. Gross again recused himself because his law firm represents Riverbend and he left the table.)

Mr. Swope moved to table action on this application to allow the applicant to meet with the Architectural Design Review Committee to further discuss the design and placement of this sign. Mr. McGonagle seconded. Motion carried with Mr. Gross abstaining from vote.

- **The UPS Store** at 24-26 South Main Street

Ms. Walker moved approval as submitted and Ms. Kuhlman Brown seconded. Motion carried.

REGULAR MEETING

The Board considered applications for approval of developments on which public hearings had previously been held.

- a. Application by **Hodges Development Corporation** for approval of revisions to a previously approved site plan of property at **242 Loudon Road**.

(Ms. Walker recused herself and left the table because, while she does not have any active involvement in this, her husband was involved in the sale of the property.)

Mr. Woodward explained this proposal.

Barry Sanborn was present as the applicant.

Mr. Gross moved approval subject to Design Review Committee comments. Mr. Swope seconded. Motion carried with Ms. Walker abstaining from the vote.

- c. Application by **Patrick & Amy Knittel** for preliminary approval of a subdivision of property on **Hoit Road and Shaker Road**

Mr. Henninger explained this proposal.

Ms. Walker moved to grant the requested waiver regarding combining preliminary and final approval. Mr. Swope seconded. Motion carried.

Ms. Walker moved conditional final approval. Mr. Swope seconded. Motion carried.

- d. Request by **SC @ TP Realty Development LLC** for waiver of Section 10.05(3) of the Subdivision Regulations to allow for the issuance of Certificates of Occupancy for homes to be constructed at **Sandwood Crossing at Thirty Pines**.

Mr. Woodward explained this request.

Mr. Swope moved that the Planning Board ask City staff to draft a regulation for consideration by the Board that would address this kind of situation. Mr. McGonagle seconded. Motion carried. No action was taken on the request for a waiver of the Subdivision Regulations

ARCHITECTURAL DESIGN REVIEW

11. Consideration of applications for approval of developments and for sign and building permits in locations subject to the provisions of Section 28-9-4(f) of the City's Zoning Ordinance.

- a. Revisions to previously approved building plans related to a multi-family development at **30 Cherry Street** known as **Hollis Common**.

Mr. Woodward explained these revisions.

The Board received materials from Attorney Saunders.

Roger Hawk, Community Development Director, and C. Hamilton Rice, Code Administrator, addressed the Board and responded to questions.

Mr. Swope moved approval of the design of the buildings as construction and Ms. Walker seconded. Motion carried.

OLD BUSINESS

12. Consideration of request by **Cardinal Ridge Condo Association** for revisions to previously approved lighting plan.

Mr. Henninger explained this request.

Mr. Gross moved approval of the revision as submitted and Mr. Swope seconded. Motion carried.

CITY COUNCIL REFERRALS

7. Consideration of communication from Public Service of New Hampshire requesting input on their draft application for renewal of their license from the Federal Energy Regulatory Commission (FERC) to operate the Merrimack River Hydroelectric Project (#9-2).

(Mr. Swope recused himself as he is on the Board of Directors of PSNH and he left the table.)

Mr. Woodward explained this request.

Ms. Kuhlman Brown moved approval of the staff recommendation and Mr. McGonagle seconded. Motion carried, 5-1, with Ms. Foss voting against and Mr. Swope abstaining.

8. Consideration of communication from Donal Associates regarding the reversion of Foundry Street (#9-3).

Mr. Henninger explained this request.

No action was necessary at this time.

10. Consideration of request on behalf of Concord East Ridge Realty Trust for release of sewer line easement. (#10-1)

Mr. Pollock explained this request.

Mr. Swope moved to recommend to the City Council that the sewer easement be released. Ms. Foss seconded. Motion carried.

ARCHITECTURAL DESIGN REVIEW

- b. Site plans related to renovations at the **Concord Public Library at 45 Green Street.**

Mr. Pollock explained this design.

Mr. Swope moved to table action on this application to allow for more discussion on the final design. Mr. Gross seconded. Motion carried.

Master Plan Update

Mr. Woodward updated the Board on progress to date on the Master Plan update. The Board scheduled a work session for November 5, 2003.

Other Business

Mr. Woodward provided copies of the statute (RSA 673:14) concerning conflict of interest and the need for Board members to maintain "juror status" in avoiding matters before the Board.

The meeting adjourned at 10:30 PM.

Prepared in accordance with the requirements of RSA 91-A.

Douglas G. Woodward
Clerk

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