

City of Concord Planning Board
April 16, 2025
Minutes

The regular monthly meeting of the Concord Planning Board was held on April 16, 2025, at 7:00 p.m., in City Council Chambers at 37 Green St, Concord.

Attendees: Dina Condodemetraký, David Fox, Matthew Hicks, Amanda Savage, Councilor Brent Todd, and Chair Richard Woodfin

Absent: Mayor Byron Champlin, Alternate Chiara Dolcino, Alternate Frank Kenison, Teresa Rosenberger (Ex-Officio for City Manager), and Jeff Santacruce

Staff: AnneMarie Skinner (City Planner), Alec Bass (Assistant City Planner – Community Planning), Krista Tremblay (Administrative Technician III), Peter Kohalmi (Associate City Engineer), and Tim Thompson (Assistant Community Development Director)

1. Call to Order

Chair Woodfin called the meeting to order at 7:00 p.m.

2. Roll Call

The Clerk of the Planning Board, AnneMarie Skinner City Planner, did the roll call, noting that a quorum is present.

3. Approval of Meeting Minutes

On a motion made by Member Condodemetraký, seconded by Councilor Todd, the Planning Board voted to approve the March 19, 2025, Planning Board meeting minutes, as written. The motion passed unanimously.

4. Agenda Overview

Member Savage moved, seconded by Member Hicks, to continue agenda items 9A, 9B, 9C and 9D to a date certain of May 21, 2025, at the request of the respective applicants. All in favor. The motion passed unanimously.

5. Architectural Design Review by Consent

On a motion made by Member Condodemetraký, seconded by Member Hicks, the Board voted unanimously to approve agenda items 5A-5H as submitted, subject to the recommendations of the Architectural Design Review Committee. All in favor. The motion passed unanimously.

- 5A. Darcie Roy Sign Permits, on behalf of Samp 75 Realty LLC, and Verizon, requests an architectural design approval for a 36-square-foot internally illuminated building wall sign (SP-0459-2025) to replace an existing building wall sign, a 35.34-square-foot internally illuminated tenant panel sign (SP-0461-2025) to replace an existing tenant panel, and a 15.27-square-foot sign (SP-0460-2025) to replace an existing tenant panel, at 75 Fort Eddy Rd in the Gateway Performance (GWP) District. (2025-019) (PL-ADR-2025-0068)

The Planning Board voted to approve the application as submitted.

- 5B. Warrenstreet Architects, Inc., on behalf of Interchange Development, LLC, and Concord Hospital, requests an architectural design approval for a new 81.9-square-foot internally illuminated building wall sign (SP-0469-2025) and a new 13.1-square-foot non-illuminated building wall sign (SP-0473-

City of Concord Planning Board
April 16, 2025
Minutes

2025) at 1 Interchange Dr in the Gateway Performance (GWP) District. (2025-021) (PL-ADR-2025-0071)

The Planning Board voted to approve the application as submitted.

- 5C. Sousa Signs, LLC, on behalf of Life Storage LP, and Extra Space Storage, requests an architectural design approval for a 70.1-square-foot internally illuminated double sided pylon sign (SP-0480-2025) to replace an existing panel on an existing freestanding sign, and a 24-square-foot non-illuminated wall sign (SP-0481-2025) to replace an existing wall sign at 11 Integra Dr in the Industrial (IN) District. (2025-022) (PL-ADR-2025-0072)

The Planning Board voted to approve the application as submitted.

- 5D. NEOPCO Signs, on behalf of PFP Associates LTD Partnership, and Lead Urgent Care Veterinary Services, requests an architectural design approval for a 20-square-foot internally illuminated hanging wall sign panel (SP-0489-2025) to replace an existing panel on an existing bracket, and a 9-square-foot non-illuminated blade sign (SP-0490-2025) to replace an existing blade sign on an existing bracket at 22 Bridge St in the Opportunity Performance Corridor (OCP) District. (2025-024) (PL-ADR-2025-0073)

The Planning Board voted to approve the application as submitted.

- 5E. NEOPCO Signs, on behalf of Kenneth Blevens Sr, Kenneth Blevens Jr, and Cantara Concealment, requests an architectural design approval for a new 12-square-foot non-illuminated building wall sign (SP-0491-2025) at 106 B South State St in the Urban Transitional (UT) District. (2025-025) (PL-ADR-2025-0074)

The Planning Board voted to approve the application as submitted with the condition that, if in the future the sign were to become internally illuminated, an opaque background shall be added behind the white background in accordance with Section 5.4(C) of the Architectural Design Review Guidelines.

- 5F. Signarama Concord, on behalf of Hound LLC, and Sweet Dreamz, requests an architectural design approval for a new 13.33-square-foot non-illuminated building wall sign (SP-0488-2025) at 325 Village St in the Central Business Performance (CBP) District. (2025-029) (PL-ADR-2025-0079)

The Planning Board voted to approve the application as submitted with the following conditions: the company name “Sweet Dreamz” font size shall be increased to provide a more simple and direct message in accordance with Section 5.4(B) of the Architectural Design Review Guidelines; the “Sweet Dreamz” business name shall be separated from the menu and relocated above the window, and the menu panel shall fill the width of the masonry opening and be centered below the “Sweet Dreamz” sign and be centered to provide a more integral, subordinate element within the overall building design in accordance with Section 5.4(A) of the Architectural Design Review Guidelines; and, with the removal of the company name from the menu, the menu board no longer meets the definition of a sign.

- 5G. NEOPCO Signs, on behalf of CCA North Corp, and Bank of New Hampshire Stage, requests an architectural design approval for two 35-square-foot internally illuminated building wall signs (SP-0494-2025 and SP-0495-2025), to replace two existing building wall signs at 16 South Main St in the Central Business Performance (CBP) District. (2025-028)

The Planning Board voted to approve the application as submitted with the following conditions: a double translucent diffuser shall be provided behind the white background to provide a diffused

City of Concord Planning Board
April 16, 2025
Minutes

background in accordance with Section 5.4(C) of the Architectural Design Review Guidelines; an additional dark blue, black, or charcoal vinyl border of 5 to 8 inches in width or up to 50% of the existing white space, be placed around the border to decrease the amount of white background so the sign is a more integral and subordinate element within the overall building design in accordance with Section 5.4(A) of the Architectural Design Review Guidelines; and, the sign shall have a satin finish as shown in the submitted application.

- 5H. Warrenstreet Architects, Inc., on behalf of South State Street Residences, requests an architectural design approval for exterior alterations to an existing building at 6 S State St, in the Civic Performance (CVP) District. (2025-018) (PL-ADR-2025-0070)

The Planning Board voted to approve the application as submitted with the following conditions: all new doors whether glazed or solid shall match the panel configuration and character of existing doors so that the exterior of the building utilizes materials appropriate for the character of the building in accordance with Section 5.3(E) Materials and Colors of the Architectural Design Review Guidelines; and the laundry room door color shall match the infill of the adjacent garage door, and the door and infill shall be in a similar plane as the original door, as far as the brick will allow, to maintain the character of the building in accordance with Section 5.3(E) Materials and Colors of the Architectural Design Review Guidelines.

6. Extensions by Consent

- 6A. Wilcox & Barton, Inc., on behalf of First Church Holdings, LLC, requests a one-year extension to the April 17, 2024, conditionally approved minor subdivision, extending conditional approval from April 17, 2025, to April 17, 2026, at 177 N Main St, in the Urban Commercial (CU) District. (2023-122) (PL-EXT-2025-0017)

Member Savage made a motion to **grant a one-year extension** from the April 17, 2025, conditionally approved minor subdivision, extending conditional approval from April 17, 2025, and set the new expiration date to April 17, 2026.

Member Fox seconded. All in favor. The motion passed unanimously.

7. Determination of Completeness by Consent

Public Hearings

8. Architectural Design Review Applications

9. Site Plan, Subdivision, Conditional Use Permit, and Amendment Applications

- 9A. Ian MacKinnon and Jones & Beach Engineers, Inc., on behalf of Aaron LeClerc and Cara Scala, request approvals for a minor site plan application to construct a detached workshop building for a home-based business and an associated detached single-family dwelling, conditional use permit application for disturbance to a wetland buffer to construct a driveway, and certain waivers from the Site Plan Regulations, at unaddressed Shaker Rd (Tax Map Lot 411Z 49) in the Medium Density Residential (RM) District. (2024-074)

City of Concord Planning Board
April 16, 2025
Minutes

Member Savage moved, seconded by Member Hicks, to continue agenda item 9A to a date certain of May 21, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

- 9B. Ian MacKinnon and Jones & Beach Engineers, Inc., on behalf of Aaron LeClerc, Cara Scala, and Wilson Ralph W. and Jeanne M. A. Trust, request approvals for a minor subdivision application and certain waivers from the Subdivision Regulations, for a lot line adjustment between Tax Map Lot 28Z 43 (68 Shaker Rd) and Tax Map Lot 411Z 49 (unaddressed Shaker Rd) in the Medium Density Residential (RM) District. (2025-017) (PL-MIS-2025-0035)

Member Savage moved, seconded by Member Hicks, to continue agenda item 9B to a date certain of May 21, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

- 9C. Jeffrey Kelly, on behalf of Mor Real Estate Holdings, LLC, and Allison Street Holdings, LLC, requests approvals for a minor site plan application and certain waivers from the Site Plan Regulations, to convert an office to an apartment in an existing building containing two existing apartments, at Tax Map Lot 644Z 54, addressed as 63 School St, in the Civic Performance (CVP) District. (2025-026) (PL-SPM-2025-0022) The application has been continued to a date certain of May 21, 2025, at the request of the applicant.

Member Savage moved, seconded by Member Hicks, to continue agenda item 9C to a date certain of May 21, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

- 9D. Kearsarge Solar, LLC, on behalf of the City of Concord, requests approvals for a major site plan and architectural design review application, a conditional use permit application, and certain waivers from the Site Plan Regulations, for the installation of a solar photovoltaic development, at Tax Map Lot 751Z 21, addressed as 77 Old Turnpike Rd, in the Industrial (IN) District. (2025-034) (PL-SPR-2025-0042, PL-CUP-2025-0086) The applicant requested a continuance to a date certain of May 21, 2025.

Member Savage moved, seconded by Member Hicks, to continue agenda item 9D to a date certain of May 21, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

- 9E. Richard D. Bartlett & Associates, LLC, on behalf of Granite Center, LLC, and New Hampshire Historical Society, requests approvals for a minor subdivision application and certain waivers from the Subdivision Regulations, for a lot line adjustment between Tax Map Lot 6442Z 6 unaddressed Storrs St and Tax Map Lot 6442Z 7 unaddressed Eagle Square, in the Opportunity Corridor Performance (OCP) District. (2025-030) (PL-MIS-2025-0036)

On a motion made by Member Hicks, seconded by Member Savage, the Board voted to determine the application complete, not a development of regional impact, per New Hampshire RSA 36:55, and open the public hearing. All in favor. The motion passed unanimously.

Chair Woodfin asked for staff update.

Ms. Skinner stated it is fairly straightforward. It is a simple lot line adjustment adjusting slightly to the south. There was one variance that was needed. The applicant requested the variance and it was approved by the Zoning Board of Adjustment earlier this month.

City of Concord Planning Board
April 16, 2025
Minutes

Dan Mullen (214 N State St, Concord) is present to represent this application. Mr. Mullen stated this is a lot line adjustment to shift the common line to the south. The variance was to address the shift in lot coverages. There are no improvements proposed. It will be used the same as it is right now.

Chair Woodfin asked if any member of the Board has any questions, or any member of the audience wished to speak. With no response, Chair Woodfin closed the public hearing.

Chair Woodfin stated the findings of fact, which include information provided in staff reports; the applicant's submission materials; testimony provided during the public hearing; and, other documents or materials provided in the public hearing.

On a motion made by Member Hicks, seconded by Member Condodemetraky, the Board voted to **grant the waiver requests below** from the listed sections of the Subdivision Regulations, using the criteria of RSA 674:36(II)(n)(2) and Section 35.08 of the Subdivision Regulations:

- a. Sections 12.03(5) *Wetland*, Section 12.07 *Wetland Delineations*, and Section 15.01(3), to not provide a wetland delineation on the existing conditions plan or the final plat;
- b. Section 12.08(3) *Topography* and Section 15.03(4) *Topography*, to not show existing topographic conditions and spot elevations on the existing conditions plan or the final plat;
- c. Section 12.08(16) *Signs*, to not show the location and size of existing ground signs on the existing conditions plan;
- d. Section 12.08(17) *Solid Waste and Outside Storage*, to not show the type and location of existing solid waste disposal facilities on the existing conditions plan;
- e. Section 15.02(11) *Multiple Sheets*, to not provide plans on one sheet;
- f. Section 15.03(11) *Municipal Sewer*, to not show the location, size, rim, and invert elevations of existing and proposed sanitary and storm sewers.

All in favor. The motion passed unanimously.

On a motion made by Member Fox, seconded by Councilor Todd, the Board voted to **grant lot line adjustment approval** for the minor subdivision to annex 0.57 acre from lot 7 (Tax Map Lot 6442Z 7) to lot 6 (Tax Map Lot 6442Z 6), as submitted, subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – to be fulfilled within one year and prior to signature of the final plat by the Planning Board Chair and Clerk, unless otherwise specified:
 1. For compliance with the Subdivision Regulations, revise the plat as follows:
 - a. Section 12.02(4) *Conditions of Planning Board Approval* and Section 15.03(17) *Conditions of Approval* requires listing conditions of approval which remain to be fulfilled after plat recording. There do not appear to be any indications on the plat regarding conditions of approval. For compliance with these sections, a note shall be added to the plat that states: “The development is subject to all subsequent conditions of Planning Board approval granted on INSERT DATE HERE for application 2025-030.”
 2. Per Section 19.04 Monuments, a New Hampshire licensed land surveyor shall place permanent reference monuments in the subdivision, as required by the Subdivision

City of Concord Planning Board

April 16, 2025

Minutes

Regulations and as approved by the City Engineer. All monuments shall be inspected by the City of Concord prior to the signature of the Clerk of the Board on the final plat. All such monuments shall be set flush with the proposed grade and planted in such a manner that they will not be removed by frost.

- a. Prior to signature of the Clerk of the Board on the final plat, monuments for street line bounds shall be set in accordance with Section 19.04(1) *Street Right-of-Way Monuments* of the Subdivision Regulations.
 - b. Prior to signature of the Clerk of the Board on the final plat, monuments for lots shall be set in accordance with Section 19.04(2) *Lot Monuments* of the Subdivision Regulations.
3. Upon notification from the Planning Division that the final plat complies with Planning Board conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division one mylar and one full-size plan set for endorsement by the Planning Board Chair and Clerk and subsequent recording of the mylar at the Merrimack County Registry of Deeds. Per Section 15.02(1) *Licensed Land Surveyor*, the final plat drawings shall contain the signature and stamp of the New Hampshire licensed land surveyor who prepared the plat.
 4. Per Section 13.02(13) *Recording Fees*, the applicant is responsible for submittal of required recording fees.
 5. Per Section 4.02, no land shall be subdivided or portions of a lot transferred within the corporate limits of the City, until a subdivision plat for said land has been prepared in accordance with the regulations, approved by the Board, endorsed by the Chair and Clerk of the Planning Board, and filed at the Merrimack County Registry of Deeds.
 6. Per Section 15.02(12) *Registry Requirements*, the applicant is responsible for ensuring that the plat to be recorded complies with the current standards of the Merrimack County Registry of Deeds.

(b) Subsequent Conditions – to be fulfilled as specified:

1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the municipal code, Subdivision Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is granted.

All in favor. The motion passed unanimously.

- 9F. TFMoran, on behalf of West Street Keene, LLC, request approvals for minor site plan application, a minor subdivision application, and certain waivers from the Site Plan Regulations and Subdivision Regulations, for the addition of 1,867 square feet and a condominium plat, at Tax Map Lot 46Z 63, addressed as 313 Loudon Rd, in the Gateway Performance (GWP) District. (2025-033) (PL-SPM-2025-0023, PL-MIS-2025-0037)

On a motion made by Councilor Todd, seconded by Member Condodemetraky, the Board voted to determine the application complete, not a development of regional impact, per New Hampshire RSA 36:55, and open the public hearing. All in favor. The motion passed unanimously.

Jonathan Devine (48 Constitution Dr, Bedford) and Jeffrey Lessard (47 Constitution Dr, Bedford) are present to represent this application. Mr. Devine stated they are present with a pretty simple proposal.

City of Concord Planning Board
April 16, 2025
Minutes

It is a building addition to an existing Dollar Tree at 313 Loudon Rd. The addition will be off the left-hand side of the building. It is a condominium unit that shares the same lot with the new Texas Roadhouse. This site was approved in 2003 for the condominium land division. It was Smokey Bones at the time, then Newick's, and now Texas Roadhouse. The Dollar Tree has been there since 2011. This addition was approved by the Planning Board in 2011 and was not built at the time. The same owner/applicant is coming back now seeking reapproval to build. The addition will be on the left. It was already prepared for that. Now it is a pad area. There are adequate utilities via a sewer stub. Water has to be carried to the new portion of the building as well as electric and gas. They are proposing two new street trees in the parking area on the right side. There are no changes to the parking because it was built above the standards at the time of original approval. There are no wetland buffer impacts. There is no concern for traffic as the numbers generated by this addition do not trigger any kind of traffic study. They went through the staff report and the sewer capacity comment on Loudon Rd. As outlined in the staff report if the applicant can come up with a New Hampshire Department of Environmental Services sewer connect permit for the project that stated that the sewer flow was already vetted and approved by the State, then they can connect this addition. At the time of construction in 2011, a sewer connection permit was not needed because the use did not trip the minimum requirements. However, in 2011 the City of Concord Planning Board as well as the Engineering staff approved the overall building flow of which this is a part.

Chair Woodfin stated the sewer is a big deal and a real issue with projects and development on Loudon Rd. The City will be hard-pressed to do anything prior to issuing a certificate of occupancy that affects the amount of sewer waste into that line. There is an issue that needs to be addressed. Chair Woodfin noted there are restaurants that are on hold because of it and the mall development is also big one. There is no capacity.

Member Savage asked if the intended use is not expected to be a laundromat.

Mr. Lessard stated it will be retail use.

Mr. Devine stated they have not gone to market with it yet. Mr. Devine noted the retail brokers are targeting phone uses.

Mr. Bass stated this is a minor site plan and minor site plans do not normally require architectural design review, but the project is in a performance district so architectural design review is required even though it's only a minor site plan. They went to the Architectural Design Review Committee last month. Mr. Bass pointed out a staff comment that would involve some alterations to the site to provide the required pedestrian sidewalk network, and this comment is a condition of approval.

Chair Woodfin asked for questions from the Board, and comments from the audience. With no response, Chair Woodfin closed the public hearing.

Chair Woodfin stated the findings of fact, which include information provided in staff reports; the applicant's submission materials; testimony provided during the public hearing; and, other documents or materials provided in the public hearing.

City of Concord Planning Board
April 16, 2025
Minutes

On a motion made by Member Savage, seconded by Member Hicks, the Board voted to **grant architectural design review approval** of the proposed 1,867-square-foot addition and anticipated building permit within a performance district at 313 Loudon Road, as submitted.

All in favor. The motion passed unanimously.

On a motion made by Member Condodemetraky, seconded by Member Hicks, the Board voted to **grant the waiver request below** from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations:

- a. Section 16.02(12)(b) to not provide a drainage study which includes a 10-year and 25-year storm runoff estimate, including calculations, and instead allow an alternative drainage study that qualitatively evaluates stormwater runoff from the site.

All in favor. The motion passed unanimously.

On a motion made by Member Fox, seconded by Councilor Todd, the Board voted to **grant minor site plan approval** for the 1,867-square-foot addition at 313 Loudon Rd, subject to the following precedent and subsequent conditions:

(c) **Precedent Conditions** – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the Planning Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void. Precedent conditions are as follows:

1. Revise the plan set to show full compliance with the Concord Municipal Code, Site Plan Regulations, and Concord Construction Standards and Details, including but not limited to, the following:
 - a. Per Section 12.02(1)(a) *Title Block*, the title of the plan and title of the title block shall be revised to be consistent throughout the plan set.
 - b. Per Section 12.02(1)(b), the spelling of the name of owner shall be corrected to the correct spelling of “West Street Keene LLC” throughout the plan set title blocks.
 - c. Per Section 12.02(1)(c) the title block through the plan set shall be revised to provide a single and consistent date of preparation.
 - d. Per Section 12.02(3) *North Arrow and Bar Scale*, the north arrow shall be added to Sheet C-3 *Site, Grading, Util. & Stormwater Mgmt.*, and the north arrow on sheet L-1 *Lighting Plan* shall be reoriented correctly to north.
 - e. Per Section 12.05 *Vicinity Plan*, the scale of the vicinity plan on the cover sheet shall be revised to have a scale between 1” =1,000’ and 1” =2,000’
 - f. Per Section 12.06(1) *Certificate of Ownership*, the cover sheet provides a reference to an owner/applicant of Christine M. Windler Trustee ROI Irrevocable Trust which is not the listed owner West Street Keene LLC, nor the applicant TFMoran Inc and shall be revised accordingly. Additionally, the cover sheet provides a resource list of city staff, including name and position which is no longer current and shall either be revised accordingly, or removed.
 - g. Per Section 13.01(6) *State and Federal Permits* and Section 13.02(8) *State and Federal Permits*, a note shall be added to the site plan listing the required state and federal permits, or a note shall be added stating that no such permits are required. If State permits are required, a copy of the application shall be provided prior to final approval.

City of Concord Planning Board

April 16, 2025

Minutes

- h. Per Section 15.03(13) *Flood Hazard*, Note 5 on Sheet S-1 *Existing Conditions Overview Plan* shall be revised to also include the designation if the site is or is not located in the City of Concord Flood Hazard Overlay (FH) District.
 - i. Per Section 15.03(22) *Abutting Properties* and Section 15.04(2) *Abutting Property*, the property addresses shall be added to all abutting properties shown on the existing conditions and site plan.
 - j. Per Section 15.04(20) *Flood Hazard*, Note 5 on Sheet CS-1 *Condominium Site Plat* shall be revised to also include the designation if the site is or is not located in the City of Concord Flood Hazard Overlay (FH) District.
 - k. Per Section 15.04(20) *Flood Hazard*, Note 6 on sheet C-3 *Site, Grading, Util. & Stormwater Mgmt. Plan* shall be revised to also include the designation if the site is or is not located in the City of Concord's Flood Hazard Zoning Overlay (FH) District. Additionally, Note 6 on sheet C-3 *Site, Grading, Util. & Stormwater Mgmt. Plan* shall appears to contradict with Note 5 on Sheet CS-1 *Condominium Site Plan* and Note 5 on sheet S-1 *Existing Conditions Overview Plan* and shall be revised accordingly to provide consistent information.
 - l. Per Section 21.03 *Connection to Public Sidewalks*, an accessible route, and any applicable improvements shall be provided for a connection between the building to the sidewalk on Loudon Road.
2. Revise the plan set to show full compliance with the Concord Municipal Code, Site Plan Regulations, and Concord Construction Standards and Details, including but not limited to the following Engineering items:
 - a. On the Cover Sheet, the Vicinity Plan incorrectly labels Loudon Road as Routes 4, 9, & 202 and shall be revised accordingly pursuant to Section 12.05(2) of the Site Plan Regulations. Loudon Road is NH Route 9, and Interstate Route 393 is also US Route 4 and US Route 202.
 - b. Engineering has determined the addition will have the address of 311 Loudon Road. References of this building as 313 Loudon Road shall be revised accordingly, including the middle of the cover sheet, on the building on sheets C-3 and sheet L-1, and the title block on the lower right throughout the plan set.
 - c. On Sheet S-1 and S-2, a reference to the site plan conditionally approved on March 16, 2011 as cited in the Drainage Study cover letter included shall be added to the plan pursuant to Section 12.06(4) *Prior Subdivisions or Surveys* of the Site Plan Regulations.
 - d. On Sheet S-1 and S-2, the callout on the plan for the clean out on the southwest side of the existing unit 2 shall specify if it is for sanitary or storm sewer line, pursuant to Section 15.03(10) *Municipal Utilities* of the Site Plan Regulations.
 - e. Sheet S-1 and S-2, the existing building shall be labeled as "Unit 2", pursuant to Section 15.02(8) *Addresses* of the Site Plan Regulations.
 - f. On Sheet S-1, within the plan view, Loudon Road is incorrectly labeled as Routes 4, 9, & 202 and shall be revised accordingly to be consistent with the Vicinity Plan.
 - g. On Sheet S-1, the Vicinity Plan incorrectly labels Loudon Road as Routes 4, 9, & 202 and shall be revised accordingly pursuant to Section 12.05(2) of the Site Plan Regulations.
 - h. On Sheet S-2, the subject site is incorrectly labeled as Land Condominium Unit 1-2; it should be Land Condominium Unit 1-3, and shall be revised accordingly, pursuant to Section 15.04(5) *Addresses* of the Site Plan Regulations.
 - i. On Sheet CS-1, the subject site is incorrectly labeled as Land Condominium Unit 1-2; it should be Land Condominium Unit 1-3 and shall be revised accordingly per Section 15.02(8) *Addresses* of the Subdivision Regulations and Section 15.04(5) *Addresses* of the Site Plan Regulations.

City of Concord Planning Board
April 16, 2025
Minutes

- j. On Sheet CS-1, within the plan view, Loudon Road is incorrectly labeled as NH Routes 4 – 9 – 202 and shall be revised accordingly to be consistent with the rest of the plan set.
 - k. On Sheet CS-1, within the Vicinity Plan, Loudon Road is incorrectly labeled as Routes 4, 9, & 202 and shall be revised accordingly per Section 12.05(2) of the Subdivision Regulations and Section 12.05(2) of the Site Plan Regulations.
 - l. On Sheet CS-1, the proposed condominium sub unit will have the address of 311 Loudon Road and shall be added to the plan view and included in the title block of the plan along with the address of 313 Loudon Road per Section 15.02(8) *Addresses* of the Subdivision Regulations and Section 15.04(5) *Addresses* of the Site Plan Regulations.
 - m. On Sheet C-3, the existing and proposed buildings shall be labeled as “Unit 1” and “Unit 2” respectively pursuant to Section 15.04(5) *Addresses* and Section 17.04 *Addressing* of the Site Plan Regulations.
 - n. On Sheet C-3, the sanitary sewer location and size for Unit 1 shall be labeled, pursuant to Section 15.04(13) *Municipal Sewer* of the Site Plan Regulations.
 - o. On Sheet C-3, the area of Unit 1 is shown as 1,867 square feet on Sheet C-3, but 1,840 square feet on Sheet CS-1 and shall be revised to be accurate and consistent through the plan set. Additionally, the area of unit 2 shall also be shown on both sheets pursuant to Section 15.04(28)(b) of the Site Plan Regulations.
 - p. On Sheet C-3, the erosion control features shall be provided, including a legend of erosion - control line types, pursuant to Section 15.04(14) *Drainage and Erosion Control* and Section 27.09 *Erosion Control* of the Site Plan Regulations.
 - q. On Sheet C-3, the required loading area shall be both tabulated and provided pursuant to Section 20.03 *Design Standards for Loading Spaces* of the Site Plan Regulations and Article 28-7 Access, Circulation, Parking and Loading of the Zoning Ordinance. The Site Layout Plan dated April 13, 2011, shows a loading area located behind Proposed Unit 1.
 - r. On Sheet C-3, the proposed addition / condo unit address shall be labeled as 311 Loudon Road pursuant to Section 15.04(5) *Addresses* and Section 17.04 *Addressing* of the Site Plan Regulations.
 - s. Callouts on the site plan shall be provided for the Dandy Bag II, Silt Sock, and Bollard details pursuant to Section 16.02(22) *Construction Details* of the Site Plan Regulations.
 - t. On Sheet D-1, the bollard detail shall be revised accordingly for conformance with City of Concord Construction Detail M-9: the 6-inch diameter shall be revised to 8-inch diameter for the steel and plastic pipes; The 1-foot 6-inch dimension for the concrete footing shall be revised to 1-foot 8-inches; on the bottom of the pipe, revise the 6-inch diameter dimension to 8-inch and the footing diameter to 1-foot 8-inches; and, revise the “schedule 40 steel” reference to “schedule 40 galvanized steel”.
 - u. On Sheet D-1, the gas main trench detail shall be removed, as the “Typical Utility Conduit Installation Detail” provided on Sheet D-2 shall be used for both the gas and electric lines, pursuant to Section 16.02(22) *Construction Details* of the Site Plan Regulations.
 - v. A concrete pad detail shall be provided to accompany the callout for one provided on Sheet C-3, pursuant to Section 16.02(22) *Construction Details* of the Site Plan Regulations.
 - w. On Sheet D-2, Detail L-1 refers to Concord Detail L-9. Please Include Detail L-9 on this sheet, pursuant to Section 16.02(22) *Construction Details* of the Site Plan Regulations.
3. Either the cover sheet or the site plan sheet shall list all approved variances, waivers, and conditional use permits with the section numbers and description, and date of approval. Any item for which a variance, waiver, or conditional use permit has not been specifically requested and

City of Concord Planning Board

April 16, 2025

Minutes

specifically granted shall be shown on the plan set as fully complying with the applicable requirement, standard, detail, or regulation.

4. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Concord Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk. The plan sets shall contain the signature and seal of the appropriate licensed professionals as outlined in the Site Plan Regulations.
 5. The applicant shall confirm whether a NHDES sewer connection permit has been previously secured for the property, and provide a copy thereof to the Planning Division as applicable. If a NHDES sewer connection permit has been previously issued, the applicant shall be limited to the maximum sewer utilization of that approval for the existing building and proposed addition, combined. If the applicant demonstrates to the satisfaction of the City Engineer that sufficient sewer capacity currently exists to support the proposed addition in accordance with any previously issued NHDES sewer connection permit for the property, or any other previously approved sewer capacity for the property as compared to current utilization and additional utilization associated with the proposed 1,867-square-foot addition, then the applicant shall be eligible to connect the proposed addition to the sanitary sewer system. However, if no prior NHDES sewer connection permit exists, or there is insufficient capacity associated with any previously issued NHDES sewer connection permit or other previously approved sewer capacity for the property, then the applicant shall be prohibited from connecting the proposed addition to the municipal sewer system until such time as , if applicable, until such time as aforementioned sewer improvements associated with Capital Improvement Projects 91 and 275 are operational, or sufficient capacity is determined to exist within the municipal sanitary sewer system as determined by the City Engineer (whichever occurs first).
 6. Prior to final approval, the accompanying minor subdivision application (PL-MIS-2025-0037) for the condominium conversion for sub units 1 and 2 located at 311 and 313 Loudon Road (Map Block Lot 46Z 63) shall receive final Planning Board approval and recorded with the Merrimack County Registry of Deeds.
- (d) **Subsequent Conditions** – to be fulfilled as specified:
1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the Concord Municipal code, Site Plan Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is specifically requested and granted.
 2. Should insufficient sewer capacity exist to serve the property under previously approved NHDES sewer connection permit, or other previously approved capacity for the property, the applicant – subject to receiving final site plan approval and satisfying required building codes – shall be eligible for a building permit from the City of Concord. However, if a building permit is issued, and the applicant is unable to achieve sufficient sewer capacity for the project as outlined in Precedent Condition 5 herein, the applicant's building permit shall be subject to the following requirements concerning sewer service:
 - a. The 1,867-square-foot addition shall not be connected to the municipal sanitary sewer system until such time as aforementioned sewer improvements associated with Capital Improvement Projects 91 and 275 are operational, or sufficient capacity is determined to exist within the municipal sanitary sewer system as determined by the City Engineer (whichever occurs first); and,
 - b. No certificate of occupancy shall be issued for the 1,867-square-foot addition until such time

City of Concord Planning Board
April 16, 2025
Minutes

- as aforementioned sewer improvements associated with Capital Improvement Projects 91 and 275 are operational, or the City Engineer otherwise determines that sufficient capacity exists within the municipal sanitary sewer system (whichever occurs first).
3. Per Section 7.08(7) *Building Permits and Certificates of Occupancy*, no building permit shall be issued where site plan approval is required until the site plan has been approved by the Planning Board, and the pre-construction conditions of approval have been satisfactorily addressed as determined by the Clerk of the Planning Board. No certificate of occupancy shall be issued until all public and private improvements have been completed, and all conditions of a site plan approval established by the Planning Board have been satisfactorily addressed as determined by the Clerk of the Planning Board. Certificate of Occupancy shall be further subject to Subsequent Condition 2 herein, as applicable.
 4. Prior to the start of construction or issuance of a building permit, a preconstruction meeting shall be held, unless otherwise waived by the City Engineer. Prior to the scheduling of a preconstruction meeting, the applicant shall contact Engineering Services Division for the Pre-Construction checklist document and provide all required items. A preconstruction meeting shall only be held once all preconstruction items have been provided to the satisfaction of the City Engineer and City Clerk.
 5. Per Section 7.08(8) *Change of Use*, no change of use approved by the Planning Board shall be allowed to commence operation on a property or within a building without being in full compliance with the approved site plan, architectural design review approval, and any applicable conditional use permits.
 6. Per Section 27.07(8) *Maintenance*, the applicant or their successors shall be responsible for the regular maintenance of all plantings and other landscape features. Plant materials shall be maintained alive, healthy, and free from pests and disease. Tree stakes and guys shall be removed after the first growing season.
 7. Per Section 27.11 *Site Stabilization Guarantee* a site stabilization guarantee shall be provided to ensure the site is properly stabilized. The City Engineer may call said financial guarantee, and stabilize a disturbed site if, upon notice, the applicant has not stabilized or restored the site.
 8. Per Section 36.02 *Conditions* the applicant has the duty to comply with the approved site plan and any reasonable conditions set forth by the Planning Board for design, dedication, improvement, and restrictive use of the land.
 9. Per 36.15 *Compliance with Regulations* no site construction, or change of use of land, shall occur in violation of the Site Plan Regulations and the Zoning Ordinance. No building permits may be issued for any building, structure, site improvement, or change of use prior to site plan approval and the satisfactory completion of any pre-construction conditions of Planning Board approval. The Clerk shall not approve any certificate of occupancy, nor shall any use of a building or site commence, unless the proposed improvements, and the proposed use of land or buildings, is found to comply with the approved site plan and the conditions of Planning Board approval.
 10. Per 36.24 *Inspections* the Community Development Department shall be responsible for inspecting the site plan improvements for conformity with the approved plans and conditions of Planning Board approval. The City may assess the application for all or a portion of the cost, including overhead, of the necessary inspections. No certificate of occupancy shall be issued until the development has been completed according to the approved plans.
 11. Per Section 36.25 *As-Built Plans* the applicant's engineer or surveyor shall submit to the City Engineer a detailed as-built survey for all site plans showing the location of buildings, structures, utilities, parking and loading areas, driveways and access, as well as for any public improvement

City of Concord Planning Board
April 16, 2025
Minutes

required by the City Engineer. The as-built survey shall also be submitted in digital format and media conforming to the Engineering Division's as-built checklist.

12. Per Section 36.27 *Release of Financial Guarantees* a release of any financial guarantee assurance shall not be undertaken until the Clerk of the Planning Board and the City Engineer have ascertained that all site related improvements, or required public improvements, have been constructed in conformance with the approved plans and specifications.

All in favor. The motion passed unanimously.

On a motion made by Member Savage, seconded by Member Condodemetraky, the Board voted to **grant minor subdivision approval** for the condominium subdivision of 311 and 313 Loudon Road into two sub unit lots, as submitted, subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – to be fulfilled within one year and prior to signature of the final plat by the Planning Board Chair and Clerk, unless otherwise specified:
 1. For compliance with the Subdivision Regulations, revise the plat as follows:
 - a. Per Section 12.05, the vicinity plan provided on sheet CS-1 shall be set at a scale of between 1" = 1,000' and 1" = 2,000'.
 - b. Per Section 12.06(5) *Other Plans*, a note referencing the full 10-sheet plan set, with correct title and date for the accompanying minor site plan application, available at the Planning Office shall be added to Sheet CS-1 *Condominium Site Plan*.
 - c. Per Section 12.08(7) *Buildings and Structures*, the exterior dimensions of the existing 313 Loudon Rd building shall be added.
 - d. Per Section 12.08(13) *Flood Hazard*, Note 5 on sheet CS-1 *Condominium Site Plan* shall be revised to also include the designation if the site is or is not located in the City of Concord's Flood Hazard (FH) District.
 - e. Per Section 12.08(23) *Tabulations* (a) and (b), a tabulation note shall be added to Sheet CS-1 *Condominium Site Plan* providing the sites gross acreage in square feet and acres, as well as broken down by building.
 - f. Per Section 13.01(6) *State and Federal Permits*, the applicant shall provide a copy of any application made to the State or Federal agency required for the approval of this subdivision. If no State or Federal permits are required as part of this application a note shall be added on Sheet CS-1 *Condominium Site Plan* stating as such.
 - g. Per Section 15.02(7) *Lot Numbers*, on Sheet CS-1 *Condominium Site Plan*, the Lot number for Map Block Lot 46Z 63 is incorrectly labeled as Unit 1-2, and shall be revised to the correct Unit 1-3 as referenced on MCRD plan 16903. Additionally, on Sheet CS-1 *Condominium Site Plan*, the sub-unit designations for 311 and 313 Loudon Road shall be provided.
 - h. Per Section 15.03(1) *Abutting Property*, the property addresses where the owner address is not the same as the property address are missing from Sheet CS-1 *Condominium Site Plan* and shall be added accordingly.
 - i. Per Section 15.03(4) *Topography*, the contours are missing from Sheet CS-1 *Condominium Site Plan* and shall be added.
 - j. Per Section 15.03(11) *Municipal Sewer*, the location, size, rim, and invert elevations of existing and proposed sanitary and storm sewers including manholes, catch basins, and culverts shall be provided on Sheet CS-1 *Condominium Site Plan*.
 - k. Per Section 15.03(13) *Municipal Water Supply*, the location and size of all existing

City of Concord Planning Board

April 16, 2025

Minutes

and proposed water mains including hydrants, gates, valves, and blow offs shall be provided on Sheet CS-1 *Condominium Site Plan*.

- l. Per Section 15.03(15) *Other Utilities*, the location and size of all existing and proposed underground and overhead non-municipal utilities shall be added to Sheet CS-1 *Condominium Site Plan*.
 - m. Per Section 15.03(17) *Conditions of Approval*, a note stating “The development is subject to all subsequent conditions of Planning Board approval from Case 2025-033” shall be added to Sheet CS-1 *Condominium Site Plan*.
 - n. Per Section 17.03 *Building Floor Plans*, floor plans of condominium building units at a scale of 1” = 5’, 1” = 10’, or 1” = 20’ showing the location and horizontal and vertical dimensions of each unit and common area shall be provided. The sub units are not labeled as either land units or building units, and need to be labeled accordingly. If in fact the units are building units, then the building floor plans containing the information required by Section 17.03 must be submitted, including: (1) the floor plans being prepared, signed, and stamped by one of the listed required professionals in a format suitable for filing in the Merrimack County Registry of Deeds; (2) the floor plans shall include a standard Planning Board approval block; and, (3) the exterior walls of each unit shall be shown and provisions for ingress to and egress from each unit to common areas shall be shown.
 - o. Per Section 17.04(1), all common facilities on the site shall be shown on the final plat Sheet CS-1 *Condominium Site Plan*, including parking, driveways, landscaped areas, walkways, signs, solid waste facilities, fire hydrants, light poles, above-ground utilities, fences, walls, and other pertinent common facilities. It is unclear from the submitted final plat what, if any of the above-listed items are common facilities.
 - p. Per Section 17.04(2), the location, dimensions, and purpose of each common area and limited common area shall be shown on the final plat Sheet CS-1 *Condominium Site Plan*. It doesn’t appear that the dimensions for the common area and limited common areas are shown. Additionally, the purpose of each common area and limited common area is not stated as required by this section.
 - q. Per Section 17.04(3), the acceptable means for water metering, water service, and sewer service including existing and proposed water and sewer service connections shall be shown on the final plat Sheet CS-1 *Condominium Site Plan* and building floor plans.
 - r. Per Section 17.06 *Condominium Declaration and By-Laws*, the declaration of condominium and by-law documents for the sub unit condominium shall be submitted for review by the City Solicitor and Clerk. Additionally, the applicant shall provide an amended condominium declaration necessary for this sub-unit condominium addition, alternatively, if no change to the original declaration is required, the application shall provide the original condominium declaration along with a statement indicating as such.
3. For compliance with the Subdivision Regulations, revise the plat as follows:
- a. On Sheet CS-1, the subject site is incorrectly labeled as Land Condominium Unit 1-2; it should be Land Condominium Unit 1-3 and shall be revised accordingly per Section 15.02(8) *Addresses* of the Subdivision Regulations.
 - b. On Sheet CS-1, within the plan view, Loudon Road is incorrectly labeled as NH Routes 4 – 9 – 202 and shall be revised accordingly to be consistent with the rest of the plan set.

City of Concord Planning Board

April 16, 2025

Minutes

- c. On Sheet CS-1, within the Vicinity Plan, Loudon Road is incorrectly labeled as Routes 4, 9, & 202 and shall be revised accordingly per Section 12.05(2) of the Subdivision Regulations.
 - d. On Sheet CS-1, the proposed condominium sub unit will have the address of 311 Loudon Road and shall be added to the plan view and included in the title block of the plan along with the address of 313 Loudon Road per Section 15.02(8) *Addresses* of the Subdivision Regulations.
- 4. Prior to the recording of the plat and as required by Section 12.09 *Electronic Submission* of the Subdivision Regulations, digital information from the plat shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information (GIS) and tax maps. The digital information shall be submitted in a format and media conforming to standards promulgated by the City Engineer. The layers listed in Section 12.09(1) through (8) shall be submitted referencing New Hampshire State Plane Grid Coordinates and shall be based on National American Vertical Datum 1988 (NAVD 88).
 - 5. Upon notification from the Planning Division that the final plat complies with Planning Board conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division one mylar, one full-size plan set, and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk and subsequent recording of the mylar at the Merrimack County Registry of Deeds. Per Section 15.02(1) *Licensed Land Surveyor*, the final plat drawings shall contain the signature and stamp of the New Hampshire licensed land surveyor who prepared the plat.
 - 6. Per Section 13.02(13) *Recording Fees*, the applicant is responsible for submittal of required recording fees.
 - 7. Per Section 15.02(12) *Registry Requirements*, the applicant is responsible for ensuring that the plat to be recorded complies with the current standards of the Merrimack County Registry of Deeds.
 - 8. Prior to final approval, the applicant shall be notified by the City Clerk that the accompanying minor site plan application (PL-SPM-2025-0023) plan has been approved.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
- 2. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the municipal code, Subdivision Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is granted.
 - 3. Per Section 4.02, no land shall be subdivided or portions of a lot transferred within the corporate limits of the City, until a subdivision plat for said land has been prepared in accordance with the regulations, approved by the Board, endorsed by the Chair and Clerk of the Planning Board, and filed at the Merrimack County Registry of Deeds.
 - 4. Per Section 4.03 of the Subdivision Regulations, no building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and which is not in conformity with, the provisions of the Subdivision Regulations.
 - 5. Per Section 9.08(10) *Building Permits and Certificates of Occupancy*, in accordance with Section 31.12 *Issuance of Building Permits*, no building permit or certificate of occupancy shall be issued within a subdivision until the plat has been approved, the conditions of plat approval have been satisfactorily addressed, and the plat recorded in the Merrimack County Registry of Deeds.

City of Concord Planning Board
April 16, 2025
Minutes

6. Per Section 9.08(10) *Building Permits and Certificates of Occupancy*, in accordance with Section 31.13 *Issuance of Certificates of Occupancy*, no Certificate of Occupancy shall be issued within a subdivision until all requisite public improvements have been completed and accepted by the City.
7. Per Section 17.06 *Condominium Declaration and By-Laws*, the approved condominium documents shall be considered part of the official approval and shall not be altered to be inconsistent with the recorded plat, without further review and approval by the Board of a revised subdivision application.

All in favor. The motion passed unanimously.

- 9G. Nobis Group, on behalf of Child & Family Services Realty Corporation and NHSCOT, requests approvals for a major site plan and architectural design review application; conditional use permit applications to allow an outdoor recreation facility, construction of fewer parking spaces than required, an alternative parking surface, and disturbance to wetland buffers; and certain waivers from the Site Plan Regulations, for conversion of the site to the NHSCOT headquarters, at Tax Map Lot 32Z 59, addressed as 210 Bog Rd, in the Open Space Residential (RO) District. (2025-015) (PL-SPR-2025-0041, PL-CUP-2025-0082, PL-CUP-2025-0083, PL-CUP-2025-0084, PL-CUP-2025-0085)

Morgan Dunson (18 Chennell Dr, Concord), John Arnold (45 S Main St, Concord), Josh Auger (152 Elgin Ave, Manchester), Stuart Anderson (137 N Main St, N Woodstock) are present to represent this application.

Chair Woodfin asked for a staff update.

Ms. Skinner stated the application went before the Planning Board last month as consent for the determination of completeness. It was determined complete. Staff has reviewed the application and is recommending approval of the conditional use permits, other than the outdoor recreational facility. Staff is recommending further discussion on that. Ms. Skinner noted there is one criterion that was missed in the staff report. In Section 28-5-13 it goes through the approval criteria for campgrounds, youth camps, and outdoor recreation facilities and there is an item (f) that requires a separate and distinct buffer of 100 feet be provided for outdoor recreation facilities in the RO District and that is not on the site plan. If the Planning Board chooses to approve the conditional use permit that will need to be a condition of approval that the required 100-foot buffer be placed to meet criterion (f). Ms. Skinner has comments from Member Santacruce who is not here and asked to relay regarding fire access.

Chair Woodfin noted the Planning Board received late letters for review prior to the meeting.

Ms. Skinner stated that is correct, noting that the letters were just received today and they were forwarded to the Planning Board upon receipt.

Mr. Arnold noted they received questions if NHSCOT will bring the Highland Games to Concord and the answer to that question is no. The property was formerly Camp Spaulding. It was a youth summer camp. It hosted about 200 kids over the course of the summer. It operated from 1921 until a few years ago. Since that time the property has been on market. Mr. Arnold stated two real estate developers investigated the property and concluded it is not feasible for residential redevelopment or a corporate

City of Concord Planning Board
April 16, 2025
Minutes

retreat/wedding venue. It is about 58 acres. There is a lot of topography and wetlands. It is heavily wooded. There is a main lodge building centrally located on the property and several smaller accessory building throughout the site. NHSCOT is a charitable organization since the 1970s and it is headquartered in Concord. When this property came on the market they thought this was a great opportunity and would be a perfect fit. The plan would be to move the offices into the main lodge and use both indoors and outdoors for a variety of cultural and recreational use. There is not any new construction that is proposed. There would be renovations to existing buildings and construction of parking areas. The proposal takes a large vacant property that has been on the market for a number of years and repurposes the existing buildings. It preserves the open space in the RO district. Mr. Arnold stated it brings cultural, artistic, and economic benefit to the City of Concord.

Mr. Auger stated NHSCOT is a charitable organization. This is their 50th year. For the past 50 years they have been bringing history, culture, art, dance, music, and language to New England through the Highland Games. They want a cultural hub. A year-round center for Scottish dance, music, educational programs, and administrative headquarters for staff. They have three full-time and two part-time employees. They split their time between working home and they want an office for business purposes on site. Mr. Auger stated the Highland Games will remain in Lincoln. They are looking for a year-round home for small ongoing educational programs.

Member Condodemetraky asked for the activities they are bringing and if they think they will have 600 people.

Mr. Auger stated they have never had an event off site with that many people. The highest they ever had was at the Derryfield Country Club and they did not hit 400. Mr. Auger noted that is a number they would like to achieve some day for very limited events. They are looking at smaller classes for dance and pipe and drum.

Member Condodemetraky asked where a lot of the activity will be happening.

Mr. Auger answered in the main lodge. They are trying to build a program for future generations. Dancing and drumming will be in the main lodge. Stone tossing will be at the athletic field.

Ms. Skinner stated the project has been to the Zoning Board of Adjustment for two variances. One of the variances is to allow two principal uses on the site. One of the two principal uses is personal services and business, which allows use of the main lodge for all of their indoor education, offices, and headquarters, so anything they are doing inside the lodge is already approved. The second principal use is for the outdoor recreational facility. What the Planning Board is deciding on tonight is everything that is occurring outside as part of the outdoor recreational facility conditional use permit.

Ms. Dunson stated the main entrance is off Bog Rd. There is an existing 15 to 18-foot-wide gravel driveway. It goes up the hill and there is around a 75-foot elevation change from Bog Rd to the top of the main lodge. They will improve the existing driveway and widen it to be 24 feet wide. There is an existing culvert for the crossing and they will replace and repair the culvert in kind. That is covered under the wetland permit. They did submit for alteration of terrain and are waiting on a response. They went to the local advisory committee for the Soucook River. To the left is parking lot A and this parking lot is gravel and can hold 105 spaces. It is edged with sloped granite curbing. Water will flow from the parking lot into a filtration basin. In the location where there is no granite curbing they will

City of Concord Planning Board
April 16, 2025
Minutes

install wheel stops. Lot B has 73 spaces and has sloped granite curbing along the edge and wheel stops. There is overflow grass parking and can hold 89 spaces. All of the parking lots are interconnected with gravel walkways that go up to the main lodge. At the main loop at the top, it transitions into a paved surface with 22 spaces at the top with eight ADA parking spaces and sidewalks to the main lodge. They are proposing cistern tanks for fire. There is an existing fire pit and benches. They will not cut any trees down in this area. The conceptual amphitheater location is no longer a part of this project. They proposed a 12-foot-wide access road. Now it is an existing trail that is wide enough to fit a car. The intention is to treat the surface with gravel to allow for a secondary egress for an emergency. They will propose gates at both of the entrances to not allow for public use. The secondary egress provides access to River Rd. For stormwater they will treat all impervious surfaces. There is a grass swale along the new driveway which is connected to multiple infiltration ponds and is slowly released to wetland area. It is treated and pretreated. The pre and post flows are less than the existing flows. There are no new utilities proposed. The site already has septic, water, gas, and electric. They are proposing light poles in the parking area and along the driveway. These will only be lit at larger events. The landscaping there is a lot of playground material. They will loam and seed all the disturbed areas. They are adding a few trees to the parking area.

Member Savage asked if there will be landscaping at the front of the building.

Ms. Dunson stated at the front of the building there is an existing deck.

Mr. Auger stated it is an odd shape that slopes down into a fire pit. There are existing benches there. Mr. Augers noted they are not going to plant or landscape right now.

Member Condodemetraky asked if they will have any type of solar uses or compost toilets.

Mr. Dunson stated the site is not suitable for solar. There are a lot of steep slopes. Ms. Dunson noted they will use the existing toilets inside the building.

Chair Woodfin asked if it is on a private well and private septic.

Ms. Dunson answered yes.

Mr. Arnold stated the City determined the outdoor activities they are talking about constitute an outdoor recreational facility. Privately owned outdoor recreation facilities are allowed with a conditional use permit in the RO District. They submitted a written narrative that goes through all the criteria. The staff report indicates that all of them are satisfactorily addressed except for the criterion as to whether the use will be compatible with neighborhood. Mr. Arnold noted the map on the screen is in the packet and gave an overview of the activity areas on the site and how they will get used. At the bottom of the map is parking areas. Lot three is the overflow grass parking and will have some activities like sheep dogs. The existing field is number four where there will be pitch and golf activities. Number five is an existing pond and might be used for fishing demonstrations and in the winter ice skating or curling. Number six is the main lodge area. Number seven is an existing ropes course. Number eight is an existing pavilion. Number nine is existing athletic fields. The type of use and activity on the site on an ongoing basis a few days a week will have smaller scale cultural and recreational activities. They will have dance lessons, book clubs, picnics, and those smaller group events will have in the vicinity of 20 people. There may be an event that draws more than 20 people

City of Concord Planning Board
April 16, 2025
Minutes

and up to 100 people and those would be infrequent. The other category of use is the larger family-oriented events to celebrate holidays and cultural events four to six times per calendar year. That is where they see potential for attendance to be up to 600 people, although that far exceeds what those events have drawn at other locations as they have been held for the past several decades. They propose all those events will be limited in duration and not beyond 9:00 p.m. and only happen a handful amount of times a year. Mr. Arnold stated most of the comments in the staff report and letters from the abutters focus primarily on the larger events with 600 people. They believe the proposed use is compatible with the surrounding neighborhood. Mr. Arnold stated this is a large property with 58 acres. It is predominately wooded. The facilities on the site now are centrally located where the activities are taking place. There is a natural separation in terms of distance and natural vegetation to separate them from the abutting properties. Mr. Arnold stated the property has been historically used for outdoor recreation. The daily activities will be far less intensive or disruptive for the abutters than having an operational camp with 200 kids. The larger events with up to 600 people are more intensive than when the summer camp operated. Those events will not be rock concerts or wild parties. They will be family-oriented events. They are not late-night events or disruptive. The events they are proposing are being run by a long-standing organization that has had these events at various locations throughout the state. Mr. Arnold stated this past year NHSCOT held the annual Scottish New Year's celebration at Pembroke Pines that is surrounded by residential properties as well. There were no complaints or issues. Mr. Arnold stated by acquiring this property they will be able to host these events at their own property. Mr. Arnold noted that, when they are considering if a use is compatible with the surrounding neighborhood, it is helpful to look at what the other permitted uses of the property could be under zoning. Mr. Arnold stated perhaps the most similar use to what they are proposing that would be permitted by right on this property is an outdoor recreational facility that is publicly owned. Mr. Arnold noted if this property was owned by the City of Concord, State of New Hampshire, or a public entity it would be allowed by right. Mr. Arnold stated that would suggest to him that the recreational use itself is compatible with the area. It is recognized by zoning to be compatible with the area. The only difference with what they are proposing is that it is privately owned as opposed to publicly owned. Mr. Arnold stated that difference in ownership really does not change the impact of the recreational use or how well it fits within the neighborhood; rather, it is just a difference in ownership. Mr. Arnold noted another permitted use on this property would be an equestrian center and something like that would cause a much greater impact on the property and neighborhood. Mr. Arnold stated there would be a lot of land clearing to create pastures and to create riding rings. An equestrian center could have hundreds of people coming to them on a regular basis for horse shows or events more frequently than the four to six times a year they are proposing to have large crowds. Mr. Arnold stated if you look around Concord, outdoor recreation is commonly interspersed with residential neighborhoods. Mr. Arnold noted Beaver Meadow Golf Course and Concord Country Club both host events indoors and outdoors. Both are surrounded by residential properties. Memorial Field has a 2000-person capacity stadium and periodically holds large sporting events that generate noise around a residential neighborhood. White Park has all different sorts of recreation, pond hockey, skating, sledding, and athletic fields in the summer. The Black Ice Tournament at White Park has 700 hockey players in addition to spectators that happens once a year. Mr. Arnold noted White Park is surrounded by residential uses. Mr. Arnold noted the staff report raises objection letters from a couple of abutters with potential concerns about noise and traffic in terms of capability with the neighborhood. Mr. Arnold stated they have looked very closely at those issues and they know their concerns and have met with the neighbors. They have tried to be responsive to this and submitted a professional sound study submitted with the materials. There is also a traffic study submitted with the materials. Mr. Arnold stated the greatest concern that they have

City of Concord Planning Board
April 16, 2025
Minutes

heard so far is the noise and music from outdoor bag pipes and sent out a sound expert this past winter to do a sound test to find the amount of noise that will be generated. Mr. Arnold noted it was in the middle of winter and a bag pipe band could not perform in the middle of the winter. What they did was take recorded bag pipe music and set up speakers where the band would be located on the property. They turned the music up to 100 decibels which is the typical level of a bag pipe band. They took 10 or 11 sound readings at different locations on the property and along property lines. The report is in the packet provided to the Planning Board. It concluded that the pipe band was barely audible, if audible at all, at the closest surrounding property lines. The volume was in the range of 40 to 50 decibels and that is lower than a normal conversational level at the property lines. The traffic study concluded that the existing traffic infrastructure is adequate for the use and made some minor recommendations on how to coordinate and handle things, which NHSCOT will implement. The final point is that there are two letters of objection from a couple of abutters and NHSCOT is mindful and respectful of those. Also submitted are a half-dozen letters of support from abutters and community leaders. Mr. Arnold stated there are a number of comments in the staff report suggesting some mitigation measures and potential conditions of approval to address. Mr. Arnold noted some of those are ones they have already proposed, others are okay with them, and others are more problematic.

Chair Woodfin stated he has heard from three people that do not want to hear bag pipes in their neighborhood. Chair Woodfin stated the bag pipe issue is the one that stuck out right out of the gate. Chair Woodfin asked if they would be opposed to doing some live testing with six or ten people up on the hill to test to see what people are going to hear. Chair Woodfin pointed out he does not know the difference between a sound speaker and real bag pipe. Chair Woodfin noted he is concerned about the bag pipe noise from the quality of life of prospective.

Mr. Arnold stated that is why they had the sound study. Mr. Arnold noted the person that completed the sound test is present at this meeting and can testify tonight.

Member Condodemetraky asked in terms of attendance how do they draw the attendees and is it open to the public.

Mr. Auger stated they are open to the public and there is a membership. Mr. Auger noted they welcome everyone.

Ms. Dunson stated in the staff report there are a bunch of waiver requests. The first waiver is from Section 18.09 for parking lot marking and signage. Ms. Dunson noted there is partial support from staff on this waiver. Ms. Dunson asked for a waiver from this for the gravel parking lot not to be striped or provide signage within the gravel lots. The reasoning is the lots are not open to the public and they will only be used during major events. Ms. Dunson stated during large events they will have traffic volunteers to guide people to park in parking spaces.

Ms. Skinner stated that was staff's concern and did not see anything in the submittal about guiding traffic for parking. Staff would be supportive of granting that waiver with the condition that appropriate traffic control/parking attendees are present on the site for events.

Ms. Dunson stated the second waiver is for Section 18.10 for driveway width. This is in regards to the emergency access driveway which only shows as a 12-foot-wide driveway. Ms. Dunson stated she did meet with fire marshal and went over this in length. Ms. Dunson stated the fire marshal is fine

City of Concord Planning Board
April 16, 2025
Minutes

with width if it is intended to be one-way traffic. This is not intended for a fire truck to drive through this path. It is intended in case the main path is blocked.

Chair Woodfin asked if fire had any comments on navigating the site from Bog Rd.

Ms. Dunson answered no, she did fire truck turns, and did not submit it. Ms. Dunson stated she showed the fire marshal at their meeting the fire tower truck can go through all the parking areas.

Chair Woodfin asked if there are turning issues coming off Bog Rd.

Ms. Dunson answered no. Ms. Dunson stated it is an existing road and they are proposing to have the 12-foot gravel access road. This is to not take down any trees within this area.

Chair Woodfin asked about the 100-foot buffer and how does it handle the one lot.

Ms. Skinner stated that is up to the Planning Board if they want to condition it as such.

Chair Woodfin asked if there will be a street sign.

Ms. Dunson stated that is on her list to add.

Chair Woodfin asked if they will be lighting the sign.

Ms. Dunson does not know.

Ms. Skinner stated internally illuminated signs are not allowed in residential districts. Ms. Skinner stated they will have to get a sign permit.

Chair Woodfin asked about snow storage.

Ms. Dunson stated the driveway will be maintain throughout the year. Snow will be stored in the grassed area.

Chair Woodfin asked if NHSCOT is a nonprofit organization.

Mr. Auger answered yes.

Councilor Todd noted there was a highlight item in the report that says it is unclear if the accessible parking spaces meet all of the federal accessible parking requirements and asked for an update.

Chair Woodfin stated he thought that was for the ADA at the top.

Ms. Dunson stated she thinks it does. Ms. Dunson stated the slopes within the ADA spots do not exceed 2% and there is an accessible sidewalk.

Chair Woodfin asked for any member of the public to testify.

City of Concord Planning Board
April 16, 2025
Minutes

Ms. Skinner followed up on the waiver for the driveway width. Ms. Skinner stated staff is saying to deny it because it is not a waiver request. Ms. Skinner noted driveway width reduction is only allowed as a conditional use permit.

Chair Woodfin asked if that is identified as a non-valid waiver request.

Ms. Skinner stated it is.

Edward Smith (145 River Rd, Concord) is an abutter and sent in a letter. Mr. Smith is opposed to the conditional use permit for the property and asked the Planning Board not to approve.

Chair Woodfin stated the Planning Board received his letter and asked how long he has owned his house.

Mr. Smith answered 10 years.

Member Fox asked if the Planning Board heard this property was evaluated for housing and it was not doable for housing.

Chair Woodfin does not know.

Leon LaFreniere (141 River Rd, Concord) read his letter that was submitted to the Planning Board today that states his opposition to the conditional use permit for the property.

Chair Woodfin stated it is a large property with 57 acres. Chair Woodfin noted the need for housing, but the site has steep slopes and wetlands. Chair Woodfin stated it has to be used for something.

Mr. LaFreniere stated the property is large. It is encumbered with steep slopes and wetlands. Mr. LaFreniere stated he bought the house from the person that owned that land as they were a developer. Mr. LaFreniere noted that is before there was a camp.

Chair Woodfin asked if there were people walking by on the internal road would they be visible to Mr. LaFreniere.

Mr. LaFreniere stated he would definitely see them.

Wendy Landin (149 River Rd, Concord) is a direct abutter. The property is in the line of sight from and within earshot of the main lodge. Ms. Landin stated she is in favor of this project.

Member Savage wondered if Ms. Landin was home when the sound test was done and asked for feedback.

Ms. Landin could hear it when she was outside. She could barely hear it inside depending on what part of the house she was located.

Member Condodemetraky asked how far from the property line.

City of Concord Planning Board
April 16, 2025
Minutes

Ms. Landin stated she has three acres and maybe another half-acre to the main building.

Eric Snodgrass (149 River Rd, Concord) is in favor of this project.

Chair Woodfin asked if there is any other member of the audience that would like to speak. With no response, Chair Woodfin asked the applicant back to the table. Chair Woodfin asked the sound engineer if there is a difference between a live bag pipe versus coming from a speaker.

Mr. Dwyer, sound engineer with Boston Soundworks, addressed the sound study. Mr. Dwyer noted because of the time of year it was not possible to get a live bag pipe band. Bag pipes are susceptible to cold weather. They decided the best option was to reproduce bag pipe music at a similar level to a live band. They had one single live performer, and amplified the music in excess of 100 decibels and way above what most people can tolerate. It peaked at 107 decibels. The professional piper agreed that this was louder than any pipe band he has ever marched with. Mr. Dwyer noted there was heavy snow cover on ground which helps the sound levels to travel farther. It was in the middle of winter with no foliage on the trees. The first measurements at the lodge and progressively down the trail towards the choke point and the neighbor's boundary. The measurements at the neighbors' boundary were comparable with what he would measure in a library – something within the 40 to 45 decibel range. Mr. Dwyer stated they heard birds louder than the music. Mr. Dwyer noted in the packet there are different sound levels that were recorded at different points. The levels were recorded with “a” weighting which means it compensates for the human brain in that when it hears one piper or 100 pipers our brain compensates to create an average.

Chair Woodfin asked if there is resonance.

Mr. Dwyer answered yes.

Mr. Arnold stated they will not use bull horns or loud speakers. The intent is not to amplify any music. Mr. Arnold noted there is no lighting for the athletic fields. Mr. Arnold noted the staff comments on the 100-foot buffer and it is not an issue for most of the site, noting that there is not 100 feet of vegetation between the property line and the athletic fields. Everything else there is more than a 100-foot buffer along the rest of the property. Mr. Arnold pointed out that the ordinance with respect to this buffer expressly prohibits camp sites, buildings, or parking facilities. It says that the Planning Board may permit streets and utilities and can allow certain recreational facilities within the buffer provided the improvements are compatible with the adjacent land use. Mr. Arnold stated his point is that this is existing and there is no proposed change. Mr. Arnold noted he thinks it is grandfathered.

Chair Woodfin asked about the old plantings that were approved as part of a prior approval.

Mr. Auger stated they are working on getting two fencing quotes.

Chair Woodfin asked where would the fencing go.

Mr. Auger stated along the road to keep people away from other properties. Mr. Auger noted they are fine with planting trees.

City of Concord Planning Board
April 16, 2025
Minutes

Member Condodemetraky asked if outside of the planned events would there be access to the grounds.

Mr. Auger stated a number of the abutters use the property to walk their dogs and ride their horses. Mr. Auger noted they have no problem with that. The property is connected to rail trails. They do not have a problem with that either. They do not want people parking in their area. Those will be gated. As far as people that live nearby they can certainly use the property.

Chair Woodfin asked about the access gate on the road and if they can walk around it.

Member Condodemetraky asked if there would be a museum that would be an attraction.

Mr. Auger answered no.

Councilor Todd asked in terms of fire truck and emergency access was there also testing down from River Rd on the gated area.

Ms. Dunson stated she did do a turning radius for access road.

Member Hicks asked about sound as this property has slopes and wetlands and asked what impact those have on how sound carries across the site.

Mr. Dwyer stated it depends on the vegetation. Generally speaking open water will help carry sound. In wetland area with vegetation in spring, summer, and fall it acts as sound deadening and it will create a buffer to mitigate the sound levels.

Ms. Dunson stated she did some rough calculations of feet from the top of the lodge and elevation change to the abutting property. From the lodge to this corner to it was 550 linear feet and there is a 30-foot elevation change. Ms. Dunson noted that area is completely wooded.

Councilor Todd asked if the larger events will be open to the public.

Mr. Auger answered they will be open to the public.

Councilor Todd asked if they would be good neighbors and invite the abutters to the events.

Mr. Auger stated they will be invited to the events.

Chair Woodfin asked if they can have a wedding there.

Mr. Auger stated they do not have the means to do that.

Member Hicks stated he lives near the Concord Country Club and when they have weddings in the summer he can barely hear it and he can see the building.

Chair Woodfin asked if they moved towards an approval one of the things they can condition is fencing.

City of Concord Planning Board
April 16, 2025
Minutes

Mr. Auger is working with two fencing companies to keep guests away from abutters properties.

Chair Woodfin asked about the location of the fencing.

Mr. Auger will follow the existing gravel road to the pinch point.

Ms. Dunson has a comment on the waiver request. Ms. Dunson did do more research for a 12-foot-wide one-way access driveway. In the staff report comment 2.35 states that in the zoning ordinance you are allowed to have a 12-foot width with one-way traffic flow; however, in the site plan regulations it says 14 and the strictest condition applies, which would be the 14 feet and a site plan regulation so the waiver applies.

Ms. Skinner stated she has addressed this as a condition of approval because by definition it is not a driveway. This is only an emergency access, and the waiver is not necessary for an emergency access.

Mr. Arnold asked if they are moving towards a decision on the conditional use permit, he would like to go through the conditions of approval because they have issues with some of them.

Chair Woodfin stated they can leave the public hearing open to address. Chair Woodfin stated with any of these projects he forms an opinion and they are desperate for housing. This looks like a great housing lot. Chair Woodfin pointed out, though, that they made a compelling argument to modify his opinion of a property like this in a residential area. Chair Woodfin noted the comparisons are not there with Beaver Meadow, White Park, or Rollins Park. Chair Woodfin stated he is leaning towards granting the conditional use permit. Chair Woodfin opened it up for discussion at the Board level.

Member Savage stated there are some buildings they are not going to touch that are in disrepair over towards the smaller pinch point area by the athletic fields.

Mr. Auger stated there are a lot of them that are dilapidated and they are losing some of them from snow. Mr. Auger noted the ones they can save they will and everything that is dangerous has been boarded up.

Member Savage asked in regards to housing and when Ms. Dunson stated the elevation to be 60 feet. That would be almost impossible for buildable land and with the amount of wetlands that surround the property.

Ms. Dunson showed the steep slopes that are surrounded by wetlands.

Mr. Arnold stated on page 19 of the staff report there is a number of proposed conditions for the conditional use permit and thinks this pertains to the larger events.

Ms. Skinner stated the daily events for the most part are inside.

Mr. Arnold stated they are inside and outside.

Ms. Skinner stated they do relate to the larger events.

City of Concord Planning Board
April 16, 2025
Minutes

Mr. Arnold stated a lot of these do not apply to small events. The first condition is that the outdoor events are limited to one per quarter each calendar year. Mr. Arnold noted they would prefer not to limit it to four. They would propose to go up to six. Limiting to one for each quarter can be problematic because a lot of these events are based on the calendar and are holidays and cultural events that may not coincide with one per calendar quarter. They propose a maximum of six throughout the course of the year. The second condition pertains to outdoor events not beginning until 10:00 a.m. and ceasing by 6:00 p.m. Mr. Arnold stated they have no problem with the events not beginning until 10:00 a.m. There may be set up and other things going on in the morning. Mr. Arnold stated 6:00 p.m. is a little earlier than they would like, and, in the application, they proposed 9:00 p.m. Mr. Arnold stated they would like to stick to that if possible. They do not think nine is unreasonable, given the sound studies and the impact to the neighbors. The other benefit to allowing them to go later than 6:00 p.m. is if you have larger crowds leaving the site, they will not be leaving at peak hours.

Chair Woodfin suggested splitting the difference and ending by 8:00 p.m. Then there could be someone there for an hour or two after the event closing things up. Chair Woodfin asked if they would consider 8:00 p.m. with no limitations on when they can leave.

Member Savage noted this issue is about the sound and the music and suggested 8:00 p.m. as a stopping time for the music with other activities continuing to 9:00 p.m.

Mr. Arnold stated the third condition to have no more than two back-to-back days is fine. Mr. Arnold stated the fourth one is the event is limited to no more than 600 people and no more than 200 vehicles. Mr. Arnold stated that is fine, that parking is proposed for 200 vehicles. Mr. Arnold noted the goal is to have up to 600 attendees, plus staff and volunteers working the event. Mr. Arnold asked that the people working the event not count with the 600 people.

Ms. Skinner stated that will be revised accordingly.

Mr. Arnold asked for it to say no more than 600 attendees. Mr. Arnold noted on “e” before January first of each year they provide the Planning Division a schedule for six outdoor events. Mr. Arnold noted the issue with providing the calendar of events by January first is that they are not known for the whole year at that point. Mr. Arnold stated they are happy to give advanced notice.

Member Savage asked if they know by March what the yearly calendar will be for the year.

Mr. Auger stated that sounds reasonable.

Chair Woodfin asked why is the Planning Department involved in notifying abutters.

Ms. Skinner asked if Chair Woodfin wanted that eliminated.

Chair Woodfin answered yes.

Mr. Arnold noted the condition of noise is limited such that no noise from the events is audible at the adjacent property lines. Mr. Arnold stated this goes a little too far. He does not think it is consistent with what the ordinance requires in terms of noise levels for the zoning ordinance or sound ordinance.

City of Concord Planning Board
April 16, 2025
Minutes

Mr. Arnold stated noise is expected to be perceptible at property lines from any neighbors as long as it is not unreasonably loud.

Chair Woodfin stated they will strike that as well.

Councilor Todd stated by striking the notification from the Planning Board they are relying on NHSCOT to notify the neighbors.

Chair Woodfin asked if they have a website and if they can post the events on the website.

Mr. Auger answered they can and they also have a Facebook group for the abutting neighbors.

Ms. Skinner clarified that NHSCOT shall provide notification.

Chair Woodfin stated NHSCOT shall provide notification on their website and social media by March first.

Chair Woodfin closed the public hearing.

Member Condodemetraky asked if they can limit the attendee capacity.

Chair Woodfin answered they can but he is not sure if they want to or there is a need to.

Member Savage stated they have limited parking and they have to abide by the parking. That could limit the amount of attendees unless they bus them in. If there is a large event that has a large draw, it would not be in Concord.

Member Condodemetraky stated looking at the abutters and their concern is the main events and not the staff members.

Chair Woodfin stated that is fair.

Mr. Fox does not see a huge leap in use on this property. It is recreational and the property is 58 acres. It was formerly recreational and not changing a lot. Mr. Fox stated culturally the City of Concord does not have a significant number of cultural events. Mr. Fox stated he lives in the area between White Park and Bishop Brady High School and can hear band practice on Memorial Field from the high school. Mr. Fox stated the noise level is not his issue.

Member Hicks stated he would love to have housing there and looking at the map you cannot get much housing there. Member Hicks does not want to lose taxable property in the City of Concord. Member Hicks stated he is not concerned with the size of the events.

Chair Woodfin stated the findings of fact, which include information provided in staff reports; the applicant's submission materials; testimony provided during the public hearing; and, other documents or materials provided in the public hearing.

City of Concord Planning Board
April 16, 2025
Minutes

On a motion made by Chair Woodfin, seconded by Member Hicks, the Board voted to **grant conditional use permit approval** for Section 28-2-4(j) *Table of Principal Uses C5 Privately owned outdoor recreational facilities* of the Zoning Ordinance, to allow use of the site as a privately-owned outdoor recreational facility, based on the information submitted and the testimony received at the public hearing showing that all criteria from Section 28-9-4(b)(4) have been met, or will be met with the following conditions of approval:

- a. Large outdoor events shall be limited to **a maximum of six per calendar year.**
- b. Large outdoor events shall not begin until 10:00 a.m., with outdoor music ceasing by 8:00 p.m., and remaining outdoor activities associated with the outdoor event ceasing by 9:00 p.m., noting that setup preparation and closing down the site by NHSCOT staff may occur prior to 10:00 a.m. and after 9:00 p.m. on the day of the event.
- c. Large outdoor events shall have a duration of no more than two back-to-back days.
- d. Outdoor events shall be limited to no more than 600 attendees, including all ages, and no more than 200 vehicles.
- e. NHSCOT shall post notifications on their social media websites regarding the six large outdoor events by March 1st of each calendar year.

The motion passed with 5 (Fox, Hicks, Savage, Todd and Woodfin) in favor to 1 (Condodemetraky) opposed.

On a motion made by Member Savage, seconded by Member Hicks, the Board voted to **grant architectural design review approval** for the conversion of the site to the NHSCOT headquarters, as submitted.

All in favor. The motion passed unanimously.

On a motion made by Member Savage, seconded by Member Fox, the Board voted to **grant the waiver request below** from the listed section of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations:

- a. Section 18.09 *Parking Lot Markings and Signage*, to provide parking lot markings and signage only in the parking area within the main loop paved parking/driveway and to not provide parking lot markings within the gravel lots and gravel driveway **subject to the condition of approval that traffic parking attendants shall be present on the site to direct parking for outdoor events.**

All in favor. The motion passed unanimously.

On a motion made by Chair Woodfin, seconded by Councilor Todd, the Board also voted to **deny the waiver request below** from the Site Plan Regulations because it is a conditional use permit per the Zoning Ordinance, not a waiver, and therefore cannot be approved as a waiver.

- a. Section 18.10 *Driveway Widths*, to not provide driveway widths as required.

All in favor. The motion passed unanimously.

City of Concord Planning Board
April 16, 2025
Minutes

Member Savage made a motion, seconded by Member Hicks, the Board voted to **grant the waiver requests below** from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations:

- a. Section 12.02(1)(a) *Title Block – Title of plan*, to not show the project title on all sheets;
- b. Section 12.02(1)(b) *Title Block – Name and address of owner and applicant*, to not show the name and address of the applicant in the title block of all sheets;
- c. Section 12.04(9) *Location Plan – Zoning district designations and boundaries*, to not show the zoning district designations and boundaries on the location plan;
- d. Section 12.07 *Wetland Delineations*, to not provide the signature and seal of the wetland scientist on the site plan;
- e. Section 15.01(8) *Architectural plans as set forth in Section 16.03 Architectural Plans and Elevations*, to only provide architectural elevations for the main building;
- f. Section 15.02(8) *Addresses*, Section 15.04(5) *Addresses*, Section 16.02(7) *Addresses*, Section 17.04 *Addressing*, to not provide individual addresses for all the buildings within the entire site;
- g. Section 15.03(16) *Signs*, to not show the size of existing ground signs;
- h. Section 15.03(23)(b) *Tabulations – Square feet or acres devoted to existing and proposed land uses*, to not provide existing and proposed square footages on the existing conditions plan;
- i. Section 15.03(23)(e) *Tabulations – Parking required for existing and proposed use*, to not provide parking calculations on the existing conditions plan;
- j. Section 15.04(21) *Signs*, to not show the size of existing ground signs;
- k. Section 16.02(14) *Utility Plan*, to not provide the required utility plan;
- l. Section 16.02(19) *Traffic Control Plan*, to not provide the traffic control plan as part of the site plan application and to instead have the contractor who is awarded the work provide the plan;
- m. Section 16.03(4) *Elevations*, to not provide architectural elevations of all sides of all buildings and to only provide elevations for the main building;
- n. Section 16.03(9) *Colored Rendering*, to not provide a colored rendering of each elevation and proposed landscaping at the time of planting and as expected in 5 years after planting;
- o. Section 16.03(10) *Photographs*, to not provide colored photographs of all existing facades, the existing site, and adjacent buildings and properties;
- p. Section 16.03(11) *Signs*, to not include the location, size, and placement of affixed and freestanding signage on the site plan and building elevations;
- q. Section 16.02(22) *Construction Details*, to not provide Detail D-7 *Drive with Sloped Granite Curb, w/o Sidewalk* to exclude the sloped curb requirement as there currently is no curbing along the right-of-way of Bog Rd;
- r. Section 18.17 *Tree Plantings*, to not provide tree plantings at a ratio of one tree for each 1,000 square feet of proposed parking area;
- s. Section 18.22 *Grades*, to allow the 14 paved parking spaces at the top of the loop/circle to have a slope of 6.5%, rather than the maximum of 5%, in order to maintain the existing driveway grades;
- t. Section 21.03 *Connection to Public Sidewalks*, to not provide a sidewalk connection from a public street or sidewalk to buildings on the site;
- u. Section 21.05(3) *Sidewalks*, to allow the proposed 8-foot pathways connecting the gravel parking lots to the main building to have slopes greater than the 8% maximum allowed;

City of Concord Planning Board
April 16, 2025
Minutes

- v. Section 22.07(2) *Storm Water Recharge*, to not provide a minimum separation of four feet between the bottom of an infiltration system and the groundwater and to instead provide a three-foot separation as per the New Hampshire Department of Environmental Services best management practices.

All in favor. The motion passed unanimously.

On a motion made by Member Hicks, seconded by Member Savage, the Board voted to **grant conditional use permit approval** for Section 28-4-3(d) *Conditional Use Permits Required for Certain Disturbances of Wetland Buffers*, to allow for the disturbance of a buffer in conjunction with construction or installation of roads, utilities, and drainage improvements which require the placement of impervious surfaces, and the draining, dredging, filling, recontouring, or grading of the land within the buffer, based on the criteria being met.

All in favor. The motion passed unanimously.

On a motion made by Member Hicks, seconded by Member Savage, the Board voted to **grant conditional use permit approval** for Section 28-7-11(e) *Alternative Surfacing* of the Zoning Ordinance, to allow for complete or partial substitution of an alternative surfacing for a paved surfacing on a parking lot, for uses that function less than six months each year, based on the criteria being met, subject to the following condition:

- a. On or before March 1st of each calendar year, NHSCOT shall email the Planning Division the calendar of events scheduled for that calendar year, along with estimated attendance and designated parking lots for each event, such that scheduled events utilizing the alternative surfaced parking areas are occurring less than six months for that calendar year.

All in favor. The motion passed unanimously.

On a motion made by Member Hicks, seconded by Councilor Todd, the Board also voted to **grant conditional use permit approval** for Section 28-7-11(b) *Construction of Fewer Parking Spaces* of the Zoning Ordinance, to allow for construction of fewer parking spaces than are required by Section 28-7-2(d) *Table of Parking Requirements*, based on the criteria of the being met, and subject to the following condition:

- a. Prior to final approval, the site plan shall be revised to show where the full number of spaces could be provided.

All in favor. The motion passed unanimously.

On a motion made by Chair Woodfin, seconded by Member Fox, the Board voted to **grant major site plan approval** for conversion of the site at 210 Bog Rd to NHSCOT headquarters, subject to the following precedent and subsequent conditions:

- (a) Precedent Conditions – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the

City of Concord Planning Board

April 16, 2025

Minutes

Planning Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void. Precedent conditions are as follows:

1. Unless a specific variance, waiver, or conditional use permit is granted stating otherwise, revise the plan set to fully comply with the Site Plan Regulations, Zoning Ordinance, and Concord Construction Standards and Details, including but not limited to, the following, and **upload revised documents for review into the online portal:**
 - a. As required by Section 11.01(7), Section 13.01(6) *State and Federal Permits*, and Section 13.02(8) *State and Federal Permits*, copies of permit applications to state and federal agencies shall be submitted to the Planning Division. Note 10 on Sheet C-3.0 lists three permits that are required by state/federal agencies, and a copy of one of the three was included with the initial submittal. The Engineering Division notes that an EPA notice of intent, general construction permit, and accompanying SWPPP are required if the area of disturbance is over one acre. These shall be added to note 10 on Sheet C-3.0 as applicable. Copies of all state and federal agency permit applications shall be submitted to the Planning Division, by uploading into the online permit portal, as required by the Site Plan Regulations.
 - b. Section 15.04(12) *Easements and Rights-of-Way* requires showing the location, width, and purpose of existing and proposed easements for road rights-of-ways, utilities, drainage, slope, open space or conservation easements and any other easement as required. The easements to be shown include both public and private easements. The dimensions and bearings shall be shown for the boundaries of all easement areas where available. Sheet C-3.0 makes note of existing easements on the site, but the noted existing easements are not actually depicted along with their boundaries, dimensions, and uses clearly labeled and called out. This required information shall be added to Sheet C-3.0.
 - c. Section 15.04(24) *Solid Waste Facilities* requires that the site plan show the type and location of existing and proposed solid waste disposal facilities, along with dimensions, setbacks, and type of screening. The site plan shows the existing solid waste disposal facility and property setbacks, but it does not show the type of screening and the dimensions of the screening. There is also no indication given of proposed solid waste facilities, so the assumption is the existing solid waste facilities will be utilized for the project. For confirmation and clarification, a note shall be added to Sheet C-3.0 stating that no new solid waste disposal facilities are proposed and that the existing solid waste facility will be utilized by the project. Additionally, the type and dimensions of the screening of the existing solid waste facility shall be added to Sheet C-3.0 showing that the screening is solid and opaque (not chain link with any covering or slats) and at least 6 feet in height.
 - d. Section 16.02 *Site Plan Requirements* requires that a description of the type of uses proposed on the site in addition to the tabulations of use and activity required is included on the site plan per (8) *Proposed Use*; that phased developments shall show the boundary of each phase and the improvements to be constructed in each phase per (11) *Phasing*; and that plans are provided

City of Concord Planning Board

April 16, 2025

Minutes

for all proposed improvements per (21) *Other Improvements*. Staff notes that Sheet C-1.0 lists proposed uses as corporate office/headquarters and outdoor recreational facilities and provides use tabulations. Sheet C-3.0 lists the uses in Note 1 as new parking, driveway, and access roads for the NHSCOT headquarters. Note 11 states the project is to be constructed in one phase. However, Sheet C-3.1 shows a detail of a conceptual amphitheater location for which no mention is made of a second phase for said amphitheater; no plans or details are provided for said amphitheater; the demolition plan, grading plan, drainage plan, landscaping plans, and detail sheets do not account for said amphitheater; and the conditional use permit application for an outdoor recreational facility does not mention a proposed amphitheater. Either the detail of the conceptual amphitheater location shall be removed from the plan set or all plans and the conditional use permit application shall be revised to include all items necessary for the amphitheater, including but not limited to, an updated phasing plan, updated listing of uses and use tabulations, updated parking tabulations, elevations for the amphitheater, updated conditional use permit application for the outdoor recreational facility specifically including the amphitheater with proposed use details, updated demolition plan, grading plan, drainage plan, erosion control plan, and stormwater management report.

- e. As required by Section 16.02(12) *Grading and Drainage Plan*, a grading and drainage plan was included in the submittal so the requirement is satisfied for purposes of a determination of completeness. However, for purposes of full and accurate compliance with Section 16.02(12) *Grading and Drainage Plan* and Section 22 *Stormwater Management*, the Engineering Division notes that the following revisions shall be made to Sheet C-4.0:
 - i. Portions of the proposed gravel parking lots appear to flow directly into the proposed infiltration ponds based on the proposed grading. Runoff shall be directed to the forebays to minimize sediment from entering and clogging the infiltration ponds in accordance with best management practices;
 - ii. There are two proposed 366 contours shown at the bottom of infiltration pond 1. Confirm that this is not in error and revise accordingly;
 - iii. Extend the stone protection at the emergency spillway for infiltration pond 1 to the bottom of the proposed slope to help prevent erosion;
 - iv. The proposed swale at the southerly side of parking lot B shall include additional spot grades to ensure that surface runoff is directed to the stormwater BMP and does not flow directly to the adjacent wetland;
 - v. Note 10 calls out 3 feet of cover. Revised this depth to 4 feet of cover pursuant to Section 6(3)(F)(2) of the Concord Construction Standards and Details;
 - vi. Add more finished grade spot shots in the proposed parking lots to enable accurate construction; and
 - vii. Add a callout on the existing “15” RCP Partially Functional” to clean and/or repair.

City of Concord Planning Board

April 16, 2025

Minutes

- f. Section 16.02(16) *Lighting Plan* requires a lighting plan that shows foot-candles, as well as the color and height of all light poles to the top of the fixture. The submittal included a lighting plan showing the foot-candles, as well as the types and wattages of fixtures. However, the lighting plan did not include the color of the light poles or the height of the light poles to the top of the fixture. The color of the light poles and the height of the light poles to the top of the fixture shall be added to the lighting plan.
- g. As required by Section 16.02(18) *Demolition Plan*, a demolition plan was included in the submittal so the requirement is satisfied for purposes of a determination of completeness. However, for purposes of full and accurate compliance with the section, the Engineering Division notes that the following change shall take place:
 - i. Sheet C-2.0 – include a reference to the erosion control plans for the controls to be implemented prior to removal of the existing 24-inch driveway culverts near Bog Rd.
- h. As required by Section 16.02(22) *Construction Details*, the construction details are provided on Sheets C-6.0 through C-6.4, so the requirement is satisfied for purposes of a determination of completeness. However, for purposes of full and accurate compliance with the section, the following changes shall take place:
 - i. Sheet C-6.1 – provide either Detail D-7 or Detail D-9 from the Concord Construction Standards and Details for the 24-foot-wide driveway apron on Sheet C-4.0;
 - ii. Sheet C-6.1 – the concrete curb section detail shows a 6-inch curb instead of the required 7-inch curb. Revise to match Detail C-1.
 - iii. Sheet C-6.1 – the concrete sidewalk concrete curb detail also needs to show a 7-inch curb and follow the requirements of Section 3(3)(D) of the Concord Construction Standards and Details;
 - iv. Sheet C-6.2 – the standard headwall detail only shows one pipe, while the headwall on Sheet C-4.0 shows two 24-inch HDPE pipes. Revise the detail to match what is shown on Sheet C-4.0;
 - v. Sheet C-6.4 – note 1 in the sediment forebay detail indicates that the infiltration rate shall be not more than 8 to 10 inches per hour. Based on the design calculations, the infiltration rate should not be less than 10 inches per hour, otherwise the infiltration systems will not operate as designed. Revise note accordingly. Also, on this detail show the overflow elevation, and label the invert out for the 18-inch outlet pipe; and
 - vi. On the emergency spillway detail, label the type and depth of the rip rap. Use callouts for the spillway elevation and the top of the berm elevation for clarification.
- i. Section 18.06 *Handicapped Accessible Spaces* and federal regulations provide the dimensional requirements for accessible spaces. The site plan does not provide labeled dimensions of the accessible spaces. Dimensions shall be added to the site plan for the accessible spaces showing that the required accessible spaces are at least 96 inches wide, with an access aisle at least 60 inches wide, no more than a 1.48 (2.08%) slope in all directions,

City of Concord Planning Board

April 16, 2025

Minutes

have a surface that is firm, stable, and slip-resistant, and have a sign with the international symbol of accessibility on it, mounted at least 60 inches above the ground (measured to the bottom of the sign). One van accessible space must be provided that meets one of two options: 1) be at least 132 inches wide, have an access aisle at least 60 inches wide, have no more than 1.48 (2.08%) slope in all directions, provide at least 98 inches of vertical clearance (van height) for the parking space, access aisle, and vehicular route, have a surface that is firm, stable, and slip-resistant, and have two signs mounted at least 60 inches above the ground measured to the bottom of the sign (first sign international symbol of accessibility, second sign stating the space is van accessible); or 2) be at least 96 inches wide, have an access aisle at least 96 inches wide, have no more than 1.48 (2.08%) slope in all directions, provide at least 98 inches of vertical clearance for the parking space, access aisle, and vehicular route, have a surface that is firm, stable, and slip-resistant, and have two signs mounted at least 60 inches above the ground measured to the bottom of the sign (first sign international symbol of accessibility, second sign stating the space is van accessible). The site plan shall be updated to show and clearly label and call out all required dimensions and signage for all accessible spaces and accessible van spaces.

- j. Section 18.09 *Parking Lot Markings and Signage* requires that parking spaces, entry and exit drives, direction of traffic flow, and pedestrian ways shall be appropriately demarcated with pavement markings and signs. Parking spaces that are paved shall be marked, at a minimum, with four-inch wide white lines. Unpaved parking spaces shall be marked with signage or another appropriate form of delineating the required spaces. Stop bars, arrows, and crosswalks, stall lines shall be painted white and the MUTCD standards for marking and signage shall be used as guidelines for the provisions of signage and pavement marking on the site. Any signage and/or markings to be placed on public streets shall conform to the standards contained in the MUTCD and the Concord Construction Standards and Details. All markings and signage shall be provided except those specifically waived in the waiver request.
- k. Section 18.10 *Driveway Widths* requires driveway widths of at least 20 feet for two-way traffic flow and at least 14 feet in width for one-way traffic flow. However, Section 28-7-7(f) *Driveway Widths* of the Zoning Ordinance provides the requirements for driveway widths of at least 24 feet in width for two-way traffic flow and at least 12 feet in width for one-way traffic flow. In instances of conflicting requirements, the strictest condition applies. Accordingly, the minimum width for two-way traffic flow is 24 feet, and the minimum width for one-way traffic flow is 14 feet. The existing 8-foot-wide access is proposed to be widened to a 12-foot gravel access. This does not meet the width requirement, and a conditional use permit application has not been received for a width reduction. Staff notes that a waiver is requested, but this particular requirement necessitates a conditional use permit approval rather than a waiver approval. Regardless, the applicant has verbally indicated to staff that this is not a driveway but is **only** an emergency access. Accordingly, signage shall be placed at the **beginning and end** of this 12-foot-wide emergency access only clearly stating that it's a secondary means

City of Concord Planning Board

April 16, 2025

Minutes

of access for emergency services only and shall be blocked from entry by the public with a method approved by the Fire Department. The site plan shall clearly show and label the location and type of proposed signage and blockage.

- l. Section 18.11 *Perimeter Buffers* requires that landscape buffers set forth in Section 28-4-2 of the Zoning Ordinance shall also be provided for non-residential uses in both residential and mixed-use zoning districts. The Zoning Ordinance does not have a buffer requirement for non-residential uses in residential zoning districts, but in cases of conflict the strictest condition applies. Accordingly, the site plan and landscaping plan sheets shall be revised to show and label the required 30-foot-wide landscape buffer and the landscape plan shall be revised to show how the buffer option (1, 2, 3, 4, or 5) is being provided along the western boundary for 400 feet (200 feet to the north and 200 feet to the south of the narrow point) (see attached Exhibit A).
- m. Section 18.13 *Interior Parking Lot Landscaping* requires that internal parking lot landscape islands shall be a minimum of nine feet in width. The width of the internal parking lot landscape islands is not shown or labeled on the landscaping plan sheets, and such dimensions shall be added to show compliance with this section.
- n. Section 18.15 *Other Landscaped Areas* requires that all landscape areas outside the parking lot, and not associated with either the required perimeter landscaping or required residential district buffer shall be a minimum of four feet wide, and a minimum of six feet wide if trees are to be planted in the landscape area. Dimensions shall be shown and labeled on the landscape plan sheets for all landscape areas to show compliance with this section.
- o. Per Section 18.19 *Curbing and Guardrails*, curbing and guardrails shall be installed as set forth in Article 28-7 *Access Circulation and Parking* of the Zoning Ordinance and the Concord Construction Standards and Details. The site plan sheets do not appear to show the required curbing around the perimeter of all parking areas and parking lot landscape islands and shall be revised to clearly label and call out on the all site plan sheets the curbing and the type of curbing around the parking lot perimeters, parking lot islands, and parking lot landscaped areas.
- p. Section 20.01 *Solid Waste Facility Standards*, Section 20.06 *Solid Waste Facility Screening*, and Section 20.07 *Design of Solid Waste Disposal Areas* provide the screening and design requirements for the solid waste enclosure and required screening. The screening shall be a solid opaque fence not less than 6 feet nor more than 8 feet in height. The plan set does not appear to show the required screening, and shall be revised to show a solid opaque fence (chain link with slats or any type of covering is not solid opaque fence) at the required dimensions for the existing dumpster enclosure.
- q. All sidewalks, except the 8-foot pathway, shall comply with all portions of sidewalk requirements in the Site Plan Regulations and the Concord Construction Standards and Details. *All* applicable sheets in the plan set shall be revised to clearly show, label, and call out the widths and slope of all sidewalks for compliance with these sections.

City of Concord Planning Board
April 16, 2025
Minutes

- r. The Engineering Division notes that the submitted stormwater management report is not fully compliant with Section 22 *Stormwater Management*, and shall be revised as follows for compliance:
 - i. The test pit information is not legible on Figure 2: Post Development Drainage Area Plan. Darken the test pit symbols and numbers so they are clear, legible, and readable;
 - ii. Provide a calculation of the Ksat rates from the test pits, and the infiltration/exfiltration and discarded rates used in HydroCAD. Calculate the Ksat rates according to Env-W1 1504.14. Provide the results in a table, along with the wetted area used to calculate the discarded rates;
 - iii. The narrative and the infiltration feasibility report list the infiltration rate used for infiltration pond 2 within Croghan Variant soils as 2 inches per hour. However, the HydroCAD model uses 3 inches per hour for the infiltration rate at pond 2. Revise as necessary with the correct figures; and
 - iv. List the outlet pipe rip rap and sediment forebays in the inspection and maintenance manual.
- s. An erosion control plan was submitted for purposes of completeness as required by Section 15.04(14) *Drainage & Erosion Control* and Section 16.02(13) *Erosion Control*. However, the Engineering Division notes that the submitted plan is not fully compliant with Section 22.14 *Erosion Control* and Section 27.09 *Erosion Control* and shall be revised as follows for compliance:
 - i. Sheet C-5.0 – information and details shall be provided to indicate how the flow of the existing brook will be maintained during the replacement of the existing 24-inch culverts;
 - ii. Sheet C-5.0 – jute matting shall be shown, called out, and labeled on all slopes steeper than 3:1; and
 - iii. Sheet C-5.1 – the proposed silt fence shown to the north of the existing building shall be extended to protect the limits of the proposed grading.
- t. Section 23.07 *Non-municipal Water Supply* provides requirements for wells for non-residential uses. The application materials state an existing well will be utilized to serve the proposed uses. However, no documentation has been provided from New Hampshire Department of Environmental Services (NHDES) confirming that the existing well meets the NHDES standards for the proposed uses. Such documentation from NHDES shall be provided as a condition of approval.
- u. Section 24.08 *Non-Municipal Sanitary Sewage Disposal* provides requirements for sanitary sewage disposal provided by individual waste disposal systems. Community sewerage systems which serve more than a single non-residential principal use are expressly forbidden in the City of Concord. The project proposes two non-residential principal uses – general personal and business services (main building headquarters) and an outdoor recreational facility. Each principal non-residential use not served by the municipal sanitary sewer system shall be provided with its own individual

City of Concord Planning Board

April 16, 2025

Minutes

waste disposal system. The site plan indicates that the existing individual waste disposal system will serve the entire site. It is unclear if the outdoor recreational facility use will utilize the existing individual waste disposal system that services the main building to be used as the NHSCOT headquarters or what the provisions are for the outdoor recreational facility. Additionally, no documentation was provided from NHDES showing that the existing disposal system is adequate to meet the needs of the proposed general personal and business services. Such document from NHDES shall be provided as a conditional of approval, and the plan for waste disposal for the outdoor recreation facility shall be clearly provided as separate from the waste disposal system for the general personal and business services.

- v. The landscaping plan sheets shall show and label all existing overhead utilities and all existing underground utility lines and show no plantings underneath overhead utilities or within 10 feet of underground utility lines.
- w. The landscaping plan does not appear to show the required curbing around landscape bumpouts and islands as required by Section 27.07(2) *Landscape Bumpouts and Islands* and shall be revised to show and label the required curbing. Required curbing shall also be shown and labeled on Sheet C-3.0.
- x. Section 28 *Fire Protection* requires that all developments shall make adequate provision for fire apparatus to access to allow for effective emergency rescue and fire protection. To comply with this section and the fire code, the following changes shall be made to the plan set and shall be clearly shown, labeled, and called out:
 - i. Emergency turnaround shall be provided for parking lots "B" and "C" per NFPA 1 2021 Edition: 18.2.3.5.4 *Dead Ends* – Dead-end fire apparatus access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around;
 - ii. Secondary means of egress shall be provided at the top of the driveway (need confirmation that current roadway will be the secondary emergency access) NFPA 1 2021 Edition: 18.2.3.3* *Multiple Access Roads* – More than one fire apparatus access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion of terrain, climate conditions, or other factors that could limit access;
 - iii. Per NFPA 1 Fire Code 2021 Edition 18.2.3.5.2* *Surface*, all driveways, access roads, and turnarounds shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface; and
 - iv. The grass parking areas shall be kept mowed at all times to aid in preventing heat from vehicles starting a fire. A note shall be added to all sheets of the site plan and the landscaping plan that a condition of approval of the project is that the grass parking areas shall be kept mowed at all times.

- 2. Either the cover sheet or the site plan sheet shall list all approved variances, waivers, and conditional use permits with the section numbers and description, and date of

City of Concord Planning Board
April 16, 2025
Minutes

approval. Any item for which a variance, waiver, or conditional use permit has not been specifically requested and specifically granted shall be shown on the plan set as fully complying with the applicable requirement, standard, detail, or regulation.

3. Per Section 11.09(6) *Building Permits and Certificates of Occupancy*, no building permit shall be issued where site plan approval is required until the site plan has been approved by the Planning Board and the pre-construction conditions of approval have been satisfactorily addressed as determined by the Clerk of the Planning Board.
4. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Concord Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets and for endorsement by the Planning Board Chair and Clerk. **Both the cover sheet and the site plan sheet shall contain the signature block.** The plan sets shall contain the signature and seal of the appropriate licensed professionals as outlined in the Site Plan Regulations, unless applicable waivers have been received.

(b) **Subsequent Conditions** – to be fulfilled as specified:

1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the municipal code, Site Plan Regulations, and Concord Construction Standards and Details, unless a variance, waiver, or conditional use permit is granted. This includes but is not limited to, applying for an excavation permit, a driveway permit, and sign permits.
2. Deviations from the Site Plan Regulations are only authorized with a waiver approval from the Planning Board. Deviations from the Zoning Ordinance are only authorized with a variance/special exception approval from the Zoning Board of Adjustment or a conditional use permit approval from the Planning Board as applicable.
3. Per the Concord Construction Standards and Details, all work performed in the City shall, as a minimum, conform to the requirements of the latest edition of the manual and the standards contained therein. The more stringent criteria shall apply in the case of conflicts. Deviations from the standards are only authorized with a waiver approval from the Planning Board.
4. Per Section 11.09(6) *Building Permits and Certificates of Occupancy*, no certificate of occupancy shall be issued until all site and building improvements have been completed to the satisfaction of the Clerk of the Planning Board according to the approved plans and conditions of Planning Board approval.
5. Per Section 12.09 *As-built Drawings*, prior to the issuance of a certificate of occupancy digital as-built drawings shall be provided conforming to the Engineering Division's as-built checklist.
6. Per Section 26.07 *Maintenance*, the applicant, successors, and assigns, shall be required to maintain all required buffers while the approved development, site, building, and uses in the operation including those changes of use allowed, or approved, to occur on the site where a buffer is required under the terms of the Site Plan Regulations and Zoning Ordinance.
7. Per Section 27.07(8) *Maintenance*, the applicant or their successors shall be responsible for the regular maintenance of all plantings and other landscape features. Plant materials shall be maintained alive, healthy, and free from pests and disease. Tree stakes and guys shall be removed after the first growing season.

City of Concord Planning Board
April 16, 2025
Minutes

8. Per Section 27.07(10) *Undesirable Growth and Debris*, existing invasive species shall be removed from the developed area. All trash, construction material, and debris shall be removed from the site. Dead and dying trees which present a potential hazard to existing and proposed structures shall be removed.
9. Per Section 27.09 *Erosion Control*, erosion control measures shall be installed and maintained to prevent sediment from leaving the site, entering the City or State storm drainage system, intermittent or perennial streams, wetlands, ponds, and other surface waters. All disturbed areas shall be revegetated and all sediment shall be retained on the site. Disturbed areas shall be restored pursuant to Concord Construction Standards and Details, the State of New Hampshire Department of Environmental Protection regulations, and the US Environmental Protection Agency's National Pollution Discharge Elimination System requirements.
10. Per Section 27.09(3) *Site Restoration*, grading shall be completed in accordance with the approved site plan. All disturbed land shall be recovered with loam with a minimum depth of six inches. The loam shall be fertile, natural soil, typical of the locality, free from large stones, roots, sticks, clay, peat, weeds and sod, and obtained from a naturally well drained area, nor contain toxic materials to plants. The loam shall not contain particles over two inches in diameter. When possible, topsoil from the development shall be redistributed so as to provide the required cover. All disturbed areas shall be seeded in accordance with Concord Construction Standards and Details.
11. Per Section 27.09(4) *Monitoring and Maintenance*, sedimentation and erosion control measures shall be installed prior to the start of construction, and shall be monitored and maintained during construction, and removed after final site stabilization in accordance with city, state, and federal requirements.
12. Per Section 27.09(5) *Final Stabilization*, a site shall be deemed to be stabilized when it is in a condition in which the soils on the site will not erode under the conditions of a 10-year storm. Temporary sediment and erosion control devices shall not be removed until permanent stabilization is established for the entire site or phase of the development. All temporary erosion and sediment control measures shall be removed after the completion of construction.
13. Per Section 27.11 *Site Stabilization Guarantee*, a site stabilization guarantee shall be provided to ensure the site is properly stabilized. The guarantee shall be in a form of a cash deposit, a letter of credit from a New Hampshire bank, or a surety bond. The City Engineer may call said financial guarantee, and stabilize a disturbed site if, upon notice, the applicant has not stabilized or restored the site.
14. Per Section 33.08 *Inspection of Improvements*, the Clerk or authorized designee shall inspect the exterior appearances of the site to determine if modifications to the exterior of a building, site, and signage are in conformity with the architectural design review approval granted by the Planning Board. No certificate of occupancy may be issued prior to a determination by the Clerk that the proposed use is consistent with the Board's approval. The Clerk may approve minor design modifications to approved plans provided that the design is consistent with the Board's approval, and does not adversely impact the appearance of the site, building, or sign.

City of Concord Planning Board
April 16, 2025
Minutes

15. Per Section 36.02 *Conditions*, the applicant has the duty to comply with the approved site plan and any reasonable conditions set forth by the Planning Board for design, dedication, improvement, and restrictive use of the land.
16. Per 36.15 *Compliance with Regulations*, no site construction, or change of use of land, shall occur in violation of the Site Plan Regulations and the Zoning Ordinance. No building permits may be issued for any building, structure, site improvement, or change of use prior to site plan approval and the satisfactory completion of any pre-construction conditions of Planning Board approval. The Clerk shall not approve any certificate of occupancy, nor shall any use of a building or site commence, unless the proposed improvements, and the proposed use of land or buildings, is found to comply with the approved site plan and the conditions of Planning Board approval.
17. Per Section 36.17 *Minor and Major Amendments*, the Clerk may approve minor amendment to a site plan previously approved by the Planning Board, if the amendments are not substantive in nature and are fully in compliance with the standards, and are consistent with any condition imposed by the Board. Other changes shall be considered by the Planning Board at the next regular meeting as a further consideration item with appropriate abutter notice. A major change to a previously approved plan shall require a new public hearing before the Board as required for a new application.
18. Per 36.24 *Inspections*, the Community Development Department shall be responsible for inspecting the site plan improvements for conformity with the approved plans and conditions of Planning Board approval. The City may assess the application for all or a portion of the cost, including overhead, of the necessary inspections. No certificate of occupancy shall be issued until the development has been completed according to the approved plans.
19. Per Section 36.25 *As-Built Plans*, the applicant's engineer or surveyor shall submit to the City Engineer a detailed as-built survey for all site plans showing the location of buildings, structures, utilities, parking and loading areas, driveways and access, as well as for any public improvement required by the City Engineer. The as-built survey shall also be submitted in digital format and media conforming to the Engineering Division's as-built checklist.
20. Per Section 36.26 *Public Improvement Guarantees*, where a municipal utility or other public improvement is to be constructed, a financial guarantee shall be provided and the procedures for these assurances shall be those set forth for public improvements in Section 30 *Financial Guarantees* of the Subdivision Regulations.
21. Per Section 36.27 *Release of Financial Guarantees*, a release of any financial guarantee assurance shall not be undertaken until the Clerk of the Planning Board and the City Engineer have ascertained that all site related improvements, or required public improvements, have been constructed in conformance with the approved plans and specifications.

All in favor. The motion passed unanimously.

- 9H. Northpoint Engineering, LLC, on behalf of Manchester Street Concord Auto, LLC, and Manchester Street Concord Auto TIC, LLC, requests approvals for a major site plan application and a conditional use permit application for a use in the AP District - Community Water Systems Protection Area that will render impervious more than 15% of the lot, and certain waivers from the Site Plan Regulations,

City of Concord Planning Board
April 16, 2025
Minutes

for the expansion of the automobile inventory display area, at 150 Manchester St in the Highway Commercial (CH) District and Industrial (IN) District. (2025-006) (PL-SPR-2025-0039, PL-CUP-2025-0078)

Aaron Thibeault (119 Storrs St Suite 201, Concord) and Dennis Wilson (Litchfield) are present to represent this application.

Chair Woodfin asked for a staff update.

Ms. Skinner stated the applicant has worked with staff and for the most part they are meeting everything. There are a few conditions of approval. There is one condition of approval that needs to be struck because it meets the allowed exception. It is 8.6 a.1.z.

Mr. Thibeault stated the proposed project includes the expansion of inventory storage area. There is an existing dealership that is on Manchester Street, and there is a 30-foot access with electric, water, sewer, and gas. There is an existing 9,500-square-foot building with 73 parking spots. It has an existing retention basin and existing drainage infrastructure. There was a lot merger in 2022 combining 150 Manchester Street and 10 Integra Drive. The site is in the Commercial Highway and Industrial Districts. They have been to the zoning board for a variance to expand the automobile sales and service into the Industrial District portion, which is the Integra Drive portion of the property. It will have its own onsite drainage. Not much is happening up front. They will add a couple of required ADA parking spaces. They need to shift the dumpster away from a small connection area to the west. They are adding a connection to Integra Drive. They are adding landscaping and a large stormwater management system. It is oversized for a potential future expansion. The existing infrastructure will remain. There is a connection to an existing drain. They are looking to connect the old system to the new system at the exact same elevation. The only thing that gets above that area of the retention pond will flow into the large retention basin.

Chair Woodfin pointed out to the Board for projects on Manchester Street they need to discuss the right-of-way easement. It will be on all plans going forward.

Chair Woodfin asked if there is any member of the audience that would like to speak on this agenda item and there was no response.

Member Condodemetraky asked if any solar.

Mr. Wilson answered not at this time.

Chair Woodfin closed the public hearing.

Chair Woodfin stated the findings of fact, which include information provided in staff reports; the applicant's submission materials; testimony provided during the public hearing; and, other documents or materials provided in the public hearing.

On a motion made by Member Savage, seconded by Member Hicks, the Board voted to **grant architectural design review approval** for the expansion of the automobile parking and inventory display areas, at 150 Manchester St, as submitted.

City of Concord Planning Board
April 16, 2025
Minutes

All in favor. The motion passed unanimously.

On a motion made by Councilor Todd, seconded by Member Hicks, the Board voted to **deny waiver request (a) below** from the Site Plan Regulations because the request is a variance, not a waiver; and **deny waiver request (b) below** from the Site Plan Regulations because it's a conditional use permit, not a waiver.

- a. Section 18.07 *Parking Lot Aisles*, to not modify the existing parking lot aisle widths to conform with the minimum aisle widths of the Zoning Ordinance; and
- b. Section 18.10 *Driveway Widths* to not modify the existing driveway width to conform with the maximum driveway width requirement.

All in favor. The motion passed unanimously.

On a motion made by Member Hicks, seconded by Councilor Todd, the Board voted to **grant the waiver requests below** from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e)(2) and Section 36.08 of the Site Plan Regulations:

- a. Section 16.02(19) *Traffic Control Plan*, to not submit the traffic control plan with the site plan application;
- b. Section 19.05 *Interconnected Parking Lots*, to not provide the required interconnection; and
- c. Section 21.02 *Sidewalks Required*, to not provide the required sidewalks along Manchester St and Integra Dr,

subject to the following conditions:

- 1. The traffic control plan shall be submitted prior to scheduling the pre-construction meeting; and
- 2. Submit to the City equivalent sidewalk funds to be placed in a City escrow account instead of constructing the required sidewalks along the site's Manchester St and Integra Dr frontages. Prior to final approval of the site plan, a cost estimate shall be prepared and submitted to the City Engineer and Clerk of the Board for approval. Upon approval of the estimate, all funds associated with the payment in lieu of sidewalk construction shall be provided to the Planning Division prior to final approval of the site plan.

All in favor. The motion passed unanimously.

On a motion made by Member Hicks, seconded by Member Fox, the Board voted to **grant the conditional use permit** for a use in the Aquifer Protection (AP) District – Community Water Systems Protection Area that will render impervious more than 15% of the lot, per Section 28-3-6(d)(4)(a)(2) of the Zoning Ordinance.

All in favor. The motion passed unanimously.

City of Concord Planning Board
April 16, 2025
Minutes

On a motion made by Member Hicks, seconded by Member Savage, the Board voted to **grant major site plan approval** for the expansion of the automobile parking and inventory display areas, at 150 Manchester St, as submitted, and subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the Planning Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void. Precedent conditions are as follows:
1. Revise the plan set to show full compliance with the Concord Municipal Code, Site Plan Regulations, and Concord Construction Standards and Details, including but not limited to, the following:
 - a. Section 12.04(9) Location Plan requires a location plan to be shown on the cover sheet or the site plan with the zoning district designations and boundaries shown and labeled therein. The required location plan is present on the cover sheet, but it does not include the zoning district designations and boundaries with labels. Since there is also a location plan on the existing conditions plan that does show the zoning district designations and boundaries, that was allowed to suffice for the determination of completeness. However, the addition of the zoning district designations and boundaries to the location plan on the cover sheet shall be addressed as a condition of approval.
 - b. Section 13.05 Zoning Board of Adjustment Actions requires copies of any actions by the Zoning Board of Adjustment for variances to be submitted with the site plan application. Notes on Sheet 4 list previous actions that have since expired, and approved actions that are valid through July 13, 2025. Additionally, March 5, 2025, the applicant received a one-year extension for the previous approvals referenced in Note 6 to extend the approvals to July 13, 2026, as well as a use variance approval to display automobiles in an IN District. Copies of the actions were provided to the Planning Division after the decisions were issued, so this item was satisfied for the determination of completeness. However, to avoid confusion and provide clarity Note 6 needs to be revised to indicate the date of the one-year extension approval to July 13, 2026; the date on Note 9 needs to be updated to March 5, 2025; and Note 5 needs to be deleted since it's not relevant and creates confusion.
 - c. There are no historic structures or sites shown on the existing conditions plan, so the assumption is none are present. However, for confirmation of compliance with Section 15.03(25) *Historic Structures or Sites*, add a note to the existing conditions plan stating the following: "There are no historic structures or sites listed or eligible for the National or State Registers of Historic Places, or any historic markers, on the site or abutting properties or rights-of-way."
 - d. Within Note 4 on the existing conditions plan, and within the ownership information within the plan view, V. 3886 P. 2445 should be V. 3836 P. 2445, and V. 3733 P. 2799 should be V. 3773 P. 2799.
 - e. Clearly distinguish on the site plan and all subsequent sheets between the existing right-of-way to be abandoned and the proposed right-of-way to be adopted by making the new right-of-way line a bolder line type than the right-of-way to be abandoned.
 - f. Attached is a draft easement deed and a draft mortgagee consent. Since an easement plan suitable for recording at the Merrimack County Registry of Deeds has not been prepared yet, the plan title in the easement deed has been left blank. Revise as necessary and submit final documents to the Planning Division for review and final approval prior to recording.
 - g. Section 15.04(24) *Solid Waste Facilities* and Section 16.02(14)(d) require showing the type and

City of Concord Planning Board
April 16, 2025
Minutes

location of existing and proposed solid waste disposal facilities on the site plan, along with dimensions, setbacks, and types of screening and construction details. The site plan shows a temporary dumpster area and enclosure, but there is no evidence of the permanent dumpster area and enclosure, nor is there any evidence of the type and dimensions of the screening and the screening detail. The site plan shall be revised to show the permanent dumpster area, its dimensions, the type of screening for both the temporary and permanent dumpster area with dimensions, and the detail of the screening for both temporary and permanent dumpster areas.

- h. For clarity and complete compliance with Section 15.04(25) *Outside Storage*, add a note to the site plan stating that no outside storage is proposed.
- i. Section 15.04(26) *Aquifer Protection* and Section 16.02(17) *Aquifer Protection* require that the management provisions for the Aquifer Protection District shall be noted on the site plan for all applicable aquifer protection areas. A note needs to be added to the site plan stating that the entire site is in the AP District and provide the management provisions as required. If Note 23 on the site plan is in reference to aquifer protection management provisions, then that needs to be so referenced in the note so that it's clear these are the proposed aquifer protection management provisions.
- j. Section 16.02(16) requires a lighting plan with a detail of all light poles including the color and height of all light poles to the top of the fixture. There is a light pole detail shown on Sheet 14 from the Concord Construction Standards and Details, but it does not list the color of the light pole. There is also a light pole detail shown on Sheet 10, but it does not appear to be the light pole detail from the Concord Construction Standards and Details as required. For final approval the detail shown on Sheet 10 shall be eliminated, and the color of the light poles shall be added to the light pole detail shown on Sheet 14.
- k. As required by Section 11.01(7), Section 13.01(6) *State and Federal Permits*, and Section 13.02(8) *State and Federal Permits*, copies of permit applications to state and federal agencies shall be submitted to the Planning Division. Note 11 on Sheet 4 lists two permits that are required by state/federal agencies, and no copies were included with the initial submittal. As a condition of approval, copies of any permit applications listed in Note 11 on Sheet 4 shall be submitted to the Planning Division by uploading the documents on the online permit portal.
- l. As required by Section 13.02(1) *Right-of-Way Easement*, the appropriate documents (easement deed and easement plan) shall be submitted to the Planning Division for review and approval prior to the signatures on the final plan set, for the depicted 9-foot-wide right-of-way conveyance along the site's Manchester St frontage.
- m. As required by Section 17.02 *Self-Imposed Restrictions*, the right-of-way dedication along the site's Manchester St frontage to be conveyed to the City must be recorded at the Merrimack County Registry of Deeds in a form to be approved by the City Solicitor, Clerk of the Planning Board, and the City Engineer. The draft documents (easement plan and easement deed) shall be submitted for review by staff and subsequent approval prior to recording.
- n. Section 18.06 *Handicapped Accessible Spaces* and federal regulations provide the dimensional requirements for accessible spaces. The site plan does not provide labeled dimensions of the accessible spaces. Dimensions shall be added to the site plan for the accessible spaces showing that the required accessible spaces are at least 96 inches wide, with an access aisle at least 60 inches wide, no more than a 1.48 (2.08%) slope in all directions, have a surface that is firm, stable, and slip-resistant, and have a sign with the international symbol of accessibility on it, mounted at least 60 inches above the ground (measured to the bottom of the sign). One van accessible space must be provided that meets one of two options: 1) be at least 132 inches wide, have an access aisle at least 60 inches wide, have no more than 1.48 (2.08%) slope in all directions, provide at least 98 inches of vertical clearance (van height) for the parking space, access aisle, and vehicular route, have a surface

City of Concord Planning Board
April 16, 2025
Minutes

that is firm, stable, and slip-resistant, and have two signs mounted at least 60 inches above the ground measured to the bottom of the sign (first sign international symbol of accessibility, second sign stating the space is van accessible); or 2) be at least 96 inches wide, have an access aisle at least 96 inches wide, have no more than 1.48 (2.08%) slope in all directions, provide at least 98 inches of vertical clearance for the parking space, access aisle, and vehicular route, have a surface that is firm, stable, and slip-resistant, and have two signs mounted at least 60 inches above the ground measured to the bottom of the sign (first sign international symbol of accessibility, second sign stating the space is van accessible).

- o. Section 18.12 *Perimeter Landscaping* requires perimeter landscaping around the borders of parking areas. The required perimeter landscaping setback appears to be shown, but some of the areas are not labeled on Sheet 6. For compliance, label the landscape setback on Sheet 6 on the west side and on the north line of the south half.
- p. Section 18.17 *Tree Plantings* requires that one tree shall be planted for each 1,000 square feet of any proposed parking area, including parking spaces, internal landscape islands, access aisles, driveways, fire lanes, and other vehicular circulation areas. Sheet 11 does provide the correct calculations stating that 69 trees are required and 69 trees are provided. However, the quantity of trees shown in the planting schedule totals 68 trees. The applicant shall revise the planting schedule to meet the tree planting requirement of 69 trees.
- q. For compliance with Section 18.19 *Curbing and Guardrails*, clearly label and call out on the landscape plan the curbing and the type of curbing around the parking lot islands and parking lot landscaped areas.
- r. Section 20.06 *Solid Waste Facility Screening* and Section 20.07 *Solid Waste Disposal Areas* provide the screening and design requirements for the solid waste enclosure and required screening. The screening shall be a solid opaque fence not less than 6 feet nor more than 8 feet in height. The plan set does not appear to show the required screening, and shall be revised to show a solid opaque fence (chain link with slats or any type of covering is not solid opaque fence) at the required dimensions for both the temporary and permanent dumpster enclosure, as well as showing the required permanent dumpster enclosure location and dimensions.
- s. Section 21.02 *Sidewalks Required* requires sidewalks adjacent to the site along both the Manchester St and Integra Dr frontages. The required sidewalks are not shown or proposed. The applicant shall make a payment in lieu of construction of said sidewalks to the City, in amount acceptable to the City Engineer. Said funds shall be deposited into the City's Sidewalk Reserve Fund. future construction of a sidewalk.
- t. The Engineering Division notes the following requirements for compliance with Section 22 Stormwater Management and Concord Construction Standards and Details:
 - 1. The subsurface infiltration basin is modeled in HydroCAD as a single, consolidated system; however, the proposed StormTech chambers are separated into three individual systems on the site plans. The systems are connected with pipes that will require stormwater to back up the pipes and overflow into another system in order to utilize storage. Either the system as designed shall be modeled as three separate systems or the systems shall be connected with pipes that allow for the even/unrestricted distribution of stormwater, connected at the bottom of the systems, to function as currently modeled.
 - 2. The stormwater management report describes an existing 12" stub provided in existing CB 890 for the purposes of accepting stormwater runoff from the site. The proposed drainage layout shown on the Grading and Drainage Plan (Sheet 8) would require stormwater backups to discharge out of the grates of CBs 16 and 17, and flow overland to CB 890 in Integra Dr. Use the 12" stub for potential overflows to avoid surface runoff in Integra Dr.

City of Concord Planning Board

April 16, 2025

Minutes

3. Subcatchment areas 28S, 29S and 31S are modeled as flowing directly to POC#2 (example: CB 890 in Integra Drive), in the post development HydroCAD model. However, the Grading and Drainage Plan (Sheet 8) shows these areas flowing to the adjacent properties. Update model and/or drainage design as necessary.
4. The minimum time of concentration should be consistent between the pre- and post-development HydroCAD models.
5. Include surface infiltration basin #1 in the inspection and maintenance manual narrative.
6. In Part I, Project Narrative- Summary of Results, Table 1 shows at Point of Comparison (POC) 2 (which is ex. CB 890 in Integra Drive) an increase of volume and discharge from the pre-development condition to the post-development condition. Table 1 shows a 0.36 cfs 100-year post-development release compared to a 0.16 cfs 100-year pre-development release, and a 0.15 cfs 50-year post-development release compared to a 0.04 cfs 50-year pre-development release. Table 2 shows an increase in runoff volume for the 10-year storm from 0 cf for pre-development to 187 cf for post-development. Reduce the post-development flows and volume to be equal to or less than the pre-development flows.
7. In Part IV, the Aerial Map Exhibit appears to show the site expanding southwest more than the site plans show. Revise this map to match the survey.
8. In the I&M Exhibit and the Post-Development Drainage Area Plan, DMH101 is not connected to Ex. CB 804 as shown on Sheet 9 in the plan set. Revise to match.
- u. Section 22.17 *Aquifer Protection* requires the noting on the site plan of management provisions for the aquifer protection area, as well as incorporation into the stormwater maintenance and operations plan required by Section 22.05 Maintenance and Operation Plan. The site plan does not appear to note the required management provisions and shall be revised accordingly.
- v. The Engineering Division notes that on the existing conditions plan the existing catch basin 890 lists a 12" RCP pipe to the north in the utility structure schedule, but the pipe is not shown on the existing conditions plan. Ensure that both the existing catch basin 890 and the listed 12" RCP pipe to the north are shown on the existing conditions plan.
- w. The Engineering Division notes the following items shall be addressed on the following sheets:
 1. Sheet 4 – under Notes 18, change “construction activities that require lane closure(s)” to “pre-construction meeting.”
 2. Sheet 4 – Note 11 lists required state and federal permits. EPA NPDES CGP coverage shall also be required for the project since it disturbs more than one acre of land and shall be included in Note 11.
 3. Sheet 5 – Stripe the end parking space being removed next to the temporary landscape island so no one parks in this location.
 4. Sheet 5 – per 2010 ADA Standards for Accessible Design, at least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve.
 5. Sheet 6 – Show all existing easements on the site plan.
 6. Clarify the label of the radii of the entrance curbs on Integra Drive so that it's clear and legible.
 7. Sheet 6 – Show and label any proposed pavement markings.
 8. Sheet 7 – Turn on existing storm text and renumber DMH 610 to DMH 18158, matching the City of Concord GIS numbering.
 9. Sheet 7 – Add spot grades at the proposed accessible parking and ramp to demonstrate compliance with ADA slope requirements.
 10. Sheet 8 – Add “Sheet 7” next to “See note 13,” under SWMB #1 callout.

City of Concord Planning Board

April 16, 2025

Minutes

11. Sheet 8 – Provide storm sewer profiles.
12. Sheet 8 – DMH 101 will need to be an oversized structure to accommodate the number of pipes in it. Core holes in the structure shall have a minimum 12” of separate per City Construction Standard SD-3.
13. Sheet 8 – The outlet pipes for CB 16 and CB 17 appear to be flowing away from the subsurface drainage system based on the drainage notes on this sheet. Typically, the CB outlet pipe invert is higher than the invert of the receiving structure. Based on the HydroCAD model, it appears that the inverts into CB 14 and CB 15 need to be revised.
14. Sheet 8 – The catch basin sump depths listed in the drainage schedule vary between 2 feet and 5 feet. The detail on Sheet 16 shows a standard sump depth of 3 feet. Provide a minimum sump depth of 3 feet per the detail for adequate sediment storage.
15. Sheet 8 – Clarify if the spot grades along the curb lines represent top or bottom of curb elevations.
16. Sheet 9 – Show the size of the existing sewer line.
17. Sheet 10 – Revise this sheet to meet the uniformity ratio 4:1 requirement of Section 28-7-7(j) of the Zoning Ordinance.
18. Sheet 11 – Revise this sheet under Turf Establishment Schedule (1), replace 4” with 6” as required by Section 27.09(3) of the Site Plan Regulations.
19. Sheet 12 – Darken the proposed construction exit hatch on the plan view and the erosion control legend.
20. Sheet 12 – Add a silt sock detail on the detail sheets for the silt sock called out on this plan sheet.
21. Sheet 13 – Replace the typical sign post-in soil detail with Construction Standard Detail M-1.
22. Sheet 14 – Replace the “site lighting trench section (typ.)” detail with Construction Standard Detail U-1 “typical utility conduit installation” detail.
23. Sheet 14 – Show a callout and location for the molded pull box detail on the site plan sheets or remove the detail from Sheet 14.
24. Sheet 15 – Include Construction Standard Detail L-9 as called out in Detail L-3.
25. Sheet 16 – Show a callout for where the structure “typical snout detail” is used.
26. Sheet 18 – Under “Construction Sequences” notes 12 and 13, revise the 4” of loam to 6”, as required by Section 27.09(3) of the Site Plan Regulations.
27. Sheet 18 – Callouts for the stone check dam and the erosion control mats are not shown on the site plan. Either call out these details on Sheet 12 and the erosion control legend, or remove the details from Sheet 18.
28. Sheet 19 – Callouts for the following details cannot be found on the site plan sheets: mulch berm cross-section, excavated earth outlet sediment trap, hay bale, and Filtrexx sediment control. Also, Construction Notes (5) on Sheet 12 states, “Sediment traps and/or basins should be used as necessary...” The location of these traps and details needs to be called out on Sheet 12 and shown in the erosion control legend.
29. EPA Notice of Intent, General Construction Permit, and accompanying SWPPP shall be required for all projects if the area of disturbance is over one acre. Copies of all permit applications shall be uploaded to the online permit portal.
30. NHDES Alteration of Terrain permit shall be required for all projects if the area of disturbance is over 100,000 square feet. Copies of all permit applications shall be uploaded to the online permit portal.
- x. It does not appear that any roof- or ground-mounted mechanical equipment is proposed as part of the project. To ensure compliance with the screening requirement of Section 26.02 *Mechanical Equipment*, a note shall be added to Sheet 9 stating that no roof-top or ground-mounted mechanical

City of Concord Planning Board
April 16, 2025
Minutes

equipment is proposed. Alternatively, if any is proposed, the note shall indicate what is proposed, approximate location, and the type of screening provided with the equipment and type of screening shown and labeled on Sheet 9.

- y. Section 27.06(4) *Overhead Utilities* of Section 27.06 *Placement of Landscape Material* states that trees to be planted underneath overhead utilities shall be selected to avoid interference with utility lines. The landscaping plan does not appear to propose any trees being planted underneath overhead utilities, but to ensure compliance with this requirement a note shall be added to Sheet 14 stating that there are tree plantings shall take place underneath overhead utility lines on or adjacent to the site.
- z. **DELETED AS PART OF THE MOTION**
- aa. Section 27.07(2) *Landscape Bumpouts and Islands* of Section 27.07 *Required Landscaping Improvements* requires curbing around landscape and islands within parking lots. Sheet 14 needs to be revised to clearly identify and label the required curbing around the landscape and islands.
 - 2. Either the cover sheet or the site plan sheet shall list all approved variances, waivers, and conditional use permits with the section numbers and description, and date of approval. Any item for which a variance, waiver, or conditional use permit has not been specifically requested and specifically granted shall be shown on the plan set as fully complying with the applicable requirement, standard, detail, or regulation.
 - 3. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Concord Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets for endorsement by the Planning Board Chair and Clerk. The plan sets shall contain the signature and seal of the appropriate licensed professionals as outlined in the Site Plan Regulations.

(b) Subsequent Conditions – to be fulfilled as specified:

- 1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the Concord Municipal code, Site Plan Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is specifically requested and granted.
- 2. Per Section 7.08(7) *Building Permits and Certificates of Occupancy*, no building permit shall be issued where site plan approval is required until the site plan has been approved by the Planning Board, and the pre-construction conditions of approval have been satisfactorily addressed as determined by the Clerk of the Planning Board. No certificate of occupancy shall be issued until all public and private improvements have been completed, and all conditions of a site plan approval established by the Planning Board have been satisfactorily addressed as determined by the Clerk of the Planning Board.
- 3. Per Section 7.08(8) *Change of Use*, no change of use approved by the Planning Board shall be allowed to commence operation on a property or within a building without being in full compliance with the approved site plan, architectural design review approval, and any applicable conditional use permits.
- 4. Per Section 27.07(8) *Maintenance* the applicant or their successors shall be responsible for the regular maintenance of all plantings and other landscape features. Plant materials shall be maintained alive, healthy, and free from pests and disease. Tree stakes and guys shall be removed after the first growing season.
- 5. Per Section 27.11 *Site Stabilization Guarantee* a site stabilization guarantee shall be provided to ensure the site is properly stabilized. The guarantee shall be in a form of a cash deposit, letter of credit from a New Hampshire bank, or a surety bond. The City

City of Concord Planning Board
April 16, 2025
Minutes

Engineer may call said financial guarantee, and stabilize a disturbed site if, upon notice, the applicant has not stabilized or restored the site.

6. Per Section 36.02 *Conditions* the applicant has the duty to comply with the approved site plan and any reasonable conditions set forth by the Planning Board for design, dedication, improvement, and restrictive use of the land.
7. Per 36.15 *Compliance with Regulations* no site construction, or change of use of land, shall occur in violation of the Site Plan Regulations and the Zoning Ordinance. No building permits may be issued for any building, structure, site improvement, or change of use prior to site plan approval and the satisfactory completion of any pre-construction conditions of Planning Board approval. The Clerk shall not approve any certificate of occupancy, nor shall any use of a building or site commence, unless the proposed improvements, and the proposed use of land or buildings, is found to comply with the approved site plan and the conditions of Planning Board approval.
8. Per 36.24 *Inspections* the Community Development Department shall be responsible for inspecting the site plan improvements for conformity with the approved plans and conditions of Planning Board approval. The City may assess the application for all or a portion of the cost, including overhead, of the necessary inspections. No certificate of occupancy shall be issued until the development has been completed according to the approved plans.
9. Per Section 36.25 *As-Built Plans* the applicant's engineer or surveyor shall submit to the City Engineer a detailed as-built survey for all site plans showing the location of buildings, structures, utilities, parking and loading areas, driveways and access, as well as for any public improvement required by the City Engineer. The as-built survey shall also be submitted in digital format and media conforming to the Engineering Division's as-built checklist.
10. Per Section 36.27 *Release of Financial Guarantees* a release of any financial guarantee assurance shall not be undertaken until the Clerk of the Planning Board and the City Engineer have ascertained that all site related improvements, or required public improvements, have been constructed in conformance with the approved plans and specifications.

All in favor. The motion passed unanimously.

- 9I. Northpoint Engineering, LLC, on behalf of the City of Concord and Hampshire Aviation, LLC, requests approvals for a major site plan and architectural design review application, a conditional use permit application for the reduction in driveway width from 24 to 18 feet, and certain waivers from the Site Plan Regulations including a determination of completeness and public hearing in one step, for the construction of a new 11,550-square-foot aircraft hangar, at 65 Airport Rd, Lease Area DZ-4, in the Industrial (IN) District and Open Space Residential (RO) District. (2025-014) (PL-SPR-2025-0040, PL-CUP-2025-0081)

Member Hicks moved to:

- Grant the waiver from Section 6.03(2)(c) and Section 11.05 of the Site Plan Regulations using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations to allow for the determination of completeness and public hearing at the same meeting.

Member Savage seconded. All in favor. The motion passed unanimously.

City of Concord Planning Board
April 16, 2025
Minutes

Member Hicks moved to:

- Determine the application complete;
- State that the project does meet the criteria for a development of regional impact per RSA 36:55; and,
- Open the public hearing.

Member Savage seconded. All in favor. The motion passed unanimously.

Ian McGregor (119 Storrs St Unit 201, Concord), Charlie Cummings (28 Regional Dr, Concord), Tim Thompson (Assistant Community Development Director, City of Concord) and Jeff Lewis (119 Storrs St, Unit 201, Concord) are present to represent this application.

Mr. McGregor stated this is a 10-bay hangar being proposed on one of the development lease areas at the Concord Airport. Mr. McGregor pointed out all of the green area is conservation land. There are rare endangered and threatened species in the conservation area. It was found during the survey that the lease agreement as it stands does not line up with the access easement agreement with 18 Chenell Drive. This property will be accessed off of Chenell Drive. They are proposing to move the lease line so they line up. The area of the lease parcel will remain the same. They are proposing a 10-bay personal aircraft hangar that will be parallel to the abandoned runway. Across the taxi way is the United Therapeutic hangar. They will be identical in everything but color. There will be five doors facing the runway and five doors on the opposite side facing the parking lot. They were proposing 10 parking spaces, including an ADA parking spot. As a condition of approval, they will remove a parking space and enlarge the final spot. Only two parking spaces are required for this hangar. They are requesting a conditional use permit to reduce the width of the driveway to 18 feet. They are trying to minimize the impervious area. The white line is a little misleading as it is a centerline for the aircraft to follow to prevent wings from hitting anything.

Mr. Cummings stated this is all for aviation purposes. Some partners of Mr. Cummings formed an LLC for this purpose. This is for the storage of piston aircraft. There are a couple that will build kit air planes. It is an all-metal prefab building that is a cut and paste of another building on the site. Mr. Cummings stated the LLC will have 10 member-owners for the units that are in building.

Mr. Woodfin asked if it is a storage facility and not a terminal

Mr. Thompson stated it is a shell for 10 planes.

Mr. McGregor stated the layout has 10 hangars and a small storage area off to the side.

Mr. Thompson stated they are called T-hangars.

Chair Woodfin asked if they have something that pushes them around.

Mr. Cummings stated it is hang tugged.

Mr. Thompson stated the airport is primarily under a conservation management zone agreement with NH Fish and Game and the US Fish and Wildlife Services for the protection of habitat. There are

City of Concord Planning Board
April 16, 2025
Minutes

limited development zones that are City-owned property within the fence of the airport with activities only that are allowed to happen within the fence of the airport. Mr. Thompson stated the United Therapeutics hangar is the world's only net zero emission air craft hangar.

Member Condodemetraky asked if there will be any fuel.

Mr. Cummings answered no.

Mr. McGregor stated they are seeking a landscaping waiver due to space constraints. Mr. McGregor noted it will be a green color similar to the National Guard building.

Chair Woodfin asked if there was any member of the audience that would like to speak on this agenda item, and with no response closed the public hearing.

Mr. Bass noted that there are two additional waivers requested. Staff is in support of the additional waivers. If the waivers are approved the Board would include in the motion to strike precedent conditions 1(a) and (b) and relabel (c) through (g) as (a) through (e) and for precedent condition 2(a) the language has been tweaked to more align with what will be required and at that time Mr. Bass will read it in for the record. Mr. Bass stated in the packet he received notification from the Central New Hampshire Planning Commission about the development of regional impact, and also has received an email from the Town of Pembroke with no comments.

Chair Woodfin stated the findings of fact, which include information provided in staff reports; the applicant's submission materials; testimony provided during the public hearing; and, other documents or materials provided in the public hearing.

On a motion made by Member Condodemetraky, seconded by Member Fox, the Board voted to **grant architectural design review approval** for the 11,550-square-foot, 10-bay aircraft hangar and related site improvements as submitted.

All in favor. The motion passed unanimously.

On a motion made by Member Savage, seconded by Member Condodemetraky, the Board also voted to **grant the waiver requests below** from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations:

- a. Section 16.02(15) *Landscape Plan* and Section 27.03 *Landscape Plans*, to not require a stamped landscape plan showing the location of existing, required, and proposed landscaping, or a plant schedule all proposed plant material, and landscape construction details;
- b. Section 15.04(28)(a)-(p) *Tabulations*, to omit a tabulation of zoning district dimensional requirements
- c. Section 18.17 *Tree Plantings*, to not require that one tree be planted for each 1,000- square-foot of any proposed parking area;
- d. Section 16.03(9) *Colored Rendering* and Section 11.01(9), to not require colored renderings of the proposed hangar building as part of the application;

City of Concord Planning Board
April 16, 2025
Minutes

- e. Section 12.03(4), to not require the proposed building elevations to be signed or sealed by a New Hampshire licensed architect, or a New Hampshire licensed professional engineer, as allowed by the State of New Hampshire professional licensing boards; and
- f. Section 16.03(3) *Scale*, to not require the architectural elevations to provide a scale or scale bar.

All in favor. The motion passed unanimously.

On a motion made by Member Savage, seconded by Member Fox, the Board voted to **grant conditional use permit approval** for Section 28-7-11(g) *Driveway Width Reduction* of the Zoning Ordinance for a driveway designed for two-way traffic flow with a width of 18 feet, where normally 24 feet is required.

All in favor. The motion passed unanimously.

On a motion made by Member Savage, seconded by Member Fox, the Board finally voted to **grant major site plan approval** for the 11,550-square-foot, 10-bay aircraft hangar and related site improvements, including limited paved access and parking, extension of private utility services, lighting, and a stormwater drainage system, at 65 Airport Rd, in the Industrial (IN) District, subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the Planning Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void. Precedent conditions are as follows:
 - 1. Revise the plan set to show full compliance with the Concord Municipal Code, Site Plan Regulations, and Concord Construction Standards and Details, including but not limited to, the following, and **upload revised documents for review into the online portal:**
 - a. Per Section 13.02(8) *State and Federal Permits*, copies of all required state and federal permit applications shall be provided prior to the issuance of a certificate of final approval.
 - b. Per Section 17.01(1) the applicant shall confirm and state that the site plan complies with all Federal Aviation Administration Airport Design and Engineering Standard regulations.
 - c. Per Section 18.07 *Parking Lot Aisles*, safe access to parking spaces shall be provided at the end of dead-end parking bays with sufficient room to maneuver out of each space and reverse direction without backing out of the parking bay.
 - d. Per Section 18.20 *Construction Standards*, the applicant shall provide an accessible path between the parking lot and building. City of Concord Construction Detail M-3 *Pavement Markings* shall be added to the details sheet of the plan set.
 - e. Per Section 29.04 *Building and Façade Lighting*, the applicant shall include as part of the tabulation table provided on sheet 6 Lighting Plan the required uniformity ratio tabulations, which shall also demonstrate compliance with a 4:1 uniformity ratio or better.

City of Concord Planning Board

April 16, 2025

Minutes

2. Revise the plan set to show full compliance with the Concord Municipal Code, Site Plan Regulations, and Concord Construction Standards and Details, including but not limited to the following:
 - a. Per Section 15.02(5) *Easements and Restrictions*, a lease line adjustment plan and/or memorandum of understanding (as determined applicable by the Assistant Director of Community Development) shall be prepared to memorialize the proposed relocation/modification of the Airport Development Zone 4 (DZ-4) lease area. The memorandum shall be submitted for review by the *Assistant Director of Community Development*, Clerk of the Planning Board and City Solicitor.
 - b. Per Section 25.01 *General Requirements*, the applicant shall provide written confirmation from the utility pole owner that the applicant's proposed utility plan is feasible and satisfactory.
3. Either the cover sheet or the site plan sheet shall list all approved variances, waivers, and conditional use permits with the section numbers and description, and date of approval. Any item for which a variance, waiver, or conditional use permit has not been specifically requested and specifically granted shall be shown on the plan set as fully complying with the applicable requirement, standard, detail, or regulation.
4. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Concord Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk. The plan sets shall contain the signature and seal of the appropriate licensed professionals as outlined in the Site Plan Regulations.

(b) Subsequent Conditions – to be fulfilled as specified:

1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the Concord Municipal code, Site Plan Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is specifically requested and granted.
2. Per Section 7.08(7) *Building Permits and Certificates of Occupancy*, no building permit shall be issued where site plan approval is required until the site plan has been approved by the Planning Board, and the pre-construction conditions of approval have been satisfactorily addressed as determined by the Clerk of the Planning Board. No certificate of occupancy shall be issued until all public and private improvements have been completed, and all conditions of a site plan approval established by the Planning Board have been satisfactorily addressed as determined by the Clerk of the Planning Board.
3. Per Section 7.08(8) *Change of Use*, no change of use approved by the Planning Board shall be allowed to commence operation on a property or within a building without being in full compliance with the approved site plan, architectural design review approval, and any applicable conditional use permits.
4. Per Section 27.11 *Site Stabilization Guarantee* a site stabilization guarantee shall be provided to ensure the site is properly stabilized. The City Engineer may call said financial guarantee, and stabilize a disturbed site if, upon notice, the applicant has not stabilized or restored the site.

City of Concord Planning Board
April 16, 2025
Minutes

5. Per Section 36.02 *Conditions* the applicant has the duty to comply with the approved site plan and any reasonable conditions set forth by the Planning Board for design, dedication, improvement, and restrictive use of the land.
6. Per 36.15 *Compliance with Regulations* no site construction, or change of use of land, shall occur in violation of the Site Plan Regulations and the Zoning Ordinance. No building permits may be issued for any building, structure, site improvement, or change of use prior to site plan approval and the satisfactory completion of any pre-construction conditions of Planning Board approval. The Clerk shall not approve any certificate of occupancy, nor shall any use of a building or site commence, unless the proposed improvements, and the proposed use of land or buildings, is found to comply with the approved site plan and the conditions of Planning Board approval.
7. Per 36.24 *Inspections* the Community Development Department shall be responsible for inspecting the site plan improvements for conformity with the approved plans and conditions of Planning Board approval. The City may assess the application for all or a portion of the cost, including overhead, of the necessary inspections. No certificate of occupancy shall be issued until the development has been completed according to the approved plans.
8. Per Section 36.25 *As-Built Plans* the applicant's engineer or surveyor shall submit to the City Engineer a detailed as-built survey for all site plans showing the location of buildings, structures, utilities, parking and loading areas, driveways and access, as well as for any public improvement required by the City Engineer. The as-built survey shall also be submitted in digital format and media conforming to the Engineering Division's as-built checklist.
9. Per Section 36.27 *Release of Financial Guarantees* a release of any financial guarantee assurance shall not be undertaken until the Clerk of the Planning Board and the City Engineer have ascertained that all site related improvements, or required public improvements, have been constructed in conformance with the approved plans and specifications.

All in favor. The motion passed unanimously

10. Other Business

Any other business which may legally come before the Board.

10A. Review of the Public Capital Facilities Impact Fees Ordinance

Chair Woodfin stated this is a yearly review of the impact fee ordinance. Chair Woodfin stated for the record these have not changed in a decade. Chair Woodfin is thinking these need to be tweaked a little bit.

Councilor Todd asked if it is correct to say that the numbers are accounting for the rate of inflation.

Ms. Skinner stated to keep up with inflation, and if the City wants the impact fees to keep up with the pace of the increased cost of construction and inflation, the recreational facilities impact fees showing in table two of the attached ordinance need to increase by 33.7 % to reflect inflation from July of 2014 to January 2025. For instance, the recreational facility impact fee for a house is currently \$1,093.56. If you

City of Concord Planning Board
April 16, 2025
Minutes

take into account the 33.72% inflation increase that fee would increase to \$1,462.31. Ms. Skinner stated transportation has a different rate increase because there is a different variable used. Transportation has a 26.11% rate raise.

Councilor Todd noted it does say on the chart from 2014 to 2025. Councilor Todd stated there is written testimony suggesting to tweak some of those and not sure on the particular categories. However, what is presented here is a uniform adjustment which he would feel more comfortable with.

Chair Woodfin stated he would as well.

Councilor Todd is concerned they have not been revised since 2014 and that is the crux of the problem. Councilor Todd stated he has received lots of comments from folks when Casella raised the rates for the transfer station. Councilor Todd suggested that the City look at this more frequently.

Chair Woodfin stated the Planning Board has kicked the can down the road a few times that he can remember. Chair Woodfin suggested once a year.

Ms. Skinner stated the ordinance requires the Planning Board to look at the impact fees every year. They have just not made a recommendation to increase the impact fees for the past 10 years. Ms. Skinner stated last year the Planning Board did not look at it. Ms. Skinner noted the Planning Board did look at it the year before.

Member Savage stated this is for new development and new construction.

Ms. Skinner read directly from the ordinance to the Planning Board.

Dina asked why so high for residential and minimal for commercial.

Ms. Skinner stated the recreational impact fee is only charged on residential. The transportation fee is a flat figure for residential, but is based on the square footage of the floor area for nonresidential and currently it is waived for nonresidential projects.

Mr. Thompson stated impact fees are used for capital improvements such as expanding a park or creating a new park. Mr. Thompson noted Memorial Field is a good example of using impact fees to help offset the cost for improvements.

Member Savage stated if someone is building a new house they are contributing to our parks and recreation.

Mr. Thompson stated impact fees need to be spent within six years of their collection.

Councilor Todd asked if it is correct to say these fees are imposed because they are increasing capacity at the recreational facility or there may be a need for more expansion of those parks based on the expanded number of residents.

Ms. Skinner stated it is important to note the impact fees can only be spent within the district in which

City of Concord Planning Board
April 16, 2025
Minutes

they are allocated.

Mr. Thompson stated in district two Merrill Park is the only park in that district.

Member Hicks asked if you are building a house in district two and no money is spent on Merrill Park after six years the property owner can ask for the money back.

Mr. Thompson stated after six years if the money is not spent it will be refunded back to the person that paid the fee. Mr. Thompson stated they can use money from any district for the City-wide Community Center because it does service the entire City of Concord.

Member Hicks is opposed to impact fees.

Chair Woodfin asked where the Board stands with impact fees. Chair Woodfin is inclined to increase them because they are not keeping up with inflation. There is not a lot of housing development being built on new lots. It will affect accessory dwelling units.

Councilor Todd asked about the proposed increased amounts listed and if there is any comparison with other communities.

Mr. Thompson stated he has not done any of that research.

Member Hicks stated his point is that we are in a generational housing crisis and there are tariffs being added to lumber.

Chair Woodfin asked if the Board would be opposed to recommending to City Council that the commercial waiver of impact fees be removed and new commercial properties start to pay their share. Chair Woodfin stated they can make a suggestion to leave the residential alone.

Mr. Thompson stated that would be a good discussion for the Economic Advisory Committee.

Chair Woodfin asked to kick the can down the road until next time.

Councilor Todd stated this has been discussed at Council level.

Member Savage noted the applicant can ask to waive the impact fees. Member Savage stated she is inclined to leave residential alone and talk about commercial.

Chair Woodfin suggested the Board table and bring it back.

Chair Woodfin made a motion to table to June 2025. Member Hicks seconded.

Discussion

Chair Woodfin likes Councilor Todd's recommendation to get information regarding how Concord compares with Nashua, Keene, or other comparable cities.

City of Concord Planning Board
April 16, 2025
Minutes

Member Hicks asked if there are any studies to show that it is detrimental to housing construction. Member Hicks stated the theory years ago with commercial wavier was to get more development and increase the tax base.

All in favor. The motion passed unanimously.

10B. Discussion - Batch #1 interim Zoning Ordinance amendments

Ms. Skinner went through the changes that will be in Batch 1.

Chair Woodfin asked how will that affect what the senate is doing.

Ms. Skinner stated that does not have anything to do with this. Ms. Skinner noted whatever the State passes, the City will need to change to comply with State law.

Member Hicks asked about the detached accessory dwelling unit and how would that pertain to 3a.

Mr. Thompson stated they are trying to resolve that issue. The ordinance does not currently have provisions for a detached accessory dwelling unit.

Member Hicks asked if he can build a detached ADU if 3a passes.

Ms. Skinner answered yes, accessory dwelling units are dealt with in a separate section of the ordinance. Currently detached is not allowed at all and Ms. Skinner is proposing allowing them by right and not a conditional use permit.

Discussion on Batch #1 interim zoning ordinance amendment. There is no action needed and none was taken. It was noted to the group that Batch #1 would be presented to the Economic Development Advisory Committee, Chamber of Commerce, and Architectural Design Review Committee and then come back to the Planning Board after that for a recommendation on Batch #1

Adjournment

Member Hicks moved, seconded by Councilor Todd, to adjourn the meeting at 10:49 p.m. All in favor. The motion passed unanimously.

The next regular meeting is Wednesday, May 21, 2025, at 7:00 p.m.

TRUE RECORD ATTEST:

Krista Tremblay

Krista Tremblay

Administrative Technician III