

**CITY OF CONCORD PLANNING BOARD  
April 15, 2015 MEETING**

The regular monthly meeting of the City Planning Board was held on April 15, 2015, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

In the absence of Chair Drypolcher, there was a motion by Ms. Smith-Meyer to select Member Foss as Chair Pro Tem. Mr. Kenison seconded the motion. Motion carried unanimously.

Present at the meeting were Chair Pro Tem Foss, Members Hicks, Kenison, Lavers, Smith-Meyer, and Woodfin. City Planner Larson, Ms. Shank, Ms. Fenstermacher and Ms. Murray of the City's Planning Division were also present. Alternate Member Kenison was seated for Member Regan.

At 7:00 p.m., a quorum was present and the Chair Pro Tem called the meeting to order.

**Determination of Completeness (no public testimony will be taken)**

- 1. Application by Higginbotham Construction on behalf of Merrimack Valley School District requesting Major Site Plan approval and Major Subdivision Plan approval for the conversion of an existing 2.5 story brick schoolhouse into eight (8) residential condominium units at 12 Cross Street, Penacook, within the RN (Neighborhood Residential) District. Map/Block/Lot: 0534P/31 (2015-0012)**

Ms. Shank recommended that the application be determined complete and set for public hearing.

Mr. Lavers moved to determine the application complete and set it for a public hearing on May 20, 2015. Mr. Hicks seconded the motion. Motion carried unanimously.

- 2. Application by David Jaquith on behalf of Tom Roy and Tracey Gosselin, requesting Major Site Plan approval for construction of three (3) proposed one-bedroom apartment units above an existing garage, and two (2) existing one-bedroom apartment units not previously approved by the Planning Board, at 59 South Main Street, within the Central Business Performance (CBP) District. Map/Block/Lot: 34/5/3 (2015-0013)**

Ms. Larson stated this application is somewhat unique in that it is considered a major site plan due to the number of dwelling units; there are 5 total units; 3 new units and 2 existing units which were not approved by Planning Board. The two existing units are added to this application to legitimize their existence. She stated that because of the number of dwelling units it is considered a major site plan application so it is subject to the checklist requirements for both a minor site plan and a major site plan. She stated the proposed work takes place entirely inside the building with the exception of two windows that are being cut into the side of the building. Ms. Larson stated she advised the applicant to ask for a waiver of the site plan requirements because there is no proposed site work and a site plan would not provide any useful information. She noted that the Technical Review Committee granted approval for the conversion of existing storage area over the garage (Main Street level) at this location into two 2-bedroom apartment units to the rear of the building on October 5, 2011. The TRC did not require a site plan. Ms. Larson stated the application does not meet the requirements of Sections 12, 15 and 16 of the Site Plan Regulations and waivers would need to be sought. She also stated that all requirements need to be satisfied before an application can be determined complete. Ms. Larson stated the decision is entirely up to the Planning Board and she forewarned the applicant that the Board may request an as

built plan. She also stated the applicant is prepared to formally request waivers to Sections 12, 15 and 16 of the Site Plan Regulations.

Mr. Lavers stated he had no concern granting the DOC knowing the waivers have been submitted.

Mr. Lavers moved to determine the application complete and set it for a public hearing on May 20, 2015. Mr. Hicks seconded the motion. Motion carried unanimously.

**3. Application by TF Moran on behalf of Unitil and Eversource (f.k.a. PSNH) requesting Major Site Plan approval at Portsmouth Street for the construction of a new distribution substation which will be supplied by a proposed transmission substation within the Open Space Residential (RO) District. A CUP to construct Essential Public Utilities & Appurtenances within the Open Space Residential (RO) as well as a CUP for disturbances to wetland buffers is also requested. Map/Block/Lot: 113/2/9, 113/2/10, 113/2/19, 111C/1/13, & 111C/1/9. (2015-0015) Applicant requests a postponement until the May 20, 2015 Planning Board meeting.**

Ms. Larson notified the Board of the applicant's request to postpone the public hearing.

Mr. Kenison moved to postpone the application until the Planning Board Meeting on May 20, 2015 at 7:00 pm in Council Chambers. Ms. Smith-Meyer seconded the motion. Motion carried unanimously.

A date for a site walk was scheduled for April 29<sup>th</sup> at 5:30.

ASIDE: Beth Fenstermacher introduction.

## **PUBLIC HEARINGS**

### **Architectural Design Review Applications**

**4. Consideration of requests for Architectural Design Review Approval by the following applicants, for signs, buildings and/or site plans at the noted locations, under the provisions of Section 28-9-4(f), Architectural Design Review, of the Code of Ordinances:**

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

**a. Application by the John J Pappas Revocable Trust 1994, on behalf of Cork and Canvas, requesting Architectural Design Review Approval for one (1) new 15.11 sq. ft. non-illuminated affixed wall sign at 84 North Main Street, within the Central Business Performance (CBP) District. MBLU: 45-6-5**

Ms. Larson stated the ADRC recommended approval for one new 15.11 sq. ft. externally illuminated wall sign as submitted. She stated that there was clarification that the lettering on the sign would be flat. (NOTE: at time of application the sign was submitted as non-illuminated. The applicant confirmed that the sign will be externally illuminated and Ms. Larson confirmed that the ADRC recommended approval with external illumination.)

There were no other comments or discussions.

Mr. Hicks moved grant Architectural Design Approval for the application by the John J Pappas Revocable Trust 1994, on behalf of Cork and Canvas, requesting Architectural Design Review Approval for one (1) new 15.11

sq. ft. externally illuminated affixed wall sign at 84 North Main Street, within the Central Business Performance (CBP) District, MBLU: 45-6-5, as submitted. Mr. Kenison seconded the motion. Motion carried unanimously.

**b. Application by Capitol Street Associates, on behalf of Merrimack County Savings Bank, requesting Architectural Design Review Approval for one (1) new 23 sq. ft. externally illuminated affixed sign, at 97 North Main Street, within the Central Business Performance (CBP) District. MBLU: 45-3-4**

Ms. Larson stated the ADR committee recommended approval as submitted.

A representative from MCSB was present. He stated that because the Main Street project will provide LED lights this sign will have no other illumination.

Ms. Smith-Meyer stated that the scale of the sign is not consistent with the architecture of the building. Mr. Woodfin expressed agreement. He asked how far the sign protrudes out and if the "97" on the building will be visible once the sign is installed. The applicant replied the sign is on a 12 inch arch and the "97" is visible. He also stated they looked at different sizing and the designer was confident in the proposed design. He stated they would like to keep the size of the sign as proposed. He stated there is one frame which is wrought iron which matches the door and half-moon above the doors. The applicant asked if a smaller version of the sign would be acceptable. Ms. Smith-Meyer stated she wants the application to go back to Architectural Design Review Committee. The applicant handed out a drawing of a smaller sign.

Ms. Smith-Meyer stated the sign is out of scale and does not reflect the architectural integrity of the building. She stated every other tenant had signs attached to the building in a respectful way. She said the Board has been so thoughtful and deliberate about signs on historic buildings in the past and this proposed sign does not fit with that consistency.

There were no other comments or discussions.

Ms. Smith-Meyer moved to deny Architectural Design Approval for the application by Capitol Street Associates, on behalf of Merrimack County Savings Bank, requesting Architectural Design Review Approval for one (1) new 23 sq. ft. externally illuminated affixed sign, at 97 North Main Street, within the Central Business Performance (CBP) District, MBLU: 45-3-4, as submitted with the recommendation that the application is revised and resubmitted to the Architectural Design Review Committee. Mr. Woodfin seconded the motion. Motion carried unanimously.

**c. Application by Laurie J Sanborn Revocable Trust, on behalf of Simplicity Hair Studio and Spa, requesting Architectural Design Review for one (1) new 6.6 sq. ft. non-illuminated hanging sign and one (1) new 6.6 sq. ft. non-illuminated affixed sign, at 27 South Main Street, within the Central Business Performance (CBP) District. MBLU: 35-1-8**

Ms. Larson stated the ADR committee recommended approval as submitted. She noted that the drawing portrays blue windows which is a result of the graphic and not intended; the window will be transparent.

Mr. Ralph Barry was present to represent the applicant.

There were no other comments or discussions.

Mr. Hicks moved grant Architectural Design Approval for the application by Laurie J Sanborn Revocable Trust, on behalf of Simplicity Hair Studio and Spa, requesting Architectural Design Review for one (1) new 6.6 sq. ft. non-illuminated hanging sign, and two (2) new 3.3 sq. ft. non-illuminated affixed signs, at 27 South Main Street,

within the Central Business Performance (CBP) District, MBLU: 35-1-8, as submitted. Ms. Smith-Meyer seconded the motion. Motion carried unanimously.

### Site Plan Applications

5. **Application by Terrain Planning and Design LLC on behalf of Todd Hayward/Phenix Mutual Fire Insurance Co. requesting Major Site Plan approval for the demolition of an existing building at 11 Blake Street, and reconstruction and expansion of a parking lot at 42 Pleasant Street and 11 Blake Street, within the Civic Performance (CVP) District. Map/Block/Lot: 36-5-11 & 36-5-4 (2015-0006) Continued from the March 18<sup>th</sup> Planning Board meeting. The applicant requests a continuance of their application to the May 20, 2015 Planning Board meeting.**
  - a. Public Hearing
  - b. Deliberations and Action on the Application

Ms. Larson notified the Board of the applicant's request to postpone the public hearing.

Mr. Kenison moved to postpone the application until the Planning Board Meeting on May 20, 2015 at 7:00 pm in Council Chambers. Mr. Lavers seconded the motion. Motion carried unanimously.

6. **Application by Winthrop Management Corp on behalf of Goodwill Industries of Northern New England requesting Major Site Plan review to raze existing facility and redevelop existing property for a proposed 16,500 sf Goodwill donation center and retail store at 204 Loudon Road, within the General Commercial (CG) District. Map/Block/Lot: 111B-2-6 (2015-0009)**
  - a. Public Hearing
  - b. Deliberations and Action on the Application

The Chair Pro Tem opened the public hearing.

Patrick Colburn, Keach-Nordstrom Associates, and Mike Sweeney, Winthrop Management, were present to speak to the application. Mr. Coburn distributed a current site plan to members. The applicant proposes demolition of an existing 30,000 sf structure and construction of a new 16,500 sf building. A drop-off area is proposed along the Loudon Road frontage; and an expanded parking area is proposed along the Branch Turnpike frontage. Whereas the existing facility serves as a regional center, the proposed facility will serve local donation and retail uses only and will immensely decrease truck activity to the Concord site. The regional center has been relocated to Hudson.

Mr. Colburn explained that the current site is situated so that deliveries occur at the rear of the building, parking is between Loudon Road and East Side Drive, an open container and trash receptacle are located on site, and there are three access ways; 2 on Loudon Road and 1 on Branch Turnpike. The existing building will be razed and the new footprint will be much smaller than the existing. The proposed configuration is completely different than the current configuration while keeping with the zoning ordinance in the General Commercial District. The donation canopy is proposed at the front of the building facing Loudon Road; Goodwill relies on donations so it's important that the canopy be prominently placed on site. The retail entrance to the store is proposed strategically at the southeast corner of the new building adjacent to the proposed parking lot to provide direct access for pedestrian traffic and public transit traffic. The proposed building is cut in half with the processing in the back portion and retail sales occur in the front of the building. Deliveries to and from the site will occur at two loading dock spaces on the westerly end of the proposed building. Truck traffic is directed from Loudon Road and there is plenty of maneuvering space on site to back trailers into the loading dock area. The site plan provides 114 parking spaces in a lot behind the building adjacent to Branch Turnpike. The Zoning

Board of Adjustment granted a variance to allow for parking between the building and the street. Mr. Colburn stated that a variance would be needed for any parking since the site has frontage along two streets.

Mr. Colburn stated the proposed plan has significant landscaping improvements over what exists today at the site. Mr. Colburn stated they will utilize some of the existing mature trees on the property and enhance the perimeter and the buffer that remains. He stated they paid particular attention to landscaping the buffer along Branch Turnpike which is the delineation between the General Commercial District and the Medium Density Residential District. At staff's recommendation also provided is a secondary vegetative buffer along the southern end of the proposed parking lot which will work in common with the buffer along Branch Turnpike to provide a vegetative screen for residences on the opposite side of Branch Turnpike. He stated the site is abutted by a residential property to the southwest where a 6 foot solid stockade fence is proposed. Landscaping is proposed in front of the fence to enhance the buffer between the commercial and residential use.

Sewer utilities will be provided out to Loudon Road. Water utilities and service will be provided from Branch Turnpike. Stormwater is proposed to be accommodated 100% on-site in accordance with the Engineering department's requirements. Mr. Colburn stated this plan proposes a large stormwater infiltration system above ground which will also serve as a buffer between the proposed parking lot and Branch Turnpike. Proposed stormwater flows either through closed pipe in a series of catch basins or over land through a sheet flow through the parking lot into the proposed above ground stormwater area. It will be treated and infiltrated into the sandy subsoil below. Mr. Colburn stated the site plan also proposed all new state-of-the-art LED light fixtures including a mixed use of wall pack fixtures and pole mounted fixtures of various heights.

Mr. Colburn stated they have worked very closely with staff throughout the design process and continue to work with them as they move towards site plan approval. He noted that staff comments dictated that the access along the westerly side of the building be reduced to one way. That reduction in width allowed the retail entrance to move from where it was previously proposed to its current proposed location at the southeast corner of the building providing the dual access both for customers from the parking lot and pedestrian customers from Loudon Road. They also worked with staff to reduce the vehicular activity between the building and Loudon Road; previously the plan proposed four (4) two-way travel lanes between the donation canopy and Loudon Road in an effort to support ease of use of the donation canopy. He re-worked the site circulation so that two of the lanes were eliminated, and created approximately 24 feet of additional green space between the building and Loudon Road. The required number of tree plantings is proposed through working with Ms. Shank in the Planning office as dictated by the area of paved surface and requirements. He stated they have had two reviews with Planning and Engineering; there are three outstanding comments from Engineering relating to minor plan modifications and can be achieved on the final plan set. They also received comment from Planning and Traffic Engineering relative to two plan items; first, the proposed westerly driveway which is shown on the proposed plans as dual use (entry and exit), and second, the two way traffic flow beneath the new donation canopy. He stated staff's recommendation is that the westerly drive be restricted to one-way which matches the historic use of that westerly drive, and that the traffic under the donation canopy be held to one-way heading from west to east. He stated Goodwill has reviewed those comments and is amenable to the two plan revisions.

Mr. Colburn stated that they held a meeting at the Concord store on March 12, 2015 to which abutting residential neighbors were invited. The neighbors voiced concern regarding some of the historic evil of the existing use that includes; dumpster drop off in the wee hours of the morning and pick up of a full dumpster, traffic from the site onto Branch Turnpike, the number of truck deliveries, the noise associated with the trash compactor, the lack of a visual screen between Branch Turnpike and the site (Mr. Colburn noted that the utility company cleared the existing buffer within the last year or so). Mr. Colburn stated they worked hard to try to rectify many of those concerns and most of the concerns will be rectified with the elimination of the hub operation; the proposed plan has no dumpster since all trash will be removed to the Hudson facility.

Mr. Colburn stated the only State permit required is an Alteration of Terrain permit and that has been issued by the State. He also stated no waivers are being requested from the Planning Board. Mr. Colburn presented

drawings of the proposed building architecture. He pointed out the back to back screens which will enhance the intersection of Cricket Lane and Branch Turnpike. The buffer consists of evergreen trees, deciduous trees, and evergreen shrubs that will fill in any gaps among the trees. Mr. Colburn presented more views of the site pointing out highlights such as the donation canopy, retail store entrance, brick accents at building corners, and windows. He stated the shift of the building offered for more green space in the pedestrian foot traffic area.

Mr. Woodfin asked about signage. Mr. Colburn replied there is one proposed ground mounted pylon sign adjacent to the westerly site entrance. Mr. Woodfin also asked about the number of cars the drop off area can accommodate at a time. Mr. Colburn stated the plans show a possible queue that accommodates 11 vehicles. He also stated that the drop off area will be staffed.

Mr. Lavers stated that the proposal is a tremendous improvement over the existing conditions. He asked, with the change of use from a regional center to a retail store, what justification is used to support access to Branch Turnpike. Mr. Colburn replied that the hub operation moving to Hudson will amount to a reduction of 3 – 5 deliveries per week opposed to 20 – 30 per week. He stated the orientation of the proposed site is such that the truck traffic will be completely segregated from the customer traffic. He also mentioned the interconnection with the adjacent property, Town Fair Tires, who relies on the license agreement maintained with Goodwill for their large delivery vehicles. The Town Fair Tires delivery vehicles enter from Loudon Road and exit through Goodwill's easterly drive aisle. He reiterated that it is important to segregate the truck deliveries from customer traffic. He stated Branch Turnpike is an existing Class V road. He stated a traffic engineer was hired to look at the distribution of traffic in to and out of the site and in conjunction with the City's Traffic Engineer, Rob Mack, estimates that 5 – 10% of Goodwill's customer volume comes from Branch Turnpike.

Ms. Smith-Meyer stated that only 55 parking spaces are required and they are proposing twice as many and asked for an explanation. Mr. Colburn replied that there are 66 parking spaces required by the Code. He explained that Goodwill has several facilities similar to the proposed site and the one in Windham, Maine has 99 parking spaces and that fills up regularly so Goodwill's requirements for parking spaces exceeds the City's minimum requirement. He stated there is no cap on parking spaces per the City's codes. Ms. Smith-Meyer stated that having an excess amount of parking is not favorable and suggests reducing the number of parking spaces and if the need for more surfaces then they can return to the Planning Board with a request. She also stated that they proposed the minimum planting requirements and if there is no compromise for a reduction in parking area then she suggests replacing the ornamental trees with shade trees in the southern boundary. Mr. Colburn stated that the pole mounted lights may conflict with tall shade trees. Ms. Smith-Meyer stated that she feels there is plenty of room for shade trees and pole mounted lighting and suggested sacrificing a few parking spaces to make the landscape pockets larger.

Discussion ensued regarding the one-way traffic configuration. Members Lavers and Woodfin attested to the chaotic front parking lot that exists today. Mr. Colburn noted that the curb cut will be shifted to align with the travel lane. Mr. Hicks stated that while he is in agreement with the reduction of pavement he appreciates the thought put into the plan and is fine with the amount of parking spaces. Ms. Shank noted that there is a landscape island where there is no proposed lighting where shade trees could be placed, and also that the landscape islands appear large enough to provide shade trees without increasing their size or eliminating any parking spaces.

The Chair Pro Tem asked if members of the public had any comments or questions on the application.

Mr. Christopher and Ms. Erica Johnson, 29 Cricket Lane, spoke. Mr. Johnson stated that he echoes Mr. Lavers statement about this being a genuine improvement over what exists today. He said he recognizes that his neighborhood abuts the Loudon Road commercial district but he is requesting a stronger degree of consideration for the impacts to the Branch Turnpike residential side than what they have seen thus far. Mr. Johnson stated that Goodwill has not been a historically good neighbor; there have been problems with noise ordinance violations and a lot of other things that the local management has not been willing to address. He stated he was

able to converse with Goodwill corporate at the ZBA meeting and they expressed surprise for how things were run in Concord. At the neighborhood meeting, which stemmed from public testimony at the ZBA meeting, 90% of the meeting was devoted to traffic concerns. He also stated he spoke to Ms. Shank today and he expressed disappointment in that the concerns raised at ZBA and at the neighborhood meeting were not relayed to the Planning Division in an accurate degree. He stated the ZBA minutes and the major site plan summary sheet have discrepancies. The ZBA minutes state that the residents have concerns regarding truck traffic on Branch Turnpike; Mr. Johnson stated that is not true. The concern is regarding customer traffic. He said right now they are dealing with 20 – 30 trucks per week going to the site. Ms. Johnson stated that if the orientation of the building is changed to the proposed, the entrance at Branch Turnpike will become a commercial use street. She stated the traffic will increase dramatically. Ms. Johnson pointed out on the site plan the existing exit and entrance and the proximity to residences. She stated that the backyards are in direct alignment with the Goodwill Driveway and that 20 – 25% of the customers at Goodwill will be looking at her children. She stated her children's swing set is in direct view of the parking lot and she has no interest in people looking in at her children while they are playing in the backyard. She stated they asked for a mechanized gate and for additional stockade fencing. Mr. Johnson noted that the existing condition is a six foot wire mesh fence with plastic screening and there is an existing gate at the rear driveway. He stated the gate used to be relatively consistently closed. He stated two years ago, the rear drop off area was spruced up and they saw a dramatic increase in customer traffic on Branch Turnpike. He stated that the majority of traffic on Loudon Road will do anything to avoid Loudon Road by use of a cut-thru. He stated with the bank and the movie gallery and other business that are all tied together, people will start driveway surfing to avoid Loudon Road and exit onto Branch Turnpike. He stated this is currently happening now. He has witnessed a City school bus cutting through Goodwill to avoid Loudon Road. He stated that his request was beyond ZBA's scope and he was directed to the Planning Board. He reiterated he wants a mechanized gate required. He said he is not really concerned about the 3 trucks entering and exiting Goodwill because it makes the most sense for them as long as the access where it actually spills onto Branch Turnpike is curb cut in such a way that the truck can make the turn in a single attempt. Currently, trucks are making 3 or 4 point turns. He does not want to see customer traffic seeking the new entrance using Branch Turnpike. Ms. Johnson noted that there is signage that posts "Authorized Vehicles Only" currently on the Goodwill property. The creation of a specific drive-thru will be an invitation for people to use them. She reiterated the need for a six foot privacy fence and a barrier between the residential and commercial districts. She also stated that the noise level will increase. She said Town Fair Tires keeps their doors open and they hear pneumatic drills running all day. She noted concern of the ability to sell their home in the future. The Johnsons spoke of landscape buffers that would absorb noise and be something that the utility company would have to remove in the future.

Ms. Smith-Meyer thanked the Johnson for voicing their concerns and thought they brought up an excellent point when stating Branch Turnpike may be used as an entrance and exit with the proposed building layout. The Johnsons raised concern about the abutters list and how only 16 abutters were notified because of regulations. He urged the Board to look at operations when projects like this come up.

Mr. Don and Ms. Linda Matson, owners of 61 and 63 Branch Turnpike, spoke. Mr. Matson asked about a vibration monitor during construction. He stated there were horrendous amounts of vibrations during the Sugar River Bank construction. He also asked if the City wanted to divert traffic from Loudon Road to Branch Turnpike. He said the one-way in and one-way out will create this situation on Branch Turnpike. He has concerns for people maintaining the 30 mph posted speed limit on Branch Turnpike. He also spoke of the traffic at Branch Turnpike taking a left onto Loudon Road which can take up to 5 minutes to get across. He also asked for confirmation that the proposed stockade fence will connect to the fence at Sugar River Bank. This fence was designed when Sugar River Bank applied for Site Plan approval to prohibit the walk thru traffic that cuts thru the Matson's property to gain access to the bank. He expressed concern over the proposed sign and hopes it could be a little nicer. Ms. Matson reiterated concerns over traffic because of the amount of small children in the neighborhood.

Ms. Ursula Maldonado spoke. She stated she works with the Transportation Policy Advisory Committee, lives in ward 10 and is testifying as a private citizen. She said she is a frequent donator to Goodwill and stated she has grave reservations about the pedestrians' access. She also expressed concern with the donation drop off location. She is concerned with what the neighbors will have to live with.

Mr. Colburn responded to the public concerns. He stated there has been no disingenuous activity of his part; he has not hidden anything from the Planning Department. He stated at the initial meeting with staff, a discussion regarding the neighbors' concerns occurred relative to traffic on Branch Turnpike, truck and passenger vehicle traffic, the neighbors' desire to have a gate which he told staff there were several problems with a gate at that entrance; a gate would restrict customer activity and concerns about people backing up to Branch Turnpike after encountering the gate on the long access drive. He stated Goodwill is not proposing a restriction on their use on Branch Turnpike. He again stated a traffic consultant was hired and Planning and Engineering staff agrees that the proposal to switch the orientation of the site such that the donation center fronts on Loudon Road and the parking lot faces Branch Turnpike is not going to have a measurable impact on Branch Turnpike traffic. The local traffic on Branch Turnpike will not change. It is only speculation that the traffic will change to any measurable degree once site improvements are made. One change to traffic on Branch Turnpike that is guaranteed is the reduction of delivery traffic from 20-30 per week down to 3-5 per week. He stated their traffic engineer examined flow and volume on Branch Turnpike as it relates to Loudon Road based on information received from Rob Mack, City Traffic Engineer, which is where the 5 – 10% overall traffic volume number came from. Mr. Mack concurs with that as stated in his most recent review letter to the applicant. Further discussion regarding the traffic study ensued. Ms. Heather Monica, Greenman-Pedersen, gave a summary of her traffic report. Discussion regarding traffic report ensued.

Mr. Matson asked why Mr. Colburn did not answer the question regarding the fence and whether it will connect to the Sugar River Bank fence. Mr. Colburn replied that a solid stockade fence is on the plan and site layout. The 6 foot fence is proposed to run the entire length of the common property and will end at the existing fence.

There being no further comments from the members of the public, the Chair Pro Tem closed the public hearing.

The Board discussed the buffer between the commercial and residential districts, traffic conditions and the proposed fencing. Conditions will be added to the approval to include a "no exit" sign before the last entrance to the parking lot from the drive aisle and to show installation of an opaque fence, landscaping, berming, or any combination thereof as approved by Planning Staff to screen the site and parking area along Branch Turnpike.

Mr. Lavers moved to grant Architectural Design Review approval for the proposed site plan, building architecture, and signage associated with construction of a new 16,500 sf donation center.

Mr. Woodfin seconded the motion. Motion carried unanimously.

Mr. Hicks moved to grant Major Site Plan Approval for the application by Winthrop Management Corp on behalf of Goodwill Industries of Northern New England requesting Major Site Plan review to raze existing facility and redevelop existing property for a proposed 16,500 sf Goodwill donation center and retail store at 204 Loudon Road, within the General Commercial (CG) District, Map/Block/Lot: 111B-2-6, subject to the following Precedent and Subsequent Conditions:

**Precedent Conditions** - The above listed plan was approved subject to the following conditions, to be fulfilled prior to issuance of any building permits or the commencement of site construction, unless otherwise specified:

1. Revise plans to indicate one way in traffic at the west access point off of Loudon Road.
2. Revise plans to indicate one way traffic heading east at the drop-off area in front of the building.
3. Address to the satisfaction of the City Engineer, the attached review comments from Laura Aibel, P.E., and Jeff Warner, P.E. dated April 3<sup>rd</sup>, 2015.

4. Address to the satisfaction of the City Engineer, the attached review comments from Robert Mack, P.E, dated April 9<sup>th</sup>, 2015.
5. The applicant shall provide to the City Solicitor a financial guarantee for the site stabilization in an amount approved by the City Engineer, and in a form acceptable to the City Solicitor.
6. Note Subsequent Conditions on Site Plan.
7. Revise plans to show installation of an opaque fence, landscaping, berming, or any combination thereof as approved by Planning Staff to screen the site and parking area along Branch Turnpike.
8. Revise plan to show installation of “No Exit” signs before the last entrance to the parking lot from the drive aisle.
9. The turning radius exiting onto Branch Turnpike to permit a single turning movement shall be reviewed and approved by the Engineering Services Division to confirm its adequacy.
10. Lower the “Donation Drop Off” lettering on the front of the building to provide room for the Goodwill logo to be centered in that space.
11. Provide directional signage on the front of the building guiding pedestrians to the main entrance.

**Subsequent Conditions** – The above listed plan was approved subject to the following general and subsequent conditions:

1. Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
2. Prior to the start of any construction activities onsite, a pre-construction meeting shall be required. Seven copies of the final approved plan set shall be provided by the applicant at the pre-construction meeting.
3. Prior to the issuance of a Certificate of Occupancy, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Review Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.
4. Prior to the issuance of a Certificate of Occupancy, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) and tax maps. The information shall be submitted in accordance with Section 12.08 of the Site Plan Review Regulations and all information shall be converted to a vertical datum of NAVD 88.
5. Vibration monitoring equipment to be installed at 61 & 63 Branch Turnpike prior to commencement of construction or blasting activities to monitor vibration levels throughout construction.
6. Applicant to conduct a traffic study six (6) months after issuance of a Certificate of Occupancy. Findings to be reviewed and approved by the City Traffic Engineer and any necessary revisions to the plan to be reviewed by the Clerk of the Board to determine if review and approval by the Board is necessary.

Mr. Woodfin seconded the motion. Motion carried unanimously.

7. **Application by Bedford Design on behalf of Calamar Elderly Housing requesting Major Site Plan approval for the construction of a 140 unit elderly (over 62 years old) 3 story housing development proposed for 19 & 25 Triangle Park Drive and 177-181 Pembroke Road in the GWP (Gateway Performance) and the OFP (Office Performance) Districts. Map/Block/Lot: 111H/4/21, 111H/4/22, & 111B/1/16 (2015-0001)**

**a. Public Hearing**

**b. Deliberations and Action on the Application**

Mr. George Chadwick, Bedford Design, Atty. Richard Uchida, Hinckley, Allen & Snyder and Chris Trevisani, Calamar, were present. Mr. Chadwick stated the applicant received a lot line adjustment approved by the Planning Board in March which created the parcel that is being discussed tonight. The project includes the construction of a 140 unit over 62 housing development. Mr. Chadwick stated the Zoning Board granted three variances; one regarding use, one regarding frontage, and one regarding building length. Mr. Chadwick noted that staff is requesting an expansion of the sidewalk to continue around the building. Mr. Chadwick stated the expansion may cut into the proposed buffer. Ms. Larson explained that people would be walking around the building to access the garage so it made sense to expand the sidewalk around the building.

Ms. Smith-Meyer requested that shagbark hickory trees not be planted. Mr. Kenison requested 110 trees instead of the proposed minimum of 109. This will not be a condition.

Mr. Uchida stated there were two waivers requested.

The Chair Pro Tem asked if members of the public had any comments or questions on the application. There being no comments from the members of the public, the Chair Pro Tem closed the public hearing.

Ms. Smith-Meyer moved to grant Architectural Design Review with construction of a 140 unit elderly (over 62 years old) 3 story housing development. Mr. Lavers seconded the motion. Motion carried unanimously.

Ms. Smith-Meyer moved to grant a waiver to Article 28-4-5(d)(5) of the Zoning Ordinance and the proposed location of the 20 ft. wide gravel emergency access drive proposed to be constructed within and parallel to the buffer on the north side of the building. Mr. Kenison seconded the motion. Motion carried unanimously.

Mr. Lavers moved to grant a waiver to Section 15.04(2) Proposed Site Plan, Abutting Property: to not require buildings, wells, and septic systems to be shown for Tax-Map-Block 111H-4-21 (19 Triangle Park Drive) and 111D-2-7 (68 D'Amante Drive). Mr. Hicks seconded the motion. Motion carried unanimously.

Mr. Lavers moved to grant Conditional Major Site Plan approval for the construction of a 140 unit elderly (over 62 years old) 3 story housing development proposed for 19 & 25 Triangle Park Drive and 177-181 Pembroke Road in the GWP (Gateway Performance) and the OFP (Office Performance) Districts, subject to the following precedent and subsequent conditions:

**Precedent Conditions** – to be fulfilled prior to issuance of any building permits or the commencement of site construction, unless otherwise specified:

1. Submission of a revised executed agreement with McKenna's Purchase to confirm that the proposed lighting plan honors the agreement.
2. Should the Board vote to allow the emergency access drive (and walkway if made part of the motion) to encroach upon the 75 ft. buffer as shown on the plans dated January 29, 2015 and revised 3/31/2015, a note to be added to the site plan to describe the vote of the Board.
3. Property Owner to sign and date the final site plan.
4. Any waiver(s) granted to be fully described on the plan. Any waiver(s) not granted, plan shall be revised accordingly.
5. The applicant shall provide to the City Solicitor a financial guarantee for the site stabilization in an amount approved by the City Engineer, and in a form acceptable to the City Solicitor.
6. Plan to be revised, as necessary, to address any review comments by the City's water consultant.
7. Add a note to the site plan, grading plan and utility plan stating that "Prior to any clearing, the limits of the 75 ft. buffer are to be field located by the Licensed Land Surveyor and delineated in the field with

blazing and orange construction fencing. Limits of any partial encroachments into the buffer as may be permitted by the Planning Board are to also be field located by the Licensed Land Surveyor and delineated in the field with blazing and orange construction fencing. Fencing to be inspected by the Planning Division prior to commencement of any clearing.” Please add a reference to this note next to all labels for the 75’ buffer.

8. The recently conditionally approved Lot Line Adjustment Plan to be recorded at the Merrimack County Registry of Deeds and recording number to be added to all plan references.
9. Address to the satisfaction of the Engineering Division, review comments received in a Memo from Laura Aibel, PE , Jeffrey Warner, PE dated April 9, 2015 (see attached).
10. Approval by the City Traffic Engineer of the final traffic Memorandum produced by Stephen G Pernaw & Company, Inc.
11. Note all general and subsequent conditions placed on the approval.
12. The applicant shall address the Planning Staff Technical Comments. (See attached)
13. Replace Shagbark Hickory with a comparable species as approved by the Planning staff.
14. Revise the plan to show extension of the walkway around the north side of the building, partially within the 75 ft. perimeter buffer.

**Subsequent Conditions** –Staff also recommends that the following general and subsequent condition(s) be placed on the approval:

1. Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
2. A pre-construction meeting shall be required prior to the start of any construction activities onsite. Prior to the pre-construction meeting, seven copies of the final approved site plan shall be provided to the Planning Division for endorsement by the City Engineer as “approved for construction.”
3. Prior to the issuance of a Certificate of Occupancy, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Review Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.
4. Prior to the issuance of a building permit for the site, School, Recreational and Transportation Impact Fees shall be assessed for any construction within the limits of the approved site plan. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees, based on the methodology in place at the time the fees are assessed; Table 1, School Facilities Impact Fee; and Table 2, Recreational Facilities Impact Fee; and Table 3, Transportation Facilities Impact Fee. Below calculations are based on a Multi-unit/apartment (other than townhouses or duplexes) type of development listed in Tables 1, 2, and 3 of Chapter 29.2 – Public Capital Facilities Impact Fees Ordinance.
  - i. School Facilities – \$139,791.40. Please see attached worksheet. Please note that, should the applicant intend to request from the Planning Board Clerk, a full or partial waiver of the School Facilities Impact Fee pursuant to Chapter 29.2-1-2(f) of the Public Capital Facilities Impact Fees Ordinance, applicant shall comply with all waiver requirements.
  - ii. Recreational Facilities – \$93,024.40. Please see attached worksheet.
  - iii. Transportation Facilities – \$202,983.20. Please see attached worksheet.

**Planning Staff Technical Comments**

1. Please add Location Plan to Cover Sheet in accordance with Section 12.04 of the Site Plan Regulations and revise the Vicinity Plan to comply with Section 12.05(2) of the Site Plan Regulations.
2. Book and Page number to be noted on all existing easements on the Existing Conditions Plan sheets and Site Plan.
3. Revise the street address for the proposed ground sign detail to read “23” (it currently reads “21”).
4. Please make the following edits to the Existing Conditions Plan sheets:
  - a. Please add to Sheet 2 of the Existing Conditions Plan – another column each for required buildable area and for required useable area for the OFP & GWP districts. Also, please add (provided) below “Buildable Area” and “Useable Area” for clarity.
  - b. Sheet 2 of the Existing Conditions Plan indicates “Existing ‘No parking’ Sign to be Removed” along Triangle Park Drive. Applicant to submit written confirmation from the appropriate committee authorizing removal of the sign
5. Add the word “existing” before “Detention Pond Easement” for all references to the easement.
6. Please dimension and label all side setbacks on all plan sheets.
7. Please revise the plan view of the roof to more accurately depict the roof line proposed on the architectural elevations.
8. Please make the following edits to the Site Plan:
  - a. Please label proposed cross-walk at entrance to site and add a detail if not already provided.
  - b. Revise the site plan to include a typical detail(s) of what forms the boundary of a 300 S.F. private yard area. If more than one option (softscape vs hardscape as a perimeter boundary to the private yard area) will be available to the tenants, those options to be added to the site plan as details.
  - c. Revise site plan to show location of HVAC mechanical locations and any screening methods, if proposed. Landscape screening, if proposed, to be added to landscape plan.
  - d. Please add the Gateway Performance (GWP) District to Note 5.
  - e. Add GFA to building footprint and add exterior building dimensions per Section 15.04(10) of the Site Plan Regulations.
9. Please note the type of curbing proposed throughout the site on the site plan and all other plan sheets as appropriate.
10. Label 75 ft. buffer on all utility plan sheets and include a reference to the note listed in recommended precedent condition #7 above.
11. Please remove the Planning Board signature block from the Utility Plan and add to the Landscape Plan (sheets 13 & 14 only).
12. Please make the following edits to the Landscape Plan sheets:
  - a. Please add the following note to Landscape Note 4 on Sheet 13 of 22 – “Parking Lot Perimeter Landscaping – All landscaped areas shall contain shrub and ground cover plantings per Article 28-7-10(d) of the Zoning Ordinance.” Please also add a note stating that planning staff reserves the right to require additional shrubs and ground cover plantings along the parking lot perimeter, within the 75 ft. buffer, as appropriate in order to comply with the zoning requirement.
  - b. Please add to Landscape Note 5, Sheet 13 of 22, the number of trees required under Article 28-7-10(d) of the Zoning Ordinance and the number of trees provided for the Parking Lot Interior

Landscaping. Also, please confirm that the calculation of 5,271 S.F. is correct in Note 5. It appears that it should read 5,415 S.F. Please adjust if necessary.

c. Please make the following adjustments to the proposed quantities on the Plant Schedule to be consistent with the planting plan – Revise Ilex Glabra to read 45 total (19 currently noted) and Rhus Aromatica to read 10 total (7 currently noted).

d. Any existing trees preserved on site proposed to count toward perimeter landscape requirements must be located within 20 ft. of the parking and/or driveway, be field located, identified on the plan and comply with Section 18.17 of the Site Plan Regulations and Article 28-7-10 of the Zoning Ordinance. Please add a note to the Landscape Notes on Sheet 13 regarding use of existing trees and compliance with Section 18.17 of the Site Plan Regulations and Article 28-7-10 of the Zoning Ordinance as described above.

e. Landscape Notes and Plan to be revised to address the Parking Lot Perimeter Landscaping requirements – All landscaped areas shall contain shrub and ground cover plantings per 28-7-10(d) of the Zoning Ordinance. Please also adjust the Plant Schedule accordingly.

f. Section 27.05 of the Site Plan Regulations requires the method of preservation of existing trees to be noted on the Landscape Plan. Plans are to be revised plans to describe method(s) of tree preservation. Additionally, a certified arborist should be consulted to advise the applicant on appropriate methods to preserve trees to remain.

13. It does not appear that a detail for the 5 ft. wide bit. conc. sidewalk is included in the construction details; please provide a detail if one is not provided.
14. Add either a separate erosion/sediment control sheet to the plan set or include the proposed erosion/sediment control methods to the grading plan sheets.
15. Add owner information for 111H-4-21 to Note 2 of the Site Plan (and all applicable plan sheets) as well as the title block as the corresponding lot line adjustment plan is not yet recorded at the Merrimack County Registry of Deeds.
16. Please make the following edits to the Lighting Plan:
  - a. Revise the lighting plan to show the proposed emergency access driveway on the north side of the building in a location consistent with the site plan.
  - b. Please adjust the proposed locations of the P1 fixture and the two P3 fixtures along the entrance driveway to pull them out of the walkway.
  - c. Please revise the Lighting Plan to add the maximum uniformity ratio as permitted per Article 28-7-7(j) and as proposed.
17. Please make the following edits to the Architectural Elevations:
  - a. Revise the Architectural Elevations to be drawn at a scale of 1/8"=1' to be more legible.
  - b. Pitch of roofs to be noted on the architectural elevations and size and spacing of all windows and door openings and color and material of deck railings also to be noted.
  - c. Full size of the conceptual floor plans at a minimum scale of 1/8" = 1' is recommended to see the proposed location of doors and windows and how they are consistent with locations on proposed architectural elevations.
  - d. Add frame or casing to windows and doors that are not showing them.
  - e. Draw the roof lines on the concept plan as they are actually proposed.

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

### Subdivision Plan Applications

- 8. Application by TF Moran on behalf of Unutil and the City of Concord requesting Minor Subdivision Plan approval to adjust the lot lines between Map/Block/Lot: 113/2/10 & 113/2/9 and then to subdivide 113/2/9 into two (2) lots, merging a portion (31 ± ac.) with existing Lot 113/2/19. A lot line adjustment is also requested between the newly re-configured 113/2/19 & 113/2/27. All parcels are located off of Portsmouth Street within the Open Space Residential (RO) and Single-Family Residential (RS) Districts. Map/Block/Lot: 113/2/9, 113/2/10, 113/2/19, & 113/2/27 (2015-0014) Applicant requests a postponement until the May 20, 2015 Planning Board meeting**
- a. Determination of Completeness**
  - b. Public Hearing**
  - c. Deliberations and Action on the Application**

Ms. Larson notified the Board of the applicant's request to postpone the public hearing.

Mr. Kenison moved to postpone the application until the Planning Board Meeting on May 20, 2015 at 7:00 pm in Council Chambers. Mr. Lavers seconded the motion. Motion carried unanimously.

### REGULAR MEETING

**9. Approval of the minutes of the March 18, 2015 Planning Board Meeting.**

Mr. Hicks moved to approve the March 18, 2015 Meeting minutes as written. Mr. Lavers seconded the motion. Motion carried unanimously.

**10. Any other business which may legally come before the Board.**

### INFORMATION

- Minutes of the April 7, 2015 Design Review Committee meeting
- Next regular monthly meeting on Wednesday, May 20, 2015

There was no further business to come before the Planning Board and the Chair Pro Tem adjourned the meeting at 10:25 pm.

A TRUE RECORD ATTEST:

Nancy Larson  
City Planner