

**City of Concord Planning Board  
September 15, 2021  
Minutes**

The regular monthly meeting of the City Planning Board was held on September 15, 2021, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Attendees: Chairman Richard Woodfin, Vice-Chair Carol Foss, Councilor Erle Pierce, Members Susanne Smith-Meyer, David Fox, and Jeff Santacruce.

Absent: Teresa Rosenberger, Matthew Hicks, Alternate Frank Kenison, and Alternate Chiara Dolcino.

Staff: Heather Shank (City Planner), Beth Fenstermacher (Assistant City Planner), Sam Durfee (Senior Planner), Lisa Fellows-Weaver (Administrative Specialist) and Gary Lemay (Associate City Engineer).

**1. Call to Order**

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

**2. Roll Call**

Chairman Richard Woodfin, Vice-Chair Carol Foss, Councilor Erle Pierce, Members Susanne Smith-Meyer, David Fox, and Jeff Santacruce.

**3. Approval of Planning Board Meeting Minutes**

August 18, 2021 Minutes

On a motion made by Mr. Fox, and seconded by Mr. Santacruce, the Board voted unanimously to approve the August 18, 2021, Planning Board Meeting Minutes, as written.

**4. Planning Board Chair Overview**

Chairman Woodfin noted that Item 7C has requested to be continued to the October 20, 2021 Planning Board meeting.

On a motion made by Councilor Pierce, and seconded by Mr. Fox, the Board voted unanimously to grant the applicant's request to continue the Major Site Plan application for the SPCA to October 20, 2021.

No other changes were made to the agenda.

**5. Design Review Applications by Consent**

5A. SB Signs, on behalf of Spirit Halloween, requests ADR approval for the replacement of three non-illuminated wall signs at 271 Loudon Road in the Gateway Performance (GWP) District.

On a motion made by Councilor Pierce, and seconded by Mr. Santacruce, the Board voted unanimously to approve the design as submitted by consent.

5B. Barlo Signs, on behalf of Banfield Animal Hospital, requests ADR approval for the replacement of an internally-illuminated wall sign at 299 Loudon Road in the Gateway Performance (GWP) District.

On a motion made by Councilor Pierce, and seconded by Mr. Santacruce, the Board voted unanimously to approve the design as submitted by consent.

5C. Advantage Signs, on behalf of Christ the King Parish, requests ADR approval for the installation of a new non-illuminated monument sign at 72 South Main Street in the Urban Transitional (UT) District.

On a motion made by Councilor Pierce, and seconded by Mr. Santacruce, the Board voted unanimously to approve the redesign as submitted by consent with the recommendation that "Christ

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The King” be all capital letters, the lettering on the granite wall is gold, and the light bar be the full width of the granite.

- 5D. Sign-A-Rama, on behalf of Express Jewelry Center, LLC, requests ADR approval for the installation of a new externally-illuminated projecting sign and a new externally-illuminated wall sign at 6 North Main Street in the Central Business Performance (CPB) District.

On a motion made by Councilor Pierce, and seconded by Mr. Santacruce, the Board voted unanimously to approve the design as submitted by consent.

**Public Hearings**

**6. Design Review Applications**

- 6A. Dealers Choice LLC, on behalf of Tokoos International Market requests ADR approval for the replacement of an internally-illuminated freestanding sign and a non-illuminated wall sign 374 Loudon Road in the Gateway Performance (GWP) District.

Mr. Durfee provided an overview of the sign application explaining that the business name is changing. He stated that the applicant was not able to attend the ADRC meeting; however, he did speak with the applicant who indicated he was open to any changes suggested by the Committee. The ADRC approved the freestanding sign and requested that the applicant return to the Committee’s next meeting with revisions for the wall sign. Mr. Durfee stated that the Applicant wanted to open up as soon as possible and submitted the revised wall designs based on the Committee’s recommendations.

Chairman Woodfin opened the public hearing. With no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to approve the redesign as submitted.

**7. Site Plan, Subdivision and Conditional Use Permit Applications**

- 7A. Bedford Design Consultants, on behalf of R.J. Moreau Communities, LLC, requesting an amendment to a previously approved Major Subdivision Plan to amend the cul-de-sac paving requirements at Alice Drive in the Single Family Residential (RS) District (Continued from the May 20, 2020 Planning Board Public hearing).

Ms. Fenstermacher provided some history for this project and stated that the Planning Board tabled the Application following a Public Hearing on May 20, 2020. She explained that the Applicant has requested an amendment to the previously approved Major Subdivision from 2011 to remove a requirement to reconfigure the roundabout located at Alice Drive and Kyle Road. Residents have reported that cars have not utilized the roundabout correctly and have driven through the intersection. She stated that the Engineering Department and General Services Department have expressed concern with the proposed reconfiguration due to the amount of pavement patching that would be required to reconfigure the roundabout and the potential for drainage issues. The City maintains the roundabout, and the pavement patching and drainage issues will cause a long term maintenance issue. Further, the previously approved reconfiguration no longer meets the latest roundabout design standards. In May of 2020, the City Engineer recommended a traffic study be conducted; however, he is no longer recommending that be done as he not does not believe that there would be any benefit now. The Applicant is proposing to provide additional landscaping and redevelop the roundabout. Staff supports removing the requirement to reconstruct the roundabout; there are several concerns, and it will not likely address the traffic issues. Staff is recommending that landscaping also be added to all of the roundabouts in the development, not just the Alice Dr./Kyle Rd. roundabout.

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Chairman Woodfin opened the public hearing.

Councilor Pierce asked what the problem has been with the existing roundabout. Ms. Fenstermacher replied that the residents are concerned with speeding and cars cutting straight across the roundabout.

Ms. Smith-Meyer commented that she is shocked that people would drive through the center of a roundabout. She stated that she was not sure as to what the proposal was and added that the landscape plan does not appear to have a scale. She noted that there are three large spruce trees, which may block visibility when driving in the circle. She suggested that the landscape proposed for the roundabout be redesigned. She also suggested the evergreens be replaced with deciduous trees and that no weed fabric be placed under the bark mulch.

Abutter Michelle Deyermond, Kyle Road, expressed concern with the speed that cars go through the circle and the increase in the traffic from the Vineyards and new Sonoma Lane development. She stated that she originally expected a similar design of the Sonoma circle, or the other roundabouts on Emily Way. She noted that there was one car that went through the circle and directly into the pond. She spoke to the maintenance of the circles, which is done by the home owners association and who pay the insurance and lights. She noted that there were gates utilized at one point, which are now open allowing more traffic from neighboring developments to utilize these roads. She also stated she is concerned with future development and the potential of more traffic using these roads.

A discussion was held regarding the different designs of the circles and reconfigurations. Ms. Fenstermacher explained that in 2011 Allison and Kyle were approved by the City and General Services maintains these two roads. She added that the drainage is very complicated and any work could create more ponding and additional drainage issues, therefore causing more maintenance. She

Councilor Pierce asked Ms. Deyermond what she would like to see. She replied that the roundabout could be raised up forcing traffic to slow down and enforce the proper direction through the circle.

Mr. Santacruz stated that even with a stamped area the width is 30 feet and traditionally they are only 18 feet. He suggested that the money set aside by the developer for the roundabout construction be given to the City to hire an outside consultant to provide concepts to redesign the roundabout, which would be more beneficial than conducting a traffic study. The concept could be used for the developer to determine costs for the future Kyle Rd. development, and for the City to consider for future CIP projects on the other roundabouts in the development.

Ms. Smith-Meyer stated that the sidewalk does not have a median and suggested that that could be made wider making the circle smaller with an area for walking, which could slow traffic down.

Dan Deyermond, Kyle Road, spoke to the speed of the traffic as well as the need to address the directional issues. He suggested limiting the space in the center of the circle and reducing the size of the roundabout. He also noted the drainage issues. Ms. Fenstermacher asked if he has observed similar issues on the other roundabouts in the development. Mr. Deyermond replied yes, not as much but he can imagine that they are having the same issues. Chairman Woodfin stated that any drainage issues will continue if the roundabout is only regraded.

Reginal Moreau represented the application and spoke to the design. He stated that there were funds set aside for constructing the roundabout that are still available. He stated that these funds can be used towards any improvements for the area, including landscaping. He explained that the smaller circles are a problem in the winter months. He stated that he does not see a lot of traffic cutting through from the Vineyards development. He stated that he feels a traffic study would still be a good idea and agreed that it would also be beneficial to look at other design options. He understands the drainage concerns and explained that the area is very flat and paving would be challenging with the current design. He added that he is hoping to avoid problems down the road with future developments and is here to help to address the issues with the neighborhood.

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Councilor Pierce commented that something does need to be done; he has noticed vehicles going the wrong way through the circles, typical done by delivery trucks.

Mr. Santacruce stated that roundabouts do work well. He added that having the traffic volumes to see if the circle is operating adequately is okay; however, in this case the funds would be more effective if used for the design.

Chairman Woodfin asked about the gate. Mr. Moreau replied that the gates were construction gates used for security purposes only.

With no additional comments, Chair Woodfin closed the public hearing.

A discussion was held regarding landscaping. Ms. Fenstermacher stated that the City will not maintain the landscaping. Mr. Santacruce stated that adding landscaping in the middle of the roundabout would provide some traffic calming. Ms. Smith-Meyer agreed.

On a motion made by Councilor Pierce, and seconded by Mr. Santacruce, the Board voted unanimously to **grant approval of the request** to remove the requirement to reconfigure the Kyle Road/Alice Drive roundabout, subject to the following conditions, to be completed prior to the issuance of the final CO in the Vintage Estates development:

1. The Applicant shall submit to the City of Concord the money that had been aside to complete the 2011 roundabout design. The City shall use those funds to hire a consultant to develop a conceptual improvement design to meet current roundabout standards, which can be used to develop costs for future development and/or the CIP. It is assumed that the concept can be applied to any of the four roundabouts in the development in the future.
2. The Applicant shall landscape the interior of the roundabout, final species to be approved by staff. In addition, the Applicant shall similarly landscape the roundabouts at Emily Way and Amy Way, and at Ty Lane and Emily Way.

The Board also recommended that the configuration of the four roundabouts in this entire development should be revisited as part of the proposed development on the undeveloped remainder parcel at the western terminus of Kyle Road.

- 7B. Greenman-Pedersen Inc, on behalf of Wheelabrator Concord Co., requesting Major Site Plan approval for paving of new parking area and a Conditional Use Permit to allow for the payment in lieu of planting all of the required trees at 11 Whitney Road in the Industrial (IN) District. (2021-37)

Ms. Fenstermacher gave an overview of the project. She stated that a waiver has been requested for off-site flows for the off-site discharge to exceed the existing for the 10-year storm. Staff does not support the waiver due to the fact that the Applicant has not provided information as to why they are not able to meet the requirement. In addition, staff indicated that an increase in the discharge may impact Burnham Brook. She also stated that the applicant has requested a CUP to pay a fee in lieu of planting all of the required trees. Staff supports the CUP given the site conditions, and that the money could be used to plant trees in locations that are more suitable.

David Jordan, engineer from GPI, represented the application.

Mr. Jordan provided an overview of the proposal to add a new paved parking area. He explained this will be in the location of an existing gravel parking lot located in the front of the facility. The new parking lot project will relocate the employees to park closer to the building where there is ample parking. He continued to explain the activity of the business and how tractor trailers move throughout the site moving ash from the building to landfills. The new parking lot will become the waiting area for the tractor trailers that need to be picked up by the contractors. The area could have as many as 12 tractor trailers waiting; typically, there is only six to eight.

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A discussion was held regarding the drainage. Mr. Jordan stated that the site is a very sandy site and everything pitches toward the back corner. He explained the drainage proposal noting water quality enhancement and ground water recharge plans. The waiver requested is for storm water flow. They have not analyzed the entire property or surveyed the entire basin; only for the minor storms up to ten years. They plan to recharge all run off from the parking lot for the larger storms. He stated that they have shown there is an increase in the flow and it will be directed to the detention basin. The analysis indicates an increase and it will be further mitigated prior to any runoff being released into Burnham Brook.

A discussion was held regarding the hardship of the property for the waiver request. Mr. Santacruce stated that he is concerned with the fact that the pond may handle the increase in drainage; however, conditions may have changed and nothing has been analyzed for any confirmation. Mr. Jordan replied that there are some other options for a solution for the drainage. Mr. Lemay commented that even with options, he expressed some concern with the drainage and added he is not confident that the intent is being met.

Mr. Jordan stated that they are requesting a CUP to allow payment of a fee in lieu of planting trees. He stated that the area is very well screened and planting trees in this area would not be necessary. They feel that the funds could be better used elsewhere than at this site.

David Rauseo, abutter and member of Interchange Development, spoke in favor of the project. He stated that the parking lot is well buffered and adding additional trees is not necessary. He added that the proposal is a good plan to address the trucks that are currently parked along Whitney Road, which is a safety concern.

With no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion by Councilor Pierce, and seconded by Ms. Foss, the Board voted unanimously to **grant** the waiver to Sections 15.03 and 15.04 of the Site Plan Regulations, to reduce the geographic extent of the information shown on the plans, which will include only the area of construction.

On a motion by Mr. Santacruce, and seconded by Ms. Foss, the Board voted unanimously to **deny the waiver to Section 22.07(3) Off-site flows** for the off-site discharge to exceed the existing for the 10-year storm; revised information to address this Section of the Site Plan Regulations shall be provided by the Applicant.

On a motion by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to **grant ADR approval for** the site plan.

On a motion by Ms. Foss, and seconded by Councilor Pierce, the Board voted unanimously to **grant the Conditional Use Permit** per Section 28-7-10(d) (ZO) to allow for the payment of a fee in lieu to the City of Concord Urban Tree Trust Fund in an amount equal to the wholesale and installation cost of the 9 trees required but not installed.

On a motion by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to **grant Major Site Plan** approval for the proposed paved parking and associated drainage improvements at 11 Whitney Road in the Industrial District, subject to the following precedent and subsequent conditions noted below:

- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to sign off by the Clerk and Chair of the Planning Board and issuance of any building permits, or the commencement of site construction, unless otherwise specified:

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- (1) Address all Review comments to the satisfaction of the Planning and Engineering Divisions. For all subsequent submissions, applicant shall provide a response memo addressing/acknowledging all comments.
  - (2) Conditional Use Permit(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Zoning Ordinance. Should the Board vote to deny the Conditional Use Permit(s), applicant shall comply with said submission requirement(s).
  - (3) Waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Site Plan Regulations. Should the Board vote to deny the waiver(s), applicant shall comply with said submission requirement(s).
  - (4) Final plans shall be signed and sealed by the Professional Engineer.
  - (5) Submit three (3) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.
- (b) Subsequent Conditions – to be fulfilled as specified:
- (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. The applicant shall pick up one (1) set of signed plans at the Planning Office to make copies for the pre-construction meeting. A total of five (5) copies of the signed plan set shall be provided by the applicant at the pre-construction meeting.
  - (3) Prior to issuance of the final Certificate of Occupancy or final construction sign-off, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.
  - (4) Prior to final construction sign off, Applicant shall pay required funds to the Urban Tree Trust Fund. Applicant shall work with staff to determine fee payment amount, which will be determined based on wholesale costs at the time of calculation.
- 7C. Erin Lambert, PE, on behalf of Pope Memorial SPCA of Concord-Merrimack county, requests Major Site Plan approval for a 1,970 sf building addition, new parking lot, and associated site improvements at 93-95 Silk Farm Road in the Open Space Residential (RO) District.
- Previously addressed; continued to October 20th, 2021 Planning Board meeting.
- 7D. McCourt Engineering Associates, PLLC, on behalf of Pitco Frialator, LLC, requests Major Site Plan approval for the construction of a 356,224 sf manufacturing facility and associated site improvements, and Conditional Use Permit approval for the expansion of impervious surfaces in the Aquifer Protection District and for a reduction in the required number of parking spaces, at 15 Integra Drive in the Industrial (IN), Office Park Performance (OFP), and Residential Open Space (RO) Districts.

Mr. Durfee gave an overview of the project. He stated that both the Central NH Regional Planning Commission (CNHRPC) and the Town of Pembroke Planning Board were notified of the project due to the project being determined as a Development of Regional Impact, per RSA 36:55. He stated that comments were submitted from both entities in support of the project. The Town of Pembroke did request secondary containment measures due to the Aquifer Protection District; traffic impacts were also referenced.

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Mr. Durfee stated that there are two CUP applications: construction of impervious surfaces within the Aquifer Protection District and the reduction of the required number of parking spaces to defer 70 spaces. He noted that Staff supports both of the CUP applications. In addition, a waiver has been requested for the requirement of sidewalks, which Staff also supports. He added that all Staff comments have been discussed with the applicant. There are more conditions of approval due to the fact that the floor plans are currently being developed and the applicant has stated the project will return to the Board.

Karl Searl, Vice President and General Manager of Pitco Frialator represented the application along with Jennifer McCourt, of McCourt Engineering & Associates, and Jonathan Halle, from Warrenstreet Architects.

Mr. Searl provided the history of Pitco stating that the business is a 103 year old company originally from Boston. In 1950 Pitco moved to Bow, NH and the company is now in three facilities, Concord, Bow, and Pembroke, and have outgrown the current factory. He is hopeful that the land purchase will be completed by the end of the year and then they will build a 356,000 square foot facility. The new facility will increase the efficiency of the business and keep the business in NH.

Mr. Halle presented a video showing the two-story building, parking areas, landscaping, and roadways within the site. He stated that the property is a seven acre parcel. He added that there is also a solar array proposed, which will be on the roof and be as large as possible per State of NH guidelines; two incoming 300 AMP services will be coming into the building.

Ms. McCourt reviewed the layout of the parking lot and truck route. She explained that the soils are very sandy and everything will be infiltrated for the 100 year storm. Areas will remain grassed and they plan to install one drainage structure for snow removal. An AoT permit is required. They are proposing to leave sumps and add catch basins to assist with any containment of sediments before it gets into the pond.

With regard to the waiver for the sidewalk on Integra Drive, Ms. McCourt stated that Integra Drive does not currently have sidewalks. Ms. Shank recommended they extend the walkway in front of the building to the street. Ms. McCourt agreed to do so.

A discussion was held regarding the CUP for the construction of impervious surfaces within the Aquifer Protection District. Ms. McCourt explained that the existing facilities have an exemption for containment; everything will be contained within the building except for the welding gas and propane tanks.

Mr. Santacruce asked about the side doors and the lack of a sidewalk connection around the building. Mr. Halle explained that the doors are not passage doors but are for emergency egress and are required by Code. He added that as the process is being laid out the exits may change. He noted that the fire hydrant location will be changing as well.

Mr. Santacruce expressed concern with the employees' safety when leaving by the main driveway during shift changes. He suggested a "T" shift out to avoid the traffic. Mr. Halle explained the staggered shift schedules that are planned which should help.

Councilor Pierce asked if there is room for a bike path on Integra Drive. Ms. McCourt replied there is room; however, there is no markings for bicycles. Mr. Durfee added that the road is not striped.

Ms. Smith-Meyer stated that this is a great project. She asked about the landscaping and the requirement to plant 172 trees. Mr. Halle replied that they will meet the requirements. Ms. Smith-Meyer noted that the planting schedule is very cumbersome, and the schedule needs to reflect the proposed tree counts.

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Carlos Baia, Deputy City Manager, spoke in support of the project explaining that this is the largest single construction project in Concord in 30 years. He stated that it meets the goals of the City expansion plan, helps with the tax base, and keeps a manufacturing business in NH. He stated that City Administration supports the project and he is personally looking forward to the development.

Chairman Woodfin stated that this is a transformational project for the area that will bring additional opportunities to the area in the future.

Ms. Foss asked if the proposed windows will be using bird friendly glass. Ms. McCourt replied that they will accommodate this request. In addition, Ms. Foss asked if there will be charging stations for electric vehicles. Ms. McCourt stated that they are looking into charging stations.

Councilor Peirce asked about shifting the parking amounts if there is a need. Mr. Durfee replied that they can build out the parking as needed.

With no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Mr. Fox, and seconded by Mr. Santacruce, the Board voted unanimously to **grant Architectural Design Review** approval for the building design, site layout, landscaping, and rooftop solar array as submitted with the recommendations of using more meadow mix and less loam and seed in the back of the site, and to address lighting conflicts with landscaping.

On a motion made by Councilor Pierce, and seconded by Ms. Foss, the Board voted unanimously to **grant the waiver** from Section 21.02 *Sidewalks Required*, utilizing the criteria from RSA 674:36(II)(N)(2): Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations, to not require the construction of a sidewalk, or provide funds in escrow for the construction of a sidewalk, given there are discrepancies in the classification of Integra Drive in the Master Plan, such a sidewalk would not connect to an existing sidewalk network, and because adequate space is provide for the construction of a sidewalk in the future.

On a motion made by Mr. Fox, and seconded by Mr. Santacruce, the Board voted unanimously to **grant the following Conditional Use Permits:**

Article 28-3-6(d)(4) *CUP Required for Certain Uses in the Aquifer Protection District* to permit the expansion of impervious area within the Aquifer Protection District, given the Regional Planning Commission is supportive of the CUP, as is the Conservation Commission and the Town of Pembroke, with the conditions that the Applicant install sumps in the catch basins and provide secondary containment measures for on-site transformers to protect the aquifer from any potential spills; and,

Article 28-7-11-(b) *Construction of Fewer Parking Spaces* to allow the construction of 400 parking spaces where 470 spaces would otherwise be required, given this will reduce the amount of impervious area proposed within the Aquifer Protection District and the Applicant has demonstrated that there is adequate space to build the deferred 75 spaces should they be needed in the future. The Applicant will need to submit revised plans that fully reflect the CUP scenario.

On a motion made by Councilor Pierce, and seconded by Ms. Foss, the Board voted unanimously to **grant Major Site Plan approval** for the proposed 356,224 sf industrial building for manufacturing, warehouse, and office space and associated site improvements at 15 Integra Drive in the Industrial, Office Park Performance, Aquifer Protection Overlay, and Residential Open Space Districts, subject to the following precedent and subsequent conditions noted below:

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- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to sign off by the Clerk and Chair of the Planning Board and issuance of any building permits, or the commencement of site construction, unless otherwise specified:
- (1) Address all review comments and comments from VHB in the Traffic Peer Review memo dated September 8, 2021 to the satisfaction of the Planning and Engineering Divisions. For all subsequent submissions, Applicant shall provide a response memo addressing/acknowledging all comments.
  - (2) Waiver(s) and/or CUP(s) granted are to be noted and fully described on the plan including date granted and applicable Section and Article number(s) of the Site Plan Regulations and Zoning Ordinance. Should the Board vote to deny the Waiver(s), the Applicant shall comply with said submission requirement(s).
  - (3) Should the CUP per Article 28-7-11(b) be granted, plans that show the reduction in parking and associated impacts on grading, drainage, and landscaping must be submitted.
  - (4) The mapped lines of future streets for Integra Drive and Old Suncook Road South shall be amended to a layout that is acceptable to the City and the owner of 110 Manchester Street.
  - (5) Final plans shall be signed and sealed by the NH Registered Land Surveyor, Landscape Architect, and Professional Engineer.
  - (6) Submit three (3) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.
  - (7) Revise the planting schedule to be consistent with accepted standards for planting schedules.
- (b) Subsequent Conditions – to be fulfilled as specified:
- (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. The Applicant shall pick up one (1) set of signed plans at the Planning Office to make copies for the pre-construction meeting. A total of five (5) copies of the signed plan set shall be provided by the Applicant at the pre-construction meeting.
  - (3) Prior to issuance of the final Certificate of Occupancy or final construction sign-off, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.
  - (4) Should the applicant change shift times from what was proposed and included for review in the original traffic study, the applicant (or their successor) shall be required to submit a new traffic study to the City to ensure that the Integra Drive/Manchester Street/Airport Road intersection does not fail as a result of that change. Should the traffic study demonstrate that the intersection fails due to the applicant's actions, the Planning Board shall retain the right to require the applicant to make changes to mitigate the impact on the intersection which could include, but not be limited to, additional shift changes or the construction of off-site improvements.

7E. TFMoran, on behalf of Interchange Development, requests Major Site Plan approval for a new fast food restaurant with drive through, parking, and associated site improvements at 1 Whitney Road in the Gateway Performance (GWP) District. (2021-36) R7E.

Ms. Fenstermacher gave an update of the project explaining that this is the next phase of the

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previously approved Comprehensive Development Plan for the mixed-use development off Whitney Road and Exit 17. The Applicant is proposing a 2,160 sf fast food restaurant with a drive thru at 2 Merchants Way.

Laurie Rauseo of Interchange Development represented the application along with Jason Hill from TFMoran and Jen Zullo of Wiley Management, representing Wendy's.

Mr. Hill gave an overview of the proposal noting the proposed location of the restaurant will be in the front of the development. The building is proposed to be 2,160 square feet with twin drive throughs on a one acre leased lot in the condominium. There will be outdoor patio seating on an open-air, covered patio. Angle parking is proposed. Sidewalks are proposed for connectivity to other parts of the development. The circulation plan was reviewed. Mr. Hill described the site to have sandy soils and he reviewed the grading and drainage plan noting the site does not have any runoff. They will provide infiltration and recharge for the 100 year storm. A gravity sewer system is proposed. As far as lighting, Mr. Hill stated that all lighting will be consistent with the rest of the plaza. Colors proposed for the building are a knot wood powder finished siding with aluminum finishes.

Mr. Hill stated that they have withdrawn a waiver request for landscaping and have provided updated plans to include all necessary plantings.

Mr. Santacruce asked about sidewalk connections. Ms. Rauseo explained that they had to reroute the sidewalk around the building at the same time they were asked to install a sidewalk around Whitney Road. She stated that the City project will add sidewalks at the roundabout to Hoit Road and will be a complete sidewalk down the east side of the road. Two crosswalks are proposed to come from Wendy's. The new design has no crossings now at the drive-through.

With no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Councilor Pierce, and seconded by Ms. Foss, the Board voted unanimously to **grant ADR approval** for the site plan and building elevations, subject to the Applicant providing a sample of the roof edge trim material and color for staff review.

On a motion made by Mr. Santacruce, and seconded by Councilor Pierce, the Board voted unanimously to **grant the amendment to the Comprehensive Development Plan** subject to the condition that the Applicant address the following Staff comment:

Parking spaces were eliminated from the Urgent Care site to accommodate the revised fast food site. Please update the total parking count for the Urgent Care (should be 32, not 36) and revise the parking count within the Phase 2 table on the CDP.

On a motion made by Councilor Pierce, and seconded by Ms. Foss, the Board voted unanimously to **grant Major Site Plan** approval for the 2,160 sf fast food restaurant with a drive thru at 2 Merchants Way in the Gateway Performance (GWP) District, subject to the following precedent and subsequent conditions noted below:

- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to sign off by the Clerk and Chair of the Planning Board and issuance of any building permits, or the commencement of site construction, unless otherwise specified:
  - (1) Address all Review comments to the satisfaction of the Planning and Engineering Divisions. For all subsequent submissions, applicant shall provide a response memo addressing/acknowledging all comments.
  - (2) Final plans shall be signed and sealed by the NH Registered Land Surveyor, Landscape Architect, and Professional Engineer.

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- (3) Submit three (3) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.
- (b) Subsequent Conditions – to be fulfilled as specified:
  - (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. The applicant shall pick up one (1) set of signed plans at the Planning Office to make copies for the pre-construction meeting. A total of five (5) copies of the signed plan set shall be provided by the applicant at the pre-construction meeting.
  - (3) Prior to the issuance of the Certificate of Occupancy, the Applicant shall work with City staff to determine if the Slope Easement shall be revised or extinguished.
  - (4) Prior to issuance of the final Certificate of Occupancy or final construction sign-off, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.

**8. Other Items**

Ms. Fenstermacher stated that the Conservation Commission has finalized the Trails Master Plan. A public hearing will be scheduled for October 20<sup>th</sup> Planning Board meeting for the Board to formally adopt it as it is a part of the City's Master Plan.

**Adjournment**

At the request of Chairman Woodfin, Ms. Smith-Meyer made a motion to adjourn at 9:03 PM, seconded by Mr. Fox. The motion passed unanimously.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,  
Administrative Specialist