



CITY OF CONCORD

Zoning Board of Adjustment

David Hall
Code Administrator

June 24, 2024

The Zoning Board of Adjustment will meet Wednesday, July 10, 2024 at 6:00 PM in the Council Chambers of the Municipal Complex at 37 Green Street.

Wednesday, July 10, 2024 - Public Agenda

- 1) Call meeting to order
- 2) Chairperson's comments
- 3) Public Hearings
- 4) Review and acceptance of Findings of Fact
- 5) Review and acceptance of Minutes
- 6) Any other business that may legally come before the Board

PUBLIC MEETING

ZBA 004-2022 10 Ferry St: OCP - *Opportunity Corridor Performance District*,
John Flatley Company, Owners:

Owner is requesting that the variances approved in April 2022 be continued for 1 year. Request was submitted in March 2024, but due to the confusion of whether an additional variance was required to move the sign, the extension was not added to the agenda.

REHEARING REQUEST

0133-2023

270 Loudon Road; *GWP – Gateway Performance District*, Onyx Steeplegate
Concord LLC, Owners:

In the redevelopment of the Steeplegate Mall property into a mixed-use development, for this multi-building/multi-lot project the applicant requests the following variances:

1. Article 28-4-1(h), *Table of Dimensional Regulations, Maximum Height*, to allow a maximum height of 59' 8" where 45' is allowed.
2. Article 28-2-4(j), *Table of Principal and Accessory Uses*, to allow a Tire Center (J-8) where prohibited in a GWP.
3. Article 28-4-1(c), *Table of Dimensional Regulations, Minimum Lot Frontage*, to allow frontage to be calculated based on the combination of frontages on a corner lot rather than the calculation along "one" street as required.
4. Article 28-4-1(h), *Table of Dimensional Regulations, Maximum Lot Coverage*, to allow 91% coverage where 85% is allowed.
5. Article 28-7-2(e), *Table of Off-Street Parking Requirements*, to allow 1833 parking spaces where 3298 are required.

6. Article 28-7-7(f), *Driveway Widths*, to allow a 30' driveway width where 28' is the maximum.
7. Article 28-7-7(j), *Illumination of Parking Areas*, to allow light posts at 36' 6" in height where 25' is the maximum,
8. Article 28-7-13(c), *Design Standards for Loading Spaces*, to allow 12' wide loading spaces where 14' is the minimum.
9. Article 28-7-14(e), *Screening of Refuse Containers*, to not screen trash compactors where screening around 3 sides is required.

0142-2024

270 Loudon Road; GWP – Gateway Performance District, Onyx Steeplegate Concord LLC, Owners:

1. A variance from Article 28-7-2(e), *Table of Off-Street Parking Requirements*, to allow fewer spaces than required.
 - a. Lot 40 and 40-1 (Costco/JC Penney) 943 spaces where 1131 are required;
 - b. Lot 40-2 (Mixed-use residential/fitness/recreational/retail) 1019 spaces where 2,055 are required; and
 - c. Lot 41 (Applebee's Restaurant) 56 spaces where 68 are required.
2. A variance from Article 28-7-11(b), *Alternative Parking Arrangements, Construction of Fewer Parking Spaces*, to allow the Planning Board to authorize the construction of fewer parking spaces on Lot 40 and 40-1 (Costco/JC Penney), without "showing that a sufficient land area is allocated and shown on a site plan for the full number of spaces required."

PUBLIC HEARING

ZBA-0185-2024 Highland St: RN - Neighborhood Residential District

Owner: MDR REHAB & DEVELOPMENT LLC

Applicant seeks a variance pursuant to Article 28-4-1 (h) *Table of Dimensional Regulations* for the construction of a duplex on a vacant lot. Variances would be required as follows:

Article 28-5-2: Duplex or Two-Family Dwelling, minimum frontage and minimum lot size where 120' of frontage and 15,000 sq ft are required where applicant has 107' of frontage and 10,788 sq ft lot.

ZBA-0208-2024 10 Ferry St: OCP - Opportunity Corridor Performance District

Owner: FLATLEY CONCORD CENTER LLC

Applicant is requesting a variance from Article 28-6-9 (f) to allow a 3rd free standing sign to be installed 5' from the property line where 25' is required.

ZBA-0193-2024 23 Montgomery Ave: CVP - Civic Performance District

Owner: TROMBLY CAROLYN E REVOCABLE TRUST 2018

Applicant is requesting to build a 2-car carport and re-pave and expand the driveway and is requesting variances for the following:

Article 28-4-1(h) *Table of Dimensional Regulations* to allow a side setback of 11' where 25' is required and a front setback of 11' where 15' is required. Article 28-7-7 (f) to allow a driveway width of 31' where a max of 28' is required.

ZBA-0194-2024 3 Yale St: RS - Single-Family Residential District

Owner: RUSSO BENJAMIN P & JOSCLYN L

Applicant is looking to install a 50' x 30' basketball court in his yard and is requesting a variance from Article 28-4-1 (h) Table of Dimensional Regulations to allow an accessory structure in the front yard, and setback from front property line of 12' where 25' is required, and front yard setback of 12' where 25' is required.

ZBA-0195-2024 2 Kellom St: RM - Medium Density Residential District

Owner: EWING MICHELLE J

Applicant is looking to construct a deck and screened in porch in the back of the house and requesting variances from Article 28-4-1(h) Table of Dimensional Regulations to allow the deck to be no closer than 10' to the side property line and no closer than 14' to the front property line where a front setback of 25' and side setback of 25' are required.

ZBA-0197-2024 91 N State St: CVP - Civic Performance District

Owner: EWT 54 LLC

Applicant is looking to install a free standing sign and requests a variance from Article 28-6-9 (a) to allow for 42.5 sq ft of signage where 12 sq ft is allowed.

ZBA-0198-2024 10 Loudon Rd: GWP - Gateway Performance District

Owner: DSM MB II LLC

Applicant is requesting a variance from Article 28-6-9 (a) and Article 28-6-9 (b) 1 A, to allow a maximum of 3 signs with a total of 292 sq ft where a max of three signs with a total of 120 sq ft is allowed.

ZBA-0200-2024 11 Summit St: RN - Neighborhood Residential District

Owner: GFROERER MICHAEL G & EILEEN M

Applicant is seeking a lot line adjustment between 11 Summit and 12 Tahanto and is requesting a variance from Article 28-4-1 (h) Table of Dimensional Regulations to allow for a rear setback of 6' where 25' is required and a minimum lot size of 7531 sq ft where 10,000 sq ft is the minimum.

ZBA-0207-2024 12 Tahanto: RN - Neighborhood Residential District

Owner: GFROERER MICHAEL G & EILEEN M

Applicant is seeking a lot line adjustment between 11 Summit and 12 Tahanto and is requesting a variance from Article 28-4-1 (h) Table of Dimensional Regulations to allow for a rear setback of 20.5' where 25' is required and minimum lot size of 3968 sq ft where 10,000 sq ft is the minimum.

ZBA-0201-2024 163 Loudon Rd: CG - General Commercial District

Owner: RAI FAMILY LLC

Applicant is seeking a variance from Article 28-7-2 to provide a total of 35 parking spaces where 52 are required.

ZBA-0202-2024 12 Perkins Ct: UT - Urban Transitional District

Owner: GIFFARD STEPHANIE A

Applicant is seeking a variance from Article 28-4-1 (h) Table of Dimensional Regulations for the construction of a deck which will be 5' from the side property line where 10' is required.

ZBA-0203-2024 287 Loudon Rd: GWP - Gateway Performance District

Owner: DUNDEE INVESTMENT ASSOCIATES LLC

Applicant is seeking a variance from Article 28-7-2 to provide a total of 153 parking spaces where 170 are required for a restaurant with drive through.

ZBA-0204-2024 76 Community Dr: RN - Neighborhood Residential District

Owner: BOYS & GIRLS CLUBS OF CENTRAL NEW HAMPSHIRE INC

Applicant is seeking a variance from Article 28-6-7 I and Article 28-6-8 A 1, to provide 62 sqft of signage where 20 sqft is allowed and to place the signs above the first story.

David V Hall
Code Administrator