

**CITY OF CONCORD PLANNING BOARD
May 20, 2015 MEETING**

The regular monthly meeting of the City Planning Board was held on May 20, 2015, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Present at the meeting were Chair Drypolcher, Members Bouley, Dolcino, Lavers, Rosenberger, 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 Dolcino was seated for Member Hicks. Council Representative Alternate Mayor James Bouley was seated for Council Representative Byron Champlin.

At 7:35 p.m., a quorum was present and the Chair called the meeting to order.

Determination of Completeness (no public testimony will be taken)

- 1. Application by TF Moran on behalf of Unutil 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) postponed from the April 15, 2015 Planning Board meeting.**

Ms. Larson 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 June 17, 2015. Mr. Regan seconded the motion. Motion carried unanimously.

- 2. Application by RNL Properties requesting Major Site Plan with Conditional Use Permit approval for the construction of a townhouse style multifamily independent residential living facility with four 4-unit residential buildings and one clubhouse building for persons 55 years of age and older at 61 Borough Road (existing multi-family home known as "Four Winds" to remain), within the Medium Density Residential (RM) District. The CUP is required for the proposed disturbance of 990 sf of wetland buffer for vegetation removal and grading for one of the proposed buildings as well as the installation of an overflow drainage pipe. Map/Block/Lot: 192P/38 (2015-0018)**

Ms. Larson 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 June 17, 2015. Ms. Dolcino seconded the motion. Motion carried unanimously.

PUBLIC HEARINGS

Architectural Design Review Applications

- 3. 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 opened the public hearings for all the sign applications.

a. 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 Planning Board denied this application on April 15, 2015; it was suggested that they return to the ADRC with a new design. ADRC recommended approval of the revised application as submitted. She stated that the sign will be mounted to the bracket bars as shown in the pictures. No area of the sign will lie against the building; it is all suspended on the armature which will be drilled into the jamb of the door opening. The period numbers existing on the building will remain visible. The revised sign size is reduced from 23 sq. ft. to 20.5 sq. ft. The lettering will be gold leaf to mimic colors popular in the turn of the century. The gold coloring will be bright polished gold and not a brushed gold.

Paul Provost, Thomas Cimikoski, MCSB and Peter Poanessa, Keene Sign Worx were present to speak to the application. Mr. Cimikoski handed out revised photos of the proposed sign. Mr. Provost gave a history of the bank.

Mr. Poanessa stated that the packet should contain a picture of the logo and pointed out that they purposely dropped about half of that image to put a light footprint on the building. The method proposed to use has been used twice before on historical buildings that were concerns of local communities. He believes the bracket ties in with the wrought iron on the front of the building and allows a sign to be over a nice piece of architecture without blocking it.

Ms. Smith-Meyer stated that the fact that the sign was hiding the numbers on the building was not the only concern that she had. She doesn't see a huge consideration for other concerns raised at the April 15, 2015 meeting.

Mr. Woodfin inquired why the two placards existing on the sides of the doors that housed signs for decades are not being utilized for signage now. Mr. Provost stated they have seen historical evidence that sconces used to occupy those spaces. Mr. Cimikoski stated they intend to replace the sconces and will return to ADRC with an application for the sconces.

Mr. Lavers asked for clarification that the height and width which is now proposed will not interfere with the arch visibility. Mr. Poanessa reiterated that the proposed sign will not spill over the opening and there will be no drilling in and architectural features.

Ms. Smith-Meyers stated that two retail businesses occupying the space prior to the bank, found the area where Merrimack County Savings Bank is proposing sconces, adequate for signage.

Mr. Lavers moved to grant Architectural Design Approval for one (1) new 20.5 sq. ft. externally illuminated affixed sign, at 97 North Main Street, within the Central Business Performance (CBP) District. MBLU: 45-3-4, as submitted. Mr. Regan seconded the motion. The motion passed 7:1 with Ms. Smith-Meyer opposing.

b. Application by Harold E and Judith A Ekstrom requesting Architectural Design Review Approval for one (1) new 9 sq. ft. non-illuminated freestanding directory sign, at 17-19 Green Street, within the Civic Performance (CVP) District. MBLU: 44-3-34

Ms. Larson stated ADRC recommended tabling the application and requested a resubmittal including design specifications for the first tenant panel and the address portion and with the recommendation that the sign be shortened to an overall height of six feet by condensing the upper part of the sign where the address is proposed to go.

Mr. Harold Ekstrom was present to speak to the application. He handed out a photo of what the sign is projected to look like at the location.

Discussion ensued regarding the Planning Board approving sign applications without ADRC recommendation.

Ms. Smith-Meyers moved to table Architectural Design Approval for one (1) new 9 sq. ft. non-illuminated freestanding directory sign, at 17-19 Green Street, within the Civic Performance (CVP) District, MBLU: 44-3-34 until a recommendation from the ADRC is obtained. Ms. Dolcino seconded the motion. The motion passed 7:1 with Chair Drypolcher opposing.

c. Application by Carolyn M Beaulieu, Trustee and the Trust of Ciborowski SA Nominee, on behalf of Studio RLH, requesting Architectural Design Review Approval for one (1) new 9 sq. ft. non-illuminated hanging sign and one (1) new 5.76 sq. ft. non-illuminated affixed sign, at 2 Kennedy Lane, within the Central Business Performance (CBP) District. MBLU: 35-3-6

Ms. Larson stated ADRC recommended Design Review approval as submitted with the note that the applicant considers adding the type of business to the sign.

Ms. Sybil Desilets, Studio RLH, was present to speak to the application. She stated the sign contains the logo of the business which is a hair salon that has been downtown Concord for 25 years. She said her previous location did not have a sign. Her business is a destination spot and the registered name is Studio RLH. She said she could add "hair salon" if necessary.

Ms. Smith-Meyer stated she did not think it was necessary to add "hair salon" to the sign.

Mayor Bouley moved to grant Architectural Design Approval for one (1) new 9 sq. ft. non-illuminated hanging sign and one (1) new 5.76 sq. ft. non-illuminated affixed sign, at 2 Kennedy Lane, within the Central Business Performance (CBP) District. MBLU: 35-3-6, as submitted. Mr. Lavers seconded the motion. Motion carried unanimously.

d. Application by Liberty Utilities (Energynorth Natural Gas) Corp requesting Architectural Design Review Approval for one (1) new 49 sq. ft. non-illuminated affixed sign, at 10 Broken Bridge Road, within the Industrial (IN) and Open Space Residential (RO) Districts. MBLU: 109-1-2

Ms. Larson stated the ADRC recommended approval as submitted.

Mr. Cliff Conte, NH Signs, and Steve Grafven, Liberty Utilities were present to speak to the application. Mr. Conte gave a history of the design development and explained the design of the structure of the sign stating that the sign will be 49 sq. ft. which includes the mesh panel.

Mr. Woodfin moved to grant Architectural Design Approval for one (1) new 49 sq. ft. non-illuminated affixed sign, at 10 Broken Bridge Road, within the Industrial (IN) and Open Space Residential (RO) Districts, MBLU: 109-1-2, as submitted. Mayor Bouley seconded the motion. Motion carried unanimously.

- e. Application by Evangelos D Lillios, on behalf of Maher Abbas, requesting Architectural Design Review Approval for one (1) new 24 sq. ft. non-illuminated affixed sign, at 5-9 Pleasant Street Extension, within the Central Business Performance (CBP) District. MBLU: 35-3-10**

Ms. Larson stated ADRC recommended approval as submitted with the recommendation that the sign be centered over the left bay.

Mr. Lavers moved to grant Architectural Design Approval for one (1) new 24 sq. ft. non-illuminated affixed sign, at 5-9 Pleasant Street Extension, within the Central Business Performance (CBP) District, MBLU: 35-3-10, as submitted with the condition that the sign be centered over the first bay of windows, as recommended by the ADRC. Mr. Regan seconded the motion. Motion carried unanimously.

- f. Application by Mareina Realty, LLC, on behalf of Chickadee Lane Interiors, requesting Architectural Design Review Approval for one (1) new 6.25 sq. ft. non-illuminated hanging sign and one (1) new 5 sq. ft. window sign, at 9 Pleasant Street, within the Central Business Performance (CBP) District. MBLU: 35-6-3**

Ms. Larson stated ADRC recommended approval as submitted.

Glenn Schadlick, NEOPCO Signs, was present to speak to the application. There were no questions regarding the application.

Ms. Smith-Meyers moved to grant Architectural Design Approval for one (1) new 6.25 sq. ft. non-illuminated hanging sign and one (1) new 5 sq. ft. window sign, at 9 Pleasant Street, within the Central Business Performance (CBP) District, MBLU: 35-6-3, as submitted. Mr. Woodfin seconded the motion. Motion carried unanimously.

- g. Application by Liberty Trust and Frederick M Gordon, Trustee, on behalf of Pavan Patel, requesting Architectural Design Review Approval for one (1) replacement 45 sq. ft. internally illuminated freestanding sign, at 201 South Main Street, within the Urban Commercial (CU) District. MBLU: 26-1-8**

Ms. Larson stated ADRC recommended approval as submitted. She stated this is a sign face replacement.

Ms. Dolcino moved to grant Architectural Design Approval for one (1) replacement 45 sq. ft. internally illuminated freestanding sign, at 201 South Main Street, within the Urban Commercial (CU) District, MBLU: 26-1-8, as submitted. Mr. Lavers seconded the motion. Motion carried unanimously.

- h. Application by the Estate of Jacob S Ciborowski and Henry J Ciborowski, Executor, on behalf of Averill's Martial Arts Academy, requesting Architectural Design Review Approval for one (1) replacement 20.5 sq. ft. internally illuminated affixed sign and one (1) replacement 18 sq. ft. internally illuminated hanging sign, at 3 North Main Street, Central Business Performance (CBP) District. MBLU: 35-4-1**

Ms. Larson stated ADRC recommended approval as submitted with the recommendation that the dots between the words "boxing" and "kickboxing" on the 18 sq. ft. hanging sign are replaced with a horizontal line that match the line on the 20.5 sq. ft. affixed sign and reducing the size of the letters to accommodate the change. She handed out the revised plans.

Glenn Schadlick, NEOPCO Signs, and Chris Averill, owner, were present to speak to the application. Ms. Smith-Meyer asked why the name of the business was not highlighted. Ms. Averill replied that the advertising of the service is more clear and understandable than the name. Mr. Woodfin asked about the decorative neon border. Mr. Schadlick replied that the only neon that will be visible and exposed is the underline on the sign; other letters are LED letters.

Mr. Lavers moved to grant Architectural Design Approval for one (1) replacement 20.5 sq. ft. internally illuminated affixed sign as submitted and one (1) replacement 18 sq. ft. internally illuminated hanging sign as revised and presented at the hearing, at 3 North Main Street, Central Business Performance (CBP) District, MBLU: 35-4-1. Ms. Dolcino seconded the motion. Motion carried unanimously.

- i. Application by Gabrielle Family LP, on behalf of Diane White, requesting Architectural Design Review Approval for one (1) new 18 sq. ft. non-illuminated (need to confirm with applicant) affixed roof sign, at 322 Village Street, Penacook, within the Central Business Performance (CBP) District. MBLU: 1412P-59**

Ms. Larson stated ADRC recommended tabling the application requesting further clarification. She stated the applicant was not present at the ADRC Meeting. Ms. Shank stated the applicant submitted revised drawings which depicts the image in better quality. She also stated the window sign is temporary and this application of for the roof sign only. The existing window sign will be removed once the roof sign is installed.

Ms. Carol Breault was present to speak to the application.

Mr. Woodfin moved to grant Architectural Design Approval for one (1) new 18 sq. ft. non-illuminated (need to confirm with applicant) affixed roof sign, at 322 Village Street, Penacook, within the Central Business Performance (CBP) District, MBLU: 1412P-59, as submitted as revised and presented at the hearing. Mr. Lavers seconded the motion. Motion carried unanimously.

- j. Application by 31 South Main Acquisition LLC, on behalf of Gary DiMartino dba United Gourmet Foods, LLC, requesting Architectural Design Review approval to replace existing front door and expose existing windows along north side of building that are currently blocked off. Also proposed is replacing existing tapered columns with 8" square columns at front entry at 27 South Main Street in the Central Business Performance (CBP) District. Map/Block/Lot: 35-1-1**

Ms. Larson stated ADRC recommended Design Review approval as submitted with the understanding that the color scheme for the storefront will be black for structural elements and contrasting gray for infill portions and the recommendations that the applicant explore the possibility of relocating the two upper gooseneck lighting fixtures to be even with the other four fixtures. Sign applications will be separate from this application.

Mr. Gary DiMartino, United Gourmet Foods, LLC was present to speak to the application. Ms. Larson explained that this application is for a small, franchise chain. The existing dropped ceilings will be removed to expose the tine ceilings and the windows that are currently blocked off will be exposed.

Ms. Dolcino moved to grant Architectural Design Approval to replace existing front door and expose existing windows along north side of building that are currently blocked off. Also proposed is replacing existing tapered columns with 8" square columns at front entry at 27 South Main Street in the Central Business Performance (CBP) District, Map/Block/Lot: 35-1-1, as submitted with the condition that the color scheme for the storefront will be black for structural elements and contrasting gray for infill portions and the relocation of the two upper gooseneck lighting fixtures to be even with the other four existing fixtures. Mr. Lavers seconded the motion. Motion carried unanimously.

Site Plan Applications

4. **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 18th Planning Board meeting.**
 - a. **Public Hearing**
 - b. **Deliberations and Action on the Application**

The Chair continued the public hearing.

Mayor Bouley asked the Chair if he should recuse himself from the continued item since he was not present at the March 18th meeting. The Chair replied that usually it is not dictated that members who were not present at the first hearing recuse themselves from the continuation hearing.

Ms. Shank gave a summary to bring members up to date. The application was determined complete at the February 18, 2015 meeting and set for public hearing for the March 18, 2015 meeting. At the March hearing, the Board asked for some legal clarification regarding ADR approval/denial because the ADRC had recommended denial on the application. That information has been obtained and hopefully shared with the Board by Legal Counsel. A revised application had been submitted but was not received in time for the April Planning Board Agenda. The revised Site Plan application also included a Conditional Use Permit to allow for a greater number of compact parking spaces to allow more space between the parking lot and the street to provide a better buffer between the proposed parking lot and the houses on Blake Street.

Atty. Richard Uchida, Hinckley, Allen & Snyder; Eric Buck, Terrain Planning and Design, LLC; Rolf Gesen, Phenix Mutual; and Todd Hayward, Morris Insurance Group were present to speak to the application.

Atty. Uchida stated Mr. Buck will go over the changes to the site plan which resulted from staff comments and he also stated the applicant met with neighbors to address their concerns. Mr. Gesen and Mr. Hayward will provide a background on the site.

Mr. Buck provided the existing conditions at the site. He stated 42 Pleasant Street houses a shared driveway with the Women's Center and there is also an upper terrace parking lot, a driveway that slopes down to Blake Street and a lower terrace parking area; 11 Blake Street has an existing structure, a garage and a driveway, adjoining green space and a small plant buffer immediately along Blake Street. The purpose of the renovations to the parking lot is to increase the number of parking spaces that are available for staff at Phenix Insurance. The site plan has been revised based on staff comments and input from the neighborhood meeting. He stated neighbor comments included concerns about the existing continual cut-through from Pleasant Street to Blake Street, concerns about the size of existing plant material, specifically the locust trees on the Blake Street side of the parking lot, and concerns and understanding over the deterioration of the house at 11 Blake Street. The revised plans include leaving the Blake Street entrance open to allow for an exit only configuration onto Blake Street, the meandering configuration of the proposed driveway may circumvent any cut-through activity. Two additional catch basins have been added to the plan to address the drainage concerns at the top of the entrance ramp. The landscape buffer has been revised and they are asking for a Conditional Use Permit to provide 50% compact car spaces that allows a shorter size parking space which will allow an increase of the Blake Street landscape buffer from the required 5 feet to 9 feet. The revised landscape plan shows an array of deciduous and flowering shrubs, ground covering, perennials, street trees including an increased number of street trees along Blake Street and a stockade style fence with evergreen plantings to increase screening along the western side of the property. He pointed out the catch basin locations on the plans and explained the drainage process. In

addition to the plant materials along the buffer, an antique granite (materials which are currently in the wall that divides the two parking areas) and black chain railing is proposed to improve the streetscape. He presented renderings to show the scale of the trees to the existing buildings. He stated one abutter had concerns over the shading that was happening due to the existing locust trees. He also said the existing locust trees were growing into the power lines.

Mr. Woodfin asked what the existing parking verses the proposed parking is with the revised site plan. Mr. Buck replied there are 23 existing spaces and 33 proposed spaces with one handicap accessible space. Mr. Woodfin asked if Blake Street can handle the new traffic configuration with the proposed exit location from the parking lot. Mr. Gesen replied that it is currently a straight thoroughfare from Pleasant Street to Blake Street and he believes this plan will reduce the load onto Blake Street because a lot of the current traffic is a result of people using the driveway as a cut through to avoid the intersection at Green and South Streets. Ms. Shank stated the City Traffic Engineer, in reviewing this plan, noted that the access to Blake Street is a desirable way to reduce congestion on Pleasant Street and that he had no traffic concerns resulting from this access.

Mr. Lavers asked what was directly across the street from the proposed parking lot exit. Mr. Buck replied there are a series of residences and the proposed exit is aligned with an existing residential driveway which will allow for ample turning radius and will not interfere with on-street parking.

Mr. Woodfin asked about a retaining wall. Mr. Buck replied there is not proposed retaining wall but the existing one is four feet high. Ms. Smith-Meyer asked the width of the existing planting median on Blake Street because the requested CUP is so that the median can be wider. Mr. Buck replied the median exists at about 8 feet and the proposed is 9 feet. Ms. Smith-Meyer noted that the original plan included saving the locust trees. Mr. Buck confirmed and stated that feedback from an abutter who owns property stated the trees shade her house and she was adamant that they should be removed and would resist any proposed large tree plantings in their place. Mr. Buck stated the sourwood trees that are proposed will mature to 20 – 25 feet and the proposed Japanese Tree lilacs will give a little more height. Ms. Smith-Meyer stated the purpose of street trees is to provide shade and she would highly discourage removing the existing locust trees because of the shade they provide on the street and parking lot. She stated the proposed replacement trees are decorative trees and will not do what the trees are supposed to do according to regulations. She said she recalls an abutter testimony who asked about the removal of the trees and thinks the abutter will regret the trees being removed because the houses will bake in the sun and so will the street. She stated it would be a huge loss because already a part of the infrastructure of that neighborhood will be lost with the demolition of the house at 11 Blake Street and to take down mature trees as well will be a huge scar on that street. She reiterated she is highly against taking down those trees. She noted that the proposed replacement plantings are not appropriate for a parking lot as a sourwood tree would not provide adequate shading for a parking lot. Ms. Shank stated staff would be in favor of larger shade providing trees and noted that the ordinance lists recommended trees but does not have any definitive requirements to provide a certain type of tree.

Mr. Gesen spoke to the history and to the change in the site plan. He said the changes are keeping to who they are as a company and their dedication to the City. He appreciates the chance to re-present the application. Phenix Mutual has been in downtown Concord since 1886 and they are presently in their third Concord location. They moved into the Pleasant Street/Blake Street building in 1969 and the reason for the move was parking. He understands the historic significance and maintaining an attractive downtown and believes the revised site plan does that and will enhance the streetscape of Blake Street with the removal of the 11 Blake Street house.

Mr. Hayward, Facility Manager, spoke. He stated he started looking at the Phenix Mutual building on Pleasant Street, engaged an engineering firm to complete an assessment, and determined that with the growth of Phenix something had to be done. Two options were considered; one, selling the facility and building a new facility and two, renovating the current building. The condition of the current building was not in good shape. The facility is having major work done currently. They wanted to maintain their presence in downtown Concord. Mr. Hayward gave an overview of the renovations. He also stated he looked into the conditions of the Blake

Street property and noted it was never the intention to be a landlord and when purchased that property was slated for future growth. It is currently uninhabitable and an eyesore. Mr. Hayward handed out photos of the 11 Blake Street property. He stated the interior renovations at Pleasant Street should be completed in early July. The site plan work should be completed by the end of August.

Atty. Uchida offered to go through the seven factors for Design Review approval with the Board if wanted. The Board declined.

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

Ms. Smith-Meyer commented that in the past year this would be the second house to be demolished for the construction of a parking lot. She hopes this is not a trend. Mr. Woodfin supports not removing the mature locust trees.

Mr. Lavers moved to grant Architectural Design Review Approval for demolition of the existing residential structure on 11 Blake Street, and renovation and expansion of the existing parking lot serving 42 Pleasant Street. Ms. Dolcino seconded the motion. Motion carried unanimously.

Mr. Lavers moved to grant a Conditional Use Permit pursuant to Section 28-7-11(d) of the Zoning Ordinance, to allow up to 50% of parking spaces to be compact. Mr. Regan seconded the motion. Motion carried unanimously.

Mayor Bouley moved to grant Conditional 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, subject to the following precedent and general conditions to be fulfilled prior to issuance of any building permits or the commencement of site construction, unless otherwise specified:

(a)Precedent Conditions - To be fulfilled within 2 years and prior to endorsement of the final plans by the Planning Board Chair and Clerk, unless otherwise specified:

- 1) Add a note to the plan stating that prior to use of the parking lot, the applicant will contact the Planning Division for an inspection to confirm that improvements have been completed in accordance with the approved plans.
- 2) Address to the satisfaction of the Engineering Division, review comments received from Laura Aibel, P.E. and Jeffrey Warner, P.E. dated April 29th, 2015 (see attached).
- 3) 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.
- 4) Address to the satisfaction of the Planning Division, the Technical Review Comments listed below.
- 5) Plans shall be revised to include the two existing honey locust shade trees along Blake Street and to ensure that shade trees provided within the parking lot are appropriate species.

(b)Subsequent Conditions – Staff also recommends that the following general and subsequent conditions 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) The applicant shall submit three sets of the final plans for endorsement by the Planning Board Chairman and Clerk. Upon endorsement, the applicant shall pick up one plan set to reproduce seven copies and return the original set and the seven copies to the Planning Division for the pre-construction meeting.
- 3) A pre-construction meeting shall be required prior to the start of any construction activities onsite.

Technical Review Comments

1. Section 15.04 of the Site Plan Regulations require that proposed Site Plans indicate the locations of existing buildings on abutting properties. Revise plans to include the location of the existing residence at 13-15 Blake Street.
2. Revise the Landscape Plan in accordance with Comment A.4 of the Staff Report.
3. Revise the parking requirements and calculations in Note #9 on the Site Plan. The parking requirement is one (1) space per 300 square feet of gross floor area, for a total number of 29 required parking spaces.
4. Revise plans to more clearly indicate the location of light poles on the Lighting Plan and Landscape Plan.

Mr. Woodfin seconded the motion. The motion passed unanimously.

5. 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 seven (7) residential condominium units at 12 Cross Street, Penacook, within the RN (Neighborhood Residential) District. Map/Block/Lot: 0534P/31 (2015-0012)

- a. Public Hearing**
- b. Deliberations and Action on the Application**

The Chair opened the public hearing.

Ms. Shank stated the applicant is proposing to renovate a vacant schoolhouse at 12 Cross Street in Penacook, converting the building into seven (7) residential condominium units. The applicant is also proposing to renovate the existing parking lot, providing sixteen (16) parking spaces, and removing approximately 60% of the paved area, to be replaced with lawn, trees, shrubs, and patio and walkway features.

Mr. Bill Higginbotham, Higginbotham Construction, Atty. Maria Dolder and Doug Greiner, landscape architect, were present to speak to the application. Atty. Dolder reiterated Ms. Shank's summary. She stated the applicant received eight variances in order to move forward with this proposal. The revised plan includes seven units compared to the original eight units requested; two smaller units were combined to make one handicap accessible unit. She stated they have been working with staff on the details of how the condominium will look and function. The application includes six waiver requests; five concerning stormwater management requirements and one concerning the location of existing utilities.

Ms. Shank stated that ADRC requested that the applicant come back before the ADRC to review architectural details including the window sashes, porticos, and existing doorway proposed to be closed off. Atty. Dolder replied that the ARDC recommendations were included into the revised plans. Ms. Shank stated staff recommends granting ADR approval without the need to return to the ADRC. Mr. Higginbotham explained that the architect suggested putting raised panels on to the doorway instead of bricks to close off. Ms. Shank stated the plans show details for the doorway to be closed off and that it looks like they tried to address the ADRC's concern. Atty. Dolder reiterated that the applicant hopes to not have to go back to the ADRC with the revised plans. Ms. Shank noted that if the Planning Board granted ADR approval and had the applicant return to the ADRC as requested, it would be a courtesy as Planning Board already granted approval.

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

Mr. Lavers moved to grant Architectural Design Review Approval for the proposed site plan and building architecture associated with renovation of an existing schoolhouse into seven (7) residential condominium units

and renovation of an existing parking lot to provide sixteen (16) parking spaces at 12 Cross Street, Penacook, as submitted with the condition that the applicant present the revised plans to the Architectural Design Review Committee. Mr. Lavers seconded the motion. Motion carried unanimously.

Mayor Bouley moved to grant a waiver to Sections 16.04(3) (SDR) and 16.02(12) (SPR) to provide the location of all swales, drainage ditches, and other stormwater management features; and to provide 10 and 25 year storm runoff estimates. Ms. Foss seconded the motion. Motion passed unanimously.

Mayor Bouley moved to grant a waiver to Section 16.04(4) (SDR), and Sections 16.02(14)(a) and 16.02(14)(b) (SPR), to provide the size, location, and invert elevations of existing sanitary and storm sewers, and profiles of municipal utilities. Mr. Lavers seconded the motion. Motion passed unanimously.

Mayor Bouley moved to grant a waiver to Sections 23.07(1) and 23.07(3) (SDR), and Sections 22.06(1) and 22.06(3) (SPR) to provide a drainage study and erosion control plan. Mr. Lavers seconded the motion. Motion passed unanimously.

Mayor Bouley moved to grant a waiver to Section 23.09 (SDR) and Section 22.08 (SPR) to provide Storm Water Design Standards for Minor Impact Subdivisions. Mr. Lavers seconded the motion. Motion passed unanimously.

Mayor Bouley moved to grant a waiver to Section 23.03 (SDR) and Section 22.03(SPR) to connect to a municipal storm drainage system for the portion of runoff that cannot be infiltrated on site. Mr. Lavers seconded the motion. Motion passed unanimously.

Mayor Bouley moved to grant a waiver to Section 28.05(1) (SDR) and Section 27.09(1) (SPR) to provide an Erosion Control Plan. Mr. Lavers seconded the motion. Motion passed unanimously.

Mayor Bouley moved to grant Conditional Major Site Plan Approval and Minor Subdivision Approval for the renovation of an existing schoolhouse into seven (7) residential condominium units and renovation of an existing parking lot to provide sixteen (16) parking spaces, subject to the following Precedent and Subsequent Conditions, unless otherwise specified:

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

(1) Address to the satisfaction of the City Engineer, the attached review comments from Laura Aibel, P.E., and Jeff Warner, P.E. dated May 14th, 2015.

(b) **Subsequent Conditions** – Staff also recommends that the following general and subsequent conditions 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) The applicant shall submit three sets of the final plans for endorsement by the Planning Board Chairman and Clerk. Upon endorsement, the applicant shall pick up one plan set to reproduce seven copies and return the original set and the seven copies to the Planning Division for the pre-construction meeting.

(3) A pre-construction meeting shall be required prior to the start of any construction activities onsite.

(4) 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.

(5) 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.

Mr. Woodfin seconded the motion. Motion passed unanimously.

6. **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) (2015-0013) Applicants request postponement to the June 17, 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.

Mayor Bouley moved to postpone the application until the Planning Board Meeting on June 17, 2015 at 7:00 pm in Council Chambers. Mr. Woodfin seconded the motion. Motion carried unanimously.

Subdivision Plan Applications

7. **Application by TF Moran on behalf of Unitil 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) postponed from the April 15, 2015 Planning Board meeting.**

- a. **Determination of Completeness**
- b. **Public Hearing**
- c. **Deliberations and Action on the Application**

Ms. Larson recommended that the application be determined complete and the public hearing opened.

Mr. Lavers moved to determine the application complete and to open the public hearing. Mr. Regan seconded the motion. Motion passed unanimously.

The Chair opened the public hearing.

Mr. Nick Golan, TF Moran and Jake Dusling, Unitil were present to speak to the application. Mr. Golan gave an overview of the subdivision. Unitil requests a lot line adjustment between map/Block/Lot 113/2/10 (Lot 10) whereby 6.78 ac. (Parcel A) of Lot 10 would be consolidated with 113/2/9 (Lot 9). The newly configured Lot 9 is then proposed to be subdivided into two parcels. The northerly remainder of Lot 9 would be retained by the City of Concord. The "new" parcel would be transferred to Unitil (see corresponding site plan application from Unitil for a substation). Existing 113/2/19 would then be consolidated with the "new" parcel, effectively expanding the size of 113-2-19 to approximately 45.2 acres. A lot line adjustment is also requested between the newly re-configured 113/2/19 & 113/2/27 such that Lot 27 will have the 200 ft. of road frontage required for a parcel in the RO District. All parcels are located off of Portsmouth Street within the Open Space Residential (RO)

and Single-Family Residential (RS) Districts. I-393 is located to the southeast, vacant City owned land is located to the north and east and Unitil property is located to the west. Located along the southwest is Portsmouth Street and residential homes.

The Chair asked if members of the public had any comments or questions.

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

Mr. Lavers moved to grant a waiver to Section 12.08(1) of the Subdivision Regulations requiring full boundary survey. Ms. Rosenberger seconded the motion. Motion passed unanimously.

Mr. Lavers moved to grant final minor subdivision approval for the application by TF Moran on behalf of Unitil 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 with the following precedent conditions to be fulfilled within 2 years and prior to endorsement of the final plans by the Planning Board Chair and Clerk, unless otherwise specified:

1. The Licensed Land Surveyor and Certified Wetland Scientist shall sign and seal final recordable mylar and plan set. Applicant to submit one (1) paper set of final plans for filing with the Planning Division.
2. Applicant to submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
3. Any waiver(s) granted is to be noted and fully described on the plan including date granted and applicable Section number(s) of the Subdivision Regulations. Should the Board vote to deny the waiver request(s), applicant shall comply with said submission requirement(s).
4. Recordable plan to be revised to include metes and bounds description for PSNH substation easement and access easement as depicted on the site plan submitted under separate cover (project no. 2015-15) or a separate easement plan be provided.
5. Applicant to receive written confirmation (email is sufficient) from the Assessing Department confirming that the final lot numbering is acceptable. Written confirmation is to be submitted to Planning.
6. Address to the satisfaction of the Engineering Division, forthcoming review comments from Laura Aibel, PE, Jeffrey Warner, PE, and Paul Gendron, LLS.
7. The applicant shall address the Planning Staff Technical Comments. (See attached)

And the following general and subsequent conditions

Executed and recorded easement document(s) between Unitil and Eversource to allow for construction and operation of the transmission substation by Eversource as well as access to the substation is to be submitted to the Planning Division for filing immediately upon recording.

Planning Staff Technical Comments

1. Revise the Planning Board signature block replacing “Secretary” with “Clerk”.

2. Please add the following note on the plan between the identifiers for REMAINDER Map 113 Block 2 Lot 9 and Map 113 Block 2 Lot 27: "To be consolidated with Map 113 Block 2 Lot 27 (See Note 3)".

3. Per Section 12.08(5) of the Subdivision Regulations please indicate location (s) of ledge outcroppings, if any, and steep slopes in excess of fifteen (15%) and twenty-five (25%) percent on Sheet 2 of 2.

Ms. Rosenberger seconded the motion. Motion carried unanimously.

REGULAR MEETING

8. Waiver Request of Impact Fees – Cobblestone Pointe Senior Village, 23 Triangle Park Drive (2015-0001)

Ms. Larson notified the Board that this item will be placed on the June 17, 2015 Planning Board agenda as a Public Hearing.

9. Discussion of Mapped Line of Future Street – Bog Rd.

Ms. Larson gave a history of the project. At the request of the Planning Board, the mapped line was certified by City Council in 2009. The need for neighborhood connectivity in the developing residential area west of Fisherville Road between Bog Road, Borough Road and the Great Bog was identified by the Planning Board during deliberations related to the Vineyards Planned Unit Development (PUD) in 2003 and 2004. The Planning Board approved the Vineyards PUD with a condition that the applicant shall submit a plan suitable for adoption as a mapped line of future street for a connection between the end of Kyle Road in the Sandwood Crossing Development and Bog Road. Public hearings were held on October 15, 2008, and December 17, 2008 (see attached).

In discussion, the Board noted that the proposed mapped line bisected a part of the contiguous wetland known as the Great Bog and asked the Planning Division if the mapped line of the future street could be routed southerly of the wetland. The Division advised in the affirmative and the Board directed the Division to revise the route of the mapped line of a future street southerly of the wetland peninsula along the lot line between the Vineyards property and the property to the north (parcel P25A-1-103). The determination by the Planning Division was based on the City's wetland mapping and a wetland delineation performed for the former owner of the land that was later developed as the Vineyards. As the Board will see from the attached existing conditions plan prepared for R.J. Moreau Communities, L.L.C., Land of Roberta Marsh (this is the land that is now developed as the Vineyards), no wetlands were delineated in the northwest corner of the property or along the northern property boundary. Staff would have to conduct further research to determine if additional criteria have been added for delineating wetlands that were not required in 2002 when the wetland delineation was conducted for Roberta Marsh. The City's wetland mapping is based primarily on aerial photographic interpretation. While capable of readily identifying large contiguous blocks of wetlands, planning staff noted that their experience was that the City's aerial wetland mapping only identifies a portion of the regulatory wetlands in areas of mixed wetlands and upland areas which characterizes the development edge of the Great Bog in this area. Based on the available sources at that time, staff had determined that the proposed mapped line would have some wetland impacts, but the corridor appeared to be feasible with appropriate mitigation when the properties would be developed.

Planning and Engineering staff walked a portion of the delineated wetland perimeter on the recently subdivided 84 Bog Road property (land of Martha LaPierre) to gauge the level of wetlands impact that the proposed mapped line of Future Street would have on the wetland. As the Board will recall, the developer of the Vineyards Planned Unit Development (PUD) immediately to the east and the potential developer of the vacant tract behind 84 Bog Road (LaPierre parcel) both cited environmental constraints with regard to constructing their portion of the mapped line of future street due to the extensive wetland complex in this area. In 2014, a wetland delineation was completed on the 84 Bog Road parcel for a proposed residential subdivision. Based

upon the revised limits of wetlands within the proposed corridor of the mapped line, staff has determined that the impact to wetlands would be greater than previously assumed, and that given the significant impact to the wetland resources, the certified mapped line is not feasible. The discontinuance of this mapped line would eliminate impacts to a large wetland complex, and it would not alter the development possibilities of the residential lots on Bog Road or Phase IV of the Vineyards (as testified by developer Reggie Moreau). The existing mapped line of future streets in this area is not specifically shown or noted in the Land Use Section, the Transportation Section, the Economic Development Section nor the Housing Section of the adopted Master Plan 2030.

Mayor Bouley motioned to support the reconsideration of the mapped line of Future Street for Kyle Road to Bog Road. Ms. Rosenberger seconded the motion. Motion carried unanimously.

10. Architectural Design Review memorandum regarding the Civic Performance District (CVP).

Ms. Shank stated the ADRC questioned whether parking should be permitted as a by-right primary use in the CVP District, or if it should be permitted by special exception. The CVP District borders on, and extends into, residential neighborhoods; regulating surface parking by special exception would allow greater input in mitigating possible adverse impacts on residential neighborhoods from parking lots. The ADRC recommended at their March 10, 2015 meeting, that these issues be discussed in more detail to determine whether zoning amendments should be pursued.

Discussion ensued regarding parking. The Board expressed interest in pursuing the issue. Mayor Bouley indicated that City Council was aware of parking issues in the downtown, that a parking study would be coming out soon, and that Council may soon ask the Planning Board to consider a number of regulatory changes, which may include the issue at hand.

11. Approval of the minutes of the April 15, 2015 Planning Board Meeting and approval of the minutes of the April 29, 2015 Special Site Walk Meeting.

Mayor Bouley moved to approve the April 15, 2015 and April 29, 2015 Meeting minutes as written. Ms. Rosenberger seconded the motion. Motion carried unanimously.

12. Any other business which may legally come before the Board.

INFORMATION

- Minutes of the May 12, 2015 Design Review Committee meeting
- Next regular monthly meeting on Wednesday, June 17, 2015

There was no further business to come before the Planning Board and the Chair adjourned the meeting at 10:20 pm.

A TRUE RECORD ATTEST:

Nancy Larson
City Planner