



**CITY OF CONCORD**  
NEW HAMPSHIRE  
*Community Development Department*  
*Code Administration Division*

City Hall Annex • 37 Green Street • Concord, NH 03301 • tel. 603/225-8580 • fax 603/225-8586

June 27, 2013

The Zoning Board of Adjustment will meet on Wednesday **July 10, 2013** at **7:00 PM** in the Council Chambers of the Municipal Complex at 37 Green Street.

**July 10, 2013 ZBA Meeting Agenda**

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

The Zoning Board of Adjustment will hold a public hearing on the following appeals:

**Public Meeting**

- 17-13** **WBIN Media, Inc.:** (Request for Rehearing) (recessed from June) Applicant wishes to re-develop the former Walker School property from an elementary school to a radio/television media facility (use K-10) and requests a Variance to Article 28-6-9(c)(1), Permitted Freestanding Signs, to permit 3 freestanding signs totaling 65 s.f. when 1 freestanding sign of 40 s.f. is permitted, for property located at 4 Church Street and situated in a IS Institutional District with an HI Historic District overlay.

**Public Hearings**

- 24-13** **Timothy Golde for MRT Investment and Development LLC:** (recessed from June) Applicant wishes to construct 10 attached dwelling units and requests the following Variances:

- 1) to Article 28-4-5, Development of Attached and Multi-family Dwellings, Section (d)(5), Perimeter Buffers Required, to permit buildings not less than 20 feet from the property lines and to allow parking facilities to be constructed not less than 10 feet from the property lines when a 50 foot perimeter buffer is required;
- 2) to Article 28-4-5, Development of Attached and Multi-family Dwellings, Section (d)(5), Perimeter Buffers Required, to permit a dumpster pad within the required 50 foot perimeter buffer; and
- 3) to Article 28-4-5, Development of Attached and Multi-family Dwellings, Section (d)(3), Building Dimensions and Separation, to permit parking spaces with no separation from the building where a 15 foot separation is required, For property located at 95 Loudon Road and situated in an RH Residential High Density District.

- 35-13** **Executive Health & Sports Center for The Racquet Club of Concord:** Applicant wishes to renovate and expand an existing health and fitness center (use C-4) and add offices for healthcare practitioners (use E-1) and requests the following Variances:

- 1) to Article 28-4-1(h), Table of Dimensional Regulations, to permit a front yard setback of 41.2 feet to 44.3 feet for the proposed southerly building addition and front setbacks ranging from 26.8 feet to 29.7 feet for the proposed northerly building where 50 foot setbacks are required;
- 2) to Article 28-4-2(b)(1), Buffer Width Standards, to allow the required 30 foot buffer between the CH & RM Zone to be moved to the southerly property line of the proposed merged lot when such buffer is required within the CH Zone adjacent to where the residential district boundary transects the lot;
- 3) to Article 28-4-2(b)(2), Buffer Width Standards, to allow the required 20 foot buffer between the RM & CH Zone to be eliminated when such buffer is required within the RM Zone adjacent to where the CH district boundary transects the lot;
- 4) to Article 28-4-2(e), Buffers for District Boundaries in Collector or Local Streets, to allow a 9 foot buffer where a 15 foot buffer is required;

- 5) to Article 28-7-2(e), Table of Off-Street Parking Requirements, to provide not less than 160 parking spaces where 750 parking spaces would be required;
- 6) to Article 28-7-7(e), to allow a minimum drive aisle width of 18 feet for one way traffic where a 24 foot aisle width is required adjacent to parking spaces that are perpendicular to the drive aisle;
- 7) to Article 28-7-7(g)(1), Parking Restrictions in the Required Front Yard, to allow parking within the required front yard setbacks on the portion of the lot that is within the RM Zone;
- 8) to Article 28-7-13(a), Table of Off-Street Loading Requirements, to provide 1 loading space where 3 loading spaces are required; and
- 9) to Article 28-7-13(e), To allow a loading space within 50 feet of a residential district boundary, all for property located at 10 Garvins Falls Road and the adjacent lot (M/B/L 110I-2-4) which when merged will be transected by an RM Residential Medium Density district boundary and a CH Highway Commercial District Boundary.

**36-13 Duprey Acquisitions, LLC:** Applicant wishes to remove an existing single-family residential structure to construct a parking lot and requests the following:

- 1) Variance to Article 28-2-4(j), Table of Principal Uses, to permit a "Public or Commercial Parking Lot," (use K-1) where such use is not permitted;
- 2) Variance to Article 28-4-1(h), Table of Dimensional Regulations, to permit a lot coverage of 69% where a maximum of 50% is allowed,

All for property located at 46 Pillsbury Road and situated in an RN Residential Neighborhood District.

Prior to hearing this appeal, the Board must determine whether the request differs materially in nature or degree, or whether the circumstances affecting the property have changed significantly when compared with the circumstances existing under the request in Case #41-09, 2 Pillsbury Street, LLC for Patricia & Karen Martin-Brown, December 2, 2009.

**37-13 John Hoyt, Jr. for Concord Housing & Redevelopment:** Applicant wishes to replace former office space and unused theater space on first floor with 6 one 1 bedroom 500 S.F. residential units and requests:

- 1) A Variance to Article 28-4-5(e), (Multi-family) Development Standards in Performance Districts, Section (4), Locational Restrictions, to permit dwellings units within the Central Business Performance District to be located on the first floor level; and a
- 2) Variance to Article 28-5-48, Central Business Performance (CBP) District Standards, Section(i), Ground Floor Occupancy and Transparency, to waive the requirement that at least 60% of the length of a building at ground level be glazed or transparent to the interior and that at least 60% of the ground floor level be comprised of uses which include the sales of goods and provision of services,

All for property at 40 South Main Street and situated in a CBP Central Business Performance District.

**38-13 Kerry Reed for Reed Family Trust:** Applicant wishes to establish a 9 unit Residential Social Service Center for Christian Science church members who cannot or wish not to live alone with an associated on-premises dwelling for the business manager and requests a Variance to Article 28-2-4(j), Table of Principal Uses, to permit a Residential Social Service Center in a district where such use is not permitted for property located at 23 Rundlett Street and situated in an RS Residential Single-Family District. (Note: This facility will not be a medical facility.)

**39-13 East Concord Cooperative Preschool:** Applicant requests a Special Exception under Article 28-2-4(j), Table of Principal Uses, to permit a child day care facility (use B-4) in the Heights Community center, former Dame School, and a Variance to Article 28-5-9(a)(1), Child Day Care Centers, As a Principal Use, to permit driveway access to and from a local street where direct driveway access to and from a collector or arterial street is required, for property located at 14 Canterbury Road and situated in an RS Residential Single-Family District.

Rose M. Fife, Clerk  
Zoning Board of Adjustment

**NOTE:** Any person who feels that he or she may be unable to participate in this hearing, because of the limitation of a physical or emotional disability, is asked to contact the Clerk at least 48 hours prior to the event. All reasonable efforts will be made to provide for your participation in the hearing.

For meetings held in the City Council Chambers, any person who is unable to access the upper level of the Council Chambers to address the City Council or any other public body may use the podium and/or microphone located at the lower level of the Council Chambers. Other reasonable accommodations may be available upon request.