

**CITY OF CONCORD PLANNING BOARD
July 17, 2013 MEETING**

The regular monthly meeting of the City Planning Board was held on July 17, 2013, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Present at the meeting were Chair Drypolcher and Members Lavers, Regan, Hicks, Foss and Smith-Meyer. City Planner McPherson, Mr. Henninger, Ms. Hebert and Ms. Cuddy of the City's Planning Division were also present.

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

PUBLIC HEARINGS

Architectural Design Review Applications

1. Applications by the following for approval of signs at the following locations under the provisions of Section 28-9-4 (f), Architectural Design Review, of the City of Concord's Code of Ordinances:

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

- **Application by Cumberland Farms, Inc., at 102 Manchester Street, requesting Design Review Approval for exterior renovations to an existing building and gas canopy, to install three replacement affixed signs on the building and canopy, and to modify the existing freestanding sign, within the Highway Commercial (CH) District (2013-44)**

Mr. Henninger said the applicant is here to present the application. He noted there is a slight revision to the report and a new site plan showing updates.

John Marth, the Project Manager from Cumberland Farms, was present to talk about the renovations at 102 Manchester Street. He said Cumberland Farms will remodel the existing store. The property has been neglected over the years. They will be taking over the entire building. The renovation will gut to the exterior walls of the building with a new layout inside. The blue and orange corporate colors go away and will now be blue and green. There will be sidewalks for handicap accessibility and new landscaping in front to dress it up. They could relocate the existing dumpster but they may prefer to keep it at its current locations on a new slab and a six foot high vinyl fence instead of the chain link fence that is presently there. No changes will be made to the underground tanks and utilities except for a new water service line tanks, one utility, and they want to upgrade the water. The existing canopy will remain, but they want to add signage to the canopy, and the blue and orange canopy will now be white with a green stripe. There will be a building sign over the new store front and the existing pylon sign will be revised. It will go from 63 square feet to 40 square feet, which will be an improvement. All the signs will be LED backlit, whereas now the entire sign lights up.

The logo lights up only at night and only the logo lights up, the rest is dark, so there is not a lot of extra light and will be much more visually appealing.

The Chair mentioned that the report says the existing scroller for the gas pricing is to remain and he then asked Mr. Marth to define a scroller.

Mr. Marth said the sign is radio controlled. The clerk hits a button and the numbers scroll around to the new price, which makes it much safer for the store clerks.

The Chair said he didn't know that was allowed because he thought the signs had to be mechanically changeable.

Mr. Henninger stated that this is a mechanical sign and is preexisting and not being changed.

Mr. Regan asked if the entire sign would light up.

The Chair answered it is just done when you change a price and it doesn't keep scrolling.

Mr. Henninger noted the recommendation to approve by the ADRC subject to the following conditions:

1. The landscape areas along Manchester Street shall be better defined and shrubs and planting installed acceptable to the City Planner.
2. The two dumpsters either be relocated behind the building, or be provided with white vinyl fencing and gates to screen the dumpsters, in manner acceptable to the City Planner.

Mr. Henninger advised the Planning Board that the applicant had submitted revised plans which addressed the above mentioned conditions.

Mr. Lavers MOVED to grant Architectural Design Approval for Cumberland Farms at 102 Manchester Street for exterior renovations to an existing building and gas canopy, to install three replacement affixed signs on the building and canopy, and to modify the existing freestanding sign. Ms. Smith-Meyer SECONDED the motion. Motion carried unanimously.

- **Application by Bindery Redevelopment, LLC, requesting Design Review Approval for three new affixed signs for Gibson's Bookstore & Café, two new affixed signs for Orr & Reno, one new affixed sign for True Brew Café, one new affixed sign for RBC Wealth Management, and one new affixed sign for BittWare at 45 South Main Street, within the Central Business Performance (CBP) District.**

Mr. Henninger said there is an application for three affixed signs for Gibson Bookstore & Café. In addition, there are neon signs for True Brew Café and "Toys, Books & Fun" in the front window, two affixed signs for Orr & Reno, and bronze identification signs on the columns at

the main entrance for RBC Wealth Management and BittWare. A request for a fourth identification sign at the main building entrance will be submitted when the tenant is publicly identified. The ADRC recommends approval of the signs as submitted.

Russ Aubertin of Advantage Signs was present and responded to questions from the Board. Mr. Aubertin in response to questions noted that the entrances to Gibson's Bookstore were located at each end of the South Main Street façade.

Mr. Henninger said there are sliders that can be used on good weather days that could be used to access the café but they would not be used every day. Mr. Aubertin noted that the café is open to the whole bookstore on the inside and you can go in any entrance to get there.

Mr. Aubertin mentioned that the main entry to the café will be through the main lobby and that the hours of operation will be longer than the bookstore hours.

Ms. Smith-Meyer said she doesn't like the tacked on signs in the windows and wondered if that was an awning in the photo. She said it was too bad since this was a brand new building with four signs tacked onto the windows. She asked if the signs could be put placed so that they did not block the windows. She said she had no problems with the appearance of the neon signs, she just doesn't like the way they are located. She said it looks like an after-thought to put the signs on the windows.

Mr. Aubertin said the signs were on the windows so that people would be attracted to look in the windows.

Ms. McPherson mentioned that the signage looked disorganized, that it was not a balanced or cohesive look and noted that the signs were not centered over the windows to the right of the main entrance.

Mr. Aubertin said he didn't want the sign to be disconnected from Gibson's and with the angle of the building from the street the signs would appear to be closer together.

Ms. Smith-Meyer said there are a lot of issues going on and she would have to agree with Ms. McPherson.

Mr. Lavers agreed that the sign scheme looks somewhat thrown together. It looks like the Orr & Reno sign is too bold. It looked like the building was named the "Orr & Reno" building. He remarked that it looked odd, but he wouldn't vote against the signs.

Ms. Smith-Meyer asked why the True Brew Café sign was not centered on the façade.

Mr. Aubertin commented that the True Brew Café sign was centered on the restaurant space if it was moved to the right; it would not be in the restaurant any longer.

Ms. Smith-Meyer stated that the building was not designed for that type of sign and that is why the sign looks tacked on.

There were no other comments or discussions.

Mr. Lavers MOVED to grant Architectural Design Approval as submitted by Bindery Redevelopment, Inc. for four new affixed signs for Gibson's Bookstore & Café, two new affixed signs for Orr & Reno, one new affixed sign for True Brew Café, one new affixed sign for RBC Wealth Management, and one new affixed sign for BittWare. Mr. Hicks SECONDED the motion. Motion passed, with Ms. Smith-Meyer voting against the motion.

- **Application by Freese & Bengston Family Dentistry, PLLC, requesting Design Review Approval for a replacement freestanding sign at 16 Wall Street, within the Civic Performance (CVP) District.**

There was no additional information from the applicant or comments from the members of the audience.

Ms. Smith-Meyer MOVED to grant Architectural Design Approval for an application for a free-standing sign by Freese & Bengston Family Dentistry, as submitted. Mr. Regan SECONDED the motion. Motion carried unanimously.

- **Application by Furniture Fair requesting Design Review Approval for a replacement panel in an existing freestanding sign at 32 Manchester Street, within the Gateway Performance (GWP) District.**

There was no additional information from the applicant or comments from the members of the audience.

Mr. Hicks MOVED to grant Architectural Design Approval for an application for revisions to an existing free-standing sign by Furniture Fair, as submitted. Ms. Smith-Meyer SECONDED the motion. Motion carried unanimously.

- **Application by Here We Grow Again – Women & Children Clothing requesting Design Review Approval for a replacement affixed sign and modifications to an existing affixed sign at 7 Broadway, within the Neighborhood Commercial (CN) District.**

Mr. Henninger commented that the proposed signs are to be located at the storefront where Ballard's used to be.

Ms. Smith-Meyer MOVED to grant Architectural Design Approval for an application the sign application for a replacement affixed sign and modifications to an existing affixed sign by Here we Grow Again, as submitted. Mr. Lavers SECONDED the motion. Motion carried unanimously.

- **Application by Mount Washington College, requesting Design Review Approval for a replacement affixed sign and a replacement panel in an existing freestanding monument sign at 16 Foundry Street, within the Office Park (OPF) Performance District.**

There was no additional information from the applicant or comments from the members of the audience.

Ms. Smith-Meyer MOVED to grant Architectural Design Approval for an application for a replacement affixed sign and a replacement panel in an existing freestanding monument sign by Mount Washington College, as submitted. Mr. Lavers SECONDED the motion. Motion carried unanimously.

- **Application by Northeast Delta Dental, requesting Design Review Approval for two replacement affixed signs at One Delta Drive, within the Institutional (IS) District.**

Mr. Henninger stated the development at One Delta Drive on the north side of Delta Drive predated the buildings constructed in the Horseshoe Pond Conference Center and Office located southerly of Delta Drive.

Lenny Sharon from Great Northern Signs, who was representing Delta Dental, said they are proposing to remove the existing affixed signs and replace them with the new Delta Dentals new logo. The signs on the east and the south side are aluminum with channel letters on a green background. The lettering on the signs will be halo lit with LED lighting and will not be flat paneled. The new signs are 64 square feet and the existing signs are 69 square feet. The proposed signage is identical to what is proposed at Two Delta Drive.

The Board agreed with the ADRC that the original signage is more attractive than the new proposed signage.

There were no further questions or comments from the audience.

Ms. Smith-Meyer MOVED to grant Architectural Design Approval for an application for two replacement affixed signs by Delta Dental, as submitted. Mr. Hicks SECONDED the motion. Motion carried unanimously.

- **Application by Northeast Delta Dental, requesting Design Review Approval for two replacement affixed signs at Two Delta Drive, within the Opportunity Corridor (OCP) Performance District.**

Mr. Sharon noted that the signs proposed on this building were identical to the signs proposed for One Delta Drive.

No further discussion ensued.

Ms. Smith-Meyer MOVED to grant Architectural Design Approval for an application for two replacement affixed signs by Delta Dental, as submitted. Mr. Lavers SECONDED the motion. Motion carried unanimously.

- **Application by Granite State Pharmacy requesting Design Review Approval for two new affixed signs at 5 Clinton Street, within the Neighborhood Commercial (CN) District.**

Mr. Henninger advised the Board of the ADRC's recommendation to table the application. Mr. Henninger noted that the applicant's sign designer had submitted updated plans to address the issues raised at the ADRC meeting of July 9th. Chad Beane, the business owner presented the updated plans for the two new affixed signs to the Board. They are replacing the two existing signs.

Ms. McPherson noted that the Board could grant Design Review Approval and if the signs do not meet the dimensions required by the Zoning Ordinance, they would not get a sign permit from the Zoning Administrator, but that would save the applicant a trip back to the Planning Board if the appearance of the sign was acceptable to the Board.

Mr. Henninger noted that the signs appear to be well below the maximum allowed and that the ADRC was more concerned about clarifying light details and ensuring conformity with the Zoning Ordinance than the appearance of the sign.

There were no additional questions or comments from the public.

Ms. Smith-Meyer MOVED to grant Architectural Design Approval for an application for two replacement affixed signs by Granite State Pharmacy subject to the condition that the Zoning Administrator confirms that the signs are in compliance with the Zoning Ordinance. Mr. Hicks SECONDED the motion. Motion carried unanimously.

- **Application by Parker Education, requesting Design Review Approval for a new freestanding sign at 33 Pleasant Street, within the Civic Performance (CVP) District.**

Mr. Henninger presented the sign application.

There was no additional information from the applicant or comments from the members of the audience.

Mr. Hicks MOVED to grant Architectural Design Approval for a replacement free-standing sign by Parker Education, as submitted. Mr. Lavers SECONDED the motion. Motion carried unanimously.

Subdivision Applications

2. **Application by Nanette Elliot for property located at 11 Lawrence Street, requesting Minor Subdivision approval to create one new lot for residential use. (2013-35)**

Mr. Henninger recommended that the application be determined complete and the public hearing opened.

Ms. Foss MOVED to determine the application complete. Mr. Lavers SECONDED the motion. Motion passed unanimously.

The Chair opened the public hearing.

Web Stout, the surveyor on record and the agent for Ms. Elliot, said the existing duplex on the lot started out as a single family and was converted to a duplex and the lot proposed to be created for the duplex is 28,602 square feet, well over the 18,750 square foot minimum lot size required for a duplex.

Mr. Stout stated there was a pole barn that was torn down and a paved area on the proposed lot. The paving is to be removed within five feet of the property.

Mr. Stout discussed the existing water service in Lawrence Street. He explained that Lawrence Street a private street, located on this property. The existing water line in Lawrence Street Extension is 2" copper which is reduced to a 1" copper line. Lawrence Street Extension provides access from Lawrence Street for five existing residences. Mr. Stout noted that Lawrence Street Extension provides access to five existing single family residences.

Mr. Stout noted that the remnant lot of 77,868 square feet is currently undeveloped and no plans exist to build on it immediately. Access to this new lot will be from Lawrence Street and this lot will be served by municipal water and sewer service already present in Lawrence Street.

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

Neighbor Charlene Tatene Magoon stated they are very concerned about the condition of the current property. They said the lawn is not mowed and it is completely overgrown making the property look deplorable. It is also a fire hazard. About a month ago the owner started to tear down the barn without a permit. At this time, the structure is half up and half down. Also, there is a couch visible in the middle of the property. She stated we take pride in our homes and our neighborhood and we are diligent in the maintenance of our properties. As neighbors, we are concerned with these structures.

Mr. Michael Magoon proceeded to read a letter from another neighbor, Gary and Gail Andy who live at 6 Lawrence Street. They want to know if there are any changes to the emergency lane because it is just a dirt road with no turnaround. Ms. Elliot owns the property and they were told years ago it would be a city street.

The Chair said it would probably stay that way unless a plan comes forward by a future owner to subdivide the remnant parcel. Mr. Henninger advised that the designation of the road as an emergency lane is at the sole discretion of the City Council.

Web Stout said Ms. Elliot didn't realize she needed a demolition permit, and when she found out one was needed she stopped work. Mr. Stout said he will find out the status of the permit application and he would let the Magoons know what the plans were for the removal of the building and debris.

Neighbor Pat McClintock asked if Lawrence Street Extension was approved she hoped it would be widened on the east side. She said Nanette owned part of her front lawn, about five feet of her front yard.

Mr. Henninger stated that the barn and contents would need to be removed before it is approved.

Ms. McPherson stated that any part of the barn that was in the new setback would have to be removed.

The Chair closed the public hearing.

The Board discussed the status of Lawrence Street Extension, the testimony in regard to the demolition of the barn and the removal of the pavement and debris on site. The Board discussed revising the staff recommended conditions to address the neighbor's concerns with the barn and the removal of the pavement and debris.

Ms. Smith-Meyer MOVED to grant conditional final subdivision approval for a minor subdivision entitled "Subdivision Plat of the Land of Nanette Elliot" for Tax Map 115, Block 1, Lot 16, 11 & 13 Lawrence Street, prepared F. Webster Stout, LLS, with a last revision date of July 9, 2013, subject to the following conditions:

1. Prior to the final plat being signed by the Planning Board Chair and Clerk, the applicant shall revise the plat drawings to address the minor corrections and omissions noted by City staff.
2. Prior to the final plat being signed by the Planning Board Chair and Clerk, 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 12.09 of the Subdivision Regulations.
3. Prior to the final plat being signed by the Planning Board Chair and Clerk, the applicant shall provide four parking spaces on the smaller 0.657 acre lot to serve the existing duplex residence, and the pavement shall be removed on both lots within five (5) feet of the new common property line, in a manner acceptable to the City Planner.

4. Prior to the final plat being signed by the Planning Board Chair and Clerk, the existing barn and its contents shall be removed from the property.
5. Access to the new lot shall be by way of a new driveway from Lawrence Street built in conformity with the City of Concord Construction Standards 2009.
6. Any building on the new lot shall be connected to municipal water and sewer service in Lawrence Street with a service connections built to the City of Concord Construction Standards 2009.
7. Traffic, recreation and school impact fees shall be assessed for any construction on the new vacant lot contained within this approved subdivision. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 1, School Facilities Impact Fee per variable unit; and Table 2, Recreational Facilities Impact Fee per Variable Unit; and Table 3, Transportation Facilities Impact Fee per Variable Unit.
 - a. School Facilities – Single Family Residence.
 - b. Recreational Facilities – Single Family Residence.
 - c. Transportation Facilities – Single Family Residence.

Mr. Hicks SECONDED the motion. Motion carried unanimously.

3. Application by Thomas Kuepper for property located at 257 South Street, requesting Minor Subdivision Approval to create one new lot on Goldenrod Lane for residential use. (2013-37)

Mr. Henninger recommended that the application be determined complete and the public hearing opened.

Ms. Foss MOVED to determine the application complete. Mr. Lavers SECONDED the motion. Motion passed unanimously.

The Chair opened the public hearing.

Mark Sargent, from Richard Bartlett & Associates, who is representing Thomas Kuepper, introduced the application. The purpose of this subdivision is to divide one existing lot of 29,378 square feet with an existing single family residence and barn consisting of 16,430 square feet, and a new lot of 12,948 square feet.

Mr. Sargent indicated that the applicant is requesting a waiver from the requirement for a useable area rectangle of 5,000 square feet with a minimum dimension of 60' is required pursuant to Section 19.05(4) of the City of Concord Subdivision Regulations. The area within the useable area of the lot exceeds the 5,000 square foot requirement but a small triangular

portion at one end of the rectangle is only 56' wide. He said he believed it met the spirit and intent of the regulations.

There was a discussion about the existing sidewalk along South Street and Goldenrod Lane.

Ms. Foss said it appears there is a slope easement along Goldenrod lane. Mr. Sargent stated that is the case but the slope easement has no impact on the useable and buildable area of the new lot

Ms. Foss asked if that is a patio behind the barn.

Mark Sargent said it is an old stone patio to the rear of the barn which is scheduled to be removed. He also said there were several large trees on the lot.

Ms. Smith-Meyer asked if street trees had been provided along the frontage. Ms. Aibel, from the City Engineering Division, noted that lots in the Goldenrod subdivision had installed two street trees per lot.

Ms. Hebert stated she drives by this area often and there are several large trees remaining along the front property line on this parcel. The Chair asked if they can they could place the street trees in the slope easement. Mr. Henninger answered yes.

The Chair asked if members of the public had any comments or questions on the application. No one was present to testify. The Chair closed the public hearing.

The Board discussed the need to remove the patio within the new setbacks between the two lots and the need to ensure that street streets are installed in accordance with the Subdivision Regulations.

Ms. Smith-Meyer MOVED to grant approval of the waiver to Section 19.05(4) of the City of Concord Subdivision Regulations to allow the creation of a new lot without the entirety of the useable area rectangle being a minimum dimension of 60 feet. Mr. Regan SECONDED the motion. Motion carried unanimously.

Ms. Smith-Meyer MOVED to grant granted Conditional Subdivision Approval for a minor subdivision entitled "Subdivision Plat of the land of Thomas Kuepper" for Tax Map 2, Block 1, Lot 12, 257 South Street, prepared Mark C. Sargent, LLS, with a last revision date of July 16, 2013, subject to the following conditions:

1. Prior to the final plat being signed by the Planning Board Chair and Clerk, the applicant shall revise the plat drawings to address the minor corrections and omissions noted by City staff.

2. Prior to the final plat being signed by the Planning Board Chair and Clerk, the overhang on the east side of the existing barn and any portion of the pool and patio along the new property line within the building setbacks shall be removed.
3. Prior to the final plat being signed, street trees meeting the requirements of Section 28.04(6), Street Trees of the City of Concord Subdivision Regulations, shall either be identified on the subdivision plan for preservation or shall be added to the plan according to the requirements of the subdivision regulations.
4. Prior to the final plat being signed by the Planning Board Chair and Clerk, 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 12.09 of the Subdivision Regulations.
5. Traffic, recreation and school impact fees shall be assessed for any construction on the new vacant lot contained within this approved subdivision. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 1, School Facilities Impact Fee per variable unit; and Table 2, Recreational Facilities Impact Fee per Variable Unit; and Table 3, Transportation Facilities Impact Fee per Variable Unit.
 - a. School Facilities – Single Family Residence.
 - b. Recreational Facilities – Single Family Residence.
 - c. Transportation Facilities – Single Family Residence.

Ms. Foss SECONDED the motion. Motion carried unanimously.

4. Application by Unitil Energy Systems, Inc. and Reed Stevens, for property located southerly of Curtisville Road, requesting Minor Subdivision approval to transfer 0.485 acres from parcel 113-3-1 owned by Reed Stevens to parcel 113-2-11 owned by Unitil Energy Systems, Inc.(2013-34)

Ms. Hebert recommended that the application be declared complete and the public hearing opened.

Ms. Foss MOVED to determine the application complete. Mr. Lavers SECONDED the motion. Motion passed unanimously.

The Chair opened the public hearing.

Tim Bernier, of T.F. Bernier, Inc., explained that he was the surveyor who prepared the plans for Unitil and Reed Stevens. He said they are asking for the following waivers for this subdivision.

1. Waivers to Sections 12.04, 12.07, 12.08(3), 12.08(5), 12.08(19) and 12.08(23) of the City of Concord Subdivision Regulations, to not provide the following information on the application plan set: a location plan at a scale of 1' = 400', wetlands, topography, existing features, wetland buffers and tabulations of the areas of wetlands, impervious surface and steep slopes.
2. Waivers to Sections 15.03(3), 15.03(5), 15.03(6), 15.03(10) and 15.03(12) of the City of Concord Subdivision Regulations, to not include the following information on the final plat: tabulations of the lot area and buildable lot area in square feet, contiguous buildable area, the type and location of monuments along the boundary of the property and the location of wetlands, wetland buffers, bluffs, ravines, buffers to bluffs and steep slopes greater than 15% and greater than 25%, soil data and the location of existing and proposed improvements on the property.

Mr. Bernier indicated that he had provided detailed survey information for the relatively small area of land being transferred from Mr. Stevens to Unitil, and had provided detailed survey information on a portion of the Stevens property in order to demonstrate that the property will have sufficient useable and buildable land area after the subdivision.

Mr. Bernier indicate the waiver is not to show the detailed survey information on the entirety of the 144 acre Unitil property and the remainder of the 10.9 acre Stevens property.

Ms. Foss asked if Mr. Steven would continue to own land beneath the power line. Mr. Bernier replied that Mr. Stevens will continue to own the property which is subject to the PSNH transmission line easement line.

The Chair asked if members of the public had any comments or questions on the application. No one present wished to comment on the application.

Ms. Smith-Meyer MOVED to grant approval of the following waivers not to show the following information on bulk of the properties proposed for subdivision:

1. Waivers to Sections 12.04, 12.07, 12.08(3), 12.08(5), 12.08(19) and 12.08(23) of the City of Concord Subdivision Regulations, to not provide the following information on the application plan set: a location plan at a scale of 1' = 400', wetlands, topography, existing features, wetland buffers and tabulations of the areas of wetlands, impervious surface and steep slopes.
2. Waivers to Sections 15.03(3), 15.03(5), 15.03(6), 15.03(10) and 15.03(12) of the City of Concord Subdivision Regulations, to not include the following information on the final plat: tabulations of the lot area and buildable lot area in square feet, contiguous buildable

area, the type and location of monuments along the boundary of the property and the location of wetlands, wetland buffers, bluffs, ravines, buffers to bluffs and steep slopes greater than 15% and greater than 25%, soil data and the location of existing and proposed improvements on the property.

Mr. Lavers SECONDED the motion. Motion carried unanimously.

Ms. Smith-Meyer MOVED to grant conditional subdivision approval for a minor subdivision entitled "Unitil Energy Systems, Inc. & Reed Stevens." by T. F. Bernier, Inc., subject to the following condition:

1. Prior to the final plat being signed by the Planning Board Chair and Clerk, the applicant shall revise the plat drawings to address any minor corrections and omissions noted by City staff.

Mr. Regan SECONDED the motion. Motion carried unanimously.

Conditional Use Permits

- 5. Application by Crown Castle-Sprint, for property at 217 Fisherville Road, requesting a Conditional Use Permit for the replacement and installation of additional telecommunication antenna and equipment at an existing telecommunication tower. Sprint is currently collocated on this tower and no change in the overall height of the tower is proposed. (2013-43)**

Mr. Henninger recommended that the application be determined complete and the public hearing opened.

Ms. Foss MOVED to determine the application complete. Mr. Lavers SECONDED the motion. Motion passed unanimously.

The Chair opened the public hearing.

Jeff Barmuer from Crown Castle presented the plans to the Board. Mr. Barmuer noted that proposal was to replace existing equipment, and add new equipment on an existing monopole telecommunication tower located westerly of Fisherville Road.

M. Henninger advised the Board that the ADRC recommend approval of the modifications to the existing tower and equipment as submitted by the applicant. The ADRC noted that the public would not likely notice the changes being made to the tower.

The Chair asked if members of the public had any comments or questions on the application. No one wished to testify in regard to this application. The Chair closed the public hearing.

Mr. Lavers MOVED to grant a Conditional Use Permit, pursuant to Article 28-5-23(b) of the Zoning Ordinance, to install new equipment on an existing monopole at 217 Fisherville Road, as requested by the applicant, subject to the following conditions:

1. The three replacement wireless telecommunications antennas and six proposed radio reception units (800 MHz RRH and 1900 MHz RRH) shall be installed at a centerline height of 181 feet, as shown on the submitted plans, and shall be grey in color to match the existing tower.
2. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the applicant shall provide a financial guarantee for the removal or demolition and disposal of the antennas pursuant to Article 28-5-23(i) of the City of Concord Zoning Ordinance. The financial guarantee shall be in an amount as approved by the City Engineer and in a form acceptable to the City Solicitor. The term of the guarantee shall extend one year past the period of validity of the permit.
3. In accordance with Article 28-5-23 of the Zoning Ordinance, the Conditional Use Permit shall be valid for a period of three years from the date of the vote of the Board. The permit may be renewed pursuant to Article 28-5-23(b).

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

- 6. Application by Crown Castle-Sprint, for property at 109 Little Pond Road, requesting a Conditional Use Permit for the replacement and installation of additional telecommunication antenna and equipment at an existing telecommunication tower. Sprint is currently collocated on this tower and no change in the overall height of the tower is proposed. (2013-41)**

Mr. Henninger recommended that the application be determined complete and the public hearing opened.

Ms. Foss MOVED to determine the application complete. Mr. Lavers SECONDED the motion. Motion passed unanimously.

The Chair opened the public hearing.

Jeff Barmuer from Crown Castle presented the plans to the Board. Mr. Barmuer noted that proposal was to replace existing equipment, and add new equipment on an existing monopole telecommunication tower located southerly of Little Pond Road.

M. Henninger advised the Board that the ADRC recommend approval of the modifications to the existing tower and equipment as submitted by the applicant. The ADRC noted that the public would not likely notice the changes being made to the tower.

The Chair asked if members of the public had any comments or questions on the application. No one was present wished to testify. The Chair closed the public hearing.

Ms. Smith-Meyer MOVED to grant a Conditional Use Permit, pursuant to Article 28-5-23(b) of the Zoning Ordinance, to install new equipment on an existing lattice tower at 109 Fisherville Road, as requested by the applicant, subject to the following conditions:

1. The three replacement wireless telecommunications antennas and six proposed radio reception units (800 MHz RRH and 1900 MHz RRH) shall be installed at a centerline height of 181 feet, as shown on the submitted plans, and shall be grey in color to match the existing tower.
2. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the applicant shall provide a financial guarantee for the removal or demolition and disposal of the antennas pursuant to Article 28-5-23(i) of the City of Concord Zoning Ordinance. The financial guarantee shall be in an amount as approved by the City Engineer and in a form acceptable to the City Solicitor. The term of the guarantee shall extend one year past the period of validity of the permit.
3. In accordance with Article 28-5-23 of the Zoning Ordinance, the Conditional Use Permit shall be valid for a period of three years from the date of the vote of the Board. The permit may be renewed pursuant to Article 28-5-23(b).

Mr. Lavers SECONDED the motion. Motion carried unanimously.

- 7. Application by Crown Castle-Sprint, for property at 58 Locke Road, requesting a Conditional Use Permit for the replacement and installation of additional telecommunication antenna and equipment at an existing telecommunication tower. Sprint is currently collocated on this tower and no change in the overall height of the tower is proposed. (2013-42)**

Mr. Henninger recommended that the application be determined complete and the public hearing opened.

Ms. Foss MOVED to determine the application complete. Mr. Lavers SECONDED the motion. Motion passed unanimously.

The Chair opened the public hearing.

Jeff Barmuer from Crown Castle presented the plans to the Board. Mr. Barmuer noted that proposal was to replace existing equipment, and add new equipment on an existing monopole telecommunication tower located northerly of Locke Road.

M. Henninger advised the Board that the ADRC recommend approval of the modifications to the existing tower and equipment as submitted by the applicant. The ADRC noted that the public would not likely notice the changes being made to the tower.

The Chair asked if members of the public had any comments or questions on the application. No one was present wished to testify. The Chair closed the public hearing.

Ms. Foss MOVED to grant a Conditional Use Permit, pursuant to Article 28-5-23(b) of the Zoning Ordinance, to install new equipment on an existing lattice tower at 58 Locke Road, as requested by the applicant, subject to the following conditions:

1. The three replacement wireless telecommunications antennas and six proposed radio reception units (800 MHz RRH and 1900 MHz RRH) shall be installed at a centerline height of 181 feet, as shown on the submitted plans, and shall be grey in color to match the existing tower.
2. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the applicant shall provide a financial guarantee for the removal or demolition and disposal of the antennas pursuant to Article 28-5-23(i) of the City of Concord Zoning Ordinance. The financial guarantee shall be in an amount as approved by the City Engineer and in a form acceptable to the City Solicitor. The term of the guarantee shall extend one year past the period of validity of the permit.
3. In accordance with Article 28-5-23 of the Zoning Ordinance, the Conditional Use Permit shall be valid for a period of three years from the date of the vote of the Board. The permit may be renewed pursuant to Article 28-5-23(b).

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

Site Plan Review

- 8. Application by Concord Housing Authority, for property at 40-42 South Main Street, requesting Major Site Plan Approval and Design Review Approval, for the conversion of existing office space and a theatre into six (6) residential dwelling units on the first floor of the Kennedy Apartment Building. (2013-38)**

Mr. Henninger recommended declaring the application complete, and scheduling the public hearing for the August 21, 2013 Planning Board meeting.

Ms. Smith-Meyer MOVED that the Planning Board determine this application to be complete and schedule the public hearing for August 21, 2013. Ms. Foss seconded the motion. Motion passed unanimously.

9. Application by Peter Webster Realty, LLC, for property at 10 Basin Street, requesting Minor Site Plan Approval and Design Review Approval for the construction of a two story 1,348 square foot office addition for an existing industrial building. (2013-32)

Mr. Henninger recommended that the application be determined complete and the public hearing opened.

Ms. Foss MOVED to determine the application complete. Mr. Lavers SECONDED the motion. Motion passed unanimously.

The Chair opened the public hearing.

Web Stout provided an overview of the application. He stated that the applicant needed more office space for their existing business. Mr. Stout stated that the site contained sufficient parking for the proposed addition and no additional parking is required. No other changes to the site or building are proposed.

Mr. Henninger advised the Board that the ADRC recommends approval of the modifications to the existing building as submitted by the applicant

The Chair asked if members of the public had any comments or questions on the application. No one was present wished to testify. The Chair closed the public hearing.

Ms. Smith-Meyer MOVED to grant architectural design review approval for the expanded office building as submitted. Mr. Lavers SECONDED the motion. Motion carried unanimously.

Ms. Smith-Meyer MOVED to grant conditional site plan approval for the construction of a 1,348 square foot two-story office addition to an existing warehousing building at 10 Basin Street subject to the following conditions:

1. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, approvals of construction drawings for on-site improvements shall be obtained from the Planning Division.
2. Prior to the issuance of a certificate of occupancy, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) and tax maps. The information shall be submitted in accordance with Section 12.08 of the Site Plan Review Regulations.
3. Traffic impact fees shall be assessed for any non-residential construction contained within the limits of the approved site plan. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities

Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 3, Transportation Facilities Impact Fee per Variable Unit.

a. Transportation Facilities - General Office

Mr. Lavers SECONDED the motion. Motion carried unanimously.

10. Application by St. Paul's School for the demolition of an existing single family faculty residence and the construction of a new duplex faculty residence at the same location. The site is located at the north end of Sawmill Road (2013-0036)

The Chair opened the public hearing.

Ms. Hebert advised the Board that this application had been referred to the Planning Board by the Technical Review Committee (TRC). The TRC considered this application at its meeting on July 10th. The application was referred to the Planning Board by the Clerk in accordance Section 35.04 of the Site Plan Regulations, because it was determined that the application needed a waiver to the Site Plan Regulations and the Technical Review Committee cannot grant waivers.

Theodore Kupper, Engineer from Provan & Lorber, representing St Paul's School (SPS) provided an overview of the project. He explained that SPS is demolishing an existing faculty residence at the end of Sawmill Road and construct a new duplex residency in its place. The new duplex would be constructed to energy efficient standards. The building would be super insulated with solar panels on the roof, and orientated to take advantage of passive solar. He reiterated the claim that the building could be heated with a single incandescent light bulb. He also explained that duplex will be a super insulated building that will have solar panels on the roof.

Mr. Kupper indicated that SPS is requesting several waivers from the Site Plan Review Regulations. They are requesting a waiver from Section 19.10 of the Site Plan Regulations which requires the terminus of a non-residential driveway to end in either a "T" shaped turnaround or a circular turnaround. Mr. Kupper noted that the duplex is at the end of a private street maintained by St. Paul's School. The school is offering to install a sprinkler system in the duplex and create a turnaround using an existing portion of Sawmill Drive and the entrance to the new duplex.

Ms. Foss asked if that is way at the end of Saw Mill Road. Mr. Kupper said it was.

Michelle Apigian with Icon Architecture described the building and its energy efficient features. There is an extremely tight thermal envelope. There is adequate ventilation provided throughout the house. The units have solar gain during the winters. There is modest landscaping and a separation between the units. Perennial vines will provide shading in the summer, but they will be dormant in the winter.

Ms. Foss asked what will shade the second floor. Ms. Apigian stated that mesh screens will address some of the solar gain.

Ms. Smith-Meyer asked if there were shade trees. Ms. Apigian stated that shade trees are not as effective for cooling as you might think. The level of shading provided by shade trees to the structure depends on the time of day and the angle of the sun.

Mr. Kupper asked for a waiver to not provide a topographic survey to the NAVD 1988 Standard. He noted that the entire campus has been surveyed at the NGVD 1929 Standard. The disturbed area for the project is a very small portion of the overall campus.

Laura Aibel from the City Engineering Division stated that, to date, she did not think we granted this waiver to anybody except the airport.

Ms. McPherson added that this was only because of FAA regulations. The other exception was when the Board allowed the Hospital to waive this requirement for the submitted plans, but required that they submit the as-built plans in NAVD88.

Mr. Kupper noted that additional information was collected at the housing site to support this application in April of this year, but the information collected was to supplement the overall survey of the property. Mr. Kupper noted that they intended to provide an as-built plan for the project in the NAVD 1988 standard.

Ms. Smith-Meyer MOVED to grant the waiver to Section 19.10 of the Site Plan Regulations which requires the terminus of a non-residential driveway to end in either a "T" shaped turnaround or a circular turnaround. The waiver was granted with the understanding that the applicant will install a sprinkler system for fire suppression in the proposed duplex building. If the sprinkler system is not installed, the applicant shall construct a "Y" shaped turnaround at the end of Sawmill Road. Additionally, the driveway alignment shall be revised to create a turnaround for the end unit and a gravel radius shall be added at the end of the paved section of Sawmill Road, where the paved road transitions to the gravel road.

Mr. Lavers SECONDED the motion. Motion carried unanimously.

Ms. Foss MOVED to grant a waiver to Section 15.03(3) of the Site Plan Regulations which requires the topographic plans to be submitted using North American Vertical Datum of 1988 (NAVD88) subject to the stipulation that the as-built plan be submitted in NAVD88. Mr. Lavers SECONDED. Motion carried unanimously.

Mr. Lavers MOVED to grant conditional minor site plan approval for the proposed new duplex faculty housing off of Sawmill Road subject to the following conditions:

1. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, approvals of construction

drawings and specifications for all public and private improvements shall be obtained from the Planning and Engineering Divisions.

2. Prior to the issuance of a certificate of occupancy, the applicant shall submit as-built plans using North American Vertical Datum of 1988 (NAVD88).
3. Prior to the issuance of a certificate of approval by the Planning Board Chair and issuance of any building permits for construction activity on the site, the plans shall be revised to create a turnaround for the end unit and to create a gravel radius at the end of the paved section of Sawmill Road.
4. If the applicant chooses not to install a sprinkler system for fire suppression in the new duplex building, prior to the issuance of a certificate of occupancy, a “Y” shaped turnaround shall be constructed in accordance with Figure 20-4 of the Subdivision Regulations and to the satisfaction of the City Planner and the City Engineer.
5. A pre-construction meeting shall be required prior to the start any construction activities onsite. Prior to the pre-construction meeting seven copies of the final approved site plan shall be provided to the Planning Division for endorsement by the City Engineer as “approved for construction.”
6. No certificate of occupancy for any building or use shall be issued until all public and private improvements have been substantially completed to the satisfaction of the City Planner and City Engineer.
7. No construction activity may commence prior to the payment of inspection fees in an amount approved by the City Engineer.
8. Traffic, recreation and school impact fees shall be assessed for any construction contained within the limits of the approved site plan. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 1, School Facilities Impact Fee per variable unit; and Table 2, Recreational Facilities Impact Fee per Variable Unit; and Table 3, Transportation Facilities Impact Fee per Variable Unit.
 - a. School Facilities – Duplex (see attached worksheet)
 - b. Recreational Facilities – Duplex (see attached worksheet)
 - c. Transportation Facilities - Duplex (see attached worksheet)

Mr. Hicks SECONDED the motion. Motion carried unanimously.

REGULAR MEETING

11. Minutes of the June 19, 2013, Planning Board meeting.

Ms. Smith-Meyer MOVED to accept the minutes of the June 19, 2013 Planning Board Meeting as written. Mr. Lavers SECONDED. Motion carried unanimously.

12. Sign Certification for Site Plan Regulations amendment of May 15, 2013: Chapter 4, Design Standards, which added a new Section on Open Space Residential Development Design Standards, and corollary amendments to renumber the Site Plan Regulations.

Ms. McPherson asked the Board members who were present and voted at the May 15, 2013, Planning Board meeting to sign the Certification.

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

INFORMATION

- The next regular monthly meeting will be held on Wednesday, August 21, 2013.

There was no further business to come before the Planning Board and the Chair adjourned the meeting at 9:30 pm.

A TRUE RECORD ATTEST:

Gloria McPherson
City Planner