

# City of Concord Planning Board

July 15, 2020

## Minutes

The regular monthly meeting of the City Planning Board was held on July 15, 2020, via Zoom, at 7:00 p.m.

**Attendees:** Chairman Richard Woodfin, Councilor Erle Pierce, Teresa Rosenberger (Ex-Officio for City Manager), Members Matthew Hicks, and Susanne Smith-Meyer.

**Absent:** Vice-Chair Carol Foss, Members John Regan, David Fox, Alternate Chiara Dolcino, and Alternate Frank Kenison.

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

Chairman Woodfin read the following statement: As Chair of the Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

*a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;*

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through clicking on the following website address: <https://zoom.us/j/754076629>, or by dialing the following phone # 1-929-205-6099 and entering the password 754076629. For those calling in who want to provide public testimony, dial \*9 to alert the host that you want to speak. The host will unmute you during the public hearing portion of the meeting.

*b) Providing public notice of the necessary information for accessing the meeting;*

We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the City of Concord's website at: <http://concordnh.gov/273/Planning-Board>

*c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access;*

If anybody has a problem, please call 603-225-8515 or email at: [planning@concordnh.gov](mailto:planning@concordnh.gov).

*d) Adjourning the meeting if the public is unable to access the meeting.*

In the event the public is unable to access the meeting; we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes taken during this meeting shall be done by Roll Call vote.

### 1. Call to Order

Chairman Woodfin called the meeting to order at 7:02 p.m.

### 2. Roll Call

Chairman Richard Woodfin, Councilor Erle Pierce, Teresa Rosenberger (Ex-Officio for City Manager), Members Matthew Hicks, and Susanne Smith-Meyer.

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

June 17, 2020 Minutes

On a motion made by Councilor Pierce, and seconded by Mr. Hicks, the Board voted unanimously by a Roll Call vote to approve the June 17, 2020, Planning Board Meeting Minutes, as written.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

**4. Planning Board Chair Agenda Overview**

There were no changes made to the agenda.

**5. Design Review Applications by Consent**

- 5A. Capital St. Associates, on behalf of NH Trust, requests ADR approval for the installation of a new, non-illuminated wall sign at 97 North Main Street, in the Central Business Performance (CBP) District.

On a motion made by Councilor Pierce, and second by Mr. Hicks, the Board approved the design as submitted by consent, subject to ADR's preference for the gold leaf version of the sign presented be installed and the size of the triangle in the logo be reduced, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

- 5B. Concord Direct requests ADR approval for the installation of five new, internally illuminated, freestanding directional signs at 92 Old Turnpike Road in the Industrial (IN) District.

On a motion made by Councilor Pierce, and second by Mr. Hicks, the Board approved the design as submitted by consent, by a Roll Call Vote as follows:

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

**Public Hearings**

**6. Design Review Applications**

- 6A. Landmark Sign, on behalf of Genesis, requests ADR approval for the replacement of four monument signs at 227 Pleasant Street in the Institutional (IS) District.

No one was present to represent the application.

Mr. Durfee stated that the ADRC recommended that the application be tabled to allow the applicant to redesign the signs. Chairman Woodfin stated that the ADRC felt that the signs were advertising Genesis, the corporation, as opposed to the buildings/services. He added that the ADRC requested the applicant redesign the signs and return back to the Committee in August. Mr. Hicks stated that the signs have been installed. Ms. Rosenberger stated that she was shocked to see the signs and noted that they are very difficult to read and understand the purpose of the sign. She added that Code Enforcement should fine the applicant as the signs were installed without permits. She requested that Staff report back to the Board with the outcome of the Code Office.

On a motion made by Chairman Woodfin, and seconded by Ms. Smith-Meyer, the Board voted unanimously by a Roll Call vote to table the application to the August 17, 2020 Planning Board meeting, due to the comments from the ADRC and referred the application to Code.

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Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

- 6B. Phenix Livery LLC, on behalf of Concord Craft, requests ADR approval for the construction of an outdoor patio at 117 Storrs Street in the Central Business Performance (CBP) District.

No one was present to represent the application.

Mr. Durfee explained that the proposal is for the installation of an outdoor patio similar to the existing Cheers patio. He reviewed the plans showing the existing conditions and the proposed patio layout noting the lighting, retraining wall, drainage, and the garage styled overhead doors.

Ms. Shank recalled that the applicant had requested to postpone the application to the August meeting as there were some outstanding engineering issues.

On a motion made by Chairman Woodfin, and seconded by Ms. Smith-Meyer, the Board voted unanimously by a Roll Call vote to table the application to the August 17, 2020 Planning Board meeting, per the applicant's request.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

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

- 7A. Society for the Protection of NH Forests requests a Conditional Use Permit approval to allow disturbance of the bluff buffer for construction of a storage silo at 54 Portsmouth Street in the Open Space Residential (RO) District.

Carl Murphy was present from the Society for the Protection of NH Forests (SPNHF).

On a motion made by Ms. Rosenberger, and second by Ms. Smith-Meyer, the Board voted unanimously by a Roll Call Vote to determine the application complete and that the application does not meet the criteria for a Development of Regional Impact, and open the public hearing.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

Ms. Fenstermacher gave an overview of the project. She stated that the proposal is to add a silo adjacent to the heating plant for bio-fuel storage. The area is previously disturbed and paved. There will be some removal of pavement to restore the area near the bluff and they plan to relocate the propane tank outside the buffer. She noted that the heating plant was constructed within the buffer prior to the ordinance to regulate the bluff buffer.

Ms. Fenstermacher stated that the applicant presented the project to the Conservation Commission on July 8. The Commission did have a discussion relative to drainage; however, were confident that the proposal would not alter the drainage or have any other impacts. The Commission recommended approval.

Councilor Pierce asked if the silo was on legs. Mr. Murphy replied that the photos show that it appears that it does not and will be placed flat on the surface.

On a motion made by Councilor Pierce, and second by Mr. Hicks, the Board voted unanimously by a Roll Call Vote to: Grant the Conditional Use Permit approval in accordance with Article 28-4-4(e)(2) of the Zoning Ordinance to allow for the disturbance of the buffer to bluff for the installation of a storage silo, subject to the following precedent and subsequent conditions noted below:

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

(1) Address Staff review comments to the satisfaction of the Planning and Engineering Division.

(2) Submit two (2) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.

(b) Subsequent Conditions – to be fulfilled as specified:

(1) Prior to final construction sign-off, staff shall be contacted to inspect the restoration area

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

7B. Concord Hospital requests two Conditional Use Permits and ADR approval for the installation of a new wall sign, a new monument sign, and a new directional sign at 116 Langley Parkway in the Institutional (IS) District.

On a motion made by Chairman Woodfin, and seconded by Ms. Rosenberger, the Board voted unanimously by a Roll Call vote to table the application to the August 17, 2020 Planning Board meeting, per the applicant's request.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

7C. The Dubai Group Inc., on behalf of Strategic Contracting Company LLC, requesting an amendment to a conditionally approved Major Site Plan approval for construction of a 13-unit condominium development and associated site improvements, Phase 2 of the Glen Ellen housing project off of Hoit Road in the Residential Open Space (RO) District

Doug MacGuire of the Dubai Group and Gene Archambault of Strategic Contracting represented the application.

Ms. Fenstermacher gave an overview of the proposal explaining that this was an approved major site plan and subdivision on Hoit Road, conditionally approved last year. ADRC had previously requested that the applicant come back to review house styles and the proposed materials. Based on further analysis of the site grading and finalizing the housing types, the applicant has relocated one house and realigned the roadway entrance.

Ms. Fenstermacher stated that abutter Jennifer Zanes testified in September regarding the separate entrance proposed for Phase 3, and Ms. Zanes submitted written testimony for this application reiterating their concern for site lines if Taft Way is constructed as a separate entrance. Engineering had made the same comment. Ms. Fenstermacher stated that she told Ms. Zanes that this proposal is for Phase 2, and the second roadway entrance will be addressed when Phase 3 comes forward.

Doug MacGuire reviewed the plan showing the three phases and explained that the homes are more of a conventional style. The redesign of the housing types has allowed them to adjust the grading and locations of the houses. The previous buildings were not as wide and much deeper requiring significant amounts of fill. The entrance has also been modified. This plan allows the project to feel like a subdivision even though it is an open space design.

Chairman Woodfin mentioned the comments from the ADRC relative to the design of unit 9 and the entrance features in terms of circulation and how guests would locate the entrance. Mr. MacGuire provided a detail explanation of the layout for Unit 9. He stated that the garage is placed underneath

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the home and they add a great room over the garage. There will be a door for access into the garage in addition to the garage doors and also the primary access point. He believes that it is aesthetically pleasing. Chairman Woodfin stated that the explanation of the orientation of Unit 9 was appreciated and requested that the ADRC condition for Unit 9 be stricken from their recommendation to the Board.

On a motion made by Councilor Pierce, and seconded by Mr. Hicks, the Board voted unanimously by a Roll Call vote to grant the amended Architectural Design Review approval as submitted and grant approval of the amendment to the conditionally approved Major Site Plan and Subdivision for Glen Ellen Phase II cluster subdivision. As part of this action, the Board indicated that all conditions of the original October 16, 2019, approval shall remain in full force and effect. Additionally, the Applicant shall address the comments to the satisfaction of the Planning and Engineering Services Divisions.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

7D. Mountain Lake Heating/Fuel, LLC requests Minor Site Plan approval for the conversion of a two-unit building to a four-unit building and the construction of additional parking spaces at 28 South Street in the Downtown Residential (RD) District.

On a motion made by Chairman Woodfin, and seconded by Ms. Rosenberger, the Board voted unanimously by a Roll Call vote to postpone the application to the August 17, 2020 Planning Board meeting, per the applicant's request.

Mr. Woodfin – in favor, Councilor Pierce – in favor, Ms. Rosenberger – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer – in favor.

**8. Other Business**

Ms. Shank stated that she is working on reviewing the final draft of the Code.

Mr. Durfee updated that Board on the Administrative Approvals from July, as follows:

1. 2017-29 - Robinson: Relocation of a new well
2. 2017-33 – Tannery:
  - Relocation of transformer pads, screened with landscaping
  - Widened entry patio on eastern (parking lot) side with brick pavers and two sitting benches
  - Addition of a 10' x18' shed at the rear of the parking lot. Siding and trim to match main building
  - Some plantings along Crescent Street have been removed due to the likelihood of them being damaged during phase 2 construction. These plantings will be replaced following completion of phase 2 construction.
  - Relocation of the permanent facility sign.
  - Relocated plantings from the rear fence line to the berm for better screening.
  - Number of plantings increased.
  - Crab apple trees replaces with Royal Burgundy cherry trees.
3. Christ the King Church ADR:
  - Large, low sign fronting S. Main Street originally proposed to be glass on top of a granite base, now proposed to be all granite with the same gold lettering as previously proposed.

**Adjournment**

At the request of Chairman Woodfin, Mr. Hicks made a motion to adjourn at 7:55 PM, seconded by Ms. Smith-Meyer.

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Mr. Woodfin – in favor, Councilor Pierce – in favor, Mr. Hicks – in favor, Ms. Smith-Meyer, and Ms. Rosenberger – in favor.

The motion passed unanimously; 5/0.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,  
Administrative Specialist