



# CITY OF CONCORD

*New Hampshire's Main Street™*  
**Zoning Board of Adjustment**

**In accordance with CDC and Department of Health and Human Services guidance, this meeting will be held telephonically and via an internet-based option. Interested parties are encouraged to submit testimony via mail or email prior to the meeting via the contact information listed below. Access information for the meeting will be available on the City of Concord Code Administration website at:**

**[www.concordnh.gov/322/Code-Administration](http://www.concordnh.gov/322/Code-Administration)**

October 22, 2020

The Zoning Board of Adjustment will meet on **Wednesday, November 4, 2020 at 7:00 PM** using telephonic and internet-based options. Instructions for accessing and participating in the meeting can be found at the link above.

### **Wednesday, November 4, 2020 ZBA Public Hearing Agenda**

- 1) Call meeting to order
- 2) Review and acceptance of Minutes
- 3) Chairperson's comments
- 4) Public Meetings:
- 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 HEARINGS**

**41-20 Fred L. Potter for 135 NSS, LLC: (Recessed Case)** Applicant wishes to install 2 freestanding signs, (sign #1 is 4.58 SF in area and 7.9' tall & sign #2 is 24.08 SF in area and 7.4' tall) on a lot, with sign #2 located in the "corner no-obstruction area" and requests the following:

- 1) Variance to Article 28-6-8, Signs Permitted in Residential Districts, Section (a)(1), to allow 2 Freestanding Signs on a lot in a residential district where only 1 freestanding sign is allowed,
  - 2) Variance to Article 28-6-8, Signs Permitted in Residential Districts, Section (a)(1), to allow 2 Freestanding Signs on a lot in a residential district, with a combined area of 28.66 +/- square feet, where 1 sign is allowed and the maximum sign area allowed is 20 square feet for a single sign,
  - 3) Variance to Article 28-6-8, Signs Permitted in Residential Districts, Section (c), to allow a height of 7.9' for sign #1 where a maximum height of 6' is allowed in a residential district,
  - 4) Variance to Article 28-6-8, Signs Permitted in Residential Districts, Section (c), to allow a height of 7.4' for sign #2 where a maximum height of 6' is allowed in a residential district,
  - 5) Variance to Article 28-6-7, Signs Prohibited Under This Ordinance, Item (e), to allow a 7.4' sign to be placed within the thirty (30) foot triangular area adjacent to the corner where no obstruction is allowed between a height of 2.5' and 8' above grade,
- for property located at 135 North State Street in an RN Residential Neighborhood District.

*All City of Concord public meetings are accessible for persons with disabilities. Any person who feels that he or she may be unable to participate in a City of Concord public meeting due to a disability should, to the extent possible, call (603) 225-8580 at least 48 hours prior to the meeting so that a reasonable accommodation can be arranged.*

**50-20 Bubbles Enterprises, LLC: (Recessed Case)** Applicant wishes to develop and existing structure for use as a 3 unit multi-family dwelling and requests the following:

- 1) Variance to Article 28-2-4(j), Table of Principal Uses, to permit the conversion of an existing residential structure to accommodate 3 residential dwelling units on a lot with no frontage when such conversion requires lot frontage of 80 feet on an accepted City street,
- 2) Variance to Article 28-8-3, Non-conforming Lots, Section (c)(2), Conditions for Development of a Non-conforming Lot, Item a., to permit development of a non-conforming lot, in legal existence at the effective date of the current Ordinance, and which does not have frontage on an accepted City Street when a minimum of 22 feet of frontage is required,

For property located at 85 Pleasant Street in a RN Residential Neighborhood District.

**51-20 Advantage Signs for 58 North State Street Property, LLC. & Nicholson Law:** Applicant wishes to install a freestanding tenant sign and requests a Variance to Article 28-6-9(c)(2), to allow a setback from the front property line of no less than 1 foot where a minimum setback of 5 feet is required from any property line, for property located at 58 North State Street in a CVP Civic Performance District.

**52-20 Timothy Stohrer:** Applicant requests a Variance to Article 28-4-1(h), The Table of Dimensional Regulations, to allow the construction of a porch on the on the south-westerly front of the existing house and to legitimize a porch constructed on the north-west side of the house (adjacent to Oak Hill Road) to allow the closest point of the new construction (porch size and location shown on submitted plans) to be 7 feet from the Oak Hill Road front property line and allow a front setback of 6 feet from the Appleton Street front property line where a front setback of 25 feet is required for property located at 1 Appleton Street in an RM Residential Medium Density District.

**53-20 John Radley:** Applicant wishes to establish a two-family/duplex dwelling and requests a Variance to Article 28-5-2, Duplex or Two-Family Dwelling, to permit the establishment of a two-family/duplex on a lot with 100 feet of frontage when 120 feet of frontage is required, for property located at 15 Cross Street in an RN Residential Neighborhood District.

**54-20 Abbott Farm, LLC:** Applicant wishes to subdivide a lot from an approved attached dwelling condominium development (Use A-4), resulting in one lot with an area of 14.83 Acres (Lot "A") and a 0.45 Acre lot (lot "B") and requests the following variances:

- 1) to Article 28-4-5(d)(5), Perimeter Buffer Required, to allow a 9.5 foot buffer (setback) between Building 2 (as shown on plans) and the proposed property line where a 50 foot perimeter buffer is required and
  - 2) to Article 28-4-5(d)(5), Perimeter Buffer Required, to allow 10 feet between Building 5 and the proposed property line where a 50 foot perimeter buffer is required and
  - 3) to Article 28-4-5(d)(5), Perimeter Buffer Required, to allow parking to be located on lot "A" within 10 feet of the easterly proposed property line when parking is not allowed within the 50 foot perimeter buffer and,
  - 4) to Article 28-4-5(d)(5), Perimeter Buffer Required, to allow a driveway accessing a property that is not part of the attached dwelling development when driveways are not permitted within the 50 foot perimeter buffer,
- for property located at 4 Cleveland Avenue (a.k.a. 382 North State Street) in an RN Residential Neighborhood District.

**55-20 Katie Cailler:** Applicant wishes to use an existing property and buildings for a single bay automotive repair facility (Principal Use J-4) and requests the following variances to:

- 1) Article 28-2-4(j), Table of Principal Uses, to allow a single bay automotive repair facility where such use is not allowed,

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- 2) Article 28-7, Access, Circulation, Parking and Loading, Section 1(a), Applicability, to maintain the existing non-conforming parking and circulation layout when compliance with the entire section, as applicable, is required; and
  - 3) Article 28-6-8, Signs Permitted in Residential Districts, Section (a)(1), to permit 3 building signs with a combined area not to exceed 30 square feet where 1 sign is permitted per lot with a maximum area of 20 square feet,
- for property located at 49 West Street (aka 14 Spruce Street) in an RD Residential Downtown District.

**56-20 Family Promise of Greater Concord for 95 Loudon Road, LLC.**: Applicant wishes to convert an existing mixed-use commercial/residential building, most recently occupied by medical offices (Use E-3) and two (2) dwelling units, for use as a Social Service Center (Use B-6) and maintain the 2 dwelling units and requests the following variances to:

- 1) Article 28-2-4(j), Table of Principal Uses, to allow a Social Service Center where such use is not allowed; and
- 2) Article 28-7, Access, Circulation, Parking and Loading, Section 1(a)&(b), Applicability & Design Approval, to maintain the existing non-conforming parking and circulation layout when compliance with the entire section, as applicable, is required,

For property located at 111 Loudon Road in a CG General Commercial District.

Rose M. Fife \_\_\_\_\_, Clerk  
Zoning Board of Adjustment



*Craig Walker*  
Zoning Administrator

**CITY OF CONCORD**  
*New Hampshire's Main Street™*  
**Community Development Department**

**ATTENTION: REMOTE (ZOOM) MEETING ACCESS INSTRUCTIONS FOR ALL ZBA MEETINGS**

Due to the Covid-19/Corona Virus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the **Zoning Board of Adjustment** is authorized to meet electronically. The City of Concord will be utilizing the Zoom platform for this electronic meeting.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04.

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 by following this link: <https://us02web.zoom.us/j/610919318> or dialing the following number and entering the following ID number at the prompt:

Telephone Dial: US: +1 929 205 6099 – Webinar ID#: 610 919 318

**Please enter full name when logging in so attendance and minutes can be properly recorded.**

Note that telephone participation will be enabled at the end of each public hearing. All participants please keep your phones and computers on **mute** unless speaking.

Members of the public can also email questions or other public testimony to [code@concordnh.gov](mailto:code@concordnh.gov), and staff will read the testimony or question into the record during the meeting. Any member of the public can also call the Code (Zoning) Administrative office during the meeting at 603-856-3913 if they are unable to access the meeting and if assistance with connecting is needed.

Materials can be requested from the Code (Zoning) Administration Division via email, or by calling and leaving a message at (603) 225-8580 or,

**Meeting Agendas and links to the cases can be accessed at:**

<https://www.concordnh.gov/280/Zoning-Board-of-Adjustment>

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