

City of Concord Planning Board
April 21, 2021
Minutes

The regular monthly meeting of the City Planning Board was held on April 21, 2021, via Zoom, at 7:00 p.m.

Attendees: Chairman Richard Woodfin, Councilor Byron Champlin, Teresa Rosenberger (Ex-Officio for City Manager), Members Susanne Smith-Meyer, John Regan, Matthew Hicks, David Fox, and Jeff Santacruce.

Absent: Vice-Chair Carol Foss, Alternate Frank Kenison, and Alternate Chiara Dolcino.

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.

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 7:00 p.m.

2. Roll Call

Chairman Richard Woodfin, Councilor Byron Champlin, Teresa Rosenberger, Susanne Smith Meyer, John Regan, Matthew Hicks, David Fox, and Jeff Santacruce.

3. Approval of Planning Board Meeting Minutes

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March 17, 2021 Minutes

On a motion made by Mr. Santacruce, and seconded by Mr. Fox, the Board voted unanimously to approve the March 17, 2021, Planning Board Meeting Minutes, as written, by a Roll Call vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

4. Planning Board Chair Agenda Overview

Chairman Woodfin noted that, at the request of the applicants, Item 5A – 462 Josiah Bartlett will be continued to the May 17, 2021 Planning Board meeting.

5. Determination of Completeness

- 5A. TF Moran, on behalf of KRJ Finance, LLC, request Major Subdivision approval for a nine-lot cluster subdivision at 462 Josiah Bartlett Road in the Medium Density Residential (RM) District.
Continuance to May 17, 2021.

6. Design Review Applications by Consent

- 6A. Neopco Signs, on behalf of Remi Hinxhia, requests ADR approval for the replacement of a non-illuminated freestanding sign and the installation of a new externally-illuminated projecting sign at 60 Pleasant Street in the Civic Performance (CVP) District.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the design as submitted by consent, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 6B. Wood & Wood Signs, on behalf of Bar Harbor Bank, requests ADR approval for the replacement of three non-illuminated wall signs at 90 North Main Street in the Central Business Performance (CBP) District.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the redesign as submitted by consent, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 6C. Fast Signs, on behalf of John Constant, requests ADR approval for the installation of a new non-illuminated wall sign and a new non-illuminated freestanding sign at 35 South Main Street in the Central Business Performance (CBP) District.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the design as submitted by consent, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

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- 6D. Sign-a-Rama, on behalf of TDL Investments, requests ADR approval for the replacement of an internally-illuminated wall sign and an internally-illuminated freestanding sign at 374 Loudon Road in the Gateway Performance (GWP) District.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the design as submitted by consent, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 6E. WOW Fried Chicken & Subs requests ADR approval for the relocation of an existing internally-illuminated sign at 7 Depot Street in the Central Business Performance (CBP) District.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the design as submitted by consent, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 6F. Spectrum Signs, on behalf of State Pleasant Street LLC requests ADR approval for the replacement of an internally illuminated projecting sign at 26 Pleasant Street in the Central Business Performance (CBP) District.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the redesign as submitted by consent, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 6G. Advantage Signs, on behalf of Comprehensive Counseling Connections requests ADR approval for the installation on a new externally-illuminated freestanding sign at 187 North main Street in the Urban Transitional (UT) District.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the design as submitted by consent, subject to the ADR recommendation that the compass logo be reduced in size to avoid the crowding of “Counseling”, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

Public Hearings

7. Design Review Applications

- 7A. Advantage Signs, on behalf of Wilcox & Barton, requests ADR approval for the replacement of an externally illuminated wall sign and a non-illuminated projecting sign at 10 Pleasant Street Extension in the Central Business Performance (CBP) District.

Josh Messinger represented the application.

Mr. Durfee provided an overview noting the concerns from the ADRC, relative to the visual weight of the blade sign and the mounting with the proposed bracket. He explained that based on the ADRC comments, a revision was provided and was shared by Mr. Durfee.

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Chair Woodfin opened the public hearing and read the recommendations to approve the wall sign as submitted; and revise the blade sign for visual weight and size, as well as the bracket. He commented that the revision appears to have met the intent.

Mr. Messenger stated that the bracket was redesigned to be ¼ inch thick aluminum with stabilizer bars; flat stock on top and the bottom. There will be a brace on the building as well.

There being no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Chair Woodfin, and seconded by Mr. Fox, the Board voted unanimously to approve the redesign as submitted, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

7B. A & M Signs, on behalf of Rupert Dance, LLC, requests ADR approval for the relocation and replacement of an internally-illuminated freestanding sign at 105 Manchester Street in the Highway Commercial (CH) District.

Chair Woodfin stated that this is a proposal to replace a freestanding sign and move up the reader sign. He referenced the ADRC minutes and noted that the sign is not compliant. The ADRC motioned to table the application to May and requested revisions be provided that show consistency in all design elements including text and fonts.

Chair Woodfin opened the public hearing. There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

Ms. Smith-Meyer made a motion, seconded by Mr. Fox, to table the application and defer to the Architectural Design Review Committee for further review, pending revisions from the applicant.

At this time co-owners of Empire Pools Jeff Huberty and Kevin Soterion arrived and represented the application.

Mr. Huberty explained that they have been getting conflicting stories from City staff regarding direction. He stated that their request was to replace the existing faces in kind; nothing else has changed. They did remove one sign. They were unaware that a permit was required.

Bob Nadeau, of Code, informed them that they need to apply for a variance, which was denied due to no hardship and were directed to apply for the permit. Chair Woodfin explained the sign process and make sure it is done correctly with recommendations by ADRC and approvals by the Planning Board.

Mr. Durfee stated that there is no issue relative to the relocation; it is a reduction in signage. ADRC recommendations were specific to consistency with text fonts. Ms. Shank stated that this is not a replacement of the same sign; it is a new sign for a different business. Only the size is the same size.

Mr. Huberty stated that they removed signs under the direction of code staff. He stated that no one business on Manchester Street has the same size sign with matching fonts and there are no standard styles or colors. He stated that he feels that they are being singled out and this is the most consistent sign on the street.

Ms. Shank explained that when ADR references consistency regarding signage it is relative to multiple signs for the same business. The other signs along the street are for different businesses and are not expected to match. Mr. Huberty stated that his business does not have a building sign,

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there is only a pole sign out front. He stated that there are still two signs with a reader board, nothing is changing. There are no signs on the building and he believes that all the square footage requirements have been met.

Discussion ensued regarding alternative sign designs. Mr. Huberty stated that they have spent a lot to rehab the building and the signs have been purchased signs. He stated that this is a burden to him. He offered to move the sign up or change out the bottom sign to be all white with blue lettering.

Ms. Rosenberger asked if the signs are installed. Mr. Huberty replied yes and added that the reader board is new; it is the same size and shape. Ms. Rosenberger asked if any of the signs are grandfathered. Mr. Durfee replied that the height is the only element that is grandfathered. Ms. Rosenberger stated that the sign company is from Manchester and she asked if the applicant ordered signs and if they have been installed. Mr. Huberty replied yes, they signs are installed and they were not aware that a permit was required to change out just writing on the signs. Ms. Rosenberger stated that the applicant and sign company did not contact the City of Concord regarding regulations for signs. Mr. Huberty replied yes and added that he does not find these signs to be distasteful or offensive; he was wrong and didn't think permits were necessary. This is a burden to him and he does not want to change the signs or pay more to change them out again. Ms. Rosenberger understands; however, the rules are made and the City would hope that they would be adhered to.

Mr. Soterion proposed lifting the reader sign to be above the larger sign and to redo the lettering to be blue on white. Chair Woodfin responded that the ADRC would need to address any proposed changes.

There being no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

Vote on the Motion:

Chair Woodfin – in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

Deputy City Manager Carlos Baia gave an update as to the ongoing sign enforcement challenges. He explained that as a result of a meeting with Planning and Code Staff and Chairman Woodfin, an amendment has been drafted relative to fees for the sign ordinance. The amendment proposes that all fees will be doubled for all signs installed without permitting. In addition, a daily fee, of \$25, will be assessed along with the doubling permit fee. This will be assessed from the time of noticing the installation of the sign. He stated that the amendment will be going forward to City Council in May to set a public hearing in June.

Chairman Woodfin stated that the installation of signs without permits is and has been an ongoing issue in the City. The Code Department is working to pick these situations up and have the owners go through the process and assess applicable fees.

Mr. Fox worried that applicants were ignorant of the process. Mr. Baia explained that if a sign should be installed and an applicant was not aware of a permitting process, there are sign regulations in every city in the state. Maybe some smaller towns don't have a process; however, any professional sign installers should know that there are processes to follow and would know to check first.

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Discussion ensued regarding self-installers and having a mechanism to require that any sign installed without a permit would need to be removed. Mr. Baia stated that fees would be retroactive at \$25 per day until the sign was taken down.

Mr. Baia stated that should City Council approve the amendment, he suggested that correspondence be sent out to the area sign companies so they are put on notice. Councilor Champlin noted that A&M Signs should be included as well.

Mr. Hicks stated that the sign companies are more of the problem; it is their job to do the research for regulations. He added that the applicant should go back to the sign company that they hired and have the sign company cover any assessed fees. He added that if that company continues to be negligent then they will be out of business.

Mr. Santacruce agreed with the amendment and asked about the time frame of assessing retroactive fees. Mr. Baia stated that there may be instances where there may be some time to track the owner/sign company down; however, the fees will be assessed for the time the sign was installed or date of notice and there is no permit.

On a motion made by Councilor Chaplin, and seconded by Mr. Fox, the Board voted unanimously to endorse the proposed fees for any non-compliant signs, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

Mr. Fox asked about sandwich board signs. Ms. Shank explained the process and the need for an application. Chairman Woodfin added that with sandwich boards, it is more a size and placement issue.

7C. The Fraternal Order of the Eagles #613, requests ADR approval for the installation of an awning at 36 South Main Street in the Central Business Performance (CBP) District.

Chair Woodfin noted that the ADRC requested additional information. Mr. Durfee gave an overview of the application for an awning and stated that he did receive an updated rendering that shows the door and location of the awning. The awning will project 96 inches from the wall, half the length of deck with an overall drop from the top to the bottom of 60 inches.

Chair Woodfin opened the public hearing. There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Regan, the Board voted unanimously to approve the redesign as resubmitted, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

7D. Barlo Signs, on behalf of Northway Bank requests ADR approval for the replacement of two externally-illuminated wall signs and the installation of a new non-illuminated wall sign at 190 North Main Street in the Urban Commercial (CU) District.

Mr. Durfee gave an overview of the proposal noting that the ADRC recommended approval for signs F-I; however not signs B and C. They did justify the shutters and recommend the applicant move forward with the monument sign. He added that another comment from ADC was relative to the signs not within the character of the building or neighborhood.

Chair Woodfin opened the public hearing.

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Brandon Currier, from Barlo Signs represented the application.

Mr. Currier explained a new proposal for sign B and added stated that this will reduce the overall square footage and is respectful to the ADRC comments; it fits in the space better and is not overwhelming to the exterior walls. He added that the design is a digital print, meant to be seen from the parking lot not from the road. He noted that all signs met the City's zoning ordinance. Letter on the building are halo illuminated.

Chair Woodfin commented that the monument sign is very professional looking. Mr. Currier commented that there is currently no sign there. He explained that a variance is needed for the monument sign for the setback; lighting, height, and size are met. Ms. Smith-Meyer stated that a monument sign is much more visible and having a monument sign at the entrance is sufficient. She added that there can be too much signage. Councilor Champlin agreed with Ms. Smith-Meyer and noted that this was a former bank and is a historic building. Sign treatments are appropriate for commercial buildings and effective; however, not for a historic residence where a monument sign would be better.

ADRC member Claude Gentilhomme stated that the ADRC members did not care for the signs on the building. He stated that residences that have turned into businesses generally have signs out front. He noted that the signs on the side of the building are not visible due to obstructions, so it does not make sense to install them.

Mr. Santacruce asked for clarification relative to the monument sign posts. Mr. Currier explained that the former monument sign had two granite posts. The new monument sign will require a new base.

There being no further comments from the public, Chair Woodfin closed the public hearing.

A discussion was held regarding other alternatives for the signs on the building facade.

On a motion made by Chairman Woodfin, and seconded by Mr. Santacruce, the Board voted unanimously to approve the designs for signs F through I as submitted, and to continue signs B and E and remand them to ADR for further review and to encourage the applicant to pursue alternative designs that are more compatible with the building architecture, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

7E. Wilcox & Barton requests ADR approval for the renovation of the building at 10 Pleasant Street in the Central Business Performance (CBP) District.

Mr. Durfee provided an overview noting the ADRC comments which were relative to the changes of the windows and doors, as well as some concern with the visual weight of the proposed blade sign. He added that the Committee also had some comments regarding the awning and drainage.

Chair Woodfin opened the public hearing.

Erin Lambert of Wilcox & Barton represented the application along with the architect, Denis Meyers.

Ms. Lambert explained that the request is for approval for renovations. She explained that they will be incorporating a down spout to address the drainage issue relative to the awning and the lighting. They are also looking into a new bracket to incorporate with the canopy. With regards to the site perspective, they are making the main entrance accessible. The alley will need some grading changes and they are using the existing catch basin. The existing door on Storrs Street will be

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closed. Ms. Lambert added that they are working for historic tax credits, which may limit them to some façade changes.

Ms. Smith-Meyer asked about the changes to the windows. Mr. Meyers explained that they will be using a replica of what exists today. He added that it is a recommendation of their historical consultant that the window color be maintained to be as close to the existing masonry color.

Mr. Meyers noted that the cleaning to the exterior of the building will be done by hand with a solution approved by the secretary of interior standards.

Mr. Santacruce referenced the easement with the canopy. Ms. Lambert explained that there are four easements for the building; none will be infringed on with the canopy.

There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Mr. Regan, and seconded by Ms. Smith-Meyer, the Board unanimously voted by a Roll Call Vote, to **grant ADR approval** for the building renovations, façade updates, and regrading a portion of the alley at 10 Pleasant Street Extension in the Central Business Performance (CBP) District, subject to the following conditions:

- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to endorsement of the final plan by the Planning Board Chairman and Clerk, and prior to issuance of any building permits, or the commencement of site construction, unless otherwise specified:
 - (1) Address all review comments satisfaction of the Planning Division.
 - (2) Address all Engineering comments to the satisfaction of the Engineering Services Division.

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 7F. Hodges Development Corp., on behalf of Rick Smith, requests ADR approval for the installation of a new non-illuminated wall sign at 211 Loudon Road in the Gateway Performance (GWP) District.

There was no one present to represent the application.

Ms. Shank stated that this item was pulled from consent due to the fact that the sign has been installed prior to approval. Mr. Durfee provided a rendering showing a new design based on comments from ADRC.

Chair Woodfin opened the public hearing. There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Councilor Champlin, and seconded by Ms. Smith-Meyer, the Board voted unanimously to approve the design as resubmitted, subject to the ADR recommendation that the sign be reinforce in a way to prevent it from swinging in the archway, by Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 7G. Hodges Development Corp., on behalf of From the Top Hair Salon requests ADR approval for an existing non-illuminated wall sign and an externally-illuminated freestanding sign at 211 Loudon Road in the General Commercial (CG) District.

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There was no one present to represent the application.

Ms. Shank stated that this item was pulled from consent due to the fact that the sign has been installed prior to approval. Mr. Durfee stated that ADRC appreciated the consistency of the signage and recommended approval as submitted.

Chair Woodfin opened the public hearing. There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the redesign as submitted, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 7H. Hodges Development Corp., on behalf of Splendore Chiropractic requests ADR approval for an existing non-illuminated wall sign and externally illuminated freestanding sign at 211 Loudon Road in the General Commercial (CG) District.

There was no one present to represent the application.

Mr. Durfee provided an overview of the application. He explained that the signs have been installed; however, the applicant chose to utilize this as an opportunity to update the building sign. The applicant is leaving the pylon sign as is, which has been installed for 20+ years. He noted that the building and pylon signs will not match. He explained that ADRC recommended approval of the signs, as submitted; however, the vote was 3/1 as one member was opposed as he felt that all signs should match.

Chair Woodfin opened the public hearing. There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Councilor Champlin, and seconded by Ms. Smith-Meyer, the Board voted unanimously to approve the redesign as submitted, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 7I. Sign-a-Rama, on behalf of Dan O'Brien Kia, requests ADR approval for the replacement of an internally-illuminated wall sign, the relocation of an internally-illuminated wall sign, and the replacement of a non-illuminated freestanding sign, at 158 Manchester Street in the Highway Commercial (CH) District.

There was no one present to represent the application.

Mr. Durfee stated that the oval sign has been installed and the applicant did pay the penalty in order to install the sign. The oval sign is the original sign that was on the face of this building prior to renovations. The applicant is adding additional signage and a directional sign. He stated that the ADRC recommended approving the signs as submitted, with the recommendation that all reds match directional sign be simplified with block lettering and the black outline be removed.

Chair Woodfin opened the public hearing. There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Mr. Regan, and seconded by Councilor Champlin, the Board voted unanimously to approve the design as submitted, subject to the ADR conditions that all the reds

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across all signs be the same shade and that the black outline around “Dan O’Brien” on the Parts and Service sign be removed, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

- 7J. Sign-a-Rama, on behalf of Modern Man Barbershop & Shave Parlor requests ADR approval for the replacement of two window signs and a freestanding sign at 253 South Main Street in the Urban Transitional (UT) District previously installed.

There was no one present to represent the application.

Mr. Durfee stated that the ADRC commented that the signs in the windows are hard to read and the black lettering is not showing up well against the barber pole and logo. He noted that the banner sign has been installed.

Chair Woodfin opened the public hearing.

A discussion was held regarding the existing flag pole sign and if that has been approved. Mr. Durfee stated that that was not addressed by ADRC. He will follow up with Code.

Ms. Smith-Meyer suggested that the foot of the pole be darkened as opposed to outlining the letters; it would be more readable from the street.

There being no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Fox, the Board voted unanimously to approve the design as submitted, subject to the recommendation that the “er” in Barber be outlined or the bottom of the barber pole behind the letters in the design be darkened so that the letters are clearer, by a Roll Call Vote as follows:

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Regan – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor.

8. Site Plan, Subdivision and Conditional Use Permit Applications

- 8A. Daniel Crisman & Amber Brooks are requesting an amendment to conditions of a previously approved Minor Subdivision regarding a shared driveway at 35 Hot Hole Pond Road in the Open Space Residential (RO) District.

Ms. Fenstermacher gave an overview of the project. She explained that a three-lot subdivision was approved in 2008 with the condition for a 22 ft. paved, shared driveway; the width of Hot Hole Pond Road is only 18 ft. She stated that the lot has not been developed due to the driveway construction condition. The Applicant has asked to construct a 12-15 wide gravel driveway instead and only pave the apron. Ms. Fenstermacher stated that the Fire Marshall reviewed the proposal on site and was in agreement. This change is more in line with the context of the neighborhood. Staff supports the proposal with the recommendation that the application secure a revised driveway easement to reflect the new alignment.

Mark Crisman, power of attorney for Daniel, and Amber Brooks represented the application.

Chair Woodfin opened the public hearing. There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

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Ms. Shank asked if the revised driveway easement would be a condition of the Certificate of Occupancy. Mr. Cedarholm strongly advised that it should be.

Chair Woodfin reopened the public hearing.

Mr. M. Crisman asked why the requirement for the easement to be completed prior to a CO as the easement exists and would be approved with the amendment. Ms. Fenstermacher explained that the new alignment is outside what is shown on the survey as the easement area and they would need permission from that property owner to go outside of the easement area.

Abutters Walt and Chris Griffin were present. Mr. Griffin stated that they do not have any problems with the proposal and do not feel that the condition of getting an easement prior to the CO is an issue, he is happy to sign a document. He added that the proposal will use less land and overall is a great improvement. This will also add two feet to their 10.5 ft driveway and adding pavement to the apron is an excellent way to enable the lot to be developed.

Ms. Shank explained that a new property owner in the future may not agree if the easement was not there. Discussion ensued. Mr. Cedarholm stated that the driveway permit is a condition of a CO and the easement is part of the driveway. Mr. Griffin and Mr. Crisman agree to do any and all paper work necessary to keep things preserved for the future and understood that the corrective easement deed will be a condition of the CO.

There being no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Mr. Santacruce, and seconded by Mr. Hicks, the Board voted to authorize the amendment to the conditions of the 2008 subdivision to allow for the construction of a 12 to 15 ft wide gravel driveway as shown on the redlined plan submitted on March 17, 2021, with the following conditions:

1. Additional depth of gravel be added for stabilization, and the driveway apron be paved in accordance with the City of Concord Construction Standards.
2. All conditions of the original approval shall remain in full force and effect.
3. Prior to the issuance of the Certificate of Occupancy (CO), the Applicant shall secure common driveway easement from the abutters to memorialize the new alignment.

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor. Mr. Regan was unavailable for this vote.

- 8B. Wilcox and Barton, on behalf of 3G Eagle, LLC, requests Major Site Plan approval for construction of a new parking lot, a Conditional Use Permit (CUP) for the addition of impervious surface in the Aquifer Protection District, and a CUP to construct fewer spaces than are required at 25 Henniker Street in the Industrial (IN) District.

Mr. Durfee stated that this application was deemed a Development of Regional Impact due to expansion into the Aquifer Protection (AP) District. The Town of Pembroke’s Planning Board was notified and they had no comments. He provided an overview of the site plan and the two Conditional Use Permits (CUP) for the expansion of impervious surfaces in the AP District and a reduction of parking.

Erin Lambert of Wilcox and Barton represented the application along with Chris Brown

Ms. Lambert explained the proposal is a Major Site Plan application for an expansion of the parking and loading area. The property is currently single occupancy and the applicant is proposing

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to create 3 tenant suites for office/warehouse use as well as modify the loading docks and add 5 overhead doors. The CUP in the AP District is due to the fact that they intend to construct 24,550 sq. ft. of new impervious surface. Ms. Lambert noted that when the building was built in 2007 the AP District did not exist.

Ms. Lambert provided an explanation of the stormwater management plan indicating that the majority of the runoff from the roof, the new loading dock area, and the parking area will be captured by a series of catch basins. Post-development, there will be a net decrease in the rate and volume of runoff compared to current levels. She stated a Stormwater Pollution Prevention Plan (SWPP) will be provided as it is a requirement due to the location within the AP District. She stated that they did appear before the Conservation Commission last week who supported the project, especially the reduction to the impervious surface and requested that hooded catch basins be added for additional water quality protection.

Ms. Lambert noted that snow cannot be stored in the Eversource easement. She explained that there is a salt minimization plan proposed.

Additional discussion was held regarding the landscaping. Ms. Smith-Meyer stated that the trees referenced are all ornamental trees. Ms. Lambert stated that she will work with the landscape architect for more native shade trees. It was noted that nearly all the proposed trees are in the Eversource right of way.

Mr. Santacruce noted that the ADA location is not compliant and he suggested relocating and restriping to meet the standards. He added that the visitor parking sign appears to be in the right of way.

Chair Woodfin opened the public hearing. There being no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Councilor Champlin, and seconded by Mr. Santacruce, the Board voted to **grant** the Conditional Use Permits to Articles 28-3-6(d)(4) Required for Certain Uses in the Aquifer Protection District and 28-7-11(b) Construction of Fewer Parking Spaces given the Concord Conservation Commission and the Town of Pembroke were both in favor of the CUPs, subject to the condition that hoods be installed in all site catch basins.

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor. Mr. Regan was unavailable for this vote.

On a motion made by Councilor Champlin, and seconded by Mr. Fox, the Board voted to **grant** Architectural Design Review approval for the site layout, landscaping, and building design.

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor. Mr. Regan was unavailable for this vote.

On a motion made by Councilor Champlin, and seconded by Chair Woodfin, the Board voted to **grant Major Site Plan approval** for the proposed parking and loading area expansion and associated site improvements at 25 Henniker Street in the Industrial (IN) District, subject to the following precedent and subsequent conditions noted below:

- (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 issuance of any building permits, or the commencement of site construction, unless otherwise specified:

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- (1) Address all Review comments to the satisfaction of the Planning and Engineering Divisions. For all subsequent submissions, applicant shall provide a response memo addressing/acknowledging all comments.
 - (2) CUP(s) granted are to be noted and fully described on the plan including date granted and applicable Article number(s) of the Zoning Ordinance. Should the Board vote to deny the CUP(s), the applicant shall comply with said submission requirement(s).
 - (3) Final plans shall be signed and sealed by the NH Registered Land Surveyor, Landscape Architect, and Professional Engineer.
 - (4) Submit three (3) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.
 - (5) Confirm the uses of all three tenant spaces.
 - (6) Relocate the accessible spaces to the closest location possible to an accessible entrance and ensure the dimensions of the spaces meet ADA standards.
- (b) Subsequent Conditions – to be fulfilled as specified:
- (1) Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
 - (2) A pre-construction meeting shall be required prior to the start of any construction activities onsite. The applicant shall pick up one (1) set of signed plans at the Planning Office to make copies for the pre-construction meeting. A total of five (5) copies of the signed plan set shall be provided by the applicant at the pre-construction meeting.
 - (3) Prior to issuance of the final Certificate of Occupancy or final construction sign-off, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, and Mr. Santacruce – in favor. Mr. Regan was unavailable for this vote.

8C. Dakota Partners on behalf of P & M Realty of Concord, LLC requests Comprehensive Development Plan approval for a mixed-use development consisting of residential multifamily buildings and 3 commercial pad sites for property off of Langdon Ave in the Opportunity Corridor Performance District (OCP).

Ms. Shank explained that in order to do residential development in the Opportunity Corridor Performance District a Master Plan must be provided describing what kind of development will be proposed. She stated that the ordinance was amended last year to allow for housing and to encourage different types of housing in Concord. This is essentially a concept plan that will be shown. A full site plan application will be forthcoming.

Chair Woodfin opened the public hearing.

Chris Nadeau of Nobis Group represented the application along with Peter Bloomfield from P&M Realty and Mark Pilotte from Dakota Partners.

Mr. Nadeau reviewed the concept plan. He stated that the parcel is 36 acres, 13 acres are currently in conservation associated with the South End Marsh. The proposed development will be a phased development that will consist of four land units, three commercial units and one

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residential. There is an existing building occupied by NH Climbing and Fitness. The housing will be workforce housing and will include ADA-designated units. There will be a clubhouse with amenities. Total build out will be a total of 192 residential units. Parking areas were noted and the traffic pattern was discussed. A Conditional Use Permit is requested for a reduction in parking.

Additional explanation was provided relative to the traffic. A traffic study will be done. They do not anticipate that there be any requirements to change for traffic. He noted that traffic trip peak times are different for residential and for commercial.

Mr. Santacruce asked if there will be any proposed upgrades to Langdon Ave. Mr. Nadeau stated that this will be discussed with Engineering, in the future. At this time, Langdon Ave. is a private road. One improvement will be adding a sidewalk. Ms. Smith-Meyer suggested that as the project moved forward, they consider sidewalks be set back from the travel ways with a planted median between the road and sidewalk to create a more residential feel since it will be a mixed-use area. She asked that more trees be added.

Mr. Regan noted the history of the parcel and asked if there will be any effort to manage any legacy issues relative to environmental testing. Mr. Pilotte replied that nothing has been done so far; however, they will need to look into this. Mr. Regan added that a trail system would be a nice amenity to add for the residential component and he suggested that they reach out to the City staff and review the Trails Master Plan.

Councilors Champlin asked if the plan will be to build on foundations or slabs. Mr. Pilotte replied that they will be building on foundations with conventional footings.

The Chair recognized Allan Herschlag, who asked if the developers have considered mixed income development for this project. He added that over the last year he has noticed the utility companies are trimming and cutting trees. He wondered if the City would approach the utility companies for a matching grant to replant trees.

There being no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Councilor Champlin, and seconded by Mr. Santacruce, the Board voted unanimously to **approve the Comprehensive Development Plan** for the mixed use, phased development at Langdon Avenue, subject to the Applicant addressing review comments to the satisfaction of Engineering and Planning staff as noted in the staff reports presented to the Planning Board at the meeting.

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, Mr. Regan – in favor, and Mr. Santacruce – in favor.

- 8D. Nobis Group, on behalf of Brixmor Capitol, requests Major Site Plan approval for construction of two new buildings for restaurant, retail, and coffee shop use with a drive-through facility at 80 Storrs Street in the Opportunity Corridor Performance (OCP) District.

Mr. Durfee gave an overview of the plans and the project scope. He stated that there have been many months of discussions with a continued focus on the vision for the Opportunity Corridor. He added that the project was recently presented to the ADRC, which was a very productive meeting. A charrette will be scheduled soon to continue the design discussions.

Reuben Twersky of Brixmor represented the application along with Chris Nadeau of Nobis Group.

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Mr. Nadeau gave an overview of the proposal. He explained that the project on Storrs Street consists of a 6,100 sq. ft. restaurant (110 Grill), a 2,300 sq. ft., café with a drive-through, and a centered building for unknown future businesses. The parking will need to be re-arranged as well as the site driveway. The project has received a variance for reduced parking. There are two walkways allowing access into the existing plaza.

Mr. Twersky stated that they have been working on the project since presenting to Council in August 2020. One major difference now is the separation of the two buildings and adding the small plaza which will allow for a pedestrian walk through. There are no current retail tenants at this time so they are now planning to do a phased development. He stated that there could be one to three additional tenants. In terms of layout, the plan has improved as a result of conversations with staff. The streetscape now consists of sidewalks, patios, bench areas, and bicycle areas. They will continue to work on the architectural elements in response to the ADRC meeting, and plan to return to ADRC. Overall, he feels that they are meeting the goals of the architectural design for Storrs Street.

A discussion was held regarding the drive through and traffic pattern with the double stacking. Mr. Twersky stated that this is a typical demand stacking. They want to increase the overflow lane to avoid traffic stacking within the parking lot. Chair Woodfin commented that the drive through is much different than what was previously shown. He stated that the addition of more outdoor dining could make 110 Grill a great addition to downtown. He expressed concern with the back of building being on Storrs Street and noted that this is not desirable. He stated that there needs to be life added to the Storrs Street façade side and referenced a discussion that 110 Grill's interior design be changed to allow for seating to be along the Storrs Street side. Mr. Twersky replied that they still have work to do with regards to architecture. Additional discussion was held regarding the design elements of the entrance for the 110 Grill and the fact that the entrance is not on Storrs Street as originally proposed.

Councilor Champlin stated that it is important that the City begin to build out Storrs Street. He applauded Brixmor for working with the City to continue the trend. He asked why the tables would be facing a parking lot and not looking out onto a pedestrian thoroughfare. He stated that while he appreciates the landscaping on the west side of the 110 Grill; he is very disappointed as the plan appears to ignore the vision for the area set forth in the Opportunity Corridor Master Plan, and will set a poor precedent for the development of the Storrs Street frontage.

Mr. Santacruce spoke to the site circulation and expressed concern with safety issues with the drive through. He stated that there is no connectivity with the design. He referenced the "loading area" and commented that the design is adding more confusion into this area. He suggested that the applicant look into the accessibility of the site and the existing signal at the intersection.

Chair Woodfin expressed concern that the Board would be setting a precedent for future development in the area with the single use pad development. He stated that he wants development to begin but the development should be purposeful and compliment the downtown corridor. He does not feel that the proposal has done this. The eating space should be near the road. He added that there is much concern with the circulation of the drive through. This proposal does not meet the intent of the original concepts and there needs to be more work done.

Chair Woodfin mentioned that a charette with staff and the ADRC was discussed as a possibility, and that Planning Board members could attend as well.

Chair Woodfin opened the public hearing.

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Claude Gentilhomme stated that ADR's concerns focused on the lack of substantial building materials and how that contributed to feeling that the development is out of place and mirrors something that would be seen in suburban sprawl. He added that he is sure that the ADRC will appreciate the supporting comments from the Board members with regard to architectural concerns. He noted that it is not common for the ADRC to meet with an applicant; doing so, makes a statement that the ADRC values the development along Storrs Street and is concerned with the overall project.

Allan Herschlag stated that the development will set a precedent for the future development of Storrs Street. It is imperative that the development follows the vision of the Master Plan to meet the goals of the City with walkable and bikeable communities. The development needs to reflect the character and history of the City. He strongly urged the Board to accept the recommendations of Staff as noted in the report.

There being no further comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Councilor Champlin, and seconded by Mr. Santacruce, the Board voted unanimously to continue the Major Site Plan Application to the May 19, 2021 Planning Board meeting subject to working with City Staff and the Architectural Design Review Committee on a design charrette relative to the architecture of the buildings.

Chair Woodfin – in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, Mr. Regan – in favor, and Mr. Santacruce – in favor.

- 9A. Proposed Amendment to Article 28-7-2(e), Table of Off-Street Parking Requirements to require 11 stacking spaces for a drive through restaurant regardless of the number of order or pick up windows, and Article 28-7-7(d), Stacking Spaces, to clarify that stacking spaces for multiple ordering stations may count towards the required total.

Ms. Shank stated that the amendment request is from administration due to the fact that there have been many requests for variances or conditional use permits to reduce the number of required stacking spaces for drive throughs. The ordinance currently requires 11 stacking spaces for each ordering station, which means two ordering stations would require 22 stacking spaces, which is prohibitive. She added that with multiple ordering stations, business efficiency can be improved, more flexibility with the layout of stacking lanes is allowed, the amount of traffic may be minimized and may even move faster.

Ms. Shank stated that Staff recommends the ordinance be amended to require 11 spaces total, regardless of whether there are two ordering stations to allow business to utilize this approach. This would reduce the number of stacking spaces required to a more reasonable quantity on sites that have multiple ordering stations, and potentially allow stacking lanes to be configured more efficiently. The ordinance will continue to prohibit stacking lanes from interfering with parking and loading spaces and access aisles, and require that they minimize conflict with pedestrian access.

Chair Woodfin opened the public hearing. There being no comments from staff, members of the Board, or public, Chair Woodfin closed the public hearing.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Santacruce, the Board voted unanimously to recommend to City Council to amend Article 28-7-2(e), Table of Off-Street Parking Requirements to require 11 stacking spaces for a drive through restaurant regardless of

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the number of order or pick up windows, and Article 28-7-7(d), Stacking Spaces, to clarify that stacking spaces for multiple ordering stations may count towards the required total.

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, Mr. Regan – in favor, and Mr. Santacruce – in favor.

Other Business

10. New Architectural Design Review Committee member submission

Information was previously provided to the Board or review for a new ADRC member.

On a motion made by Councilor Champlin, and seconded by Mr. Hicks, the Board voted unanimously to appoint Zarron Simonis to the Architectural Design Review Committee, as a full member with a term through December 31, 2023.

Chair Woodfin– in favor, Councilor Champlin – in favor, Ms. Rosenberger – in favor, Ms. Smith-Meyer – in favor, Mr. Hicks – in favor, Mr. Fox – in favor, Mr. Regan – in favor, and Mr. Santacruce – in favor.

Adjournment

At the request of Chairman Woodfin, Mr. Santacruce made a motion to adjourn at 10:37 PM, seconded by Mr. Fox. The motion passed unanimously.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,
Administrative Specialist