

**City of Concord Planning Board**  
**July 19, 2023**  
**Minutes**

plan to seed it when they are finished and will restore its integrity. Vice-Chair Foss asked how much of a buffer is between the wetlands and the impact. The plan indicates roughly 6 ft from the wetland at the farthest point. The rip rap is being extended to avoid runoff and erosion into the wetlands.

Public Comment:

Carl Sergeant is concerned with the exit to the development. He asked that the developers address the outlets into Loudon Road and Old Loudon Road carefully, especially at the Chipotle exit. He requested that a mix of species be planted to block a potential wind tunnel that could form. Ms. Shank noted that the City is having a traffic study done for this area. The City is aware of the problem with the intersection.

With no additional comments from Staff, members of the Board, or public, Vice-Chair Foss closed the public hearing.

On a motion made by Councilor Pierce, seconded by Ms. Savage, the board voted to continue the public hearing to the August 16, 2023 meeting at the Applicants request.

All in favor. Motion passed unanimously.

- 7H. TFMoran Inc, on behalf of Interchange Development, requests Major Site Plan approval for construction of two new buildings, including a 4,940 square foot urgent care facility, and an approximate 30,000 sf mixed use office/retail building at 1, 5, 7 and 9 Interchange Drive in the Gateway Performance (GWP) District.

The Application was determined complete at the June 21, 2023 Planning Board meeting.

Chairman Woodfin opened the public hearing. David and Laurie Rauseo (Interchange Development) and Jason Hill (TF Moran) presented the application.

The application is for Phase 2B area of 4-8 Merchants Way, which includes a 23,000 square foot retail tenant building and an urgent care center. A rendering was presented that displayed the facade. Comments from Staff have been addressed, with a few more items they need to address. Mr. Fox asked if the urgent care would be 24-hour service. Ms. Rauseo confirmed that the hospital would like this option open to them. Ms. Rauseo confirmed that the lighting remains on for safety reasons, around the clock.

Ms. Shank drew attention to Architectural Design Review Committee's request to not approve until the Applicants went before them again with the one building they have yet to propose renderings for. ADR is okay with the mixed-use building. Ms. Rauseo clarified that the footprint and entrance would not be changing. They are simply working out the programming inside with their new architect.

Vice-Chair Foss asked if public transportation has been considered for this area. Ms. Rauseo noted that space has been designed for transit and EMS to access the area. Transit is already available for Market Basket.

Ms. Smith-Meyer asked them to consider a different type of tree if they are considering dogwoods. The zone is not conducive to success of that species.

With no additional comments from Staff, members of the Board, or public, Chairman Woodfin closed the public hearing.

The Board adopted the findings of fact which were discussed and determined to include information provided in staff reports; the Applicant's submission materials; testimony provided during the public hearing; and/or, other documents or materials provided in the public hearing.

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On a motion by Vice-Chair Foss, seconded by Mr. Hicks, the Board voted to **grant ADR approval** subject to ADR recommendations that Staff landscape comments being addressed; the stipulation that the cornices on the retail building return on the roof line to give depth for tenants two and three, and continue along the outer bays of the storefronts; and, that the Applicant return to ADR for the approval of the revised Urgent Care building. If the ADR Committee grants approval of the Urgent Care building, the Applicant does not need to return before the Planning Board.

All in favor. Motion passed unanimously.

On a motion by Councilor Pierce, seconded by Mr. Hicks, the Board voted to **grant the following waivers** to the Site Plan Regulations, using the criteria of RSA 674:44 III(e)(2) as guidance, specific circumstances relative to the site plan, or conditions of the land in such site place, indicate that the waiver will properly carry out the spirit and intent of the regulations.

- Section 19 Access and Driveway Standards to allow for a 36.2 ft wide driveway at 1 Interchange Drive and a 31.9' wide driveway at 9 Interchange Drive, where a maximum of 28 ft for a two-way driveway is allowed.
- Section 22.07(2) Storm Water Recharge to provide 18 inches of separation to the seasonal high-water table, where 4 ft is required.

All in favor. Motion passed unanimously.

On a motion by Mr. Fox, seconded by Ms. Savage, the Board voted to **grant Major Site Plan approval** for the construction of Phase 2 of the Interchange Drive/Merchants Way Development, to include a new 4,940-sf urgent care facility to be operated by Concord Hospital at 1 Interchange Drive, and a second building at 5-9 Interchange Drive to include a 2,562-sf retail space, a 3,612-sf medical office space and a 23,520-sf retail space, 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:
  - (1) Address all review comments to the satisfaction of the Planning Division and Engineering Services Division.
  - (2) Final plans shall be signed and sealed by the NH Registered Land Surveyor, Landscape Architect, and Professional Engineer.
  - (3) Submit three (3) copies of final plans for sign off by the Clerk and Chair of the Planning Board.
- (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.
  - (3) The amount and form of financial guarantee shall be proposed by the Applicant and approved by the Clerk of the Board and City Engineer. The guarantee shall be provided prior to the issuance of the Certificate of Occupancy.

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- (4) Prior to the issuance of the final Certificate of Occupancy, the Developer shall plant the required trees associated with 4-8 Merchants Way that were not planted due to potential impacts from construction of this Phase.
- (5) 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.
- (6) The Applicant or their successors shall be responsible for the regular maintenance of all plantings and other landscape features. Plant materials shall be maintained alive, healthy and free from pests and disease.

All in favor. Motion passed unanimously.

**Other Business**

8. Eckman Engineering, on behalf of Continental Paving, requests a Conditional Use Permit (CUP) for disturbance of a wetland buffer at 320 Sheep Davis Road in the Gateway Performance (GWP) District. (2023-125) The Applicant has requested to be continued to the August 16, 2023 Planning Board meeting.

The Board adopted the findings of fact which included the information provided in staff reports and packets provided.

On a motion by Ms. Smith-Meyer, seconded by Mr. Fox, the Board voted to **grant the postponement** to the August 16<sup>th</sup> Planning Board public hearing.

All in favor. Motion passed unanimously.

9. Wilcox & Barton, Inc, on behalf of First Church Holdings, LLC, request Major Site Plan approval for the conversion of a church into 34 residential units and related site improvements, and a Conditional Use Permit (CUP) to allow alternative parking at 177 N. Main Street in the Urban Commercial (CU) District. (2023-122) The Applicant has requested to postpone to the August 16, 2023 meeting.

The Board adopted the findings of fact which included the information provided in staff reports and packets provided.

On a motion by Councilor Pierce, seconded by Vice-Chair Foss, the Board voted to **grant the postponement** to the August 16<sup>th</sup> Planning Board public hearing.

All in favor. Motion passed unanimously.

10. T.F. Bernier, Inc, on behalf of Kevin Porter, requests Minor Subdivision approval for a 2-lot subdivision at 35 Reserve Place in the Open Space Residential (RO) Districts (2023-119) The Applicant has requested to postpone to the August 16, 2023 meeting.

The Board adopted the findings of fact which included the information provided in staff reports and packets provided.

On a motion by Councilor Pierce, seconded by Vice-Chair Foss, the Board voted to **grant the postponement** to the August 16<sup>th</sup> Planning Board public meeting.

All in favor. Motion passed unanimously.

11. Charitable Gaming at Break O' Day Drive

Public comment received by Staff was supplied to the Board.