

From: Arnold, John L. [<mailto:jarnold@hinckleyallen.com>]
Sent: Thursday, March 26, 2020 4:08 PM
To: Baia, Carlos
Cc: Sokul, John H
Subject: OCP Zoning Amendment

[CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe]

Carlos,

I hope you are healthy, and doing well given the circumstances.

I've attached a draft zoning amendment we've discussed in connection with the Brixmor development. There is a clean version for you to edit if you like, and also a redlined version that shows the changes to the existing text numbering. I think it might also make sense to add a footnote into the use table column and row for drive through restaurants in the OCP District that says see this new section (just a cross reference for clarity).

Once you review, please let us know if you'd like to discuss. Happy to try to address any remaining concerns you have.

Thanks,

John

[John L. Arnold](#)

Partner

[Hinckley Allen](#)

650 Elm Street

Manchester, NH 03101-2596

p: 603-545-6166 | f: 603-224-8350

jarnold@hinckleyallen.com

28-5-17 Certain Uses in the Opportunity Corridor Performance (OCP) District.

- (a) Retail trade within the Opportunity Corridor Performance (OCP) District shall be permitted only on tracts in the following locations:
 - (1) The portion of the OCP District which lies easterly of Storrs Street between Loudon Road and Water Street;
 - (2) The OCP District on East Street in Penacook; and
 - (3) The OCP District on Foundry Street in East Concord.

- (b) Restaurants with drive-through service shall be a permitted use on tracts within the Opportunity Corridor Performance (OCP) District meeting the following requirements:
 - (1) The restaurant shall be located easterly of Storrs Street between Loudon Road and Water Street;
 - (2) The tract on which the restaurant is located shall have a minimum lot size of 10 acres;
 - (3) All drive-through stacking spaces shall be accommodated on-site with sufficient distance from the tract's curb-cuts to eliminate risk of vehicular backup or overflow onto public streets;
 - (4) The drive-through lane shall provide at least six (6) stacking spaces behind the ordering station; and
 - (5) Direct pedestrian access from the public street to the restaurant building shall be provided without crossing parking areas, drive aisles, or any other vehicle-accessible area.