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

Staff Report for Planning Board

Meeting on April 16, 2025

**Project Summary – Major Site Plan, Conditional Use Permit, and
Architectural Design Review Applications**

Project: Hampshire Aviation (2025-014)
Property Owner: City of Concord
Applicant: Hampshire Aviation, LLC
Property Address: 65 Airport Rd
Tax Map Lot: 633Z 3 (lease area DZ-4)

Determination of Completeness:

Per Section 11.05 of the Site Plan Regulations, a completed application will contain the required information listed in Section 16 *Application Requirements for Major Site Plans* of the Site Plan Regulations and will be legible and competently prepared. In making a determination of completeness, the Board shall consider the written recommendation of the Clerk, as well as any written communications from the applicant, abutters, and parties of interest; **however, no hearing shall be opened nor shall testimony be received on a determination of completeness.** An application which is determined to be incomplete may be revised and resubmitted to a subsequent of the Board for another determination of completeness. In this case, the applicant requests a waiver from Section 6.03(2)(c) and Section 11.05 of the Site Plan Regulations to allow for the determination of completeness and public hearing in the same meeting, where separate meetings are otherwise required.

Section 36.14(1) provides additional language regarding the determination of completeness, and states that a completed application shall contain all required information for each stage of the application process; shall be legible and properly prepared; shall accurately portray existing conditions; shall be accompanied by copies of special investigative studies; and shall contain sufficient information and detail for a full review and action by the Board.

Section 11.06 *Determination of Regional Impact* provides guidance on determining if a project has potential for regional impact. Factors include proximity of the proposed site plan to municipal boundaries, access to, and egress from, the proposed site plan via regional arterial routes, and/or local streets that cross municipal boundaries, and proximity of the site plan to aquifers, surface waters, or other water resources that transience municipal boundaries. The site is in proximity to the Pembroke city limits, access to and from the site is via a regional arterial route (Airport Road). Accordingly, staff has noted the project as a development of regional impact and notice was thereby given to the Central New Hampshire Regional Planning Commission and the City of Pembroke, sent by certified mail, on March 28, 2025.

The Clerk reviewed the application for completeness based upon the criteria of the Site Plan Regulations and concludes that all criteria for completeness have been met, or will be met with granting of waiver requests, and that the application contains sufficient information and detail for a full review and action by the Board.

Based upon the staff review of the application, staff recommends that the Board move to:

- **Grant the waiver from Section 6.03(2)(c) and Section 11.05 of the Site Plan Regulations using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations to allow for the determination of completeness and public hearing at the same meeting;**
- **Determine the application complete;**
- **State that the project does meet the criteria for a development of regional impact per RSA 36:55; and,**
- **Open the public hearing.**

The Board has 65 days within which to consider and act on the application once the application is determined complete, per RSA 676:4(I)(c). The 65-day period shall commence upon the date of the regular meeting of the Board at which the application was accepted as complete. If the Board determines the application complete and not a development of regional impact on April 16, 2025, then the 65-day review period would end on June 20, 2025. If the applicant has not demonstrated compliance with the Site Plan Regulations by the end of the statutory timeline (June 20, 2025), the applicant may request a postponement or the Board may approve, approve conditionally, or deny the application based on the information provided

If the Board determines the application complete and also a development of regional impact on April 16, 2025, per RSA 676:4(I)(c)(1), the deadline to approve, conditionally approve, or disapprove a complete application is automatically extended by 30 days past the normal 65-day period providing a deadline of **July 20, 2025**.

Project Description:

The applicant is seeking major site plan and architectural design review approvals for a new 11,550-square-foot, 10-bay aircraft hangar and related site improvements, including limited paved access and parking, extension of private utility services, lighting, and a stormwater drainage system, along with conditional use permit approval for a reduction in the minimum width of a driveway connecting a parking lot to a street or another parking lot. The site is addressed as lease area DZ-4 at 65 Airport Rd, in the Industrial (IN) District.

Compliance:

The following analysis of compliance with the Zoning Ordinance and Site Plan Regulations is based on an undated, 1-page project narrative; five undated, 3-page waiver request forms; a 2-page conditional use permit narrative, dated February 19, 2025, prepared by Northpoint Engineering, LLC; a 4-sheet architectural exhibit set, dated January 3, 2025 and March 19, 2025, prepared by Erect-A-Tube, Inc, and Northpoint Engineering, LLC; and a 14-sheet civil plan set, dated February, 2025 with revisions through March 19, 2025, prepared by Northpoint Engineering, LLC.

1. Project Details and Zoning Ordinance Compliance:

Zoning District:	Industrial (IN) District
Existing Use:	Municipal Airport – vacant lease area
Proposed Use:	Municipal Airport – private airport hangar
Overlay Districts:	
Flood Hazard (FH) District	None
Shoreland Protection (SP) District	None

time as the site plan application. Where a conditional use permit is required, no site plan application may be considered complete without the complete conditional use permit application.

A conditional use permit is required as outlined in Item 5 of this staff report, and the required application was submitted with the site plan application.

- 2.3 Per Section 6.03(2)(c), the major site plan phase is a two-step process. The first step is a determination of the Board, after recommendation from the Clerk, that a major site plan is complete or incomplete. Once determined completed by the Board, the major site plan is then scheduled for a public hearing by the Board at the next regular meeting. The applicant requests a waiver from this section of the Site Plan Regulations to instead have the determination of completeness and public hearing occur in the same meeting.
- 2.4 The project was noticed as a development of regional impact on March 5, 2025, and March 28, 2025, and in accordance with Section 11.06 and Section 11.08 of the Site Plan Regulations. The application package was shared with the Town of Pembroke and the Central New Hampshire Regional Planning Commission (CNHRPC). The following comments were received:
 - a. CNHRPC recommendations:
 1. Consider feedback from the Town of Pembroke regarding flight path limitations. Additionally, consider limitations on when flights may occur. (i.e., try to limit flights during evening hours).
 2. Consider feedback from the Capital Mutual Aid communities regarding emergency services, fire suppression, in particular. Work with mutual aid communities to ensure they have the capabilities to address emergency situations both on site and at potential crash sites in their own communities. Lastly, ensure that the Concord Fire Department, as well as Pembroke Fire Department provide review and comment on the proposal.
 - b. Town of Pembroke Recommendations:
 1. No comments were received from Pembroke as of the writing of this staff report.
- 2.5 The Engineering Division reviewed the application and provided the following:
 - a. The project requires the following state and/or federal permits associated with the site design:
 - NHDES Registration and Notification for Stormwater Infiltration to Groundwater; and
 - FAA Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) – Notice of Proposed Construction or Alteration (Form FAA 7460-1).
 - b. Prior to the start of construction, the following permits may need to be obtained from the Engineering s Division:
 1. Excavation Permit
 2. Driveway Permit
 3. Other permits deemed necessary by the City Engineer
 - c. Prior to the start of construction or issuance of a building permit, a pre-construction meeting is required, unless otherwise waived by the City Engineer. Prior to the scheduling of a pre-construction meeting, the applicant shall contact Engineering Division for the pre-construction checklist. A pre-construction meeting shall not be scheduled all pre-construction checklist items have been provided to the satisfaction of the City Engineer and City Clerk.
- 2.6 The Fire Department reviewed the application and had no comments.

- 2.7 The Assessing Department reviewed the application and had no comments.
- 2.8 The General Services Department reviewed the application and had no comments.

Compliance:

The following items from Sections 11, 12, 13, 15, and/or 16 of the Site Plan Regulations appear to be missing from the application, all of which are minimum components necessary to determine the application complete:

- 2.9 Section 12.03(4) requires that architectural elevations shall be signed or sealed by a New Hampshire licensed architect, or a New Hampshire licensed professional engineer, as allowed by the State of New Hampshire professional licensing boards. The required signature and seal are missing and shall be added to the architectural elevation sheet.
- 2.10 Section 16.03(3) *Scale and Plan Size* requires that architectural elevations shall be prepared at a minimum scale of 1/8" = 1'. The provided 1-sheet elevation sheet does not provide a listed scale or scale bar and both shall be added.

The items below appear to be missing from the application, but they are not required as part of the determination of completeness and can be addressed as conditions of approval.

- 2.11 Section 13.02(8) *State and Federal Permits* requires submitting to the Planning Division copies of all required state and federal permits prior to the issuance of a certificate of final approval.
- 2.12 Section 15.02(5) *Easements and Restrictions* requires that each site plan shall contain notations of all easements, covenants, self-imposed restrictions and any other restrictions or notations required by the Board. A lease line adjustment plan and memorandum of understanding shall be prepared to memorialize the proposed relocation/modification of the Airport Development Zone 4 (DZ-4) lease area. The memorandum shall include the City, New Hampshire Fish and Game Department, U.S. Fish and Wildlife Services, and shall be submitted for review by the Clerk of the Planning Board and City Solicitor.
- 2.13 Section 17.01(1) requires that all site plan applications shall comply with applicable State statutes and Federal law and all rules and regulations promulgated in accordance with such statutes and laws. The applicant shall confirm and state that the site plan complies with all Federal Aviation Administration Airport Design and Engineering Standard regulations.
- 2.14 Section 18.07 *Parking Lot Aisles* requires that safe access to parking spaces shall be provided at the end of dead-end parking aisles with sufficient room to maneuver out of each space and reverse direction without backing out of the parking aisle. The current parking configuration does not allow vehicles to safely maneuver in or out of the parking space at the end of the parking lot aisle, nor is there means for a vehicle to safely maneuver to turn around to exit the parking lot aisle. The parking configuration shall be reconfigured to allow safe and maneuverable ingress and egress to and from the parking space.

Item 1 of this staff report acknowledges that the applicant has proposed 10 parking spaces where only 2 are required. Design concerns apply specifically to the last parking space proposed, which also happens to be the required accessible space. Conformance with this regulation may involve reducing the number of external parking spaces being provided and/or reconfiguration of the site parking layout. Staff also acknowledges parking may possibly be permitted inside the T hangars

- when hangared aircraft are in use and not actively stored in the hangar, and could be noted on the plan if applicable.
- 2.15 Section 18.19 *Curbing and Guardrails* requires that curbing and guardrails shall be installed as set forth in Article 28-7, *Access Circulation and Parking* of the Zoning Ordinance and the Concord Construction Standards and Details, as most recently adopted. The Planning Board may specify the use of sloped curbing or guardrail near, or adjacent to, open space areas to allow for the movement of small animals through the site. Section 28-7-7(i) *Curbing and Guardrails* of the Zoning Ordinance requires that, except at exit or access driveways or walkways, curbing or guardrails shall be placed around the perimeter of parking areas containing more than five spaces. For parking areas requiring less than 25 spaces, the curbing or guardrails may be omitted along the sides and rear of said parking area with the approval of the Deputy City Manager for Development, or their designee, provided that there will be no negative impact to abutting property. Staff supports the omission of curbing or guardrails along the sides and rear of said parking area as no negative impact to abutting property would occur as a result.
- 2.16 Section 18.20 *Construction Standards* requires that parking lots shall be constructed as set forth in Article 28-7, *Access Circulation and Parking* of the Zoning Ordinance and the Concord Construction Standards and Details, as most recently adopted. Section 28-7-9(a) *Circulation Within Parking Lots* of the Zoning Ordinance requires that the design of parking lots shall provide for pedestrian circulation between the parking lot and the principal use. Crosswalks shall be provided and clearly demarcated. An accessible path between the parking lot and the building shall be provided. Concord Construction Detail M-3 shall be added to the details sheet of the plan set. Staff additionally notes a proposed 3% cross slope at the location of the accessible parking space which shall be revised for compliance with the federal 2010 ADA Standards for Accessible Design standards.
- 2.17 Per Section 25.01 *General Requirements* of Section 25 *Non-Municipal Utilities*, the applicant is responsible for all coordination with the utility companies to ensure that utilities are installed in accordance with the Board-approved plans, which means that the proposed utility installations shown on Sheet 6 must take place in the locations and manner as depicted on said Sheet 6. This includes the proposed underground electrical service from utility CECO 8/NET and T6 to the hangar building. While the Site Plan Regulations do not require prior coordination with utility companies as part of the site plan approval process, staff notes that any changes to said Sheet 6 that take place after the Board's public hearing and approval are subject to either administrative approval or additional approval by the Board through an amendment application; thus, staff strongly encourages that the applicant present said Sheet 6 to all non-municipal utility companies as/if applicable, and especially the owner of utility CECO 8/NET and T6, prior to any public hearings to ensure that there will be no changes after the public hearing.
- 2.18 Section 29.04 *Building and Façade Lighting* requires that all building and canopy lighting shall meet the standards contained in Section 28-7-7(j) *Illumination of Parking Areas* of the Zoning Ordinance, and the standards established herein. Section 28-7-7(j) *Illumination of Parking Areas* of the Zoning Ordinance requires that all parking lot lighting shall be subject to a 4:1 uniformity ratio, which is the ratio of average illumination to minimum illumination. The applicant shall include as part of the tabulation table provided on the sheet containing the lighting plan the required uniformity ratio tabulations, and shall also demonstrate compliance with a 4:1 uniformity ratio or better.

3 Variances:

- 3.1 No variances are requested.

4 Waivers:

- 4.1 The applicant requests waivers from the following sections of the Site Plan Regulations:
- a. Section 16.02(15) *Landscape Plan* and Section 27.03 *Landscape Plans*, to not require a stamped landscape plan showing the location of existing, required, and proposed landscaping, or a plant schedule of all proposed plant material, and landscape construction details;
 - b. Section 15.04(28)(a)-(p) *Tabulations*, to omit a tabulation of zoning district dimensional requirements;
 - c. Section 18.17 *Tree Plantings*, to not require that one tree be planted for each 1,000 square feet of any proposed parking area;
 - d. Section 16.03(9) *Colored Rendering* and Section 11.01(9), to not require colored renderings of the proposed hangar building as part of the application.

5 Conditional Use Permits:

- 5.1 The applicant requests approval for a conditional use permit pursuant to Section 28-7-11(g) *Driveway Width Reduction* of the Zoning Ordinance for a driveway designed for two-way traffic flow with a width of 18 feet, where normally 24 feet is required. The applicant provided a narrative addressing the criteria of approval.

Staff reviewed the narrative, found that the criteria are satisfactorily addressed, and supports granting the conditional use permit for a drive aisle width reduction to 18 feet.

6. Architectural Design Review:

- 6.1 The applicant appeared before the Architectural Design Review Committee on April 1, 2025. The application was reviewed for conformity with the Architectural Design Guidelines; harmony and compatibility with existing architectural character of the site, district, or location; integration into site design of significant natural features on site and abutting properties; and, the integration of landscaping, parking, and site features into the overall design of the project.

The Architectural Design Review Committee recommended that the Planning Board grant architectural design review approval for the application as submitted.

7. Conservation Commission:

- 7.1 No appearances before the Conservation Commission are necessary for this application.

8. Recommendations:

Staff recommends that the Planning Board discuss and adopt the findings of fact, which include: information provided in staff reports; the applicant's submission materials; testimony provided during the public hearing; and, other documents or materials provided in the public hearing.

Based on the adopted findings of fact, staff recommends that the Planning Board make the motions outlined below:

- 8.1 **Grant architectural design review approval** for the proposed 11,550-square-foot, 10-bay aircraft hangar and related site improvements as submitted.
- 8.2 **Grant the waiver requests below** from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:36(II)(n)(2) and Section 35.08 of the Site Plan Regulations:

- a. Section 16.02(15) *Landscape Plan* and Section 27.03 *Landscape Plans*, to not require a stamped landscape plan showing the location of existing, required, and proposed landscaping, or a plant schedule all proposed plant material, and landscape construction details;
 - b. Section 15.04(28)(a)-(p) *Tabulations*, to omit a tabulation of zoning district dimensional requirements
 - c. Section 18.17 *Tree Plantings*, to not require that one tree be planted for each 1,000- square-foot of any proposed parking area; and
 - d. Section 16.03(9) *Colored Rendering* and Section 11.01(9), to not require colored renderings of the proposed hangar building as part of the application.
- 8.3 **Grant the conditional use permit** from Section 28-7-11(g) *Driveway Width Reduction* of the Zoning Ordinance for a driveway designed for two-way traffic flow with a width of 18 feet, where normally 24 feet is required.
- 8.4 **Grant major site plan approval** for the 11,550-square-foot, 10-bay aircraft hangar and related site improvements, including limited paved access and parking, extension of private utility services, lighting, and a stormwater drainage system, at 65 Airport Rd, in the Industrial (IN) District, subject to the following precedent and subsequent conditions:
- (a) **Precedent Conditions** – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the Planning Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void. Precedent conditions are as follows:
 1. Revise the plan set to show full compliance with the Concord Municipal Code, Site Plan Regulations, and Concord Construction Standards and Details, including but not limited to, the following, and **upload revised documents for review into the online portal:**
 - a. Per Section 12.03(4), the architectural elevations shall be signed or sealed by a New Hampshire licensed architect, or a New Hampshire licensed professional engineer, as allowed by the State of New Hampshire professional licensing boards.
 - b. Per Section 16.03(3) *Scale and Plan Size*, the architectural elevations shall be prepared at a minimum scale of 1/8" = 1', and the required scale and scale bar shall be added.
 - c. Per Section 13.02(8) *State and Federal Permits*, copies of all required state and federal permit applications shall be provided prior to the issuance of a certificate of final approval.
 - d. Per Section 17.01(1) the applicant shall confirm and state that the site plan complies with all Federal Aviation Administration Airport Design and Engineering Standard regulations.
 - e. Per Section 18.07 *Parking Lot Aisles*, safe access to parking spaces shall be provided at the end of dead-end parking bays with sufficient room to maneuver out of each space and reverse direction without backing out of the parking bay.
 - f. Per Section 18.20 *Construction Standards*, the applicant shall provide an accessible path between the parking lot and building. City of Concord Construction Detail M-3 *Pavement Markings* shall be added to the details sheet of the plan set.
 - g. Per Section 29.04 *Building and Façade Lighting*, the applicant shall include as part of the tabulation table provided on sheet 6 Lighting Plan the required uniformity ratio tabulations, which shall also demonstrate compliance with a 4:1 uniformity ratio or better.
 2. Revise the plan set to show full compliance with the Concord Municipal Code, Site Plan

Regulations, and Concord Construction Standards and Details, including but not limited to the following:

- a. Per Section 15.02(5) *Easements and Restrictions*, a lease line adjustment plan and memorandum of understanding shall be established to memorialize the proposed relocation/modification of the Airport Development Zone 4 (DZ-4) lease area. The memorandum shall include the City, New Hampshire Fish and Game Department, U.S. Fish and Wildlife Services, and shall be prepared and reviewed to the satisfaction of the Clerk of the Planning Board and City Solicitor.
 - b. Per Section 25.01 *General Requirements*, the applicant shall provide written confirmation from the utility pole owner that the applicant's proposed utility plan is feasible and satisfactory.
3. Either the cover sheet or the site plan sheet shall list all approved variances, waivers, and conditional use permits with the section numbers and description, and date of approval. Any item for which a variance, waiver, or conditional use permit has not been specifically requested and specifically granted shall be shown on the plan set as fully complying with the applicable requirement, standard, detail, or regulation.
 4. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Concord Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk. The plan sets shall contain the signature and seal of the appropriate licensed professionals as outlined in the Site Plan Regulations.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the Concord Municipal code, Site Plan Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is specifically requested and granted.
 2. Per Section 7.08(7) *Building Permits and Certificates of Occupancy*, no building permit shall be issued where site plan approval is required until the site plan has been approved by the Planning Board, and the pre-construction conditions of approval have been satisfactorily addressed as determined by the Clerk of the Planning Board. No certificate of occupancy shall be issued until all public and private improvements have been completed, and all conditions of a site plan approval established by the Planning Board have been satisfactorily addressed as determined by the Clerk of the Planning Board.
 3. Per Section 7.08(8) *Change of Use*, no change of use approved by the Planning Board shall be allowed to commence operation on a property or within a building without being in full compliance with the approved site plan, architectural design review approval, and any applicable conditional use permits.
 4. Per Section 27.11 *Site Stabilization Guarantee* a site stabilization guarantee shall be provided to ensure the site is properly stabilized. The City Engineer may call said financial guarantee, and stabilize a disturbed site if, upon notice, the applicant has not stabilized or restored the site.
 5. Per Section 36.02 *Conditions* the applicant has the duty to comply with the approved site plan and any reasonable conditions set forth by the Planning Board for design, dedication, improvement, and restrictive use of the land.
 6. Per 36.15 *Compliance with Regulations* no site construction, or change of use of land, shall occur in violation of the Site Plan Regulations and the Zoning Ordinance. No building permits may be issued for any building, structure, site improvement, or change

of use prior to site plan approval and the satisfactory completion of any pre-construction conditions of Planning Board approval. The Clerk shall not approve any certificate of occupancy, nor shall any use of a building or site commence, unless the proposed improvements, and the proposed use of land or buildings, is found to comply with the approved site plan and the conditions of Planning Board approval.

7. Per 36.24 *Inspections* the Community Development Department shall be responsible for inspecting the site plan improvements for conformity with the approved plans and conditions of Planning Board approval. The City may assess the application for all or a portion of the cost, including overhead, of the necessary inspections. No certificate of occupancy shall be issued until the development has been completed according to the approved plans.
8. Per Section 36.25 *As-Built Plans* the applicant's engineer or surveyor shall submit to the City Engineer a detailed as-built survey for all site plans showing the location of buildings, structures, utilities, parking and loading areas, driveways and access, as well as for any public improvement required by the City Engineer. The as-built survey shall also be submitted in digital format and media conforming to the Engineering Division's as-built checklist.
9. Per Section 36.27 *Release of Financial Guarantees* a release of any financial guarantee assurance shall not be undertaken until the Clerk of the Planning Board and the City Engineer have ascertained that all site related improvements, or required public improvements, have been constructed in conformance with the approved plans and specifications.

Prepared by: ATB