

**City of Concord Planning Board
Special Meeting
November 28, 2017
Minutes**

The City Planning Board held a special meeting to discuss the proposed Main Street Guide on November 28, 2017, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 pm.

In attendance were: Chairman Richard Woodfin, Councilor Byron Champlin, Members David Fox and Theresa Rosenberger, Alternate Chiara Dolcino and Alternate Frank Kenison.

Also in attendance were: Architectural Design Review (ADR) Committee Co-Chairs Elizabeth Durfee-Hengen and Jay Doherty, Members Doug Shilo, Jen Czysz, and Margaret Tomas, and Heather Shank, City Planner.

Ms. Shank stated that the schedule for the meeting was to discuss big picture items such as the intent, purpose, and overall layout of the document until 7:30; go through the document page by page until 8:30, and then spend 30 minutes discussing the issue of balconies. She passed out the current draft of the document, as well as copies of the City's Architectural Design Guidelines, and a document created by Main Street Concord, Inc. pertaining to renovation of the historic buildings in downtown Concord.

Ms. Shank stated that Planning staff created the document at the request of Council, with the intent to coordinate the use and appearance of the new Main Street streetscape. The document applies to the area covered by properties fronting on Main Street, from Centre Street to Concord Street, including the adjacent side streets. She noted that staff met several times with ADR to review early drafts and get feedback on the direction of the document, and that their input had been incorporated into the current draft.

Chairman Woodfin stated that adoption and enforcement of the document needed to be discussed further. Ms. Shank noted that the document thus far is conceived as a Planning Board document, which includes guidelines denoted with the language "should", as well as recommendations for new standards indicated with the language "shall". Amendments to the regulations will need to be drafted for any new standards. She stated that there are also guidelines and standards recommended pertaining to the City right of way. If City Council chooses to adopt these as standards, separate amendments to the City Code will need to be drafted as well. For the time being, Code is the office responsible for enforcement, though she noted that a question had been raised pertaining to the role that General Services may play in notifying or reporting on violations since they are frequently working on Main Street.

Mr. Fox and Mr. Kenison asked if language could be added to the document regarding enforcement and penalties for noncompliance. The group discussed challenges with enforcement and what types of fines or penalties could be assessed. Ms. Shank noted that these issues should be discussed with Code and incorporated at a later date when proposed amendments to the regulations are drafted.

Ms. Shank stated that, in addition to addressing the typical features that make up the streetscape, a guiding factor in determining what to include in the document was the notion that a 5 to 6 foot wide linear pedestrian clear zone should be maintained by business owners, free from encroachments from private amenities such as outdoor dining furniture and signage. She reviewed the "Sidewalk Zones" page from the document and explained the intent and definition for each zone.

Councilor Champlain noted that in the past Council had discussed specific locations for public art at the bump outs, including static and performance art. It was suggested that the map of these locations be included as an appendix, and referenced on the "Private Use of Zone C" page and the "Public Art" page.

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Mr. Kenison stated that the requirement for a license agreement with the City should be referenced along with language regarding where outdoor dining is permitted.

Replacing images on various pages with better examples was discussed. Several members offered to assist with finding images. The group discussed materials and methods for delineating outdoor dining areas. Ms. Durfee-Hengen suggested finding a better picture demonstrating an example of a well delineated outdoor dining area. The “Planters” page was discussed along with the need to reference ADA recommendations pertaining to height clearance for hanging planters.

Ms. Rosenberger stated that she felt the sandwich boards were cluttering the sidewalk and that they detract from the improvements made to Main Street. Ms. Shank stated that the sandwich boards are currently not permitted by the zoning ordinance, but that the Main Street Guide is essentially proposing to allow them. She noted the challenges in enforcing the existing regulation, since many business owners are currently using sandwich boards.

The group discussed the challenges of allowing, regulating, reviewing, and enforcing standards for sandwich boards. Ms. Shank stated that if sandwich boards continue to be prohibited, the guidelines should indicate this, and that staff and the Council should be prepared to enforce the regulation if the business owners push back. She stated that business owners should be notified of the regulation during the public meeting to review the document with Intown Concord and the Merchants Roundtable, and that they should be made aware that the City intends to start enforcing the sandwich board prohibition. Otherwise, the issue will not be addressed. The signs are likely to continue to grow in number and possibly in size, and may continue to be located in areas that block access and use of public amenities, including the sidewalk.

Most members were against allowing the sandwich boards. Chairman Woodfin asked to remove this page from the document. He noted that if every first and second floor business was allowed to have sandwich boards, they would overwhelmingly clutter the sidewalk. Additional sandwich boards used for businesses that are located off Main Street also add to the clutter. The group also expressed concern that the messages on the signs cannot be regulated, whether they advertise daily specials, business hours, political messages, or other off- premise businesses. Ms. Dolcino asked how other communities handle this issue. Ms. Shank stated that she would look into it.

Chairman Woodfin asked how the issue of prohibiting internally lit or projecting signs on Main Street should be addressed since the ordinance permits both currently and the City continues to receive applications for them. Ms. Shank stated while the document does address these concerns, zoning amendments would need to be drafted and adopted to give a solid basis for Planning Board decisions. Chairman Woodfin requested that staff work on this.

The group used the remaining time to discuss balconies. Ms. Shank noted that several members of the ADR Committee were opposed to any balconies on the front of historic buildings. Other ADR members thought they could be done well but that this was so unlikely that they should be prohibited to avoid mistakes.

Chairman Woodfin stated that he does not feel that balconies should be permitted in the right of way, whether on a new building or on an existing building, due to concerns about ice falling in winter, and items such as beer bottles falling at other times. Ms. Durfee-Hengen pointed out that they should not be permitted from an aesthetic perspective because there is no precedent for balconies that would be compatible with the style and period of the historic buildings on Main Street.

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The group agreed that balconies should be allowed if they are inset into a new structure, or if the building is set back enough such that the balcony is out of the right of way.

Ms. Shank questioned whether prohibiting balconies in the right of way might incentivize demolition of existing buildings if there were enough financial incentive to redevelop housing with balconies on Main Street. She suggested that the only way to prevent this would be to have an overlay district where no balconies are permitted. The group was in favor of this suggestion.

The group discussed meeting again to finish reviewing the document. Chairman Woodfin suggested discussing it at the regular Planning Board meeting on December 20th. Ms. Shank said she would coordinate with ADR to find the best time.

The meeting adjourned at 9:15.

A TRUE RECORD ATTEST:
Heather Shank
Clerk