



CITY OF CONCORD

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Community Development Department

Planning Board

September 18, 2019

Project Summary – Amendment to Major Subdivision Plan

Project: Abbott Village (2010-48)
Property Owners: Abbot Farm LLC
Address: Callaway Drive, Cleveland Avenue, and Camelia Avenue

Project Background:

Planning Board, at its regular meeting on March 20, 2019, voted to amend the previously approved subdivision plan to allow for the issuance of building permits for Phase 5 construction prior to the completion of Phase 4, with the condition that no Certificates of Occupancy (CO) be issued until the Planning Board reviews and votes on the Applicant's future request to alter the original condition that the Abbott House be restored, and that a second opinion on the structural integrity of the Abbott House be obtained. At the August 21, 2019 meeting, the Applicant presented the report from Bedard Preservation and Restoration, LLC for a second opinion on the building condition. During the meeting, the Applicant presented a proposal for the phasing of improvements to the exterior of the Abbott House, including the replacement of the roof and repairing and/or replacing the siding as determined and/or suggested by Mr. Bedard, in his professional opinion. Staff understands that the timeline proposed is as follows:

- The applicant is proposing replacement and/or refurbishment of the roof of the main portion of the Abbott House, not including the ell, prior to October 2019. Upon completion of the roof work, the Applicant requests the issuance of 8 COs in Phase 5.
- The applicant proposes to continue work on the exterior restoration of the main portion of the Abbott House, not including the ell, for completion by January 2020. As a surety for the completion of this work, the Applicant offered as a condition that no additional building permits be issued prior to the completion of this work. The applicant states that the longer timeline for the exterior improvements is to complete the work on the main portion of the house under the guidance of Mr. Bedard to restore the exterior to a near resemblance of its original, historical state.
- The applicant proposes to demolish the ell structure and close off the connections to the ell on the main building and on the carriage shed/barn.

At the August 2019 meeting, the Planning Board Chair requested that the Board not consider the request during the meeting since there was insufficient time to review the proposal, and referred the request to Planning Staff and the City Solicitor's office for clarification of the applicant's responsibilities in accordance with previous approvals. A copy of the applicant's request is attached to this agenda item.

The current status of each Phase is as follows:

- Phase 1: Units 100% complete (5 total units), final pavement course required
- Phase 2: Units 100% complete (5 total units), final pavement course required
- Phase 3: Units 100% complete (8 total units), final pavement course required

- Phase 4: Units 100% complete (16 total units), final pavement and Abbott House restoration required
- Phase 5: Community center and pool are complete, base course for road is complete, 16 units under construction (28 total units)
- Phase 6: No units constructed (17 total units), utilities in ground, road alignment approved

It should be noted that in October 2016, the Planning Board granted an extension of the phasing as follows:

- Phase 4 to be completed and signed off by October 19, 2018;
- Phase 5 to be completed and signed off by October 19, 2020; and
- Phase 6 to be completed and signed off by October 19, 2022.

Phase 4 includes the Abbott House restoration. Therefore, the applicant is currently in default of the phasing timeline as approved in October 2016. Please note that the applicant has received 16 building permits; they are seeking COs for 8 of them at this time.

Discussion

After review of the relevant documents, including, the original application, approved plans, Planning Board, Architectural Design Review Committee and Heritage Commission decision letters, Planning Staff reports, and meeting minutes for the history of the project, we have determined that, at this juncture, the applicant is responsible for roof and exterior improvements to the Abbott House, including the ell.

Staff acknowledges that the Bedard report recommended demolition of the ell. Staff also acknowledges that, as stated during the August 2019 Planning Board hearing, a significant amount of the interior damage has occurred as a result of neglect of the structure, the roof in particular.

Recommendations

The applicant has requested that the Planning Board authorize the issuance of eight (8) COs in Phase 5 when it has defaulted on its obligation to rehabilitate the exterior of the Abbott House in Phase 4. City Staff recommends that the Planning Board authorize the issuance of the 8 COs, subject to the following conditions:

- (1) The applicant provides a financial surety be issued to the City to ensure completion of the exterior improvements to the entire Abbott House, including the ell, prior to the issuance of the 8 COs for any unit in the development. The exterior improvements shall be in accordance with the August 4, 2005 Heritage Commission recommendations and the applicant's March 16, 2005 proposal. The August 4, 2005 Heritage Commission report and the applicant's proposal are attached for reference. The financial surety shall also require that the exterior roof improvements be completed on or before December 2019. The remainder of the exterior improvements shall be completed on or before August 2020. The financial surety shall be subject to City staff approval.
- (2) No additional COs shall be issued for any units in the development until exterior improvements to the entire Abbott House, including the ell, are complete to the satisfaction of a third party agreeable to the City.
- (3) In addition, no additional building permits shall be issued until a CO is issued for the Abbott House or until the applicant reaches an agreement with a third party to complete the process for a CO to be issued for the Abbott House.

The Planning Board may also consider alternative options to ensure that the Abbott House is properly restored such that a certificate of occupancy may ultimately be issued for the Abbott House.