CITY OF CONCORD
NEW HAMPSHIRE
Community Development Department
Code Administration Division

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March 21, 2013

The Zoning Board of Adjustment will meet on Wednesday **April 3, 2013** at **7:00 PM** in the Council Chambers of the Municipal Complex at 37 Green Street.

April 3, 2013 ZBA Meeting Agenda

1) Call meeting to order
2) Review and acceptance of Minutes
3) Chairperson's comments
4) Public Hearings:
5) Any other business that may legally come before the Board

The Zoning Board of Adjustment will hold a public hearing on the following appeals:

Public Hearings

15-13 **Steven Carter:** Applicant wishes to remove a 15' wide x 18' deep garage and replace it with a 20' wide x 22' deep garage and maintain and extend the existing non-conforming side and rear setbacks and requests the following:

1) Variance to Article 28-4-1(h), The Table of Dimensional Regulations, to permit a side setback of 1'6" where a side setback of 10' is required and,
2) Variance to Article 28-4-1(h), The Table of Dimensional Regulations, to permit a rear setback of 2' where a rear setback of 25' is required,

For property located at 6 Dunklee Street in an RN Residential Neighborhood District.

16-13 **Tedeschi Food Shops:** Applicant wishes to construct a 4-position fueling canopy to replace an existing 8-position canopy, reconfigure 3 driveways, reconfigure parking and requests the following:

1) Variance to Article 28-4-1(h), The Table of Dimensional Regulations, to permit a front setback of 18' where a front setback of 30' is required,
2) Variance to Article 28-7-2(e), Table of Off-street Parking, to permit the provision of 89 parking spaces when 109 are required,
3) 28-7-5, Requirements for Accessible Parking Spaces, to allow the provision of 1 accessible space when 4 accessible spaces are required,
4) Variance to Article 28-7-7 (e), Minimum Aisle Widths, to permit one-way aisle widths of 12'8", when 15' is the minimum aisle width allowed,
5) Variance to Article 28-7-7(f), Driveway Widths, to maintain a driveway width of 38' on Village Street and 76' & 44' along Borough Road when 28' is the maximum allowed,
6) Variance to Article 28-7-7(g)(2), Setbacks and Restrictions, to maintain parking with no setback from a front property line and stacking spaces within 7'3" of a front property line when a 10' setback is required,
7) Variance to Article 28-7-7(g)(3), Setbacks and Restrictions, to maintain and add parking in front between the building and the street when parking in a General Commercial (CG) District is to be located to the side or rear of any building or structure.
8) Variance to Article 28-7-10, Perimeter Landscaping, provide variable width parking lot perimeter landscaping ranging from 0' and 10' in width between the parking lot and the front property lines when a 10' landscaped strip is required along both front property lines,
9) Variances from Article 28-7-13, Off Street Loading Requirements,
   a. To provide 1 loading space when 2 spaces are required,

b. Location of Loading Spaces, to locate the loading space in front of the building when the loading space is required to be located to the side or rear of a building,
c. Design Standard for Loading Spaces, to permit a loading space with an area of 490 s.f. when 1,000 s.f. are required,
d. Setbacks for Loading Spaces, to permit a loading space with no setback from a property line when a loading space must be at least 10' from any property line,

10) Variance to 28-7-14(b), Location of Refuse Container Area, to permit the refuse container loading area to be located so as to require a collection vehicle to maneuver to and from the adjacent street by backing or maneuvering into the street,

All for property located at 9 Village Street, Penacook in a CG General Commercial District.

17-13 **WBIN Media, Inc.:** Applicant wishes to re-develop the former Walker School property from an elementary school to a radio/television media facility (use K-10) and requests the following:

1) Variance to Article 28-4-2(e), Buffers for District Boundaries in Collector or Local Streets, to permit buffers that average less than 15 feet in in depth around the perimeter of the site when a buffer ranging between 10 feet to 20 feet with an average width of 15 feet is to be provided,
2) Variance to Article 28-6-7(i), Signs Prohibited, to permit 2 building signs with the highest point 33.5 feet above grade where the highest point cannot be more than 25 feet above grade for buildings which are less than three stories in height.
3) Variance to Article 28-6-9(c)(1), Permitted Freestanding Signs, to permit 3 freestanding signs totaling 65 s.f. when 1 freestanding sign of 40 s.f. is permitted,
4) Variance to Article 28-6-9(c)(2), Permitted Freestanding Signs, to permit free-standing signs within 5 feet of a lot line and within 50 feet of a residential zoning district when no point of a freestanding sign may be within 5 feet of a property line or within 50 feet of a residential district boundary,
5) Variance to Article 28-6-7 Signs Prohibited, (m) to permit off-site signage where signs unrelated to the principal use of the property is not permitted & (g) to permit a sign other than a sign erected by or on behalf of a governmental body to be located in or on a public right-of-way,
6) Variance to Article 28-7-2(e), Table of Off-Street Parking, to provide 58 parking spaces where 97 are required,
7) Variance to Article 28-7-7(g)(1), Parking Restrictions in the Required Front Yard, to permit parking in the front yard of property located in the Institutional (IS) Zoning District where said parking is prohibited,
8) Variance to Article 28-7-7(g)(2), Setbacks from Lot Lines, to permit parking within 10 feet of a collector or arterial street (North State Street and Bouton Street) and within 5 feet from Church Street for an existing parking lot, when 10 foot and 5 foot setbacks are respectively required.
9) Variance to Article 28-7-10(a), Parking Lot Perimeter Landscaping Required, to provide less than 5 feet of parking lot landscaping for the existing parking lot adjacent to Church Street and less than 10 feet of parking lot landscaping along North State Street and Bouton Street for a proposed parking lot, where a 5 foot parking lot landscaping buffer along the Church Street parking lot is required, and a 10 foot parking lot landscaping buffer along North State Street and Bouton Streets.

For property located at 4 Church Street in a IS Institutional District with an HI Historic District overlay.

18-13 **Interchange Development, LLC:** Applicant wishes to install a multi-tenant directory sign and requests a Variance to Article 28-6-9(a), Table of Maximum Sign Dimensions for Nonresidential Districts, to permit a freestanding sign of 95 s.f. where 60 s.f. is the maximum allowed for property located at 1 Whitney Road in a CU Urban Commercial District.

19-13 **Peter Webster, for Webster Peter Realty, LLC:** Applicant requests a Special Exception under Article 28-8-4(c)(2) to permit an expansion of a non-conforming steel manufacturing, fabrication and warehouse facility (uses K-7 & L-1) to add a 2 story 674 s.f. foot print addition which equals a 2.9% expansion of the existing building when a maximum expansion of 10% is permissible by Special Exception, for property located at 10 Basin Street in an OCP Opportunity Corridor Performance District in an F-1 Flood Hazard Overlay District.

20-13 **John L. Arnold for P&M Realty of Concord, LLC:** In accordance with Article 28-9-3(C)(6), Expiration of a Variance, applicant is requesting a 1 year extension to the variances granted for Case #04-11 to establish a steam generating plant (use K-11) requiring Variances to:

1) Article 28-4-1(h), Table of Dimensional Regulations, to permit a building structure with a height of 82 feet where a 45 foot maximum height is allowed,

2) Article 28-4-1(g), Applicability of Design Standards to Performance Districts, to permit a development with a floor area ratio (F.A.R. = The total floor area on a lot, divided by the (total) lot area of the lot) of 0.045 where a minimum FAR of 0.3 is required, and
3) Article 28-2-4(k), Table of Accessory Uses, to permit outdoor storage of materials and inventory (accessory use B-7),

all for property located off of Langdon Street (M/B/L 25B/1/1) in an OCP Opportunity Corridor District and an RO Residential Open Space District.

Rose M. Fife, Clerk
Zoning Board of Adjustment

NOTE: Any person who feels that he or she may be unable to participate in this hearing, because of the limitation of a physical or emotional disability, is asked to contact the Clerk at least 48 hours prior to the event. All reasonable efforts will be made to provide for your participation in the hearing.

For meetings held in the City Council Chambers, any person who is unable to access the upper level of the Council Chambers to address the City Council or any other public body may use the podium and/or microphone located at the lower level of the Council Chambers. Other reasonable accommodations may be available upon request.