

PRESENT: Vadney, Chairman; Sorell, Vice-Chairman; Bayard, Secretary; Dever, III; Kahn; Touhey; LaBrecque, Town Planner; Harvey, Clerk

Kahn moved, Sorell seconded, THAT WE APPROVE THE MINUTES OF JULY 8 AND JULY 22, 2008, AS PRESENTED. Voted 5-0 in favor, 1 abstention.

LaBrecque – At our last public hearing, Laconia Area Community Land Trust requested a continuance for the Boynton Road design and for the purpose of posting a Performance Guarantee. Due to the unwillingness of some of the abutters to sign the MOU's for easements to the Town for the road improvements, they had to do some re-engineering and they were unable to make the deadline for today's meeting so they requested a continuance and they will be back at our next meeting on August 26<sup>th</sup>.

### APPLICATION SUBMISSIONS

1. **CROSSPOINT ASSOCIATES, INC.** – Architectural Design Review of proposed renovations to an existing commercial building (movie theater), Tax Map U15, Lots 1A and 1D, located at 38 N.H. Route 25 in the Central Business District.
2. **CROSSPOINT ASSOCIATES, INC.** – Architectural Design Review of proposed renovations to an existing commercial building, Tax Map U15, Lot 1A, located at 52 N.H. Route 25 in the Central Business District.

Crosspoint Associates propose to improve the architectural façade of the movie theatre building located in the Meredith Shopping Center site which is currently under construction. The proposal includes adding architectural elements, colors and building materials which are consistent with the Architectural Design Review Ordinance and will also provide a cohesive look with the new shopping center. The application and abutters list are on file, the filing fees have been paid and it's recommended the application for architectural design review be accepted as complete for the purpose of proceeding to a public hearing this evening.

Bayard moved, Dever seconded, THAT WE ACCEPT THE APPLICATIONS OF CROSSPOINT ASSOCIATES, INC. FOR ARCHITECTURAL DESIGN REVIEW OF THE MOVIE THEATRE AND COMMERCIAL (FLORIST) BUILDINGS AND PROCEED TO PUBLIC HEARING THIS EVENING. Voted unanimously.

### PUBLIC HEARINGS

1. **CROSSPOINT ASSOCIATES, INC.** Chris Williams – I think you're all familiar with the movie theatre building and one of the things we really wanted to do was get it to relate better to the rest of the shopping center and also to the community. Primary in our thinking was that we really want to create something that has texture and pedestrian scale and the building, as you know right now, is somewhat of an elephant sitting in the middle of the parking lot and by taking the building and putting clapboards on it and a stone base, we're not only relating to the original

building but we're breaking down the scale so the building has much more character and fits in with the overall community and relates very well to the overall shopping center. An image shows the building in context with the entire shopping center plus the florist shop on the far side. The goal is to get all of these buildings to work together. The idea of leaving the upper part of the building blank was something we're trying not to call attention to that piece but to have the stronger architectural elements bring the eye down. In this project, the exterior signage has already been previously approved. There is some signage on the building currently and those signs as proposed would remain as is. There are some embellishments that might come about later with flowers and possibly some minor changes in lighting but we would hope we could work with Angela to get approval on those as an administrative decision. Vadney – What is the siding itself? Williams – The siding is a composite siding, the same as on the main building and a manufactured stone applied to the base. Vadney – Do you have pictures of the building as it exists today? Williams – No. Bayard – This concerns the lighting. The lighting you're proposing here I assume would be downward lighting? Is the lighting on the rest of the place going to be more like that too and in the parking lot. Williams – Yes, it is. (inaudible – no mike) Vadney – You couldn't do much to the theatre as it is that would hurt it so I'd be hard put to complain about it. Williams – The interior is not changing at all. Touhey – I understand the beige color and then the white above, can you explain the composition of that? Williams – The goal with the white is we're hoping that people don't focus so much on the white, it's there but we're not trying to call attention to it. Our goal is by putting the color down below; we're trying to get people to focus on what's within normal eye range. Touhey – Is that the same kind of siding? Williams – The upper part is simply going to be painted. Vadney – I will remind the public that most on this Board several years ago we went to bat for the theatre because there was a plan at one time to take it down and it's a pretty valuable thing to the Town and at one of the presentations that were being worked by the highway task force would have brought a road right through the middle of it and that was abandoned. It does have the problem and I'll point out and this doesn't affect it because it's remaining a theatre as is but when we approved the whole thing there were parking waivers and it is a tight lot for parking and should the use of that building go away from being a theatre into something that had hours of operation that were quite different, that would require another look. Liz Lapham asked if the in and out for the shopping center could be clarified. John Hueber – Where the florist building is, that's the main entrance and that's been constricted because they are working on drainage and other things. They will be opening that fully so there are two lanes in and one lane out and there's a stacking lane in the main road at Route 25 coming from the main intersection and then a right in flows in pretty easily from Route 25 and then there is another essentially a right in and a right out further down. You are allowed to come in there right only coming down the hill. Liz Lapham – That doesn't look clear right now. Hueber – They haven't put the paint on the road yet or done any of that so they really have to get it all finished. We're planning on getting this open sometime in November, hopefully, as early as possible or as late in October as we can, but when all that stuff is on the ground and the lines are there and the turning arrows, I

think it will make a lot more sense. The reason why we did that was because as you know the tail end of the queue from the signal goes up there and we tried to push the new entrance up as far on the road as we could so we don't have that lockup with that left-turn lane. Hueber – One thing that doesn't show up here is that you approved an extensive landscaping plan in front of here and that will sort of work with and soften the building. It's pretty stark right now when you see these computer models, the coloring is nicer than this. Touhey – I'm particularly concerned about the long back wall and know there's no point in putting windows there and the like. Could you describe what kind of vegetation you might put there? Hueber – It's pretty much on the landscape plan but there is a swale along there. The good news is the engineering work we've done on the site, I think has been tested pretty well with this weather and everything works very well. We've been working with the theatre to contour the grades around it because they've been having a water problem inside and I think we've fixed that. We'll be coming back in the fall to do the landscaping. John Edgar has been on our case as well to make sure we put stuff in that looks right and grows well. Vadney – The real saving grace for that wall is the way the building is situated, you actually don't see that wall very much, it's kind of at an angle.

Kahn moved, Dever seconded, MR. CHAIRMAN, I MOVE THAT WE APPROVE THE APPLICATION FOR ARCHITECTURAL DESIGN REVIEW WITH RESPECT TO THE MOVIE THEATRE, TAX MAP U15, LOTS 1A AND 1D AND FIND THAT THE PROPOSED DESIGN DEMONSTRATES SUBSTANTIAL CONFORMITY WITH THE GENERAL AND SPECIFIC CRITERIA SET FORTH IN THE ORDINANCE. Voted 6-0 in favor of the motion.

Chris Williams – For the Florist building, what you are seeing right here is the building with new cladding and so forth but one significant change I want to point out is this porch that has been added on the Route 25 side, the south side of the building and that really was added to bring down the scale and to create something of architectural interest on Route 25. This is the largest element in the building and it really needed something to bring it down to the residential scale to relate to the buildings further out Route 25 and in addition, as you can see here, it starts to relate more to the main part of the shopping center. One of the things with that is it is an incursion into the setback; it is a 7' incursion. There is no added square footage within the building so that's basically an open porch at this time. With the rest of the building, currently what you see here are some gable ends that would relate to entries into the building. At present we do not have specific tenants lined up and I should point out there may be some changes here once specific tenants are secured for the building but the goal is to make it more pedestrian friendly, architecturally interesting and relate to the rest of the community. The hope is that with the approval, once we have a tenant, we could work out with Angela any specifics relating to entrances relating to specific tenants. Again, the materials are the same, the colors are the same. LaBrecque – This one is a little bit different than our typical architectural design review application because the applicant is requesting a special use permit to reduce the front setback from 30' to 23' for the

addition of that porch. It's stated in the Architectural Design Review Ordinance that the Planning Board has the ability to grant a Special Use Permit for setback relief for the purpose of adding architectural elements and only in conjunction with an Architectural Design Review application so this is what the applicant is proposing to do with this. Specific justification was provided and basically it was reviewed briefly, but breaking up the massing of the building on that end, adding architectural features consistent with the surrounding buildings and those types of things are outlined in the building criteria and are also part of the justification for this special use permit to reduce the setback and currently the building is right on the setback and it's at 30'. The proposed addition would then be at 23' from the setback, however, the setback line as you can see in that partial site plan is that pink line and it is a ways back from the sidewalk and the ROW so even though it is 23' from the setback line, it is more than that from the ROW. When reviewing this with the Fire Chief and the DPW that's something they pointed out and thought it would be fine. In order for the Board to grant this special use permit for the reduction of the setback, there are 5 items that must be met. (1) The applicant has made the request in writing. (2) The applicant has submitted the justification. (3) The Planning Board must consider recommendations from the Fire Chief, Code Enforcement Officer and Director of Public Works. Favorable recommendations have been made by all 3 departments and are part of your packets. (4) In addition, the Planning Board must find the reduction in the building setback is required to fulfill the purpose and the intent of the ordinance and satisfy one or more of the elements of the building performance criteria. Those are just some of the items I went over with the building massing and the architectural details and (5) the Planning Board must find the reduction in the building setback will not be detrimental to public health, safety or welfare and as reviewed by other Department Heads, there is obviously no risk to public safety. Vadney – Has DOT looked at it being its State road? LaBrecque – DOT has not looked at it but I don't think they would really have any jurisdiction over the building setback. We could have a 25' setback as long as it doesn't encroach into their ROW and it's certainly far enough away that it wouldn't conflict with their snow removal. Sorell – What would it be used for? Hueber – It's just an element we wanted to add to this building just to make it look better. Williams – It might be used for display. It will remain open like a patio area. It's really just an architectural element because we wanted to have the columns on the front of the building, that's already got a roof over it so we just extended that roof out. We looked at a bunch of different ways of doing this building and we tried to find one that looked good, tied it into the other buildings, was affordable to some degree and one of the elements I liked was this porch so we decided it was worth asking you folks if you concur. LaBrecque – The building is 10,100 sq. ft. and it will remain 10,100 sq. ft. The footprint doesn't actually change, that's just a porch or breezeway. Vadney – The area around that is currently used and has been for years. Vadney – The rules are our lot coverage changes right because of the roof? You take lot coverage from eaves. LaBrecque – That could be reflected in the as-built, I'd have to look up the lot coverage definition. Personally, I think of lot coverage as impeding the hydrology. With this overhang, rain would still get under it and infiltrate into the ground so I wasn't

thinking of it as coverage like a concrete patio would be coverage. I'm sure that's something that could be added to the as-built survey once the site's completed. Vadney – I agree with your thought on that as far as infiltration of water, I do think the rules are that roof is what counts. That area of lawn is currently used for display during many seasons and we have kind of in the Master Plan thinking tried to make the Town as you come in from a distance and you're driving through a rural area and as you come down to the Town, you're going to find things closer to the road and you want eye catching visuals that let you know you're in a village. One place we made a different type of allowance but effectively the same thing is when we moved the bank building. I think that was about 6 or 7 feet closer to the road than was normal but that kind of thing is what we've done and I would support that. Kahn – Is there any possibility in terms of approving this, are we approving something that could be turned into café tables? Williams – That's not the current intent. Kahn – Angela, what control do we have over the use of the space under this porch? LaBrecque – I think any change of use would probably be a site plan amendment because right now its retail so if it changes to something other than retail, it would be a site plan amendment for a change of use. Vadney – I think in the motion for architectural design review we can say it is an architectural eye catcher, it does not have a specific function and it will not be closed in, it will not be used as a seating kind of thing, we can make that part of the approval and I don't think these folks will complain. Hueber – We don't have any idea who the tenants are going to be at this moment so if we got a café use or some sort of a use then we would obviously come back to the Board and discuss it with you and we would all look at it at that time. This was really sort of an element that Chris's shop added to the drawings. We thought it looked nice and we thought it served a useful purpose for something in the future and it was something we ought to talk about with you tonight because we do want to effectively get this project underway and done by November so that was really the gist of it. Kahn – My point of view is that as an architectural device to liven up the front of the building, I have no problem with moving 7' into the setback. On the other hand, if you're moving 7' into the setback for a commercial use, a bank teller window or a café or something like that, that's what we have setbacks for. The setback is to control how close to the property line that sort of thing goes on so I think we ought to approve it with a restriction that that space is vacant. Touhey – Are you saying it could not be used for display? There's no entrance on that side. Vadney – The current little bump in the building sticks out about 3 or 4 feet? Williams – Correct. Vadney – We're covering that and then adding 7'. Williams – That basically has a roof now, we're simply extending that roof line out to those columns. Vadney – The setback is at the front of that little bump, not at the main wall bump. The only question I have so we don't get in trouble with the law, do you remember what your lot coverage was? Williams – I would have to check. Vadney – I think the rules are that this counts as coverage even though it's not real coverage. LaBrecque – The definition for coverage is the area which a building occupies. Vadney – We've always defined it to my memory as the eaves. Williams – One of the things Brian just pointed out is we're not close to the coverage because there are 5 acres of wetlands not used. LaBrecque – It could be something we handle administratively in the end when the

project's completely built. I'm sure there are other tweaks that have been modified. We could approve it with a condition that it doesn't pump that over the allowed lot coverage. Liz Lapham – I do find that very attractive, I just wonder if the owner can put some type of restriction on that so the whirligigs and other things cannot be put in front of that very attractive porch right now. I know your tenants might change but maybe make sure that the owners are aware that what we're seeing is what you're approving. Vadney – We do have an ordinance on moving parts and stuff in signs, that's why you don't see many in town. LaBrecque – There currently is some outside display and typically you find outside display where the front door is like the space between the parking and the front door and for people to see that display, they'd have to not walk into the front door. Vadney – She's not talking about display stuff as much as she is some of the businesses that will hang out a machine that blows in the wind and might be a nuisance. I think that comes under signage. We're on thin ice when we start dealing with whether somebody can put a windmill out there or something like that. As far as this architectural design review, I don't see how we could tie it to the building. To a degree, this is something that happens behind closed doors. In this case, the building owner is going to take care and have a nice looking property. Hueber – We have enjoyed working in Meredith, we love the Town and assets like this we will keep for a long period of time so you'll see me sitting here asking for something else 10 years from today I'm sure so we're as interested as anybody in what it looks like and we try our best to control our tenants and I think someone said there's no accounting for taste. Sometimes the tenants get carried away but we do have leases that are somewhat restricted, we do control what they can display outside and we try to be as careful as possible but we have the forces of big supermarkets and drugstores and all sorts of things and we have to keep the peace with everybody but we do the best we can and try to put together the best presentation we can because if it looks tacky, people don't want to go there. Hearing closed at 7:37 p.m.

Touhey moved, Bayard seconded, MR. CHAIRMAN, I MOVE THAT WE APPROVE THE ARCHITECTURAL DESIGN OF CROSSPOINT ASSOCIATES, INC. FOR PROPOSED RENOVATIONS TO THE EXISTING COMMERCIAL (FLORIST) BUILDING, TAX MAP U15, LOT 1A, LOCATED AT 52 NH ROUTE 25 IN THE CENTRAL BUSINESS DISTRICT IN THAT THE PROPOSED DESIGN DEMONSTRATES SUBSTANTIAL CONFORMITY WITH THE GENERAL AND SPECIFIC CRITERIA SET FORTH IN THE ORDINANCE, SUBJECT TO REVIEW OF STRUCTURE COVERAGE AND COVERAGE ON THE LOT WHICH CAN BE HANDLED ADMINISTRATIVELY; THE PORCH AREA SHALL NOT BE ENCLOSED AND IT SHALL BE USED FOR DISPLAY PURPOSES ONLY OR LEFT AS PLANTED; AND WE FIND THE REDUCTION IN THE BUILDING SETBACK IS REQUIRED TO FULFILL THE PURPOSE AND INTENT OF THE ORDINANCE TO SATISFY ONE OR MORE ELEMENTS IN THE PERFORMANCE CRITERIA AND IT APPEARS THEY HAVE DONE THAT AND THEY HAVE MET THE INITIAL CONDITIONS AND THE FINAL ONE IS THAT WE DO NOT SEE ANY REASON IT WOULD BE DETRIMENTAL TO THE HEALTH, SAFETY OR WELFARE OF THE TOWNSPEOPLE. Voted 6-0 in favor of the motion.

Bayard moved to amend the motion to add: We find the reduction in the building setback is required to fulfill the purpose and intent of the ordinance to satisfy one or more elements in the performance criteria and it appears they have done that and they have met the initial conditions and the final one is that we do not see any reason it would be detrimental to the health, safety or welfare of the townspeople. Touhey accepted revision. Bayard seconded the motion based on the amendment.

Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Mary Lee Harvey  
Administrative Assistant  
Planning/Zoning Department

The above Minutes were read and approved at a regular meeting of the Meredith Planning Board held on \_\_\_\_\_.

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William Bayard, Secretary