



Heather Shank  
City Planner

# CITY OF CONCORD

*New Hampshire's Main Street™*  
**Community Development Department**

## Planning Board

July 21, 2021

### Project Summary – Major Site Plan

Project Name: Community Bridges (2021-29)  
Owner: Community Bridges  
Address: 162 Pembroke Road  
Map/Block/Lot: 621Z/26

#### **Determination of Completeness:**

Determine the application complete and as part of the motion, determine that the project does not meet the criteria for a Development of Regional Impact (DRI), per RSA 36:55.

Determine whether to grant the applicant's waiver request to Section 6.03(2)(c) of the Site Plan Regulations (SPR), to hold the public hearing at the same meeting as the determination of completeness. The application states that proposed development is not substantial in nature. Given the expansion of the established parking lot, together with the sidewalk improvements is just over the 10,000-sf threshold for Major Site Plan, Staff agrees with the applicant's reasoning and **Staff supports this waiver.**

#### **Project Description:**

The applicant is requesting Major Site Plan approval for the construction of an expanded parking area and additional pedestrian sidewalks.

#### **Project Details:**

Zoning:	Industrial (IN)
Existing Use:	Office/Services
Proposed Use:	Office/Services
Lot Coverage Max:	85%
Existing Coverage:	35% (59,454 sf)
Lot Coverage Proposed:	41% (70,879 sf)
Lot Area Required:	40,000 sf
Lot Area Provided:	172,256 sf (3.95 ac)
Building Setbacks Required:	50' front, 30' rear, 25' side
Building Setbacks Provided:	60' front, 152' rear, 37' side
Parking Spaces Required:	92 Spaces (including 4 ADA)
Parking Spaces Provided:	117 Spaces (including 5 ADA)

#### **1. General Comments**

- 1.1 The following comments pertain to the 12-sheet plan set titled "Community Bridges" prepared by Wilcox & Barton, dated June 16, 2021, and the 3-page architectural plan set prepared by Banwell

**Architects.**

- 1.2 Comments from the Engineering Services Division are provided in the attached memo.
- 1.3 The applicant appeared before the Architectural Design Review Committee on July 6, 2021. The Committee recommended approval of the building design, landscaping, and site layout with the recommendation that the flowering pear trees be substituted for a different species, and that the lighting plan be revisited to factor in the shadowing effect of the landscaping.

**2. Waiver**

- 2.1 The Applicant has requested a waiver from Section 21.02 of the Site Plan Regulations (SPR) to not construct a sidewalk along the frontage of the property. The Applicant states that the closest connection is on the opposite side of the street and that there are significant challenges associated with the utility poles located on the site side of Pembroke Road.

The regulations require sidewalks on both sides of streets within the Urban Growth Boundary, with the intent that eventually an interconnected pedestrian network will be created throughout the City. The City's Sidewalk Priority List identifies the completion of a sidewalk along Pembroke Road to Sheep Davis Road. An existing sidewalk ends approximately 680 feet away on the opposite side of the street, and another sidewalk ends on the same side of the street approximately 3,940 feet away at the intersection with Canterbury Rd. The distance of the closest sidewalk connections could result in significant deterioration of the sidewalk, if built, before a connection is ever made. Another factor that the Board should consider is that New Hampshire case law compels municipalities to provide winter maintenance to sidewalks in the public right of way and legal challenges have been filed against communities that are unable to meet this requirement. Any addition to the public sidewalk inventory, therefore, results in an increase in the City's maintenance and liability obligations. Stranded segments of sidewalk make providing winter maintenance with existing City resources very challenging.

Staff notes that while the construction of a sidewalk in this location would not connect to the existing network, the regulations allow the Board to accept an escrow to cover the cost, in the event sidewalk construction is not determined to be appropriate at this time. Current staff has not had any experience with this approach, therefore, we are investigating its applicability and limitations and will be prepared to discuss with the Board if needed.

**3. Site Plan Comments**

- 3.1 The proposed pedestal sign is partially within the Pembroke Road right-of-way. The sign must be fully contained within the property boundary or a license agreement from City Council shall be sought.
- 3.2 On the Site Plan, dimension the ADA spaces.
- 3.3 Update the Site Plan with the location of the proposed light poles.
- 3.4 Provide the location of proposed erosion control measures on a plan.
- 3.5 Provide bicycle parking facilities, in accordance with Section 30.03 (SPR). Staff recommends the use of dual-post racks.

**4. Landscape Plan Comments**

- 4.1 Replace the Flowering Pear with a native species. Flowering Pear trees are weak wooded, susceptible to ice storm damage, and tend to split in half. They require vigilant pruning and maintenance, requiring more maintenance than a stronger wooded tree species. The City has concerns that these trees pose a public safety issue. Additionally, this tree has invasive traits and

is under consideration for listing under the official invasive species list.

- 4.2 A single tree species may only make up 25% of the proposed planting count, in accordance with Section 27.07(4) (SPR). Where 13 trees are proposed to be planted a single species may only make up 3 of the plantings. Additionally, no more than 25% of the proposed plantings shall be classified as ornamental trees. Add two additional species to the planting list and reduce planting counts to no more than 3 trees per species.

## 5. Recommendations

**Should the Board vote to grant the waiver to Section 6.01(3) (SPR), staff has the following recommendations:**

- 5.1 **Grant ADR approval** for the building design, landscaping, and site layout with the recommendation that the flowering pear trees be substituted for a different species, and that the lighting plan be revisited to factor in the shadowing effect of the landscaping.
- 5.2 **Determine whether to grant the waiver** to Section 21.02 *Sidewalks Required* of the Site Plan Regulations, utilizing the criteria from RSA 674:36(II)(N)(2): Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.
- 5.3 **Grant Major Site Plan approval** for the proposed parking and loading area expansion and associated site improvements at 162 Pembroke Road in the Industrial (IN) District, subject to the following precedent and subsequent conditions noted below:
- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to sign off by the Clerk and Chair of the Planning Board and issuance of any building permits, or the commencement of site construction, unless otherwise specified:
- (1) Address all Review comments to the satisfaction of the Planning and Engineering Divisions. For all subsequent submissions, applicant shall provide a response memo addressing/acknowledging all comments.
  - (2) Waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Article number(s) of the Site Plan Regulations. Should the Board vote to deny the Waiver(s), the applicant shall comply with said submission requirement(s).
  - (3) Final plans shall be signed and sealed by the NH Registered Land Surveyor, Landscape Architect, and Professional Engineer.
  - (4) Submit three (3) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.
- (b) Subsequent Conditions – to be fulfilled as specified:
- (1) Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
  - (2) A pre-construction meeting shall be required prior to the start of any construction activities onsite. The applicant shall pick up one (1) set of signed plans at the Planning Office to make copies for the pre-construction meeting. A total of five (5) copies of the signed plan set shall be provided by the applicant at the pre-construction meeting.
  - (3) Prior to issuance of the final Certificate of Occupancy or final construction sign-off, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.

Prepared by: SCD

*S:\Plan\Development Review\Project Files\2021\2021-29\_Community\_Bridges\_SPR\Reports & Letters*



**CITY OF CONCORD**  
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**Community Development Department**

David Cedarholm, PE  
City Engineer

**MEMORANDUM**

**TO:** Sam Durfee, Senior Planner  
**FROM:** Gary Lemay P.E., Associate Engineer  
**DATE:** July 13, 2021  
**SUBJECT:** Community Bridges, Major Site Plan – Engineering Plan Review, 162  
Pembroke Road; Map 621Z, Lot 26; Project 2021-029

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The Engineering Services Division (Engineering) has received the following items for review:

- *Site Plans, Community Bridges, prepared by Wilcox and Barton, dated 6/16/2021*

As a supplement to any comments offered by the Planning Division, Engineering offers the following design related comments. With subsequent submissions, the applicant shall provide a response letter that acknowledges or addresses each of these comments and discusses any additional changes to the plans.

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**General Comments**

1. Site Plan Regulation (SPR) 21.02 requires sidewalks adjacent to the site along projects on City streets within the Urban Growth Boundary; please include a 5-foot-wide sidewalk along the site's frontage on Pembroke Road.
  - a. Engineering will work with the Applicant on the preferred sidewalk layout and location within the available ROW (~12-20 feet along the frontage) while working around utility poles and other constraints.
  - b. If there is not at least a 6-foot-wide grass strip between the sidewalk and edge of Pembroke Road, the plans shall include curbing along Pembroke Road.
  - c. The grades of the sidewalk should pitch sidewalk runoff toward Pembroke Road.
  - d. While sidewalk work is being completed and will disturb the driveway curbing, please adjust the driveway curbing to be a consistent radius on both sides of the driveway and carry the curbing parallel to the edge of Pembroke Road before tipping the curbing into the surrounding ground at a slope of approximately 1 inch per foot.

- e. The sidewalk shall be built consistent with the City of Concord Construction Standards and Details.
2. Please note on the plans that the 4" pvc sewer stub is inactive/not used.
3. Please research any available information to show where the 6" water service enters the building, if records are available. City records do not have any additional information beyond what is already shown on the plan.
4. Please revisit the depth of the turnaround in the proposed parking area; while there is no specific regulation or requirement, depths of approximately 10-12 feet are commonly seen when feasible.
5. It is not clear how the proposed grades will work at the southern edge of the proposed new parking area. Please update with additional spot grades or flowlines to show where the water is flowing and how it will travel to N-CB-1 and N-CB-2. It currently appears that some water will travel out of the southern access to the proposed new parking area.
6. It appears that the proposed contours are at a finer interval (1' contours) than the existing grades (2' contours), leaving several floating contour ends so it is not possible to see how they tie into existing grades. Please revise the existing and proposed contours to match so grade tie-ins can be better understood.
7. Please dimension the striped no parking area adjacent to the proposed dumpster pad.
8. It appears that the adjacent parking spaces to the west of the proposed dumpster pad may slightly impede access to the dumpster; please confirm and address if needed.
9. Please label the bollards shown on on the back side of the dumpster pad.
10. It appears the existing grade contours to the south of the existing parking lot are cut off. Please include these.
11. Sheet C5.1 (Construction Details) includes City detail SD-2 (Storm Drain Manhole). This is acceptable, but the Applicant may also propose to use detail SD-3 (Storm Drain Manhole – Private) if they prefer. If detail SD-2 remains, the City will anticipate the manhole invert will be fully constructed using brick rather than concrete as detail SD-3 allows. Typically detail SD-2 is only used in City easements or within the ROW.
12. The proposed dumpster pad located near the existing 8" PVC drainage pipe may increase traffic loading on the pipe, which is currently rather shallow (~2.5 feet below existing finish grade). Please evaluate if this pipe is appropriate for reuse in the reconstructed area or if the pipe within the proposed work area should be replaced with a material better suited for heavy traffic loading.
13. Please include existing and proposed light poles on the site plan, including where the electrical conduit is running to feed the lights [per SPR 16.02 (14) (c)].

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Community Bridges, 162 Pembroke Road  
Date: 07/13/2021

14. The lighting plan appeared to be only included in the PDF submission, and was missing from the paper copies; please include the lighting plan in the next submission of paper plans.
15. Add drainage profile showing new drain line and catch-basin tie-in. Should show expected SHWT, elevations of gravel versus SHWT, etc.
16. Please include an erosion control plan, per SPR 16.02 (13).
17. The detail sheets show a temporary construction entrance detail, but there does not appear to be a construction entrance shown on the plans; where does this apply?
18. Please add spot elevations at key locations along the proposed sidewalk along the southern edge of the building; it is not clear where the elevations tie in to the surrounding ground or step pads on the eastern side of the building.
19. The Applicant should conduct a video inspection of the existing sewer service to confirm it is in a condition that is appropriate for reuse. Please submit a copy of the video to Engineering for concurrence.

### **Stormwater Report**

20. Please show where POI 1 and POI 2 are referring to on the pre- and post-development watershed delineation maps.
21. The report notes that the peak runoff rate and runoff volume are higher at POI 2 post-development than for pre-development conditions. Please address this, as SPR 22.08 (3) notes post-development off-site flows should not exceed pre-development flows.

### **State/Federal Permits**

The project will require the following state and/or federal permit(s) associated with the site design:

- EPA Construction General Permit – Notice of Intent, if applicable
- NHDES Registration and Notification for Storm Water Infiltration to Groundwater

A copy of the permit(s) shall be submitted to the City once they are issued.

### **Post-Approval/Pre-Construction Items**

The following items will need to occur prior to the start of construction (unless otherwise noted):

1. Prior to engineering sign-off on the building permit, the applicant/contractor shall:
  - a. Provide a copy of the video inspection on the proposed reused sewer service;
  - b. Set up a pre-construction meeting with the Engineering Services Division to discuss construction requirements, site inspections, associated fees, schedules, etc. Any Engineering permits will not be authorized (unless explicitly stated otherwise) until

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final revised plans have been submitted and approved to the satisfaction of Planning and Engineering.

2. A Demolition Permit will be required from the Code Administration Division for removal of the existing building(s).
3. The following permit(s) will need to be obtained from the Engineering Services Division:
  - a. Driveway Permit (for repaving work on site)
  - b. Excavation Permit (for work within the ROW to construct sidewalks)
  - c. Utility Connection Permits (sewer service, if needed after video inspection)
4. The contractor shall submit a Temporary Traffic Control Plan (TTCP) for all work in and adjacent to the City ROW that will require lane closures or occur adjacent to the edge of road. TTCP must be submitted to Engineering for review and approval a minimum of two weeks prior to the pre-construction meeting.
5. Establish a performance surety (letter of credit, or cash deposit) for site stabilization. The surety amount for this project has been set at \$7,000 based on an 0.8 acre disturbance area. The surety shall be established prior to scheduling the pre-construction meeting.
6. Establish a performance surety (bond, letter of credit, or cash deposit) for work within the right-of-way, including proposed public improvements (i.e, sidewalk along Pembroke Road), per Site Plan Regulation 13.02 (5). An engineer's cost estimate, based on the current NHDOT weighted average unit prices, shall be submitted a min. of two weeks prior to scheduling the pre-construction meeting. The surety shall be established at least one week prior to the pre-construction meeting)
7. Advanced deposit for site construction inspection fees (initial deposit amount determined by Engineering based on the project schedule and estimated services, final inspection fee to be adjusted based on actual services rendered). A project schedule and itemized cost estimate shall be submitted a minimum of two weeks prior to scheduling the pre-construction meeting for use in establishing the deposit amount. The deposit shall be submitted at least a week prior to the pre-construction meeting.
  - a. Please contact Engineering for a spreadsheet to estimate the initial fee deposit (this is only an estimate as the fee will be based on actual time spent by Engineering inspectors for this project).
8. Shop drawings/submittals shall be submitted to Engineering for any proposed water, sewer, or drainage improvements, and for the proposed improvements within the ROW.
9. Prior to the construction of any future site improvements the applicant/owner shall consult the Planning Division to determine if Site Plan Approval will be required.

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10. Per Site Plan Regulation 12.09, prior to issuance of a Certificate of Occupancy (CO), the contractor shall submit digital as-built drawings that are to the satisfaction of Engineering and conforming to the Engineering as-built checklist. A copy of the as-built drawing requirements are available on the Engineering website.

Re: Review Comments (202X-xx) Appendix A: Summary of Supplemental Design Comments (embedded into PDF)  
Project, Location

Date: MM/DD/YYYY

(insert a formatted table of comments from Bluebeam here – share in excel with the Applicant so they can type in directly)

#	PDF Page	Sheet Number	Sheet Name	Engineering Comment	Applicant Response
1					
2					