

PROJECT NARRATIVE

The project site consists of three parcels identified as Map 0543P Lots 18, 18-1, and 21, totaling approximately 4.31 acres. The majority of work will occur on Lots 18 and 21, which are immediately adjacent to the Penacook Landing project site on Lot 18-1. The project site is currently vacant except for a paved parking lot along Canal Street, but it has historically been developed (along with the adjacent Penacook Landing site) in many different iterations since 1846, most notably as the Penacook Mill and Brezner/Allied Leather Tannery. Several additions to the original mill building and several standalone buildings were constructed over the site's history, which eventually ceased operations in 1987. The City of Concord has owned the property since 2003. Demolition of the former buildings began in 2001 and continued until 2020 with soil remediation efforts taking place circa 2011-2015.

The site is bounded by Canal Street to the southeast, a two-story apartment building and a two-story building containing "Chief's Place" restaurant to the southwest, the Contoocook River to the west, and the Penacook Landing affordable housing development to the northeast.

The City of Concord is proposing to develop the property into a public park including an expansion of the paved parking lot, a new open-air pavilion, new concrete and bituminous walkways allowing ADA compliant access, and three scenic overlook areas with views of the Contoocook River and nearby dam.

In order to mitigate increases in peak discharge rates of stormwater runoff as a result of the new impervious surfaces, a new stormwater management system has been designed that includes a deep-ump, hooded catch basin and a First Defense hydrodynamic separator unit with inlet grate. Runoff from the expanded paved parking lot and pavilion roof will be directed through pipes to the First Defense hydrodynamic separator unit designed to treat the Water Quality Flow (WQF) by separating sediment, debris, and floatables. Runoff will then discharge at a new drain manhole into the existing RCP culvert to the design point.

April 19, 2023

Concord Planning Board
41 Green Street
Concord, NH 03301

SUBJECT: Conditional Use Permit Request
Canal Street Park Project
11 Canal Street
Tax Map 0543R Lots 18, 18-1, & 21

Dear Members of the Concord Planning Board:

Pursuant to the City of Concord Zoning Ordinance Article 28, Greenman-Pedersen, Inc. (GPI), on behalf of the project applicant, the City of Concord, is respectfully requesting Conditional Use Permits to allow work within both the Flood Hazard District and the buffer areas of the Shoreland Protection District.

The project site consists of three parcels identified as Map 0543P Lots 18, 18-1, and 21, totaling approximately 4.31 acres. The majority of work will occur on Lots 18 and 21, which are immediately adjacent to the Penacook Landing project site on Lot 18-1. The City of Concord is proposing to develop the property into a public park including an expansion of the paved parking lot, a new open-air pavilion, new concrete and bituminous walkways allowing ADA compliant access, and three scenic overlook areas with views of the Contoocook River and nearby dam. A portion of the regrading efforts for the accessible pedestrian paths and scenic overlooks are located within the mapped floodway per FEMA Flood Insurance Rate Map #33013C0336E, effective April 19, 2010.

In accordance with Article 28-3-2(e) of the Concord Zoning Ordinance, the applicant is seeking a Conditional Use Permit from the Planning Board to allow the construction of a structure not designed for human occupancy and the placement of fill within the mapped floodway.

The mapped regulatory floodway extends into the project site as shown on the plans, however, it is derived from maps drawn at a large scale and the actual limits of the Contoocook River bank extend to the retaining walls and the top of the slope shown on the Existing Conditions Plan included with the Site Plan set. As such, no work is proposed within the waters of the Contoocook River. Further, the actual floodplain extends onto only the very lowest portion of the site behind the retaining wall where minimal regrading will occur.

The project design proposes to regrade areas of the site within the mapped floodway resulting in a slight amount of fill adjacent to the river. Work will include the construction of bituminous walkway and concrete stairs, and the installation of benches and a large number of new landscape plantings.

In accordance with the conditions listed in Article 28-3-2(e)(1), we offer the following information:

a. There will be no adverse affect to the flood carrying capacity of the floodway or the flood heights along the floodway;

As described above, though the placement of fill is proposed within the mapped floodway, no fill will be placed within the waters of the Contoocook River and only minimal fill placed within the adjacent floodplain, therefore, there will be no adverse impact to its flood carrying capacity.

b. There will be no increase in the base flood level or other adverse affect to the flood levels along the flood plain;

The proposed regrading within the mapped floodway is occurring immediately upriver of the dam which regulates water levels. There will be no adverse effect to the flood levels in the floodway due to the minor regrading associated with this project.

c. There will be no increased hazard to life and property.

The work proposed within the mapped floodway for this project will not result in an increase in flood levels or the frequency of flooding therefore there will be no increased hazard to life and property.

As part of this request, we offer the following information in support of the criteria listed in Article 28-9-4(b)(4):

a. The use is specifically authorized in this ordinance as a conditional use;

The proposed work within the floodway can be authorized through a Conditional Use Permit per Section 28-3-2(e).

b. If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this Article, and with the specific conditions or standards established in this ordinance for the particular use;

The proposed development will comply with all requirements of Article 28 and with the requirements under Article 28-3-2(e).

c. The use will not materially endanger the public health or safety;

Since the project will not result in increased flood levels, this use will not materially endanger the public health or safety. The proposed use will provide the public with safe, accessible paths to enjoy the Contoocook River.

d. The use will be compatible with the neighborhood and with any adjoining or abutting uses in the area in which it is to be located;

The public park use will be a compatible addition to the neighborhood and will provide an aesthetic, public area for abutters and the general public to enjoy.

e. The use will not have an adverse effect on highway or pedestrian safety;

The use will not have an adverse effect on highway or pedestrian safety and will improve pedestrian safety in the area by providing accessible paths and adequate parking.

f. The use will not have an adverse effect on the natural, environmental, and historic resources of the City;

The use will restore a brownfield site into a City resource. The land will be redeveloped for use of the public and a variety of new landscape plantings will be installed including a shoreland river buffer to protect the environmental resource in the area.

g. The use will be adequately serviced by necessary public utilities and by community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide facilities and services without sufficient additional capacity.

The use will be adequately serviced with the necessary electric service and public utilities. No public expenditures of facilities or services to provide additional capacity are necessary.

Further in accordance with Article 28-3-3(f), the applicant is seeking a Conditional Use Permit to allow the construction of walkways, two scenic overlooks, minor regrading, and landscaping within the Shoreland Buffer of Contoocook River. The proposed project scope includes shoreland restoration which will protect the waters from degradation.

As part of this request, we offer the following information in support of the criteria listed in Article 28-3-3(f)(2):

- a. The proposed disturbance to the buffer represents the minimum extent of disturbance necessary to achieve the reasonable use of, or provide access to, land outside of the buffer area;**
The buffer area is disturbed to the minimum extent to provide pedestrians with safe access from the parking area and street to the proposed scenic overlooks along the Contoocook River.
- b. The proposed disturbance to the buffer minimizes the environmental impact to the adjacent surface waters;**
The proposed disturbance will have a positive environmental impact to the Contoocook River by restoring the vegetative buffer with additional proposed landscape plantings.
- c. The proposed disturbance to the buffer cannot practicably be located otherwise to eliminate or reduce the impact to the buffer and the adjacent surface waters;**
The proposed disturbance to the shoreland buffer cannot practicably be relocated to preserve the public pedestrian access to scenic overlooks of the Contoocook River.
- d. In the case of an application for a conditional use permit for a water dependent use or structure, a permit from NHDES in accordance with RSA 482-A, Fill and Dredge in Wetlands, has been received;**
A Wetlands Permit application for this project is being filed with the NHDES.
- e. Where applicable, permits or proof of compliance with all other state and federal regulations have been received.**
This project will require a Wetland Permit, Alteration of Terrain Permit, and Shoreland Permit from NHDES in addition to this Planning Board application. Copies of the permits will be provided to the Planning Division once they are received.

As part of this request, we offer the following information in support of the criteria listed in Article 28-9-4(b)(4):

- a. The use is specifically authorized in this ordinance as a conditional use;**
The proposed work within the shoreland buffer can be authorized through a Conditional Use Permit per Section 28-3-3(f).
- b. If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this Article, and with the specific conditions or standards established in this ordinance for the particular use;**
The proposed development will comply with all requirements of Article 28 and with the requirements under Article 28-3-3(f).
- c. The use will not materially endanger the public health or safety;**
Since the project will not materially endanger the public health or safety. The proposed use will provide the public with safe, accessible paths to enjoy the Contoocook River.
- d. The use will be compatible with the neighborhood and with any adjoining or abutting uses in the area in which it is to be located;**
The public park use will be a compatible addition to the neighborhood and will provide an aesthetic, public area for abutters and the general public to enjoy.
- e. The use will not have an adverse effect on highway or pedestrian safety;**
The use will not have an adverse effect on highway or pedestrian safety and will improve pedestrian safety in the area by providing accessible paths and adequate parking.

f. The use will not have an adverse effect on the natural, environmental, and historic resources of the City;

The use will restore a brownfield site into a City resource. The land will be redeveloped for use of the public and a variety of new landscape plantings will be installed including a shoreland river buffer to protect the environmental resource in the area.

g. The use will be adequately serviced by necessary public utilities and by community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide facilities and services without sufficient additional capacity.

The use will be adequately serviced with the necessary electric service and public utilities. No public expenditures of facilities or services to provide additional capacity are necessary.

We thank you in advance for your consideration of these requests. If you have any questions or need any additional information, feel free to contact me at (603) 374-7912 or by email to djordan@gpinet.com.

Sincerely,
Greenman-Pedersen, Inc.



David R. Jordan, P.E., L.L.S., LEED AP
Vice President
Director of Project Delivery – Land Development