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City Planner

CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

Planning Board

July 21, 2021

Project Summary – Comprehensive Development Plan

Project: Black Hill Road Mixed Use Development (2021-26)
Property Owners: ROI Irrevocable Trust, Christine M. Windler, Trustee
Address: 16-22, 30, and 32 Manchester Street, and Black Hill Road
Map/Block/Lot: Map 792Z, Lots 2 and 3; Map 781Z, Lots 29, 30, 32, 33, and

Determination of Completeness:

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

Project Description:

The applicant is proposing a phased major site plan and condominium subdivision for properties located at Black Hill Road and Manchester Street in the Gateway Performance (GWP) District. Phase 1 of the proposed development includes five multi-family housing buildings (266 units in total), and a convenience store/gasoline station and carwash. Future phases will include a supermarket, medical office, restaurant, bank, and assisted and independent living facility with a total of 264 units. Proposed site improvements include a common entry boulevard off Manchester Street with a proposed roundabout at Black Hill Road, and 8' wide greenway trail along the river.

1. General Comments

- 1.1 Per Section 28-4-5(e) *Development Standards in Performance Districts*, where residential uses are proposed in the Gateway Performance District, and 28-4-1(g) *Applicability to Performance Districts*, where a subdivision is proposed, a Comprehensive Development Plan (CDP) shall be prepared. This application is for CDP review only; the Applicant shall submit separate applications for the phased Major Site Plan and Condominium Subdivision in the future. This review is not intended to address all of the requirements of the Major Site Plan or Condominium Subdivision applications.
- 1.2 Staff recommends that the applicant provide conceptual 3D renderings of the entire site and cross-sections of the streetscape, specifically at the residential buildings, to better understand what the site will look like, how it will be experienced, and demonstrate that it will meet the expectations for high quality development in the Gateway Performance District.
- 1.3 The following comments pertain to the plan titled “Schematic Overall Site Layout Plan, Exit 13 (Manchester Street), Manchester Street, Concord, NH” prepared by TFMoran, dated June 11, 2021.

- 1.3 The project will impact wetland buffers; therefore, a *Conditional Use Permit for Certain Disturbance of Wetland Buffers* will be required per Section 28-4-3(d) of the Zoning Ordinance (ZO) as part of the Major Site Plan application.
- 1.4 Please note that per Section 28-3-2 (d)(2), the applicant shall file a request for a Conditional Letter of Map Revision (CLOMR) with FEMA prior to approval, and no building permits will be issued for the residential development until the CLOMR has been issued by FEMA.
- 1.5 See comments from the Engineering Division in a separate memo, dated July 2021.
- 1.6 The Fire Marshall has reviewed the plan and his comments are incorporated in the site circulation comments below. In addition, the Fire Marshall requests that the applicant look at the water pressure available to the site to ensure that it will be adequate for fire suppression.

2. Technical Review Comments

- 2.1 Per Section 18.03(2) of the Subdivision Regulations (SDR), the applicant shall provide a timeframe for all phasing of the development, and percentage of total residential and non-residential uses included in each phase.
- 2.2 Per Section 18.03(3)(a) (SDR), natural features shall be identified on the CDP, including wetlands and wetland buffers, contour lines and steep slopes, and Shoreland Protection Overlay District boundaries and buffers.
- 2.3 Per Section 18.03(4) (SDR), applicant shall provide tabulations of the gross land area, buildable land area, and approximate lot coverage of buildings and impervious surfaces. In addition, any proposed impacts to wetlands and buffers shall be shown.
- 2.4 Per Section 18.03(7) (SDR), the applicant shall provide preliminary utility and drainage layouts.
- 2.5 Per Section 18.03(8) (SDR), the applicant shall provide a description of the proposed ownership and management of organization or association, indicating the structure, powers and duties of such organization, and its responsibilities for the maintenance of common facilities.
- 2.6 Several areas of text are blocked by the graphics in the submitted plan, and text is blurred. Please revise for the next submission, and provide a non-rendered version of the plan.

3. Site Circulation Comments

- 3.1 Manchester Street is classified as a Major Arterial Street. Per Section 28-7-12(c) (ZO), one driveway is permitted per CDP for CDPs with up to 500 ft of frontage. One additional driveway is permitted for each additional 500 ft of frontage. The applicant is proposing 3 driveways on Manchester Street for this CDP, which has a total of approximately 570 ft of frontage on Manchester Street. Therefore, the Applicant shall consolidate the driveway entrances on Manchester Street.
- 3.2 Please see attached agreement dated June 1996 requiring the City to get the approval of the State and the Federal Highway Administration for any changes or improvements along this section of Manchester Street.
- 3.3 Staff recommends that a traffic study be completed prior to finalizing access points and driveway locations. The proposed common entry boulevard and roundabout at Black Hill Road are of significant concern to staff. Staff offers the following suggestions pending results of the study: the existing signalized intersection at Manchester Street/Black Hill Road/Old Turnpike Road be the main intersection for the development, and the private boulevard proposed off Manchester

- Street be eliminated; the right in/right out driveway proposed for the gas station/diner/convenience store be converted into a primary entrance for that use; and access for Unit 1 (the bank) be limited to Black Hill Road.
- 3.4 Given the distance of the assisted/independent living facility from the City street, staff recommends an emergency access road be extended along the eastern perimeter of the entire development with an egress at Black Hill Road to provide a clear route for emergency personnel. Staff is currently exploring the feasibility of requiring Black Hill Road be continued east to Manchester Street for additional emergency access.
- 3.5 Staff recommends additional bike and pedestrian connections throughout the development and on Black Hill Road to the Greenway trail to provide ample opportunity for residents to engage with this multi-use recreational opportunity. Further, the greenway trail will eventually be a regional trail and will provide a regional network connecting customers and residents through alternative transportation. The Applicant shall work with the City for trail easements and design requirements. Please note, the trail shall be 10' in width.
- 3.6 Sidewalk connections shall be contiguous throughout the entire site to create a walkable, safe, and accessible development. Connect the sidewalks at the independent living cottages on the west side of the driveway for minimal driveway crossings and connection to the commercial amenities on the northern part of the development.
- 3.7 Staff recommends bicycle lanes be provided on the private road throughout the development, and on Black Hill Road. In addition, provide facilities for bicycle parking at all residential and commercial buildings in the development.
- 3.8 Staff recommends that the residential parking lot entrances just north of the circular driveway at the independent living facility be eliminated as it poses a potential conflict for vehicles exiting the independent living facility.
- 3.9 Staff has reviewed the parking calculations and determined that the applicant has provided 164 more spaces than is required by the Ordinance. According the Merrimack River Watershed Council, the Merrimack River is one of the most endangered rivers in the nation. Water quality is degraded as impervious cover increases, and stormwater engineered BMPs are not always successful in addressing issues associated with the loss of open space and vegetation along the river. Based on this information, the City's 2017 Open Space Plan identified a goal to reduce the amount of impervious cover along the river. Staff strongly recommends that the applicant reduce the amount of impervious cover and provide only the number of parking spaces required utilizing parking garages to the greatest extent possible in order to reduce the amount of impervious surface area along the river.
- 3.10 Please note the following errors identified in the parking calculations:
- Section 28-4-5(i) (ZO) indicates that parking spaces for the common facilities shall be provided on the basis of one space for every 5 dwelling units that are more than 500 ft distance from the accessory facility. Staff determined that 112 units are located more than 500 ft from the accessory facility; therefore, 24 spaces are required instead of the 76 spaces provided for those individual uses as shown in the parking calculation table provided.
 - It appears that the required spaces for the independent living cottages are provided at the larger assisted/independent living facility. The parking spaces at the individual units count for meeting that requirement. Please reduce the number of surface spaces provided at the larger facility by 24 spaces.

- The Ordinance does not require additional parking spaces for the deck associated with the restaurant. The parking calculations indicates 17 additional spaces are required for the deck, please revise.
- The proposed parking for the residential development in Unit 6 indicates 249 spaces are provided, but 253 spaces are shown on the plan.

4. Site Layout

- 4.1 The GWP was established to provide for well designed, large scale commercial development along arterial streets at entrances to the City. The uses developed within this District are expected to adhere to high standards for appearance in order to ensure that the gateways to the City are attractive and functional. Staff offers the following site layout recommendations, and encourages the Applicant to utilize the proximity of the river in the layout design.

Align all of the residential buildings along the central boulevard. This includes flipping the parking and building for the southwestern-most building, and moving the perpendicular building closer to the road and removing those streetside parking spaces. Staff also recommends moving the middle building across from the medical office building further north, and creating a public greenspace directly across from the perpendicular building, creating a visual and physical connection to the river.

- 4.2 Staff recommends the CDP be revised to minimize the impact of vehicular spaces and enhance pedestrian amenities. The following considerations should be addressed in the next iteration of the concept:

- Create desirable streetscapes and demonstrating what these will look like through graphics;
- Provide pedestrian amenities and illustrate design details to screen and/or mitigate the impact of parking areas, such as low masonry walls and landscaping;
- Locate and position buildings to relate to each other and the streetscape rather than to parking areas (with the exception of the grocery store, which could be relocated but will most likely continue to have a main entrance towards the parking area);
- Provide and graphically demonstrate foundational building plantings, green screens, or liner buildings to mitigate the impact of ground floor parking areas along the access drive;
- Indicate where access to both residential and non-residential buildings are located;
- Locate parking behind buildings, including locating garages and garage access to the independent living units behind the buildings and eliminating curb cuts along the street, creating an attractive streetscape and pedestrian friendly environment
- Consider locating the supermarket at the new corner and providing a pedestrian plaza type area along the street, even if no entrance to the store can be provided in this location; provide glazing, along the building facing the street, even if not functioning windows, with internal graphic or banner type aesthetic interest; provide better physical and visual connections between the supermarket and commercial building, locate the deli in closer proximity to the corner and create physical and visual relationships between the buildings around this main internal intersection,.
- Better prioritize the pedestrian experience and the streetscapes with grass strips or other buffering between the drive aisles and sidewalks, provide amenities such as pedestrian scale street lighting, planters, and/or benches; demonstrate through graphics how the street will look and function.

4.3 Staff recommends that the developer provide more effective green space for the residents, as there is an overwhelming amount of asphalt.

5. Recommendations

5.1 Staff recommends that the Planning Board continue the public hearing to no date certain pending the findings of the traffic study, response from NHDOT, and continued discussions with staff regarding access and circulation, and to allow the applicant time to make site layout revisions in response to Board and staff comments.

Prepared by: BAF

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CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department

David Cedarholm, PE
City Engineer

MEMORANDUM

TO: Beth Fenstermacher, Assistant City Planner
FROM: Gary Lemay, P.E., Associate Engineer
DATE: July 9, 2021
SUBJECT: Comprehensive Development Plan Review, Black Hill Road Mixed Use Development (2021-26); Map 792Z, Lots 2 and 3; Map 781Z, Lots 29, 30, 32, 33; (2021-26)

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

- *Comprehensive Development Plan*, Black Hill Road Mixed Use Development, prepared by TFMoran, dated June 11, 2021

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

Comprehensive Development Plan

1. Engineering has several concerns with the proposed private spur roadway connecting Manchester Street and Black Hill Road, as we believe it is not an appropriate location for an additional cut-through for several reasons:
 - a. Site Plan Regulation 19.02 describes the City's access management policy, which is focused on reducing vehicular access points for arterial and collector streets. Manchester Street is classified by the City as a major arterial road. Engineering supports minimizing vehicular access points along this segment of Manchester Street, particularly given the signaled intersection at Manchester/Black Hill/Old Turnpike located less than 600 feet west of the proposed new major intersection.
 - b. Zoning ordinance 28-7-12 (c) (2) allows a maximum of one curb cut per CDP with up to 500 feet of frontage, and another 500 feet would be needed for a second curb cut, meaning 1000+ feet of frontage is needed for a second curb cut. The lot(s) associated

with this CDP do not support a second curb cut as they total approximately 600 feet collectively along Manchester Street.

- c. Subdivision Regulation 20.20 encourages pedestrian and vehicular connectivity in a way that allows access and interconnection but does not promote cut-through traffic from nearby arterial roads. Any curb cut on Manchester Street, therefore, should primarily exist to serve the individual lot/site on which it is located and not act as a cut-through for traffic from Black Hill Road.
 - d. The proposed location of the spur roadway's intersection with Manchester Street is at the foot of a relatively steep grade (~5.5%) for a major arterial roadway. Adding a new major intersection at this location could create safety concerns, particularly during winter driving conditions.
2. An appropriately-located curb cut to serve the proposed diner/convenience/gas store on Manchester Street, as well as an additional curb on Black Hill Road, would be consistent with Subdivision Regulation 20.20 which promotes interconnections but discourages cut-through traffic.
 - a. The design, location, and alignment of the curb cuts will be critical, however, to not promote cut-through traffic. Visual barriers and/or physical offsets between the Manchester Street and Black Hill Road curb cuts may be necessary so the cut-through isn't apparent enough to encourage through traffic.
 - b. For arterial and collector roads, Zoning Ordinance 28-7-23 (c) (2) requires 250 feet separation between driveways and intersections within the same CDP or an adjacent lot, meaning the Applicant shall pay close attention to the neighboring driveway locations on Manchester Street.
 3. The Applicant shall provide information justifying the engineering need for the proposed public roundabout. A roundabout would add considerably more maintenance costs to the City versus a traditional three-way (or four-way) stop-controlled unsignalized intersection. Engineering intends to review the Applicant's traffic study results closely to determine whether the proposed public roundabout on Black Hill Road is necessary, particularly if the spur roadway is eliminated as recommended in the above comments.
 4. Site Plan Regulation 19.04 states the Board may limit access exclusively to a local street when corner lots intersect a local and collector/arterial street. In the interest of reducing curb cuts along Manchester Street, particularly near the Manchester/Black Hill/Old Turnpike intersection, Engineering recommends the Planning Board limit access for proposed Unit 1 to Black Hill Road.
 5. Per a 1996 maintenance agreement between the City and DOT for Manchester Street applicable to this section of Manchester Street, the City shall not make any changes to

this roadway section without prior approval from the State and Federal Highway Administration (FHWA). Additional details will be provided as the traffic study is completed and reviewed, but the Applicant should be prepared to engage NHDOT and the FHWA regarding the proposed changes to Manchester Street. A copy of the agreement has been attached to this memo.

6. Engineering will continue to coordinate with the Applicant on the traffic study for this site. Pending conclusions of the traffic study, the Applicant should be aware that Subdivision Regulation 20.05 provides the Board the authority to require improvements to highway, bicycle, and pedestrian safety issues and may require traffic calming improvements to mitigate the impact of new development on local residential streets. This could include improvements to the Manchester/Black Hill intersection or improvements on Manchester Street.
7. The Applicant shall confirm that they understand they will be responsible for reconstructing a portion of Black Hill Road to a standard acceptable to Engineering and the Planning Board, per Subdivision Regulation 20.03. Engineering recommends the street is built to a standard consistent with Table 21-2 and Figure 21-4 of the Subdivision Regulations (Non-Residential Mixed Use Local Street), including sidewalks on both sides of the street, 5-foot bike lanes, 8-foot landscaped grass panels, and parallel utility/slope easements.
8. Engineering recommends additional pedestrian connections to the proposed greenway trail from the site to encourage its use by residents from the site.
9. Please show the greenway trail's paved cross-section as 10-feet-wide to be consistent with Site Plan Regulation 21.06.
10. Please work with Engineering and Planning to determine an appropriate easement location and width for the greenway trail, per Site Plan Regulation 21.07. Engineering expects the Applicant's engineer to assess the proposed location of the trail and whether it is constructible as shown given the width of the trail, the associated easement width, and the existing topography near the river bank.
11. Is the intent for the pedestrian access to the river to be a public launch? Will this be conveyed to the City through an easement?
12. Please elaborate on the purpose of the six proposed parking spaces along Black Hill Road – is this to provide public parking for the proposed river access location? Engineering is concerned about needing to back into Black Hill Road, and would prefer to see these spaces aligned parallel to the road or provided as an off-street trailhead-style parking lot.
13. Please plan to add 5' bike lanes along the proposed access road in the center of the site.

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14. The proposed access road in the Center of the site will likely need to be named; please work with the City Surveyor on proposed street naming and addressing details.
15. There appears to be a segment of the proposed internal drive along the frontage of the grocery store without sidewalks. Please add sidewalks to both sides of the internal access drive.
16. Has the applicant considered adding grass panels to the typical cross-section of the internal drive? Please elaborate on why they are not included.
17. The Applicant should be aware of Zoning Ordinance 28-7-12 (c) (1), which requires an average 15-foot-wide landscaped area (which may vary from 10- to 20-feet wide) provided along the CDP boundary adjacent to the right of way with an arterial or collector street.
18. Engineering has concerns with traffic patterns at the proposed near the independent living facility, including the location of driveways near the roundabout due to the possible conflicting movements. The Applicant shall address these concerns as part of the traffic study and overall site plans.
19. Please provide detail on the proposed roadway elevation versus the 100-year and 500-year floodplain. There should be a factor of safety built in to the site elevations to allow for safe access into and out of the site in the event of a catastrophic flood.
 - a. Engineering would like to see an emergency access along the western edge of the site to provide backup access to the proposed independent living facility, particularly given the proximity to the river/floodplain and the nature of the proposed facility.
20. Please include details on the location of proposed utilities, per Subdivision Regulation 18.03 (7).
 - a. Close attention should be paid to stormwater management on this site given the possibility of a high groundwater table, possibly limited infiltration capacity on the site, and proximity to the Merrimack River.
 - b. Engineering recommends the Applicant conduct test pits to confirm soil makeup and infiltration capacity in advance of any stormwater design.
 - c. Please be aware that there are no sewer or water mains along Black Hill Road to serve the property south of Black Hill Road; the Applicant shall coordinate their utility plans with Engineering to confirm they are acceptable.
21. There appear to be some City drain lines passing through the northwest portion of the property.
 - a. Per Site Plan Regulation 22.10, the Applicant should plan to provide a drainage easement for these existing drainage ways. Easements generally should not have

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- any permanent infrastructure placed over them precluding future maintenance or access.
- b. Per Site Plan Regulation 22.11, the easement should be at least 25 feet wide and provided with sufficient access.
22. Per Site Plan Regulation 28.01, the Applicant shall make provisions for fire apparatus access circulation around the site. Please confirm the City aerial ladder truck movements can navigate around the site without running over curbing or encroaching on parking spaces.
23. Please be aware that upon Site Plan approval (not CDP approval that is currently being sought) that Engineering will require:
- a. A performance surety (letter of credit, or cash deposit) for site stabilization based on the proposed site work. The surety shall be deposited prior to scheduling the pre-construction meeting. A template for estimating site stabilization fees can be provided by Engineering upon request.
 - b. A performance surety (bond, letter of credit, or cash deposit) for work within the right-of-way and proposed public improvements. An engineer's cost estimate, based on the current NHDOT weighted average unit prices, should 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.
 - c. An 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). 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).
24. Water and Sewer Investment Fees will need to be paid as part of the utility connection permit process.

Attachments:

- 1) Copy of 1996 Manchester Street maintenance agreement between the City and State