



Heather Shank
City Planner

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

Planning Board

May 18, 2022

Project Summary – Major Site Plan

Project: Commercial Parking Lot (2022-31)
Property Owners: JTA Realty Investments, LLC
Address: 96 Hall Street
Map/Block/Lot: 793Z/ 23

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.

The Applicant has submitted a waiver request to Section 10.06 of the Site Plan Regulations (SPR), to hold the Public Hearing at the same meeting as the Determination of Completeness. The Applicant requests the expedited review to complete construction in the early part of the construction season, and to address overflow parking concerns for 100 Hall Street as soon as possible.

Staff recommends that the Board grant the waiver request and open the public hearing, utilizing the criteria of RSA 674:44 III(e)(1) as guidance, a waiver would not be contrary to the spirit and intent of the regulations.

Project Description:

The applicant is requesting Major Site Plan approval for the construction of an approximately 17,400 sf, 38-space commercial parking lot with associated stormwater, landscape, and lighting improvements at 96 Hall Street in Opportunity Corridor Performance (OCP) District. The parking lot will serve and provide relief to the existing parking demands for the Metro Treatment Clinic of New Hampshire at 100 Hall Street.

Access to the proposed parking lot will be through 100 Hall Street. The creation of the access requires the relocation of the existing dumpster at 100 Hall Street, and creation of 2 additional parking spaces on that lot to account for the new dumpster location.

Project Details:

Zoning: Opportunity Corridor Performance (OCP) District.
Existing Lot Area: 0.85 ac (36,861 sf)
Existing Use: Vacant
Proposed Use: Parking lot
Required parking spaces n/a

Parking spaces provided	38 spaces, including 2 accessible spaces
Maximum Lot Coverage	85%
Existing Lot Coverage	0%
Proposed Lot Coverage	48%
Building Setbacks Required	15' front, 15' rear, 15' side
Building Setbacks Provided	15' front, 15' rear, 15' side

1. General Comments

- 1.1 The following comments pertain to the 10-sheet site plan set titled "Site Improvement Plans, prepared for: Metro Treatment of New Hampshire, LP (Tax Map 793Z Lot 23) 96 Hall Street, Concord, NH", prepared by Northpoint Engineering, LLC, dated April 2022.
- 1.2 The Architectural Design Review (ADR) Committee reviewed the application at their meeting on May 3, 2022. The Committee recommended approval of the site plan as submitted subject to the applicant providing additional street trees along the frontage at 96 Hall Street and 100 Hall Street at a maximum spacing of 25 ft, and convert proposed striped parking islands into landscaped parking islands, and include street tree plantings in the islands.
- 1.3 Please see Engineering comments in two separate memos from the Engineering Division and VHB.
- 1.4 At the December 15, 2021 meeting, the Planning Board conditionally approved a Minor Subdivision for a Lot Line Adjustment at 96 and 102 Hall Street. The proposed site plan is based on the new lot configuration. The deed and mylar associated with the lot line adjustment shall be recorded prior to final approval of the site plan.

2. Conditional Use Permit

- 2.1 The Applicant is requesting a Conditional Use Permit (CUP) in accordance with Article 28-4-3(d) of the Zoning Ordinance (ZO) to allow disturbance of 6,536 sf of land within the 50-foot Wetland Buffer for construction of the stormwater management system.

The narrative provided by the Applicant (see attached under Supplemental) describes how the criteria of all applicable sections of the ordinance are met, including Section 28-9-4(b)(4) (ZO), which states the criteria for the Planning Board decision. Staff supports the CUP, with the condition that the area be restored with a Restoration/Conservation seed mix with native species appropriate for a wetland buffer.

- 2.2 The applicant went before the Conservation Commission at their meeting on May 11, 2022. The Commission indicated that the thought the treatment of stormwater within the buffer was a reasonable use, and voted to recommend approval of the CUP.

3. Review Comments

- 3.1 Prior to final approval, an easement between 96 and 100 Hall Street shall be provided for review, and be recorded at the Merrimack County Registry of Deeds for the access to the parking lot through 100 Hall Street.

The applicant has indicated a future access through 92 Hall Street on the site plan. An easement, or intent to convey an easement, between 92 and 96 Hall Street shall be provided.

The site plan shall be updated with easement information, per Section 16.02(9) of the Site Plan Regulations (SPR).

- 3.2 Per Section 12.03(3) and 27.03, the landscape plans shall be prepared by a NH Licensed Landscape Architect who shall sign and seal the landscape plans.
- 3.3 Per Section 12.03(5) and 12.07, the wetland scientist shall sign and seal the plan upon which the wetland delineation boundaries are mapped.
- 3.4 Per Section 16.02(16), the lighting plan shall show the light levels in footcandles for all site lighting. The lighting shall conform to the standards for illumination in Article 28-7-7(j), Illumination of Parking Areas.
- 3.5 Per Section 16.02(18), specific measures for the discontinuance, removal, and/or mothballing of utilities shall be provided.
- 3.6 Per Section 18.21, provisions for snow storage shall be provided and shown on the site plan.
- 3.7 Staff recommends that at least one of the painted islands be converted to a landscaped island, planted with a minimum of one deciduous shade tree. Landscape areas shall comply with Section 18.13 (SPR), which requires a minimum width of 9 feet. Applicant may need to eliminate parking spaces for the landscape area.
- 3.8 Per Section 27.07(1), deciduous trees planted shall have a caliper no less than 2-1/2" to 3" at the time of planting. Please revise the plant schedule with the correct size.
- 3.9 Per Section 27.07(4), no tree species shall account for more than 25% of the tree count. Revise the landscape plan to provide for more biodiversity in tree species. Further, staff recommends that the Landscape Architect reconsider the use of Sugar Maple trees, which have low salt tolerance and are only recommended in lawn areas or away from salt-treated areas. Please see the City of Concord Construction Standards for a list of recommended street trees.
- 3.10 Staff recommends the introduction of additional, native perennials and shrubs to increase the diversity of plantings throughout the site. Please confirm whether parking lots are a suitable growing condition for Hydrangea.
- 3.11 Revise the spelling for Ilex glabra and Inkberry (the "I" is missing for both).
- 3.12 Please provide the proposed seed mix. Staff recommends a restoration or conservation seed mix with native species appropriate for a wetland buffer.

4. Recommendations

- 4.1 **Grant ADR approval** for the proposed site plan for the parking lot subject to the applicant providing additional street trees along the frontage at 96 Hall Street and 100 Hall Street, at a maximum spacing of 25 ft, and convert proposed striped parking islands into landscaped parking islands, and include street tree plantings in the islands.
- 4.2 **Grant Conditional Use Permit approval** in accordance with Article 28-4-3(d) of the Zoning

Ordinance (ZO) to allow disturbance of 6,536 sf of land within the 50-foot Wetland Buffer for construction of the stormwater management system, with the condition that the area be restored with a Restoration/Conservation seed mix with native species appropriate for a wetland buffer.

4.3 **Grant Major Site Plan** approval for the proposed commercial parking lot at 96 Hall Street, 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 Technical Review comments to the satisfaction of the Planning Division.
 - (2) Address Engineering review comments to the satisfaction of the Engineering Division.
 - (3) Any Conditional Use Permit(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Zoning Ordinance.
 - (4) Provide a draft easement between 96 and 100 Hall Street for review by the City Solicitor and Planning Board Clerk. The easement shall be recorded at the Merrimack County Registry of Deeds.
 - (5) The deeds and mylar associated with the lot line adjustment between 96 and 102 Hall Street shall be recorded.
 - (6) 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 a 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.
 - (4) Prior to the issuance of a Certificate of Occupancy or final construction sign-off, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) and tax maps. The information shall be submitted in accordance with Section 12.08 of the Site Plan Review Regulations and all information shall be converted to a vertical datum of NAVD 88.

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: Todd Welch, Civil Engineer/Project Manager, P.E.
CC: David Cedarholm, City Engineer, P.E.
DATE: 5/5/2022
SUBJECT: Metro Treatment Site Plan Engineering Review, 96 Hall St;
Map 793, Block Z, Lot 23; Project 2022-31

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

- *Site Improvements Plans Prepared for Metro Treatment of New Hampshire, LP*, prepared by Northpoint Engineering, dated April 2022 (received on April 20, 2022);
- *Stormwater Management Report, prepared by Northpoint Engineering, LLC, dated April 20, 2022 (received April 20, 2022).*

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.

Plan Set

Cover Sheet

1. Lot lines for Area Plan are inconsistent with City records for 102 Hall St (Map 793Z, Lot 21).

Existing Conditions Plat

2. Applicant shall include a signed wetland scientist stamp per SPR 12.03(5).
3. Within the title block, please change the Project Location to Map 793Z, Lots 22 & 23, 96 & 100 Hall St, Concord, NH.
4. Within the plan view, 793Z-39 (Capital Hotel) should be 792Z-39.

Re: Review Comments (2022-31)
Metro Treatment, 96 Hall St Concord, NH 03301
Date: 5/5/2022

5. Within the plan view, 793Z-3 (Timothy Swain) and 793Z-2 (Hall Street Realty) should be switched. In addition, 793Z-3 is owned by Rebecca Hardison and Kristen Hardison.

Site Plan (Sheet 2 of 9)

6. The accessible parking spaces shall be located on the shortest accessible route into the facility.
7. "No Parking" signs shall be provided at the front of the access aisles for the accessible parking spaces in accordance with Section Abfd 303.02(b)(3) of the NH AB Code and Part Bcr 303 (Changes or Updates to the International Building Code 2009, Amendment 9, 502.4.4.1) of the State Building Code.
8. Please show snow storage areas per SPR 18.21.
9. Within the plan view within the existing 2 ½ story building, please add the location address of 100 Hall Street.
10. Within the plan view, 793Z-39 (Capital Hotel) should be 792Z-39.
11. Within the plan view, 793Z-3 (Timothy Swain) and 793Z-2 (Hall Street Realty) should be switched. In addition, 793Z-3 is owned by Rebecca Hardison and Kristen Hardison.

Construction Details (Sheets 7-9)

12. Outlet structure #1 detail shows elevations that appear to be significantly off from the pond elevations shown on the grading and drainage plan (sheet 3 of 9).
13. When there is a City of Concord detail available for a given item/detail it shall be used. The details used shall be the ones from the recently updated standards. Every detail was not reviewed but the Storm Drain Trench Detail does not match the City detail so please check all others.

Drainage Report

14. Please provide test pit infiltration rate data, and design infiltration rate with factor of safety applied.
15. Please provide seasonal high-water elevation data from test pit.
16. Provide a maintenance an operation plan for the private storm drainage system in accordance with SPR 22.05.

General Comments

17. Hall St was repaved in 2021 is in moratorium until 2026.

Re: Review Comments (2022-31)
Metro Treatment, 96 Hall St Concord, NH 03301
Date: 5/5/2022

18. The water service for 96 Hall St was discontinued at the ROW line and the curb stop is still in place. The selected contractor should be made aware so it doesn't get hit during construction.
19. An access easement will be required to cross 102 Hall St, Map 793Z, Lot 21.
20. A review of the MCRD records indicates that the Lot Line Adjustment Plat for JTA Realty and ATG Corporation has not been recorded yet.
21. Engineering encourages, but does not require, the following wildlife-friendly erosion control practices:
 - a. Use temporary erosion and sediment control products that either do not contain netting, or that contain netting manufactured from 100% biodegradable non-plastic materials such as jute, sisal, or coir fiber. Degradable, photodegradable, UV-degradable, oxo-degradable, or oxo-biodegradable plastic netting (including polypropylene, nylon, polyethylene, and polyester) are not equivalent alternatives. Netting used in these products should have a loose-weave wildlife-safe design with movable joints between the horizontal and vertical twines, allowing the twines to move independently and thus reducing the potential for wildlife entanglement.
 - b. Avoid the use of silt fences reinforced with metal or plastic mesh or if possible recommend the use of erosion control berms.
 - c. When no longer required, temporary erosion and sediment control products should be removed promptly from the project site.
 - d. Use nonwoven coir fabric when a surface fabric treatment is required for erosion control and stabilization, such as 100% biodegradable coconut fiber mat or equal as reviewed and approved by the project design engineer.
 - e. Use woven coir fabric when site conditions warrant. The outer layer of woven coir fabric should be a high strength, continuously woven mat (i.e., without seams) and made of 100% coconut fiber.
22. Please add the following notes to the plan set, if not already incorporated:
 - a. All work shall be performed in accordance with the City of Concord's Construction Standards and Details (latest edition), and City standards shall take precedence in case of any details or plans in conflict.
 - b. All utilities shall be installed underground in accordance with Section 25.02(1) of the Site Plan Regulations.
 - c. Per Site Plan Regulation 12.09, upon completion of construction the contractor shall submit as-built drawings to the Engineering Services Division prior to issuance of a Certificate of Occupancy.

Re: Review Comments (2022-31)
Metro Treatment, 96 Hall St Concord, NH 03301
Date: 5/5/2022

- d. The contractor shall set up a preconstruction meeting with the Engineering Services Division to discuss construction requirements, site inspections, associated fees, schedules, etc.
- e. The contractor shall obtain an Excavation Permit from the Engineering Services Division for work within the ROW.
- f. The contractor shall obtain a Driveway Permit from the Engineering Services Division for the proposed driveway.
- g. A Temporary Traffic Control Plan (TTCP) will be required for all work in and adjacent to the City ROW that will require lane closures. The TTCP shall be submitted to the ESD for review and approval a minimum of two weeks prior to the construction activities that require the lane closure(s).

State/Federal Permits

23. Per Site Plan Regulation 13.02 (8) and/or Subdivision Regulation 13.02 (10), a copy of the State and Federal permit(s) shall be submitted to the City prior to final approval.

Post-Approval/Pre-Construction Items

The following items are required prior to the start of construction (unless otherwise noted):

1. Prior to engineering sign-off on the building permit, the applicant/contractor shall:
 - a. 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 final revised plans have been submitted and approved to the satisfaction of Planning and Engineering.
2. The following permit(s) will need to be obtained from the Engineering Services Division:
 - a. Driveway Permit
 - b. Excavation Permit: Include \$5000 performance bond for sidewalk construction.
3. Per Site Plan Regulation 27.11, establish a financial guarantee (letter of credit, or cash deposit) for site stabilization. The surety amount for this project has been set at \$5,000 (min. amount) based on a 0.8 ac disturbance area. The surety shall be established prior to scheduling the pre-construction meeting.
4. Per Site Plan Regulation 36.24 The Applicant is responsible for paying engineering inspection fees to ensure work is consistent with City standards and the approved plan set. An advanced deposit must be established for all anticipated site construction inspection fees.

Re: Review Comments (2022-31)
Metro Treatment, 96 Hall St Concord, NH 03301
Date: 5/5/2022

- a. The deposit amount is determined by Engineering based on the project schedule and estimated services; actual inspection fees are based on actual services rendered (i.e., hourly billing rate).
 - b. Prior to scheduling the pre-construction meeting, a template estimating the initial fee deposit (available upon request to engineering) shall be filled out by the Applicant for review by Engineering, as well as a project schedule and itemized cost estimate for use in establishing the deposit amount.
 - c. The deposit shall be submitted at least a week prior to the pre-construction meeting.
5. Retaining wall design drawings (stamped by a licensed structural engineer) shall be submitted to Engineering for proposed retaining walls that are greater than 4 feet high. In addition, walls greater than 48 inches require a Building Permit from the Code Administration Office.
 6. Shop drawings/submittals shall be submitted to Engineering for the proposed drainage improvements, and for the proposed improvements within the ROW.
 7. 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.
 8. 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.



Memorandum

To: Ms. Beth Fenstermacher, PLA
Assistant City Planner
City of Concord
41 Green Street
Concord, NH 03301

Date: May 10, 2022

Concord File No.: 2022-31

VHB Project #: 52430.30

Map & Lot: 793Z-23

From: Mark J. Verostick, PE
Senior Project Engineer

Re: Technical Review
Metro Treatment of New Hampshire, LP
96 Hall Street
Concord, New Hampshire

As requested, VHB has conducted a technical review of plans and information submitted for a proposed parking lot to be located at 96 Hall Street. VHB reviewed the following information associated with this project:

- Project Narrative prepared for Metro Treatment Center of New Hampshire, LP, 96 Hall Street, Map 793Z Lot 23, Concord, New Hampshire, prepared by Northpoint Engineering, LLC, dated April 20, 2022.
- Site Improvement Plans prepared for Metro Treatment of New Hampshire, LP, Tax Map 793Z Lot 23, 96 Hall Street, Concord, NH, prepared by Northpoint Engineering, LLC, dated April 2022.
- Stormwater Management Report prepared for Metro Treatment of New Hampshire, LP, Tax Map 793Z Lot 23, 96 Hall Street, Concord, New Hampshire, prepared by Northpoint Engineering, LLC, dated April 20, 2022.

The following sections contain VHB's comments relative to the information reviewed:

GENERAL COMMENTS

1. A list of any required waivers should be added to the final plans.
2. It appears easements for access and parking may be required for the proposed uses shown across parcels 793Z – 22, 23 and 25. The easement documents should be reviewed with the Planning Division and any easements should be shown on the final plans.

PLANS

Existing Conditions Plat (Sheet 1)

3. There is an existing $\frac{3}{4}$ " water service shown on the projects site, presumably associated with the former residential building. The applicant should review this with the Engineering Division to determine if the water service should be terminated at the Main in Hall Street.

Site Plan (Sheet 2)

4. All plans should include a north arrow per the Concord Site Plan Regulations (CSPR) section 12.02.

5. Note 8 references a conditional use permit granted by the Concord Planning Board but the conditional use permit is not listed.

Grading and Drainage Plan (Sheet 3)

6. The proposed accessible parking spaces are graded to have a 2% slope which is the maximum cross-slope for an accessible route. VHB recommends providing a slope of less than the maximum to allow for construction tolerances to ensure the maximum slopes are not exceeded.
7. The proposed stormwater management basin (SWMB #1) should be provided with pretreatment per CSPR section 22.07(4).
8. The OCS detail reference should be corrected to reference sheet 9.
9. Were test pits performed at the proposed infiltration basin to determine the seasonal high water table elevation? CSPR section 22.07 (2) requires 4 feet of separation between the bottom of an infiltration system and groundwater. NHDES AoT regulations Env-Wq 1508.06(j) does allow a reduction to 1 foot of separation if the water is treated prior to entering the infiltration practice. There are wetlands immediately adjacent to the proposed infiltration basin and appear to be at approximately the same elevation as the bottom of the infiltration basin. A waiver from CSPR 22.07 (2) may be required, provided the minimum separation indicated in the NHDES regulations can be met to allow infiltration to occur, since there is a water quality swale upstream from the infiltration basin.

Lighting Plan (Sheet 5)

10. Photometrics should be provided in conformance with CSPR section 29.

Erosion Control Plan (Sheet 6)

11. Erosion control (silt fence or erosion control matting) are recommended along the fill slope adjacent to the easterly property line to prevent sediment transport onto the adjacent sidewalk and into Hall Street.

Construction Details (Sheet 7)

12. The accessible parking striping refers to the plan for the width. The width of the accessible parking and striped access and loading aisles should be added to the plan or the detail and the space intended to be van accessible should be clarified.

Construction Details (Sheet 9)

13. The outlet structure #1 detail elevation table appears to have typos on the elevations that should be corrected.
14. A trash rack detail should be provided for the outlet control structure.

DRAINAGE REPORT

15. The project should include a long-term stormwater maintenance and operations plan per CSPR section 22.05 and it is recommended to include a provision to make records available to the City.
16. The rainfall depths in the hydrocad model should be updated to agree with the values provided in the Northeast Regional Climate Center Extreme Precipitation table provided.
17. In the post development hydrocad model, there is a portion of subcatchment 30S that will be tributary to infiltration basin 26P and should be routed accordingly.
18. Information should be included on how the exfiltration rate was determined for the proposed infiltration basin.
19. The infiltration basin is modeled with a broad crested weir outlet. If this is intended to be an emergency spillway, the location should be shown on the plans and a detail should be included.
20. The pre-development drainage area plan shows a subcatchment 30S which is not included in the hydrocad model. The plan should be updated to agree with the model.

STATE PERMITS

It does not appear that the project will require any state permits associated with the proposed development. If any state permits are determined to be necessary, copies should be submitted to the Planning Division.

CONSTRUCTION

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

- The applicant should set up a preconstruction meeting with the Engineering Services Division to discuss construction requirements, site inspections, associated fees, schedules, etc.
- The following permits will need to be obtained from the Engineering Services Division:
 - Excavation Permit (for work within the ROW)
- 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. (submit to Engineering for review and approval a minimum of two weeks prior to the pre-construction meeting)
- Performance surety (bond, letter of credit, or cash deposit) for site stabilization.
- Performance surety (bond, letter of credit, or cash deposit) for work within the right-of-way. An engineer's cost estimate, based on the current NHDOT weighted average unit prices, should be submitted a min. of two weeks prior to the pre-construction meeting.

Ref: 52430.30

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- 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 should be submitted a min. of two weeks prior to the pre-construction meeting for use in establishing the deposit amount. (submit deposit a min. of three days prior to pre-construction meeting).

Please feel free to contact me if you have any questions regarding the above comments.

cc: Heather Shank, City Planner – City of Concord
David Cedarholm, City Engineer – City of Concord
Todd Welch, Engineering Project Manager – City of Concord