



Heather Shank  
City Planner

# CITY OF CONCORD

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

## Planning Board

January 18, 2017

### **Project Summary – Major Subdivision Plan**

Project: **Strategic Contracting – Hoit Road Major Subdivision (2016-55)**  
Owner: **Strategic Contracting Company, LLC**  
Address: **Hoit Road**  
Map/Block/Lot: **122/3/12**

### **DETERMINATION OF COMPLETENESS:**

This application was determined complete at the December 21, 2016 Planning Board meeting.

### **PROJECT DESCRIPTION:**

The applicant is requesting Major Subdivision Plan approval to create a 6-lot cluster subdivision on property off of Hoit Road in the Medium Density Residential (RM) District.

### **PROJECT DETAILS:**

Existing Use:	Vacant	
Proposed Use:	Residential Cluster Subdivision	
Existing Zoning:	RM – Medium Density Residential District	
Existing Tract Area:	13.26 ac	
Tract Area Required:	10.00 ac	
Lot Area Required:	20,000 sf	(RM District w/out sewer)
Lot Area Proposed:	Lot 1: 56,672 sf	
	Lot 2: 33,181 sf	
	Lot 3: 33,311 sf	
	Lot 4: 33,440 sf	
	Lot 5: 33,569 sf	
	Lot 6: 64,876 sf	
Frontage Required:	100.00 ft	(RM District w/out sewer)
Frontage Proposed:	Lot 1: 309.00 ft	
	Lot 2: 109.00 ft	
	Lot 3: 109.00 ft	
	Lot 4: 109.00 ft	
	Lot 5: 109.00 ft	
	Lot 6: 110.15 ft	
Open Space Required:	6.63 ac	

Open Space Proposed:	8.49 ac
Buildable Open Space Required:	2.652 ac
Buildable Open Space Proposed:	not provided
Contiguous Buildable Required:	1.326 ac
Contiguous Buildable Proposed:	not provided

## 1. General Comments

- 1.1 The following comments pertain to the 7 sheet plan set titled, “Subdivision Plan Prepared for Strategic Contracting Company, LLC” dated September 2016, last revised January 4, 2017, which we received on January 5, 2017, and revisions of Sheets 1 and 3-5, which dated January 25<sup>th</sup>, 2017, which we received on February 1<sup>st</sup>, 2017.
- 1.2 Staff met with the applicant on a number of occasions to discuss layout, buffers, and the number of driveways and lots proposed. The current submission represents the results of those discussions. The applicant is proposing six (6) single family home lots and one open space lot to be held in common ownership with an easement dedicated to the City.
- 1.3 A note on the plan indicates that cross access easements will be provided for well radii encroaching on adjacent lots. These must be submitted and reviewed by staff prior to final plat approval. Cross access easements are not required for well radii encroachments onto conservation easement land.
- 1.4 Please review the attached Engineering report dated 2/7/17.
- 1.5 Please note that a letter has been submitted by abutters at 57 Hoit Road in opposition of the project. See the attached Supplemental material for a copy of the letter.

## 2. Waivers

- 2.1 The applicant is requesting a waiver from Sections 16.04(8) of the Subdivision Regulations, requiring a Construction Details sheet. Since the applicant is not proposing any new road ways, **Staff supports the waiver.**
- 2.2 The applicant has withdrawn waiver requests for Section 23.07 and 23.08 of the Subdivision Regulations as the required information has been provided.

## 3. Open Space Comments

- 3.1 The plans are required to be reviewed by the Conservation Commission. The applicant attended the December 14<sup>th</sup> Conservation Commission meeting. The Conservation Commission did not object to the proposal, but recommended that the open space easements restrict the use to passive recreation only, to avoid encroachments.
- 3.2 The applicant is proposing the required perimeter buffer on the private home lots. Per Section 28-4-7(f) (SDR), the intent of the perimeter buffer is to visually and physically separate cluster development from adjacent conventionally developed land uses. Staff notes that the intent of the ordinance is not inconsistent with existing development along Hoit Road, as single family homes directly across the street are effectively screened from the street with a dense mix of evergreen and shade trees and shrubs. Please note:
  - Staff met with the applicant prior to the most recent submission to discuss the buffer and appropriate screening. Staff supported the applicant’s desire to reduce the quantity of

vegetation along the east property line where an existing buffer will be preserved; however, additional evergreen and deciduous shrubs and trees were recommended along the frontage to meet the intent of the ordinance.

- The current submission proposes a row of shade trees, seven (7) evergreen trees and existing meadow grasses to serve as the perimeter buffer within the existing meadow area. While several evergreen trees were added, it is Staff's opinion that vegetation along the frontage is still inadequate to meet the intent of the ordinance. At least two (2) additional evergreen trees should be provided and additional shrub groupings.
- Further, the current submission eliminates all shrubs previously proposed along the east property line. While Staff supported reducing the quantities proposed in this location, several groupings of shrubs should still be provided. The intent is that enough vegetation is provided such that the buffer will eventually fill in as a naturalized area, and not revert to mowed lawn.
- The letter submitted by the abutter states that the proposed development is not in keeping with the character of the area. The required buffer is intended to mitigate the impact of the higher density frontage lots.

**Staff recommends additional vegetation in the existing meadow area and along the east property line to create an effective buffer and preserve the forested character of the area. Staff also recommends that the Board discuss the buffer and provide feedback to the applicant.**

- 3.3 Per Section 27.02 (SDR), conservation land intended to remain in private ownership, including buffers, shall be deeded in such a way as to ensure maintenance of the land in a manner consistent with the purpose intended.
- 3.4 Proposed easements and deeds must be submitted for review and approval by Planning staff, the City Solicitor, City Surveyor, and Conservation Commission prior to final plat approval.

#### **4. Technical Review Comments**

- 4.1 The plan incorrectly calculates the minimum dimension for contiguous buildable area as 66 feet. Using the correct calculation of 100 feet, there is insufficient contiguous buildable area. Staff anticipates this issue being resolved prior to the Planning Board hearing. Otherwise, a continuance of the hearing may be needed to ensure that plans comply with zoning requirements.
- 4.2 Please indicate street tree requirements for the entire frontage on the Landscape Plan. A note may be added noting that existing trees satisfy the requirement for the linear feet of frontage that is wooded, and that 11 trees are proposed to meet the requirement for the remainder. In the event that existing trees are removed such that the requirement is no longer met, required trees would still need to be provided.

#### **5. Recommendations**

- 5.1 **Grant the waiver request** from Section 16.04(8) of the Subdivision Regulations requiring a Construction Details sheet, based on the fact that the applicant is not proposing any new road ways, and utilizing the criteria of RSA 674:36, II (n) (2), which states that specific circumstances relative to the subdivision indicate that the waiver will properly carry out the spirit and intent of the regulations.
- 5.2 **Grant Major Subdivision approval** for the 6-lot subdivision off of Hoit Road, subject to the following conditions:

- a) **Precedent Conditions** – to be fulfilled within one year and prior to endorsement of the final plan by the Planning Board Chairman and Clerk, unless otherwise specified:
- (1) Revise plans to provide additional plantings to satisfy the intent of the ordinance for a perimeter buffer to the satisfaction of the Planning Division.
  - (2) Address Engineering Review Comments dated 2/7/17 to the satisfaction of the Engineering Division.
  - (3) Address Technical Review Comments, noted in Section 4 above, to the satisfaction of the Planning Division.
  - (4) A conservation easement and deed for the open space shall be submitted for review, in a form acceptable to the City Solicitor, Conservation Commission, and City Surveyor, and suitable for recording in the Merrimack County Registry of Deeds. Easement documents shall be recorded prior to final sign off.
  - (5) Cross access easements for well radii encroachments shall be submitted for review and approval by the City Solicitor and City Surveyor, and suitable for recording in the Merrimack County Registry of Deeds.
  - (6) Any waivers granted are to be noted and fully described on the plan including date granted and applicable Section numbers of the Subdivision Regulations. Should the Board vote to deny the waiver requests, the applicant shall comply with said requirements.
  - (7) Prior to the final plat being signed by the Planning Board Chair and Clerk, 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 12.09 of the Subdivision Regulations.
  - (8) The Licensed Land Surveyor shall sign and seal final plans and mylars.
  - (9) Applicant shall submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
  - (10) The Applicant shall deliver to Planning, two plan sets and one (1) mylar(s) for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.
- b) **Subsequent Conditions** – to be fulfilled as specified:
- (1) Wetland buffers shall be clearly and permanently marked before, during, and after construction of the sites. Building permits will not be issued until the buffers are marked.

Prepared by: HRS

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

Edward L. Roberge  
*City Engineer*

**MEMORANDUM**

**TO:** Heather Shank, City Planner  
**FROM:** Bryant Anderson, PE  
**DATE:** February 7, 2017  
**SUBJECT:** Subdivision Plan review (2) for Strategic Contracting Company, LLC, Hoit Road; Map 122, Block 3, Lot 12 (2016-55)

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

- Subdivision Plans, Strategic Contracting company, LLC, Map 122, Block 3, Lot 12, Hoit Road, Concord, New Hampshire, prepared by T.F. Bernier, Inc., dated October 19, 2016, revised thru 1/25/17; (received on 2/1/2017)
- Comment Response Letter, Jonathan Crowdes (T.F. Bernier) to Heather Shank (Planning), dated January 31, 2017; (received on 2/1/2017)
- Stormwater Management Analysis, Strategic Contracting Company, LLC, Residential Subdivision, Hoit Road, prepared by T.F. Bernier, Inc., dated January 2016; (received on 2/1/2017)

As a supplement to any comments offered by the Planning Division, we offer the following design related comments. **With subsequent submissions, the applicant should provide a response letter that acknowledges/addresses each of these comments.**

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Note: The Engineering Services Division has previously reviewed this project and has submitted comments to the Planning Division in memorandums dated December 14, 2016 and January 11, 2017. Comments from our previous memorandums that have not been addressed have been included and noted in the comments below.

**Plan Review Comments:**

**Subdivision Plan**

1. The NHDES Subdivision Approval Number should be added to Note 8. This same comment applies to Note 7 on the Topographic Plan. ***(Repeat Comment from 1/11/2017)***

*Engineering Services*  
City Hall • 41 Green Street • Concord, NH 03301 • (603) 225-8520  
*engineering@concordnh.gov*

## **Site Development Plan**

1. The foundation drain for Lot 6 should be labeled on the plan. In addition, the outlet of the drain will discharge onto a slope. The designer should evaluate the outlet and confirm that this will not create an erosion issue. ***(Repeat Comment from 1/11/2017)***  
To clarify, the original comment was only intended to have the drain line identified on the plan and to confirm that the anticipated groundwater discharge from the foundation drain would not cause erosion to the slope that it outlets onto. It was not intended to imply that the foundation drain should be included in the hydrologic calculations.

## **Stormwater Management Analysis**

1. All three of the proposed driveways will block the flow paths for the stormwater runoff from Hoit Road and create low points adjacent to each driveway within the right-of-way. The design should be revised through use of driveway culverts/swales or other acceptable means so that low points are not created within the right-of-way.

## **Construction**

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

1. The monumentation for the proposed lot lines will need to be set (prior to issuance of a certificate of occupancy).
2. The following permits will need to be obtained from the Engineering Services Division:
  - a. Driveway Permits
  - b. Excavation Permit (for work within the ROW)
3. All required insurance and sureties will need to be in-place.