



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

**Planning Board**

**May 17, 2017**

**Project Summary – Major Subdivision Plan**

Project: **H. Byers Smith & Marian Smith Trust Subdivision (2017-16)**  
Owner: **H. Byers Smith & Marian Smith Trust**  
Address: **393 Mountain Road**  
Map/Block/Lot: **122/4/3**

**DETERMINATION OF COMPLETENESS:**

Recommend that this application be determined complete and set the public hearing for the June 21, 2017 Planning Board meeting.

**PROJECT DESCRIPTION:**

The applicant is requesting Major Subdivision Plan approval to create a 7-lot cluster subdivision on property at 393 Mountain Road in the Medium Density Residential (RM) District.

**PROJECT DETAILS:**

Existing Use:	Single Family
Proposed Use:	Residential Cluster Subdivision
Existing Zoning:	RM – Medium Density Residential District SP - Shore land Protection District FH - Flood Hazard Zone 'A'
Existing Tract Area:	26.39 ac
Tract Area Required:	10.00 ac
Lot Area Required:	20,000 sf (RM District w/out sewer)
Lot Area Proposed:	Lot 1: 246,614 sf Lot 2: 25,534 sf Lot 3: 25,143 sf Lot 4: 58,550 sf Lot 5: 33,687 sf Lot 6: 68,244 sf Lot 7: 81,818 sf
Frontage Required:	100.00 ft (RM District w/out sewer)
Frontage Proposed:	Lot 1: 107.90 ft Lot 2: 110.47 ft Lot 3: 101.80 ft

Lot 4: 287.83 ft  
 Lot 5: 109.42 ft  
 Lot 6: 100.28 ft  
 Lot 7: 97.55 ft

Open Space Required: 574,774 (13.195 ac)  
 Open Space Proposed: 811,234 (18.62 ac)  
 Buildable Open Space Required: 229,910 (5.28 ac)  
 Buildable Open Space Proposed: 315,000 (7.23 ac)  
 Contiguous Buildable Required: 114,955 (2.64 ac)  
 Contiguous Buildable Proposed: 114,974 (2.64 ac)

## 1. General Comments

- 1.1 The following comments pertain to the 8 sheet plan set titled "Subdivision Plan Land of H. Byers Smith & Marian B. Smith Trust" dated April 2017.
- 1.2 Code Enforcement has expressed concern that the frontage on proposed Lot 7 does not currently comply with Article 28-4-1(h) of the Zoning Ordinance (ZO). Lot frontage shall be a continuous line between side lot lines measured along the edge of the street right-of-way.
- 1.3 Cluster developments which are subject to a subdivision approval pursuant to Section 28-4-7 require Architectural Design Review (ADR) in accordance with Article 28-9-4(f)(1)(c). of the Zoning Ordinance (ZO). The applicant will appear at the next scheduled ADR meeting on June 13, 2017.
- 1.4 Please review the memo from Engineering dated May 8, 2017.

## 2. Waivers

- 2.1 The applicant requests waivers from the following Sections of the Subdivision Regulations (SDR):
  - a) Sections 24.02 and 25.02 to not extend municipal water and municipal sanitary sewers for parcels within 1,500 feet of existing water mains and sanitary sewer mains within the Urban Growth Boundary (UGB). The applicant is requesting a waiver from this section due to the associated costs of extending municipal water services across I-93. Staff conducted an analysis of the surrounding area to determine whether to support this request. We noted that much of the surrounding area is already built out with larger lot single family homes. At one time, higher density development was projected for this area. However, Staff notes that this has not come to fruition, with most of the area developing consistent with the relatively low density supported by septic systems. Further, there are not many large parcels left for intense residential development in this area. Staff does not anticipate a need for sewer in this area in the near future. Therefore, **Staff supports the waiver request.**
  - b) Section 20.11 to provide 18 feet of pavement with 1 foot of gravel for Common Private Drives where 22 feet of pavement and 2 feet of gravel are required. Additionally the applicant would like to provide a 30 foot wide right-of-way where 50 feet is required. **The applicant met with the Fire Department regarding this request and came to an agreement regarding what should be provided to ensure adequate emergency vehicle access. The current proposal represents that agreement. Staff notes that the applicant would lose at least one lot if required to comply with the regulation. Staff supports the waiver request.**

- c) Sections 20.14(1) & (2): requires dead end common private drives to terminate in a T-hammerhead, Y-hammerhead or cul-de-sac, based on the number of units served. The applicant is requesting an alternate turn-around configuration. **The applicant met with the Fire Department regarding this request. The Fire Department has no objections to this request. Staff supports the waiver request.**

### **3. Open Space Comments**

- 3.1 The plans are required to be reviewed by the Conservation Commission. The applicant attended the May 10<sup>th</sup> Conservation Commission meeting. The Conservation Commission had the following comments:
  - (a) The open space proposed that splits Lot 1, The open space on Lot 6, The open space buffer directly North of P/O Lot 1, and the open space in the remainder lot should be under easement.
  - (b) The remaining open space buffers should be under covenant.
- 3.2 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.
- 3.3 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.
- 3.4 Proposed Lot 1 is divided by open space. Staff recommends that the area labeled as P/O Lot 1 be combined with Lot 7 so that the private lots are contiguous.

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

- 4.1 Name and Location of adjacent water bodies and water courses should be added to the location plan in accordance with Section 12.04(5) (SDR).
- 4.2 Add lot frontage for all new lots to the "Buildable Area" tabulations table on sheet 2 in accordance with Section 12.08(23)(e) (SDR).
- 4.3 All proposed driveways/access points must be added to the subdivision plans in accordance with Section 16.03(10) (SDR).
- 4.4 Septic tank drain fields need to be added to the subdivision plans in accordance with Section 16.03(14) (SDR).
- 4.5 A NH Certified Wetland Scientist must sign and seal the existing conditions plan and subdivision plat in accordance with Section 12.07 (SDR).
- 4.6 A NH Certified Soil Scientist must sign and seal the sheet(s) on which soils are mapped in accordance with Section 12.03(6) (SDR).
- 4.7 The landscape plan must be stamped and sealed by a New Hampshire Licensed Landscape Architect in accordance with Section 28.01 (SDR).
- 4.8 All existing and proposed easements should be shown on the subdivision plan in accordance with Section 16.03(11) (SDR).

Prepared by: JCS



**CITY OF CONCORD**  
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Edward L. Roberge  
*City Engineer*

**MEMORANDUM**

**TO:** John Stoll, Senior Planner  
**FROM:** Bryant A. Anderson, PE  
**DATE:** May 8, 2017  
**SUBJECT:** Plan Review, Smith Subdivision, 393 Mountain Road; Map 122, Block 4, Lot 3; (2017-16)

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

- *Subdivision Plans*, H. Byers Smith & Marian B. Smith Trust, Map 122 Block 4, Lot 3, 393 Mountain Road (NH Route 132) & Sewalls Falls Road, Concord, New Hampshire, prepared by T.F. Bernier, Inc., dated April 2007; (received on 4/19/2017)
- *Stormwater Management Analysis*, Residential Subdivision, H. Byers & Marian B. Smith Trust, Mountain Road and Sewalls Falls Road, Concord, NH, prepared by Northeast Engineering, PLLC & T.F. Bernier, Inc; (received on 4/19/2017)

As a supplement to any comments offered by the Planning Division, the ESD offers 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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**Subdivision Plans**

**Subdivision Plan**

1. Monuments should be set at the south corner of Lot 1 and along the ROW line at the intersection of Mountain Road and Sewalls Falls Road.
2. The open space easement/buffers should be monumented and marked in accordance with Section 19.04(3) of the Subdivision Regulations.
3. The title of Sheet 5 (site Layout Plan) in the Sheet Index does not match the title of the plan sheet (Site Development Plan).
4. The deed reference in the plan view is incorrect for Map 122, Block 4, Lot 8 (abutting lot). This comment also applies to the Topographic Plan.

*Engineering Services*  
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*engineering@concordnh.gov*

5. The approximate lot line between Lot 122-4-4 and Lot 122-4-5 should be depicted on the plan.
6. The following address have been assigned for each of the lots should be added to the plan view:
  - Lot 1: 225 Sewalls Falls Road;
  - Lot 2: 227 Sewalls Falls Road;
  - Lot 3: 229 Sewalls Falls Road;
  - Lot 4: 231 Sewalls Falls Road;
  - Lot 5: 393 Mountain Road;
  - Lot 6: 395 Mountain Road;
  - Lot 7: 397 Mountain Road.
7. A proposed drainage easement is shown behind Lot 122-4-5. A copy of the easement should be submitted to the City.
8. The Common Drive Easement for Lots 5, 6 and 7 should be expanded to include the turnaround shown on the Site Development Plan. The easement area should include the entire turnaround including the pavement radii; and should include provisions to prohibit parking or storage within the turnaround.
9. The common drive easements should include provisions for pedestrians to traverse them to get to the pedestrian easement on Lot 1.

### **Topographic Plan**

10. The easements for the shared driveways along Sewalls Falls Road should be labeled on the plan and shown/labeled on the Subdivision Plan. Copies of the corresponding easement documents should be provided to the City for review.
11. Portions of the wellhead protection radii are located within the City's right-of-way. Based on Section 24.05 of the Subdivision Regulations, the radii should be relocated outside of the ROW.
12. Contour labels should be provided on the plan. This comment also applies to the Site Development Plan.
13. Portions of the septic area for Lot 1 are located within the 75 ft well protection radius.

### **Site Development Plan**

14. The sheet should be stamped by the design engineer.
15. The slope of the landing area for the shared drive for Lots 3 and 4 exceeds the 2 percent (max.) requirement from Section 20.09 of the Subdivision Regulations.

16. The widths of the Common Drive should be labeled on the plan. It appears that it is 22 ft at Mountain Road and then transitions to 18 ft.
17. The limits of the shallow drainage depressions should be shown on the plan to help identify them to the builders and future homeowners. In addition, they should be shown on the Subdivision Plan and a note should be added to it stating the purpose of the areas, that they need to be maintained, and that they cannot be filled in/regarded. The applicant should consider providing plantings or other means of distinguishing the drainage depressions from the adjacent lawn areas.
18. The proposed grading for the drainage depression between Lots 5 and 6 should be shown on the plan.

### **Construction Details**

19. The sheet should be stamped by the design engineer.
20. Pavement section details of the shared driveways (Sewalls Falls Road) and the Common Drive (Mountain Road) should be provided including dimensions and material requirements. The details should be based on the Private Common Drive Details D-10 and D-11 in the City's Construction Standards.

### **Stormwater Management Analysis**

21. The Table 1 indicates that the post development peak runoff rates will increase at Area 1P for the 25 and 100 year design storms. The calculations should be carried out to the nearest tenth to help better determine the magnitude of the increase. If the increase is less than 1.0 cfs, the designer should provide additional information on why it will not create an adverse impact to downstream properties. If the increase is greater than or equal to 1.0 cfs additional measures should be provided to mitigate the peak runoff rate.
22. The total pre and post development drainage areas do not exactly match. However, we do not anticipate that this small difference has any significant affect on the calculations.
23. A factor of safety should be used for the design infiltration rate. Typically, a safety factor of 2 is applied.

### **State/Federal Permits**

The project will require the following state and/or federal permits associated with the site design:

- NHDES Subdivision Approval
- NHDOT Driveway Permit

A copy of the permits should be submitted to the City once they are issued.

Re: Review Comments (2017-16)  
Smith Subdivision, 393 Mountain Road  
Date: 5/8/2017

### **Pre-Construction Items**

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 (may also be applied for at the time of building permit applications with the Code Administration Division)
  - b. Excavation Permit(s) (for work within the ROW or on City property)