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City Planner

CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

Planning Board

June 21, 2017

Project Summary – Major Site Plan

Project: 134 Hall Street – Major Site Plan Application (2016-58)
Property Owners: Lee B. Marden Revocable Trust 2001
Address: 132 and 134 Hall Street
Map/Block/Lot: 5/1/8 and 5/1/9

Determination of Completeness:

This application was determined complete by the Planning Board at the May 17, 2017 meeting.

Project Description:

The applicant is requesting Major Site Plan approval for the construction of a 14,650 sf building addition, a new parking area, new access and circulation, and related site improvements at 132 and 134 Hall Street in the Industrial (IN) District. The applicant has also filed a separate Voluntary Lot Merger Application to combine 132 and 134 Hall Street.

Project Details:

Existing Lot Area: 15.54 acres
Zoning: Industrial (IN) and Residential Open Space (RO)*
**The proposed work is entirely within the IN District, therefore, those are the standards that apply*
Existing Use: Warehouse, Storage, and Auto Repair
Proposed Use: Manufacturing and Fabrication
Frontage Required: 200 ft
Frontage Provided: 248.6 ft*
**The total frontage accounts for the merger of the two lots*
Lot Coverage Permitted: 85%
Lot Coverage Proposed: 68%
Setbacks Required: 50' front, 25' side, 30' rear
Setbacks Provided: 58' front, 31' side, 299' rear
Parking spaces required: 65 spaces, including 3 HC spaces*
Parking spaces provided: 65 spaces, including 4 HC spaces
**See General Comment 1.4 below*

1. General Comments

- 1.1 The following comments pertain to the 11 sheet site plan set titled prepared by A.C. Engineering & Consulting, dated November 14, 2016, revision dates January 20, 2017, February 28, 2017, and May 10, 2017; a 2 sheet Existing Conditions plan set prepared by Richard D. Bartlett & Associates, dated October 2016, revision dates December 28, 2016, April 11, 2017, and May 10, 2017; one sheet set titled "Site Plan of the land of Lee B. Marden Rev. Trust 2001, prepared by Richard D. Bartlett & Associates, dated October 2016, revision date April 11, 2017; a 2 sheet landscape plan set prepared by g2+1 Landscape Architects, dated January 24, 2017, and revised June 6, 2017; and, a 3 sheet architectural plan and elevation set prepared by Construx, Inc., not dated, received May 10, 2017.
- 1.2 The Applicant went before the Architectural Design Review (ADR) Committee at the June 13, 2017 ADR meeting. The Committee had no comments and approved the application as submitted.
- 1.3 Please see engineering comments in the memo from the Engineering Division, dated May 30, 2017 (revised June 9, 2017).
- 1.4 Per Article 28-7-1 of the Zoning Ordinance (ZO), if any building or structure is enlarged, off street parking and loading spaces shall be provided for the entire use in accordance with the requirements established by the ZO.

Unit I was recently vacated by a recycling center. If the new use is similar to existing uses, the parking requirements for the entire site will be 62 to 65 spaces, depending whether the new use is warehouse, storage, manufacturing, fabrication or assembly. The plan indicates 41 existing parking spaces that meet Zoning requirements (see Comment 3.3c below), and 24 proposed parking spaces. Therefore, the parking requirement is met if the new use is similar to existing uses.

If there is any change in use such that additional parking spaces are required, the owner shall obtain approval for an amendment to the site plan to provide any additional required parking spaces.

- 1.5 The applicant is proposing to place guardrail along the existing parking area and screen existing dumpsters to bring the area into compliance with the ZO.
- 1.6 A non-compliant gravel parking area was constructed along the southern property line, and storage trucks are parked in a gravel area encroaching on the adjacent property. Per the ZO, parking spaces shall be clearly demarcated and constructed in accordance with the site plan regulations, and no off-street parking shall be located within 5 feet of any lot line. The applicant has agreed to remove the parking area, and require that the storage company park in the rear (west of the existing building) gravel area.
- 1.7 The Code Administrator recommends that no building permits be issued until the existing development is brought into compliance with the Zoning Ordinance.

2. Waivers

- 2.1 The applicant is requesting waivers from the following sections of the Site Plan Regulations:

- **Section 12.07 Wetlands Delineations** to not provide a wetland delineation stamped by a Certified Wetland Scientist since the proposed construction is limited to the eastern portion of the site is not near a wetland area based on previous record plans. Staff supports this request.
- **Section 15.03(3) Topography** to not provide topography for the entire site since the proposed construction is limited to the eastern portion of the site and there is no significant grade change. Staff supports this request.

3. Technical Review Comments

3.1 Please provide the revision dates on the Cover Sheet.

3.2 **(Repeat Comments)** The following revisions shall be addressed for the existing conditions Plans:

- a. The Side and Rear setback numbers are switched in the Zoning Summary Table. The existing side setback should be 31', and the existing rear setback should be 299'.
- b. The existing parking shown on south of the building does not accurately depict parking spaces as they exist. Specifically, the spaces shown on the plan between the stairway at door G1 and the concrete steps at the southwestern end of the building do not match the existing conditions at the site. Parking spaces are depicted where there are loading docks and loading spaces. Parking spaces in front of existing doors, stairways, ramps, and loading docks cannot be counted. Please revise to accurately depict the parking count.

3.3 The revised Site Plan depicts the proposed balcony, staff recommends that the balcony be shown as a dashed line and labelled as such so that it is clear that it is not constructed on the ground surface. Also, the location does not align with the location in the architectural plans, this should be revised.

3.4 **(Repeat Comment)** The location of the dumpster furthest east appears to conflict with the guardrail, the dumpster shall be relocated to avoid the conflict.

3.5 **(Repeat Comment)** Provide a detail for the proposed dumpster enclosure, including height, material, and color. The dumpster shall be screened per the requirements of Section 20.06.

3.6 The following note shall be added to the Sheet C-2A: *"If there is any change in use such that additional parking spaces are required, the owner shall obtain approval for an amendment to the site plan to provide any additional required parking spaces."*

3.7 A comment letter shall accompany subsequent submissions acknowledging/addressing all Planning and Engineering comments.

4. Recommendations

4.1 **Grant ADR approval** for the architectural elevations, site design, and related site improvements.

4.2 **Grant the following waivers** to the Site Plan Regulations subject to the conditions as noted, and in accordance with of RSA 674:44, II (e)(2), which states specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

- **Section 12.07 Wetlands Delineations** to not provide a wetland delineation stamped by a Certified Wetland Scientist since the proposed construction is limited to the eastern portion of the site is nor near a wetland area based on previous record plans.
- **Section 15.03(3) Topography** to not provide topography for the entire site since the proposed construction is limited to the eastern portion of the site.

4.3 **Grant Major Site Plan approval** to construct a 14,650 sf building addition, a new parking area, new access and circulation, and related site improvements, subject to the precedent and subsequent conditions noted below:

- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to endorsement of the final plan by the Planning Board Chairman and Clerk, and prior to issuance of any building permits, or the commencement of site construction, unless otherwise specified:
- (1) Address Technical Review Comments under Section 3 above to the satisfaction of the Planning Division.
 - (2) Address Engineering review comments in the memo dated May 30, 2017 (revised June 9, 2017) to the satisfaction of the Engineering Services Division.
 - (3) No building permits shall be issued until the existing development is brought into compliance with the Zoning Ordinance
 - (4) Any waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Site Plan Regulations. Should the Board vote to deny the waiver request(s), applicant shall comply with said submission requirement(s).
 - (5) 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 seven (7) copies of the signed plan set shall be provided by the applicant at the pre-construction meeting.
 - (3) At least two weeks in advance of the pre-construction meeting, provide financial guarantee for all public improvements on and off site and a guarantee for the site stabilization in an amount approved by the City Engineer, and in a form acceptable to the City Solicitor.
 - (4) Prior to the issuance of a Certificate of Occupancy, 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.
 - (5) Prior to the issuance of a Certificate of Occupancy, 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.

- (6) Traffic impact fees shall be assessed by the Clerk prior to the issuance of a building permit. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The amount of the impact fees shall be determined using the information contained in the following tables in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees: Table 3, Transportation Facilities Impact Fee.

Prepared by: BAF

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

Edward L. Roberge
City Engineer

MEMORANDUM

TO: Beth Fenstermacher, Assistant City Planner
FROM: Bryant A. Anderson, PE
DATE: May 30, 2017 (revised 6/9/17)
SUBJECT: Plan Review (2), Lee B. Marden Revocable Trust, 134 Hall Street;
Map 5, Block 1, Los 8 & 9; (2016-58)

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

- *Commercial Site Plan*, 134 Hall Street, Tax Map 5/Block1/Lot 9, prepared by Richard D. Bartlett & Associates, LLC, g2, and A.C. Engineering & Consulting, dated November 14, 2016, revised thru 5/10/2017; (received on 5/15/2017)
- *Overall Landscape Plan (LA-1.0)*, 134 Hall Street, Tax Map 5, Block1, Lot 8, Concord, New Hampshire, prepared by g2+1, LLC, dated January 24, 2017 (revised thru 6/6/17)
- *Drainage Calculations*, 134 Hall Street Site Development, Tax Map 5 / Block 1 / Lot 8, 134 Hall Street, Concord, New Hampshire, prepared by A.C.Engineering & Consulting, dated November 16, 2016; (received 11/21/2016)
- *Comment Response Letter*, Richard D. Bartlett & Associates, LLC to Beth Fenstermacher (Planning), dated May 9, 2017.
- *Agreement to Convey an Easement*, Access Easement (DRAFT)

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.**

Note: The ESD has previously reviewed this project and has submitted comments to the Planning Division in a memorandum dated April 28, 2017. Comments from our previous memorandum that have not been addressed are included and noted in the comments below.

Site Plans

1. The color combinations used on the plans will make it difficult to scan, copy, and reproduce them while preserving the necessary detail. The ESD typically scans final plans that are approved and signed by the Planning Board for record purposes. As

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

such, the ESD recommends that the final plans be submitted as a black, white, and greyscale without color. **(Repeat Comment from April 28, 2017)** The response letter indicated that black and white plans were included; however, color copies were received. Please note, when the plans are printed in black and white several of the current color combinations may need to be changed so that they will be legible when reproduced. The following combinations were noted:

- a. Colored text/notes (all sheets);
- b. Light yellow pavement markings on a light gray hatching (Sheet C-2);
- c. Orange slope hatching across an orange building hatch (Sheet C-2);
- d. Light blue light level grid on a light gray hatch (Sheet C-4);
- e. Light grey light level grid on a white background (Sheet C-4);
- f. Colored hatching (Sheet LA-1.0).

Site Plan (C-2)

2. Curb should be provided at the existing entrance per Construction Standard D-4. **(Repeat Comment from April 28, 2017)** The layout of the curb radius on the south side of the driveway should be revised in accordance with the layout shown on Detail D-4 of the City's Construction Standards where the radius is tangent to the edge of the road. This comment also applies to the Phase I Site Plan (Sheet C-2A).

Agreement to Convey an Easement

3. The deed clause (in Paragraph 5) should be revised to include the proposed drainage basins and improvements that are located on and benefit both properties.
4. Additional (handwritten) comments are included on the attached easement markup.

Pre-Construction Items

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

1. The applicant/contractor shall set up a pre-construction meeting with the Engineering Services Division to discuss construction requirements, site inspections, associated fees, schedules, etc.
2. The following permits will need to be obtained from the Engineering Services Division:
 - a. Driveway Permit
 - b. Excavation Permit (for work within the ROW)
 - c. Utility Connection Permits (sewer and water services)

Re: Review Comments (2016-58)
Marden, 134 Hall Street
Date: 5/30/2017 (rev. 6/9/17)

3. 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 the ESD for review and approval a minimum of two weeks prior to the pre-construction meeting)
4. Performance surety (bond, letter of credit, or cash deposit) for site stabilization. The surety amount for this project has been set at the minimum amount, \$5,000. (establish surety prior to pre-construction meeting)
5. Advanced deposit for site construction inspection fees (initial deposit amount determined by the ESD 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)
6. Water and Sewer Investment Fees will need to be paid (as part of the utility connection permit process).
7. Shop drawings/submittals should be submitted to the ESD for the proposed water, sewer, and drainage improvements.

Enc. Easement Markup

BAA/jw

Why aren't we referencing the latest site plan set?

2001, is

AGREEMENT TO CONVEY AN EASEMENT

WHEREAS, Lee B. Marden Revocable Trust of 2001, is the owner of Map 5, Block 1, Lot 8 and Map 5, Block 8, Lot 14 as shown on plat entitled "Site Plan of CBC Condominium" dated February 23, 1998 and recorded in the Merrimack County Registry of Deeds as Plan No. 10627.

WHEREAS, the need for an access easement over Map 5, Block 1, Lot 14 for the benefit of Map 5, Block 1, Lot 8.

WHEREAS, it is the intention of the Lee B. Marden Revocable Trust of 2001 to grant an easement for the benefit of proposed Map 5, Block 1, Lot 8 on Map 5, Block 1, Lot 14.

WHEREAS, it would be premature to create an easement until Map 5, Block 1, Lot 8 and Map 121, Block 1, Lot 14 cease to be owned by the same person.

NOW THEREFORE, the Lee B. Marden Revocable Trust of 2001 agrees with as a condition of Planning Board approval to convey to subsequent owners the following access easement.

At such time as Map 5, Block 1, Lot 8 is sold, the deed or deeds will contain the following clause:

An easement over the Grantor's property on the west side of Hall Street in the City of Concord, County of Merrimack, New Hampshire, as more particularly described in the deed dated April 30, 2014 and recorded in the Registry at Book 3438, Page 40 (the "Servient Estate") for the purpose of access to and from Hall Street across the Servient Estate, by foot or vehicle, from and to a parcel of land owned by the Grantee abutting the Grantor's property on the south.

At such time as Map 5, Block 1, Lot 8 is sold it will contain corresponding language granting the benefits of the above easement.

Executed this _____ day _____, 2017

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

The foregoing instrument was acknowledged before me this day _____ day of _____, 2017
by _____, the _____ of Crele Construction Corp.

Notary Public/Justice of the Peace

Print Name: _____

Commission Expires: _____

the Lee B. Marden Revocable Trust of 2001

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