

RECEIVED

JUL 19 2017

July 18, 2017

City of Concord
Community Development Department
41 Green Street
Concord, New Hampshire 03301

Planning Division
Concord, NH
Hillside
Design Group, LLC

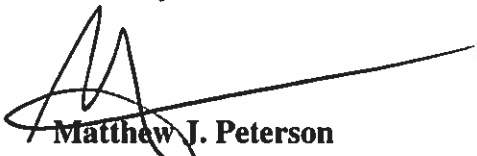
**Re: Waiver Request Letter
"Dundee Investments LLC" – Retail Development Site Plan
Tax Map 111E; Block 1, Lots 2, 3, 8, 9, 10, 11
Loudon Road & Old Loudon Road
Concord, New Hampshire 03301
HDG Project # 2015-0204-1**

Dear Chairman and Board Members:

Hillside Design Group, LLC. is submitting an application for planning board approval of the above referenced project and as such we are requesting the follow waiver. Waiver from **Section 21 Sidewalks, Multi-Use Paths, and Trails - Sub-Section 21.02 –Sidewalks Required;** of the City of Concord Subdivision Regulations. The project is for the construction of 25,304SF of retail and a 4,365SF restaurant on the above referenced parcel with all supporting infrastructure. The applicant is requesting the waiver from the typical subdivision regulations related to the requirement of sidewalks. Per our previous approval the applicant is proposing sidewalk along Loudon Road and not Old Loudon Road, which required a waiver to not install sidewalk along Old Loudon Road. Our reasoning is that a sidewalk makes more sense on Loudon Road in this area due to the zoning, Residential, and because we have two fronts it also makes sense to install the main walkway along the front and not impact the buffer in the back if possible.

HDG will be present to further discuss the Waiver at the scheduled hearing. If you have any questions or comments please contact me at (603) 496-3684.

Sincerely,



Matthew J. Peterson
Development Consultant
Hillside Design Group, LLC
746 D.W. Highway, Unit B
Merrimack, NH 03054

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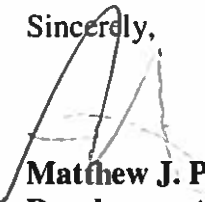
Dear Chairman and Board Members:

Hillside Design Group, LLC. is submitting an application for planning board approval of the above referenced project and as such we are requesting the follow waiver. Waiver from **Section 24 Sanitary Sewage Disposal - Sub-Section 24.04 – Design Standards (2) Service Connections:** of the City of Concord Site Plan Regulations. The project is for the construction of 25,304SF of retail and a 4,365SF restaurant on the above referenced parcel with all supporting infrastructure. The applicant is requesting the waiver from the typical sanitary sewer connection regulations requiring the following:

- a. "Design Standards for Service Connections: Service connections to the municipal sanitary sewer system shall be constructed in accordance with the standards contained in the City of Concord Construction Standards and Details." Which doesn't allow a drop to be built in a 4' manhole, however the manhole is existing on Loudon road for us to tie into.

HDG will be present to further discuss the Waiver at the scheduled hearing. If you have any questions or comments please contact me at (603) 496-3684.

Sincerely,


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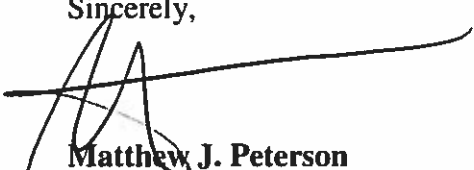
Dear Chairman and Board Members:

Hillside Design Group, LLC. is submitting an application for planning board approval of the above referenced project and as such we are requesting the follow waiver. **Waiver from Section 22 Storm Water Management - Sub-Section 22.07 –Storm Water Design Standards for Site Plans with Significant Impact - #2 & 3:** of the City of Concord Site Plan Regulations. The project is for the construction of 25,304SF of retail and a 4,365SF restaurant on the above referenced parcel with all supporting infrastructure. The applicant is requesting the waiver from the typical storm water regulations requiring the following:

- a. "A minimum separation of four feet shall be maintained between bottom of an infiltration system and the ground water." We are proposing 3' per State of NH NHDES regulations and after discussions with staff.
- b. "Off-site flows": due to the right turn in and the existing entrance on Loudon road there is a small increase to the existing City drainage system that is unavoidable due to the nature of tying into the existing street.

HDG will be present to further discuss the Waiver at the scheduled hearing. If you have any questions or comments please contact me at (603) 496-3684.

Sincerely,



Matthew J. Peterson
Development Consultant
Hillside Design Group, LLC
746 D.W. Highway, Unit B
Merrimack, NH 03054

July 18, 2017

City of Concord
Community Development Department
41 Green Street
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Hillside Design Group, LLC

Re: **Conditional Use Letter**
"Dundee Investments LLC – Retail Development Site Plan
Tax Map 111E; Block 1, Lots 2, 3, 8, 9, 10, & 11
Loudon Road & Old Loudon Road
Concord, New Hampshire 03301
HDG Project # 2015-0204-1

Dear Chairman and Board Members:

Hillside Design Group, LLC. is submitting an application for a Conditional Use Permit from **Section 28-7-14(b) Off-Street Loading Area for Refuse Containers;** of the City of Concord Zoning Ordinance. The project is for the construction of 25,304SF of retail and a 4,365SF restaurant on the above referenced parcel with all supporting infrastructure. The regulation require the Refuse container to be located at the side or rear of the building they are intended to serve, and because all the buildings have two fronts, one along Loudon Road and one along Old Loudon Road, we are unable to locate the dumpster locations to the rear of the building, even though the current location we believe are along the rear of the proposed buildings. See plans for clarification. HDG will be present to further discuss the conditional use permit at the scheduled hearing. The following is a breakdown of the 5 conditions:

1. *The use is specifically authorized in this ordinance as a conditional use;* **Per Section 28-7-14(b) this use is authorized in the ordinance as a conditional use.**
2. *If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this article, and with the specific conditions or standards established in this ordinance for the particular use;* **Based on the configuration of the subject parcel with two building fronts we believe that we have met the intent of the ordinance with the proposed location of the Refuse containers.**
3. *The use will not materially endanger the public health or safety;* **The applicant does not believe that the location of the proposed refuse containers along Old Loudon Road will endanger the public health or safety.**
4. *The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located;* **Because of the requirement for a residential buffer between the refuse containers and the property line we have buffered the containers which should ensure no impact to the neighborhood or adjoining or abutting uses in the area.**
5. *The use will not have an adverse effect on highway or pedestrian safety;* **The location of the refuse containers will not have any effect on highway or pedestrian safety.**

6. *The use will not have an adverse effect on natural, environmental, and historic resources of the City; The location of the refuse containers will not have an effect on natural, environmental or historic resources in this location.*

7. *The use will be adequately serviced by necessary public utilities and by community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide facilities and services with sufficient additional capacity; The proposed locations of the refuse containers allow for proper operation of the proposed use and will not necessitate excessive public expenditures to provide facilities and services.*

If you have any questions or comments please contact me at (603) 496-3684.

Sincerely,



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HDG Project # 2015-0204-1

Dear Chairman and Board Members:

Hillside Design Group, LLC. is submitting an application for a Conditional Use Permit from **Section 28-4-3(a) Wetland Buffers and Setbacks**; of the City of Concord Zoning Ordinance. The project is for the construction of 25,304SF of retail and a 4,365SF restaurant on the above referenced parcel with all supporting infrastructure. The regulation requires a 50' non-disturbed wetland buffer, which the applicant would like to be able to regrade and replant the area as part of the site plan package. See plans for clarification. HDG will be present to further discuss the conditional use permit at the scheduled hearing. The following is a breakdown of the 5 conditions:

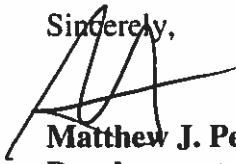
- 1. The disturbance of the buffer is necessary to the establishment of an allowable principal or accessory use on the buildable land area of the lot; The applicant has been working with the conservation commission and potential users for the parcel since 2015 and during those discussion the applicant has outlined our desire to clean up the existing buffer and establish a planted vegetated buffer in the area that they are proposing to regrade. Because of the existing slope of the parcel the applicant would like to be able to regrade a portion of the buffer to allow the overall development of the parcel.*
- 2. The proposed disturbance to the buffer cannot practicably be located otherwise on the lot to eliminate or reduce the impact to the buffer and represents the minimum extent of disturbance necessary to achieve the reasonable use of those portions of the lot consisting of buildable land. Based on the proposed tenant building and loading requirements the applicant is unable to locate the building which is a flat 19,000sf box area elsewhere on site and met all other City requirements. The applicant feels that we have minimized the impact as much as possible with only grading in a small portion of the buffer.*
- 3. The proposed disturbance to the buffer minimizes the environmental impact to the abutting wetland, and to downstream property and hydrologically connected water and wetland resources. The applicant believes that we have minimized the buffer impact and with the addition of plants and the "New England Conservation/Wildlife mix along the buffer we believe this will help improve the function of the wetland buffer over the current situation.*

4. *Where applicable, wetland permit(s) have been received or are obtained from the NHDES and USACOE; and; No wetland permit is being requested with this application.*

5. *Where applicable, permits or proof of compliance with all other state and/or federal regulations have been received or are obtained. No wetland permit is being requested with this application.*

If you have any questions or comments please contact me at (603) 496-3684.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew J. Peterson', written over the word 'Sincerely,'.

**Matthew J. Peterson
Development Consultant
Hillside Design Group, LLC
746 D.W. Highway, Unit B
Merrimack, NH 03054**