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City Planner

CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

Planning Board

October 16, 2019
Project Summary – Major Site Plan

Project: Liberty Utilities Facilities and Test Lab Building (2019-47)
Property Owners: Liberty Utilities (EnergyNorth Natural Gas) Corp.
Address: 14 Broken Bridge Road
Map/Block/Lot: Map 109, Block 1, Lot 3

Determination of Completeness:

The application was determined complete at the August 21, 2019 Planning Board meeting.

Project Description:

The applicant is proposing to construct a 15,375 sf office/warehouse building and associated site and drainage improvements at 14 Broken Bridge Road in the Industrial (IN) District. As part of this project, stormwater improvements are proposed on the adjacent lot at 20 Broken Bridge Road to accommodate the stormwater runoff for this development.

Project Details:

Zoning:	Industrial (IN) District
Minimum Lot Area:	40,000 sf
Existing Lot Area:	3,497,820 sf (84.5 acres)
Street Frontage Required:	200'
Street Frontage Provided:	224.56'
Existing Use:	Undeveloped
Proposed Use:	Facilities and Test Lab (office/warehouse)
Lot Coverage Max.:	85%
Lot Coverage Proposed:	1.6%
Setbacks Required:	50' Front, 30' Rear, 25' Side
Setbacks Provided:	81' Front, 107' Rear, 38' Side
Parking spaces required :	38 spaces, including 1 ADA
Parking spaces provided:	43 spaces, including 3 ADA, and 9 long truck parking spaces

1. General Comments

1.1 The following comments pertain to the 30 sheet site plan set titled "Site Plans for Liberty Utilities

Facilities and Testing Lab, 14 Broken Bridge Road, Concord, NH” prepared by Pathways Consulting, LLC and Lauer Architects, dated July 16, 2019, revised October 1, 2019.

- 1.2 The applicant went before the Architectural Design Review Committee (ADRC) at their September 3, 2019 meeting. The ADRC recommended approval of the application as submitted for the building and site plan.
- 1.3 At their July 10, 2019, meeting the Zoning Board of Adjustment (ZBA) granted a variance to Article 28-2-2(b), Purposes of Established Districts, Section (16) of the Zoning Ordinance (ZO), to waive the requirement that the proposed building be serviced by municipal sewer.
- 1.4 The Applicant is requesting a waiver to Section 16.02(1) to not provide the signature and seal of a NH Licensed Land Surveyor on the plans. The site plans utilize existing topographic survey and boundary information prepared for Liberty Utilities by JPS & Associates. The applicant has included the 2014 stamped survey plan as part of the site plan set. Site conditions on the project area have not been altered since 2014. Further, the applicant indicated that the applicant will engage Pathways Consulting, LLC or another surveyor to establish horizontal and vertical control for construction of the project based on the recorded 2014 survey plans. Staff supports this waiver request.
- 1.5 See comments from the Engineering Division in a separate memo from Bryant Anderson, dated October 3, 2019. All previous comments were addressed; remaining comments from Engineering address preconstruction items.
- 1.6 The Applicant has addressed all previous Planning staff review comments.
- 1.7 The application was determined to be a Development of Regional Impact. At their September 10, 2019 meeting, the Town of Pembroke Planning Board reviewed the plans. Due to the project’s proximity to the aquifer, the Board expressed concerns about outdoor storage of chemicals or chemically-treated materials. The Applicant responded that no equipment or other materials will be stored outside. Only vehicles will be on-site within the fenced in area. Pembroke Water Works Department confirmed that they do not have any concerns with the project.

2. Recommendations

- 2.1 **Grant ADR approval** for the site plan and building as submitted.
- 2.2 **Grant the waiver request Section 16.02(1)** to not provide the signature and seal of a NH Licensed Land Surveyor on the plans, and instead provide the 2014 signed and sealed survey plan as part of the site plan set, using the criteria of RSA 674:44 III(e)(1) as guidance, indicating that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.
- 2.3 **Grant Major Site Plan** approval for the proposed development of facilities and testing Lab and related site improvements at 14 Broken Bridge Road, 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) The proposed fence/drainage easement shall be revised to include landscaping.

- (2) 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(s), applicant shall comply with said submission requirement(s).
- (3) 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) Address Post-Approval/Pre-Construction Items as outlined in the memo from Engineering Services Division dated October 3, 2019.
 - (2) Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
 - (3) 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.
 - (4) 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.
 - (5) 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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David Cedarholm, PE
City Engineer

MEMORANDUM

TO: Beth Fenstermacher, Assistant City Planner
FROM: Bryant A. Anderson, PE
DATE: October 3, 2019
SUBJECT: Plan Review (2), Liberty Utilities Testing Lab, 14 Broken Bridge Road;
Map 109, Block 1, Lots 3 & 4; (2019-47)

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

- *Site Plans*, Liberty Utilities Facilities and Testing Lab, 14 Broken Bridge Road, Map 109, Block 1, Lots 3 & 4, Concord, New Hampshire, Prepared by Pathways Consulting, LLC, dated July 16, 2019 (revised thru 10/1/2019).
- *Comment Response Letter*, Ann G. Kynor (Pathways Consulting) to Beth Fenstermacher (Planning), dated October 1, 2019.

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

Note: Engineering has previously reviewed this project and has submitted comments to the Planning Division in a memorandum dated August 8, 2019. Comments from our previous memorandum that have not been addressed are included and noted in the comments below.

General Comments

1. The applicant has addressed all of the comments contained in Engineering's previous review memorandum.

State/Federal Permits

The project will require the following state and/or federal permit(s) associated with the site design:

- EPA Construction General Permit – Notice of Intent
- FAA Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) – Notice of Proposed Construction or Alteration (Form FAA 7460-1)
- NHDES Alteration of Terrain Permit
- NHDES Septic Approval

A copy of the permit(s) should be submitted to the City once they are issued.

Post-Approval/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 permit(s) will need to be obtained from the Engineering Services Division:
 - a. Driveway Permit
 - b. Utility Connection Permits (sewer and water services; storm drain connections)
3. Performance surety (bond, letter of credit, or cash deposit) for site stabilization. The surety amount for this project has been set at \$7,000 based on a 1.7 ac disturbance area. (establish surety prior to pre-construction meeting)
4. 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)
5. Water Investment Fee will need to be paid (as part of the utility connection permit process).
6. Retaining wall design drawings (stamped by a licensed structural engineer) should 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.
7. Shop drawings/submittals should be submitted to Engineering for the proposed water, and drainage improvements.