



Heather Shank
City Planner

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

Planning Board

December 16, 2020

Project Summary – Conditional Use Permit

Project: Unitil 37 Line Rebuild Project (2020-48)
Owner: Unitil Energy Systems, Inc.
Address: Line 37 Utility ROW, MacCoy Street to Village Street, Penacook

Determination of Completeness:

Determine this application complete and open the public hearing. As part of the motion, indicate that the project does not meet the criteria for a Development of Regional Impact (DRI), per RSA 36:55.

Project Description:

The applicant is requesting a Conditional Use Permit (CUP) in accordance with Article 28-4-3(d) to allow for temporary disturbance of wetland buffer and Article 28-3-3(f) to allow for temporary and permanent disturbance within the Shoreland Protection District Buffer for the replacement of utility poles and overhead wires in the existing utility right of way from MacCoy Street to Village Street in Penacook.

1. General Comments

- 1.1 The following comments pertain to a 11 sheet site plan set titled “Unitil 37 Line Rebuild, Penacook, Concord, New Hampshire”, dated November 18, 2020, prepared by TFMoran, Inc.
- 1.2 The work performed under this CUP involves the disturbance of wetland and Shoreland Protection District buffers for the replacement of utility poles and placement of temporary timber matting for access and staging for the replacement of utility poles and overhead wires within the existing utility right-of-way.

Approximately 21,130 sf of the 50-ft wetland buffer will be temporarily disturbed. In addition, approximately 4,035 sf of the 75-ft buffer associated with the Shoreland Protection District for Hoyt Brook, and 3,660 sf of the 250-ft buffer associated with the Contoocook River will be disturbed. Of this disturbance, only 48 sf will be permanently disturbed for the installation 2 poles and 8 guy wires. The remainder will be temporary disturbance for placement of temporary timber matting.

- 1.3 Individual members of the Conservation Commission received the application and were able to review the application. There was no December meeting of the Commission; however, no individual member of the Commission had comments or concerns.

- 1.4 The narratives provided by the applicant (see attached) describe how the criteria of all applicable sections of the ordinance are met, including Section 28-9-4(b) (4) (ZO), which states the criteria for the Planning Board decision. The work is within the existing, previously disturbed utility right-of-way, and the work cannot reasonably be relocated.
- 1.5 Please see comments from Engineering Services Division in a separate memo from Gary Lemay dated December 7, 2020.

2. Technical Review Comments

- 2.1 Label MacCoy Street and Village Street on the Vicinity Plan since they are referenced in the project description.
- 2.2 The Shoreland Protection District buffer shall be shown on the Existing Conditions Plan, Sheet EX-02.
- 2.3 Provide a Location Plan in accordance with Section 12.04 (SPR).
- 2.4 Please add the Planning Board Approval signature block on Sheets C-04 and C-05.

3. Recommendations

- 3.1 **Grant the following Conditional Use Permit approvals** in the existing utility right of way Line 27 located between MacCoy Street and Village Street in Penacook, subject to the precedent conditions noted below:

- CUP in accordance with Article 28-4-3(d) to allow for temporary disturbance of wetland buffer
- CUP in accordance with Article 28-3-3(f) to allow for temporary and permanent disturbance within the Shoreland Protection District Buffer for the replacement of utility poles and overhead wires

- (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 the commencement of site construction, unless otherwise specified:

- (1) Address Staff review comments to the satisfaction of the Planning and Engineering Divisions.
- (2) Submit two (2) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.

Prepared by: BAF

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David Cedarholm, PE
City Engineer

MEMORANDUM

TO: Beth Fenstermacher, Assistant City Planner
FROM: Gary Lemay P.E., Associate Engineer
DATE: December 7, 2020
SUBJECT: [Unitil 37 Line MacCoy St.-Village St. CUP] Plan Review; (2020-48)

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

- *Unitil 37 Line Rebuild*, Wetland Impact Plans, prepared by TF Moran, dated November 18, 2020

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.**

Site Plans

Cover Sheet

1. Within the Resource List, the Fire Department is at 24 Horseshoe Pond Lane.

Existing Conditions Plan

2. Sheet EX-02 appears to have a missing flag number between WF 7-09 and WF 7-10.

Wetland Impact Plans

3. Sheet C-03. The sheet labels and other labels appear to be overlapping pole numbers. Please resolve the conflicts/overlay issues or remove unnecessary information from the drawings.
4. Sheet C-03. Merrimack Street is upside-down, please orient it correctly.

General Comments

5. The following notes should be added to Sheet C-02 (Notes & Legend):

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

Re: Review Comments (2020-048)
[Unitil 37 Line MacCoy St.-Village St. CUP] Plan Review; (2020-48)
Date: 12/07/2020

- a. All work shall be performed in accordance with the City of Concord's Construction Standards and Details (latest edition).
- b. A Temporary Traffic Control Plan (TTCP) will be required for all work in and adjacent to the City ROW that will require lane closures. The TTCP should be submitted to the ESD for review and approval a minimum of two weeks prior to the construction activities that require the lane closure(s).
- c. Any new or reconstructed access points/roads needed to access the Unitil ROW from the City ROW will require a driveway permit from the ESD at least two weeks in advance of the construction activities.

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
- NHDES Wetlands Permit

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