



Heather Shank  
City Planner

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

**Planning Board**

February 17, 2021  
**Project Summary – Minor Site Plan**

Project: Perkins Minor Site Plan (2020-46)  
Property Owners: Brenda Perkins  
Address: 195 East Side Drive  
Map/Block/Lot: 482Z/2

**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 Minor Site Plan approval to convert a two-family dwelling into a three-family dwelling at 195 East Side Drive in the Single Family Residential (RS) District. All work is within the building, no site work is proposed with the exception of water line upgrades.

**Project Details:**

Zoning:	Single Family Residential (RS) District
Existing Lot Area:	0.93 ac (40,511 sf)
Minimum Lot Area:	12,500 sf
Existing Use:	2 family dwelling
Proposed Use:	3 family dwelling
Required parking spaces	6 spaces, including 1 accessible space
Parking spaces provided	6 spaces, including 1 accessible space
Maximum Lot Coverage	40%
Proposed Lot Coverage	<40%
Building Setbacks Required	25' front, 25' rear, 15' side
Building Setbacks Provided	25' front, 25' rear, 15' side

**1. General Comments**

- 1.1 Please see comments from the Engineering Services Division in a memo from Gary Lemay, dated February 2021.
- 1.2 The Zoning Board of Adjustment (ZBA) granted the following variances at their October 2, 2019

meeting:

- Variance to Article 28-2-4(j), Table of Principal Uses, and applicable supplemental standards under Article 28-5-3, to permit the conversion of an existing residential building to accommodate 3 units (use A-11) where such conversions are not permitted
- Variance to Article 28-7-7(f), Driveway Widths, to permit a 17-foot driveway width where a 24 foot width is required
- Variance to Article 28-7-7(g) Setbacks and Restrictions to allow a parking area as exists to the property line where a 5-foot setback is required

- 1.3 The Applicant is proposing to legitimize a 3<sup>rd</sup> residential unit that was built without approval several years ago by previous owners. With the exception of egress improvements in the building, no work is proposed.

The applicant is requesting the following waivers from the Site Plan Regulations (SPR) based on the limited site improvements required. With the exception of water line upgrades, no site disturbance is required or proposed.

- Section 15.03 to utilize a previous existing conditions plan, titled “Subdivision, Land of Peter G. Richter”, dated September 1985, prepared by B. Gregory Miller, Civil Engineer, to meet the requirement for the Existing Conditions Plan. Site conditions have not changed, and the plan provides sufficient information for review. Staff supports this waiver request, with the condition that property bounds be located and confirmed prior to the commencement of utility line work.
- Section 15.04 to not submit a Site Plan. No site work is proposed and sufficient information is provided for review of the application. Per Section 15.04, where minimal changes are proposed to the site, the Clerk may allow the applicant to reduce the amount or extent of the information to be required, provided that the extent and impacts of the proposed use and improvements to be made to the site can be satisfactorily reviewed, and sufficient information has been provided for the Planning Board to act on the application. Staff supports this waiver request.

## 2. Recommendations

- 2.1 **Grant the following waivers** to the Site Plan Regulations utilizing the criteria of RSA 674:44(1) which states that strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations:

- Section 15.03 to utilize a previous existing conditions plan, titled “Subdivision, Land of Peter G. Richter”, dated September 1985, prepared by B. Gregory Miller, Civil Engineer, to meet the requirement for the Existing Conditions Plan. Site conditions have not changed, and the plan provides sufficient information for review. Staff supports this waiver request, with the condition that property bounds be located and confirmed prior to the commencement of utility line work.
- Section 15.04 to not submit a Site Plan. With the exception of a water line upgrade, no site work is proposed or required. Staff supports this waiver request.

- 2.2 **Grant Minor Site Plan** approval for the proposed conversion of two-family dwelling to a three-family dwelling at 195 East Side Drive, 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) Address all Review comments to the satisfaction of the Planning and Engineering Divisions.
- (b) Subsequent Conditions – to be fulfilled as specified:
  - (1) Prior to the issuance of a utility connection and excavation permit, a Fire Protection Engineer shall provide, on their letterhead, a document certifying that the new proposed fire service water line is appropriately designed (including size and material) for the proposed site conditions.
  - (2) Property bounds shall be located and confirmed prior to the commencement of utility line work.
  - (3) Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
  - (4) 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. Number of copies to be determined by Engineering Services Division.
  - (5) Prior to issuance of the final 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.
  - (6) Traffic and recreation fees shall be assessed for the additional unit. 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 specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 2, Recreational Facilities Impact Fee per Variable Unit; and Table 3, Transportation Facilities Impact Fee per Variable Unit.
    - a. Recreational Facilities – Multi-unit/apartment (per dwelling unit)
    - b. Transportation Facilities - Multi-unit/apartment (per dwelling unit)

Prepared by: BAF

*S:\Plan\Development Review\Project Files\2021\2021-02\_Perkins\_SPM\StaffReport\_SPM.docx*



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

David Cedarholm, PE  
City Engineer

**MEMORANDUM**

**TO:** Beth Fenstermacher, Assistant City Planner  
**FROM:** Gary Lemay P.E., Associate Engineer  
**DATE:** 2/10/2021  
**SUBJECT:** Minor Site Plan Review, 195 East Side Drive;  
Map 482Z, Lot 2; (2021-002)

---

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

- *Minor Site Plan Application*, prepared by Brenda Perkins, dated January 14, 2021

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 or addresses each of these comments and discusses any additional changes to the plans.**

---

**General Comments**

1. All work associated with this Project shall be performed in accordance with the City of Concord's Construction Standards and Details (latest edition).
2. City records indicate the property's domestic water supply is currently served by a ¾" service line. We would encourage the Applicant to determine (and consult with a design professional) if this is appropriate given the potential water draw of three units.
  - a. The existing water service shall be appropriately abandoned at the water main if it is proposed to no longer be used. A utility connection permit and excavation permit from Engineering will be required if the service is discontinued.
3. We understand that the Applicant will be installing a new fire service as part of the proposed work.
  - a. A fire protection engineer shall provide, on their letterhead, a document certifying that the new proposed fire service water line is appropriately designed (including size, material, and layout) for the proposed site conditions (including any potential domestic water usage from the same service).

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

- b. A utility connection permit and excavation permit, plus associated Engineering inspection fees, will be required to install the new fire service.
- 4. City Construction Standards generally require a 6" diameter (minimum) sewer service for any multifamily building, however Engineering will allow the property owner to reuse the existing 4" PVC sewer service given that it has been TV inspected by General Services and does not appear to have any immediate concerns, nor is there any known history of backups or other problems in City records. Regardless, Engineering is strongly encouraging (but not requiring) the Applicant to consider abandoning the existing sewer service and replacing it with a new 6" sewer service (sloped at 2%), from the sewer manhole at the intersection with Portsmouth Street to the building foundation, for the following reasons:
  - a. The Applicant will already have a contractor excavating in East Side Drive for the new fire service water line. The cost of running a new sewer service (with proper separation) will be reduced considerably in this scenario versus installing a new standalone service at some point in the future.
  - b. The sewer main is located approximately 15 feet below the street level, meaning there is likely plenty of elevation available to tie a new 6" sewer service into the manhole and run the service at a 2% slope.
    - i. The Applicant or contractor would need to conduct proper background research to confirm there are no conflicts with other underground utilities.
  - c. The inspection video from November 2019 showed a couple of sags in the line, suggesting a risk of future (on-site) clogging or additional sagging.
  - d. A new sewer service would require a utility connection permit from Engineering, but may be able to utilize the same excavation permit depending on the proposed layout and construction methods.
  - e. A utility connection permit from Engineering will be required if the existing sewer service is discontinued. The existing sewer service shall be appropriately abandoned (cut and capped) at the property line if it is proposed to no longer be used.
  - f. City records indicate there is a buried cleanout (underneath the driveway pavement) approximately 60 feet from the sewer main.

#### **Post-Approval/Pre-Construction Items**

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

- 1. The following permit(s) will need to be obtained from the Engineering Services Division:
  - a. Excavation Permit (for work within the ROW)

- b. Utility Connection Permits (sewer and water services; storm drain connections)
2. 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 Engineering for review and approval a minimum of two weeks prior to the start of site work)
  3. A performance surety (bond, letter of credit, or cash deposit) for work within the right-of-way would be required as part of the excavation permits noted above.
  4. Engineering inspection fees will be recovered as part of the utility connection and excavation permitting process. Permit fees and any additional inspection fees shall be submitted prior to commencing site work.
  5. Prior to the construction of any future site improvements the applicant/owner should consult the Planning Division to determine if Site Plan Approval will be required.
  6. If the Applicant does not replace the existing sewer service, they shall locate and raise the cleanout to grade consistent with the City Construction Standards prior to Engineering sign-off on the Certificate of Occupancy (CO).