

PROJECT NARRATIVE

The subject property, referenced on Tax Map 06P as Lot 7, is located entirely within the City of Concord's Industrial Zoning District and totals approximately 23.8 acres. The site is currently home to the existing Wheelabrator Concord waste-to-energy facility which consists of several buildings, storage tanks, a cooling tower and a vent stack. The developed portion of the site is surrounded by paved driveways for truck and employee access and small paved parking areas for employee vehicles and truck trailers. A gravel parking area and pedestrian walkway is located southwest from the main building and is utilized for employee parking. The site is accessed from Whitney Road via a 60-foot-wide paved driveway.

The site is bordered by wooded area to the northwest and northeast, wooded area and eventually wetlands containing Burnham Brook to the southeast and south, and Whitney Road and a commercial development to the southwest.

The applicant is proposing to upgrade the existing gravel parking lot by paving and expanding it to provide area for on-site truck and trailer parking. Employee parking will be relocated to the existing paved area currently used for trailer parking.

In order to mitigate increases in peak discharge rates of stormwater runoff as a result of the new impervious surface, a comprehensive stormwater management system has been designed which includes a new First Defense hydrodynamic separator (water quality unit) with inlet grate, a new underground infiltration system, and new drainage pipes to direct runoff to the existing detention basin south of the existing building.

August 2, 2021

City of Concord Planning Board
Concord City Hall
41 Green Street
Concord, NH 03301

Re: **Waiver Request for Major Site Plan Application**
Wheelabrator Concord, 11 Whitney Road – Concord, NH
Assessors Map 06P Lot 7

Dear Chairman Woodfin and Members of the Concord Planning Board,

Greenman-Pedersen, Inc. (GPI), on behalf of Wheelabrator Concord, is hereby requesting the following waivers from the Concord Planning Board:

- Relief from Site Plan Regulations Section 15.04 (28) Tabulations.
- Relief from Site Plan Regulations Section 22.07 (3) Off-Site Flows.

Section 15.04 (28) of the Site Plan Regulations requires several tabulations on the proposed Site Plan including area devoted to various land uses, ground coverage for buildings, ground coverage for parking, etc. The proposed parking lot improvements occur primarily within a previously disturbed gravel parking area and will slightly expand and pave this area. The project does not involve a site-wide analysis of ground cover or impervious coverage and the scope of the survey is limited to the project vicinity. The Maximum Lot Coverage for the Industrial (IN) District is 85% per the Table of Dimensional Regulations and the approximate area of the entire developed portion of the site is 6.5 acres +/- compared to the total lot area of 23.8 acres +/-, therefore, the lot coverage is significantly less than the maximum required by Zoning. In addition, the project does not propose any changes to the buildings on-site and will not result in any change or expansion of the use. We believe given the project scope relative to the existing developed site that tabulations are not applicable and that excluding these calculations meets the spirit of the regulations.

We believe that that criteria in Site Plan Regulations Section 36.08 are satisfied as follows:

- 1) *The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property*

A waiver for excluding tabulations will not be detrimental to the public safety, health, or welfare or injurious to other property.

- 2) *The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property*

The conditions upon which the request for a waiver is based are unique due to the nature of the existing developed portion of the site in relation to the overall property, and the relatively small portion of the developed area on which work is proposed.

- 3) *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular and unnecessary hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out*

Following the strict letter of these regulations would result in a particular and unnecessary hardship to the owner due to the significant financial cost of conducting a survey and analysis of the entire 23.8 acre +/- parcel where the proposed project is within roughly one acre of previously disturbed area. No changes to the building or use are proposed which would affect these tabulations.

- 4) *Specific circumstances relative to the site plan or conditions of the land where a site plan is proposed indicate that the waiver will properly carry out, or not be contrary to, the spirit and intent of these regulations*

Excluding these tabulations will not be contrary to the spirit and intent of these regulations.

- 5) *The waivers will not in any manner vary the provisions of the Zoning Ordinance, Master Plan Reports, or Official Map*

Granting a waiver for exclusion of tabulations will not in any manner vary the provisions of the Zoning Ordinance, Master Plan Reports, or Official Map.

Section 22.07 (3) of the Site Plan Regulations requires that the volume of stormwater runoff discharging the site during the 10-year storm event under post-development conditions not exceed the volume under pre-development conditions for the 10-year storm event. In addition, the peak rate of discharge after development shall not exceed the pre-development rate for the 2, 10, 25, and 100-year design storms. The proposed stormwater management system includes an underground infiltration system to attenuate peak flow rates of runoff and provide groundwater recharge, thereby decreasing the volume of runoff. The system is designed to store runoff up to the 25-year design storm without exceeding the storage capacity. The infiltration system results in a reduction of runoff volumes for all design storms. Peak flow rates are reduced during the 10, and 25-year design storms, however, peak rates increase slightly during the 2, and 100-year storms. The increase in peak rates is 0.1 cfs during the 2-year storm and 1.8 cfs during the 100-year storm. It is worth noting that these calculated increases are conservative as they do not account for the detention that occurs in the existing detention basin. These minor increases will ultimately be mitigated by the on-site detention basin and will not result in any negative impacts downstream.

We believe that that criteria in Site Plan Regulations Section 36.08 are satisfied as follows:

- 1) *The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property*

A waiver for minor increases in peak flow rates will not be detrimental to the public safety, health, or welfare or injurious to other property due to the ability of the existing on-site detention basin to mitigate these flows as described above.

- 2) *The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property*

The conditions upon which the request for a waiver is based are unique due to the nature of the existing drainage patterns which generally collect all runoff from the site development in swales and direct it to an at-grade detention basin before discharging off-site.

- 3) *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular and unnecessary hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out*

Following the strict letter of these regulations would result in a particular and unnecessary hardship to the owner due to the significant financial cost of installing a much larger underground infiltration system which would impact the feasibility of this project.

- 4) *Specific circumstances relative to the site plan or conditions of the land where a site plan is proposed indicate that the waiver will properly carry out, or not be contrary to, the spirit and intent of these regulations*

Granting a waiver for minor increases in peak flow rates given the nature of the detention provided in the existing basin will properly carry out the spirit of these regulations.

- 5) *The waivers will not in any manner vary the provisions of the Zoning Ordinance, Master Plan Reports, or Official Map*

Granting a waiver for minor increases in peak flow rates will not in any manner vary the provisions of the Zoning Ordinance, Master Plan Reports, or Official Map

If you have any questions or need additional information, please feel free to contact our office at 603-374-7912 or by email to djordan@gpinet.com.

Sincerely,

Greenman-Pedersen, Inc.



David R. Jordan, P.E., L.L.S., LEED AP

Director of Site Engineering – Land Development

cc: Thomas Penna, P.E., WIN Waste Innovations

APPLICATION FOR CONDITIONAL USE PERMIT

CITY OF CONCORD, NH - PLANNING BOARD

GENERAL INFORMATION

OWNER'S NAME: Wheelabrator Concord Co. L.P.

STREET ADDRESS: 100 Arboretum Drive, Suite 310

CITY, STATE, & ZIP CODE: Newington, NH 03807

TELEPHONE #: _____ **EMAIL ADDRESS:** tpenna@win-waste.com

AGENT'S NAME (IF APPLICABLE): Greenman-Pedersen, Inc.

STREET ADDRESS: 44 Stiles Road, Suite One

CITY, STATE, & ZIP CODE: Salem, NH 03079

TELEPHONE #: (603) 893-0720 **EMAIL ADDRESS:** djordan@gpinet.com

APPLICATION FEE \$250

For the property being reviewed, please complete the following:

TYPE OF CONDITIONAL USE PERMIT REQUESTED: Article 28-7-10(d) Landscape Material Standards

PROPERTY ADDRESS: 11 Whitney Road

ABUTTING STREETS: _____

EXISTING LOT SIZE(S): 23.8 **ACRES** OR _____ **SQUARE FEET**

ASSESSOR'S MAP/BLOCK/LOT #(s): 06P/ 7 / _____

ZONING DISTRICT(s): Industrial

OVERLAY DISTRICTS (CHECK ALL THAT APPLY):

HISTORIC (HI): _____ **SHORELAND PROTECTION (SP):** _____ **FLOOD HAZARD (FH):** _____

AQUIFER PROTECTION (AP): _____ **PENACOOK LAKE WATERSHED PROTECTION (WS):** _____

PROJECT DESCRIPTION

Please provide a brief description of your project and the proposed Conditional Use in the space below.

Construction of a paved parking area and drainage improvements where a gravel parking area currently exists.

A Conditional Use Permit is requested to allow payment of a fee in lieu of planting trees, per section 28-7-10(d) of the Zoning Ordinance. See attached Narrative for additional information.

REQUIRED INFORMATION

Please provide a detailed project narrative that describes the existing conditions of the property and the proposed improvements as they relate to the requested Conditional Use Permit. Include with this project narrative, photos of the existing structure and/or site from various vantage points and all required supporting information as required by the Zoning Ordinance, together with any other information that will help us understand your project.

YOUR PROJECT WILL NOT BE CONSIDERED COMPLETE WITHOUT A DETAILED PROJECT NARRATIVE.

PROFESSIONAL SUPPORT

Please provide contact information for each professional involved in the preparation of this application, including the engineer, architect, surveyor, attorney, wetland scientist, landscape architect, etc.

NAME: David R. Jordan, PE PROFESSION: Civil Engineer and Land Surveyor

STREET ADDRESS: Greenman-Pedersen, Inc., 44 Stiles Road, Suite One

CITY, STATE, & ZIP CODE: Salem, NH 03079

TELEPHONE #: (603) 893-0720

EMAIL ADDRESS: djordan@gpinet.com

NAME: _____ PROFESSION: _____

STREET ADDRESS: _____

CITY, STATE, & ZIP CODE: _____

TELEPHONE #: _____ EMAIL ADDRESS: _____

ATTACH ADDITIONAL SHEETS AS NECESSARY FOR ALL PROFESSIONALS INVOLVED WITH THE PROJECT

ENDORSEMENTS

I hereby request that the City of Concord Planning Board review this application for Conditional Use Permit approval, including all plans, documents, and information herewith. I represent to the best of my knowledge and belief that this application is being submitted in accordance with Site Plan Regulations and other applicable regulations of the City of Concord Planning Board. I also understand that submittal of this application for Site Plan Review approval shall be deemed as granting of permission for the City staff, Planning Board members, and their designees to enter onto the property for purposes of inspection and review. Permission to visit the property extends from the date an application is submitted to the Planning Division until approved work or construction is complete and any or all of the financial guarantees have been returned to the applicant, or until or the application is formally denied.


SIGNATURE OF PROPERTY OWNER

8/3/21
DATE

SIGNATURE OF AGENT (IF APPLICABLE)

DATE

PROJECT NARRATIVE

The subject property, referenced on Tax Map 06P as Lot 7, is located entirely within the City of Concord's Industrial Zoning District and totals approximately 23.8 acres. The site is currently home to the existing Wheelabrator Concord waste-to-energy facility, which consists of several buildings, storage tanks, a cooling tower and a vent stack. The developed portion of the site is surrounded by paved driveways for truck and employee access and small paved parking areas for employee vehicles and truck trailers. A gravel parking area and pedestrian walkway is located southwest from the main building and is utilized for employee parking. The site is accessed from Whitney Road via a 60-foot-wide paved driveway.

The project area is bordered by wooded areas to the west and north, an open drainage swale that sits below the driveway into the main building on the east and an existing stormwater detention basin on the south.

The applicant is proposing to upgrade the existing gravel parking lot by paving and expanding it to provide area for on-site truck and trailer parking. Employee parking will be relocated to the existing paved area currently used for trailer parking.

Per Article 28-7-10(d) of the Concord Zoning Ordinance, one live shade or ornamental tree is required to be planted for every 2,000 square feet of parking area, with the trees planted no more than 50 feet apart. Based on a 24,370 square foot parking area as shown on the attached exhibit, total of 12.2 trees are required.

Per Section 18.17 of the Concord Site Plan Regulations, existing trees preserved within 20 feet of the parking lot may be used to reduce the number of new trees required. There is a densely wooded area along the west side of the parking area and another smaller wooded area along part of the north side. Taking this into account and providing new trees spaced no more than 50 feet apart around the remaining sides yields a total of 9 new trees as shown on the attached exhibit.

Per Article 28-7-10(d) of the Concord Zoning Ordinance, the applicant is requesting that the Planning Board grant a Conditional Use Permit to allow payment of an in-lieu fee to the Concord Urban Tree Trust Fund in an amount equal to the wholesale and installation cost of the 9 trees (or a number as otherwise determined by the Concord Planning Department as being necessary to comply with the tree planting requirement).

As part of this request we offer the following information in support of the criteria listed in Article 28-9-4(b)(4):

- a. *The use is specifically authorized in this ordinance as a conditional use;*
Article 28-7-10(d) permits this request.
- b. *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;*
The project as proposed will comply with all other provisions of this Article.

- c. The use will not materially endanger the public health or safety;*
The elimination of the trees that are required to be planted per this Article will not materially endanger the public health or safety.
- d. The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located;*
The use already exists in the form of a gravel parking area for employees. Converting this area to a paved parking lot for truck and trailer parking remains consistent with the current overall operations of the facility with respect to the other uses in the area.
- e. The use will not have an adverse effect on highway or pedestrian safety;*
The use will have no impact on highway safety and will improve pedestrian safety by relocating the employee parking to the parking lot near the building entrance thereby eliminating the need for the employees to cross the truck access driveway to get to the building.
- f. The use will not have an adverse effect on the natural, environmental, and historic resources of the City;*
The proposed paved parking lot will include new stormwater management provisions to capture, treat, recharge and detain the stormwater runoff, which will have a positive effect on the natural and environmental resources of the City. No historic resources are impacted by this proposal.
- g. 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 paved parking lot requires no public utilities or community services or facilities.









