



Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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MEMORANDUM

Date: March 8, 2016

To: Robert Best, Chairman, & Members, Planning Board

From: Timothy J. Thompson, AICP, Community Development Director

Subject: **Pennichuck Water Works, Inc. (applicant) and Southwood Corporation (owner) –**
Review for acceptance and consideration of Final Approval for a modification to a previously approved site plan to construct a 36,560 s.f. water distribution facility. The parcel is located at 16 Daniel Webster Highway and Manchester Street in the I-1 (Industrial), Aquifer Conservation Districts and 100-year and 500-year Flood Hazard areas. Tax Map 1D, Lot 001-05

Background: Please refer to the attached October 2015 memo for the general background on the original approval for this project. This project was originally conditionally approved on October 20, 2015, and was signed by the Board on January 19, 2016.

This proposed amendment to the previous site plan seeks to add an additional 4,260 square feet to the previously approved 32,300 square foot facility (making the new building 36,560 square feet). The reason for adding this additional square footage is that during the bid process for the project, construction estimates came in lower than anticipated, and Pennichuck was able to add additional square footage to the project that had been previously contemplated in the original design, but had been cut back due to the estimated construction costs. With the lower bid, Pennichuck is now able to add this space back into the project.

The project has been updated to include this new square footage, and drainage has been updated to account for the additional impervious surface. The project has also received an updated AOT permit from NH DES for the amended project.

Completeness: Staff recommends that the Board vote to accept the application, as it is substantially complete and contains sufficient information to invoke the Board's jurisdiction and to allow the Board to make an informed decision (from a strictly technical standpoint, acceptance of the application is not necessary, as this is an amendment to an approved site plan).

Waivers: The applicant was previously granted waivers to Section 7.05(D)(19) (Sidewalk or paved pedestrian way), Section 4.15 (Underground Utilities), Section 7.05.D.20 (Driveway width), and Section 10.01.3 (Streetscapes). Unless the Board determines otherwise, Staff recommends that these waivers previously granted be made part of the approval of this amended site plan.

Recommendation: Should the Board determine any other waivers are necessary, Staff recommends that they be submitted in writing before any Board action, and that the Board vote with respect to any additional requested waivers utilizing the criteria from RSA 674:44:

- Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; **or**

- Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

The planning staff recommends that the Board grant conditional final approval to the application with the following precedent conditions to be fulfilled within 6 months and prior to plan signing, unless otherwise specified:

1. Final plans and mylars to provide all professional endorsements and be signed by all property owners;
2. The applicant shall note the updated NHDES AOT Permit on the plan;
3. The applicant shall note any new waivers granted by the Board on the plan (including Section, and date granted) as applicable;
4. The applicant shall address the following planning staff technical comment: The applicant shall update the "Planning Board Conditions of Approval" on the cover sheet to reflect the updated General and Subsequent Conditions that are made as part of this amended approval.

Staff also recommends that the following general and subsequent conditions be placed on the approval:

1. The applicant is responsible for recording the plan (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department;
2. The applicant shall submit an As-Built Plan prepared by a qualified professional (Professional Engineer or Licensed Land Surveyor) to the Community Development Department prior to the issuance of a Certificate of Occupancy.
3. The Town of Merrimack, Department of Fire Rescue, Office of the Fire Marshal requires (NFPA 1 Chapter 18) that fire department access roads be constructed and maintained so that fire apparatus can effectively operate during an emergency. The location of the access road(s) must provide for positioning of the fire apparatus to allow access to all sides of the structure. Unique building or occupancy conditions may trigger additional requirements from the Office of the Fire Marshal. As this facility will be secured by a locked gate arrangements shall be in place to allow the Merrimack Fire Department to have full emergency access to the site at all times;
4. The entire building shall be protected by an approved NFPA-13 compliant fire sprinkler system. (Town of Merrimack Building Zoning Ordinance and Building Code, Section 11) Plans shall be provided to the Fire Marshal for review and approval before a building permit can be issued for the project;
5. The building shall be protected by an approved NFPA-72 fire alarm system. Plans shall be provided to the Fire Marshal for review and approval before a building permit can be issued;
6. The proposed building shall be assigned the address of 16 Daniel Webster Highway.

cc: File
Correspondence

ec: Southwood Corporation, Owner
Don Ware, Pennichuck Water Works, Applicant
Tom Zajac & Jim Petropulos, PE, LEED AP, Hayner/Swanson
Kyle Fox, PE, Deputy Director of Public Works/Town Engineer
Carol Miner and Fred Kelley, Building Department
John Manuele, Captain, Merrimack Fire Department
Loren Martin, Assessing Department