



# Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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## MERRIMACK PLANNING BOARD

### APPROVED MINUTES

**TUESDAY, APRIL 1, 2014**

Planning Board members present: Robert Best, Alastair Millns, Tom Koenig, Lynn Christensen, Stanley Bonislowski, Desirea Falt, and Alternate Nelson Disco.

Planning Board members absent: Michael Redding and Alternate Matthew Passalacqua.

Community Development staff: Community Development Director Tim Thompson and Recording Secretary Zina Jordan.

#### **1. Call to Order**

Robert Best called the meeting to order at 7:30 p.m. and designated Nelson Disco to sit for Michael Redding.

#### **2. Planning & Zoning Administrator's Report**

Tim Thompson announced that there were 10 applicants for the position of Planning and Zoning Administrator. Two were interviewed and one was tendered an offer. It is hoped that she will assume her duties at the beginning of May 2014. Tim Thompson will notify everyone when the hire is official.

Tim Thompson said research about self-storage zoning amendments is ongoing and should be complete in a month.

Tim Thompson has not yet received feedback from either NIP or Nanocomp concerning a date for the proposed Edgebrook site walk.

#### **3. GTAT Corporation (applicant/owner) – Review for acceptance and consideration of Final Approval of an application for site plan review to construct a 46,000 s.f. building expansion, parking lot improvements and utility upgrades located at 243 and 247 Daniel Webster Highway in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 3D-1, Lot 041 and Tax Map 3D-2, Lot 041-01.**

Tim Thompson said that GTAT wants its current facility to grow from an R&D focus to a more manufacturing focus. Because the project is on a very aggressive time schedule to meet the demands of the company, the application was prepared within the last several weeks rather than taking months for a design engineer to prepare a submission.

Michael Fabbiano, Vice President/Managing Principal, High Point Engineering, Inc., said the project was peer reviewed by CLD, the Public Works Department (PWD) and Wastewater Division and received conditional approval from the Merrimack Conservation

Commission (MCC) on March 16, 2014. GTAT can satisfy all peer review and staff comments.

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 it to make an informed decision.

**The Board voted 7-0-0 to accept the application for review, on a motion made by Lynn Christensen and seconded by Desirea Falt.**

Michael Fabbiano explained the project. 1) Interior work will displace administrative services, who will be relocated along with new staff into the addition. It will consist of two floors measuring 65'x350' across the front of the building. New parking spaces will be added to replace those that will be displaced. 2) There will be some utility infrastructure improvements in the rear of the building. Six transformers and 1-2 cooling towers will be added between the building and generators in the rear. 3) Two new gas tanks for helium and nitrogen that are 8'-10' in diameter and 15'-18' high will be placed on a concrete base on gravel and fenced in. There will be no impact on Fire Department access. 4) The primary parking lot will be modified with striping, new access points, some new landscaped islands, and snow storage areas. Parking will be reduced from 211 to 179 spaces. Roof water will go to an underground recharge system. It will go through a pipe under the driveway and new parking spaces to a catch basin, through a swale and into the wetland system. 5) There will be a new parking area on the westerly lot adjacent to D.W. Highway when the site is fully built. There is a 30' drop from the Highway to the wetland. A tiered system of grade changes and buffer zones will be created. The 1.5-acre lot will have 128 spaces and create 2.3 acres of disturbance. Highway discharge will be routed through a grass swale to a pipe to a deep sump to a forebay unit under the retaining wall to a recharge system designed for a 50-year flood event. Overflow to the utilities wetland will go to a headwall, then to the abutting PSNH property. Multiple storm events will be able to recharge into the ground. 6) The proposed parking area will be supplemented by widening the existing driveway and adding a pedestrian walkway for employees to walk from the parking area to the main building. A 2' buffer between the guard rails and the edge of pavement added to 2' of existing pavement will create a 4' corridor with flexible posts every 50' for protection. The posts can be removed for plowing. There will be shuttle service between the parking lot and the main building in bad weather. Otherwise GTAT would have to build an 8'-12' retaining wall tight to the wetlands at great expense and create substantial impact to the buffer for a secondary parking lot. In the future, GTAT will ask the MCC for permission to bridge the wetlands to move people and maintenance equipment at the existing cart road through D.W. Highway.

In answer to Stanley Bonislowski's questions, Michael Fabbiano said that visitor and handicapped parking spaces will be marked and close to the front door. If the handicapped spaces are full, a shuttle will be available. There will be one more handicapped space than is required. Michael Fabbiano agreed to Robert Best's suggestion to extend the pedestrian pavement down the road so people can cross the street to the hotel. Referring to the abutter's objections (see public comment), Chairman Best asked about truck traffic and blockages and encroachment on the access easement to Star Drive. Michael Fabbiano replied that the access easement is for GTAT to get

back and forth from Star Drive. There are more trucks bringing in equipment for improvements being made now that are unrelated to this project. GTAT informed them that trucks cannot stop or idle on the access way. It is a temporary condition. There will be more shipping of products and less truck traffic in the future as GTAT focuses more on manufacturing. There might be one truck a week rather than one truck a day. Michael Fabbiano showed the perspective view and rendered elevation, which will be 29' off grade, 350' frontage and 60' depth. The primary entry will be moved to the middle of the building. Michael Fabbiano explained GTAT's branding and architecture.

Desirea Falt asked how deep the elements breaking up the façade would be. Michael Fabbiano replied that canopies would be 3'-4' with 24" reveals/overhang.

Lynn Christensen was concerned that there would not be enough space for people to walk from the new parking lot. Tim Thompson explained that the pedestrian path would be widened by 2' on each side. Michael Fabbiano repeated that there would be a 4'-wide pedestrian way between the guardrail and the posts. Two feet of the strip would be paved and an additional 2' taken from the travel way. There is enough room for two-way traffic. It is a private driveway 22' or 23' wide, whereas ASHTO requires 20'. F. Giles Ham, P.E., Managing Principal, Vanasse & Associates, Inc., said that 22' is adequate for this volume of traffic. D.W. Highway lanes are 12' wide, whereas these will be 11' wide. Alastair Millns said the road would be considerably more than 20' wide and the Fire Department will have to approve. Michael Fabbiano confirmed that only trucks rather than cars would go to the access easement to Star Drive. Nelson Disco asked if there would be a step down from the section between the curb and the guardrail. Michael Fabbiano said there would not be; everything would be flat and at grade, with no curb or reveal. It would be a protected corridor rather than a sidewalk. Asphalt would be added on the same plane. The runoff would just be sheet runoff on the side. Robert Best recommended posting a speed limit and installing speed bumps. Michael Fabbiano agreed to the former, but objected to speed bumps because they would change the direction of the drainage. Stanley Bonislawski added that they are bad for snow plowing. Michael Fabbiano said that the MCC agreed to the use of de-icing compounds on the pedestrian corridor only. GTAT wants its employees to be as safe as possible. Shuttle service will queue at the pickup points, with the times depending on the shifts. A van holds 8-10 people and would be available at employees' discretion. GTAT owns both lots.

Nelson Disco asked whether water and sewer expansions must be approved. Michael Fabbiano said he must ask NH DES and Town Wastewater Division for sewer expansion. He can satisfy Wastewater Division comments. The water flow is satisfactory and need not be embellished for Fire Department needs. There is no industrial water discharge from the site to the sewer. If there were no power or backup generators in an emergency, the tertiary line of defense is to bring water to the site, wrap it around the furnaces and discharge it to the sewer at the railroad. PWD approves. There was a significant public and private sewer upgrade in 2011 that is satisfactory for this project. Tim Thompson explained that power is very important to GTAT; it cannot afford any power interruption. They have a variety of backup generators before an emergency system would be necessary.

Nelson Disco asked whether the front parking lot would require fill. Michael Fabbiano said he would use on-site material. Fill may be needed on the high side in the next phase. There will be no cut-to-fill. He will install swales, a tiered parking lot, a storm water system, and buffers. Fill may have to be brought in later. He is trying to minimize fill and retaining walls.

Nelson Disco asked whether flow onto PSNH property would be reduced. Michael Fabbiano said there would be a net zero change before and after construction.

Nelson Disco asked about a 100-year storm event, but Michael Fabbiano said the code does not require planning for one. There is a significant wetland and a slight grade drop, giving runoff time to recharge within the wetland system before exiting to PSNH property and the continuation of the wetland system.

Nelson Disco asked about a traffic analysis. Michael Fabbiano said one was done. CLD reviewed it and had no concerns. He must now obtain a NH Department of Transportation (DOT) Modified Driveway Permit.

Alastair Millns asked if there would be new parking lot lights. Michael Fabbiano will place lights in two locations. There will be no spillover onto abutting premises. Lights exist at the pedestrian corridor. Stanley Bonislowski asked for the distance from the middle of the parking lot to the entry, which Michael Fabbiano said is 1,000'-1,100.

Tom Koenig asked about the size of the retaining wall at the parking lot. Michael Fabbiano stated that the highest point is 11' at the northwest corner. There are trees between the wall and the property line. Tom Koenig asked if there is a need for a buffer to prevent the neighbor's encroachment. Michael Fabbiano will discuss it further with GTAT when the survey is complete. A Category C buffer is required between residential and industrial use. There will be a mix of vegetation and a new deciduous buffer. A landscaped berm or fence will be added.

Tom Koenig asked whether the Fire Department approved adding chemical tanks. Tim Thompson said they are currently focusing on interior work and will soon comment on the site plan.

Tom Koenig asked if there would be a two-way drive and whether trucks would use Star Drive. Michael Fabbiano said cars will use the same main entry at D.W. Highway, but trucks will use Star Drive.

Tom Koenig asked how often chemical tanks are refilled. Michael Fabbiano said usage varies, perhaps once a month or once a quarter. David Veysey, GT Advanced Technologies, Manager, Advanced Systems Integration, said the size of the tanks minimizes delivery times. It is 3-4 weeks between deliveries. Michael Fabbiano said they would be smaller trucks delivering during off hours. The aisle at the north of the building is only for Fire Department access. Trucks can exit through the parking lot, which will not be at capacity during off hours and will not upset daily operations. Robert Best noted that the trucks maneuver now with two tanks. Desirea Falt asked if truck traffic using Star Drive was reviewed. Tim Thompson said it is in the traffic study that is on file. Lynn Christensen said it is unreasonable to expect all trucks to come from Star Drive rather than from D.W. Highway. Michael Fabbiano explained that an R&D operation constantly requires parts for equipment coming in and out, whereas a

manufacturing facility creates small boules, perhaps 50 per month, all of which can be put on one truck. The trucks would be primarily UPS and Fedex delivery vehicles.

Tom Koenig asked how raw materials come in. David Veysey said they are delivered and sent off site once a month. Going to more production means more predictability about cycles and scheduling of trucks. One truckload can leave material for an entire cycle.

Tom Koenig asked about waste products. David Veysey said the small waste stream is recycled and taken off site.

In asking for a waiver of Section 7.06.A – Recording of Final Site Plan - Michael Fabbiano said the plans submitted utilize information from the previously-approved site plan. Because of the timeframe to gain approvals, GTAT has not yet completed a boundary survey. Because the Registry of Deeds requires a Licensed Land Surveyor to stamp a plan for recording, it cannot be recorded until the boundary survey is completed. GTAT requests a waiver from the requirement to record the final site plan to allow the plan to be recorded in the fall, following boundary survey and completion of an as-built plan. Chairman Best said the plan drawings were well explained. Alastair Millns said strict conformity would pose an unnecessary hardship to the applicant and a waiver would not be contrary to the spirit and intent of the regulations.

**The Board voted 7-0-0 to waive the requirements of Section 7.06.A – Recording of Final Site Plan – of the Site Plan Regulations, on a motion made by Alastair Millns and seconded by Desirea Falt.**

#### **Public comment**

Kevin Maloney, owner of 19A Star Drive, sent his objections in writing. GTAT has an access easement through 19A Star Drive's driveway. Their previous addition resulted in a significant amount of truck traffic. Trucks park for extended periods of time at the loading dock and block traffic into and out of 19A Star Drive. In addition to trucks, snow banks encroach on the 30'-wide paved access. The expanded facility will add truck traffic and people, increasing Kevin Maloney's concerns about how more traffic will affect his and his tenants' use and access. He suggested increasing the width of the driveway access to 19A Star Drive, preventing trailer and trucks parking and waiting there, and sharing expenses to maintain and support the access with GTAT

The Board's consensus was that a sidewalk waiver is not necessary because DOT would not approve a sidewalk at that location.

Staff recommends that the Board vote to grant conditional Final Approval to the application, with the following precedent conditions to be fulfilled within six months and prior to plan signing, unless otherwise specified.

**The Board voted 7-0-0 to grant final approval, with the following conditions, on a motion made by Alastair Millns and seconded by Lynn Christensen.**

1. Final plans and mylars to provide all professional endorsements and be signed by all property owners;
2. If applicable, a draft copy of any proposed easements and any applicable legal documents to be submitted to the Community Development Department for review

and approval by the town's legal counsel (legal review shall be performed at the applicant's expense). Said documents shall be recorded at the Hillsborough County Registry of Deeds at the expense of the applicant;

3. The applicant shall obtain all necessary state permits, provide copies of the permits to the Community Development Department file and note the approvals in the notes on the plan;
4. The applicant shall note any waivers granted by the Board on the plan (including Section, and date granted) as applicable;
5. The applicant shall address any forthcoming comments from the Fire Department (as applicable);
6. The applicant shall address any forthcoming comments from the Wastewater Division (as applicable);
7. Because the project is located within ¼ mile of the Merrimack River, the applicant shall address any forthcoming comments received from LMRLAC (as applicable);
8. The applicant shall address the following comments from the Conservation Commission (from their 3/19/14 e-mail) as applicable:
  - a. The Commission recommends that snow storage areas be placed as far from the large wetland between the two parking lots as possible;
  - b. The Commission recommends the applicant utilize the NH Green SnowPro certification program through the University of NH with their winter maintenance contractor/crew;
  - c. The Commission recommends that de-icing compounds only be used on the pedestrian corridor between the two parking lots and along any sidewalks/walkways;
9. The applicant shall verify that all applicable comments from the Town's peer review consultant, CLD, have been satisfactorily addressed;
10. The applicant shall add a note on the plan indicating that there shall be no parking/idling of vehicles/trucks in the access-way to Star Drive;
11. The applicant shall revise the plans to indicate the "pedestrian corridor" extended from the proposed new parking area to the intersection of the site driveway and Daniel Webster Highway;
12. Address the following planning staff technical comments:
  - a. The applicant should provide plans on 22" x 34" sheets as is typically required by the Town and the Registry of Deeds (larger plans cannot be properly filed in the Town's filing system);
  - b. Address the following relative to notes on sheet T001:
    - i. Note 7 should be updated to include that the parcels are located in the Aquifer Conservation District (in addition to the I-1 District);
    - ii. Note 10 appears to have text in different font sizes; update for consistency;
    - iii. Revise note 23, removing the text "RSA 674:43" and replacing with "Town of Merrimack Subdivision & Site Plan Regulations";

- iv. Update the references to “Chapter 412” in notes 28 & 29 to read “Chapter 167” as the chapter for the Stormwater Ordinance has recently changed;
- c. Correct/modify the overlapping text on Sheet C202 for clarity;
- d. The plans do not indicate any benchmarks, existing topography and wetland delineation (from a current survey), or a stamped boundary as required by the regulations. As the applicant has not provided an updated survey as part of this application, the plans should be revised to add a note referring to benchmarks on the previously approved plans, and noting that the topography, wetland delineation, benchmarks, and boundary will be provided as part of the as-built plan required prior to the issuance of a Certificate of Occupancy (See proposed General and Subsequent Conditions);
- e. The applicant should clarify the traffic circulation around the building, and indicate whether it is intended for one-way or two-way traffic, as the pavement width does not seem to indicate sufficient width for two-way traffic;
- f. Please revise the cape cod berm detail to be consistent with the Town’s typical detail;
- g. The applicant should indicate the appropriate buffers from Section 10.01.4 of the regulations. It appears that Buffer category “D” is required where the site abuts Tax Map 3D-2, Lot 40 and Tax Map 3D-2, Lot 5-1. Buffer Category “C” appears applicable to where the site abuts Tax Map 3d-2, Lot 5. Please indicate the buffer category and type on the landscape plans and ensure compliance with the regulations;
- h. The applicant should provide the required shade trees along the DW Highway as required by Section 10.01.3;
- i. Provide the required CRI information on the illuminations plans as required by the regulations;
- j. The applicant should incorporate the separate plans indicating the proposed building elevations into the plan set as typically required.

**The following general and subsequent conditions are also placed on the approval:**

1. 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;
2. The applicant is responsible for recording a site plan following the completion of the As-Built Plan (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) and any related documents at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department.

**4. Discussion and other items of concern**

Nelson Disco asked that the master sidewalk plan process be initiated. Chairman Best said he would write to the three-person subcommittee and town officials to select a meeting date.

**5. Approval of Minutes – March 18, 2014**

**The minutes of March 18, 2014, were approved, as submitted, by a vote of 7-0-0, on a motion made by Desirea Falt and seconded by Lynn Christensen.**

**6. Adjourn**

**The meeting adjourned at 8:57 p.m., by a vote of 7-0-0, on a motion made by Alastair Millns and seconded by Lynn Christensen.**