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Planning Dept.



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Application for Conditional Use
Conditional Uses and Buffer Reductions
Section 42.19 - Conservation Overlay District

Date: November 8, 2010, as amended November 16, 2010 and December 7, 2010

Property information

Tax map #: 115; Lot #'s): 40; Zoning district: Business 2

Property address/location: 301 North Main Street

Name of project (if applicable): Proposed Retail Development

Property owner

Name (include name of individual): RLP Realty, Inc. c/o Richard Poulin

Mailing address: PO Box 1330 Rochester, NH 03866-1330

Telephone #: 603-332-2010 Fax #: (email) dickpoulin@gmail.com

Applicant/developer (if different from property owner)

Name (include name of individual): GB New Hampshire 2, LLC c/o Chris Moretti

Mailing address: 14 Breakneck Hill Road, Suite 101; Lincoln, RI 02865

Telephone #: 401-721-1607 Fax #: 401-721-1601

Engineer/designer

Name (include name of individual): Bryant Anderson

Mailing address: 6 Bedford Farms Drive, Suite 607; Bedford, NH 03110

Telephone #: 603-644-0888 Fax #: 603-644-2385

Email address: banderson@vhb.com Professional license #: 10259

Proposed Project

Please describe the proposed project: Construct a 13,225 SF pharmacy with drive-thru, a 3,700+/- SF bank with drive-thru, and associated improvements, including parking, access, landscaping, and stormwater management.

Please fill in **one of the next two sections – for either Conditional Uses or Buffer Reductions**

Conditional Uses

For Conditional Uses only, justify the proposal in terms of each of the criteria below (in accordance with subsection 42.19 (i) (1) (A)). All four criteria must be satisfied.

(i) The proposed construction is essential to the productive use of land not within the CO District. The proposed drive-thrus for both the bank and CVS provide an essential benefit for customers, including the disabled, elderly, and parents with young children. In regards to the CVS, the drive-thru bypass lane provides an area for vehicular customers, emergency vehicles, and delivery trucks to circulate the building and avoid conflicts with customers and pedestrians.

(ii) Design and construction methods will be such as to minimize impact upon the wetlands and will include restoration of the site consistent with the permitted use.

An Erosion and Sedimentation Control Plan has been prepared and included as part of the site plan submittal. Construction methods shall be performed in accordance with local, state, and federal regulations. There is no direct impact to wetland resource areas, and water quality treatment from the developed areas of the property will perform many of the functions of the buffer area.

(iii) There is no feasible alternative route on land controlled by the applicant that does not cross the CO District nor has less detrimental impact on the wetlands. Nothing in this Section shall limit the applicant from exploring alternatives with abutting property owners.

Existing constraints on site include the DOT drainage easements, the PSNH utility easement, the DOT proposed curb cut location, local setback requirements, and wetlands. Based on these, the site has been laid out in such a way to minimize buffer impacts. It should be noted that the proposed site improvements result in a 1.2 acre reduction in impervious cover and restoration of portions of the site with natural vegetation.

(iv) Economic advantage is not the sole reason for the proposed location of construction.

Based on the existing constraints, the proposed development has been located as to minimize impacts, as well as provide environmental and stormwater management benefits. The layout accomodates the benefit of the drive-thrus for customers and in regards to the CVS, provides a safe truck route and emergency access with limited customer/pedestrian conflict.

Buffer Reductions

For Buffer Reductions only, justify the proposal in terms of each of the criteria below (in accordance with subsection 42.19 (i) (2) (B)). All four criteria must be satisfied.

(i) The structure for which the exception is sought cannot feasibly, after consideration of all reasonable alternatives, be constructed on a portion or portions of the lot, which lie outside the CO district, **or** the application of the CO district eliminates greater than 50% of the buildable area located on the parcel **or** in the judgment of the Planning Board, the proposed site layout would result in a significantly higher quality design. (on next page)

(continued Conditional Use application Tax Map: 115 Lot: 40)

A portion of the bank drive-thru canopy, including the support column, is located within the outer 25 feet of the CO District's 50-foot buffer.

(ii) The proposed structure and use must be consistent with the purpose and intent of Section 42.19 and provisions must be made to ensure that drainage from the structure will not adversely impact any wetlands. ~~The proposed site layout provides stormwater management and less impervious surface that will ensure drainage from the structure will not adversely impact wetlands. Storwater from the canopy will be directed to the proposed closed pipe drainage system where it will eventually discharge to the proposed gravel wetland for stormwater quality treatment.~~

(iii) There shall be no impervious areas for parking within the reduced buffer for which the Conditional Use Approval is sought.

~~The proposed site plan provides for the removal of impervious areas for parking now located in the COD and will not provide any parking within the reduced buffer.~~

(iv) The maximum building coverage is limited to 50% of the outer half of the buffer zone, as shown in the diagram below.

~~None of the building foundation is located within the buffer. Approximately 6% of the overall rooftop and canopy is located within the outer half of the buffer zone.~~

(v) Best management practices must be demonstrated to the satisfaction of the Planning Board. ~~Best management practices will be used to protect the wetlands while existing impervious materials are being removed within the buffer zone. Herbicides and heavy equipment will not be used within 25 feet of the wetlands, which have been flagged by a Certified Wetland Scientist. Fertilization shall be limited to lime and woodash in replanted areas.~~

[office use only]

Conservation Commission Recommendations:
