

# **CENTRAL GAS SITE PLAN**

SP# 08-23

## **STAFF REPORT**

December 27, 2023

(Continued from Meeting November 29, 2023)

**SITE:** 77 Central Street, Map 182 Lot 217

**ZONING:** Business (B)

**PURPOSE OF PLAN:** To depict the proposed layout for a gas station and convenience store with drive-through window and all associated site improvements.

### **PLAN UNDER REVIEW:**

77 Central Street / Non-Residential Site Plan, Map 182 Lot 217, 77 Central Street, Hudson, New Hampshire; prepared by: Keach-Nordstrom Associates, Inc. 10 Commerce Park North, Suite 3, Bedford, NH 03110; prepared for: Nottingham Square Corporation, 46 Lowell Road, Hudson, NH, 03051; consisting of 20 sheets and general notes 1-30 on Sheet 1 and notes 1-9 on Sheet 2; dated July 10, 2023; last revised October 25, 2023.

### **ATTACHMENTS:**

- A. Peer Reviews, prepared by Fuss & O'Neill, November 1, 2023.
- B. Department Comments.
- C. Applicant Response to Peer Review & Town Comments, prepared by Keach-Nordstrom Associates, Inc. dated September 18, 2023, received Sept 22, 2023.
- D. Traffic Study, prepared by Vanasse Hangen Brustlin Inc., dated July 20, 2023, received September 22, 2023. (Digital Only)
- E. Traffic Study Peer Review, prepared by Fuss & O'Neill, received September 11, 2023.
- F. Stormwater Management Report, prepared by Keach-Nordstrom Associates, Inc., received Sept 22, 2023. (Digital Only)
- G. CAP Fee worksheet.
- H. Development of Regional Impact Notifications
- I. Planning Board Member correspondence with Town Attorney

### **APPLICATION TRACKING:**

- August 16, 2022 – Conceptual plan received.
- September 14, 2022 – Design Review meeting held.
- July 10, 2023 – Site plan application received

- October 31, 2023 – Revised site plan submitted
- November 29, 2023 – Hearing continued to December 27.
- December 27, 2023 – Public hearing scheduled

## **COMMENTS & RECOMMENDATIONS:**

### BACKGROUND

The site is approximately 2.9 acres and is located in the Business zone. The proposed site is currently five parcels. Map 182 Lots: 216, 217, 218-1, 218-2, and 219, which the applicant wishes to consolidate. Five buildings totaling 6,321 SF were on the site that were previously used as single-family residential homes, but have since been razed. The site is served by municipal water and sewer. A small section on the southern end of the site is within the “A” or 100-year flood zone. There is a wetland on the southeast and southern edges of the site, along Map 190 Lots 185 and 186.

The applicant proposes building a 10-pump gas station with a 4,560 SF convenience store with drive-thru window. While not stated, staff presumes the drive-thru window would serve coffee and food. The Applicant has submitted a waiver request from the 100-foot buffer between commercial and residential uses required under §276-11.1(12)(c). Staff notes that the 100-foot buffer is shown on the site plan on the Central Street side, but it is not shown on the Lowell Road sign and should be added to the plans. The improvements that fall within this buffer are:

- the driveway curb cuts on Central Street and Lowell Road and,
- both proposed locations of the freestanding signs.

The site is proposed be accessed by two drives, a 20’ wide one-way entrance driveway to be constructed on Lowell road approximately 210’ from the intersection of Lowell Road and Central Street, and a 24.1’ wide two-way entrance on Central Street, approximately 600’ from the intersection of Central Street and Lowell Road. The proposal of two driveways requires a waiver from §193-10.G, for which a waiver request has been submitted. Further discussion below.

The Applicant previously presented this plan to the Planning Board under Design Review Phase in September 2022. In response to the feedback heard during that phase, the Applicant has included architectural renderings with this application.

### PEER REVIEW - CIVIL

Fuss and O’Neill completed a first round of peer review on July 31, 2023 and a second round incorporating first round comments on November 1, 2023 (**Attachment A**). Keach-Nordstrom Associates, Inc. provided a response to the first round of comments on behalf of the applicant on September 18, 2023 (**Attachment C**). Fuss & O’Neill notes the remaining outstanding issues:

- The applicant has revised the plan to include lane restriping of Central Street and widening along Lowell Road at the northbound approach to the site driveway. This widening includes relocating a portion of the sidewalk outside of the public right-of-way. The applicant should review the need for an easement for the sidewalk in this area.

- The applicant has moved the handicap spaces to account for the building entrance and tip down location. We recommend that spot grades should be provided in this area to ensure it is constructed in compliance with ADA requirements.
- The applicant has revised the Lowell Road driveway to be entrance only, therefore removing the potential sight distance conflict. The applicant has added signage to this driveway. The applicant should label the proposed signs and provide details for them in the plan set.
- We note the applicant has noted that NHDES does not allow infiltration in high-load projects. The applicant should review with the Town if a waiver is still required.
- The applicant has stated that the design intent for canopy runoff is surface flows to catch basins. This may result in icing and other surface drainage issues. We recommend that roof drains/gutters be provided and these connect via subsurface piping to the drainage system to prevent such issues.
- The applicant has revised the label on the Erosion Control Plan to show silt sock is intended. We recommend that the applicant revise the Erosion & Sediment Control Legend as it still calls for silt fence.
- The applicant has added more landscaping to the plan set. This landscaping is not going to provide traditional screening for the site but will break up the view of the site. The applicant has not provided landscaping that we would consider screening, such as a row of arborvitae. The Town should review the plan to see if additional screening is necessary.

#### PEER REVIEW - TRAFFIC

Fuss and O'Neill completed a separate review of the traffic study on September 11, 2023, prepared by VHB on June 30, 2023. (**Attachment E**) The following comments were provided and remain outstanding as of plan revision October 25, 2023. Additional information from the applicant in response is expected.

- The September 2022 GRIDSMART system traffic data provided by the Town Engineer appears to be for during the week of Labor Day. Holidays would typically have an impact on traffic volumes and patterns. Is it anticipated that the level of traffic provided by the engineer is still at normal levels despite them being during the week of a holiday?
- While the intersection as a whole does not degrade significantly in terms of LOS or v/c ratios between 2023 No-Build and 2023 Build conditions, some approaches, particularly the Central St WB Left approach, are significantly impacted by the traffic generation and distribution of the proposed site. The applicant should clarify if any investigation into improvements or signal optimization was undergone for the 2023 Build year to mitigate the impacts to affected approaches.
- We agree with the calculations for the right turn lane warrant analysis for the Lowell Road driveway and also concur with the idea of the proposed roadway and signal timing improvements to mitigate site-related traffic impacts on the roadway network. However, while the 2033 AM peak hour improvements do help 95th percentile queues along Central Street westbound approach adjacent to the site driveway, the 95th percentile through queues of the southbound Central Street approach are lengthened to and beyond

the road's signalized intersection with Library Street. It may be worth prioritizing the major road in this case. However, this would potentially lengthen the queues on Central Street.

- On a similar note, are the Central Street at Lowell Road and Central Street at Library Street intersections coordinated, and if not, was coordinating the two intersections considered as part of the project?
- It is worth noting that many of the 95th queue lengths in the synchro report show a # sign, states "queue may be longer". These locations are not shown in the tables in the report.
- Offsite improvement plans are not included with the site plan. Plans showing the additional lanes widening with proposed driveway control measures for the right in/right out would be helpful.

### DEPARTMENT COMMENTS

See **Attachment B** for comments from town departments. With the revised plan set and **Attachment C**, the Applicant has addressed comments issued by Fire and Engineering other than the traffic comments discussed above. Regarding the Zoning Department's comments, the Applicant has provided some information related to signage but sign permits will still run through the standard process of review and approval by the Zoning Administrator if the site plan were to be approved.

Planning and Engineering staff also offered comments and feedback on the traffic study:

- Request for a traffic simulation during peak hour to understand movements/flow of traffic.
- Request for additional information or discussion relative to traffic movements and potential conflicts generated by turning movements, particularly left turning traffic from Central Street into the site where there is no turning lane.
- Relationship with the Hudson Town-wide Traffic Study performed by NRPC.
- Additional consideration for pedestrian movement since this is one of the more densely populated areas of town with school and recreational facilities nearby.
- Additional discussion on the proposed second driveway on Lowell Road, and effect if it is used to bypass intersection controls (traffic light at Lowell/Central).

### WAIVERS REQUESTED

As noted above, the Applicant is seeking two waivers:

1. Waiver for Buffer between Commercial and Residential Uses, 276-11.1(12)(c), to not require a 100' buffer between commercial and residential uses. The Applicant states that due to the layout of the site, not granting a waiver would make the land virtually undevelopable for any non-residential uses.
2. Waiver for Driveway Design Criteria, 193-10.G, to allow for more than one driveway onto the proposed site. The Applicant states that denial would result in the site being less desirable for future customers, suppliers, and vendors, while also forcing traffic from

Lowell Road through and already busy intersection to access the site, in addition to limiting access for responding emergency vehicles.

**RECOMMENDATIONS**

Staff recommends making the procedural determination of whether or not the application constitutes a development of regional impact (DRI). Staff then recommends accepting the application and holding a public hearing, followed by deliberation and consideration of the waiver requests, and discussion of questions or additional information the Planning Board may seek.

**DRAFT MOTIONS**

**ACCEPT the site plan application:**

I move to accept the site plan application for the 77 Central Street / Non-Residential Site Plan, Map 182 Lot 217, 77 Central Street.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

**To GRANT a waiver:**

1. I move to grant a waiver from § 276-11.1.B(12)(c), General Plan Requirements, to not require a 100’ buffer between commercial and residential uses, based on the Board’s discussion, the testimony of the Applicant’s representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

2. I move to grant a waiver from § 193-10.G, Driveway Design Criteria, to allow for more than one driveway onto the proposed site, based on the Board’s discussion, the testimony of the Applicant’s representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

**CONTINUE the public hearing to a date certain:**

I move to continue the site plan application for 77 Central Street / Non-Residential Site Plan, Map 182 Lot 217, to date certain, \_\_\_\_\_, 2024.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

**APPROVE the site plan application:**

I move to approve the site plan application for Central Gas Site Plan SP# 08-23 77 Central Street / Non-Residential Site Plan, Map 182 Lot 217, 77 Central Street, Hudson, New Hampshire; prepared by: Keach-Nordstrom Associates, Inc. 10 Commerce Park North, Suite 3, Bedford, NH 03110; prepared for: Nottingham Square Corporation, 46 Lowell Road, Hudson, NH, 03051; consisting of 20 sheets and general notes 1-30 on Sheet 1 and notes 1-9 on Sheet 2; dated July 10, 2023; last revised October 25, 2023.; and:

That the Planning Board finds that this application complies with the Zoning Ordinances, and with the Land Use Regulations with consideration of the waivers granted; and for the reasons set forth in the written submissions, together with the testimony and factual representations made by the applicant during the public hearing;

Subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the Plan.
2. A cost allocation procedure (CAP) amount of \$51,488.00 shall be paid prior to the issuance of a Certificate of Occupancy.
3. Prior to the issuance of a final certificate of occupancy, an L.L.S. Certified “as-built” site plan shall be provided to the Town of Hudson Land Use Division confirming that the development conforms to the Plan approved by the Planning Board.
4. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
5. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
6. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M. No exterior construction activities shall be allowed on Sundays.
7. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.
8. Prior to the issuance of a final certificate of occupancy, a Spill Prevention Plan shall be provided to, and approved by, the Fire Marshall.
9. \_\_\_\_\_  
\_\_\_\_\_

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_