



T.F. BERNIER, INC.
Land Surveyors~Designers~Consultants

50 Pleasant Street, P.O. Box 3464
Concord, NH 03302-3464

Environmental Permitting
State and Local Permitting
Land Surveying
Aerial Mapping
Aerial Photography

Tel. (603) 224-4148
Fax (603) 224-0507

August 31, 2023

Canterbury Planning Board
The Sam Lake House
P.O. Box 500
Canterbury, NH 03224

RE: Site Plan Application
McKerley Properties, LLC
Assessors Map 267 Lots 44 & 45

Dear Planning Board Members:

Please find enclosed an application for new site development of Lot 44, located on Riverland Road. The proposal is for a new 6,750 s.f. commercial building containing five individual contractor units with offices and one ADU above the offices. Special Exceptions were granted by the ZBA on 8/16/23 for an office building over 5,000 square feet and to have an ADU in the building.

There will be two new paved driveway entrances to access the site from abutting Lot 45, a one-way exit from Lot 44 onto Riverland Road, adequate paved parking for the proposed use, a new septic system and well, and new stormwater retention/infiltration areas.

A portion of the existing gravel drive/yard on Lot 45 would be paved as part of the common drive/access to Lot 44. The applicant is also requesting to pave the remainder of the gravel yard on Lot 45 as part of this work.

Lot 44 is presently undeveloped, and was formerly wooded. The soils on the site from the NRCS Web Soil Survey are Champlain (35A), somewhat excessively drained, Hydrologic Soil Group A. This was confirmed by test pits dug on the lot in July.

As a part of this application, we are requesting waivers of the following site plan regulations:

Section IV (11) – A noise study. This building will be in the Commercial Zoning District and used as office and storage space for contractors. The uses are not expected to produce measurable noise for this commercial use, and the abutting lots are all similar types of commercial use. We feel a noise study would cause unnecessary financial burden to the applicant. Landscape trees are proposed along Riverland Road as a buffer, and a wooded buffer will remain along the southerly side of the lot.

Section IV (12) – A traffic study. The proposed commercial building will not produce a measurable impact to the traffic in the area. This development will share an existing entrance with Lot 45, and there will only be one new exit point onto Riverland Road. We feel a traffic study would cause unnecessary financial burden to the applicant.

Section IV (13) – Lighting study. The lighting proposed on the site is minimal, for employee safety on the site. The lighting will only be building mounted, as with the buildings on Lot 44 and 46, and is specified in the details, Sheet 6, to be typical down-facing, full-cutoff, dark-sky compliant lights. Landscape trees are proposed as a buffer along Riverland Road.

Section V (K) – Maximum lot coverage of 35%. A waiver is requested of this requirement for both Lot 44 and Lot 45.

Lot 45: To add pavement and pave a portion of the gravel yard/drive along the southerly side of the lot in order to create the common drive and access points to Lot 44. This eliminates the need for an additional driveway access point along Riverland Road to serve Lot 44. Also, to pave the remainder of the rear gravel yard on Lot 45. This will result in the lot coverage on Lot 45 increasing from 33.6% to 57.4%.

Lot 44: To pave the new rear contractor yard/parking area rather than it being gravel. This would result in a lot coverage of 55.1%.

We feel that a waiver to the lot coverage requirement on these lots is justified in this instance for the following reasons: paving the driveways and parking areas will result in much cleaner, more attractive site development with less dust created and potential sediment runoff; the stormwater ponds will be less likely to receive sediment/gravel from runoff; snow removal/storage on the site will be much easier and cleaner; there will be much less potential for vehicle tracking of gravel onto adjacent pavement; the soils on the lot provide excellent infiltration of stormwater on the lots; the drainage analysis and design of the stormwater retention areas account for the paved surfaces proposed. The lot coverages will be similar to the Site Plan on Lot 46 approved in 2022.

Thank you for your consideration of this project. If you have any questions or need additional information, please give us a call.

Sincerely,
T.F. BERNIER, INC.



Jonathan Crowdes
Project Manager

enclosures

cc: file 564-02

**CANTERBURY PLANNING BOARD
PO BOX 500
THE SAM LAKE HOUSE
CANTERBURY, NH 03224**

SITE PLAN REVIEW APPLICATION
(Rev. 10/2016)

NOTE: This application, and all required information, must be filed at least twenty-one (21) days before the date of the meeting at which it is to be submitted to the Board for acceptance as complete, whether in person or by mail. Filing is to be done at The Sam Lake House, Canterbury, NH to the attention of the Planning Board.

1. Name and address of applicant:

McKerley Properties, LLC (c/o Matthew D. McKerley)

459 Daniel Webster Highway Boscawen, NH 03303

Phone Number: 603-796-2822

Email Address: mdmproperty@yahoo.com

2. Name and address of owner of record, if other than applicant:

Wardell Holdings, LLC - Lot 44 (Lot 45= McKerley Properties, LLC)

730 Kearsarge Mountain Road Warner, NH 03278

Phone Number: 603-748-2871

Email Address: chris@wardellandharper.com

3. Name, address and telephone number of surveyor and or agent authorized to represent owner/applicant before the Planning Board: (attach letter of authorization to application):

T.F. Bernier, Inc. (Timothy Bernier)

P.O. Box 3464 50 Pleasant Street Concord, NH 03302 (603-224-4148)

4. Location of proposed project:

Riverland Road & 2 Oxbow Pond Road

Tax Map/Lot No.: Map 267 Lots 44 & 45

5. **Zoning District:** "C" Commercial **Flood Area:** Yes / (No)

6. **Name of proposed development (if applicable):**

Siteplan prepared for McKerley Properties, LLC

7. **Number of acres:** 1.02 & 1.02 **Number of lots** 2

Number of structures: 1 new **Number of units in structure:** 5

8. **Type(s) and number of dwelling units proposed in development (check all that apply):**

Single Family _____ Duplex _____ Multi-Family _____

9. **Type(s) of proposed uses in development:**

_____ Residential _____ Multi-Family _____ Manufactured Housing Park

_____ Cluster X Commercial _____ Industrial

As to each use identified above, is the use a permitted use under the Zoning Ordinance?

Commercial use- contractor units/offices (permitted). (Special Exceptions granted 8/16/23 for building to be >5,000 square feet and for ADU in building).

If no, has a Special Exception or Variance been applied for or obtained? SE for ADU & building size 8/16/23

Date of approval: _____

This is 1st siteplan submittal on

10. **Date of last Site Plan Review or Subdivision of land:** Lot 44. Siteplan on Lot 45 in 2015

11. **DES Subdivision Number (if applicable):** 40006

12. **Identify any existing easements or Rights of Way on property:**

None existing.

13. **Abutters:** Attach a separate list containing the name, mailing address, and tax map/lot number of all abutters, including those across a street, brook, or stream. Names should be those of current owner as recorded in the Tax Records five (5) days prior to the submission of this application.

This application must comply with all requirements set forth in the Site Plan Regulations of the Town of Canterbury.

14. Application fees:

Application Submission fee:	\$	<u>100.00</u>
Abutter notification - \$10.00 each abutter (Include applicant, owner if other than applicant, and surveyor, and anyone else whose seal appears on the plan)	x10= \$	<u>100.00</u>
Registry filing fee (\$33.00 for each Mylar recording; fee includes \$7.00 for a recorded copy for the Planning Board's file). Mylar will not be recorded until Town receives letter from surveyor indicating bounds have been set.	\$	<u>NA</u>
TOTAL (check payable to Town of Canterbury Planning Board.	\$	<u>200.00</u>

Also include a check in the amount of \$25.00 (per plan) payable to the Merrimack County Registry of Deeds for the State of New Hampshire LCHIP surcharge.

Note regarding costs: Upon submission of this application, the Planning Board may, in its discretion, require that the applicant pay and addition sum for estimated administration, legal, or technical review costs.

CERTIFICATION AND ACKNOWLEDGMENT

- I. The applicant (and the owner or agent, if applicable) certifies that the information and representations contained in this application are complete and correct. All costs for engineering, legal or other professional services or recording by the Planning Board or the Town of Canterbury in the site plan review process of this property shall be borne by the applicant and/or owner and shall be paid prior to recording of the final plat.
- II. I have reviewed, or have had an opportunity to review, the Town of Canterbury Zoning Ordinance and Site Plan Review Regulations prior to submission of this application.
- III. I, as owner of the land to be subdivided, hereby authorize the Canterbury Planning Board and its agents to access my land for the purpose of reviewing this site plan, and performing road inspections and any other inspections deemed

necessary by the Board or its agents to ensure conformance of the on-site improvements with the approved plan and all Town of Canterbury ordinances and regulations.

- IV. I agree to pay any costs incurred by the Planning Board in employing an engineer in accordance with Section VI of the Site Plan Review Regulations.
- V. I am aware that failure to satisfy all conditions precedent to final approval within 45 days of the Planning Board vote shall be adequate grounds for revocation of approval of the application and/or termination of the application process. The Planning Board, in its sole discretion, may grant extensions for this 45-day period.

Date: _____ Applicant: Matthew McKeally
Date: 6/29/23 Owner: Chris Wardell
Date: 8/24/23 Agent: [Signature]

FOR PLANNING BOARD USE ONLY:

Filing Fee:	\$ _____	Date: _____
Lot Fee:	\$ _____	Date: _____
Abutter Fee:	\$ _____	Date: _____
Registry Fee:	\$ _____	Date: _____
Estimated Technical Review Fee (if any):	\$ _____	Date: _____

NOTE: Fees must be paid before hearing. A position has been reserved on the agenda for _____.

Secretary/Clerk/Agent for Planning Board

FOR PLANNING BOARD USE ONLY:

Preapplication consultation (optional) _____
Date

Completed application filed with Board
(at least 21 days before hearing date) _____
Date

Fees paid Amount: _____
Date

Notices mailed and posted _____
Date

Completed application on Board agenda _____
Date

Application accepted by Board _____
Date

Public hearing dates _____
Date

Approved/Disapproved _____
Date

Applicant notified of Board action _____
Date

All conditions in final approval satisfied _____
Date

Recording of final plat (Plan No. _____)
Date

Copy of final plat provided to Selectmen _____
Date

August 2023

Wardell Holdings, LLC (owner of Lot 44)
730 Kearsarge Mountain Road
Warner, NH 03278

Town of Canterbury
Planning Board
The Sam Lake House
P.O. Box 500
Canterbury, NH 03224

RE: Siteplan- Map 267 Lot 44 & 45

To Whom It May Concern:

I, Chris Wardell, of Wardell Holdings, LLC, hereby give permission for T.F. Bernier, Inc., P.O. Box 3464, Concord, New Hampshire, to represent Wardell Holdings, LLC before the Town of Canterbury Planning Board relative to the application for site plan approval, and all related matters.


Chris Wardell

August 2023

McKerley Properties, LLC (owner of Lot 45)
459 Daniel Webster Highway
Boscawen, NH 03303

Town of Canterbury
Planning Board
The Sam Lake House
PO Box 500
Canterbury, NH 03224

RE: Site Plan Map 267 Lot 44 & 45

To Whom It May Concern:

I, Matthew D. McKerley of McKerley Properties, LLC, hereby give permission for T.F. Bernier, Inc., P.O. Box 3464, Concord, New Hampshire, to represent McKerley Properties, LLC before the Town of Canterbury Planning Board relative to the application for site plan approval and any and all related matters.


Matthew D. McKerley



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Land Surveyors~Designers~Consultants

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Abutters List
Site Plan Application
McKerley Properties, LLC
Tax Map 267 Lot 44 & 45
Riverland Road

<u>MAP</u>	<u>LOT</u>	<u>OWNER</u>
267	44	Wardell Holdings, LLC 730 Kearsarge Mountain Road Warner, NH 03278
267	45	McKerley Properties, LLC 459 Daniel Webster Highway Boscawen, NH 03303
267	43	Charles Phinney 16 Riverland Road Canterbury, NH 03224
267	46	6 Oxbow Pond, LLC 459 Daniel Webster Highway Boscawen, NH 03303
267	47	Dugout Properties, LLC 15 Freedom Acres Drive Concord, NH 03301
267	60	William C. & Lori Wight 7 Oxbow Pond Road Canterbury, NH 03224
267	61	Edward & Wendy Kobisky Revocable Trust 5 Oxbow Pond Road Canterbury, NH 03224
267	62	Lisa Phinney 186 Dunbarton Road Unit #6 Manchester, NH 03102
251	7	State of New Hampshire NHDOT Bureau of Rail & Transit P.O. Box 483, Hazen Drive Concord, NH 03302-0483

Agent / Professional Consultant

Timothy F. Bernier, LLS, CWS
T.F. Bernier, Inc.
PO Box 3464
Concord, NH 03302-3464

Drainage Analysis

McKerley Properties, LLC Site Development Map 267 Lot 44 & 45 Riverland Road

August 2023

PREPARED BY:

T. F. Bernier, Inc.
50 Pleasant Street
P.O. Box 3464
Concord, NH 03302-3464
Phone: 603-224-4148

This drainage analysis was performed using HydroCad Version 10.00. The rainfalls used in the analysis were for AMC=2, Type III 24-hour Storm: 2yr.=2.79", 10yr.= 4.09", and 50yr.=6.01", as obtained from the Extreme Precipitation Analysis data sheets posted on Cornell.edu website (per NHDES).

Runoff from the new building and paved areas on Lot 44 and part of Lot 45 will be directed into three separate retention areas on Lot 44, shown on the Grading Plan. The retention areas will be surrounded by grassed areas which will serve to slow and filter runoff as it enters the basins. The basins allow runoff to infiltrate into the sandy, excessively drained soils. This will provide groundwater recharge to offset the new impervious surfaces and prevent offsite runoff increases. A waiver request has been submitted asking to pave all the interior parking and driveway areas. Allowing the areas to be pavement rather than gravel will cause less sediment coming off the parking & driveway areas into the retention basins. The runoff calculations and design of the retention basins account for all driveways and parking areas to be impervious pavement. The basins have been designed to retain and infiltrate the runoff from at least a 50-year storm event.

The NRCS Web Soil Survey shows the soil type on the site as Champlain (35A), which typically has infiltration rates far exceeding 10 inches per hour. This soil type has been confirmed throughout the area in the test pits performed on Lots 44, 45 and 46. The infiltration rate in the bottom of the basins is conservatively assumed to be 10 inches per hour. A factor of safety of 2 was then also applied, giving a conservative design infiltration rate of 5 inches per hour used in the Hydrocad analysis of the basins.

COPY

Notice of Decision
Board of Adjustment
Canterbury, NH

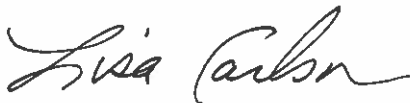
RECEIVED AUG 21 2023
564-01

Case No. 2023-6 Two Special Exceptions
Date: 16 August 2023

You are hereby notified that the application of **McKerley Properties, LLC** that involves Tax Map 267, lot 44 located on Riverland Road and located in the Commercial zone has been **GRANTED**. The proposed uses state "An office establishment in the commercial district with over 5,000 square feet of floor area" and "an attached Accessory Dwelling Unit to a business above the office space inside the proposed building on Lot 44". The application references Article 5.3 and Article 18.3, Section (1)(A). The Board vote was a unanimous decision by the four regular and one alternate voting members present based upon the following:

1. That granting the permits would be in the public interest. They are allowed uses with special exceptions in that zone.
2. That the proposed use would not adversely affect the property values in the district. Special exceptions have been granted there for similar usages in that area.
3. That the specific site is an appropriate location for the proposed use. It is zoned accordingly for those uses with a special exception.
4. That the proposed use would not adversely affect the health and safety of the residents and others in the area and would not be detrimental to the use or development of adjacent or neighboring properties. It would be contained within that property, the types of uses there would be commercial, not manufacturing, so there is really no effect on anything neighboring.
5. That the proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare, or unsightliness. Again, this will be contained within the proposed buildings, so it should have no effect on the adjacent properties.
6. That granting of the permit would be in the spirit of this ordinance. Again, it is in the commercial zone appropriately zoned for these special exceptions.
7. That the proposed use would not constitute a hazard because of traffic, hazardous materials or other conditions. No hazardous materials have been proposed, traffic and access to the property is appropriate.

Respectfully submitted,



Lisa Carlson, Clerk
Board of Adjustment

NOTE: If any person wishes to appeal this decision, you must act within 30 days of the date of this notice and apply to the Board of Adjustment for a rehearing. The Motion for Rehearing must set forth all the grounds upon which you base your appeal.