

2017 PUD Amendment The Village at Clark Brook

Old Dover Road
Rochester, NH

December 12, 2017
Revised: April 19, 2018



Prepared For:



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Manchester, NH

Prepared By:



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Introduction

The Anagnost Companies and Bedford Design came before the Planning Board in 2012 to redesign the Village at Clark Brook Planned Unit Development. We worked with the Planning Board and staff to address your concerns, and a new master plan and PUD was approved. We created a plan that reflected the current need in Rochester, specifically adding apartment buildings as part of the unit types.

The project has since started construction. The wetland and NHDOT permits are completed. Water has been brought up Old Dover Road, and natural gas serves the site. The stream crossing has been installed and a portion of Athenian Way is built up to the entrance of the four apartment buildings. These buildings are now completed and open for occupancy. Although newly built, they are renting at a very fast rate. The one-bedroom units rented immediately, while the twos and threes are still being filled. This is a surprising development because one bedrooms are the hardest to rent and are usually less than 10% of the unit types available. This prompted the owner to review why these units were renting so quickly. It was discovered that young professionals who work in the Greater Rochester area need housing.

We feel that this demographic was not identified in our previous PUD amendment and as such, we are proposing to amend the PUD to fill this need in the Rochester market for young professionals to live in your community. Our proposal is to re-allocate the single-family units/bedrooms on Athenian Way to add townhomes, additional live/work lots and two more apartment buildings to the PUD. These apartments will have more one bedroom and studio units and less of the other types to fill the need in the market. The townhomes will add an additional unit type to the mix of units and live/work will benefit from the new design we have created.

This Amendment Package proposes edits to the 2012 PUD approval. Included is an overview of the proposed changes as well as an edited Notice of Decision from the 2012 approval. Bedford Design will discuss these changes, answer questions, and bring supplemental materials to the Planning Board meeting.

Residential Unit Breakdown

The charts below show a 2012 and 2017 comparison of unit types and breakdown of bedrooms. The 2017 PUD Amendment maintains the maximum number of bedrooms but has exceeded the number of units allowed by 13 units. Bedford Design will discuss why the number of bedrooms should be the restricting factor and how the original PUD counts were developed, at the Planning Board meeting. 52% of the proposed units are one-bedroom/studios.

May 7, 2012

Type of Unit	Unit Count	Bedroom Count
Duplex Units	18	36 to 54
Live-Work Units	3	9 to 12
Single Family & Little Quarry	44 to 50 & 23	207 to 269
Apartment Units	144 to 174	288 to 319
Maximum Allowed	262	571

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Type of Unit	Unit Count	Bedroom Count
Duplex Units	18	54
Single Family in Little Quarry	20	60
Apartment Units - Buildings A-D	144	276
Townhomes	16	48
Live/Work	5	15
Proposed Buildings E & F	72	118
Total Proposed in 2017 PUD	275	571
Maximum Allowed from 2003 PUD	262	571
Difference in PUDs	13	0

Building E & F Breakdown Example* (example for both buildings)

Type	Units
Studios	6
One Bedroom	32
Two Bedroom	28
Three Bedroom	6
Total	72

*This breakdown is meant as an example only and may be subject to minor changes.

Proposed Changes (Overview)

The need for the apartment units, particularly one-bedroom units, has become apparent. This amendment plans to allocate the Single Family along Athenian Drive and transfer the number of bedrooms to build different types of units. The Duplexes will remain on Homer Way, and Single Family will remain on Constitution Way. An additional 16 Townhomes will be added and two more live/work lots. Two more apartment buildings will be added. Portions of the proposed Town Road will be discontinued and discussed during the Site Plan Approval Process. The proposed apartment buildings E & F will be similar to A through D in size and will be 3 stories tall. Parking will be in the front and the back of the buildings, drainage will be underground, and septic systems will be distributed throughout the property. The existing recreation field will remain, as well as the toddler play area. We will be adding a few more amenities.

We Propose the Following Changes:

- Athenian Way up to Asteria Lane will remain a public street. The rest of Athenian Way will become a private drive. This will reduce the amount of road of area to be plowed by the City.
- The Single Family lots on Athenian Way will be removed.
- The Live/Work Units will remain and two more will be added.
- 16 Townhomes will be added to the mix of unit types for the PUD.
- Three Constitution Way lots will be consolidated.
- The Proposed changes will increase the amount of green space for the PUD
- The PUD package city cross section will be redesigned.
- The number of units allowed will be increased to 275(from 262) but the number of bedrooms will remain at a maximum of 571.

Project elements to Remain:

- Trail system throughout project
- Children's playground (tot lot)
- Connection to Constitution way.
- 9 Duplex lots (18 units)
- 20 Single Family lots on Constitution way.
- Recreation Field
- Original Live/Work units on Athenian

Possible Additional Project Elements:

- Dog Play Area
- Gathering Gazebo
- School Bus Stop and Turnaround

Revised Land Use List

Apartments
Duplex
Single Family
Townhomes
Live/Work Lots
Home Occupations

Updated Permit List

2012 Permits Received

NHDOT Driveway Permit
NHDES Wetland/Stream Permit
NHDES Subsurface Permit
NHDES Alteration of Terrain Permit
City of Rochester Planning Board Approval

2017 Permits Required/Amended

NHDES Subsurface Permit
NHDES Alteration of Terrain Permit
City of Rochester Planning Board Approval
Rochester City Council Road Discontinuance

Permits Completed

NHDOT Driveway
NHDES Wetland/Stream Permit

Proposed Phasing

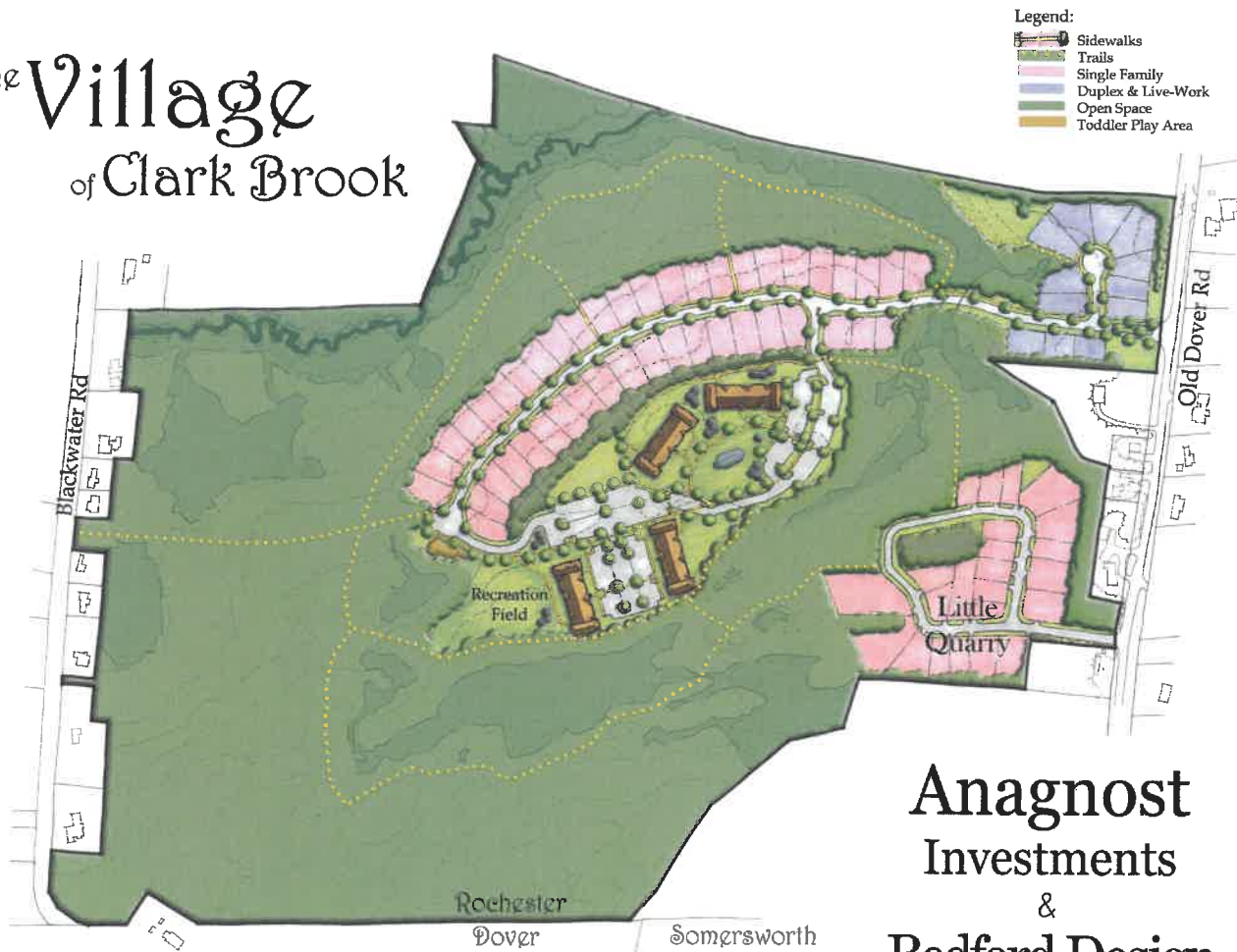
A large portion of the phasing for the PUD is complete. There are three phases left in the project. These phases may be completed in no particular order. Athenian Way shall be completed in conjunction with Building E or F Phases, whichever phase is first.

- Homer Way/Duplex Phase
- Building E Phase - including parking, drainage, and septic installation
- Building F Phase - including parking, drainage, and septic installation
- Townhome Phase

Advantages to the PUD Amendment

- With the removal of 45 single family lots, there will be less children to add into the city's school system. The majority of units being added into the project are one-bedroom units. One-bedroom units do not typically have children.
- The discontinuance of Athenian Way from 3,000 linear feet to 1,250 linear feet will significantly reduce the amount of road the city will maintain.
- The road discontinuance means several detentions ponds and easements will no longer be maintained by the city.
- A large portion of the single-family lot areas will remain wooded.
- The Amendment will create a downtown feel to the project by creating a central hub.

The Village of Clark Brook



Notes:

1. A sign shall be posted at the entrance to the proposed PUD that states the project is not a through street.
2. Toddler playground equipment to be determined.

**Anagnost
Investments
&
Bedford Design**
ENGINEERS & SURVEYORS

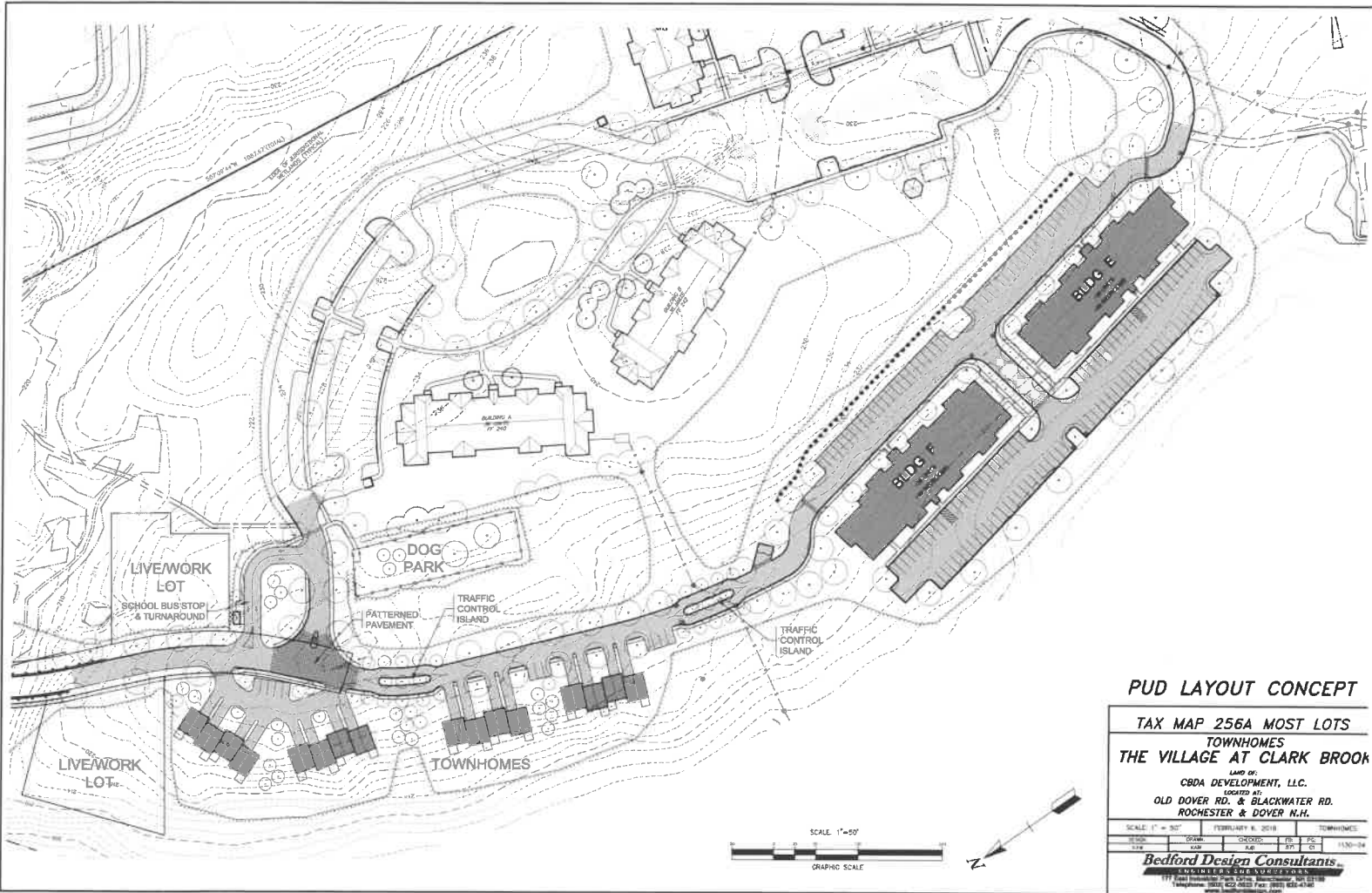
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The Village at Clark Brook

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REALTY & DEVELOPMENT

Bedford Design
ENGINEERS, SURVEYORS & LANDSCAPE ARCHITECTS
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PUD LAYOUT CONCEPT

TAX MAP 256A MOST LOTS
TOWNHOMES
THE VILLAGE AT CLARK BROOK

LAND OF:
CBDA DEVELOPMENT, LLC.
 1004701 AT
 OLD DOVER RD. & BLACKWATER RD.
 ROCHESTER & DOVER N.H.

SCALE: 1" = 50'	FEBRUARY 8, 2018	TOWNHOMES
DESIGN	DESIGN	DESIGN
1/2"	1/2"	1/2"

Bedford Design Consultants
 ENGINEERS & ARCHITECTS

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 Telephone: (603) 422-0550 Fax: (603) 422-0700
www.bedforddesign.com

Documents

The following documents shall constitute/guide review of the Clark Brook Planned Unit Development Master Plan for the purposes of zoning and development regulatory requirements:

1. All of the documentation submitted by the applicant which is contained in files located in the Planning and Development Department office, with the more recent documentation superseding conflicting earlier documentation unless otherwise noted.
2. The most recent Clark Brook Revised Master Plan map and the ~~2012-addendum~~2017 PUD Amendment to The Village of Clark Brook, both received by the City on ~~May 8, 2012~~ December 12, 2017 and revised April 19, 2018-
3. The City of Rochester Planned Unit Development Ordinance that is in effect as of May, 7, 2012.
4. The City of Rochester Site Plan Regulations and Subdivision Regulations pursuant to guidelines established in the PUD Ordinance.
5. Additions, modifications, and clarifications described (particularly in the case of discrepancies or lack of clarity with the submitted master plan) herein which shall supersede any described in 1) and 2), above.
6. Any other appropriate laws, statutes, ordinances, regulations, policies, procedures, standards, or principles as reasonably determined by the City of Rochester Planning Board consistent with the legitimate intent of this approval.

General Guidelines

1. The Planning Board may impose any reasonable requirements in the course of site plan and subdivision review to ensure implementation of the Village master plan. This may involve requiring elements to be completed in an economically reasonable manner prior to issuance of building permits or certificates of occupancy, or subsequent phase approvals, or stipulating appropriate features, valuable nonresidential uses, those residential uses which provide diversity to the plan. Completion of these facilities and features shall generally follow the phasing plan unless it is reasonably determined that another schedule or approach is in order.
2. It is the intention of the master Plan entitled, "The Village of Clark Brook, Proposed ~~2011-2017~~ Amendments to the Village at Clark Brook (Latest Revision), Anagnost Realty and Development, as prepared by Bedford Design Consultants, Inc., Engineers and Surveyors, and related documentation to be a development plan with a moderate degree of specificity. Given the preliminary nature of the engineering adjustments may be made in dimensions and layouts of roads, utilities, drainage systems, buildings, structures, etc. in the course of site plan and subdivision review provided the intent of the PUD is clearly met as reasonably determined by the Planning Board.
3. Consistency with PUD. The Planning Board shall use reasonable judgment in the course of reviewing site and subdivision plans in determining which types of adjustments in the approved master plan are consistent with the approved PUD and may simply be reviewed in accordance with the PUD and which would constitute significant changes such that an amended PUD application would be required.
4. While all of the items included in documentation submitted by the applicant are part of this approved PUD, statements which clearly do not impact the quality or effectiveness of the PUD or in which the Planning Board does not take any interest are not considered to be requirements by the City, as reasonably determined by the staff or Planning Board, as appropriate.

Process

1. Specific detailed plans will need to be submitted and reviewed under the customary site plan and subdivision process for conformance with the approved PUD and other applicable law. The Planning Board may, of course, impose reasonable requirements at the applicant's expense. Such approval shall not be unreasonably withheld.
2. Prior to approval of any subsequent phases the board may stipulate review of proposed condominium or association documents by the city attorney at the applicant's expense. Such approval shall not be unreasonably withheld.
3. Prior to approval of any phases the developer must submit proof that he owns/controls the entire PUD tract.
4. Updated drawing. For clarity, prior to Planning Board approval of any site or subdivision plan the developer shall submit a revised/updated final PUD Master Plan incorporating all appropriate elements described herein, if deemed necessary by the Planning Board. The developer should coordinate with the Planning staff in determining which elements are best included in the updated plan.

Density

1. Maximum units. The maximum number of residential dwelling units is ~~238-280~~ (262 in 2003 Approval) and the maximum number of total bedrooms is 571 as shown in "Residential Unit Breakdown, dated May 7, 2012". This breakdown is herein modified for a maximum of ~~144-220~~ apartment units. Under no circumstance could the total exceed this amount (except for a PUD amendment). Developing this number is not guaranteed and is subject to addressing various appropriate standard site constraints. The form of ownership may be a variety of fee simple, condominium, long-term lease or other forms.

Uses

1. Full range of uses. The applicant will work diligently to create nonresidential uses and full range of residential uses as specified and will market the spaces aggressively. It is understood that certain uses may not be marketable as quickly as other uses but nonetheless these uses are considered integral components of this PUD.
2. Residential adjustments. In the course of subdivision and site plan reviews the developer and Planning Board may mutually agree to minor modifications/clarifications in exact type of dwelling units for the purpose of enhancing development quality provided: a) the intent of the Master Plan is clearly met; b) a reasonable balance of housing types is maintained; c) the number of dwelling units does not exceed ~~238-280~~; and d) the number of bedrooms does not exceed 571.
3. Live work. Live-work units are intended to be used for limited commercial purposes or for residences, as the market determines. Live-work units must be owner occupied. Live-work use is designated for the first three lots on the left as you enter the project and two more lots on the other side of the bridge. The commercial use may not exceed 2,500 square feet for any one business/operation within any one space, except that there is no limitation for a grocery store. Live-work commercial use is limited to those uses that are low impact and compatible with a close in residential environment such as office, antique shops, cafes, restaurants, institutional use. NO fast food, drive-through business, automobile oriented business, nor industrial/manufacturing operation would be allowed as live-work. These lots may also be used for conventional single family dwellings. Applications shall be submitted to the Planning Department for live work units and they shall be reviewed in the same manner as applications for home occupations.

4. Home occupations. Home occupations, specifically as conventionally defined in the Zoning Ordinance are permitted.
5. Multifamily types. Duplexes and Townhomes may be arranged as fee simple units on individual lots or as condominiums on one lot. The flats may be established as a condominium or be offered as rental units.

General Design

1. The approved Master plan is as shown. Platting/layout must be consistent with the clear intent of the Master Plan.
2. During the site plan and/or subdivision process the Planning Board shall determine exactly where sidewalks, curbing, and closed drainage is necessary on public roads. The typical street cross section ~~plan has been submitted for the residential street shall generally be followed will be reviewed and discussed with the Planning Board during the Site Plan and/or Subdivision process and included in the approves site plan set.~~ The pavement width shall be 24 feet on public streets.
3. The setbacks for the single family and duplex house lots shall be:

Front Building Setback	10'
Side Building Setback	7'
Rear Building Setback	20'
Accessory Structure Setback	5' side & rear

4. The lots shall generally comply with the Master Plan. The minimum lot size for single family house lots is 6,000 square feet and for duplex lots it is 9,000 square feet. The minimum frontage on standard single family lots is 60 feet. The minimum frontage for duplex lots shall be determined as part of the review of the subdivision application. The minimum frontage on those lots fronting on a cul-de-sac lots shall be determined as part of the review of the subdivision application. These dimensional standards herein do not apply to the already approved Little Quarry lots.
5. Zero lot line development and patio lots may be used where appropriate.
6. In accordance with the PUD ordinance, all buildings on duplex and live work lots must be set back at least 50 feet from the perimeter boundary of the PUD, wherever adjoining residential property.
7. As part of the site plan/subdivision review, as appropriate, the developer shall propose specific design elements for the area designated as a Recreation Field, dog park, tot lot, school bus stop, and gazebo. ~~and for the small greenspace at the end of the cul-de-sac, which is contemplated as a tot lot.~~

Landscaping

1. Landscaping. A generous landscaping program shall be submitted as part of each site plan phase. A generous program of street trees (deciduous shade trees such as maple, oak, linden, ash, or smaller deciduous trees, if necessary) shall be included with each site plan and subdivision plan.
2. Invasive species. No invasive plan species – such as Norway Maples, burning bush, or barberry – may be used for landscaping. Should any invasive species develop within newly established wetlands or drainage structures these will be managed according to best management practices for invasive species.

3. Lot 256-65. As part of the Site Plan process the applicant shall incorporate additional tree plantings between the entrance to the development and Map 256-Lot 65 to buffer that lot from the new road.

Traffic/Circulation

1. City streets. It is the intent that the streets in the development for the ~~single family and duplex, live/work lots, and Athenian Drive to STA 12+50 as shown~~ be dedicated to the City as City streets. ~~The travelway Asteria Lane and the remaining Athenian Drive shall serve-serving~~ the multifamily ~~buildings townhomes and apartments shall and~~ remain as a private travelway, and not be dedicated as a City street.
2. DOT curb cut. A precedent condition for the site plan approval of Phase 1 will be confirmation that NHDOT will issue a curb cut for the main road from Old Dover Road.
3. Old Dover Road. It is the intention that Old Dover Road provide the main entrance to the project at build out.
4. Grade. All city streets shall have a maximum grade of 7% unless otherwise approved by Public Works and the Planning Board.

Parking

1. Parking for nonresidential uses shall be reviewed by the Planning Board to ensure that the location, amount, and design is sufficient and consistent with the intent of this Master Plan.
2. At each phase the applicant may propose any number of parking spaces independent of the zoning requirements, consistent with the intent of the PUD Master Plan. The Planning Board may use its reasonable discretion in determining the appropriate number of spaces. For example, the Zoning Ordinance stipulates 2 parking spaces per dwelling unit. However, the applicant is providing that 1-1/2 spaces should be sufficient for buildings A, B, C, and D. The board may approve that number. A section of the land will be set aside as "future parking" to reach the 2 spaces per unit requirement.
3. The Parking section contained in the Site Plan Regulations provide good guidelines for reviewing parking.

Sidewalk/paths

- ~~1. There shall be an asphalt sidewalk measuring at least 5 feet wide along the main collector type road with a lawn strip at least 5 feet wide. The sidewalk shall be located outside of the City right of way, and shall be maintained by the Homeowner's Association. It may meander alongside the road with an undulating lawn strip.~~
- ~~2. All sidewalks shall include a planting strip at least 5 feet wide, except by multifamily and commercial where it may be reduced or eliminated depending upon the density of on-street parking to shield pedestrians.~~
1. Sidewalks shall connect all units in the project to each other. The location of sidewalks shall be determined during the Site Plan approval process.
- ~~3.2.~~ Trails. Trail/footpath plans will be finalized as part of the site and subdivision plan approvals to determine exact locations, widths, design, materials, and amount of clearance. Appropriate treatment is needed to ensure trails next to single family lots do not get privatized, such as construction of a section of asphalt path next to the road. The Best Management Practices is followed by the Appalachian Mountain Club shall serve as a guide.
- ~~4.3.~~ The path connecting Quarryville to the main road and/or main development is intended to be more substantial in materials (such as asphalt path) to better serve the senior residents and form a stronger connection with the main development. The exact location of the path will be

determined by the wetland location. If it is apparent that there are too many wetlands in the area to cross, then an asphalt path will not be required, a trail path will be implemented.

5.4. These trails will be developed for the quiet enjoyment of the residents.

Utilities

1. The PUD will be serviced by City water and private/community septic. City water will be extended from the end of the existing Rochester water line to the entrance of the project to serve the project. The water service will be operational prior to the first certificate of occupancy being issued.
2. All utility lines shall be underground.
3. Use of attractive wet ponds rather than dry detention basins is encouraged to the extent practical.
4. Accessory utilities to serve the PUD shall be installed as reasonably stipulated by the Planning Board in consultation with Public Works.
5. Stubs shall be placed in the water line to be installed in Old Dover Road to accommodate prospective future tie-ins for abutters to the road.

Environmental Aspects

1. Best management practices will be employed throughout, particularly with regard to stormwater management.
2. Existing stone walls will be preserved to the extent practical.
3. This PUD is exempt from the Conservation Overlay District.

Open Space

1. Areas shown as open space on the master plan map remain in perpetuity as open space. It may not be developed for further subdivided. There can be reasonable, incremental adjustments of developed areas around/within these open space areas as long as the size, integrity, (and clear intent of the master plan is met) of each open space area is maintained.
2. All open space, greens, and squares will be owned and maintained privately.
3. In designated open space areas there may be no asphalt (other than paths and trails as approved). There can be open air gazebos and pavilions not to exceed 1000 square feet in area each. No off highway recreational vehicles (OHRV's) are allowed on paths or sidewalks, or in open space areas.
4. Community Septic Systems and Stormwater Treatment Practices will be designed and can be built in the Open Space. The proposed locations of the septic system and primary Stormwater Treatment areas will be determined by the engineer and approved by the Planning Board during the site plan approval process. Access necessary for the access and maintenance of these areas can be built and maintained.
5. Maintenance plans will be submitted as part of subdivision/site plans to ensure that all squares, and greens, amenities, and trails are appropriately maintained.

Architectural Design

1. Siding. Use of natural siding materials such as wood clapboard, wood shingles, rick, stucco, or stone or cementitious clapboard such as hardyplank is strongly encouraged but not required.
2. Entry way. The entry way of all buildings, shall be made prominent in some manner, such as through use of porches, stoops, sidelights/transom windows, and/or a door surround. All primary entry ways should be placed on the front façade of the building.

3. The architectural standards established in the original Clark Brook PUD shall still apply to all 23 of the lots in Little Quarry. The developer, may at his options, submit specific proposals for other architectural designs or Little Quarry to be reviewed by the Planning Board, with notices to all residents in Little Quarry and a public hearing.
4. The architectural designs for the multifamily buildings, including the townhomes, shall be reviewed under the City's Architectural Regulations in the customary manner in the course of site plan review.
5. There shall be no architectural restrictions for the ~~single family houses or~~ live work units, other than as specified in subsections 1. And 2., above.
6. The duplex units shall follow the two examples contained in the 2012 Addendum. However, the application may submit additional designs for review and approval by the Planning Board.
7. The 30" elevation for the first floor specified for houses in Little Quarry shall not apply. The elevation for the first floor shall be as specified in the Building Code.

Miscellaneous

1. Expansion of PUD. It is understood that the developer has the right to apply to amend the PUD through the PUD amendment process that is in effect in 2011 as outlined in the 2011 PUD ordinance. The Planning Board would evaluate any such proposal in accordance with the ordinance.
2. Blasting. Any necessary blasting will be carried out in compliance with Fire Department requirement, and the Site Plan Regulations, including as pre-blast survey if requested by the Fire Department.
3. Bonding for the development shall be permitted in the usual and customary manner. Security for infrastructure improvements shall consider the phasing of the project and the withholding of a certificate of occupancy as a condition of approval.
4. Playgrounds and playground equipment shall be allowed in the 50 foot wetland overlay district.
5. The project may be phased in general agreement with the phasing plan submitted with the 2017 Master Plan submittal package, but may be adjusted accordingly as part of any Site Plan or Subdivision review.
6. Each multi-family building may be subdivided off, for financing purposes, into individual lots with no minimum frontage requirement. Each lot shall contain the minimum required number of parking spaces and allow for access easements for the flow of traffic. The building and owner shall remain subject to the association documents.
7. Street trees may be placed in the right of way or on private lots, which is to be determined during the subdivision review. If the trees are placed in the right of way, the Homeowners Association shall be responsible for maintaining them.
8. ~~All outstanding fees for water connection for lots within Little Quarry shall be paid prior to issuance of any building permit for Clark Brook.~~