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Mr. Kendall Hughes
Planning Board Chairman
20 Highland Street – PO Box 517
Ashland, NH 03217

Date: March 12, 2025

Subject: **Technical Review Memorandum #2**
 The Village at Mill Pond
 35 Mill Pond Road (Tax Map 110 Lot 73)

Dear Mr. Hughes,

At your request we have completed a technical review #2 of project plans and supporting information submitted to your office by or on behalf of the owner/applicant in the subject matter. Specifically, we acknowledge receipt of copies of the following documents, which were the subject of our review:

- Revised Waiver Request Letter (dated : February 4, 2025);
- Revised Subdivision Plan Set (last revised: January 22, 2025);
- Revised Site Improvements Plan Set (last revised: January 22, 2025);
- Revised Drainage Report (last revised: January 28, 2025);
- Proposed Sewer Calculations (dated: December 16, 2024);
- Northern Units Fire Truck Turn Around Conceptual Exhibit (dated: January 2025);
- Vanasse & Associates Inc. Response to Technical Memorandum #1 (dated December 31, 2024); and
- Traffic Impact Study – The Village at Mill Pond – 35 Mill Pond Lane (dated: August 12, 2024; revised: December 31, 2024)

General Notes (Subdivision & Site Plan)

The following state and federal permits are required under this application:

- (a) NHDES Alteration of Terrain Permit (AOT)
- (b) NHDES Shoreland Permit
- (c) NHDES Wetlands Permit (Dredge and Fill)
- (d) NH Department of Transportation (NHDOT) driveway permit (for Site Plan)
- (e) EPA NPDES Permit
- (f) NHDES Sewer Connection Permit
- (g) NHDES Water Connection Permit (PORS – privately owned redistribution system)

The applicant has made a statement in their response to our Technical Review Memorandum #1 (TRM#1) that it is against the law for the planning board to delay approval of a project due to state permits having not been secured.

RSA 674:4 (1)(i) says “A planning board **may** grant conditional approval ...” and goes on to say “Such conditions **may** include a statement notifying the applicant that an approval is conditioned upon the receipt of state or federal permits...” the statute continues “a planning board may not refuse to **process** an application solely for lack of said permits.”

It is in our opinion that the process of securing the AOT, Shoreland, and Dredge and Fill permit may require significant changes to the plan layout, grading, infrastructure, area of disturbance and ground covers to achieve compliance. We believe the board has the right to review the final design prior to approval.

We recommend that the board read RSA 674:4 (1)(i) in its entirety and it may be prudent to seek the opinion of town council for the boards obligation to conditionally approve an application.

We maintain the recommendation that the applicant receive written approval from local water, sewer, electric, DPW and fire departments.

Subdivision Improvement Plans

General Notes:

No additional comments at this time

Existing Condition-Sheet 1-6

- 1) We recommend all deed covenants for the subject parcel be noted depicted on the existing conditions plans which is certified by a licensed land surveyor. (e.g. flowage rights, reservoir rights, right of ways, etc.)

Subdivision-Sheet 7-8

No additional comments at this time

Topographic Subdivision-Sheets 9-10

No additional comments at this time.

Subdivision Removals Plan-Sheets 11-12

- 1) The "Removal Plan" should be incorporated with the recommendations from Nobis Engineering on the remediation of the site contamination once they are available. The applicant's response to TRM#1 was not found on removals plan sheet 11 or 12. Recommend verification.

Roadway Layout Plan-Sheet 13

No Additional comments at this time

Roadway Grading & Drainage Plan-Sheet 14

- 1) NHDOT considers slopes steeper than 4:1 non-recoverable we maintain a recommendation to extending the guardrail from the retaining wall to sta. 8+00
- 2) The applicant's intent to integrate a guardrail during retaining wall design process. We recommend showing the extents of the guardrail from the retaining wall to Winter Street right of way line.

Mill Pond Lane Profile-Sheet 15

No additional comments at this time.

Roadway Utility Plan Notes 16

No additional comments at this time.

Roadway Erosion Control Plan Sheet 17

No additional comments at this time.

Construction Details-Sheet 18-24

- 1) We recommend adjusting sewer force main trench detail to reflect installation with a minimum of 6 feet of cover.

Site Improvement Plan

General Notes:

- 1) Site Plan regulation 2.4 requires sidewalks be provided at the entrances of the housing development. We recommend adding a sidewalk on Mill Pond Lane. As the applicant stated in their response, the subdivision application (by itself), does not warrant a sidewalk. But, the subdivision application and the site plan application although separate, are integrated and will be constructed concurrently (as shown on the phasing plan) and therefore it is our opinion that a sidewalk is warranted along Mill Pond Lane.
 - Other considerations, Mill Pond Lane serves as the shortest walking distance from the Village at Mill Pond and the downtown area.
 - 20% of the traffic generated from the Village at Mill Pond is projected to use Mill Pond Lane.
- 2) We maintain the recommendation of construction fencing between the construction site and the public park. There is a wooded area that separates the construction site from the park. The park is used by children year round, we recommend the board determine if the wooded area is a sufficient barrier between the construction site and the park.
- 3) We recommend adding test pit data which provides an observed E.S.H.W.T. used to determine the elevation of the proposed Stormtech system.
- 4) Fire Truck Turning Movements was not received with latest submission.

Removals Plan, Sheets 7-9

No additional comments at this time.

Development Overview Plan, Sheet 10

No additional comments at this time.

Site Plan, Sheets 11-16

- 1) Recommend adding a proposed 7,800 square footage callout to the proposed natural playground area to ensure zoning ordinance 2.3c (g) requirement is met.

Grading & Drainage Plans, Sheets 17-22

- 1) HW#1 is discharging stormwater from roadway directly into wetlands. The revised stormwater management report dated January 28, 2025 indicates there is an increase in impervious areas in sub catchment 30S and 70S of approximately 15225 sq-ft. We recommend this additional impervious area be treated.
- 2) We recommend the applicant look at the contributing areas to CB #21,22 &23. It appears that the runoff may exceed the capacity of these structures.

Utilities Plan, Sheets 23-27

No additional comments at this time.

Profiles, Sheets 28 -30

- 1) "SMH WITH AIR RELEASE STA ???: ???' ???T note at approximately 7+50 on page 28." Recommend revision.
- 2) Similar comment as above for SMH at STA 0+25.
- 3) Approximately 6" of vertical clearance is proposed between the 5' HDPEP and the proposed waterline, STA ~8+75 on Northern Access Road. We recommend insulating the waterline.

Erosion Control Plan, Sheets 31-35

No additional comments at this time.

Lighting Plan, Sheet 36

No additional comments at this time

Landscape Plan, Sheet 37-38

No additional comments at this time

Construction Details, Sheets 39-53

- 1) Sheet 43, there is an unlabeled outlet structure on the Stormtech chambers detail. Please verify.
- 2) SWMB#2 plan detail, please verify which cleanouts should be perforated and which should be solid. We believe there is a mistake in the leaders.
- 3) Similar comment as above for SWMB#3. Please refer to the NH Stormwater Manual. The upstream cleanouts should be perforated and the downstream should be solid (for each bay).

Northern Units Fire Truck Turn Around Conceptual Exhibit

(last revised: January 28, 2025)

- 1) A proposed fire truck turnaround is shown between buildings “I” & “J”. The turnaround appears to address the National Fire Protection Agency (NFPA) Section 18.2.3.5.4 for dead end streets. The proposed turnaround has not been implemented in the most recent plan set. We recommend the turnaround be reviewed by the Fire Chief, if approved, the design should be added to the proposed plan set.

Stormwater Management

- 1) The stormwater management report shows that the large existing wetland on site is being used to detain stormwater. The flow to the wetlands is shown to be greater in the post-development than the pre-development. State regulations do not allow for wetlands to be used to detain stormwater. We recommend revising the stormwater management practices to meet this requirement.
- 2) We recommend the applicant review the modeling of 'Pond P' in both the pre- and post-development models. The drainage report indicates in the post-development a ~50% reduction in Pond P's volume, an increase in inflow volumes, and yet, a post-development peak elevation one foot lower than pre-development.
- 3) We recommend the applicant look at the contributing areas to CB #21,22 &23. It appears that the runoff may exceed the capacity of these structures. We maintain all proposed drainage structures and stormwater culverts should be modeled in the post development conditions.
- 4) Subcatchment 12S in the post-condition has approximately 5,000 square feet of Ex.Gravel. It is unclear from the "post-development drainage area soils" plan where this area is being calculated from. Please confirm.

Sewer Design Flow Calculations

The sewer calculations submitted by the applicant calculate a peak flow rate of 97,959 GPD. Calculations were based on an average of 3 people per unit/dwelling with a flow of 68 GPD per person. No additional comments.

Environmental Considerations

No further information has been provided, our comments remain.

Nobis Engineering Phase 1 Environmental Site assessment:

The applicant has submitted a Phase 1 Environmental Site assessment prepared by NOBIS Engineering Dated October 4, 2024. Nobis conducted on site reconnaissance on June 19, 2024. The Nobis report also references other environmental reports from Jaworski Geotech in 1987, Horizons Engineering in 2022, TLMC Environmental Engineering in 2023.

A summary of findings from the Nobis report pertinent to the Planning Board are as follows:

- Improper 55-gallon drum disposal throughout the area of the subject property.
- Unidentified waste piles in the western half of subject property.
- The potential use of PFAS containing firefighting foam during fire response and training activities.
- Concentrations of heavy metals above their respective regulator standards in several wells across the subject property.
- Soil contamination in conjunction with observations of urban fill, coal tar, and coal ash documented the subject property.
- Access to foundations and many western waste areas was restricted due to dense vegetation. The inability of the Environmental Professionals from Nobis to access the entire property may have significantly impacted the ability to identify Recognizable Environmental Conditions (RECs).
- Based on the number and severity of identified RECs, a Phase 2 subsurface investigation is warranted.

Recommendations:

The following are recommendations for the applicant to provide additional information:

- Provide the Phase 2 subsurface investigation recommended by Nobis Engineering.
- Provide access to the entire site for Nobis to investigate.
- Provide detailed recommendations from Nobis for the removal and or remediation of all potential contaminants.
- Oversight of remediation activities by a licensed environmental engineer with a report provided prior to any construction activities on the property.

Traffic Impact Study

No further comments at this time.

Waiver Request Letter

The applicant has submitted a revised waiver request letter, dated February 4, 2025, seeking an exemption from a portion of Article 3.8 of the Ashland Subdivision Regulations, which sets the standard requirements for a traveled way. The Traffic Impact Study provided by the applicant projects that 20% of the total Average Daily Traffic (ADT) will enter and exit via Mill Pond Lane, equating to 114 ADT.

It is worth noting that the applicant is requesting waivers for two requirements: the minimum shoulder width and the minimum distance from the center of the roadway to the center of the ditch, while all other roadway standards are intended to be met.

We believe this is a reasonable request for the board to consider, given the proposed 22-foot traveled way width, 2 foot paved shoulders, the inclusion of curbing, and the closed drainage system.

We trust that the foregoing remarks will prove useful to the Planning Board in your continued consideration and review of the submitted applications. As always, please contact us if you have any specific questions or have further instructions related to this matter.

Sincerely,

Mario Focareto, P.E., L.L.S.
Brown Engineering LLC

TRM#1 comment responses that required more information:

- We recommend the applicant coordinate with the water department to determine the best practice for water metering.

Response: The design team is looking forward to meeting with Department Heads which is being organized by Town Manager. We will be happy to coordinate water metering with Town

- On sheet 2 of 6, there are two sewer manholes located at the intersection of Mill Pond Lane and Winter Street which do not have invert information, we recommend numbering these manholes and adding them to the sewer and drainage charts on sheet 1 of 6.

Response: The sewer manholes in question have been added to the chart on sheet 1 of 6. These structures are currently paved over and we have been communicating with the sewer department to raise these covers to the surface so that we can properly asbuilt built elevations. When this has been done we will schedule to collect the additional data.

- Add existing water main data, size and material for all existing waterlines.

Response: Existing water mains have been located based on record information provided to us. If additional information is available we would welcome that from the town.

- There are mailbox symbols at the entrance of Mill Pond Lane, please clarify if they are to be removed or remain.

Response: The mailboxes on Sheet 12 have been noted to be relocated. We will need to work with the Town and US Postal Service on a suitable new location. The final location will be impacted by the final roadway design. We are waiting on input from Department Heads and Planning Board to finalize these details.

- Note 13 calls for retaining wall design by a structural engineer. We recommend that this design be included as part of this plan set.

Response: The retaining wall design will need to be provided before final plan approval and certainly before construction. We want to make sure we have obtained all Town and NHDES input before completing the structural engineering for the retaining walls. We believe the retaining wall design can be considered as a condition of approval.

- Similarly, we recommend extending the guardrail from the retaining wall to Winter Street right of way line.

Response: During the retaining wall design process, we will be integrating guardrail end treatments. At that time, we will provide detailing of the terminal end section at the corner of Winter Street.

- We recommend the existing watermain in Mill Pond Land to be removed, a new service should tee off the existing main in Winter Street, please coordinate with the water department.

Response: We have been waiting to be able to connect with the Water Department for any specific design criteria. The Town Manager is currently coordinating Department Head input, and we will address any comments we get. We have labeled the new watermain connecting at Winter Street to be installed per Water Dept requirements.

- Add a speed limit sign and road Name sign to sign summary.

Response: Signs added as requested. We will need confirmation of the desired speed limit. A 25-mph speed limit has been currently specified.

- We recommend the applicant removes all of the pavement from the existing ice skating rink.

As you are aware, the BOS has voted to support the improvement of Industrial Drive to a Class V roadway. A warrant article is being presented to the public for vote in March. If this idea is successful, their goal is for the Northern Access Drive from the site to be routed to the new public street minimizing impact to the park grounds to the extent possible. The details of this arrangement are unknown. We believe more clarity is needed to assess how the final drive design and associated infrastructure should be finalized.

The applicant and their design team look forward to discuss this with the BOS and develop a comprehensive plan.

- National Fire Protection Agency (NFPA) Section 18.2.3.5.4, Dead Ends, states Dead-end fire apparatus access roads in excess of 150 ft in length shall be provided with approved provisions for the fire apparatus to turn around. We recommend that the applicant review the dead ends on site, more specifically, “Northern Units Drive” with the Ashland Fire Chief.

Response: We have requested to meet with all Department Heads. The Town Manger is organizing this process, and we are submitting plans for him to get to each Department Head. Our hope is we can meet with each Department Head and review any specific concerns face to face.

In the interest of moving the above request forward we have provided a conceptual turnaround layout for the Fire Chief’s review. After we have gotten input on the proposed solution we will integrate into the design set.

- On sheet 11, please define what the box drawn between building E and D is.

Response: We have drawn conceptual electrical transformers on the plan set. These have now been labeled for clarity. We expect that the Electric Department may request markups on the layout once they have been reviewed in detail.