

SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

**CITY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

DECEMBER 4, 2001

MEMBERS PRESENT: David M. Holden, Planning Director, Chairman; John Burke, PE; David Allen, Deputy Public Works Director; David Desfosses, Engineering Technician; Charlie Jones, Fire Marshal; Michael Magnant, Deputy Police Chief; Tom Richter, Engineering Technician; and, Alan Sturgis, Chairman of the Conservation Commission

ALSO PRESENT: Lucy E. Tillman, Planner I

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I. OLD BUSINESS

A. The application of **Raymond Ramsey** for property located **off Kearsarge Way** wherein site plan approval is requested for the construction of a 63' x 231' four-story, 100 room hotel with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 218 as Lot 22 and lies within a General Business district. Said property was formerly shown on Assessor Plan 218 as Lots 22, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 38 and 39. **(This application was tabled at the Committee's October 30, 2001, meeting.)**

Mr. Desfosses moved to take the application off the table. Mr. Allen seconded the motion. It was so voted on a unanimous vote.

SPEAKING TO THE APPLICATION:

Attorney Charles A. Griffin addressed the Committee stating that he was representing the applicant and the owners. He informed the Committee that John Chagnon, the site engineer, was present together with Marcel Beaudin, architect, and Dermot Kelly, traffic engineer. Attorney Griffin stated that in November, 1998, the Rockingham County Superior Court granted a petition to rezone the property in question from residential to business for a hotel use. He went on to state that his client, Ray Ramsey, has 22 years experience in the hotel field pointing out that he owns the Anchorage Inn in York, Maine, and a hotel in Vermont.

Attorney Griffin stated that meetings have been held with the City to see if a plan could be designed in such a way that the hotel would be sited as far away as possible from the residences on Kearsarge Way. Subsequently, the City discontinued a portion of old Kearsarge Way and, in turn, Mr. Ramsey conveyed some two acres of land to the City in the form of a conservation easement. The buffer for several existing residences along Kearsarge Way has been maximized as much as possible and still allow the hotel to be developed. Some 30% of the property will forever remain undeveloped.

The applicant appeared before the Board of Adjustment recently and received certain Variances principally having to do with setbacks. Sheet C-1 of the site plan contains the stipulations. A rendering of what the hotel might look like (a four story hotel) was shown to the Committee. Attorney Griffin explained that Mr. Ramsey is still negotiating with a number of franchises and no final decision has been made as yet.

The traffic study, according to Attorney Griffin, indicates that there will be no change in the Level of Service at the Kearsarge Way/Market Street intersection and that there would be minimum impact during the morning and p.m. peak hours at the I-95 interchange. Attorney Griffin noted that they had made a presentation to the Atlantic Heights Neighborhood Organization.

John Chagnon of Ambit Engineering reviewed the site plan package with the Committee. With regard to the lighting plan (Sheet C-6) Mr. Chagnon commented that the proposed lighting would not leave the project site. The light will shine on the parking lot and not on the abutting properties.

He commented that a drainage analysis had been submitted. He went on to state that in an effort to move the hotel as far away from the residences as is possible, the bulk of the impervious area is located on the westerly side of the site. The stormwater runoff runs northwesterly, easterly and southerly from the high point of the site. A closed pipe collection system will handle the runoff from most of the parking lot and will discharge to a 100' treatment swale before entering an existing wetland area which, in actuality, is an existing drainage ditch constructed in the 70s. It was Mr. Chagnon's opinion that the area was a manmade wetland and, therefore, would not fall under the protection of Article VI of the *Zoning Ordinance*. He stated that the parking lot is at least 100' from the edge of wet.

Mr. Chagnon continued on by stating that a weir would be constructed at the easterly end of the wetland area to control the peak rate of runoff in that direction; that some excess storage would be created behind it to assist in their mitigation. Some 300 s.f. of wetland will be filled where the weir will be located.

Sewer will be brought in on the southerly side of the building and will tie into Market Street. Water will be brought in from Kearsarge Way on the left side of the building. Electric will be brought in underground.

Mr. Sturgis commented that wetland area referred to by Mr. Chagnon does not fall under the definition of a manmade wetland. Mr. Sturgis read from the *Zoning Ordinance*; specifically, Article VI to make his point. Mr. Chagnon responded by stating that the area is a drainage swale. Mr. Sturgis urged Mr. Chagnon to call it a drainage swale in his presentation and not a manmade wetland. Mr. Chagnon referred to a report submitted to the City by Patrick Seakamp.

Marcel Beaudin, architect, presented a generic view of the hotel to the Committee. He reiterated that the franchise had not yet been selected. He stated that indigenous materials would be used; such as clapboards/shingles so that the building would look like those in New England and not in Texas – something that belongs here and has been here.

Dermot Kelly, traffic engineer for the project, addressed the Committee. He referred to the study done for the proposed GreenPages project in December of 1997. A traffic study was completed by Mr. Kelly in March of this year which has been updated and adjusted for the July peak summer conditions. He used a power point program to illustrate traffic volumes. It was Mr. Kelly's opinion that hotel traffic would only add five cars to the left turn lane during the evening peak hour with the hotel fully occupied. This figure was based on information gleaned from the ITE manual.

Mr. Burke interjected that one of the reasons the City did not accept the traffic study was that particular movement. He spoke to the factoring of traffic from March to July using State averages and stated that he was looking for a study that truly represents what happens in Portsmouth during the month of July. He commented that Mr. Kelly would be going back out in

December to obtain more traffic counts. He (Mr. Burke) did not feel that the submitted traffic study represents what truly happens at 4:30 P.M. – 5:00 P.M. The fine tuning of signals was discussed.

Mr. Allen asked if the recent improvements to Commerce Way and Dovekie Way were considered when the traffic study was done. Mr. Kelly replied that they were not factored in. Mr. Burke spoke to existing features and actual levels of service and left queuing levels; commenting that Market Street can be blocked almost to Portsmouth Boulevard during the month of December as it is a retail corridor.

Mr. Kelly felt that the generation of traffic for the hotel during the morning peak hour would be 34 vehicles entering and 24 vehicles leaving; that during the evening peak hour, there would be 37 vehicles entering and 25 vehicles leaving. Discussion ensued about the Levels of Service currently and at full buildout. It was Mr. Kelly's opinion that left queuing was a separate issue. Again, Mr. Burke commented that if one wanted to make a left turn, one might be tied up in traffic out by Spinnaker Point.

Mr. Burke inquired if Mr. Kelly had met with the NH Department of Transportation with the response being that the traffic study had not been sent to them.

Tom Belmont, Chairperson of the Atlantic Heights Neighborhood Association, addressed the Committee and reported that Attorney Griffin and Mr. Ramsey had met with the neighborhood association and had presented their plans adding that the neighborhood association had also met with the folks from the City.

Mr. Belmont stated that initially he was very concerned about the safety of the residents of Atlantic Heights as they leave Atlantic Heights. He spoke to the fuel trucks from Irving Oil and Furman Lumber leaving Atlantic Heights at peak operating times adding that the grade on Kearsarge Way is a very dangerous grade. It was his opinion that accidents would happen as people leave the hotel site at different times of the day; that trucks would be hitting cars mentioning the slippery slope in the wintertime compounded by the fact that there are speeding problems in the Heights. He felt that if something was done about the speeding, that the element of danger might be mitigated.

Mr. Belmont seriously questioned the fact that the drainage swale was manmade. He urged the Committee to look into it.

Attorney Tom Keane addressed the Committee and stated that he represents several of the abutters in the neighborhood; approximately ten of them. He stated that he could speak from personal knowledge about traffic concerns as his office is situated at 1000 Market Street which is across the street from Kearsarge Way. He spoke to a recent seven car pileup. He did not feel that the graphics accurately depicted the everyday situation with the intersection with I-95 north which he felt was a very hazardous situation. He stated that his foremost concern is with traffic and safety and urged the Committee to closely examine the traffic study and ask questions about the traffic study.

Attorney Keane referred to Attorney Griffin's reference to the Court decision regarding the use of the property for a hotel. Attorney Keane spoke to the recent Board of Adjustment action wherein the Board felt that the Superior Court had ordered a hotel to be placed on the property; thus, the Board would give its approval to the requested Variances. He urged the Committee to look at all land use requirements; specifically, pertaining to the safety of surrounding abutters.

Ken West, a resident of Atlantic Heights, addressed the Committee and questioned the affect on utilities as a result of the construction of the hotel particularly water and sewer. He spoke to water pressure and sewer problems what with basements flooding. He expressed his desire that the hotel be properly designed. He also looked for assurances that the hotel would be the last commercial building built in the area. It was his thinking that some abutters would be asking the zoning board for relief.

The Chair made three calls for speakers. Seeing none, he stated that he still would keep the Public Hearing open.

With regard to the water pressure, Dave Allen commented that John Chagnon would be working with Tom Cravens of the Water Department on the issue of pressure and that testing would be done. With regard to the sewer system, Mr. Allen stated that he was not aware of any sewer problems in the area pointing out that the connection would be well downstream of the neighborhood. He further felt that the stormwater runoff would not impact any of the neighbors and should not be contributing to any basement flooding.

Regarding the subject of creeping commercialism, Mr. Holden inquired of Attorney Griffin if he anticipated going back to the Board of Adjustment for further relief. Attorney Griffin responded by stating not at this time. Mr. Holden asked if such could be precluded as being a possibility. Attorney Griffin replied that the Superior Court decision indicated that as long as Mr. Ramsey could satisfy the requirements of the Board of Adjustment, he could not be precluded.

For the third and final time, the Chair made a call for speakers. There being none, he declared the Public Hearing closed adding that at the wish of the Committee, the Public Hearing could be re-opened.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses had questions about the finish floor of the first floor. Mr. Chagnon pointed out that the hotel would have a basement area. Discussion ensued on pedestrian walkways.

Ms. Tillman pointed out that on the Existing Conditions plan, reference is made to the lots to be combined. She noted that lots 26 and 27 were included and that those lots are actually owned by others than Mr. Ramsey. She asked that a note reflecting such be added to the plan.

Mr. Burke moved to table the application due to the discrepancy in traffic studies. He noted that the NH Department of Transportation (NHDOT) is a partner in this application and must agree to any traffic mitigation. He urged the applicant to schedule a meeting with NHDOT. He further asked that the plan be reviewed by the Traffic/Safety Committee at its meeting in January. Mr. Sturgis seconded the motion.

Discussion ensued on the internal sidewalks as to whether it would be best to wait for the final design of the building or whether to include them in the proposal at this time. It was decided that the pedestrian walkways should be included at this time.

Stipulations:

1. That the discrepancies in the traffic studies be resolved;
2. That the plan be reviewed by the Traffic/Safety Committee with a report back to the Committee;

- 3. That a joint meeting (City and applicant) be held with the New Hampshire Department of Transportation (NHDOT);
- 4. That the water issue be resolved; that is, that flow tests be done;
- 5. That the site plan indicate internal sidewalks and an area for a transit pullover;
- 6. That the landscaping plan be shared with the neighborhood and be approved by the Planning Department;
- 7. That the water main being capped near a residential driveway be brought back to Kearsarge Way; and,
- 8. That a meeting shall be held with Charlie Jones, Fire Marshal regarding a master fire alarm box and fire hydrant locations.

The motion was to table to the January 2nd meeting of the Committee. It was so voted on a unanimous vote.

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Let the record show that John Burke left the meeting at this time.

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II. PUBLIC HEARINGS

A. The request of **Coventry Assets Ltd.** for property located at **755 Banfield Road** wherein an amendment to an approved site plan is requested. The changes involve the reduction of the building footprint from 25,276 s.f. to 22,440 s.f. and the relocation of the driveway entrance from Constitution Avenue to the place where the driveway now exists with associated site improvements. Said property is shown on Assessor Plan 274 as Lot 1D and lies within an Office Research district.

SPEAKING TO THE APPLICATION:

A. Robert Thoresen, a principal of Coventry Assets, Ltd., the owner of the property, addressed the Committee. He explained that a previous approval was granted to GGA Properties in March of 2,000. A one year extension of the approval was granted in December of 2,000. The approval will now lapse in March of 2002.

The proposal before the Committee calls for the relocation of the entrance driveway back to the existing driveway; otherwise, a large stand of mature trees would have to be taken down.

The size of the building will be reduced from 24,580 s.f. to 22,440 s.f. The approved plan mapped out the size of the available footprint. Subsequently, an architect has been hired and the building has been designed. The parking requirement has been reduced to 102 spaces with 106 spaces being proposed. The amount of open space has been increased. Pavement area has been reduced.

The Chair made three calls for speakers. Seeing no speakers, the Public Hearing was closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses pointed out that several things had happened since the time of the original approval; such as, the installation of a 20" water main around the property. He noted that the plans should be changed to indicate that water line. His second concern was the application of a finish coat on Banfield Road in the Spring. He asked that all utilities be in place prior to the application of the finish coat.

It was noted that if the pump station is situated in the same spot, that trees would have to be cut down. It was further noted that the force main is about 2' from the 20" water main.

Mr. Desfosses moved to approve with stipulations. Mr. Sturgis seconded the motion. The motion passed unanimously:

Stipulations:

1. That all utilities be stubbed prior to the City's placement of a finish coat on Banfield Road next Spring (April, 2002). Of specific concern is the underground electrical which will be going across Banfield Road;
2. That the site plan indicate the appropriate grade lines at the rear of the building;
3. That a note be added to the site plan that a warning tape will be placed on the sewer force main;
4. That a recommendation was made that the applicant's engineer check the roof drain that comes off the right corner of the building to see whether a catch basin would be appropriate;
5. That the site plan shall indicate the new existing utilities; such as, the new 20" water main;
6. That a recommendation was made that the applicant's engineer look at any possible conflicts with the water main running right alongside the sewer manhole (see sewer manhole detail on sheet 5);
7. That the pump station shall be relocated in an attempt to save a stand of mature trees; and,
8. That the landscaping plan shall be approved by the Planning Department.

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B. The application of **Natick Portsmouth Realty Corp. d/b/a BJ's Wholesale Club** for property located at **1801 Woodbury Avenue** wherein site plan approval is requested for the widening of an accessway to provide for an additional exiting lane with associated site improvements. Said property is shown on Assessor Plan 215 as Lot 14 and lies within a General Business district.

SPEAKING TO THE APPLICATION:

Attorney Bernard W. Pelech addressed the Committee representing BJ's Wholesale Club. The proposal is essentially the widening of the exiting structure of BJ's on Woodbury Avenue. Attorney Pelech informed the Committee that the plan has been reviewed extensively by John Burke, the City's Transportation Engineer, and he has indicated that he has not problem with the proposal.

Jeff Dirk, Senior Project Manager of Vanasse Associates in the State of New Hampshire, addressed the Committee explaining that basically there are two lanes exiting, a dedicated through lane and a dedicated right-turn lane. He commented that the operations at BJ's have been very successful with the associated increase in traffic demands. The proposal is to add an additional left-turn lane. The stacking distance is some 130' to 150'. It was Mr. Dirk's opinion that by adding the left-turn lane, queuing would be reduced thus eliminating the blockage of traffic which has resulted at the front of that store. The median strip will be cut into to provide for the left turn lane. Access for emergency vehicles will be maintained.

The Chair made three calls for speakers. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses moved to recommend approval of the site plan subject to stipulations. Mr. Jones seconded the motion.

Stipulations:

1. That approval be received from the New Hampshire Department of Transportation (NHDOT);
2. That all pavement markings meet with the approval of the Public Works Director;
3. That approval be received from the Traffic/Safety Committee;
4. That any changes to signal timing be at the expense of the applicant;
5. That a plot plan be submitted to the Planning Department indicating the possible relocation of the evergreen shrubs and/or any additional landscaping.

Mr. Allen commented that the corridor had just been retimed. He inquired if the proposal would have an impact. The response from Mr. Dirk was in the negative pointing out that capacity would be increased. However, he added that if timing changes were necessary, they would make them.

The Chair asked if any landscaping would be eliminated. The response was that at the apex of the driveway, two large evergreen shrubs would be removed as they would affect sight line. The Chair asked that a plot plan be provided showing where the shrubs would be replaced on site or any additional landscaping.

The question was asked as to the finish service of the new island with the response being that it would be concrete.

The motion passed unanimously.

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C. The application of **Wren's Nest Motel Corp.** for property located at **3548 Lafayette Road** wherein site plan approval is requested for the construction of a 180' x 50' parking area to accommodate twenty-eight spaces in conjunction with a proposed 60 seat restaurant with a bar area and dance floor within an existing building with associated site improvements. Said property is shown on Assessor Plan 297 as Lot 6 and lies within a Single Residence A district.

SPEAKING TO THE APPLICATION:

Gary Bowmar of the Wren's Nest Motel addressed the Committee explaining that his proposal would meet all setback requirements; that the proposal was for a pretty basic parking lot. Discussion ensued regarding hydrants. Mr. Bowmar stated that there are none on the property; that there is one on adjacent property southerly on Route 1. He commented that the need for additional parking spaces is as a result of a change in use of part of the building to that of a restaurant. Mr. Bowmar further explained that he intended to lease out the restaurant use.

Ms. Tillman interjected that the Board of Adjustment had granted approval for the restaurant use; that the restaurant use brings with it associated parking. She went on to explain that building approval was received a few years ago and an indoor pool was constructed with recreational areas on the first floor and motel units upstairs. The City is now being asked to issue approval for a restaurant/bar/dance area.

Discussion ensued on the need for a fire hydrant for a 60 seat restaurant. It was stated that the type of fire system does not fall under the purview of this Committee. The suggestion was made that the applicant meet with Fire Marshal Charlie Jones so that a determination could be made on whether a fire hydrant would be required.

The question was asked if a grease trap was existing with the reply being in the affirmative and that it had been inspected by John Lanoie.

The question was asked as to the grades and lighting in the area with Mr. Bowmar responding that the grade is pretty level. A catch basin exists in the parking area with underground drains to the back of the property. This system ties to two other catch basins.

Mr. Allen returned to the question of grades. Mr. Bowmar responded by stating that he is not planning on paving at this moment; that the parking area would be gravel.

Ms. Tillman inquired as to whether the trailer out back was removed. Mr. Bowmar responded that it had been removed as of this date and not to another area in Portsmouth.

The Chair stated that, frankly, he had concerns with the quality of the plans themselves and that he could not support sending the plan forward to the Planning Board; that the plans need to be brought up another level. He suggested that the application be tabled and Planning Department staff would work with him to improve the plans.

Some of the items that need to be addressed on the plan are: gravel or paved; size of each space; water table; interior roadway from Lafayette Road to parking area. The Chair stated that all the details needed to move the plan on were not present. He commented that drainage issues need to be reviewed and a determination needs to be made as whether a hydrant is needed.

It was also stated that lighting is needed for every 20' and that the lighting should be oriented not to shine on abutting properties.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen moved to table to the January 2, 2002, meeting of the Committee. Mr. Desfosses seconded the motion. The motion passed unanimously. The tabling motion was made to allow for:

1. The applicant to meet with Charlie Jones, the City’s Fire Marshal, for a determination as to fire hydrant location; and for
2. The applicant and the applicant’s engineer to meet with Planning Department staff to discuss the submittal of appropriate site plan. Some of the outstanding issues are grading, drainage, lighting; gravel or paved parking area; size of each parking space, and the accessway from Lafayette Road to the parking area.

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D. The request of **David Hancock, Trustee of Pheasant Lane Realty Trust**, for property located off **Hoover Drive** wherein an amendment to an approved site plan for a planned unit development is requested to incorporate an amended drainage plan. Said property is shown on Assessor Plan 268 as Lot 99 and lies within a Single Residence B district.

SPEAKING TO THE APPLICATION:

Dennis Moulton of Millette, Sprague & Colwell addressed the Committee. David Desfosses recused himself from sitting on this application. The Chair noted that a quorum was still sitting. Mr. Moulton spoke to a Planned Unit Development off Hoover Drive. The issue before the Board is that as the project was developed, the proposed swales were never built. The question has been asked as to whether the swales were really needed. It was Mr. Moulton’s opinion that post development flows were almost equal to pre-development flows.

The question was asked if any of the drainage patterns of development since 1997 along Lafayette Road had been looked at with the response from Mr. Moulton being in the negative.

The question was asked as to why the amendment was being proposed. The response was that people who bought units do not like the appearance of the drainage swale and detention pond; in other words, the aesthetics of providing that type of mitigation.

The Chair commented that he recalled that when the original proposal went through the review process, the abutters across Hoover Drive were concerned about sheet flow across Hoover Drive. He inquired as to what affect the amended plan would have on that. Mr. Moulton felt that there would be no positive affect on that situation; that there would be no decrease in the amount of flow the utility structure sees at Taft Road; in other words, the flow would be the same pre and post development.

Mr. Allen inquired, in a system like this, where the flow is essentially being time released from a detention pond, is it possible that such a system could make the Hoover Drive problem worse. Mr. Allen also asked if Mr. Moulton had been out to the site during a significant rainfall with the response being in the negative. The Chair asked, as he put it, in his technical terms, whether the delay would be good or bad for Hoover Drive. Mr. Moulton responded by stating that in this case, the delay is good; that the storm water runoff would have time to drain slowly resulting in less water flow out.

Discussion was had on whether there was an alternative which would preserve open space but still afford a comfortable level of integrity in the control of storm water flows. Mr. Moulton responded by referring to some sort of closed drainage system.

Mr. Allen inquired as to the water level at the culvert that crosses under Hoover Drive during a 10 year storm. Mr. Moulton responded that he didn't know.

Bob Brookhouse, President of the Pheasant Lane Homeowner's Association, addressed the Committee and stated that currently there are seven residences in the development. He submitted a letter in favor of the revised site plan.

He pointed out that the detention pond that was constructed has never been filled with any water even in a significant rainfall -- only that which was rained into it. He noted that a small amount of water in the detention pond contributes to a severe mosquito problem. The appearance of the proposed structure is undesirable. It was his opinion that the Planned Unit Development has no unusual drainage problems. The installation of the drainage swale would involve the removal of a large amount of trees in the development.

He commented that he understood that the original plans were designed in good faith to correct flooding problems of abutting properties. He wondered if it would be possible to have a drainage system that would minimize the removal of trees on the property and would allow a detention pond to be built in such a manner that is pleasing and easily maintainable. He spoke to an open area that could be grassed in and maintained easily and perhaps could even be used.

Mr. Holden asked if Mr. Brookhouse represented all the homeowners. Mr. Brookhouse replied that the letter is not signed by everybody but he has informed all of them of the situation at hand. The Chair commented that the approved site plan could be built at any time. Mr. Brookhouse stated that they would respectfully request that such not be done.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen thought there were enough outstanding issues to table the application; that the Committee needed to look at surrounding areas.

Mr. Allen moved to table the application to the January 2, 2002, meeting of the Committee. Mr. Richter seconded the motion. The tabling action was taken to allow for:

1. a meeting with the City's Engineering Department, if appropriate;
2. for the amended plan to include development on adjacent sites;
3. for a report of any impact on Hoover Drive; and,
4. for all members of the condo association to sign off on an amended plan

Mr. Desfosses suggested that the study be done as if this were an entire drainage basin looking at impacts down to the culvert on Hoover Drive and impacts, in general, on Hoover Drive. The study should also take into consideration the configuration of all abutting lots and what the levels are for a 10 year storm.

The Chair commented that the approved plans could be built; that the applicant is working in good faith with the City to secure bonding to July 31st.

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E. The application of **John Bosa** for property located at **248 Peverly Hill Road** wherein site plan approval is requested for the creation of a three lot subdivision with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 243 as Lots 54 and 23 and lies within a Single Residence B district.

SPEAKING TO THE APPLICATION:

Attorney Bernard W. Pelech addressed the Committee and explained that the original plan called for a four lot subdivision. The plan has been downsized. Preliminary Approval was received from the Planning Board in November.

Chris Ogden, principal civil engineer with the Maguire Group, addressed the Committee and spoke to the proposed 200' paved cul-de-sac. Water and sewer lines will be extended from existing lines. Electric, telephone and cable will be installed underground. The drainage system will be a closed drainage system. The stormwater runoff will discharge into a large, vast wetland.

Mr. Ogden then referred to a letter from David Desfosses dated June 28th and supplied the following information:

With regard to the water table in the area of the proposed cul-de-sac, Mr. Ogden stated that the water table is at 18";

Assurances were given that no stormwater runoff would overflow the swale; that the runoff would enter the ground;

The plan now reflects a filter fabric bed for the cul-de-sac in the water table problem areas; 1% grades will be provided near the cul-de-sac

A note regarding the water main is on the plan

Tom Cravens will be contacted shortly regarding the details for moving the hydrant;

Plan now reflects sloped granite curbing in accord with NHDOT standards

A note has been added to the plan (#8) that an engineering firm, a local contractor, will be hired to monitor construction

Silt fences are now shown on the plan

The road meets sight visibility standards. The sight line along Peverly Hill Road meets current NHDOT standards for intersection sight distance. 265.7' provided

Drainage easements for the culvert have been added to the plan

It was Mr. Ogden's opinion that a light at the end of the cul-de-sac would be overkill but that he would respect the opinion of the Committee

Note #7 on the plan indicates that 4" of loam and seed will be added to all disturbed areas

The materials for the proposed storm drain have been changed to pvc

Mr. Desfosses inquired as to cross sections and the average pavement above ground. He stated that he did not want to see water squishing up underneath the pavement. He inquired if there was an underdrain in that section. The Chair interjected that he believed that one of the requirements is the submission of profile cross sections for the Planning Board.

Discussion ensued on the sewer connection with Deputy Public Works Director Allen concurring with the method of the proposed installation.

The Chair inquired as to any tree plantings along the cul-de-sac, it being his opinion that there was still plenty of room to get a tree in. Mr. Jones inquired if the cul-de-sac would be a City street with the response being in the affirmative. The Chair interjected that it made sense to keep the name of the street as Moffatt and Attorney Pelech concurred.

The Chair made three calls for speakers. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses moved to recommend approval with stipulations. Mr. Allen seconded the motion.

Stipulations:

1. That the proposed street lighting be PSNH approved lighting;
2. That an under drain be run from station 1+50 to station 2+50 and be tied into the one proposed catch basin;
3. That Department of Transportation numbers be added to the details;
4. That the site plan contain driveway cross sections;
5. That the site plan indicate 1" service, type K, going into the shut off;
6. That the site plan indicate the location of the fire hydrant outside of the loop;
7. That the drainage easement to the City be approved by the City Attorney as to content and form;
8. That the site plan contain a note that in the event the proposed street is extended to serve other lots, then sidewalks would be brought in along the right-of-way;
9. That an easement be given to the City for property within 30' of the center line of Peverly Hill Road for a future extra lane, if needed, and a sidewalk with such easement being approved by the City Attorney as to content and form;
10. That the site plan indicate the planting of trees along the right-of-way; and,
11. That the application receive the approval of the Traffic/Safety Committee.

There was considerable discussion on the possible installation of a sidewalk; however, the Deputy Public Works Director felt it would be too difficult to fit one in at the present time as the property lies skewed to the road. It was felt that it would be better to obtain an easement for one sometime in the future.

Attorney Pelech expressed surprise at being asked to obtain Traffic/Safety approval; however, Deputy Police Chief Magnant asked that the application be reviewed by Traffic/Safety as the proposal calls for a City street.

The motion passed unanimously.

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F. The application of **Lafayette Partners of Michigan, LP, owner, and Margaritas Management Group, applicant**, for property located at **775 Lafayette Road** wherein site plan approval is requested for the construction of three additions to the existing Margaritas Restaurant. The proposal calls for a 456 s.f. addition on the easterly side, a 1,188 s.f. addition to the northerly side and a 420 s.f. addition on the westerly side with associated site improvements. Said property is shown on Assessor Plan 245 as Lot 1 and lies within a General Business district.

SPEAKING TO THE APPLICATION:

Attorney Bernard W. Pelech addressed the Committee and stated that he was representing the applicant as well as the owners. The proposal involves additions to the existing Margaritas Restaurant for use as kitchen space, office space and additional seating. The proposal also calls for the construction of an accessible handicapped bathroom.

Attorney Pelech advised the Committee that Skip Bagdoyan of Ambit Engineering and Lisa DeStefano, architect, were present to answer any questions the Committee might have.

In addressing the Committee, Mr. Bagdoyan stated that the information on the site plan is pretty much self-explanatory. Parking will be re-organized to get a better flow in the area. No change in impervious area is proposed. Existing utility connections for gas and water would remain the same. The electrical service to the rear of the building would be reconfigured. The sewer connection is part of the private sewer that services the entire mall. Mr. Bagdoyan spoke to a sewer connection from the kitchen to the grease trap. The bathrooms will connect to the same sewer service. Mr. Bagdoyan reiterated as much of the existing utilities as possible will be left intact.

Mr. Allen commented that the Committee would like to see the utilities identified on the plan adding that the sewer service for the kitchen would have to accommodate a 1,000 gallon external grease trap. Mr. Bagdoyan stated that it was his understanding that a 1,000 gallon grease trap already exists. He was asked to verify that on the plan and to show where the lines are running. Mr. Cravens felt that the lines would be located under the proposed additions.

Deputy Police Chief Magnant spoke to the walkway for pedestrians located in front of the building. Lisa DeStefano, architect for the project, addressed the Committee and spoke to the proposed addition on the base of the existing sidewalk. She spoke to the circulation pattern of a free-standing building and the parking associated with the building adding that Margarita's is not a storefront.

The Chair commented that he had concerns with the proposed addition occurring over an area where the public presently walks. He asked what allowances were being made for that occurrence. Attorney Pelech responded that the plan does not show any sidewalk. The Chair asked what would be done to show a sidewalk adding that he was concerned about pedestrian safety.

Shawn Joyce, President of Margarita's since 1991, stated that the whole area is concrete; that the kids from Ledgewood hang out in the area in question. The Chair asked if the proposed work is part of a larger development with the response being in the affirmative. The Chair pointed out that sidewalks are fundamental and that to occupy a sidewalk to expand a business is not the best approach. The Chair felt that there were ample opportunities for a better site plan.

The question was asked as to increased seating with the response being that 65 additional seats are proposed. The comment was made that the *Zoning Ordinance* regulates noise (external).

Deputy Police Chief Magnant inquired if the expansion would be for the main dining room or for the lunch crowd with the response being 40 seats for the restaurant and 25 for lunch. It was felt that the increased lunch capacity would have an impact on foot operation. Mr. Joyce pointed out that the major reason for the proposal is that people have to walk through the bar to use the bathroom referring more specifically to kids and families.

Deputy Police Chief Magnant inquired if Mr. Joyce wanted to be in the bar business accommodating college age children or in the family restaurant business. Deputy Police Chief Magnant inquired if there would be any change in the deck at all with the response being in the negative. Deputy Police Chief Magnant wondered how long the Rolling Rock beer bottle would remain in the stockade fence.

That being said, it was the consensus of the Committee that the site plan should be revisited.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen moved to table the application to the Committee's January 2, 2002, meeting. Mr. Desfosses seconded the motion. The motion passed unanimously.

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G. The application of **Aphrodite Georgopoulos Revocable Trust, owner, and 1900 Lafayette Road, LLC, applicant**, for property located at **1900 Lafayette Road** wherein site plan approval is requested for the construction of three (3), three-story office buildings with each building having a footprint of 5,504 s.f. with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 267 as Lot 8 and lies within an Office Research district. **(The Planning Board granted site plan approval at its September 21, 2000, meeting; however, the approval has since lapsed.)**

SPEAKING TO THE APPLICATION:

Greg Whalen, a managing member of 1900 Lafayette Road LLC, addressed the Committee explaining that the Planning Board had approved the site plan in September of 2,000. The approval lapsed due to no purposeful reason other than it getting lost in the shuffle. Thus the process was restarted in the hopes of getting the approval extended for one more year. Mr. Whalen indicated that there were no changes to the approved plan whatsoever.

Mr. Holden reviewed the stipulations from the previous approval with Mr. Whalen indicating compliance. It was noted that the only significant change to the area is that the improvements to the Peverly Hill Road intersection have now been completed; however, nothing site specific had changed.

The Chair made three calls for speakers. Seeing none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen moved to recommend re-approval of the site plan subject to the former stipulations and a new stipulation that a valve be indicated for the 4" water service. Mr. Desfosses seconded the motion. The motion passed unanimously.

III. ADJOURNMENT was had at approximately 5:00 p.m.

These minutes were taken and transcribed by Barbara Driscoll, Administrative Assistant in the Planning Department.