

The Planning Director, David Holden, informed the Board that the application for relief from the Board of Adjustment was tabled indefinitely. Mr. Holden went on to state that the applicant had requested that the application before the Planning Board be tabled indefinitely. He further

advised the Board that City staff would be meeting with representatives of interested parties shortly to address outstanding issues.

Mr. Sullivan so moved; that is, to table the application to a time indefinite. Councilor Lown seconded the motion. The motion passed unanimously on an 8-0 vote. Mr. Holden commented that abutters would be renotified.

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B. The application of **Bluestone Properties, LLC**, applicant, for property located at **2236 Lafayette Road** wherein site plan approval is requested for the construction of a 4,828 s.f. ± one-story building proposed to be used as a restaurant/commercial/retail mix with related paving, utilities, landscaping, drainage and associated site improvements. An existing single-family residence and two auxiliary buildings (cabins) will be demolished. Said property is shown on Assessor Plan 267 as Lot 2 and lies within a General Business district. **(This application was tabled at the Board’s September 19, 2002, meeting to this meeting.)**

The Chair read the notice into the record. Mr. Will moved to take the application off the table. Mr. Sullivan seconded the motion. The motion passed unanimously on an 8-0 vote.

SPEAKING TO THE APPLICATION:

Attorney Bernard W. Pelech addressed the Board and stated that he was present with Eric Weinrieb of Altus Engineering and Michael Labrie, the applicant.

Attorney Pelech stated that the site in question is the former Stef property on Lafayette Road. He reminded the Board that the application had been reviewed by the Technical Advisory Committee on two occasions as well as the Traffic/Safety Committee and that this was the second appearance before the Planning Board. Attorney Pelech went on to state that Mr. Weinrieb had worked closely with the Planning Department and the Traffic/Safety Committee; that the Traffic/Safety Committee had given a unanimous recommendation to approve the site plan.

Eric Weinrieb of Altus Engineering explained to the Board that the Traffic/Safety Committee had approved a full two-way access.

Mr. Sullivan inquired if the applicant had met all of the requirements of the City. Ms. Tillman replied in the affirmative stating that subdivision approval had been received; that the necessary Variances to site the building had been obtained; and that the Traffic/Safety Committee had, at its meeting earlier in the day, amended their approval to eliminate the requirements for a “pork chop”.

Mr. Sullivan asked if the use of the building for a restaurant and commercial/retail uses created any problems with Ms. Tillman replying that the criteria for parking for those uses had been met.

Mr. Coker inquired about the 25’ buffer around the cemetery located in a corner of the lot. Mr. Weinrieb explained that the buffer was in compliance with State RSAs. Mr. Coker inquired as to what could be done in the buffer. Mr. Weinrieb explained that no construction work could occur in the buffer and that the existing vegetation would have to be maintained.

Mr. Coker then turned his comments to the "pork chop" issue and felt that such was a major sticking point at the last meeting. He stated that there was no official letter from the

Traffic/Safety Committee explaining why they had changed their minds. Ms. Tillman explained that the applicant had met the criteria for sight distance in both directions.

Mr. Coker expressed his disappointment that the "pork chop" had been eliminated from the site plan. It was his opinion that a number of accidents would occur in the next twelve months that would be attributed to the Board's action this evening.

Mr. Weinrieb explained that some of the other driveways on Lafayette Road have a steeper access that requires more effort to get out into the roadway. He pointed out that the site in question is a relatively flat area adding that the site is very close to the signalized Shaw's intersection. He agreed that the area is a busy area but pointed out that when the light at the Shaw's intersection turns red, there is a big gap in the traffic heading north that would allow vehicles to get out into the roadway.

The Chair reminded the Board that there would be a median strip in that area sometime in the future. Mr. Holden commented that a median strip is still included in the State policy but added that he didn't think it would happen in the near future.

The Chair commented, for the record, that the public hearing had been closed at the previous meeting. He noted that the emergency access to the rear of the building had been removed as it had been determined that one would not be needed.

Mr. Coker stated that it was his understanding that the drainage goes off into the back side of the project and onto Water Country property and wondered if Water Country was aware of the proposed drainage pattern. Mr. Weinrieb explained the drainage pattern adding that all runoff would be treated and that there would be no change to the hydrology affecting their (Water Country) property.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Sullivan moved approval as submitted with the five stipulations conveyed by the Technical Advisory Committee. Councilor Lown seconded the motion. Ms. Tillman reviewed the stipulations commenting that items 1, 2 and 3 had been completed. She went on to state that information on the sight distance had been provided and that she has worked with Mr. Weinrieb on the landscaping plan.

Mr. Savramis stated that he had a problem with the application pointing out that West Road has a "pork chop"; that the same situation exists on West Road as with the site in question in that when one comes out of this site and looks north, there is a bend in the road. Mr. Savramis went on to state that for that reason, he really could not vote to approve the site plan.

Mr. Sullivan countered by stating that the State plans to widen Lafayette Road and that the "buckle" would be eliminated at that time. It was Mr. Savramis' opinion that the road widening would take place 20 years down the road.

Councilor Lown offered that this would be one of the times that he would rely on the wisdom of the Traffic/Safety Committee; that there are Federal guidelines for this type of thing and that it appears that the Traffic/Safety Committee gave unanimous approval.

The Chair asked Ms. Tillman for further clarification of the Traffic/Safety meeting earlier in the day. Ms. Tillman reported that sight distances were presented that would be adequate after the Yeager house was taken down. She further reported that the Traffic/Safety Committee did go out to the site again and felt that there was adequate sight distance.

Councilor Lown suggested that the Board could always address the issue at a later date. However, the Planning Director disagreed with that statement pointing out that the applicant had met its responsibility; that if the issue was reviewed at a later time, it would become a City or State project. Mr. Holden suggested amending the main motion.

Mr. Will commented that the Traffic/Safety Committee is an advisory committee; that an amendment could be made to include the "pork chop". Mr. Will so moved; that is, that the site plan include the "pork chop". Mr. Savramis seconded the motion.

Mr. Coker stated that the project is a great project; however, he pointed out that the average speed on Lafayette Road is 40 to 45 miles per hour; that the Planning Board is charged with looking into the future. He felt that a decision to allow left and right turns would be a disservice, in essence, to the community.

Councilor Lown stated that he would prefer to try the full access drive out for a while. Mr. Sullivan commented that the applicant went through the City's Traffic Engineer; that the Board cannot guess what a particular driveway is going to do in the future. Mr. Will stated that to a degree he agreed with Mr. Sullivan. However, the issue is just a "pork chop" which might make the project a little bit safer.

Mr. Hopley stated that he would not support the amendment adding that he agreed with Mr. Sullivan that the Planning Board has an advisory committee for this purpose that includes the City's Traffic Engineer who is apprised of the standards of the industry.

Mr. Coker stated that he would be supporting the amendment; that the Technical Advisory Committee is an advisory committee and a lot of times they are right on the money; however, there have been times when the Planning Board has disagreed with their decision. Mr. Coker went on to state that the same thing is true with the Conservation Commission.

The motion to include the "pork chop" on the site plan failed on a tie motion with Messrs. Lown, Sullivan, Hopley and the Chair voting in the negative and Ms. Roberts and Messrs. Coker, Will and Savramis voting in the affirmative.

Councilor Lown then moved that the issue of the "pork chop" be revisited in one year from the time of occupancy with a report back from the City's Traffic Engineer. Mr. Will seconded the motion. Mr. Weinrieb indicated that the applicant was agreeable to such a stipulation. The motion passed on a 6-1 vote with Mr. Sullivan voting in the opposition.

The main motion to approve the site plan passed on an 8-0 vote.

Stipulations:

From the Technical Advisory Committee:

1. That the snow storage area indicated in the proposed 12' easement area be eliminated from the site plan;
2. That the site plan be revised to show a 10 to 1 taper for the decel lane;
3. That the Traffic/Safety Committee review the site plan with a report back to the Planning Board;

- 4. That information on the proposed sight distance information be provided; and,
- 5. That the landscaping plan shall be approved by Lucy Tillman of the Planning Department.

From the Planning Board:

- 1. That the City's Traffic and Parking Engineer shall submit a report to the Planning Department one year after the issuance of a Certificate of Occupancy as to whether the issue of the "pork chop" should be revisited

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III. PUBLIC HEARINGS

A. The application of **John D. Cahill**, owner, for property located at **2837 Lafayette Road** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for a portion of a proposed parking area and retaining wall with associated drainage structures to be located within the City's Inland Wetlands Protection District (100' wetland buffer). Said property is shown on Assessor Plan 286 as Lot 1 and lies within a General Business district.

The Chair read the notice into the record.

Mr. Holden informed the Board that the Conservation Commission had tabled the application awaiting a report from an independent wetlands scientist. Mr. Holden recommended that the Board table the application to its November 21st meeting to allow for a recommendation back from the Conservation Commission.

Mr. Will so moved. Councilor Lown seconded the motion. The motion passed on an 8-0 vote.

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B. The application of Heron Realty Trust, owner, and **Sean Correll**, applicant, for property located at **917 Greenland Road** wherein site plan approval is requested for the creation of a sixteen space parking lot for a proposed take out/eat in café with associated site improvements. Said property is shown on Assessor Plan 259 as Lot 7 and lies within a Single Residence B district.

SPEAKING TO THE APPLICATION:

Sean Correll of 492 Colonial Drive spoke to the proposed sixteen space parking lot. Mr. Correll informed the Board that the Technical Advisory Committee reviewed the plan on two occasions and favorably recommended the approval of the site plan.

Mr. Will inquired as to how the use changed from a convenience store to a restaurant. Ms. Tillman responded by stating that the necessary Variances had been received from the Board of Adjustment. Mr. Will expressed his concern that alcohol would be served in the proposed take out/eat in café.

Mr. Correll returned to his presentation and spoke to the grading. Mr. Correll stated that snow would be trucked off site, if necessary. Mr. Correll stated that the drainage had been worked out on site with David Desfosses, Engineering Technician with the Public Works Department.

Mr. Will referred to Mr. Correll's resistance to installing a concrete sidewalk. Mr. Correll spoke to an existing sidewalk serving five houses commenting that there is not a lot of foot traffic.

Councilor Lown inquired if there was a store on the site presently. Mr. Correll responded by stating that the store had been abandoned about a year and a half ago. A question arose regarding the gas pumps. Mr. Correll stated that the gas pumps would be taken out and removed.

In answer to a question from Councilor Lown regarding the amount of paving that would be added to the site, Mr. Correll explained that some green areas would be expanded and that some paving would replace existing green areas with Mr. Correll estimating that more green space would be coming out.

Mr. Correll then spoke to an 8' wooden fence that would be used to buffer the residential properties from the site in question. Mr. Sullivan asked if Mr. Correll would consider 8' arborvitae rather than the 8' fence. Mr. Correll explained that he did not have enough space to plant arborvitae and furthermore, the fence had been approved by the adjacent property owner. Mr. Sullivan stated that a fence didn't look good in a residential neighborhood; that a stockade fence needs to be maintained or it becomes an eyesore. Mr. Correll reiterated that the fence had been approved by the people who would be looking at it.

Mr. Coker commented that he would be in support of continuing the sidewalk. The question was asked as to the hours of operation with Mr. Correll responding that they would be open from 6:00 a.m. to 7:00 p.m. serving coffee, lunches, and take home meals adding that there would be no wait service. In response to a question about lighting, Mr. Correll stated that the lighting would be focused on the parking lot and would not shine onto adjacent properties.

The Chair inquired as to screening for the dumpster. Mr. Correll stated that there would be a 6' stockade fence around the dumpster with a gate. The Chair asked that the plan be so noted.

Mr. Will stated that it was his understanding that a Variance had been granted for a restaurant use and wondered what would prohibit the use from turning into a night club. Mr. Holden stated that at some point, further Board of Adjustment approval would be required. Mr. Holden went on to state that the plan before the Board is a site plan; that a more intensive use would have to go back to the Board of Adjustment. Mr. Will referred to the Malibu Beach Club fiasco a few years back pointing out that Mr. Correll may not be at the site in question forever.

Mr. Holden commented that the concerns were well raised; that the department had been made aware that there is an appeal to the Rockingham County Superior Court of the Board of Adjustment decision. He went on to state that the department's recommendation would be that the Board table this application to allow for a review by the City Attorney. Mr. Correll interjected that he had spoken with the City Attorney who indicated that an appeal would not affect Mr. Correll's ability to obtain a Building Permit.

Attorney Bernard W. Pelech addressed the Board and stated that he was present on behalf of Frances Wholey, a direct abutter, adding that he is the one who filed the appeal of the Board of

Adjustment decision. He went on to state that Mr. Will was absolutely right in that there were no limitations on hours or the serving of alcohol; that the site could be turned into a McDonald's. He continued on to state that he couldn't believe that the plan before the Board was "not to scale". He stated that he had asked the Technical Advisory Committee for a drainage study/drainage calculations pointing out that David Desfosses (a City employee) had given the applicant grade information.

Attorney Pelech was adamant in his feeling that the applicant should be held to the same standards as any other applicant. He stated that the plan had changed from the one submitted to the Board of Adjustment adding that it was impossible to figure out the amount of open space. He asked that the Board table the application.

Jack Carley of 930 Greenland Road pointed out that the applicant had not indicated whether he would serve alcohol or not and that it could be an immediate or future problem. Mr. Carley stated that he was concerned with the amount of parking being provided (16 versus the 25 required); that if the business was a success, there could be a lot of customers.

The Chair acknowledged, for the record, the receipt of a letter from Attorney Pelech's office. Mr. Holden reiterated that the appeal is from the decision made by the Board of Adjustment. It was his opinion that the site plan was properly before the Planning Board.

The Chair inquired of Mr. Correll if he intended to serve liquor. Mr. Correll replied in the negative. Mr. Correll explained that the reason the plan is "not to scale" is because he blew it up for easier reading. He went on to state that he had explained at the Technical Advisory Committee meeting the layout of the parking spaces and the installation of the fence. Mr. Correll concluded his statements by stating that he would have to abide by the approved site plan.

Attorney Pelech reiterated that there are certain requirements for site plans; that the plan does not include dimensions. It was Attorney Pelech's opinion that the plan was woefully inadequate adding that a surveyor cannot do drainage studies. He went on to state that Mr. Correll met with Planning Department staff and David Desfosses but that he (Attorney Pelech) was not invited to the meeting. He continued on by stating that he still didn't know if there would be any increase in stormwater runoff and that it was impossible to determine the size of the parking spaces or the size of the travel ways.

Mr. Holden advised the Board to keep the Public Hearing open while a determination is made on the Board's status in view of the appeal. It was Mr. Holden's opinion that all of Attorney Pelech's concerns had been addressed.

Mr. Will moved to table the application to the Board's November 21st meeting. The motion was seconded and passed unanimously on an 8-0 vote.

C. The application of **Bold Beginnings, Inc.**, owner, for property located at **133 Islington Street** wherein site plan approval is requested for the construction of a three-story, 6,608 s.f. ± addition to an existing building for use as eight residential units with related paving, utilities, landscaping, drainage and associated site improvements. The existing 3,276 s.f. ± one-story

function hall to the rear facade will be demolished as well as the rear deck and stairs. Eleven covered parking spaces are included in the proposal. Said property is shown on Assessor Plan 138 as Lot 15 and lies within Central Business B, Apartment and Historic A districts.

SPEAKING TO THE APPLICATION:

John Chagnon of Ambit Engineering addressed the Board and informed them that Arnet Taylor, Project Manager, was also present. He informed the Board that the site in question was the former Knights of Columbus function hall. The proposal is to construct eight housing units in its place. Eleven covered parking spaces (ten regular and one handicapped) will be provided to the rear of the building off Hanover Street. Historic District Commission approval has been received. Sewer, water, gas and electric service will be new and will come in off Hanover Street.

Two retaining walls will be provided to ensure the integrity of the site. A low wall (12" to 36") will be installed along the northeasterly border. On the westerly side, a 6' to 8' wall will be installed due to a sudden grade change.

Drainage for the proposed building will be connected to a new drainage system in Hanover Street. The Islington Street side will remain as it is now. It was Mr. Chagnon's opinion that the proposed drainage system will alleviate or lessen the amount of stormwater runoff that presently goes over the ground and flows out onto Hanover Street.

Mr. Chagnon reported that the application was tabled at the September 3rd Technical Advisory Committee meeting due to concerns about residential traffic and parking and safety related issues. An agreement was reached with the City's Transportation Engineer as to the scope for a study. The parking survey was presented to the Traffic/Safety Committee. The City's ordinances were reviewed. It was determined that there are 84 legal spaces within 300' of the proposed building. Including non-striped spaces, there are 92 available parking spaces. He commented that there is an area on Hanover Street that is designated for residential parking only limiting uses in the daytime and those spots are pretty much vacant. The study was performed on a Friday and Saturday in agreement with the City's Transportation Engineer. During the study time, at least 23 parking spaces were available in the study area and a maximum of up to 40 were available.

Mr. Chagnon went on to state that 31 parking spaces are required for the project at hand; that under the ordinance the applicant is not required to provide any on site parking; that the parking impact fee is calculated using a base line of parking values as of June, 1997. The Knights of Columbus function hall required 183 parking spaces. The proposal before the Board is providing 11 covered parking spaces. Under the ordinance covered spaces are multiplied by three.

Mr. Chagnon continued on to state that the study tried to assess an overflow parking need. He reiterated that 11 parking spaces would be provided on site leaving an unmet parking need of 20. Again, he stated that the study concluded that a minimum of 23 parking spaces would be

available. Therefore, it was his opinion that the project would not impact the neighborhood in a negative sense. Mr. Chagnon advised the Board that the Traffic/Safety Committee reviewed the study and did an on-site; that the Committee voted to approve the plan as submitted.

On October 1st, the Technical Advisory Committee voted to recommend approval of the plan. At that time, the City's Traffic Engineer stated the supply of available parking spaces would not exceed the demand.

Mr. Chagnon informed the Board that Paul Lane, an abutter on Hanover Street, had expressed his concern about cars turning into the driveway and had requested a solid wood fence. The applicant agreed to do that verbally. Subsequent to that, it was determined that it would be impossible to place a solid wood fence three feet from the property line and still keep the proposed landscaping.

Mr. Chagnon then went on to review the stipulations from the Technical Advisory Committee speaking to such things as sealing the utility trenches. The parking survey has been done. Letters will be sent to all abutters in advance of construction with the name and phone number of a contact person. The landscaping plan has been approved by Lucy Tillman. Drainage calculations were submitted to David Desfosses who found them to be adequate. The HVAC units are not being shown at this time. The required approvals will be applied for once a decision has been made.

Mr. Sullivan stated that it was his understanding that the 11 parking spaces would be designated for those living in the apartment complex. Mr. Chagnon responded by stating, "that is correct". Mr. Sullivan asked that such be noted on the plan explaining that the Hanover Street area has experienced considerable problems with regard to available parking spaces. It was Mr. Sullivan's opinion that if the tenants move out into the street, that there would be "friction" in the neighborhood.

Mr. Chagnon responded by stating that at some point, the units would become condos; that a future owner may work out a deal with a business person to use the condo during the day and to use that person's parking space during the day.

Mr. Sullivan inquired as to any visitor parking spaces in the building. Mr. Holden interjected that the parking requirements had been met.

Mr. Will inquired as to the square footage of each unit with the response being some 1,300 s.f. Brian Rodonets, a representative of the applicant, stated that there would be 6 two-story, two bedroom units, a one-story two bedroom unit, and another one bedroom unit.

Mr. Coker commented that he had read the parking study no less than five times and he still didn't get it; that he drove to the site earlier in the day and looked around. Mr. Coker went on to state that he didn't understand Mr. Chagnon's methodology; that it appeared to be a subjective study. It was Mr. Coker's opinion that parking in the area in question was awful to begin with.

Mr. Chagnon tried to explain that there would be a decrease in the demand for parking as compared to 8,000 s.f. of office space where the demand would be 33 spaces as opposed to a demand of 31 spaces for the project before the Board. Mr. Chagnon talked about shared parking say for those coming to town and parking and for the tenants who would be going to work somewhere else. Mr. Chagnon reminded the Board that the site used to be a Knights of Columbus function hall where fifty cars used to be jammed into a lot. Referring to the study, Mr. Chagnon stated that they tried to model it to the study done a few years ago.

Mr. Holden returned to the concerns of the abutter, Paul Lane, and asked if those concerns would be addressed. Mr. Chagnon stated that Mr. Lane was in agreement and reiterated that according to the *Zoning Ordinance* the fence must be 3' from the property line.

The Chair inquired if the dumpster would be located inside the building. Mr. Rodonets stated that such was correct and that the dumpster would be rolled out on trash day. The Chair asked that a note be added to the plan that there would be no trash pick up before 7:00 a.m.

Discussion then turned to underground utilities with Mr. Chagnon stating that a pole would have to be installed.

The question was asked as to exterior lighting with Mr. Rodonets assuring the Board that there would be no glare onto adjoining properties.

The Chair brought up the issue of the motorized garage door and asked that there be no noise issues with the door opening.

The Chair stated that he was confused as to the status of the air condensers. Mr. Chagnon replied that they definitely would not be on the roof adding that they were looking at a unit that would hang from the ceiling of the garage level. Mr. Chagnon stated that he understood that the noise ordinance must be complied with.

Ms. Tillman inquired as to note 5 on Sheet C-2 that refers to City Council approval required in the right-of-way. Mr. Chagnon explained that they would be doing some sidewalk work at the entrance as well as working in the City streets for drainage purposes.

Ms. Tillman stated that in light of the fence issue, she would like to go over the landscaping plan once again.

The Chair inquired as to construction time with Mr. Chagnon responding that the project would be built from the back probably at the same time as Islington Street is under construction. The Chair noted that construction time is from 7:00 a.m. to 7:00 p.m. Mr. Taylor, who was seated in the audience, stated that they were aware of that requirement.

Matt Wirth of 439 Hanover Street, who lives diagonally across from the property in question, stated that he and his wife were happy to see that the site would not be turned into a night club. However, he stated that he had a few concerns regarding parking adding that these units would

be very affluent type units and wondered if the parking area would be able to handle oversized vehicles. He also asked about the condition of Hanover Street once the utility work was done adding that the stormwater runoff runs into his driveway as the necessary berms were not put in during the overlay project on Hanover Street. Mr. Wirth also expressed his concern about the number of construction vehicles that might take away parking spaces from the residents. Also, he wondered if there would be room enough to get a trash truck onto the site in question.

The Chair made two calls for speakers. There being none, the Chair allowed Mr. Chagnon to come forward and answer Mr. Wirth's questions.

Mr. Chagnon offered that the size of the spaces in the garage would be full width and would meet the standards. He went on to state that after the infra-red sealing is done, the street should be in the same shape as it is now. It was Mr. Chagnon's opinion that Mr. Wirth should

see a decrease in stormwater runoff and that it was felt that there would be enough room for trash truck maneuvers.

Arnet Taylor acknowledged that there would be a bit of a challenge in bringing in the construction equipment. The Chair asked if the construction vehicles would stay in a particular area. Mr. Taylor stated that the plan is to bring the construction equipment on site with provisions for alternative off-site parking as well.

Mr. Wirth inquired if the utility work would affect the tree that is there. Mr. Chagnon stated that there is a tree in the street surrounded by pavement with its roots 90% under pavement adding that they would not touch the tree. Mr. Chagnon agreed to the requirement that any closing of the street would be coordinated with the City's Traffic and Parking Engineer.

The Chair made a further call for speakers. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE BOARD:

The Chair inquired if the parking spaces would work. The Planning Director referred to the provisions in the *Zoning Ordinance* covering parking in the Central Business district; that bonuses are given for covered parking as part of a structure. Mr. Holden felt that the applicant correctly reviewed what is available off-site; that the plan was presented to the Traffic/Safety Committee and John Burke, the City's Parking and Transportation Engineer. The Technical Advisory Committee felt that there would be sufficient off-street parking to meet the needs. Mr. Holden reiterated that the applicant had met his burden for on-site parking.

Let the record reflect that at this time in the proceedings, Councilor Lown stated that he would have to abstain as his law partner is an abutter on Rock Street.

Mr. Sullivan moved approval of the site plan as submitted with all stipulations. Mr. Hopley seconded the motion.

Mr. Will stated that he would vote for the project even though he didn't like it as it is another residential project with high-end units.

Mr. Coker stated that he would reluctantly support the project due to parking issues. He stated that Mr. Will's point is well taken about affordable housing but is a point for a future time.

The Chair acknowledged for the record the receipt of a letter from Eileen MacDonald. The Chair called the question. The motion passed unanimously on a 7-0 vote (Councilor Lown not voting).

The Planning Director asked the Board if they wanted to see the plan again if there is a change in the fencing. It was the consensus of the Board that the Planning Department knows how the Board feels and that the Board would only want to see the plan again if there is a significant change.

Stipulations:

From the Technical Advisory Committee:

1. That all trenches be infrared sealed in accordance with the standards of the City's Public Works Department;
2. That the trenches created for utility connections be done by saw cutting;
3. That a 300' radius (of the property in question) parking survey during peak times be submitted;
4. That a construction schedule shall be worked out at the appropriate time with Public Works Department with a plan on how those who would be affected would be notified;
5. That the landscaping plan is subject to approval by Lucy Tillman of the Planning Department;
6. That more information be submitted on the drainage analysis; such as, additional material on Sudbury Street; and,
7. That a note be included on the site plan indicating that any HVAC units must comply with Article V of the City's *Zoning Ordinance* and may be subject to Historic District Commission approval.

From the Planning Board:

1. That a note be added to the plan indicating that the 11 covered parking spaces would be designated for those living in the apartment complex;
2. That a note be added to the plan indicating that trash pickup (dumpster) shall not occur before 7:00 a.m.; and,
3. That a note be added to the plan indicating that any closing of a street shall be coordinated with the City's Traffic and Parking Engineer.

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D. The application of **GPP Properties 1995-1, LLC** for property located at **100 Coakley Road** wherein site plan approval is requested for the construction of a 50' x 80' (4,000 s.f.) one-story addition to an existing building with related paving, utilities, landscaping, drainage and associated site improvements. The addition will be used for warehousing purposes. Said property is shown on Assessor Plan 234 as Lot 6 and lies within a General Business district.

SPEAKING TO THE APPLICATION:

Steve Keach presented the plan for the addition for Goulet Plumbing that would be used exclusively for storage purposes. No additional pavement is proposed. Site work will be limited. Twelve parking spaces are required. Twenty will be provided including one handicapped spot.

Variances have been received from the Board of Adjustment for the expansion of a non-conforming wholesale business as well as dimensional relief from a residential district and the rear yard setback.

The Technical Advisory Committee recommended approval at its October 1st meeting with one stipulation. Mr. Keach explained that on occasion vendors will drive by the entrance and turn around in a residential neighborhood. A directional sign will be erected.

An 8' solid fence will be erected on the westerly line adjacent to the residential district together with some plantings of shrubbery. The site in question existed prior to the creation of Borthwick Avenue. Two rows of plantings will be done to the rear of the property in order to enhance the screening that nature has provided.

Mr. Coker had questions about the wetlands in the area with Mr. Keach responding that the wetland is well under half an acre in total adding that the wetlands is deemed jurisdictional by the Army Corps of Engineers and the State Wetlands Board. Mr. Holden interjected that one cannot fill a wetland.

Ms. Roberts inquired as to the purpose of the drainage detention pond. Mr. Keach responded that the pond is to handle the runoff from the addition.

Discussion then ensued between Mr. Keach and the Chief Building Inspector, Richard Hopley, about the need for a second egress that would lead to a public way.

The Chair asked for a detail on the handicapped signage and the detention pond; especially, a silt fence.

The question was asked if there would be any additional lighting with Jeffrey Foote, the Facilities Manager, who was seated in the audience, replying in the negative adding that if an egress door is required, the appropriate exit lighting would be installed by the door.

There being no further speakers, the Chair declared the Public Hearing closed and asked the Board's pleasure.

DISCUSSION AND DECISION OF THE BOARD:

Mr. Hopley moved that the site plan be approved adding that if it is determined that a sidewalk is needed for a second egress, that the site plan would not have to come back to the Planning Board. Councilor Lown seconded the motion. The Chair asked if there were any plans for snow

storage with the response being that the snow would be removed off-site as has been the practice in the past. The motion passed unanimously on an 8-0 vote.

Stipulations:

From the Technical Advisory Committee:

1) That signage be installed indicating the delivery entrance and that instructions shall be given that trucks are not to drive through a residential neighborhood.

From the Planning Board:

1. That the site plan indicate the appropriate handicapped signage;
2. That the site plan include a detail on the detention pond using best stormwater practice; and
3. That a note be added to the site plan indicating that snow storage will be removed from the site.

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IV. CITY COUNCIL REFERRALS/REQUESTS

A. Gift of Hyder land off Arthur Brady Drive

Mr. Holden explained that the referral involves an offer of land to the City and further explained that the City's Environmental Planner, Peter Britz, had been working on this and would give a brief synopsis to the Board.

Mr. Britz informed the Board that an offer was submitted to the City by Henry Hyder of five acres of land behind Applebee's restaurant off Arthur Brady Drive. Mr. Britz stated that the area is 2/3 wetland and 1/3 upland adding that the wetland is associated with another wetland. If accepted, the area would be set aside as a conservation parcel.

Mr. Will inquired if the Recreation Department had been consulted with Mr. Britz responding in the negative. Mr. Holden interjected that the question before the Board is whether the City should accept the gift. Mr. Holden suggested that the Board acknowledge the very generous offer and recommend to the Council that the City accept it and that the City do a standard assessment of the property in question.

Mr. Sullivan so moved and Mr. Will seconded the motion. The motion passed unanimously on an 8-0 vote.

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Items not on the Agenda

Air Quality Permit Application from Highliner Foods

Mr. Holden stated that the Board has been given an update on an emerging issue in the form of a memo. Mr. Britz went on to state that an Air Quality Permit Application had been submitted by Vision Power for Highliner Foods for four generators that would generate electricity entirely for the Highliner plant. A public hearing has been scheduled for November 20th at 7:00 p.m. The proposal calls for two 50' stacks. The noise emanating from the generators would be 70 decibels at the site with the claim being made that the noise would not extend over the property line.

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Amended site plan for car wash off Lafayette Road

Mr. Holden reported to the Board that an amended site plan had been submitted reducing the number of vacuum islands to three; thus, increasing the space in between them. A sign board would be relocated indicating how much time is remaining in a wash cycle for better vehicle maneuverability. The Board so noted the changes and offered no objection to approving the amended site plan.

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V. NEW BUSINESS

A. Election of Officers (Vice Chairman)

Mr. Holden pointed out that the Board's Rules and Regulations provide for a secret ballot process when more than one person is running for an office.

Mr. Savramis nominated Donald Coker. Mr. Will seconded the nomination.

Councilor Lown nominated Paige Roberts. Mr. Sullivan seconded the nomination.

Mr. Sullivan moved to close the nominations. Mr. Hopley seconded the motion that passed unanimously.

Six votes were cast for Paige Roberts and two were cast for Don Coker. Congratulations were extended to Ms. Roberts.

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Master Plan Planning Process

Mr. Holden acknowledged the receipt of committee selections from Board members.

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VI. ADJOURNMENT was had at approximately 9:50 p.m.

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Respectfully submitted,

Barbara B. Driscoll
Acting Secretary for the Planning Board

The Planning Board approved these minutes at its November 21, 2002, meeting.