

SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

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

FEBRUARY 5, 2002

MEMBERS PRESENT: **DAVID HOLDEN, PLANNING DIRECTOR, CHAIRMAN;
DAVID ALLEN, DEPUTY PUBLIC WORKS DIRECTOR;
MICHAEL MAGNANT, DEPUTY POLICE CHIEF;
JOHN BURKE, PARKING AND TRANSPORTATION
ENGINEER; CHARLIE JONES, FIRE MARSHAL;
ALAN STURGIS, CHAIRMAN, CONSERVATION COMM.;
TOM CRAVENS, ENGINEERING TECHNICIAN, WATER
DEPARTMENT; AND DAVID DESFOSSES, ENGINEERING
TECHNICIAN WITH THE ENGINEERING DEPARTMENT**

ALSO PRESENT: **LUCY E. TILLMAN, PLANNER I**

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The Chair asked that items B, C and D under Old Business be taken off the table. Mr. Desfosses so moved. Mr. Cravens seconded the motion which passed unanimously.

B. 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. **(This application was tabled at the Committee's January 2, 2002, meeting to this meeting.)**

C. 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 97 and lies within a Single Residence B district. **(This application was tabled at the Committee's January 2, 2002, meeting to this meeting.)**

D. 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. **(This application was tabled at the Committee's January 2, 2002, meeting to this meeting.)**

The Chair made calls for speakers for each of the applications. Noting that there were no speakers, the Chair asked that the applications be tabled to the March 5, 2002 meeting of the Committee. He stated that abutters would be notified at the applicants' expense adding that the tabling action would allow work to progress on these applications.

Mr. Sturgis so moved; that is, that applications B, C and D under Old Business be tabled to the March 5, 2002, meeting of the Technical Advisory Committee. Mr. Desfosses seconded the motion. The motion passed unanimously.

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 January 2, 2002, meeting to this meeting.)**

The Chair noted that John Burke, the City's Parking and Transportation Engineer, was tied up in another meeting and had not yet arrived. As his input in this application would be significant, the Chair suggested that the Committee take Public Hearing A out of order.

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II. PUBLIC HEARINGS

A. The application of **Seacoast Trust** for property located at **150 Route One By-Pass** wherein site plan approval is requested for the construction of a 5,208 s.f. one-story building addition (for office use) to the right side of an existing 10,800 s.f. one-story building with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 231 as Lot 58 and lies within a Single Residence B district.

Let the record show that Ms. Tillman stepped down from the dais during the Committee's consideration of this application.

SPEAKING TO THE APPLICATION:

Attorney Bernard W. Pelech addressed the Committee reminding them that a previous application had received a favorable recommendation from the Committee. That particular application involved a proposed second floor over an existing medical office building at 150 Route 1 ByPass. Due to structural concerns, the decision was made that it was probably not the best way to go as it would involve the shoring up of the existing foundation and the first floor of the structure.

As a result of that decision, alternatives were considered and it was decided to proceed with a much smaller design and concept – a 5,208 s.f. addition to the southwesterly side of the building. The addition complies with all zoning requirements except for use. The Board of Adjustment has granted the necessary Variance for the proposed use in a residential district; that is, to expand an existing non-conforming structure.

It was Attorney Pelech's opinion that the plan before the Committee was a significantly better plan compared to the previous submission; pointing out that the reduction in the size of the addition had substantially reduced the required number of parking spaces.

Let the record show that John Burke arrived at this time which was approximately 2:05 p.m.

Attorney Pelech went on to state that the existing parking will be reconfigured with some additional parking provided due to the footprint of the new addition eliminating some of the existing parking.

Attorney Pelech concluded his presentation by stating that the plan has incorporated many of the same conditions agreed to previously; primarily, concerning the roadway up to Middle Road.

Richard P. Millette of Millette, Sprague & Colwell addressed the Committee and spoke to the proposed 5,208 s.f. addition to the southerly side of the existing building. He explained that the area is naturally screened to some extent; that the specifications call for the planting of arborvitae which would be 6' tall on the day of planting. Some plantings would also screen the addition from the street.

Mr. Millette went on to explain that there would be a net increase of six spaces in conformance with the parking ordinance. A sidewalk will run along the edge and a crosswalk will get people over to the building. Bollard lighting, 3' high, will run along the side of the sidewalk.

Mr. Millette referred to note 12 on the site plan that relates to one of the conditions from the previous submittal; that is, that all lights shall be down shielded.

He reiterated what Attorney Pelech had previously stated in that the current proposal incorporates earlier conditions; such as, no access to Middle Road would be allowed via the gravel road. All utilities would come in from the south and run under the new addition. No new utility connections will be required to service the addition.

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

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen asked about the drain line that comes out of the extended parking area. Mr. Millette explained that there is a low spot in the earth right now; that a length of the culvert would be removed so that it could be exposed. Mr. Allen inquired if there would be any end wall or end treatment. Mr. Millette responded by stating that the end of the pipe line is presently exposed and it would be left that way.

Mr. Allen inquired if the 12" RCP is a private line. Mr. Millette replied that he did not know the answer; that it was his understanding that the line had been there since 1997. The assumption was made that it is not a City line.

Fire Marshal Jones expressed his concern about the exiting from the existing end of the building being changed due to the new addition. He asked that site improvements include a direct accessway to a public way. Mr. Millette assured the Committee that parking would be arranged so as not to block the accessway. The Chair asked how one would know not to park in a certain area with the response from Mr. Millette being that the area would not be striped. The Chair was not satisfied with the answer and asked that a "no parking" sign be provided.

The Chair emphasized the condition that all existing and proposed lighting would be down shielded including the PSNH light.

Peter Weeks, consultant for Seacoast Trust, pointed out a fact that had been previously submitted to the Planning Board; that being that the PSNH light was in place long before the parking lot expansion was

approved. He stated that he was not sure whether or not Public Service had any other lights adding that the light had been adjusted and now faces in a different direction. The Chair was adamant that the stipulation remain adding that if it is not possible to change the PSNH light, then the issue could be cleared up at the Planning Board meeting.

Mr. Weeks commented that the condition is different than from the original approval; adding that the present request is for a much less intensified use. The Chair remained adamant in his desire for the condition to remain explaining that if compliance was not possible, then the subject could be revisited.

Mr. Holden asked if the condition regarding access to Middle Road was the same as the prior approval with Mr. Millette responding in the affirmative. Mr. Holden asked that the notation be read into the record. Mr. Millette so complied.

Access at Middle Road to be closed in a manner to be determined by agreement with the Portsmouth Planning Department. Access for Public Service Co. of N. H. will be maintained.

Mr. Cravens noted that the addition would be going over an existing water line and asked how such would be handled. Mr. Millette referred to note 10 regarding the use of extreme care and the reference to the detail sheet. Mr. Cravens stated his concern about the relocation of the water meter to the outside wall.

Fire Marshal Jones asked if the subject of sprinklering was outside the scope of the Committee. Mr. Holden replied that historically that item lies with the Building Inspector. Mr. Jones replied that what with a total building structure of 15,000 s.f., a fire sprinkler system may be required, and he wondered about any change in the water service to the building. Mr. Cravens noted that the fire service would have to run off Hillside Drive across private property which would require easements between the owners of the properties affected and Seacoast Trust. Mr. Millette interjected that they (the applicant) would find out; that they would do the work.

Mr. Allen moved to recommend approval of the site plan with the following stipulations. Mr. Sturgis seconded the motion.

1. That the water meter be relocated to where the existing water line enters the new foundation;
2. That if a fire service is needed, the applicant shall acquire the necessary easements over private property for the fire service to come in from Hillside Drive;
3. That in terms of site lighting, all lighting shall be downshielded, including the PSNH light; and,
4. That the site plan indicate a "no parking" sign in an appropriate location to ensure direct vehicular access to a public way.

Regarding stipulation #3, the Chair noted that the condition would be reflected in the record and any other considerations would be taken care of at the Planning Board meeting.

The motion passed unanimously.

The Committee then turned its attention to the Ramsey application. Let the record show that Ms. Tillman returned to the dais at this point in the proceedings.

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 January 2, 2002, meeting to this meeting.)**

Mr. Sturgis moved to take the application off the table. Mr. Desfosses seconded the motion. The motion passed unanimously.

SPEAKING TO THE APPLICATION:

Attorney Charles A. Griffin addressed the Committee and referred to the seven items listed in the Letter of Decision from the January meeting.

With regard to a scoping meeting with NHDOT, Attorney Griffin reported that Dermot Kelly, the applicant's traffic engineer, had contacted Bob Barry of NHDOT and had previously submitted traffic studies for review. Attorney Griffin further reported that NHDOT had determined that a scoping meeting would not be necessary as the project would not involve a curb cut onto Market Street. Furthermore, the department (NHDOT) would have individual authority to request a meeting, if one was deemed necessary. Attorney Griffin stated that the NHDOT did not feel that the project would adversely impact traffic in a significant way.

With regard to review of the project by the Traffic/Safety Committee, Attorney Griffin advised that they were scheduled to appear before the Committee in January, but they (the applicant) asked to be tabled to the March meeting.

Regarding the issue of internal sidewalks and mass transit pullover, Attorney Griffin reported that they had been in contact with COAST transportation who would prefer to have a stop on the opposite side of Kearsarge Way beyond the traffic light on City land.

Attorney Griffin further reported that a meeting was held with the Atlantic Heights Neighborhood Association regarding the landscaping plan. It was his belief that the association was satisfied with the plan.

John Chagnon of Ambit Engineering addressed the remaining items. He stated that revised plans had been submitted as a result of discussions with the Technical Advisory Committee and the Public Works Department.

With regard to water flow tests, Mr. Chagnon advised the Committee that the tests had been done in June and the information had been submitted to the Committee.

Regarding internal sidewalks, Mr. Chagnon stated that a sidewalk connection was added to the current plan around to the northerly side of the building to the entrance of the building. He also referred to a 26' wide lane that would provide ample room for access.

Mr. Chagnon referred to a note on the plan regarding the connection of the master fire alarm box with the Fire Department, more specifically, Sheet C-4. A hydrant has been included at the front of the hotel on the westerly side in the landscaped area that, according to Mr. Chagnon, is acceptable to Marshal Jones. The plan indicates a 2" conduit for fire alarm purposes.

Mr. Chagnon stated that a note has been added to the drawing concerning the use of water saving fixtures in the hotel.

Referring to some minor changes, Mr. Chagnon stated that the plan shows the upright handicapped signs in the appropriate locations pointing out that the number of handicapped spaces had been upped to conform with ADA rules.

Mr. Chagnon went on to state that the plans now show the 100' buffer zone and the wetland flags as delineated by the soils scientist.

Mr. Chagnon pointed out that a building lighting plan was submitted which shows all the parking lot lighting and the lack of any impact on the neighbors. The building will have external lighting as well.

Mr. Cravens inquired as to how much water would be saved by using the water saving fixtures. Mr. Chagnon responded that such would be the function of what is required under codes regarding certain levels of water use. He went on to state that the details have not been worked out; that such would be done further down the road with the architectural design.

The Chair thought that Mr. Cravens had raised a good question and wondered how the use of water saving fixtures would be reported back to the Water Division. Mr. Chagnon stated that it was his understanding that flows would be tested again once the connection from Birch Street was completed. It was his opinion that at that time the information would be used to determine whether or not it would be necessary to use water saving fixtures to the fullest extent possible.

Mr. Cravens stated that the Water Division would still like to see water saving fixtures being used no matter how much water will flow from the extension of the Birch Street main.

Mr. Allen commented that the proposed sewer flow gives the department (the water division) an idea of how much water would be used and that estimate is 10,000 gallons per day. Mr. Chagnon felt that the sewer flow was based on State figures that may be relatively high as to what would actually be used.

Mr. Allen suggested a link between the Plumbing Inspector and the applicant that would come back to the Water Division. He pointed out that the State has requirements for grant funding emphasizing that it

is important that the hotel use water saving fixtures not only for resource and conservation but as a requirement for grant funding. He stated that the Public Works Department would be willing to work with the applicant to come up with a process that could be used as a model for future projects.

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 with stipulations. Mr. Cravens seconded the motion.

The Chair noted that Conditional Use Approval was still pending. He asked that after such has been received from the Planning Board, that the date of such approval be identified on the plan, as appropriate. The Chair further noted that any action of the Committee should not be used to force the Planning Board to grant a Conditional Use Permit.

The Chair spoke to the creation of a model or a plan on how to coordinate the installation of water saving fixtures and suggested that such be worked out with John Lanoie, the Plumbing Inspector, the applicant's attorney, Charlie Griffin, and himself, the Planning Director.

The Chair asked John Burke, the City's Transportation and Parking Engineer, to clarify the situation with COAST and the transit pullover. Mr. Burke stated that Mr. Chagnon did contact COAST. They currently have a sign and stop there already. The suggestion was made that the pullover be created on the westerly side of the intersection on City conservation land. At the minimum, there would be a pull out. At the maximum, there would be an enclosure. It was pointed out that Kearsarge Way and Market Street have sidewalks so people could get from the hotel site to the pullover site.

Mr. Burke pointed out that the Traffic/Safety Committee would probably review the project in March as he did not believe the Committee would meet in February.

Mr. Holden commented that the transit pullover would be located on City property. He recommended that a transit pullover be a condition subject to working out terms with COAST, the City and the applicant adding that the City funds COAST and that John Burke is the City's representative to COAST. Mr. Holden noted that if a transit pullover doesn't work out, it could be eliminated as a condition.

Mr. Cravens stated that he would like to see the plans reviewed by other utilities; such as, electric, gas, telephone and cable to make sure the utility companies are all set with the plans as far as conduits are concerned.

With regard to the mass transit pullover, Mr. Desfosses noted that the proposed site is City conservation land with significant wetlands located on that site commenting that a pullover may not be feasible at that site.

The Chair noted for the record that the landscaping plan has been approved and is no longer an issue. He further noted for the record that the Fire Marshal, Charlie Jones, is satisfied with the plan.

The Chair then asked John Burke to review a communication from Attorney Griffin. Mr. Burke reported that negotiations are ongoing regarding the improvements that will need to be made to the traffic system; such as, the coordination of traffic signals, the widening of the interchange and the contribution from this project. Mr. Chagnon interjected that such would be the thrust of the discussion at Traffic/Safety.

Mr. Desfosses noted for the record that if NHDES denies the wetland application, that the project would have to come back to the Technical Advisory Committee. He asked that any changes to the plan be submitted to the Planning and Engineering Departments so that personnel are aware of any changes and have updated plans.

Mr. Chagnon stated that a Site Specific Application is still pending and informed the Committee that a meeting is scheduled with the Wetlands Bureau on Monday, the 11th of February. It was pointed out that the Conservation Commission had recommended approval of the wetlands permit and that the State could act absent action from this group, the Technical Advisory Committee. Mr. Chagnon interjected that he might need to file for a Discharge Permit.

The Chair expressed his opinion that the applicant had met the majority of his responsibilities and felt that the project could go forward.

Mr. Allen commented that the Public Works Department was still looking for a model adding that he didn't see any sizes proposed or any details on the affect on the hotel or that particular area. He stated that by running loads into the model, the extent of those improvements could be determined. He suggested that a model be run before something is thrown into the ground. The Chair asked if a model could be run before the next Technical Advisory Committee and advised Mr. Chagnon that now was a good time to say, "yes" adding that the Committee could not approve a project before knowing what impact water would have.

It was noted that this area already has water problems pointing out that the City had worked with Furman Lumber on its water problems. The Chair did not feel that the application could be sent on prior to a water model being completed adding that there are two points significant to this project; water flow and traffic. The Chair recommended that the application be tabled to the next meeting making it clear what the applicant should be working on so that the issues can be addressed.

Mr. Allen moved to table to the March 5 meeting. The motion was seconded. The Chair stated that the tabling motion was made so that a water model could be run; that approvals be received from the Traffic/Safety Committee and NHDES. The Chair noted that if Traffic/Safety has not met by the March 5 meeting, then that issue could be addressed one way or another at that time. The Chair further noted that Mr. Sturgis could assist the department regarding the issue of using City-owned land for a transit pullover.

The motion passed unanimously.

Adjournment was had at approximately 2:50 p.m.

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