

**MINUTES OF MEETING
SITE REVIEW TECHNICAL ADVISORY COMMITTEE**

2:00 P.M.

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

APRIL 29, 2003

MEMBERS PRESENT: David M. Holden, Planning Director;
David Allen, Deputy Public Works Director;
Charlie Jones, Fire Marshal;
Tom Cravens, Engineering Technician (Water);
Alanson Sturgis, Chairman of the Conservation Commission;
and, David Desfosses, Engineering Technician (Engineering)
W. Peter Torrey, Business Manager, School Department for
Brigham application

MEMBERS ABSENT: John Burke, Parking and Transportation Engineer; and,
David Young, Deputy Police Chief

ALSO PRESENT: Lucy E. Tillman, Planner 1

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The Chair called the meeting to order at approximately 2:00 p.m.

I. OLD BUSINESS

A. The application of **Michael Brigham** for property located at **487 Cutts Avenue** wherein site plan approval is requested for the creation of six residential house lots ranging in size from 15,394 s.f. to 30,326 s.f. with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 210 as Lot 26 and lies within a Single Residence B district. **(This application was tabled at the Committee's April 8, 2003, meeting to this meeting.)**

The Chair read the notice into the record. Mr. Desfosses moved to take the application off the table. Mr. Sturgis seconded the motion. The motion passed unanimously. The Chair noted for the record that Peter Torrey, School Department Business Administrator, was sitting on this application as it is a residential application.

SPEAKING TO THE APPLICATION:

Dennis Moulton of Millette, Sprague & Colwell addressed the Committee and informed the Committee that the applicants, Mike Brigham and John O'Neil, were present together with Attorney Bernard W. Pelech. Mr. Moulton explained that the current site comprises some 3.4 acres and with a multi-family structure located thereon. At the present time, access to the site is via a driveway from Cutts Avenue.

The proposal is for six residential units and includes a land swap with one of the abutters (the Petroulises on Chase Drive). Each lot is conforming as to frontage, lot area and structure coverage. An existing drilled well on the property will be abandoned in accordance with NHDES requirements. A 700' water main will be connected to the existing 10" main. The construction of the houses will require the removal of ledge and materials from the site.

A portion of the site is within a tidal buffer zone. The area was previously disturbed by the construction of Michael Succi Drive. The construction within the buffer zone is for the purpose of accommodating two driveways. The proposed grading in that area is very minor. The proposal will make use of the existing contours as much as is possible. Mr. Moulton went on to state that the actual disturbance would be due to the water main extension. A NHDES Wetland Permit Application has been filed.

The site is also in a Shoreland Protection Zone that places certain restrictions on the property. The owners of the site in question must be notified as to what type of fertilizer they can use.

Mr. Moulton referred to the comments made at a previous meeting. He stated that a 10% grade is indicated on the driveway profiles. It is anticipated that 3,600 gallons of water will be used per day for the six (4) bedroom houses.

Mr. Moulton indicated that a note had been added to the site plan indicating that the well abandonment would be done in accordance with NHDES standards. He went on to state that a separate subdivision plan had been submitted for the proposed land swap. A drainage study has been submitted. The new subdivision plan indicates the boundary monuments.

Mr. Moulton offered that with regard to erosion control methods, that a silt fence had been added to the plan. Notes have been added to the plan regarding fertilizer usage and the cemetery buffer. Any driveway located within 5' of a property line will be located by a surveyor. Certain driveways have been redesigned so that they are not so close to each other. The applicant is not anticipating the use of view easements at this time. A detail has been added to the detail sheet regarding pavement. Mr. Moulton confirmed that the sewer situation is acceptable with David Allen, the Deputy Public Works Director.

Mr. Moulton stated that he had submitted information on the type of machinery to be used in the ledge/rock crushing operations and the noise levels. He spoke to the use of the lower end of the site for the crushing operations so that they would be removed as far as possible from the residences along Chase and Cutts. The operations will be from 7:00 a.m. to 6:00 p.m. from Monday through Friday in accordance with the City's ordinance.

Mr. Moulton indicated that the slope easements for the driveways are on the subdivision plan. At this point in the proceedings, Mr. Moulton presented a 3-D presentation on the proposed elevations.

Attorney Pelech then took over the presentation and stated that he had submitted a letter regarding the projected number of school children. It was his opinion that the proposed impact on the school system would be very minimal. It was projected that there would be four elementary school students, 1.8 junior high students and 1.8 high school students.

The Chair asked if there was anyone present wishing to speak to, for or against the application. Seeing no speakers for the second, third and final time, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

The Chair inquired into the possibility that other State and Federal Permits might be required. Mr. Moulton responded by stating that an application had been filed for NHDES approval with regards to the Shoreland Protection Zone and that an application had been filed for a Site Specific Permit. The Chair expressed his concern that the State could alter the submitted plans.

Mr. Desfosses stated that according to his fact sheet on Shoreland Protection, that any new lot also needs NH Subdivision Approval. It was Mr. Moulton's feeling that such approval was only necessary when the proposed lots would be using on-site disposal. The Chair stated that they may be looking for verification of that determination. Mr. Moulton indicated that he would investigate.

Discussion then ensued on any EPA involvement. Mr. Moulton indicated that they might inspect the site but would not alter the plan.

Mr. Sturgis also raised the question about the need for State Subdivision Approval with Mr. Moulton reiterating that he would investigate.

Mr. Desfosses moved to approve with stipulations. Fire Marshal Jones seconded the motion.

Mr. Sturgis commented that he would be a lot happier if any disturbance was kept out of the 250' buffer. Mr. Sturgis asked about the rock crushing operations with Mr. Moulton describing a large cut (18 to 20') from the upper area. He added that the material would be processed on site causing less wear and tear on City streets. The Chair asked that a letter be submitted with a sketch of the area for placement in the file. The Chair went on to state that the City would have concerns if spoils were sold from the site. He asked that the letter include hours of operation and start and finish time for the project and a mechanism for any extensions. It was the Chair's opinion that it would be better to do it (rock crushing) quick and get it over with.

Mr. Desfosses commented that with regard to the pavement detail, a residential street requires 3" of hardtop overlay; however, Michael Succi Drive is an industrial street and requires 4". Discussion ensued on the method to be used to protect the catch basins and Mr. Desfosses expressed his concern about the "finger of land" off Cutts Avenue.

Discussion then turned to the various grades, the softening of slopes and the option of placing the garages underneath. The Chair indicated that he has never seen a subdivision with a 32' cliff! Mr. Desfosses spoke to the grading between Lots 5 and 6 and wondered if a culvert would be required.

Mr. Desfosses assumed that the streets would be video taped before construction takes place and that the developer would be responsible for any overlay to correct any damage. Mr. Moulton interjected that there is a sidewalk from Chase Drive to Market Street (in answer to an inquiry made at the previous meeting).

Mr. Cravens had some comments on the water lines and his requests are included in the stipulations.

Ms. Tillman spoke to the cuts in the rear and the steep inclines of the proposed driveways. Mr. Allen commented that the site probably has three to four feet of cover at the most; that the site has quite a bit of ledge and that the thought of a 32' cliff was giving him heartburn. Mr. Moulton spoke to the use of rip rap.

Mr. Torrey thanked the applicant for the letter submitted on proposed school impact. He spoke to single family homes in a single family district and stated that the school system would be happy to accept the children.

The Chair stated that the applicant had addressed many of his concerns. However, he did not feel that he could support a motion to approve with a plan that indicates such a cliff. He referred to Evaluation Criteria (f) in the *Site Review Regulations*.

The site development lacks adequate protection for neighboring properties against fire, noise, explosion, glare, odor, air pollution, hazardous waste, or other objectionable features or nuisances.

He did not feel that the proposed plan was a safe plan. He spoke to the severe topography of the site and hoped that there could be another solution.

The Chair went on to state that when the application is reviewed by the Planning Board, that he would ask that final approval be tabled until all State and Federal Permits are in hand commenting that other approvals might change the plan.

Attorney Pelech stated that the developer shares the concerns of the Committee with regard to topography and that revised grading plans would be submitted.

John O'Neil addressed the Committee and felt that the 32' cliff could become an 18' cliff.

Mr. Desfosses suggested a change in the property lines between Lots 4 and 6 commenting that the way it is graded now creates a large plateau.

The Chair noted that the applicant needs to get to the Planning Board; however, the Committee needs more time to look at the plan and that he was not prepared to give his approval again referring to Evaluation Criteria (f). It was his opinion that the topography makes the plan unsafe; that the Committee had an issue.

Mr. Allen moved to table the application to the June 3rd meeting of the Committee. Mr. Sturgis seconded the motion.

Mr. Sturgis felt that an attempt was being made to place six residences in an area that could comfortably accommodate four residences and felt that lots 5 and 6 should be eliminated. He went on to state that the proposal was attempting to put a "quart into a pint bottle".

The motion to table passed unanimously. The tabling motions was made to allow for the submittal of a revised plan that would indicate gentler slopes.

Some of the other concerns/stipulations of the Committee are as follows:

1. That slope stabilization be reviewed;
2. That the notes regarding the cemetery buffer and the Shoreland Protection buffer be on the subdivision plan that will be recorded in the Rockingham County Registry of Deeds;
3. That a letter be submitted to the Planning Department with a sketch attached thereto setting forth the rock/ledge crushing plan including the hours of operation and a start and finish time for the project;
4. That the pavement detail for Michael Succi Drive be in compliance with industrial street standards;
5. That a note be added to the site plan concerning the protection of the catch basins;

- 6. That a note be added to the subdivision plan that there will be no access from Lot 3 out to Cutts Avenue;
- 7. That the grading for Lots 5 and 6 be reviewed;
- 8. That the streets be video taped before construction takes place. It was understood that the developer would agree to an overlay to correct any damage;
- 9. That the site plan indicate an additional gate valve on the water line going up Chase Drive;
- 10. That the length of pipe be extended beyond the gate valve at the dead end some 18' to 20'; not 10';
- 11. That a determination be made as to whether State Subdivision Approval is required;
- 12. That it is understood that the Planning Department will make a recommendation to the Planning Board when it reviews this site plan; that final approval be tabled until all Federal and State Permits are in hand; and,
That the configuration of the property lines for Lots 4 and 6 be reviewed.

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II. PUBLIC HEARINGS

A. The application of **Gordon B. Sorli and Eleanor R. Sorli, owners, and the Portsmouth Gas Light Company, applicant**, for property located at **64 Market Street** wherein site plan approval is requested for the construction of a second and third floor rear addition above the first floor of the existing building with associated site improvements. Said property is shown on Assessor Plan 117 as Lot 35 and lies within Central Business B and Historic A districts.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

J. Corey Colwell of Millette, Sprague & Colwell addressed the Committee and spoke to the proposed expansion. He noted that three contiguous parcels are owned by the same owner; that the parcel in question is the middle parcel. He went on to state that there are no proposed site alterations; that the site is fully utilitied and the drainage would be as exists.

At this point in the proceedings, Mr. Colwell referred to a rendering and noted that the proposed 4" parapet wall would hide the mechanicals. He reiterated that there would be no site work; strictly building adding that 92% of the lot is impervious. There will be no change to the impervious area.

Mr. Cravens inquired as to the usage of the proposed expansion. Paul Sorli addressed the Committee and stated that there would be additional bathroom fixtures on the second floor with a sprinkler system to the second and third floors. He indicated that they had not done any water calculations with regards to the expansion. The second floor would be used for office space and the third floor would be a place of public assembly; such as, banquets and as a night club on weekends.

Mr. Sorli went on to explain that he could have no more than 499 people at any one time throughout the lot, including the deck and building (Board of Adjustment stipulation).

Concern was expressed by the Committee as to whether enough bathroom facilities were being provided for the expansion and the question was also asked as to whether the existing water

service would be big enough. Mr. Sorli explained that the infrastructure was originally designed to include the proposed expansion.

The Committee asked that the existing fire and domestic service be dimensioned and shown on the plan and that a note be added to the plan indicating that the services are adequate for the proposed structure.

The Chair expressed his concern that God forbid something might happen in the proposed expansion and suggested that the site plan should be adequate and actually show what is being proposed to allow for a meaningful review. It was felt that the elevator issue was a significant one due to the fact that it is located in the building at 78 Market Street and not in the building in question. Concern was also expressed about penetrations through the fire wall. The Chair felt he needed more details; perhaps some architectural plans. Additionally, the Chair asked that the site plan indicate the various Board of Adjustment approvals.

Mr. Allen spoke to the proposed uses pointing out that a kitchen might raise a grease trap issue. Parking calculations should be included on the plan. The Chair noted that the plan needed to "stand alone".

Mr. Sorli spoke to a 4" water main and an 800 amp service which is underground. There are three other old services which are still in use and which will disappear once the building is constructed.

Mr. Desfosses referred to the fact that the elevator is in another building and wondered what would happen if the building in question is ever sold. The question was asked if the lots could be combined with Mr. Sorli responding that the lots are financed by different banks.

The Chair inquired as to the date Mr. Sorli needed to complete his Site Review process. Mr. Sorli indicated that it was sometime in August.

Mr. Desfosses moved to table the application to the Committee's June 3rd meeting. The motion was seconded and passed unanimously. The tabling motion was made to allow for the submission of a more detailed site plan. The Public Hearing remains open.

Some of the concerns/stipulations of the Committee are as follows:

1. That a note be added to the site plan indicating that the existing fire and domestic service is adequate for the proposed addition;
2. That the fire and domestic lines be dimensioned and shown on the plan;
3. That a note be added to the site plan citing the approvals received from the Board of Adjustment;
4. That the parking calculations be included on the site plan;
5. That the applicant will work with Lucy Tillman of the Planning Department and John Burke, the City's Parking and Transportation Engineer regarding the wood storage and recyclables; and.
6. That a plan be submitted indicating how the elevator works.

The Chair indicated that information on fire wall criteria and fire doors would be helpful. Such information need not be on the plan.

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B. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 400 of the Pease Development Authority Site Review Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **Two International Group** for property located at **Manchester Square** wherein site plan approval is requested for the creation of a retail center including the construction of an 80' x 75' irregularly shaped two-story building with a 5,324 s.f. footprint and a 280' x 60' irregularly shaped two-story building with a 19,800 s.f. footprint with related paving, utilities, landscaping, drainage and associated site improvements. The proposal includes the demolition of the former gas station. Said property is shown on Assessor Plan 302 as Lots 4, 7, 8, 9 and 10 and lies within an Airport Business Commercial district.

The Chair read the notice into the record:

SPEAKING TO THE APPLICATION:

Brad Mesquita of Appledore Engineering addressed the Committee and stated that Dan Plummer of Two International Group and Maria Stowell of the Pease Development Authority were also present to answer any questions the Committee may have. He stated that the site is located at the intersection of Manchester Square and New Hampshire Avenue. He informed the Committee that a subdivision plan had been submitted to consolidate the lots in question. He explained that there is a wide expanse of pavement in front of the site in close proximity to the roadways. He pointed out that there is an out parcel in the corner. The proposal calls for the demolition of several buildings and the construction of two buildings with parking around the larger building. The main entrance will be relocated to line up with the drive across the street. The secondary entrance will accommodate a drive through at the end of the building and the third entrance off New Hampshire Avenue will be right in/right out.

Utilities will come in off Manchester Square and New Hampshire Avenue. Water, sewer, gas and electric will come in from these areas.

Plenty of parking is proposed for the development in accordance with Pease Development Authority (PDA) regulations.

The Board of Adjustment has recommended approval of several Variance requests to the Pease Development Authority Board of Directors.

Mr. Mesquita stated that a drainage study had been submitted. With the increased green space, there will be a decrease in some drainage; however the drainage to the rear will increase. Property located at One New Hampshire Avenue has a detention pond that will be expanded. Drainage will tie into that system. Mr. Desfosses inquired if any license was required with Mr. Mesquita explaining that such had been part of the discussions with the PDA.

The Chair asked if there was anyone else present to speak to, for or against the application for the for the first, second, third and final time. Seeing no speakers, the Chair declared the Public Hearing closed and awaited action on the part of the Committee.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Sturgis moved to approve with stipulations. Mr. Allen seconded the motion. It was suggested that the Traffic/Safety Committee take a look at the plan; that if Traffic/Safety has any problems with the plan, it could be sent back to the Technical Advisory Committee (TAC). It

was further suggested that a formula be worked out regarding the developer's contributions to any off-site traffic improvements.

In response to a question from Tom Cravens, Mr. Mesquita spoke to the water quality units that are inspected and cleaned out on an annual basis; that typically once a year is sufficient. Mr. Cravens indicated that he wasn't sure if the site is within the Wellhead Protection Area; that if it is certain notes need to be added to the plan. Mr. Cravens also asked that certain notes be added to the site plan regarding the water lines.

Mr. Desfosses indicated that he had a lot of problems with the layout and concurred that Traffic/Safety had to look at it. He noted that the aisle widths are 22' rather than the usual 24' and that the plan calls for 8' parking spaces that would not accommodate SUVs or pick-up trucks. He spoke to the multitude of traffic movements. He further indicated that the dumpster configuration may not work as drawn.

Mr. Allen concurred that there is some "tight stuff" in the layout. He noted that the grease trap for the proposed restaurant is located in a landscaped area and asked that it be relocated to a paved area.

Mr. Desfosses felt that the handicapped spaces needed to be balanced out where the "L" shaped building is proposed to be a multi-tenant use with eight to ten separate entrances.

Inquiry was made as to any street lighting. Mr. Mesquita indicated that the parking lot lighting would be recessed "box style" lighting. It was suggested that the PDA and the City work together to determine what the street lighting would be.

Fire Marshal Jones asked that there be off-site notification preferably a master box for both buildings.

Mr. Allen felt that there were enough things outstanding that the application should be tabled further noting that the sidewalks butt up against the street and they should be looked at and moved back.

The Chair asked Maria Stowell of the PDA if there would be any problems with a tabling motion to have some site issues worked out. Ms. Stowell replied that the Committee should do whatever it feels comfortable doing adding that the applicant is on a schedule.

Attorney Bernard Pelech interjected that with regard to concerns about circulation, it should be noted that the Variances are in place and the buildings are in place and hopefully any reconfiguration of the interior circulation would not result in the relocation of the buildings.

Mention was also made that the Town of Newington needs to review the plan. It was unclear whether a joint meeting with the Portsmouth Planning Board would be required.

It was decided that a Special Meeting of the Committee would be held on Tuesday, May 6, 2003, at 2:00 p.m. to review modifications to the site plan. Mr. Desfosses so moved. Mr. Sturgis seconded the motion that passed unanimously.

It was also understood that a meeting would be held at Public Works with John Burke, the City's Parking and Transportation Engineer, prior to the May 6, meeting to iron out any concerns.

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III. ADJOURNMENT was had at approximately 3:50 p.m.

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