

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

2:00 P.M.

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

FEBRUARY 3, 2004

MEMBERS PRESENT: David M. Holden, Planning Director, Chairman
John Burke, Parking and Transportation Engineer;
David Allen, Deputy Public Works Director;
David Young, Deputy Police Chief;
Steve Griswold, Captain, Fire Department;
Tom Cravens, Engineering Technician (Water);
Alanson Sturgis, Chairman of the Conservation Commission;
and, David Desfosses, Engineering Technician (Engineering)

ALSO PRESENT: Lucy E. Tillman, Planner 1

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

I. PUBLIC HEARINGS

A. The application of **Public Service Company of New Hampshire**, owner, for property located at **400 Gosling Road** wherein site plan approval is requested for the construction of the following: a) a wood fire boiler, b) an air emission control device and ductwork, c) a wood conveyor constructed over the existing coal conveyor extending from Lot 1 over the railroad parcel to Lot 2A, d) a 200'± x 300'± wood chip storage building including all wood chip handing equipment; and, e) relocate fireside wash recycle all with associated paving, utilities, landscaping, drainage and site improvements. Said property is shown on Assessor Plan 214 as Lots 1 & 2 and lies within a Waterfront Industrial district. **(This application was tabled from the January 8, 2004 TAC meeting.)**

The Chair read the notice into the record. A motion was made to take the application off the table. Said motion was seconded. The motion passed unanimously.

SPEAKING TO THE APPLICATION:

Attorney Robert Ciandella first handed out a “digest” to the TAC members. Mr. Ciandella indicated that they had a team present to address the Committee, including PSNH legal counsel, Stella Shively.

The digest starts with a summary of the legal framework including the New Hampshire Public Utilities Commission, the Energy Facility Site Evaluation Committee, State statutes and their intentions regarding Portsmouth Land Use Boards..

Michael Hitchko, Project Manager at Schiller Station, updated the Committee on their timeline. He indicated that they have a signed contract but no notice to proceed. That will not be issued until they get a favorable decision from the PUC and the City of Portsmouth. A wood yard contractor has not been selected so no design information is available. The air permit was

submitted January 30, 2004 and they anticipate receiving a temporary permit in June. They still need to apply for DES permits, stormwater site specific and wetland. They hope to apply for those next month and have them issued by May-June.

They are hoping for a July 1, 2004 construction start with substantial completion in March of 2006.

Building elevations for the wood storage area can not be provided at this time. A plan was discussed regarding the operation of the site, including schematics of the wood storage yard. (refer to drawing No. 351503-KS-100 in PSNH "Green Digest"). He also indicated that there were photos in the back of the digest, showing typical equipment that will be used in the operation.

Chairman Holden asked Mr. Hitchko to describe the building that holds the trucks and equipment however Mr. Hitchko indicated that it had not yet been designed.

Mr. Hitchko stated that they had performed a baseline noise study prepared by Cavanaugh Tocci Associates, Inc. All sound levels will not exceed the existing levels. A new study will be performed after the project is operational to make sure they do not exceed the noise levels.

Doug Bell, of Cavanaugh Tocci Associates, indicated that the City's Noise Ordinance is based on a 45 dBA limit. All of the sound that was measured was not just coming from the site but also included traffic and other sources so it was difficult to determine whether the plant was complying with the City's noise level. They did their study late at night and it showed levels between 43 – 47 dBD, which puts them in the ballpark. They believe the plant is currently in compliance with the City's noise ordinance. Mr. Bell indicated that they did not expect any increase in sound levels. He indicated that in order to met these requirements, some of the equipment, including the wood chipper, would be inside.

Mr. Hitchko indicated that they have not performed any baseline vibratory study. Schiller Station has been at that location for over 50 years and they have significant amounts of centrifugal equipment and they have never had any vibration issue nor have they had any complaints. Construction activity will produce the most vibration activity. Mr. Bell went on to confirm that they did not anticipate any off-site impact at all.

Mr. Hitchko discussed the traffic flow in and out of the site. He referred to a diagram showing the flow patterns (Drawing No. 0351503-2-125). The existing ash trucks will proceed down Gosling Road to the main gate of Schiller Station and then turn around and go back out Gosling Road. The coal trucks currently enter the site by the Animal Hospital, to the existing coal piles, continue up and around the site and leave through Gosling Road. The new wood trucks will enter, continue around the site and exit via Gosling Road. The new wood silos will be in the same vicinity as the coal silos.

Mr. Hitchko referred to the burning capabilities and indicated that their air permit application states "The fuel for the new wood-fired boiler will be primarily whole tree chips, but may also include untreated by-products or residue from forest projects manufacturing operations or from construction, stump grinding and ground pallets. The NWPP boiler will also have the capability to burn coal as a back up fuel in the event that PSNH's wood fuel becomes uneconomical or subject to a disruption in supply." He went on to say that this whole project is based on burning wood and in order to develop the new RECs they must continue to burn wood.

Mr. Hitchko continued by discussing the performance standards. He has previously addressed Section 505, Noise. He continued with Section 506, Fire and Explosion: They plan to work on the underground fire protection loop and will work with the fire department and insurance

underwriter. Section 507, Odor: Based on his experience with other wood fired plants, they do not expect unacceptable levels. Periodic measurements will be planned. Section 508, Gases: They will comply with all federal and state air regulations and standards. Section 509, Dust and Smoke: They will continue to operate in accordance with applicable federal and state law and regulations. Their current outdoor storage of coal complies with all compliance standards and the future storage of wood will be similar. Section 510, Heat and Glare: This has never been an issue and they have never received any complaints and they do not expect this project to cause any. Section 511, Exterior Lights: Their current lighting is not objectionable to any of their neighbors and they will provide detailed information once they reach the design stage. Section 512, Vibration: Previously addressed. Section 513, Radiation: they will not generate any dangerous radiation not conforming to standards allowed by the NH Division of Public Health Services, Bureau of Radiological Health. Section 514, Waste Disposal/Toxic Matter: Schiller Station currently generates a variety of waste streams and they follow an environmental management system. Construction of the proposed facility will not result in the generation of any new or different waste streams. Section 515, Water Service: They will comply with all federal, state and city regulations. Section 516, Outdoor Storage: Future storage of wood and coal will conform to their current standards. Wood chips are 50% moisture so problems with dust are not anticipated. Section 517, Electromagnetic Interference: There will be no electromagnetic interference with radio or television reception or other electronic forms of transmitting and receiving data.

William Haskell, of Gorrill-Palmer Consulting Engineers, spoke next and indicated he would be reviewing site related issue and performance standards. He first addressed some stormwater treatment issues. He felt there were a couple of different options. A 2-year storm for this area gets treated by the waste water treatment plant. Anything above and beyond a 2-year storm will actually flow over, down into a swale, along the railroad tracks and discharge into the river. That is similar to what would be required by NHDES. They found that the new impervious area would effect the overall capacity of the treatment plant so they are now looking at using the existing swale along the railroad tracks as a treatment swale. He would like to provide the flexibility for PSNH to either utilize that route to treat their stormwater or potentially to use the existing way, where they would direct it towards the waste water treatment plant. He felt it would be a very good idea to provide that flexibility.

Chairman Holden asked if they have all of the necessary approvals to use that as a swale, for example from Guilford?

Mr. Haskell indicated that the swale is actually on PSNH property. It does collect drainage from Guilford but most of the swale is actually on PSNH property.

Mr. Haskell indicated that they would be preparing a revised Stormwater Report but it was not ready at that time. The Waste Water Treatment Plants have a couple of different processes involved. Mr. Haskell continued on with the existing conditions dealing with drainage on Gosling and indicated that there was no anticipated stormwater impact to Gosling Road.

Mr. Haskell discussed utilities, existing and proposed, and presented a color plan. They will be providing some extensions of the fire protection line to the wood storage line but without the final design for that area, they don't have any design information on that. They will provide that at a future date. They have had discussions with Tom Cravens of the Public Works Departments regarding flow tests and anticipate doing that test when the weather gets warmer.

Mr. Haskell stated that the NHDES site specific permit will be ready to submit in the next couple of weeks and will forward a copy to the City. The work being done in the tidal buffer zones will be addressed in the NHDES permit.

Mr. Haskell indicated that they have had some conversations with Commerce Way and understand that they need to work with them. They are considering planting some spruce and hemlock trees to provide a more dense buffer. There are transmission lines that they are unable to plant trees near.

Mr. Haskell discussed federal and state permits that they will be applying for. He indicated that they are submitting a DES site specific application, an NHDES Wetlands Fill application, preparing a Stormwater Prevention Plan to satisfy the NHDES Construction Stormwater permit, and ultimately PSNH will be updating their general permit with DES.

Mr. Haskell indicated that PSNH will be happy to meet with the City Arborist relative to landscaping. An industrial site is somewhat unique as certain areas cannot be landscaped due to safety and maintenance issues. There are transmission lines that come across the site, parallel to Gosling Road. Areas around the site have existing grass, vegetation and shrubs.

Airport approach zones are addressed in their Air Permit Application. The new stack will be exactly the same height as the existing stacks.

Tom Gorrill, of Gorrill & Palmer, spoke regarding the traffic study for this project. They are developing a revised traffic study to incorporate the previous TAC comments. They have not yet completed that because they have a number of baseline issues that they need to resolve. He indicated the important issues are the growth rate, the seasonal adjustments and the additional development that needs to be considered. Mr. Gorrill indicated that they used the standard methodology utilized by the NHDOT. They used 2.0% growth rate. They then go in and add background traffic. In the end, they are looking at more than 2.0%. They felt that this was a reasonable rate.

Mr. Burke indicated that he wanted to see them using 2.5%. Other traffic impact studies in the area used up to 3%. The Rockingham Planning Commission gave 1.85% for all the roads in that region so it doesn't, on its own, give much of an indication of what should be used on Woodbury Avenue. The City has been consistent in using 2.0% - 3.0% and with the potential for development at Pease and other issues, he felt it was even conceivable that it could be 3.5%.

There was a discussion on background growth and how it should be studied. It was agreed that the City would provide copies of previous traffic studies for PSNH to review. It was agreed that a meeting would be arranged between Mr. Gorrill and Mr. Burke to continue discussions.

Mr. Gorrill indicated that in an effort to determine the developments that they have to add on to the background growth, they attempted to determine the status of all surrounding developments, including Pease, and provided a chart with that information. Chairman Holden suggested that they re-examine their information on Green Pages and Brora as he felt they have met their commitment towards traffic. Their traffic impact has already been factored in.

The seasonal adjustment was based on NHDOT's specific methodology for that. Mr. Burke felt that Portsmouth has a higher seasonal rate than the rest of New Hampshire. NHDOT agrees that they use a very general factor for a lot of roads. Mr. Burke indicated that the City would like to see some engineering data showing that it's more but that has not been completed yet.

Mr. Gorrill indicated that truck delivery routes will be contractual so that they can control which routes they use.

They did research regarding collision history in the area. For the past five years, they determined there were 96 accidents. It was felt that they did not have complete information. Chairman

Holden asked about the accidents on the Little Bay Bridge and whether those accidents were actually on the bridge or on the travel corridor? Mr. Gorrill was unsure.

Mr. Gorrill indicated that they recommended adding stripes to the intersection of Woodbury and Gosling Road. He indicated that PSNH would be submitting a traffic signal plan, however, that was not yet done as they hadn't completed their traffic study.

Information had been requested regarding the Shattuck/Industrial Road but had not yet been received. There were questions about the utilization of these roads and PSNH has not looked at that in detail yet. Their thoughts are that until the improvements are made on the Little Bay Bridge, they are not sure how effective it would be to utilize that route.

Laurel Brown, an Environmental Analyst from PSNH, gave an update on the Air Permit Application. It was filed with the NHDES on January 30, 2004. They anticipate that it will take 2-3 months for the NHDES to review the application and draft the permit. They are hopeful that they will receive their final permit by July 1st.

Ms. Brown addressed the concerns raised about mobile emissions. She had discussions with the Rockingham Planning Commission and understood that they would take the modeling that PSNH has done with the additional truck traffic and they will perform an off model analysis that will look at 130 trucks per day and the current truck pool. They will determine overall impact on the Portsmouth area.

Ms. Brown indicated that New Hampshire has full delegation of the Federal Air Permit program. The State issues the permit but the EPA is involved in the process, has an opportunity to comment during the public comment period, to see the final permit when issued and they also have the ability to file an objection if the State issues a permit that is contrary to State and Federal requirements.

Regarding water permitting, federal approval must be granted for the Stormwater Management permit. Regarding air quality, the Portsmouth area is classified as a "serious" ozone nonattainment area. They are in attainment for all other pollutants, other than ozone. Ms. Brown felt that the project would result in a significant emission decrease and will not impact potential industrial development.

Ms. Brown indicated that there are a number of air programs that this project could get credits for. The one that is the most recent is the NH multi pollutant program. This project will qualify as a repowering or retirement under that program. Therefore, it is not eligible to create Knox credits which could be credited to new development. PSNH, since 1995, has been in over-compliance with its Knox requirements and has built up a bank of compliance credits. Therefore, the bank of credits could be used by companies that need help with compliance and they are working to make those available to those companies.

Richard Gespins, Station Manager at the Schiller Station, talked about the status of their meeting with the State to discuss possible future rail possibilities. A meeting has been scheduled on February 20th to discuss any future opportunities for additional expansion. Chairman Holden asked if they would also be inviting the Town of Newington to that meeting.

Mr. Gespins indicated that the rail possibilities for this project are cost prohibitive.

Mr. Gespins indicated that they are looking forward to meeting with the BOA at their March 16th meeting and hopefully make a presentation to the Planning Board on March 18th at their regularly scheduled meeting. He indicated that PSNH is very excited about this project and it has tremendous benefit for the environment and the economy.

Attorney Ciandella indicated that that concluded their presentation.

Chairman Holden called for public speakers.

Attorney Malcolm McNeill, representing Commerce Center, addressed the Committee. He started by showing an aerial photograph of the site which he thought would help the Committee understand the intense interest on the part of Commerce Center. He pointed out that most of the undeveloped property owned by Commerce Way, which abuts PSNH, currently has BOA approval for a 100-room hotel as well as considerable undeveloped land potential, for which traffic study and infrastructure considerations have already been given. He reminded the Committee that, although PSNH was the City's largest taxpayer, Commerce Center was the City's second largest taxpayer. Attorney McNeill indicated that Commerce Center needs to know what they will see, hear and smell and determine how their tenants would be effected. They want to know exactly what the buildings will look like. The new building, which they know nothing about at the present, will abut their office buildings. This is of significant concern to them. He also addressed the truck routing which was discussed that afternoon. He referred to the booklet that was provided today that showed "probable" pictures of the wood chipper, a "hog" and equipment they will be using. It is his understanding that they will be grinding between 2.4 million – 7.3 million c.f. of woodchips a year.

Attorney McNeill asked what they were even doing there? There was no PUC approval yet and he felt that should come first. He felt it was inappropriate for Attorney Ciandella to bring up RSA 674:30 which suggests that they could avoid this process completely if they wished. Attorney McNeill realizes that is not their intent but he feels it shouldn't even have been raised. He was pleased to hear that they will defer to the BOA hearing, which will be the discretionary permit in this case. If those requests are not granted, there will not even be any site review process. He would like to know what the traffic study will show. He felt that should be resolved prior to this point in the process and is of great importance. In terms of the issues before them, a boiler will be changed and some credits are being derived which is allegedly in the best interest of the residents of NH. But, those are not the land issues. What is going to be the effect of this truck traffic to not only Commerce Center but to other residents. Even broader, where is the effect on the Fox Run Mall and the bridges. What viable alternatives exist? Does the boiler have to be in Portsmouth? Could it be somewhere else in the PSNH network? Has the noise issue been completely studied? They don't know what the building will look like, whether it will be insulated, how tall it will be, can they see it, will it effect the value of their Class A office building? He felt that the traffic was clearly a work in process. This is a very busy area with a lot of traffic. What is the effect of 140 truck trips? He felt that the options by PSNH relative to their rail study were not fully explored. They are dealing with a major public utility which has had a major impact in this region. They do not believe the adequacies of the roadways have been fully explored.

Attorney McNeill felt there were too many questions of importance that needed to be resolved. Beyond that, they need to know exactly what is going to be in their back yard. He felt that PUC approval and BOA approval are required prior to starting this phase.

Attorney McNeill was pleased to see that Attorney Donovan's office had been in contact with them and also that PSNH is making a good faith effort to be responsive to concerns that are being addressed. He requested that PSNH provide their materials prior to the meeting so that he would have a chance to review them prior to the meeting and would suggest that they use the "5 Day Rule".

Attorney Ralph Woodman, representing the interests of the Newington Mall, indicated that he has concerns about traffic, traffic volume, traffic flow and how that will effect the customers of the mall. He has questions that he intends to address with Attorney Ciandalla.

The Chair inquired if there was anyone else wishing to speak to, for or against the application. Seeing no one rise, the Chair declared that the Public Hearing would remain open but they would close these proceedings.

DISCUSSION AND DECISION OF THE COMMITTEE:

Chairman Holden indicated that this application remains tabled until they have an action from the PUC. Speaking as the Chair, he felt that Attorney McNeill has addressed many concerns of the members of this Committee, in that they still need additional information. PSNH has come a long way in provide additional material however building elevations, site characteristics and other materials are still needed, not the least of which would be drainage. Chairman Holden asked to have this matter tabled until the next regularly scheduled meeting scheduled for March 2, 2004. Chairman Holden asked each member of the group indicate what information they need for clarification so that they can continue this process.

Mr. Desfosses made a motion to table, Mr. Cravens seconded.

Mr. Desfosses needed technical information on drainage and site review. He does not have any information on that. He wants to know where the buildings are, how big they are, and a final drainage study.

Chairman Holden indicated that they could request an independent assessment of drainage be done at the cost of PSNH.

Mr. Desfosses indicated that he did not feel this was necessary at this time.

Mr. Cravens indicated that he was still waiting for information on the water system that they want to put in and what is existing. Also, what the fire department needs for fire protection. He needs hydraulic calculations, specific sizing and fire hydrant locations.

Mr. Allen followed up with Mr. Desfosses and Mr. Cravens and also they were committed to the treatment information that they requested so he assumed he would get that before the next meeting.

Captain Griswold needed specifics relating to the fire protection, hydraulics and flow.

Mr. Burke needed a traffic study and felt they needed a meeting with the traffic engineer. The large issue is for that alternative evaluation between Gosling and Shattuck Way. He is looking for shoulder width, residential uses, pavement design and lane width.

Mr. Sturgis is looking for drainage and water treatment information.

Chairman Holden is concerned with the noise study and recommends that they have an independent verification of the noise. He was also not familiar enough with the rail so he asked that the rail study also be reviewed independently so that they can get an assessment on that.

Chairman Holden indicated that they have a timing issue as it was a Regional Impact issue and also coming under the City's guidelines. There is a 14 day notice requirement for the Regional Impact and a 5 day notice requirement for the city that they are trying to watch. They have been

tabling this after due public comment and notice. He was also becoming concerned about the BOA not having the information beforehand. He felt they should look at this issue and see how they can coordinate the land use Boards so that it is the most effective use of their time. The City is willing to schedule Special Meetings.

The motion to table to a time certain (meeting of March 2, 2004) passed unanimously.

.....
B. The application of **THE RLD REVOCABLE TRUST & THE AMD REVOCABLE TRUST** for property located at **3201 Lafayette Road** wherein site plan approval is requested for the construction of a 2,926 ± s.f. two-story office building, after removal of the existing office building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 291 as Lot 7 and lies within a General Business and Garden Apartment/Mobile Home districts.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Dennis Moulton, P.E., of Millette, Sprague & Colwell, addressed the Board, on behalf of the applicants. They were proposing the replacement of a 1,200 s.f. trailer with a two-story 2,926 s.f. office building. The building meets the road setback, provides adequate parking spaces (15 plus 1 handicapped), a loading zone will be provided, the dumpster will be enclosed, there will be a motorcycle parking area and landscaping around the building as well as the street frontage. There will be underground utilities and the owner has indicated that they are connected to city water and sewer and it is their intent that they will be connected to these utilities. They are not proposing any additional stormwater treatment for the site. Currently the rear of the site is flat grass which is actually part of the 100' wetland buffer zone and provides adequate treatment at this point. Small additional run-off will flow off the same grassy area and will have no impact to the buffer. They will construct a silt fence during construction.

The Chair inquired if there was anyone else wishing to speak to, for or against the application. Seeing no one rise, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen moved to approve with stipulations. Mr. Sturgis seconded the motion.

Mr. Allen indicated that with alittle time and effort, the sewer issues could be better addressed prior to this application going to the Planning Board. He suggested popping a manhole and going from there. The only other issue that Mr. Allen had was the whole driveway. It was very large and he would like to see that improved.

Chairman Holden indicated the he would like to see the driveways narrowed.

Mr. Desfosses stated that they were 80' driveways for a 20' roadway.

Mr. Burke felt that this matter should go to Traffic and Safety for review.

Mr. Desfosses felt that there was a large amount of pavement internally and he wasn't sure if that was really needed. He would like to look at the internal workings on how traffic turns around at this site. He also felt that they should look at lighting and how the entrances are lit. Also, on the left side of the parking area, there was a little swale which he would like to see paved so that it could be plowed off.

A motion to table was made and seconded and approved unanimously with the following stipulations:

- 1) There are sewer and water issues that need to be defined prior to the next TAC meeting;
- 2) Proposed water line connection likely requires correcting;
- 3) The existing driveway cut is too large and should either be reduced and/or eliminate some curbcuts;
- 4) That this application will be referred to the Traffic and Safety Committee at their next regularly scheduled meeting for recommendations;
- 5) The internal paved area should be reduced to enhance stormwater treatment;
- 6) A proposed lighting plan needs to be submitted;
- 7) That a swale be paved into the left side of the parking lot so that it could be plowed and kept functioning.

.....

III. ADJOURNMENT was had at approximately 4:45 p.m.

.....

These minutes were taken and transcribed by Jane M. Shouse, Administrative Assistant in the Planning Department.