

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

**2:00 P.M.**

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

**JULY 5, 2005**

**MEMBERS PRESENT:** David Holden, Director, Planning Department, Chairman; David Allen, Deputy Public Works Director; Peter Britz, Environmental Planner; David Desfosses, Engineering Technician; Tom Cravens, Engineering Technician, Steve Parkinson, Director of Public Works; Steve Griswold, Deputy Fire Chief and David Young, Deputy Police Chief.

**ALSO PRESENT:** Lucy Tillman, Planner

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**I. PUBLIC HEARINGS**

1. The application of **Robert Bossie Revocable Trust, Robert Bossie, Trustee, Owner**, for property located at **625 Islington Street**, wherein site plan approval is requested to convert an existing building to 6 apartments and 3,200 ± s.f. of retail space with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 164 as Lot 6 and lies within a General Business B district. (This application was tabled at the May 31, 2005 TAC meeting.)

The Chair read the notice into the record.

Mr. Allen made a motion to take the application off of the table. Mr. Desfosses seconded. The motion passed unanimously.

**SPEAKING TO THE APPLICATION:**

Mr. Holden recommended tabling to a time indefinite.

**DISCUSSION AND DECISION OF THE COMMITTEE:**

Mr. Allen made a motion to table to a time indefinite. Mr. Cravens seconded.

The motion passes unanimously.  
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2. The application of **Deer Street Associates, Owner, and Centrix Bank & Trust, Applicant**, for property located at **165 Deer Street**, wherein site plan approval is requested for the addition of a covered entrance and porte-cochere with a teller window, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 125 as Lots 17 & 18 and lies within a Central Business B District, the Downtown Overlay District and Historic District A.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

John Chagnon of Ambit Engineering, representing the applicant, and Julia McDonald, from Destefano Architects, were present. Mr. Chagnon explained the proposal was to place a covered entrance on the front side of the existing building. It previously was a coffee shop and the proposed use is to remodel into a branch bank. There will also be a porte cochere and a teller window that will be relocated slightly back from the street. The plan shows some other features that they worked with the City on as they were planning repaving in front. There are changes to the parking by angling the parking spaces to the rear, removing some spaces behind 165 Deer and providing some signage and striping. Landscape improvements are proposed in the front with a new walkway and totally new landscaping.

There are two things that they need to work on, that aren't on the plan. They need to determine the parking calculations. The site was rezoned to Central Business B so there is no parking requirement but they must establish the parking threshold for the proposed use.

Also, there are some minor changes to the plant material as shown on the plan.

Julie McDonald, of DeStefano Architects, indicated the project was fairly limited from an architectural standpoint. They are adding a front covered entrance, which will be more formal and a side porte cochere will be added. On the back they are screening the existing stairwell. The existing drive up window is being changed. On the rear there is an existing fabric awning which they are replacing with wood.

Mr. Holden asked if they have a Certificate of Appropriateness from the HDC

Ms. McDonald confirmed that they did and it covered all of the changes.

Lucy Gobin from Centrix Bank indicated that she was also present if anyone had any questions.

The Chair asked if there was anyone else present to speak to, for or against the application. There being none, the Chair declared the Public Hearing closed.

**DISCUSSION AND DECISION OF THE COMMITTEE:**

Deputy Fire Chief Griswold asked if the upstairs will remain occupied by a yoga studio?

Mr. Chagnon indicated that the yoga studio will remain on the second floor.

Deputy Fire Chief Griswold was unsure what the requirement would be for fire protection but he always recommends the installation a sprinkler system whenever anyone does renovation, even if the building doesn't require it.

Mr. Allen asked about the parking to the left of the building and specifically what the distance was between those spaces and what the space sizes were? He thought it looked tight.

Mr. Chagnon was not sure. They were shown previously when they did the plan for Green Mountain Coffee. He measured them and he indicated it looked like 7.5' -9' with a 20' aisle.

Mr. Allen indicated that they would have to conform to the current 24' travel aisle standard.

Mr. Chagnon felt that it would be hard to redo the aisle standard. There was an island on the end which would block the traffic flow if the aisle was 24'.

Mr. Allen has parked there before and he felt it was difficult to maneuver as it doesn't conform to current regulations.

Ms. Tillman believed that the parking space width is the same but the aisle width changed in 1995.

Mr. Holden made the point that they are coming in today so they have to conform to today's requirements. They are trying to get them to look at the parking and bring it up to today's requirements and it is even more important as they do the parking calculations. If this was a straightforward change of use with no site changes, they could have stayed as is. Mr. Holden assumed that was why they are changing the parking pattern on Lot 18.

Mr. Chagnon stated that those changes were brought up earlier to this application as the landlord asked them to work with the City when this was a change of use with no exterior additions. They were trying to improve traffic flow for safety. Now that they are doing some minor exterior additions, they are not creating new interior space, but it seemed that they are being asked to rearrange the whole site.

Mr. Holden asked who they had chatted with about changing the site?

Mr. Chagnon indicated that, prior to filing the initial application, they met with John Burke.

Mr. Holden stated that the approved site plan has a different traffic circulation. They concluded that that plan didn't work and they asked to have it revised. He believed at that point they met with John Burke and since they are going to have traffic coming in from Maplewood Avenue, and at some point he thought it may have even been two-way, it made sense to make that diagonal parking. If they are going to create diagonal parking, it has to meet the requirements of the ordinance. It was his further recollection that they would need some form of legal mechanism to allow vehicles to traverse a property in common ownership to another property. He doesn't believe they have crossed that bridge yet.

Mr. Chagnon confirmed that they were asked to create some cross access easements.

Mr. Holden wasn't sure if the bank was willing to take on the liability for the public sidewalk in front. The lot line on Lot 17, in the vicinity of the bank, moves towards Deer Street. If there is a sidewalk across that, the liability lies with the bank.

Mr. Chagnon felt they could do one of two things. They could remove the sidewalk which would allow them to make the parking conforming or they could leave the sidewalk and get an easement.

Mr. Desfosses felt the issue is the sidewalk in front of the bank and the package store and whether the bank wants to get a sidewalk easement to the City or accept liability in case something happens.

Mr. Chagnon thought the sidewalk could be private.

Mr. Holden suggested that he check with applicant to see if they would accept the liability.

Mr. Chagnon consulted with the applicant and indicated that they would be willing to grant an easement for the section in front of 165 and possibly for the other section.

Mr. Desfosses indicated that there is a water main in that section as well so they will need an easement for that also.

Mr. Holden asked if this was very time sensitive?

Ms. Gobin, of Centrix, stated it was very time sensitive.

Mr. Holden suggested that they make a motion to approve with stipulations, then a motion to table, and have them meet in one week, on July 12<sup>th</sup> at 2:00 pm.

Mr. Desfosses made a motion to approve, with stipulations. Mr. Britz seconded.

Stipulations:

- 1) That a revised parking layout on the left side of the current Gary’s Beverage be provided;
- 2) That the applicant work with the City to add some landscaping along the sidewalk;
- 3) That the parking calculation be added to the Site Plans (when in Central Business, only conforming spaces can be counted);
- 4) That the plan should reflect that the sidewalk construction is completed;
- 5) That an easement for the City waterline be prepared for review and approval by the City Attorney;

Holly Malloy, of Deer Street Associates, indicated that their attorney sent a letter to the City Attorney in April or May, where he discussed the easement dilemma. Their attorney proposed a method whereby they would grant an easement to the tenant and record it as a public document. If it ever transferred ownership, the easement would appear. However, they are willing to do whatever makes the City happy.

- 6) That the applicant and the City Attorney continue to finalize the cross easements showing travel access between the two parcels;
- 7) That the parking spaces and travel aisles must conform to current zoning requirements and should all be uniform;
- 8) That Lot 18 does not have any egress and that issue must be resolved;
- 9) That the row of parking spaces to the rear should be moved closer to the property line to create a wider travel aisle;
- 10) That the area next to the plumbing store should be landscaped, “No Parking” signs should be added and the plans should reflect that this is a snow storage area;

Mr. Desfosses made a motion to table to next Tuesday, July 12th. Deputy Fire Chief Griswold seconded.

The motion passed unanimously.

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3. The application of **Saco Avenue Professional Building, Inc., Owner**, for property located at **125 Brewery Lane**, wherein site plan approval is requested to construct a 4-story, 64’ x 240’, 15,500 ± s.f., 48-unit residential building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 154 as Lot 2 and lies within a Business district. (This application was tabled at the May 31, 2005 TAC meeting.)

The Chair read the notice into the record.

Deputy Fire Chief Griswold made a motion to take the application off of the table. Deputy Police Chief Young seconded. The motion passed unanimously.

**SPEAKING TO THE APPLICATION:**

John Chagnon, of Ambit Engineering, addressed the Committee.

Mr. Holden asked for the primary changes from the last set of plans.

Mr. Chagnon indicated there were no changes to Sheet C-1. Sheet C-2 added more pipe information, showing more inverts. Hopefully they have everything on the plans now. There were no changes to Sheet C-3. On Sheet C-4 they added a note regarding the sidewalk on Brewery Lane at the request of Mr. Desfosses. It states that the sidewalk will be removed and constructed in conformance with City specifications. They added plantings along building C. Previously there was no landscaping. They removed the proposed pond. There will still be a gazebo but it will be surrounded by lawn. They added stop bars and signs as requested. They looked at the site distance at Jewell Court and feel there was adequate site distance to the west. They added a note about curbing that reads "Curbing along Brewery Lane, Plaza 800 and Chevrolet Avenue shall be vertical granite. On site curbing shall be sloped granite except along concrete walkways which shall be cast in place with walkway. Slope/vertical transitions shall be smooth".

On Sheet C-5 they added a domestic water service which will come from the public right of way and there will be a shut off in the street. They added electric and telephone which will be extended internally from the existing transformers and cabinets located behind building C. They put the proposed drainage and sewer on the drawing. As far as the final design with rims and inverts of the new sewer and stormwater systems that will go to the manhole, around the site to connect to the existing box sewer on Brewery Lane. They also added the proposed Sewer and Stormwater Agreement to the corner of the page.

On Sheet C-6 they densified the closed drains and added catch basin on Brewery Lane. New sidewalks and parking spaces were added on Brewery Lane.

On Sheet C-7 there were no changes. The detail sheets were rearranged so they could add Sheet D-3 where they added the sewer and storm tables showing inverts and pipe lengths.

Sheet D-2 shows the landscape changes.

Mr. Chagnon went on to say that they have responded to the wire view letter and have not heard anything back so it is their understanding that their response was appropriate.

Mr. Parkinson felt there were still issues with water and sewer.

Mr. Allen spoke relative to the sewer issues. He asked if the system they have will allow them to eliminate all of the existing sewer and drainage at the site?

Mr. Chagnon indicated that the system that they are proposing allows them to construct a sewer that connects to the Thaxter neighborhood sewer that would still come down until it was re-routed.

Mr. Allen felt they were pretty clear in the meetings that they have had that this proposal has to be able to address that in some form. As proposed, it doesn't do that. There were two options. One was to pick up the existing sewers and drainage and run it straight out towards Jewell Court and have that be the public sewer or to come up other side of the property and have that public sewer as Underwood had originally designed. This design doesn't allow that. They would essentially have the area that they are building over and he assumed the future extension of the public sewer that runs through your hard would have to disturb their site to tie into this section of old line.

Mr. Chagnon felt that they were proposing to construct their fair share of that system and give the City an easement so they can finish the tie-in to the sewer that drains to Thaxter Rd. They would work out something whereby they don't do the landscaping until the City brings the pipe out. They are showing their share of the project and they are willing to give the City an easement. They are trying to work with the City.

Mr. Allen indicated that the plan has to show the entire design and connection. Whatever the proposal is, it needs to be shown on the plans.

Mr. Chagnon felt that would Underwood's job to design on behalf of the City. They are utilizing the design that Underwood made and used the same pipe sizes and slopes. The final design would be done on behalf of the City by an engineer.

Mr. Allen stated that there are things in the agreement that don't work and need to be clarified, i.e., the State Revolving Loan Fund Assistance. There is no guarantee on those funds. This is in their long-range plan but they don't have funding at this time. If this site is to be developed, the infrastructure work that this site is going to cover needs to be addressed. In general, Mr. Allen felt this design was awkward at best. The whole drainage system comes through and drops into a manhole, heads out 280 degrees in the other direction to an existing drain line. He asked if Mr. Chagnon could explain why it is laid out as it is? He wanted to know about their site drains.

Mr. Chagnon indicated that their site drainage is connecting into the separation system.

Mr. Desfosses asked why parallel lines and what is the mystery drain line?

Mr. Allen agreed that the proposed drainage in the parking lot seem to have a mystery drain line.

Mr. Chagnon indicated that was an existing drain that comes in. He was not sure what it is. It comes into the catch basin structure.

Mr. Desfosses felt they would have to dye test it first to find out where that line goes.

Mr. Chagnon indicated some dye testing was done. They could revise the drainage to go in a better pattern.

Mr. Desfosses understood that they were following Underwood design but he asked if they ever looked at running drainage down straight through the site.

Mr. Chagnon asked how they would then pick up Plaza 800? The storm drainage comes together and flows across the site.

Mr. Desfosses asked about the drain line shown in the parking lot, labeled at "B". He asked if this was combined?

Mr. Chagnon indicated that was on Plaza 800 property.

Mr. Desfosses asked if there were sewer plans for Plaza 800?

Mr. Chagnon indicated he never really looked for them. He doesn't know if there are any.

Mr. Desfosses asked if it would be appropriate to have a scoping meeting to work out all of the drainage and sewer issues?

Mr. Holden felt they had been tied up with this same issue for two to three months and they were not getting any further with this issue.

Mr. Allen indicate there were two routes and both have been laid out.

Mr. Chagnon confirmed the two routes were one going across the middle of the lot and the other on the edge. Across the middle would mean they would have to deal with Plaza 800 at a later date.

Mr. Allen stated that the applicant would have to deal with it as the easement language deals with that. They have the right to run the drainage across the property and it is the developer's responsibility to take care of that. Mr. Allen further indicated that he didn't have a problem with the option they are proposing but it has to be extended and part of the site plan.

Mr. Chagnon indicated that the Agreement says that they are not going to do the design unless the city applies for the SRA funding on the developers behalf. If that is the case, the design must be done by Underwood engineers. They shouldn't have to do the design and then have them re-do it. How do they get to a point where they know what they will do and what the City will do?

Mr. Allen felt they needed to get together to set up the framework. It would require an understanding on the developers part that that funding and the City's ability to get that funding may not be in the same time frame as the developer. At the very least, when the developer puts the site in he needs to leave the infrastructure in the appropriate place for the City to tie into when funding allows them to do that.

Mr. Desfosses felt it was rather presumptuous to put "Agreement" on plans. It should state "Proposal".

Mr. Holden stated in the applicant's defense they are trying to help move things forward.

Mr. Holden proposed that the appropriate City staff, City legal and the applicant meet next Tuesday following the special TAC meeting at 3:00 in the City Legal Department.

Dirk Grohenhuis, traffic engineer from Kimball Chase addressed the Committee. They have been through some revisions. Since the last meeting they met with the Traffic & Safety Committee who paralleled TAC's concerns, they met on the site to address cross walk issues, as well as some discussions on traffic generations and potential mitigation. They received comments from the City's

consultant, Maguire Group, which they responded to and have had requests for additional information. They have come to an agreement on some of the unresolved issues. They are recommending mitigation for some off site impacts at either the Bartlett-Islington Street intersection or somewhere else. They have put an amount of \$15,000 on traffic impact.

Mr. Holden brought up the issue of the five parking spaces. Given the comments of Traffic & Safety and given the comments when they were on site, those are going to continue to be an issue. They raise site safety issues and are problematic with the overall plan. He wants to see those addressed in some fashion.

Mr. Parkinson felt there were still issues. He felt \$15,000 is low but will defer that issue for further discussion.

Mr. Allen indicated they are feeding 48 units with a 2” copper and they will need something from their mechanical to show that is adequate for that site for domestic.

Mr. Cravens added that their concern was with the length of the run. They have a 270’ run and they want to make sure it is adequate as if there are problems later on, they will be calling the City rather than the developers.

Mr. Desfosses would like to see the language changed on plans to “Proposed” sewer construction agreement.

Mr. Allen made a motion to table this matter to the August 2<sup>nd</sup> meeting. Mr. Desfosses seconded.

The motion passed unanimously.

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**II. ADJOURNMENT** was had at approximately 3:15 p.m.

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