

MINUTES OF MEETING
SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

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

JANUARY 31, 2006

MEMBERS PRESENT: David Holden, Director, Planning Department, Chairman; David Allen, Deputy Public Works Director; Peter Britz, Environmental Planner; David Desfosses, Engineering Technician; Debbie Finnigan, Traffic Engineer; Steve Griswold, Deputy Fire Chief; and Len DiSesa, Deputy Police Chief.

ALSO PRESENT: Lucy Tillman, Chief Planner

.....
I. PUBLIC HEARINGS

1. The application of **The Hill Unit Owners Association, by Paul Demars, President**, for property located **off Deer Street**, commonly known as "The Hill", wherein site plan approval is requested to add 13± new parking spaces, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 118 as Lot 26 and lies within a Central Business B, Historic A and Downtown Overlay Districts. (This application was tabled from the January 3, 2006 Technical Advisory Committee Meeting)

The Chair read the notice into the record.

Deputy Fire Chief Griswold made a motion to take the application off of the table. Mr. Desfosses seconded the motion.

Mr. Defosses made a motion to table this matter until the next regularly scheduled TAC meeting on February 28, 2006 and the next Planning Board meeting scheduled on March 16, 2006. Deputy Fire Chief Griswold seconded the motion. All abutters will be re-notified for the next hearing.

The motion to table passed unanimously.

.....
2. The application of **K & S Energy, Inc., Owner**, for property located at **1400 Lafayette Road**, wherein site plan approval is requested to construct a one-story 9' 8" x 43' 8" building addition, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 252 as Lot 7 and lies within a General Business district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, appeared on behalf of the applicant, K&S Energy. Mr. Haddad, the owner, was not present, however Attorney Pelech was present. On August 30, 2005 this matter was tabled to a time uncertain so that they could look at the configuration of the parking spaces. They met with Planning staff on November 29th and presented a new parking layout and the also made the building smaller which reduced the parking requirement. They reconfigured parking space #5 so that it

is now parallel to Peverly Hill Road, allowing for better maneuvering room. This change required new BOA approval and on December 20th they received that approval from the BOA with one condition being that the plan comply with the ADA, which the plan does. They are now back seeking approval of the new plan. Everything else was the same as the last plan, as far as the utilities and other aspects. Mr. Chagnon asked if there were any questions.

Mr. Holden asked if this was a totally new structure?

Mr. Chagnon clarified that it was an addition to an existing structure.

Mr. Holden asked Mr. Chagnon to describe the new structure.

Mr. Chagnon stated that the existing structure is parallel to Lafayette Road and the new addition will be added to the rear of that existing structure.

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:

Deputy Fire Chief Griswold made a motion to approve with stipulations. Mr. Desfosses seconded the motion. Mr. Desfosses indicated that everywhere in the City they are trying to get sidewalk easements and sidewalks where possible. He felt a sidewalk in front of this business on Lafayette Road is premature at this time but he would request a sidewalk easement in the area that overlaps the 8 ½' wide snow storage and traffic sign easement to DOT. Sometime in the future, DOT and the City of Portsmouth would then be able to build a sidewalk on that side.

Mr. Holden asked if the easement would extend along the easterly side?

Mr. Desfosses clarified that it would extend along the westerly side of Lafayette Road and the easterly side of the property, in an area where there is already an easement. Mr. Desfosses indicated that the sidewalk easement should be 5' wide.

Attorney Pelech asked, for clarification, if the sidewalk easement would be right on top of the 8 ½' snow storage easement?

Mr. Desfosses confirmed that was correct but it would only be 5' wide.

Mr. Holden assumed it connects to the existing easement?

Ms. Tillman clarified by asking if it needs to go all the way down to the corner of Peverly Hill and Lafayette?

Mr. Desfosses confirmed that it did need to extend that far.

Mr. Holden asked what the status of their septic approval was?

Mr. Chagnon confirmed their septic approval was CA 2005 074529 and this was shown on the plan on Sheet 3.

Mr. Holden assumed that the landscaping would be minimal but that it should be subject to review by the Planning Department.

The motion to approve passed unanimously with the following stipulations:

- 1) That a 5' wide sidewalk easement on the easterly side of the property, in an area where there is already an 8 1/2' NHDOT easement, shall be prepared by the applicant for review and approval by the City Attorney and the Planning Department;
- 2) That the Landscape Plan shall be subject to review and approval by the Planning Department.

.....

3. The application of **Nash Family Investment Properties, Owner, and Smuttynose Brewing Company, Applicant**, for property located at **225 Heritage Avenue**, wherein site plan approval is requested to construct a one-story 16'4" x 43'8" building addition, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 284 as Lot 1 and lies within an Industrial district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, appeared on behalf of the applicant, Smuttynose Brewing Company. Also present were David Yarrington of Smuttynose Brewing and a representative from DiStefano & Associates, the Project Manager. They are proposing a small addition to the existing building, on the south side. They propose to enclose some processing tanks that will be added to the brewing process. Also, interior walls will be relocated. The brewery will take over a large section of the building and they will reorganize the brewing process and subleasing some of the space. They will also clean up some things being stored outside. They are defining parking spaces and putting the dumpster in an enclosure.

Mr. Chagnon reviewed the Site Plans. Sheet C-1 was the Existing Conditions Plan. Sheet C-2 was the Site Plan showing the proposed plan. It also shows a concrete pad and silo, next to an existing pad and silo that requires a Special Exception before the BOA. They were unaware of that so they will be removing the 2nd silo from their application. They show parking striping, a new sidewalk and access through a new door and a new 6' fence around the front area.

Sheet C-3 was the building elevations.

Mr. Chagnon indicated they were aware of some issues regarding the plan set which he addressed. They will be adding a swale relocation to the legend. There is an existing chiller to the west of the building and they plan to determine whether that has an impact on noise at the property line. A permit was obtained but they will take some sound readings and report back. Will add a note that they will be enclosing the dumpster. The revised parking count does not include the 500 s.f. for warehouse space which will create a higher parking count. They will delineate the loading areas. They have a revision to the circulation to the site as it was two-way at both entrances when originally designed but the current standards are much higher so they are proposing a one way flow. They plan to cut back the island and they would like the Board to request that in a stipulation as it is in the City right-of-way. They will also delineate the on-site drainage to the off-site collection drainage system.

Mr. Chagnon indicated that there may be a BOA issue in creating the parking spaces on the west side due to the abutting residential property. They will file a BOA application tomorrow to meet the BOA filing deadline.

Ms. Finnigan noticed there is parking on the southerly side and she asked how it would be enforced in the future?

Mr. Chagnon indicated that the employees would be instructed to park in the striped spaces in the back.

Mr. Holden called for any speakers. Seeing no one rise he recommended that this matter be left open on the assumption that this matter will be tabled.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen was concerned about the drainage and he felt it was important that Mr. Chagnon show exactly what they will be doing out there. He visited the site earlier in the day and there is puddling that is actually extending out into the right of way and the swale area is not draining. He wants to see a detail on how they are proposing to deal with that drainage.

Mr. Chagnon wasn't sure if the first drain wasn't installed or if it's clogged, however, he will look into it.

Mr. Allen also noticed that the southerly corner of the property is currently a trash dump. He asked if they have designed an appropriately sized dumpster enclosure to prevent that in the future?

Mr. Chagnon indicated all of the materials would be removed and incorporated within the expanding warehouse.

Mr. Allen asked for a note to that effect on the revised plan. Lastly, Mr. Allen asked if the site has been re-paved at all. With the snow and slush conditions it was difficult to tell but he would be surprised if some of the back of the building is even paved. He asked what the intent was?

Mr. Chagnon stated that it is paved however there is a paved area by the loading zone that broke up. It wasn't the original design and there isn't a lot of elevation change between the back of the building and the outlet point of the swale. He felt there was probably a pipe that was not functioning, and solving that will help the water that is accumulating and making pavement crack and break up. He felt it would be appropriate to fix that problem and repave it.

Mr. Allen stated that his concern was that he didn't see employees wanting to park there right now because they would have to walk through a mud field to get to work. Without doing some sort of work in there, it still won't be used and they will still park along the side of the building. That will have to be addressed.

Mr. Chagnon recognized the concern however he did not believe the entire back end was in bad condition but he will address the bad section.

Mr. Holden asked if the Existing Conditions Plan should reflect those conditions?

Mr. Allen stated that the contours do show it dropping off and it just doesn't show the broken up pavement. They could put some sort of pavement work on the plans.

Mr. Chagnon stated that they started this job in January so it has been difficult to identify areas of concern in the parking lot.

Mr. Holden felt this reinforces why this has to go to the BOA for the parking in the rear. He was also concerned that if they have existing violations on the property this cannot go forward either for Site Review or the BOA. Therefore, he assumes the BOA application will indicate the removal of the trailer box storage and the removal of the outside storage as part of the application. Otherwise, he didn't understand how they could hear the application. Also, Smuttynose is not the owner of the property.

Mr. Chagnon confirmed that the Nash Family Investment Properties are the owner.

Mr. Holden stated this originally came through for Site Review in the early 1980's. Over time, for whatever reasons, the existing conditions no longer match the approved site plan. He asked if this should go before Traffic & Safety for comment on the Heritage Avenue island?

Mr. Finnigan felt that would be appropriate.

Mr. Holden asked what they had for site lighting?

Mr. Chagnon indicated that there are no poles in the parking lot. Any lighting is off of the building. Mr. Chagnon also indicated that the City file shows permits have been issued for everything except for the storage. All of the structures and additions were permitted.

Mr. Holden indicated he was not as worried about that as he was the drainage and changes in the driveway.

Deputy Fire Chief Griswold made a motion to table this matter to the next regularly schedule TAC meeting on February 28, 2006 and the next Planning Board meeting on March 16, 2006. Mr. Desfosses seconded the motion.

Concerns of the Committee Members:

- 1) This matter needs to go before the BOA:
- 2) The outside storage/trash needs to be cleaned up;
- 3) The drainage needs to be reviewed;
- 4) This should be reviewed by the Traffic & Safety Committee with regard to Heritage Avenue
- 5) Parking should be eliminated on the side of the entrance and exit;
- 6) A revised Existing Conditions Plan should be prepared;

Mr. Britz asked if the edge of wetland flagging was taken from the old plan?

Mr. Chagon indicated that was just included in the standard legend.

Ms. Tillman asked about the loading. He indicated that the trailer with the conveyers is existing on site so she asked that he show that on the existing plan and any other loading areas that are existing.

Mr. Holden asked if there were any concerns about the proposed use regarding water and sewer?

Mr. Allen indicated that the applicant has applied for an industrial discharge permit through the city so that is being handled.

Deputy Police Chief DiSesa asked about burglar alarms for the building?

David Yarrington, of Smuttynose, indicated that their half of the building has alarms. The tenant half does not have a system but they will be putting one in.

Deputy Police Chief DiSesa stated he would prefer more site lighting. The back parking lot was a concern.

Mr. Holden asked if they could show some lighting but also be mindful of the residential neighborhood to the rear.

Mr. Chagnon felt there was a good buffer so they could provide lighting that wouldn't extend to the residential area and they will be Dark Sky friendly.

The motion to table passed unanimously. The application was tabled to the next TAC meeting scheduled for February 28, 2006 and the next Planning Board meeting on March 16, 2006.

.....

4. The application of **Martingale Wharf, LLC, Owner**, for property located at **99 Bow Street**, wherein site plan approval is requested to construct a 6/7 story 80' x 45' addition to the left side of an existing building and a 6 story 36' x 56' addition to the right side of an existing building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 106 as Lot 54 and lies within the Central Business A District, Historic A District and Downtown Overlay District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Malcolm McNeill, Attorney for the applicant, addressed the Committee. Also present were Butch Ricci, principal of Martingale Wharf, Eric Weinrieb of Altus Engineering and Shannon Alther and John Merkel from TMS Architects.

Attorney McNeill indicated that they spent a number of months with the HDC and a Certificate of Appropriateness was issued at their last meeting after much public input and discussion by the Board. They have gone before the Conservation Commission regarding waterfront related issues and they received their endorsement . Also, they are in discussions with State officials with regard to their jurisdiction. No BOA relief is necessary, all uses within the building are permitted and the project has been designed to present a meaningful and interesting building to the waterfront. The only remaining relief is Site Review Approval. Attorney McNeill notes that the HDC looked at this from the Bow Street side as well as the water side. The project complies with all setbacks and parking requirements.

Eric Weinrieb, of Altus Engineering, addressed the Committee next. He indicated that Jim Verra has completed the existing conditions of the parcel. They are proposing an expansion to both the east and the west of the site. There are eight parking spaces to the west that back out to street and four to the east, which will all be eliminated.

Mr. Weinrieb reviewed the Site Plans. The Demolition and Construction Management Plan shows that it is a very tight site and they have looked at how they will be able to manage the project. They are proposing to temporarily eliminate the four parking spaces and shift the traffic to the south. They would then make a safe sidewalk through the site area that would allow construction on the other side.

As shown on the Site Plan, by eliminating the on site parking there is not enough room to maintain two way traffic. They are proposing to construct a loading area in the right of way to provide loading for their site as well as other access in the area. In the middle of the parking lot they will add a small raised island to separate the loading area from the apartments. They are also proposing a new cross walk with tip down for access across Chapel Street. They are not proposing any site lighting except building mounted lights directed downward, which would be dark sky friendly. There will be separate domestic and fire protection water services for the site. Northern Utilities will be providing natural gas. They plan to relocate the utility pole slightly into the sidewalk. Then, underground utilities will run into the building. It is unknown what type of transformer they will have. The sanitary service is a challenge as there is a proposed restaurant in the lower level. They are looking at an internal grease trap and an internal pump chamber to pump both domestic waste water and the kitchen waste water up to the Street level, to tie into the main existing on Bow Street. From a grading standpoint, Mr. Weinrieb indicated they are not proposing any major changes, as they are reducing the run off into the City and Bow Street by installing roof drains. Also, by constructing the raised island, they are taking the curbline and creating a straight flow line. The nearest municipal catch basin is in the corner near Izzy's and they are proposing a reduction of the run off. There is a remote possibility that there could be erosion drainage so they are proposing temporary erosion control in the structure.

John Merkel from TMS Architects spoke next. He indicated that there wasn't much site to deal with so there weren't any lighting issues.

Mr. Holden asked Mr. Merkel to discuss building elevations.

Mr. Merkel reviewed the renderings of the elevations with the Committee members. He stated there is a 24' difference from Bow Street to the low end of the riverside. Their packets had the height calculations. The height is calculated by every 5' the grade is measured from the high point of the building proposed. That is done to establish a base elevation. That is done every 5' around the entire building.

Mr. Merkel indicated that there would not be any residential units in the building. There will be retail on the Bow Street level and they envision offices or a restaurant on the upper levels. The two floors on the riverside will either be retail or a restaurant and the others are retail/business. The Bow Street side conform with all HDC requirements. It is made to look like a section of what would have been there, or a row house industrial. The riverside, on the other hand, gave them more opportunity to show creativity. There are larger window openings, more glass, and a glass enclosure that links both sections of the building together to make it more dynamic.

Mr. Holden asked if it was made to look like several buildings?

Mr. Merkel stated that they wanted the Martingale to stand out rather than be assimilated however the HDC was more comfortable with smaller pieces. They wanted a clear distinction of what was new and what was old.

Deputy Fire Chief Griswold asked if they would be eliminating the existing residential in the Martingale?

Mr. Merkel confirmed that was correct.

Mr. Holden asked if the plan includes the dock structures in the front?

Butch Ricci, Developer, stated that they are not sure how this is tying into the City Riverwalk. They will not make any changes to the waterfront. As it stands, the existing foundation will be the outside of their building. They plan to complete their project in Sept. of 07 and the City Riverwalk will hopefully be done and they can tie in at that point. They are not tied into the City walk and will be separate.

Mr. Holden asked about their HVC and whether it was free standing and on the roof?

Mr. Ricci indicated they were looking at a roof plan and it will look like a cooling tower up on the roof. The transformer will be internal. The HVC equipment will all be on the roof, hidden from the street level and will not be visible.

Mr. Holden asked about sidewalks?

Mr. Ricci indicated that the brick stops at Harpoon Willy's and they will match that to the Georgopoulos building.

Attorney McNeill referred to the letter received from the Concerns Citizens Coalition.

Mr. Holden stated the letter was received yesterday and distributed to the Committee members and Attorney McNeill.

Attorney McNeill addressed the letter briefly. He referred to the natural and historic features mentioned on page two. He indicated that the HDC looked at all of these issues. There is a letter dated October 3, 2005 from St. John's that was part of the HDC record. This is not a view case and relates to compliance with the regulations. The parking concern of the church is also addressed by the Zoning regulations. Attorney McNeill felt that the safety issues were legitimate however what are not legitimate are what has been abused for a period of years and must remain that way. The applicant and the adjacent property owner will provide access to the waterfront area. This building has a great impact to the Portsmouth Riverwalk and the applicant has been a big supporter. They will work with the Traffic & Safety Committee should there be a concern about traffic. This plan complies with the Master Plan as there are no residential units which is what the City wanted.

Mr. Holden called for any speakers. Seeing no one rise he recommended that this matter remain open.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Holden confirmed that the HDC is currently under appeal so Attorney McNeill is going forward at his own risk?

Attorney McNeill indicated that was correct. He felt they have successfully completed the HDC process and have a Certificate from the HDC.

Mr. Holden asked them to demonstrate where the open space is.

Mr. Weinrieb pointed out on the plan various places that are being used as open space and indicated it is 9.6% and well over the City's 5% requirement.

Mr. Holden asked about sidewalks and asked what was the minimum standard?

Mr. Desfosses indicated they should be 7' wide. They appear to have some pinch points of 6' and they will probably have to go to Traffic & Safety for that. He has concerns about the crosswalk and also about the bumpout as that should be striped rather than a curved island.

Mr. Weinrieb thought it would be nice to have some green in that area with a tree or some green to break up the landscape.

Ms. Tillman thought a tree would be nice. What's underneath the ground for planting?

Mr. Weinrieb did not know. They are working on doing borings in the area.

Mr. Holden asked about the loading zone and if the tip down was for loading rather than for handicapped?

Mr. Weinrieb indicated the intent is for loading. They considered a handicapped stall and shortened up the loading stall but there was not enough room.

Mr. Desfosses asked where the nearest loading zone was?

Mr. Weinrieb did not know.

Mr. Allen recommended that this go to Traffic & Safety to deal with these details.

Mr. Holden asked exactly what they would be asking Traffic & Safety to look at?

Mr. Desfosses stated they should look at the bumpout, the crosswalk, sidewalk widths, the loading zone, and the proximity to other loading zones and whether it needs it.

Ms. Finnigan also felt that Traffic & Safety should review the Construction Plan and how traffic will be handled.

Mr. Holden asked about the curblin.

Mr. Weinrieb indicated that they would maintain the width and then widen it out in front of the main entrance.

Mr. Holden asked if there would be no further extension into the right of way than what exists now.

Mr. Weinrieb agreed with that.

Deputy Police Chief DiSesa asked about stairs on the right side of the building.

Mr. Weinrieb indicated those will not be accessible. They are working with DES on the wetland permit to see what vegetation would be planted. They could put fencing up to prevent any access to the area.

Deputy Police Chief DiSesa thought the City's Riverwalk project may extend back to the right to that building line. There was an issue at a prior committee that he was on about exiting that deck in case of an emergency.

Mr. Ricci indicated that at this point they are making the assumption that the Riverwalk will not happen. If it does come forward, they would work with the City to entertain some sort of egress for the City. However, at this time there is no use for it.

Deputy Police Chief DiSesa felt that would be a red flag for the Police. There should be an egress on both sides.

Deputy Fire Chief Griswold had concerns about fire protection. They show a single fire service on the plans. He asked if they plan to sprinkle the entire building, including the existing Martingale building?

Mr. Ricci indicated that the four structures will be 100% fire suppression for the whole entire building.

Mr. Merkel also added that the construction would be steel concrete.

Mr. Allen asked about Sheet C-2. He assumes they will need an occupancy agreement with the City Council to occupy the City right of way portion during construction?

Mr. Holden confirmed that would be part of their Management Plan.

Mr. Allen asked what they propose on the temporary sidewalk and whether they were considering a chain link fence on both sides.

Mr. Weinrieb indicated it was a work in process. He would prefer a fence with grating however the Contractor may have other ideas. A fence that can be moved is very important for trucks coming and going.

Mr. Allen confirmed this needs to be addressed on some plan at some point in time.

Mr. Weinrieb asked what was preferred by the City?

Mr. Allen would want to have a chain link fence on the inside and something similar to what was done at 6-16 Congress Street, with barricades on the outside.

Mr. Holden asked if that was a good Management Plan to use as a template?

Mr. Allen felt that 100 Market St was a better plan.

Mr. Holden indicated it would be helpful to start working on a draft Management Plan. They are doing management plans for all urban areas under construction.

Mr. Allen proposed that they mill out the double yellow line as part of the plan. The note on C-3 talks about parking requirements on the attached documentation and he asked what that refers to?

Mr. Weinrieb indicated those are parking calculations based on the square footage, etc.

Ms. Tillman indicated it was the basis with what they will be working and it is not the final document.

Ms. Allen felt the crosswalk should be reviewed by Traffic & Safety. He asked if the property will be under one owner as the City only allows one domestic water service per property, and then that could be sub-metered internally. The plans are showing multiple services.

Mr. Weinrieb confirmed they are proposing one service and the existing service to the Martingale will be eliminated.

Mr. Allen indicated that Water and Sewer are Divisions rather than Departments and should be so changed on the plans. He asked if sanitary flow calculations had been done.

Mr. Weinrieb indicated they have not done any tests and they will check that.

Mr. Allen asked that the design of that system should be submitted to Peter Rice for his review. As part of the project, because they are doing multiple utility cuts and milling, they would request that they mill and pave the front portion of the property. He also wanted to make sure that the hydrant location falls appropriately in the new sidewalk configuration. They need at least 5'2" and should have 5'6" to get the sidewalk plows through. He asked if the utility poles were guide to ground or guide to building?

Mr. Weinrieb indicated that they did not know that yet.

Mr. Allen would like to avoid that. They should look at options to not have guides going back across the sidewalks.

Mr. Holden asked Ms. Finnigan about traffic concerns. He felt there would be more traffic with this new use than the existing use.

Mr. Finnigan agreed with Mr. Holden but was unsure how to mitigate this area.

Mr. Holden asked if it would be useful to have a meeting to frame out what to look for.

Ms. Finnigan felt that would be a good idea. Also, she would like them to put new proposed pavement markings on the plans.

Mr. Weinrieb confirmed that they would re-stripe.

Mr. Holden asked how the lowest level on the building compare with the flood zones?

Mr. Weinrieb indicated they are above the flood zones and they will have a certification to that effect.

Mr. Holden asked if there were any state or federal permits that they needed to procure?

Mr. Weinrieb indicated they are in the process of obtaining a NHDES wetland permit. Should they get all approvals, for site review and wetland permits, they will have to come back before City and request a wetland permit on behalf of the City because part of the project is off the applicant's property but

within wetland bureau's jurisdiction. The City has indicated they do not want to sign the permit until all approvals are received.

Mr. Holden asked that the site plans indicate those permits and the status of them.

Mr. Holden asked if any further details were required on the internal grease trap?

Mr. Allen felt that could be done as part of sewer application.

Mr. Holden commended the applicant for working with the City to mitigate any impacts on the Riverwalk project. If this matter is tabled, he assumed they would be willing to meet with Appledore to make sure everything was set.

Mr. Allen asked if there were any encroachments over the property requiring City Council approval?

Mr. Merkel confirmed that there was nothing closer than 3' from the property line.

Mr. Holden asked that the Planning Department be notified of the Traffic & Safety Meeting so that they can fight for the island?

Ms. Finnigan confirmed she would advise the Department. She also asked about the Harbor Trail Sign on the sidewalk and whether it was for pedestrians as it was only on one side? She thought it would make more sense to have it on both sides.

Mr. Weinrieb indicated that they are just replacing in kind.

Mr. Holden asked about on Sheet C-3, there was a note indicating that approximate limits of rights if any to Ceres Street and limits of Wharf and water privileges per Bk 616 Pg 114 RCRD. He asked for an explanation.

Attorney McNeill stated that he didn't draft that so he's not aware of those issues. He will look at it and report back at the next meeting.

Mr. Holden asked if the property line is at the high tide line.

Mr. Weinrieb stated that was a deed reference that Jim Verra picked up on and he will have that for the next meeting. On the Existing Condition survey, Note 5, Mr. Verra refers to the new Flood Insurance Map that identifies the 100 year flood.

Mr. Holden asked how they get to the high tide line?

Mr. Weinrieb indicated that was a state requirement.

Mr. Holden asked if the high tide line goes up to the rip rap and then to the property, so he is assuming that part of the property is actually a sea wall?

Mr. Weinrieb confirmed that.

Mr. Britz asked if the mean high water would be the technical term, rather than high tide?

Mr. Weinrieb indicated he would check on that.

Mr. Holden encouraged the applicant to go to Traffic & Safety in February and to provide revised plans for the next TAC meeting.

Mr. Finnigan indicated that the Traffic and Safety Agenda for February was already finalized however she will see if it can be revised and she would advise the applicant Wednesday morning.

Mr. Holden asked the applicant if they were clear on what the Committee was looking for?

Mr. Weinrieb confirmed that they were and asked what the next filing deadline for the next TAC meeting.

Ms. Tillman confirmed that the filing deadline was February 13th.

Mr. Allen asked what the significance of adding to the plans, underneath the Piscataqua River “An Arm of the Sea”?

Mr. Weinrieb stated that Jim Verra put that on his plan.

Mr. Holden suggested to Mr. Weinrieb to change something like that on the plans next time.

Deputy Fire Chief Griswold made a motion to table to the next TAC and next Planning Board meeting. Ms. Finnigan seconded the motion.

Mr. Holden confirmed that the public hearing remained open.

The motion to table to the next regularly schedule TAC meeting on February 28th and the next regularly scheduled Planning Board meeting on March 16th passed unanimously.

Concerns of the Committee:

- 1) That this matter be referred to the Traffic & Safety Committee to review the bumpout, crosswalks, sidewalk widths, loading zones and the proximity to other loading zones and traffic issues to be addressed in the Construction Management Agreement;
- 2) That a meeting shall be scheduled between the applicant and Debbie Finnigan, Traffic Engineer, Steve Parkinson, Director of Public Works and David Holden, Planning Director, to address pedestrian and traffic impacts;

.....

II. ADJOURNMENT was had at approximately 3:25 p.m.

.....

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

