

MINUTES OF MEETING
SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

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

JULY 5, 2006

MEMBERS PRESENT: David Holden, Director, Planning Department, Chairman; David Allen, Deputy Public Works Director; Steve Miller, Vice-Chairman, Conservation Commission; David Desfosses, Engineering Technician; Tom Cravens, Engineering Technician; Debbie Finnigan, Traffic Engineer; Steve Griswold, Deputy Fire Chief; and Len DiSesa, Deputy Police Chief

ALSO PRESENT: Lucy Tillman, Chief Planner

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I. OLD BUSINESS

A. The application of **Rye Corner Gas, LLC, Owner**, for property located at **1150 Sagamore Avenue** wherein Site Review approval is requested to construct a 4,000 ± s.f. building containing a 1,500± s.f. convenience store, 2,500±s.f. of storage, and a gas station after the demolition of an existing structure, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 201 as Lot 22 and lies within a Mixed Residential Business District. (This application was tabled at the May 30, 2006 Technical Advisory Committee Meeting)

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

Deputy Fire Chief Griswold made a motion to table to the next regularly scheduled TAC meeting on August 1, 2006. Ms. Finnigan seconded the motion. The motion passed unanimously.

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II. NEW BUSINESS

A. The application of **The State of New Hampshire, Owner, and The State of New Hampshire Liquor Commission, Applicant**, for property located at **605 Route 1 By-Pass (the Traffic Circle)** wherein Site Review approval is requested to construct a 25'6" x 44' one-story addition to be used for public rest rooms, a mechanical room and a storage room, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 235 as Lot 1 and lies within a General Business District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Gordan Graham, with the State of New Hampshire, stated this was basically a bathroom addition. They did a renovation a couple of years ago and they were requested to make the bathrooms public. They are trying to make them more user friendly. Originally they were going to have them in a separate building but the City requested that they attach them to the existing building.

Deputy Police Chief DiSesa reaffirmed some items. He asked if the bathrooms were going to be attached to the existing structure? Mr. Graham confirmed that it would be. Deputy Police Chief DiSesa asked if it would have an outside entrance other than the outside entrance to the Liquor Store? Mr. Graham indicated that the public will have access from the outside. Deputy Police Chief DiSesa asked if the hours of operation will mirror the hours of the liquor store and that the building will be shut down and all outdoors will be locked when the liquor store is closed? Mr. Graham confirmed that was correct. Deputy Police Chief DiSesa asked about outside lighting and indicated that the police would like it well lit. Mr. Graham stated there was parking lot lighting there now and there will probably be some lighting around the bathroom area. Deputy Police Chief DiSesa asked which direction the outside entrance faced? Mr. Graham indicated that it faces the front of the building. Deputy Police Chief DiSesa would like that locked down.

Henry Mellynychuk, of Hong Environmental, pointed out the door. He indicated that the rear door is for emergency only and will be locked. He indicated there were 5 stalls for women and 3 for men. They have reduced it in size according to the City's request.

Deputy Police Chief DiSesa indicated at one meeting that the Police Captain attended it was recommended that fencing be placed behind the building to preclude someone from wandering off a bus and wandering into the woods because the bathroom was locked. They want to contain the use so that it doesn't become a draw for homeless people. Deputy Police Chief DiSesa pointed out the wooded area on the plans to Mr. Graham that the police are concerned about.

Peter Engle, Director of Historic Preservation for the State, confirmed that was discussed at a meeting and they went back afterwards and looked at the site and there is an existing fence there now from the loading dock area which runs around the site and it is about 4' high. Mr. Engle indicated that they are looking for more direction. Deputy Police Chief DiSesa indicated that because they are enhancing the capability of making this a public restroom, once word gets out, they want to do what they can to contain the use of the bathroom to that area. There is a school in the area and it is near a residential area. Mr. Engle asked if an increased height of the existing fence would be acceptable? Deputy Police Chief DiSesa felt that would be a start. Mr. Engel indicated they could add sodium lamps to the side of the building.

Mr. Holden acknowledged that the State is largely exempt from the City's rules and regulations but they also acknowledge that the State is trying to work with the City. Perhaps the City could work with them prior to the Planning Board meeting to address some of these particular details on the Site Plan to make it acceptable.

The Chair asked 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. Desfosses made a motion to approve with stipulations. Mr. Allen seconded the motion.

Mr. Holden suggested that a representative of DPW, Planning & the Police should meet next week and run through the proposed stipulations.

Mr. Holden asked that the Site Plan show the fence with a detail and also to show what they are proposing for additional site lighting that is aimed at the new facility.

Mr. Holden asked that the hours of operation be put on the plan, indicating that they will conform to the hours of operation of the Liquor facility.

Mr. Holden asked a note be added that the responsibility for maintaining and securing the building belongs to someone other than the City.

Mr. Desfosses did not have any comments.

Mr. Cravens noted that the addition is shown going over the existing water main and they are indicating a new water shut off. He asked for more information on that. Mr. Mullynychuk indicated there is currently a shut off in the footprint of that building so they are looking to move that over. Mr. Cravens confirmed that this would not be an additional water service to the bathroom. Mr. Cravens indicated that he would like to see the water shut off installed at least 5' away from the building so they have room to operate it. He also asked that a note be added to the plan that all water shall go through the existing water meter for the new bathroom. Also, that the footings and foundation that go over the water main need to be bridged so as to not put any undue loading on the water main which could possibly break it.

Mr. Allen did not have any comments.

Mr. Miller did not have any comments.

Deputy Fire Chief Griswold wanted to be certain that the sprinkler system in the current store is carried over to this area so they will have life safety and automatic sprinkler system in the addition.

Deputy Police Chief DiSesa asked at a future point he would like a written agreement stipulating their concerns. They foresee this as a possibility of being a problem for the City because of the homeless people and people crossing traffic to access the facilities.

Ms. Finnigan asked that they label the door that is being locked on the plan. Also, they should label the handicapped levels for the handicapped toilet and sink.

Ms. Finnigan asked if the parking spaces being removed would impact their parking need? Mr. Graham stated that they have alot more parking than they need. Also, the emergency door is an existing door and will remain as is. Ms. Finnigan still felt that the door should be labeled. The plan looks more like the proposed plan rather than the existing plan and it is confusing.

Mr. Holden asked Ms. Tillman to coordinate a meeting with Deputy Police Chief DiSesa, David Desfosses, and Planning Staff for one week from today, July 12th at 2:00 pm, to be held in the Planning Department conference room. This will allow them to pull it together and be ready to go to the Planning Board on July 20th.

The motion to recommend approval with the following stipulations passed unanimously:

- 1) That a fence be added to the Site Plans to run along the rear of the property, with a detail;
- 2) That additional lighting be added to the Site Plan, that is aimed at the new facility;
- 3) That the hours of operation be added to the Site Plan, indicating that they shall conform to the hours of operation of the liquor facility;
- 4) That the responsibility for maintaining and securing the building belongs to someone other than the City and a note shall be added to the Site Plans;
- 5) That the water shut-off shall be installed at least 5' away from the building;
- 6) That a note shall be added to the Site Plans that all water shall go through the existing water meter for the new bathroom;
- 7) That the footings and foundation that go over the water main shall be bridged;
- 8) That the current sprinkler system in the existing facility shall be extended into the new bathroom facility;
- 9) That the rear emergency exit door be labeled on the Site Plans as being locked at all times;
- 10) That the handicapped levels shall be noted on the Site Plans for the handicapped toilet and sink;
- 11) That a written agreement regarding the concerns of the City shall be prepared for review and approval by Deputy Police Chief DiSesa, David Desfosses of DPW and David Holden, Planning Director;
- 12) That a meeting shall be held with the applicant, David Desfosses, Deputy Police Chief Len DiSesa, David Holden and Lucy Tillman to finalize the stipulations prior to the Planning Board meeting;

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B. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, wherein Site Review approval is requested to construct a 170' x 150' (irregular) 26,422 ± s.f. 3-story office building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 216 as Lot 1-8B and lies within the Office Research/Mariner's Village district. (This application was tabled to a time uncertain at the February 17, 2005 Planning Board Meeting)

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

David Holden indicated that over a year has expired since they last came before this Committee so they are looking at the conditions that were imposed at the last TAC meeting. The TAC members had a copy of the minutes and letter of decision from that last meeting. They will be conducting this as a denovo public hearing.

Dennis Moulton, of AMES MSC, was the site engineer for the project. He indicated this was the last undeveloped lot on Commerce Way. They received approval with stipulations from TAC in 2004. Most of those stipulations were addressed before they went to the Planning Board. The property is mostly a vacant 4 ½ acre lot. A small portion is being used by the adjacent property as pavement for traffic circulation. The proposal will be cut back to the property line and the markings will be reconfigured. They do need to amend their Site Review Application as the building has been reduced since the previous submittal to a 25,666 s.f. 3-story building.

The subdivision received preliminary approval in 2004 for a lot line adjustment, which was displayed on the plan. They have re-applied for the Lot Line Relocation Subdivision and hope to be heard this month. The proposal is for a 76,998 s.f. gross area building and it is an allowed use in the district. Proposed parking includes 8 handicapped spaces. 194 spaces are required under the ordinance and the spaces include one motorcycle spot. The loading zones are shown on the plans to City specifications, however, they will be seeking a variance to convert some of those loading zones to parking spaces. The lot meets all requirements and a Landscaping plan is provided. There was a previous stipulation to work with Lucy Tillman on the landscaping to further develop the site and they look forward to working with her on that. Utilities have been provided. The existing services are in the street of Portsmouth Blvd. The Hotel across the street resulted in significant improvements to the gas and electrical service. They are running the electrical from the circuit box, going to the transformer to the building. The gas is brought up the Dunlin Way side, crosses the street and there was a sleeve left in place for this location. The water is coming off Commerce Way with an existing stub coming off Commerce Way. As previously stipulated at TAC, they will install a Knox Box and automatic notification of emergency services. Another issue was the off set entrances off Portsmouth Boulevard. It was decided that the plan would remain as is and it would be monitored for problems after the site was developed. They do not anticipate any problems. A previous stipulation added a bus shelter for Coast which they have done. Also, off site traffic improvements were settled via a letter to John Burke outlining a previous agreement. Mr. Moulton addressed stormwater retention. They have a closed drainage into a subsurface storage device called Rainstore which is a plastic system designed to hold heavy duty loads. It will be situated under the paved parking. All stormwater will be brought to the storage facility, to a level spreader and then to a vegetative buffer strip. This treatment is in accordance with NHDES Site Specific Rules. A concern of the previous TAC was that they minimize stormwater flows towards the west, behind Demoulas and K-Mart, which they have done considerably.

The Chair asked 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. Holden suggested working from the November 22, 2004 letter from the Planning Board to determine which conditions are still outstanding and that will allow any TAC member who has questions to address it and Mr. Moulton can respond. He also anticipated that this will be tabled to the next TAC meeting to allow for the subdivision to proceed first as that did lapse. However, that will also allow them to address any outstanding issues in the meantime.

Stipulations from the November 9, 2004 Technical Advisory Committee Meeting:

1) *That the landscaping area between the lots be shown in more detail and that a fence detail for this area be provided in the detail sheet;*

Mr. Moulton indicated this was something that they still needed to work on with Ms. Tillman. Mr. Holden indicated that this will remain outstanding for the next meeting.

2) *That a Coast Bus Shelter detail be added;*

Mr. Holden noted that they have added this to the Site Plans however he suggested that they check with Coast to make sure they can still use the bus shelter as it would be ridiculous for them to go through the expense and find out that it's not needed as someone else put one in.

- 3) *That the drainage report be reviewed by DPW and a report on it be provided to the Planning Department and the Planning Board for review;*

Mr. Moulton indicated that was provided to DPW for their review and David Desfosses reviewed it and reported back to the Planning Board. Steve Miller, Vice Chairman of the Conservation Commission indicated that he reviewed it today and would like additional time to review it. Mr. Holden asked Mr. Moulton to review the report for Mr. Miller's benefit. Mr. Moulton stated that, in summary, the system is mostly a subsurface drainage system. All water is conducted through the system. It is a plastic material, that comes 1 meter square units and they stack to create the storage unit. It provides ports for cleaning access and from the storage system it is piped into a riprap apron, and allows water to sheet flow across a vegetative treatment strip. The treatment has higher treatment volumes and is a decent system.

Mr. Miller understands their choice for the storage of water but it's really designed for just for that and it's not designed for any type of treatment. It is just a storage device to control flow off site. In reading the literature, they caution about sedimentation and prevention. There should be a maintenance schedule. Also, he researched about the vegetative filter strip which is good for agricultural lands with biological activity, but in this case it doesn't make sense because most of that vegetation will be dead and there won't be any filtration from that. He was curious if they looked at gravel wetlands instead. Also, he had a concern with the filter strip being in the buffer and he was curious what is the effectiveness of a manmade filter in a buffer district.

Mr. Moulton addressed the pretreatment. Each catch basin will have a catch basin in it to deal with trash and sediments. There was a maintenance plan prepared and submitted to DPW, which included sweeping the parking lot and emptying the catch basins. Regarding the treatment, he had not worked up the wetland for this area as he wasn't sure it was applicable. He can look into it to see if it is applicable for this site.

Mr. Miller asked if they looked at an underground infiltration system? Mr. Moulton indicated that the soils are not very permeable. They did a number of tests across the street and it was not suitable for that kind of system. Gravel may work but pure infiltration would not give a good result. Mr. Miller felt that the filter strip is probably a trade off and may not be a positive one as they are digging something up and putting something in. Mr. Moulton stated they are basically using the buffer as a treatment. Increasing the length of the filter strip may work. Mr. Miller felt that vegetative swales are usually poor performers.

Mr. Holden asked Mr. Moulton if he was clear on what information Mr. Miller was looking for? Mr. Moulton was all set.

- 4) *That the traffic issues be presented to John Burke so that he can make a report back to the Planning Board;*

Mr. Moulton stated that those were provided in a letter to John Burke. Mr. Holden stated that the Planning Board minutes on Page 4 have Attorney McNeill stating " that they have provided a writing to Mr. Burke. He reminded the Board that there is an agreement between the City and the developers that 244,000 s.f. of development off of Portsmouth Boulevard will be permitted without further traffic study". Mr. Holden confirmed that was true. Mr. Holden agreed that Stipulation #4

is taken care of. What they are looking for is site related aspects. For the record, when Brora originally applied during the Green Pages era, the improvements that were done on Commerce Way, up Market Street and Woodbury Avenue were all part of this development and this traffic was taken into account.

- 5) *That water conservation details be added to the plans per the requirements of Tom Cravens, also to include an irrigation system;*

Mr. Cravens confirmed that was taken care of however he added that all irrigated areas should have 6" of loam. Mr. Miller suggested that if there is going to be an irrigation system for the landscaped area, the Rainstore System makes perfect sense in terms of a source of that water and that is one of the suggested uses of the Rainstore System. If that were implemented into their plan, that would make a lot of sense for water conservation. Mr. Moulton indicated that they could look into using that as a possible secondary source. Mr. Allen was concerned about when they were going through a dry spell and having no water in the system with a cross connection. Mr. Cravens felt that would not be a problem and that would be covered. Mr. Holden indicated that Mr. Moulton would work with Mr. Cravens so that he could report back at the next meeting.

- 6) *That the sidewalk detail be approved as to content and form by DPW and that will be refined further by the Agreement with the City;*

Mr. Moulton asked if this was the Commerce Way sidewalk and Mr. Holden confirmed that it was. Mr. Moulton understood that there have been discussions on this. Mr. Holden indicated that this will continue as a condition and hopefully they can wrap it up for the next meeting.

- 7) *That a letter be provided documenting the status of the wetland buffer area as whether it is jurisdictional;*

Mr. Moulton indicated that they are stipulating that it is jurisdictional and there is nothing to look at as what is happening in the buffer is allowed. Mr. Holden indicated they will get concurrence on that.

- 8) *That the applicant meet with the Legal Department and the Planning Department to complete a proposal for constructing the sidewalks along the length of Commerce Way in two phases, detailing how contributions or funds shall be set aside for this process;*

Mr. Holden indicated that will continue along with Stipulation #6 and be part of the agreement.

- 9) *That the meeting with the City also include any outstanding issues that may be brought to the City's attention, such as street ownership and the undergrounding of utilities;*

Mr. Holden indicated that would also be part of the agreement.

- 10) *That a maintenance schedule of the drainage structures be included with the Site Plan and approved by David Desfosses with a report back on a scheduled basis;*

Mr. Moulton stated that the maintenance logs were added to the Site Plans and a Stormwater Management Plan was submitted to David Desfosses. Mr. Allen confirmed that the maintenance

schedule is on the Site Plan. Mr. Holden asked Mr. Moulton to work with Mr. Desfosses to include a street sweeping schedule. A proposal from Mr. Moulton would be a good idea.

11) That a report be presented to DPW that outlines the existing or proposed maintenance schedule of the Commerce Way stormwater system;

Mr. Moulton indicated that would be part of their discussions.

12) That a hydrant be installed in accordance with City Water Department regulations;

Mr. Moulton indicated that was done and Mr. Cravens agreed.

13) That the size and type of the water main be corrected on the Site Plans;

Mr. Cravens indicated that was done.

14) That the proposed alignment of driveways shall be evaluated following one year of the second occupancy by both the proposed hotel lot and this subject lot;

Mr. Holden asked why they couldn't get the driveway aligned now that the building is smaller? Mr. Moulton indicated that the building would have to be much smaller. It's important for the entrance to line up with the last access drive as that is the proposed entrance for service vehicles coming off the site and trash trucks would use it for the dumpsters. Another option was to move the entrance to the hotel but that would be a little late now. Ms. Finnigan asked what size trucks will be accessing the site? Mr. Moulton indicated a standard dump truck and single unit trucks at the most. Ms. Finnigan asked if the driveway meets the standards? Mr. Moulton confirmed that it does. Ms. Finnigan stated, for the record, that she doesn't like it.

Michael Kane, of the Kane Company, indicated that they talked about this the last time and they were going to leave it the way it was and if it created a problem and they were going to move the hotel access up if there was a problem. He didn't think there would be a lot of cross traffic. Mr. Allen asked if the driveway location is based on the proposed plan for the hotel across the street. He asked if the hotel driveway was actually put in that way? If so, this plan should reflect the actual drive as built. Mr. Holden indicated they should field locate the driveway and discuss it a little more. They need a better understanding of who will relocate what in two years if they have problems. He indicated that the reality is what is it going to be like in 10-15 years for traffic out there. There are two other lots that can be developed. They will re-justify how it will happen.

15) That a knox box and master fire alarm box be installed.

Deputy Chief Griswold confirmed that they were on the plans.

Stipulations from the November 18, 2004 Planning Board Meeting:

16) That the installation of the Rainstore 3 system be supervised by a representative of Invisible Structures, Inc. (ISI) and a summary report of its installation be provided to DPW;

Mr. Moulton indicated that they agreed to that. Mr. Holden asked that they add a note to the Site Plans.

17) *That the height of the light poles be reduced;*

Mr. Holden indicated that they are looking for a balance of the number of poles, the height of the poles and the light intensity. Mr. Moulton indicated that the last time they considered all of that and the lights were all dark sky friendly. He believes the plan satisfies the intent of the stipulation. Mr. Desfosses felt they are right where they want it and he would consider this stipulation completed.

18) *That a legal opinion be rendered regarding the issue of man-made wetlands vs. naturally made wetlands and presented to the Planning Department based on the report to be provided;*

Mr. Moulton was not sure whether that happened or not, however, he felt that the issue has gone away. Mr. Miller indicated that Mr. Moulton admitted they were jurisdictional. Mr. Moulton stated that the issue was whether the ditch was manmade. Mr. Holden indicated that TAC will make a finding that this is not necessary but the Planning Board will have the same information before it and they may ask the same question and Mr. Moulton will have to respond again.

19) *That finished grades be delineated;*

Mr. Moulton confirmed that this was done.

20) *A determination be presented to the Board of whether the wetlands are jurisdictional under Article VI of the Zoning Ordinance;*

Mr. Holden confirmed that this stipulation is no longer needed.

21) *That the drainage from snow melting be addressed;*

Mr. Holden asked how this was being handled? Mr. Moulton was unsure how to address that issue. He will continue to work on it and he will consult with DPW. Mr. Holden indicated that if necessary it will be trucked off the site. Mr. Moulton indicated that the issue was not snow storage but rather it was the melting snow. Mr. Holden confirmed that the City will work with the applicant on this.

22) *That a drainage report be provided.*

Mr. Holden confirmed that they have that report. Mr. Moulton confirmed that he will prepare an updated version of that report.

Mr. Holden confirmed that the following stipulations were outstanding: 1,3,5,6,8,9,10,11,14,16,21, and 22.

Mr. Allen indicated that they are showing parking on the adjacent parcel and he asked if that parking was part of the parking count for this site? Mr. Moulton confirmed that those spots are associated with the new building and they were on their side of the property line. Currently, the

adjacent building has been using this property. They will be removing that pavement. Mr. Allen was referring to the parking spaces above the property line. Mr. Moulton stated there will be a reduction in parking spaces on the upper lot however they will still be conforming. Mr. Holden asked if green space exists and each lot has sufficient parking on it's own lot? Mr. Moulton confirmed that was correct. Mr. Desfosses indicated that they would have to go through site review to eliminate the parking spaces. Mr. Kane stated that they put additional pavement in without approval to help with a tenant with high use demands. Mr. Desfosses compared the proposed parking spaces to the existing parking spaces and one are angled and one are straight. Therefore, they are modifying the other lot and they will need amended Site Review approval. Mr. Moulton stated that if they cut back the pavement there will not be a 24' aisle behind the spaces so they will be re-striping the spaces. Mr. Desfosses confirmed that they will have to go back to Site Review to revise the parking on the upper lot. Mr. Holden confirmed they should do this as an amendment to a previously approved plan for TAC to review and make a recommendation to the Planning Board. Where the problem starts is that somewhere along the line a parking lot grew without benefit of any review and they are now trying to correct that.

Ms. Tillman found that Sheet 2 of 7 has the site features and the grading plan combined and it's hard to read. She asked that they separate the Grading Plan to a separate sheet.

Mr. Allen went back to his original question of whether the 83 upper parking spaces are part of the parking count for this lot? Also, do they need 55% more parking than the ordinance requires? The City requires 199 and they are putting in 359 spaces. He sees this as a small building with a sea of asphalt around it. Mr. Kane indicated that the current regulations are not realistic and they need more parking. He indicated that most tenants need up to 6 spaces per 1,000 s.f. They will be doing landscaping to help with the expanse of pavement.

Ms. Finnigan noted that the 83 spaces requires 4 handicapped spaces not 2 handicapped spaces. They should check on that. She would also like a stop bar and a stop sign on the site for egress. Also, the Stop Sign Detail says a minimum of 5' from the bottom of the sign and it should read 7'.

Mr. Holden asked if the islands could be adjusted for some landscaping? Ms. Tillman felt they are fairly small so trees probably won't survive. She didn't think there was sufficient area to have anything substantial. Mr. Moulton indicated they would look into that.

Deputy Police Chief DiSesa asked about lighting. He understands that they are trying to reduce the size of poles for aesthetic reasons but he is not clear on where the lighting is and he wants to make sure there is plenty of light. Mr. Moulton indicated that there are lots of pole lights along Portsmouth Boulevard and there are also pole lights around the buildings. Ms. Finnigan asked if there was there a lighting plan? Mr. Moulton indicated that they will do a photometric plan.

Mr. Desfosses indicated that the last time they met, it was established that when this building went in the rest of the lights would go in on Portsmouth Boulevard and the rest of the utilities would be eliminated from the aerial and he asked what sheet that was on. Mr. Moulton believed it wasn't this lot but rather when the upper lots went in. Mr. Holden agreed with Mr. Moulton. Mr. Allen noted that there are 18' lights all along Portsmouth Boulevard. Mr. Moulton stated that the road might change, depending on the development of the remaining lots. Portsmouth Boulevard may be a cul de sac or a through street as that decision is still outstanding.

Mr. Desfosses assumed they will worry about the rest of the pavement when the other lots go in. It will be finished pavement before this project gets started so any damage to the roadway would have to be repaired.

Mr. Allen made a motion to table to the next regularly scheduled meeting on Tuesday, August 1st. Ms. Finnigan seconded the motion.

Mr. Holden indicated that they will arrange for a meeting with staff to review the details prior to the next TAC meeting.

The motion to table to the next regularly scheduled TAC meeting on August 1, 2006 passed unanimously with the following stipulations:

- 1) That the landscaping area between the lots be shown in more detail and that a fence detail for this area be provided in the detail sheet;
- 2) That a Coast Bus Shelter detail be added, unless Coast advises the applicant that the bus shelter is not longer needed, and if so, this should be confirmed in writing with the City;
- 3) That the vegetative swale in the wetland buffer be reviewed for alternative treatments and a report shall be provided at the next TAC meeting;
- 4) That a note be added to the Site Plans that all irrigated areas shall have 6" of loam;
- 5) That Dennis Moulton will work with Tom Cravens to review the possibilities of using the Rainstore system for reuse with the irrigation system;
- 6) That the sidewalk detail be approved as to content and form by DPW and that will be refined further by the Agreement with the City;
- 7) That a determination be made as to whether the wetlands are jurisdictional;
- 8) That the applicant meet with the Legal Department and the Planning Department to complete a proposal for constructing the sidewalks along the length of Commerce Way in two phases, detailing how contributions or funds shall be set aside for this process;
- 9) That the meeting with the City also include any outstanding issues that may be brought to the City's attention, such as street ownership and the undergrounding of utilities;
- 10) That a street sweeping schedule be added to the Stormwater Management Plan;
- 11) That a report be presented to DPW that outlines the existing or proposed maintenance schedule of the Commerce Way stormwater system;
- 12) That the proposed alignment of the driveways of this site and the hotel site cross the street shall be further discussed to address future concerns and resolution;
- 13) That the installation of the Rainstore 3 system be supervised by a representative of Invisible Structures, Inc. (ISI) and a summary report of its installation be provided to DPW;
- 14) That the City will work with the applicant on the issue of drainage from snow melting on the site;
- 15) That the applicant shall prepare an updated drainage report;
- 16) That an amendment to a previously approved Site Plan shall be prepared as it relates to the 83 parking spaces which are being eliminated from this lot, but were being used by the adjacent lot;
- 17) That the Grading Plan and the site features shall be separated for clarity;
- 18) That a stop bar and a stop sign be added to the site for egress;
- 19) That the Stop Sign detail be revised to show a minimum of 7' from the bottom of the stop sign to the ground;
- 20) That the islands be increased in size to allow for increased landscaping;

- 21) That a Photometrix Plan be prepared;
- 22) That any damage to the roadway as a result of construction of this project shall be repaired to City specifications.

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C. The application of **March Twenty Two, LLC, Owner**, for property located at **58 State Street**, and **Barbara Theodore, Owner**, for property located at **449 Court Street**, wherein Site Review approval is requested to construct a 3,210 ± s.f. mixed use building on Lot 12 with an access and utility easement extending across Lot 6, with related paving, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Plan 105 as Lots 6 & 12 and lie within the Central Business B District and the Historic District A.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Holly Clark, of Ambit Engineering, presented on behalf of the applicants. She handed out plans that were revised as a result of the Pre-TAC meeting earlier that day. She indicated this is an infill building, to replace a building that is being demolished. They are replacing the existing building with offices and parking and residential on the upper levels. The lot has been merged with the adjoining lot which will be used as a driveway. They are proposing to put in fencing and jersey barriers for pedestrian access during construction. The proposed building will have offices on the 1st floor and they will have an access easement for lots 6 and 11. The building will be sprinkled. Sewer, water and gas will all come in from State Street. They are proposing to connect with the City storm sewer system from Court Street. In the rear, the sidewalks and driveway will conform to City standards. Their parking requirements are based on a 22.3 space credit, they will need 19 spaces to cover their use so they will have no unmet parking for the project. They are eliminating a curb cut in the front and will therefore add another City parking space along State Street.

The Chair asked 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. Desfosses made a motion to approve with stipulations. Ms. Finnigan seconded the motion.

Mr. Desfosses asked that they add a note on the plans to transition sidewalk materials so that a smooth transition can be made and that should be shown on the old part of the sidewalk so that the entire section between the two front buildings is consistent. The asphalt part of the sidewalk in front of the other building can be modified. The transition should be shown beyond the area that is shown in brick.

Mr. Desfosses asked for a note on the place indicating that they are filling in the driveway. That should be standard size curbing to match what is there. They should add a detail.

Mr. Desfosses indicated that a mechanism of how the drain line will be set in and paid for needs to be worked out with the City Legal Department, the Planning Department and DPW. Ms. Clark felt there were a couple of different ways to do that.

Mr. Desfosses stated that the electric meters for 46 State Street are shown where the new building is proposed. The electric service will have to be removed and installed in another location. They have the same problem with the proposed building.

Mr. Desfosses stated that there is a downspout attached to #46 that dumps onto the sidewalk and that water will have to be dealt with.

Mr. Desfosses indicated that with all of the risers coming down the utility pole, there needs to be at least a 5'4" clearance for a plowing tractor. Also, it is not clear whether the windows are being boarded up on #46? Ms. Clark confirmed that they will be bricked up and a standard fire wall will be added.

Deputy Fire Chief Griswold asked if #46 has any residential living spaces where the windows are being blocked up?

Steve Kelm indicated that he lives at 46 State Street. There are multiple windows in each room so they will not need a sprinkler system. Deputy Fire Chief Griswold indicated that the life safety code requires that all residential rooms have a secondary means of escape, such as a window. If he took out the windows he would be required to install a sprinkler system. Mr. Kelm confirmed that any room being effected has multiple windows. Mr. Holden asked, for the record, was #46 being used as a single family residence? Mr. Kelm indicated it was correct and he had no plans to convert it to a duplex.

Mr. Desfosses asked about the multiple doors proposed on the front of the 3 story building? He indicated that the finished floor should be no lower than what is there now and some are shown lower. The finished floor of the existing building shouldn't be any lower than it is now. The Existing Features Plan shows it as 21.49 and they are showing proposed floors as significantly lower. It seems that all finished floors should be approximately the same and the sidewalk modified to meet those. Ms. Clark believes they are adding elevation to both ends but she will make sure they take care of that.

Mr. Allen asked for a review of the downspout. Is the drainage going back into the system and getting pumped back into Court Street? Ms. Clark indicated that there was previous discussion that if you run the drainage through the building it could be mistaken as a sewer so they ran it outside. Mr. Desfosses noted that the roof drain is crossing the lot line and coming back. Ms. Clark agreed that it does appear that way. They will correct that. Ms. Desfosses asked that that be a stipulation. The plan should be redrawn to assure that the roof drains are on the appropriate properties.

Mr. Desfosses also recommended that the pitch on the drainage lateral be increased. 00.2 showing is very flat and it will have a tendency to plug. So, if at all possible the pitch on the pipe should be increased. CMA also recommended that the pipe be at least 12". He wasn't sure if that was appropriate. He felt that an 8" would probably be sufficient. Ms. Clark indicated they were concerned that they may encounter ledge. Mr. Desfosses indicated that if at all possible, the drain line on Court Street should be lowered and the drainage lateral should be at least 10%.

Deputy Fire Chief Griswold asked about the basement garage and whether it was the whole first floor. This plan is funny as the parking garage is very close to being the same level as the office level in the front. The parking level appears to be a step down rather than a whole level. The offices occupy a

very small portion of the street level. Mr. Desfosses stated that the parking is the same as the first floor level. It is a parking port.

Ms. Finnigan referred to Sheet C-1 . They put site panels in but the arrow pointing to it is unclear. She asked that they clarify that with a detail. The first barrier closest to State Street should be sloped. Ms. Clark indicated they will angle it back with a temporary fence. Ms. Finnigan felt that was good as long as there is a 5' space for pedestrians to walk. It needs to be sloped or angled in with enough room for pedestrians.

Ms. Finnigan asked about the Demolition Plan, Note #5, regarding street and sidewalk closings. She asked when that will happen? Ms. Clark indicated they will need to close the street when they put in the utilities. Ms. Finnigan asked where will the pedestrians go? Ms. Clark indicated they would open up part of it and they can continue on. Ms. Finnigan was uncomfortable with that and would like a Construction Management Plan.

Mr. Holden agreed they will need a Construction Management Plan, to be coordinated with Deb Finnigan, the City Legal Department, the Planning Department and DPW. Deputy Fire Chief Griswold felt that it was extremely important with the bridge closing. Mr. Holden stated that the idea of any street closure will be problematic but they will work on it.

Ms. Finnigan asked for pavement markings updated along Street Street. Ms. Clark indicated that by getting rid of the curb cut, there will be one space that is a different size than the rest so is she talking about restriping the entire street? Ms. Finnigan was talking about lane lines and chevrons. Mr. Holden agreed that they were at a critical junction with the State Street separation from the bridge so they will use this opportunity to upgrade. Ms. Finnigan also asked that they coordinate with DPW the removal and installation of the parking meter. She asked if they will be removing the meter posts during construction? Ms. Clark was unsure. Ms. Finnigan asked for a note indicating that they are removing the posts. Mr. Allen suggested adding that into the Construction Management Plan.

Ms. Tillman referred to Sheet C-2 which had the parking calculations. She indicated that that the Planning Department reserves the right to review those for accuracy. They will give them a final figure to put on the final plan.

Mr. Holden referred to Sheet C-2, Note 7, indicating that no restaurant use is proposed for the new building. Mr. Allen felt that was a concern. Mr. Holden asked if a restaurant goes in, is there room for a grease trap? Ms. Clark stated that they discussed retail down the road but they have never discussed a restaurant.

Mr. Holden asked about a sidewalk detail. They need the type of brick, etc. Mr. Allen indicated that they have a detail on the plans. Mr. Holden stated it should be consistent with what is in front of the Victory Restaurant. Mr. Allen asked that they have the City specifications on the plans.

Mr. Holden asked if the utility easement includes the drainage easement? Ms. Clark indicated that they have two easements. One is a 16' wide access and utility and one is a drainage easement. Mr. Holden confirmed that those are not approved yet. Those need to be taken care of.

Mr. Holden noted that the edge of the building will be above the easement. Will that create a problem for vehicles coming in? Ms. Clark confirmed there is at least 12' of clearance. Mr. Desfosses asked that she put the proposed clearance on the plan.

Mr. Holden asked if this foundation was coming right up to the lot line. Mr. Kelm nodded yes. Mr. Holden confirmed that they will need details showing the foundation so that they can indicate that City Council approval is required for that. That also means that any windowsills, drainage gutters, etc. are also subject to a license plan which they should start working on. How will they get into the building? Ms. Clark indicated there is a lobby area. Mr. Holden confirmed that there would not be any steps or out swing door on the right of way.

Mr. Holden asked if the driveway will be asphalt rather than brick. Ms. Clark confirmed that was shown on the plans.

Mr. Desfosses indicated that the tipdowns are wrong. There should not be any truncated domes on private driveways. The bricks should go right up to the driveway apron. There is no concrete there either.

Ms. Desfosses made a motion to table until the next regularly scheduled TAC meeting on August 1, 2006. Ms. Finnigan seconded the motion.

The motion to table to the next regularly scheduled TAC meeting on August 1, 2006 passed unanimously with the following stipulations:

- 1) That a note shall be added to the Site Plans so that a smooth transition is made with the sidewalk materials, and that should be shown on the old part of the sidewalk so that the entire section between the two front buildings is consistent. Also, the transition should be shown beyond the area that is shown in brick;
- 2) That a note and detail be added to the Site Plans indicating that they are filling the driveway and that standard size curbing to match what is already there shall be used;
- 3) That an agreement be reviewed and approved the City Legal Department, Planning Department and DPW on how the drain line will be set in and paid for
- 4) That the electric service for #46 and #58 State Street must be relocated;
- 5) That the water coming from the downspout on #46 State Street onto the sidewalk needs to be addressed;
- 6) That a note shall be added to the Site Plans indicating a minimum of 5'4" clearance on the front of the building for snow tractors;
- 7) That the finished floors on the proposed building shall be no lower than what is existing. All finished floors should be the same and the sidewalk modified to meet those;
- 8) That the Site Plans should be redrawn to assure that the roof drains are on the appropriate properties;
- 9) That the drain line on Court Street should be lowered and the drainage lateral should be a minimum of 10%;
- 10) That the arrow pointing to the site panels on State Street be clarified, that a detail be added and the first barrier closest to State Street should be sloped;
- 11) That a Construction Management Plan shall be reviewed and approved by the City Legal Department, Planning Department, Deb Finnigan and DPW, prior to the issuance of a Building Permit;

- 12) That pavement markings and chevrons shall be added on State Street;
- 13) That the removal and installation of the parking meters shall be coordinated with DPW;
- 14) That the Planning Department reserves the right to review the parking calculations for accuracy and a final figure will be confirmed for the final plans;
- 15) That the Access and Utility Easement and the Drainage Easement be prepared for review and approval by the City Legal Department;
- 16) That the proposed driveway clearance of 12' be noted on the Site Plans;
- 17) That the truncated domes be removed from the private driveway. The bricks should go to the driveway apron and there should not be any concrete;

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

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