

MINUTES OF MEETING
SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

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

AUGUST 1, 2006

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; 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 July 5, 2006 Technical Advisory Committee Meeting)

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

The motion passed unanimously.

Deputy Fire Chief Griswold made a motion to table the application to a time indefinite. Mr. Cravens seconded the motion.

The motion passed unanimously.

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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 25,666 ± 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 at the July 5, 2006 Technical Advisory Committee Meeting)

Deputy Fire Chief Griswold made a motion to take the application off of the table & re-table the matter to the next regularly scheduled TAC meeting on September 5, 2006. Mr. Cravens seconded the motion.

The motion passed unanimously.

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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. (This application was tabled at the July 5, 2006 Technical Advisory Committee Meeting)

Ms. Finnigan made a motion to take the application off of the table. Mr. Britz seconded the motion.

The motion passed unanimously.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, appeared on behalf of the applicant. He indicated that at the last TAC meeting on July 5, 2006 there was a list of 17 concerns. In his letter dated July 19th which accompanied his revised site plans, he addressed most of the concerns.

- 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;

Mr. Chagnon stated that they are adding a new brick sidewalk and he added Note 10 on Sheet C-2 to insure a smooth transition. Ms. Finnigan was concerned that the smooth transition might be only 6" and she asked who would determine compliance with this stipulation. Mr. Holden suggested amending the note by changing the wording to the satisfaction of DPW, or David Desfosses.

- 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;

Mr. Chagnon added Note 11 on Sheet C-2. Mr. Desfosses asked what size the curbing was? Mr. Chagnon stated 5" – 5 1/2". Mr. Desfosses noted that the plan does say to eliminate the curbing but it doesn't say to fix the curbing on the other side of the driveway. Mr. Chagnon indicated that he will add a note to reset the curbing adjacent to the driveway to the proper reveal.

- 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.

Mr. Chagnon added this as a note on the plans. They will get whatever they need to set that in motion. There is an agreement to roll that into the Court Street project as the timing is good for that to happen. Mr. Holden requested that the draft agreement be under review by the time they get to the Planning Board.

- 4) That the electric service for #46 and #58 State Street must be relocated;

Mr. Chagnon added Note 8 on Sheet C-3 that the drop will be relocated to enter the building from the street side for #46. Mr. Desfosses asked if the electric meter was on the face of the building as well as #58? Mr. Chagnon is talking to PSNH about going on the back. Mr. Holden asked if they had gone to the HDC for the meters? Mr. Desfosses agreed they may be creating a problem with that with the HDC. Mr. Kelm felt that a certain size of meter was exempt but Mr. Holden was not aware of that. Mr. Chagnon stated they will check on that.

- 5) That the water coming from the downspout on #46 State Street onto the sidewalk needs to be addressed;

Mr. Chagnon indicated that they can turn it around to the front of the building. If this is a problem, they will just take the whole thing down. Mr. Holden asked if they had received HDC approval for this as well and asked what the downspout was made of, wood, vinyl, copper? Mr. Holden felt that is a change so they would need HDC approval. Mr. Chagnon understood and indicated that hopefully they can be addressed as stipulations today. Mr. Desfosses agreed that the HDC needs to look at the meter and the gutters on the front of the building. Mr. Holden asked what is the preferred way of handing this? Mr. Kelm confirmed that they have HDC approval for 58 State Street but not for 46 State Street. Mr. Kelm would rather eliminate it or turn it into the building so they don't have to get any more approvals. Mr. Chagnon agreed they will eliminate the gutter on #46. Mr. Desfosses felt they will have problems with the brick sidewalk because it's a three story drop. The rain will wash all of the stonedust out of the bricks. The gutter is there for a reason and it needs to be there.

Mr. Kelm felt that during the whole process he volunteered to replace the sidewalk in front of 46 which is not part of the 58 approval. Mr. Desfosses felt this would create a problem for his own property. Mr. Kelm stated that he wants to keep the project moving and he will do what's right. Mr. Holden felt that by keeping the building applications separate it won't hold up the project. Mr. Chagnon confirmed they will relocate the gutter on 46 and it will be a separate application to the HDC and they will also take care of the meter. Mr. Holden indicated that they will add a stipulation that they file for that quickly to keep things going.

- 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;

Mr. Chagnon referred to a note which was added on Sheet C-3.

- 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;

Mr. Chagnon took the slope of the sidewalk from beyond the project area and brought it back in so that the elevations will match in to the overall sidewalk grade. Mr. Desfosses indicated that his concern was that he went out and the doors are almost completely in the handicapped accessible area now. As long as applicant is comfortable, that's fine with him. He wants to make sure the building doesn't get any lower than it is. If anything the building should come up. Mr. Chagnon confirmed that the floor is only 1 1/8" lower and that is on the high side. Mr. Desfosses confirmed that was okay.

- 8) That the Site Plans should be redrawn to assure that the roof drains are on the appropriate properties;

Mr. Chagnon indicated that he redrew the roof drain so it stays on their property. Mr. Holden asked if the HDC will need to see that change? Mr. Chagnon confirmed it is all underground

- 9) That the drain line on Court Street should be lowered and the drainage lateral should be a minimum of 10%;

Mr. Chagnon confirmed that should read 1% and he adjusted them.

- 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;

Mr. Chagnon clarified the annotations of jersey barriers on State Street and revised that on the plans. They had trouble finding a sloped jersey barrier so they proposed a safety barrel at the end of the run.

- 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;

Mr. Chagnon added a note to the drawings that outlines this requirement. He handed out a draft plan to the Committee members. Ms. Finnigan requested that they remove her name and replace it with DPW. Mr. Holden felt DPW, Legal and City Manager should actually be substituted. Mr. Chagnon confirmed that they would be closing a portion of the sidewalk, relocating a safe pedestrian way with jersey barriers, and closing 2 parking spaces for the duration of project. They will work with the Legal Department to make changes.

- 12) That pavement markings and chevrons shall be added on State Street;

Mr. Chagnon confirmed that Ms. Finnigan asked for striping on State Street and they added a detail onto Sheet D-1 titled Proposed Off Site Pavement Markings.

- 13) That the removal and installation of the parking meters shall be coordinated with DPW;

Mr. Chagnon added Note 8 on C-2 Ms. Finnigan did not feel the note was thoroughly clear and they need to coordinate taking the meters and poles out and putting the poles back in, but they are not responsible for putting the meters back in. Mr. Holden added that there will be money owed to the City for lost revenue from the meters. Ms. Finnigan asked that her comments about the meters be added to the plan.

- 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;

Ms. Tillman indicated that they will keep this outstanding for a little while.

- 15) That the Access and Utility Easement and the Drainage Easement be prepared for review and approval by the City Legal Department;

Mr. Chagnon confirmed that Attorney Paul McEachern included copies of the easements, which have already been recorded in the registry.

16) That the proposed driveway clearance of 12' be noted on the Site Plans;
Mr. Chagnon confirmed this was noted on Sheet C-3.

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;
Mr. Chagnon confirmed this was changed accordingly.

Mr. Chagnon further confirmed that there will be no easement plan as they moved the building back .2' from the front property line so no footings will protrude.

Deputy Fire Chief Griswold noted that the front cover of the Site Plans shows an architect's rendering with a chimney coming from the roof of #46 that ends up being 5' short of the top of the firewall but it's flush to firewall on the new structure. He's not sure that would be allowed and he felt that they would have to go to HDC if they had to deal with that. He felt that they should look into it right away.

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 asked about the door on #46 out to the sidewalk which appears on one drawing and not on another. Mr. Chagnon indicated that there is a step there that should be shown. Mr. Holden indicated that this is a pre existing condition and should be labeled as such on the site plan.

Mr. Holden asked about the gate on Court Street. Mr. Chagnon confirmed that was part of HDC approval and is going to be remote operable from a car. Mr. Holden requested that they submit details to Ms. Finnigan. If the HDC has seen it then they also need to see some details on it. How does a car get in and out without blocking Court Street? Mr. Chagnon stated they have to wait for the door to open. Between the travel way and the gate there is about 8'. They could move the gates up so there is a car length if that is a concern. Ms. Finnigan felt that would be a good idea so they don't have to go to the Traffic & Safety Committee. Ms. Tillman asked what the gate is made of? Mr. Kelm indicated that when he purchased the property, Lisa DiStefano had already done the plans and gotten the approvals for the whole development, which included the gate. He doesn't think the gate is necessary and he would be happy to eliminate the gate from the parking garage. Mr. Holden indicated that would eliminate the need for Traffic & Safety review and Ms. Finnigan concurred.

Mr. Allen made a motion to recommend approval with stipulations. Mr. Desfosses seconded the motion.

Mr. Holden requested that they include the 17 previous stipulations. Also, that prior to the issuance of a building permit, the applicant shall apply to the HDC for the meter, the gutter and the chimney on 46 State Street. The meter and gutter issues must be resolved. The applicant and the building inspector shall meet and advise the Planning Board on what is required regarding the chimney issue. Mr. Holden felt that the chimney might be the most serious matter. The intent is to move quickly and know what the issues are.

Mr. Desfosses requested that the curb reveal be continuous in uniform in front of #46 and #58.

Mr. Desfosses requested that the gate be eliminated from the plans but it be noted that it can be revisited in the future if the need arises.

Ms. Tillman requested that the steps in front of #46 be labeled as existing.

Ms. Finnigan requested that Note 10 on Sheet C-3 state review by the City Legal Department, DPW and the City Manager.

Ms. Finnigan requested that Sheet C-2 Note 8 be revised to state that the applicant shall remove the posts and meters and reinstall the posts once construction is done.

Mr. Desfosses requested a short detail on the meter post. He will get something for Mr. Chagnon.

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

Stipulations from the July 5, 2006 Technical Advisory Committee Meeting:

- 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. All work shall be completed to the satisfaction of DPW;
- 2) That a note and detail be added to the Site Plans indicating that they are filling the driveway, that standard size curbing to match what is already there shall be used and the curbing adjacent to the driveway will be reset to the proper reveal;
- 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 and said agreement shall be under review prior to Planning Board review;
- 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 .1%;
- 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, 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 applicant is responsible for removing the meters and poles and reinstalling the poles, however DPW will reinstall the meters. This shall all 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;

Stipulations from the August 1, 2006 Technical Advisory Committee Meeting:

- 18) That prior to the issuance of a building permit, the applicant shall apply to the HDC for the meter and gutter on 46 State Street and those must be resolved;
- 19) That the applicant and the Building Inspector shall meet and advise the Planning Board on what is required regarding the chimney issue;
- 20) That the curb reveal be continuous in uniform in front of #46 and #58;
- 21) That the gate be eliminated from the plans but a note added that it can be revisited in the future if the need arises;
- 22) That the steps in front of #46 be labeled as existing;
- 23) That Note 10 on Sheet C-3 should be revised to state review by the City Legal Department, DPW and the City Manager;
- 24) That Note 8 on Sheet C-2 be revised to state that the applicant shall remove the posts and meters and reinstall the posts once construction is done; and
- 25) That a short detail on the meter post be added to the Site Plans;

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II. NEW BUSINESS

A. The application of **Micronics Realty Trust, Owner**, for property located at **200 West Road**, wherein Site Review approval is requested to construct a 75' x 94' one-story addition with accessdrive and additional parking, with related paving, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Plan 267 as Lot 22 and lies within an Industrial District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Peter Weeks, on behalf of PGW Real Estate Consultant, on behalf of Micronics, along with Dennis Moulton of AMES MSC. They have been working with the Planning Department for almost one year on the need to expand their facility on West Road. Micronics is manufacturer and they have the need for an addition to allow for the flow of product coming in and out. They have applied to the DES for a Dredge and Fill permit which received a unanimous recommendation from the Conservation Commission. Also, the Conservation Commission unanimously approved the Conditional Use permit with stipulations and the Planning Board granted approval on July 20, 2006. They are present for Site Review and hope to be on August 17th Planning Board agenda. Micronics has been in Portsmouth for over 10 years and is a very clean industry. The Conditional Use conditions will improve the property.

They will stipulation from the beginning that the same stipulations can be carried over for this approval.

Dennis Moulton, of AMES MSC, indicated that this is an existing building with parking for the current use. The proposal is for an additional 7,000 s.f. addition to the building and adding a small piece of pavement to accommodate restriping 43 parking spaces. Also included are two handicapped accessible spaces where there is currently only one. They are creating an access drive on the end towards the new addition which will be constructed with grasscrete pavers. The grasscrete pavers allow concrete to be placed on the site, the concrete forms are removed and filled in with either a grass or gravel/sand mixture. The permeability either equals or exceeds the current condition. They are also providing a new stormwater management system for the site. Currently the stormwater comes off the edge of the pavement to the wetland. They are proposing a stone filled trench which will collect the stormwater and allow it to flow over a vegetative filter strip which will be designed with plantings which will enhance drainage. Adelle Fiorello of NH Soils described the area as a designed wetland. The proposed treatment was approved by the Conservation Commission and the Planning Board for Conditional Use as well as additional buildup going into the wetlands was recommended for approval to DES by the Conservation Commission and that application is still pending. He did calculations on the stormwater manage system and it will function at a level lower than that recommended by DES. They are also adding the raingarden which is designed as a low area which will collect roof run off as a treatment alternative. The overflow will go into the trench system. It is a fairly simple site design.

Mr. Holden noticed that the plans indicated using the grasscrete system or “approved equivalent”. Mr. Moulton indicated that if the contractor finds an alternative which he feels is equivalent to grasscrete then Dennis could review it to see if it was acceptable as an alternative. Mr. Holden felt it should also be reviewed by DPW if they plan to switch it. Mr. Weeks indicated that they wanted to make sure they had an alternative in case this particular product is no longer available. He had no problem with DPW also reviewing an alternative.

Mr. Holden asked what the difference was between a detention pond and a raingarden? Mr. Moulton indicated that a detention pond would be designed to capture an entire stormwater event. A raingarden only catches the first flush volume and anything over that would go into the overflow. The vegetation will be specifically water tolerant. They will work with NH Soils on the exact plantings. Mr. Holden requested that they be subject to review by Lucy Tillman.

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

Mr. Holden requested that any change to the Site Plan be approved by DPW and the species for the proposed raingarden shall be reviewed by Lucy Tillman, if for no other reason so that they become familiar with it.

Mr. Allen pointed out that the force main coming out looks like it ties into the drainage system and it probably should go straight out to the sewer system. Mr. Moulton will correct that.

Deputy Fire Chief Griswold suspects this is already in the plans however if the building is sprinkled, it needs to be extended to the new addition. The fire alarm system needs to be extended also. If they don't have a knox box then they will need one.

Mr. Holden asked about site lighting? Mr. Moulton confirmed they were not proposing any changes to that.

Mr. Holden asked about snow storage? Mr. Moulton indicated snow storage would be to the two sides of existing property. Mr. Holden asked if they have too much snow, they will remove it from the site and they will agree to that as a stipulation? Mr. Moulton agreed to that.

Mr. Holden asked about maintenance of the raingarden? Mr. Moulton confirmed that was part of the Conservation Commission approval. Mr. Holden indicated that the stipulations from the Conditional Use approval should be incorporated in this approval.

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

Stipulations from the August 1, 2006 Technical Advisory Committee Meeting:

- 1) That any changes to the Site Plans regarding the grasscrete product shall be reviewed and approved by DPW;
- 2) That the proposed species for the raingarden shall be reviewed and approved by Lucy Tillman of the Planning Department;
- 3) That the force main coming out should go straight out to the sewer system and should be revised on the Site Plans;
- 4) That the building sprinkler system and fire alarm system should be extended to the new addition and a knox box should be installed if there is not one on the present building;
- 5) That if there is not adequate space for snow storage on site it shall be trucked off-site;
- 6) That the stipulations from Conditional Use Approval at the July 20, 2006 Planning Board meeting shall be incorporated into the Site Review approval;

Stipulations from the July 20, 2006 Planning Board Conditional Use Approval:

- 7) Separate drainage of roof water from other storm water will be employed with at least part of roof drainage to be used for irrigation of native landscaping and remainder outleting beyond storm water treatment area.
- 8) In landscaped areas outside of storm water drainage area, the applicant shall install native wetlands vegetation and where possible employ the use of a rain garden.
- 9) Before site disturbance, the applicant shall remove and bag phragmites in black plastic and dispose of in an appropriate manner in order to eliminate the spreading of invasive species, and a note shall be added to the Conditional Use Plan as well as any Site Review Plans.
- 10) The applicant shall report annually to the Department of Public Works the condition of the storm water treatment system including any monitoring of invasive species and including the maintenance of a no mow policy of the native plants in the treatment area.
- 11) The applicant shall apply wetland seed mix in the disturbed areas behind the new addition.
- 12) That approval is conditioned up the applicant receiving a permit from NHDES.

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II. ADJOURNMENT was had at approximately 3:00 p.m.
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These minutes were taken and transcribed by Jane M. Shouse, Administrative Assistant in the Planning Department.