

MINUTES OF RECONVENED MEETING  
SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

MAY 8, 2007

EILEEN DONDERO FOLEY COUNCIL CHAMBERS  
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE  
PORTSMOUTH, NEW HAMPSHIRE

**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

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**I. OLD BUSINESS**

A. The application of **Harborcorp, LLC, Owner** for property located **off Deer Street, Green Street, Market Street, Russell Street and Maplewood Avenue**, wherein Site Review approval is requested to construct an 83,118 ± s.f. 6/7-story structure consisting of a hotel, convention center, parking garage and 21 residential condominiums, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 118 as Lot 28, Assessor Plan 119 as Lot 1-1A, Lot 1-1C and Lot 4, Assessor Plan 124 as Lot 12, and Assessor Plan 125 as Lot 21 and lie within the Central Business A (CBA) District, the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District A. (This application was postponed at the May 1, 2007 Technical Advisory Committee Meeting)

The Chair read the notice into the record.

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

**SPEAKING TO THE APPLICATION:**

Attorney McNeill presented on behalf of Harborcorp and stated that they planned to address traffic issues at this meeting. When they initially made their plan for traffic and parking, they modeled it after the "Walker Plan". It is the desire of the applicant not to affect parking of anyone in the vicinity of the site, be cooperative of neighbors, and have as many parking spaces as possible. They also want to be responsive to the concerns of TAC and citizens. The bottom line is that the applicant would be willing to use Plan A or Plan B, whichever it felt to be the better plan. Their desire is to continue to work with the Committee for a plan that they are comfortable with. They still have to appear before the Parking Committee this week. They will see a significantly different plan from last time, including a one way section on Deer Street and an increase in parking spaces.

Giles Ham, Traffic Engineer, from Greenman Pedersen, indicated that they want a safe pedestrian and traffic flow. He distributed hand outs to the Committee. The first plan showed current on street parking supply. There are currently 47 parking spaces on Deer Street and 22 on Russell Street, totaling 69 spaces. Most of those spaces are 4 hour meter spaces and a couple are 15 minute meter spaces.

The plan which is referred to as “The Walker Plan” looks at left turn lanes into the garage and Russell Street and a realignment of Russell Street. They were challenged by the City to come up with an alternative plans to maintain as much parking as possible and they developed a plan which provides for one way flow on Deer Street, which allows left turns from Russell Street to not be opposed by traffic movement. They can also add parking along Deer Street and angle parking on the other side of Deer Street. It provides more parking and better and safer pedestrian and traffic flow. This would create shorter pedestrian crossings. Angle parking would slow traffic down and make it safer. As far as traffic operations, the left turn would now be unopposed and the right turn from Russell Street to Deer Street would again be unopposed. There are currently 47 parking spaces and under this plan they would only remove 12 spaces whereas “The Walker Plan” would remove 32 spaces. Overall, this is a safer and better plan.

Deputy Police Chief DiSesa asked what was the width of the road? Mr. Ham stated it is 44’ today. The parallel parking spaces are 8’-9’ wide and the one way travel lane is 16’. Therefore there would be 16 clear feet from the edge of the parallel parking to the edge of the angled parking.

Dennis Moulton of AMES MSC, presented next. He addressed drainage issues. He stated that the challenge is that they are working with an existing city infrastructure which has limited capacity. They need to come up with a system and improvements which would mitigate the increased flows from this site. They believe they have a solution which requires a little more refinement.

At the request of DPW, Mr. Moulton met with David Desfosses and David Allen. They proposed most site drainage be conducted down from Maplewood, towards Deer and then south on Deer. Then it would pick up a 48 inch pipe which goes out to the North Mill Pond. They had to look at the outfall pipe which is partially submerged. One item which Mr. Desfosses and Mr. Allen asked them to look at is the effect of the addition of this site with what they have now. Subcatchment is included in their analysis, based on topography and assumption that drainage flows in that direction. This was not surprising but they are taxing the system already. If they had mapped this more accurately it would have shown that the pipe system handles things a little better. They compared before and after numbers to see if they were acceptable to the City.

Mr. Moulton handed out a sheet showing their analysis, both at low and high tide scenarios. According to the analysis, looking at the structures on line, there are already some problems with storm water elevations. He asked them to look at the before and after figures to determine whether they are acceptable. Mr. Moulton did a comparison of the difference in their calculations, which was documented on the handout. They looked at what would happen when they added their drainage to the existing system. This assumes they have some on site detention. Just adding a relatively small flow throws everything out of whack. Next, they looked at how they could improve the system from their site to Deer Street. The first catch basin they connect into they would increase pipe sizes from 12 to 16. They would also replace a 36’ pipe. By increasing pipe and increasing on site storage, they are starting to get back to numbers similar to existing conditions.

The last columns on the handout for the proposed outfall show increased flows. With a little more tweaking and increasing the size of the detention on-site they will be pretty much matching the existing conditions of that drainage system.

Mr. Allen noted that the two numbers that stick out are the calculated peak elevation with proposed drainage system of 135.72. Mr. Moulton confirmed that number is correct. At that elevation the system doesn't know what to do with the rest of the water.

Attorney McNeill confirm that concluded their presentation.

Mr. Holden reopened the public hearing and called for public speakers.

Attorney John Ryan, representing Dover Realty Trust, who owns property at 10A Market Wharf Condominiums, addressed the Committee. He has been involved with this project since it came before the City Council last year. He has concerns about how parking works out. He handed out a parking analysis. History shows that 559 spaces were originally required for the Sheraton. Relief was received through a Special Exception to go with 141 spaces. Some spaces are within the Courtyard and under the building. The CLD report that was given to the City calculated the number of parking spaces required based on uses and stated they would need 1359 spaces. Adding the 401 spaces that the old hotel required would bring it up to 700 plus required spaces. He realizes that Harborcorp will have a certain number of spaces outright but the total number of actual physical parking spaces is 723. That is a shortfall in excess of 1,000 parking spaces, although he understands this is off set by the parking credit for the lot. Attorney Ryan stated they therefore will have an overflow when the Conference Center is operating at full capacity. He believes this will create a serious problem.

Attorney Sharon Cuddy Somers, representing The Hill Condo Association was pleased to hear the Westin is responsive to the concerns of previous Traffic & Safety meetings and is pleased they came forward with a new plan. The concern of The Hill is the removal of parking on the lower end of Deer Street. They have a number of small businesses which mandate that they have parking immediately adjacent to their businesses. She believes there is a disconnect between the real world parking needs and those on paper per the Zoning Ordinance. She also asked them to take into account that the Hill businesses are vested in their own businesses and make an economic contribution to the City. She would ask the Westin to continue to be responsive. She would also ask the Parking Committee and the Traffic & Safety Committee to keep this in mind. There were comments by Ken Smith regarding the Walker Plan that it may bear further study as it was the premise of all studies done to get to today. That may have changed by the new plan displayed today but they need to bear that in mind. Ted Grey also commented that it is part of the Parking Committee's, TAC, Traffic & Safety Committee and the Planning Board to take the needs of the entire city into account. Another point that Attorney Somers mentioned is that the Parade Mall is currently going through their HDC review and will be before this Board soon. That parking impact needs to be considered. As part of the Parade Mall discussion, they have been meeting with those representatives to find ways for the City, her clients, and the applicants to join together to discuss pedestrian walkways. The notion to have a pedestrian walkway on the border of the hill property across to the Westin project would provide a means to travel back and forth. She asked the Committee to take the time and sort out and properly address all issues.

Mr. Holden asked Attorney Somers if she was representing that the Parade Mall redevelopment had received approval from the HDC? Attorney Somers stated that they have only had work sessions and the next one is scheduled for tomorrow evening.

*Mr. Holden indicated for the record that Peter Britz has another commitment for a court ordered on-site and will no longer be participating in this meeting.*

Attorney Doug Macdonald, was present on behalf of two clients. At the April 3<sup>rd</sup> TAC meeting he presented comments on behalf of Fred Lowell at 62 Deer Street. That case is currently pending before the Supreme Court. He plans to appear before the Parking Committee and the Traffic & Safety meeting. The Traffic & Safety Committee asked City Attorney Sullivan to speak to this matter and he suggested they should move forward as if the driveway were located at 62 Deer Street. Attorney Macdonald's concern is that this again brings Russell Street closer to his client and this remains problematic. He understands Attorney McNeill has represented that this lawsuit does not effect his client however this is a private/public partnership so it is incumbent upon the City to consider this aspect and this lawsuit relative to planning.

Attorney MacDonald was also present on behalf of 976 Realty Trust, who have offices and a hotel at 1000 Market Street, which is a thoroughfare. They believe traffic issues remain a real concern. In the past he has indicated that parking was problematic and those were also presented by Attorney Ryan today. Attorney Macdonald shares all of those concerns. The parking study that everything is based on was done in 2005 with projections but it did not include the redevelopment of the Parade Mall or the Portsmouth Herald. He feels those should be considered. Also a new plan with a one way street throws off all of the study. He would like the Committee to consider the validity of the study.

Bill Craten, of Granite State Minerals, addressed the Committee. He stated that a one way street on Deer Street would severely impact their business which has been there for more than 50 years. He will now follow this application more closely. They object to the one way street. As a vehicle comes into Market Street, especially in the winter time, if their yard is filled with trucks they will exit back up Deer, go back around the hotel and circle back around. They have a large stockpile by the railroad tracks so they are constantly moving salt back and forth. The one way street would have a dramatic impact on them.

Attorney McNeill addressed Attorney Ryan's comments with regard to parking spaces. This has been a matter of frequent discussion with the Planning Department. They believe they are over the credit amount by 150 spaces. Concerning Attorney Somers' comments, he appreciates the facts she is aware of their efforts to increase parking. That has been the reason for the change in this plan. Regarding Mr. Cratin's concerns, he wanted to make it very clear that the plan that is before them has resulted from discussions with the City and is supported by the City's Traffic Engineer and the Director of Public Works and they feel this is clearly a better plan. They have attempted to be responsive to all issues what requires some balancing which results in a better plan. Regarding Attorney Macdonald's comments as it relates to Mr. Lowell, they believe Attorney Sullivan has adequately addressed that issue. With regards to 978 Realty Trust, in the first instance they do not believe there is legal standing for them to assert objections to this project. Their continuing comments to include projects which have not even proceeded forward is just another effort on their part to further delay the project because they perceive the Sheraton to be a competitor. Regarding the Parade Mall and the Portsmouth Herald redevelopments, they will be required to consider the conditions that surround them as they go forward with their projects.

Attorney McNeill confirmed that they plan to go to the Parking Committee this week. They believe technical issues before this Committee have been resolved and they look for a favorable recommendation with conditions.

Mr. Holden again called for public speakers. Seeing on one rise he closed the public hearing.

#### **DISCUSSION AND DECISION OF THE COMMITTEE:**

Mr. Finnigan asked if someone was backing out of the last parking space closest to the crosswalk, at the intersection of Russell & Deer, is there a probability they will back up onto the crosswalk? Mr. Ham believed there was adequate width but they will look at that.

Mr. Allen referred to the drainage plan, he asked if the storage intended to be done with upsizing some piping? Mr. Moulton indicated they will put in a system on site. Mr. Allen asked about a volume for that? Mr. Moulton stated it was probably around 15,000 – 20,000 cubic feet.

Mr. Holden stated he is impressed by the alternative parking plan that was presented. What strikes him about the new plan is that it really addressed pedestrian movements, traffic calming and traffic and turning movements on Russell & Deer. He asked Mr. Ham to review the pluses of this new plan.

Mr. Ham stated that from a pedestrian standpoint, they have been challenged by neighbors and businesses and the City to minimize the impact as it related to the property. On street parking was a very important issue. What it provides is adequate traffic flow and they have added appropriate crosswalks. It does have an L in the Deer Street section so the crossing is narrower. The new plan has shorter pedestrian crossings which is a plus. Operationally by taking away conflicting traffic movements with the one way plan, it creates some free flow which is better than the Walker Plan. Also the right flow from Russell to Deer would not have opposing traffic so that movement would operate better as well. The left turn to Russell to Deer would operate at a better level of service. The Walker Plan is acceptable but the City requested changes to make things better for their neighbors so that is why they have a new plan.

Mr. Holden asked if a large truck can make their movement under the Walker Plan and the new plan? Mr. Ham indicated that Russell to Deer would be tight and the truck would be required to swing a wide turn and use the left turn lane. They will be redesigning Russell and Market Street intersections. Mr. Holden asked if the traffic light at Russell and Market would facilitate the movement of traffic? Mr. Ham indicated that currently there is no left turn and they would be adding one.

Mr. Allen moved to approve with stipulations. Deputy Police Chief DiSesa seconded the motion.

Mr. Holden suggested they go through the comments from the previous meetings to see if they are addressed and see if the Committee wants to make them formal stipulations or whether they have been completed.

Comments from the April 3<sup>rd</sup> TAC meeting:

- 1) That the applicant shall meet with David Desfosses of DPW to finalize construction details to make sure they meet City standards;

Mr. Moulton felt this should remain and he will schedule a meeting with Mr. Desfosses this week.

- 2) That the additional 2" water service to the garage shall not be activated until the subdivision is approved;

That should remain as a stipulation.

- 3) That the applicant shall arrange to have the USGS monument off the ledge at Russell Street relocated during construction;

That should remain as a stipulation.

- 4) That the applicant shall work with DPW regarding drainage;

That should remain as a stipulation.

- 5) That the applicant shall work with Peter Rice, DPW, to review the proposed 1,000 gallon grease trap to determine whether their flows from their cooking facilities are adequate;

That should remain as a stipulation.

- 6) That the applicant shall work with the City's Police and Fire Departments to verify that they can communicate with their base station inside the proposed buildings;

That should remain and as they go forward they will finalize the plans.

- 7) That the applicant shall remove the stop sign and stop bar at Deer Street;

That can be removed as it is no longer part of the plan.

- 8) That the applicant shall coordinate the VAI plans with the AMES plans;

Quite a bit of coordination needs to occur before that is completed.

- 9) That the Landscape Plan shall show all tip downs and add the appropriate construction detail and correct the conflict between tree placement and mid-block crossing;

That the landscape plan should be subject to review by the Trees and Greenery Committee and coordinated through Lucy Tillman.

- 10) That at the intersection of Maplewood Avenue and Deer Street, the applicant shall review the pavement marking near the railroad tracks, move the left turn arrow back from the stop bar, review the timings and system coordination needs for the current coordinated system that works very well, and review the alignment of through movement on Deer Street (specifically a vehicle traveling southbound towards Bridge Street);

This can be simplified to coordinating the timing systems.

- 11) That the Site Plans shall clearly define all on-street parking, both existing and future, and label all existing spaces being removed on Deer and Russell Streets;

This has been completed.

- 12) That the crosswalks shall be City standard;

A stipulation should be added that a meeting be set up to review final street geometry, paving and side crosswalks.

- 13) That the applicant shall identify how they will direct vehicles to the hotel/garage from the highway;

A signage plan will be required and subject to review by DPW and the City Traffic Engineer.

- 14) That the applicant shall prepare a Construction Management Plan for review and approval by the City Legal Department, Planning Department, City Traffic Engineer and City Manager, prior to permit approval;

This still needs to be completed.

**Comments from the May 1, 2007 Technical Advisory Committee Meeting:**

- 15) That the applicant shall appear before the City's Trees and Greenery Committee;

This has been taken care of.

- 16) That the appropriate pedestrian signage shall be added to the mid-block crossing;

That has been taken care of.

- 17) That a detail be added for the crosswalk on Green Street.

That has been taken care of.

Mr. Holden indicated that addresses all comments from the April 3<sup>rd</sup> and May 1<sup>st</sup> meetings. He asked for additional stipulations. Mr. Holden requested that this project shall be reviewed by the Parking Committee.

Deputy Fire Chief Griswold asked for automatic notification of emergency services and that a knock box be installed.

Ms. Finnigan requested that the first and last angled parking space be reviewed for safety purposes.

Mr. Desfosses stated that the final lighting plan needs to be reviewed and approved. Included in that review would be type of fixture and spacing.

Mr. Holden requested that the City and the applicant work together to identify areas where brick sidewalks shall be installed along the perimeter of the property.

Mr. Allen requested that a water demand calculation stamped by an engineer be provided to Public Works.

Motion to approve passed unanimously with the following stipulations:

**Stipulations from the April 3, 2007 Technical Advisory Committee Meeting (as amended):**

- 1.) That the applicant shall meet with David Desfosses of DPW to finalize construction details to make sure they meet City standards;
- 2.) That the additional 2" water service to the garage shall not be activated until the subdivision is approved;
- 3.) That the applicant shall arrange to have the USGS monument off the ledge at Russell Street relocated during construction;
- 4.) That the applicant shall work with DPW regarding drainage;
- 5.) That the applicant shall work with Peter Rice, DPW, to review the proposed 1,000 gallon grease trap to determine whether their flows from their cooking facilities are adequate;
- 6.) That the applicant shall work with the City's Police and Fire Departments to verify that they can communicate with their base station inside the proposed buildings;
- 7.) That the applicant shall coordinate the VAI plans with the AMES plans;
- 8.) That the landscape plan should be subject to review by the Trees and Greenery Committee and coordinated through Lucy Tillman;
- 9.) That the applicant shall review and work with the City Traffic Engineer to coordinate the timing systems at the intersection of Maplewood and Deer Street;
- 10.) That a meeting be set up between the applicant and David Desfosses to review final street geometry, paving and side crosswalks;
- 11.) That a signage plan will be required and subject to review by DPW and the City Traffic Engineer;
- 12.) That the applicant shall prepare a Construction Management Plan for review and approval by the City Legal Department, Planning Department, City Traffic Engineer and City Manager, prior to permit approval;

**Stipulations from the May 8, 2007 Technical Advisory Committee Meeting:**

- 13.) That this project shall be reviewed by the Parking Committee;
- 14.) That automatic notification of emergency services and a Knox box shall be installed;
- 15.) That the first and last angled parking spaces shall be reviewed for safety purposes.
- 16.) That the final lighting plan shall be reviewed and approved by David Desfosses. Included in that review would be type of fixture and spacing;
- 17.) That the City and the applicant shall work together to identify areas where brick sidewalks shall be installed along the perimeter of the property.
- 18.) That the applicant shall provide anticipated water demand for the project and include references of where that demand came from, i.e., a similar type of store in another area or industry standard, and said report shall be stamped by a licensed engineer;
- 19.) That DPW shall review and approve the design of the proposed signal design of Market Street at Russell Street intersection.



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**III. ADJOURNMENT** was had at approximately 3:10 p.m.  
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Respectfully submitted,

Jane M. Shouse  
Administrative Assistant  
Planning Department