

MINUTES OF MEETING
SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

OCTOBER 2, 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 Director of Public Works, Thomas Cravens, Engineering Technician; Peter Britz, Environmental Planner; Deborah Finnigan, Traffic Engineer; and Deputy Police Chief Len DiSesa

MEMBERS EXCUSED: David Desfosses, Engineering Technician and Deputy Fire Chief Steven Griswold;

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I. OLD BUSINESS

A. The application of **Seacoast Trust LLP, Owner**, for property located at **150 Route One By-Pass**, wherein Site Review approval is requested for the placement of a 50' x 8' mobile coach to be used for diagnostic services in an existing parking lot, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 231, as Lot 58 and lies within a Single Residence B (SRB) District; (This application was postponed from the September 4, 2007 Technical Advisory Committee Meeting)

Deputy Police Chief DiSesa made a motion to postpone this application to the October 30, 2007 Technical Advisory Committee Meeting. Mr. Cravens seconded the motion.

The motion to postpone passed unanimously.

Mr. Holden noted that there is an appeal pending before the BOA so the applicant has requested this action.

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B. The application of **The Hill Unit Owners Association, Owners**, for property located **off Deer Street, commonly known as "The Hill"**, wherein Site Review approval is requested to add a loading area to be used in common with abutting property owned by Parade Office, LLC, and to add 16 on site parking spaces, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 118 as Lot 26 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District A; (This application was postponed from the September 4, 2007 Technical Advisory Committee Meeting)

The Chair read the notice into the record.

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

The motion to take the application off of the table passed unanimously.

SPEAKING TO THE APPLICATION:

Corey Colwell, of AMES MSC, presented on behalf of the applicants, The Hill Condo Association. He presented 11 x 17 color drawings to the Committee to help them follow along with his presentation. The purpose of this application is for parking spaces and a loading area to benefit the adjoining Hilton Garden Inn. Five of The Hill units were sold with deeded parking rights to a certain particular building. The Condo Association also had a 48 space parking easement on an adjoining lot, however, in 2004 the Hilton Garden Inn proposed to build a hotel in the easement area. The matter went to Court and ultimately the Supreme Court ruled that the Hill parking easement was valid and the Hilton had to reach an agreement and 48 spaces were relocated to other areas of their site. 40 of those spaces were relocated and exist today however 8 will not be available until well in the future until the parking garage is constructed, 2-3 year in the future. Over time, in addition to the 8 deeded spaces and because they were 8 short of their deeded spaces, they needed more spaces on site. They met with various city personnel and they have reduced the additional parking spaces from 16 to 11 and all spaces shown are directly adjacent to the service road. Additionally, they propose to outline those spaces with granite hitching posts or bollards to prevent traffic from entering the site. This was a recommendation of City staff as a safety issue.

The second issue is the loading area, adjacent to the Blue Mermaid. It is in cooperation with the Hilton Garden Inn. Box trucks coming into the site were actually blocking traffic and they felt it was important to get them off the access road and into the site. The loading area is shown in detail on Sheet C-2.

Mr. Colwell stated that was their proposal summarized. He was available for questions.

Mr. Holden asked the Committee for technical comments. Mr. Britz noted the plans show 14 buildings. Mr. Colwell explained that two buildings are separate and not part of The Hill Condo Association.

The Chair asked if there was anyone wishing to speak to, for or against the application. Seeing no one rise, the Chair kept the public hearing open.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Holden indicated that the City's position was that even the 8 spaces were not agreement to as being recently created and yet the plan shows a total of 11 spaces. In a letter to them dated September 11th it indicated that Mr. Holden would have concerns with any plans that show any more than 8 spaces and he asked Mr. Colwell to address that. Mr. Colwell stated that the additional 3 spaces have to do with the history of the site. They started with 56 spaces and today they have 48 spaces. They have 8 deeded spaces and 40 from the settlement with Parade Office. They are trying to make up the 8 spaces that they lost. Previously the proposal was an additional 8 spaces for a total of 16 on site but it was agreed that would interfere with safety, traffic and pedestrian flow. They felt this revised proposal would be safer. Mr. Holden asked him to explain the rational behind the bollards. Mr. Colwell confirmed that they were recommended by city staff that there has to be clear separation between vehicular access and pedestrian access. To clearly separate parking from pedestrian access they are proposing these granite posts which would not allow a vehicle to go anywhere else. Mr. Holden indicated that he had the benefit of getting these plans on Friday and they have another procedural problem as the plans differ from the original application, going from 16 spaces to 11 spaces. He felt they are making progress but one difficulty is that most TAC members did not receive plans until today. He would encourage a motion to postpone consideration to October 30th. Mr. Holden thought they were asking at one

point for some engineering background on how the spaces were constructed so that someone could determine whether they will be able to survive being used as parking spaces.

Mr. Colwell referred to Sheet 3 which now contains details necessary to construct these spaces exact. The details show the lateral space, the cross sections, and the bollards which separate the spaces. That sheet is for reviewing agencies as well as the contractor. Mr. Holden asked if it was their position that this is how they have been constructed or how they should be constructed? Mr. Colwell felt it was a little of both. That is how most of them were constructed. Mr. Holden asked how would one verify that the others were constructed to that standard?. Mr. Colwell stated they would have to take a sample and disassembling a section of each space, measure the base material under the bricks and also take a sample of the bricks.

Ms. Finnigan noted it was mentioned that the spaces were 20' but most were 19'. Mr. Colwell stated that the code only requires a 19' space. Ms. Finnigan asked Mr. Holden about whether any of the deeded spaces were actually approved? Mr. Holden stated that issue is still outstanding from a legal view but that is not relevant to this review. Ms. Finnigan suggested putting in crosswalks and stop bars and stop signs to make sure people know they need to stop. Mr. Colwell confirmed that she was talking about a stop sign at the end of the service road where it comes to land just opposite of the Hilton Garden Inn and crosswalks that connect the brick paved sidewalks.

Mr. Allen asked about the curbing that comes around the corner where they are proposing the load zone and it continues right up the service road. Mr. Colwell confirmed it was only on the radius of the service road. Mr. Allen asked if what is shown on detail Sheet 2 is more accurate? Mr. Colwell confirmed that the solid black line is not curbing. Mr. Allen summarized that the sidewalk comes down and meets grade at the road, behind the loading zone. Mr. Colwell added that as you go further to the west, it drops down and requires a retaining wall.

Mr. Allen asked if there was a reason why they went with the curved retaining wall? Mr. Colwell stated that it would tie into the curb. Mr. Allen was trying to picture that detail. He thinks they need to detail that and the back wall should go straight and use some granite to transition. Mr. Colwell indicated that the intent was a step up effect. Mr. Allen asked if he felt a block wall was appropriate for a loading zone where a plow will be coming in? He felt they might want to rethink that for durability. Mr. Colwell indicated that the thinking was to match the retaining walls across the street at the Hilton Garden Inn but those are actually behind the sidewalk so Mr. Allen's point was well taken. Mr. Allen noted that there was not a detail for that and they should add one.

Mr. Britz asked if the loading zone will be signed or striped? Mr. Colwell stated that the intent was to have a sign because it is shared between The Hill and the Hilton Garden Inn.

Ms. Finnigan asked them to define the parking spaces with either bollards or hitching post. Mr. Colwell stated the intent was the hitching post as they serve the purpose of the bollard but the look is to have hitching posts because they are in the HDC and also will match down the street from the Hilton Garden Inn. Ms. Finnigan stated that was not what their detail shows. Mr. Colwell felt that typically a bollard is a concrete round post. They will add a detail to make it clearer.

Mr. Allen thought those would be susceptible to plow damage. He can see them going down like toothpicks. Mr. Holden asked how they will enforce keeping the area free of snow? Mr. Colwell stated that their intent is not to plow the parking spaces. Someone currently snow blows the area. The only thing that is currently plowed is the service road. Mr. Holden felt that should go on the site plan.

Mr. Holden asked about the proposed brick pavers. He assumes they are using the same or similar brick that is out there and is that specified? Mr. Colwell confirmed that was specified on the detail. Mr. Holden also noted they have an existing tree to be removed. Where will they be putting trees on the site?. Mr. Colwell stated there will be no replacement of the tree. Mr. Holden felt they should consider replacing that tree. Anything to soften the parking would also be good.

Mr. Holden asked them to explain what the patterns on the site plans show regarding the brick arrangement. Mr. Colwell referred to Sheet 1 of 3 and pointed out the red. The bricks go in two different directions. All bricks in the courtyard and surrounding sidewalk areas are from the early 70's. Those turning 90 degrees are bricks constructed over the last 3-4 years. That is how you can tell what is recent and what is old. For example, Unit 8-3, the Phoebe Hart House, shows where new bricks have been added. Those will be removed as they could not be accessed by the bollards. So, some areas that were bricked in will be removed. Mr. Holden asked him to label where the parking spaces are proposed and the maximum number. He also asked him to show that if someone is parking elsewhere and they are in violation what the remedy would be for that violation. Mr. Holden would actually like to see them eliminated but that is probably more consternation than it is worth. But, he would like it clearly shown that parking in other areas are an issue and, for the record, he would still prefer to see a plan that proposes the 8 deeded spaces and a subsequent application for the additional so he will reserve judgment on this until this item is properly advertised and comes up again on October 30th. However, he added that they have made great strides with this plan since 2005. Mr. Holden was also concerned that the fire department has not had a chance to review the plan.

Mr. Britz asked them to verify that all green is open space. Mr. Colwell confirmed they are at 36% open space and that does not include any previously used parking spaces.

Ms. Finnigan made a motion to postpone this application to the next regularly scheduled TAC meeting on October 30, 2007. Deputy Police Chief DiSesa seconded the motion.

Mr. Holden confirmed this matter will be re-advertised to reflect the number of parking spaces and the use of bollards.

The motion to postpone to the October 30, 2007 TAC meeting passed unanimously.

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II. NEW BUSINESS

C. The request of **Fleet Street Properties, LLC, Owner**, for property located at **154 Fleet Street**, for a second additional one year extension of Site Review Approval which was granted by the Planning Board on October 20, 2005, to construct a 3,246 ± s.f. 4-story building with basement, after removal of the existing building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 117 as Lot 6 and lies within a Central Business B, Historic A and Downtown Overlay Districts.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Mr. Holden explained to the Committee that a second extension cannot be granted without the review of TAC.

Greg Whalen, managing partner of Fleet Street Properties, presented. He explained that on August 3, 2005 they received HDC approval and on October 20, 2005 they received Planning Board approval with stipulations. The two stipulations had to do with the successful execution of an easement agreement with the City and the owner which was completed on May 18, 2006. On July 20, 2006 they received Planning Board approval for an amendment for a great trap. On September 21, 2006 the Planning Board granted a one year extension of approval. Mr. Whalen indicated that there are no contemplated changes to the plans and he was available for any questions.

Ms. Finnigan asked why there was no access on the Construction Management and Mitigation Plan (CMMP). There is a construction site that goes out into the street that blocks the sidewalk, on C-1. Mr. Holden agreed that the sidewalk is going to be used while they construct so the pedestrians have to cross between the sidewalk and the outer barrier. Ms. Finnigan felt there was no protection for the pedestrians or crossing to the other side of the street. Mr. Whalen noted that the Site Plan says see fencing detail which juts out into the street. Mr. Holden asked what a solution would be? Ms. Finnigan felt if they cross to the other side it has to be ADA compliant. Mr. Allen suggested a sign at the intersection warning them of the construction so they will cross at the other end. Ms. Finnigan stated that needs to be added to the plans and he also needs to prepare a CMMP. Mr. Holden confirmed that they want to revisit the CMMP to bring it up to current regulations.

Ms. Finnigan asked if Note 3 is the current standard? Mr. Allen was unsure but John Chagnon should check.

Ms. Finnigan referred to C-2 regarding the passage way on the southerly end of the property and asked if there is a fence there? Mr. Whalen stated that was just a miscellaneous line type.

Mr. Holden asked if there was anyone from the public wishing to speak to this matter.

Anthony Furina spoke as a direct abutter. He is not against the plan and he likes the building but his concern is traffic control for pedestrians. Pedestrian traffic is essential to his business. Also, he was concerned about blasting. He understands they don't think they have to blast but his building is old with 3' of space between the buildings. He also wants to make sure the walkway stays the same as that is how his tenants get upstairs. It was agreed that the 5' would remain open as part of the previous plan. Also, during construction, the walkway must remain open for his tenants to get in and out of their apartments.

Mr. Holden asked Mr. Whalen about the gate. Mr. Furina pointed out the gate to Mr. Whalen. It was agreed that nothing had changed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen made a motion to approve with stipulations. Ms. Finnigan seconded the motion.

Mr. Holden requested that the CMMP be updated as the process has changed over the past two years.

The motion to recommend a second additional one year extension passed unanimously with the recommendation that the Construction Management and Mitigation Plan be reviewed by City Staff and updated.

Mr. Holden added that blasting is controlled by City Ordinance and the abutters will be notified as part of that process. Mr. Allen indicated that prior to blasting they must apply for a permit

and he would be required to provide the City of evidence of the appropriate licensing and insurance and he has to make 3 attempts to notify all abutters within 500 ‘ with the pre-blast survey. If there are any issues, they can be dealt with ahead of time.

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III. ADJOURNMENT was had at approximately 2:50 pm.

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Respectfully submitted,

Jane M. Shouse
Administrative Assistant
Planning Department