

MINUTES OF MEETING
SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

APRIL 29, 2008

**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, Deborah Finnigan, Traffic Engineer; Thomas Cravens, Engineering Technician; David Desfosses, Engineering Technician; Peter Britz, Environmental Planner; 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 **150 Greenleaf Avenue Realty Trust, James G. Boyle, Trustee, owner**, for property located at **150 Greenleaf Avenue**, wherein Site Review approval is requested to revise parking and drainage and add a new parking area and a drainage treatment area, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 243 as Lot 67 and lies within the General Business district.

The Chair read the notice into the record.

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

SPEAKING TO THE APPLICATION:

Andrew Nowacki, of MSC Engineers, was present with Dennis Moulton and Bernie Pelech, representing the applicant. He had information on the lighting exhibit plan that was discussed at the last meeting regarding what the neighboring properties can see of the proposed lighting. He handed out a Lighting Exhibit Plan. The application is for the expansion of the parking to accommodate vehicle storage areas as well as an installation of two stormwater devices and a gravel wetland system. At the last meeting there were several items they were asked to address. They had a letter which summarized those additions and he reviewed the letter with the Committee.

1. Plan clarity. The plans were difficult to read so they broke it into a larger plan set. There is a Site Plan which includes utilities and a grading and drainage plan, which gives a clearer idea of what they are proposing.
2. Test Pit Data. This was added to the Existing Features Plan regarding the high water seasonal table.
3. Underground utilities within the buffer. The underground utilities within the buffer have been relocated entirely outside of the buffer area.
4. Proposed lighting. They have relocated the light poles that were in the buffer and the Lighting Plan is modified.

5. Existing roof drains. They have shown the locations of the roof drains that they know of. It is not completely known where all internal roof drains are, but they are pretty sure they tie into the drain on site.
6. Proposed handicapped ramp location. The handicapped ramp location was relocated so it was further from the proposed sign to better accommodate handicapped access for wheelchairs.
7. Identification of proposed customer parking areas. They have identified what areas they plan to use for customers coming to the site as opposed to vehicle storage areas.
8. Extraneous revision cloud. The revision cloud on the area of Greenleaf Avenue was removed.
9. Existing parking space labels. At one time there was a conflict between the Existing Features Plan and the Site Plan. These has been synchronized now.
10. Existing water line location. They received information from the City (DPW) on the existing water line which is now shown and they will continue to research this.
11. Gravel wetland No. 1 piping. The point had been made that the pipe going between the pre treatment sediment bay and the gravel wetland system should be raised so as to eliminate the potential for sediment to come into the wetland system and affect it. They have raised it a foot at all four locations for the two wetland systems.
12. Gravel wetland No. 2 piping. The outlet pipe for the system was too close to the inlet pipe and it may short circuit the system so they relocated that pipe.
13. Proposed trench drain. They have eliminated the drain in the loading area.
14. Proposed pavement in wetland buffer. They had formally shown grading in the buffer area, the existing pavement close to the gravel wetland system #1. They have eliminated that proposed grading as it was not allowed.
15. Spot Elevations for existing wetland drainage. They added spot elevation for existing drainage to more clearly show what is happening in the wetland. Drainage flow is from the north to the south through to the wetlands, through the culverts, down at the southwest portion of the parcel.
16. Glare effects from proposed site lighting. The exhibit handed out to the Committee shows a detail. The existing houses east of the site were located and they show the first floor elevation of each house. They added the approximate fixture elevation for each light they are proposing. Proposed is a 20' pole height and a 1' base. Looking at house #239 in the southeast corner of the plan, there are two section views. Section AA goes to House 239 to the pole just to the left of the entrance to the site. It represents the greatest elevation distance from the first floor and the fixture elevation and would represent the worse case scenario. The top left hand corner represents graphically what is happening to that area. Section BB, also from House #239, goes to a light right on the edge of the parking lot and represents the highest elevation for a fixture in relation to the shortest distance to the house. That corresponds to an angle of about 3- 3 ½ degrees. Mr. Holden asked for a layman description. Does it mean they can see the bulb or not? Mr. Nowacki explained that all lights to the left of the highway have a cut off installed on them (Route One Bypass side). The light detail gives an idea (circled on page 2) of what the shield looks like and on page 3 you can see how it is mounted. That eliminates the lighting from crossing the property line. He spoke to the lighting designer today and that was what he indicated. All other lights on the property will not have a cut off. Just the ones along the Route One By-Pass and the ones along Greenleaf Avenue all have cut offs.

Looking at the lighting plans in the plan set, parallel to the Route One By-Pass there are eleven lights along the edge of pavement that have the designation G which have the shields installed. Along Greenleaf Avenue there are 6 lights with the designation C which have them.

17. 8 ½ x 11 color up of drainage patterns. The red arrows are indicating the direction of drainage flow on the site.
18. Calculation of volumetric flow to existing wetlands. The effect the increase of impervious on site will be having on the existing wetlands to the west of the site. Looking at the drainage report on page 4, there is a Table that clearly illustrates what is happening. They modeled the site at 3 different storm events: the water quality event, the 10 year and the 25 year. The pre and post run off volume increases at each event. The second row shows the peak elevation of existing wetlands increases at the water quality volume event by approximately 2/10'. The other storm events decrease the peak elevation of the wetland. They modeled the culverts at the southwest corner of the property to more accurately display what is happening. Now that they have updated their model, they realized the water quality event there is an increase in flow of 9/10. At the 10 year and 25 year there is a decrease as well. There was a question of whether abutting houses would be flooded by the increased impervious and they have clearly illustrated that they will not.
19. Inspection and maintenance of proposed gravel wetlands. The Detail Sheet for the gravel wetland addresses each of the parts of the system and what specifically should be done as far as maintenance. They would inspect the forebays for sediment accumulation twice per year minimum to remove when the level reaches 4" or more. The pipes that connect the fourbays to the wetland system are at an elevation of 1' off of the ground. They would inspect for accumulated debris twice a year, inspect wetlands for areas of dead or stressed wetland grasses, reeds, herbaceous plants or shrubs a minimum of twice a year and replant as necessary. Mow grassed side slopes on a regular basis to keep height of vegetation below 4", inspect for and remove accumulated debris twice per year minimum. Following the UNH guidelines for the design and installation of these systems, their systems have not required any maintenance. The wetland plantings were specifying the New England wetland plants, wetmix or equivalent. Native shrubs can be planted as well. Wetland mix should include a healthy diverse mix of native wetland grasses, reeds, herbaceous plants, and shrubs.
20. Construction Management Plan. They would be happy to furnish that upon approval.
21. Removal of existing curbed island. They now more clearly illustrate that island will be removed. It is just south of the existing building and south of the sales area.
22. Invasive species list. The landscaping plan has been corrected to remove invasive species.
23. Public/private sewer labels. Those have been clearly illustrated on the Existing Features Plan as well as the Site Plan.
24. Replacement of dead trees. A note has been added to the landscaping plan.
25. Smart Controller. The irrigation notes on the Landscaping Plan have been revised to indicate a preference for Smart Controllers.
26. Existing sewer manhole rims and elevations. Those have been added to the Existing Features Plan.
27. Trip generation calculations. Those have been furnished to Deb Finnigan based on information from the 2007 application for the site.

28. Proposed stop sign. This has been added to the entrance on Greenleaf Avenue.

Ms. Finnigan noticed they were moving a ramp near the wall, but she doesn't see enough turning space. She would like to see a detail. Where they labeled Customer Parking, is that visitor parking or just to let them know where it is. Attorney Pelech stated they are proposing a series of directional signs for customer parking. Ms. Finnigan confirmed she would like to see that on the plan.

Deputy Fire Chief Griswold indicated that when they abandon the utilities from Lois Street, the fire alarm service is on that so if they are going to replace that service they have to make sure it comes in from Greenleaf with PSNH underground and it should be done at the same time.

Mr. Holden opened up the public hearing and called for speakers.

Charles Griffin, of 210 Hillside Drive, spoke on behalf of himself and his wife, Judy. He stated that he had reviewed the files in the Planning Department. He wanted to comment on three items: the number of parking spaces that are being requested, the lighting and the traffic. He handed out exhibits. Based on the file, the applicant wants to have 554 spaces on site as opposed to the 197 that currently exist. That is a 281% increase. When the applicant appeared before the BOA in 2005 seeking a variance to allow outdoor storage of vehicles, according to the minutes (Exhibit 1), Mr. Horrigan asked about if there was some number of cars that must be displayed to make a viable dealership. Attorney Pelech answered yes, that is where the economic factors come into play. Mr. Horrigan asked if there was some rough number and Jim Boyle stated that a 60 day supply or roughly 240 – 304 cars are needed. Attorney Pelech stated that if the variance was granted that night, which it was, then there would be approximately 200 spaces to display vehicles. In 2005 the applicant indicated that 300 spaces were needed to have a viable dealership. Now, in 2008, with the economy in decline, the applicant claims it needs 554 spaces or nearly twice as many to have a viable dealership. As they know, representations made before a Board are considered to be statements of fact. The applicant indicated in 2005 that 300 spaces were necessary and the economy was a lot better off in 2004 than it is today. Mr. Griffin would question the need for 554 spaces and he would think the Committee would as well and not approve the request for 554 parking spaces. The number of spaces is significant because it directly relates to his next issue regarding lighting. The more spaces you have, the more lighting you will need. Mr. Desfosses asked Mr. Nowacki about light poles and he said they would be 20'. When the BOA granted them a variance in 2004 one stipulation was that the light pole height should not exceed 16', which is the height the Planning Board has been looking at. This was a recommendation made by the Planning Department. So, once again, he feels the Committee should hold the applicant to the same standard and hold them to a 16' light pole and not the 20' that the applicant is requesting. Since this is a stipulation that was attached to the granting of a variance, he does not believe they can approve a request of 20' high light poles. Also, the height of the light poles directly impacts the light impact to surrounding properties. His house is on the higher side of the hill on Hillside Drive and in the spring and summer they don't see anything but in the fall and winter months they do. Another stipulation that the BOA in 2004 was that if lot lighting was provided, it shall be designed in such a manner as to not create a hazard on public ways or be objectionable to adjacent properties. He asked that they keep that stipulation on this application. The next issue relates to traffic and he simply wanted to comment on Mr. Boyles' statement that this used to be a school with about 350 students so his business has been a big reduction in traffic. When Ms. Finnigan asked how many cars a day, Mr. Boyle thought 100 cars per day. In August of 2004 Attorney Pelech stated that approximately 100 spaces were used by the school. Also in 2004 the applicant indicated that they just wanted to use the parking spaces there were there now and at that time the applicant indicated that there were approximately 200 spaces that could be used for the dealership. He doesn't know what this means in terms of the spaces that were being used by the school but he believed the students from the school were parking on a portion of the existing pavement that was not being used by the dealership. Mr. Griffin submits that in 2004 there were 200 spaces available to the dealership with another 100 available to the school, then in 2004 there were enough spaces for over 300 vehicles on the site. Mr. Griffin and his neighbor walked through the lot one evening and did a count in 2004 and they came up with a count of 270 vehicles parking on the

lot that night. Another concern about traffic concerns vans delivering vehicles to the site. He recently saw a delivery van turning onto Greenleaf Avenue from the By-Pass. He has two concerns. The van ended up parking on the street on Greenleaf Avenue. His second concern was whether the width of Greenleaf Avenue wide enough for these trucks to turn onto Route One without crossing into another lane of traffic. He also noted that there were concerns of residents on the Peverly Hill Road end about delivery vans to the dealership were coming down from Peverly Hill Road and he would question whether there is enough room at the intersection of Greenleaf Avenue and Peverly Hill Road for that either. People, including high school students, cross the street at the signalized intersection and that will become more hazardous. Mr. Griffin felt that the intersection has some degree of danger to it. Common sense tells you that there will be more accidents. He referred to criteria (j) regarding traffic. They need to consider that more cars mean more deliveries and more cars mean more customers and more customers mean they will have an unacceptable increase in safety hazards and traffic congestion. Site plans standards A.8., states that traffic control signals and sign, turning lanes, pavement widening and other improvements to public streets shall be provided by the developer upon determination by the Site Review TAC or Planning Board that the specific improvements are necessary for safe handling of traffic generated by the proposed development. Site plans standard A.9 stated the projects having access onto congested public streets may be required to eliminate certain turning movements as determined necessary and practical by the Site Review TAC or Planning Board. He asked that the Committee look closely at these standards in evaluating this request. In conclusion, they view this as a case of being very difficult to deal with. In 2004 the applicant obtained a variance for parking on the site, saying he wanted to be able to use the existing parking on the site and he had enough parking for a 60 day supply of cars which he said was between 240 – 304 cars. Now the applicant says he has to have enough spaces for 554 cars. In 2004 the BOA said the applicant shall have lighting not to exceed 16' in height. In 2008 the applicant's plan is calling for lighting that is 20' high. A person is only as good as his word and, frankly, based on representations made by the applicant in the past, did not indicate that his word was very good. Mr. Griffin reminded the Committee that their responsibility is to be fair not only to the applicant but also the abutters because the purpose of the Site Review Regulations are to protect abutters against hazards, unsightliness and nuisances and to ensure that the development of the land is appropriate for the public services and facilities available and to insure that pedestrian and vehicular circulation can be accommodated in a safe manner. Mr. Griffin felt they could satisfy that requirement if they hold the applicant to his previous representations that he needs enough parking spaces for a 60 day supply of vehicles which is somewhere between 240 – 304 in order to have an economically viable dealership. It is not the Committee's responsibility to allow the applicant to have the ideal situation. Mr. Griffin also acknowledges that the applicant needs some spaces for employees and vehicles that are being serviced and for customers. Therefore he would submit that a plan that has between 275 – 325 spaces for all purposes, limiting light poles to 16' and insuring that lighting is designed in a way as to not to create a hazard on public ways or adjacent properties, would be fair to all and balances appropriately to the interest of all parties. If they have done that, then they have done their job and that is what Mr. Griffin was asking them to do.

(At 2:45 pm David Desfosses and Deborah Finnigan left the meeting due to a conflicting commitment.)

Attorney Bernie Pelech, spoke in rebuttal to Mr. Griffin. At the October BOA meeting, the 240 – 304 cars were new vehicles on display. It did not include used vehicles, services awaiting vehicles, employee vehicles or customers coming to look at cars. The amount of parking that is required is more than reasonable. With regard to the stipulations on the October 22nd letter of decision, this is the case that went to the Supreme Court and it was ruled that the ordinance was invalid and that it did not apply to automobiles for sale. The City saw that as making the variance unnecessary. There were the balloon restrictions and other restrictions that have not been enforced and are not necessary because of the Court case. Attorney Pelech commented on the lighting. First floor elevation of the houses is what is being shown. The first floor houses driving up Hillside Drive will be looking up at the lights and the rest of the houses will be looking down. Nobody is looking at the light from the first floor elevation so they would add about five feet to that and then you would get the same conclusion that he did which is

that the first floor houses may be looking slightly up at the light and the rest will be looking slightly down at the lighting.

Michael Donner, 152 Hillside Drive, spoke. He was present at site walk and it was an education. Referencing Attorney Griffin's comments regarding the walk though in December 2004, he counted 272 vehicles which included used cars, new cars and cars in for service. At that time the area was being utilized for a college and those parking spaces were not being utilized at all. The area in the back could have probably have utilized 400 cars. At that point there was adequate room prior to any renovations. Today's site walk shows that the parcel has been altered for the last 50-60 years. It was evident, looking at the hillside development area, that this was the "bowl" of the area and was where all run off went. He would have liked to see the area 2 -3 years ago when the area had so much rain. He's sure the area would have been like a lake. He hopes there will be consideration from the City that that area is being protected for what it is. It serves a purpose of getting the water away from developments and getting it to the aquifer. Also in October, 1999 they had 13 inches of rain in 28 hours. He asked if anyone was looking down the road about flooding? He hopes all Boards and Regulatory Commissions are looking at this for the betterment of everybody. He purchased his property on Hillside Drive in 2001 and he did a major renovation. As a developer he thought he know what he was getting into. The hydrostatic pressure was unbelievable.

Mr. Griffin spoke in response to Attorney Pelech's comments. He knows it went to the Supreme Court but that doesn't change two things. Regardless of whether it was a stipulation or not, the Planning Board was recommending 16' poles and Mr. Boyle also stated that 240 - 304 spaces would allow a viable operation. 554 is a far cry from what he indicated that he needs.

Dennis Moulton, from MSC Engineers, addressed the issue of light fixtures. This has been an on-going issue with the City regarding what proper light heights are. When Ken Smith was Planning Board Chairman there was a de facto 16' height regulation. But, that was not necessarily the best solution for all heights. When you decrease the height, you have to increase the number of poles. He knows at the time that was an unwritten rule of 16' but since then some plans have been approved for light poles in excess of 16'. Mr. Holden pointed out that if that is a valid BOA stipulation then TAC can't do anything with it.

Michael Donner stated that when Portsmouth Toyota was located on Lafayette Road south, they installed a new lighting system in the 1990's which was the most offensive lighting system in the City. It looked like Fenway Park. That was one of the sticking points at the BOA hearings. It was directed towards their old site and how much lighting the people of Portsmouth were going to suffer.

(David Desfosses and Deborah Finnigan returned to the meeting.)

Attorney John Kuzinevich, Corporate Counsel for Toyota of Portsmouth, indicated that Mr. Boyle purchased the Toyota franchise n 2001 and all lighting was done by his predecessor and he did not have any control over it. He also wanted to stress that there had been talk about numbers but this is a whole renovation and it will be more of an economic force and with that comes more jobs as it is expanding and from a business aspect it's good for the dealership and he didn't want the Board comparing apples and oranges. It still looks like a temporary dealership vs. the changes that will be made to the building and when the show room is much larger and the site is developed.

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

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Holden assumed that they are not on board for doing anything with the gravel wetland yet? Mr. Nowacki asked if he meant in terms of consulting with UNH? They made several attempts to speak

with Mr. Roseen. Mr. Holden asked if there was anything standing in the way of it now? Attorney Kuzinevich stated they are moving forward on that and just received a draft agreement. Mr. Holden just wanted to identify it as a potential outstanding issue. Mr. Holden assumed at Traffic & Safety they were tabled? Mr. Moulton stated that the Traffic & Safety tabled them to provide additional documentation on trip generations. They are on the next agenda and information has been submitted to Ms. Finnigan. Mr. Holden assumed they will have traffic information for the next TAC meeting? Mr. Holden asked Ms. Finnigan to let them know if she requires any additional information. Ms. Finnigan reiterated that she needs the signs labeling customer parking, to be approved by TAC., a detail at ADA ramp near the wall in a 20 scale or something she can read better than 100 scale, and that the CMMP include the construction sequence on Sheet 5 of 10.

Mr. Holden had questions regarding storm events. What would they expect to see at the 25, 50 and maybe 100 year events?

Mr. Nowacki started with a smaller, more frequent event. The majority of the gluttons lying on the ground will be flushed off. During the small storm events, the water will be directed into the smaller catch basins. The catch basins will collect storm water at all events. At smaller events storm water will be directed into the sediment treatment basins, on either side of the gravel wetlands and bring the smaller storm events where the water will filter into the ground inside the pre-treatment basins. As the events increase in magnitude, there will be more water directed to the gravel wetland systems and water will come out of the pipe to the pre treatment basin where sediment will settle out and when water reaches a level of approximately one foot it will begin to drain through the pipes that lead into the gravel wetland system. The water will then seep into the ground through the wetlands to an underdrain system. Water will flow out of the underdrains and downstream, having been filtered through the subspace of the wetland. The height of water within the gravel wetland that acts as a pond will vary from peak elevation according to the magnitude of the storm. There is an outlet pipe that works for detention for this pond area which will direct flow out of that pond when it gets to a certain elevation and at a very large storm event, water would be directed over an emergency stone channel into the adjoining low area. That is the basis design principal of the wetland. It treats water from the smaller storm events by filtering it because that is where the heaviest pollutant loads are and it acts as a detention device as well as a filtering device for the larger events. That is the beauty of the system, that you have a dual purpose that you don't get with a simple pond. It actually has a couple of things happening. It has pretreatment, water comes in that's been filtered, and for larger storm events water is retained and peak flow is reduced. Mr. Holden asked if they have any concerns that a bigger event would be dramatically different? Mr. Nowacki did not have any concerns as peak elevation. For the largest storm event that they modeled was a 25 year event, the peak elevation in the pond is 24.6' and the highest elevation of the wetland #1 is 26. There is a trapezoidal whir at elevation 25. There is 1/2 foot between the peak elevation at the 25 year storm event and the overflow. At the 50 year storm event it would be very close the elevation of that overflow and it could possibly be flowing slightly through by 1/10th or 2/10th of a foot. The same thing goes for the other gravel wetland with a peak elevation of 24.4 feet at the 25 year storm event with a maximum pond elevation of 27. Their size very efficiently flows. They sized them as best as possible according to the storm events.

Mr. Holden felt that the site walk was valuable but most of the Committee felt that the site was not in the type of condition they would have expected for a construction site. The lack of Best Management Practices was a concern. Walking around the site it appears that a lot more area is wet than what was expected from materials that had been submitted over the past few years. Normally they would look to postpone an action so as to get a better delineation of what's out there. As they have been working cooperatively with the applicant, he suggested they invite NHDES and the City to walk the site with their wetland expert before the next meeting. This step would address some of their concerns over what they are seeing as visible wetlands. It would also give them the opportunity to make the construction site more appropriate. Regarding paving in the rear, the City's position will be if they are going to overlay an existing parking lot no Conditional Use Permit would be required, but if it is going to be a paving reclamation, then, it would be our position that a Conditional Use Permit would be

needed. If the plan is submitted for review and they will look it over and they will try to give guidance on that distinction. They also found culvert problems on the side closest to the Chase Home and Sylvester Street. The City would be interested to work with the Applicant to see if they could facilitate improvements to these. There is a fence at the edge of the pavement and removing that fence may involve going into the wetland so he would like to have that explained a little bit better on the plans as to how this removal would be done. We know the site is tight, but there is a lot of grass area that is meant to be landscaped that is currently covered with parking. It might be one thing if it is temporary related to construction, but we want to avoid a future enforcement problem in the future. They would like to see how they plan to keep those grass areas open.

Mr. Desfosses indicated that he was very enlightened this morning at the site walk. He was not aware of the nature of the site. Just looking at the plans was not giving him an accurate understanding of the site. It is clear to him now that there is a stream that runs along the property line. That is why he had questions about volume and he now clearly sees why volume doesn't really apply. The plans are mislabeled because it doesn't show a stream. He cannot get his head around that they keep saying the water goes into the gravel wetlands and soaks into the ground when the water table is 5' higher than the bottom of the pond. He cannot get his head around how that is going to happen when the bottom of the pond is designed at the same elevation as the stream and they are cutting into the bank where the test pit shows they are going to have groundwater at less than 2 feet. He just can't see how water is supposed to go into the ground when in all likelihood it is going to be coming out of the ground. He is very much looking forward to seeing their report.

Mr. Desfosses also commented on light poles. He heard Charlie Griffin's testimony regarding the variance and he felt they need to review the lighting on the site very carefully. The current light poles are supposedly 21' but there are no details for the light pole base, but what is apparent on the light plan is that the overall foot candle is 15, which is fairly high and maybe unnecessarily high. He felt they need to look at 16' poles making it worse as they would have even brighter spots than they would at 21' so they have to balance how it will play out. They could potentially look at turning some lights off when the dealership is closed. He wants to run his analysis from the point of view of the eye and not finished floor. He is more worried about the light bouncing off all of the cars and they really need to look at the foot candle levels.

Mr. Desfosses stated that the dumpster situation on the site is deplorable. There is one dumpster on the site with no screen. He agreed with the Chairman. Looking at the ground, he knows they have had a very wet winter, but the note on the plan says that the delineation was done 3 years ago. Since then the vegetation was removed which caused rutting and differences in topography and at the same time allowed other species to move in. He has moderate doubts whether that is actual wetland any more or, if it is, and there are at least wetland pockets, he think it is completely up to date. His last concern is the pavement detail. Because the water table is so high he asked if they are planning any underdrains? Mr. Nowacki indicated they were not. Mr. Desfosses then asked if the whole parking lot will be built on fabric? Mr. Nowacki stated the water table is not at 2' across the whole site. Mr. Desfosses agreed with him that the test pit area data shows the water table just under 2' and it goes deeper and deeper into the ground s you move through the parking lot. He does not have any problem with the gravel wetland on the left side of the plan. He is predominately concerned about the one between the parking lot and the steam as it is a big hole in the ground.

Mr. Allen felt there was a point of confusion when he looks at the detail of the gravel wetland and there is the entire hatched area. He thinks how the thing works will be dictated by the materials that they use in it. They define the wetland soil, but the rest of the hatched areas are not defined and that should be done for a constructible pan to show how this will work. The embankments should have materials defined on the plan.

Mr. Cravens addressed water. Although they have included some information on the water, they are still lacking. In the front of the building where it goes up to the hydrant is one of his concerns because

of the storm drain line that is going to catch basin in that area. He would like to see them show more water lines and if they need to use test pits or pipe locators, so be it. This is especially important as the hydrant is going to be relocated. On the irrigation plan, he sees a note about the Smart Controller, which is good, but they also like to limit the irrigation times from 10:00 pm to 5:00 am. Also, they would like to see the area that is being irrigated in loam have 6” of loam.

Mr. Britz did not have anything to add as Mr. Desfosses covered his points.

Ms. Tillman referred to the Landscaping Plan, Sheet 7 of10. She understands there are areas where utilities are going through that they can’t put in additional landscaping, but it appears all of the trees in front of building are being removed and she is not sure what the material will be like around the building. She felt there were other opportunities to put in more landscaping and some substantial trees. In particular, she would like to see something as you are coming in to the service area where there is a grass area where a swale is going down to the detention pond.

Mr. Holden recommended postponing consideration of this application until the June 3rd meeting. He found that this application lacked, under their evaluation criteria, information on surface drainage, landscaping and the probability of flooding and traffic. These would be criteria e, g, i and j.

Mr. Desfosses made a motion to postpone. Deputy Fire Chief Griswold seconded the motion.

Mr. Holden advised the applicant that they would be happy to meet with them before the next meeting.

The motion to postpone this matter to the next regularly scheduled TAC meeting on Tuesday, June 3, 2008 at 2:00 pm passed unanimously.

This application was postponed as it did not meet the following criteria:

Evaluation criteria e. The site development lacks adequate storm water sewers or provision for surface drainage such that adjoining properties may be damaged by displacement or runoff of water;

Evaluation criteria g. The site development lacks adequate quantities, type, or arrangement of landscaping and open space for the provision of visual, noise and air pollution buffers;

Evaluation criteria i. The site development will be subject to an unacceptable probability of flooding that could result in loss of life or property or will divert or increase floor waters so as to endanger public health and safety;

Evaluation criteria j. The proposed volume and arrangement of vehicular and pedestrian traffic flow, including but not limited to parking areas, intersections, roads or driveways, and traffic controls will create an unacceptable increase in safety hazards and traffic congestion.

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II NEW BUSINESS

A. The application of **Madison Commercial Group, LLC, Owner**, for property located at **72 Mirona Road**, wherein Site Review approval is requested to construct a 3,400 s.f. footprint retail/commercial use building, garage and storage area, after the demolition of a portion of the existing building, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 253 as Lot 3 and lies within the General Business district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Eric Weinrieb of Altus Engineering presented on behalf of the applicant. Also present was Michele Rancourt of Madison Commercial Group, and project architect Martin Ryan, of Driver-Ryan.

Mr. Weinrieb stated that in 2003 they were before the Board to obtain permits to tear down the Artisan building and construct the Kindercare building. They have done continuous site improvements since that time, including Kindercare, replacing roofs, painting, interior improvements and a couple of years ago they repaired the parking lot by seal coating and re-stripping. This is the next step in upgrading the site. In March they received a variance to allow 201 parking spaces where 210 were required. They are now proposing to tear down a portion of the site, which is the old storage shed portion that is on blocks and is badly deteriorated. They propose to construct a 2 story building with an expanded area for garage and additional office space above. Through the BOA process they received letters of support from abutters of the project. They met with Matt Taylor, who was with Kindercare's land use department and he supports the project, including the Construction Management Plan where they take part of the playground. Other improvements to the site include an existing permitted generator that will be relocated, expanding the dumpster pad, providing new underground utilities to service the site and they have work orders from all utilities companies. They are landscaping, adding drainage improvement and they are relocating the existing water line. All in all, Mr. Weinrieb felt that the proposal is a benefit to the City as the back portion of the parcel is relatively unsightly. They want to put their vehicles inside as some snow plows have been stolen.

Martin Ryan, Project Architect, explained they are looking at a two story addition to match the current existing facility. They are looking at a light wood frame, they are matching all of the exterior finishes with vinyl siding and gambrel roofing. To the back portion they are including a conservatory glass sunroof on the 2nd floor to provide a smoking area for employees. The building also includes a deck which is conducive for a smoking area. The garage will store a lot of their equipment on site which will clean up the area considerably. They will have access to a new fire stairway which will improve the current situation as the current fire exit doesn't meet codes. To reiterate they have an entrance to the back to serve the parking. They have a ramp and set of stairs to bring them into the building and a more formal entrance for the public in the front of the building. They are developing a handicapped ramp which is not shown on the plans yet.

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

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen asked Mr. Weinrieb to talk about the drainage. Mr. Weinrieb stated it is a relatively flat area and the water eventually gets into the detention basins that run along the property line which are above grade. They have looked at what LID's they could implement on the design. They tried to maintain open drainage. The treatment goes into grass swales and vegetative buffers. It sheet flows across the parking lot and then down to the swales to a depression 4" deep which will trap the first flush. After the first flush, the water will flow into the catch basin and then into the closed drainage system. They looked at two main step closed drainage on the rear side of the building by having a stone drip edge and getting the water into the ground that way. However, they decided not to do that as they will allow the kids to play in that area and the edge would be a danger. Mr. Desfosses asked if there was a snout or something on the catch basin? Mr. Weinrieb could not remember if he included a snout. Mr. Desfosses did not see it on the detail so he asked that one be provided.

Mr. Holden felt a motion would be appropriate at this time.

Mr. Desfosses made a motion to approve with stipulations. Mr. Britz seconded the motion.

Mr. Desfosses requested that the applicant provide a snout on the catch basin that the water goes through.

Mr. Desfosses asked Mr. Weinrieb to explain again the two utility poles and whether all utility companies had signed off and everyone was on board with the utility location. Mr. Weinrieb stated that they met last fall with PSNH and Verizon and got a work order to relocate the utilities poles. The work order approves the proposed location. Mr. Desfosses asked if those were the only two utilities on the pole? Mr. Weinrieb confirmed that Comcast is also on the pole and they will have to follow behind as PSNH and Verizon own the poles. Mr. Desfosses asked if the fire department is on the pole? Mr. Weinrieb did not know.

Mr. Desfosses requested a condition that any utility companies have to agree on the placement of the new pole. Mr. Holden asked if it's a new pole location does the City have to become involved? Mr. Desfosses responded they did not if it's within 5' of the previous pole. Mr. Allen clarified that if the new pole is within 5' then no license is required and if it is not within 5' then it will require licensing approval from the City Council. Mr. Weinrieb felt it was probably closer to 10'. Mr. Desfosses confirmed that the applicant will have to go to City Council for pole licensing.

Mr. Cravens asked about relocating the water service and if they were using copper pipe? Mr. Weinrieb stated that the water line that runs through the site is a copper water service so they would replace it with copper. Mr. Cravens made a stipulation that the relocated water line is copper. The plan says 2" which is fine.

Mr. Allen requested that the drain types and type of pipe in the proposed drains should be listed. Mr. Weinrieb indicated that would be on the grading plan. They are concerned about a cover on the roof drains under the pavement as well as when Kindercare construction was completed, the line was supposed to be replaced with a new line and the contractor didn't do that so they will replace that line as well. Mr. Allen asked about the water feed to this site. He could see the 6" sprinkler but he asked where their domestic service was coming in? Mr. Weinrieb showed where the water service comes in through Kindercare and loops back around. His understanding is there is a second domestic water service from way back, however, at this end of the property they are not intending to add any new services.

Mr. Desfosses asked that they clarify the drafting of the plan. They can clearly see the addition is in orange but the grey building next to it does not show up on the plans. Mr. Weinrieb indicated he will make it stand out better.

Ms. Finnigan referred to the Site Plan Note 9, which refers to a handicapped symbol as shown. She asked where is the handicapped symbol on the plan? Mr. Weinrieb explained that initially they were going to have a handicapped parking stall in the rear and then they realized they had to have the handicapped accessibility through the front of the site so they made that a regular parking spot. Ms. Finnigan requested that they remove the note. She also felt that the construction barrier is confusing on the plan. They just have it in the front and she assumes they need it on the back and sides too. They need to add it to the plan for the CMMP. Mr. Weinrieb stated they are pulling it back and reducing the playground back to the dumpster pad. Ms. Finnigan reiterated that something needs to go on the Construction Plan.

Ms. Finnigan indicated that it was confusing to her was that they were filling the gap between the sidewalk and the building with 6" crushed stone. Mr. Weinrieb felt that was a pretty small area and they are not going to get adequate growth. There is a lot of crushed stone on the site. Ms. Finnigan thought it looks like the crushed stone goes through the building. Mr. Weinrieb indicated he will correct that. Ms. Finnigan asked if the trees shown on plan are not on the invasive species list? Mr. Weinrieb confirmed that they are not.

Ms. Finnigan asked that, on the Construction Management Plan, they should show the stabilized construction entrance as to location, wherever they propose the filter fabric fence needs to be shown and they show the catch basins in the back parking lot on somebody else's property. Mr. Weinrieb stated there was an easement. The drainage runs in a closed drainage and catch basin along the property line into the detention pond. Ms. Finnigan asked, based on his proposed, it looks like a bump of gravel and she asked if cars will be driving over that? Mr. Weinrieb indicated no, it was just for construction. Ms. Finnigan also stated that the three catch basins coming out of the proposed driveway to the dumpster need to be protected as well with some other method. Mr. Weinrieb indicated those are all outside of the paved surfaces as well but he will check those.

Deputy Fire Chief Griswold referred to Note 10 on the Utility Plan where it indicates they will coordinate utility work for fire protection with the Fire Department. He indicated that if they currently have a fire alarm system which is just going to extend into this building, then they do not need a master box. They can do the same thing with the fire alarm system and they will not need to install a new master box. He would appreciate it if they would install a Knox box by the entry way.

Mr. Britz asked about the low point on the Grading Plan where they talked about the low point where the first flush will go. Is that in the 97 contour circle? He asked what is going to be on the ground there? Mr. Weinrieb stated it will be loam and seed. Mr. Britz asked if they had thought about doing a rain garden? Mr. Weinrieb responded that the soils wouldn't absorb it as there was not enough depth into the catch basin system. Mr. Britz asked them to look into it as it sounds like the perfect set up to him. Mr. Weinrieb indicated that most rain gardens that he has put in he normally puts an underdrain system in. Mr. Britz asked for a stipulation that they look at putting a rain garden in at the low point.

Ms. Tillman asked if the dumpster area was large enough to have recycling containers? Mr. Weinrieb did not believe it was. Michele Rancourt, of Madison Commercial Group, explained that they currently have a receptacle on the other side of the property in the back corner which is not enclosed. Ms. Tillman indicated they should enclose that. Ms. Tillman asked them to label Mirona Road Extension on Sheet C-3. She also asked them to sign the employee parking in the back.

Mr. Desfosses indicated that Kindercare was asked to make a contribution towards sidewalk on the road and he will again ask for a contribution. He requested that the applicant meet with himself and Deborah Finnigan to work that out.

Mr. Allen noted that the plan was not stamped. He requested that the revised plans should be stamped.

Mr. Holden asked about proposed site lighting? Mr. Weinrieb indicated that they are 14' mounted height and they are marked on the plans as dark sky friendly.

The motion to approve passed unanimously with the following stipulations:

- 1) That a snout shall be added to the catch basins and a detail shall be added to the Site Plans;
- 2) That all utilities companies must agree and sign off on the location for the new utility pole;
- 3) That the applicant shall appear before the City Council for pole licensing approval;
- 4) That the relocated water line shall be copper;
- 5) That the drain types and type of pipe in the proposed drains shall be listed on the Site Plans;
- 6) That the Site Plan drafting shall be clarified, specifically the grey area;
- 7) That the note referencing the handicapped symbol shall be removed from the Site Plans;
- 8) That the construction barrier, the stabilized construction entrance and the proposed filter fabric fence shall be added to the Construction Management & Mitigation Plan (CMMP);
- 9) That the crushed stone between the building and the sidewalk shall be corrected;
- 10) That a Knox Box shall be installed by the entryway;

- 11) That the applicant shall explore the possibility of putting a rain garden at the low point where the first flush will go;
- 12) That the existing dumpster on the opposite side of the property in the back shall be enclosed;
- 13) That Mirona Road Extension shall be labeled on the Site Plans;
- 14) That a sign identifying the employee parking in the back shall be added to the Site Plans;
- 15) That the applicant shall meet with David Desfosses and Deborah Finnigan to discuss a contribution towards sidewalks on the roadway;

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III. ADJOURNMENT was had at approximately 4:10 pm.

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Respectfully submitted,

Jane M. Shouse
Administrative Assistant