

MINUTES OF MEETING  
SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

JULY 8, 2008

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

**MEMBERS PRESENT:** David Holden, Director, Planning Department, Chairman; Peter Rice, Water/Sewer Engineer, Deborah Finnigan, Traffic Engineer; 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 **Minnow Realty Investors, III, LLC, Owner** and **City of Portsmouth, Applicant**, for property located at **3000 Lafayette Road**, wherein Site Review approval is requested to construct a 13,260 s.f. footprint Fire Station, after the demolition of existing buildings, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 292 as Lot 12 and lies within the General Business and proposed Municipal District. (This application was postponed at the July 1, 2008 Technical Advisory Committee Meeting)

The Chair read the notice into the record.

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

**SPEAKING TO THE APPLICATION:**

David Emanuel, PE, of Emanuel Engineering, was present with Fire Chief Chris LeClair and Paul Durand of Winter Street Architects. Their site is on the corner of the intersection of Ocean Road and Lafayette Road. The specific items they are working on, since their last review, includes traffic movement on the site, which they included on Sheet C-4. They resized the water lines and relocated them on Ocean Road and along Lafayette Road. Per TAC recommendation they sized 8" to the main and upsized domestic to a 4" connection double line. They added a DES note regarding monitoring wells. They are working with DOT as Ocean and Lafayette are both State roads. Mr. Emanuel, Ms. Finnigan and NHDOT will be meeting this week regarding driveway access. They have not been able to find a deeded access so they may be asking for assistance from the City for a second driveway. They have drawn up Preliminary drawings that Ms. Finnigan can review for their discussion showing site distances. They have been working on stormwater management. No one wanted to see stormwater flowing to Lafayette Road. They are re-evaluating and believe they can keep surface flow and detention on site. The length of one parking space shifted so they would still have 70' from the edge of the proposed driveway. This is not a radical change and would result in reduced cost for the city in stormwater management. They also added bicycle racks.

Ms. Holden confirmed that the building shift is not shown on site plan? Mr. Emanuel confirmed that was correct. Mr. Holden asked if the shift was towards Ocean Road? Mr. Emanuel confirmed that was correct.

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 noted that Mr. Emanuel addressed most of their concerns but some are still outstanding.

Mr. Holden stated that normally they would see a building relocation to get a sense of this. He asked for an explanation. Mr. Emanuel referred him to Sheet C-2 in the plan set. They are trying to address the stormwater management for the site. The gravel driveway is at the northwest corner of Ocean Road. It flows across the site, through the gravel and existing building to an existing catch basin on Lafayette Road. They have worked with the architect to work with a cistern to catch run off from the roof. They increased pervious pavement for the site by eliminating steps that were not desirable. The City expressed an interest in below grade stormwater management. They are moving in that direction to save money. They have completed test pits and found ledge which is not preferable for stormwater mitigation. They suggested detention to slow water down. There is a light depression in the sidewalk and they are sizing another basin between the dry cleaner and their building as well as creating 2-3 rain gardens. With a 50 year storm in mind, the easier way to accomplish this was to shift the site 20' towards Ocean Road.

Mr. Holden asked whose responsibility were the catch basins on Route One? Mr. Emanuel stated they are the responsibility of the State. They have a communication process to access them. He picked up a drawing from Division 6 and they will discuss that at this weeks meeting.

Mr. Desfosses noted that at the front driveway on Lafayette Road, they created a duck pond on the side of the driveway and they need a catch basin there. The other issue is essentially winter conditions and how they will deal with low spots on site. If there is a snow bank they will have issues. He is happy with the building moving away from the dry cleaners as they have serious problems with water in their basement. He looks forward to reviewing how they will do that. Regarding stormwater, he asked if there was any way to tighten the swale shown on the north side of the site along the back side. There is a 2' cut going in and he is concerned about how many trees will have to be cut. He would like to see tree cutting kept to a minimum. Mr. Emanuel confirmed that when they have been out looking at trees, the most mature trees are on the property line so they have maintained most of the mature trees. Mr. Desfosses asked them to also think about the new fire station being quite a bit larger and they will be moving snow with a front end loader and he wants to know where that will go. Other than the front lawn there's no other space for it to go. Mr. Emanuel responded that they located several areas on Sheet C-2 along the access drive, along employee parking and two sides of the visitor area. Mr. Emanuel was looking for input on that. Mr. Desfosses felt that the trick is the dry cleaner's area. Also, they are not showing a very large stairway on the side of the dry cleaner building so they have to take a look at that. Mr. Desfosses stated that they have been asking developers to use the snout system on catch basins. Mr. Emanuel indicated that they have reduced their catch basins to landscaping catch basins or less. If they were to change directions for a closed drainage system he would look for assistance on that. Mr. Desfosses is looking for lights shown on the site plan and other areas that are not lit up. He wants a full lighting plan with cut sheets. Mr. Holden assumed that the lighting plan will show lighting intensity at the property lines. Mr. Emanuel confirmed they have requested that.

Mr. Rice indicated he was all set

Mr. Britz appreciated them keeping stormwater on the site. He asked for details for the rain gardens on the site plans.

Deputy Fire Chief Griswold was all set.

Deputy Police Chief DiSesa asked that they contact Gil Emery regarding communications. He assumes they probably don't need a survey but they need to double check.

Ms. Finnigan stated they don't have an approval from DOT for the driveway. She's not sure about the driveway so she would like a better understanding from them. She noted that fire trucks are shown entering from Route One and asked if that was the main access for the fire trucks? Mr. Emanuel confirmed the intended traffic pattern is to access the site via Ocean Road and exit onto Lafayette Road. The turning templates show movement in both directions to assure that the fire apparatus can get around if necessary. Ms. Finnigan asked if the public be allowed to use the entrance off of Route One and, if not, how will they handle that? Mr. Emanuel noted that the architect has shown an entrance sign closer to the corner. They will try to encourage everyone to use the Ocean Road entrance. Ms. Finnigan noted they are missing a detail sheet for signage and pavement markings. She needs the size and what they will look like.

Ms. Tillman asked to go over the landscaping and the relationship to the drainage swales and the rain gardens.

Mr. Holden asked if they determined whether another catch basin was needed? Mr. Desfosses felt that several are needed but if the whole site changes they will need to redo that as well. They should review the new plans with the applicant prior to the next meeting. He's not sure they need a whole drainage study but he needs the drainage calculations. Mr. Holden stated that the City doesn't have much experience with the gravel wetlands and they have one going in. They need to see some details on it because if it doesn't work the impact will be on adjacent property. He was also concerned as they have a meeting pending with the State, but he had hoped that they would have had that tentatively resolved. He was leery to act prior to that meeting. If they rescheduled to the August 5<sup>th</sup> TAC meeting, would most of the issues e addressed at that time? Mr. Emanuel was confident they can work out the outstanding issues. Mr. Holden stated that could be a condition outstanding but he would like to have meeting actually take place before August 5th

Ms. Finnigan made a motion to postpone this application to the August 5, 2008 TACmeeting. Mr. Desfosses seconded the meeting.

The motion to postpone to the August 5, 2008 TAC meeting passed unanimously.

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B. The application of **Old Tex Mex, LLC, Owner**, for property located at **3510 and 3518 Lafayette Road**, wherein Site Review approval is requested to construct a 4,275 ± s.f. warehouse building with a 1,400 ± s.f. mezzanine office, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 297 as Lots 7 and 8 and lies within the Single Residence A district. (This application was postponed at the July 1, 2008 Technical Advisory Committee Meeting)

The Chair read the notice into the record.

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

**SPEAKING TO THE APPLICATION:**

Dennis Moulton, P. E., MSC Engineers, appeared on behalf of the owner. At the previous TAC meeting they were tabled to provide additional information. They have revised the plans which address some, if not all, of those items. There was a concern with the way utilities were entering the building. They have shown that in terms of water and sewer lines. They found there is actually a 4"

water line running across the street, across to their property and along the front of their property. There is currently a fire and domestic service into the large building as well as a domestic into the small existing building. As far as the sewer line, they have identified a gravity line and forced main, as well as gas service heating the building. He was not able to get those notes on the plans so he handed out an 8 ½ x 11 sheet showing those notes. There are notes confirming that the domestic service going to the frame building will be removed and the new service will be brought into that building. There will be one meter as required by the City.

Other comments from the Committee last week: The stop bar and stop line have been added on the plans. The Construction Management & Mitigation Plan will be prepared as a matter of course prior to a permit being issued by the City. He is in discussions with the State regarding the roadway on Route One and he has attempted to make contact. The plans show some tenant parking signs and handicapped signs.

His notes also include a reference to handicapped parking spaces and there is one place where they added a space so he will make sure it gets on the site plans for the Planning Board. He also confirmed that he handed out a lighting plan at the last TAC meeting and that will be made part of the plan set for the Planning Board.

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. Holden asked why are they still adding things to the site plan, like the loading berth? Mr. Moulton indicated it was something that just occurred to him and he apologized for adding it. Mr. Holden asked the Committee if there were any concerns with the loading berth going there and indicated they will have to confirm there aren't any problems.

Mr. Holden asked about the 10' minimum between the buildings and if that was a code issue? Mike Brown confirmed that the architect indicated there was a concern and they had to keep it back because of the sprinkler system. Mr. Brown would have liked to keep it square but he would then have to sprinkle the existing house.

Mr. Desfosses felt this was a classic example of trying to fit 10 lbs in a 5 lb bag. He visited the site earlier that day. There is an exiting swale that runs through the Wrens Nest to this property and directs flow out back. It looks like he is grading into that swale. The bottom of the swale is not designed on the plan but Mr. Desfosses was concerned about that. His next concern was the dumpsters on this site. They have always been a problem. The existing dumpster enclosure is impossible to get to and is an issue for him and he's not sure how it happened originally. He would like to know where the AC condensers are going to go on the new building. He knows there is no other spot for it but why have a rain garden on a hill and what if the garden fills up? Will the concentrated flow go down Route One? He is concerned about the residential house sharing a driveway with a commercial use. He was concerned about all of the stormwater going to a little wetland out back as it has taken quite a bit of flow already. He would like to see the lighting plan so he can approve that. Lastly, at some point they need to see some traffic generation numbers for impact to Route One.

Mr. Rice indicated that Mr. Desfosses covered all of his concerns.

Ms. Finnigan asked what was going to prevent someone from driving on the grass to the curb cut and parking on the grass. Mr. Brown explained that the garage door will be eliminated and it will look exactly like the existing building. All paving will be eliminated also. The reasoning was to lessen the impact to Route One. Ms. Finnigan asked, if they are parking there now, why wouldn't they park there in the future? They need something to prohibit that from happening. Mr. Brown would be unhappy if

someone did that and he can assure them that it wouldn't happen twice but he can put some boulders across the front to eliminate that from happening. Ms. Finnigan thought they may want to look into boulders on Route One and they will have to ask the State. Mr. Desfosses noted that right now there is a gravel shoulder that is a mud hole. There would still be room for someone to parking on Route One on the state property. He can see someone parking there is they were only going to be there for 5 to 10 minutes. Mr. Brown offered to leave the driveway however they removed it so there would be less impact to the site. Ms. Finnigan felt that the rain garden needed some explanation on how it will work and how much water will get into the rain garden and will it function as they desire. Also, handicapped signs and tenant parking signs need to be added to the detail sheet. The stop bar needs to be 18".

Mr. Holden appreciated getting rid of a driveway but if someone chooses to park on the highway, is that really our problem? He feels the driveway is a plus. Mr. Desfosses stated his concern was the single family house. People are going to continue to park on the side of the road. Ms. Finnigan felt they need to work out the appropriate answer. Mr. Holden asked if this had gone to Traffic & Safety yet? Ms. Finnigan stated that it normally wouldn't have to go as it's not a high generator.

Mr. Holden asked if the water note was acceptable? Mr. Rice confirmed that they needs to coordinate with the City for them to do the disconnect. There should be additional language on the plans stated that the shut off and elimination should be coordinated with City Water Division for them to do the work.

Mr. Moulton stated that Mr. Brown agreed to relocate the dumpster to the far end of the parking spaces. Ms. Desfosses asked if was allowed to be that close to the wetland? Mr. Moulton confirmed that the wetlands are less than a half acre so there are no wetland restrictions. Mr. Desfosses felt they need to pick a spot and show it to them. He asked if Serv-Pro was gone? Mr. Brown confirmed they were gone. Mr. Moulton agreed that could be easily done. Regarding the air conditioning units, there will be no additional units for the addition. Mr. Desfosses asked them to add that note to the plans. Lucy also suggested that they review the requirements for dumpsters. They have to watch their setbacks. Mr. Moulton stated they would relocate them where the little 3 is at the end of the parking lot as that appears to be the only available location.

Mr. Moulton asked what the resolution was regarding the house and parking on the street. Mr. Holden would propose vegetation rather than rocks. They can enforce it but he's not sure anyone parking on the road is their problem. Mr. Desfosses agreed that it would be a state problem. Mr. Brown thought they could propose a no parking sign if the State would allow it.

Mr. Moulton stated that he submitted a lighting plan at last week's TAC meeting. Mr. Desfosses requested an existing plan. He asked if the PSNH 301 700 light is for them and was it a big spotlight? Mr. Brown confirmed that it was. He could have it shut off. It has just always been there. Mr. Desfosses indicated they have been trying to get away from those. What are the existing lights on the building? Mr. Moulton confirmed they are probably not dark sky friendly. Mr. Desfosses stated he would like to go out to the site at night to reserve judgment. Mr. Moulton suggested that they could match the lights that are currently on the building.

Mr. Moulton referred to the question about the size of the rain garden. It is designed to accommodate the quality volume. This is the most common storm event and 90% of storm events . The purpose is to capture the flow and once it gets beyond that and there is an overflow on the rain garden that allows excess flow to Lafayette Road and the closed drainage system. Once they introduced the rain garden, and address rain flow from the roof, the existing water flows onto Lafayette Road. That would be a positive effect. Mr. Desfosses was concerned about the concentrated flow and that was directed to the road. It doesn't seem to him that they should be doing that. Mr. Holden asked about calculations? Mr. Moulton confirmed they did a base calculation to size it and it is based on a design previously done. He can provide those calculations. Mr. Desfosses was not concerned with water quality as it's

coming off the roof. Mr. Moulton explained that their change from the previous TAC was to provide additional stormwater treatment on site and that was their method to do so. Mr. Rice did not believe that was the issue. If they have an extreme storm, where does it go? Mr. Moulton explained he is providing one or the other. There are a limited number of options. Mr. Rice agreed that it is designed for a certain number of storm event. How do they handle the overflow? Mr. Moulton was surprised that he was getting this feedback now rather than last week. Mr. Britz stated he doesn't have a problem with roof water but he understands the other concerns. Will the catch basin catch the flow? Mr. Desfosses noted that is uphill and will go straight towards the Wren's Nest. Mr. Britz asked where will the overflow go? Mr. Moulton confirmed it will go down towards Route One. As far as protecting the riprap channel, that's not a big deal. It won't be increasing because the purpose of the rain garden is to trap a certain amount of water. When it exceeds that amount, they are taking out a certain amount of volume. The volume will be taken out of the stream before it gets to the road. Mr. Desfosses confirmed that he understood and appreciates all of that but he is concerned about concentrating all of that flow. Mr. Holden asked what do they need? Mr. Desfosses felt that short from being a drain, he is not sure there is a solution. It would flush down the road and erode the shoulder of the road. Now it goes from the roof into the ground. By capturing it in one spot they would be creating a concentrated flow.

Mr. Desfosses indicate that another issue is the wetland in back of the property. What is the nature of the wetland, where does it drain to and how much water goes in there. He is concerned the water will build up and start flowing in other directions. He can see the bowl but he doesn't know which way that flows to before it fills up. Mr. Moulton explained that if that were to overflow it would flow towards the back. Mr. Desfosses asked if it would flow directly away from Route One, on to the Ricci property? Mr. Moulton confirmed that was correct. Mr. Desfosses asked if Mr. Moulton knows what that looks like? Mr. Moulton responded that as far as the stormwater he designed the swale to capture the flows, that they would be retained within the concrete swale detention area. Mr. Desfosses felt that the wetland is so flat he wondered if it overflows? Mr. Brown spoke with people from the Wren's Nest and 5-6 years ago they added a drain to their property and since that time they have not had issues. It has been as dry as it has ever been. Once they changed that to a 12" drain line they haven't had any problems. They haven't had any problems with flow from his lot. Because the pavement is all so close to the property line, it is difficult to direct flow. Mr. Moulton tried to make the situation better but they don't have much room except to tear up the parking lot and that's not financially feasible. Mr. Britz felt that the site may be a little bit overdeveloped. Do they need a variance for lot coverage or open space? Mr. Brown reminded him that they are putting two lots together. That is why they got rid of the pavement in the front, to make more green space.

Mr. Desfosses was not sure there was a problem here but he wants someone to write a report that says there aren't any issues. He has concerns about the rain garden and he feels they need to address that. The wetland in the back may not be an issue. He needs someone to write them a letter to go in the file. He also wants to go out to the site at night regarding lighting.

Ms. Tillman referred to the rain garden. She was not sure of the vegetation in the rain garden and what typically is used but they seem to be pretty pedestrian common wild flowers or weeds. There doesn't seem to be anything terribly special in the rain garden and she doesn't know their capacity to dry out the rain garden. She's also not sure about Black Eyed Susans. She also thought it was odd to put a cluster of wildflowers in the middle of the site which has always been neatly landscaped. She stated they will need to see the landscaping plan where the driveway is being removed. Mr. Moulton confirmed that the species came from NH Soils.

Mr. Desfosses thought it would be appropriate to put in a one foot rain drain. In the event that is about to flood, they could build that out to Route One.

Deputy Fire Chief Griswold asked if it would be appropriate to make a motion to approve with stipulations? He asked if they would be able to work things out without another meeting? He made a formal motion to approve with stipulations. Mr. Britz seconded the motion.

Ms. Finnigan was uncomfortable voting without having some issues resolved. She made a motion to postpone. Mr. Desfosses seconded the motion.

Mr. Holden asked the members to state what they are looking for.

Mr. Desfosses requested an on site meeting with the applicant and the engineer next week to review issues and make sure they can find solutions that the Planning Board will accept. He would like to look at lighting between now and that meeting so he can tell them what he is looking for. Also, he is still waiting for traffic counts to determine traffic impact to Route One.

Mr. Rice requested a note on plan about the water shut off being done by the City Water Division.

Mr. Britz noted that Mr. Desfosses is dealing drainage. Mr. Britz would like to see if the rain garden will work.

Ms. Finnigan requested signs details on the site plans and whatever treatment would prohibit access onto the driveway.

Mr. Holden requested confirmation that they don't need any stormwater easements for the adjacent property.

Ms. Tillman requested the relocation of the dumpster.

The motion to postpone to the August 5<sup>th</sup> TAC meeting passed unanimously.

Mr. Moulton has concerns about a request for traffic generations coming from Mr. Desfosses but not from Ms. Finnigan? Mr. Holden confirmed that any member of TAC can make a stipulation. They should share the traffic generations with Ms. Desfosses, Ms. Finnigan and Mr. Holden.

Concerns of the Committee:

- 1) That an on site meeting shall be scheduled with the applicant, the engineer and David Desfosses to review outstanding issues;
- 2) That a lighting plan shall be provided to David Desfosses for his review prior to the on-site meeting;
- 3) That traffic counts shall be provide to determine traffic impact to Route One;
- 4) That a note shall be added to the Site Plans indicating that the water shut off shall be done by the City Water Division;
- 5) That a report on the rain gardens shall be prepared for review by the Committee to confirm that the garden will work property;
- 6) That sign details shall be added to the Site Plans;
- 7) That whatever treatment is designed to prohibit access onto the driveway shall be added to the Site Plans;
- 8) That the applicant shall confirm that stormwater easements for the adjacent property are not needed;
- 9) That the dumpster shall be relocated on the site plans;

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C. The application of **Kentucky Fried Chicken of Portsmouth, Inc., Owner**, and **Churchill & Banks Company, Inc., Applicant**, for property located at **1840 Woodbury Avenue**, wherein Site Review approval is requested to construct a 1,750 s.f. addition to an existing building, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 239 as Lot 8 and lies within the General Business and Single Residence A districts. (This application was postponed at the July 1, 2008 Technical Advisory Committee Meeting)

Miss Finnigan excused herself from the meeting due to a prior commitment.

The Chair read the notice into the record.

Mr. Rice 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:**

Attorney Bernard Pelech presented on behalf of the applicant, Churchill & Banks Company. He stated this application was postponed from last Tuesday so that the Traffic & Safety Committee could do an on site visit. There were no major concerns expressed at that on-site visit. Ms. Finnigan was satisfied that Dennis Moulton had narrowed down the two driveways. Other than that, Ms. Moulton would address the other changes that were requested.

Dennis Moulton, P.E., of MSC Engineers, reviewed the changes that had been made since last week's TAC meeting. He confirmed that this project had been through conditional use review and received approval from the Planning Board and is currently scheduled for BOA approval next Tuesday. He indicated that he would address the comments from last week's TAC meeting and hoped to be on the July 17<sup>th</sup> Planning Board Agenda.

There were ten items listed on the letter of decision from last week's meeting:

- 1) That the Site Plans be revised to reflect a longer island in front of the site to create a 20' wide entrance and exit onto Woodbury Avenue, for review and approval by the City Traffic Engineer;

They have made that change on the Site Plans and narrowed the two entrance/exit points. That was agreed by the T&S Committee this morning and they seemed satisfied.

- 2) That a detail be added to the Site Plans showing a truck picking up trash at the dumpster and then getting back around the building;

Mr. Moulton discussed that with Ms. Finnigan this morning on site and she agreed that it should be fine.

- 3) That the Landscape Plan shall include a variety of tree species;

They have changed the trees on the side of the building to include Pin Oak and Bradford Pear.

- 4) That a traffic letter shall be prepared by the applicant's engineer determining whether the entrance and exit from the site onto Woodbury Avenue are safe;

This had to do with the sight distance from the exit. They measured the distance and they could see all the way to the traffic light at Gosling Road which is over 600'. The required

distance is 330'. The distance in the other direction was to the light at Durgin Lane. Therefore, there is more than enough sight distance in both directions.

- 5) That the Site Plans shall show the water lines, including the water main;

There is a 6" main that runs through the site and is shown on the plans. Mr. Holden asked if it was public or private? Mr. Moulton believed it was public. Mr. Holden asked if an easement would be appropriate? Mr. Moulton confirmed that the applicant would be fine with that.

- 6) That the applicant shall review the sewer line labeled "8' CMP" to determine it's accuracy;

They went out and looked at the line again and it appears to be an asbestos concrete pipe. They have relabeled it so.

- 7) That a determination be made on the status of utility easements and that the applicant shall work with the City's Legal Department to prepare said easements for final approval by the City;

The utility easements have already been discussed.

- 8) That a Demolition Plan be added to the Site Plan set;

They clarified the hydrant that will be removed. Mr. Holden felt maybe they should not label their plan "Demolition Plan" and could come up with a different plan name.

- 9) That the note on the Site Plan referencing to the irrigation system should be revised to say "require" a Smart Controller, rather than "encourage";

Mr. Moulton indicated that he missed this stipulation but will revise that note on the revised plans.

- 10) That this application will require a favorable recommendation from the Traffic & Safety Committee prior to the Planning Board meeting:

Mr. Moulton anticipated that they will receive approval on Thursday.

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. Rice indicated that the old Kentucky Fried Chicken has a 1,000 gallon external grease trap and he believes it is located where the addition is being added. He requested that Mr. Moulton call that out on the Site Plan and do a reconfiguration of the service.

Mr. Rice made a motion to recommend approval with stipulations. Deputy Fire Chief Griswold seconded the motion.

Mr. Rice requested a stipulation to show the grease trap and a note that reconfiguration may be necessary to make the sewer service work. That will be under the building so it is out of his purview but he doesn't want it coming back in a couple of years. He stated he did not need to see the revised plan before the Planning Board meeting.

Mr. Holden requested that all easements be reviewed and approved by the City Legal Department for content and form.

Deputy Police Chief DiSesa did not have any stipulations.

Deputy Fire Chief Griswold was concerned that this was a large building for use simply as a phone store and asked for confirmation that there would be a single applicant. Attorney Pelech confirmed as this issue had come up previously. It is a large building because it will serve as a regional headquarters and will have 8-9 employees. The offices will be located in the rear and the front will be retail. Mr. Holden noted that there would be office and retail parking standards if the proper parking was being provided. Attorney Pelech confirmed the parking requirement was met. Mr. Britz asked if there would be service trucks? Attorney Pelech confirmed it would just be personal vehicles.

Mr. Britz stated he did not have any comments.

Mr. Holden indicated that the question of use becomes more significant because of the traffic impact.

Ms. Tillman asked if the location of the building was different than the plan that was show to the BOA? She thought they had a front yard variance and this one is showing the addition meeting the front yard. Also, if the building looks like it is being demolished after receiving a building permit, they will have to stop work and seek the proper variances. Attorney Pelech confirmed there would not be any demolition other than the two walls where the addition is being added. Ms. Tillman requested a note on the plan indicating which walls are coming down and what will be removed.

Ms. Desfosses asked if the roof will need to be removed as well? Attorney Pelech confirmed that they will have to take the roof off to run trusses.

Mr. Holden indicated they should verify compliance between the BOA site plan and current site plan.

Mr. Desfosses indicated that Ms. Finnigan was supposed to be the “bad guy” on this application but she had to leave the meeting. He asked what was the nature of the 6” water line, whether it is public or municipal and if it could be capped?

Mr. Desfosses had not seen a cut sheet for lighting. The lights should be Dark Sky Friendly. He indicated that there was a note about the height but he was unable to see the cut sheet.

Mr. Desfosses noted there was no fence around the dumpster.

He indicated all existing utility services are coming off the pole in the back and the pole in front of the building is completely loaded with utilities, which only leaves the pole down the street available. He is looking for confirmation from PSNH that that pole is acceptable to run underground from. That should also be shown on the plan.

Mr. Desfosses indicated that this site was originally designed to have multiple curbcuts. He requested that they fill the curbcut 40’ down the road; that granite curb and paved sidewalks should be added; and the sidewalk should b rebuilt and noted on the plan. Additionally, the fog line needs to be fixed wherever the asphalt is going to be patched and re-striping needs to be done where necessary.

Ms. Desfosses had the following comments from Deborah Finnigan. They need approval from the Traffic and Safety Committee, they need to add handicapped signs, add landscaping to the front island, add “Do Not Enter” signs on both sides of the exit, add in and out markings to the pavement, all new signage will comply with the current version of MUTCD, and add additional pavement markings as necessary to show new parking spaces.. She asked if the parking lot was going to be paved in its entirety? Ms. Finnigan requested that she review and approve the landscape plan after it is complete,

add a detail on the handicapped parking space, and include a handicapped detail on the van side. She wanted to know if the detail on the handicapped detail is exactly the way it was proposed? Her big concern was the ITE numbers that John Theriault generated. She was not sure they are accurate. For the past several years, Kentucky Fried Chicken was under utilized. The numbers shown on his report are very high and indicative of a regular drive thru restaurant and, just like the Chair she had questions of whether ITE numbers for a cell phone store is fitting as there will be business office and retail. She requested updated ITE numbers, the actual business hours and the actual counts from Kentucky Fried Chicken if they are available.

Attorney Pelech indicated that he had a problem with this. They were present at TAC last week and at Traffic & Safety today and Ms. Finnigan said everything was fine. He asked why do they need this information now? Mr. Holden asked if they could generate these figures prior to the Planning Board meeting? Attorney Pelech felt that they could.

Ms. Tillman questioned the 6" water line and wondered if it was part of the old Woodbury Avenue that serviced the houses that were abandoned during the Durgin Square development. Attorney Pelech agreed that it very well could have been. Mr. Holden asked if the water line is not being used, could it be capped? Attorney Pelech confirmed it was being used. Mr. Holden stated there would be an easement then.

Mr. Desfosses asked if Gerber Dental is using that water main? Mr. Holden added that Gerber Dental is a recent site plan so it would show that. Mr. Moulton confirmed that the Gerber Dental Site Plan showed the same configuration. He assumes it is all part of the line that continues up Woodbury Avenue and services the next building. Mr. Holden confirmed they can bring the service lines to the lot line as that is what they are responsible for.

Ms. Tillman commented that the landscaped island in front is very nice and asked if they could add a tree? Attorney Pelech stated that Ms. Finnigan indicated that she would not like a tree and recommended shrubs. Ms. Tillman confirmed she will review the revised plan to see what they provide.

Deputy Fire Chief Griswold made a stipulation that there be a knox box.

Mr. Britz stated that there were conditions with the Conditional Use approval. There was a condition that trash around the site shall be cleaned up and he would like that note added to this plan. Attorney Pelech confirmed that was a condition of their Conditional Use approval. Mr. Britz requested that all Conditional Use conditions be added to the Site Plans.

Mr. Holden stated that there was a motion to recommend approval with stipulations on the table. Mr. Desfosses was not sure they can resolve all outstanding issues before the Planning Board meeting. Mr. Holden felt they should be able to work things out before the Planning Board meeting.

The motion to recommend Site Review approval with the following stipulations passed with Mr. Desfosses voting in the negative.

- 1) That the 1,000 gallon external grease trap and a note indicating that the sewer service may need to be reconfigured shall be added to the Site Plans;
- 2) That all easements shall be reviewed and approved by the City Legal Department for content and form;
- 3) That the applicant shall confirm with the Planning Department that the BOA Site Plan is the same as the Site Review Site Plans;
- 4) That if the building looks like it is being demolished after the applicant has obtained a building permit, the City will issue a cease and desist order until the proper variances are obtained;

- 5) That a note shall be added to the Site Plans indicating which walls are coming down and exactly what will be removed;
- 6) That the Applicant and a representative from DPW will look at the 6" water line to determine whether it is public or private and whether it can be capped;
- 7) That a lighting cut sheet shall be added to the Site Plans, and all lights shall be Dark Sky Friendly;
- 8) That a fence around the dumpster shall be added to the Site Plans;
- 9) That the applicant shall obtain a letter from PSNH confirming that the pole down the street is acceptable to run underground utilities from, for review and approval by David Desfosses, DPW;
- 10) That the Site Plans shall reflect that the curbcut 40' down the road shall be filled, that granite curb and paved sidewalks shall be added and the sidewalk shall be rebuilt and noted on the Site Plans;
- 11) That the fog line shall be repaired wherever the asphalt will be patched and re-striping shall be done as needed;
- 12) That the applicant shall receive approval from the Traffic & Safety Committee prior to Planning Board approval;
- 13) That handicapped signs shall be added to the Site Plans;
- 14) That the front island shall be landscaped and added to the Site Plans;
- 15) That "Do Not Enter" signs shall be added to both sides of the exit and added to the Site Plans;
- 16) That in and out markings shall be added to the pavement and noted on the Site Plans;
- 17) That all new signage shall comply with the current version of MUTCD;
- 18) That additional pavement markings shall be added to the Site Plans to show new parking spaces;
- 19) That the Landscape Plan shall be reviewed and approved by Deborah Finnigan and Lucy Tillman;
- 20) That a detail shall be added to the Site Plans for the handicapped parking space and a handicapped detail on the van side;
- 21) That the applicant shall update the ITE numbers, include the proposed hours of business and the actual counts from Kentucky Fried Chicken, if available;
- 22) That the applicant is only required to show utility lines to the edge of their property on the Site Plans;
- 23) That a Knox Box shall be provided and added to the Site Plans;
- 24) That the stipulations from the Conditional Use Approval shall be noted on the Site Plans as follows:

Stipulations from the May 14, 2008 Conservation Commission Meeting (as amended by the Planning Board):

- 1) That there shall be routine maintenance as recommended by Best Management Practices for the storm water management system;
- 2) That there shall be routine trash removal from the parking areas and general sweeping of the parking lot;
- 3) That the sloped areas shall be vegetated with native plant materials to minimize the need for mowing;
- 4) That there shall be routine trash removal 200' from edge of the pavement;

Stipulations from the June 19, 2008 Planning Board Meeting:

- 5) That the Site Plans shall be amended to show that the roof drains go into the treatment swale;
- 6) That the soils within the 47' elevation shall be removed down two feet and replaced with loam;
- 7) That the silt fence shall be removed once vegetation is established;

- 8) That the applicant shall assess the possibility of providing additional stormwater treatment to the south of the property;
- 9) That the silt fence shall be relocated around the riprap apron leading to the infiltration basin;
- 10) That the applicant shall report stormwater maintenance to DPW on an annual basis
- 11) That the applicant shall explore the possibility of reducing the number of parking spaces;

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**II. ADJOURNMENT** was had at approximately 3:45 pm.

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Respectfully submitted,

Jane M. Shouse  
Administrative Assistant