

MINUTES

SITE REVIEW TECHNICAL ADVISORY COMMITTEE MEETING

2:00 PM

MARCH 3, 2015

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

MEMBERS PRESENT: Rick Taintor, Chairman, Planning Director; Peter Britz, Environmental Planner; Juliet Walker, Transportation Planner; Nick Cracknell, Principal Planner; Peter Rice, Director, Public Works; Raymond Pezzullo, Assistant City Engineer; David Desfosses, Engineering Technician; Eric Eby, Parking & Transportation Engineer; Carl Roediger, Deputy Fire Chief; and Michael Schwartz, Portsmouth Police Department

I. OLD BUSINESS

A. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, requesting Site Plan Approval for a proposed 4-story office building with a footprint of 28,125 ± s.f. and gross floor area of 112,500 ± s.f., and 640 parking spaces serving the proposed building and an adjacent existing office building (including a parking deck with 161 spaces below grade), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 216 as Lot 1-8A and Lot 1-8B and lie within the Office Research (OR) District. (This application was postponed at the February 3, 2015 TAC meeting.)

The Chair read the notice into the record.

DISCUSSION AND DECISION OF THE COMMITTEE

Mr. Desfosses made a motion to postpone consideration of Site Plan Approval to the next scheduled TAC meeting. Mr. Britz seconded the motion.

The motion to postpone consideration of Site Plan Approval to the March 31st, 2015 TAC meeting passed unanimously.

B. The application of **Rye Corner Gas, LLC, Owner**, for property located at **1150 Sagamore Avenue**, **Two Wentworth House Road LLC, Owner**, for property located at **2 Wentworth House Road**, and the **Bean Group, Applicant**, requesting Site Plan Approval for the demolition of an abandoned gas station and a single family dwelling and the construction of an 8,000 s.f. professional office building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 201 as Lots 21 and 22 and lies within the Mixed Residential Business (MRB) district. (This application was postponed at the February 3, 2015 TAC meeting.)

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Michael Laham of Engineering Alliance was present with Ted Vrettos of Plan Ahead Architects. Mr. Laham stated that the two separate parcels will be combined pending approval.

At the last meeting, the applicant received comments, made changes and submitted revised plans to the Committee. Mr. Laham went through the revisions. They will install curbing around the corner and extend it out to the end of the property line (subject to DOT approval). The culvert was called out to be replaced in conjunction with the catch basin which will also be tied into the overflow for the drainage system. The proposed septic system the applicant designed has been removed in coordination with a planned project by the City of Portsmouth for the installation of a sewer main in the street. Site grading has been adjusted along Wentworth House Road in conjunction with the installation of new granite curbing which allows for the grade to be elevated in towards the site and the retaining wall to be reduced in height in the range of 2'-4'. The existing buildings have been removed from the Site Plan so that only proposed work is shown. The Landscape Plan (and the schedule) has been modified with added plantings. An additional external door has been added. The ground mounted sign has been removed from the plan and the applicant is no longer proposing that sign. This allows for the existing Wentworth by the Sea sign to remain. That summarizes the revisions made.

Mr. Desfosses stated that if the building is occupied prior to the sewer being completed, the applicant should show a 1,000 gallon tank for a possible future grease trap. They will use that as a storage tank and will have to have it pumped in the interim period if the use starts prior to the sewer being constructed. Also, they should show a septic reserve system (dashed line) on the plan. The curbing on the plan should be continuously 6' off of the edge line so that the bike lane continues. If they want to create and continue the shoulder sometime in the future then they would have to move the curb as it is shown on the plan. The curb should be extended to the property line and it should be 6' off the white line the whole way. An appropriate pavement taper should come back into the existing white line beyond that. Mr. Taintor asked if he meant to continue the curb along Wentworth House Road to the edge of the property. The detail for tree planting should reflect how the City likes to see the burlap and/or wire cage removed after planting, which is a little more work but the trees will be healthier. When they move the curb, they will have to move the catch basin a little bit to reflect where the curb ends up.

Ms. Walker stated that the Site Plan Regulations require that they have a statement about sustainability or green building measures which she didn't see. Mr. Laham said there was a Project Narrative that they included which addressed that. Ms. Walker didn't see any detail for the bike rack. They have guidelines that she can provide to him. They should provide a shaded map showing how they calculated open space as part of the plan set. That should exclude parking areas and areas that are less than 5' wide. That can be a supplement or shown on the plan.

Mr. Cracknell stated that the only entrance off Sagamore Avenue into the property has a curb that doesn't have a radius and he wondered if it made more sense to bring that out in alignment with the curb that goes north along Wentworth House Road. He knows there is a private driveway on the abutting property but felt it made more sense to bring the curb out, have a radius, have it in alignment

and sweep it back to the edge of pavement on the other property. Mr. Desfosses said they were discussing that this morning.

Mr. Eby agreed with Mr. Cracknell to have something come out so they don't have to deal with the other property later on and trying to make curbing match. Mr. Cracknell felt they could still bring it out to the property line and they would still have a decent lane. Mr. Desfosses felt they could do a semi-circle of curb and define that, remove the pavement inside the little semi-circle to make it a defined entrance, and possibly add some landscaping.

Mr. Eby stated that the stop sign should be 30" X 30" and that the handicapped parking should be the closest parking spaces to the doorway. Mr. Laham stated that the reason was to allow the curb ramp to be installed there without impacting the entrance to the building. Mr. Desfosses asked for a lower reveal on the curb to make it work, and it will be an easier entrance to the building.

Ms. Walker stated that a waiver for the sidewalk will be required. Also, the applicant did not include the zoning boundaries on the plan. This is required. She inquired as to whether the applicant will have offsite trash collection as discussed previously. Mr. Laham stated that there will be offsite trash collection. He had revised the plan to add that note and also adjusted a note on the lighting plan. He has a copy of those revised plans today.

Ms. Walker asked about an edge at the corner that may require an easement. Mr. Desfosses stated that DOT will likely require an easement as part of their permit as they are both State roads. Mr. Taintor stated that the applicant should include a note about the easement on the plans.

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. Desfosses made a motion to recommend Site Plan Approval with the stipulations as noted. Mr. Britz seconded.

The motion passed unanimously with the following stipulations:

- 1) A Voluntary Lot Merger shall be prepared by the applicant, approved by the Planning Director and recorded at the Registry of Deeds prior to the recording of the approved Site Plan.
- 2) The Site Plan shall be revised as follows:
 - a. Add the zoning boundaries to the Existing Conditions plan.
 - b. Show a 1,000 gallon tank suitable for use as a grease trap if needed for a restaurant in the future, and for use as an interim storage tank if the project is completed prior to the municipal sewer extension.
 - c. Show a septic leach reserve area.
 - d. Revise the curbing along Wentworth House Road to be continuously 6' off the white edge line and extend it to the easterly property line.
 - e. Move the catch basin in Wentworth House Road to reflect the new curb location.
 - f. Revise the curb at the site entrance as discussed, to be approved by DPW.
 - g. Add a detail for the bike rack.

- h. Revise the tree planting detail per DPW.
 - i. Revise the stop sign dimensions to be 30" x 30".
 - j. Move the handicapped parking spaces closer to the main entrance door.
 - k. Add a note regarding the road easement at the corner of Sagamore Avenue and Wentworth House Road.
- 3) A supplement shall be provided to the Planning Department showing how the open space is calculated.
 - 4) The approved Site Plan, sheets C-3 (Site Layout Plan) and C-6 (Landscape Plan) shall be recorded at the Registry of Deeds.

Mr. Taintor reminded the applicant that they need to add the building elevations for the Planning Board and they need to request a sidewalk waiver.

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C. The application of **Rye Port Properties, Owner, and Charter Foods North LLC, Applicant**, for property located at **2299 Lafayette Road**, requesting Site Plan Approval to construct a 50-seat, 2500 s.f. Taco Bell Restaurant with drive thru, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 272 as Lot 10 and lies within the Gateway district. (This application was postponed at the February 3, 2015 TAC meeting.)

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Mark Gross with MFH Design was present to speak to the application. Mr. Gross provided a brief overview of the project as well as revisions they have made. There will be 25 parking spaces and a drive through lane with 8 stacking spaces. They are utilizing the existing driveway with Advance Auto Parts. They will bring a driveway off that existing driveway into the site. One of the requests was for a sidewalk along the frontage. They were also asked to contact COAST with regard to where there would be a bus stop. There is an existing bus stop where the utility pole is located. They are proposing a sidewalk within the widening easement granted. The applicant has verified the location of the sidewalk within that easement is acceptable. The curb has been extended beyond where the utility pole is so that there will be sidewalk where the COAST bus stop is located. In the handout (submitted at the last meeting), there is a prohibited area depicted. This is due to contamination from a prior use. This area is restricted for children under a certain age. DES indicated that a 6' chain link fence to restrict access to this area would be sufficient. They've included a detail of that fence. It will be wire that is black coated so that it will blend in. The area will also be gated. They have revised the area in the back by removing the dumpster and 5 parking spaces so that it will be out of the 100' buffer. They filed a Conditional Use Permit for construction within the 100' buffer but that has been significantly reduced. The area of impact will now be only 1,440 s.f. (for grading), reduced from 4,000 s.f. of disturbance within the 100' buffer. They reduced parking spaces by 5 (they originally had 30). With respect to the sewer, originally they had looked at tying into the back because they were uncertain whether there was a stub out to Route 1. Because the site is lower and typically there is a grease trap in back, they will be installing an onsite pump station and forced main going out to the stub that is there and tying in with a manhole. DPW will go out to the site to video this to ensure it is in compliance. They have been asked to relocate the mailbox and have done so as shown on the plans. The size of the sewer service from the building was changed from a 4" to a 6" pipe as requested by DPW. That summarizes the changes.

Susannah Barnes with GPI presented a summary of the traffic study for the project. They looked at such things as existing traffic volumes, collisions, traffic speeds, public transportation adjacent to the site, and future conditions (2016 and 2026) using a 1% growth compounded annually. The proposed project is anticipated to add 42 new trips during the pm peak hour and 76 during the Saturday mid-day peak hour. This represents approximately one additional vehicle every 1.5-3.0 minutes during the peak hours. These additional trips will result in minimal impact to the signal of Route 1 with the Southgate Plaza. There will be an increase in delays of less than 8 seconds for any approach. Based on conversations with the DOT, all future signal timings for the project have been optimized within a future conditions analysis. At the site driveway, increases of up to 36 seconds are anticipated during a worst case scenario future condition with a maximum queue of 4-5 vehicles on site. A 5' sidewalk is proposed along the site frontage. They submitted all project information to District 6 on February 25, 2015 for issuance of a driveway permit. The applicant is currently awaiting comments on this.

Ms. Walker inquired as to whether input from the Police Department has changed any of their conclusions. Ms. Barnes stated that the applicant is aware of the pedestrian fatality in that area. They have reached out to the local Police Department who referred them to the State Police pulling the report together. Once the report is completed, the applicant will be sent a copy. At this time, she cannot say whether the report will change the conclusions of the traffic study.

Mr. Gross added one item regarding the wetlands. They are currently in a three party agreement with RCCD, the wetland consultant. The wetland delineation is different from what it was on the original plan. There will be a change in soil indicators due to a change in standards adopted in 2012. Consultants will be meeting to make a determination due to these changes of where the wetland lies on the site. The applicant hopes to have more information after the next Conservation Commission meeting on March 11, 2015. The applicant needs this information in order to obtain the Conditional Use Permit.

Mr. Britz stated that he likes the plantings and the plan looks good in terms of the wetland buffer. He asked for clarification on the AUR. It states that heavily vegetated areas may not be cut. He expressed concern about what it will look like inside the fence and whether it will be an area where trash will collect.

Mr. Laham stated that part of the restricted area is lawn and is maintained by the current owner, who mows it. The rest is vegetated, but none of this area can be cut. Inside the fence, the requirement from DES is that this area not be disturbed. Nothing can be cut and no one can go into this area. Originally they thought they could fill over some of this area. However vegetation and everything else must be removed right down to the bedrock and it must be filled 2' over that so they decided in favor of the fence. The area that the current owner is mowing and maintaining will be left for them, as is, to maintain. Mr. Taintor clarified this and stated the area behind the grass line will not be touched and the area in front of the fence will continue to be mowed. Mr. Cracknell stated that intent of the AUR is to create a space that is not overly inviting to children but that fencing is not specifically required. This area could become a maintenance nightmare, an area where trash would accumulate and where wildlife could not move through very easily. He felt that a shorter fence, perhaps 100' (rather than 400') and a guardrail would be less of a maintenance nightmare and would still be uninviting for children, or anyone, to walk through. Mr. Laham agreed with Mr. Cracknell on this issue, and it would also be a less costly option for the applicant, but stated that DES wanted assurance that children would not wander into that area and that is why the applicant walled this area off with a chain link fence. The

applicant is willing to take a look again at other alternatives that would be better than the fence. Ms. Walker asked that the applicant propose to DES that the City of Portsmouth would like to see something in this area other than a chain link fence.

Mr. Taintor stated that the site plan proposes a fence on the adjoining property (in the AUR). He inquired as to whether this is owned by the applicant or Advance Auto Parts. Mr. Laham stated that the area is currently owned by Olde Port Properties, but it is on a different lot. He will check if it will be owned by the same person. Mr. Taintor suggested obtaining an easement showing the applicant has the legal right to work in this area.

Mr. Eby recommends that only right turns be allowed out of the site onto Route 1. Currently left turns out of the site are very difficult and it will only become more challenging with the implementation of this project. Mr. Taintor confirmed that only right turns will be allowed. Ms. Walker stated that she is in support of Mr. Eby's recommendation. This site is restricted just by the nature of the heavy volume of traffic. There is a potential alternative to seek access off Springbrook Circle, but the applicant would need to work with Springbrook on this. Mr. Eby stated that there are currently some deficiencies with the Springbrook traffic signal. The detection system is not working. The only time that Springbrook gets the green light is when there is traffic queued up at Southgate Plaza. The controller may need to be replaced.

Mr. Taintor inquired as to whether the Southgate Plaza signal project (\$15,000) is moving ahead. Mr. Desfosses stated that the trigger for that project is the building permit and they are still waiting for Big Lots to vacate. Mr. Rice and Mr. Desfosses stated that there is a lot of work that needs to be done on the signal cabinet in order to make it function properly including replacement of the controller, the optical and detection systems and the conduit. The state does not have monies at this point to upgrade.

Ms. Walker stated that it would be helpful to relocate the bus stop by moving it away from the driveway. The applicant can work with COAST on this; they are typically amenable to making these types of changes. From a site line and visibility perspective, moving it closer to Springbrook Circle makes sense. She would prefer the sidewalk be moved towards the back of the easement line providing a buffer for pedestrians. Pedestrian access to Taco Bell is missing. She recommended that the applicant provide a pedestrian path connecting where the sidewalk comes out of the front of the building across the parking area and through the front lawn area as requested at the last meeting. Mr. Rice supports the recommendation made by Ms. Walker to move the sidewalk as far away from the roadway as possible for a different reason. This is already a dangerous area and a fatality has occurred recently in this area. The fact that DOT uses the sidewalks for snow storage complicates matters and makes it challenging for the City to maintain sidewalks. For snow removal and storage, he recommends moving the sidewalk as far away from the road (at the back side of the 12' easement) as possible. He acknowledges that the site would have to be redesigned to some extent to accommodate this.

Mr. Desfosses stated that people trying to get from Water Country to Taco Bell in the summertime is something to keep in mind.

Mr. Eby stated that there are no pavement markings currently on the shared driveway. It should have a double yellow line down the middle. He reiterated that coming out onto Springbrook Circle would be the best from a traffic standpoint. If Springbrook could be convinced that this option would be of benefit to them, it would make it safer for everyone. However, the signal is in need of upgrading.

Mr. Rice stated that the plans show 1 ½' - 2' of cover over an asbestos cement sewer line that is 45-50 years old and this is not acceptable. TAC would not allow this. If a forced main is to run across the highway, the applicant will need to go into a terminus manhole with a transition for a forced main. Mr. Laham stated that one change that is not reflected on the plans is that they will take a portion of the service out beyond the edge of pavement and then build that area up so they have more than enough cover and extend the forced main and put the manhole in the landscaped area. That will ease the cover issue. Mr. Rice stated that they still would have a concern over an asbestos cement pipe going across Route 1 and the condition of the pipe is unknown. If the applicant is going this route, TAC would like the applicant to take a video of the pipe and submit it to DPW for review. The preference of TAC (and the applicant) would be to tie in at the back of the site.

Mr. Cracknell asked the applicant to consider expanding the landscaping at the striped median when entering the double loaded parking bay.

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

Ms. Walker made a motion to recommend Site Plan Approve with stipulations as noted. Mr. Cracknell seconded the motion.

Ms. Walker stated that there are some outstanding issues related to the traffic study. She would like to see the traffic study finalized, but doesn't feel that whatever comes out of the study would necessarily change the recommendation of TAC. The other issue is related to the AUR and driveway access (restriction for right turn out only).

Mr. Taintor stated that there are a few major outstanding issues: 1) Access; 2) AUR; 3) Sewer; and 4) Wetland boundary.

After some discussion, Ms. Walker withdrew her prior motion and made a motion to postpone Site Plan Approval until the next scheduled TAC meeting. Mr. Cracknell seconded the motion.

The motion to postpone Site Plan Approval until the March 31st, 2015 TAC meeting passed unanimously.

Ms. Walker reminded the applicant to provide a bike rack detail on the plan revision.

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II. NEW BUSINESS

A. The application of **Northern New England Conference of Seventh Day Adventist, Owner**, for property located at **861 Middle Road**, requesting Site Plan Approval to construct an 18' x 33' addition to the front of the existing church, with related paving, lighting, utilities, landscaping, and drainage and associated site improvements. Said property is shown on Assessor Map 232 as Lot 120 and lies within the Single Residence B (SRB) district.

The Chair read the notice into the record.

DISCUSSION AND DECISION OF THE COMMITTEE

Ms. Desfosses made a motion to postpone consideration of Site Plan Approval to the next scheduled TAC meeting. Mr. Rice seconded the motion.

The motion to postpone consideration of Site Plan Approval to the March 31st, 2015 TAC meeting passed unanimously.

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III. ADJOURNMENT was had at approximately 3:00pm, was seconded and passed unanimously

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Respectfully submitted,

Toni McLellan
Acting Secretary for the Technical Advisory Committee