

MINUTES

SITE REVIEW TECHNICAL ADVISORY COMMITTEE MEETING

2:00 PM

AUGUST 4, 2015

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

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

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I. OLD BUSINESS

A. The application of **One Way Realty, LLC, Owner, and 406 Highway 1 ByPass, LLC, Applicant**, for property located at **406 Route 1 By-Pass**, requesting Site Plan Approval to demolish the existing building and construct a new 3-story building (brewery, pub and office) with a footprint of 5,857 ± s.f. and gross floor area of 20,033 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 172 as Lot 2 and lies within the Industrial (I) District. (This application was postponed at the June 30, 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 September 1st, 2015 TAC meeting. Mr. Cracknell seconded the motion.

The motion to postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting passed unanimously.

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B. The application of **Amba Realty, LLC, Owner**, for property located at **806 Route 1 By-Pass**, requesting Site Plan Approval to expand the first floor of an existing building by 5,150 ± s.f. (footprint and gross floor area) for proposed retail use and add a new second floor with 4,450 ± s.f. (footprint and gross floor area for proposed office use, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 161 as Lot 43 and lies within the Business (B) District. (This application was postponed at the June 30, 2015 TAC meeting.)

The Chair read the notice into the record.

DISCUSSION AND DECISION OF THE COMMITTEE

Mr. Cracknell made a motion to postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting. Mr. Desfosses seconded the motion.

The motion to postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting passed unanimously.

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C. The application of **Two International Construction, Inc., Applicant**, for property located at **85 New Hampshire Avenue**, requesting Site Plan approval to construct a two story office building with a footprint of 14,400 ± s.f. and gross floor area of 28,800 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 306 as Lot 3 and lies within the Airport Business Commercial (ABC) District. (This application was postponed at the June 30, 2015 TAC meeting.)

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Colin Dinsmore with Ambit Engineering was present to speak to the application. Ryan Plummer with Two International Construction, Inc. was also present. The applicant provided a letter of “significant changes” with their most recent application. The letter identifies the majority of the changes made to the application since they last appeared before the TAC. The biggest change is revision of the building footprint because of the wetland. The building was made shorter in the north/south direction and wider in the east/west direction. The applicant has been coordinating with the PDA. They have responded to all their comments and have no outstanding issues with the PDA.

Mr. Eby inquired about the main entrance for the building.

Mr. Dinsmore showed the main entrance on the slide presentation.

Mr. Eby stated that the handicapped parking spaces appear to be further away from the main entrance than other parking spaces.

Mr. Dinsmore stated that they positioned them in the manner they did so as not to have people using those spaces crossing a travelway. The spaces are now on the side of the building and there are handicap ramps at the head of those spaces. He stated that another reason for putting the handicap spaces at the side of the building was to prevent drivers from accidentally driving up onto the ramp which is possible if the spaces were in front of the building.

Mr. Eby stated that looking at ADA requirements; the accessible spaces need to be close to the front of the building. The concern of driving up onto the ramp if the spaces were at the front of the building can be addressed with bollards.

Mr. Dinsmore stated that they would rather not put bollards at the front of the building for aesthetic reasons.

Mr. Desfosses stated that it is preferred that they do not cross a travelway. However, it is required that they are the closest spaces to the front of the building. "Required" trumps "preferred."

Mr. Dinsmore stated that they will take a look at this.

Ms. Walker stated that she made some comments at the last work session. Regarding the car/van pool area; it is important to document how the applicant is going to incentivize this area. Otherwise, it may remain vacant. She inquired as to whether the applicant had consulted with COAST about the bus shelter to be located at the bus station. In addition, bike racks seem minimal. She stated that there is no indication that the comments made last time have been incorporated into the Plans, or even considered.

Mr. Dinsmore stated the applicant felt that the number of bike racks and the car/van pool space was adequate. As far as incentives, the client would work that out with perspective tenants. With no tenants identified yet, this is a difficult piece to work out. They have not contacted COAST about the bus shelter. They did not feel that it was necessary to move the bus station given the scale of the project.

Mr. Pezzullo inquired about the drainage plan.

Mr. Dinsmore stated that the applicant is working on the updated drainage analysis. They are awaiting information about the soil survey. However, he has done enough analysis to know that the ponds and pipes are sufficiently sized.

Mr. Pezzullo inquired if the applicant installed any soil test pits.

Mr. Dinsmore stated that they have installed soil test pits. The test pit information is shown on Sheet C1, but there will be additional information forthcoming.

Deputy Fire Chief Roediger asked that radio strength testing be performed after the building is completed and that the developer be responsible for any infrastructure deemed necessary for fire and police safety communications.

Mr. Desfosses inquired as to whether the gas service was adequate.

Mr. Dinsmore stated that they are still working on what the gas loads for the building will be.

Mr. Desfosses recommended that the developer, after a winter, overlay the section of road in front of buildings 1 and 4.

Mr. Pezzullo asked that the developer be responsible, when tapping into the existing main water line, for asbestos on the piping. There are special conditions that need to be maintained for containment of the asbestos.

Mr. Dinsmore stated that there is documentation of this on Sheet C4, Note 7.

The Chair asked if there was anyone 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 stated that the applicant must submit drainage calculations as a condition of approval.

Mr. Dinsmore stated that by the end of the week the drainage calculations will be done.

Mr. Dinsmore stated that there are only minor things that must be completed at this point, the majority of the calculations are complete. He offered to meet with Mr. Pezzullo to fill him in on what the applicant, has, and does not have, at this point.

Mr. Desfosses made a motion to grant Site Plan Approval with the stipulations as noted. Deputy Fire Chief Roediger seconded the motion.

The motion passed unanimously with the following stipulations:

1. The final drainage analysis shall be submitted to the Department of Public Works for approval prior to the Planning Board meeting.
2. The handicap parking spaces shall be relocated to the front of the building.
3. The generator shall possess double-belly containment.
4. The applicant shall have a site survey (radio strength test) conducted by a radio communications carrier approved by the City’s communication division. The radio communications carrier must be familiar and conversant with the police and radio configuration. If the site survey indicates it is necessary to install a signal repeater either on or near the proposed project, those costs shall be the responsibility of the property owner. The applicant shall be required to pay for the site survey whether or not the survey indicates a repeater is necessary. The owner shall coordinate with the supervisor of radio communications for the City. The survey shall be completed and the repeater, if determined it is required, shall be installed prior to the issuance of Certificate of Occupancy.
5. Following the first freeze/thaw cycle, the applicant shall mill and overlay New Hampshire Avenue to 10 feet on either side of the previous and proposed utility work in front of buildings 1 and 4.

Ms. Walker stated that she felt conflicted about this application. There is a lot of parking provided, but no incentive to use it. More landscaping within the parking lot could be provided if the applicant utilized the opportunity to install car/van pool areas. In addition, not following through with an effort to talk to COAST regarding the bus stop seems shortsighted. There seems to be opportunities missed with this design.

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II. NEW BUSINESS

A. The application of **Pauline M. Dowd, Owner**, and **Norwich Investments, LLC, Applicant**, for property located at **288 Peverly Hill Road**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into five lots, all with frontage on a private driveway/cul-de-sac, as follows:

1. Proposed Lot 1 having an area of 222,316± sq. ft. (5.10 acres);
2. Proposed Lot 2 having an area of 348,938± sq. ft. (8.01 acres);
3. Proposed Lot 3 having an area of 15,178 ± sq. ft. (0.35 acres);
4. Proposed Lot 4 having an area of 15,046± sq. ft. (0.35 acres); and
5. Proposed Lot 5 having an area of 15,051± sq. ft. (0.35 acres)

Said property is shown on Assessors Map 255 as Lot 8 and is located in the Single Residence A (SRA) District which requires a minimum lot size of 1 acre (43,560 sq. ft.) and 150 ft. of continuous street frontage.

The Chair read the notice into the record.

DISCUSSION AND DECISION OF THE COMMITTEE

Deputy Fire Chief Roediger made a motion to postpone to the September 1st, 2015 TAC meeting. Mr. Desfosses seconded the motion.

The motion to postpone consideration of Preliminary and Final Subdivision Approval to the September 1st, 2015 TAC meeting passed unanimously.

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B. The application of **Hillcrest at Portsmouth, LLC, Owner**, for property located at **3201 Lafayette Road**, requesting Site Plan approval to replaced up to 80 manufactured homes over the next 10 years, to create a 20' x 20' yard waste compost site, and to create 5 new pad sites for future homes, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 291 as Lot 7 and lies within the Gateway (G) District, Garden Apartment/Mobile Home (GA/MH) District and Rural (R) Districts.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Mr. Taintor took the opportunity to put the application into context by stating that this was a unique situation and that the application is before the Committee because of an agreement between the Legal Department and the owner, which requires a number of things to be in place. This site has not been developed in compliance with original approvals. One condition of current approval is that a new zoning ordinance be created that would allow this use. This is an unusual situation because the applicant is asking for phasing over a period of time.

Bernie Pelech, Attorney, was present to speak to the application. His client acquired the property in 2013 and has made massive improvements. The old 1950's ordinance (which required that the units have a motor and be able to be road worthy) no longer fits the current state of affairs. That is an

example of how antiquated the zoning ordinance is. He has been working with Mr. Taintor to configure the wording of a new ordinance. There was no wetland buffer when these units were approved; 75-80% of the units are in the wetland buffer zone (with the exception of those built in the 1960's). Previously, man-made wetlands did not have a buffer zone, currently they do. In 2010, the jurisdictional size of a wetland went from ½ acre to 10,000s.f. It is the desire of the applicant to replace older outdated units with newer, more modern units. The applicant is amendable to conditions.

Cory Colwell from MSC Civil Engineers was present to speak to the application. In the packet that TAC has received, there is a 9-sheet set of drawings. Sheet C1 shows the existing conditions at the site today. In total, there are 213 sites available for manufactured homes. Of that number, 197 are occupied, which leaves 16 sites vacant. Sheets C2-C7 show proposed conditions. Using colored drawings, Mr. Cowell described which units will remain and which units will be replaced as well as those that will be replaced first. As they become available, the owners will then purchase and replace that unit. Details were provided of what the units will look like. Improvements will be made to the units including placing crushed stone around the unit, landscaping beyond the crushed stone trench will be installed as wills raingardens. They anticipate that they will replace 5-10 units/ year up to 120 units over the next 20 years. The total impervious area within the park is currently 460,000s.f. Of that, 212,000s.f is within the wetland buffer. As a result of units being replaced, there will be a 64,000s.f increase in impervious area in total within the park. Of that area 30,000s.f. will be within the buffer zone. They are offsetting this increase with tree planting, raingardens and shrubbery. This results in 87,000s.f. of new vegetation. In addition to vegetation, another improvement will be additional plantings with a walking trail (Sheet C7). This would be (proposed) a park for the residents. There will also be vegetation/landscaping between the units.

Mr. Taintor does not see any design for the raingardens. He inquired as to why the applicant would not approach the raingardens more globally (Sheet C5 and C7). There are dozens of small raingardens that perhaps could be combined into a larger stormwater management program making the maintenance much more effective and efficient.

Mr. Colwell stated that as each unit gets replaced, the raingarden will be installed so they are not installed at one time requiring a large area to be maintained all at once. However, there are a number of units side by each that will be replaced. Perhaps this is an opportunity to combine the raingardens.

Mr. Gidley stated that it wouldn't be practical for them to go into sites already leased because the owners are already established, have their yards, sheds, landscaping etc. It wouldn't be right for the property owner to go into the back yards of the residents and install a raingarden. It would take away their lawn, plantings, etc. The applicant would like to keep the raingardens to the units that will be replaced.

Ms. Walker stated that she has some concerns about that approach. The larger objective of this is not to approach it piecemeal.

Mr. Taintor stated that the development shown is currently not allowed by zoning so the Planning Board cannot grant Site Plan Approval until the zoning is resolved. The application before the Committee is a good first step. He is willing to move this forward in an effort to work on the issues.

Mr. Cracknell stated that the applicant has put a lot of thought into what they plan to do over the next 20 years. He sees opportunities to install pocket parks where and when a unit is vacated. There are currently two pocket parks, but that is not enough for what is essentially 213 single family homes. The space could be rearranged a bit to install pocket parks, yet continue to install new units. He suggested taking another look at creating neighborhood pocket parks. There also should be a path out to the pocket parks that would create a network of parks and paths for people living there. People need a place to walk and recreate.

Mr. Desfosses stated that the raingardens are untenable. They are in the middle of what residents maintain for their lawn. It would be better to take a more holistic approach by perhaps getting rid of the invasive species and upgrading drainage to reduce mosquitoes and ticks. This would make the area one which could be monitored. Another issue is the fire hydrants in the park that at times don't have the fire flows that they should, and do not work the way they should. Now is the time to look at flows from existing hydrants and verify that they all work. In addition, there is still a large infiltration issue. More than half of the water that goes into the sewer system is groundwater. This is water that is going to the treatment plant. It is not fair to ask the average homeowner to pay for this and the leaks in these lines. The sewer lines need to be tightened up and the applicant should continue to work with the City engineer so that the sewer lines are brought into compliance.

Mr. Pezullo concurs with Mr. Desfosses.

Mr. Taintor stated that a lot more work needs to be done than can be accomplished today.

Mr. Gidley stated that the larger property owner (himself) maintains the water and sewer lines in the park. He has the infiltration study (done by Underwood in 2015) with them today. If they can move this along, they would comply with the requirements for the hydrants. Any new homes would have a new sewer lateral.

Mr. Taintor inquired about the subdivision bond and whether it is still outstanding.

Mr. Colwell stated that it is still outstanding and the study is redundant.

Mr. Desfosses stated that the study is not redundant. The data in the study is not based on the actual meter usage. For example, it is based on each unit using 120 gallons/day. These units have either one or two people living in them, not an entire family. That number is artificially high. There is still a lot of work to be done in the park.

The Chair asked if there was anyone 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 felt that the Committee should provide clear guidance to the applicant.

Ms. Walker made a motion to postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting. Deputy Fire Chief Roediger seconded the motion.

The motion to postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting passed unanimously.

Mr. Taintor identified the issues that need to be resolved:

- 1) Infiltration issues
- 2) Drainage and concerns about individual raingardens
- 3) Parks and open space
- 4) Fire Hydrants

He stated that these are the Site Plan issues. However, there is still the larger issue with the zoning change.

Ms. Walker would like to add to the motion that there is follow-up, the status of previous requirements and whether further mitigation is needed. She stated that the Committee needs to be clear about what there is to resolve around the original bond and what additional measures still need to be addressed.

Mr. Desfosses stated that the previous approval was based on subdivision approval, not Site Plan Approval. Even the baseline data is beyond what would be acceptable for a modern subdivision.

Mr. Pezzullo requested clarification around the original request. He stated that the plan before the Committee this evening is a different application.

Mr. Taintor stated that this is the same site, different application.

Mr. Taintor inquired if the Underwood memo was conveyed to the DPW. It was addressed to the previous owner.

Mr. Desfosses stated that Terry Desmarias was not in today (and he would know for certain), but to the best of his knowledge, it may not have been submitted to the DPW.

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C. The application of **Dilorenzo Lafayette Ledgewood Real Estate, LLC, Owner, and Tuscan Brands, LLC, Applicant**, for property located at **581 Lafayette Road**, requesting Site Plan approval to renovate an existing 14,366 s.f. building with two additions to the front (one 8' x 10' addition and one 8' x 36' addition), one addition to the rear (10' x 80' addition), and two outdoor seating areas (one 1,277 s.f. area in the front and one 1,261 s.f. seating area to the side), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 229 as Lot 8B and lies within the Gateway (G) District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Colin Dinsmore with Ambit Engineering was present to speak to the application. Joe Faro (applicant) with Tuscan Brands, Vicki Martel, Landscape Architect, and Doug Menino with Menino Architects were also present. Mr. Dinsmore stated that there have been no major changes to the application. He went through minor changes. They have responded to a few comments with regard to the landscaping. On Sheet C3, landscaping has been added. The Plan Set shows a couple of parking spaces that have been changed to landscaped islands. They have rotated the dumpster away from the building so that a trash truck could drive straight down the aisle to access the dumpster. The previous design required a striped island in this area. An adjacent owner requested that the dumpster be oriented in a certain manner. Making this change however, the dumpster would no longer be 20' off the residential property line so it would need a variance. The applicant requests feedback on this change. There was a request to make the striped island a landscaped island. There is also now a small plaza at the northwest corner of the site. This is partially located on City and State property, as well as the applicant's property. This will require some additional coordination. They have moved the landscaped island.

Mr. Taintor inquired as to whether any of the variances have been applied.

Mr. Dinsmore stated that they have not applied for the variances.

Mr. Faro, Founder and Owner of Tuscan Brands, was present to speak to the application. He stated that Tuscan Village was founded in 2010 and is located in Salem, NH. He turned the site into an open air Italian market. It is an artisan Italian experience. They are very integrated with the community in Salem. They help the homeless shelter, boys and girls clubs, and hold festivals that benefit the community. He stated that he is a graduate of UNH and is looking forward to being in Portsmouth. He looks forward to working with Ambit Engineering to get the City exactly what is needed in order to be located in Portsmouth.

Mr. Dinsmore spoke briefly about the proposed plaza area as a possible additional amenity.

Mr. Taintor posed a couple questions. He stated that the pergola area is a nice touch. He stated that more information on where the new dividing line is between state and City layout of the road would be helpful. The applicant will need an easement from the state. A license from the City for placing the pergola in the City right-of-way will be needed. A portion of this variance may be on state property. Variances for parking spaces will be needed as will a variance for parking between the building and street, and possibly a variance for the dumpster within the setback line will be needed.

Ms. Walker stated that the applicant is not in compliance with the open space requirement so another variance will be needed.

Ms. Walker stated that her interpretation of Site Plan Regulations is that landscaped islands between adjacent parking spaces are required. She doesn't have an objection to flipping the landscaped islands as discussed. However, she prefers to see a lateral island.

Mr. Taintor stated that some of these things will require waivers as well as variances.

John Chagnon from Ambit Engineering was present to speak to the application. He stated that the easements are shown in the plans (Sheet C1).

Mr. Taintor stated that he does not see the easement for parking with the adjacent property.

Mr. Chagnon stated that Item 6C is mutual parking and access right for lots 1-3. It is a general parking access, non-specific to any space.

Ms. Walker stated that it should be made clear on the plan, not just as a note, the designation for open space for pulling out of the parking spaces.

Mr. Chagnon stated that they can make a note to the effect that parking islands are to be maintained as an isle on the Site Plan.

Mr. Eby stated with regard to the two driveways coming off of Ledgewood Drive, the first one is rather close to the intersection of Lafayette Road. His recommendation is to make this access an entrance only situation for safer access. This would prevent queueing. The other driveway could be two-way access.

Mr. Dinsmore stated that one of the stipulations of the cross-easement was to maintain two-way access for both driveways.

Mr. Taintor asked for documentation of this.

Mr. Dinsmore agreed to this.

Ms. Walker inquired if the City requires that the dumpster be located farther from the building.

Mr. Taintor stated that this is not required and it would be preferable to have it closer to the building, particularly with a restaurant.

Mr. Taintor inquired about whether the dumpster needs to be pulled out to access the recycling.

Mr. Dinsmore stated that there are double doors in the front to allow access for a truck. The recycling has a separate door and the recycling container would need to be wheeled out.

Mr. Taintor inquired if there was a Lighting Plan.

Mr. Dinsmore stated that it was submitted with the original Site Plan.

Mr. Cracknell stated that where the applicant has chosen to put the rear bicycle rack may conflict with the handicap spots. It looks like it is less than 4', which is the requirement.

Mr. Taintor inquired about the purpose of the back bicycle rack. It must not be meant for visitors as it is out of sight.

Mr. Dinsmore stated that it could be for visitors, but the purpose of moving it was to break up the location of bike racks so that it is not so unsightly.

Mr. Taintor stated that people seem to feel that a lot of parking is not unsightly, but that bicycle parking is. He recommended having more bicycle parking space. Bicycle parking can be aesthetic. The location in the back does not seem to be very functional.

Mr. Desfosses inquired if the building has fire service.

Deputy Fire Chief Roediger stated that he wouldn't trust the service anyway. It would be old.

Mr. Taintor stated that documentation from Eversource that the transformer can be serviced in this location would be needed. He inquired about any generator associated with the site.

Mr. Dinsmore stated that there is no generator associated with the site.

Mr. Eby inquired about how long the cinema site has been vacant.

Deputy Fire Chief Roediger stated that looking on the plan, there is quite a bit of excess parking. He inquired as to whether the applicant has considered taking a few spots near the front adjacent to the pergola and creating a bike corral, or spots for scooters. Many people now use scooters and rather than a scooter taking up a parking space, a corral could be added.

Mr. Dinsmore stated that they would be happy to look at that.

Mr. Pezzullo stated that there needs to be a pre and post development package for drainage analysis including the pipe network to ensure correct capacity. There is a mix of public and private drainage structures. Long term maintenance needs to be determined. There may some issues on discharge downstream that need to be examined. He discussed using stormwater Best Management Practices. There seems to be no effort on this site to use these practices. The applicant has more parking than is required and there are no plans to manage this space (hardscapes) for stormwater management.

The Chair asked if there was anyone 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. Taintor stated that a postponement would be in order.

Ms. Walker stated that she would rather postpone until the necessary variances are obtained. Her recommendation is to have the applicant coming back on the 29th.

Mr. Desfosses stated that there is no way the Committee can approve the Plan with the 2-way driveway.

Mr. Chagnon stated that Mr. Faro would like to begin construction prior to winter setting in. Mr. Chagnon found the last comment about the 2-way driveway disturbing. The roadway was just reconfigured. It is clear in the deeds that 2-way access is deeded to the abutter. Given this, he doesn't

know what can be done about the 2-way driveways. He would like to proceed at the next TAC meeting.

Mr. Taintor stated the applicant should provide full documentation to the TAC and the Legal Department. Regardless of rights, avoiding an unsafe situation is warranted.

Ms. Walker made a motion to postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting (until necessary variances are obtained). Mr. Desfosses seconded the motion.

The motion to postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting passed unanimously.

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D. The application of **Tanner Bridge Development, LLC, Owner**, for property located at **40 Bridge Street**, requesting Site Plan approval to demolish the existing building and construct a three-story, 5,590 s.f. mixed-use building with 10 below grade parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 126 as Lot 52 and lies within Character District 4 (CD4), Downtown Overlay District (DOD), Mixed Residential Office (MRO) District and Historic District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Joe Miletti with Ambit Engineering was present to speak to the application. The application was originally approved by the Planning Board in 2009 and subsequently received a number of extensions through 2012. Mr. Miletti went through the Plan Set by Sheet using a slide presentation and highlighted comments/changes from the TAC work session. The Plan Set before the Committee this evening was the original Plan Set, not an updated set. The plan is to build a 3-story building with 6 residential units with the first floor being retail or restaurant. No variances will be needed. There will be 10 spaces for garage parking. There is additional off-street and on-street parking. He showed the location of a future grease trap to be connected at a later date. There is a 1,000 amp electrical connection to the rear of the building. The sidewalk along the front of the building will be brick all the way to Islington Street. There is a trench drain along the front of the garage. There will also be a bike rack. There was a comment at the TAC work session regarding two-way traffic for the garage. With regard to that comment, he stated that there are a number of garages that have been built in Portsmouth in recent years that are less than standard width but still have two-way traffic; one is 233 Vaughan Street, the other is 18 Congress Street. Regarding additional landscape screening, they have looked into a continuous hedge row. A bike rack would be located on the last 10' of hedgerow.

Mr. Taintor inquired about a transformer or generator.

Mr. Miletti stated that there is no transformer or generator. That need is to be determined.

Mr. Taintor inquired about how the applicant would determine whether one is needed.

Mr. Miletti stated that this would be determined through conversations with Eversource.

Mr. Taintor stated that this should be done prior to Site Plan approval.

Mr. Taintor inquired about the stipulations regarding the elimination of the shed on the Tanner Street property. He inquired as to whether that and other stipulations have been satisfied.

Mr. Chagnon stated that the shed has been removed, but it was over the property line anyway.

Mr. Taintor confirmed that all these conditions have been met and that there are no provisions at this time that would prevent this from happening.

Mr. Chagnon stated that he believes this is the case.

Mr. Taintor inquired about the transformer that was formerly at the front of the property at the top of the site.

Mr. Chagnon stated that this transformer is needed to bring in power from Tanner Street.

Mr. Taintor inquired if this transformer needs to be replaced.

Mr. Desfosses stated that to come from the sidewalk on Tanner Street to this property with power is inappropriate. This is not house service. There could be underground power to this property as there is already underground power in this zone. This option should be explored as part of this application.

Mr. Chagnon stated that he agreed with Mr. Desfosses and conversations with Eversource regarding this are underway.

Ms. Walker stated that there are stipulations on parking and driveway layouts that apply whether it is on-street or off-street parking. She felt that the requirements will not be met and variances will be required.

Mr. Taintor stated that if the City Council passes the zoning changes, this can move forward. However, they are in the Character Based Zoning and they have not followed procedures so technically have not applied for Site Plan Approval.

Mr. Desfosses stated that a lot of time was spent on the previous approval but a lot of what was previously worked on is not addressed. Fire service, water main, gas main, and parking are a few examples.

Mr. Chagnon stated that with regard to parking on Bridge Street, they just eliminated one space.

Ms. Walker stated that 8' must be the driveway width. It is now 10'.

Mr. Chagnon stated that they would like to apply for another work session but his understanding was that they could only apply for one work session. They did so and then went ahead with the submittal.

Mr. Chagnon requested a scoping meeting with DPW.

Mr. Desfosses stated that they are going to request the luminaires down the sidewalk, among other things. He wanted the applicant to be aware of this.

Mr. Chagnon stated that he thought the luminaires had not been requested.

Mr. Desfosses stated that the sewer, gas main, water main needs to be replaced. This will be required. Still the project is a nice project.

Ms. Walker stated that we need to ensure we are not overbuilding the street.

Mr. Chagnon inquired as to the loading zones and whether those will need to be kept.

Mr. Desfosses stated that due to the commercial use on first floor, it is appropriate to keep those.

Mr. Taintor stated that there was a traffic and safety review of this.

Mr. Pezzullo stated that the plans show a restaurant on the first floor.

Mr. Miletti confirmed that there will be a restaurant on the first floor.

Mr. Desfosses stated that a lot of time was spent last application on solid waste. He requested that the applicant refresh their memories and do this correctly.

Mr. Taintor inquired as to whether this was one large space, or two.

Mr. Miletti stated that currently it is one large space, but it could be configured as two.

Mr. Pezzullo inquired about the location of the grease trap.

Mr. Taintor stated that they've shown the location of the grease trap on the Plans.

Mr. Pezzullo inquired as to whether that will meet the need of the restaurant. He stated that it should be connected now.

Mr. Taintor inquired about the applicant's time line.

Mr. Miletti stated that they will go back to a Parking and Traffic Safety Committee meeting September 3rd, 2015.

Ms. Walker asked that the applicant be clear about what was previously approved with Parking and Traffic Safety. If this happens, the applicant need not go back to that Committee.

Mr. Chagnon stated that a 2-month delay would be appropriate.

The Chair opened the public hearing and called for speakers.

Wayne Brassel of 7 Islington Street was present to speak to the application. He has ledge 6’ in front of his house. He is concerned about this. He stated that it is within the purview of this Committee to address this issue.

Mr. Miletti stated that they have done borings onsite. There will be ledge removal.

Mr. Brassel stated that the ledge removal has to be 6’ from the house that was built in 1720. This removal could have an effect.

Ed Garrior of 7 Islington Street was present to speak to the application. All parties are anxious to move forward with the development of what was an ugly space in the neighborhood. He applauds the developer for making positive changes to the building and for having a positive influence in the neighborhood. However, he has some major concerns; one of which is the amount of the ledge and the proximity of the ledge to old homes. The house (Buckminster) was built in 1720. Surveys should be done, camera studies should be conducted. He doesn’t see why this can’t be addressed before construction. Another concern is fire. The new building will be 5’ away from Buckminster. It will create a long alleyway between the two buildings. He would like the Fire Department to review this. He wondered how the Fire Department would get adequate equipment onsite to deal with a fire with the 2 buildings so close. Also, the sewer line is in very tough shape. He would like to see this project move forward with careful consideration.

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

Deputy Chief Roedgier made a motion to postpone consideration of Site Plan Approval to the September 29th, 2015 TAC meeting. Mr. Desfosses seconded the motion.

The motion to postpone consideration of Site Plan Approval to the September 29th, 2015 TAC meeting passed unanimously.

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E. The application of **233 Vaughan Street, LLC, Owner, and Chinburg Builders, Applicant,** for property located at **233 Vaughan Street,** requesting Amended Site Plan approval for changes to driveway and walkway configurations, landscaping and screening, surface materials, fencing, and locations of transformers and dumpster, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 124 as Lot 14 and lies within the Central Business A (CBA) District and the Historic District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon with Ambit Engineering was present to speak to the application. He went through amendments made to previously approved Site Plans. Some of the changes came about as a result of code review issues, some were a result of requirements for Tenant Fit-Up, others were a result of the City working on approval for Harborcorps, and others were as a result of the developer making a decision to change some things. There are some landscape changes. There is a patio change along Green Street. Originally, there was a dumpster pad to the left of the entrance. There was a change to include an interior trash room so the dumpster pad has been eliminated. The sidewalk was moved outward from the wall. The bicycle rack was moved to the north. The developer wants to place a fence (4-6') along the perimeter with the railroad. They've added wrought iron fencing (18") to create a dog-run area. The rear steps will be relocated. The surfaces of the concrete walkways and bike pads were changed to brick. Some lighting was added to the driveway walls. A trench drain outside the door has been added (there was one inside the door already). The hydrant has been relocated (it was located in the northeast corner of the site along Green Street).

Deputy Fire Chief Roediger stated that looking at Sheet C1, there is a gate in the walkway near the rear steps. He stated that the gate may need to swing in the other direction.

Mr. Chagnon stated that they are planning to make that change. The architect picked up on this needed change.

There was some confusion, and subsequent discussion, over the plans and the dates.

Mr. Taintor stated that revised dates are needed. He requested that when the applicant submits new plans to please ensure the dates are on them, and that they are correct.

Mr. Desfosses inquired as to why there are gate doors in front of the transformer. He doesn't want a sidewalk to be built and not be able to open the gates.

Mr. Chagnon stated that Eversource is not allowing landscaping as planned so the fencing is there.

Ms. Carla Goodknight of C.J. Architects was present to speak to the application. She stated that they will create a pinning to secure the curb and will dowel into that. It is a 4' gate so it is not a huge cumbersome structure to secure.

Mr. Desfosses stated that the applicant may be better off pouring a concrete structure. He stated that there may be difficulty in mounting anything to granite. It might split.

Mr. Taintor inquired about the surface inside the gates.

Ms. Goodknight stated that there is landscaping in the enclosure. Grass is inside the gate.

Mr. Desfosses inquired about having crushed stone inside the gate so that there wouldn't be the need to open it regularly to mow it.

Ms. Goodknight stated that this could be done.

Mr. Desfosses stated that based on the gate going in, it makes sense to now build the rest of the sidewalk (which he was recommending not building previously). He recommended moving the electrical manhole up to the surface.

Mr. Taintor stated that C1 and C2 do not match each other. C1 and C2 need to be revised to fix the gate issue and the scaling on the brick sidewalk.

Mr. Chagnon stated that the 5' sizing is meant to be a setback but also the brick walk is 5"; "4" should be removed.

Mr. Eby stated that it looks like there is a tip down on one corner of the driveway but not the other.

Mr. Chagnon stated that it is this way so as to direct people to the new City parking lot on Vaughan Street.

The Chair asked if there was anyone 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 grant amended Site Plan Approval with stipulations as noted. Mr. Desfosses seconded the motion.

The motion to grant amended Site Plan Approval passed unanimously with the following stipulations:

1. The plan set shall be revised as follows:
 - (a) Correct the dimensions of the sidewalk along the railroad right of way and the site driveway.
 - (b) Correct Sheets C1 and C2 so that they match each other (for example, adjust the location and dimensions of the sidewalk adjacent to the fence).
 - (c) Revise the gate swing on the sidewalk so that it opens toward the street.
 - (d) Ensure that the brick sidewalk is a minimum of 4' wide at all points from the building doorways to the street.
 - (e) Change the surface inside the transformer enclosure to crushed stone.
 - (f) Show the location of the exterior drain for the fire suppression system.
2. The applicant shall construct the brick sidewalk in front of the transformer to City standard (change "Future Sidewalk" note on C1).

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F. The application of **30 Maplewood, LLC, Owner**, for property located at **30 Maplewood Avenue**, requesting Amended Site Plan approval for the following: repositioning of the switching vault, elimination of a basement under the new addition, elimination of two outdoor patios, relocation of building entrances and walkways, relocation of bicycle racks, elimination of two grease traps, relocation of condenser units to the roof, redesign of the Hanover/Bridge Street patio, addition of a fenced in utility area on the Bridge Street side, change in walkway surface material and removal of a tree, with related paving, lighting, utilities, landscaping, drainage and associated site improvements.

Said property is shown on Assessor Map 125 as Lot 2 and lies within the Character District 4 (CD4) District, Downtown Overlay District (DOD), Central Business B (CBB) District, and the Historic District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon with Ambit Engineering was present to speak to the application. There is a letter in the packet with the amended Site Plan changes. The Site Plan changes include: PSNH equipment was rotated 90 degrees on the Bridge Street side; the addition was constructed without a basement, patios were not installed (tenants were office users and not restaurants as planned), landscaping between the entrances, some entrances were relocated, the bike rack in back was relocated, a bike rack in the front was added (but the site has the same number of bike racks overall), grease traps were added (one in back and one in front), condensers were moved to the roof (from the Bridge Street side), the patio on the corner of Hanover Street and Bridge Street was redesigned (tree was eliminated from center) and it is a two-tiered patio with landscaping in front, the grease trap has been upgraded, onsite concrete is now brick, there will be a temporary asphalt sidewalk on the north side of the site and a dumpster drain has been installed into the grease trap and will be relocated to the downstream side.

Mr. Desfosses stated that the plans in front of the Committee tonight are not the approved plans and there are things that are incorrect. The tipdown pads are concrete instead of brick all the way around. The light locations keep moving around. The streetlight is in a different location. The location of the manhole is different. In addition, he stated that Peter Rice was very clear about having the sidewalks be further away from the street and having a longer sidewalk on the Maplewood Avenue side.

Mr. Chagnon stated that with regard to the change in location of the manhole, this was the decision of Eversource. The manhole should've been out in the street. Eversource changed the location to the sidewalk. In phase 2, locations were finalized and this will be made clear.

Mr. Desfosses stated that the sidewalks should be at least 10' wide with the exception of where the mature trees are located and at this point, they should be 7'. There should be granite around the trees. Mr. Desfosses provided some ideas for benches and stated there are some nice benches at Portwalk.

Mr. Cracknell and Mr. Taintor stated that wider sidewalks are better.

Mr. Chagnon stated that he doesn't agree with Mr. Desfosses. If you drive down Maplewood Avenue and look at the landscaping along the building, it is pretty attractive.

Mr. Desfosses stated that it may be attractive, but it is not functional.

Mr. Taintor inquired about the status of making the property into condominiums.

Mr. Chagnon stated that this would have to go through subdivision approval before it could be withdrawn.

Mr. Taintor inquired about which unit has been sold.

Mr. Chagnon stated that Unit 3 has been sold (office use in the northeast corner).

Mr. Taintor asked about the uses of the space.

Mr. Chagnon reported that there are 3 commercial units on the first floor, the office unit (which has been sold), a second unit (which is going to be a restaurant), and an office/deli (2 uses separated but as one space).

The Chair asked if there was anyone 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 postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting. Deputy Fire Chief Roediger seconded the motion.

The motion to postpone consideration of Site Plan Approval to the September 1st, 2015 TAC meeting passed unanimously.

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III. ADJOURNMENT was had at approximately 5:10 pm, was seconded and passed unanimously.
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Respectfully submitted,

Toni McLellan
Acting Secretary for the Technical Advisory Committee