

MINUTES

SITE REVIEW TECHNICAL ADVISORY COMMITTEE MEETING

2:00 PM

SEPTEMBER 1, 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

.....

Mr. Taintor requested a motion to take Items 1C and 1E out of order for the purposes of postponement.

Mr. Britz made a motion to take Items 1C and 1E out of order for the purposes of postponement. Mr. Desfosses seconded the motion.

The motion to take Items 1C and 1E out of order for the purposes of postponement passed unanimously.

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 August 4, 2015 TAC meeting.)

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, Ambit Engineering was present to speak to the application. Joe Miletta, Ambit Engineering and Michael Witcher of Witcher Builders were also present. Mr. Chagnon provided a new Plan Set to each TAC member. Since May 26th, the application has been postponed in order to obtain conformance on the building for zoning. There is currently a car dealership on site. The project proposes to remove the existing building and construct a 2-story brewery/pub with 63 parking spaces. Using a map slide, Mr. Chagnon explained the building/parking/amenities on site. They will be

removing pavement that is currently encroaching on the railroad right-of-way. Not many new utility improvements are needed. Landscaping and signage is planned. Sheets are included for this in the Plan Set. Also included are detail sheets. There are plans for a rooftop patio for seating. The applicant has completed a drainage analysis. They will be reducing peak flow and runoff volume from the site.

Deputy Fire Chief Roediger clarified that the new building will in fact be a 3-story building.

Mr. Chagnon stated that this was correct (including the rooftop patio). He will make the correction (to reflect 3-stories) on the plans.

Mr. Taintor stated that looking at the floor plan; he sees a "64s.f." bar area (second floor pub and restaurant). He inquired about this measurement and how that area can be only 64.s.f.

Mr. Chagnon stated that this measurement is just the elevator that is associated with the pub on the rooftop. The measurement is included in the second floor measurement because the elevator travels through this area to get to the rooftop.

Mr. Taintor clarified then that the elevator doesn't go to the food processing area.

Mr. Witcher stated that the first floor bar area hasn't been laid out. Food processing will be on the first floor. The mezzanine is below the second floor and there is a second floor above the mezzanine. He acknowledged that the drawings are a little confusing

Mr. Taintor stated that on Sheet C2, it states that the first floor is a pub and restaurant, and the second floor is 5,900s.f. of food and processing and 64s.f. of "pub and restaurant."

Mr. Witcher stated that this will be clarified. The 64s.f. measurement appears as part of the pub, but it is really the elevator.

Mr. Chagnon stated that they will add the 64s.f. measurement into the food processing measurement.

Mr. Taintor agreed with this clarification.

Mr. Taintor asked the applicant to explain the parking calculation.

Mr. Chagnon stated that it is based on the applicants understanding of the ordinance that all non-residential uses are calculated using 200s.f. They come out with 57 spaces.

Mr. Taintor inquired if the applicant was applying for a CUP. That is the Gateway Planned Development. There are different procedures for this.

Ms. Berna stated that looking at the applicants plan; it is unclear whether they are seeking a CUP for Gateway Planned Development, or Gateway Zoning. Under the base Gateway, the two concerns she has are street frontage, which is required to be 200' (and it is only 196' for this property) and maximum allowed height (40') and secondly, the parking requirement. The applicant meets the

parking for the Gateway Base District, but not for the Gateway Planned Development for which the minimum would be 40 and the maximum would be 57.

Mr. Taintor stated that what the applicant is applying for needs to be clarified. He stated that if the applicant is not working towards the Gateway Planned Development, a variance for frontage and height must be obtained. Section 10.730 of the zoning ordinance must be adhered to if the applicant is not going for the Gateway Planned Development. If seeking Gateway Planned Development, the applicant is applying for a CUP.

Mr. Chagnon stated that their intention was to apply for the Gateway Planned Development.

Mr. Eby inquired about parking and stated that if the applicant has 51 or more spaces, they are required to have 3 handicap spaces. The tip down ramp is behind the parking spaces. It may be better to shift the handicap spaces to the other side so that the tip-down ramp is between the spaces. With it designed this way, wheelchairs would not be coming out behind the cars. The way in which the dumpster is positioned, if the trash is picked up while the parking lot is full, the truck would have a difficult time maneuvering. He asked that the applicant shift the dumpster.

Mr. Chagnon stated that they will change the number of handicap spaces and shift the dumpster.

Mr. Eby stated that the NH DOT would require a traffic study.

Mr. Chagnon stated that the applicant has been in touch with NH DOT and they asked for more information about the easement/off-site driveway. Trip generation numbers have been compiled.

Deputy Fire Chief Roediger stated that there is one stairwell that goes to the roof. With the number of people going to the roof, another stairwell should be in place.

Mr. Whitcher stated that the architect designed it to specifications, but they will review that.

Mr. Taintor stated that it would be good to know the occupant load for the building and for each level. There is a separate use requirement depending on the occupant load.

Ms. Berna stated that if the building is over 250 occupants, the application may need a variance (Table of Use Regulations).

Mr. Whitcher inquired about height allowances.

Mr. Taintor stated that the Gateway District has a 40' height allowance. With Gateway Planned Development, buildings can be taller (up to 60'), but then setbacks and the relationship between the building and setbacks comes in to play. He suggested the applicant go over the regulations with staff so they are understood.

Mr. Taintor inquired about the easement and whether it is defined.

Mr. Chagnon stated that the easement is defined by the outer lines, so it is a very wide easement.

Mr. Taintor stated that if someone is using the driveway to go to the Frank Jones Center, they would be directed to ignore the painted lines.

Mr. Chagnon stated that what Mr. Taintor is stating is correct, but that this aspect needs some work. The applicant just wanted to show how they would get into their site.

Mr. Pezzullo stated that with regard to Sheet C1, Item E, he asked if the applicant had a copy of those restrictions.

Mr. Chagnon stated that they do have a copy of the restrictions.

Mr. Pezzullo inquired about a deed with regard to Item I.

Mr. Chagnon stated that B&M has a restriction, but they do not enforce it. The deed goes back to a time when cattle would wander onto the tracks. Given this is not a problem now, they will not be installing a fence.

Mr. Pezzullo stated that there may need to be a temporary construction permit with regard to the railroad.

Mr. Chagnon stated that they will obtain that.

Mr. Pezzullo stated that a waste calculation for the restaurant and brewery waste discharge to the sewer will be needed. They may need to separate them. Also, a separate grease trap may be needed. They may need a testing manhole as well.

Mr. Chagnon stated that they are working with the operators on that.

Mr. Pezzullo stated that the applicant should ensure that the water supply is adequate.

Mr. Chagnon stated that on the brewery side, there would be approximately 60,000 gallons/day.

Mr. Taintor asked the DPW about the dumpster connection needed for a drainage line for food waste.

Mr. Desfosses stated that it is not needed, but that decision is made by the Health Department

Mr. Chagnon will follow up with the Health Department.

Mr. Taintor stated that he will check with the Health Department as well. He thinks it is a health code rule.

Mr. Desfosses stated that in the driveway entrance (where the sewer is evacuating the site); there should be a sewer manhole, not a cleanout. The sewer leaving the building is shown as 6" (04). This needs to be recalculated; 8". The applicant is not showing any valves for the water services. That will be required. The applicant can work with Mr. Pezzullo on that. The second silo has a power line

running over it (the wiring is only approximately 16' in the air). The applicant should probably remove poll number 242. It should not be on railroad property at this point. It may be relocated on the 400 property. He inquired if it was the intention of the applicant to give the gas line an easement.

Mr. Chagnon stated that it turns into a parking lot in the current plan.

Mr. Desfosses stated that it would be helpful to make certain the gas company knows this may happen. They may need to come back and cut the line off. He inquired as to whether there was a drainage easement on the railroad property. The water is running off the parking lot through the railroad property and back onto the applicant's property.

Mr. Chagnon stated that he will talk with the railroad company regarding this. He doesn't see this as a problem.

Mr. Desfosses inquired about how the applicant will deal with offsite drainage coming across the parking lot. This may be a temporary issue, but the applicant needs to ensure that they are not causing flooding on the 400 property.

Mr. Miletti stated that they have accounted for stormwater coming across the property not only in the immediate vicinity, but also from across the railroad. They are reducing flow and volume.

Mr. Desfosses inquired about whether the system is adequately sized to handle the flow. He inquired if the applicant has done everything in their power to ensure that the water is as clean as it can be before it leaves the site.

Mr. Miletti stated that the swale is designed to state standards. He believes they have done everything they can to ensure the water is clean before being discharged offsite.

Mr. Britz stated that the applicant shows a riprap area at the start of the swale.

Mr. Miletti stated that the riprap on the landscape plan is not correct. It is actually an area of just grass.

Mr. Britz inquired if there was anything to slow the river of rain.

Mr. Miletti stated that the flow is not going to be any more than it is today. It will in fact be reduced.

Mr. Britz inquired about the velocity.

Mr. Miletti stated that the velocity will also be reduced on site.

Mr. Britz stated that it seems that the velocity will increase. He wondered, as Mr. Desfosses did, whether the drainage system was currently functioning properly.

Mr. Miletti stated that if the town hasn't received any complaints, then they have no knowledge that the system isn't working properly including flooding and treatment. It is getting treated through the treatment swale.

Deputy Fire Chief Roediger inquired about Sheet C3, Note 6; radio strength testing.

Mr. Taintor stated that this can be obtained directly from Jane Shouse.

Mr. Taintor inquired of DPW as to whether (on Sheet C3) the domestic water and fire connections are adequate.

Mr. Desfosses answered Mr. Taintor's question by saying that they are not necessarily adequate. However, it is a bit of an odd situation and the applicant will work with Mr. Pezzullo on that aspect.

Mr. Taintor stated that on L1, the dumpster has a chain-link fence enclosure, but there are the Arbor Vitae along the back seemingly as a continuous screen. He inquired as to whether this was intended to meet the height standard (6') within 3 years. The screening can be 6' of solid fencing, or 6' dense vegetation. He wanted to ensure that adequate screening will be achieved.

Mr. Chagnon stated that he will check with the Landscape Architect.

Mr. Taintor inquired whether there are transformers or generators.

Mr. Chagnon stated that they are on the poles.

Mr. Desfosses inquired as to whether the transformers could handle the load.

Mr. Chagnon stated that they have been working with Eversource to determine this.

Mr. Miletti clarified an earlier point that for every 1000 gallons of beer produced (10,000 barrels/year); there would be 8,000 gallons of water waste (discharged). This is the volume anticipated.

Mr. Desfosses inquired about the existing sewer line leaving the site.

Mr. Miletti stated that they did not video this, but they conducted a radio location, but it wasn't recording.

Mr. Desfosses stated that a video should be submitted to Mr. Pezzullo for review.

Mr. Miletti stated that he believes the line starts out as PVC and changes to something else. He will check his notes.

Mr. Taintor stated that there is a proposed sewer going offsite, but he inquired as to whether there was anything happening with the existing sewer.

Mr. Chagnon stated that there is an existing sewer in that location served by sewer and water.

Mr. Desfosses stated that the reason the sewer line disappears is that it goes offsite.

Mr. Taintor stated that when the next application goes in, the developer might be called upon to upgrade the sewer.

Mr. Desfosses stated that this is possible. In addition, this applicant may be asked to contribute as well.

Mr. Taintor inquired as to whether it was a public or private sewer.

Mr. Desfosses stated that it is currently private.

Mr. Taintor stated that there is a provision in the Gateway Planned Development in the Site Plan Review Regulations regarding landscaping (Section 6.7 paragraph 3). There is a requirement for a buffer strip (which is actually Gateway District). He asked that the applicant review this. He also stated that the Gateway Planned Development requires pedestrian paths through the site connecting all parking to the building. This is lacking on this plan.

Mr. Taintor stated that the application needs some work (water and sewer service, drainage, zoning compliance).

Mr. Chagnon stated that they were told by Juliet Walker that they would be exempt from having to provide bicycle access because there are no bicycle provisions on the Bypass.

Ms. Berna stated that when Ms. Walker told them they would be exempt, she was most likely referring to regular provisions for bike racks within the Base zoning. She was not speaking to the Gateway Planned Development, which has specific requirements.

Mr. Taintor stated that this will need to be discussed and worked out.

DISCUSSION AND DECISION OF THE COMMITTEE

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

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

.....

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 August 4, 2015 TAC meeting.)

The Chair read the notice into the record.

John Lorden, MSC Civil Engineers was present to speak to the application. The current owners of Gary's Beverage on Deer Street were also present. The owners would like to relocate the business. It is the former location of Momma D's. It is a ½ acre site and has been vacant for three years. They are proposing a 1,300s.f. addition. They have moved the entrance to the front of the building. There will be new lighting fixtures and landscaping. The 2nd story will be grocery storage and office space. They provided an 8' wide sidewalk in the front of the building. They have provided sidewalks on 3 sides of the building. There will be a shared entrance to the site with the neighboring Gulf station. The Zoning Board put one stipulation on the application to improve the fence in the back of the site. It is in disrepair. They are also looking for additional screening. They will install additional Arbor Vitae. Dumpsters will be located far from the residential section.

Mr. Eby inquired about driveway access through the abutting parcel stating that it seems like there is one way in and one way out. It seems that the applicant will need to use a significant part of the abutter's property for access. TAC will need to see something in writing about that agreement.

Mr. Lorden stated that they can provide a copy of the easement. It is 35' wide and has been this way since the 1970's.

Mr. Taintor stated that this is one of the most crucial aspects of this plan. There must be a definitive statement that the abutter is prevented from erecting a building on that side of the property so that deliveries can be made for this applicant in the circulation pattern indicated. He has seen the deed and the language must be more than what is contained in the deed.

Ms. Berna stated that the location of the maneuvering isles needs to be shown on the Site Plan.

Mr. Desfosses stated that 8.5' foot angled parking is not appropriate for high use/high turnover areas. People will be hitting other car doors. This type of parking space is usually reserved for once/day office park type use.

Mr. Taintor inquired about a traffic study.

Mr. Lorden stated that it is in process.

Mr. Desfosses stated that the existing sewer line goes through residential lots to get to Dennett Street. It should be relocated to Stark Street.

Mr. Lorden stated that they will look at the sewer.

Mr. Eby stated that the NH DOT has plans to rebuild the Stark Street Bridge.

Ms. Berna stated that regarding the open space calculation; she would like to see it broken out to ensure the requirement is met.

Mr. Lorden stated that they can accommodate this.

Mr. Pezzullo commented on the drainage use, ownership and maintenance. He inquired about adequacy as well as who maintains it.

Mr. Lorden stated that they are not increasing any flow. He does not know who maintains it.

Mr. Pezzullo stated they the applicant needs to find out who owns it and maintains it. The applicant is adding stormwater to it. There are two catch basins.

Mr. Lorden stated that there is only one catch basin on site. The one that is out on Route 1 catches flow from the Bypass. There is just the one to the South of the building.

Mr. Lorden stated that the request for the drainage analysis was submitted because impervious flow is being reduced.

Mr. Pezzullo stated that he will need to see the flow pattern to ensure it meets standards.

Mr. Lorden stated that the applicant is mimicking what is already in place. In some areas, they will be putting down new pavement. This is shown on Sheet C3.

Mr. Taintor stated that on Sheet C4, the applicant is proposing landscaping offsite, some on the adjoining property as well as in the state right-of- way. The applicant needs to ensure approval of this.

Mr. Lorden agreed with this and has been in contact with both parties for approval.

Mr. Taintor stated that the sign in the landscaped island has junipers and two maple trees in front of the sign. As people come down the road, they will be trying to look through 3 maples and junipers in order to see the sign. He inquired as to whether the sign will be below the branching of the tree. He inquired as to whether the new sign complies with the zoning regulations in terms of height.

Mr. Lorden stated that they will review this and will ensure that the sign is in compliance.

David Platt of 475 Dennett Street was present to speak to the application. He inquired about the lighting in the parking lot. He stated that when Momma D's was in the space, the lights were directly showing into the abutting residential area. He stated that if this issue could be addressed, it would be greatly appreciated.

Mr. Taintor stated that Momma D's operated under the old regulations. The current regulations require full cut-off lights so that lighting does not spill over into residential areas.

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 there are a number of issues to be addressed. It seems a postponement is in order to address the issues.

Mr. Britz made a motion to postpone consideration of Site Plan Approval to the September 29, 2015 TAC meeting. Deputy Fire Chief Roediger seconded the motion.

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

.....

C. 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. (This application was postponed at the August 4, 2015 TAC meeting.)

The Chair read the notice into the record.

DISCUSSION AND DECISION OF THE COMMITTEE

Mr. Britz made a motion to postpone consideration of Preliminary and Final Subdivision Approval to the September 29, 2015 TAC meeting. Mr. Desfosses seconded the motion.

The motion to postpone consideration of Preliminary and Final Subdivision Approval to the September 29, 2015 TAC meeting passed unanimously.

.....

D. 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. (This application was postponed at the August 4, 2015 TAC meeting.)

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Bernie Pelech, Attorney, was present to speak to the application. He stated that several issues surfaced last month. He reported on what has taken place with regard to those issues. One of the concerns was regarding future improvements with impervious surfaces, raingardens, etc. After the TAC meeting last month, the applicant went before the Conservation Commission. The Conservation Commission approved of the impervious surface and the raingardens. With the approval of the Conservation Commission, hopefully any stormwater management and treatment issues have been laid to rest. The CUP was approved. With regard to the infiltration issue, a report was completed by Underwood. This was part of the original 2013 subdivision. Specific standards were set forth. He doesn't know whether the conditions have, or have not, been met. His understanding of the report is that the conditions have been met. A bond is still being held by the City. He spoke with Mr. Desfosses who recommended that he speak with the City Engineer. He has attempted to schedule a meeting with the City Engineer without success. Testing has been completed on the site hydrants. The result of that testing was favorable. They were all in working order with the exception of one, which needed a part. That hydrant is in the process of being repaired. Those were the primary issues that came up at the last meeting. Cory Colwell, MSC Civil Engineers, was also present. He turned in a supplemental packet that deals with hydrant flow tests. They have addressed the recommendations of TAC. The request to consider 2 additional pocket parks within this site has been addressed. They have agreed to put an additional park near unit 33A (northwest corner of the lot). Using a slide, he showed where this park would be located. It was suggested that near Unit 329 (southernmost part of the site), a pocket park might also be added. However, this location would be entirely within the buffer. It is also close to another park they are proposing, so the applicant felt that the other additional pocket park wasn't necessary. However, they still have 3 pocket parks on site. The speed limits on site are low. The streets are used for biking and walking, as well as vehicular access. They were also asked to address the invasive species on site. Tom Sokolowski, Wetland Scientist, addressed the issue of invasives. He is proposing bi-annual inspections to monitor the health of trees that will be installed to shade out invasives. An annual report will also be provided to the site owner. He stated that Mr. Britz had indicated that smaller raingardens were preferred over the connectivity of larger raingardens and as a result, the raingardens were left as is.

Mr. Britz asked Mr. Colwell to point out the proposed parks again.

Mr. Colwell pointed out the parks using a map slide of the entire site.

Mr. Britz stated that he is comfortable with the raingardens as they are as long as the applicant installs them where they say they are going to put them.

Mr. Taintor stated that each time a building permit comes in; TAC would need to get a Site Plan to show how the "typicals" noted in the Plan would be implemented.

Mr. Gidley was present to speak to the application. He stated that it would not be a problem to accommodate this and on their recent application, they showed where the raingarden was to be installed and also showed the design.

Mr. Pezzullo stated that there are still some concerns about the condition of the sewer system. The actual water use was not reviewed. The actual water use seems very different than what is actually

taking place. So, there are still some issues that need to be addressed. A meeting with the City Engineer and the developer would be helpful.

Mr. Taintor stated that Attorney Pelech had been trying to schedule a meeting.

Attorney Pelech stated that the infiltration standards were part of the 2013 Underwood study. They are the previous owner's responsibility.

Mr. Desfosses stated that was one bench mark. This is another bench mark. This is Site Review Approval for inclusion of more units. We cannot let the sewer collection system that is out there function the way it is for the next 20 years.

Attorney Pelech inquired about whether the previous owner had done what they were supposed to do. They submitted that report a month ago. He has been trying to meet with the City to find out if the City felt the conditions had been met. He stated that the conditions are not the responsibility of this applicant. They are the responsibility of the former owner.

Mr. Taintor stated that this question needs to be resolved. The stipulations of the subdivision agreement did call for certain things to be done. Whether those things were done would be the call of the DPW. The meeting between the developer and the City would be helpful in figuring out where things stand.

Mr. Gidley added (regarding the infiltration) that the plan they have is a 20-year plan. It is not a build-out. They are only looking to add 5 new sites to what is already there. They are not increasing the size of the site. They provided information for 80 homes that could *possibly* get replaced over the course of 20 years. They are looking at replacing between 5-10 units/year. He stated that they are not looking for a 20-year approval for 80 new homes. They relied on the subdivision plan that the infiltration would be taken care of between the agreement between the City and the former owner. Their agreement with the former owner was that they (former owner) would be responsible for complying with any City requirements with regard to the subdivision plan. He doesn't want to get stuck with something that is not his agreed upon responsibility. He asked that TAC look into the subdivision language in the report. Mr. Gidley requested that this application not be held up. They would prefer that the infiltration issue be worked out through the original subdivision agreement. Anytime a home is replaced, they will replace the sewer lateral.

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 it is incumbent upon TAC to review the report (by Underwood). This needs to be resolved before moving forward.

Mr. Desfosses stated that the City has to follow through and verify that all the original things that needed to happen (according to the subdivision agreement) actually did happen. The bond cannot be

released until then. At that time, the decision regarding the sewer collection system can be made. The numbers for water usage are outrageous.

Mr. Taintor requested that the meeting between the developer and City staff happen in the next couple of weeks before the end of September, 2015.

Mr. Taintor asked Mr. Britz if the Conservation Commission was happy with the raingardens and the maintenance plan.

Mr. Britz stated that the Conservation Commission has yet to see the maintenance plan. Today is the first that he has seen the plan, but reviewing it briefly, it states that reporting will be granted upon request. Mr. Britz stated that reporting needs to happen annually (if not bi-annually) in terms of maintenance and inspection of raingardens. In terms of layout, the plan looks good.

Deputy Fire Chief Roediger appreciated the testing of the hydrants on site to date. The numbers are in an acceptable range. He stated that the city must see annual testing reports of hydrants. In addition, once a year, they need to be flushed and winterized, and the City needs to know when they have been flushed.

Mr. Gidley stated that they have no problem with winterizing and providing an annual report.

Mr. Desfosses stated that hydrants cannot be winterized where the groundwater is at 2-3'. In this case, the hydrants would be replaced with ones that don't leak. When the hydrants are pumped down there cannot be water in the barrels (that could freeze after 24 hours).

Mr. Gidley stated that the consultant that examined them stated that there would be no problem in winterizing them.

Mr. Desfosses made a motion to postpone consideration of Site Plan Approval to the September 29, 2015 TAC meeting in order to resolve the issues with the sewer system, to review the report and meet with the City Engineer. Mr. Britz seconded the motion.

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

.....

E. 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. (This application was postponed at the August 4, 2015 TAC meeting.)

The Chair read the notice into the record.

DISCUSSION AND DECISION OF THE COMMITTEE

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

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

.....

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. (This application was postponed at the August 4, 2015 TAC meeting.)

The Chair read the notice into the record.

Mr. Chagnon, Ambit Engineering was present to speak to the application. Steve Kelm was also present. Submitted Plans have been revised. On Sheet C4 (amended) they have shown 2 18'X18' adjacent sidewalk areas with benches on the north and south end. The sidewalk would be at least 8'. On Sheet C5, there is now a note about grading to hide the vault and grade up to the manhole rim. They have shown the light locations.

Mr. Taintor inquired about phasing of the project and what the timing for the second building would be.

Mr. Chagnon stated that TAC approved the Site Plan subject to a number of things including final approval from the DPW on the layout of the sidewalks. They are in the process of this approval. They cannot go back to the Planning Board until they obtain the CUP from HDC. In October, they will appear before the HDC again.

Mr. Taintor stated that there is a temporary asphalt sidewalk. If the second building doesn't go forward, they would need a date as to when the brick sidewalk would be installed to replace the asphalt sidewalk.

Mr. Chelm stated that the goal would be to begin construction on Phase 2 in spring 2016.

Mr. Desfosses wondered whether the benches are too far apart.

Mr. Chagnon stated that they are about 15-16' apart.

Mr. Taintor stated that it would probably end up being more like 14' (because the benches are about 2').

Mr. Taintor stated that this was reviewed. How the area was laid out, and the distance, seemed to fit well.

Mr. Desfosses stated that the benches are so far apart that it would be difficult to hold a conversation. He inquired as to whether there was a detail for mounting the benches.

Mr. Chagnon stated that there is no detail for mounting the benches, but there is a reference to installed pre-manufactured specifications.

Mr. Taintor stated that with regard to the distance on the benches, it would be 11.5'

Mr. Desfosses stated that the applicant is not showing conduits for light poles on the plans.

Mr. Chagnon stated that they concentrated more on the location, but the information can be added.

Mr. Desfosses stated that an area marked for grease traps should be included on the plans.

Mr. Pezzullo stated that the original plans show 4 grease traps. The plans now show only 2. The other two areas may be appropriate areas for reserve.

Mr. Desfosses inquired that with regard to the lighting for the sidewalk, the LED light should be mounted onto the Mast Arm to light up the handicap ramp. This is not shown on the Plans.

Mr. Chagnon stated that it is on the Phase 2 Plan (46 Maplewood).

Mr. Desfosses stated that it should also be on this approval. Sheet C5, Note 4 references a fiberglass cabinet enclosure. This is a specification he provided a while ago. He will send the note to this regard to Mr. Chagnon to update the plan.

Mr. Desfosses stated that a condition of approval would be that the disruption of sidewalk once it begins, will be completed within 30 days (to avoid longstanding construction issues).

Mr. Pezzullo included a condition for approval that the grease trap that goes toward Bridge Street (Sheet C5) has a check valve installed.

Mr. Chagnon stated that this was on the approved plan. They will verify whether that was actually installed. He will ask the contractor.

Mr. Taintor stated that with regard to the benches on the Maplewood side, they should be black not simulated wood as indicated.

Mr. Chagnon stated that they felt that the simulated wood fit the character of the building as it has wood accents, but he will change them to black.

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

Deputy Fire Chief Roediger made a motion to grant the amended Site Plan Approval with stipulations. Mr. Pezzullo seconded the motion.

The motion to recommend approval of Amended Site Plan Review passed unanimously with the following stipulations:

Conditions subsequent (to be completed prior to release of site plan security)

1. Sheet C5 - Amended Utility & Grading Plan shall be revised as follows:
 - (a) In Note 4, change the specification for the electrical control cabinet from Hoffman fiberglass to a Type M aluminum cabinet meeting the City’s current standards.
 - (b) Add an LED light to be mounted on the mast of the mast arm at the intersection of Maplewood Ave. and Hanover St., to illuminate the handicap ramp at that location.
 - (c) Show locations for two additional potential grease traps, should they be required in the future (previously approved locations may be appropriate).
 - (d) Add the conduits in the sidewalks for the new street lights.
2. The benches on the Maplewood Ave. side of the building shall be changed to all black.
3. Once work on the public sidewalk begins, disruption of the sidewalk shall be limited to 30 days.
4. Should construction on the second building on the site not proceed during 2016, the “5’ wide temporary asphalt sidewalk” crossing the site between Maplewood Avenue and Bridge Street shall be replaced with the permanent concrete sidewalk previously approved for the site.
5. Sheet C2 – Layout & Landscaping Plan shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

.....

II. NEW BUSINESS

A. The application of **319 Vaughan Street Center, LLC, Owner**, for property located at **319 Vaughan Street**, requesting Amended Site Plan approval for landscape revisions and relocation of the exterior dumpster enclosure, with related paving, lighting, utilities, landscaping, and drainage and associated site improvements. Said property is shown on Assessor Map 124 as Lot 9 and lies within the Downtown Overlay District (DOD), Central Business A (CBA) District, and the Historic District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, Ambit Engineering, was present to speak to the application. He provided TAC with amended plans. He has a letter with responses to the comments from the last meeting. They are working with McHenry so that the Site Plans match the HDC plans. The building owner is stepping in to make the amendments, not 3S Artspace. The owner will submit the transformer enclosure at a future date. The applicant is asking for approval subject to appropriate conditions and bringing the final design to the staff for approval. They will secure the approval of Eversource. They've added a note to the plan to have the appropriate gate for the egress. He provided a copy of the sign permit. It is a free-standing structure and requires HDC approval, even though the sign was approved through the City Inspection Department. The trash enclosure was discussed. Section 10.1132 regarding screening of dumpsters states that the enclosure cannot be any lower than 6' to meet the ordinance. They felt the height was appropriate. The roof drains on the south side of the building (only one was installed). That is shown on the plans. The egress from the door on the south side is marked as a lighted exit. They have shown a temporary power connection so there will be power during construction. The sidewalk is 7' wide.

Mr. Desfosses stated that with regard to the light poles, he is recommending a condition that the lights be installed prior to winter. He would like the applicant to show him a cut sheet prior to installation of the lighting to ensure the sidewalk remains passable given the size of the base of the light.

Mr. Taintor proposed a stipulation that the plans will not go to the Planning Board until Site Plans and HDC drawings match. Making Site Plan changes would require the applicant to come back before TAC.

Mr. Chagnon stated that they should be able to wrap that up.

Mr. Taintor stated that he will not put it on the Planning Board agenda until the plans match.

Mr. Taintor clarified whether Mr. Chagnon was saying he would like Planning Board approval with HDC approval to follow.

Mr. Chagnon stated that the owner is looking at new options for a transformer enclosure. They want to go to a noncombustible enclosure.

Mr. Chagnon inquired if there was a timing issue. The owner is working on it, but he doesn't know when the owner will have the enclosure information.

Mr. Taintor stated that the Committee would rather wait. Eversource approval of the transformer enclosure must be obtained as well.

Mr. Taintor stated that this can be included as a stipulation of TAC approval.

Mr. Desfosses was concerned about the applicant having to go to several more meetings before approval due to the need to install the lights sooner rather than later. It will take 10 weeks to get the lighting fixtures and have them installed.

Mr. Taintor stated that the applicant must obtain City Council approval for the (license) work on City property (trash enclosure). This must be done prior to winter setting in.

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. Britz made a motion to grant the amended Site Plan Approval with stipulations. Mr. Desfosses seconded the motion.

The motion to recommend approval of Amended Site Plan Review passed unanimously with the following stipulations:

1. Prior to having the application placed on the Planning Board agenda, the applicant shall provide the following documentation to the Planning Department:
 - (a) A letter from Eversource approving the design, location and operation of the transformer enclosure.
 - (b) A detail for the street light bases, which shall be forwarded to DPW for approval.
 - (c) Drawings for HDC amended approval which comply with the amended site plans.
2. If the street lights shown on the site plan are not installed and working prior to December 1, 2015, the site plan security may be called by the City for the purpose of completing the work.
3. If the City Council does not grant a lease or license for the trash enclosure by December 1, 2015, the trash enclosure shall be removed immediately thereafter and all trash facilities shall be relocated off City property.

.....

III. ADJOURNMENT was had at approximately 4:30 pm, was seconded and passed unanimously.

.....

Respectfully submitted,

Toni McLellan
Acting Secretary for the Technical Advisory Committee