

MINUTES

SITE REVIEW TECHNICAL ADVISORY COMMITTEE MEETING

2:00 PM

APRIL 5, 2016

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

MEMBERS PRESENT: Rick Taintor, Chairman, Planning Director; Jessa Berna, sitting in for Peter Britz, Environmental Planner; Juliet Walker, Transportation Planner; David Desfosses, Engineering Technician; Eric Eby, Parking & Transportation Engineer; Carl Roediger, Portsmouth Fire Department; Frank Warchol, Acting Deputy Police Chief; Robert Marsilia, Chief Building Inspector

MEMBERS ABSENT: Peter Britz, Ray Pezzullo

I. OLD BUSINESS

A. 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 \pm s.f. (footprint and gross floor area) for proposed retail use and add a new second floor with 4,450 \pm 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 March 1, 2016 TAC meeting.)

The Chair read the notice into record.

Ms. Walker made a motion to postpone this application indefinitely and it was seconded by Mr. Desfosses.

The motion to postpone Site Plan Review indefinitely passed unanimously.

B. The application of **Borthwick Forest, LLC, KS Borthwick, LLC, Atlantic Star Communications, HCA Realty, Inc., and Jackson Gray Condominium Association, Owners**, for property located **off Islington Street and Borthwick Avenue**, requesting Preliminary and Final Subdivision Approval as follows:

1. To consolidate the following four lots:
 - a. Lot 25 as shown on Assessor Map 241 having an area of 22.807 \pm acres,
 - b. Lot 26 as shown on Assessor Map 241 having an area of 4.927 \pm acres,
 - c. Lot 113 as shown on Assessor Map 233 having an area of 13.815 \pm acres,
 - d. Lot 112 as shown on Assessor Map 233 having an area of 0.732 \pm acre;

and to re-subdivide the consolidated lot into two new lots and a public right-of-way as follows:

- a. Proposed Lot "25/26" having an area of 25.523 ± acres and 979.37 ± feet of continuous frontage on a proposed street,
 - b. Proposed Lot "112/113" having an area of 15.404 ± acres and 981.09 ± feet of continuous frontage on a proposed street,
 - c. Proposed City right-of-way having an area of 1.354 ± acres.
2. For a Lot Line Revision, to create a public right-of-way, as follows:
- a. Lot 2-2 as shown on Assessor Map 240 decreasing in area from 4.978 ± acres to 4.584± acres with 571.58 feet of continuous frontage on Borthwick Avenue,
 - b. Lot 7-4A as shown on Assessor Map 234 decreasing in area from 9.085 ± acres to 8.639 ± acres with 1,127.14 ± feet of continuous frontage on Borthwick Avenue,
 - c. Proposed City right-of-way having an area of 0.840 ± acre.
3. For a Lot Line Revision, to create a public right-of-way, as follows:
- a. Lot 114 as shown on Assessor Map 233 decreasing in area from .404 ± acres to 0.261 ± acre, with 116.54 feet of continuous frontage on Islington Street,
 - b. Proposed City right-of-way having an area of 0.143 ± acre.

The application also proposes to relocate and dedicate to the City as public rights-of-way two separate 60-foot rights-of-way across land owned by the Boston & Maine Railroad, which in conjunction with the above subdivision and lot line revisions will result in a new City street between Borthwick Avenue and Islington Street with a total length of 1,830 ± lf and a total right-of-way area of 2.642 ± acres. Said properties are located in the Office Research (OR) District which requires a minimum lot size of 3 acres and 300' of continuous street frontage and Lot 114 as shown on Assessor Map 233 is in the Single Residence B (SRB) District which requires a minimum lot size of 15,000 s.f. and 100' of continuous street frontage. (This application was postponed at the March 1, 2016 TAC meeting.)

C. The application of **HCA Realty, Inc., Owner**, for property located **off Borthwick Avenue**, and **Jackson Gray Condominium Association**, for property located at **330 Borthwick Avenue**,, requesting Site Plan Approval for the reconfiguration of an existing parking area and construction of a roadway, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 234 as Lot 7-4-A and Assessor Map 240 as Lot 2-2 and lie within the Office Research (OR) District. (This application was postponed at the March 1, 2016 TAC meeting.)

Mr. Desfosses moved to consider Items I.B and I.C under Old Business together, Mr. Roediger seconded, and the motion passed unanimously.

The Chair read the notices into the record.

SPEAKING TO THE APPLICATION:

Sharon Somers, attorney with the firm of Donahue, Tucker & Ciandella said that Patrick Crimmins and Jason Plourd of Tighe & Bond were also present.

Attorney Somers gave a summary of the process which began in October. She said following the public hearing in February, Tighe & Bond made the requested changes to the plans. They met with the

management company of Jackson Gray to review earlier plans and to address other issues. They then went to the Traffic & Safety Committee, who recommended this go on to the Planning Board. Then they met with the hospital to answer any questions they had. Tighe & Bond met with DPW and utility companies to resolve any issues. The plans now were the product of numerous reviews, and she felt they were ready to proceed to the Planning Board. She suggested that if any outstanding issues remained as of that night's meeting, they would like to address those that night before the public hearing commenced.

Mr. Crimmins said they met with the TAC in February, and they worked to address those issues with City staff. He reviewed the overall points from the February comments.

He presented the easement coordination updates to show the City's rights and access to the various design features, such as retaining walls.

He said they coordinated with staff to make all the bridge detail modifications requested. They provided gravel drives to storm water management areas and 12 foot access for the City to be able to access the areas for maintenance.

They coordinated with DPW on the lighting, showing that lighting would be at the end of the road, at the intersection, and a light pole would be placed at the end of the street. He stressed that the final plans would be discussed with the City prior to installation.

He showed the crosswalk modifications that went across Borthwick Avenue on the Roadway Plan.

He said the pump station was shown in the correct location, at the low point of the road, to allow for future tie-in if needed, and a piece of land would be designated as City land as an easement. He referenced a submersible pump schematic. All final plans would be approved by DPW prior to construction.

Tighe & Bond met with DPW and the utility companies regarding the light poles and tie-ins, and they updated the plans to reflect those changes requested.

He said they made changes based on a number of technical comments they had received. They fixed the drain pipe alignment in the road; they revised some culverts which were not in alignment; they modified some signage; they removed the rain garden due to difficulties with it, and instead there would be storm water treatment, with the detention system, under the pavement.

Those were the big items captured back in February.

Mr. Marsilia asked about a letter they had received. Attorney Somers said they met with Evergreen Management in February since Jackson Gray would be changing their management company, and it was the new company that wrote the letter. She said the new management company was supportive of the project. She said she reached out to them and she would be happy to assist them regarding any concerns and interests in the property. She said this letter was an authorization to exercise due diligence regarding the project. The letter did not raise any technical issues or any issues that impacted the TAC. She requested they move the proposal out of the TAC and allow the applicant, following the

Planning Board (PB) proceedings, to then have the Jackson Gray people reiterate they were accepting the final product.

Chairman Taintor asked who the applicant for Jackson Gray was, and who was representing Jackson Gray. Attorney Somers said they were the agent for Jackson Gray.

Chairman Taintor mentioned an issue regarding Lot 114, which was in both the subdivision and roadway plans. He said they were showing that lot as undivided, the same as it was today, even though half the lot would be roadway. He recommended in any vote that the plan be amended before going to the PB.

Chairman Taintor also asked about third party review of easements and where that stood. Attorney Somers said that was in process. Chairman Taintor said they would not go to the PB before getting that, as the TAC could not make a recommendation until that was known. Attorney Somers suggested that it be a condition, saying that review might take a bit of time, subject to the notion there were no problems regarding the easements.

Chairman Taintor asked if the railroad easement documents had been provided to the TAC. Attorney Somers said they had a letter of authorization from the railroad, and she recalled that they provided a letter early on with that title research information. If that had not been done, she said they would re-issue the letter. Chairman Taintor said that would be essential.

Chairman Taintor said he was unclear as to how the bridge design related to the subdivision approval and asked if the TAC was expected to have the bridge design. Attorney Somers answered the bridge design was to be done after the approval because the design would be a complex process.

Mr. Desfosses said if this were granted preliminary approval, the DPW would like to see a 60% plan verifying the bridge construction could be built. Once the fixed bridge details were known, it could then go to the PB for final subdivision approval, and at that time, the last part of the bridge design could be done. Also, an independent study of the drainage would be done at that time with all of the final details.

Ms. Walker asked if they would change Note 11 on sheet C-4a, to reflect a 60% design requirement, and Mr. Desfosses answered yes.

The Chair opened the public hearing and asked for speakers.

Paul Mannle of 1490 Islington Street asked the TAC to deny Item I.B for six reasons. He said it violated the Master Plan. This road would create permanent cut-throughs of roads. Traffic would be rerouted through residential neighborhoods. This was Pandora's Box because they did not know what was going to go in there. The Conservation Commission had previously said no. There was no public benefit. He said the actions of the PTS had no bearing on this TAC. He stated that Captain Warchol would have to recuse himself because he already had voted on this.

Ralph Dibernardo of 1374 Islington Street asked that some restrictions be put on this project so that construction trucks would be required to come in from the Borthwick Avenue side. He said the trucks

bringing gravel and hauling away debris had a hard time turning the tight corner. He asked that there be a requirement to have the bridge built first. If this project were to happen, he asked how traffic and safety would be handled. He added they were looking for relief from excessive truck traffic during the construction.

Rick Beckstead of 1395 Islington Street said the Traffic & Safety vote that Mr. Mannle referred to was 5-4. He asked for a traffic study on what Essex Avenue can handle. This road did not have a sidewalk, and he asked that this applicant be required to put a sidewalk on Essex Avenue, because it was a narrow and beat up road. He also asked that Chairman Taintor give the residents abutters' notices. He asked that the City be ready to provide abatement notices for taxes. He recently had an abatement because of living on a busy road. This would be an even busier road, so it would be nice to have tax relief for the people affected. He agreed that the construction should come in from the Borthwick Avenue side. He also asked what the effect on wildlife would be. He anticipated there would be car accidents involving deer. He did not know what the benefit to the City was on this project.

Attorney Somers attorney said the Traffic & Safety vote had been contested. She said that while some voted against, nothing was regarding safety issues, and they were related to non-safety issues. She stated that Captain Warchol would not have to recuse himself.

Mr. Mannle said he attended the parking and traffic safety meeting. Four voted against it because of traffic and safety. He said this fell under a land use board. He said Captain Warchol has already voted once, and he did not get to vote again.

Mr. Roediger asked about the letter from the management company and if the answer from Attorney Somers was acceptable. Chairman Taintor said the letter was reserving some time to look at this from their point of view. This arose because of the changes that came up due to easement modifications, and they wanted to make sure those changes work for them since they have not had time to review it. He would have liked for them to be present at the TAC. He added that Attorney Somers said they did have the authority to represent Jackson Gray.

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

Motion on Preliminary & Final Subdivision Approval for Borthwick Avenue:

Mr. Desfosses stated that the Committee has reviewed the design of the road as the Technical Advisory Committee in a technical sense. The design is what they would want and this is the lighting, drainage design and municipal sewer that they want and it would be appropriate to send this to the Planning Board for Preliminary Subdivision Approval and let the Planning Board decide whether it is appropriate to have the road in this location and to allow this subdivision or not.

Based on those comments, Mr. Desfosses made a motion to recommend Preliminary Subdivision Approval to the Planning Board. TAC is at the stage where they have done everything that they can to

provide a Planning Board project that, if appropriate to build the road, this would be an appropriate project to build.

He looked at the plans as being 80% complete and there are questions within the Department whether a particular section should have a gravity sewer or force mains, they have the whole question of the bridge design, which they really haven't even looked at other than they have seen the profile view of the bridge, this may possibly be a main City thoroughfare so they need to take a close look at design, compaction, the retaining walls, and all other issues that they haven't really looked at. If the project came back from the Planning Board with Preliminary approval then the Department would have to do due diligence to the developer and hire people to do a final drainage review, a final bridge review, and they would be asking the applicant to pay for both of those services, to make sure the public is getting what they really need and deserve to get as far as getting a quality project if they are going to allow this road.

Mr. Desfosses also made the following stipulations.

Sheet 6A, note that references the bridge prior to construction and DES prior to the execution of Site Review for the pump station, they need to have all of that in place before they get final subdivision approval. Therefore, some of the notes will have to change.

They will need a compaction plan and a whole design for the causeway. 20' up to the bridge there is fill going in that is a whole different level of engineering that has to go into that to make sure it doesn't settle because they are building the gravity sewers on top of that that are very touchy and cannot settle.

They have spent a lot of time reviewing lighting and have had the utility companies review the plans. He feels the Committee has done their due diligence with this project.

Ms. Walker seconded the motion and agreed that the comments about construction and how it would be constructed are valid points. There's a lot more to be done once they are at a point where the road is going to be constructed. Once they know what type of development is going to be occurring there is going to be a need for additional traffic analysis, it is a valid concern to think about traffic calming needs and the road itself. This is a preliminary stage at this point, as Mr. Desfosses' motion pointed out, and a lot of details are yet to be determined on engineering and traffic.

Mr. Taintor added that they recommend at least 60% plans for a bridge design, applicant to pay for independent drainage study and independent bridge design consultant, the easements should be resolved.

Ms. Walker wanted to clarify the percentage and asked Mr. Desfosses if he was requesting 60% of design before Preliminary Subdivision approval by the Planning Board. Mr. Desfosses confirmed that would be after. A whole level of further design has to go into this which they don't want to get into until they know the road is going to actually exist.

Mr. Walker confirmed that there would be a recommendation for Preliminary Subdivision Approval with some changes in notes and 60% before Final Subdivision Approval is granted, and after that there would still be final engineering plans that need to be approved by DPW which will include a

Construction Mitigation Plan. Mr. Desfosses agreed and said that during construction mitigation they will address trucks, how they are going to build this project, what sequence to keep the construction traffic down as much as possible.

Deputy Fire Chief Roediger asked how they memorialize that in terms of a stipulation. In terms of either a stipulation as part of the plan that goes forward that construction access to the project be restricted to Borthwick Avenue to the maximum extent possible. That would obviously continue on if this project moves forward to be included in a CMMP but he wants to make sure they capture that now so that it doesn't get lost. Mr. Taintor said the normal stipulation of the final Subdivision Approval would use standard language about a Construction Management Plan so at this point he suggested that they memorialize it that the Construction Management Plan that is entered into after final approval address construction access from Borthwick Avenue to the maximum extent possible.

The motion to **recommend Preliminary Subdivision Approval** passed unanimously with the following stipulations, which shall be completed prior to submission of an application for Final Subdivision Approval:

1. The applicant shall develop road, utility and bridge design plans to at least the 60 percent design level, including verification that the bridge can be built within the proposed right of way, and a compaction plan for the filled areas on the approaches to the bridge, and shall provide such plans to the Department of Public Works for review and comment. Note #11 on C-4A, notes #28 and #29 on Sheet C-6A, and any other relevant notes shall be adjusted to reflect this stipulation.
2. The applicant shall pay for the costs of an independent drainage study and an independent bridge design consultant, to review the applicant's drainage and bridge design and advise the City staff and Planning Board. The independent consultants shall be selected by the Department of Public Works with the approval of the applicant.
3. The review of existing and proposed easements by an independent surveyor shall be completed and reviewed by the Planning and Legal Departments, and any identified issues shall be addressed on the plans submitted for final approval.
4. The Construction Management and Mitigation Plan (CMMP) to be prepared for this project shall limit construction access to the Borthwick Avenue side of the site to the maximum extent possible, and a preliminary strategy to accomplish this shall be provided as part of the application for final approval.

Motion on Site Review Approval for 330 Borthwick Avenue:

The motion to **recommend Site Plan Approval** passed unanimously with the following stipulations:

1. Final utility designs shall be reviewed and approved by the Department of Public Works.
 2. All easements shall be reviewed and approved by the City Legal Department.
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D. The application of the **City of Portsmouth, Owner, and Prescott Park Arts Festival, Applicant**, for property located on **Marcy Street (Prescott Park)**, requesting Site Plan Approval to demolish the existing stage and sound booth and replace them with a new 3,145 s.f. stage with a deck and a 45' high canopy, and a new 8' x 8' sound booth, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 104 as Lots 1, 3-2 and 3-5 and lies within the Municipal (M) District and the Historic District. (This application was postponed at the March 1, 2016 TAC meeting.)

The Chair read the notice into the record.

Mr. Roediger moved to postpone this application indefinitely and it was seconded by Mr. Desfosses.

The motion to postpone Site Plan Review indefinitely passed unanimously.

E. The application of **2422 Lafayette Road Associates, LLC, Owner**, for property located at **2454 Lafayette Road (Southgate Plaza)**, requesting Site Plan Approval for the partial demolition of two existing retail buildings, the construction of a proposed 4-story, 94-unit residential building with a footprint of 28,700 ± s.f. and gross floor area of 112,550 ± s.f., the construction of a 1-story 2,000 ± s.f. restaurant and a 1-story 5,920 ± s.f. retail building, and reconfiguration of the existing parking area, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 273 as Lot 3 and lies within the Gateway (G) District. (This application was postponed at the March 1, 2016 TAC meeting.)

The Chair read the notice into record.

SPEAKING TO THE APPLICATION:

Josh Levy from Waterstone said this was a shopping center they purchased in 2006. It has been through a lot of iterations over time, they appreciated the support from the City boards and the feedback they have received.

Mr. Crimmins of Tighe & Bond said they worked on the comments they had received at the February 2nd meeting, having used the minutes and his notes to address the issues. He said that Steve Pernaw, their traffic consultant, was also present. Mr. Crimmins presented the Site Plan and the changes they had made.

He verified they would have the pump house operating by July in advance of the construction of the building. An estimate of school enrollment generated based on number of units, size and bedrooms was given to the School Board.

They have changed the alignment of the parking area. It was now better for circulation, as they have eliminated a dead end. He said they would provide a 10 foot path along Route 1.

He said they reviewed the need for the water main upgrade along Constitution Avenue, and that was in the works with the final design almost done. The booster pump would not require an upgrade.

Regarding the request that they provide a narrative on LEED-ND certification, he said it was not LEED-ND certifiable, so they would be requesting a waiver for that.

They have addressed the signs for residential parking and have put numbers on the residential parking spaces. They provided more detail on the loading docks, and they removed the dead end. He said they have addressed access for vehicles, and they put in removable bollards, but emergency vehicles would still be able to get through. The site lines have been improved.

Snow storage locations were shown in the landscape areas, and overflow could go into a parking area, and they added Note 18 to the plan regarding snow storage.

Mr. Crimmins identified the restaurant trash locations and said the trash would be stored in trash rooms in those areas. He showed a loading area that had previously been parking and said that trash could be loaded from that area.

They've modified some green space areas to address the parking and pedestrian impact concerns, and they added a barrier between pedestrian activity and traffic. They also put in traffic measures to slow traffic. They put in traffic tables and pavers to address traffic concerns, and they have provided a better connection between green spaces. He said they revised the landscape design to provide more of a lawn area for residents to gather on and have added additional green areas to both the north and south side. Mr. Crimmins stated they added additional information on parking constraints. This included an exhibit on how they were calculating their open space and pedestrian areas. They have provided an analysis of the Water Country driveway traffic.

They added signage directing pedestrians in order to address the concerns with circulation from the residential area. He said they combined the two landscape plans, which had been produced by two different designers into an overall landscape plan.

He showed where the designated pick up area for residential trash would be. He said the generator required for the pump station and the residential building would be provided.

The storage areas now matched up with the design that PCA has provided, and they avoid conflicts with Big Lots. He said that PCA has prepared a building height calculation, referencing A 1.2-2, and they would be requesting a waiver because of the set back from the roadway.

They have added a note that the configuration of the fire table located on the roof should be approved by the Fire Department prior to installation.

They have shown that the large turning radius was needed coming in to the building.

They have updated the utilities plan to reflect accurately the location of the water main and the sewer pipe angle.

Big Lots would access dumpsters through a set of doors they would provide.

They provided a letter regarding the proposed sewer flow, and said they would require a permit. Regarding the request that ground water information be provided, they have added test pit information in the vicinity, which was shown on the plan. The raingarden would need to be removed, so they would provide an underground infiltration system, which would far exceed New Hampshire requirements. There was a current permit for this project. The applicant was planning to provide a \$10,000 contribution to the City of Portsmouth for future storm water study along Constitution Avenue.

He said they provided the pre and post pedestrian counts that the TAC had requested. Mr. Crimmins then commented the project team was present.

Ms. Walker said she was interested in both bicycle and pedestrian counts. She asked about how visitor parking would be numbered. Doug Richardson from Waterstone said they would have parking which was focused on visitor parking. They would provide appropriate signage for the visitors, and there was an onsite management company for assistance.

Mr. Roediger asked if water service was from Lafayette Road, and Mr. Crimmins said yes.

Mr. Roediger said there was a hydrant in the middle of where they showed snow storage. There was a hydrant on the north end of building and two near the Water Country line. There was no annotation as to where that got moved to.

He said they did not allow fire pits in uncontrolled areas. Grills were enclosed, but most likely the fire pit would not be approved.

Mr. Desfosses said he preferred they not change the grades at the bus pull off on Constitution Avenue. He suggested they possibly shift the catch basin. Drainage on the existing part of the site went between catch basins, and he suggested they look at changing the daisy chain configuration to impede sediment flow.

Across from the back of the 99 Restaurant there was a handicap ramp, and most storm water would drain onto that ramp based on how it was graded, to address that.

Mr. Desfosses said he had gone to the site with Eversource. They reviewed which lines and poles would be impacted. They requested a manhole, and they wanted a conduit run along the back access road. Mr. Crimmins said they would draw up a new transformer, and Mr. Desfosses said they needed to coordinate on that to service the two restaurants.

Mr. Desfosses said the sewer line they want to abandon should be used as a connection instead of abandoning it. The line was flat, and they would need an amendment for that. There should be a note for where they were adding the new sewer for the first restaurant. He said the manhole labels didn't make sense. He stated they should look at putting the gate valve in the grass that they had originally planned for the front of the 99 Restaurant.

He said there were two parking spaces for the main intersection and asked if those two spaces that back out of Subway restaurant were still appropriate considering the parking lot changes that were made. Mr. Eby said they would not want to have those two spaces there and recommended those two spaces not be allowed in that location.

Mr. Eby referred to the speed table on the north side and said the handicap parking spaces should be relocated. He said the cross walks should be at the intersection, instead of further back, since that was not safe. He stated the directional signs at the back of the site should be shown in green and said they should substitute a shield with the Route 1 logo, which would be preferable. He asked if a new traffic analysis had been done, or had they presented the one done a few years ago. He stated a new one would need to be done.

Steven Pernaw said they looked at the Water Country driveway. The traffic peak hour was 5:00 – 6:00 pm in the summer. The net increase on Constitution Avenue would be 14 cars over a one hour period. The answer was “E” for all of it. During July and August mostly on Saturdays there were 793 in and out of Water Country during that time. Mr. Eby said he would like to have the analysis as part of the record.

Chairman Taintor said with the current conditions there was no traffic from the shopping center to the Water Country. He asked if that entered into their analysis at all, considering there would now be three entrances that went to Water Country. Mr. Desfosses asked who would take care of the Water Country driveway after the approval and if it would be part of the shopping center maintenance responsibility. Josh Levey said it was shopping center land, and they were willing to bear that responsibility, whether it involved making sure that Water Country did it or they did it. He stressed they wanted it to look good.

Mr. Marsilia asked about the storage containers, and Jason Cohen, from PCA Architecture said they were secured residential storage units. Chairman Taintor asked if there was a shared bike storage. Mr. Cohen said yes, there were 30 bike shared parking spaces, but they were not individually secured.

Chairman Taintor said there was a waiver required for LEED certification and one waiver for the building height required. He asked for more information on the building height exhibit and suggested they add another data point for each height showing the maximum allowable height.

Chairman Taintor said they should remember when they went to the Planning Board, they would be requesting a Conditional Use Permit as well as the site plan approval.

Mr. Crimmins said they could address all of this prior to the next Planning Board session.

The Chair opened the floor for public hearing.

Rick Beckstead of 1395 Islington Street said he was not for or against the project, but he was concerned there would be a study regarding Water Country impacting the surrounding neighborhoods. He was concerned about adding more traffic in those neighborhoods. He said the turns coming in to the neighborhoods were very tight, and he would like to see a way to address the VISA applicants for Water Country needs. He suggested they maybe do a back channel road in conjunction to what was

proposed, as it would address multiple concerns. He suggested they think through one step ahead of where they were.

Attorney Bernie Pelech said they were adjacent to Water Country and he hoped they were not delayed due to Water Country zoning issues. He believed all concerns raised in February have been addressed. He said all comments provided at the meeting that night can be addressed prior to the April Planning Board meeting.

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

DISCUSSION AND DECISION OF THE COMMITTEE

Ms. Walker moved to approve the Site Plan application using Mr. Desfosses' comments as stipulations. Mr. Desfosses seconded the motion.

The motion to **recommend Site Plan Approval** passed unanimously with the following stipulations:

1. The drainage design shall be revised to bring the site into compliance with current design standards, including removing the daisy-chained catch basins or converting them to manholes and adding new catch basins. The final drainage design shall be reviewed and approved by DPW.
 2. The final design of sewers and water mains shall be approved by the City Engineer.
 3. The final fire pump system shall be approved by the City Engineer and the Fire Department.
 4. A revised plan of entire site showing all hydrants shall be submitted for approval by the Deputy Fire Chief.
 5. The final design of the electric infrastructure shall be reviewed by Eversource.
 6. The three spaces adjacent to the diner (including two handicapped spaces) that back into the speed table and the two parking spaces that back into the intersection at the 99 Restaurant shall be removed or reconfigured to avoid hazards at these locations.
 7. The two crosswalks at the front of the site shall be moved to the intersection with the main site driveway, in front of the stop bars.
 8. The traffic study shall be revised to address new traffic movements and volumes on the Water Country access drive related to the three driveways, including all back-up data.
 9. The applicant shall conduct pre- and post-construction bicycle and pedestrian counts in consultation with the Transportation Planner.
 10. Sheet A1.22 (Roof Plan–Building Heights) shall be revised to include maximum allowed building height at each data point so that the magnitude of the requested waiver can be determined.
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F. The application of **Thirty Maplewood, LLC, Owner**, for property located at **30-46 Maplewood Avenue**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots as follows:

1. Proposed lot #1 having an area of 34,887 ± s.f. (0.8009 acres) and 194.56' of continuous street frontage on Maplewood Avenue, 102.71' of continuous street frontage on Hanover Street, 313.32' of continuous frontage on Bridge Street, and 46.61' of continuous street frontage on Deer Street; and
2. Proposed lot #2 having an area of 21,798 ± s.f. (.5004 acres) and 159.97' of continuous street frontage on Maplewood Avenue and 147.98' of continuous street frontage on Deer Street.

Said property is shown on Assessors Map 125 as Lot 2 and is located in the Character District 4 (CD4), Historic District and Downtown Overlay District (DOD). Minimum required lot area is 2,000 s.f. (This application was postponed at the March 1, 2016 TAC meeting.)

The Chair read the Notice into the record.

Ms. Walker made a motion to postpone the subdivision application until the July 5, 2016 TAC meeting and it was seconded by Mr. Desfosses.

The motion to postpone to the July 5, 2016 TAC meeting passed unanimously.

II. NEW BUSINESS

A. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, requesting Amended Site Plan Approval for a proposed 4-story office building with a footprint of 28,125 ± s.f. and gross floor area of 112,500 ± s.f., and 640 parking spaces serving the proposed building and an adjacent existing office building (including a parking deck with 161 spaces below grade), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. This amendment is to amend construction from two phases, as approved by the Planning Board on September 17, 2015, to three phases. Said properties are shown on Assessor Map 216 as Lots 1-8A and 1-8B and lie within the Office Research (OR) District.

The Chair read the notice into the record.

Mr. Roediger made a motion to postpone the amended Site Plan application to the May 3, 2016 TAC meeting and it was seconded by Mr. Desfosses.

The motion to postpone to the May 3, 2016 TAC hearing passed unanimously.

B. The application of **599 Lafayette, LLC, Owner**, for property located at **599 Lafayette Road**, requesting Site Plan Approval for the construction of a 772 s.f. 1-story drive-thru Aroma Joe's coffee shop, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 229 as Lot 8 and lies within the Gateway (G) District.

The Chair read the Notice into the record.

Mr. Eby made a motion to postpone the Site Plan application to the May 3, 2016 TAC meeting and it was seconded by Mr. Desfosses.

The motion to postpone to the May 3, 2016 TAC hearing passed unanimously.

C. The application of **Chinburg Development, LLC, Owner**, for property located at **1163 Sagamore Avenue**, requesting Amended Site Plan Approval for the demolition of existing building and the construction of 10 single family dwellings and a private roadway, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. This amendment is to relocate the driveway further north on Sagamore Avenue. Said property is shown on Assessor Map 224 as Lot 17 and lies within the Mixed Residential Office (MRO) District.

The Chair read the notice into record.

SPEAKING TO THE APPLICATION:

Chairman Taintor said this was requested as an administrative approval. After the conclusion of the discussion, the TAC can vote to recommend administrative approval, or vote to move to the Planning Board.

Colin Dinsmore, of Ambit Engineering, said they needed easements from two abutters, but they had not been able to obtain those. They requested amended approval. He illustrated the changes that were made on Sheet C-3, where the driveway met Sagamore Avenue. They made a change that shifted a portion of the driveway to create a buffer. Now the abutter was on board and was willing to grant an easement. He said the utilities were mostly unchanged. The grading, erosion control and profile have been upgraded to reflect the new location

Mr. Desfosses asked for verification that the plans were unchanged except for the driveway area, and Mr. Dinsmore answered yes.

Chairman Taintor asked for clarification on the purpose of an area coming from the southwest corner. Mr. Dinsmore said it was due to a nearby pocket wetland and due to the grading of the new driveway, they wanted to lessen the impact.

Chairman Taintor stated that Mr. Valinski had said he had concern they would have to be on his property to build the slope. Mr. Dinsmore said there would be minor re-grading, and there was a note on Sheet C-5 stating that Mr. Valinski allowed that.

Mr. Marsilia asked what were the plans for the number of units, and what would the road condition be. Mr. Dinsmore said they would be built as market dictates.

Chairman Taintor opened the public hearing and called for speakers.

Michael Valinski, an abutter to this property, said this seemed to be an improvement. He originally had concerns, but he wanted to thank the TAC for protecting his property, and said he felt this would be an improvement to the area. He said he supported it.

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

DISCUSSION AND DECISION OF THE COMMITTEE

Mr. Desfosses made a motion to recommend administrative approval and Mr. Roediger seconded the motion.

The motion to recommend administrative amended Site Plan approval passed unanimously.

D. The application of **Wright Avenue, LLC, Owner, and Stephen Kelm, Applicant**, for property located at **67 – 77 State Street**, requesting Amended Site Plan Approval for changes arising during construction and final building design, including, but not limited to: location of the basement and addition of access stair, decrease in dwelling units from 14 to 12, changes to door locations and sizes, landscaping changes, addition of AC pads, relocation of water and fire services, and gas meters, installation of new drainage pipe, revision to electrical service and the addition of an onsite transformer. Said property is shown on Assessor Map 105 as Lot 18 and lies within Character District 5 (CD5) and the Historic District.

The Chair read the notice into record.

SPEAKING TO THE APPLICATION:

Chairman Taintor said they had been working with DPW, and this could be approved administratively.

John Chagnon from Ambit Engineering, said this had been approved in March 2013 by the TAC, and there was an amendment in 2014. The project was approved, and some changes needed to be made.

Mr. Chagnon listed the changes on the amended site plan, as listed above in the notice. They added Sheet E-1 which showed the electrical connections. They have addressed comments received at the work session regarding bollards and access to utility and generator rooms. The gas meters were relocated to inside the building. They removed the guard rail. He said they became aware of additional comments that they could address. One comment concerned a tree that was removed, and additional grading would need to be included.

Mr. Desfosses asked if there was a note regarding the tree on the south side on the right. He said both of the trees needed to be planted with a tree grate. He stated there was an issue with some of the curbing that has been damaged. There should be a note that they would repair this somewhere on the plan. He said they need to make sure they were clear regarding the limit of the sidewalk replacement,

and anything that was damaged would need to get fixed. He said they needed to add a note regarding that damage.

He referred to Sheet C3, the utility plan and commented that above where it said State Street, the proposed gas connection was still noted there, and that note should be removed and the gas connection removed. He added the sewer had not been cut at the curb line yet, and DPW would be looking for that.

Mr. Desfosses asked Mr. Eby about a sign on the other side of a light pole. He asked that the sign be moved back. He noted that the sign was not on the plan, on sheet C-2 or C3. It was a pedestrian sign, and because the site distance was not as good, the sign would need to be moved to where Mr. Eby approved of it. Ms. Walker commented there was signage added as part of the Memorial Bridge so they should make sure the sign was needed.

Mr. Desfosses recommended the applicant install one more street light in front of the building, towards the left side of the site and said there was existing conduit already there. He said there was a note on the north side of the building that the gutter splashed to the ground, and it would be better to pipe into the drain pipe. He said they should put another drain connection in to connect to that drain pipe. He said they needed to confirm that the catch basin can do what it needed to.

Mr. Roediger asked about two gates, the one going to the lobby and the one going to the north. He said they should make sure both of those swung out. He asked if they would be locked, and if so, he said he would need coordination on that on how to get access.

Mr. Marsilia asked about location and protection of gas meters. Mr. Chagnon said that was a last minute change and there would need to be some bollards or rails. Stephen Kelm of 77 State Street said regarding gas meters being inside or outside the building that Unitel would not allow them to put meters inside the building without bollards. If they added bollards, they would lose parking. They were awaiting a response from Nick Cracknell, and they would investigate this further. Chairman Taintor asked if the plan submitted had it within the building and stated that was what they were asking approval for. Mr. Kelm said they can leave the plan the way it was outside, but then address it later.

Mr. Marsilia asked about exhaust for generators. Mr. Kelm said they were working on that. Chairman Taintor asked for verification that it was not a condition of the site plan. Mr. Marsilia said that was correct.

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

DISCUSSION AND DECISION OF THE COMMITTEE

Mr. Desfosses made a motion to recommend administrative approval of the plan submitted to the TAC with the additions of the comments that were stated at the meeting, and Mr. Marsilia seconded.

The motion to **recommend administrative amended Site Plan approval** by the Planning Director passed unanimously with the following stipulations:

1. Amend Sheet C2 – Layout & Landscaping Plan, as follows:
 - (a) Add a note stating that all broken curb around the site shall be repaired.
 - (b) Show the existing tree to the left of the garage entry as a proposed tree.
 - (c) Show tree grates for both new trees, and provide a detail.
 - (d) Amend the note “Limit of the brick sidewalk per this project” “or as directed to correct damaged brick.”
 - (e) Add a City street light on the left side of the building, with location to be approved by the Department of Public Works.

 2. Amend Sheet C3 – Utility & Grading Site Plan, as follows:
 - (a) Remove the proposed gas connection on the State Street side of the building.
 - (b) In the alley on the north side of the building, remove the note “Gutter: splash to ground” and connect the gutter to a drain line.

 3. Relocate the “Pedestrian ahead” sign, or remove it if not necessary, subject to DPW approval.

 4. If the two gates along the sides of the building are to be locked, coordinate with the Fire Department about access.
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III. ADJOURNMENT

The motion to adjourn was had at 4:25 p.m.

Respectfully submitted,

Marian Steimke,
Acting Secretary for the Technical Advisory Committee