

**MINUTES**

**SITE REVIEW TECHNICAL ADVISORY COMMITTEE MEETING**

**2:00 PM**

**MAY 3, 2016**

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

**MEMBERS PRESENT:** Juliet Walker, Chairperson, Transportation Planner; Peter Britz, Environmental Planner; David Desfosses, Engineering Technician; Eric Eby, Parking & Transportation Engineer; Ray Pezzullo, Assistant City Engineer; Carl Roediger, Portsmouth Fire Department; Frank Warchol, Acting Deputy Police Chief; Robert Marsilia, Chief Building Inspector

**MEMBERS ABSENT:** Jessa Berna, Planner

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**I. OLD BUSINESS**

A. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, requesting 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 was to amend construction from two phases, as approved by the Planning Board on September 17, 2015, to three phases. Said properties were shown on Assessor Map 216 as Lots 1-8A and 1-8B and lie within the Office Research (OR) District. (This application was postponed at the April 5, 2016 TAC meeting.)

The Chair read the notice into record.

**SPEAKING TO THE APPLICATION:**

Patrick Crimmins with Tighe & Bond said that Robert Ciandella, an attorney with Donahue Tucker & Ciandella was present. Mr. Crimmins said last summer the project was going to be two phases, but they were seeking to amend the original plan to make it three phases. They wished to begin the existing office building parking lot improvements. He said that the applicant was seeking tenants for the new proposed office building. Mr. Crimmins went through the site plans and noted that nothing had changed except for some landscaping since this was last approved in September 2015. He showed the existing buildings and the phase two plans. He said they proposed to construct the 215 Commerce Way parking as part of Phase 1. At the March Technical Advisory Committee (TAC) work session, the TAC asked for more landscaping information, so they created a landscaping inset that he highlighted, and they changed a fence to landscaping for screening purposes.

Mr. Crimmins said that another comment they had received from TAC for Phase 2 regarding a gravel wetland being outside of the 100 foot wetland buffer, was a request for a wetland delineation. That letter has been submitted to the TAC. Mr. Crimmins verified that the delineation that had been done in 2004 was still accurate and the buffer was in the correct place and the gravel wetland design did not need to be changed.

Attorney Ciandella said he confirmed with Director Peter Rice on the water line issue and that he has been able to communicate with the Committee on the issue.

Mr. Desfosses asked about the gravel wetland. He said the outfall was staged, and the lower pipe had the 24" discharge and another pipe had a 12" discharge. He asked Mr. Crimmins shouldn't the downstream wetland get the discharged water before it got to the City system because it seemed backwards. Mr. Crimmins answered that the gravel wetland would retain the water. They had to discharge the water first toward the City system, and that was why it was staged in that manner. Mr. Desfosses asked again for clarification, and Mr. Crimmins did not have the drainage analysis in front of him but he believed that Mr. Desfosses' analysis of the system was correct. Mr. Crimmins said they had submitted a detailed drainage analysis that was part of the original approval. Mr. Desfosses asked if they did an analysis on Commerce Way so that drainage would not overwhelm the City system. Mr. Crimmins said they modeled it to show that the pipe sizing worked. Mr. Desfosses was concerned about a 100 year storm. He wanted a letter that said they looked at the entire municipal system to ensure they would not be impacted by a 100 year storm. Also they would want to understand how the downstream wetlands would get enough water to sustain itself.

Attorney Ciandella said DPW did a mapping, and determined that 215 Commerce Way water came from 195 Commerce Way. He said he talked to DPW Director Peter Rice about a condition that would state that the Water Division would work with the applicant to resolve any issues.

Mr. Roediger asked Mr. Crimmins what the time delay was between phases 2 and 3. Mr. Crimmins did not know the exact timing. Phase 1 would begin this summer, and Phase 2 would be tenant driven. Mr. Roediger asked that they add a note to the utility plan that would outline regular strength testing of the pump.

Chairperson Walker said there was usually an 18 month completion time. She asked how they would move forward regarding the timing of approvals and how would they compete this in the 18 month timeframe. Attorney Ciandella said that would have to be worked out in the site review. Chairperson Walker said the Planning Board would want more detail.

Mr. Eby asked about a lawn area, and Mr. Crimmins said he would clarify that. Mr. Eby asked if crabapples would be transplanted, and Mr. Crimmins said it would be part of the roadway project.

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. Roediger moved to recommend Site Plan approval with stipulations. Mr. Britz seconded.

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

1. Note 25 shall be added to the Utility Plan, Phase 2, regarding radio strength testing.
2. A letter shall be provided by the project engineer confirming that the municipal stormwater drainage system as constructed is sufficient for handling a 100-year storm from both the subject site and all contributing sites as well as the street itself and that the additional water will not overburden the system. The wetlands downstream of the site should receive the same amount of water preconstruction vs post construction.
3. Resolution of the domestic water line service for 215 Commerce Way shall be reviewed and approved by the Water Division prior to the Planning Board meeting.

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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 was shown on Assessor Map 229 as Lot 8 and lies within the Gateway (G) District. (This application was postponed at the April 5, 2016 TAC meeting.)

The Chair read the notice into record.

**SPEAKING TO THE APPLICATION:**

John Lorden with MSC engineers said he would focus on the Aroma Joes portion of the project. He said Mr. Crimmins would address any questions regarding the Convenient MD portion.

Mr. Lorden said they believed they have addressed the comments they previously received from the TAC regarding the utilities. He showed the gas line on the plan and the location of the tie-in. He said they spoke to Eversource about moving the utility pole, but Eversource wanted it to stay where it was. This meant they cannot have the sidewalk that was planned, so they proposed to relocate the sidewalk. They had received a comment about adding signage, and that has been added. He showed where they added stop signs based on a TAC request. Mr. Lorden said they provided a circulation plan in the packets.

Mr. Crimmins said they were asked to update a prior plan and merge that with Mr. Lorden's plans. Mr. Crimmins summarized the changes they had made to the plan. They added a landscaped island and an additional ADA space. Regarding stripping, they were holding a 16 foot width as required, but this site was unique, so an 18 foot width was required. They provided the 18 foot aisle and have stripped the parking spaces as such. He clarified some dimensional distances from the centerline. Mr. Crimmins said another change was keeping an open drive in an aisle and he showed that on the plan.

Mr. Desfosses said these were high turnover spaces and it was not appropriate to have eight foot widths there because it would be too narrow. There would be a lot of car dings.

Mr. Eby said there was a lack of ADA spaces, and Mr. Crimmins said they did add one more spot, but it was not now on the site plan. Mr. Eby asked about the crosswalk on the side, he asked about where it would be located, and said it was not now ADA compliant. Mr. Lorden said they would revise that. Chairperson Walker asked Mr. Eby to clarify the location he was referring to, and Mr. Eby said it would be where the stopping point was so pedestrians could stay safe.

Mr. Pezzullo said they would need an outside grease trap for the facility, and Mr. Lorden said it would be an internal one. Mr. Pezzullo said they would need a waiver for an inside one because the City required an outside one. Mr. Pezzullo said they needed to see where that would be, and he added that the Health Department had requirements for that if it did turn out to be an inside trap with a waiver.

Chairperson Walker referred to a note on Sheet C3A regarding a limit about a building vestibule. She asked if that was an existing condition or something they would be adding. Mr. Lorden said that was existing.

Mr. Desfosses commented about landscaping on the building to the south. He said there was two feet of landscaping and two feet not landscaped, he asked they look at that for unity, referring to sheet C5. He said the landscaping was truncated and looked odd. He asked what was on the south side and if there was landscaping there. Mr. Lorden said they landscaped as much as they could. It was the limit of the landscaping and was an accurate representation. Mr. Desfosses asked for clarification on landscaping and the tiny "x's" to the north, and Mr. Lorden said that was the Lens Doctors site. Mr. Desfosses asked if there was any lighting, and Mr. Lorden showed where the lighting and poles would be. Mr. Desfosses asked if they analyzed the light around the site, and Mr. Lorden said they would do that. Mr. Desfosses asked if they knew where the wires were to go to the different lights, and Mr. Lorden said they would map that out and add that information to the plan. Mr. Desfosses asked what type of lights were they using and Mr. Lorden said they would be typical brown box lights and Mr. Desfosses asked if they would be full cut off. Mr. Lorden said yes.

Mr. Pezzullo said typically there would not be a waiver given for inside grease traps if there was room on the outside. He said they would need to show that it could not be done on the outside. He said they should note that it was not an automatic waiver, it was decided on a case by case basis.

Chairperson Walker asked if there was a letter submitted regarding the easement and what was the status was on that.

Todd Baker stated the next door owner said he had an easement and nine parking spaces would be impacted. Mr. Baker said they thought they could work that out.

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

## **DISCUSSION AND DECISION OF THE COMMITTEE**

Mr. Desfosses moved to recommend Site Plan approval with stipulations. Mr. Britz seconded.

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

1. The following revisions to the Site Plan must be reviewed and approved by the Department of Public Works prior to appearing before the Planning Board:
    - a.) lighting design;
    - b.) water main connection;
    - c.) sewer connection;
    - c.) external grease trap (or a Waiver must be granted by DPW);
    - d.) the addition of ADA parking spaces and a pedestrian refuge island for the angled crosswalk abutting the Lenscrafters property.
  2. The parking spaces shall be evaluated and, where possible, restriped so that the high turnover spaces closer to the building are wider than 8.5’.
  3. Written confirmation shall be provided that the parking easement concern raised by the abutting property owner has been addressed.
  4. For the record, there shall be no additional stormwater run-off leaving the site.
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**II. NEW BUSINESS**

- A. The application of **Richard P. Fusegni, Owner**, for property located at **201 Kearsarge Way**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into three lots as follows:
1. Proposed lot #1 having an area of 18,654 ± s.f. (0.4282 acres) and 152’ of continuous street frontage on Birch Street;
  2. Proposed lot #2 having an area of 18,882 ± s.f. (0.4335 acres) and 106’ of continuous street frontage on Kearsarge Way; and
  3. Proposed lot #3 having an area of 17,365 ± s.f. (0.3987 acres) and 100’ of continuous street frontage on Kearsarge Way.

Said property was shown on Assessors Map 218 as Lot 5 and was located in the Single Residence B (SRB) District where the minimum lot area was 15,000 s.f. and minimum continuous street frontage was 100’.

The Chair read the notice into record.

Mr. Desfosses moved to postpone the application to the May 31, 2016 TAC meeting, Mr. Roediger seconded, and the motion passed unanimously.

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- B. The application of **Alden Watson Properties. LLC, Owner**, for property located at **56 Lois Street**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots as follows:
1. Proposed lot #1 having an area of 25,509 ± s.f. (0.59 acres) and 100.8’ of continuous street frontage on Lois Street; and
  2. Proposed lot #2 having an area of 141,338 ± s.f. (3.24 acres) and 20’ of continuous street frontage on Lois Street.

Said property was shown on Assessors Map 232 as Lot 8 and was located in the Single Residence B (SRB) District where the minimum lot area was 15,000 s.f. and minimum continuous street frontage

was 100'. (A variance was granted on June 17, 2014 to allow continuous street frontage of 20' where 100' was required).

The Chair read the notice into record.

Mr. Desfosses moved to postpone the application to the May 31, 2016 TAC meeting, Mr. Britz seconded, and the motion passed unanimously.

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C. The application of **Alden Properties, LLC, Owner**, for property located at **33 Columbia Street and abutting vacant lot**, requesting Site Plan Approval to construct a two unit 35' high residential building with a footprint of 1,921 ± s.f. and gross floor area of 4,620 ± s.f. and a detached 3 bay 25' high garage with a footprint of 952 ± s.f. and gross floor area of 1,904 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property was shown on Assessor Map 145 as Lots 41 and 42 and lies within the General Residence C (GRC) District.

The Chair read the notice into record.

**SPEAKING TO THE APPLICATION:**

Colin Dinsmore from Ambit Engineering said also present was Sean Peters, the applicant. Mr. Dinsmore said they made some small revisions based on comments they had received at the TAC work session, and he said he would address those comments.

Regarding the proposed grading shedding water toward the abutter's property, Mr. Dinsmore said they made changes to grading and in regrading, they have introduced a small retention pond. They also have regraded the driveway entrance to shed water back onto the applicant's property. That regrading would require a temporary construction easement, and that was in progress.

Regarding the proposed sewer line: they relocated it off the abutter's property line. Additionally, the sewer line was changed to a 6 inch. Previously it was a 4 inch.

Regarding the request that they demonstrate how storm water from the porous pavers would not infiltrate into the sewer line, they removed the pavers in favor of an alternate drainage design and that would eliminate concerns. They also looked at the drainage design regarding the concern of water too close to the abutting property foundation. They took out the porous pavers and they put in two small micro ponds and have provided regrading of the driveway to prevent ponding there.

Regarding the concern of the length of the overhead electric service, they worked with Eversource on the potential sag. An alternative approach would be to install a new pole on the site if Eversource had any concerns.

Regarding the comment on the width of the driveway being a minimum 20 feet wide or the proposed residential unit being sprinklered, the applicant said that a sprinkler system could be a feasible option

after having done some research. Another alternate would be a driveway width of 20 feet, but they would prefer the sprinkler system.

He said their previous parking calculation was incorrect. It should be 10 required spaces, and they were providing 11.

They added a note to the site plan saying there would be no living space above the garage. They would be adding trees along the front of the property line. They have added a small detention pond, eliminated a small retaining wall and pushed the trees closer to the street. They added proposed water and sewer service stubs for future use to the proposed garage, and those were shown on Sheet C3. Mr. Dinsmore said those were the changes they made based on the comments they received at the work session.

Chairperson Walker asked if the wider driveway would involve removal of one parking space, and Mr. Dinsmore said yes, and they would have to look at an alternative drainage design because of impact of drainage.

Chairperson Walker asked about the status of the utility and the length of the overhead service. Mr. Dinsmore felt the extra pole would eliminate the potential sag. Chairperson Walker said the regulations were to underground it so they would need to request a waiver on that, and Mr. Dinsmore said DPW was not in favor of underground on this site. Mr. Desfosses said they did not have an official opinion on that.

Mr. Desfosses said drainage lateral was too deep. It would be in conflict with the water main replacement so it should be no deeper than 48 inches to invert.

He said the new plan showed sewer going in to two buildings, so the State would require they put a manhole in. They would also be required to put in an eight inch sewer and that would have to be put into a sewer manhole. They would be required to put in manholes and change the existing manhole. It would be a lot of work for putting a sewer into a garage, and it would be expensive. This would be a stipulation: that if the applicant continued, the existing sewer manhole 1348 would have to be replaced with a new manhole, with an eight inch sewer running on the property, and the new manhole would have to be in the property yard, and then the six inch services could be shown.

Mr. Desfosses added that they probably did not have reliable data about the amount of flow and maybe there was not sufficient water supply to do adequate fire suppression, so they may have to modify the site or replace the water main out to Islington Street in order to get enough water. Unfortunately the project was a year or two ahead of the City on this. Mr. Desfosses said it would be upgraded to an 8 inch main in the future. Mr. Dinsmore said the owner found a fire sprinkler system that worked with low pressure mains that involved a holding tank and booster pump and he asked if that would satisfy. Mr. Desfosses said possibly but there needed to be enough water and he could not guarantee it at this time.

Mr. Roediger asked about the turning movements for getting out of spot 7 and 8, and Mr. Dinsmore said they did look at that, they rotated the garage slightly, and there was room for a car to get out of space 7.

Mr. Desfosses said it was likely the Department would not allow a split of the water services, that it may have to get metered, and that design should be coordinated with the Water Department.

Mr. Pezzullo said there was potentially a sewer lateral going onto the neighboring site and that needed to get determined and resolved. Mr. Dinsmore asked for more information on which house and Mr. Desfosses said they would send that information. He added they were going house to house on Islington Street and they would have that data soon.

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. Roediger asked about fire suppression and if there had been any flow tests performed from hydrants in the area, and Mr. Dinsmore said not yet. Mr. Roediger suggested they get that done sooner rather than later so any designer would know the challenges.

Mr. Desfosses said he was uncomfortable with not having the information regarding the sewer lateral, since this property could be affecting a property outside of itself. It could be a party that was unaware of this. There may or may not be an easement, and if that did exist, it would have been there a long time.

Mr. Desfosses moved to postpone the application with stipulations and Mr. Marsilia seconded.

The motion to postpone to the May 31, 2016 TAC meeting passed unanimously.

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D. The application of **Terry Bennett, Owner, and 211 Union Street, LLC, Applicant**, for property located at **211 Union Street**, requesting Site Plan Approval to demolish the existing building and construct an eight unit 32' high residential building with a footprint of 8,575 ± s.f. and gross floor area of 25,245 ± s.f., including 16 underground parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property was shown on Assessor Map 135 as Lot 70 and lies within the General Residence C (GRC) District.

The Chair read the notice into record.

**SPEAKING TO THE APPLICATION:**

Attorney Timothy Phoenix said that David Cherry, Brenan McNamara and Alex Ross were also present. Attorney Phoenix said he was present because of the public sewer line under the building. He knew DPW was concerned about the existing line, and the plan was to tear down and build a new building and move the existing line to a new location. They were hoping to not be delayed. They asked for TAC approval and hoped to receive comments so they can get before the Planning Board and address any issues in parallel.



Alex Ross presented the plans, saying there was a large building on the parcel. They wanted to remove it and put up a new structure with a much smaller footprint and more green space. On Sheet 3 they showed the landscaping with screening around the perimeter. He showed the parking layout on the ground floor of the building, and said there would be street parking out front. They wanted to retain the roof runoff and collect it in catch basins. They proposed to reroute the existing sewer line to the southern part of the property.

Mr. Ross addressed comments they had received from the work session. Regarding the egress path comment, on Sheet 3 the Landscape Plan showed a path from the rear door to the front of the building. Regarding the building construction and the code conformance, he said A0.0 was a drawing that was new and was in the TAC packets. They have included a lot of code conformance information. He said they added drawing A3.0 which addressed how the building would be constructed.

Mr. Marsilia commented that he had asked about unprotected openings and the percentage of openings. Mr. McNamara said it would be in the final plan.

Mr. Ross said A3.0 showed building sections. Mr. Marsilia asked if they showed the generator locations proposed, and Mr. Ross said they did on the sheet after Sheet A3.0.

Mr. Ross continued and said the City wanted concrete sidewalks, so he passed out a handout showing that layout. The sidewalk would be concrete as shown on the handout.

He said they met with DPW and they discussed the gas main in the street. He said DPW had wanted confirmation that the existing main was sufficient, and the engineers were reviewing that.

Mr. Ross said they would have the requested flow test completed that week.

Regarding a comment they received regarding the combined sewer / storm water line, Mr. Ross said it was their understanding that Underwood would do some review and they wanted to work with them and DPW to have the best solution. They would like to know what that survey would include. He concluded the summary of the revised plans.

Mr. Roediger asked about the roof plan and asked what the height difference was.

Mr. McNamara said the pitch was ¼ inch per foot, so the maximum pitch was five inches, and it was all within the minimum ¼ inch pitch. He said the plan would show how the water would flow.

Mr. Marsilia asked about the issue with the elevator, and Mr. McNamara referred to a note on the bottom of page A0.0. Mr. Roediger asked if there would be an elevator with no fire service at all, and Mr. McNamara said correct. Mr. Roediger again asked for clarification on that issue, and Mr. McNamara said yes. Mr. Roediger said they needed to discuss that. Mr. McNamara said they have met the worst case physical requirements. Mr. Marsilia reiterated they would need to talk about this, and for this size building he had never seen a LULA being used.

Mr. Eby said out front the area was not large enough for vehicles to park, and he said they would have to speak to Parking and Safety about that. Mr. Ross said they would strike those spaces out if necessary.

Mr. Marsilia asked about separation between the parking garage and the residential unit, and Mr. McNamara said they can discuss that.

Chairperson Walker said related to the combined sewer and storm water line, there existed concerns that it was premature to recommend approval at this time. She suggested they move forward with the Underwood Study, and they would be further along for the next TAC meeting on May 31<sup>st</sup>, and at that time they could probably recommend approval with stipulations to the Planning Board.

One other factor to consider, she said, was they had yet not received HDC approval for the demolition, and there was no guarantee that they would go to the Planning Board this month without that recommendation. If the TAC recommended this to the Planning Board without all the information, then the Planning Board would request the information, and the applicant would be delayed anyway.

Mr. Pezzullo explained regarding the Underwood Study, that the City Engineer was in contact with Underwood and 30 days was given as a timeframe. This involved sewer and drainage. He said the area was critical. A pipe could not be put in because they would need to know which way to pitch it. He agreed it was too early to recommend an approval.

Chairperson Walker said they needed to reach out to other affected homeowners regarding this. Mr. Pezzullo said there were other services connected to this sewer line. The homeowners owned the connections, the City did not. Without all the information, they cannot give approval, because once built, it would be challenging to change anything. It was critical to know these answers before moving forward. There was a huge public need before moving forward.

Mr. Desfosses asked what would happen to the storm water and how it would get integrated back into the system. Mr. Desfosses said there were skewed angles in the plan and that all needed to be worked out before moving forward. This was a critical piece of City infrastructure. Mr. Pezzullo said they were accelerating the study for this project. They were doing it now.

Chairperson Walker stated this was not to stall the applicant but to prevent them from having to undo work.

Attorney Phoenix said the HDC would meet the next day. His experience was that 30 days could be turned into 60 and then 90 days of delay. He said they preferred to move forward even with conditions. This sewer line and building had been there for decades. He knew the City was planning the sewer and storm water activities in that area, but he did not know why this would all hold them up and asked they reconsider.

Chairperson Walker said thank you and said there was a reason why the TAC was recommending to wait.

Mr. Desfosses said to Attorney Phoenix that the actual constructability of the sewer line was a concern. They would be asking for a utility easement and the question was how wide an easement they would need. Without the study, they would not know. An estimate was maybe 10 feet. They needed to know how deep the footings would be for the building. All that had to be taken into account. It would be foolish to approve it at this point. Attorney Phoenix said there was only so much room there. It seemed those things could be dealt with. Mr. Desfosses said a part of the building design might address the footings depth.

Mr. Roediger asked about egress path and said it needed to be lit. He stated they should add appropriate lighting since they were supplying a generator and it should be on the emergency circuit.

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

**DISCUSSION AND DECISION OF THE COMMITTEE**

Mr. Desfosses moved to postpone the application to the next TAC meeting of May 31, 2016, and also to recommend setting up a meeting prior to the next TAC meeting to allow for the Underwood study to be completed. A meeting with DPW would address some of the engineering issues. This motion was seconded by Mr. Roediger.

The motion to postpone to the May 31, 2016 TAC meeting passed unanimously.

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E. 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 was shown on Assessors Map 125 as Lot 2 and was located in the Character District 4 (CD4), Historic District and Downtown Overlay District (DOD). Minimum required lot area was 2,000 s.f.

The Chair read the notice into record.

**SPEAKING TO THE APPLICATION:**

John Chagnon of Ambit Engineering and Steven Kelm were present. Mr. Chagnon said they came to a workshop in February for this project and they asked for a number of delays. They were reapplying and it was essentially the same project. He presented the proposal

There was a redesign subject to HDC based on what would be suitable. They asked this get approved without worry for now about the design which would come later. He said Mr. Kelm would like to pursue this for the purposes of financing and other terms. They've identified on the Plan, on Lot 2 there would be a no-build area.

There was a question regarding size of a dumpster. That was not being addressed at this point, as they were just seeking to separate a lot. It was now a blank slate, and those items can be discussed. Mr. Chagnon said there was an existing drain that went from Lot 2 through Lot 1 which drained a parking area that he identified, and he relabeled the easements and highlighted that on the plan.

Regarding the water line that crossed Lot 2, he said that has been abandoned. He said that easements for future footings was something they would deal with if they went forward. Regarding the issues that came up about ADA parking, they added a note that pointed to the ADA parking spaces. An easement on Lot 2 would be granted from Lot 1 to address that concern. Those were the changes based on the comments they had received.

Mr. Chagnon said they added a pedestrian easement to allow people to cross Maplewood Avenue and get to Deer Street. He said they hoped this can be passed along to Planning Board. They were seeking a waiver to address the requirement that new property lines be perpendicular to street lines. This would not be parallel to Maplewood Avenue, but it would be parallel to Deer Street.

Mr. Marsilia asked except for the two ADA spaces did they have a parking table for what would be serviced by Lot 1. Chagnon said he did not have that on the plan, but the requirement was under what was there. Mr. Marsilia asked if all the spaces in the northwest corner would be in Lot 2, he asked if the spaces available for 30 Maplewood would be next to the dumpster, and he asked for clarification on where those would be. Mr. Chagnon clarified there would be 10 spots perpendicular to Bridge Street and three parallel to Bridge Street. Four others would be perpendicular to Bridge Street on the 30 Maplewood side. Mr. Marsilia asked for clarification of other parking spaces. Chairperson Walker said they should add the parking table to the plan to make sure they were compliant.

Chairperson Walker asked regarding ADA spaces, if they could verify if it was compliant that the spaces be offsite. She asked if they could provide the ADA spaces onsite, and Mr. Chagnon said they could. Seven spaces was the requirement and only one would be ADA, so they could move that. Chairperson Walker said that was best practice.

Mr. Desfosses said Lot 2 only had parking, and in the past that was not allowed. He asked if that was still the case. Chairperson Walker said that was a good point and it should be verified. This was in CD4. They would have to look at that, as it might be a nonconforming condition.

Mr. Desfosses asked if this would come back through site review. Mr. Chagnon said yes. It was not changing substantially, but they wanted to be sure they get their approvals before the water system. There would be some changes to the configuration and doorways. It could be done administratively, he thought. The changes to the building would be minor. They worked hard on the street scape.

Chairperson Walker said there were plans for Maplewood but she did not know the timing.

Mr. Pezzullo asked what the use of Lot 2 was. Mr. Chagnon said it was a parking lot today.

Mr. Marsilia said a note could be added regarding elevations and unprotected openings. There should be a note that referenced the specific table that the boundary line would not create a non-conforming condition. Mr. Chagnon said the burden would be on Lot 2 to design their building so there were no issues. Chairperson Walker said it was a lot line requirement. Mr. Marsilia said he wanted to make sure that line did not make 30 Maplewood Avenue nonconforming with a simple note. Mr. Marsilia clarified he was referring to the International Building Code (IBC).

Mr. Pezzullo asked if it meant that by sub-dividing there would be a restriction on what can be built. Chairperson Walker said the note addressed the current building. There needed to be a certain number of openings. So this would not be a restriction on the new building. Mr. Marsilia offered a clarification on the code, and Mr. Chagnon asked if there was a limitation to building on the lot line. Mr. Marsilia explained what the limitation would be on windows, doors, i.e. unprotected openings.

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. Marsilia moved to approve the application with stipulations and Mr. Desfosses seconded the motion pending review of the zoning to make sure the project conformed to zoning limits.

The motion to recommend Preliminary and Final Subdivision approval passed unanimously with the following stipulations:

1. A parking table shall be added to the plan, confirming that the property complies with the parking requirements in the City’s Zoning Ordinance.
2. The ADA parking space must either be located on the lot or the applicant must verify that the Zoning Ordinance allows ADA parking spaces off-site.
3. A determination shall be made whether the Zoning Ordinance allows parking as a principal use in the Character District 4.
4. A note shall be added to the plan which references the specific table in the IBC regarding the boundary line not creating a non-conformity with regard to unprotected openings.

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**III. ADJOURNMENT**

The motion to adjourn was had at 4:00 p.m.

Respectfully submitted,

Marian Steimke,  
Acting Secretary for the Technical Advisory Committee