

**MINUTES**

**SITE PLAN REVIEW TECHNICAL ADVISORY COMMITTEE  
PORTSMOUTH, NEW HAMPSHIRE**

**CONFERENCE ROOM A  
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**2:00 PM**

**OCTOBER 2, 2018**

**MEMBERS PRESENT:** Juliet Walker, Chairperson, Planning Director; Peter Britz, Environmental Planner; Nicholas Cracknell, Principal Planner; David Desfosses, Engineering Technician; Eric Eby, Parking and Transportation Engineer; Carl Roediger, Fire Department and Robert Marsilio, Chief Building Inspector

**MEMBERS ABSENT:** n/a

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**I. OLD BUSINESS**

A. The application of **Clipper Traders, LLC, Owner**, for property located at **105 Bartlett Street, Portsmouth Lumber and Hardware, LLC, Owner**, for property located at **105 Bartlett Street**, and **Boston and Maine Corporation, Owner**, for railroad property located between **Bartlett Street and Maplewood Avenue**, requesting Preliminary Subdivision Approval to consolidate and subdivide five lots and a portion of another into 5 lots, a right-of-way, and a remainder of one lot as follows:

- (1) Proposed Lot #1 having an area of 20,667 ± s.f. (0.4747 ± acres) and 143.44' of continuous street frontage on Bartlett Street.
- (2) Proposed Lot #2 having an area of 51,952 ± s.f. (1.1927 ± acres) and 80.91' of continuous street frontage on Bartlett Street and 386.88' of continuous street frontage on a proposed right-of-way.
- (3) Proposed Lot #3 having an area of 102,003± s.f. (2.3417 ± acres) and 809.23' of continuous street frontage on a proposed right-of-way.
- (4) Proposed Lot #4 having an area of 61,781 ± s.f. (1.4183 ± acres) and 481'± of continuous street frontage on a proposed right-of-way.
- (5) Proposed Lot #5 having an area of 177,435 ± s.f. (4.0733 ± acres) and 297.42' of continuous street frontage on a proposed right-of-way.
- (6) Proposed Right-of-Way having an area of 69,621 ± s.f. (1.5983 ± acres).
- (7) Map 164 Lot 4 reducing in area from 13 ± acres to 4.7 ± acres and having 75'± of continuous street frontage on Maplewood Avenue, and decreasing intermittent street frontage of 234'± on Bartlett Street to 105'± of continuous street frontage on Bartlett Street.

Said properties are shown on Assessors Map 157 as Lots 1 & 2 and Assessors Map 164 as Lots 1, 2, 3, and 4 and are located within the Character District 4-W (CD4-W), Office Research (OR) and Transportation Corridor (TC) Zoning Districts. (This application was postponed at the September 4, 2018 Technical Advisory Committee Meeting.)

The Chair read the notice into the record.

## **SPEAKING TO THE APPLICATION**

Ms. Walker commented that there was a full TAC agenda and there was a lot going on for this property. Based on the number of comments this application is not going to move on from TAC today. Ms. Walker also noted that the Planning Department received letters related to this application from the public and passed them along to the applicants.

John Chagnon from Ambit Engineering, Steve Pernaw from Pernaw & Company, Doug Pinciario and Ed Hayes from Clipper Traders and Attorney Tim Phoenix were present to speak to the application. Mr. Chagnon provided an overview of the project. The application is for a subdivision of the existing businesses at 105 Bartlett St. Currently there are a number of businesses along Bartlett St. and then a driveway that services the brewery, Ricci Lumber and Home Center, and the doggy daycare. Aside from Ricci Lumber and Home Center, Lot 4 is owned by the railroad. The project proposes a new private road to the businesses. Ms. Walker requested future exhibits show the entirety of lot 5. Mr. Chagnon confirmed that would be done. The project proposes no changes to the existing businesses other than improvements necessary for the private right of way. The submission for approval includes a traffic study. That was turned over for a peer review.

Steve Pernaw prepared the traffic study in June. An addendum was created in August to include access to the East. There will be a gate system involved. Standard traffic counts and projections were performed for Maplewood Ave. The consulting engineer submitted the peer review memorandum in September and Mr. Pernaw responded to those comments. The peer reviewer pointed out crash data was not included. The report now includes that data. There are still questions about the intersection of Bartlett St. and whether or not trucks will be able to get in the and out of the new road. Exhibit 1 shows how the intersection could be widened to accommodate trucks. There would be two 11-foot lanes and 18 foot parking stalls. The development team needs some input from the City. Exhibit 1 shows one bike lane going in one direction. The private lane could be flared out on the approach to accommodate trucks. With this design the WV50 tractor-trailer truck could make all of the maneuvers, but would need the full width of the intersection to get in and out. The biggest tractor-trailer (the WV67) could make a right turn, but would need the full width of the subdivision road and the full width of Bartlett St. The conclusion from this is that the original design in Exhibit 1 is an improvement on the existing conditions. This design won't work with the biggest truck without encroachment. Mr. Eby commented that it reinforces concerns that the driveway is not wide enough for the existing traffic. Bringing in more traffic will be concerning.

### **TAC Comments:**

- The existing driveway, which will become the subdivision roadway, does not have sufficient corner radius for the large trucks that currently exit the site and turn right onto Bartlett Street. Trucks have been observed having to use the entrance lane to exit the site, causing entering vehicles to use the exit lane. This condition must be corrected before

adding more traffic to the site. The driveway/roadway should either be widened or the corner radius enlarged to allow a large truck to turn right from the exit lane.

- Mr. Chagnon responded that Bartlett St. is restricted to trucks. The site is in a unique area certain trucks cannot go left under the bridge over Bartlett St. Trucks cannot go down Cate St. to Cottage St. because they cannot make the turn. A number of trucks have to go right on Bartlett St. The long-term expectation is that future improvements to Cate St. would allow trucks to go out to the Bypass. Ms. Walker responded that there was a balance for approving a subdivision with future development in mind. She asked what options will there be when this project gets to the site plan review and the road cannot accommodate the traffic. Mr. Eby was concerned that trucks would not be able to exit on the correct side of the driveway. Mr. Pernaw confirmed that only the single unit truck would not have to use the other lane to exit the site. Mr. Pernaw requested clarification on if the Committee would rather see encroachment in Bartlett St. as long as the truck could stay on the correct side of the driveway. Mr. Eby confirmed that was correct. Mr. Pernaw responded that he would run that scenario. Ms. Walker added that other routes for trucks could be considered.
- Lot 1 access is proposed to be provided via an easement on Lot 2. The easement does not appear to be wide enough to allow for two-way traffic.
  - Mr. Chagnon responded that sheet C2.1-5 in the plan set shows each lot individually and what changes. Lot 1 has a 12-foot easement and the comment is appropriate because the plan needs to show another 10 feet. There will be a 22-foot corridor. The plans propose to cut off a curb cut and make a sidewalk. The intent is to redevelop the lot. Redevelopment would use the easement to access the rear and the building would be brought to the street line. Lot 1 parking would be where it is now. In the future the curb cut would be closed and new parking would be provided.
- Where will the parking be provided for Lot 1? How will access to the parking area be provided?
  - Mr. Chagnon confirmed this would be provided.
- Need to show parking calculations for each lot to show that each lot will have sufficient parking.
  - Mr. Chagnon confirmed this would be provided.
- Lot 2 should not have parking at 90 degrees to the roadway, and it should not be using part of the roadway for its parking. If there is to be parking along the roadway, it should be parallel parking. Handicap parking spaces to satisfy each lot requirement should be on the lot, not on the roadway.
  - Mr. Chagnon responded that sheet C2.2 shows the driveway operating with parking almost immediately at the entrance. There is parallel parking past the entrance and it would be ADA compliant. There would be perpendicular parking further down the road. The peer reviewer commented on that. If that parking design is a problem, then it could be redesigned. Ms. Walker commented that it was existing conditions because it is a driveway not a road. Access safety needs to be considered. Mr. Pernaw questioned if the City would consider angled parking. Mr. Eby responded that it might be a possibility. Mr. Chagnon pointed out the loading zone in the back to explain why there was no parking there.

- Lot 2 will need an access easement from Lot 3 to access the sheds in the rear of Lot 2.
  - Mr. Chagnon confirmed the plans would show an access easement stretching all the way to Lot 3.
- Lot 4 loading area appears to be difficult for trucks to access. Truck travel path and turning template should be provided.
  - Mr. Chagnon responded that the pavement extends out and continues on along edge of the pond on Lot 4. There is a tree on the pavement. The plans propose a 50 foot right of way with an area for a sidewalk and curb line. Trucks did the maneuvering for this and it was confirmed that it does work. The templates will be provided.
- The parking spaces on each side of the driveway to Lot 4 are problematic, as they will have vehicles backing and turning in the driveway entrance. There should be no parking for at least 20 feet on either side of the driveway as it enters the site.
  - Mr. Chagnon responded that the lot is constrained by the pond and the area available for parking. The plan might be able to work with one less space on either side, but they would not be able to replace parking going back 20 feet. Mr. Eby noted that the current design would cause issues. Someone waiting to get out of the parking lot would prevent someone from backing out. Someone backing out of a spot could block someone from turning into the lot. Ms. Walker requested data from the peak traffic hours. There could be some employee parking only spots to prevent high turn over.
- Compact car parking, which is provided on Lot 4, is very difficult to enforce. Experience has shown that any vehicle will use it, creating problems for circulation in the lot when larger size vehicles are parked there.
  - Mr. Chagnon responded that the preference would be to keep that a parking space. Ms. Walker confirmed that was fine, but it would not count toward the overall parking requirement.
- The corner radius where the parking lot meets the roadway should be enlarged to allow vehicles to turn right from the lot without running over the curb or encroaching significantly on the opposing lane.
  - Mr. Chagnon responded that they could change the radius, but the driveway width is oversized at 45 feet. Ms. Walker requested to see a turning template. Mr. Chagnon confirmed that would be provided.
- Lot 5 driveway should be oriented radially from the center of the cul-de-sac to allow for easier access into the lot. The current angle would encourage wrong way traffic on the cul-de sac, as traffic would likely drive straight into the driveway from the roadway without first going around the cul-de-sac.
  - Mr. Chagnon responded that it would be revised to come in somewhere further down and offset from the cul-de-sac.
- The roadway design is not shown on the first page of the roadway plan and profile sheets.
  - Mr. Chagnon responded that they were proposing to leave that part of the roadway at the existing grade. Cross sections could be provided. Mr. Eby noted that no curbing was shown on P1, but P2 did show curbing. Mr. Chagnon responded that they were not proposing to change the left side up to the crosswalk coming in from Bartlett. The dashed line is 7 feet away from the yellow line. The plan is proposing to paint in a bike lane without curbing because the City will

be fully designing a bike lane there later. Mr. Desfosses noted that this would impact everything including drainage. Mr. Chagnon responded that the drainage slopes to the other side. Ms. Walker requested that Mr. Chagnon provide a cross section and TAC would give feedback based on that. Mr. Chagnon questioned if the Committee would want to see a design for a 5-foot sidewalk on that side. Ms. Walker understood the constraints at that end of the road, and the concern about building a sidewalk the City may take out. Mr. Desfosses commented that the drainage and radius for trucks should be planned appropriately. The cross section should include a 5-foot sidewalk. Mr. Chagnon confirmed that could be shown on the plan and not necessarily built depending on the Mill Pond project. The plan will show that it works with or without the sidewalk. Mr. Pernaw questioned what the minimum for travel lane width should be. Mr. Roediger responded that it was 11 feet.

- The roadway should provide sidewalks and pedestrian facilities.
  - Mr. Chagnon responded that the plan would show a sidewalk up to the crosswalk and then a sidewalk on the other side going out to the cul-de-sac.
- There are two sheets labeled C2.
  - Mr. Chagnon confirmed this would be fixed.
- There is no storm drainage provided for Lot 1.
  - Mr. Chagnon responded that Lot 1 currently did not have any changes proposed. Ms. Walker noted that even though nothing was changing each lot needs to be served by all the utilities. Mr. Chagnon confirmed that would be updated. The drain services out to Bartlett St. to a catch basin that is on the backside of the home center. The plan would show an easement to connect to that for Lot 1 for future use. That connects into the sewer eventually. Mr. Desfosses questioned if that lot drained into that catch basin currently. Mr. Chagnon responded that some runoff goes there and some of it goes to the east. A future design would have to meter the flow. Ms. Walker clarified that the plan was to get feedback about the drainage today, and then show the drainage plan in the next meeting. Mr. Chagnon confirmed that was correct.
- Show existing utility connections for lot 1 building.
  - Mr. Chagnon confirmed that would be updated.
- Confirm that all City easements will be transferred and should be shown on all plans.
  - Mr. Chagnon responded that they would create an easement plan to show that.
- Lot 2 still has stormwater draining into the sanitary sewer. This is a large paved area and this should be corrected as a condition of approval.
  - Mr. Chagnon responded that Lot 2 and Lot 3 border the City's sewer and there are catch basins that go into that. There will be a plan to create separation. This would create an increased flow and outlet to the pond. It will show as an increase in the plan, but it would be taking flow out of the combined sewer. Ms. Walker noted that there could be a time limit for this on the approval. The drainage analysis will be important.
- No stormwater treatment is shown for lot 2.
  - Mr. Chagnon responded that they would do their best given the constraints.
- Will the current use of the area behind the building (lumber loading) be continued? If so, does Lot 3 need easements across Lot 2?

- Mr. Chagnon confirmed that access easement would be extended.
- No stormwater treatment is shown for lot 3.
- Does this project propose a third driveway for Lot 3?
  - Mr. Chagnon confirmed that it proposed a third driveway and maybe a fourth. Lot 3 with Ricci Lumber has angled parking out into the straight road. This would be realigned to two bay parallel parking spots with an island and a delivery gate in the back. There will be another gate in the back with another driveway. The intent is to maintain all those points of access to the business. Ms. Walker commented that this would probably need a waiver request for the site plan application. Mr. Chagnon responded that they were not going to submit a site plan for Lot 3. Ms. Walker agreed with Mr. Roediger about the driveway to the cul-de-sac. Mr. Britz questioned if trucks could not make the corner on the road. Mr. Chagnon responded that it would be an easier turn how it is now. Mr. Hayes added that the trucks would come in the back gate and travel along the cul-de-sac and then leave through the side gate. Mr. Roediger commented that would require the trucks to go the wrong way around the cul-de-sac. Ms. Walker requested the entrance/exit and delivery frequency information. Four driveways off the lot seems a little excessive, but it's onto a less busy road. Mr. Roediger was concerned that the cul-de-sac to the street was not specifically part of the subdivision request. It would be better to see the build out of Lot 5 before settling on what the driveway looks like. What is downstream of the driveway needs to be considered. Ms. Walker agreed that the Committee needed to keep in mind what could go in Lot 5 to make sure the road is designed correctly. No one has given feedback yet that indicates there will be a connector road all the way through. It would be helpful to show that proposed driveway on the submission. Mr. Chagnon confirmed that the plan could show something, but they can't guarantee it will look exactly like that. Ms. Walker noted that the Committee has to assume there would be no access because it's not part of the application.
- There seems to be drainage issues on the proposed road in the vicinity of Lot 3 that are not addressed.
  - Mr. Chagnon questioned where on Lot 3 this was. Mr. Desfosses responded that it was down by the driveway. The drainage in there is not designed. Mr. Chagnon confirmed that some drainage would be introduced in that area to a treatment device then outfall to the pond. There will be a rain garden as well.
- Show utility connections for the Lot 3 Building.
  - Mr. Chagnon confirmed that would be shown.
- No stormwater treatment is shown for lot 4.
  - Mr. Chagnon responded that they would be taking out impervious surface. Currently the lot is adjacent to the pond. There is not a lot of opportunity to provide treatment. There potentially will be a path designed along the edge of the pond. Ms. Walker added that whatever could be done would be helpful.
- The eastern lot line for Lot 4 is not shown in its entirety.
  - Mr. Chagnon responded that this would be updated.
- Show snow storage areas.
  - Mr. Chagnon responded that this would be added.
- Show existing and proposed easements for City utilities.

- Mr. Chagnon responded that this would be shown in the new plan.
- Show proposed utility design to support Lot 5 under the proposed road.
  - Mr. Chagnon responded that he would talk to Mr. Desfosses offline. It's just not shown. Mr. Chagnon showed how Lot 4 and 5 get water. Mr. Desfosses commented that the water line is over 100 years old and would not be able to be used for new development. It would need a sleeve at least. A lot of detail needs to be worked out. Mr. Chagnon confirmed that he would meet with Mr. Roediger to go over hydrant locations. Mr. Roediger confirmed that would be fine.
- The roadway alignment should be carefully reviewed to maximize the ability (and minimize the disturbance along the shoreline and bank) of later installing a public access greenway along the North Mill Pond connecting Maplewood Ave. with Bartlett Street.
- A landscape plan and planting schedule should be added as a separate plan sheet.
  - Mr. Chagnon responded there would be more details added. The plan will propose trees and plantings. Mr. Cracknell confirmed that was fine. Mr. Chagnon questioned if there was a specific quantity required. Ms. Walker responded that there just needed to be 30 foot spacing.
- The roadway design or site plan should be revised to show the proposed drainage and stormwater treatment system along the North Mill Pond. Dimensions should be added showing the pavement width and the dimensions of the parking stalls.
  - Mr. Chagnon confirmed that was fine. Mr. Desfosses commented that the plans needed to show power. Mr. Chagnon confirmed that was shown. It comes from the McDonough neighborhood. Eversource is interested in looping it when Lot 5 is developed. Mr. Desfosses commented that it would be good to see the plan to understand the impact. It could be shown in concept.

Mr. Marsilia commented that the new interior lot lines are creating some issues for Lot 1, 2, 3 and possibly Lot 4. The existing structures are not conflicting with interior lot lines, but will be once the property lines are put in. The storage shed between Lot 2 and Lot 3 will be affected. The fire rating of the structures will need to be evaluated. The developer may need to upgrade the buildings. If the interior lot line between Lot 1 and Lot 2 exists now, then it would be fine because it is an existing line. Lot 2 and 3 will be an issue. Ms. Walker noted that the plan should include the existing lines and the proposed lines. Mr. Chagnon confirmed that the plans would be updated. Ms. Walker noted that the whole packet of the subdivision plan should be included for the next submission. It should be called a subdivision plan. There should be an itemized list of the waivers needed. The item location and sheet numbers should be listed to understand where it's addressed. Ms. Walker submitted letters from the public to Mr. Chagnon and team. They should look through the letters and provide some responses.

Mr. Roediger questioned if the turning template was based on 24 feet. Mr. Chagnon responded that he would need to double-check that. Mr. Roediger noted that if they were, then the roadway should be 24 feet.

Mr. Britz commented that the plan should show the existing impervious surfaces to compare to the proposed impervious. Mr. Chagnon confirmed that would be updated. Mr. Britz questioned if they will apply for permits for the roadway. Mr. Chagnon confirmed that some would be some in the tidal buffer. There may need to be a shore land application. Ms. Walker commented that

they would need to talk about timing for the subdivision approval and other permits. It will be important to know that the road will be permitable to approve the plan. Mr. Chagnon noted that the shore land permit is 30 days the wetland permit can be longer.

**PUBLIC HEARING**

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Elizabeth Bratter of 105 Bartlett St. questioned if the drainage analysis would include how the roadway grading would affect the water movement. Ms. Bratter questioned if it would show the environmental impact to the erosion along the road parallel to the North Mill Pond. Some areas are only 3 feet wide. Mr. Britz confirmed that it would be addressed in the Conservation Commission meeting for the wetland permit.

Doug Pinciara from Clipper Traders commented on the property going out to Maplewood Ave. That is under agreement with the railroad and they do plan to move forward with that. Ms. Walker confirmed that should be included in the plan if it becomes official.

Wes Tator, 411 Middle St., noted that imagery of the pathway to Maplewood would be helpful. Ms. Walker responded that the City is working on the North Mill Pond trail and if the applicants have ownership, then they should show it as part of the application.

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

**DISCUSSION AND DECISION OF THE BOARD**

Mr. Britz moved to **postpone** to the next regularly scheduled TAC meeting on October 30, 2018, seconded by Mr. Eby. The motion passed unanimously.

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B. The application of **Coleman Garland, Owner**, for property located at **185 Cottage Street**, requesting Site Plan approval to demolish two existing residential buildings and to construct a 2-story medical office building, with a footprint of 7,000 s.f. and Gross Floor Area of 14,000 s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 174 as Lot 14 and lies within the General Residence A (GRA) District. (This application was postponed at the September 4, 2018 Technical Advisory Committee Meeting.)

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION**

Patrick Crimmins with Tighe and Bond, Architect Jeremiah Johnson, and John Ricci were present to speak to the application. Mr. Crimmins met with TAC last month. There were a number of comments from TAC. Those comments have been addressed and the plan was resubmitted. The application included a waiver request form for the overhead electrical service.



The drainage has been updated. Mr. Crimmins went through the new comments from TAC that had not been addressed yet.

TAC Comments:

- The 8 foot wide handicap access aisle should have a NO PARKING sign to reinforce its intended use.
  - Mr. Crimmins confirmed that would be done.
- All proposed mechanical units should be shown on the utility plan.
  - Mr. Crimmins agreed and confirmed that could be a stipulation of approval.
- Consideration should be given to adding additional street trees along Route 1 in the vicinity of the rain garden. There appears to be adequate separation to the existing sewer line.
  - Mr. Crimmins noted that the comments from Staff were to maintain a 10-foot setback from the sewer. The plan has been updated to show why more deciduous trees would not fit. They would be in the rain garden. Mr. Cracknell responded that it looked like two more could fit in there. Mr. Crimmins responded that they would look at it again. The 10-foot setback is in the side of the slope. The setback runs through the gravel rain garden. One tree might be able to fit.
- The project Site Plan should include the required rain garden and infiltration basin maintenance requirements or a reference to these plans.
  - Mr. Crimmins confirmed a notation that refers to the maintenance plans would be added.
- Stormwater system maintenance and enforcement oversight by City of Portsmouth should be documented in a deed restriction.
  - Mr. Crimmins confirmed that was fine.
- Consider relocating the row of arborvitae along the Cottage street frontage to another location such as behind the dumpster pad on site.
  - Mr. Crimmins was not clear on this comment. Mr. Britz clarified that the existing arborvitae should be saved. Mr. Crimmins confirmed that would be done.

Ms. Walker questioned what the access easements on the plan were intended for. Mr. Crimmins responded that he would have to look at the language in the deed. Ms. Walker questioned if there could be a pedestrian path for the future with the senior center. Mr. Crimmins responded that the City would be maintaining the rights to it, so it could be a discussion.

**From the 09-04-18 TAC Meeting**

- *Detectable warning panel not needed for HP spaces.*
- *A 50 foot length of double yellow center line at the entrance of the driveway will help to keep traffic on the right side of the driveway when entering.*
- *The bike rack should be closer to the main entrance of the building.*
- *The driveway corner radius closest to the Bypass should be larger to allow for larger vehicles to turn right from the driveway without encroaching on the opposing lane of Cottage Street.*
- *Changes to the signalized intersection of Cottage Street and the Bypass could be occurring as part of the Frank Jones Center redevelopment. While the traffic study for*

*that project is still under review, the possibility exists of closing the median at the Cottage Street intersection and restricting movements to right in/right out.*

- *The DOT's long range vision for this area includes taking this parcel for the widening of the Bypass and an access road to Boyd Road. There is no design or timetable for these changes, but the applicant should be aware of the possibility of the parcel being taken by the state.*
- *Terminate all water and sewer services for both homes, no all of the utilities are shown on the plans.*
- *Show how the dumpster vehicle will use the site.*
- *The infiltration system under the driveway may be too low based on the nearby wetland elevation. Provide soil data for that location.*
- *The parking spaces shown are too narrow for high turnover use and there are only 2 HC spaces which is the minimum per code but depending on the use, may be inadequate.*
- *Mill and resurface Cottage St from the driveway to the signal using 1.5" of high strength pavement mix. Replace traffic loops during process.*
- *Given that the proposed site plan maximizes the number of parking spaces required by ordinance, please consider ways to break up the parking lot with landscaped islands to reduce the amount of uninterrupted pavement.*

## **PUBLIC HEARING**

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

## **DISCUSSION AND DECISION OF THE BOARD**

Mr. Desfosses moved to **recommend** Site Plan approval to the Planning Board, seconded by Mr. Britz with the following stipulations:

### Prior to Planning Board review

1. The 8 foot wide handicap access aisle shall have a NO PARKING sign to reinforce its intended use.
2. All proposed mechanical units shall be shown on the utility plan.
3. Consideration shall be given to adding additional street trees along Route 1 in the vicinity of the rain garden as long as adequate separation can be provided to the existing sewer line.
4. The Site Plan to be recorded shall include a reference to the required raingarden and infiltration basin maintenance requirements.
5. Applicant shall look to relocate the existing arborvitae along the Cottage street frontage to another location such as behind the dumpster pad on site.
6. Applicant shall provide a copy of the access easement to the abutting Doble Center property for review by the Planning Department.

### Subsequent to Planning Board approval

7. Stormwater system maintenance and enforcement oversight by City of Portsmouth shall be documented in a deed restriction.

8. Existing buildings shall be placarded for demolition as required by the demolition ordinance.

The motion passed unanimously.

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## II. NEW BUSINESS

A. The application of **206 Court Street, LLC, Owner**, for property located at **206 Court Street**, requesting Site Plan approval to construct a 3-story irregular shaped rear addition with a footprint of 767 s.f. and Gross Floor Area of 1,914 s.f. and to convert the use to three dwelling units, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 116 as Lot 34 and lies within the CD 4-L1 District, the Downtown Overlay District (DOD) and the Historic District.

The Chair read the notice into the record.

### SPEAKING TO THE APPLICATION

John Chagnon from Ambit Engineering, Architect Jeremiah Johnson, and Bernie Pelech from Bosen and Associates spoke to the application. The existing conditions plan shows the property boundaries and existing building on Court St. There is some existing concrete in the back and an open area. The proposal is to remove the concrete and construct an addition that will match the floor elevation of 2 stories and a short third. The addition will be connected internally at each floor elevation. A porous paving area will be constructed in the same location as the existing gravel. There will be a snow storage area in the back. The grading is shown on the plan.

#### TAC Comments:

- Need an easement or agreement with abutter for work on their lot.
  - Mr. Chagnon responded that Mr. Pelech passed out the agreement.
- How will driveway operations work? Appears to be tandem parking that will require several cars backing into Court Street.
  - Mr. Chagnon responded that they would be mimicking what is there now. The plan only shows two spots out front. The entire area is a gravel parking area.
- As previously requested, please show size of existing service leaving the building, anything smaller than 6" will need replacement.
  - Mr. Chagnon confirmed the plan would be updated. It is a 6-inch pipe.
- Need O&M plan for pavement and it needs to be recorded with the deed.
  - Mr. Chagnon handed out the plan to submit on record with the deed.
- Will this require cross easements for parking?
  - Mr. Chagnon responded that the proposal is not to have easements, but the parking would be to the property line. There is no intention for cross easements.
- The landscaping should be shown separately from the site plan and details should be provided for the patio. Is it intended to use porous pavers?

- Mr. Chagnon responded that the patio detail would be added to the detail sheet. More description and notes will be added for the landscaping. That can be added to the site plan or on a new plan.

Ms. Walker commented that the lot line goes through the parking area. The plan is proposing to make offsite improvements for the abutting property. Mr. Chagnon confirmed that was correct. Ms. Walker questioned if there were only two off street parking spots for this property. A variance will be needed. Mr. Johnson responded that they got a variance for the parking stall width. Ms. Walker noted that a CUP would be needed. If a third space could fit, then it needs to be assigned. Tandem parking is allowed if they are assigned.

Mr. Roediger commented that the sightline for the parking that exists is sketchy for pulling out into traffic on Court St. Backing out requires a good distance out into the street to get the sightlines. Mr. Eby questioned if there was still a sign that says parking was for tenants. Mr. Johnson responded that was not there anymore.

Mr. Marsilia commented that something had to be done with the west wall. Mr. Johnson agreed. Mr. Marsilia added that the roof would also need to be addressed. Mr. Johnson responded that was fine.

Mr. Eby requested an explanation of the short third story. Mr. Johnson responded that it could not be greater than 50% of the floor area. Ms. Walker added that it needed to be 20% shorter in height than the floor below it.

Mr. Roediger requested more detail about the entry vestibule. Mr. Johnson responded that nothing is going to happen there. There will be no storage units. It will just be access to the units. Mr. Marsilia questioned if there was a full basement. Mr. Johnson responded that it was close to a full basement. Mr. Marsilia questioned if the access would be the same as the units. Mr. Johnson confirmed that was correct. There will be a separate door. Mr. Marsilia questioned if there would be an exterior exit. Mr. Johnson responded that the plan meets the single exit requirement because the building would be sprinkled. Mr. Marsilia noted that they could add a bulkhead. Mr. Johnson confirmed they could.

Mr. Eby pointed out a typo in the plans. Mr. Chagnon confirmed it would be updated.

## **PUBLIC HEARING**

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

## **DISCUSSION AND DECISION OF THE BOARD**

Mr. Britz moved to **recommend** Site Plan approval to the Planning Board, seconded by Mr. Cracknell with the following stipulations:

Prior to Planning Board review

1. Applicant shall updated plans to show the size of existing service leaving the building, and note that anything smaller than 6” will need replacement.
2. The landscaping shall be shown separately from the site plan and details should be provided for the patio.
3. Applicant shall apply for a Conditional Use Permit from the Planning Board for providing less than the required number of parking spaces.
4. Typos noted on the plans shall be corrected.
5. Applicant shall provide final details of the east wall of the building to the Building Inspector for review and approval of compliance with life safety code requirements for fire separation.
6. A recordable Operation & Maintenance plan for the pavement shall be submitted.

Subsequent to Planning Board approval

7. Applicant shall provide documentation of an easement or agreement with abutter for work on their lot.

The motion passed unanimously.

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B. The application of **Happy Mountain Holdings, LLC, Owner**, for properties located at **64 & 74 Emery Street**, requesting Site Plan approval to construct one two-unit residential building on each lot, each building to be 2-stories with a 2,080 s.f. footprint and a 3,000 s.f. Gross Floor Area, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 174 as Lot 14 and lies within the General Residence A (GRA) District.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION**

Eric Weinrieb from Altus Engineering and Corey Cawthron from Happy Mountain spoke to the application. The proposal is to develop two lots with a duplex on each. In 2013 a 4-lot subdivision was approved. Since then one lot and the original house lot were developed. Happy Mountain purchased the other two lots to construct duplexes. The subdivision was approved with a shared driveway and cross easements. A number of waivers have been requested and are included in the packet. The reason for all of the waivers is because in general it’s truly a residential development. A lot of waivers were requested because those requirements apply to commercial developments. At the TAC workshop it was clear that the Fire Department wanted 21-foot access. The plan includes a 16-foot access paved lane with 2 inches of gravel on each side with loam over it. The turning movements were provided showing a 16-foot fire apparatus entering and leaving with 3-point turns. Mr. Weinrieb met with Eversource, Unitil and Portsmouth water and sewer and accommodated their input in the plan. The water service will be a single sewer service leaving the house because of the grades. When the sewer was rebuilt

the City provided stubs for E1 systems. The storm water management was designed to minimize impacts on the grading of the site. The design includes three storm water management areas. One was straddling the property line and it was moved further into the property. They will be vegetated soil filters. Mr. Weinrieb attended a lunch and learn in Portland where they talked about a new approach on storm water management. The approach was to make rain gardens more like lawns. This validated some of the design. It is getting the same treatment. The drainage calculations used the Cornell data and it included the 15% AOT regulations.

TAC Comments:

- The site abuts I-95 and there will be noise from the highway. The construction of the homes should include soundproofing material over and above the normal construction requirements.
  - Mr. Weinrieb responded that it was very close to 95. Ms. Walker commented that this might apply to the overlay zoning. The new zoning passed, so it would apply. It is a noise sensitive use. Any residence within 500 feet of the centerline of 95 needs to include soundproofing. Ms. Walker noted that she would send the ordinance to Mr. Weinrieb. It can be done as part of the Planning Board approval.
- Show outline of proposed stormwater areas on the site plan so that it is clear to the homeowner what its purpose is. Stormwater features must be maintained by the owners in perpetuity.
  - Mr. Weinrieb responded that the plans would show the outline of the bottom of the pond on the site plan. The plan includes note 16 on C1 that speaks to long-term maintenance. Ms. Walker commented that the Committee had an issue with the waiver request to not record the plan. Mr. Weinrieb responded that it was to prevent complicated situations. For example, if an owner suddenly decided to put in a lamppost, then it would not be an onerous request for a property owner. The site plan for a home would not be recorded, but Mr. Weinrieb understood the need for a development to be monitored. Mr. Britz noted that enforcing the storm water maintenance was important. Mr. Weinrieb noted that it was a storm water issue and there are easements already in place. The easement plan could be revised to include storm water management. Then it would be reference in there and will reference plans on file with the City. Ms. Walker questioned if the Committee thought it was fine to record on an easement instead of the site plan. Mr. Roediger noted that he had a lot of discussion about the code the other day and he was fine with driveway the widths and distances. Because the buildings will be sprinkled, the driveway does not have to be the 20-foot width. It can go back to the original 14-foot proposal. Mr. Roediger requested an example for turning to keep dimensions to keep that to work. Mr. Weinrieb confirmed that would be included. Ms. Walker requested that the storm water maintenance be recorded in the maintenance plan. Mr. Weinrieb confirmed that would be included.
- The two lots will need flowage rights across the other lot.
  - Mr. Weinrieb agreed. That is something that would be in the final deed.
- Are there utility and driveway easements in place for each lot?

- Mr. Weinrieb confirmed there was. Mr. Weinrieb requested to provide the final draft before an occupancy permit was issued in case things need to be moved around. Ms. Walker commented that they should show the existing. Mr. Cawthron confirmed that it's in the packet and it could be modified. Ms. Walker confirmed that the final could be submitted prior to a CO.
- The plan set would benefit from adding a landscape plan (including details) as well making sure the drainage issues and the intersection with Emery Street / Central Ave. are adequately addressed. Perimeter drains on the structures would likely also be helpful given the topography of the lot.
  - Mr. Weinrieb responded that the preference would be to not have a landscape plan. Individual owners may want to landscape it in a certain way or not landscape it. It should be left up to the end user. It is no different than what would be for a larger subdivision. Ms. Walker responded that there needed to be a minimal landscape plan. Mr. Weinrieb confirmed that would be included. Mr. Britz questioned if all the trees would be cut. Mr. Weinrieb responded they were not. The goal is to do a limited cut. Mr. Britz noted that needed to be shown. Mr. Weinrieb noted that there would be no trees in the easement area. Ms. Walker commented that they would get that question from the Planning Board, so it should be provided. Mr. Cracknell commented that there should be a hurricane fence when they are doing the work to protect the area.
  - Mr. Weinrieb commented that the existing watershed was a natural divide at the driveway and it would go back toward Maplewood into a small swale. The other side of the driveway would go to an existing culvert. Mr. Desfosses questioned if there would be an increase in the 50-year storm. Mr. Weinrieb responded that there was a minimal increase in the 50-year storm. The 12-inch pipe will have everything going there. Then will go to the rip rap and the City drainage area. That was not analyzed. Mr. Desfosses questioned why the storm water areas could not be bigger. Mr. Weinrieb responded that they looked at it but what is designed is a good balancing point. They would have had to force it to make it bigger and it would look awkward. There is a stone drip edge. The water off the roof going into the ground was not modeled. Mr. Desfosses commented that it should be addressed at least in a note before Planning Board. It is not necessarily concerning, but it will be asked about. Mr. Desfosses thought the drainage was adequate, but needed clarification. Mr. Weinrieb commented that a note could be added showing perimeter drains may be installed.
- The grading for the stormwater appears to terminate at the edge of the property where, given the existing grades, the water will flow onto the abutting property.
  - Mr. Weinrieb responded that they would not be grading beyond the property line. The goal is to mimic the runoff at the property today. Water is discharging there and the goal is to keep it that way. Everything comes down slope because of the rock outcrop. Mr. Desfosses questioned what they were doing to slow down the runoff. Mr. Weinrieb responded that the runoff off of building will go into the pond and will slow down. There could be some temporary check dams, but they can't be permanent.
- Are there any impacts to the abutting property from the proposed stormwater design?
- The grading for the stormwater appears to terminate in the location where the gas line

and water line come onto the property. How will these utilities be protected from impacts from stormwater flow?

- o Mr. Weinrieb responded that there were no underground chambers. Mr. Britz wanted to ensure there would be no conflict with infiltration. Mr. Weinrieb responded that the utilities are sufficiently deep.
- Stormwater system maintenance and enforcement oversight by City of Portsmouth should be documented in a deed restriction.
  - o Mr. Weinrieb agreed.

**PUBLIC HEARING**

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

**DISCUSSION AND DECISION OF THE BOARD**

Mr. Cracknel made a motion to **recommend** Site Plan approval to the Planning Board, seconded by Mr. Britz with the following stipulations:

Prior to Planning Board review

1. Applicant shall show outline of proposed stormwater areas on the site plan so that it is clear to future homeowners and note that stormwater features must be maintained by the owners in perpetuity.
2. A Conditional Use Permit shall be required from the Planning Board to comply with the new Highway Noise Overlay District.
3. The applicant may reduce the overall driveway width to 14' driveway as previously proposed.
4. Applicant shall provide a landscaping plan that includes limits of clearing, loaming and seeding.
5. Drainage and grading shall be updated and clarified to address TAC comments and approved by Planning and DPW staff prior to Planning Board review.

Subsequent to Planning Board approval

6. Stormwater features must be maintained by the owners in perpetuity. Stormwater system maintenance and enforcement oversight by City of Portsmouth shall be documented in a deed restriction. The deed restriction for stormwater maintenance shall be recorded and include language that notes any changes shall require review and approval by the Planning Director.
7. An easement shall be required between the two properties to allow stormwater to drain across lot lines.
8. Applicant shall provide documentation of utility and driveway access easements prior to the issuance of a Certificate of Occupancy for either property.
9. Temporary check dams shall be placed during construction to address any impact to abutting property.

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**III. ADJOURNMENT**

Mr. Desfosses moved to adjourn the meeting at 4:14 pm, seconded by Mr. Britz. The motion passed unanimously.

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Respectfully submitted,

Becky Frey,  
Acting Secretary for the Technical Advisory Committee

These minutes were approved at the October 30, 2018 Site Plan Review Technical Advisory Committee Meeting.