

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

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

2:00 PM

SEPTEMBER 3, 2019

MINUTES

MEMBERS PRESENT: Peter Britz, Environmental Planner; David Desfosses, Construction Technician Supervisor; Eric Eby, Parking and Transportation Engineer; Patrick Howe, Fire Department; Nicholas Cracknell, Principal Planner and Robert Marsilia, Chief Building Inspector

MEMBERS ABSENT: Juliet Walker, Chair, Planning Director

STAFF PRESENT: Jillian Harris, Planner 1

I. APPROVAL OF MINUTES

A. Approval of minutes from the August 6, 2019 Site Plan Review Technical Advisory Committee Meeting.

Mr. Desfosses moved to approve the minutes from the August 6, 2019 Site Plan Review Technical Advisory Committee Meeting, seconded by Mr. Howe. The motion passed unanimously

II. OLD BUSINESS

A. The application of **Cate Street Development, LLC, Owner**, for property located at **428 Route 1 Bypass, Cate Street, 55 Cate Street, 161 Cate Street and 1 Cate Street**, requesting Site Plan approval for the redevelopment of the properties into a mixed use development, including 22,000 s.f. +/- retail space, 22,000 s.f. +/- office space, 250 residential apartment units; Proposed Residential Building A: 4-stories, 132 units, 24,850 s.f. footprint and 141,885 Gross Floor Area; Proposed Residential Building B: 4-stories, 118 units, 21,350 s.f. footprint and 110,170 Gross Floor Area, and 23 townhouses; Proposed Townhome Buildings A: 8,640 s.f. total footprint and 25,920 Gross Floor Area; Proposed Townhome Buildings B: 11,440 total footprint and 34,320 Gross Floor Area, and 510 parking spaces with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 172 as Lot 1, Map 173 as Lot 2, Map 165 as Lot 2, Map 163 as Lot 33 and Map 163 as Lot 34 and lie within the Gateway Corridor (G1) District. (This application was postponed at the July 2, 2019 TAC meeting.)

Mr. Desfosses moved to hear Old Business Item A and Old Business Item B together and vote on them separately, seconded by Mr. Howe. The motion passed unanimously.

SPEAKING TO THE APPLICATION

Rick Lundborne from Fuss and O'Neil, Gregg Mikolaities from August Consulting, and Attorney John Bosen spoke to the application. Mr. Lundborne commented that the Committee had seen this application a number of times, so he would not review the whole plan. Mr. Lundborne walked through the most recent round of comments.

TAC Comments:

- The crosswalk across Bartlett Street is very long and has very limited sight lines as it is close to the RR bridge abutment. Move back if possible.
 - Mr. Lundborne responded that they would look into it. The third party review wanted it closer to the intersection. Mr. Eby commented that they could change the curb line to help make it work. Mr. Lundborne confirmed they would revise it.
- The ped crossing signs at station 4+40 and 6+50 are not needed, as the flashing beacons are only 100 feet further ahead and in plain sight. Likewise with the signs at station 13+60
 - Mr. Lundborne responded that this came through the third party review process. Those have been struck from the plans.
- Stop signs on the multi-use path at the old Cate Street intersection will be needed, unless the vegetation can be trimmed back to provide adequate sight lines.
 - Mr. Lundborne confirmed those would be added.
- NO MOTOR VEHICLES signs should be posted on the MUP at its intersection with old Cate Street.
 - Mr. Lundborne confirmed those would be added.
- The Advisory 25 mph signs are not needed with the Reverse curve signs, if the curves are designed for 25 mph.
 - Mr. Lundborne responded that was a comment that came through the third party review, but it can be removed if needed. Mr. Eby responded that the speed limit was already 25 mph, so they should remove them.
- The crosswalks at the intersection of Cate and Bartlett need rapid flashing beacons due to the curves and limited sight lines.
 - Mr. Lundborne questioned if they both needed the rapid flashing beacons. Mr. Eby responded that just one of them needed it. Mr. Lundborne confirmed that would be updated.
- The stop sign on Bartlett should be moved back to 30 feet from the stop line for better visibility. The stop ahead sign should also be moved back to about station 20+50.
 - Mr. Lundborne confirmed that would be updated.
- Any W3-1a signs should be W3-1 instead.
 - Mr. Lundborne responded that would be updated.
- What is the 12" square LED module on the flashing beacon detail?
 - Mr. Lundborne responded that would be removed.
- CS-201 shows a crosswalk leading into parking spaces about 160 feet from the Bypass. That is not allowed per ADA.
 - Mr. Lundborne responded that would be removed.

- Stop signs should be placed at the crosswalks near the Pet Zone.
 - Mr. Lundborne responded that would be added at both crossing locations.
- Water easement to 172/2 must be through the lot to the source of the water in the City ROW.
 - Mr. Lundborne responded that would be added.
- ROW easement for same property should match proposed driveway configuration.
 - Mr. Lundborne responded that would be added.
- Sewer connection for the same lot needs a formal easement.
 - Mr. Lundborne responded that would be added.
- Lot 165/1 needs ROW and water easements from lot line to Cate St.
 - Mr. Desfosses clarified that it was an existing easement that needs to be shifted. Mr. Lundborne responded that would be updated.
- All gas lines must be at least 3' from other utilities (except crossings).
 - Mr. Lundborne responded they would make sure that was the case throughout the plans.
- In the provided inspection and maintenance plan Appendix A “Invasive Plant Control” it calls out the use of herbicides to control vegetation. Please remove this section or clarify. Article 10 section 10.1018.25 of our Zoning Ordinance states the following: The use of pesticides or herbicides is prohibited in a wetland or wetland buffer, except that application of pesticides by a public agency for public health purposes is permitted.
 - Mr. Lundborne responded that would be taken out of the notes.
- The community space exhibits should be updated as the wide pedestrian sidewalk included does not meet the definition for location between the building façade and public right of way. The area of “Park/common” designated for snow storage should also be removed from the community space calculations.
 - Mr. Britz clarified that the comment was that they could not count it as community space. Mr. Cracknell added that they still needed a public access easement. Mr. Lundborne commented that all of the sidewalk that was highlighted in pink was 10 feet wide. Mr. Cracknell responded that he would look at that more. The 6-foot areas will need a public access easement. Mr. Lundborne added that the previous plan had more area that was called out as greenway, but they realized it is also public realm. They didn't use public realm for community space. The total community space on the plan is 91,448 square feet. It is 16% of the overall development.
- The applicant shall work with DPW to satisfactorily address any forthcoming comments from the Water System Analysis Report and Flow Assessment Report expected in the next week for final water and sewer sizes.
 - Mr. Lundborne responded that they would work with DPW.
- Final design site plan review approval is contingent upon confirmation that all previous plan changes from the Technical Advisory Committee have been incorporated successfully.

- Mr. Lundborne responded that was fine.

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 approval to the Planning Board, seconded by Mr. Cracknell with the following stipulations:

- The crosswalk across Bartlett Street is very long and has very limited sight lines as it is close to the RR bridge abutment. Move back if possible.
- The ped crossing signs at station 4+40 and 6+50 are not needed, as the flashing beacons are only 100 feet further ahead and in plain sight. Likewise with the signs at station 13+60
- Stop signs on the multi-use path at the old Cate Street intersection will be needed, unless the vegetation can be trimmed back to provide adequate sight lines.
- NO MOTOR VEHICLES signs should be posted on the MUP at its intersection with old Cate Street.
- The Advisory 25 mph signs are not needed with the Reverse curve signs, if the curves are designed for 25 mph.
- The crosswalks at the intersection of Cate and Bartlett need rapid flashing beacons due to the curves and limited sight lines.
- The stop sign on Bartlett should be moved back to 30 feet from the stop line for better visibility. The stop ahead sign should also be moved back to about station 20+50.
- Any W3-1a signs should be W3-1 instead.
- What is the 12" square LED module on the flashing beacon detail?
- CS-201 shows a crosswalk leading into parking spaces about 160 feet from the Bypass. That is not allowed per ADA.
- Stop signs should be placed at the crosswalks near the Pet Zone.
- Water easement to 172/2 must be through the lot to the source of the water in the City ROW.
- ROW easement for same property should match proposed driveway configuration.
- Sewer connection for the same lot needs a formal easement.
- Lot 165/1 needs ROW and water easements from lot line to Cate St.
- All gas lines must be at least 3' from other utilities (except crossings).
- In the provided inspection and maintenance plan Appendix A "Invasive Plant Control" it calls out the use of herbicides to control vegetation. Please remove this section or clarify. Article 10 section 10.1018.25 of our Zoning Ordinance states the following: The use of pesticides or herbicides is prohibited in a wetland or wetland buffer, except that application of pesticides by a public agency for public health purposes is permitted.

- The community space exhibits should be updated as the wide pedestrian sidewalk included does not meet the definition for location between the building façade and public right of way. The area of “Park/common” designated for snow storage should also be removed from the community space calculations.
- The applicant shall work with DPW to satisfactorily address any forthcoming comments from the Water System Analysis Report and Flow Assessment Report expected in the next week for final water and sewer sizes.
- Final site plan review approval is contingent upon confirmation that all previous plan changes from the Technical Advisory Committee have been incorporated successfully.

The motion passed unanimously.

B. The application of **Cate Street Development, LLC, Owner**, for property located at **428 Route 1 Bypass, Cate Street, 55 Cate Street, 161 Cate Street and 1 Cate Street**, requesting Preliminary and Final Subdivision approval to reconfigure six (6) lots comprised of 10.37 acres and a city right-of-way to three (3) lots with a new city right-of-way as follows: Assessor Map 163, Lots 33 and 34, Assessor Map 165, Lot 2, Assessor Map 172, Lot 1 and Assessor Map 173, Lot 2 to become Proposed Parcel A consisting of 260,789 s.f. and 940.14 ft. of frontage on a new proposed right-of-way, Proposed Parcel B consisting of 126,500 s.f. and 226.72 ft. of frontage on U.S. Route 1 Bypass, Proposed Parcel C consisting of 52,813 s.f. and 441.89 ft. of frontage on a new proposed right-of-way consisting of 139,622 s.f. Said properties are shown on Assessor Map 172 as Lot 1, Map 173 as Lot 2, Map 165 as Lot 2, Map 163 as Lot 33 and Map 163 as Lot 34 and lie within the Gateway Corridor (G1) District. LU #19-18.

DISCUSSION AND DECISION OF THE BOARD

Mr. Desfosses moved to recommend approval to the Planning Board as presented, seconded by Mr. Cracknell. The motion passed unanimously.

III. NEW BUSINESS

A. The application of **Andrew Marden, Owner** for property located at **60 Elwyn Drive** requesting preliminary and final subdivision approval to subdivide one lot into two (2) lots as follows: Lot 22 as shown on Assessor Map 113 decreasing in area from 6,400 s.f. to 3,457 s.f. with 50' of continuous street frontage on Elwyn Avenue; and proposed lot 22-1 as shown on Assessor Map 113 with 2,943 s.f. in area and 50' of continuous street frontage on Sherburne Avenue. Said property is show on Assessor Map 113 as Lot 22 and lies within the General Residence A (GRA) District. LU #19-113.

SPEAKING TO THE APPLICATION

Eric Weinrieb from Altus Engineering and John Marden spoke to the application. It is a two-lot subdivision on a two-frontage lot. Zoning relief has been acquired to allow the subdivision.

TAC Comments:

- The site leader in the locus box points to the wrong location.
 - Mr. Weinrieb responded that this would be revised.
- Need to fill in the curbing and sidewalk on Sherburne.
 - Mr. Weinrieb responded that back in 2004 when sewer separation occurred Mr. Marden and DPW went back and forth about this. That section of the sidewalk was left flush at grade. This section will be closed and will match the rest of the sidewalk with a vertical granite curb.
- Driveway must be located on site and meet the minimum standards in the zoning ordinance.
 - Mr. Desfosses clarified that it's a small site, so the entire parking space needs to be 25 feet deep and 9 feet wide. That way a car can be fully in the driveway. Mr. Weinrieb responded the driveway would comply.

Mr. Desfosses commented that the plan doesn't show the drainage lateral. They need a water service connection. Mr. Weinrieb confirmed that would be included.

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 approval to the Planning Board, seconded by Mr. Cracknell with the following stipulations:

- The site leader in the locus box points to the wrong location.
- Need to fill in the curbing and sidewalk on Sherburne.
- Driveway must be located on site and meet the minimum standards in the zoning ordinance.

The motion passed unanimously.

B. The application of the **City of Portsmouth, Owner** for property located at **680 Peverly Hill Road** requesting Site Plan Review approval for the construction of recreation playing fields with associated lighting, parking, restrooms, stormwater management infrastructure, utilities and other site improvements. Said property is shown on Assessor Map 254 as Lot 8-1 and lies within the Municipal (M) District. LU #19-169.

SPEAKING TO THE APPLICATION

Project Manager for the City of Portsmouth Dave Allen, Phil Corbett from CMA Engineers, and Mike Noonan from Weston and Sampson spoke to the application. Mr. Allen commented that this project is a result of the City's 2010 recreation field study. That study determined there was a shortage of fields. The City looked at a number of properties throughout Portsmouth before ultimately purchasing this area to build fields and a new transfer station. This application is asking for the approval of the first 2 fields. There will be an additional field, new transfer station and additional storm water treatment included in future phases.

Mr. Corbett commented that they have worked with DES, been to the AOT, and met with the Conservation Commission. The Commission recommended approval. The state wetlands application has been submitted and they have had an informational meeting with Trees and Greenery. The recreational needs study was updated in 2016 and concluded there was a substantial demand for recreational activities in Portsmouth. Participation is currently limited because of lack of space. The City would benefit by converting sod fields to turf and adding to their overall field stock. Portsmouth has 17 fields. Seven are lit and 5 of those are at the high school. In comparison Dover has 25 fields and Rochester has 44 fields. This is a 60-acre lot. The site was previously a gravel quarry and then it was reclaimed in the late '90s. Through the AOT permitting they turned some of the process ponds into storm water treatment ponds. The site is pretty flat and there is a high quality wetland area on the property. The proposed plan does not have any impacts to the natural wetland that has high function values. The only impacts to wetlands are the ones that were part of the gravel pit or reclamation. The site is large enough to accommodate 3 fields. The fields will be lit and there will be a gravel parking lot near them. The fields will be pervious with a sub surface detention. The storm water facilities will be built as part of phase 1. The main access for the fields will be off Campus Drive. It was the main access for the gravel quarry. The road is 15-20 feet wide and it will be fine graded. There will be a gated emergency access to DPW. The parking demand is 38 spaces a weekday and 59 spaces on a Saturday. The parking planned for phase 1 will meet that demand. There is room for overflow parking in the access road and snow storage area. There is not much bus traffic expected, but initially they could use the gravel snow storage area to park. They looked at the trip generation and the recreation fields don't generate a lot of traffic during peak hours. The impacts are negligible because people will head both east and west. They looked at bike and pedestrian connections. There is an easement through St. Patrick's Academy that could be a future connection. For now the best pedestrian route would be through the Peverly Hill Road path. That would be done after the transfer station construction to not route pedestrians through construction. There would be a water connection at Campus Drive. They will put in a forced main for future service. Eversource is evaluating the options for electrical connection. There is a proposed lighting plan for the field and the parking lot. They met with Trees and Greenery and will make modifications to the plans for landscaping. The plan is to provide shade trees for spectators and provide wildlife habitat. They will make an effort to screen from Pike Industries. The netting between the fields and Pike Industries will have windscreen. Pike has to meet standards for air quality. They are coordinating with them to schedule processing times outside of recreational activities.

TAC Comments:

- With the proposed improvements to Peverly Hill Road in a separate project, the

pedestrian crosswalk across Peverly Hill Road would be better located on the other side of the DPW driveway. There will be a painted median island and no right turn lane on Peverly, while a left turn lane will be added on Peverly for left turns into the driveway. There is a permanent roadway easement on that corner that might provide room for the construction of the bike path up to the Pike scale driveway. In addition, keeping the bike path on the other side of the DPW driveway would eliminate the need to cross the driveway near the gas pumps, would avoid the DPW lot driveways where sight lines are limited by parked cars, and the fire hydrant. It would reduce the number of driveway crossings.

- The parking lot median island appears to be a vegetated swale. It is likely that pedestrians will want to cross it on foot. Will this be possible? If not, perhaps a fence along the length of it is needed, or crossing bridges of some type.
 - Mr. Corbett confirmed that could be traversed.
- Where are the entrances to the field from the ped walkway? Where would an emergency vehicle enter the field?
- Will there be a storage shed on site for maintenance materials and equipment?
 - Mr. Corbett responded that they would probably want a shed out there in the northeast corner to store equipment.
- Turning templates should be provided for our ambulances showing entry to, travel on, turn around, and exit from the emergency access to the multi-purpose recreation fields.
 - Mr. Corbett responded that they did widen it and the porous pavement path runs around the field. A turn around was added at the end to let emergency vehicles in. There is a gate there.

Mr. Britz noted that the Conservation Commission was concerned about the spill over of light from the fields into the wetlands. Mr. Corbett responded that the light is very directional and the current light plan limits the spillage into the wetland now. Mr. Noonan added that they would have to add pedestrian lights on the back of the poles to light the other side if needed. That is how directional the lights are.

Mr. Eby commented that there was no signage on Campus Drive. There will need to be some way finding signs added to the plan. Mr. Corbett agreed.

Mr. Howe thought the turning templates were a little tight in a few places. Mr. Corbett confirmed that they could soften the radius to allow for better access. Mr. Howe commented that the gate was a little close to the handicap parking, and questioned how deep the spaces were. Mr. Corbett responded that they were 19 feet. Mr. Howe commented that the entrance road width may be a little narrow. Mr. Corbett responded that the edges of the road are covered in weeds. It is close to 40 feet wide. They will need to widen that out a little bit. Mr. Howe commented that they would need 20 feet of clear space outside of the over flow parking.

Mr. Eby questioned if the gate at the end would be removed. Mr. Allen responded that he assume it would be. Mr. Eby noted that the handicap access aisle was 8 feet wide. There should be a no parking sign on there, so people don't use the aisle as a parking spot.

PUBLIC HEARING

Jim Broom from St. Patrick's Academy commented that they wanted to understand the plans for the nature paths on the property and for the easement for the bike path across St. Patrick's Academy. Mr. Corbett responded that the network of trails go through the wetlands currently. The desire would be reinvigorate them in the future, but that is not part of the initial phase. There are no planned improvements. This section of Banfield Rd. is not the best to accommodate pedestrians or cyclists.

Eric Weinrieb with Altus Engineering noted that one of the concerns is that they want to make sure there is no parent drop off through St. Patrick's Academy parking lot. It would be good to understand the timing of the future phases. There is also an elevated boardwalk though there that is not safe. Mr. Weinrieb questioned if there was plans to repair that and if so when. Mr. Corbett responded that the initial phase of construction is planned for 2020. The phase 2 fields are in the City's 5 year CIP. There have not been any formalized talks about improvements to the trails at this point. Mr. Allen added they have a meeting at DPW tomorrow and will talk to the director about that. The Recreation Department will be responsible for the maintenance of the fields. They would have to monitor that area and give directions about drop off. They will look at the walkways, but there is nothing in the plan to start upgrading them yet. They will work with DPW to assess the conditions.

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. Desfosses moved to recommend approval to the Planning Board, seconded by Mr. Cracknell with the following stipulations:

- Plan to be updated to show Directional signage added in area of roundabout per MUTCD standards.
- No parking sign to be included in front of the 8' wide handicap access aisle in the parking lot.
- Plan to be updated to show a minimum 20' drive aisle un-impacted by parking access for emergency vehicles.

The motion passed unanimously.

C. The application of **The Michael J. Quinn Revocable Trust, Owner** for property located at **55B Market Street**, requesting a Conditional Use Permit in accordance with Section 10.1112.14 of the Zoning Ordinance for provision of no on-site parking spaces where a minimum of three are required for two dwelling units over 750 s.f. Said property is shown on

Assessor Map 106, Lot 25-02 and lies within the Character District 5 (CD5) District. LU #19-199.

SPEAKING TO THE APPLICATION

Mr. Britz commented that there was not a public hearing required and they did not need a vote. This is here for the Committee to provide feedback.

Ms. Harris noted that this was a request to convert a second floor office space to a residential space. If they do that then they are required to have 1.3 spaces of parking per unit. The total required for the site would be 3 spaces. Currently there are no spaces on site. They have leased spaces off site. They will not be creating parking.

Mr. Howe questioned if the whole floor would be one unit. Ms. Harris confirmed that was correct.

Mr. Britz noted that a change from commercial to residential requires additional fire and safety code reviews. Mr. Marsilia confirmed that was correct. Second stories are problematic for egresses. Before the applicant comes back they should schedule a site visit with fire prevention and the building inspector.

TAC Comments:

- The City is requesting utility easements in the courtyard for the purposes of burying power and communications in a future project.

ADJOURNMENT

Mr. Desfosses moved to adjourn the meeting at 3:09 pm, seconded by Mr. Howe. The motion passed unanimously.

.....

Respectfully submitted,

Becky Frey,
Acting Secretary for the Technical Advisory Committee