

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

Remote Meeting Via Zoom Conference Call

Per NH RSA 91-A:2, III (b) the Chair has declared COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-21, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

7:00 pm

DECEMBER 17, 2020

MINUTES

MEMBERS PRESENT: Dexter Legg, Chair; Elizabeth Moreau, Vice Chair; Karen Conard, City Manager; Peter Whelan, City Council Representative; Ray Pezzullo, Assistant City Engineer; Jeffrey Kisiel; Colby Gamester; Jody Record, Corey Clark, Alternate and Polly Henkel, Alternate

ALSO PRESENT: Juliet Walker, Planner Director; Jillian Harris, Planner I

MEMBERS ABSENT: Jay Leduc

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I. PRESENTATIONS

A. Capital Improvement Plan FY22-FY27.

City Manager Conard commented that the CIP process started this summer when department heads and citizen requests highlighted what projects were needed. There have been a series of meetings to inform the public about the CIP progress and provide opportunity for discussion. The City has a policy to use a 2% of the prior year's overall budget to allocate to the CIP. The City is using a stable amount of revenue to fund the CIP. This year especially it was important to be reasonable and cognizant of the effect of the pandemic. The CIP Advisory Committee recommended spending 1.4 million dollars which is 1.24% of the general fund budget. This will ensure the City can maintain infrastructure and other needs. Bonded projects require a separate vote from the City Council. The City Council will review the CIP on January 13, 2021, have a public hearing on February 8, 2021. The final adoption will happen March 8, 2021.

Fire Chief Todd Germain listed the project requests from the Fire Department. The CIP requests include a new ambulance, a fire engine vehicle replacement for FY25, completing the purchase and replacement of all hydraulic tools, protective clothing replacement program, replace all CBA equipment, replace overhead doors at fire station 1 with lighter doors that will last longer.

Police Captain Mark Newport spoke to the Police Departments project requests. The requests included a location study and conceptual designs for a new police station and funding to continue work on deferred maintenance at the existing police station.

The School District representative spoke to the school project requests. Those requests included updates to the Sherburne School, energy upgrades district wide, assessing mechanical systems at Portsmouth High School, a place holder for artificial turf at the high school, infrastructure of irrigation for the athletic complex. There are requests to continue air handling and dehumidification of Franklin School, window replacements at Dondero and Little Harbor, and complete interior renovations at Little Harbor.

City Clerk Kelli Barnaby spoke to the Finance Department requests, which included a request to maintain and upgrade the permanent records storage facility in City Hall, look for an expansion space for storage, restoration of documents themselves, and digitalize, scan, and preserve documents for future needs.

Planning Director Juliet Walker spoke to the Planning Department's requests which generally include allowing funds for purchase of land that the City deems best owned by the City like conservation parcels. This year they are not recommending funding for that to be conscientious of funding. It is recommended funding for every other year in the CIP. Other requests included support documentation for the Historic District Commission with design guidelines, funds to create and implement diversity equity and inclusion, developing engineered plans for the Bond Worth Bridge, continuation of the open space plan, supporting construction of driveway improvements for the Portsmouth Housing Authority project on Court St.

Public Works Director Peter Rice spoke to the DPW project requests. They included money to improve athletic fields, do a study to look at recreation needs, build out the second field at the sports complex behind the DPW building, provide grass at the old stump dump for passive recreation, the continuation of the implementation of the Pierce Island Master Plan, build a new pool house at the Pierce Island Pool, improve playgrounds throughout the City, park improvements, a new gateway sign for the Paul McEachern Park, City tree and greenery maintenance, continuing improvements at Prescott Park, regular park maintenance, improvements to local City emergency shelters, upgrade City hall complex heating system, money for a new transfer station at the DPW, money to upgrade Leary Field complex, cemetery and burial ground maintenance, retaining wall maintenance. The City is working with DOT to use Federal money to put in a sound barrier along the I-95 corridor. There is a citywide facilities programs to address code related items, bury utilities wherever possible, and Hanover Garage maintenance.

The IT Representative spoke to the IT requests. They included the replacement of 77 computers split between City Hall, the Police Department, and the Fire Department, replacement of two servers in the Police Department, technology replacements and upgrades city wide, continuation of project from last year to complete the work of the redundant center, financial software upgrade for the City, record retention software.

Fire Chief Germain noted that another project request was to upgrade the emergency communication systems for efficient emergency operation. There may be grant funding available for this. Police Captain Mark Newport commented that another project request was to replace the CAD operating system because current is beyond end of life.

Public Works Director Peter Rice commented that there were project requests for paving parking lots and meter replacements. Planning Director Juliet Walker commented that funding was requested for the Hampton Bridge Rail Trail. Money has been allocated out of the parking revenue fund for the implementation of a bike/pedestrian path. The PHA requested support for a plan for pedestrian and community space amenities, there is a project to connect the bike/pedestrian path on Middle St. to the downtown, there is a request for implementing a wayfinding system, there is a project identified to look at Middle Road to Greenland Road for traffic calming and bike/pedestrian accommodations, a project to complete the bike/ped plan on Market St. There is a State project for corridor improvements on Route 1 there is a request to create a bike/pedestrian side path on either side of the road. It would be supplemented by State funding. There are project requests to implement traffic calming measurements for Maplewood Ave the downtown, and Elwyn park.

Public Works Director Peter Rice commented that there were project requests for Market Square upgrades, putting in a sidewalk on Sagamore Ave from Odiorne Point to the old moose club, traffic calming on Banfield Rd., routine City sidewalk maintenance, upgrading old traffic signals and controls, intersection improvements. There is funding request for the out year for improvements to the intersection near the Sheridan. One concept is a roundabout. There is funding requests for ongoing maintenance and upgrades to structures, the Cate St. Bridge replacement project, a connection from Coakley to Borthwick Ave. There is a biannual allocation of money for pavement management. The City is responsible for the roads at the Pease Development. DPW works with the PDA to prioritize roadway improvements. Junkins Ave. has been identified for improvements, there is a request to improve drainage at the end of Pinehurst Road and adding curbing on Madison St.

Brian Goetz spoke to the enterprise funds for water/sewer requests. The projects include annual waterline replacements, well station improvements, and reservoir management. There is an out-year project to address flow controls and other upgrades. There is a project to look for a new ground water source, and further exploration of additional sources. There is a project request for water main replacement from the Madbury tank along the Spaulding. There is a funding request for water storage tank painting, perform a comprehensive study of options for the Lafayette Road tank, and funding toward a new water plant.

Terry Desmarais spoke to the sewer requests. There is a funding request for a sewer line replacement, make improvements to the Pease wastewater treatment facility. There is a long-term control plan related to reducing discharge plans for projects, funding for wastewater pumping station replacements and upgrades, expanding the life span of the largest wastewater pumping station which is in need of a comprehensive upgrade. There is a funding request for sewer separation on Woodbury Ave. by the Bypass, construction and installation of a new pumping station so the line on Greenleaf Ave. can be abandoned. There is a Sagamore Ave. sewer extension project.

Public Works Director Peter Rice commented that there was funding requested for a Fleet St. utilities upgrade project and sewer separation project. Funding from DOT is not available for the Maplewood Ave. Bridge, so there will be initial work to extend the life of the bridge, citywide storm water projects have been identified. Terry Desmarais commented that there is a sewer separation project on Willard Ave. and Union St. Public Works Peter Rice noted that

there was a funding request for an expansion project to house equipment, and a phased approach to upgrade the Islington Creek Neighborhood.

Chairman Legg commented that this Board tasked a subcommittee to review the draft with City Staff in the beginning of December. Given the difficult economic climate the committee identified \$200,000 in possible reductions that City Staff agreed was prudent. The CIP shows the complexity of the City and the depth of what we have to do. There was a time when the City did not invest in infrastructure and the City paid the price in not doing that. There needs to be capital improvements to be a thriving and successful City.

Mr. Gamester moved to recommend approval to the City Council, seconded by Vice Chairman Moreau. The motion passed unanimously.

Appreciate tight presentation CL.

II. APPROVAL OF MINUTES

A. Approval of Minutes from the November 19, 2020 Planning Board Meeting

Mr. Gamester moved to approve minutes from the November 19, 2020 Planning Board Meeting, seconded by Ms. Record. The motion passed unanimously

III. DETERMINATIONS OF COMPLETENESS

SITE PLAN REVIEW

A. The application of **Madison Commercial Group, LLC, Owner**, for property located at **150 Mirona Road** requesting Site Plan Review Approval.

Mr. Gamester moved to determine that the application is complete according to the Site Plan Review Regulations and to accept the application for consideration, seconded by Ms. Record. The motion passed unanimously.

SUBDIVISION REVIEW

B. The request of **Richard Boutin, Owner**, for properties located at **200 & 278 Sherburne Road** requesting Preliminary and Final Subdivision (Lot Line Revision) Approval.

Mr. Gamester moved to determine that the application is complete according to the Subdivision Regulations and to accept the application for consideration, seconded by Ms. Record. The motion passed unanimously.

IV. OLD BUSINESS

A. **REQUEST TO POSTPONE.** The application of **Raleigh Way Holding, LLC, Owner**, for properties located at **0 Falkland Way** requesting Site Plan Review approval for the demolition of an existing garage and shed and the construction of a new 4-unit residential building with associated parking, stormwater management, lighting, utilities and

landscaping. Said properties are shown on Assessor Map 212 Lots 112 & 113 and lie within the General Residence B (GRB) District. **REQUEST TO POSTPONE**

Mr. Gamester moved to postpone this request to the next Planning Board meeting, seconded by City Manager Conard. The motion passed unanimously.

- B.** The application of **Thomas Murphy, Owner**, for property located at **95 Dodge Avenue** requesting a Conditional Use Permit in accordance with Section 10.814 of the Zoning Ordinance for the construction of an attached accessory dwelling unit of 745 s.f. gross floor area. Said property is shown on Assessor Map 258 Lot 39 and lies within the Single Residence B (SRB) District.

SPEAKING TO THE APPLICATION

Brandon Holden spoke to the application. The project was back with revisions. The primary change was to shift the door to the side of the ADU. The door can stay within the 750 sf. The bay was elongated on the front and a small entry porch was added. There is a wrapped walkway around to the side entrance. The roof has been simplified. The side view shows the entry porch and there are some shingles on the gable of the entry porch. The ADU siding was changed to be the same as the primary.

Chairman Legg commented that he appreciated that the applicant listened to the Board's feedback and incorporated it into the revised proposal. The new plan meets the concerns by moving the entrance to make it secondary and making the exterior look more uniform, so it reads as one structure.

PUBLIC HEARING

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

DISCUSSION AND DECISION

Vice Chairman Moreau commented that she appreciated the applicant's changes.

The Board voted as follows:

- 1) Vice Chairman Moreau moved to find that the application satisfies the requirements of 10.814.60, seconded by Mr. Gamester.

The motion passed unanimously.

- 2) Vice Chairman Moreau moved to **grant** the conditional use permit as presented, seconded by Mr. Gamester with the following stipulation:

- 2.1) In accordance with Sec. 10.814.90 of the Zoning Ordinance, the owner is required to obtain a certificate of use from the Planning Department verifying compliance with all

standards of Sec. 10.814, including the owner-occupancy requirement and shall renew the certificate of use annually.

The motion passed unanimously.

V. PUBLIC HEARING – NEW BUSINESS

- A. The request of **Richard Boutin, Owner**, for properties located at **200 & 278 Sherburne Road** requesting Preliminary and Final Subdivision (Lot Line Revision) Approval for 2 lots as follows: Lot 76 on Assessor Map 261 decreasing in area from 94,641 s.f. to 35,507 s.f. and Lot 2 on Assessor Map 261 increasing in area from 17,304 s.f. to 76,437 s.f. Said properties are shown on Assessor Map 261 Lots 2 & 76 and lie within the Single Residence B (SRB) District.

SPEAKING TO THE APPLICATION

Paul Dauberstein from Ambit Engineering spoke to the application. The application is for a lot line adjustment. The applicant currently resides at 200 Sherburne Rd. and rents out 278 Sherburne Rd. The applicant is selling 200 and planning to move into 278. The applicant wants to retain the area behind the house. It is a fairly large yard and there is business equipment stored there. The frontage and uses are not changing. One abutter was concerned about the wood boiler that serves as the heating source for 200. A new boiler was installed in 200 and it is awaiting final approval and inspection from the City. Once that is complete the wood boiler will be disconnected and removed from the property.

PUBLIC HEARING

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

DISCUSSION AND DECISION OF THE BOARD

Vice Chairman Moreau moved to **grant** the request, seconded by Mr. Gamester with the following stipulations:

- 1) Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.
- 2) GIS data shall be provided to the Department of Public Works in the form as required by the City.
- 3) The final plat(s) shall be recorded at the Registry of deeds by the City or as deemed appropriate by the Planning Department.

The motion passed unanimously.

- B. The request of the **Service Credit Union, Owner and the City of Portsmouth, Applicant**, for property located at **3003 Lafayette Road** requesting Amended Subdivision Approval for two lots and a proposed new right-of-way for revisions to the stormwater drainage

design. Said property is shown on Assessor Map 291 Lot 1 and lies within the (G1) District.

SPEAKING TO THE APPLICATION

Neil Hanson from Tighe and Bond spoke to the application. This is an amended subdivision application. The original approval was granted in February 2019. Since then, the owner requested to move storm water treatment for a new piece of road. The existing storm water pond is on the lot. The plan is to move the storm water treatment to the rear lot and create a drainage easement for the City. Storm water will be directed to the new rain garden area. This project will need a new AOT permit. Everything else from the original application is the same.

PUBLIC HEARING

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

DISCUSSION AND DECISION OF THE BOARD

Mr. Gamester moved to **grant** amended Subdivision Approval subject to all stipulations of approval by the Planning Board and to all other requirements stated in the Planning Board letter of decision dated February 22, 2019, seconded by Ms. Record. The motion passed unanimously.

- C. The request of **Karen & Rick Rosania, Owners**, for property located at **32 Boss Avenue** requesting a wetland conditional use permit in accordance with Article 10 Section 10.1017 to remove some diseased and damaged trees, install a fence and replace an existing driveway that will result in 1,755 square feet of disturbed wetland buffer area and 545 square feet of disturbed wetland area. Said property is shown on Assessor Map 153 Lot 5 and lies within the Single Residence B (SRB) District.

SPEAKING TO THE APPLICATION

Karen and Rick Rosania spoke to the application. Ms. Rosania commented that they had a licensed arborist assess the tree health of some diseased and damaged trees. The plan is to wait until ground is frozen and they will obtain a second opinion on tree health before any trees are removed. The Rosanias will purchase and plant a wetland soil mix to plant in the disturbed areas, and a wetland tree package to plant in the back. There will be a new fence that will run along the right side and in the back. The posts will be 2.5 inches in diameter and driven in. If there is ledge, then cement will be used for that post. The driveway needs to be replaced because there are large divots. The plan is to install a new rain garden to catch driveway runoff. The Rosanias will work with an expert on the design and installation. They are engaging with a local nursery manager who completed the soak up the rain training program.

PUBLIC HEARING

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

DISCUSSION AND DECISION OF THE BOARD

Vice Chairman Moreau commented that there was a lot of thought that went into this project. The Vice Chair appreciated the time and effort put in. Chairman Legg agreed. This plan was a thoughtful and careful approach.

Vice Chairman Moreau moved to **grant** the request, seconded by City Council Representative Whelan with the following stipulations:

- 1) The applicant shall wait until the ground is frozen before cutting or removing trees.
- 2) The applicant shall have a rain-garden specialist design and install the proposed raingarden.
- 3) The applicant shall minimize the use of concrete during the construction of the fence.

The motion passed unanimously.

D. REQUEST TO POSTPONE The request of **238 Deer Street, LLC, Owner**, for property located at **238 Deer 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 12 spaces are required. Said property is shown on Assessor Map 125 Lot 3 and lies within the Character District 4 (CD4) District. **REQUEST TO POSTPONE**

Mr. Gamester moved to **postpone** this request to the next Planning Board meeting, seconded by City Manager Conard. The motion passed unanimously.

E. The application of **Madison Commercial Group, LLC, Owner**, for property located at **150 Mirona Road** requesting Site Plan Review Approval for the construction of a 5,500 s.f. accessory storage building with associated paving, utilities and drainage infrastructure. Said property is shown on Assessor Map 253 Lot 2A and lies within the Gateway Neighborhood Mixed Use Center (G2) District.

SPEAKING TO THE APPLICATION

Eric Saari from Altus engineering spoke to the application. The existing site has an office building, a bank area in the back is all lawn, a storm water site and storage containers. The applicant has run out of storage room. The proposal is to build an accessory storage building. The drive through will be removed. The entrance will be widened out. There will be two new landscaped islands with three parking spaces. The storage building will be 5,500 sf with the option for 2 floors. There will be a loading and turn around area in the back. There is a connection to the next lot at the request of the fire department. There will be a closed storm water system that will go to a rain garden that

spills to the existing pond. There is a catch basin and culvert to catch all the runoff from Yokens under the rain garden to the existing pond. There will be a new hydrant. There is one light pole and two more will be added. Everything will be dark sky compliant.

Mr. Clark commented that at the Yokens it looked like the top of the pipe is only 5 inches down from the rain garden surface and questioned if that was deep enough. Mr. Saari responded that it was. There will be stone at the bottom of the rain garden, which will prevent frost relief and heaving. Mr. Clark commented that there are a lot of invasive plants in this area and questioned if there was a plan to prevent spreading during construction. Mr. Saari responded that everything will be cleared and grubbed in the back. The large root systems will be screened out of the lawn and then it will be loamed and seeded for grass. Mr. Clark commented that there should be something in place for the contractor to prevent spread.

Vice Chairman Moreau noted that both lots were under common ownership for fire department access, but questions what would happen is one lot sold. Mr. Saari responded that was covered at TAC. A note was added to the plan itself that states if either lot is conveyed out of common ownership, then an easement shall be executed.

Mr. Pezzullo commented that the sewer pipe was listed as a 4-inch diameter, but it needed to be 6 inches. Mr. Saari responded that was a typo and would be updated.

PUBLIC HEARING

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

DISCUSSION AND DECISION OF THE BOARD

The Board voted as follows:

- 1) Mr. Gamester moved to find that a waiver will not have the effect of nullifying the spirit and intent of the City's Master Plan or the Site Plan Review Regulations, and to waive the requirement to provide a Landscaping Plan as listed in Section 6.2 of the Site Plan Review regulations, seconded by Ms. Record.

The motion passed unanimously.

- 2) Mr. Gamester moved to **grant** Site Plan Review approval, seconded by Ms. Record with the following stipulations:
 - 2.1) The site plan and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
 - 2.2) The Utility Plan shall be updated to show a 6 inch sewer line, or as approved by DPW.

The motion passed unanimously.

VI. PRELIMINARY CONCEPTUAL CONSULTATION

- A. The request of **Ricci Construction Co. Inc., Owner**, for property located off **Lafayette Road** requesting Preliminary Conceptual Consultation for a 54-unit multi-family townhouse residential development. Said property is shown on Assessor Map 297 Lot 11 and lies within the Natural Resource Protection (NRP) District and the Gateway Neighborhood Mixed Use District (G1).

Attorney John Bosen spoke to the application. Green and Company is under contract to purchase real estate off Lafayette Rd. The lot in question is 44.4 acres and sits in the NRP and Gateway 1 District. 14.9 acres are in the G1 zone. The plan is to utilize 6 acres. In 1985 land was conveyed for conservation purposes. It may still be considered for density purposes, but the land cannot be developed. The proposal is to put 54 homes on 6.25 acres. The plan needs to provide 10% community space. There is a lot to offer the community. The proposal includes an extensive network of public walking trails and a dog park in the back. That will vastly exceed the 10% minimum that is required. The housing will be suited for Portsmouth's changing demographic and accommodate work force. The target price point for these houses is \$450-550,000. The development will be centrally located to restaurants and shopping areas. The goals of the Gateway will still be met without commercial on the property.

Joe Coronati spoke to the site layout. There are a couple existing ponds on the property. The units' decks will overlook the wetland area and ponds. There will be two car garages and a driveway in the front of each unit. There is no pavement in the buffer. The site is currently a mostly wooded lot. There is currently a driveway on the property, so that will be repurposed for the development driveway. The roadway is 24 feet wide and it will be 750 feet to the intersection. There will be a T shaped turn around and 12-13 visitor parking spaces. There is space for a playground and pocket park outside of the buffer. There will be a mailbox kiosk at the entrance. The perimeter of the site will have buffer trees and fencing. The intent was to stay away from setbacks and work with the current alignment of the roadway. The goal was to make a livable community in a transitional housing market. There is a sewer line that runs through the property in the middle of the wetland area. There is already a trail network on the sewer line and the plan is expand on them to create a larger network. There is a large amount of land in conservation in control by the City.

City Council Representative Whelan questioned if the land went into conservation when the hospital was built. Mr. Bosen responded that he was not sure.

Vice Chairman Moreau commented that overall it was a good project and concept. However, the plan has a lot of units with very little visitor parking. The units will have a driveway and garage. However, if there is a big family holiday, then they will run out of parking. Vice Chairman Moreau questioned how the trash would be handled. It would be good to put utilities underground.

City Council Representative Whelan questioned if the sewer line was in the City right of way. Mr. Bosen responded that he did not know, but they would work with the City on that.

Mr. Gamester agreed with Vice Chairman Moreau's comments about the guest parking. The applicants should be mindful of additional parking and of snow storage. It will be interesting to see what is done with the current dead spaces.

Ms. Walker summarized some of the comments that were raised in the TAC work session. The conservation easement needs to be clarified and reviewed with legal to determine if the trail network would be consistent with the easement. The current public safety access is not acceptable to the fire department, so it will need adjustments. There are capacity issues for utilities and the area will need significant upgrades for water and sewer. The plan has a lot of density for the property. TAC is struggling with the community space requirement. This will come before the Planning Board for a CUP because it is a development site. Community space is required to create public spaces. Staff is struggling if adding trails to an existing open space meets the objective. Staff encouraged the applicants to incorporate community space into the site itself.

Chairman Legg commented that they created the Gateway Districts for live, work and play. This plan doesn't really accommodate that. Life safety is a concern. It would be good to create something more attractive that looks like a neighborhood rather than 54 identical units.

Mr. Bosen commented that they fit the community space on the 6-acre site. It is a unique opportunity to do more. The public will benefit from the expanded community space. The Board shouldn't underestimate the value of trails and a dog park. Chairman Legg encouraged them to create community space in both areas. If the easement allows trails there and dog park, then that's a good idea. There is no reason why there can't be more immediate space to the people who live there. Chairman Legg commented that anyway they can make it more of a neighborhood will help it meet the spirit of the Gateway.

Mr. Coranati commented that the trash will likely be private curbside pickup. There will not be a dumpster.

- B. The request of **31 Raynes, LLC, Owner**, for property located at **31 Raynes Avenue** requesting Preliminary Conceptual Consultation for a 5-story mixed-use building and a 5-story hotel building with associated site improvements. Said property is shown on Assessor Map 123 Lot 13 and lies within the Character District 4 (CD4) District

Patrick Crimmins from Tighe and Bond spoke to the project. Mr. Crimmins commented that this is a mixed use development along Raynes Ave. The project is in the CD-4 district, the downtown overlay, the north end incentive, and the historic district. The two parcels are in common ownership and merged for the project. The proposal is for a 5-story hotel building. They have met with the HDC, TAC, and the Conservation Commission for initial work sessions to get feedback. The intent is to collect all feedback and come back with a formal application. 159 parking spaces are required, but the proposal includes 149 spaces. There are tandem spaces included in the plan that will have parking management like hotel valet. The proposal is dedicating land up to edge of pave and the North Mill Pond for community space. That will satisfy the 20% community space for the fifth-floor incentive. The path will allow for connection of to the North Mill Pond trail to complete the leg to Maplewood Ave. There is an existing easement on the parcel for the City to bring the path through. They got good

feedback at TAC relating to the location of the trail and look at how to interact with the road from an aesthetics and safety perspective. Grading and drainage site located within 100 feet of the pond and will need a CUP. This project will need an NHDES wetland permit for work in the tidal buffer zone. There will be an underground drainage system with storm water treatment units. There is a culvert at the corner of the hotel. This plan would reconstruct the culvert to come down the center of the driveway. This project will need an AOT permit and a Shoreland Protection permit. The seasonal high-water table is probably shallow which will make infiltration difficult. That is why there will be underground detention systems. Utilities will come off Raynes Ave. A second transformer will be needed.

Vice Chairman Moreau was concerned that there was only going to be one entrance in and out for the hotel and mixed-use space. Mr. Crimmins responded that regulations only allow one driveway per lot. That was a fire department concern too. That will be looked at and addressed. Vice Chairman Moreau noted that she was concerned about the amount of traffic this would put onto Raynes Ave. and the intersection of Raynes Ave. and Maplewood Ave. There should be a lot of thought put into that intersection and the intensity of traffic. The trail is close to the pond, so snow storage should be considered. It would be good to make the trail an interesting place for people to use. The parking might be a problem, so they should get creative and look at mitigation aspects. A valet would be helpful. It would be good to have lots of public transit access.

City Council Representative Whelan commented that it was a big parking lot, and it should be broken up. Another two five story buildings along this space makes it a cavernous design there. The trail system along the pond is good.

Mr. Clark questioned if both buildings were out of the extended flood hazard zone. Mr. Crimmins responded that from a grading perspective they were, but one corner of the hotel was close. Mr. Clark noted that putting that boundary on the plan would be helpful. Mr. Clark agreed with the other comments about the parking lot. Mr. Clark questioned if there were any considerations about how the trail would end at Maplewood Ave. Mr. Crimmins responded that they will work with staff closely on how the path will interact with the roadway. Mr. Clark commented that right now the storm water off Raynes Ave. is going into a catch basin and the outfall. It's not hitting adjacent treatment. It would be good to turn that into another treatment unit. It would be good to incorporate solar if possible. It would be good to try put in elements to distinguish the buildings apart.

Ms. Henkel commented that there was a lot of asphalt next to the greenway trails. It would not be good to have pedestrians feel like they are just walking along a parking lot.

Chairman Legg echoed the comments about the parking lot. It is problematic that some of it is in the 50-foot setback. Chairman Legg commented that he would be reluctant for this to go forward with this amount of surface parking. It would be good to figure out how to soften two 5 story buildings.

VII. DESIGN REVIEW

- A. The request of **31 Raynes, LLC, Owner**, for property located at **31 Raynes Avenue** requesting Design Review for a 5-story mixed-use building and a 5-story hotel building

with associated site improvements. Said property is shown on Assessor Map 123 Lot 13 and lies within the Character District 4 (CD4) District.

Mr. Gamester moved to have a Design Review Public Hearing at the next meeting, seconded by City Manager Conard.

City Council Representative Whelan questioned if the applicant should come back with some more changes before coming in for a design review. Ms. Walker responded that the Board can do that and the applicant can come back with some revisions at the next meeting.

Mr. Gamester commented that he was comfortable moving to the next step. The applicant provided a lot of information for the conceptual review and the Board gave good feedback. It will be interesting to see the applicant incorporate changes for the next meeting with a public hearing.

Vice Chairman Moreau agreed with that approach. It would be good to get public feedback.

City Council Representative commented that it would make sense for the Historic District Commission to lead with this before it comes back to the Planning Board.

Chairman Legg commented that it was clear things were going to have to change based on the feedback. It would be good to get public input sooner rather than later. The applicant has done enough work to give a sense of what the project is. Chairman Legg noted that they have run projects parallel with the HDC before, so they did not need to wait.

The motion passed by a 9-0 vote. City Council Representative Whelan voted against the motion.

VIII. CITY COUNCIL REFERRAL

- A.** Report back on letter from resident Tom Morgan requesting zoning amendments to permit solar farms at appropriate locations, and to draft site plan review regulations to protect abutters, the environment, and taxpayers from improper installations.

Ms. Walker commented that Mr. Morgan is asking about zoning for larger solar farms. This is for a 5-acre solar farm. The City has history of supporting alternative energy and low impact development in site plan regulations. The City does not currently allow solar farms. Staff would have to do more review on where they could be allowed. The Sustainability Committee is working on a lot of alternative energy efforts. It would be helpful to get input from them. That can be part of the Planning Board's comments back to City Council.

Vice Chairman Moreau agreed that it would be good to get input and expertise from the Sustainability Committee.

Chairman Legg commented that it doesn't serve anyone well to just change the ordinance and bypass a committee whose role is to think about these things. The Board should recommend that the Sustainability Committee target this request and incorporate into their existing thinking and work. It may lead to a recommended change, but it should go through the structured process of getting there.

IX. OTHER

A. Site Plan Review Regulations public input.

Ms. Walker commented that a letter was included in the packet from Elizabeth Bratter. It came into the Planning Department before the public hearing but was not included in the Board's packet. It was a staff error. The letter has been shared now and the Board can address any items raised.

Chairman Legg commented that if any members of the Board would have thought of this differently with this document in hand or believe it would have influenced or changed public input received, then they should open the public hearing. If not, then there is no reason to open the public hearing.

Chairman Legg commented that having read the comments none of them would have changed his thought or vote, so he wouldn't recommend reopening the public hearing. Ms. Record agreed. Chairman Legg commented that it was unfortunate that it happened. In general, the public feedback as a whole comes in late in the afternoon on the day of the meeting to incorporate into the meeting. It may be worth looking at if there should be a deadline to the written correspondence for public hearings. Ms. Walker commented that the Planning Department developed a policy in response to Covid. They will receive comments to submit up to 4 p.m. on the day of the hearing. The public has been good about following that deadline. Staff puts together and sends out the packet out to the Board. Chairman Legg noted that the people on Boards have jobs and it is hard getting a package of correspondence to review and digest before the meeting. After Covid it may be worth looking at a different timeline. Ms. Henkel noted that it would be good to have correspondence a day before the meeting to give it the time it deserves to review. Vice Chairman Moreau noted that even in person showing up for a meeting with stack of emails at their place does not provide enough time to review. The earlier the correspondence is received the more time there is to review it. Ms. Walker noted that Staff would welcome that and have struggled with it for a long time. It should be a consistent policy that all Boards adopt.

City Council Representative Whelan noted that it would be fairer to the applicant too. It would be good to give them time to review the public submissions instead of trying to do it on the fly. It would be fairer to everyone.

Chairman Legg noted that this was Jody Record's, Jeffrey Kisiel's and Jay Leduc's last meeting and thanked them for their service on the Board.

X. ADJOURNMENT

Ms. Record moved to adjourn the meeting at 10:22 p.m., seconded by Mr. Kisiel. The motion passed unanimously