

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

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

**2:00 PM**

**November 1, 2022**

**MINUTES**

**MEMBERS PRESENT:**

Peter Stith, Chairperson, Principal Planner; David Desfosses, Construction Technician Supervisor; Patrick Howe, Deputy Fire Chief; Shanti Wolph, Chief Building Inspector; Peter Britz, Environmental Planner; Zachary Cronin, Assistant City Engineer, Eric Eby, Parking and Transportation Engineer, Michael Maloney, Deputy Police Chief, Nicholas Cracknell, Principal Planner;

**MEMBERS ABSENT:**

**ADDITIONAL**

**STAFF PRESENT:** Beverly M. Zendt, Planning Director; Stefanie Casella, Planner 1

[] Brackets denote timestamps in recording.

[6:20] Chair Stith opened the meeting.

[6:42] Chair Stith acknowledged that there were two postponements, one for 375 Banfield Road and one for 212 Woodbury Avenue, these were listed as items A, D, and E under Old Business.

**I. APPROVAL OF MINUTES**

- A.** Approval of minutes from the October 4, 2022 Site Plan Review Technical Advisory Committee Meeting.

[7:29] Mr. Britz made a motion to approve the minutes from the October 4<sup>th</sup>, 2022, meeting. The motion was seconded by Mr. Wolph. The motion passed unanimously.

**II. OLD BUSINESS**

**A. REQUEST TO POSTPONE** The application of **Banfield Realty, LLC, (Owner)**, for property located at **375 Banfield Road** requesting Site Plan review approval to demolish two existing commercial buildings and an existing shed and construct a 75,000 s.f. industrial warehouse building with 75 parking spaces as well as associated paving, stormwater management, lighting, utilities and landscaping. Said property is shown on Assessor Map 266 Lot 7 and lies within the Industrial (I) District. **REQUEST TO POSTPONE** (LU-20-259)

**B.** The request of **Port Harbor Land, LLC (Owner and Applicant)**, for property located at **2 Russell Street** requesting Lot Line Revision Approval to adjust the boundary lines on three lots to create one lot with 18,237 square feet (0.418 acres) of lot area, one lot with 52,651 square feet (1.209 acres) of lot area, and one lot with 19,141 square feet (0.429 acres) of lot area. Said properties are located on Assessor Map 118 Lot 28, Map 124 Lot 12, and Map 125 Lot 21 and lie within the Character District 5 (CD5), North End Incentive Overlay District, Historic District, and the Downtown Overlay District. (LU-22-111)

\*Please see item C

**C.** The request of **Port Harbor Land, LLC (Owner and Applicant)**, for property located at **2 Russell Street** requesting Site Plan Approval for the construction of 84 residential units, commercial space, and parking in three buildings with associated community space, paving, utilizes, landscaping, and other site improvements including three proposed land transfers to allow for the realignment of the Russell Street & Deer Street intersection and for the City's future construction of a roundabout at Russell Street and Market Street (Land transfer area 1 is proposed from Map 119 Lot 4 to the City of Portsmouth. Land transfer areas 2 and 3 are from Map 119 Lot 1-1C to the City of Portsmouth); Conditional Use Permit Approval to provide 334 parking spaces on separate lots where 341 spaces are required as permitted under Section 10.1112.62 of the Zoning Ordinance; and Conditional Use Permit Approval to allow a 40,000 square foot building footprint within the CD5 as permitted under 10.5A43.43 of the Zoning Ordinance. Said properties are located on Assessor Map 118 Lot 28, Map 124 Lot 12, Map 125 Lot 21, Map 119 Lot 4, and Map 119 Lot 1-1C and lie within the Character District 5 (CD5), North End Incentive Overlay District, Historic District, and the Downtown Overlay District. (LU-22-111)

[7:38] Chair Stith introduced this application.

## **SPEAKING TO THE APPLICATION**

[9:58] Neil Hansen and Patrick Crimmins from Tighe & Bond along with Ryan Plummer from Two International Group spoke to this application. First, Mr. Hansen responded to the latest round of comments from staff and peer reviews.

[10:41]

1. Peer review comments will be read at the end.
2. They will make the speed bump a hump.
3. A revised version of a building footprint was provided via paper copy which the staff will need to review.
4. The specified parking space will be illuminated.
5. The building with proposed revisions would have to be moved out of the existing sewer easement but they will instead be leaving it as is and will take care of moving the sewer across the railroad so that the building could be left where it was originally intended.
6. They acknowledge that they will have to work with the Trees and Greenery Committee to approve the tree grades, planting details and planting species.
7. They acknowledge that they will need approval from the Parking and Traffic Safety Committee along with City Council for on-street parking changes.
8. They acknowledge that they will be repaving Deer and Russell Street.
9. They are fine with revising the crosswalk for Deer Street at Portwalk Place to make it a high visibility, at grade crosswalk with RRFBs.
10. They are fine revising the streetlight locations in terms of their proximity to crosswalks.
11. They will provide sharrow markings every 100 feet.
12. They will add a ONE-WAY sign with the DO NOT ENTER sign at the shared roadway onto the plan set.
13. They will be removing the left/through pavement arrow on Deer Street at Russell Street.

[17:02] Mr. Hansen proceeded to go over peer review comments received from TEC.

1. They will be adding a stop sign at the northerly end of Green Street.
2. They will be adding details to the RRFBs and push buttons for the crosswalk from Portwalk Place.
3. They will be copying DPW on all communications with the railroad company.
4. They have added the fence alongside the railroad side. TEC raised concerns about snow storage to which Mr. Hansen mentioned that they will be hauling snow off site.
5. Lastly, TEC recommended gated access between buildings two and three or a no public parking sign. Mr. Hansen said that they will be adding a sign and not a gate.

[19:29] Mr. Hansen proceeded to go over stormwater comments they had received from CMA.

1. They were asked to provide supporting documentation on the elevation of the onsite ledge to which Mr. Hansen said they have in a ledge-profile plan which they will provide.
2. The last CMA comment was regarding further infiltration at the site to which Mr. Hansen noted that they were not interested in infiltration due to the proximity of the buildings and foundations on the site.

[25:28] Mr. Hansen responded to comments from Mr. Desfosses that they will be adding a construction access easement to their plan so that there will be construction access for the roundabout construction in the future.

## **PUBLIC HEARING**

[27:31] Chair Stith opened the public comment portion of the hearing. No one spoke. The public hearing was closed.

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

[28:17] Ms. Zendt mentioned that there were several outstanding revisions that needed to be completed. These included the sewer main needed to be located, the crosswalk will need to be revised, the final locations for the streetlights need to be finalized, sharrow markings need to be set, a ONE-WAY sign needs to be added along with multiple smaller notes, easement plan updates and plan additions. Ms. Zendt would like to see the plans again, especially to confirm the parking plans.

[31:15] The attorney for the project, John Lyons, spoke to the parking plan with a letter in response to the letter provided by the attorney for the neighboring condo association, Mr. Gormley about the 58 deeded parking spaces. He noted that his client would honor those parking spaces and that they would not be stacked parking systems.

[39:36] Mr. Eby made a motion to recommend approval of the project to the Planning Board with the following conditions:

Conditions to be satisfied prior to the Planning Board Submittal date:

1. Applicant will update the access easement plan to provide a temporary construction access easement across the entirety of map 119 lot 4.
2. Applicant will provide a letter with their next submission addressing the changes that have been made to the plan set as a result of the TAC stipulations of approval or further project development.

Mr. Desfosses seconded the motion. The motion passed unanimously.

**D. REQUEST TO POSTPONE** The request of **Frederick J. Bailey III & Joyce Nelson (Owners)**, and **Tuck Realty Corporation (Applicant)**, for properties located at **212, 214, and 216 Woodbury Avenue** requesting Preliminary and Final Subdivision Approval for a Lot Line Relocation to create the following lots: Proposed Lot 1 to be 60,025 square feet of lot area where 26,012 square feet are existing, Proposed Lot 2 to be 12,477 square feet of lot area where 29,571 square feet are existing, and Proposed Lot 3 to be 7,917 square feet of lot area where 24,836 square feet are existing. No changes in street frontage are proposed. Said properties are located on Assessor Map 175 Lots 1, 2, and 3 and lie within the General Residence A (GRA) District. **REQUEST TO POSTPONE (LU-22-129)**

**E. REQUEST TO POSTPONE** The request of **Frederick J. Bailey III & Joyce Nelson (Owners)**, and **Tuck Realty Corporation (Owner and Applicant)**, for properties located at **212 Woodbury Avenue** requesting Site Plan Approval for the construction of an eight-unit condominium development consisting of four (4) single living-unit structures, two (2) two-unit structures, 18 parking spaces where are 13 required, and associated stormwater, utility and site improvements with access to the development from Boyd Street. Said properties are located on Assessor Map 175 Lot 1 and lies within the General Residence A (GRA) District. **REQUEST TO POSTPONE (LU-22-129)**

**F.** The request of **Tom Balon and EightKPH, LLC (Owner and Applicant)**, for property located at **161 Deer Street** requesting Site Plan Review approval for the construction of a four (4) story building to include a penthouse, commercial space, 19 dwelling units, and associated site improvements. Said property is shown on Assessor Map 125 Lot 17-3 and lies within the Character District 5 (CD5), Downtown Overlay, North End Incentive, and Historic Districts. (LU-22-173)

[40:31] Chair Stith introduced this project.

#### **SPEAKING TO THE APPLICATION**

[41:11] John Chagnon of Ambit Engineering, Carla Goodnight the project architect, Terrence Parker of Terra Firma and the landowner/applicant presented this application.

[42:15] Mr. Chagnon spoke to the comments they had received from staff.

1. The applicant has been working with Jamie McCarty to pick a new address due to 88 Maplewood not being available. The applicant has settled on 70 Maplewood Avenue being the new address.
2. The number of street trees being proposed is keeping with the zoning ordinance. The area in the northern corner of the property is near electrical lines and equipment, making it difficult to place trees but one additional tree has been added to the updated plans. They will work with Eversource on where they can locate more trees.
3. They did submit a TAC response letter on September 6<sup>th</sup> and will do that going forward.
4. The former driveway plan that would exit off Maplewood has been changed to now exit from the west side of the building.
5. The community space and park has been redesigned and connected to Deer Street on the west side. The calculations have been updated.
6. The demo plan now shows that there will be no need to cut into Deer Street to cap the existing utility services. The 6" sewer line will need to be terminated at the main.
7. On Sheet C3 they have added a new location for the wayfinding sign, and they will have to coordinate with the Trees and Greenery Committee.
8. On Sheet C4 they have extended the sprinkler room.
9. The streetlight is currently shown being connected to the Eversource box. They will insert a pole box right next to the structure and run a new pole box right into the light fixture across the street.

10. On Sheet C5 they have updated the note to say extend existing water stubs to building.
11. They will add City standard lighting details to the plan set.
12. They have submitted a turning template in the most recent submission.
13. They will pay the stated contribution for the corridor signal system.
14. Mr. Parker met with the Trees and Greenery Committee on September 14<sup>th</sup> to go over the tree and tree grate details and they approved of what was proposed.

[56:47] Mr. Desfosses expressed concern for the width of the garage door as it pertains to the turning templates. The applicant will work with Mr. Eby to determine the minimum width needed for the entrance.

[57:58] Mr. Chagnon mentioned that they are proposing on the utility plan that they will be placing another junction manhole on the 163 Deer Street property.

[58:53] Mr. Chagnon said that there will be a second easement put into place for an Eversource manhole that will be for pulling wires through for the new transformer in the northeast corner. This will be the second easement for Eversource, and it will be noted in the plan.

[1:00:05] Mr. Parker gave an overview of the community space and what it will look like. It will be defined by a historical-themed metal screen that will replicate the urban renewal history of the west end of Portsmouth. It will be a passive urban park with many trees, a stormwater infiltration area and three different sitting areas. It will be ADA accessible.

[1:03:32] Mr. Cracknell shared his concerns about how the current design of the metal screen might not be very inviting to a passerby. This could be fixed by reducing the length of the screen so that it does not wrap around three sides and by making it easier to walk through. This public pocket park needs to be obvious to passersby that it is public access space.

[1:05:15] Mr. Parker stated that they had discussed using poly-wrap on the transformers with Eversource, but they rejected that idea and said it was not allowed in this area. This would have screened the transformers. They are open to redesigning the edge of the walkway to cut into some of the greenspace and round the corner so there is a better view of the park from the outside.

[1:13:21] Mr. Eby brought up that the driveway needs some sort of device to let traffic and pedestrians know that someone is exiting the driveway and entering traffic.

## **PUBLIC HEARING**

[1:14:03] Chair Stith opened the public comment portion of the hearing. No one spoke. The public hearing was closed.

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

[1:19:01] Mr. Desfosses made a motion to recommend this project to the Planning Board with the following conditions:

Conditions to be satisfied prior to the Planning Board Submittal date:

1. Applicant will update plan set to reflect proposed 70 Maplewood address.
2. Applicant will update landscaping plan to add additional tree to northern corner of the property as presented to TAC at the 11/1 meeting.
3. Applicant will update the demolition plan to show existing water and sewer service is terminated at the main. Updates to be reviewed by Department of Public Works.
4. New proposed location of wayfinding sign (Sheet C-3) will be reviewed and approved by Department of Public Works.
5. New layout of the sprinkler room will be reviewed and approved by Department of Public Works.
6. Applicant will update street lighting circuit to originate from a streetlight or street light pull box for Department of Public Works review and approval.
7. Updated language pertaining to extending existing water stubs to building (call out box in southern corner of proposed building, sheet C-5) will be reviewed and approved by DPW.
8. Applicant will update standard light pole detail to be consistent with the City standard pole detail for Department of Public Works review and approval.
9. Applicant will work with Eric Eby to determine proper width of parking level entrance.
10. Applicant will make a \$50,000 contribution to the Maplewood Avenue corridor video detection signal system.
11. Applicant will include all approvals from Trees and Greenery with the updated submission
12. Applicant will update plans to include revised existing easement and proposed easement(s) with Eversource and will coordinate with the Department of Public Works to create a new easement around the drain line to the west of the building if needed. Applicant will also confirm how access rights are being provided across adjacent lot and provide an access easement if needed. If total number of easements equals 3 or more, applicant will provide an easement plan with unique identifiers and corresponding table.
13. Applicant will update plans, related notes, and detail sheets to include a pedestrian and vehicle warning at the garage entrance to be reviewed and approved by Department of public works.
14. Applicant will present a redesign of the pocket park entrance at Maplewood Avenue to increase radii of walkway and encourage better pedestrian circulation to Nick Cracknell in the Planning Department.
15. Applicant will provide a letter with their next submission addressing the changes that have been made to the plan set as a result of the TAC stipulations of approval or further project development.

Mr. Howe seconded the motion. The motion passed unanimously.

- G.** The request of **Seaport Realty LLC (Owner)**, for property located at **85 Daniel Street** requesting Site Plan Approval to add a two-story rear addition and convert the existing structure into a four unit building consisting 2 apartments and 2 live/work units with associated stormwater, utility and site improvements. Said property is shown on Assessor Map 107 as Lot 8 and lies within the Character District 4 (CD4) and Historic Districts. (LU-22-75)

[1:20:30] Chair Stith introduced this project.

## **SPEAKING TO THE APPLICATION**

[1:20:59] Chris Mulligan from Bosen and Associates, Mark Gianniny and Richard Desjardins from McHenry Architecture and the owner of the property Nate Cheney. Mr. Mulligan stated that the significant changes that occurred since the previous TAC meeting include what is shown in the new site plans. They are proposing to install parking lifts in the covered garage to meet a total of six off street parking spaces. They have reworked the basement egress stairway to bring it into compliance. The other changes requested were addressed in the submission and were relatively minor. They provided hard copies to TAC members during the meeting that showed greater detail on the proposed parking lifts.

[1:24:23] Mr. Cracknell asked the applicants why the garage stepped down from the ceiling.

Mr. Gianniny responded that it is likely for allowing drainage of the deck space above.

[1:24:45] Mr. Cracknell asked if there was a sensor proposed for the ceiling of the garage to prevent the car lifts from hitting the ceiling.

Mr. Gianniny responded that he hadn't looked that far into the specifications of the controls.

[2:25:37] Mr. Eby asked how people were supposed to enter the garage, whether through the garage or internally.

Mr. Gianniny responded that it would be either the garage door or the one leading from the center corridor internally.

[1:26:05] Mr. Howe asked if they planned for twenty inches on either side of the slip machine.

Mr. Gianniny responded that he did not know off the top of his head.

[1:27:05] Mr. Wolph expressed his concern that vehicle owners will only have twenty inches to spare to get out of their vehicle and get into the apartment. It was clarified that it would only be twenty inches in one area between the hydraulic post and the wall.

[1:27:47] Mr. Howe asked what the width was from the edge of the post to the edge of the ramp.

[1:28:10] Mr. Desjardins responded that it is another added foot roughly from the runaways.

[1:33:51] Mr. Cracknell asked if the units were going to be apartments or condos.

Mr. Cheney responded that they will be apartments to begin with and then will likely turn to condos. His intention is to rent out each unit.

[1:34:31] Mr. Wolph asked for clarification on the spacing inside the garage with the car lift system centered. He raised a concern for space that residents have upon entering the garage and having potentially only ten inches between themselves and the lift system.

[1:36:04] Mr. Cracknell asked how the garage door would open and close and where it would ultimately slide, stating that they may need a hinge or barn-style door.

[1:39:15] Mr. Wolph noted that the lift needs to meet the most recent international building code standards that apply.

## **PUBLIC HEARING**

[1:39:48] Chair Stith opened the public comment portion of the hearing. No one spoke. The public hearing was closed.

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

[1:44:08] Mr. Howe made a motion to recommend approval to the Planning Board with the following condition:

To be satisfied prior to the Planning Board submittal date:

1. Applicant will work with Fire and Building department to confirm proposed lift system is compliant with building and life safety codes or will request a parking Conditional Use Permit.

Mr. Britz seconded the motion. The vote was unanimous.

## **III. NEW BUSINESS**

- A.** The request of **Jonathan Watson Sobel Revocable Trust (Owner)**, for property located at **49 Sheafe Street** requesting preliminary and final subdivision approval to subdivide one (1) lot with an area of 5,402 s.f. and 50.55 ft. of continuous street frontage on Sheafe Street and 22.93 feet of frontage on Custom House Court into two (2) lots as follows: Proposed lot 1 with an area of 1,855 s.f. and 22.93 ft. of continuous street frontage on Custom House Court; and Proposed Lot 2 with an area of 3,548 s.f. and 50.55 ft of continuous street frontage on Sheafe Street. Said property is shown on Assessor Map 107 Lot 21 and lies within the CD4 and Historic Districts. (LU-22-179)

[1:44:36] Chair Stith introduced this project.

## **SPEAKING TO THE APPLICATION**

[1:45:35] John Chagnon of Ambit Engineering and Chris Mulligan of Bosen and Associates presented this application with the property owner, Johnathan Sobel attending virtually. This application came from a work session with TAC, and they have worked through previous comments to incorporate changes into their newest plans. They have included dimensional

requirements in note seven, all proposed easements in an easement plan, and a new water service plan.

[1:49:07] Mr. Howe asked the applicant if they have explored the addressing issue and mentioned that one lot should be a Custom House Court address.

Mr. Chagnon responded that the address issue had been addressed and that Lot 1 would still have a Sheafe Street address.

[1:52:19] Mr. Howe asked that a note be added to the plans that says that addressing will be discussed by DPW and the fire department.

[1:57:10] Mr. Cracknell suggested that the address be moved after the approval from the Planning Board but prior to recordation and then there would be no zoning violation.

Further discussion commenced on the reasons for a new address being needed, including safety issues and police/fire access along with setback requirements.

[2:13:29] Ms. Zendt announced that TAC will be recommending a site walk for this application.

[2:14:25] Mr. Cracknell made a motion to continue consideration to the December TAC meeting in order to conduct a site walk. Mr. Desfosses seconded the motion. The vote was unanimous.

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

- B.** The request of **One Market Square LLC (Owner)**, for property located at **1 Congress Street** requesting Site Plan Review approval for the partial demolition and expansion of the existing structure to construct a 3-story building with 58,780 square feet of gross floor area, 12,080 square foot building footprint, 13 parking spaces, and associated onsite and offsite improvements. Said property is shown on Assessor Map 117 Lot 14 and lies within the Character District 4 (CD4), Character District 5 (CD5), Downtown Overlay (DOD), and Historic District. (LU-22-12)

[2:16:34] Chair Stith introduced this project.

## **SPEAKING TO THE APPLICATION**

[2:17:16] John Chagnon of Ambit Engineering, Mark McNabb the developer, Tracy Kozak the project architect and Terrence Parker the landscape architect came to present this application. Mr. Chagnon went over the comments received the day prior from staff.

1. They are expecting that this project will require a CMMP plan and the only license agreements they see will be the awnings on the sidewalk.
2. The catenary lights over the streets would be some form of an easement or license.
3. They do not anticipate any licensing needed for street work.
4. They will be closing High Street to do underground utility work on the street.

5. The applicant is waiting on City staff to inform them of off-site improvements needed and they are proposing to get rid of the curbs on High Street and make it similar to Chestnut Street.

[2:25:13] Mr. Cracknell asked Mr. McNabb if he was still considering off-site improvements to Ladd Street.

Mr. McNabb responded that they were still considering it, but their main concern is that they have tried all year to get feedback from the City and they would like to improve it. At some point Mr. McNabb needs to move forward with none of the off-site improvements.

[2:26:34] Mr. Cracknell assured Mr. McNabb that the City will gather a group to address these issues that will convene to work through the proposed plans quickly and be in contact with Mr. McNabb. He also confirmed that the new street would eventually be handed over to the City for long term maintenance like how Chestnut Street was handled.

[2:28:42] Mr. Desfosses expressed his concern for the staircase that leads down to Fleet Street because there would be no place to clear or store snow.

Mr. McNabb responded that he is willing to take care of the snow storage and removal in that area.

[2:30:20] Mr. Chagnon continued listing off and responding to the comments from staff. He stated that they will provide an updated average grade plan and building height plan. In response to the comment about dumpster placement, Mr. McNabb said they are open to moving the dumpster locations. They will meet separately with DPW to discuss some items, including lighting options. They intend to meet ADA compliance with the serpentine handrail in the alleyway.

[2:39:57] Mr. Cracknell reminded the applicant that they need to go back to the Historic District Commission for the modifications.

Mr. McNabb responded that they have refiled their application with the HDC.

## **PUBLIC HEARING**

[2:41:12] Chair Stith opened the public comment portion of the hearing. No one spoke. The public hearing was closed.

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

[2:41:27] Mr. Cracknell made a motion to continue this application to the next TAC meeting. Mr. Cronin seconded the motion.

## **IV. OTHER BUSINESS**

**V. ADJOURNMENT**

[2:41:38] Mr. Cronin made a motion to adjourn the meeting. The motion was seconded by Mr. Desfosses. The vote was unanimous.

The meeting adjourned at 4:42 pm.

Respectfully submitted,

Kate E. Homet  
Secretary for the Technical Advisory Committee