

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

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

**2:00 PM**

**June 7, 2022**

**MINUTES**

**MEMBERS PRESENT:**

Peter Stith, Chairperson, Principle 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; Nicholas Cracknell, Principal Planner

**MEMBERS ABSENT:**

**ADDITIONAL**

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

**I. APPROVAL OF MINUTES**

- A.** Approval of minutes from the May 3, 2022 Site Plan Review Technical Advisory Committee Meeting.

Mr. Stith attended via Zoom.

Mr. Britz moved to approve the minutes from the May 3, 2022, Site Plan Review Technical Advisory Committee Meeting, seconded by Mr. Desfosses. The motion passed unanimously.

**II. OLD BUSINESS**

- A.** 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. (LU-20-259)

## **SPEAKING TO THE APPLICATION**

Joe Coronati, Bill Wilcox and Rob Graham spoke to the application. Mr. Coronati noted that they have been here multiple times and have satisfied all previous outstanding items. They have been working with the State on permits. The offsite work on Banfield Rd. has been completed. Mr. Wilcox is here to speak on any environmental questions.

Mr. Britz commented that the DES letter from April 21, 2022, showed that there were a lot of contaminants that have been found on the site and some of them are at unacceptable levels. It would be good to have an update on that sampling and where they were on that.

Mr. Wilcox responded that they submitted a remedial action plan to DES and the EPA. They worked with DES and separated the upland portion from the lower portion of the site. The upland is where the development will be, and the concerns are lead and PCBs in the soil. The action plan is to remove three PCB hotspots. Then they will move all the impacted soil to either beneath the building, asphalt, or an engineered barrier that has 2 feet of cover. Everything on the inside of the disturbance area of the project will be removed or capped. The remedial action plan does not address the low land wetland area. DES has given them a timeline to develop a work plan for that lower portion. They were asked to monitor the PFAS in the ground water at a spring and fall event. They have performed the spring event and the results are pending. They don't have feedback from the State on the plan yet. The EPA has 30 days to comment, or it's assumed that it is approved. The DES will review this over the next several weeks.

Mr. Britz clarified that the remedial action plan was only for the development area in the upland. Everything will be removed or capped. Then another remedial action plan for the low land area will be created. Mr. Wilcox confirmed that was correct. They will remove all the topsoil because it's technically not suitable. There is a lot of PCB contamination in the topsoil. There are three hot spot areas that will be removed for disposal. All other contamination will be relocated beneath the building, asphalt, or engineered barrier. The low land will have its own work plan remediation and that will be reviewed by the State separately.

Mr. Britz commented that they still don't know what the State will say in terms of putting a building there. Mr. Wilcox responded that the State conceptually agrees with the strategy, so they are expecting a favorable outcome. Mr. Britz commented that they should have that in writing before moving forward. The lowland part is also part of the site. They need to understand how they are protecting the workers and people who live there. This may need a third-party review. Mr. Britz had a lot of concerns about what has not been resolved yet.

Mr. Graham commented that they were hoping to move on to Planning Board with the DES approval as a condition of approval.

Mr. Britz commented that there were still a lot of outstanding pieces. Mr. Graham responded that they would not be able to work the site until they received approvals from the DES and EPA.

Mr. Wolph commented that no physical site work will be performed until all the approvals are in. They could move this along in the spirit of moving it forward. It is all conceptual at this point until the approvals are in. Mr. Britz commented that he was concerned that there are two areas. One is close to completion and the other is a long way off. The whole site has contaminants on it. The applicants didn't put it there, but it needs to be remediated at some point. It is unclear how that might impact the project design. Mr. Britz noted that he could not vote for it yet. They need the response from DES. Mr. Graham commented that they didn't pollute the site. The development in phase 1 improves the condition of the site and stops continued contamination on the site. The last project they did on Cate St. involved excavating the entire site. This project is a win, win for the community and the development. Getting the project going is what pays the bills to do this type of work. They don't expect to go to the Planning Board until they have DES and EPA approvals. The low land remediation will take several years. That portion doesn't impact the development. The sooner we do the development the better it will be for the entire site. They wanted to come in and give an update. They need some help and need someone to work with them. They are trying to do the right thing.

Mr. Wilcox commented that the upland portion has a car crusher and cars, and the low land has a landfill. The entire area of disturbance for the warehouse project will be remediated to meet State standards, and then it will be deed restricted. The soil in that entire area will be removed and disposed of or encapsulated. All storm water will be captured in retention systems and discharged after treatment. The State felt that they could separate the two portions of the site because the contaminant sources are different. It will also be a net improvement for the property environmentally speaking. Mr. Britz responded that he understood there would be a cap. But they still don't know enough. It would be nice to have a third-party review for the remediation plan. Mr. Graham commented that they reached out to the environmental company the City recommended to review this. DES and the EPA are the governing body to review this. There is a lot of oversight on this already. They need to get moving this. Mr. Britz commented that they need the results first before moving on.

Ms. Zendt questioned what the timeline was for the State review. Mr. Wilcox responded that it should be within the next 30-90 days. The upland portion of the site is pretty straight forward. There is a soil management plan that includes how they will remove and dispose of it. There is a storm water plan. There is a plan for how to remove solid waste material if any is found. It will end with a structured cap. This is a net improvement for the site. The science behind the upland is pretty straight forward.

Mr. Britz questioned if they were committed to cleaning up the lowland portions. Mr. Graham confirmed they were. They own the site and are committed to dealing with it. It requires sophisticated testing and that takes time. They worked with the State to identify how to break up the project to get moving on some of it while they continue to study the rest of it. Mr. Wilcox added that the remedial action plan is consistent with what was discussed with the State. This is what they expected.

Mr. Desfosses questioned what the timeline was for the lowland part of the site. Mr. Wilcox responded that the first phase is to get the work plan in by the end of 2023. That will begin their review process. After that they will begin construction on the low-lying areas.

Mr. Howe questioned if they determined that the work on the upper section will not negatively impact the lower section. Mr. Wilcox confirmed that was correct. The was the finding of the State and it was included in the letter.

Mr. Wolph questioned if it would be a requirement from the State to remediate the lower portion. Mr. Graham confirmed that was correct. This should have been completed 10 years ago, but lack of oversight let it go. They have taken over the site with the understanding that they need to get it into compliance. They own a lot of real estate in the town and have completed these types of projects here in the past. It is a complex issue that takes cooperation from the City to accomplish that. It is reasonable to request a third-party review, and they have done that in the past.

Mr. Cronin commented that the fire service coming in should be an 8-inch line not a 6 inch.

TAC Comments:

1. This project was postponed while awaiting results of groundwater and soil sampling of the site for contamination. Please provide a project summary according to the findings as stated in the letter from NH DES dated April 21, 2022.

Prior to Construction

2. City to require a third-party environmental firm during construction.

**PUBLIC HEARING**

David Ecker of 422 Banfield Rd. lives across from the site. Mr. Ecker commented that the City should be responsible for this site, not Mr. Graham. The contamination is on Mr. Ecker's site as well. It's killing animals on his property. Nothing should happen on the property until it is cleaned up. The water in the well on Mr. Ecker's property is unsafe to drink. Mr. Ecker had the water tested on his site and sent the results to the Planning Board, City Council and the City Manager. No one responded. Nothing should be done on this property until they have a plan to clean it up. They need to make sure the water coming through the pipe to his property is clean.

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

**DISCUSSION AND DECISION OF THE BOARD**

Mr. Britz commented that they should wait to hear more from DES.

Ms. Zendt questioned what the compliance mechanism was for developing a remediation plan for the low land portion. Mr. Wilcox responded that the State has issued a site number for the project. Now they have a timeline for completing steps in the process. If they are not completed, then the State can issue a penalty. Mr. Graham commented that they were led to believe certain things when they bought the site. After they investigated and found they were out

of compliance, they opened that file immediately and began working to get the site in compliance.

Mr. Wilcox noted that he was the environmental consultant on the project. This team has given them the leeway to do whatever steps are needed to get this cleaned up. They have done hundreds of borings and samples to understand the contamination. The State found it appropriate to divide the site because the contaminants are so different between the upland and low land portions. They can create a net improvement by doing the upland first and then they will put forth a schedule to remediate the low land portion. There has been a lot of work done on this site and they have a timeline.

Mr. Britz moved to postpone consideration to the July meeting, seconded by Mr. Howe. The motion passed unanimously.

- B.** The request of **The Sagamore Group, LLC, (Owner)** for properties located at **1169 Sagamore Avenue and 1171 Sagamore Avenue** requesting Site Plan Review approval for the demolition of 3 existing principal structures (3 single family units) and 3 existing accessory structures to be replaced with 6 single family structures and 2 2 family structures to total 10 living units and 22 parking spaces where 15 is required. Said properties are shown on Assessor Map 224 Lot 14 and Assessor Map 224 Lot 15 and lie within the Mixed Residential Office (MRO) District. (LU-21-167)

## **SPEAKING TO THE APPLICATION**

Joe Coronati and Mike Garrepy spoke to the application. Mr. Coronati commented that they were asked to look at an overflow construction of a culvert on Sagamore Ave. for off-site improvements. They submitted design work and it has been reviewed and signed off on by a third-party consultant. Part of the design work included work in the wetland buffer. They previously submitted a site plan application but could not edit the old application to submit this CUP application. They worked with Staff on how to submit and submitted a cover letter that answered all the CUP questions. They need to meet with the Conservation Commission on this still as well.

Mr. Britz commented that they need to be submit this as a stand-alone CUP application. They can do a separate plan and submit it online and as a hard copy. There is not enough information about the wetland included in the application. Mr. Coronati responded that they were told to put it all in one package. Mr. Britz responded that there should be one package for each application. The site review and CUP should be one packet for the Planning Board. Mr. Coronati responded that they don't have a separate CUP plan set. The cover letter outlines all the information that was requested. Mr. Britz responded that they can work offline on sorting out the application. There is not enough information on the impact and wetland.

Mr. Garrepy questioned if they should schedule a site walk before the Conservation Commission meeting. Mr. Britz confirmed they could set that up. Mr. Garrepy commented that they have satisfied the technical pieces of this plan and were hoping to move on from TAC today. Then they will go through the Conservation Commission and Planning Board.

TAC Comments:

1. Proposed culvert across Sagamore Ave needs a Wetland Conditional Use Permit and City Council approval for work on City property.

**PUBLIC HEARING**

Bill Bowen President of the Sea Star Cove Condo Association commented that they worked with the developers on the landscaping plan between the two properties. There were a couple little trees that still needed to be included on the plan based on those discussions. The complicated water management system and culvert system under the road is critical. Mr. Bowen questioned how they ensure that the plan is implemented correctly in reality. Mr. Desfosses responded that for complicated designs they usually hire a third-party inspector to review it and ensure it will work the way it is intended. DPW and the Planning Department co-lead that effort. Mr. Britz added that the long-term maintenance plan will be included in the home owner documentation and it would be their responsibility.

Michael Simone of 1167 Sagamore Ave. commented that the catch basin near his mailbox should be closer to the sidewalk of Sea Star Cove. That is where the water flows and they should move it to capture it there. Mr. Desfosses agreed. It should be moved to the other side of the driveway. Mr. Coronati confirmed they would update that. Mr. Simone questioned who would be involved in the 2% grade installation. Mr. Desfosses responded that the developer building the project would implement that. The 2% grade is required by ADA code.

The Chair asked if anyone was else 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**

Ms. Zendt requested clarification on the catch basin change that was requested. Mr. Desfosses responded that there are currently 3 catch basins in the State right of way. The one furthest to the north should be relocated to the other side of the driveway to be up hill of the driveway.

Mr. Desfosses requested clarification on why the jellyfish filter was located where it was on the plan. Mr. Coronati responded that was where all pipes came together. Mr. Desfosses questioned if that configuration would work. Mr. Coronati confirmed that it would. They have been working with the manufacturer. Mr. Desfosses noted that it would be easier to clean if it was on the other side of the street, but this location was fine. They should include a letter from the manufacturer stating it will work.

Mr. Desfosses noted that there should be a stipulation for a third-party inspector as well.

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

**Items to be addressed prior to Planning Board approval:**

- 1) Catch basin 3 is to be relocated upgrade to the northern side of the driveway servicing 1167 Sagamore Ave.
- 2) Applicant will provide confirmation from the Jelly Fish system manufacturer that the proposed location is adequate for the system to properly perform its functions.

**Condition Precedent:**

- 3) The proposed culvert across Sagamore Ave will need a Wetland Conditional Use Permit and City Council approval for work on City property.

**Condition Subsequent:**

- 4) Third party inspection of stormwater, sewer, water, and sidewalk installation is required.

The motion passed unanimously.

- C. The request of **HCA Realty Inc. (Owner)**, and **Portsmouth Regional Hospital (Applicant)**, for property located at **0 Borthwick Avenue** requesting Site Plan Review Approval for the construction of a satellite parking lot consisting of 520 spaces and associated sit improvements to support the existing hospital facilities currently serviced by 783 parking spaces. Said property is shown on Assessor Map 234 Lot7-4A and is located in the Office Research (OR) District. (LU-22-47)

**SPEAKING TO THE APPLICATION**

Patrick Crimmins from Tighe and Bond spoke to the application. Mr. Crimmins commented that this was their third meeting. They have addressed the majority of the comments from last month, and Mr. Crimmins noted that he would address the new comments now.

TAC Comments:

1. Please contact the Assessor and GIS Coordinator to obtain a preliminary street address for this property.
  - a. Mr. Crimmins agreed.
2. Please include more details on multi-use path and extend topography and grading on plans to show existing conditions and necessary changes to complete design. It is likely that there will need to be a road diet and that approximately half the path on existing pavement.
  - a. Mr. Crimmins responded that they were willing to do this and were hopeful this could be a stipulation of approval. They were happy to work with DPW to finalize the design.
3. Waiting for drainage review from Altus.
  - a. Mr. Crimmins agreed. They have addressed all technical aspects except for this. They were hoping this could be a stipulation of approval that the applicant address comments prior to moving forward to the Planning Board. This requires an AOT permit, so they will have another peer review as well.

Prior to Planning Board Approval

4. House-side shields on parking lot lights and needed to prevent light pollution into homes on Coakley Rd. Please update plan details.
  - a. Mr. Crimmins responded that they would revise the plans.

Mr. Crimmins commented that they were hoping to get through today and work through outstanding items with the peer reviewer and Staff.

Mr. Britz gave the applicant credit of doing a good job enhancing the buffer in the landscape plan.

## **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**

Ms. Zendt commented that they would like to see the address updated in the packet when they have it. Mr. Crimmins confirmed they would update it when they get it.

Mr. Cronin questioned if they needed to wait for the drainage results before the Planning Board. Mr. Desfosses responded that they should. This can move on from TAC, but they need consensus on the storm water peer review before going to the Planning Board.

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

### **Items to be addressed prior to Planning Board approval:**

- 1) A preliminary street address and Map/Lot number are to be obtained for the property.
- 2) The plan set will be updated to include more details on the multiuse path including extended topography and proposed grading as well as the necessary changes to needed to complete design. Updated plans will be provided to DPW for review and approval.
- 3) Applicant will work with DPW to address all comments from the peer review conducted by Altus.
- 4) House side shields will be added to parking lot lights as necessary to prevent light pollution into Coakley Rd homes. Details are to be added to the plan.

The motion passed unanimously.

- D.** The request of **North Church of Portsmouth (Owner)**, for property located at **355 Spinney Road** requesting Preliminary and Final Subdivision approval to subdivide one existing lot with 146,666 square feet of lot area and 10,429.68 feet of frontage into two lots as follows: Proposed Lot 1 with 17,817 square feet of lot area and 117.6 feet of frontage, and Proposed Lot 2 with 128,849 square feet of lot area and 360.62 feet of lot frontage. Said property is located on Assessor Map 169 Lot 1 and lies within the Single Residence B (SRB) District. (LU-22-49)

## **SPEAKING TO THE APPLICATION**

Doug Woodward and Liz Good spoke to the application. Mr. Woodward commented that they were there last month and have resolved some of the outstanding items. They moved the property line to the stone wall. They moved the property line back so the sewer for the parsonage is on that property until the neighboring property. The last item was question about the sewer connection from the parish house to the manhole. They made an appointment with Doug Sparks and performed that dye test. They included a copy of the results in the packet. It is sufficiently and adequately connected.

TAC Comments:

1. Please confirm that dye test was completed, and the results are satisfactory to the DPW.

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

### **III. NEW BUSINESS**

- A.** The request of **230 Commerce Way LLC (Owner and Applicant)**, for Property located at **230 Commerce Way** requesting **Amended Site Plan Review Approval** to construct a new two-story building with a 12,500 square foot footprint and totaling 25,000 square feet with associated site improvements including lighting, utilities and stormwater treatment/management systems. Said property is located on Assessor Map 216 Lot 1-5 and lies within the Office Research (OR) District. (LU-22-14)

## **SPEAKING TO THE APPLICATION**

Patrick Crimmins from Tighe and Bond spoke to the application. They are proposing a 2-story building in the existing rear parking lot. It will be within the entire footprint of the parking lot. They will be removing 5,000 sf of pavement in parking lot from the buffer. It will be a vet office and they have acquired a special exception. It requires a site plan permit and a CUP for wetland impact. They will meet with the Conservation Commission as well. This application is similar to what was presented at the work session. However, they did remove the driveway out to Portsmouth Blvd. That was removed based on feedback. The building will be 12,500 sf and 2 stories. They are providing just above the minimum parking required. They have identified the landscaping and buffer enhancement throughout the plan. Removing 5,000 sf of impervious will be reducing peak runoff rates. Currently the site just sheet flows to the adjacent lot and then to

the wetland. They will be providing advanced storm water treatment, which will meet site plan regulation and AOT regulations even though that is not required for this site. They have worked with utility providers and have included some will serve letters for electric and gas. They will have to tie into Commerce Way and the transformer on the front of the property. There is an existing sewer main running through the parcel and the water connection will go out to Portsmouth Blvd. They are adding buffer plantings and seed mix to the site. The trip generation memo shows that it would not be a large impact given the use of the site. In the past they have done a full traffic study of this area which contemplated a full build out of the office park. The square footage of this is captured in that study and that applicant provided improvements with signal upgrades to mitigate the traffic for this development.

TAC Comments:

1. Study and design restoration of disturbed wetland area and wetland channel west of property are needed.
  - a. Mr. Crimmins requested clarification on this comment. They did a site walk with the Conservation Commission and understand it was looked at. There was a lot of trash in there. This site is separate from that channel because of a large berm. They will maintain the berm and capture the water. Mr. Desfosses responded that it was more to do with sediment than trash. There are feet of sediment in that channel and they are looking to kick start off a fairly significant project around that. Mr. Crimmins clarified that they were looking for a contribution toward that. Mr. Desfosses confirmed that was correct.
2. New sewer manhole should be cut in and not a dog-house manhole.
  - a. Mr. Crimmins agreed and confirmed that they will show it on the plan.

Prior to Planning Board Approval

3. Applicant must agree to contribute to the pedestrian multi-use path construction on Market Street.
  - a. Mr. Crimmins responded that this was understood. They were happy to work with Staff.

Prior to Construction

4. Location of existing mains on the property are to be field verified by contractor as we believe there is a water main connection already located in the area off Portsmouth Blvd. Water mains may need to be relocated at developer's expense and/or easements required over water mains.
  - a. Mr. Crimmins agreed with that. Mr. Desfosses noted that when they did Commerce Way, they never found the water main. They believe it to be exactly where it is being shown on the plan. They may be able to tap it in the parking lot, but they need to find that line. The sewer line going through the property is a private line with and easement. Mr. Crimmins confirmed that was correct. Mr. Desfosses commented that there was a note for a fence along the back access way,

but it isn't shown on the plan. Mr. Crimmins responded that they need to remove the note. The intent was to not have a fence because of the berm.

Mr. Eby commented that there should be a leader with a no parking sign in the handicap access aisle. Mr. Crimmins confirmed they would update that.

Mr. Britz questioned if there was any salt storage in the parking lot. Mr. Crimmins responded that he was not aware of that. If there is now, then it will not be there when this is built. Mr. Britz noted that if there was, then it needs to be covered.

Mr. Howe commented that they needed to add a note about noncombustible mulch. Mr. Crimmins confirmed that would be updated.

## **PUBLIC HEARING**

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

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

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

### **Items to be addressed prior to Planning Board approval:**

- 1) Applicant will work with DPW to determine fair share contribution amount that will be dedicated to City sediment removal mitigation project.
- 2) New sewer man hole will be a cut in manhole and articulated as such on plan.
- 3) A note will be added to the plan to use non-combustible mulch on site.
- 4) Applicant will work with DPW to determine fair share contribution amount that will be dedicated to pedestrian multi-use path construction on Market Street.
- 5) A leader will be added to the plans to call out handicap parking access.

### **Conditions Subsequent:**

- 6) Location of existing water mains on the property will be field verified by contractor in order to vet the design. If water mains need to be relocated it will be at the developer's expense with plans and necessary easements reviewed and approved by DPW.

The motion passed unanimously.

- 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)

## **SPEAKING TO THE APPLICATION**

Mr. Stith read III. New Business Items B and C together, and noted they would be voted on separately.

Neil Hanson and Patrick Crimmins from Tighe and Bond and Bob Ulig spoke to the application. Mr. Hanson commented that they were seeking a site plan approval, lot line adjustment, and two CUPs. The site is on the corner of Russell St. and Deer St. The proposed site plan consists of three separate buildings. Building 1 will be a 4-story office building. The building 2 will be a 5-story mixed use residential building. The ground floor has a 40,000 sf footprint and will contain parking, retail, and commercial space. There will be 60 residential units on the upper floors. Building 3 is another 5-story mixed use residential building. The ground floor will have a retail use and there will be 24 units above. Parking for the project is split from the existing Sheraton parcel and parking on site. They need a CUP for the shared parking. The existing Sheraton site has 154 spaces on site and the balance will be on the proposed site. The existing site has a total of 82 deeded parking spaces for Deer St. and Sheraton condos. That was factored in. The project is providing 38.8% community space. They will be utilizing the North End Overlay incentive for building height. There will be 104 parking spaces in the basement, and they will be a combination of single and tandem. The tandem spaces will be assigned. The ground floor will have 85 spaces. There will be 26 single spaces and the remaining will be in a puzzle lift system that will be primarily used by valet. There will be 22,000 sf of off-site improvements, wide sidewalks on Russell St. and Deer St., and a community park. They are maintaining the existing alignment with pavers on Deer St. The crosswalk detail mirrors the opposite end of Portwalk.

Mr. Ulig commented that they highlighted the open space continuum from The African Burial Ground and Deer St. They are wrapping the site from Maplewood Ave. and Deer St. to have a complimentary street scape with brick pavers and street trees. There will be a community corner park and the intersection. Russell St. will have brick sidewalk, street trees, and Portsmouth's light fixtures. The community space between buildings 1 and 2 is called the muse space. There is a corner community space, and an upper north community park. There will be a shared use area for pedestrians and vehicles at the parking entrance between buildings 2 and 3. The area along the railroad tracks is a shared bike/ped/vehicle area up to Green St. They are changing the curb lines to get open space on corner of Deer St. and Russell St. They were inspired by creating space open to the public and responsive to the grade change. There will be a step down into the plaza area. There will be focal point art piece. The edge of the lower plaza will provide seating opportunities and they are using trees to book end the plaza. They will have ample sidewalks, so people don't have to go into the plaza to traverse the streets. The muse space will be a continuation of open space and a visual pass through to Vaughn St. They will create a place for people to gather. The left side of the building will have seating opportunities and lower planting areas. The right-hand side is more parking, so they are hoping to animate that edge more. There will be overhead lighting to draw people into the space. There will be a shared use area between Green St. and Maplewood Ave. Similar to what is in front of the Music Hall. It will be open and inviting for pedestrians and vehicles. The main entryway is a shared use between pedestrians and vehicles. The pedestrian zone will dominate, and then there will be a drop off area marked by a change in pavement and bollards. There will be improvements to the north community park

area. It will be an extension of the path along Market St. There will be a pathway and opportunity for seating with planting enhancements.

Mr. Hanson commented that they are required to provide a certain amount of community space to get the North End incentive. The exhibit shows the community space that is provided and how that totals to achieve the required amount. The first type is the wide sidewalks. There is a land transfer area near buildings 2 and 3 that will allow for wider sidewalks. The second space is the muse area, the pedestrian connection between buildings 2 and 3, and the shared pedestrian/vehicle access at Maplewood Ave. The third area is the park area near the future round about. The existing condition of the site is that it's almost entirely impervious with no treatment. This proposal will capture runoff from the site and pipe it into a detention system that will outlet through a jelly fish filter and finally discharge at the Maplewood Ave. and Deer St. intersection. Additionally, this site requires an AOT permit. The utility connections are outlined on the plan, and they are showing a grease trap for each building for now. That may change depending on tenants. They have been in contact with Eversource. There will be one transformer for each building. Two of them will be behind building 2 and the other one will be on the opposite side of building 2. They included a full traffic study. The conclusion of the study was that the additional traffic will not have significant impact of the traffic on the surrounding roads. Aside from the City fixtures, the rest of the lighting will be building mounted and dark sky compliant.

TAC Comments:

1. 3<sup>rd</sup> party review for stormwater management and 3<sup>rd</sup> party review for traffic impacts is required. A full review will be forthcoming after traffic and drainage studies are completed.
  - a. Mr. Hanson responded that they understand the review for traffic impacts, but the storm water may not be needed because this project needs an AOT permit as well.
2. Are there any offsite improvements proposed for the City owned land located between the Railroad and Vaughan St?
  - a. Mr. Hanson responded that they did not plan for any improvements there. That is not a property they control.
3. Pre-video inspect sewer and drain pipes on Deer Street, Maplewood Ave, and Russell Street.
  - a. Mr. Hanson requested clarification on when that would need to be done. Mr. Desfosses responded that it would need to be done prior to construction.
4. Correct the alignment of the "Proposed North Mill Pond Greenway".
  - a. Mr. Hanson confirmed that would be updated.
5. Drivable area along the railroad must be signed as pedestrian and bike path. Add pedestrian crossing over railroad between Map 125 Lot 21 and Map 118 Lot 28.
  - a. Mr. Hanson responded that they had no issue with signing the pedestrian/bike path. The owner does not want the liability of a railroad crossing on their property. They will put up a sign on the end of the muse space to discourage crossing there and direct people to Maplewood Ave. or Green St.

Prior to Planning Board Approval

6. Applicant must agree to contribute to the Maplewood Ave drainage improvements.
7. Applicant must agree to contribute to the Russell and Market Street intersection traffic improvements.

Mr. Hanson confirmed that they would work with the City on both of those contributions.

Mr. Britz questioned if they planned to remove the ledge in the park on the other side of Russell St. in order to put in the path. Mr. Ulig confirmed that was correct. Mr. Britz questioned if there as a way to work with the ledge. Mr. Ulig responded that it would not allow for much penetration into the site. Mr. Desfosses added that in order to build the roundabout they need to build a temporary roadway through there first.

Ms. Zendt questioned if they were only adjusting the lot line where they were abandoning a certain area to the City. Mr. Hanson responded that there were 3 land transfers. One is at the roundabout, the other two are for the realignment of Russell St. The primary development is 3 separate properties so the need to move internal lot lines as well. That way they won't be going through the buildings. The need a formal lot line review on the plan done by a surveyor. The 3 land transfer areas are conveyed to the City. Ms. Zendt responded that it would be good to have that on a separate plan. Mr. Crimmins confirmed they would develop that when they finalize the location of the buildings. Ms. Zendt commented that they would also need an easement plan with a unique identifier showing what easements were for what. Mr. Hanson confirmed they would.

Mr. Cracknell commented that they should consider meeting offline to discuss the community space and landscaping. The current configuration of the park may not be the best layout. They need details to figure out how the roundabout construction will impact the ledge. It may not need that much attention from a landscape architecture perspective. It would be better to stick with what they do downtown already with the wide pedestrian sidewalks. The street trees should be in the sidewalk with grates, and it would create wider sidewalks as a result. The steps to the lower level needs to be granite. The sidewalks should be brick. Public art at the bottom may not be the best idea. They have an opportunity to do something interesting to celebrate the space. It is worth some thought about what to do with that space. They could put in something more educational. It is a mistake to put landscaping against the building at the muse. They should put it in the center and leave opportunity for future tenants to spill out into the space. The mural against the parking is a success. The Music Hall approach is excellent, and lighting will be key there. People will traverse the back side of the buildings if it is done correctly. They need to look at best way to activate the space.

Mr. Howe commented that they will need an easement for the fire access road and the rear access road needs to be marked in accordance with the ordinance.

Ms. Zendt questioned if there were any offsite easements or if it was just between the parcel and to the benefit of the City. Mr. Hanson was not sure. Ms. Zendt noted that if there were, then they should include a draft easement or a letter of agreement from the other party involved.

Mr. Desfosses commented that the City has been interested in softening the corner on Green St. and this does not propose that. Mr. Desfosses was not sure how to do that in harmony with the building they are proposing, but that is a major goal. They need to make sure everything will work with the site distances. They need to look to make the corner softer.

Mr. Eby questioned if the entrance to the garage was on the shared street. Mr. Hanson responded that there was a separate entrance to the garage level. The ground entrance is off Russell St. between buildings 2 and 3 and the basement has an access in the rear. Mr. Eby questioned who would be using the back entrance. Mr. Hanson responded that it would be the residents. The other one would be for residents and valet for the Sheraton. Mr. Eby clarified that there was no public parking. Mr. Hanson confirmed that was correct. Mr. Eby requested that they show the turning diagrams on there. Mr. Hanson confirmed that they would update that. Mr. Eby commented that the crosswalk to Portwalk Place was tough because it is so close to a signal. It may be enhanced by having a raised island. It would be better to have it at a signalized crossing. Mr. Hanson responded that people cross there now and there is nothing. They can look at signage or a raised island.

Mr. Cronin questioned what the size of the domestic fire service was. Mr. Hanson responded that it was not sized yet.

## **PUBLIC HEARING**

Elizabeth Bratter of 159 McDonough St. noted that she submitted a letter. It was her understanding that there will be third party drainage review. They should think about the amount of water going into the North Mill Pond collectively. The plan includes detention, but it could still be problematic with storm surging and high tides. The bike and pedestrian area should flip flop so that when they come out of the back of the building they can right on that sidewalk. Ms. Bratter could not find a trash plan for building 1 or 3. The balcony on the second floor was originally proposed as a living green roof, but that wasn't shown in the plans today. Ms. Bratter questioned if that was still happening. The seasonal adjustment for the traffic report is low. The corner of Deer St. and Maplewood Ave. is starting as an F grade level and looks like it is ending as an F grade level. That corner sidewalk should be smaller, and the lanes should be wider to help traffic move through there more smoothly.

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

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

Mr. Britz questioned when they would have the easement plans. Mr. Hanson responded that they can do it before the Planning Board.

Mr. Cracknell commented that he would prefer to continue one meeting to take another cut on the landscape plan. Ms. Zendt requested that they clarify how the City accepts or dedicates the

easements. Mr. Crimmins responded that there was a precedent with the AC hotel. Ms. Zendt noted that it would be good to see lot line and easement plans.

Mr. Cracknell moved to postpone consideration to the July meeting, seconded by Mr. Britz. The motion passed unanimously.

- 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 343 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)

## DISCUSSION AND DECISION OF THE BOARD

Mr. Cracknell moved to postpone consideration to the July meeting, seconded by Mr. Britz. The motion passed unanimously.

- D. The request of **HCA Health Service of NH IINC (Owner)**, for property located at **333 Borthwick Avenue** requesting Amended Site Plan Approval for an 8,700 square foot addition to the existing building with associated landscaping, utilities, sidewalk connectivity, and other related site work. Said property is located on Assessor Map 240 Lot 2-1 and lies within the Office Research (OR) District. (LU-22-35)

## SPEAKING TO THE APPLICATION

Patrick Crimmins from Tighe and Bond, Matthew Gamby, and architect Chris Dumond spoke to the application. Mr. Gamby commented that the proposal was for the addition of an 8,700-sf radiation and oncology treatment center. It will be good for the community to expand their healthcare options. There are buffer and setback encroachments. They have been granted setback approval from the BOA and received a recommendation for approval from the Conservation Commission. The plan is on Borthwick Ave. The building will be extended, and the patient drop off will be reworked. The new accessible parking spaces will also be reworked.

There will be a mobile MRI hot pad that will allow for MRI imaging during construction. There is encroachment in the wetlands. To offset that they will expand the wetlands and regrade a portion of the site. They will detain storm water volume in the pond. A storm pipe will be added to tie into the roof drains. There will be a new manhole added to the drain line. They will rework the existing fire service line from the public way to the hospital. It will go around the foundation and brought back into the same room it is today. There will be a retaining wall for the MRI hot pad. There will be some temporary and some permanent impact to the wetlands. They will fully restore the wetlands and add plantings in the buffer. They will also replace some trees. Runoff will go into the pond. The hydro flow model shows the peak discharge is reduced with the pond expansion.

Mr. Desfosses questioned what year storm they used for storage analysis. Mr. Gamby responded that they looked are years 2-10. Mr. Desfosses questioned what the results for the 2-year storm was. Mr. Gamby responded that for the pre it was 9.1 and the post was 8.8.

TAC Comments:

1. Address grading at handicapped ramp at main entrance to stop drainage issue on handicapped ramp.
  - a. Mr. Gamby questioned if they were talking about the main entryway and the existing handicap spaces. Mr. Desfosses responded that landscapers have blocked the main entrance to the handicap ramp. Mr. Crimmins responded that the retention pond was backing up the entire system, but it was reconstructed last year. There is no longer any flooding in that area. Mr. Desfosses responded that he was talking about the City sidewalk at the main entrance. Mr. Gamby confirmed they would address it.
2. Re-establish drainage swale from the propane tank behind hospital to Borthwick Ave near emergency room driveway.
  - a. Mr. Gamby responded that the pond was reconstructed and that alleviated some previous parking lot concerns. Mr. Desfosses commented that this has been a long-standing issue that's been going on since they built the building. There are feet of sediment in the channel that needs to be removed for it to function properly. Behind the heli-pad is the worst spot. It all needs to be dredged for long term repair. Mr. Britz questioned if they should design it as a restoration plan. Mr. Desfosses commented that he understood there would be a timeline and permitting involved, but it should be a condition of approval.
3. Study and design is needed for the restoration of disturbed wetland area and wetland channel from propane area to the east to Route 1 to ensure proper drainage flow.
  - a. Mr. Gamby commented that this was the same comment. Mr. Desfosses responded that it was further downstream. They need to dredge the area near the hospital and then contribute to dredging the rest of the system.
4. Location of water lines are not accurate, please correct on plans.

Mr. Gamby requested clarification. Mr. Desfosses responded that there was a 4-inch line going up the emergency entrance driveway, but they have no record of that line. Mr. Gamby responded that was a dry FDC fire connection line. When they were permitted 2-3 years ago, they needed to add an FDC closer to the hydrant, so that was added. Mr. Desfosses commented that they should relabel it on the plan so it's clear it is not a feed. Mr. Gamby confirmed it would be updated.

6. New sewer manhole may not be a dog-house manhole. Clarify sewer detail on sheet C6.
  - a. Mr. Gamby confirmed they could put in a manhole but would prefer a doghouse. Mr. Desfosses commented that it needed to be a manhole. Mr. Gamby confirmed they would revise it.
7. Confirm drainage study uses Cornell extreme precipitation values.
  - a. Mr. Gamby confirmed they could revise the storm data and rerun the model. There should not be much of a change.

Mr. Eby questioned if they did a trip generation for the addition. Mr. Gamby responded that they did not because they are not adding new beds. It is just support space. Mr. Eby noted that there will be some additional traffic and they should put a memo together. Mr. Crimmins confirmed they would add it.

Mr. Howe commented that it looked like there was an exit passageway for the egress from stair one. Mr. Dumond responded that it's an internal stair with an extended egress to the entrance doors and exit sliders. It will have 2-hour wall and ceiling. Mr. Howe commented that he was not a fan of that approach. It is allowed because it's an exit passageway. Mr. Dumond commented that they have to do it that way because the code only allows 50% of the stairs to go to the lobby. This stair goes up to the fifth floor. They could not have this stair egress through the lobby. Mr. Howe noted that the exit passage was allowed but not the best idea in this occupancy. There cannot be anything like planters or benches etc. in the passageway. Mr. Dumond agreed. They are designing this by creating a 2-hour tunnel and the utilities will go above the tunnel. Mr. Howe commented that it will be challenging to evacuate that area. Mr. Dumond responded that they made the width 8 feet and recessed the door going in so it would not reduce the width of the corridor. Mr. Howe confirmed that it did comply, but sometimes it is still not a good idea. Mr. Dumond responded that they would look at it.

## **PUBLIC HEARING**

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

### **Items to be addressed prior to Planning Board approval:**

- 1) A trip generation memo will be submitted to DPW for review and approval.

- 2) Fire department connection line will be labeled as such.
- 3) New sewer manhole will be a cut in manhole.
- 4) Borthwick Ave handicap access ramp flooding will be addressed and approved by DPW.

**Conditions Subsequent:**

- 5) The wetland area adjacent to the emergency area will be dredged from Borthwick to the oxygen tank area to restore free flowing drainage. This will be done in conjunction with an associated wetland enhancement along the edges of this same area.
- 6) Prior to release of bond, Applicant will work with DPW to determine fair share contribution amount that will be dedicated to City sediment mitigation project that is proposed for the area from the oxygen tanks to the Route 1 bypass area.

The motion passed unanimously.

**IV. ADJOURNMENT**

Mr. Wolph moved to adjourn the meeting at 4:48 p.m., seconded by Mr. Desfosses. The motion passed unanimously.

Respectfully submitted,

Becky Frey  
Secretary for the Technical Advisory Committee