I. NEW BUSINESS

A. The application of Northern New England Telephone Operations, LLC, Owner, and Verizon Wireless, Applicant, for property located at 56 Islington Street, requesting Amended Site Plan Approval for the installation of an emergency back-up generator, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 126, Lot 23 and lies within the Central Business B (CBB) District and the Historic District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney John Weaver, of McGraf Law Office, appeared on behalf of Verizon Wireless, along with Chip Fredette, Site Acquisition Representative. Attorney Weaver stated there is currently a wireless facility on the property which was approved by the Planning Board and HDC in 1997. As part of that application there was a generator approved but it was never installed. They now wish to install the generator on the site as approved in 1997.

Mr. Taintor asked if there were changes from the previous plan. Attorney Weaver did not believe so. The generator will be in about the same location and they are not altering parking or any existing structures.

Mr. Taintor noted on the plans that the graphic scales do not match the plans. Ms. Desfosses stated they did not zoom in correctly. Attorney Weaver confirmed they will adjust that.

Mr. Taintor asked if the generator is proposed to be natural gas or diesel fuel. Mr. Fredette confirmed it will be diesel. Mr. Taintor asked if they were familiar with the City noise regulations. Attorney Weaver referred to the exemption under 10.13.33 for emergency generator back ups but they do not believe it will be an issue. Mr. Taintor stated the zoning exemption was written when most generators were mobile rather than permanently installed, and did not require periodic testing. Non emergency
running of a generator, including periodic testing, is not exempted from the noise regulations. They will have to meet the requirements of zoning for their weekly testing.

Mr. Tantor acknowledged the waivers they requested but they need to be itemized for the Planning Board. Mr. Taintor indicated he would provide the list of items requiring waivers that the Planning Department has identified, with the provision that this list may not be complete.

Mr. Allen asked if there was an exercise schedule for this. Mr. Fredette indicated it could be whatever the Planning Board requested. They will require 30 – 45 minutes once a week.

Mr. Desfosses stated he could not do a full review because he didn’t have the cut sheets for the generator. He also asked why they are using diesel fuel in an area where gas is available. The lot drains with a leaching catch basin so anything on the ground goes into the soil. Those were his issues.

Mr. Fredette had the cut sheets and sound results which he submitted to the Chair.

Attorney Weaver asked Mr. Desfosses to explain once again how the drainage flows. Mr. Desfosses stated there was a major drainage problem with the site although this will not affect it. The site has no way to drain other than into the sewer line. Excess water on the site drains onto the neighbor’s property. Mr. Fredette stated the unit is a diesel powered, self contained generator which holds approximately 190 gallons and has a double walled fuel tank. They usually place them inside their equipment shelters but this shelter is too small. In his 10 years, they have never had a leak or issue. The sound, at 21 meters, averages at 64 dBA which meets the regulations. Mr. Desfosses added that the exceptions do not apply to testing. Attorney Weaver stated that the dBA at the property line is 60 without obstructions; however, they have a picnic table and dumpster to help lower the dBA. On the spec sheet the lower average is 63.6 dBA. Attorney Weaver indicated that was measured at 23 feet with no obstructions but there are many obstructions on the property.

Mr. Allen was concerned that the generator was probably measured in an open area but they have two solid walls on either side of the generator so they will get echo effects and it may not be an accurate reading. Mr. Desfosses felt they are right at the cut off and only 25’ from the property line. Mr. Fredette indicated that Generac is a notable company and the unit they are selecting has the sound attenuated enclosure. Mr. Taintor indicated if there is a subsequent problem, they will have to go back and retrofit.

Mr. Britz asked about screening for the generator or dumpster. Mr. Fredette stated there is no screening proposed for the generator. The dumpster does not belong to them. Mr. Taintor agreed that screening is required for the generator but the applicant is not the property owner. They could add a stipulation on that. Attorney Weaver noted there is a wooden stockade fence that would screen it from the property line. Mr. Britz asked if that is what the fence is used for. He will make a stipulation that the generator be screened or softened with landscaping. Mr. Fredette asked if they were suggesting they screen the generator by either raising the height of the fence or by planting arborvitaes along the property line. Mr. Britz said he would leave that up to them.
Mr. Fredette asked if the City considered a fence a structure and whether it had any height limitations. Mr. Taintor confirmed the City does not have any fence regulations but they would require approval by the HDC.

Mr. Taintor noted they had removed the fencing on the plans and replaced it with bollards around the generator and he asked why. Mr. Fredette stated it was a cleaner design by the landlord although they have no preference. There is an access to the Fairpoint building at that location and a picnic bench for employee breaks. It is safer for them to have the bollards. If they were to do the fence they could have vinyl slats for screening.

The Chair asked if there was anyone wishing to speak to, for or against the application.

Justin Nadeau spoke to the proposal. He asked that there be clarification on information provided thus far as he is a direct neighbor. His wife was also present. Their bedroom window is 15’ from the current generator and noise. He has concerns with the amount of noise, the environmental impact with the use of diesel fuel that was raised, and with a fence or enclosure. There is a wooden fence at the back of his driveway which is owned by the housing complex and the only fence on the applicant’s property is a chain link fence which does not serve as a sound barrier. Noise is a concern for them. They already hear the generator that is there now and it is quite loud.

Mr. Taintor asked if there is a generator there now or if it was the transformer. Mr. Nadeau stated it was a large green metallic box which he thought was a generator and in the winter there are multiple red generators parked in the lot. Mr. Fredette confirmed the green box was a transformer.

J. P. Nadeau, a direct abutter, stated they just received the notice of this hearing and with the Thanksgiving holidays he couldn’t get much information. He doesn’t know what they do in the building and whether this will represent any increase in usage of the property or what the generator will back up. He felt they are good neighbors but wanted to know if there will be further use of the property. He also appreciated the Committee looking into the diesel fuel.

Mr. Taintor asked the applicant to explain the Verizon backup generator and the use associated with it. Mr. Fredette indicated that the purpose of the backup generator was to support the Verizon Wireless antenna system which has been in operation since 1997. He does not know why the generator was never installed but it will support their wireless transmission so the phones will work in the event of an outage. There is a battery backup inside the shelter that will buffer them for a day or two but nothing of any substantial longevity. Regarding the diesel fuel, he understands there are pros and cons. Diesel fuel is noncombustible, it can be neatly and cleanly installed without trenching, and he doesn’t know if there is enough pressure in the natural gas line to service the site. The generator is a double walled belly self contained tank. If something would happen their cell manager would report it and they would address it immediately. Verizon is very careful with the use of diesel and if there was a history on this site of a spill, or any kind of soil contamination whatsoever, their environmental coordinator would have required they use a natural gas or propane powered generator. Propane was not an option because there is no space for the required 500 gallon tank they would need. There is nothing in any regulations to red flag this unit.
The Chair asked if there was anyone else wishing to speak to, for or against the application. Seeing no one rise, the Chair closed the public hearing for this matter.

**DISCUSSION AND DECISION OF THE COMMITTEE:**

Mr. Allen made a motion to recommend Site Plan Approval with stipulations. Mr. Britz seconded the motion.

Mr. Allen felt that the issue of using diesel vs. gas is something the City struggles with on their emergency management systems regarding the water/sewer systems and they have typically gone with diesel with no issues. There is a concern in the field that they could have an earthquake and lose natural gas when you would need the generators but he was not concerned about that issue. He was more concerned with screening for the neighbors and felt they need additional screening as part of the plan.

Mr. Desfosses was very concerned about noise as this is similar to the Lafayette School generator due to the elderly housing next door. These generators are very loud and very noisy. This building is a big commercial building in an area that is not commercial. They should at the very least require a sound test after it is installed to make sure it meets the ordinance and if it doesn’t they will have to do additional sound attenuation.

Fire Inspector Roediger asked if Fairpoint has their own generators. Mr. Fredette stated there are two red colored units on trailers in the rear but he believes they are only stored there for use off site at other Fairpoint switch buildings but not for use at this building. Inspector Roediger stipulated that there should not be two different generator systems installed in the same location. If so, there needs to be some coordination between test cycles. If in fact those units are only there for storage, it is a moot point.

Mr. Britz received clarification that this generator is for Verizon Wireless, for their tower on the roof. He asked if they should make a stipulation that it only be used for times of power outage or emergency. Mr. Desfosses indicated it would cost a lot more money to run the generator than it would to use electricity so he did not believe that would be a problem.

Mr. Taintor requested that they adjust the scale on the Site Plans so that it is accurate. He also handed a list of identified waivers they will need to Attorney Weaver.

Mr. Taintor summarized the stipulations as the scale, the screening, a sound test after installation and additional sound attenuation if needed, and coordinate any testing of multiple external generators. Mr. Allen added that a City representative must be present for the sound test.

The motion to recommend Site Plan Approval passed unanimously with the following stipulations:
1) The emergency generator shall be adequately screened.
2) A sound test shall be performed with a City representative present after installation to make sure it meets the ordinance regulations; and, if it does not meet the regulations, the applicant shall be required to do additional sound attenuation.
3) Testing shall be coordinated if there are multiple external generators on site.
4) The Site Plans shall be provided at the scale indicated by the ratio scale.

B. The application of **Service Credit Union, Owner**, for property located at **2995 Lafayette Road**, requesting Site Plan Approval to construct a 23,366 ± s.f. (footprint) 4-story office building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 291 as Lot 1 and lies within the Gateway District.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

Bradlee Mezquita, of Appledore Engineering, appeared for the applicant. He stated they are proposing a 100,000 s.f. four-story building and associated parking. The plans show 287 parking spaces; however, they only intend to build 167 parking spaces on the Longmeadow Road side of the site and the reserve parking area on the Lang Road side will be left for future development and labeled accordingly. The proposed building has room for employment growth for the next ten years. There are vehicle entrance points on either end of the building. The south entrance is for an executive entrance to the building and allows for 7 underground parking spaces. The north entrance is a loading area, recessed down to provide basement level loading that is screened from the roadways. There is plenty of green space left on the site. They have shown a significant walking path for pedestrian circulation throughout the site. The site was most recently used as an auto body salvage yard. The Credit Union has demolished the building and the site is currently an empty gravel lot.

The drainage analysis accounts for all impervious surface, including the future parking, with a closed drainage system which routes to three rain gardens as well as a stormwater wetland. The stormwater system has been designed to meet the City ordinance and NHDES regulations. They have accounted for stormwater recharge through the rain gardens and stormwater treatment through the rain gardens and the stormwater wetland. The stormwater is contained and collected and re-enters the existing municipal stormwater system along Longmeadow Road and discharges to the east to the DOT right of way.

As part of the project, they have shown the extension of Longmeadow Road and the connector road which will connect Lang over to Longmeadow Extension. That was an approval and agreement with the City from a previous development. They submitted a traffic study tonight which the Committee has not had a chance to look at but their traffic engineer was present to give a brief overview.
Kim Erik Hazarvatian, traffic engineer at TEPP, LLC, explained that the Traffic Impact and Access Study was fairly standard and was developed in accordance with the scope set forth by NHDOT. They looked at existing conditions, 2012 opening year conditions with and without the project and 2022 long range planning conditions with and without the project. The intersections they analyzed were the signalized intersection of Lafayette/Ocean/Longmeadow, the unsignalized intersection of Lafayette/Lang, the site driveway intersection with Longmeadow and the intersection of the proposed road with Longmeadow and with Lang.

They assumed that left turns out to Route One would no longer be made at Lang Road. That traffic would use a connector road to Longmeadow and use the signal to turn left onto Lafayette Road. They incorporated background traffic growth at 1% per year, which is what DOT set forth at their scoping meeting. Additionally, they added traffic from the potential apartment development to the east of the site and some traffic from the retail and in-fill project going on to the north of the site.

They ran a capacity analysis and found that the site driveway intersection and the intersection with the proposed road with Lang and with Longmeadow all operate with low delays. The unsignalized intersection of Lang and Lafayette operates reasonably in the 2012 time frame and operates with moderate delays in 2022 at the morning peak hours. In the afternoon, they see some delays and that is with 1% growth per year and the two background developments. Additionally, they analyzed the peak month condition which reflects summertime. The signalized intersection works in a similar manner and showed low to moderate delays through 2012 with the project’s traffic and with Lang Road re-routed through the signal. In 2022 they have moderate delays overall in the morning peak hour and in the afternoon peak hour they have some more delay. There is a lot of background traffic growth that is not resulting from the project. They looked at sight distances for driveway locations and at newly created intersections and he did not see any problems.

Mr. Taintor asked if the assumption he was making was that there would be no left turn from Lang Road in the build condition. Mr. Hazarvartian confirmed that was correct. He was not necessarily recommending that but that was the assumption they made. It is consistent with the NHDOT Corridor Planning Study for Route One. If the left turn was allowed, in his view, all that would happen was that people would avail themselves of the left turn during off peak times when Route One wasn’t very busy. They would probably use the signal during heavy traffic. Mr. Taintor asked if they evaluated what would happen with and without a left turn. Mr. Hazarvartian stated that the no build condition includes a left turn. The bottom line result, with a left turn being prohibited, is a little more traffic at the signal but, then again, they are being sent to the Lang/Longmeadow road leg which is currently underutilized compared to Ocean Road.

Mr. Taintor felt what jumps out is the change in operations level of service for both Ocean Road and Longmeadow Road from the present to 2020 where they drop from an existing C at Longmeadow going left to an F in the build scenario. He asked what Mr. Hazarvartian’s assessment was of that analysis. Mr. Hazarvartian felt that looking at the overall assessment there is a Level E. While that is not what they generally look for in traffic engineering design, however what makes up the E are some movements that are better than level E and some which are worse than level E. It would obviously be better not to have the level F but timing the signal is a compromise. He believes that is 10 years in the future and the volumes may or may not materialize. Looking at the NHDOT Corridor Study they indicated that volumes haven’t kept growing on Route One and it had begun to level off. The Corridor
Study also could come into play. The State has a goal of 5 lanes on Route One in Portsmouth. That would open up green time for the side streets. It was his original desire to make Route One work rather than the side streets. He could have changed the timing of the side streets but he decided to favor Route One.

Mr. Taintor also noted that two-thirds of the traffic from this development is going into that intersection so the traffic being most affected is from Service Credit Union. He wondered if this would encourage drivers to use Lang Road if left turns were permitted from Lang Road. Mr. Kazarvartian felt if that prohibition was enforced, the two lanes coming from Lang would be changed to one lane, a sign would go up making it illegal to turn left which would be enforceable and it might even be possible to put in markings to guide drivers to the right to discourage people from turning left out of Lang.

Mr. Desfosses noted that they had just been handed the Traffic Study and had not had a chance to study it. He asked about the traffic coming out of Longmeadow Road. He imagined that 80% of the traffic coming out of Longmeadow would be going straight across. That would be the traffic coming out of Lang Road and he felt that movement is very dangerous. Mr. Kazarvartian looked at the 2012 build conditions, with the project and the turn prohibition on Lang Road for the afternoon peak hour, and they would see 60 going right, 40 going straight across, and 90 going left to Route One to head South during the pm peak hour. (Page 30 of the report) Mr. Desfosses asked if they plan to split phasing so that lefts on Longmeadow and lefts on Lang will go at the same time. Mr. Hazarvartian stated that the existing phasing has protected lefts on Route One northbound and southbound and the side street goes on a green ball. It is his intention to leave it a green ball and only put in protection if he saw an operational need for that. Mr. Desfosses asked what would qualify for that. Mr. Hazarvartian responded a sufficiently high volume of traffic turning left vs. a sufficiently high volume of traffic opposing it going through. Looking at Page 30 of the report, going northbound on Route One there are 156 cars turning left but they are opposed by 785 going straight and 125 going right. Clearly is it needed on the main road. When the volumes are at the lower end they result in extra phases and the main line suffers. Mr. Desfosses noticed that they only have five trips going straight coming from Ocean Road toward Lafayette Road and he finds that hard to believe. Mr. Hazarvartian stated the reason there are only 3 going across is because in pm peak hour people are leaving the site and 15% was assigned to Ocean Road. Mr. Desfosses felt that rather than taking a left onto Lafayette Road and getting into the traffic stream and then taking a right on Lang, which is a fairly tight corner, it will be easier for traffic to go straight across and go into the 600’ stretches with no driveways and then take a right on Lang Road. Mr. Hazarvartian felt that was a good review comment. What will happen in that case is traffic that would have been turning left would be going through and through traffic takes less of a toll on an intersection than a left turn. Then that traffic would be routed in front of the site driveway which would make for more traffic for people pulling out of the site to be cognizant of but there is reserve capacity there so he doesn’t see that as a problem. He believed Mr. Desfosses’ comment would help the signal.

Mr. Taintor pointed out a minor typo on page 25, Table 4 where it says north rather than south. Mr. Hazarvartian noticed that as well. Mr. Taintor understood that Mr. Hazarvartian’s judgment was that more traffic is directed to and from the south than from the north. Mr. Hazarvartian agreed but added it was going to be pretty close. Looking at the total trip generation, they are looking at 170 trips in the peak hour and if they are off 10% one way or the other it wouldn’t make a big difference.
Mr. Desfosses assumed at some point they will get recommendations on how to sign the area and traffic plans with proposed directional signage. Mr. Hazarvartian confirmed that was correct. NHDOT owns Route One but he felt DOT listens to the City most of the time and the corridor study indicates providing a connecting road from Lang to Longmeadow with the intention of getting the traffic shunted with signalized location. He knows that the DOT is aware of the thought process of this already.

Deputy Fire Chief Griswold noted that frequently Route One is backed up at every traffic light for very prolonged periods of time and he asked if anything in this study remediates any of that back up. Mr. Hazarvartian noted that in the context of doing this study he did not go that far but he did believe that the potential is there for time based coordination which can help. If the volumes in the area grow past a certain point then the DOT’s idea of widening would come into play. Mr. Desfosses felt that taking the Lang Road left turn out of the equation will dramatically improve that section of road. Mr. Hazarvartian added the DOT does want to consolidate access points on Route One to prevent conflicts from happening at a lot of locations and this would do that. While it wouldn’t eliminate queuing at the signals, it would improve the way the corridor works.

To wrap up the traffic discussion, Mr. Taintor requested that the revised Traffic Study and Site Plan should be consistent on how they are treating Lang Road with respect to eliminating the left turn onto Route One.

Mr. Britz did not have any information on the wetland and his only concern was whether it is a vernal pool. If it is a vernal pool, there are setback issues they will have to talk about. Mr. Mezquita confirmed they will get information from the wetland scientist on that.

Mr. Taintor reviewed his notes from the TAC Work Session earlier in the day and stated there needs to be more information on the Site Plan about total square footage of the building and the number of floors; the wetland plan needs to be stamped by a certified wetland scientist; they will be looking for the final traffic analysis; stormwater calculations as part of the Alteration of Terrain Permit should be provided to the Planning Board; there was an issue with footnotes on Sheet C-3 relating to parking standards which were actually general zoning standards; they need building elevations and traffic signage shown on the plans, along with Mr. Desfosses’ items.

Mr. Desfosses had a lengthy laundry list and it was agreed that the applicant should meet with Mr. Desfosses prior to the next meeting.

Mr. Desfosses asked if there was a plan showing where the standard duty pavement is vs. the heavy duty pavement. Mr. Mezquita stated it was shaded on the Site Plan.

Mr. Desfosses noted that the subdivision standards show a road thickness of $3\frac{1}{2}''$, which is what they show on their plan, however, Mr. Desfosses does not believe that is thick enough as the road is so narrow that they will get rutting because the cars will follow the same path all of the time. He would recommend they go with a 4” pavement thickness on the connector road.
The signage on the driveway off Lang Road should be “private drive” and “no thru way” and they need to come up with other signage as well.

They previously discussed that the curbing should wrap around the pole on Lafayette Road so that it is not in the road.

Mr. Desfosses felt they needed to have a discussion about sidewalks. They have been moved in and out of the right of way. He felt they would be better off having a grass strip and they should make sure when DOT widens the road it doesn’t wipe the sidewalk out. Officially they should be in the right of way but they might have to go on private property. Mr. Desfosses feels strongly that there should be a sidewalk but he doesn’t want it covered with snow banks. Secondly, what do they do with the sidewalk around the house at the corner of Lafayette and Longmeadow. Third, should they include a tipdown at Lang Road or not as there isn’t any place to go at the moment. It may be premature to link it to the Lang Road intersection.

Mr. Taintor confirmed there should be another meeting with City Staff to work out sidewalks.

Mr. Desfosses asked how the back gate to Lang Road will work. Mr. Mezquita indicated they have not determined whether it will be card activated, remote or keypunch.

Mr. Desfosses advised the Committee that he had visited the site that morning with the engineers and looked at the drainage. The Drainage Study was well done and the flow rate is coming way down but the volume for the site is going up by about 1.4 acre-feet of water. They took a walk into the unmaintained swale that goes back 1,000 feet into the woods and at the end of the swale, around Codfish Corner, the flood zone starts and the swale flattens out into a very large wetland. The question is what impact, if any, will the addition of this flow have on the houses bordering this wetland. He asked Mr. Mezquita to do some calculations, find out if there are any flood effects to it and write a memo. There will be some increase but he would like to know how substantial it will be. This is not a major issue but it needs to be looked at.

Mr. Taintor continued that when the rear site is developed, that needs to be looked at. Mr. Desfosses confirmed that they looked at that and determined that water goes to the same lower region but does not go into that swale but it does go into the wetland. It sheet flows overland into the sedimentation pond and it ultimately goes to the same spot. Mr. Britz asked when will they see the reserved parking area design. Mr. Taintor confirmed all they are required to show is that they can fit the number of places into the plan to meet their requirements. Approving this design does not approve the construction of the reserve parking area. Mr. Britz stated not as much volume would be leaving the site without this lot developed.

Mr. Desfosses stated the pavement condition on Longmeadow Road is just about gone. From the entrance to Jitto’s Pizza and beyond, the pavement is in extremely poor shape, it needs to be rehabilitated but he is not sure who should pay for it.

Mr. Desfosses’ last point was that the lighting plan is pretty good. They have 24’ high cut off fixtures but no lighting is proposed for Longmeadow Road Extension or the corridor road. He wondered if
they should plan for a light in that corner with either PSNH lights on poles or site lighting which the City would pay for.

Mr. Allen asked what the significance of the 70’ and 90’ offsets from the center line was. Mr. Taintor confirmed as this is being done as the Gateway Planned Development so they have a minimum 70’ and maximum 90’ setback from the road.

Mr. Allen asked about an emergency generator. Mr. Mezquita stated that will be located in the recessed building area. They have shown the pad for it. He confirmed there will only be one generator.

Mr. Allen asked for a note on decommissioning the monitoring wells. Mr. Mezquita stated all of the notes are on the demolition plan.

Fire Inspector Roediger understands there is no kitchen currently proposed, they have had a discussion about a grease trap so as the building expands the grease trap is already in place. Mr. Mezquita stated they are going to put an external grease trap in where they are guessing the kitchen may go in the future.

Fire Inspector Roediger requested that a gate would have an opticon control so no matter how they choose to set it up the Fire Department would be able to get through it.

Lastly, Fire Inspector Roediger also wanted to confirm the 50’ limit on the Fire Department connection to the travel surface on Lafayette. Mr. Taintor added that the new location for the hydrant should be on the plan.

Mr. Taintor wanted to make sure that the gate will not be used for passenger vehicles.

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

DISCUSSION AND DECISION OF THE COMMITTEE:

Given the amount of information they are still working on, Mr. Allen made a motion to postpone with stipulations. Mr. Desfosses seconded the motion. Mr. Allen felt they could use the minutes for reference.

Mr. Mezquita asked about going before Traffic & Safety. It was the general consensus that they should try to get on the next Agenda.

The motion to postpone to the next TAC meeting on January 4, 2011 passed unanimously.

Mr. Taintor asked about the timing for the final Traffic Report. Mr. Mezquita indicated they would be meeting with Mr. Parkinson before they finalize the report.
II.  **ADJOURNMENT** was had at approximately 3:30 pm.

Respectfully submitted,

Jane M. Shouse
Administrative Assistant