

MINUTES

SITE REVIEW TECHNICAL ADVISORY COMMITTEE MEETING

2:00 PM

OCTOBER 4, 2016

EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE

MEMBERS PRESENT: Juliet Walker, Chairperson, Transportation Planner; Peter Britz, Environmental Planner; Jessa Berna, Planner; David Desfosses, Engineering Technician; Ray Pezzullo, Assistant City Engineer; Eric Eby, Parking and Transportation Engineer; Robert Marsilia, Chief Building Inspector; Patrick Howe, Fire Inspector

MEMBERS ABSENT: Carl Roediger, Fire Department;

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I. OLD BUSINESS

A. The application of **J&M Family Properties, LLC, Owner, and Dunkin' Donuts, c/o JFS Management Co., LLC, Applicant**, for property located at **802 Lafayette Road**, requesting Amended Site Plan Approval to re-develop the parking lot for improved site and drive-thru circulation, revised parking layout, new trash enclosure, drainage improvements and stormwater management, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 244 as Lot 2 and lies within the Gateway (G) District. (This application was postponed at the August 2, 2016 TAC Meeting).

Chairperson Walker stated the applicant requested to postpone the meeting.

DISCUSSION AND DECISION OF THE BOARD

*Mr. Desfosses moved to **postpone** Site Plan Review to the November 1, 2016 TAC Meeting, seconded by Mr. Eby. The motion passed by a unanimous voice vote (8-0-0).*

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B. The application of **Five Hundred Five Lafayette Road, LLC, Owner, and Lens Doctors, Applicant**, for property located at **605 Lafayette Road**, requesting Site Plan Approval for the demolition of the existing building and the construction of a proposed 2-story office building, with a footprint of 7,000 ± s.f. and gross floor area of 14,000 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 229 as Lot 9 and lies within the Gateway (G) District. (This application was postponed at the August 30, 2016 TAC Meeting).

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION

John Lorden, MSC Engineers & Surveyors

Mr. Lorden noted that the application for Lens Doctors was not yet prepared to move forward and requested to postpone the application.

Mr. Lorden mentioned he was present for the meeting in anticipation of presenting the other application for Aroma Joe’s. Chairperson Walker noted that the application for Aroma Joe’s was not on the agenda. Mr. Lorden stated the application for Aroma Joe’s had been postponed by the Planning Board to the October 20, 2016 meeting and explained what further revisions may be had. Chairperson Walker and Mr. Lorden agreed to have further discussion about whether those revisions would require additional TAC review.

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 **postpone** Site Plan Review to the November 1, 2016 TAC Meeting, seconded by Mr. Britz.*

Chairperson Walker clarified to the Committee that the projects for Aroma Joe’s and Lens Doctors are treated as two applications. Based on the alterations to the plan for Aroma Joe’s, it will be determined whether or not it will return to TAC for further review.

The motion passed by a unanimous voice vote (8-0-0).

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C. The application of **Seacoast Trust, LLP, Owner**, and **Stonegate NH Construction, LLC, Applicant**, for property located at **150 Route 1 By-Pass**, requesting Site Plan Approval for the demolition of the existing building and the construction of a 246’ x 85’ 3-story multi-family building with a footprint of 17,667 ± s.f. and gross floor area of 53,000 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 231 as Lot 58 and lies within the Single Residence B (SRB) District. (This application was postponed at the August 30, 2016 TAC Meeting).

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION

Robert Ciandella, DTCLawyers

Mr. Ciandella’s presentation included the following statements:

- The peer review of the StoneHill report is underway.
- The purpose of the application is to renew the request made last year for TAC to conditionally recommend the application subject to the peer review completion.
- He requested confirmation on whether the peer review is the only outstanding issue remaining.
- A statement was made in response to the e-mail received from Robert Ducharme, which included the following remarks:
 - The development is not an age restricted, but rather age targeted. There will be a mix of amenities provided that will attract an older demographic.
 - The client is not a direct abutter. The Coren property is located between the association property and their property in the back boundary of the property.
 - Pedestrian access will be constructed from Middle Road to the site.
 - The condominium document will prohibit storage of boats and recreational vehicles.
 - In response to traffic issues, a special exception was made since the plan intends to replace an existing non-conforming use with another non-conforming use. However, the net impact will be reduced by 118 weekday trips, which was determined through a traffic study that was previously presented to the Board of Adjustment.
 - The rear wetland will be preserved as in the interests of staff and the Conservation Commission.

Corey Belden, Altus Engineering

Mr. Belden's presentation highlighted revisions to the application as a result of feedback received from previous TAC meetings. The statements were made as follows:

- A pedestrian walkway from the egress doors at the rear of the building was added.
- The landscape plans were revised to reflect driveway geometrics, which was approved by NHDOT.
- An easement plan was added to show utility and access easement to connect to Middle Road for water surfaces.
- A comprehensive drainage study was added, which merged the hydro geologic study with the storm water drainage study, and is currently under peer review. The findings from that report indicate a decrease of about 15,000 s.f. of impervious pavement. Three rain gardens will also be constructed.
- The pre and post groundwater will mimic existing conditions.
- The proposed water line will connect along the pedestrian access way to Middle Road. It will be a single water line to provide for both fire and domestic water. He requested confirmation if the layout presented is acceptable.

Mr. Desfosses stated the water line is acceptable as presented and noted a detail needs to be added to plan regarding bagging the water line to prevent corrosion. Mr. Pezzullo added that details should be added to install grass wedges.

Mr. Pezzullo asked where the flow drains will drain to. Mr. Eric Weinrieb, Altus Engineering, replied that it will be evaporation drains. Mr. Pezzullo asked whether it will use an elevator pit or water handling pump system. Mr. Weinrieb could not recall whether it would be a closed sump

structure or require dewatering. Mr. Pezzullo noted that a requirement would not allow for oil in the system and should be indicated on the site plan.

Mr. Pezzullo noted that the condition of the sewer force main connection needs to be verified and tested for size, condition, and material type and witnessed by DPW.

Mr. Belden confirmed to Mr. Desfosses that Unutil indicated the gas line has adequate capacity to support the usage.

Mr. Belden indicated to Mr. Marsilia the location of the exits. Mr. Marsilia noted that for the building permit a life safety plan will need to be provided to show the travel distances to the garage. He added that the closed garage needs to have an adequate HVAC system with backup power.

Mr. Eby asked about the purpose of the walkway that leads to the driveway. Mr. Belden explained that the access would provide a safe route to exit the building. Ms. Walker encouraged them to reevaluate the rear walkway to decide whether it should lead near the Route 1 Bypass. Mr. Marsilia explained that the second egress only needs to be a solid surface. Mr. Belden explained that there is a retaining wall located in the area. Ms. Walker and Mr. Marsilia emphasized that the goal is to keep pedestrians away from the Rte. 1 Bypass.

Mr. Weinrieb explained that the location was chosen specifically for life safety purposes. Ms. Walker respectfully disagreed the proposed locations is the best possible solution and suggested it be realigned to be further from Rte. 1 Bypass.

Mr. Desfosses suggested that the light pole across from the sidewalk be located on the other side of the sidewalk.

Mr. Britz expressed concerns for the low groundwater level. Mr. Belden responded that it was addressed in the StoneHill report and confirmed that the perimeter drains would have minimal impact on the upper wetland area. Mr. Pezzullo suggested that be confirmed in the peer review.

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. Berna moved to **postpone** Site Plan Review to the November 1, 2016 TAC Meeting, seconded by Mr. Desfosses.*

Ms. Walker confirmed to Mr. Ciandella that the only remaining outstanding items for the application is a favorable peer review and revisions previously discussed.

Mr. Pezzullo mentioned to confirm the sewer design. Ms. Walker explained that will be a condition of approval.

The motion passed by a unanimous voice vote (8-0-0).

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D. The application of **Alden Watson Properties, LLC, Owner**, for property located at **56 Lois Street, Milton and Dixie Pappas, Owners**, for property located **off Lois Street**, and **Ann N. Grimbilas Trust, Owner**, for property located **off Lois Street**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots and to extend the Lois Street right-of-way, as follows:

1. Proposed lot #1 having an area of 42,189 ± s.f. (0.9685 acres) and 100.8’ of continuous street frontage on Lois Street;
2. Proposed lot #2 having an area of 119,264 ± s.f. (2.7379 acres) and 20’ of continuous street frontage on Lois Street;
3. Map 232, Lot 12 decreasing in area from 12,000 ± s.f. to 8,825 ± s.f. with 120’ of continuous street frontage on Lois Street;
4. Map 232, Lot 13 decreasing in area from 13,473 ± s.f. to 11,073 ± s.f. with 120’ of continuous street frontage on Lois Street; and
5. A street right-of-way will be created to extend Lois Street, having an area of 10,970 ± s.f.

Said properties are shown on Assessors Map 232 as Lots 8, 12 and 13 and are located in the Single Residence B (SRB) District where the minimum lot area is 15,000 s.f. and minimum continuous street frontage is 100’. (This application was postponed at the August 30, 2016 TAC Meeting).

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION

Colin Dinsmore, Ambit Engineering

Mr. Dinsmore highlighted various changes since the TAC work session in August, which included the following statements:

- The proposed subdivision plan changes include the turning easement and further clarification of the work to delineate what property lines are removed or proposed.
- The proposed roadway was extended beyond the length of the driveway to allow vehicles to turn around. The driveway was widened and the plan proposes a 12-foot wide roadway. No parking signs were added to discourage parking on the roadway.
- A sheet was added to illustrate feedback from the previous work session. It demonstrates an extended proposed water line beyond the roadway, a fire hydrant at the end of the roadway, drainage system details, and a rain garden for roof runoff. The detention pond system on either side of the driveway will treat half Lois Street and the proposed extension.
- The rate of runoff is decreased up through a storm event. A sewer connection in the Right-of-Way is proposed and the City will receive additional sewer system in their Right-of-Way. The debris piles at the back and side of the structure will be cleaned up

and revegetated. The conditional use permit was submitted to Conservation Commission even though there are no direct wetland impacts.

- This roadway plan and profile shows the extension and utilities of what was not previously illustrated. The roadway cross section shows the 12-foot wide roadway with 2-foot shoulders.
- The storm water detention pond is detailed, which shows that it will function as one large pond split by a culvert.

Mr. Eby asked why the driveway easement is larger than driveway. Mr. Dinsmore replied it was widened to allow for snow storage.

Mr. Dinsmore replied to Mr. Desfosses that the driveway will be constructed to city standards. Mr. Desfosses added that the note should reference the same detail as the road.

After discussion amongst the Committee, it was determined that the easement should be clarified to indicate the roadway is utilized for the purpose of emergency access, general maintenance and trash collection.

Mr. Howe suggested to move one fire hydrant up to Middle Road and an additional one installed at the end.

Mr. Desfosses recommended that the driveway be extended to the same width for the entire roadway, so it is uniform and homogenous. The truck is almost as wide as the road and it should be the full width.

PUBLIC HEARING

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

Janna Barbour, 66 Lois Street

Ms. Barbour expressed concerns for extending the street for various reasons, such as wildlife, wetlands, and increase of taxes. There have been several attempts in past years to develop that area and she understood that most of it is wetlands.

Mr. John Chagnon, Ambit Engineering, asked if the shoulder could be reduced to one-foot-wide to minimize the impact. Mr. Desfosses concurred. Mr. Chagnon thought the narrower street would discourage parking. Mr. Desfosses suggested that if parking is a concern then the Parking and Safety Commission should be referred to.

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

Mr. Chagnon mentioned that the street would need to be extended on the east side if a wider width is proposed to avoid wetland impacts. Ms. Walker explained that after the TAC recommendations are made, that could be addressed in the next submission.

DISCUSSION AND DECISION OF THE BOARD

Ms. Walker noted that the application is on the Conservation Commission’s next agenda and the widening of the roadway would be a stipulation of approval.

Mr. Eby thought there is a difference in the plans on the width of the easement. Mr. Dinsmore noted the 20-foot label on the subdivision plan is incorrect and it should be roughly 30-40 feet.

Mr. Pezzullo thought the following should not be a condition of approval: 1) the alignment of the roadway; and, 2) the storage available on the roadway.

*Mr. Pezzullo moved to **postpone** the Subdivision application to the November 1, 2016 TAC Meeting, seconded by Ms. Berna.*

Mr. Britz noted that there is a substantial amount of impact in the buffer and there is no demonstrated need for the long driveway. He stated his opposition to the plan, but would support the motion to postpone.

The motion passed by a unanimous voice vote.

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II. NEW BUSINESS

A. The application of **Carol I. Cooper, Owner, and Lorax Sustainable Development, LLC, Applicant**, for property located at **996 Maplewood Avenue**, requesting Site Plan Approval for the construction of three stand alone single family homes on a single lot with one shared driveway, each home and garage having a footprint of 1,696 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 219 as Lot 4 and lies within the Single Residence B (SRB) District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION

John Lorden, MSC Division of TFMoran, Inc.

Mr. Lorden’s presentation included the following statements:

- The project consists of three condominium dwellings. They received a variance to allow three dwellings on a single lot. There will be limited common area. Each home is approximately 2,000 s.f. and includes a garage and deck. Propane and fire sprinkler system will be included. The building is rear facing and will have solar panels on the south facing roof. There will be three rain gardens installed to provide treatment and mitigation. The area surrounding the pond will be cleared of invasive species.
- A revision was made to the plan as a result of the drainage study. Also, the conservation easement intends to provide 50 feet around the pond and the rest would be common area.

Mr. Lorden replied to Mr. Eby that the driveway can be reconfigured to meet the roadway at a 90-degree angle.

Mr. Britz noted that whoever holds the conservation easement should be decided by the owner. He asked to detail on the plan both the 50-foot setback from the pond and the landscaping plan for the common area.

Mr. Britz asked about the boardwalk at the end of the road. Mr. Lorden explained that it's a series of steps and simply a design feature through the rain garden.

Mr. Desfosses noted that the common sewer should be eight inches and have manholes. The existing water service should be confirmed in size. If it is under eight inches, then it will be terminated out in the road, which may happen before the project continues because the water service is being replaced. The City project will commence in the spring. Mr. Pezzullo added that a manhole should be located in the street and the project site. The project will have to be coordinated with water and sewer in the Maplewood Avenue project.

Mr. Pezzullo suggested that there a couple ways to introduce the domestic water. If there is one shutoff for all three meters, then an easement would be necessary to access the shutoffs. Alternatively, each unit could have its own shutoff that connects to edge of the Right-of-Way.

Mr. Pezzullo mentioned further discussion should be had if there should be a flushing hydrant to address water quality since it is a dead end. Mr. Dinsmore could not recall where the nearest fire hydrant is located.

Mr. Desfosses noted there will need to be a junction box for each individual house and there should be at least three feet of separation between the water and sewer lines.

Mr. Britz asked to remove the fertilizer entirely from the rain garden maintenance plan.

Ms. Berna questioned whether the limited common area would be treated as a subdivision since it spans over three large blocks. Ms. Walker suggested to make the limited common appear close to the building rather than mini footprints.

Mr. Howe thought it would be prudent to locate a hydrant at the end.

Mr. Lorden replied to Mr. Marsilia that the foundations are slab on grade with crawl space and access from the inside.

PUBLIC HEARING

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

Francesca Marconi, 1000 Maplewood Avenue

Ms. Marconi felt that there are a few issues with over gentrification of the area. She wished there was more abutter interaction with the developer instead of simply receiving a notice. She expressed concerns about her privacy and the large trees in the area. When the lawn was cut so quickly, the animals did not have a chance to acclimate elsewhere. She opposed the proposed plan.

Sherry Brandsema, 865 Woodbury Avenue

Ms. Brandsema expressed various concerns in the manner in which the area around the pond was clear cut. The pond was coated with several vegetated matter and the wildlife was disturbed. The piece of property has less than one acre of buildable land. There has not been much concern for the environmental impact and she did not feel the size of the lot can support the number of condominiums proposed.

Lenore Bronson, 828 Woodbury Avenue

Ms. Bronson felt that there have been issues in the procedure of the application. She was informed by the retailer that the property owner preferred one house, but they are offering three, and yet the owner approached the Zoning Board of Adjustment for five. She understood that there would be an opportunity for public input before the Zoning Board of Adjustment meeting.

Ms. Walker clarified the process for applications in the land use boards. Public input is made available during the Planning Board and TAC public hearings. The TAC would not provide information to the Zoning Board of Adjustment. She agreed to provide Ms. Bronson written documentation regarding the process and procedures for applications.

Ms. Bronson expressed concern that the use of the property was approved for three times more than what is permitted per the zoning ordinance. She read the names of various abutters that felt would have liked to have an opportunity for public input. There have been issues with sewage and the water table is very high. She felt the raingardens may not be helpful to preserve the area.

The Chair asked if anyone else was present from the public wishing to speak to, for, or against the application. The Chair closed the public hearing.

DISCUSSION AND DECISION OF THE BOARD

Mr. Britz clarified that there is a 100-foot setback and there is no impact on the wetland proposed.

Ms. Walker stated that there will be more opportunities for public input through the public hearing at the Planning Board.

Mr. Desfosses suggested the first four feet of the driveway could be reshaped closest to Maplewood Avenue. He echoed concerns raised regarding the water quality of the pond since it does not have an outlet. He would like an additional analysis for water quality from driveway runoff and an addition of a sand filter or any other design that will prevent major runoff from baling over the rain garden.

*Mr. Britz moved to **postpone** Site Plan Review to the November 1, 2016 TAC Meeting, seconded by Mr. Desfosses.*

The Committee summarized the revisions requested that were previously stated.

The motion passed by a unanimous voice vote (8-0-0).

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III. ADJOURNMENT

A motion to adjourn at 3:45 p.m. was made, seconded and passed unanimously.

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Respectfully submitted,

Marissa Day
Acting Secretary for the Technical Advisory Committee