

SITE PLAN REVIEW TECHNICAL ADVISORY COMMITTEE  
PORTSMOUTH, NEW HAMPSHIRE

Remote Meeting Via Zoom Conference Call

Per NH RSA 91-A:2, III (b) the Chair has declared COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-18, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

2:00 PM

OCTOBER 6, 2020

MINUTES

MEMBERS PRESENT: Juliet TH Walker, Chairperson, Planning Director; Peter Britz, Environmental Planner; David Desfosses, Construction Technician Supervisor; Eric Eby, Parking and Transportation Engineer; Patrick Howe, Fire Department; Nicholas Cracknell, Principal Planner and Robert Marsilia, Chief Building Inspector

MEMBERS ABSENT: Mark Newport, Police Captain;

ADDITIONAL  
STAFF PRESENT: Jillian Harris, Planner 1 and Ray Pezzullo, Assistant City Engineer

**I. APPROVAL OF MINUTES**

A. Approval of minutes from the September 1, 2020 Site Plan Review Technical Advisory Committee Meeting.

Mr. Britz moved to approve the minutes from the September 1, 2020 Site Plan Review Technical Advisory Committee Meeting, seconded by Mr. Desfosses. The motion passed unanimously.

**II. OLD BUSINESS**

A. **REQUEST TO POSTPONE** The application of Clipper Traders, LLC, Portsmouth Hardware and Lumber, LLC, Owners and Iron Horse Properties, LLC, Owner and Applicant, for properties located at 105 Bartlett Street and Bartlett Street requesting Site Plan Review approval for the demolition and relocation of existing structures and the construction of 174 dwelling units in two (2) multi-family apartment buildings and one (1) mixed-use building with first floor office, amenity space and upper story apartments and associated community space, paving, lighting, utilities, landscaping and other site improvements. Said properties are shown on Assessor Map 157 Lot 1 and Lot 2 and Assessor Map 164 Lot 1 and 4-2 and lie within the Character District 4-W (CD4-W) and Character District 4-L1 (CD4-L1) Districts. **REQUEST TO POSTPONE**

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

Mr. Cracknell moved to postpone this application to the next regularly scheduled TAC Meeting, seconded by Mr. Desfosses. The motion passed unanimously.

**B. REQUEST TO POSTPONE** The application of Bacman Enterprises, Inc., Owner, for property located at 140 Edmond Avenue requesting Site Plan Review approval for improvements associated with the expansion of an existing chiropractor office and residence, to remove an existing asphalt driveway and replace it with a 1,169 s.f. pervious paver driveway, add 583 s.f. of grading work for landscaping and drainage, and add a 384 s.f. shed with a ramp in the rear of the property. Said property is shown on Assessor Map 220 Lot 81 and lies within the Single Residence B (SRB) District. **REQUEST TO POSTPONE**

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

Mr. Cracknell moved to postpone this application to the next regularly scheduled TAC Meeting, seconded by Mr. Desfosses. The motion passed unanimously.

## **III. NEW BUSINESS**

**A.** The application of Raleigh Way Holding, LLC, Owner, for properties located at 0 Falkland Way requesting Site Plan Review Approval for the demolition of an existing garage and shed and the construction of a new 4-unit residential building with associated parking, stormwater management, lighting, utilities and landscaping. Said properties are shown on Assessor Map 212 Lots 112 & 113 and lie within the General Residence B (GRB) District.

## **SPEAKING TO THE APPLICATION**

Alex Ross and Brendan McNamara spoke to the application. Mr. Ross noted that the existing conditions consist of a garage, shed and large parking area across two parcels. The existing structures and pavement will be removed. The proposal is to merge the parcels to create a .34-acre lot and build a 4-unit building with small decks. There will be a new driveway off Saratoga Way leading to a parking area. There will be a small rain garden and drainage swale and detention pond off the driveway. The parcel is a little unique because it collects runoff for the block. It discharges through an existing culvert. Mr. Ross has been discussing the drainage with DPW. The utility plan includes new water, gas, and sewer lines off Saratoga Way. There is a utility pole on the side of the property that serves additional lots served. They are working to confirm with Eversource that they can use that pole. Runoff will be controlled by the rain garden and swale. There are some existing large trees that they will work to preserve. The landscape plan includes some screening plants along Saratoga Way and other planting beds on site. Mr. Eby brought up concerns about the intersection at the TAC Work Session. It is not a heavily traveled area and there is adequate sight distance.

Mr. McNamara spoke to the building design. There will be porches and decks for the units. The basements were eliminated because of drainage concerns. The utility room will be on the northeast corner of the building.

TAC comments:

1. Third Party Drainage review to be performed by Altus Engineering.
  - a. Mr. Ross responded that they agreed to that and have reached out to Altus already. Mr. Ross noted that DPW requested that they add the 15% that was typical for an AOT project, and that can be provided if needed. Ms. Walker confirmed that the additional 15% was required because the lot collects runoff for the whole neighborhood.
2. Continue the street curb up to the driveway apron.
  - a. Mr. Ross confirmed that would be updated.
3. Provide small high spot in driveway apron to keep roadway stormwater in the road.
  - a. Mr. Ross responded that spot elevations could be added to make sure the flow continues along the edge of the road.
4. There is insufficient cover over the sewer service line as shown.
  - a. Mr. Ross responded that the main line would be in Saratoga Way with 4 feet of cover.
5. Sewer connection shall be witnessed and approved by Portsmouth Water, solid couplings will be used to cut in the service to the main.
  - a. Mr. Ross confirmed that note would be added.
6. The driveway is too close to 212/102, 103 to construct it without being on property of others.
  - a. Mr. Ross responded that the driveway was shifted slightly.
7. The driveway grading as shown sheds water onto lots 102 and 103.
  - a. Mr. Ross responded that the new set up gives enough room for the swale and rain garden.
8. Pole 197/6 seems to be on property of others. Confirm that this property has the right of access to this pole and that Eversource agrees with this design.
  - a. Mr. Ross responded that the utility pole was on the property line. They are working with Eversource and hoping to get written confirmation that it can be used.
9. As the snow storage is shown on the plan as being in the stormwater swale, please confirm that storing snow in the stormwater swale will not create flooding on or off the property (i.e. during a heavy early spring rain event where snow is still being stored in the drainage swale).
  - a. Mr. Ross responded that the edge of the parking lot is a swale that will also be an area for snow storage. There is also an area for snow storage in the northwest corner. There has been concern that the snow may impede water flow in the swale. An under drain can be added to ensure the swale still functions as needed.
10. No drainage maintenance plan has been provided. Please provide a plan and requirements for long- term maintenance with reporting to DPW and Planning Departments annually.
  - a. Mr. Ross responded that a drainage maintenance plan can be prepared.

11. The plantings and landscaping along the Saratoga Way frontage must not obstruct the sight line from the driveway to the corner of Albacore Way. The Limelight and the branches of the Oak tree might be in the line of sight.
  - a. Mr. Ross responded that they can shift back the trees and vegetation along Saratoga Way to ensure there is a good line of sight.
12. Applicant should provide a turning-template to show that vehicles can enter the driveway and park in the garage for Unit 1 as it looks very tight to make the turning movements necessary to enter the garage.
  - a. Mr. Ross confirmed they would provide a turning template for review.
13. Retention of the 30" Elm Tree is challenging as the proposed foundation is within 10 feet of the trunk and well within the dripline. Tree protection measures should be included (such as snow fencing along the drip line) to avoid unnecessary soil compaction and other disturbance.
  - a. Mr. Ross responded that the tree is 15 feet from the foundation and 10 feet from rear deck. Tree protection measures will be added to the plan.

Mr. Desfosses raised concern about the elevations on the plan and whether or not there would be 4 feet of fill on top of the pipe. Mr. Ross confirmed that there would be and noted that a cross section could be provided. Mr. Desfosses questioned if the utility room would be heated. Mr. McNamara confirmed that was correct. There will be an individual mechanical room for each unit as well. Mr. Desfosses requested clarification that pipes going under the slab would be sleeved. Mr. McNamara confirmed that was correct. The pipes would go under the garages and there would be clean outs at each unit. The utility room can be stretched as needed to accommodate everything.

Mr. Cracknell noted that it was important to protect the elm tree. There should be a stipulation to put up fence around the tree to prevent damage. Mr. Cracknell questioned where the water on the existing drive went. Mr. Ross responded that it would run along the driveway to the rain garden. Ms. Walker noted that the City has guidelines from the City Arborist that can be referenced for tree protection.

Mr. Desfosses noted that there was an evergreen tree blocking sight lines for the crosswalk and requested that it be removed. Mr. Ross responded that it can be removed.

Mr. Howe questioned if the fire control panel would be in the utility room. Mr. McNamara confirmed it would.

## **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. Howe moved to **recommend approved** of this request to the Planning Board, seconded by Mr. Cracknell with the following stipulations:

1. A Third Party Drainage review to be completed by Altus Engineering;
2. Plans shall be revised to show the street curb continuing up to the driveway apron;
3. The plans shall be amended to provide a small high spot in the driveway apron to keep roadway stormwater in the road;
4. Review the location of the sewer service line to ensure there is sufficient cover. Applicant shall provide a cross-section for DPW review and approval;
5. Plans shall be updated to note that the sewer connection shall be witnessed and approved by Portsmouth Water Division and solid couplings will be used to cut in the service to the main;
6. Pole 197/6 seems to be on property of others. Applicant shall provide confirmation that this property has the right of access to this pole and a will-serve letter from Eversource.
7. An underdrain will be added where snow storage is proposed in the stormwater swale.
8. Applicant shall submit a drainage maintenance plan and requirements for long-term maintenance with reporting to DPW and Planning Departments annually.
9. The plantings and landscaping along the Saratoga Way frontage must not obstruct the sight line from the driveway to the corner of Albacore Way. The Limelight and the branches of the Oak tree might be in the line of sight. Landscaping plans shall be revised to provide clear line of sight.
10. Applicant should provide a turning-template to show that vehicles can enter the driveway and park in the garage for Unit 1 as it looks very tight to make the turning movements necessary to enter the garage.
11. Retention of the 30" Elm Tree is challenging as the proposed foundation is within 10 feet of the trunk and well within the dripline. Tree protection measures should be included on the plan that meet city standards.
12. Plans shall be revised to show that the Evergreen tree on property corner nearest Albacore Way shall be removed for line of sight at the crosswalk.

The motion passed unanimously.

B. The request of Foundry Place, LLC, Owner, for property located at 89 Foundry Place for amended Site Plan Review Approval and a third 1-year extension of the Site Plan Review approval that was originally granted on November 16, 2017 and most recently granted a second 1-year extension on September 18, 2019, which will expire on November 16, 2020. Said property is shown on Assessor Map 138 Lot 62 and lies within the Character District 5 (CD5) District.

### **SPEAKING TO THE APPLICATION**

Tim Phoenix and Gregg Mikolaities spoke to the application. Mr. Phoenix commented that the site plan was approved in November 2017. The application has gotten some extensions that are set to expire in November 2020. The plans changed to add more living units. Before Covid the

team met with Ms. Walker who felt the changes could be approved administratively. Then Covid hit and there were delays. There were problems with financing and construction. Because of that it was unlikely this project would hit the deadline. A request was submitted for another extension. Because a neighbor sent an objection for the administrative review and the team is asking for an extension and amendments, Ms. Walker felt that the application should be go before TAC and Planning Board. There were some changes to the number of units, but nothing has changed on the material issues.

Mr. Mikolaities commented that there will be 4,300 sf of office space and 12 residential units. Overall it is smaller by 8,000 sf. The required parking is 65 spaces, and the plan is providing 69 spaces. The entrance on Hill St. was eliminated. The penthouse on the fifth story was eliminated. They looked at the grading on the west side of the building and added a 3-foot retaining wall on that side. The plan is showing that Hill St. is being regraded, but that is incorrect. The plan will be changed for the Planning Board. The street will be milled and overlaid. There are no changes to the utilities. The transformer and electrical room entrance will be off Foundry Place. There will be a roof deck on the north side of the roof.

TAC Comments:

1. There should be no notes on the plan referencing 'by the City' All improvements that the City owed are complete. Instead use 'preserve/protect/replace'.
  1. Mr. Mikolaities confirmed the language would be fixed.
2. The condition of Hill St 'extension' is that a mill and overlay paving project will no longer be successful and the Applicant's Engineer is showing re-grading this street. The Applicant should show reclaim and repave full depth instead of milling.
  1. Mr. Mikolaities confirmed the plans would be corrected.
3. All electrical upgrades previously discussed on Hill St should be accomplished under this approval. This includes reimbursement to the City for conduit that was placed previously in Hanover and Autumn Streets for this purpose.
  1. Mr. Mikolaities agreed and confirmed they would work with DPW.
4. Is the City expected to maintain sidewalk on private property? Why not switch location of bike rack, benches and garbage cans to private property and place sidewalk on public land? Public sidewalk area is being taken up by LSA. Doesn't sidewalk have to be a sidewalk?
  1. Mr. Mikolaities commented that it would be the same agreement with the City on the opposite side with the hotel. The landscaping will be planted and maintained by the owners. Ms. Walker commented that it should be switched it to public space because community space has to be on private property.
5. Bike rack in parking garage is not accessible when vehicles are parked in abutting spaces. Should be moved to a more visible and accessible location.
  1. Mr. Mikolaities responded that the bike rack will be moved to near space 3.
6. It appears that 14 of the 31 garage spaces will be for the Hill Hanover Group. How will they access the garage on foot? Can a stairwell and/or entrance be placed on Hill Street side of the building?

1. Mr. Mikolaities confirmed that sheet was mislabeled. The 3 will be revised to say designated for Hill Hanover Group. Mr. Desfosses questioned if they will still be brick. Mr. Mikolaities confirmed that was correct.

Mr. Mikolaities noted that they received a letter from Elizabeth Bratter and wanted to address some of her concerns. There are 31 spaces. There are 3 more spaces on Hill St to make 34. The parking garage minimum does meet the City parking requirements. There is a total of 69 spaces. Ms. Bratter made a comment about increasing grade, however, they plan is to cut into the site and not raise the grade. The plan is not asking for any relief in height.

Ms. Walker requested more detail about the access from the garage to Hill St. Mr. Mikolaities responded that stairway 2 would be the entrance into the garage. Also, there will be direct access off Hill St. through the courtyard.

Mr. Desfosses noted that there were spot grades in the north east corner and questioned if there was a ramp in the building. Doug Reynolds confirmed there was a ramp inside that door. Mr. Desfosses commented that the landscaping break between Foundry Place and the sidewalk was good.

Mr. Howe requested more detail about the remoteness of the exits in the garage. Kim Rogers responded that it was more than a third of the distance. Mr. Howe questioned what the occupant load of the garage was. The MSA Architect responded 63. From the edge of the wall to the door it should be less than 50 feet. Mr. Howe commented that he wanted to see the updated plans for that.

Mr. Desfosses noted that the water room has moved across the building from stubs. The electrical room should be the water room. Mr. Rogers responded that the transformer and water are both in that corner. The water can be pushed to the right side. The water will run along the front of the building and under the commercial space to the room. The water and electrical rooms can be switched, but then the electrical will run across the building. Mr. Desfosses noted that the water mains should not go under slab. The water room should be close to the front wall. It may go where the mail package room is on this plan. Ms. Walker commented that they can stipulate that they locate the water room as close to the front of the building and stubs as possible. It can be reviewed by DPW.

Mr. Howe questioned if there was a fire pump for the building. The MSA Architect responded that they were trying to get a float test. Mr. Howe noted that the fire pump needs direct access from the outside.

Mr. Howe questioned what the total area of the occupied roof was. The MSA Architect responded that the occupant load was less than 50.

Mr. Marsilia noted that the electrical room would need two doors based its size. The MSA Architect confirmed there would be two doors.

## PUBLIC HEARING

Elizabeth Bratter of McDonough St. noted that a neighbor was concerned about fire access to the top levels of the building on the Hill St. side because Hill St. was narrow. The plans from 2017 show the height before the penthouse as 64 feet. The current plan shows it as 69 feet. The 2017 plan shows that the average grade was 14.6 and the current shows the average grade 15.6. The sidewalk concern has been addressed. Ms. Bratter's other concern was the lack of on-site parking. More residential units mean more parking.

Mr. Rogers commented that the average grade in 2017 was 14.6 and the building height was 61.10. The current plan's grade is 15.6 and the building height is 53.9. They are lowering the building not the grade.

Mr. Howe commented that he did not see the original plan because he was not on TAC when it was approved, so he has not seen the Hill St. plan with the fire access. Mr. Howe questioned what the width of Foundry was. Mr. Mikolaities responded that it was 22 feet. Mr. Howe noted that they can set up an aerial device there. Mr. Rogers added that Foundry Place was 22 feet wide with a 14-foot sidewalk. Hill St. was 22 feet wide with a sidewalk. There is also a parking area in front of the building.

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

Ms. Walker commented that they could move to approve the extension and postpone the amendments if there needed to be further review. Mr. Howe responded that he was comfortable moving forward with everything. However, Mr. Howe wanted to review the egress remoteness, common path of travel on lower levels, occupancy calculations for the roof, and the fire department access including a turning radius.

Mr. Howe moved to **recommend approved** of this request to the Planning Board, seconded by Mr. Desfosses with the following stipulations:

Conditions to be Completed Prior to Planning Board review

1. DPW review and approval required for the proposed location of water lines and electrical service to the property.
2. Fire Department review and approval required to confirm interior layout of garage is adequate for compliance with code requirements related to access/egress locations and occupancy load.

[PLEASE NOTE: REVISED PLANS ARE NOT REQUIRED FOR PLANNING BOARD, ONLY CONFIRMATION OF DPW AND FIRE DEPARTMENT APPROVAL]



### Conditions to be Completed Prior to Building Permit Issuance

3. Plans shall be adjusted per DPW and Fire Department requirements as referenced above.
  4. Remove all notes on the plans referencing 'by the City'. All improvements that the City owed are complete. Instead use 'preserve/protect/replace'.
  5. Remove any references to regrading of Hill St 'extension'.
  6. Plans should reflect that all electrical upgrades previously discussed with City on Hill St will be accomplished under this approval. This includes reimbursement to the City for conduit that was placed previously in Hanover and Autumn Streets for this purpose.
  7. Bike rack in parking garage is not accessible when vehicles are parked in abutting spaces. Plans shall be adjusted to show that the rack has been moved to a more visible and accessible location.
  8. The note designating the 3 parking spaces on Hill Street as short-term parking shall be revised to reflect that these will be assigned to the Hill/Hanover Group.
  9. Notes shall be added to the plan that the property owner agrees to install and maintain landscaping proposed in public right-of-way.
- The motion passed unanimously.

C. The request of 553-559 Islington Street, LLC, Owner, for property located at 553 Islington Street requesting Site Plan Review Approval for a 359 s.f. addition and renovation to an existing six-unit apartment building, with the removal of an existing garage and addition of paving and striping, landscaping and lighting. Said property is shown on Assessor Map 157 Lot 3 and lies within the Character District 4-L2 (CD4-L2) District.

### **SPEAKING TO THE APPLICATION**

John Chagnon from Ambit Engineering, Ed Zimmerman owner, and architect Tim Boucher spoke to the application. Mr. Chagnon commented that that the site currently has a residential building with an addition to the left side. The driveway is on the northeast side. It goes to a garage and gravel parking area. The demolition plan shows removing a pole in the back of site and removing a few trees in front. The area will be replanted. The stairway in the front is currently not to code. That will be removed, and better access will be provided. The existing garage will be taken as well as the stairs and bulkheads on the back of the building. The site needed a variance for the lot area per dwelling unit. There are 6 units there now and there will be 6 units there tomorrow. The lot area per dwelling unit was not up to current code. There was also a variance for open space and first floor height. The plan is to place a small addition on the back of the building totaling to 359 sf. This will allow for better access and layout to the units. There will be a pavement parking area in the back with 8 spaces. Technically 9 spaces are required, so they will be requesting a CUP from the Planning Board. The landscaping at the front of stoop will be replaced. There will be an infiltration trench at the rear of the parking area. The utility plan shows new connections. The City has plans to provide sewer on Islington St. in the future, so the plan is showing a new connection for that. The water service will be redone and there will be sprinkler service. They have decided to not use gas, so that will be removed

from the application. The only lighting will be on the building. There will not be any pole mounted lights.

TAC Comments:

1. The sewer shown on this plan ‘by the City’ will not happen prior to this project. Do not flow fill the existing sewer. It is ok to show a future sewer line and ‘coordinate with the City’ in the future. Right of access for the future installation of this line by the City should be acquired during this process. Sewer should be replaced out to the edge of parking from the building now before new stairs are constructed. New sewer lateral will connect at that spot in the future.
  1. Mr. Chagnon responded that they made some changes to the utility plan to reflect those comments. Mr. Desfosses noted that in the future the City will likely terminate the sewer pipe at the concrete and asphalt interface. They should put the fittings on there and run it down to the under edge of the asphalt. Mr. Chagnon confirmed that would be updated and note that the City will have access to the sewer pipe.
2. Shut off for the domestic water tap shall be in the sidewalk, not in the curb line as shown.
  1. Mr. Chagnon confirmed that it would be updated.
3. The pole in front of the building is there only because of the attachment point of the overhead service. We should endeavor to relocate the service attachment so that the pole can be removed permanently.
  1. Mr. Zimmerman confirmed that he could follow up with the provider.

Mr. Howe commented that the stairwell serving as an exit for everything above ground floor was not in compliance if it served the basement as well. Mr. Boucher responded that this came up in the work session and they discussed creating a separate stair to the basement with a fire door. Mr. Howe confirmed that would work if there was a door at the top and bottom of the stairs. The fire door in should not serve the laundry room. Mr. Boucher confirmed they would create a vestibule between the basement stair and the laundry.

## **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. Howe moved to **recommend approved** of this request to the Planning Board, seconded by Mr. Desfosses with the following stipulations:

1. The sewer shown on this plan ‘by the City’ will not happen prior to this project. Do not flow fill the existing sewer. It is ok to show a future sewer line and ‘coordinate with the City’ in the future. Right of access for the future installation of this line by the City should be acquired during this process. If needed, sewer should be replaced out to the edge of parking from the building now before new stairs are constructed. New sewer lateral will connect at that spot in the future.
2. A temporary construction easement shall be provided to the City for future installation of sewer line and the plan shall be updated to note the required easement.
3. Shut off for the domestic water tap shall be in the sidewalk, not in the curb line as shown. Applicant to coordinate with Eversource on possible removal of pole in front of the building.
4. The pole in front of the building is there only because of the attachment point of the overhead service. Relocating the service attachment should be investigated, so that the pole can be removed permanently.
5. Applicant to update basement stair and egress floorplan per Fire code requirements.

The motion passed unanimously.

**IV. ADJOURNMENT**

Mr. Desfosses moved to adjourn the meeting at 3:51 pm, seconded by Mr. Howe. The motion passed unanimously.

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Respectfully submitted,

Becky Frey,  
Acting Secretary for the Technical Advisory Committee