

**MINUTES
SITE REVIEW TECHNICAL ADVISORY COMMITTEE**

**2:00 P.M.
2002**

CITY COUNCIL CHAMBERS

NOVEMBER 5,

**MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

MEMBERS PRESENT: David M. Holden, Planning Director;
John Burke, Parking and Transportation Engineer;
David Allen, Deputy Public Works Director;
Charlie Jones, Fire Marshal;
and, David Desfosses, Engineering Technician
(Engineering)

MEMBERS ABSENT: Michael Magnant, Deputy Police Chief;
Tom Cravens, Engineering Technician (Water); and,
Alanson Sturgis, Chairman of the Conservation Commission

ALSO PRESENT: Lucy E. Tillman, Planner 1

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The Chair called the meeting to order at approximately 2:04 p.m. The Chair explained that five members were present constituting a quorum and that the intent was to proceed.
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I. PUBLIC HEARINGS

A. The application of **Coastal Materials Corp.** for property located off **Banfield Road** wherein site plan approval is requested for the construction of a 54' high storage silo with associated site improvements. Said property is shown on Assessor Plan 254 as Lot 4 and lies within an Industrial district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Rick LaBonte addressed the Committee informing them that the property was sold recently and Aggregate Material is the new owner.

David Fernald addressed the Committee and explained that he worked for the new owner. He stated that the proposal would not create any more noise than the current operation. Mr. Fernald further explained that there is a silo at the site that is encased within a structure. The additional silo would provide for storage of powdery cement and cut down on the amount of truck traffic. A mechanism would be in place that would suppress any dust created by the new operation. It will take six or seven tractor trailer loads to fill the silo. Mr. Fernald reiterated that there would be no traffic concerns and no additional truck traffic.

The Chair suggested that elevations would be helpful in presenting the proposal to the Planning Board.

The Chair made three calls for speakers. There being none, the Chair closed the Public Hearing and awaited an action on the part of the Committee.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses moved to approve with stipulations. Fire Marshal Jones seconded the motion that passed unanimously with the following stipulation:

- 1) That a note be added to the site plan indicating that the operation of the silo shall comply with Article V of the *Zoning Ordinance*.

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B The application of **Aranosian Oil Company, Inc.** for property located at **766 Lafayette Road** wherein site plan approval is requested for the replacement of an existing 800 s.f. canopy with a 2,490 s.f. ± (48' x 52') canopy and the construction of a small traffic island upon which will be sited a proposed goal post sign with associated site improvements. Said property is shown on Assessor Plan 244 as Lot 6 and lies within a General Business district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon of Ambit Engineering addressed the Committee stating that he was representing Aranosian Oil Company and advised the Committee that Paul Kenney of Aranosian Oil was also present. The proposal calls for the replacement of the existing canopy with a 52' x 48' canopy. There will be an increase of some 1,600 s.f. protecting the area where cars use the fuel dispensers.

Mr. Chagnon informed the Committee that Board of Adjustment approval had been received for relief from the 105' requirement for a front yard setback and for relief from the 100' setback requirement from Sagamore Creek.

Mr. Chagnon reported that there would be no change in the impervious area; that the existing canopy would be taken down and new supports would be installed for the new canopy. Shevenell Gallen, Environmental Consultants, reviewed the existing and proposed canopy islands and prepared a letter commenting on the environmental impacts. It was felt that whereas the station is a full-service shop, there would be less likelihood of spills. Mr. Chagnon referred to the summary on page 2 in which it was stated that

- 1) the proposed canopy is a significant improvement over the existing structure and reduces the risk of impact to groundwater or surface water from incidental releases of motor fuels that could occur at the dispenser islands; and
- 2) the human risk factor is inferred to be the most significant relative to releases associated with dispensing operations, and because the facility is a "full service" station the opportunity for control of this factor is afforded by the dispensing of fuels by trained employees who are accountable for their actions.

(Mr. Chagnon submitted the letter for the record.)

The plan also shows some additional things that will make the site more conforming; such as, striped parking on the southerly side of the property for more structured parking as well as screening for the dumpster.

Also, the plan calls for a little addition to an existing traffic island to accommodate a new free-standing goal post sign. Signage on the canopy will be taken down. Mr. Chagnon assured the Committee that the new signs would conform to the square footage requirements allowed by the ordinance.

Mr. Chagnon further commented that the plans would be corrected to show the existing water and sewer connections to ensure that the canopy would not impact any of those services.

The Chair made three calls for speakers and subsequently decided to keep the Public Hearing open.

The Chair stated that it was his understanding that nothing was being proposed that would affect the existing building. Mr. Chagnon replied in the affirmative. The Chair continued on by stating that it was his understanding that the work is solely limited to the canopy and the driveway cuts would not be affected. Mr. Chagnon responded by stating that the driveway cuts would not be affected.

The Chair inquired as to existing vegetation. Mr. Chagnon referred to a small area between the edge of pavement and the top of the slope that was encumbered by drainage and access easements. The Chair suggested that Mr. Chagnon work with Lucy Tillman of the Planning Department to come up with some vegetation plans.

The Chair made another call for speakers. There being none, the Chair declared the Public Hearing closed and awaited action on the part of the Committee.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Allen moved to approve with stipulations. Mr. Desfosses seconded the motion.

Ms. Tillman inquired if the pumps would be staying where they are with Mr. Chagnon responding by stating that there would be no change to the services.

Mr. Desfosses commented that based on the Shevenell/Gallen letter he felt very comfortable that because the station is full service, the spill containment systems normally installed might not be needed in this instance. Much discussion ensued on this issue. Mr. Chagnon felt that any spill that might occur at a dispensing location would be directed to an area between the dispensing locations. He stated that the pumps were such that they would shut off should a dispenser fall out of a car.

The Chair asked if a containment system could be installed at this time. Mr. Chagnon responded by stating that there are a lot of issues involved including massive excavation and regrading. Due to existing soil conditions, the owner is concerned that more environmental harm might be done.

Mr. Allen asked if the current distribution system was in compliance with the regulations. Mr. Chagnon responded in the affirmative adding that Shevenell/Gallen and the owners

have an agreement with the State regarding monitoring the site. Mr. Chagnon concurred that the site is a sensitive site. However, he assured the Committee that the existing site is being checked and monitored.

Mr. Desfosses inquired as to why vehicles were parked on the Greenleaf Woods side of the station. Mr. Chagnon reiterated that structured parking would be on the other side. Paul Kenney of Aranosian Oil addressed the Committee and stated that he concurred that the site is a sensitive

site. He went on to state that Bournival does park some cars on the Greenleaf Woods side of the building when vehicles are being off-loaded.

With regard to the containment issue, Mr. Kenney stated that the canopy would improve the aesthetics of the site; that if and when they decide to come in with a convenience store, it would be a completely new ball game and the City would get a second shot at it. He went on to state that at such a time, the station would become self-service and methods would have to be taken to improve the situation.

Mr. Desfosses stated that he bought that argument and that if and when the station goes to self-service or a convenience store is added to the site, then the entire drainage of the site would have to be looked at and modified due to the site's extreme proximity to the salt marsh.

Mr. Allen spoke to the traffic island and inquired as to its treatment. Mr. Chagnon responded by stating that it was paved. Mr. Desfosses asked if the granite curbing would be sloped with the response being that it would be vertical.

The motion to recommend approval of the site plan passed unanimously with the following stipulations:

1. That the applicant shall meet with Lucy Tillman of the Planning Department to see what can be done to provide some landscaping; and
2. That the signage indicated on the site plan shall be subject to receiving a Sign Permit from the City of Portsmouth.

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C. The application of **JMK Realty, LLC** for property located at **700 Peverly Hill Road** wherein site plan approval is requested for expanded paving with related drainage and associated site improvements. Said property is shown on Assessor Plan 252 as Lot 2-10 and lies within an Industrial district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney Peter Loughlin addressed the Board and stated that he was present with Eric Weinrieb of Altus Engineering and John Sawyer of JMK Realty. Attorney Loughlin submitted a copy of an approved 1986 site plan that showed the entire site as being developed. However, most of the space was not built upon. The proposal calls for a certain gravel area to be paved.

Attorney Loughlin went on to state that all of the landscaping was installed in accordance with the '86 site plan. The proposal calls for a lot of shade trees on the westerly side of the property to further screen the use. Landscaping is also proposed to the front of the building located to the rear of the site. Attorney Loughlin informed the Committee that the use of the site over the years has been for very intensive storage.

Attorney Loughlin stated that basically the request is to clean up the area and pave the surface adding that work is done in the building to the rear as well as in the front building. Cars awaiting service have been parked in the gravel area, which is not conducive to keeping cars clean.

Attorney Loughlin reiterated that the purpose of the application is to pave the area, treat the stormwater runoff and update the stormwater drainage.

Eric Weinrieb of Altus Engineering addressed the Committee and stated that he prepared the plans for the project. The existing 12" drain pipe has been determined to be undersized and will be replaced with a 24" pipe. Stormwater treatment for the site will follow Best Management Practices. Mr. Weinrieb spoke to a grassy swale to the back of the site. The runoff will discharge into an existing culvert system. It was Mr. Weinrieb's opinion that there would be no increase to the peak rate of runoff.

The Chair stated that it was his understanding that during a recent rain storm, there was flooding along a lot line. Mr. Weinrieb explained that the site in question is lower than the westerly abutter. He spoke to the removal of some pavement, regrading and repaving adding that the entire rear site would be paved. He also spoke to the installation of three catch basins.

Mr. Allen inquired as to the type of curbing that would be used in association with the planting around the second building. Mr. Weinrieb responded that the curbing would be a Cape Cod berm.

Discussion ensued on elevations with it being determined that the back elevation at a 10 year storm would be 43.89.

The Chair stated that it was his understanding that there may continue to be some flooding offsite and that if the condition was made worse by the proposed improvements, then the applicant would be held responsible. Attorney Loughlin pointed out that the West Road development was done by the Iafolla family who owned all the property; that the property was developed with the understanding that this was where the flow would go; that they were not taking a pristine piece of property and dumping onto another pristine piece of property. The Chair asked if the applicant was prepared to defend any complaint arising from the site improvements with the response from Attorney Loughlin being in the affirmative.

Mr. Desfosses offered that assuming the drainage study is correct, flooding in the area may be increased by some $\frac{3}{4}$ of an inch that Mr. Desfosses felt was negligible.

The Chair commented that the request is a relatively simple one; however, he wanted assurances that abutting property owners are aware of the change.

The Chair asked if any vehicle repair work would be done outside of the buildings with the response being in the negative.

The Chair made three calls for speakers. There being none, the Chair declared the Public Hearing closed and awaited discussion on the part of the Committee.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses moved to approve with stipulations. Mr. Allen seconded the motion.

The question was asked if there would be any change in lighting with the response being in the negative.

Mr. Desfosses expressed his opinion that the surveyed plan did not appear to be accurate. The Chair suggested that a metes and bounds description be submitted.

The motion to approve passed unanimously with the following stipulations:

1. That the applicant work with Lucy Tillman of the Planning Department regarding the landscaping along the southerly property line;
2. That a report be made available to the Planning Board regarding any concerns any abutting property owner might have regarding the proposed drainage plan; and,
3. That the City of Portsmouth be held harmless from any claims arising out of the proposed drainage plan;
4. That the site plan contain a metes and bounds description and indicate which boundary monuments have been installed and which have not;
5. That the landscaping in front of the rear building not interfere with the Fire Department connection.

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D. The application of **505 Lafayette Road, LLC** for property located at **605 Lafayette Road** wherein site plan approval is requested for the construction for a one-story 1,500 s.f. ± addition to the rear of the existing building and a complete second story addition (4,000 s.f. ± with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 229 as Lot 9 and lies within a General Business district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Jessica Winston of Millette, Sprague & Colwell addressed the Board and spoke to the proposed addition to the rear of the building as well as an entire second floor addition. Ms. Winston informed the Committee that Variances were granted by the Board of Adjustment on October 15th to allow a 79' front yard setback where 105' is required and to allow for the expansion of a non-conforming building. Utilities will remain unchanged. Entrances and exits will remain unchanged. Parking spaces will be adequately provided for. The islands will be reconfigured to allow for adequate passage around the building. The proposal will not affect access to abutting properties. Ms. Winston explained that the center island curbing (associated with a previous approval) was placed incorrectly and would be fixed.

The Chair asked if there was anyone else present wishing to speak to, for or against the application. Seeing no one rise, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

In response to a question from the Chair, Ms. Winston explained that the purpose of the islands was to direct the traffic and slow the traffic down. More green space will be added to the site. She commented that the previously approved site plan called for three trees in the center island. The first tree will be removed and relocated.

The Chair inquired as to why granite curbing would not be used with Ms. Winston explaining that in accordance with their client's request, they went with bituminous curbing. Mr. Allen commented that bituminous curbing requires attention over time and asked if there would be any problem with replacing with granite. Ms. Winston stated that she would confer with her client.

Mr. Burke stated that he has problems with the curbing in that it doesn't line up; it being his opinion that the situation could be corrected with minor changes.

Mr. Desfosses moved to approve with stipulations. Mr. Allen seconded the motion. Discussion ensued on the island configuration with Mr. Burke suggesting some minor changes to curbing and landscaping. Ms. Winston stated that she understood Mr. Burke's concerns and suggested that striping might help. Mr. Burke replied that the plan would have to be reviewed by the Traffic/Safety Committee. Mention was also made that concurrence of an abutter (Bowl-a-Rama) would be required.

Mr. Burke moved to table the application to the Committee's December 3, 2002 meeting to allow for the submittal of a revised site plan. The motion was seconded. Mr. Allen commented that the changes may be minor but they are also major as far as traffic flow is concerned. He concurred that the application should be tabled to see if the applicant feels that the changes could be made.

The motion to table passed unanimously. The tabling motion was made to allow for a reconfiguration of the traffic islands, if possible, and to allow for a review and report back from the Traffic/Safety Committee.

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E. The application of the **City of Portsmouth, owner and the Portsmouth Housing Authority, applicant**, for property located at **5 Junkins Avenue (the 1895 building at the Municipal Complex)** wherein site plan approval is requested for the renovation of the old Cottage Hospital into twenty units \pm of senior housing with associated site improvements. Said property is shown on Assessor Plan 110 as Lot 1 and lies within the Municipal and Historic A districts.

SPEAKING TO THE APPLICATION:

John Chagnon of Ambit Engineering addressed the Committee and informed them that Ted Connors of the Portsmouth Housing Authority was also present together with Rick Goduti, architect. The proposal is to convert the vacant 1895 building into 20 units of elderly housing. The existing exterior lighting will be replaced with lighting that matches

the lighting within the project vicinity. The bike rack on the northeasterly side of the building will be removed. Some pavement will be removed to create islands and more parking opportunities. The existing fire escapes will be removed. The parking area will be restriped. A loading area will be designated. Crosswalks will be realigned and tip downs will be provided. A small addition will be made to the northerly side of the building to accommodate the elevator core. An exterior addition will be made to the southerly side in the form of an accessible ramp. A 4" brick sidewalk will be provided around the perimeter of the building to provide a nice walking route for the residents. More parking opportunities will be created on the northerly side of the building abutting the municipal parking area.

New fire and gas services will be brought in from Junkins Avenue. New underground electrical service will be brought in by dropping the service down from a pole on Junkins Avenue and then bringing the service underground to a transformer to the building. Mr. Chagnon assured the Committee that the historic elevator shaft would not be removed.

The Chair made three calls for speakers. Seeing no one rise, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses moved to approve. Mr. Allen seconded the motion. With regard to traffic improvements, it was suggested that the plan show additional improvements and that those improvements outside of the limited work area could be subject to future CIP funding. Mr. Allen asked that the domestic water service be replaced. The Chair suggested that building elevation plans be included for the presentation to the Planning Board.

The motion to approve passed unanimously with the following stipulations:

1. That the site plan indicate a new domestic water service;
2. That the landscaping plan be reviewed with Lucy Tillman of the Planning Department; and,
3. That the site plan show additional improvements outside of the limited work area that would be subject to future CIP funding.

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F. The request of **Jay Gingrich** for property located at **915 Sagamore Avenue** to amend a previously approved site plan involving the construction of a 24' x 72' one-story addition to an existing building. The applicant would like to amend the proposed parking and sidewalk plan. Said property is shown on Assessor Plan 223 as Lot 31 and lies within a Waterfront Business district.

SPEAKING TO THE APPLICATION:

Jay Gingrich addressed the Committee regarding his request (no plans were submitted) and asked that the parking be left as it is explaining that it is quite adequate. With regard to the sidewalk construction, he stated that no one ever walks on that section of Sagamore Avenue. During the course of the discussion, Mr. Gingrich indicated that he fills as many as 100 tanks per day during the summertime and to rearrange the parking

would create a dangerous situation. The question was asked if the refill area could be relocated with the response being, "not really"; that the way it is, it works just fine. Discussion was had on movements in the right-of-way and whether the City could be held liable. Discussion was also had on the proposed widening of the Sagamore Avenue bridge.

Seeing no speakers, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses spoke to the septic system area shown on a previously approved site plan and asked if Mr. Gingrich would be comfortable in stipulating that the proposed parking space would have to be removed if and when the septic system was installed. Mr. Gingrich replied, "absolutely".

Mr. Allen moved to approve the request; that is, to add one parking stall to the northwesterly side of the building and to reduce the sidewalk proportionately subject to the following stipulations. Fire Marshal Jones seconded the motion that passed unanimously.

Stipulations:

1. That the reconfigured site plan be reviewed with John Burke, the City's Parking and Transportation Engineer;
2. That a note be added to the site plan to indicate that if and when the septic system shown on the previously approved site plan is installed, the setbacks contained on that plan shall be maintained which may force the removal of the newly created parking space; and,
3. That verification be submitted to the Planning Department that compliance has been had with an outstanding stipulation; that is, that a determination be made as to whether NHDES permitting is required for the discharge from the lobster tanks to Sagamore Creek.

The Chair suggested that Mr. Gingrich get with his engineer for the submittal of amended plans; that if the plans are not available for the November Planning Board meeting, the request could be heard at the December meeting.

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II ADJOURNMENT was had at approximately 3:45 p.m.

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These minutes were taken and transcribed by Barbara B. Driscoll, Administrative Assistant in the Planning Department.