

**MINUTES OF MEETING
REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

**7:00 P.M. CITY COUNCIL CHAMBERS SEPTEMBER 23, 2004
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

MEMBERS PRESENT: Kenneth Smith, Chairman; Thomas Ferrini, City Council Representative; Cindy Hayden, Deputy City Manager; Richard A. Hopley, Building Inspector; Raymond Will; George Savramis; John Ricci and Alternate Jerry Hejtmanek

MEMBERS EXCUSED: John Sullivan and Donald Coker

ALSO PRESENT: David M. Holden, Planning Director; and, Lucy E. Tillman, Planner I

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I. APPROVAL OF MINUTES

Planning Board Work Session of September 2, 2004

Corrections requested by Mr. Will regarding his statements on the Route 1 By-Pass at Cottage Street (Coast Pontiac).

Motion to approve corrected minutes was made and seconded and passed unanimously. (Councilor Ferrini abstained)

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Chairman Smith took the Old Business matters out of order.

III. OLD BUSINESS

A. The application of **Joli Ann Foucher, Owner**, for property located at **566 Greenland Road** where Final Subdivision approval is requested to subdivide one lot into two lots with the following: Lot 1 having a lot area of 1.8 ± acres and 100 feet of continuous street frontage off Greenland Road and Lot 2 having a lot area of 1.4 ± acres and 80' of continuous street frontage off Greenland Road, and lying in a zone where a minimum lot area of 15,000 s.f. and 100' of continuous street frontage is required. Said property is shown on Assessor Plan 258 as Lot 1 and lies within a Single Residence B district. (This matter was tabled at the August 19, 2004 Planning Board Meeting)

A motion to take this application off the table was made and seconded and passed unanimously.

Chairman Smith stated that there was a request to table this matter until the October 21, 2004 Planning Board meeting.

A motion was made and seconded to table to October 21, 2004 and the motion passed unanimously.

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B. The application of **Michael R. Clark, Owner**, for property located at **325 Little Harbor Road** where Preliminary and Final Subdivision approval is requested to subdivide one lot into two lots with the following: Lot 1 having 175,550 ± s.f. and 154.43 feet of continuous street frontage on Little Harbor Road and Lot 2 having 287,292 ± s.f. and 151.38 feet of continuous street frontage on Little Harbor Road, and lying in a zone where a minimum lot area of 1 acre and 150' of continuous street frontage is required. Said property is shown on Assessor Plan 204 as Lot 5 and lies within a Single Residence A district. (This matter was tabled at the August 19, 2004 Planning Board Meeting)

A motion to take this application off the table was made and seconded and passed unanimously.

Chairman Smith stated that there was a request to table this matter until the October 21, 2004 Planning Board meeting.

A motion was made and seconded to table to October 21, 2004 and the motion passed unanimously.

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II. AMENDED SITE PLAN REVIEW

A. The application of the **City of Portsmouth, Owner**, for property located at **175 Parrott Avenue**, wherein approval for an amendment to a previously approved Site Review Application is requested for the construction of a two-story 38,000 ± s.f. building for use as a public library with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 128 as Lot 14 and lies within a Municipal district.

SPEAKING TO THE APPLICATION:

John O’Leary, of 50 Nathaniel Drive, and Chairman of the Library Building Committee, addressed the Board. He was before the Board seeking approval for the amended Site Review Application. He gave a brief history of the library project.

After serving for four years on the City Council, Mr. O’Leary was appointed by Mayor Eileen Foley to a Library Study Committee in 1993. Since that time he was appointed by Mayor Foley and subsequently by Mayor Sirrell to other Library related committees. All of those nominations received nominations from the City Council. Serving on these Library related committees have been a cross-section of individuals from the community, including present and former members of the Library Trustees, present and former members of the City Council, including the Assistant Mayor, present and former members of the School Board, Historic District Commission, Recreation Board, various neighborhood associations, a prominent local architect, a Library Director of the Dimond Library at UNH, the President of the Portsmouth Advocates, the Portsmouth Preservation Association and President of the Portsmouth Taxpayers Association. The point he was making was that the Committee has had significant representation from many people within the community.

Mr. O’Leary went on to state that back in December of 1988, the City Council voted to accept City Manager Calvin Canney’s report of the Library, which called for the construction of the Library to begin in 1991. During 1994, Mr. O’Leary and other members of the Library Committee appeared before the Portsmouth Advocates, a joint session with the Historic District Commission and the Planning Board, Portsmouth Rotary, and in November of 1996, the Planning Board and the Historic District Commission held a joint session to review options for a new library. In April of 1997 the Planning Board presented a Capital Improvement Plan to the City Council and recommended that a new library be built. In November of 1999, at the City elections, the voters passed a non-binding resolution stating “Do you believe the City of Portsmouth should build a new public library?”. There were 2,543 votes in favor and 1,789 opposed. In October of 2000, the New Library Building Committee met to re-examine the 175 Parrott Avenue site as a library location in light of the City’s possible move of the city’s adult recreational activities to Spinaker Point. They voted that the JFK site would move to the top of the list after successful negotiations with the Spinnaker Point Association. In

July of 2001, the New Library Building Committee reaffirmed the JFK site as the New Library Building Committee's preferred site. In August of 2001 the City Council voted to commence conceptual design for a library at the JFK site. In January of 2002 the City's Technical Advisory Committee reviewed the findings on traffic, parking and soil conditions and voted unanimously to recommend the Parrott Avenue site as a feasible site for the Library. In January of 2002, the City Council passed the first reading of a bond issue, authorizing \$7 million for the construction of a new public library at the Parrott Avenue site, with a vote of 8-1. Again in January of 2002 the Planning Board conducted a public hearing for the purpose of providing an advisory recommendation to the City Council to determine the suitability of the JFK site for the location of a new library. The Planning Board voted 8-0 to recommend approval of the JFK site. In November of 2002 the City's Technical Advisory Committee held a public hearing and voted unanimously to approve the Parrott Avenue site for the Library. Again in November of 2002 the Traffic and Safety Committee held a public hearing and voted to approve the Site Plan for the Library. On February 6, 2003, the Planning Board held a public hearing to consider the construction of a library at Parrott Avenue and the Planning Board voted unanimously for approval. In December of 2003 the Planning Board approved a one year extension of their previously voted approval. In January of 2004 the City staff members met with representatives of the Jordan Institute to discuss certification of the new Library under the LEED program for environmentally responsible buildings. It is their understanding that the new Library, by going through the LEED process, will be the first public building in New Hampshire to be LEED certified. In May of 2004 the City met with Mr. James McConaha of the State Historic Preservation Office and the Commissioner of Cultural Resources, Van McLeod, and finalized a Memorandum of Agreement as part of the Section 106 Process. In September of 2004 the Construction Management Selection Committee of the New Library Building Committee recommended North Branch Construction Company to be the new Construction Manager of the new Library. On September 7, 2004 the Technical Advisory Committee recommended approval of the amended Site Plan that is before the Planning Board that evening.

As previously mentioned, Mr. O'Leary indicated that on February 6, 2003, this Planning Board, when reviewing the initial Site Review Application, unanimously approved plans for the Parrott Avenue site. They are present now because those previously approved plans have been amended slightly so that all activity concerning the Library project will now be conducted on the lot on which the former JFK building is sited. The presentation will show that the amended plan shows improved responses to those issues that were raised during the initial approval process. It is hoped that, after the presentation, they will receive approval of the amended plan as they believe the amended plan meets all of the criteria for approval.

Mr. O'Leary introduced Attorney Robert Shaines who was presenting on behalf of the City of Portsmouth.

Attorney Shaines indicated they would be presenting various expert witnesses who would be testifying relative to the amended site plan. Present were the Architect, Thomas Amsler, the Landscape Architect, Bill Conway, the Traffic Engineer, Doug Prentiss. Attorney Shaines referred to Article XIV Section 10-1402 of the *Zoning Ordinance* which provides that:

“5. Plans for the construction or rehabilitation of municipal buildings of a public nature, or for the rehabilitation of existing municipal buildings for public purposes, and for monuments or other similar features. The review of the Planning Board may include building elevations, site plans and plot plans, including the development and treatment of the grounds surrounding such building.”

Section 10-204 (C) provides that:

“C. With the exception of Article VI; buildings, structures or land owned by the City of Portsmouth shall be exempt from all provisions of this ordinance. The City, however, is urged to comply with all relevant land use controls, whenever possible and feasible.”

Attorney Shaines therefore indicated that this was a voluntary submission on behalf of the City to give the members of the Planning Board input into this process and to give members of the public input into the process. The Technical Advisory Committee heard this matter on September 7, 2004 and they voted to recommend approval of the amended site plan to the Planning Board with the following stipulations:

- 1) That the Department of Public Works approve a revised Site Plan reflecting all signing and striping on the site, prior to the Planning Board meeting;

Attorney Shaines indicated that this had been accomplished and was reflected on the plans before the Board.

- 2) That the gas line shall be capped at or near the existing gas main and shall be completed according to the gas company standards;
- 3) That the primary electrical transformer shall be installed to PSNH standards;
- 4) That a landscaping plan shall be reviewed and approved by Lucy Tillman.

The prior site plan had certain portions of the library on the adjoining property and, although owned by the City of Portsmouth, a question arose that under the Peirce Trust that land was to be used for recreational purposes. Therefore, to avoid a legal issue on that matter, the entire JFK site was used for the Library. In doing so, certain innovative arrangements were made to improve the parking. There are 52 spaces on the site adjacent to the Parrott Avenue site which are used for recreational use and are not included as part of the Site Plan. Mr. Prentiss will later explain how he has picked up 18 spaces on site, 75 at the Masonic Parking lot and another 40 spaces in the immediate vicinity. The footprint of the building has not changed. Only the orientation of the building has changed.

At the TAC hearing, the issue of the Section 106 process was raised and Attorney Shaines introduced into the record a copy of a letter dated December 12, 2003 from James McConaha, Director of NH Division of Historical Resources and NH State Historic Preservation Officer, commending the Officials of the City of Portsmouth for their cooperation and in particular, Cindy Hayden, Director of Community Development, as the Section 106 procedures move toward conclusion. As a result of those efforts, a Memorandum of Agreement was entered into between the City of Portsmouth and the State Historic Preservation Officer, providing for the construction of a new public library on the site of 175 Parrott Avenue. Part of that Agreement included certain stipulations, including full documentation of the Portsmouth Armory building prior to removal, which reads as follows:

“The City will contract with a 36 CFR 61 qualified historic preservation consultant to document the Portsmouth Armory building in compliance with federal Historic American Building Survey standards...”

Attorney Shaines indicated that technically that is not part of the Site Review process however as the issue was raised at the TAC meeting, he felt it advisable to enter the document into the record.

Attorney Shaines indicated that the matter of traffic and parking was dealt with considerably by the Traffic & Safety Committee, by the TAC Committee and the Library Committee. He felt they would be quite pleased with the results. There are 18 Library employees who will be asked to park in the Masonic Temple lot. The Library is open from 9:00 am – 9:00 pm and the peak hours of library use are 3:00 pm – 6:00 pm and 7:00 pm – 9:00 pm. The issue of buses on Parrott Avenue are such that they arrive at 7:00 a.m. and are out by 7:40 a.m. which does not impact the Library at all. The buses

are back at 2:00 pm and leave around 2:15 pm, at which time the street is effectively closed. That would be the only time that the Library traffic would be effected and the Library peak hours don't start until 45 minutes later, or 3:00 pm. The Library Director has indicated that 30% of current users either walk or ride a bicycle.

Attorney Shaines introduced Tom Amsler.

Mr. Amsler explained what the physical changes were and how they relate to the site. He referred to the three boards that were on display. One was a model of the building, the second was a plan showing the building location from the previous approval and the third was a plan showing the building location on the amended plan. Mr. Amsler indicated that the building is now completely on the Armory site. They have rotated the building by about 15° (sic)¹ and moved it further back from Parrott Avenue. In the previous scheme, the approach to the library was handled so that the entrance used portions of the existing parking lot and one was able to drive up in front of the Library. Now that they are much tighter on the Armory site, this has been changed for a drop off in front of the library on Parrott Avenue. The parking area that presently exists between the Armory and the school remains unchanged. The Library has remained the same in terms of its footprint, it's size, it's height, although they did lower the eave line of the building by 2' by rearranging the internal 4th floor. Otherwise, the old model can simply be placed on the new site plan. It remains roughly 38,000 s.f., 2-story building with sloped roofs, in scale as much as they can with the buildings in the neighborhood. They have attempted to maintain greenspaces between the residential houses on Richards Avenue and the library and also feel that the quiet area of the Library is under Maple trees so it should be a very quiet space.

Mr. Amsler introduced Mr. William Conway, Landscape Architect of Sebago Technics of Westbrook, Maine.

Mr. Conway indicated that they did the landscape architecture and civil engineering design for the project. He indicated that the amended plan is very similar to the original plan in that the arrival area is located away from the residential area on Richards Avenue. The quiet area being used as an outdoor reading courtyard is enclosed on three sides by the building itself and on one side by a masonry wall. The courtyard will also accommodate a World War II monument. He pointed out the drop-off area with pedestrian access from the sidewalks of Parrott Avenue constructed of brick pavers accented by granite bands in the pavement, which is a City of Portsmouth standard detail that you will see downtown. Adjacent to the pedestrian access is bicycle parking, 18 on-site parking spaces after circling through the drop-off area including handicapped accessible parking. They are also providing motorcycle parking.

Mr. Conway addressed the utility infrastructure. The City has recently undertaken a major improvement project along Parrott Avenue where the storm water and sewer have now been separated as part of an environmental clean up. Their proposed storm drain system will tie into the City system. Flow will come off of the site into the newly separated system with final discharge into the tidal waters. Therefore all of the stormwater quality elements of the plan have been addressed. Also, this plan reduces the amount of impervious area on the property as it exists today. The area between the Armory and Richards Avenue is a fairly low lying poorly drained area and they will be installing storm drains which will represent an improvement to that system. The sanitary sewer will be connected with

¹ It has subsequently been confirmed that the library building was rotated 17° clockwise.

a direct connection and the electrical connection will be underground from Parrott Avenue into the building.

Mr. Conway discussed lighting. He displayed their lighting plan and indicated it was a fairly low key plan and they were trying to be very responsive to the neighborhood. In the parking lot area there will be 18' tall fixtures which are cut-off fixtures with no glare or light spillage. At the pedestrian access to the main building there will be 12' fixtures that will also be cut-off fixtures that direct the light away from the property lines and towards the building. There will be four fixtures in the reading courtyard and some wall mounted fixtures with shielded light.

Mr. Conway indicated that they generated a very detailed landscape plan for the project. One of the site goals was to retain the really nice specimen trees on the property. They will add additional street trees on Parrott Avenue along with shrub plantings and ground covering throughout the property. This will be the first New Hampshire public LEED building and as part of that the landscape program incorporates a lot of the nature plant materials.

Mr. Will asked about the two heights of lighting poles being 18' and 12' and how many there were of each.

Mr. Conway indicated that the 18' fixtures were in the vicinity of the parking lot and there are a total of 9. The 12' fixtures are along the walkway.

Mr. Will indicated that the Planning Board was attempting to get the height of light fixtures down to about 16'. He asked what type of light bulbs they were using and what sort of green effect was on the light bulbs.

Mr. Conway indicated that they chose what they felt was the most appropriate for the vicinity. With an 18' fixture they can use a type of fixture that doesn't project the light on a horizontal basis. When attempting to light a parking lot which is larger in nature than a pedestrian area, smaller and shorter fixtures would project the light outwards. They are trying to project the light downward.

Mr. O'Leary indicated that one of the LEED criteria, under Credit 8, is light pollution reduction. It states that "all exterior lighting will be lumen and cut off criteria". The lumen is the brightness and in order to get the LEEDS points, they will be striving to keep the minimal amount of lumens necessary in an attempt to make sure it doesn't pollute beyond the area it is trying to light.

Mr. Conway stated that the fixtures will be 150 watt bulbs which is a more efficient fixture.

Mr. Ricci asked about the porous concrete pavers that are being used and asked how those were going to hold up.

Mr. Conway indicated that they are using those in the circle and the perimeters of the drop off and parking spaces will be standard, traditional asphalt. This is a LEEDS driven feature as it is not totally porous as it does provide areas for drainage to seep down below. They contacted the manufacturer and determined that the key is that the proper material has to be installed beneath it.

Mr. Ricci stated that the reason for his question was because the groundwater is pretty high and the soils in the area are not that great so this would be subject to a lot of freeze-thaw cycles. He was

concerned that in five years they would have an interlocking paver that might catch a snow plow. In ten years from now, what will this look like?

Mr. Conway indicated it was designed for vehicular traffic and if installed properly with a sub-base it should hold up and shouldn't be subject to plow damage. It is made for this type of application.

Mr. Ricci was concerned about it holding up with salt and water in the wintertime.

Mr. Amsler indicated that LEEDS does allow salt in the winter. This is a smoother surface than an old fashioned cobble and it will catch the first storm runoff and will reduce the total stormwater runoff.

Chairman Smith asked if there was a book drop-off?

Mr. Conway pointed out where the book drop-off would be, just off of the circle.

Douglas Prentiss, Senior Transportation Engineer from Judith Nitsch Engineering, Inc., the Traffic and Transportation Engineer for this project in the earlier phase spoke next. He stated that the building is simply turned 90° (sic)² so the traffic issues are the same. Parking is an area that he wanted to address. Because of the shifting of the building on the lot, the parking from the earlier plan has been doubled so that they now have 18 spaces on the site. There are a series of other mechanisms to add to the parking. The City will be leasing 75 spaces in the Masonic Temple lot which is a 2-3 minute walk to the site. There are 20 spaces in the school lot and another 20 spaces on street. The peak hours of the library are different from the street peaks and it does not coincide with the school. There were a number of elements for parking which dictate what is necessary for libraries. When you have a suburban facility, the patrons are probably all driving. In an urban area, more people will be walking and biking to the facility. In an urban area where there is transit, that may be used. He presented a parking comparison of New Hampshire urban libraries. He felt the comparison was interesting if you looked at the population of each community and then look at the relationship of the parking and take an average, it shows that Portsmouth is a little above that average.

Attorney Shaines addressed parking. He displayed a plan that the Board could refer to. He pointed out an additional 20 spaces on Parrott Avenue which will be striped and marked for parking. Parrott Avenue is 36' wide, the parking spaces are 8' wide, leaving a 20' travelway with parking on both sides of the street. There are 20 additional spaces in the vicinity of the school. Additionally, there are 75 spaces that the City has contracted in the Masonic Temple parking lot that is a 2-3 minute walk at best. There are also 22 spaces at Leary Field and, of course, the Municipal Parking Lot at the corner of Junkins and Parrott has 90 spaces. They do not feel that parking will be a problem. Other libraries in New Hampshire municipalities do not have any on-site parking and he reviewed the parking statistics for other NH Public Libraries:

The Concord Public Library has no on-site patron parking, no on-site staff parking, no exclusive library parking, metered parking behind the library used mostly by city employees, metered parking behind City Hall and on-street (20 minutes – 4 hours);

The NH State Library in Concord has no on-site patron parking, one on-site staff parking space, metered parking on the street;

² It has subsequently been confirmed that the library building was rotated 17° clockwise.

Manchester City Library has no on-site patron parking, 18 on-site staff parking spaces, metered parking in city lot ½ block away and on the street;

Nashua Public Library has no on-site patron parking, has on-site staff parking, public parking in large metered municipal lot behind library;

Dover Public Library has 19 on-site patron and staff parking spaces, 42 2-hour spaces shared with city and school administration and dentist office, 148 permit-only parking spaces available to the public after 3:00 (teacher spaces);

Laconia Public Library has 29 on-site patron and staff parking spaces, some on-street parking;

Bedford Public Library has 63 on-site patron and staff parking spaces, no on-street parking;

Merrimack Public Library has 49 patron and staff on-site parking spaces, no on-street parking;

Wadleigh Memorial Library in Milford has 38 on-site spaces for patrons, library staff, clients and staff of Milford Human Services Department, metered on street parking;

Derry Public Library has 10 on-site patron parking spaces, no on-site staff parking, municipal parking lot 1 block away, some on-street parking;

Londonderry Public Library has 15 on-site patron parking spaces, 6 on-site staff parking spaces, currently building a shared lot with the police department (19 spaces to be designated library parking), no on-street parking;

Hills Library in Hudson has 12 on site patron and staff parking spaces, limited on-street parking, overflow parks in SAU lot next door;

Kelley Library in Salem has 60 on-site patron and staff parking spaces, free on-street parking.

Attorney Shaines indicated that it was felt that they have very adequate parking for the library.

Attorney Shaines indicated that LEED stands for Leadership, Energy and Environmental Design. What that certification entails covers site management, weather efficient landscaping, light pollution reduction, energy use reduction, ozone reduction, and storage and collection of recyclables.

Chairman Smith asked about the use of the roof run off?

Mr. Amsler indicated that this ties into the LEED Certification process. They are proposing to collect the water off the roof, run it into a tank with a bypass to the street, because there is so much coming off of the roof that they can't use it all. They will re-use the water to flush toilets and for irrigation. They are discussing means of slowing down the flow of water into the storm sewers and are attempting to reduce the site run-off. They will reuse water, the pavement is pervious and they are maintaining green space.

Mr. Prentiss discussed the improvements that are being proposed at the intersection of Richards Avenue and Middle Street. Because the square footage of the building is staying the same and all that has happened is the building itself is being turned 90° (sic)³, the traffic generation aspects on the site are unchanged. The implications of that in surrounding roadway networks – Parrott/Richards, Richards/Middle and Rogers/Parrott – are basically unchanged from the previous plan. The last time there were some recommendations proposed regarding the street system, lot configuration (school parking lot) and there have been some significant sidewalk, wheelchair ramp and safety enhancements on Parrott, Middle, Rogers and Richards Streets. One thing that they recommended was to realign the intersection of Richards and Middle to a 90° angle that will enhance the safety. At the current odd angle it reduces the visibility.

Mr. Holden stated that that project was included in the Capital Plan and should be underway shortly.

Attorney Shaines advised the Board that the building will have a wet sprinkler system and fire suppression system throughout. The building will also have a fire alarm system that ties directly into the City Fire Department. This is an extremely safe system to prevent the building from going up in flames. There was some concern about code requirements for fire department access. Deputy Chief Steven Griswold indicated that he was completely satisfied that the design of the building would not prevent fire apparatus from protecting the building.

Chairman Smith then opened the hearing to the public.

Mayor Evelyn Sirrell addressed the Board. She indicated that the City has jumped through every hoop that has been presented to them from the NH Division of Historic Resources. She felt a lot has been expected from the City Boards and she did not see where anything had been done half-heartedly. She hoped that the Board would approve this application so that the project could move forward and the residents of Portsmouth would not have to wait another 10 years for a new library. She thanked the Planning Board members for all of their hard work.

John Hynes, member of the New Library Building Committee and a City Councilor, felt that the social aspects of the new library were very important to the mothers of children in school, senior citizens who will see this location as within walking distance, and the business community will be able to access information without actually arriving at the library. He felt it was exciting for the citizens of Portsmouth and he will also be excited when he sees the day when this great library is completed. He asked for the help of the Planning Board to get this Library approved.

Lou Harriman of 57 South Street, is a Member of National Board of Purists who reviews building plans for general building excellence. He felt an extraordinarily good job had been done and the plans are well thought out.

Students Brynn Foley and Eileen Foley, of 14 Regina Road and Emma Wager and Phoebe Wager of Kensington Road, spoke in support of the new library. They would like to be able to go to the new library after school to do their homework. They felt the City deserved a new library.

Attorney Scott Hogan, representing abutters and several other citizens, addressed the Board. When he first looked at the approved site plan, and the corresponding record, it reflected a lot of hard work.

³ It has subsequently been confirmed that the library building was rotated 17° clockwise.

However, he referred to the City's original site criteria that included that the site would be on city owned property or offered at a reasonable price, there would be sufficient on site parking and sufficient room for expansion. He doesn't understand why the original plan was approved when part of the project was on the Peirce Family Trust property. He was also concerned about the lack of a new traffic study. The city went through the 106 process to determine that the site met all of the criteria, however, he doesn't believe that process has been completed. He believes the review of the amended Site Plan is putting the horse before the cart. He feels that the parking is inadequate. He does not feel that the amended Site Plan should be approved.

Joyce Oles, of 39 Gate Street, is an avid reader and she strongly supports this location for the new library.

Bob Shouse, of 555 Dennett Street, supports the approval of the new library. He indicated that the Planning Board had the opportunity to give the City a gift of a new library. This is the last step before the library gets built. All issues have been addressed and although there is no perfect site and no perfect plan, he felt this was a good one. This town has lacked a good library for the past 50 years, or 3 generations, and he did not want to see another generation gone before we had a new library. Mr. Shouse stated that the only historic significance that the Armory building will ever have is that it was an obstacle to a new library. No one in Portsmouth can remember anything of any significance that ever happened in that building other than it was a gym. In a military sense, he felt the Armory building should die a noble death and the benefits from its death would benefit the residents of the city and the generations to come.

Theresa Garabedian, of 80 Buckminster Way, was very much in favor of the library plan. She felt that Attorney Hogan, in his 20 minute talk, spent 90% of his time discussing traffic and parking. She felt by rotating the building 90° (sic)⁴ it would not change either of those issues and they have been discussed extensively. She indicated they had 4 times as much parking with this amended plan as the existing library.

Wendy Formicelli, of 550 Ocean Road, spoke in support of the library. She was very pleased with the location as her Middle School child could walk there and her eventual High School kids could walk there. She felt it was "hats off" to the City for being so visionary with the LEED Certification Program.

Harold Whitehouse, of 58 Humphrey's Court, was upset about losing another brick building and a WWII Memorial. He remembers when the Armory was active and he does not believe the City should lose another historic building. He feels the City should look at other sites.

Richard Katz, of 59 Kensington Road, felt this was the best feasible use for this site. 8 of 9 City Councilors voted for this site which represents a good consensus.

Kem Taylor, of 58 Washington Street, offered her support for the new library and would like to see the City moving forward with this project.

Meg Gilman, of 272 Newcastle Avenue, indicated that her great-aunt lived in the house that now houses the current Public Library offices. She was supportive of the site plans and felt the architects

⁴ It has subsequently been confirmed that the library building was rotated 17° clockwise.

have bent over backwards to accommodate all arguments and she felt the traffic issues, parking issues and lighting issues have been addressed

Maureen Donnolly, of 41 Kensington Road, stated that she was 35 years old and the City has been looking for a new library her entire life. She felt that an issue that had not been brought up was the Children's Room in the existing library is not handicapped accessible. In order for children to be life-long readers, they need to pick out their own books.

Janet Polaski, of 62 Mendum Avenue, indicated that she remembers when her young son came and addressed the Planning Board regarding a new library and he is now getting ready to graduate from college. She is very pleased that the City is close to finalizing the new library.

Zelita Morgan, of 39 Richards Avenue, spoke strongly in favor of building the new library on the JFK site. She felt it was important to think about people and not about cars. She indicated that Portsmouth is always referred to as pedestrian friendly so we should be encouraging people to walk. It creates community bonds. She encouraged the City to build the library at this site to honor people from the past, the present and the future.

Tom Morgan, of 39 Richards Avenue, has lived in the neighborhood for over 20 years and does not have a driveway and he has never had a problem finding a parking spot. He felt this was a wonderful site as it was close to the Middle School, the Margeson Apartments and his house.

Julia Buck of 398 Lincoln Avenue, indicated that her family used the library quite a bit. They usually walk or ride their bikes. She felt that the City needs a library so that children will have a place to go and read about WWII.

Jeffrey Cooper, of 227 Park Street, believes that the parking demands of the area are already stressed. He also believes traffic is a problem. He is concerned about fire apparatus access to the building. He felt the architects did a great job but it just isn't the right site for the library.

Linda Cunningham, of 579 Sagamore Avenue, supports the site plans and is proud that Portsmouth is a leader in environmental issues. She felt that the library is the heart of a community.

Cliff Horrigan, of 35 Elwyn Avenue, lives in the neighborhood and feels there is plenty of parking and that this is an excellent spot. She is a strong supporter.

Bert Cohen, of 28 Mark Street, supports the library so that kids can lead the future. He also felt that the LEED Certification is commendable.

Ralph DiBernardo, of 1374 Islington Street, as a retired Deputy Fire Chief in Portsmouth, felt it is very important for everyone to understand that the codes that make specifications for access to buildings provide for exceptions when they are sprinkled. The reason is that sprinkled protection is so far preferred over any other method of fire protection that it would be the first choice. He pointed out that most of downtown Portsmouth only has access to the front of the building. He also supports the library and the location as presented. He did not see any reason to not approve this amendment.

Jack Kelley, of 137 Newcastle Avenue, was concerned about the future impact of this particular site. He was concerned with rumors that the Middle School will be moving.

Claudia Morner, a member of the New Library Building Committee, explained that they have thoroughly explored other sites and felt that this was the preferred site. She strongly supports this location.

There being no further speakers, the Chair closed the Public Hearing.

DISCUSSION AND DECISION OF THE BOARD:

Chairman Smith advised the public that they had received letters addressed to the Board which were being circulated amongst the Board members and they were available for their review if desired. He asked Mr. Amsler about the building being handicapped accessible.

Mr. Amsler indicated that by law and requirement of the City they are required to provide full accessibility to the entire library, inside and outside.

Mr. Will made a motion to approve the amended application with the four stipulations from TAC. Mr. Ferrini seconded.

Mr. Will stated that many issues brought up in the course of the evening were not under their purview. It was a very narrow purview.

Deputy City Manager Hayden asked Deputy Fire Chief Griswold to address the Board in response to Mr. DiBernardo's comments.

Deputy Fire Chief Griswold indicated that several people had discussed the issue of a fire lane around the building. He quoted from the code "That a fire lane shall be provided for all buildings with an exception where buildings are protected throughout with an approved automatic sprinkler protection system, the provisions of this section shall be permitted to be modified by the authority having jurisdiction." Deputy Fire Chief Griswold indicated that it is almost impossible to build a building anywhere in the downtown area that could be surrounded by a 20' fire lane. Because all new buildings are required to be sprinkled, they do not require fire lanes in downtown Portsmouth. Retired Deputy Fire Chief DiBernardo was correct in stating that the absolute safest way to build a building was with contemporary building codes and 100% sprinkled. The NFPA states that in the history of sprinkled buildings, there has never been an incident where multiple people (more than 3) were ever killed in a building that was sprinkled and maintained. Simply because a fire truck does not have access to all sides of a building, that does not mean that the Fire Department is hindered in accessibility. They would use ground ladders all around the building to reach the 2nd floor of the building. There are two parking lots that allow fire apparatus access on the site. It was Deputy Fire Chief Griswold's understanding that snow would be removed in the wintertime so there would never be a problem with snow storage preventing access.

Councilor Ferrini asked if someone from the City could present to them the manner in which the parking does or does not conform to the Zoning Ordinance.

Attorney Shaines, representing the City, indicated that there is no parking requirement under the Zoning Ordinance.

Mr. Prentiss also added that he reviewed Zoning Ordinances from around the country so he used quite a range. They looked at the existing library, looked at pedestrians, bicycle, traffic in and out, and shared parking. He felt that the parking that they have presented is extremely creative and most certainly works.

Deputy City Manager Hayden asked if the 20 on street parking spaces on Parrott Avenue currently are not striped so they will be additional parking spaces?

Mr. Prentiss indicated that was correct, these were additional spaces, not currently striped.

Mr. Will thanked the people for coming out in favor and against, as it is all part of the process.

Chairman Smith also felt it was important for people to speak and let the Board know what they are thinking. The Board always allows anyone to speak regarding what is before them that evening.

Mr. Hopley asked to add an additional stipulation to have the plans add a note referring to the National Flood Insurance Rate Map and include the Community Panel Number and the designated Flood Hazard Zone, as well as referencing the Base Flood Elevation (BFE) based on the National Geodetic Vertical Datum of 1929.

Mr. Ricci commended the City, and specifically the design team that put this plan together. He felt the stormwater management system is exemplary and he had never seen anything this extensive. He felt the LEED Certification is absolutely phenomenal.

Chairman Smith was glad to see the motorcycle space and the light poles and fixtures being cut down as the Board has been working on that.

The motion to approve the amended application was approved unanimously with the following stipulations:

From the Technical Advisory Committee Meeting on September 7, 2004:

- 1) That the Department of Public Works approve a revised Site Plan reflecting all signing and striping on the site, prior to the Planning Board meeting; (This has been completed)
- 2) That the gas line shall be capped at or near the existing gas main and shall be completed according to the gas company standards;
- 3) That the primary electrical transformer shall be installed to PSNH standards;
- 4) That a landscaping plan shall be reviewed and approved by Lucy Tillman;

From the Planning Board Meeting of September 23, 2004:

- 5) That the Site Plans should add a note referring to the National Flood Insurance Rate Map and include the Community Panel Number and the designated Flood Hazard Zone, as well as referencing the Base Flood Elevation (BFE) based on the National Geodetic Vertical Datum of 1929.

IV. PUBLIC HEARINGS

A. The application of Moray, LLC, Owner for property located at 235 Commerce Way and Brora, LLC, Owner, for property off Portsmouth Boulevard wherein Preliminary and Final Approval is requested for a lot line relocation whereby property located at 325 Commerce Way would have a lot area of 247,954 ± s.f. and 646.56’ of street frontage and property located off Portsmouth Boulevard would have a lot area of 239,040 ± s.f. and 433.91’ of street frontage, in a district where a minimum lot area of 3 acres and 300’ of street frontage is required. Said properties are located in an Office Research/Mariner’s Village district and are shown on Assessor Plan 213 as Lot 11 and Assessor Plan 216 as Lot 1-8B.

SPEAKING TO THE APPLICATION:

Cory Colwell, of Millette, Sprague & Colwell, represented Moray, LLC and Brora, LLC. He indicated that Map 216, Lot 1-8B was the last undeveloped lot of the Commerce Way development and is a rectangular shaped lot. Map 214, Lot 11 is an odd shaped lot and the present shape is almost crescent shaped. They are proposing to relocate the common boundary line between the two lots which would give approximately 51,000 s.f. or 1.17 acres to Lot 1-8B. The land to be added is mostly upland with some wetlands as noted on the plans. The purpose of the relocation is to provide more area to Lot 1-8B for parking for a proposed office building that will be coming before this Board soon. Upon approval of the Lot Line Relocation, they would set iron rods and certify to the Board when that had been done.

Mr. Holden indicated that an issue that was raised at the staff review was how the parking on the adjacent lot came into being or how it was going to be disposed of as part of this application. There is parking that is servicing an adjacent lot which is on this lot and he does not know if it can be shown that that was ever approved by the City. He would like some comments provided on that.

Mr. Colwell confirmed that parking does go over the lot line, as shown on the plan. He felt it could be handled with easements.

Mr. Holden reiterated that he is concerned about this issue and he felt the matter could either be tabled or, depending on how the issue was going to be resolved, they could represent that this was one of the issues that would be addressed as part of the Site Review Process. This is more for the Board’s benefit. He asked if Mr. Colwell would have an issue if the Department recommended at this time that only preliminary approval be granted, subject to clarifying this issue in the Site Review process?

Mr. Colwell indicated that he did not have an objection.

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

DISCUSSION AND DECISION OF THE BOARD:

Deputy City Manager Hayden made a motion to grant preliminary approval. Mr. Will seconded.

The motion passed unanimously.

B. The application of Bellwood Associates Limited Partnership, Owner, for property located at 2300 Lafayette Road, wherein site plan approval is requested for the construction of a new waterslide, a 27’ x 30’ pump building, concrete decking, walkways, fencing and associated underground utilities, a 45’ expansion of the parking lot #4 and clearing of trees and preparation of gravel surface, with related

paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 273 as Lots 5 & 7, and lies within a General Business & Industrial district. (This application was tabled at the Technical Advisory Committee Meeting of June 29, 2004.)

SPEAKING TO THE APPLICATION:

Steve Oles, of Millette, Sprague & Colwell, addressed the Board. He indicated they were proposing a new water slide and a new pump building for utilities, with a concrete pad for the walkway to the slide. They are proposing two new catch basins to take care of any drainage issues after any storm events. They are proposing a new 8' high cut fence to go around the slide to keep it within the park. They are also enclosing on the back of the site a 45' wide tree clearing and at the base of the slide, a gravel parking expansion.

Mr. Hopley asked about the demarcation of the fence and what the square represents on the plans. He asked if that was the tower?

Mr. Oles indicated that the square was the tower. There are two fences – one for construction purposes and an 8' high stockade fence to keep people in the park. The construction fence will be removed.

Mr. Will asked about the clearing of brush and enlarging the sign and whether that was on Lafayette Road?

Mr. Oles indicated that was as a result of the Traffic & Safety Committee meeting. Mr. Samuels, the owner, brought in the sign and showed the sign that was existing and it was determined that sign was adequate. They also asked for a landscape plan for review by Ms. Tillman to confirm what brush should be removed. Mr. Oles pointed out where on Lafayette Road the brush and sign were located.

Deputy City Manager Hayden asked if they could attest to the fact that the four stipulations from TAC had been addressed?

Mr. Holden indicated that #3 was designed to bring DOT and the City together so that was still in the process of being completed.

Mr. Oles indicated that the landscape plan has not been reviewed by Ms. Tillman yet.

Mr. Will asked what type of brush is there.

Mr. Holden indicated that Ms. Strauss had a lot of interest in how that area was landscaped. The reason that Ms. Tillman is reviewing it is to make sure that the prior landscaping is not being interpreted as brush.

Mr. Hopley asked if the sign at the main entrance was staying?

Mr. Holden indicated that it may change after they meet with DOT as it is on Route 1.

Deputy City Manager Cindy Hayden asked about Stipulation #2 and the water mains.

Mr. Holden indicated that was adequately taken care of on the plans.

Mr. Will asked Mr. Holden to elaborate on why the Department was researching zoning issues.

Mr. Holden stated that at one time the parking was at issue and the Zoning Ordinance was changed so that they did not have to keep going to the Board of Adjustment.

Mr. Will asked if this was when they changed the district to allow for parking or for actual use of a water park?

Mr. Holden believed it was changed for the parking.

Councilor Ferrini remembered the change of zoning for the expansion back in time. He asked if the parking was addressed within that zoning expansion to General Business so they could expand the park such that the Industrial zoning does not have any additional parking written into it?

Mr. Holden indicated that they are in conformance with their current parking and that is the issue that they resolved in their zoning review.

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

DISCUSSION AND DECISION OF THE BOARD:

Mr. Hopley made a motion to grant the approval with stipulations. Mr. Savramis seconded.

The motion passed, with Mr. Will voting in the negative, with the following stipulations:

From the Technical Advisory Committee Meeting on September 7, 2004:

- 1) That a landscape plan, reflecting the brush that will be removed, shall be reviewed and approved by Lucy Tillman;
- 2) That the size and type of the existing and proposed water mains shall be shown on the plans;
- 3) That the Applicant shall assist the City in contacting NHDOT to make the following improvements:
 - Advance warning sign be installed on Route 1 southbound;
 - Better delineation of the right turn lane into the park;
 - Bring the warrant study relative to the intersection at Constitution Avenue to the NHDOT to discuss widening the intersection and signaling it;
- 4) That the Planning Department shall provide lot consolidation information to the Applicant;

From the Planning Board Meeting of September 23, 2004:

- 5) That the tower be labeled on the Site Plans.

.....

C. The application of **Lambert Lake Assoc., LLC, Owner, and Primax Properties, LLC, Applicant**, for property located at **2299 Lafayette Road**, wherein site plan approval is requested for the construction of an 83'± x 83'± auto parts store with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 272 as Lot 4 and lies within a General Business district.

SPEAKING TO THE APPLICATION:

Attorney Bernard Pelech, representing Lambert Lake Associates and Primax Properties, indicated that they were proposing an 83' x 83' building for an auto parts store. The structure meets all of the Zoning requirements and they appeared before TAC on September 7th where they recommended approval with stipulations.

The first stipulation was that a geotechnical report be provided to David Desfosses for his review and a report back to the Planning Department as there was concern over the detention basin that they were creating in the back of the property. That report has been provided to Mr. Desfosses and Mr. Gove from Gove Engineering contacted Mr. Desfosses who indicated that he was satisfied with the report and would advise the Planning Department of that. The second Stipulation was that the well hole in the back of the property within the wetland buffer be abandoned in accord with NHDES standards and filled in. The third Stipulation refers to Mr. Cravens instruction that only one water service per lot is allowed and the plans have been amended to show that. The fourth Stipulation asks that the USGS benchmark in front of the property be protected and a note has been added to the plan. The fifth Stipulation states that a 12' easement shall be granted to NHDOT and that easement has been prepared and will be forwarded to the City Attorney for his review. The last Stipulation requires that the landscape plan be reviewed and approved by Lucy Tillman.

Bill Gobel, of Bohler Engineering, did a quick walk-through the site. They are providing one access drive in the center of the property. There are parking areas in the front area of the building and the right side of the building. There is a trash enclosure to the rear of the lot, in the least visible area of the property. There is 50' of green space along the front, where there is currently only 15' of green space. They have the 40' parking set back setback and the 12' easement that they are providing to the State, giving them almost 50' of greenspace. The stormwater management for the site is probably the second most significant improvement. Currently, everything just free drains from the property. They are proposing to collect all of the run off from the parking area and take it through rear pumps, through a vortex stormwater poly unit and through an infiltration basin in the back which is sized to handle up to a 100 year storm. This is a dramatic improvement in the stormwater management on the site as they are reducing the run off on the site plus improving the water quality. The other utilities are all located off Route 1, on the front of the property. The landscaping plan has a combination of several shade trees around the property and over 70 different plants overall in the proposed plan. The building itself also has a unique feature which is concrete pads in the front half of the parking spaces along the front of the building.

Mr. Ricci asked about the bottom of the proposed basins that are about 58-60 and what the elevations are during the 100 year storm event?

Mr. Gobel indicated that it got up to about 61 –62. It is designed with an emergency spill way that handles the water. The inlet pipe will be submerged during some of the storms.

Mr. Ricci asked if the elevation in the basin is higher than that in the vortex system?

Mr. Gobel indicated it could be in an extreme storm. The vortex is designed for the first flush of the storm.

Mr. Ricci asked is they provided any calculations on sizing any of the rip rap?

Mr. Gobel indicated that they had provided that.

Attorney Pelech indicated that the stormwater management system had been reviewed by the Department of Public Works and TAC.

Deputy City Manager Hayden asked about the bottom corner of undeveloped land.

Mr. Gobel indicated they are demolishing the building and there are no future plans at this time.

Attorney Pelech stated that they are negotiating with a second tenant and that tenant has not decided whether they will try to re-use the pavement as part of their site plans or not. Although the building is being demolished, the pavement will remain at least temporarily until the next tenant comes before this Board.

Chairman Smith asked if they would be opposed to a stipulation that if another tenant doesn't go in within the next 2 years then the pavement would be removed.

Deputy City Manager Hayden asked them to describe the lighting on the site.

Mr. Gobel indicated it was a shoebox type light fixture and 25' pole on a 2 1/2' concrete base. They use that height so that they won't have as many lights and they can point the light down towards the parking.

Chairman Smith asked for motorcycle parking spaces.

Mr. Gobel indicated they do not have specific motorcycle parking spaces but they do have concrete in front of the store. They usually paint over the concrete.

Chairman Smith asked if they could leave it unpainted or put up signs.

Mr. Gobel indicated they could put up signs.

Chairman Smith asked about the dumpster area and whether tires or the like could be going in there?

Mr. Gobel indicated the dumpster was strictly for garbage. Cardboard would be recycled in the interior and trucked off site.

Chairman Smith asked about snow storage.

Mr. Gobel indicated there was ample greenspace around the area to be used for snow storage.

Chairman Smith asked for designated areas for snow storage, possibly in the rear by the dumpster. They could possibly use some area on the side, next to Burger King, as well.

Chairman Smith discussed the height of the light poles. He advised the applicant that they are trying to keep the height down to around 16'.

Mr. Gobel indicated that they use that height so that they can light the entire parking lot with just a few poles. They could probably do some modifications and get the heights down a little bit.

Councilor Ferrini advised the Board that they are working on the height of light poles in the Master Plan and Route 1 is an area where they are trying to stop the 25' – 27' poles. This is a concern of the City.

Mr. Will felt that Burger King was also lighting up their parking lot and possibly they could use some existing light. He didn't feel it was unreasonable to ask for lower light poles.

Councilor Ferrini indicated that the City was looking at 16' – 18' and he asked why they couldn't do that?

Mr. Gobel indicated that lowering the fixtures creates more poles on the lot. They also do not create as nice of a uniform light pattern.

Chairman Smith asked if they have been asked to use lower poles in other communities?

Mr. Gobel stated that he had not been asked to lower the poles before.

Chairman Smith asked about outdoor storage.

Mr. Gobel indicated all storage would be inside.

Chairman Smith asked what the hours of operation would be.

Chris Neil, of Primax in Charlotte, SC, stated that the Company was created in 1932 and they have approximately 2600 stores in 38 states. The closest ones to Portsmouth are stores in Concord and Manchester. They sell oil and also accept used oil from customers and dispose of it in federally approved tanks. It is emptied by an approved service.

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

DISCUSSION AND DECISION OF THE BOARD:

Mr. Will made a motion to approve with stipulations, including a stipulation that lighting be on either 16'- 18' poles. He felt the Site Review Regulations address the issue of various pollutions and he felt that light pollution could be considered a nuisance. He felt there should be a requirement that the applicant be required to lower their light poles.

Attorney Pelech mentioned that the TAC Committee is not aware of the City's desire to lower light poles to 16' – 18' light poles. Applicants are getting caught off guard when they appear before the Planning Board. He felt maybe the City should amend their regulations.

Mr. Hopley felt that their lighting plan was very comprehensive and the spillage off of the site was almost nothing. He felt they had done a very conscientious job in their proposal to keep the light on the property. He felt the Board needed to look at things more quantitatively.

Deputy City Manager Hayden didn't want to lower the height if it forced them to use a different type of fixture that provides adequate lighting. She would like to have them give the Planning Department something that they could review. She didn't think they should be too literal on the height requirement.

Chairman Smith recommended that the stipulation be that the applicant work out the height with DPW and the Planning Department.

Mr. Holden recommended that they start at 16' and rise no higher than 20'.

The motion to grant passed unanimously with the following stipulations:

From the Technical Advisory Committee Meeting on September 7, 2004:

- 1) That the geotechnical report that was prepared for the site shall be provided to David Desfosses for his review and a report back to the Planning Department;
- 2) That along the back of the property within the wetlands buffer there is a well hole that shall be abandoned in accord with NHDES standards and filled in;
- 3) That only one water service per lot is allowed and, in consideration of the possibility of another building on the lot, the Applicant may want to move the main line;
- 4) That the USGS benchmark shall be protected and a note shall be added to the plan stating "Do not disturb";

- 5) That a 12' easement shall be granted to NHDOT;
- 6) That a landscape plan to be reviewed and approved by Lucy Tillman.

From the Planning Board Meeting of September 23, 2004:

- 7) That if no construction is started on the remaining portion of the lot within a two year period then the pavement will be removed;
- 8) That signage shall be added for the motorcycle concrete parking pad and a note added to the Site Plans;
- 9) That a snow storage area shall be designated on the back of the lot and a note added to the Site Plans;
- 10) That the Applicant will work with the Department of Public Works and the Planning Department to bring the height of the light poles down to a height between 16' – 20';
- 11) That there shall be no outdoor storage and a note added to the Site Plans;

.....

D. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 400 of the Pease Development Authority Site Review Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **Two International Group, LLC, Owner** for property located at **100 International Drive**, wherein approval for an amendment to a previously approved Site Review Application is requested for the construction of a three-story office building with a 26,500 ± s.f. footprint, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 306 as Lot 2 and lies within the Pease Industrial district.

SPEAKING TO THE APPLICATION:

Bradless Mezquite, of Appledore Engineering, advised that they were present for an amendment to a previously approved plan from November of 2003. They were before TAC on September 7th and received a recommendation of approval. The Phase II of the previously approved building is probably never going to be built. This would allow all of the parking to be pulled forward from the wetlands to the rear of the site. The secondary access would be removed, leaving only one access to the location. They would be reducing the overall parking from 379 to 258 and the building square footage would be reduced from 38,000 to 24,500. The impervious area on the site has been reduced from 162,000 s.f. to 102,000 s.f. The previously approved stormwater detention system will not be altered in any way so they now are oversized as they have reduced the impervious coverage on the site by 60,000 s.f. All utilities will remain essentially the same. TAC wanted to make sure that all previous Stipulations were still in full force and effect.

Mr. Ricci asked if they did any test pits in the area of the detention basis to determine the seasonal high water table.

Mr. Mezquite indicated that an exploration was done prior to the original approval. The ground water is somewhat high in this area and the wetlands are close to the same elevation. They have a treatment swale that will take it out of the detention pond and flows to the wetland. The exploration, or test pit, was done about a year ago.

Mr. Ricci asked if that was given to TAC?

Mr. Mezquite indicated that was discussed at the TAC meeting in 2003.

Mr. Ricci suggested that they are taking a lot of surface runoff and putting into this basis. As far as erosion control, he didn't see anything in the basin. He asked for some juett netting, a crushed stone netting or some hay bale check dams during construction.

Deputy City Manager Hayden asked if they had changed anything from the original plans regarding snow storage and the reason she asked is because it looks like the snow storage along International is where they are showing Maple trees and landscaping.

Mr. Mezquite pointed out the three areas they have designated for snow storage. Now that the parking area has moved forward, they have plenty of room in the rear for snow storage. The plants in the front were selected because they are hardy plants and will withstand snow plowing.

Chairman Smith asked if they provided a concrete pad for motorcycles?

Mr. Mezquite indicated that they did not but they would add one.

Chairman Smith indicated that their light poles are 20' and he asked if they would be willing to bring them down to 18'.

Chairman Smith asked if there was room for recycleables in their dumpster area? If not, he asked if they would widen it to handle that.

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

DISCUSSION AND DECISION OF THE BOARD:

Deputy City Manager Hayden moved to approve with stipulations. Councilor Ferrini seconded.

Mr. Will stated that he was voting against it even through he would approve the application if it didn't have any wetlands around it at all. In his heart he did not believe that he should vote for any application that is within 100' of the wetland buffer and as their decision is only advisory it won't hurt the applicant.

The motion passed with Mr. Will voting in the negative, with the following Stipulations:

From the November 4, 2003 Technical Advisory Committee Meeting:

- 1) That the parking space width be changed from 8 ½' to 9', as offered by the applicant;
- 2) That the easterly driveway be eliminated;
- 3) That the front sidewalk be constructed of concrete (not asphalt);
- 4) That the demo and utility plans indicate which monitoring wells will be abandoned and which will remain and those that are to be abandoned will follow NH DES standards (note to be added to appropriate plans);
- 5) That a note be added to the utility plan that the construction is within the wellhead construction area;
- 6) That oil/water separators be added to the catch basins;
- 7) That loading berths be added to the plan;
- 8) That a spec sheet be provided to Tom Cravens describing an emergency generator for possible future installation;
- 9) That the undergrounding of utilities be made clearer on the plan;
- 10) That a licensed traffic engineer submit a memo to Maria Stowell, with a copy to John Burke, regarding traffic generation and how it relates to the van/car pool plan and off-site traffic

improvements per the Tradeport’s Transportation Master Plan; that the Planning Department recommends that no building permit be issued until all agreements and stipulations are in place and meet with the Board of Director’s approval;

- 11) That a revised plan reflecting all changes be reviewed by David Desfosses, David Holden and Lucy Tillman prior to the November 20, 2002 Planning Board meeting;
- 12) That Deputy Chief Steve Griswall be contacted regarding the master fire alarm box.

From the November 20, 2003 Planning Board Meeting:

- 1) That the snow storage area be moved in further from the 25’ buffer zone during Phase I;

From the September 7, 2004 Technical Advisory Committee Meeting:

- 1) That all previous Stipulations from the TAC meeting of November 4, 2003 and the Planning Board approval of November 20, 2003 shall remain in effect;
- 2) That the loading berths shall be marked and shown on the Site Plan;
- 3) That the old water service shut off in the front of the building shall be abandoned per City standards and shall be marked “abandoned” on the Site Plan;
- 4) That any additional development shall be subject to further review;

From the September 23, 2004 Planning Board Meeting:

- 5) That a concrete motorcycle pad shall be added to the Site Plans;
- 6) That the light poles shall be no higher than 18’ and a note added to the Site Plans;
- 7) That the dumpster area shall be enlarged to include the storage of recycleables and a note added to the Site Plans;

.....

E. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 400 of the Pease Development Authority Site Review Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **Lonza Biologics, Inc., Owner**, for property located at **101 International Drive**, wherein site plan approval is requested for the construction of three story addition, with a 95,000± s.f. footprint, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 305 as Lot 6 and lies within the Pease Airport Business and Commercial district.

SPEAKING TO THE APPLICATION:

Gregory Mikolaities, of Appledore Engineering, addressed the Board on behalf of Lonza Biologics, Inc. Also with him was John Machulski, of Lonza. They are proposing another expansion of their facilities. The property has been developed in anticipation of future expansions so a lot of the infrastructures are already in place. For example, the stormwater detention pond was constructed as part of this project and they only need to make some minor modifications. Also, as part of the last approval, they constructed a parking deck based on future expansion. There is an access road around the building. As part of discussions with City staff, there is an area that will be paved and the sidewalk will be extended as well as adding sidewalks along the back. The second component to the project is the construction phase. They will have a proposed construction area across Goosebay Drive which will include temporary trailers for engineering support services, a cafeteria, parking and a warehouse. Lonza had an agreement with the PDA to use this lot and restore it to it’s original condition.

Mr. Mikolaities indicated that they have addressed all 8 stipulations from the TAC meeting. They have discussed traffic and whether they needed a left hand turn lane to come off of International. They updated their traffic study that was done in 2001 which showed that the future expansion will add 125 future employees and that level of service is still acceptable so they are not planning any off site improvements. They also discussed the other intersection and he indicated that Maria Stowell of the PDA could address that.

Mr. Ricci asked about the erosion control in the last temporary construction area and asked if they could put some hay bales along the swaled area.

Chairman Smith assumed that their new lighting would match up and they will still have plenty of parking spaces and there would be no outdoor storage.

Mr. Mikolaities indicated that those were all correct.

Mr. Machulski indicated that they are still finalizing the floor plans and haven't decided how many additional loading bays they will have but they will be putting in a larger dumpster for trash and recycling and the dumpsters are all self contained.

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

DISCUSSION AND DECISION OF THE BOARD:

Mr. Savramis moved to approve with stipulations. Deputy City Manager Hayden seconded.

Mr. Will again indicated that he would be voting against it, however, did want to make some positive comments. There are sections where 100' and 50' setbacks have been made.

The motion passed with Mr. Will voting in the negative with the following stipulations:

From the Technical Advisory Committee Meeting on September 7, 2004:

- 1) That a semi permanent barrier shall be installed between the end of the parking lot and Corporate Drive (so called "flat iron" paved);
- 2) That the application shall include both lots for application purposes;
- 3) That the flat iron site shall be returned to it's pre-existing condition, or better, at the conclusion of the project;
- 4) That all fire alarms shall terminate at the single control panel;
- 5) That the applicant shall work with DPW in updating the sewer discharge permit to reflect the new construction;
- 6) That Goosebay Drive shall be rebuilt from the existing rear entrance to the corner at Goosebay Drive, at the conclusion of construction;
- 7) That DPW will continue to look at Goosebay Drive and make a recommendation prior to the Planning Board meeting;
- 8) That the site shall be built to Best Management Practices on the flat iron piece and a report will be prepared by David Allen with any other concerns prior to the Planning Board meeting;
- 9) That a warrant analysis shall be completed on the intersection of Corporate Drive and International Drive;

From the Planning Board Meeting of September 23, 2004:

10) That hay bales shall be placed along the swale area in the temporary parking area during construction;

V. CITY COUNCIL REFERRALS/REQUESTS

A. NH Public Radio Repeater to be placed on Portsmouth City Hall

Mr. Holden indicated that this was a referral from the City Council and the HDC had made a recommendation to approve this request. The City’s policy is that antennas of this nature shall be placed on city buildings. This is in accord with the City policy and this facility would service the local area.

Chairman Smith was sitting on the HDC when this came before the Commission and this antenna matches up or is smaller than the ones that are already there.

The applicant indicated that there will not be an overload problem with this new antenna. There will be 170 watts from this building and a lot depends on the quality of the radio. This will be a lot better than receiving the signal from Dover or Concord.

City Councilor Ferrini moved to return it to the City Council with the Planning Board’s approval. The motion was seconded. The motion passed unanimously.

VI. NEW BUSINESS

- A. Subdivision Plan for property located at 195-197 Raleigh Way
B. Subdivision Plan for property located at 224-226 Concord Way

Mr. Holden indicated that these were added to the agenda so that the Department could inform the Board that these plans are being submitted pursuant to the original subdivision of Atlantic Heights, dating back to 1919 allowing these properties to be treated as separate lots if shown on the original plan. For assessing purposes the City requires that they be brought before the Planning Board and so noted. He does not anticipate any problem with them.

Mr. Will indicated that Atlantic Heights is full of non-conforming lots and would that be a problem?

Mr. Holden indicated that this area is covered by special ordinance in the way that Atlantic Heights was originally treated and this was the way to handle the title issue but there is a process if you are going to treat the lots as separate.

VII. OLD BUSINESS

A. Request for one year extension for property located off Lang and Longmeadow Road.

Mr. Holden indicated that this is a first time request for an extension on this plan and the Department recommends that it be granted.

Mr. Will made a motion to grant a one year extension. The motion was seconded. The motion passed unanimously.

B. Site Plan amendment for property located at 400 Gosling Road (PSNH);

Mr. Holden advised the Board that the Department has approved this from a previously approved Site Plan but wanted to make sure that the Planning Board understood it. It is an area where an existing structure has been slated for demolition and they are proposing to re-locate a fire-side basin. The existing one will be removed and a new and smaller one will be put in the location of the structure that is being removed. It is a very minor modification however it is very critical to the timing of the overall project.

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VI. ADJOURNMENT

A motion to adjourn at 11:00 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board

These minutes were approved by the Planning Board on November 18, 2004.