

**MINUTES OF MEETING  
SITE REVIEW TECHNICAL ADVISORY COMMITTEE**

**2:00 P.M.**

**CITY COUNCIL CHAMBERS  
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE  
PORTSMOUTH, NEW HAMPSHIRE**

**JUNE 1, 2004**

**MEMBERS PRESENT:** David Holden, Director, Planning Department, Chairman  
David Allen, Deputy Public Works Director;  
John Burke, Parking & Transportation Director  
David Young, Deputy Police Chief;  
Steve Griswold, Captain, Fire Department;  
Thomas Cravens, Engineering Technician (Water Dept.)  
David Desfosses, Engineering Technician (Engineering)  
Alanson Sturgis, Chairman, Conservation Commission

**ALSO PRESENT:** Lucy Tillman, Planner

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The Chair called the meeting to order at 2:00 pm.

**I. PUBLIC HEARINGS**

A. The application of Forum Development, LLC, Owner, for property located at Stonecroft Apartments, off Lang Road, wherein site plan approval is requested to construct a 35.5' x 48' one-story building with basement, totaling 1,630 ± s.f., with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 286 as Lot 24 and lies within a Garden Apartment district.

The Chair read the notice into the record. A motion was made and seconded to take the application off the table. The motion passed unanimously.

**SPEAKING TO THE APPLICATION:**

Anders Albertsen, of Forum Development, LLC, addressed the Committee. He indicated that this matter had been tabled at the last TAC meeting. Since that time, he had a meeting with David Holden and other members of DPW to discuss the issues. The largest issue was that they had utilities crossing property lines. The revised plans show all utilities being connected internally on its own property. Water is being taken from Unit 1 and sewer is being pumped into their sewer system behind Unit 1. The gas, electric and telephone are going out to the edge of the right-of-way and there are no utility lines currently crossing the property line. They also made a revision to the handicapped space and the loading zone per the request of TAC. They show the edge of the clearing line, which is to be protected with silt fence on the down grading side. In addition the plan currently notes the variance which was received from the BOA and also shows the location of the site as it relates to the entire Stonecroft site as well as the lotus of the surrounding area. All issues that were brought up at the meeting at Public Works have been addressed.

Mr. Cravens asked about a straight line on the plan going underneath where there was a dimension on the building of 51'.

Mr. Albertsen believed the surveyor neglected to erase the former water line and it has no meaning. He will remove that from the plan.

Mr. Desfosses asked if Mr. Albertsen had contacted PSNH and Verizon to see if there was room to put underground conduits on the pole?

Mr. Albertsen indicated that he had not contacted them yet but as it was a small electric service as well as a single telephone and cable connection so he doesn't anticipate any problem. He does understand that they will have to approve it.

Mr. Albertsen indicated that the photographs that he presented of the stone wall were simply to show the current condition of the stone wall. They will put it back together as far as what is available to work with.

The Chair asked if there was anyone else present who would like 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:**

Mr. Cravens moved to approve with stipulations. Mr. Sturgis seconded.

Stipulations were as follows:

- 1) That the proposed water line that is not being considered be deleted from the Site Plans;
- 2) That the stone wall be rebuilt in the current condition with no additional stones.

Motion to approve with stipulations passed unanimously.

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B. The application of Eric & Martha Stone, Owners, and Sierra Construction, Applicant, for property located at 1039 Islington Street, wherein site plan approval is requested for construction of the following: 1) a 54' x 60' three story commercial building with basement, totaling 12,960 ± s.f.; 2) a 22' x 162' three story residential building with basement garages containing 9 residential units; and 3) a 25' x 36' three story residential building with basement garages containing 2 residential units, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 171 as Lot 14, and lies within a Business district.

The asked if there was anyone present to speak to this petition. As no one was present, Chairman Holden recommended that the Committee move to table this matter to a time indefinite.

**DISCUSSION AND DECISION OF THE COMMITTEE:**

Mr. Desfosses made a motion to table indefinitely. Mr. Burke seconded. The motion passed unanimously.

Chairman Holden explained that this plan was being revised and would be subject to a new process and he expected that to be coming up at the July meeting and there will be new plans.

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C. The application of Parade Office LLC for property located at 195 Hanover Street wherein site plan approval is requested for the following: 1) On proposed subdivided Lot #1, construction of a 14,792 ± s.f. 5-story 131 room hotel; and 2) On proposed subdivided Lot #2, construction of a 7,576 ± s.f. 5-story mixed use building to include 1,200 ± s.f. of commercial space, residential parking and residential units, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 125 as Lot 1 and lies within the Central Business B district.

The Chair read the notice into the record.

### **SPEAKING TO THE APPLICATION:**

Dennis Moulton, of Millette, Sprague & Colwell, addressed the Committee. Also present were Jeff Johnston and Jim Brady of Cathartes Private Investments, Lisa DeStefano, and Rob Huevert, of HBLA Landscape Architects and Greg Shinberg of Olympia Equity Investors. The subject property is the Parade Mall site on the corners of Hanover and High Street. They are looking to develop the area in front of the Blue Mermaid Restaurant on the Hill. They received final Subdivision approval last month and received approve to subdivide one lot into three lots. Lot 1 is proposed development for a hotel, which is the subject matter of day's hearing. Lot 2 is the proposed site for residential development and Lot 3 will remain the Parade Mall. The proposed development on Lot 1 is a 131 room hotel with restaurant and meeting room. The proposed development on Lot 2 is a residential building with 1,200 s.f. of retail space on the 1<sup>st</sup> floor and space for 21 legal parking spaces on the first floor. Access to the hotel site will be off of High Street in its current location. The current driveway width is 18' and it will be widened to 24' and will provide two way access and egress to the site. The hotel itself will be accessed by a porte cochere. The traffic pattern will come off of High Street, past the porte cochere, in a circular motion and traffic will be one way. They will provide 20 parking spaces on site for the hotel plus one handicapped accessible space. There are other spots located against the building that will be available. All parking for the site will be performed by valet.

Mr. Moulton indicated that drainage has been configured to drain into the current closed system on the site which enters into the drainage system on Hanover Street and then extends out to the North Mill Pond. All utility connections will be underground. Sewer and water connections will be off of Hanover Street. There will be a 6" fire service and 4" water service to each building with individual sewer connections for the hotel and the residential site. They are providing a separate connection for the retail space and of course there will be a grease trap for the kitchen space. Connections to the hotel will be through a new manhole, connecting to Hanover Street. The manhole location was determined by the camera robot and it was determined that that line was in good condition and did not require any upgrades. The electrical connections will be underground. The gas connection will be from Hanover Street via an existing gas line.

Mr. Moulton indicated that signage will be at the entrance at High Street, indicating the proper circulation path for vehicles entering the hotel. There will also be signage for the handicapped parking space. They have reconfigured the sidewalks surrounding the site on both Hanover Street and High Street. They are making a proposal that they are hopeful the City will be receptive to. There will be bumpouts providing a more pedestrian friendly corner. They will soften the grade transition. As a result of these changes, there will be a loss of four metered parking spaces on both sides of Hanover Street and High Street.

On the residential site, access for the underground parking in the rear of the building will be for the residents only. There will be fire protection provided for both buildings. There will be sprinkler systems and fire alarms.

Robin Bousa, Senior Project Manager for Vanasse Hangen Brustlin, Inc., gave a quick overview of their traffic study. The traffic study encompassed the blocks around the site: Hanover, High, Deer,

Maplewood. The standard design practice for their traffic study looks 10 years into the future. They looked at all peak hours. In general, the combined uses of the site are fairly low generators. The worst, critical condition is the weekday evening where they will see 60 trips entering the site. With two entrances/egresses on the site, that number dissolves quickly and the actual impact on the site is very minimal. They studied the intersection at Maplewood and Hanover and that was projected to operate at a level C ten years in the future and would continue to operate at a level C with this project. There is one case where there is a level service D which she believed to be coming out of the parking garage on Hanover Street. The only place that the level of service was poor was at Hanover and Market Street and is already working at a failing position.

Mr. Burke asked, in reference to Hanover and Market Street where she indicated it was failing at the stop signs, and also documented that the parking garage was operating unsatisfactorily at peak hour, did they quantify what the back-ups were for these two locations at the morning peak hours and the Saturday peak hour. In other words, he wanted to know how far back they were stretching now.

Ms. Bousa indicated that they did not specifically address queuing because it was already failing. She felt there is also some question on how viable those queuing calculations are and she doesn't have much faith in the unsignalized calculations. What she could say was that the number of trips that they are expecting to add would not add any additional cars to the back up.

Mr. Burke indicated that they would like to give the Planning Board some sense of what wait a person could expect that is coming in on Market Street. Also, Mr. Burke referred to page 5 where is referenced discussion with City Planning Staff indicates that there are no proposed or approved development projects that would effect traffic on the site. Mr. Burke asked if consideration was given for the proposed Sheraton expansion and parking?

Ms. Bousa indicated that the only specific project that was mentioned that was in the pipeline was the Eagle Photo site. When they took a look at that proposed use and the area they determined that the traffic would not be effected by their site. When they typically asked the question what they should be using in their background they looked for projects that were already along in the process.

Mr. Burke indicated that it wasn't necessarily bad or good but just wanted to state, for the record, that they are not in a 2015 scenario considering a parking garage (Sheraton).

Chairman Holden asked Ms. Bousa to describe how traffic would work on the site.

Ms. Bousa indicated that in addition to the High Street entrance, they are also anticipating that customers will use the Deer Street entrance as well. They are projecting as much as 60% of traffic will be coming from the I-95 area. People will enter the site closest to where they are coming from so it will be a combination of using all of the driveways for access.

Mr. Burke clarified that they are specifically projecting on the Saturday mid-day peak period that 55 vehicles would access the site by Deer Street. Is that based on the assumption that people would know about that? What assumptions did they use to make their split distribution?

Ms. Bousa said that it was based on signage. There shouldn't be any signage for the condominiums but they did make the assumption that the best thing for the overall traffic safety of the city would be to avoid sending people down Hanover Street where it is congested.

Mr. Burke asked how parking was going to work on the site.

Greg Shinberg indicated that there would be some parking on site. Based on their Portland hotel, which is a very similar size hotel, they would peak at 90 cars a day, off peak at 75 cars a day. For those additional 70 – 75 cars that they need to park, the valet parking will either distribute them on the

site or on the Parade Mall site where they will have designated spaces for valet parking. All of the hotel parking will be generated on the site. A lot of people come in by air so not all guests have cars.

Mr. Burke indicated that they typically see that as part of the traffic study but it was not included this time. Just so the numbers jive, they should have an estimated trip generation rate that should match their parking. Will they be providing separate documentation addressing the parking on site?

Mr. Shinberg indicated they could provide separate documentation showing how they will deal with valet parking.

Mr. Burke asked for an indication of what cars were going to the garage and what were going to the Parade Mall.

Mr. Shinberg indicated that the only cars going into the parking garage would be current users or Path Lab folks. There will not be any hotel or residential use going into the garage.

Rob Huevert, of HBLA Landscape Architects of Portsmouth, addressed the Board. He briefly took the Committee through the site improvements. Sidewalks, proposed lighting and bumpouts were already addressed. They are proposing a brick sidewalk that is approximately 7' in width, running around the perimeter of the Hilton. The 7' sidewalk has been designed to incorporate a 5' wide no-obstruction zone for snow removal in the winter. In addition, they are concentrating on the intersection of High and Hanover where they have brick sidewalks running around the front of the building. They are introducing a raised granite planter and that planter is going to allow for the introduction of color in the summer months in addition to separating the stair system that wraps around the front of the façade from the sidewalk system, all in brick. Additionally, they have indicated the potential for crosswalks using additional bump outs for traffic. They are trying to create a pedestrian walk system throughout the city and connecting it to this project and future projects. The planting itself would consist of major shade trees selected specifically for urban conditions. They have gone to great extent in their design to provide an extra amount of soil for the success and growth of these trees. The other component along High and Hanover is the street lighting consisting of lantern style, wrapping around the front of Hanover and High. Coming around the back of the building where the parking lot is below grade from the existing street, they have a large landscaped island. At the porte cochere they have a low hedge screen, wrapping around the residential component.

Mr. Burke asked how many on street parking spaces are they eliminating?

Mr. Huevert indicated they were eliminating eight.

Mr. Burke suggested that they note that on the plan.

Mr. Cravens asked about the irrigation system and whether it would have rain sensors and soil moisture sensors?

Mr. Huevert indicated they had not gotten that far yet but it was an excellent suggestion.

The Chair asked if there was anyone else present to speak to, for or against this petition.

Carol Johnson, of 401 The Hill, indicated that her office and residential address were on The Hill. She indicated that she is in support of the hotel and she has been very pleased with the design and the process. Her concern is the amount of congestion that they will have at the intersection off of High Street with people trying to turn into the parking lot and people coming out of the valet parking. That is the only access that they see in the future. As the Parade Mall continues to be developed and as none of those other entrances have easements they will not be able to be used by the hotel. Another concern is parking.

Chairman Holden asked where did she park her vehicle?

Ms Johnson indicated that she had two parking spaces with her property. However, her staff has to park on the Parade Mall site.

The Chair asked if there was anyone else present to speak to, for or against this petition. Seeing no one rise, the Chair kept the public hearing open.

Ms. Bousa indicated that, with regard to the concern of the High Street entrance, that was one of the locations that they found there was a lot of capacity to circulate traffic on. Based on their findings there would be no significant increase in the current traffic. Again this was based on using several different access points.

Mr. Burke indicated that it looked like on Saturday mid-day peak they were increasing about 30 left turns onto High Street (over an hour).

Chairman Holden indicated that the subdivision application has received approval subject to a couple of conditions. One condition was that access easements be approved for content and form by the City Attorney. He did not see those shown on the site plan and they are very important for the site plan to work.

Mr. Moulton indicated they would add them to the plans.

Chairman Holden followed up by asking what would happen if they close off the entryway at Deer Street? Lot 1 & Lot 2 will go into separate ownership at some point. Therefore, what would stop the owner of Lot 3 from closing that accessway?

Mr. Johnson indicated that the three lots will remain under the same ownership and they will control all three parcels.

Chairman Holden asked then if they would stipulate that all three parcels shall remain in the same ownership forever? Chairman Holden indicated that he was becoming very concerned about how they were going to access and egress over Proposed Lot 3 to this property if 60% of the traffic is coming in Deer Street. How could they guarantee that they could get to their site?

Mr. Johnson indicated that they could provide some documentation as it relates to a license agreement for access, however, he couldn't see a situation where it would be closed off.

Mr. Burke indicated that he wasn't sure what the legal answer was but it appeared that their entire proposal was based on having that access open. Therefore, there has to be some legal agreement that requires that to remain open in perpetuity or else they will have to come back and reassess it.

Chairman Holden indicated that they did have the access and egress easements which created those lots so they were legal under the subdivision regulations and they work for that purpose. However, they now seem to have a new component where they have to also get traffic in from Deer Street to the hotel. This is a new issue that emerges as a part of site review. They are interested in seeing a proposal on that.

John Burke indicated that they talked about improving the Deer Street entrance so that people would know that this was a way to get to the hotel and not just a parking lot. They had anticipated this coming before Traffic & Safety.

Chairman Holden asked if, in principal, they were not opposed to showing some mechanism that would provide access over the property to access Lots 1 & 2 for the purpose of vehicular or pedestrian movement?

Mr. Jackson indicated that they were not.

Mr. Allen indicated that the plans showed them using HDPA but he would rather see them using RCP at all locations. Mr. Allen asked about the proposed restaurant on Lot 2 and did not see a grease trap on the plans.

Mr. Moulton indicated that they used the restaurant as worse case scenario for parking calculations but there are currently no plans for a restaurant.

Mr. Allen indicated that there should be a stipulation that if the space is converted to a restaurant then it will have an external rather than an internal waiver. Mr. Allen also asked that they shift the location so that those get into a manhole also.

Mr. Desfosses asked about the gasline for the hotel that was going to go around the residential units and whether those easements would be shown on the plans.

Mr. Moulton indicated that they would probably have a separate easement plan.

Mr. Desfosses asked about stop signs for leaving the parking lot. He felt they would be warranted at Deer Street or High Street.

Mr. Desfosses asked for additional details on city standards for curbing, pavement, bricks, conduit and light poles.

Captain Griswold asked if they were asking them to approve both buildings as one project?

Mr. Moulton indicated they were presenting them concurrently and basically they are one project.

Mr. Shinberg indicated that until the subdivision was approved, which recently happened, they were not able to make this submission as two lots. Now that the subdivision has been approved, they could present this as two lots. However, until the appeal period is up for the subdivision they cannot record the subdivision plan so it's a moving target for them right now. It should eventually be approved by the Planning Board as two separate lots, separate from the original Parade Mall Lot.

Mr. Holden indicated that they would refer to all conditions as applying to Lot 1, Lot 2 or Lot 3.

Captain Griswold confirmed that Lot 1 is the proposed hotel, Lot 2 is the proposed condos and Lot 3 is the existing lot.

#### **DISCUSSION AND DECISION OF THE COMMITTEE:**

A motion to approve with stipulations was made by Mr. Allen. Captain Griswold seconded.

Stipulations are as follows:

- 1) That the latest revision of the Utility Plan shall be provided to the Planning Board;
- 2) That the 12" drainage pipes in the street must be RCP and so noted on the Site Plan;
- 3) That if and when Lot 2 has a restaurant, an external 1,000 gallon grease trap shall be installed and so noted on the Site Plan;
- 4) That the privately owned irrigation system being installed on Lot 1 and Lot 2 shall be provided with rain sensors and soil and moisture sensors so that they are not irrigating during rain periods or when the soil is already damp, with the locations to be so noted on the Site Plans;

- 5) That water conserving fixtures (low flow toilets, faucets and showerheads) shall be used throughout the buildings on Lot 1 and Lot 2;
- 6) That an Easement Plan shall be provided and approved by the City, showing all necessary parking, mobility, utilities and view easements and that said plan shall be part of the set of drawings for the record;
- 7) That stop signs shall be provided at all three exits as necessary and all stop signs should be MUTCD compliant;
- 8) That details shall be provided for all work in the right of way, showing the city standards for curbing, pavement, brick, light pole conduit and light pole bases and be so noted on the Site Plans;
- 9) That a landscape plan shall be submitted to DPW and the Planning Department for review and approval;
- 10) That all monuments on the site that may be disrupted shall be reset;
- 11) That the project shall be referred to the Traffic & Safety Committee on June 17, 2004 at 8:00 a.m.;
- 12) That documentation shall be provided to the Traffic & Safety Committee that describes the proposed parking plan and valet operations;
- 13) That a sign and landscaping plan for the proposed accessway from Deer Street shall be submitted to the Traffic & Safety Committee for their review;
- 14) That the number of off street parking places being eliminated shall be noted on the Site Plans;
- 15) That the proposed improvements to pedestrian crossings and safety at the Hanover/ Market/Bow Street intersections shall be provided to the Traffic & Safety Committee;
- 16) That the use of the City right of way for public access/egress and the bow windows shall be subject to a license and, as appropriate the involvement of the City Council, for review and approval by the City Legal Department;
- 17) That all easements shall be a condition of Site Plan Approval and shall not be relinquished, amended or altered without prior approval of the Planning Board;
- 18) That all easements shall be subject to review and approval as to content and form, especially as it relates to the above conditions;
- 19) That if easements are not appropriate then some suitable and enforceable mechanism shall be approved to ensure the enforcement of all conditions;
- 20) That parking calculations shall be identified on the Site Plans along with the calculation used to determine the unmet parking need, as the City does not agree with the parking calculation presently shown on the Site Plan;
- 21) That detail shall be added to the Site Plan to show that the sidewalks are appropriately ramped;
- 22) That the fire hydrant located on High Street shall be eliminated and replaced with a hydrant located closer to the corner so that the Fire Department has better accessibility;
- 23) That the hotel and the residential/retail building shall both be equipped with a Master Box;
- 24) That the hotel and the residential/retail building shall both be equipped with a Knox box;
- 25) That pumps shall be provided to each separate lot;
- 26) That the issuance of a building permit is contingent upon the submission of an approved utility plan, signed off by the appropriate utility companies.

The motion to approve with stipulations passed unanimously.

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D. The application of MacLeod Enterprises, Inc. for property located at 1390 Lafayette Road wherein site plan approval is requested for the demolition and removal of 12,500 ± s.f. of existing building and 36,400 ± s.f. of existing pavement, thereby creating additional landscaped area, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 252 as Lot 8 and lies within a General Business district.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

Greg Mikolaities, of Appledore Engineering, addressed the Committee. He indicated that they are in the process of subdividing the property into two conforming lots. In order to do that they need to reduce building square footage, which reduces the parking demand and increases greenspace. They have received preliminary subdivision approval at this point. They will be demolishing 9,000s.f. of conference center and the Goody Two Shoes building. They want to add paving and, along the perimeter of the site, they will remove pavement and add new access drives and upgrade the parking lot. Sheet C-3, which is the site plan, shows where they are adding pavement and green area. They are actually reducing square footage, reducing parking and adding green space. Color plans were distributed to the Committee to highlight the referenced areas.

The Chair asked if there was anyone else present to speak to, for or again this petition. Seeing no one rise, the Chair closed the public hearing.

**DISCUSSION AND DECISION OF THE COMMITTEE:**

Chairman Holden was bothered as they couldn't seem to work out the parking so that there was sufficient parking on both lots. He felt there was a way to handle this but, basically, to get the required parking on the Yoken's lot they need approximately 6 spaces on the Comfort Inn lot. Was there any way to get the required parking on the Yoken's lot or was the building coverage so tight that it wasn't possible.

Mr. Mikolaities indicated that they looked at everything and with the existing pavement and the way the hotel is situated, this was how they worked it out. This Board doesn't have the Easement plan that the Planning Board had showing all of the access routes.

Chairman Holden indicated that they had a zoning problem with it. If the parking is in common ownership, they will need a Special Exception from the Board of Adjustment. Otherwise, they will need a variance to have the parking for the required parking for Yoken's located on the Comfort Inn lot.

Ms. Tillman confirmed that if they sell the lots separately, they would need a variance. The only way to have parking on separate lots would be by Special Exception. She indicated that the spaces that seem to be in conflict are near where it says Lot A and are 9 spaces. They are removing 10 over by the gas station to acquire more green space. What if they just found a little more green space and eliminated those parking spaces that cross over the property line?

Mr. Mikolaities indicated that they could probably do that.

Chairman Holden wasn't sure if Yoken's was subject to parking relief in the past and the Planning Board was certainly familiar with the intent of the subdivision so hopefully they will be able to work this through so they can accomplish all of the ends. He would not discourage them from going before the BOA if relief is necessary but this would be the preferable route.

Mr. Cravens indicated they were putting their subdivision line very close to the one common water line and he would like to see that laid out on the plan. They might have to call a locating company to do it but he would like to see that done. Also, the note that references the demolition property being the property of the contractor should state except the water meter and the flanges as those are the property of the water department.

Mr. Allen asked about the proposed parking where the existing Goody Two Shoes is located. He is uncomfortable with head in parking where they are going to have to back out of the parking lot. He would like to see those eliminated.

John Burke also felt that was a good idea. He also asked what was being done on the public right of way?

Mr. Mikolaities indicated they were proposing one curb cut and closing one.

Chairman Holden asked, other than the deletion of the curb cut, are there any other proposed changes to the curb cuts?

Mr. Burke asked if they had any concerns about traffic cutting across the parking lot?

Mr. Mikolaities did not believe that was a concern.

Mr. Desfosses asked if the combined Comfort Inn/Yokens sign will change?

Mr. Mikolaities indicated it will remain as they have access easements. They have removed other combination signs and will place one single sign for Yoken's and one single sign for the Comfort Inn at difference locations.

Captain Griswold indicated that the fire suppression service must be maintained during demolition.

Ms. Tillman asked about the time frame when the fence will go back up, where it's going to be located and what it is going to look like. They would like to have some details on that.

Mr. Mikolaities indicated that the fence will be back up before the new Planning Board meeting. The property line is literally 2' off of the house line. That fence sat in about 30' off of the property. They had a meeting that morning between Mrs. Champagne, her daughter, and David Ashton, representing Kevin MacLeod, and the agreement is that the 6' stockade fence is still sitting there and it will be put back up for a minimum of one year. On Sheet C-1 there is a 12' right of way from that property line. Mrs. Champagne's gravel driveway is actually on MacLeod Enterprises property without benefit of an easement. Mr. Shaines has been sending letters to Mrs. Champagne over the past years explaining that the fence was not a property line fence. By June 17<sup>th</sup> that fence will be back up and it will be the same fence.

Ms. Tillman asked if the fence was in good repair?

Mr. Mikolaities indicated that Mrs. Champagne and her daughter both saw the fence.

Chairman Holden indicated that after a year it will be relocated to the edge of the right-of-way and she will still be able to cross over the property for access and egress.

Mr. Mikolaities indicated that was correct.

Ms. Tillman indicated that screening is required by the Zoning Ordinance.

Mr. Mikolaities did not feel that that applied to them.

Ms. Tillman indicated it was “off street parking lots, parking lots and loading areas”. She felt the access road was part of the parking lot. However, they are putting the fence back up so they are all set for now.

A motion to approve with stipulations was made by Captain Griswold. Mr. Desfosses seconded.

Stipulations were as follows:

- 1) That the water lines shall be shown on the Site Plans;
- 2) That the proposed parking area on the hotel lot shall have an access drive to allow traffic to drive through (the area where Goody Two Shoes is being demolished);
- 3) That all easements shall be shown on the Site Plan and be approved by the City Attorney;
- 4) That the parking spaces across from the lot line shall be converted to green space and that the spaces shall be relocated to a former parking area;
- 5) That fire protection shall be maintained through the demolition process;
- 6) That this project shall be referred to the Traffic & Safety Committee for review and recommendations;
- 7) That the applicant shall work with the City to identify a bonding mechanism to insure that the demolition of the building commences no later than October 15, 2004.

The motion to approve with stipulations passed unanimously.

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E. The application of Brora LLC for property located off Portsmouth Boulevard wherein site plan approval is requested for the construction of a 28,884 ± s.f. 4-story 108 room hotel with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 213 as Lot 2 and lies within an Office Research district.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

Dennis Moulton, of Millette, Sprague & Colwell, addressed the Committee. Also present was Scott Thayer of Pro-Con Construction. This application is for an existing undeveloped lot off the intersection of Commerce Way and Osprey Drive. It was subdivided earlier this year and the plan has been recorded. There is an existing road in front of it, Portsmouth Boulevard, which is 20 – 22’ in width and there are portions of the road with existing closed drainage system. Adequate water and sewer currently exist in front of the property on the opposite side of Portsmouth Boulevard. The proposal is for a 4-story, 108 room extended stay hotel. The hotel portion is the long section in the rear and the small building in the front is the operational portion. This will include the kitchen, front desk, exercise room, and conference rooms. Parking has been provided for with 1.2 spaces per room. They will add the parking calculation to the plan when that has been finalized.

Mr. Moulton indicated that drainage is provided on site with a closed drainage system. It services all of the impervious surface. It empties into a detention area which is located in the front on Portsmouth Boulevard and is designed to accept and detain up to a 50 year storm in accordance with DES Best Management Stormwater Practices. The water is then directed to a small pond and from there it empties into the closed drainage system on Portsmouth Boulevard and flows into the river. The system has been designed so that it actually reduces the rate of stormwater flow and the volume of stormwater

flow that goes in the NE direction to the intersection of Commerce Way. As part of the development, they will have to assess the condition of the existing closed drain system and flush it out as necessary.

Mr. Moulton indicated that part of the proposal is the newly existing pavement on Portsmouth Boulevard. They will be repaving a section of Portsmouth Boulevard with a 2" wearing course and with a 22' width. There is a large ledgecut to the rear of the building that is about 2' below grade with a maximum 16' height. At the suggestion of DPW they have added a 6' high chainlink fence around the ledgecut.

Mr. Moulton indicated that the landscaping plan was provided and special attention was given to the 100' buffer between this property and the adjacent residential property on Osprey Drive. This is a special district of the city and it requires that a 100' buffer be left undisturbed. They also must provide 50' of densely planted vegetation and they are providing an 8' high solid board fence. They are providing a closed dumpster and an enclosed maintenance shed. Lighting is shown on the landscaping plan and has been designed to Hilton specifications.

Mr. Moulton indicated on the roadway reconstruction there exists a silt granite curb on the side adjacent to their proposed development and they propose to reuse that silt granite curb. It is also proposed that they rebuild bituminous sidewalks in the area, in place of concrete. They did not show the proper contacts for water and sewer for the city so they will add that to the plans.

The Chair asked if there was anyone else present to speak to, for or against this petition. Seeing no one rise, the Chair closed the public hearing.

#### **DISCUSSION AND DECISION OF THE COMMITTEE:**

Mr. Desfosses made a motion to approve with stipulations. Mr. Sturgis seconded.

The stipulations are as follows:

- 1) That the Note on page 2 of the Site Plans stating "Grind wearing course to 22' and repave with 2" binder course ....." should read as follows: "Reclaim existing road, create 22' wide, grade to original grade, any leftover material to be used as fill underneath rocky areas, reset curbing to 4 1/2", binder to be 2" and 1 1/2" on top";
- 2) That the drainage system shall be cleaned and so noted on the Site Plans, along with a maintenance plan;
- 3) That hotel signage and directional signage shall be shown on the Site Plans;
- 4) That lighting shall be added to the entrance driveways and so noted on the Site Plans;
- 5) That the sewer stub that is in the current manhole shall be removed and the sewer should tie directly into the manhole with the new service;
- 6) That the sidewalks from the street shall be labeled as 5' wide on the Site Plans;
- 7) That the sidewalk that leads from the parking lot on the left hand side of the building to half way down to the main part of the building shall be 9' wide to handle a fire truck and that the sidewalk shall be maintained at all times for emergency access and so noted on the Site Plans;
- 8) That the Fire Department connection shall be located in the hotel lobby area, or an alternate area near the street, to be approved by the Fire Department, and so noted on the Site Plans;
- 9) That a Master Fire Alarm Box shall be installed and so noted on the Site Plans;
- 10) That a Knox Box shall be installed and so noted on the Site Plans;
- 11) That a four-way stop analysis shall be completed and provided to DPW for review and consideration;

- 12) That one yard hydrant shall be installed on the same side of the street as the hotel, with the exact location to be approved by the Fire Department;
- 13) That the hotel shall use water conserving fixtures (low flow faucets, toilets and showerheads) and shall be so noted on the Site Plans
- 14) That if the well provides insufficient water for the irrigation system, then the hotel will use water conservation practices in its place and be so noted on the Site Plans;
- 15) That sloped granite curbing shall be used everywhere on the site except along the sidewalks and curbed areas where concrete will be used and shall be so noted on the Site Plan;
- 16) That the Department of Public Works and the Planning Department shall work with the applicant on the elevation of the ledge to consider all alternatives, for review prior to the Planning Board meeting(provide a building elevation in this area);
- 17) That the vegetation to the rear of the property shall be protected and the applicant will work with the Planning Department for language to be added to the Site Plans.

The motion to approve with stipulations passed unanimously.

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F. The application of Boise Cascade Building Materials for property located at 100 Ranger Way where in site plan approval is requested for the addition of a 24' x 45' modular building to be used as office space with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 211 as Lot 2 and lies within an Industrial district.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

John Chagnon, of Ambit Engineering, addressed the Committee. Also present was John Tiano, Operations Manager for the site. They are proposing a 24' x 45' modular building with the only connections being electricity and telephone. They will use the bathroom facilities in the main structure. There will be a connector to connect this space to the other office space. They are proposing an access ramp to come around the NW side, next to proposed accessible parking space. They are proposing parking on the gravel area. This site has had a previous application for an addition and they were required to put angled parking in which allowed them to meet the aisle width and they operate under this set up with no difficulties. They did go before the BOA for a variance for the 70' setback. The applicants had a chance to get this modular from another site and they needed to act quickly so they have moved it to the site. They are seeking approvals at this time to allow them to hook it up. Currently they have 23 employees and expect to add one employee immediately and probably more in the future. The business consists of the redistribution of wood products. There is a railroad site and most of their product comes in on rail cars, is then inventoried and then shipped out by truck.

Mr. Desfosses asked if the variances were in place yet?

Mr. Chagnon indicated that they were not but they were scheduled for the next BOA meeting.

The Chair asked if there was anyone else present to speak to, for or again this petition. Seeing no one rise, the Chair closed the public hearing.

**DISCUSSION AND DECISION OF THE COMMITTEE:**

Mr. Desfosses moved to approve with stipulations. Mr. Cravens seconded.

- 1) That final approval is subject to receiving the necessary variances from the Board of Adjustment and said variances should be so noted on the Site Plans;
- 2) That a note shall be added to the plan that electricity and telephone utilities will be coming directly from the existing building and there will be no additional utilities;
- 3) That the fire lane shall remain open and be so noted on the plan;
- 4) That this matter be referred to the Traffic & Safety Committee;

The motion to approve with stipulations passed unanimously.

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**II. ADJOURNMENT** was had at approximately 4:15 p.m.

These minutes were taken and transcribed by Jane M. Shouse, Administrative Assistant in the Planning Department.