

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

2:00 P.M.

**CITY COUNCIL CHAMBERS FEBRUARY 1, 2005
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

MEMBERS PRESENT: David Holden, Director, Planning Department, Chairman John Burke, Director, Parking & Transportation; Peter Britz, Environmental Planner; David Desfosses, Engineering Technician; Tom Cravens, Engineering Technician, Steve Griswold, Deputy Fire Chief, Fire Department and Sgt. Frank Warchol, Police Department

ALSO PRESENT: Lucy Tillman, Planner

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I. OLD BUSINESS

1. The application of **Wal-Mart Real Estate Business Trust and Joker's Realty One, LLC, Owners, Wal-Mart Stores, Inc., Applicant**, for property located at **2460 Lafayette Road**, wherein site plan approval is requested for the expansion of an existing 124,852 ± s.f. Wal-Mart Store to a 190,800 ± s.f. s.f. Wal-Mart Supercenter, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 285 as Lots 16-1 & 2 and lies within a General Business district. (This application was tabled at the January 4, 2005 TAC meeting.)

The Chair read the notice into the record.

Mr. Desfosses made a motion to take the application off of the table. Mr. Britz seconded. The motion passed unanimously.

SPEAKING TO THE APPLICATION:

Attorney Bernard Pelech addressed the Committee on behalf of Wal-Mart. He indicated since the January TAC meeting they have had several meetings with staff regarding traffic. Unfortunately he was unable to get the Architect to get the revised renderings to the Committee but it is his understanding that they will be ready next week. The changes to the elevations that were requested in January by staff have been made primarily to the two side elevations and the rear elevation and a full set should be before the Committee at the March meeting.

Mr. Pelech indicated that they have met with John Burke and David Desfosses and they have agreed to conduct the necessary survey along the Route One corridor from the Southgate Plaza intersection to the Heritage Avenue intersection. That is 90% complete and will be submitted to the City. In addition, they have agreed to draft and prepare a conceptual intersection improvement plan for the intersection at Constitution and Route One for a 5-lane profile signalized intersection. Giles Ham is in the process of reviewing previous traffic studies that have been done along the corridor, primarily done by Water Country and the Irving Station. Finally, they now have the authority from Wal-Mart to agree to contribute \$500,000 for roadway improvements to be used by the City as they wish, but primarily for improvements to the Constitution Avenue Route One intersection, which everyone agrees need the improvements the most. He believes that is more than their fair share of impact fees. All of the meetings which they have had regarding traffic have included Doug DePorter from NHDOT Division 6.

Attorney Pelech indicated that at the January meeting there were some minor site plan improvements which Paul Haynor, of Haynor and Swanson, is in the process of preparing and will have ready for the March meeting.

Attorney Pelech felt that recapped where they were and they were looking forward to the March meeting to hopefully get a recommendation to move on to the Planning Board in March.

Mr. Holden understood that revised plans will be submitted prior to the March meeting and those plans will address the site issues, the building elevations and that they will continue to work cooperatively with the City and the State to come up with the proposed improvements to Route One.

Attorney Pelech indicated they are also willing to meet with City Staff at any time to discuss the survey that is being prepared, the conceptual plan which is being planned and the elevations.

Mr. Holden requested that Attorney Pelech coordinate that meeting through the Planning Department once they have the plans ready.

Mr. Holden suggested tabling this matter to the March 1st meeting.

Mr. Desfosses made a motion to table this matter to the March meeting. Mr. Cravens seconded.

The motion to table passed unanimously.

The three areas that continue to be under review are the various site issues, building elevations and the anticipated highway improvements resulting from this project.

Stipulations from the November 2, 2004 TAC Meeting:

- 1) A report from NHDOT is required;
- 2) This matter should be scheduled before the Traffic & Safety Committee (if a Traffic Study is not required);
- 3) The water line should show that the fire service connects around the entire building and is connected to the loop with a valve and also identify how the service is going to work with the pump building (the plan is confusing and the area should be detailed);
- 4) The Easement Plan and language needs to be reviewed by the Legal/Planning Departments;
- 5) The City will meet with Coast to work out a bus loading area in front of the building;
- 6) That one or two new lights will be added to the rear intersection with Constitution Avenue;
- 7) That the conditions from the TAC meeting of September 7, 2004 will be brought forward;

Stipulations from the November 30, 2004 TAC Meeting:

- 8) That the size and type of the two grease traps be noted on the Site Plan;
- 9) That a Site Plan set be provided to the all Committee members, complete with revision dates and a note of what the revisions were;
- 10) That the note on the Site Utility Plan behind Joker's that reads "Line to be abandon by city (typ)" be revised to read "Line to be abandoned according to City standards";
- 11) That a note be added where the easement line leaves the property for clarification;
- 12) That the water service be changed to a 4" service;
- 13) That the irrigation system be changed to come off of the domestic water meter in the building;

- 14) That the applicant work with the Planning Department and the DPW to revise the parking plan to address pedestrian safety and aesthetics;
- 15) That porous pavement be used on the parking lot areas to break up the significant amount of flow from the site;
- 16) That a written report be prepared for the Committee regarding trip generations and traffic issues, including all written correspondence with NHDOT;
- 17) That after a response has been received from NHDOT, a meeting shall be scheduled with the NHDOT, the applicant and City personnel to discuss Constitution Avenue and trip generations;
- 18) That the applicant appear before the Traffic & Safety Committee after receiving a recommendation of approval from TAC;
- 19) That an Easement Deed and Easement Plan be prepared for review and approval by the City Legal Department;

Stipulations from the January 4, 2004 TAC Meeting:

- 20) That a lighting comparison be prepared for presentation to the Planning Board;

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2. The application of **145 Heritage Avenue Properties, LLC, Owner, and Carlisle Capital Corporation, Applicant**, for property located **off Heritage Avenue**, wherein site plan approval is requested for the construction of three buildings as follows: 1) a 120' x 130' 1-story industrial building with 15,600 ± s.f.; 1) a 210' x 140' 1-story industrial building with 29,400 ± s.f., and 3) a 30' x 90' 2-story garage with 2,700 ± s.f., with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 284 as Lot 7 and lies within an Industrial district. (This application was tabled at the January 4, 2005 TAC meeting.)

The Chair read the notice into the record.

Deputy Fire Chief Griswold made a motion to take the application off of the table. Mr. Desfosses seconded. The motion passed unanimously.

SPEAKING TO THE APPLICATION:

Dennis Moulton, of Millette, Sprague & Colwell, addressed the Committee on behalf of the applicant. With him was Steve Binnie of Carlisle Capitol. As they had done a presentation at the last TAC meeting, Mr. Moulton started by going over the issues that were raised at the previous meeting.

- 1) That a report by an independent wetland scientist be prepared. Michael Cuomo of the Rockingham Conservation District has walked the site and prepared a Memo that confirmed that the wetland delineation was correct so that issue is resolved.
- 2) That the elevations in the treatment area need to be addressed. This was in regard to the rear pond elevation being below the adjacent wetland elevation. They proposed a clay lining to the treatment pond which would prevent exfiltration from the wetland area into the pond.
- 3) That the water main that goes through the culvert at Banfield Road was a concern to the Committee. They met with David Allen of DPW to discuss the issue and they have come to an agreement for shared costs for the improvements that are required and the City will do the repairs.

- 4) That the driveway be relocated to the other side of the lot. They have moved the entrance to the north side of the property.
- 5) That the Heritage Avenue/Route 1 intersection be evaluated. There was concern expressed by John Burke regarding traffic generated by the site. They would like to suggest the shared costs of any improvements that are recommended and reviewed by Traffic & Safety.
- 6) That only one water meter per lot is allowed. This correction has been made on the plans.
- 7) That the stray water line coming off of the fire line should be eliminated. This was removed from the plans.
- 8) That the water service must be either 2" or 4" pipe. They have changed that to a 4" pipe on the plans.
- 9) That a standard "No Trucks" sign be added to the entrance. They are proposing signage that would indicate that trucks leaving the site would have to turn left, towards Lafayette Road.
- 10) That a Masterbox and a Knox Box be added to the plans. Notations have been added to the plans.
- 11) That the size of the smaller wetland be added to the plans. That has been added to the existing features plan and the size of the wetland is approximately 2/10 of an area.
- 12) That plantings and landscape treatment be added along the edge of the detention pond in the rear of the property. They have shown that on the landscape plan.

Mr. Moulton felt they had addressed all issues on the site. He invited any questions or comments from the Committee.

Mr. Burke indicated that they would not approve a driveway that was 48' in width.

Mr. Moulton indicated they needed the width for tractor trailers coming around the site and making a U-turn back onto Heritage Avenue.

Mr. Burke asked to see the turning templates for Traffic & Safety review. They would need a waiver from the City for a driveway of that width.

Mr. Burke asked where the driveway on the other side of the street was located.

Mr. Moulton did not have that on his plans and was unable to say.

Mr. Desfosses asked that the handicapped parking spaces be turned around so that people don't have to back around to get into the spaces. Secondly, he did not feel that sugar maple trees were appropriate for the roadside and should be changed to something more appropriate. Also, he was still waiting to see the math for the closed drainage system on Heritage Avenue.

Mr. Moulton indicated that he did not submit that but would provide it. Mr. Moulton felt that issue had been addressed.

Mr. Desfosses disagreed and felt it had to be fixed.

Ms. Tillman asked about the 2-story garage and what the parking would be for the upper level as you can't park a vehicle up there.

Mr. Moulton indicated that the upper level of the garage was for storage of maintenance equipment for the site. The garage is for storage of things such as leaf blowers and trimmers.

Ms. Tillman felt they should get that on the record as there was no parking calculation attached to the garage.

While on the discussion of parking, Mr. Holden asked if the revised plans provide for additional parking?

Mr. Moulton indicated they tried to maximize parking as much as possible. They ran into several problems. The 50' front setback on Heritage Avenue prevented any parking in the front of the building. The turning motion of the tractor trailers require bigger turning radius around the building. A change of use may result in an additional parking requirement however a change in the type of traffic would give them the opportunity to add more parking spaces. They are required to have 78 parking spaces and they are providing 115.

Ms. Tillman asked for an additional explanation of the garage because it doesn't have a parking calculation. Did they count parking spaces in the garage towards their parking calculation?

Mr. Moulton indicated they did not count any interior parking spaces as part of their parking calculations.

Mr. Binnie indicated that it will be used for maintenance vehicles and equipment for the property. There will be trucks, a trailer, equipment and a tractor.

Mr. Holden asked if maintenance meant that a vehicle would be worked on?

Mr. Binnie indicated that vehicles would not be worked on in the garage.

Ms. Tillman confirmed that there will not be any storage or anything to do with the use going on in Building #1 or Building #2? And no other storage other than supporting the property. In other words, the vehicles and leaf blower that will be in the 30' x 92' 2-story building will only be used to support this property and not other properties or other peoples' storage

Mr. Binnie confirmed that the garage was not going to be a self storage container or anything like that. It is not going to help people. It's just for the equipment for the property.

The Chair asked if there was anyone else present to speak to, for or against the application. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Holden indicated that his only concern with this application was that they are definitely using the property to its full potential. Whether it crosses the line where it goes into over-development of the lot needs to be measured by the ordinance. Mr. Moulton, the site engineer, has demonstrated that it has sufficient parking. Mr. Holden noted that the application should be amended to show that there is a third building on the property.

Mr. Desfosses asked Mr. Holden if there was enough parking on the lot?

Mr. Holden stated that it meets the requirements of the ordinance although he would stipulate that they add some language to the plan. He recommended that this could be favorably recommended to the Planning Board but it needs some conditions.

Mr. Desfosses made a motion to recommend approval with stipulations. Deputy Fire Chief Griswold seconded.

Mr. Burke discussed the truck movement on the lot with Mr. Moulton. He asked if they were so tight on parking spaces that they couldn't eliminate some of the front spaces so that the width of the driveway could be reduced? He felt it would have to be worked out with Traffic & Safety.

Mr. Holden stated that it appeared that the tractor trailers were eliminating some of the parking spaces by their motion on the lot.

Mr. Moulton reminded the Committee that the use of the property was not a retail use or a restaurant where there would be a lot of coming and going. Basically, the parking spots are occupied by people working during the day and they leave at the end of the day. Mr. Moulton understood Mr. Burke's concerns but he didn't think there was a great potential for danger.

Mr. Burke felt it was something that they should look at and leave open for Traffic & Safety to work with him on.

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

Stipulations from the January 4, 2005 TAC Meeting:

- 1) That a report by an independent wetland scientist be provided to the Planning Board; (done)
- 2) That the elevations in the treatment area need to be addressed;
- 3) That the applicant work with DPW to determine a fair share cost mechanism for repairing the culvert at the corner of Banfield and Heritage and the culvert is to be upgraded before accepting any flow from this development;
- 4) That the driveway be relocated to the other side of the lot; (done)
- 5) That the Heritage Avenue/Route 1 intersection be evaluated, subject to the cost of re-striping the Heritage approach to the Heritage/Route One intersection to extend the storage capacity of the approach lines;
- 6) That only one water meter per lot is allowed and the plans should reflect the connection from the first building to the second building; (done)
- 7) That the stray water line coming off of the fire line should be eliminated; (done)
- 8) That the water service must be either 2" or 4" pipe; (done)
- 9) That a standard "No Trucks" sign be added to the entrance; (done)
- 10) That a Masterbox and a Knox Box be added to the plans;
- 11) That the size of the smaller wetland be added to the plans; (done)
- 12) That plantings and landscape treatment be added along the edge of the detention pond in the rear of the property.

Stipulations from the February 1, 2005 TAC meeting:

- 13) That the applicant receive a favorable motion from the Traffic & Safety Committee regarding the sub-standard width of the driveway;
- 14) That the handicapped parking spaces for building #2, on the south side, should be rotated so the spaces can be used without backing up;
- 15) That the trees along the front of the lot be evaluated for more appropriate species;
- 16) That the applicant contact DPW for an erosion inspection prior to disturbing the site, after the clearing is done;
- 17) That the Landscaping Plan shall be subject to approval by the Planning Department;
- 18) That a note be added to the plans that if a variance is requested regarding parking requirements, it is not the intent of the TAC Committee or the Planning Board to use this approval to favorably grant said variance;
- 19) That the figures for the closed drainage system be provided to DPW prior to final approval;
- 20) That the Site Plan Cover Sheet be changed from "Construction Plans" to "Site Plans";
- 21) That each page of the Site Plans reflect the new address of 280 Heritage Avenue;
- 22) That a new Site Review application be submitted, reflecting three buildings;
- 23) That Sheet C-4 of the Site Plans clarify that the garage is a total of 24, 000 s.f.;

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II. PUBLIC HEARINGS

A. This is a notification of the intent of the **New Hampshire Port Authority** to implement specific improvements to the facility located **off Market Street**. These improvements are security related. This is a courtesy notice to the public of these improvements. Said property is shown on Assessor Plan 219 as Lot 5 and lies within a Waterfront Industrial district.

The Chair read the notice into the record.

Mr. Holden noted that this was not technically a public hearing but was being treated as a public hearing. The State is working cooperatively with the City to allow comment on proposals that are related to the Port Authority. They are not under any obligation but this is a cooperative matter between the City, the Pease Development Authority, the NH Port Authority and the State of New Hampshire.

SPEAKING TO THE APPLICATION:

Geno Marconi, Director of the Division of Portsmouth Harbors of the Pease Development Authority, addressed the committee. Mr. Marconi indicated that the purpose of this project was as a result of 911 and the US Congress passed a Maritime Transportation Safety Act. According to that Act the US Coast Guard became a leading agency in port security. In anticipation of the final rule, the Coast Guard hired a professional maritime security consultant to do a threat assessment and to make security recommendations to the Port for security for the terminal. The Coast Guard's final rule came in October of 2003 and indicated that they needed to develop a security plan to the Coast Guard by December 31st, which they did. The regulations also indicated that their security plan needed to be implemented by July 31, 2004, which they did. They have received funding for their upgrades and contracted with Appledore Engineering to provide them with a plan to meet their requirements. Noah Elwood of Appledore Engineering was present to answer any questions regarding the plan. Mr.

Marconi explained that the upgrades involved upgrading the fencing around the perimeter along Market Street, installing fencing along the unprotected water side of the terminal, upgrading and increasing perimeter lighting, relocating the Port business office closer to the front gate, improving the front entrance so that it is more user friendly, and updating the user kiosk.

Mr. Marconi indicated that they had previously met with Planning Department staff and reviewed their plans.

Mr. Elwood displayed a copy of the plan and reviewed the upgrades with the Committee.

Sgt. Warchol asked if they would be taping the yard and the boatramp on a 24 hour basis and who would be responsible for monitoring tapes?

Mr. Marconi indicated that they would do the monitoring. As security levels go up, the monitoring levels go up as well.

Sgt. Warchol asked if the upgrade at the entrance included a turnaround area for those denied access?

Mr. Marconi indicated they would have to enter into the terminal to turn around so that there wouldn't be any issues backing out onto Market Street.

Deputy Fire Chief Griswold asked if they were planning to upgrade any of the water or sewer connections into the facility?

Mr. Elwood indicated that there was existing water on the site that they would be tying into. They will be upgrading the sewer.

Deputy Fire Chief Griswold recommended upgrading the water also. The water supply to the fire hydrants is quite limited and he recommended upgrading the water line to 12" which will provide a much better water supply.

Mr. Burke asked how many trucks can queue back to the railroad tracks?

Mr. Marconi indicated they can queue three trucks to the railroad tracks. He further went on to explain that the next phase of the Coast Guard implementations is the waterfront workers' security clearance system. They do not anticipate any of these changed to effect traffic on Market Street.

The Chair asked if there was anyone else present to speak to, for or against the application. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Cravens made a motion to recommend approval with stipulations. Deputy Fire Chief Griswold seconded.

The motion to **recommend approval** of the site plan improvements to the Planning Board passed unanimously with the following **stipulations**:

Stipulations from the February 1, 2005 TAC meeting:

- 1) That the security fencing be a black vinyl;
- 2) That the vehicle maneuvering area be evaluated and enhanced as possible;
- 3) That when the sewer line is being worked on, the two way traffic on Market Street shall be maintained;
- 4) That the water line be evaluated with DPW and the Fire Department to determine whether flow pressures can be enhanced;

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B. The application of **F-Series Realty, LLC, Owner** for property located at **215 West Road**, wherein site plan approval is requested for the construction of a 2-story, 2,500 ± s.f. addition to an existing structure and construction of a fenced in parking lot, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 267 as Lot 10 and lies within an Industrial district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Eric Weinrieb, of Altus Engineering, addressed the Committee. He indicated that they are proposing to do a modest building expansion and pave the existing gravel lay-down area. They will be decreasing stormwater runoff. The building coverage will be 2.6% upon completion and the impervious coverage will go up to 55%. There is a very small wetland on the site but it is a non-jurisdictional wetland.

Mr. Desfosses asked Mr. Weinrieb to talk about the use.

Mr. Weinrieb indicated that F-Series also owns Portsmouth Ford and this area will be used for car storage of new cars. The building expansion will be used for parts storage. It is not intended for retail use, people will not be coming and going, but rather will alleviate some of the parking issue they have at their Spaulding Turnpike site.

Mr. Desfosses asked why they needed parts for new cars?

Mr. Weinrieb stated it was part of the Portsmouth Ford operation where they do repairs and they will store the parts at this location.

Mr. Desfosses asked if the building was simply a warehouse?

Mr. Weinrieb confirmed that it was with a small office. There are no new utilities, no sales at the facility and no garage. There is an overhead door in the back to pull a vehicle into get the parts.

Mr. Desfosses asked if this could be called a remote storage area?

Mr. Weinrieb agreed with that and indicated that the chain link fence and the paving will clean up the site nicely. The site is currently in pretty rough shape.

Mr. Britz asked how many cars would they be able to park at the site?

Mr. Weinrieb had no idea but could find out. There will be travelways between the cars so that they can get them in and out.

Mr. Holden asked Mr. Weinrieb to point out the site on the plan.

Mr. Weinrieb did so and indicated that they were staying outside of the 60' right-of-way.

Mr. Holden confirmed that the right-of-way was on the lot and asked if the applicant was proposing any improvements to it?

Mr. Weinrieb indicated the only improvement they were proposing was a swale to help control the run-off to the south.

Mr. Holden asked what the purpose of the proposed gate was?

Mr. Weinrieb indicated that the proposed gate is to allow snow storage off of the back of the site. That is their property and is currently not being used

Mr. Holden asked if his client had any intention of utilizing the dirt driveway?

Mr. Weinrieb confirmed that he does not plan to use the driveway.

Mr. Holden asked if they would be piling snow so that the gate couldn't be used?

Mr. Weinrieb said if the road was developed, they would discontinue snow storage in that area. They have other locations on the site and they would probably utilize the corners of the lot.

Mr. Holden asked if they were aware of the restrictions or conditions that encumber the right-of-way?

Mr. Weinrieb indicated he did not have them with him.

Mr. Holden asked if there was a fire on the site, how would emergency access be made?

Mr. Weinrieb stated they would come in through the West Road area and there would have to be a Knox box or something similar and there would have to be some sort of access through the site. He also indicated that it was not going to be used for public access so if a car burns, it will not be a safety issue.

Mr. Holden asked if the site would normally be lighted for security?

Mr. Weinrieb indicated they have security lights on the building and one on an existing utility pole.

Mr. Holden asked if that was sufficient lighting for the entire lot?

Mr. Weinrieb indicated they could provide more but this would be just enough to shine out onto the lot.

Mr. Holden asked if the open space requirements in that district were being satisfied?

Mr. Weinrieb indicated they were being satisfied.

Mr. Holden indicated it was his assumption that in a storm event, the first wash of rain will take off any oils and greases. Are the cars so tight that no lubricants or anything would be on the ground? He was concerned about this use and what the impact will be on the ground in a rainstorm.

Mr. Weinrieb indicated that they are providing a detention pond and decreasing the run off and new vehicles will not produce a lot of sand and salt or oil.

Ms. Tillman asked how the vehicles would arrive at the site?

Mr. Weinrieb indicated they would probably be on car carriers. Depending on how they were stacked, they would either turn around on site or back out onto the road.

Mr. Burke indicated that cars are not allowed to back out onto West Road.

Mr. Desfosses indicated they should be able to drive to the back of the site and turn around.

Ms. Tillman indicated that there was nothing out back to drive to.

Mr. Weinrieb indicated the road in the rear would eventually be built.

Ms. Tillman asked what would happen if the road was never built? They had car carriers backing out onto West Road.

Mr. Weinrieb indicated they could make sure that they provided the space to allow the car carriers to turn around on site.

Mr. Burke indicated he would like to see how the cars will be arranged on the plan and how the car carriers will turn around.

Mr. Desfosses asked if they could circle around the building?

Mr. Weinrieb indicated that would create a second access and it would eliminate the detention area. There is some nice mature landscaping in the front that they don't want to disturb.

Mr. Holden indicated they don't normally have car carriers on West Road or vehicles backing onto it.

Mr. Weinrieb indicated they would make the provision that they could turn around on the site. There is plenty of room for that to happen. He will show an area large enough to be designated for turn around.

Mr. Desfosses asked if the lot would be striped out?

Mr. Weinrieb didn't think that would work.

Mr. Holden indicated that he felt they needed more details before the Department could support this plan. They have received BOA relief.

Ms. Tillman indicated they received a Special Exception to allow the outdoor storage of automobiles with the stipulation that there be no repair of vehicles on the site.

The Chair asked if there was anyone else present to speak to, for or against the application. There being none, the Chair declared the Public Hearing closed, reserving the right to re-open the hearing.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Holden indicated that the zoning is appropriate and relief has been granted from the BOA to allow the use. He felt there were concerns about the details of the use. It looks like they are seeing applications that are "pushing the envelop" for what a site can handle. He recommended that they

table this matter to the next meeting however he asked all members to indicate what they needed more information on so that they could act at the next TAC meeting. If appropriate, it could also go to Traffic & Safety.

Mr. Desfosses made a motion to table this matter to the March 1, 2005 TAC meeting. Mr. Cravens seconded.

Mr. Holden indicated he would like to have a note on the plan showing a reference to the driveway easement that crosses the property. He felt they needed more details on the site lighting so that the police department can ascertain whether anything is going on at night.

Mr. Desfosses asked what the soil on the site was like?

Mr. Weinrieb indicated it was bad. It's primarily a silty gravel. He indicated they had looked at several different things with this site because of the history of West Road and the water table is relatively close to the surface. He looked at doing some mechanical devices on this site as far as stormwater treatment but the problem is there isn't enough to get that out to the drainage swale on West Road. He felt the best management practice for the site was the surface treatment of it.

Mr. Desfosses was concerned about volume.

Mr. Weinrieb indicated they were creating a significant decrease in the peak flow.

Mr. Desfosses indicated it was a volume issue more than anything else. He didn't know if there was a more appropriate solution. He asked if they could do better? Was it one of those sites that they could do something positive rather than always shoving it downstream to the next lot?

Mr. Weinrieb felt that they were doing something positive. They are taking a developed site, decreasing the peak rates and providing treatment.

Mr. Burke indicated they would have to identify something on the plans for the carriers to turn around on site with signs and striping. He did not feel that Traffic & Safety review was necessary.

Deputy Fire Chief Griswold asked if they would have to get some type of approval to start doing repairs on site?

Mr. Holden recommended that they do it with the applicant putting a stipulation on the plan to that effect.

Mr. Weinrieb indicated that was already on the plans.

Mr. Holden asked for clarification on how the back gate will be used. He was concerned that the snow would be pushed out the back gate and block the driveway. He needs some explanation on the plan. He also asked for a stipulation that this be limited to new vehicles, with the understanding that if it were to be used for used vehicles, it would have to be looked at again.

Mr. Desfosses asked that the back gate be re-aligned.

Mr. Desfosses asked for handicapped signs in front of the handicapped spaces.

The motion to table to the next regular TAC meeting with the following stipulations passed unanimously.

Stipulations from the February 1, 2005 TAC meeting:

- 1) That a reference be added to the Site Plan showing the driveway easement that crosses the property;
- 2) That more details on site lighting be added to the Site Plans;
- 3) That the drainage system be evaluated regarding volume to determine whether a better system could be developed;
- 4) That the Site Plans identify how trucks will turn around on the site, using signage and striping;
- 5) That the Site Plans clarify how the back gate will be used;
- 6) That the Site Plans reflect that only new vehicles will be stored on the site, and amended approval would be required to store any used vehicles on the site;
- 7) That the back gate be re-aligned;
- 8) That upright handicapped signs be placed in front of the handicapped parking spaces;

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C. The application of **Northeast Credit Union, Owner**, for property located at **100 Borthwick Avenue**, wherein site plan approval is requested for the construction of a 2-story, 8,000 ± s.f. addition to an existing structure and expansion of the existing parking lot, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 259 as Lot 15 and lies within an Office Research district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, addressed the Committee. Also present from Northeast Credit Union was Richard Parks, Paul Kelly and Devon Parker. This is a 12.76 acre parcel with several easements. PSNH has an easement, the City of Portsmouth has a sewer easement and the railroad spur bisects the property.

They are expanding the existing office space so as to expand the operations on the site. This will allow them to have a facility that functions more efficiently for them. They are also proposing additional parking on the southwest side of the existing building. A variance was granted on December 28th, subject to three conditions. They submitted site plans, a trip generation, a drainage analysis and the associated exhibits.

Mr. Chagnon reviewed the plan set. The cover sheet shows the site location and the surrounding environment. Sheet C-1 is the standard boundary survey. Sheet C-2 is an easement plan showing all existing easements on the parcel and what they are for. Sheet C-3 shows the existing conditions plan. Sheet C-4 is the layout of the landscape plan, including the dimension of the new building and the new parking area. Pedestrian access via crosswalks are shown. Also shown is the dumpster and pavement arrows to direct traffic flow, one way in and two ways out. Sheet C-5 is the Utility and Grading Plan. The water and sprinklers will be connected internally and a new sewer lateral will come out of the building and connect into the main sewer line on the west side of the building. Sheet C-6 is a Stormwater and Erosion Control Plan. Most of the site is flat so they are proposing a system that will

collect the run off from the parking areas and through a number of catch basins, deliver it to an infiltration basin. Sheet C-7 is a Lighting Plan. That plan is a split personality plan at the moment with 16' poles on one side and 20' poles on the other side. Understanding that the Planning Board is looking for nothing over 16' however on this site there a PSNH easement along the back so there is a significant area of the parking lot along the back that they want to light for the safety of the public. A 16' pole doesn't give enough spillage to get to the edge of the parking area. They would like to go forward with the 20' pole height on this project. They were hoping that TAC would make a recommendation on that. The last sheets are detail sheets. Mr. Chagnon indicated the issues seem to be lighting and the BOA approved with three stipulations:

- 1) That existing and proposed lighting, through the site review process, meet the current standards of not reaching beyond the property line;
- 2) That the sign on the rear of the building be turned off at 6:00 p.m.; and
- 3) That screening be provided along the back of the lot consistent with the easements that are in place.

Mr. Chagnon indicated one of the unique features of the site was the powerlines that go right through the property. They are proposing to put a fence up on the property line or just leave the trees up. The problem with putting a fence up is that they would have to cut the trees down to do that. They spoke to the neighbors and they felt they could put up a fence on the City property, across the railroad, to provide screening to the neighborhood.

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

Steve Jones, of 56 Harvard Street, wanted to speak to the project and generally he was in favor of the project. They are very concerned about the lighting of the building and the screening between the building and the residential neighborhood. They feel that a fence would be appropriate in some way however they do not want to cut the trees down to do so. The lighting on the site is not favorable at the present time. They are looking at downsizing the lighting. The ATM machine is a 360 degree beacon that they would like addressed.

Mr. Holden asked approximately where Mr. Jones house was located.

Mr. Jones indicated it was directly behind the center entrance. When the cars come in at night, as they come around, they light up the whole neighborhood. He also acknowledged the problems with the railroad.

Mr. Chagnon indicated the homes to the rear are shown on the cover sheet.

The Chair asked if there was anyone else present to speak to, for or against the application. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Ms. Tillman asked that they show total square footage on the two-story addition of 24,000, with 8,000 on each level.

Deputy Fire Chief Griswold asked about the sprinkler system. Would they be extending the existing system to the new addition?

Mr. Chagnon indicated that Mr. Parker could address the sprinkler system. He did indicated that the water lines were missing from the plans.

Devon Parker, Facilities Supervisor for the Credit Union, indicated that only the bottom floor of the existing building is sprinkled. This will all be one building without any fire wall between them.

Mr. Burke was a little concerned about the one way drive and whether they were only using striping or were they going to consider some signage? He felt they needed to reinforce the entire one-way plan. He also felt it was very inviting if someone was driving their car up but it wasn't pedestrian friendly.

Mr. Chagnon indicated there was no City sidewalk at the present but they could provide a connection to the road for when a sidewalk was installed by the City.

A discussion followed regarding the sidewalks on Borthwick Avenue.

Mr. Burke indicated he was looking for a letter back regarding impacts as they had concerns over the traffic signals.

Mr. Chagnon indicated Royd Benjamin could not be present at this meeting. Basically, he thought the City had asked them to look at the intersection at Greenland Road and Mr. Benjamin suggested moving the stop control to the opposite side. There would have to be an island so that right turns could separate off.

Mr. Holden stated that he thought the traffic issue would be better defined at this time.

It was agreed that a meeting be scheduled to discuss this issue, along with traffic and signage.

Mr. Chagnon stated that it is a condition of BOA that they have to comply with. The plan that they did centers on the new parking lot and with the easement, they have to find ways to light the area.

Mr. Holden indicated that a lighting work session was being planned for the Planning Board. In the meantime, he felt they should work together as efficiently as they can realizing that this was a moving target. The common objective is that there be a limited spillage over the lot line. They also have a right of way for the B&M so they should have some flexibility.

Mr. Desfosses felt that, in comparing the two lighting plans, the hardship on this particular site is if they use 16' poles, they cannot light the parking lot adequately.

Mr. Holden then indicated that if they use 20' poles properly, the light would not spill over.

Mr. Desfosses felt they should ask for 20' poles as it makes the most sense.

Mr. Holden did not feel that 16' poles were appropriate. They were a recommending body to the Planning Board so they needed to make their case. The ultimate goal was no spillage over the lot line.

Mr. Holden was also concerned that sidewalks are normally required in front of sites. This is becoming a more pedestrian orientated area and he would like to explore that with the applicant. Although he did add that the plans are very good and brought out a lot of the site benefits. This is a difficult lot. With the PSNH poles, will they require any special approvals or buffering protections for those?

Mr. Chagnon indicated there was a line on the plan where the new line was going, giving PSNH an easement. They are working together for the relocation of the line.

Mr. Holden said he would like to see the details on that, showing the easement on the plan and also that PSNH has signed off on how the poles will be "bumpered".

Mr. Chagnon indicated there was a detail on the plans showing a pole protector.

Mr. Cravens indicated they would like to get an easement for the monitoring well so that they could get samples. He also didn't see where the underground storage tank was for heating oil.

Mr. Chagnon indicated it was adjacent to the back door.

Mr. Cravens indicated that all Borthwick Avenue developments have been putting in additional monitoring wells. They would like an additional monitoring well next to the dumpster area for monitoring groundwater quality.

Mr. Burke made a motion to table this matter, with recommended stipulations, to the March 1, 2005 TAC meeting. Mr. Desfosses seconded.

Mr. Holden indicated the real issue is traffic, sidewalks and signage and a meeting should be scheduled with John Burke, David Desfosses and David Holden to discuss those issues.

The motion passed unanimously.

Stipulations from the February 1, 2005 TAC meeting:

- 1) That a meeting be scheduled with John Burke, David Desfosses and David Holden to discuss traffic, sidewalks and on-site signage;
- 2) That the traffic engineer provide a written report;
- 3) That the details of the PSNH easement be shown on the plans;
- 4) That an additional monitoring well be installed next to the dumpster, with the location to be worked out with DPW;
- 5) That an easement be prepared to allow the City access to the monitoring wells;
- 6) That the ATM lighting be evaluated regarding the installation of buffering;
- 7) That the Lighting Plan be reviewed to determine what height the light poles should be;
- 8) That the Landscape Plan be approved by the Planning Department;

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D. The application of **Mark and Chong Jou Kim, Owners**, for property located at **3002 Lafayette Road**, wherein site plan approval is requested to demolish an existing 1-story building and for the construction of a new 1-story, 3,590 ± s.f. building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 292 as Lot 13 and lies within a Mixed Residential Business district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney Bernie Pelech addressed the Committee on behalf of the Applicant. He explained that this project had gone before the BOA and received variances on the use and the setbacks. They did not receive a variance to allow a 10' travel lane along the easterly side of the building. They revised the plan upon the suggestion of John Burke and now show a 24' shared driveway for this property and the abutting property. They went back to the BOA for this shared driveway and received approval. They have designed the parking at the suggestion of the Planning Department and John Burke to take into account future widening of US Route 1. They are prepared to provide an Easement to the State if necessary. They have eliminated one of the curbcuts as a result of the shared driveway that allows

access to the property in a much more orderly fashion. Attorney Pelech then turned the presentation over to Dan Balfour of Millette, Sprague and Colwell.

Mr. Balfour reviewed the plans with the Committee. He indicated that they are providing a 24' wide travel lane, they are providing 9 parking spaces in the front and one space in the rear. There is a loading dock in the rear. The dumpster will be kept inside the building as there is no room outside and they will provide access for the truck to actually pull the dumpster from the building, empty the garbage and put it back inside the building. Mr. Balfour indicated that some off-site improvements being made were repairs to the pavement and closing up one of the existing entrances. They are proposing a 12' easement to NHDOT if necessary and will be doing landscaping in that area as well as other areas around the building. The handicapped accessible area needs to be redesigned as the sign and paved parking needs to be on the other side of the ramp. The existing building is going to be removed and replaced with a larger building with a concrete walkway in front. Water and fire services will be upgraded. Sewer is existing. There is nothing different regarding drainage. A lot of pavement is being removed and replaced with green area.

Mr. Burke asked how the driveway was defined?

Mr. Balbour indicated that the whole area was paved area and he wasn't sure how they could define it.

Mr. Burke asked if it was a multiple driveway? How were people on the adjacent property going to exit? It's 50' wide and that's a problem.

Mr. Holden indicated that they would be needing cross easements for the driveway.

Attorney Pelech indicated he was currently working with Attorney Bosen, who represents Mr. Ferrari, the abutter, to obtain those easements.

Mr. Burke indicated that the driveway needed to have curbing on both side of the driveway so that it was defined. The driveway is substandard and he suggested getting together with the applicant to further discuss it. They couldn't approve this driveway as it stands.

Attorney Pelech was confused because he felt that they had created this driveway at Mr. Burke's suggestion and he now has a problem with it.

Mr. Burke indicated that they needed to define the driveway with a curb on both sides. This driveway seems to be an uncontrolled driveway that is 5 lanes wide.

Attorney Pelech indicated that he now understood what Mr. Burke's concern was.

Mr. Holden indicated that they would have to have a revised application and re-advertise to include the abutting lot, which they could do. He felt this was a better situation for both properties.

Mr. Desfosses indicated that the water and sewer lines need to be reviewed as the proposed use is a drycleaning business.

Attorney Pelech indicated he would get the information from the owner and then review it with Peter Rice of DPW.

Mr. Desfosses felt it was odd to have a fence in the middle of the parking lot although he realized it's because the lot line goes down the middle of the parking lot, but he was wondering if they could rectify that in some way?

Ms. Tillman indicated that the fence was a requirement of the abutters along the back of their site and then the applicant has another parking lot for the residential property behind.

Mr. Desfosses understood that the Zoning Ordinance didn't work in this situation but he was wondering if, in speaking to the abutter, they might agree to a common fence across the actual parking lot.

Attorney Pelech indicated that as long as it complies with the ordinance they would be happy to talk to the abutter about that.

The Chair asked if there was anyone else present to speak to, for or against the application. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Burke made a motion to recommend approval. Mr. Desfosses seconded.

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

Stipulations from the January 4, 2005 TAC Meeting:

- 1) That a meeting be scheduled with the applicant, the abutting property and staff to discuss the shared driveway;
- 2) That related site issues be reviewed with Lucy Tillman;
- 3) That a meeting be scheduled with Peter Rice and/or David Allen to discuss sewer and water issues;
- 4) That the handicapped parking space be moved so that it is not necessary to back into the space;
- 5) That the application be amended to reflect the new property and that a new legal notice be sent out at the cost of the applicant;
- 6) That the Landscape Plan be reviewed and approved by the Planning Department;
- 7) That a Knox box or master box and sprinkler system be installed to the specifications of the Fire Department;

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III. ADJOURNMENT was had at approximately 4:25 p.m.

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