

MINUTES OF MEETING
SITE REVIEW TECHNICAL ADVISORY COMMITTEE

2:00 P.M.

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

DECEMBER 5, 2006

MEMBERS PRESENT: David Holden, Director, Planning Department, Chairman; Steve Miller, Acting Chairman, Conservation Commission, David Allen, Deputy Director of Public Works, David Desfosses, Engineering Technician; Tom Cravens, Engineering Technician; Debbie Finnigan, Traffic Engineer; Steve Achilles, Assistant Fire Chief and Len DiSesa, Deputy Police Chief

ALSO PRESENT: Lucy Tillman, Chief Planner

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I. OLD BUSINESS

A. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, wherein Site Review approval is requested to construct a 25,666 ± s.f. 3-story office building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 216 as Lot 1-8B and lies within the Office Research/ Mariner's Village district. (This application was tabled at the October 31, 2006 Technical Advisory Committee Meeting)

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

Mr. Desfosses made a motion to table to a time indefinite. Mr. Allen seconded the motion. The motion to table to a time indefinite passed unanimously.

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B. The application of **Tain Properties, LLC, Owner**, for property located at **215 Commerce Way**, wherein amended Site Review approval is requested to re-stripe an existing parking area and add a paved aisle to the abutting parcel, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 216 as Lot 1-8A and lies within an Office Research/ Mariner's Village district. (This application was tabled at the October 31, 2006 Technical Advisory Committee Meeting)

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

Mr. Desfosses made a motion to table to a time indefinite. Mr. Cravens seconded the motion. The motion to table to a time indefinite passed unanimously.

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II. NEW BUSINESS

A. The application of **The Home Depot, Owner**, and **Bed Bath & Beyond/Christmas Tree Shops, Applicant**, for property located at **100 Durgin Lane**, wherein Site Review approval is requested to demolish the existing building and to construct a 113,865 ± s.f. one-story, three-tenant retail plaza, with related paving, utilities, landscaping, drainage and associated site improvements.

Said property is shown on Assessor Plan 239 as Lots 16, 18 & 13-2 and lie within the General Business district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Malcolm McNeill, Esq., Attorney for the Applicant, appeared before the Committee. Also present were Greg Mikolaities of Appledore Engineering, Jim Winn, of GPI, Traffic Engineer, Dave Cameron, from New Jersey, representing Bed Bath & Beyond, and Wasyl Hnatiw, from Casco, who are the building designers. This site is the former Home Depot building which contains 26.15 acres. The proposal is to remove the existing structure and replace it with a new structure. The new structure will be 16,037 s.f. smaller than the existing 127,856 s.f. Home Depot structure. Attorney McNeill displayed Site Plans reflecting the reduction of the building. The on site impervious area is presently 45%. The development will reduce it to 36,679 s.f. of reduced impervious surface on the site. The Conditional Use permit has been granted by both the Conservation Commission and the Planning Board, both with unanimous votes. The only stipulations are that the areas being returned from pavement to natural be planted with a wildflower conservation seed mix and that the areas at the edge of the buffer areas not be mowed. They agreed to a sweeping program once a month. The on site impervious area within the various buffer zones are also reduced. The existing on-site impervious area within the buffer is slightly over 72,000 s.f. which was reduced to 50,000 s.f. The same development team is doing this project as well as the Home Depot project. This site does not have any stormwater treatment and they are adding treatment. Additionally, 66,000 s.f. of impervious area of Hampton Inn land will also be treated as a result of this project. In terms of important matters to the municipality, the building is getting smaller, the impervious surface is getting smaller, the wetlands are not being adversely effected and are in fact being supplemented and the area is subject to parking field improvements which Mr. Mikolaities will explain later in the presentation. Access to the site is via Gosling Road and also the access road across from B.J.'s. As part of the Home Depot improvement, an accessroad is being constructed between this site and the new Home Depot site. They have made improvements in the landscaping and the building. The two known tenants are Bed Bath & Beyond and Christmas Tree Shops. Elevations have been provided. Christmas Tree Shops has a distinctive front and Attorney McNeill felt they have made a good effort to "New Englandize" it yet stay with their usual motif. Bed Bath & Beyond will be in the middle and the third tenant has not been established. The elevations were shown from all sides. They are proposing a very significant improvement of what people will see from the Highway.

They appeared at a September 5th Pre-TAC meeting and Attorney McNeill felt they have addressed all comments from that meeting.

Greg Mikolaities, of Appledore Engineering, referred to the color site plans and referred to the green area that was the pavement which they were removing. They will add landscaping along the Spaulding Turnpike and they have maximized the green space. They have removed a significant amount of pavement in the wetland buffers. They have managed to reduce 36,000 s.f. of pavement and gain 7 extra parking spaces. They did that by rearranging the parking configuration and the curbcuts. They closed some curbcuts to create a T intersection and created a one way in and out parking lot. There was a perception that there was a lot of pavement in the rear that was not used but it will be used by employees and at least half of the spaces will be used by staff on just one shift. To encourage people to use the other half of the parking spaces, they increased the sidewalks, defined the crosswalk and installed site lighting to make people understand that the area is not a black hole. In the plan set there is a detailed site lighting plan with pole heights of 16' and 12'. They also included an Altus survey.

Mr. Mikolaities addressed drainage. They have three watersheds which were identified in color on the displayed site plan. There is presently no stormwater treatment and all is discharging into the wetlands. They are proposing significant improvements. He showed where the different watersheds will be directed. They will install downstream stormwater defenders. They were asked to install some

low impact design. They are taking 64,000 s.f. of pavement area and running it through two substantial bio-retention rain gardens. They are improving the traffic flow to make it a safer access from Gosling Road. The second rain garden is near the intersection by the Home Depot garden center. They are taking 8 ½ acres of untreated stormwater and running it through downstream defenders.

He displayed their proposed landscaping plan in color. They are proposing islands and sidewalks along with the additional plantings along the Spaulding Turnpike. They have removed a section of the guardrail by the access road which may help the perception and open it up.

They displayed a colored utility plan. All utilities are already present on site. There are no proposals for a restaurant on site. They are just cleaning up the utilities and will have three store services rather than one. There is an irrigation plan in the package and they will add notes about the rain sensor and hours of operation. They have prepared a detailed drainage analysis.

Jim Winn, Project Manager and Traffic Engineer from Greenman Peterman confirmed that The Home Depot is being relocated to the south. Current access to the site is provided from two access points. One from Durgin Lane extending out to Woodbury Avenue and the second is a connector road. As part of the new Home Depot project a new connector road will be constructed that will access from the proposed site to Arthur Brady Drive. They looked at traffic impact at the three access points, specifically Durgin Lane & Woodbury Avenue, Gosling Road near the connector road and also off of Brady Drive. They also looked at connections at Market Street, Arthur Brady Drive and Commerce Way. They looked at different times during the day. These figures were adjusted to be consistent with City and State guidelines. The peak hours are generally 4:45 – 5:45, 12:30 – 1:30. They are suggesting a site distance of 170' for the site driveways extending off Durgin Lane and vegetation should be low to the ground. They looked at two future conditions: 2007 and 2017. Two traffic components were considered. One was a general traffic road and one was specific projects located in the area, which would add considerable traffic. Based on previous studies with the City, they have a 1.5% per year growth rate in the City. For specific projects, there were three that were discussed: Rite Aid Pharmacy at the intersection of Woodbury and Market; Home Depot relocation project; and 77,000 s.f. of office space on Commerce Way. For planned roadway improvements, along Woodbury Avenue CLD was hired to do some coordination. Home Depot has improvements that were part of their recent project which includes the construction of the new connector road and some timing modifications at the Market Street intersection. Additionally, there is additional equipment that will be provided by Home Depot to get the coordinated system up and running. Trip generations were based on counts that were collected at the site driveways. They used general shopping center rates. They also looked at pass by rates by additional traffic. This resulted in 240 additional cars at the pm peak and 300 cars at the Saturday peak hours. This is how they got their build conditions and with the projected traffic volumes they did their analysis. They did intersection level service. The connector road to Gosling Road is expected to run at level B. Arthur Brady Drive is expected to run at level C. This expansion will not have any impact on these intersections. At Durgin Lane there are times where they see a decrease in level of service. With the change in level of service, they looked at authorization of the traffic patterns on Woodbury Avenue. As part of the CLD projects, the program is based on a max time system. It gives more preference to the side streets where the main line will suffer a little more. They give extra time to the main streets, rather than the side streets. They also looked at an exclusive southbound turn lane going onto Durgin Lane. Based on these two different alternatives, both will mitigate the traffic of the project. With the first option using just time changes alone, they would have level C at Durgin Lane and Woodbury Avenue. With the implementation of the exclusive turn lane the level of service goes to level C during all time periods. They noted in the traffic study with the right turn lane it extends the length of the right in/right out lane for Circuit City and he did not have the exact distance but he believed it was between 200 – 300' which would limit the length of the turn lane. During a red light, traffic starts backing up and at some point the light will be blocked so that the true benefit of that lane may not be realized. The final improvement which they did not mention in their traffic study but he did discuss with the City is signage at the intersections.

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

DISCUSSION AND DECISION OF THE COMMITTEE:

Mr. Desfosses indicated that he felt they did a wonderful job with the parking lot layout but asked about the parking aisles approaching the new access road where there should be a stop sign at all of the aisles. He would like to see them look at that and see what they think.

Mr. Desfosses referred to the Photometrix plan which he spent some time looking at. He felt the lights show semi cut-off and he wants to know if full-cut off lights are required now. Mr. Mikolaities indicated he did not prepare the plan. Mr. Desfosses asked him to look at that and there might be more locations that would be more appropriate. Mr. Mikolaities stated they are Dark Sky Friendly. He will ask the lighting engineer what he came up with. He probably went partial shields to get more spread. Mr. Desfosses noticed that the Photometrix Plan does not look at the old access road running down to Gosling and he would like to see them run an analysis on that.

One thing that makes sense to Mr. Desfosses but he was not sure of what process to use is they have gone ahead and created the access road and now they need to focus on getting people on the access road from the highway and getting them back on the highway after they are done shopping. Specifically he is talking about Gosling Road and the back access drive and the section with Durgin and Woodbury as well as Arthur Brady and the new access road. How do they get people from the highway to the shopping center as efficiently as possible and then how do they get them back on the highway. They need to help people out.

Mr. Desfosses asked how they get different people to the Hampton Inn from the parking lot. He would suggest signs for that also.

Mr. Desfosses noticed on C-3, they drew in a very short section of double yellow center line and he felt that double line should continue all the way straight through. They only show about 50' and it needs to go all the way through. On the back access road it says seal and re-stripe on the drawings. The pavement is in terrible condition and he would like them to look at that and determine what size overlay would be appropriate. They are also doing a very, very thick pavement section and he asked why? Mr. Mikolaities indicated that came from the geo-tech. Mr. Desfosses asked if the soils are weak? Mr. Mikolaities was unsure but he will look at it.

Mr. Desfosses asked them to look at the widening of Durgin Lane and whether a double left turn lane on Durgin lane was possible? The only place there is not enough pavement is where people are going into Shaws. A small widening right there would take care of widening and would make a huge difference on Woodbury. If they could get people on the side of the road to turn, it would really help.

Mr. Desfosses commented that he really likes the parking lot layout.

Mr. Cravens referred to notes on the Utility Plan. Note 8 should be clarified to say for all electrical work. On Note 12 which refers to a waterline pipe of ductile iron, class 52, double dement lined, however, a single line is okay but double is also fine. On Note 14 he requested that they add at the end, "Water Division call 427-1552" which will get them to the correct person quicker. On Note 21, Mr. Cravens asked that it add "all water work" will meet the requirements of the City of Portsmouth Public Works Department. Note 23 talks about as built plans, they would like to have an 8" all the way up to the hydrant. Mr. Cravens asked about the water service going to the hotel and how that was going to be handled when they shut this line down for work. He asked what type of water service easements there are. Fire and domestic are tapped off their line going to the hotel. Mr. Mikolaities stated that is a great question and he will look into that. Mr. Cravens felt this would be the time to put in a separate service for this lot and just have another service come in from Durgin. Regarding the landscaping plan, on the grading plan they say everything that isn't being paved will have 6" of loam

on it and he would like to have that note on the landscaping plan as well. The water for the irrigation system has to go through the City water main before it goes to the irrigation system. If a booster pump is put on, they would like to be sure they have a low limit shut off switch so it doesn't draw back into the domestic line. On the irrigation plan they are including the rain garden area and he asked if that was correct? Mr. Mikolaities noticed that as well and he will check on that with Jim Gove to confirm whether they need to water those plants.

Mr. Holden stated that the City is doing a lot with sustainable practices. Any way they can put some of the roof run off to good work? Mr. Mikolaities stated they will look at that.

Mr. Allen referred to the detail sheets of the Bio Retention systems. It looks like on Sheet 11 & 12, they are both referred to as Rain Garden #1 but they should be #1 and #2 and that should be changed on the plans. On their sanitary, could they look at the sanitary coming out of the Christmas Tree which comes in and it is T'ed in at 90 degrees coming from the hotel. He asked them to look at relocating the man hole so they are not coming in at an angle.

Mr. Cravens noted that the water line going up the side of the building, at the beginning where they show a square box, at the other end those are landscaped areas and they show trees being planted right over the water main. He asked them to look at that again.

Steve Miller Acting Chair of the Conservation Commission, referred to their drainage study where they have operation and maintenance schedule for the raingardens and catch basins but nothing for the down stream defenders on the list. Mr. Mikolaities stated that the manufacturer says quarterly and they will go with that and add it to the report. Mr. Miller also asked them to ask who is responsible for that maintenance. He would like to have that coordinated so that on site personnel would be familiar with everything. Mr. Mikolaities stated they will clarify that. Mr. Holden suggested they should propose it as a schedule with a reporting function back to DPW. Mr. Miller asked what is the reporting schedule for catch basins and manhole cleaning on an annual basis? He felt that should be reinforced. Also, that is connected with snow removal. It's nice to see the rain gardens and landscaping but the snow removal contractor should also be educated and coordinated so that their plants are not killed. Mr. Allen added that the leakouts also need to be left snow free. Mr. Mikolaities stated that the owner is the operator and there is no developer in the middle, which is nice. Mr. Miller asked where does the roof drain go in the watershed plan? Mr. Mikolaities stated that to balance the flows he showed where the flows go. Mr. Holden asked how the rainwater is being used? Mr. Mikolaities stated it will go back into the wetland. They will look and see if they can intercept the roof drains and put an irrigation pipe into it.

Assistant Fire Chief Achilles stated that they always look for an automatic notification system for the Fire Department and also a knox box for access. He asked for an individual box for each tenant. Regarding traffic, Woodbury Avenue is a key access route for the Fire Department and they are working city wide to insure there are key access routes and emergency routes available to traverse at any time, day or night. They are concerned about the road, independent of Christmas time, as there are issues with traffic. At the intersection they want to see a pre-empting system that is coordinated with some of those accesses, and not only Durgin Lane. They go to Home Depot and the hotel on occasion and with the new site, they will go more. Going down Woodbury they will hit every single intersection and they may have no way to go around them. Therefore, they want the pre emption system.

Ms. Finnigan asked where will the customers be coming from? She is concerned that the ITE generation numbers may be low and it will have a higher draw than a normal strip mall. Is there data for other Christmas Tree Shops similar to this location that they can compare counts with? Mr. Winn indicated he can look into getting that data.

Ms. Finnigan asked if they think the store will be open in 2007? Dave Cameron, of Bed Bath & Beyond/Christmas Tree Shop, felt the best case shows January 31, 2008 which could change but that's his best estimate at this time.

Ms. Finnigan asked if there will be any great impacts based on a 2008 opening? Mr. Winn indicated they can take a look to see what the difference would be with the 2008 date. He felt the difference would be minor. Ms. Finnigan was concerned about the intersection going from D to E, which is not very good. Mr. Holden asked where does the 1.5 annual growth figure come from? Mr. Winn stated it came from past audits and what is most representative, which is what they did here. Mr. Holden requested information documenting how they came up with 1.5%. Mr. Winn confirmed he would provide that.

Ms. Finnigan referred to the amount of trips based on the ITE trip generation. She asked for the data. She referred to the trip distribution summary on Page 13, and asked for an explanation on the 6%. Mr. Winn stated there may be multi use trips, going to Shaw's or the bank. It's difficult to quantify that which is why they did not include it in their study. It is a benefit that they can go to multiple locations. Ms. Finnigan asked for clarification on where they think people may be going.

Mr. Holden asked where the closest Christmas Tree Shop was located? Ms. Finnigan indicated they were in Salem, NH, Burlington, MA, Nashua, NH, and Portland, ME.

Ms. Finnigan indicated she would like to see available queuing information which is not included in the report. Mr. Winn pointed out it was included in the appendix but he will provide a summary on that for Ms. Finnigan.

Deputy Police Chief DiSesa had a concern about the conflicting traffic going into BJ's and the additional traffic at Durgin lane and how that will work. He asked if something can be done at that intersection to mitigate the traffic. Mr. Winn felt it might be helpful to track left turns at the intersection.

Attorney McNeill stated that it was his recollection of the area that when they received the new Home Depot approvals they contemplated the use of this site as a retail use. When the new Home Depot was approved, all mitigation considered the fact that this site would be new retail. They are now coming forward with a smaller building and a parking lot that has three new spaces in it and they recognized that there may be a difference in traffic generation. In terms of what they have is a replacement smaller building, permitted use retail to retail, with a recently approved site that contemplated improvements along the Woodbury Avenue corridor that recognized that there would be utilization of this building. Attorney McNeill indicated they would continue to respond to their questions and how they relate to traffic but contentiously isn't that where they are? Mr. Holden felt the whole thing will resolve around traffic and his recollection differs from that of Attorney McNeill as to what degree they addressed the development of this site as they were doing the new Home Depot. His recollection had the applicant vigorously separating them out for the benefit of Home Depot at the time. Attorney McNeill stated that he did try to separate them out but the traffic engineer did not. Mr. Holden stated he was looking at a traffic study that has a lot of D, E, & F's in a build condition. Attorney McNeill clarified that he was not speaking to the lack of legitimacy of the issues. He was not seeking to cut off the questions but rather he was seeking to add context to the questions and the question is always what issues does the developer need to mitigate in the context of the development areas that are impacted.

Mr. Holden referred to the Traffic Study, under Mitigation on Page 4, "Mitigation measures are necessary/proposed to improve existing and future roadway system deficiencies as they relate to the impacts of the propose project and other background developments. As part of this project, the project proponent has agreed to optimize the traffic signal timings and coordination along the Woodbury Avenue" And he turns the page and he doesn't see any improvements. He believes that is what they will be discussing at some point but not at this meeting.

Mr. Allen agreed completely. You cannot compare this to a Home Depot with access directly on and off the Spaulding Turnpike when everyone knows that a Christmas Tree shop is a big destination and everyone is excited about it. They have two small connector roads coming from Gosling Road and from Arthur Brady Drive that wind through parking lots, or Durgin Lane which has a tough intersection out onto Woodbury Avenue. He doesn't see how this can't be seen as a very unique situation which requires mitigation.

Mr. Holden indicated that the area is zoned for this use and they will work their way through it however mitigation will be the primary factor. He suggested they table this so that TAC can meet with the applicants' experts to work out a mitigation plan.

Ms. Finnigan indicated that she still has some questions. She referred to Sheet C-2 and asked about whether the hotel has been consulted with regarding changes in the parking lot and changes in circulation. Mr. Mikolaities stated their access easements will not change. There will be some coordination between the two parties. Ms. Finnigan stated they will need a Construction Management Plan which will include obtaining access to the hotel during construction. Ms. Finnigan asked why they were not repaving the bottom section of the existing parking lot? Mr. Mikolaities felt they were not cutting in any islands so they are leaving it alone. They will look at it to see if it warrants it. Mr. Desfosses stated that the road is so narrow, the wheel paths are in the same path. They may need to take some heavy duty pavement out of the parking lot.

Mr. Desfosses referred to the Altus Survey on Sheet C-2, the access to Hampton Inn may change and easements may need to be redone.

Mr. Desfosses referred to the Customer Pick Ups in the back of the store. He asked if the back accessway is intended to be one way and how would they get customers back there? Mr. Mikolaities stated they will tell the customers in the store how to get there and it will be one way. Mr. Desfosses wanted to insure proper signage in the parking lot to get people back there and the area should be well lit.

Ms. Finnigan stated there needs to be a minimal height on trees and landscaping to protect site distance along the access way. The stop bar to the furthest right of the parking seems to be too far back and she asked them to please bring it forward. She was concerned someone will go around the parking lot and exit at the one way so that should be clearly marked. Mr. Mikolaities confirmed there will be pavement markings and the parking spaces are angled one way to force them to go in the correct direction.

Ms. Finnigan referred to Site Note 3 and she requested they put a page number in the detail. In Note 4 she asked if the stop bar should be 12" or 18" wide? Mr. Mikolaities indicated it should be 18". Ms. Finnigan requested that the contractor providing as-builts should be provided in electronic format as well. On the left side of building, they put in bollards and she asked if the distance meets ADA requirements? Mr. Mikolaities will check on that.

Ms. Finnigan asked them to consider keeping the accessways open or closed during construction and how it would impact the hotel and Saturn. She referred to the truck turning templates and the use of the WB67 and if that was the standard size? Mr. Mikolaities stated that would be worse case scenario. Ms. Finnigan referred to Sheet C-14 and she felt if someone was coming around the first corner, worst case scenario with a truck sitting in the loading bay, it seems narrow. Mr. Mikolaities indicated they tried to maximize the green space on the Spaulding side. The cross hatch meets the ordinance however they don't need all of them. Mr. Holden confirmed that the City loading berth requirements are unreasonable and will probably be changed eventually. Mr. Mikolaities confirmed most of them will not be used.

Mr. Holden asked if there would be any outdoor storage? Mr. Mikolaities indicated there would only be storage on the sidewalk. Mr. Holden asked that they delineate those areas.

Mr. Holden requested a proposal of maintenance of the private driveway, as was done for Home Depot.

Mr. Holden asked if the City needed any water flow testing? Mr. Allen indicated it was mostly fire flows. Assistant Fire Chief Achilles felt when they do the fire protection plan they will see what they need. The applicant should talk to Deputy Fire Chief Griswold.

Mr. Holden asked about the Traffic & Safety Committee? Ms. Finnigan felt it would be helpful to get their review prior to approval. Mr. Holden suggested they contact them and arrange to be heard. Ms. Finnigan encouraged them to get on the Agenda as soon as possible.

Mr. Holden stated that the Woodbury Avenue/Durgin Lane intersection is shared with NHDOT and the City. Mr. Allen confirmed they would need DOT approval for any changes. Mr. Mikolaities felt they would like to go through Traffic & Safety, come back and regroup, and then DOT would be the third step. Mr. Holden's biggest concern was he hasn't seen a mitigation plan. Mr. Winn confirmed this section of road is under municipal highway. When a road has had State and Federal funding to be constructed and maintained, they have the right to provide their comments to the City but it's really State jurisdiction.

Mr. Holden asked when will they see their proposal for mitigation? Mr. Winn indicated he would like to have an aerial to show what was recommended for Durgin Lane as well as show what was suggested for the traffic study for that intersection. Mr. Holden stated he was most interested in the before and after conditions at any of the intersections, and he would also like to address during peak hours, traffic getting off of Woodbury Avenue to other driveways.

Mr. Desfosses added that, in the traffic study, they mentioned that the Circuit City plain was a possible option for mitigation and his thought was if it needs to be surveyed again, now is the time to do it before giant snow banks are in the way.

Mr. Desfosses made a motion to table to the next regularly meeting on January 2, 2007. Ms. Finnigan seconded the motion.

The motion passed unanimously.

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III. ADJOURNMENT was had at approximately 3:40 p.m.
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Respectfully submitted,

Jane M. Shouse
Administrative Assistant
Planning Department