

ACTION SHEET

**PLANNING BOARD MEETING
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

7:00 P.M.

FEBRUARY 21, 2008

MEMBERS PRESENT: John Ricci, Chairman; M. Christine Dwyer, City Council Representative; Jerry Hejtmanek, Vice-Chairman; Donald Coker; Anthony Coviello; John Rice; Cindy Hayden, Deputy City Manager; Richard A. Hopley, Building Inspector and Norman Patenaude, Alternate.

MEMBERS EXCUSED: Paige Roberts and MaryLiz Geffert, Alternate

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

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I. APPROVAL OF MINUTES

- 1. Approval of Minutes from the October 25, 2007 Planning Board Meeting – Unanimously approved.
- 2. Approval of Minutes from the January 17, 2008 Planning Board Meeting – Unanimously approved.
- 3. Approval of Minutes from the January 24, 2008 Planning Board Meeting – Unanimously approved.

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II. OLD BUSINESS

A. The application of **Catalpa Realty Trust, Owner**, for property located at **249 Islington Street**, wherein Site Review approval is requested to construct a 41' x 61' three story addition to an existing building, after the demolition of the existing rear section, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 138 as Lot 43 and lies within the Central Business B district and the Historic District A; (This application was postponed from the January 17, 2008 Planning Board Meeting). *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** Site Review approval with the following stipulations:

Stipulations from the January 2, 2008 Technical Advisory Committee Meeting:

- 1) That the old water shutoff shall be deleted on the Existing Conditions Plan;
- 2) That the sidewalks shall be cross hatched to reflect what is being replaced on the Site Plans;

- 3) That the applicant shall replace the sidewalk on the Cornwall Street side, adjacent to the building, and that the sidewalk material shall be brick in conformance with City standards;
- 4) That the applicant shall confirm with PSNH and Verizon that they are using an appropriate location for their services;
- 5) That a note shall be added to the Site Plans, next to the water line, that the City will be tapping the water main and bringing it to the property line;
- 6) That the applicant shall work with the Water Department regarding the meter arrangement;
- 7) That a note shall be added to the Site Plans regarding the abandoned service stating that the City will do the abandoning at the main and the detail can be removed;
- 8) That the Site Plan shall be revised to show the stop bar on the applicant's property and the stop sign shall be eliminated;
- 9) That the applicant shall show proposed grading in the area of the doorway adjacent to Cornwall Street;
- 10) That the applicant shall schedule a meeting be held at DPW with David Allen, Deborah Finnigan and David Desfosses to resolve the on site parking concerns, and a letter of resolution shall be send to the Planning Board prior to the January 17, 2008 meeting.

Stipulations from the February 21, 2008 Planning Board Meeting:

- 11) That a Construction Management & Mitigation Plan (CMMP) be prepared by the applicant for review and approval by the City's Planning Department, Legal Department, Traffic Engineer and City Manager.

III. NEW BUSINESS

A. The application of the **City of Portsmouth, Owner**, for property located **3618 Lafayette Road**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for excavation and backfilling of the area immediately behind the existing building within an Inland Wetlands Protection District. The proposed impact area is 921 square feet. Said property is shown on Assessor Plan 297 as Lot 1A and lies within a Natural Resource Protection District; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **approve** Conditional Use Approval.

B. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 500 of the Pease Development Authority Subdivision Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **Two International Group, LLC, Applicant**, for property located at **200 International Drive**, wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested to remove a lot line to increase the size of an existing lot identified as Assessor Plan 312, as Lot 3 from 443,886 s.f. (or 10.19 acres) to 888,157 s.f. (or 20.38 acres) and decreasing the remainder of the undivided Pease Development Authority property by 444,271 s.f. (or 10.19 acres). Said lots lie within the Industrial District where a minimum lot area of 10 acres is required. Said property is shown on Assessor Plan 312 as Lot 3 (Plat plans are on file in the Planning Department Office and are identified as #16-01-07). (This application was postponed from the January 17, 2008 Planning Board Meeting). *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **recommend¹ Preliminary and Final Subdivision approval**, with the following stipulations:

- 1) That a north arrow be added to the Final Plat;
- 2) That boundary monuments shall be placed in accord with the PDA Regulations;
- 3) That the applicant shall provide the Department of Public Works electronic data suitable for updating the City's Assessing Records.

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C. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 400 of the Pease Development Authority Site Review Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **Two International Group, Applicant**, for property located at **180 International Drive**, wherein site review approval is requested for the construction of a two story 56,000 s.f. building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 312 as Lot 3 and lies within the Industrial District; (This application was postponed from the January 17, 2008 Planning Board Meeting). *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **recommend¹ Site Review approval** with the following stipulations:

Stipulations from the January 2, 2008 Technical Advisory Committee Meeting:

- 1) That the sewer line running through the building needs to be labeled on the Site Plans as abandoned and that it shall be removed and inspected by DPW;
- 2) That the applicant shall address the hydrant in the middle of the parking lot by contacting DPW to work with the field crews to either relocated or abandon the hydrant;
- 3) That it is recommended that the detention basin be moved outside of the wetland buffer to protect a significant wetland;
- 4) That a copy of the traffic impact information used to calculate the traffic impact fee shall be provided to Deborah Finnigan, City Traffic Engineer;
- 5) That a Landscape Plan shall be included in the Site Plan Set and shall be reviewed and approved by Deborah Finnigan, City Traffic Engineer and the Chief Planner;
- 6) That a Photometrix Plan shall be included in the Site Plan Set for review and approval by David Desfosses, DPW;
- 7) That the curbcuts shall be revised on the Site Plans;
- 8) That the existing parking shall be labeled and hatched on the Site Plans;
- 9) That truck turning radiiis shall be provided for WB 60's going around the site, including how they will back into the loading berths, for review and approval by Deborah Finnigan, City Traffic Engineer;
- 10) That the two way traffic in the rear of the building shall be documented for review and approval by Deborah Finnigan, City Traffic Engineer;

¹ See RSA 12-G:13 (c) "In all instances the authority (Pease Development Authority) shall retain the power to make the final decision regarding applicability, interpretation and enforcement of its land use controls, which shall require 5 affirmative votes."

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- 11) That truck route signs and a barrier shall be added so that trucks are prohibited from making a left hand turn out of the site;
- 12) That a study be completed to determine whether radio communications are adequate. The applicant shall contact Gil Emery of the Emergency Operations Center for assistance;
- 13) That a double yellow center line shall be added to the Site Plans at both locations;
- 14) That the ADA parking calculations shall be provided to Deborah Finnigan for review and approval;

Stipulations from the January 8, 2008 Technical Advisory Committee Meeting:

- 15) That the sewer line shall be revised to show the unused sections filled with flowable fill and brick and mortar off the manhole connection;
- 16) That the sewer mortar connection is not allowed by the City and only the boot shall be used;
- 17) That the hydrant shall be labeled on the Utility Plan;
- 18) That a conservation seed mix shall be used around the treatment swale and so noted on the Site Plans;
- 19) That the trees that are on top of the underground utilities shall be relocated and so noted on the Site Plans;
- 20) That a copy of the ITE Lane Use Code 150 shall be provided to Deborah Finnigan for her review and approval prior to the Planning Board meeting;
- 21) That trees CA and CK shall be moved back from the curblines for site distance, that the two trees nearest the delivery section shall be moved back from the line of site; that the tree in the middle of the driveway needs to be moved as it blocks the view of the two parking spaces; and all trees must have a minimum of 6' from the ground to the canopy;
- 22) That the last parking space shall be reviewed to make sure there will be room to open the car door when the tree is full grown;
- 23) That plants and trees shall be added to the Site Plans in the parking lot furthest to the south;
- 24) That the burning bush shown on the Landscape Plan shall be replaced with another species as it is on the States Prohibitive Species list;
- 25) That a recommendation was made that none of the light pole bases shall be more than 6" from the ground and that a detail shall be provided;
- 26) That an additional light pole be added by the north driveway, similar to the pole at the south driveway;
- 27) That a detail for the existing paved area be added to the Site Plans;
- 28) That a detail showing all existing driveways being hatched except the one which will be done with granite curb shall be added to the Site Plans;
- 29) That the Existing Site Plan be renamed Demolition Plan and a note added that the pavement is being removed and replaced with loam and seed;
- 30) That the issue of trucks coming into the new driveway and going over the on coming travel lane shall be resolved with DPW;
- 31) That the stop line at the edge of the pavement shall be removed;
- 32) That the Utility Contact information shall be revised to include Mike Jenkins (427-1552) for Water Division Construction purposes, the Sewer Division should be added and Frank Ott, Fire Department (427-1515) should be added;
- 33) That the integral curve shall be removed from the detail for the concrete sidewalk;
- 34) That a note shall be added to the Site Plans that no metal or wire shall be used in the concrete sidewalks;
- 35) That water and waste water discharge flow calculations shall be stamped by a Professional Engineer and submitted to DPW for approval;
- 36) That a Construction Management & Mitigation Plan (CMMP) shall be prepared by the applicant for review and approval by Deborah Finnigan, City Traffic Engineer, David Holden, Planning Director, the City Legal Department and the City Manager;
- 37) That on Sheet C-2, Note 10, it should read "police detail" rather than "flagman";

- 38) That truck entrance signs shall be added at the new driveway;
- 39) That the stabilized construction entrance should be included in the CMMP and removed from the Grading and Drainage Plan;
- 40) That a connection from the sidewalk to the building be added to the Site Plans;
- 41) That the Planning Board recommends to the PDA that prior to the issuance of a building permit the PDA staff will review the final proposed Site Plan with City staff;

Stipulations from the February 5, 2008 Technical Advisory Committee Meeting:

- 42) That the Construction Management and Mitigation Plan shall show the protection of catch basins in the roadway on the plans and the construction sequence from Sheet C-8 shall also be included along with drawing C-6;
- 43) That a stop bar shall be added to the middle driveway and the new driveway that comes from the new building, on Sheet C-4;
- 44) That during construction the truck entrance signs shall be on the main road and should have a left or right arrow, depending on what direction they are coming from;
- 45) That the applicant shall work with Gil Emery, Emergency Operations Center Supervisor, and Motorola to conduct a site survey to determine what is required to allow radio communications inside the building;
- 46) That the Site Plans should reflect the section of the sewer line which is on the southerly side of the site being filled and plugged at the sewer manhole and inspected by DPW;
- 47) That the note on the Site Plans regarding testing of the water main should be revised to follow AWA standards which requires testing be done with water and not air;
- 48) That the new light pole shall be moved to the southwesterly side of the driveway;

Stipulations from the February 21, 2008 Planning Board Meeting:

- 49) That a trash rack detail shall be added to the 2' pipe at the flared end section that goes into the detention basin;
- 50) That the applicant shall review the pipe sizes going into catch basin 1 and 2 to determine whether the catch basin should be made larger;
- 51) That the applicant shall add sidewalk from the existing driveway to connect to the southeast corner and associated with that a stripe of crosswalk across the driveway of the existing building;
- 52) That the applicant shall meet with Maria Stowell, of the PDA, for an overall review of the sidewalk issue;
- 53) That a light fixture detail be added to the Site Plans and that all lights shall be Dark Sky Friendly;
- 54) That maintenance activity on the treatment swale and detention pond shall be reported to DPW on an annual basis;
- 55) That a bike rack shall be added to the Site Plans;
- 56) That an agreement shall be prepared between the City and the PDA regarding the impact fee for sewer discharge.

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D. The application of **Pike Industries, Inc., Owner**, for property located at **650 Peverly Hill Road**, wherein amended Site Review approval is requested for the addition of a 50' x 30', three sided 30' tall, Recycled Asphalt Pavement (RAP) covered storage shed, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 254 as Lot 7 and lies within the Industrial (I) District. *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** amended Site Review approval.

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E. The application of **The Meadowbrook Inn Corp., Owner, and Key Auto Group, Applicant,** for property located at **549 Route One By-Pass (Traffic Circle)**, wherein Site Review approval is requested to construct a 5-story 120-room hotel, a 4,500 ± s.f. retail building, a 1,964 ± s.f. retail building, a 1,940 ± s.f. restaurant with drive through, a 3,800 ± s.f. restaurant and a 7,000 ± s.f. restaurant, after demolishing the existing buildings, with an accessway off of Coakley Road, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 234 as Lot 51 and lies within the General Business district; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** Site Review approval with the following stipulations:

Minutes from the February 5, 2008 Technical Advisory Committee Meeting:

- 1) That there shall be a separate gate valve on the domestic and fire water service entering the buildings, and these shall be clearly shown on the Site Plans;
- 2) That the utility services entering Restaurant B and Restaurant C shall be reviewed so as to consider/correct for possible interference from plantings that may grow into these;
- 3) That the meter installation on Sheet C-9 and the valving pumping arrangement where the waterline crosses and ties into the Cottage Street main shall be revised and approved as to form by Thomas Cravens of DPW;
- 4) That the hydrant detail shall be revised to include all restraining joints from the T all the way up to the hydrant, in addition to the thrust blocks;
- 5) That the Detail Sheet shall be revised to indicate that 6 mm poly rather than 5 mm poly shall be used to wrap all pipes;
- 6) That the irrigation system shall be controlled using a Smart controller and a note shall be added to the Site Plans that irrigation shall only be done between 10:00 pm and 5:00 am;
- 7) That the Drainage and Stormwater Management Maintenance Logs shall be provided to Public Works on a regular basis, and that schedule shall be determined by Peter Britz, Environmental Planner;
- 8) That an Emergency Notification System shall be installed and tied into the City’s municipal system or a connection to a private system;
- 9) That individual knox boxes shall be required to gain access during emergencies and off hours;
- 10) That all hydrants shall be kept clear of vegetation that would hinder their accessibility;
- 11) That a traffic pre-emption system, approved by NHDOT, shall be installed at the intersection of Cottage Street and the By-Pass and Borthwick Street and Route One By-Pass;
- 12) That the applicant shall work with Gil Emery, Emergency Operations Center Supervisor, and Motorola to complete a site survey to determine what is required to allow radio contact within the buildings;
- 13) For the record, Ms. Finnigan indicated that the Site Plan received by the Planning Department on January 22, 2008, along with a plan received at the February 5, 2008 TAC meeting regarding the revised driveway configuration, which shall become part of the Site Plan set, are what she has approved;

- 14) That a Construction Management & Mitigation Plan (CMMP) shall be prepared by the applicant for review and approval by the City Manager, City Attorney, Planning Director, and Director of Public Works, prior to the issuance of a building permit;
- 15) That a post signal timing and phasing shall be included into the plans for the intersection of Coakley Road and Route One By-Pass and Borthwick Avenue and Route One By-Pass, and shall be approved by NHDOT;
- 16) That a meeting shall be held with NHDOT, the applicant and City representatives and approval must be received from NHDOT for the pedestrian crosswalk;
- 17) That on Sheet C-1 under General Notes, Note 12, the following wording should be added "or the City, if City owned property is damaged";
- 18) That the applicant shall extend the sidewalk to the driveway of 174-14 (the house on the corner);
- 19) That the curbing on the north side of Cottage Street from the driveway to the handicapped ramp in the intersection, including the handicapped ramp, shall be converted to vertical granite curb in accordance with the detail shown on the Detail Sheet which shows a 6" reveal on the granite curb;
- 20) That on Sheet C-2 the handicapped signage shall show the order that the signs will be placed on the post;
- 21) That signage shall be added to the Site Plans to identify the handicapped space next to Restaurant A;
- 22) That the Site Plans shall be revised to show a 24" wide stop bar at the Coakley Road and Route One By-Pass intersection;
- 23) That a meeting shall be scheduled with the applicant, Deborah Finnigan and Lucy Tillman to review landscaping and sight distances, prior to the Planning Board meeting;
- 24) That the area shown as "shaded milling area" on the Site Plans shall be expanded easterly to cover the proposed gas trench;
- 25) That the New Hampshire Department of Transportation shall approve, and the Developer shall construct, a crosswalk to convey pedestrians across the Route One By-Pass along with a pedestrian phase, appropriate pedestrian signal equipment, meeting ADA requirements, for the Route One By-Pass at the Coakley Road traffic signal;
- 26) That the Technical Advisory Committee recommends that an independent over-site engineer be retained to assure that site work is done properly;

Stipulations from the February 21, 2008 Planning Board Meeting:

- 27) That the applicant shall make an appropriate voluntary financial contribution to the City's Capital Improvement Plan, as outlined by the five bulleted items in a February 8, 2008 letter from Vanasse Hangen Brustlin, consisting of the following:
 - US Route 1 Bypass at the right-in/right-out site driveway: Proposed US Route 1 Bypass southbound right-turn lane. The proposed right-turn lane will remove vehicles turning into the site from the through travel lane, reducing conflicts and improving flow.
 - Coakley Road at site driveway: Relocate site driveway to a point approximately 250 feet west of US Route 1 Bypass. This driveway is being relocated from its current location (50 feet west of US Route 1 Bypass) to provide better separation from the signalized intersection of US Route 1 Bypass.
 - Signal coordination & retiming improvements: Design, construct, and implement the proposed retiming coordination plan including the installation of emergency vehicle –preemption at the intersections of Coakley Road/Cottage Street and Borthwick Avenue/U-Haul with US Route 1 Bypass.
 - Pedestrian Connectivity: Install sidewalk along the north side of Coakley Road and Cottage Street between the site and 174 Cottage Street (the first driveway east of the Bypass) with a crosswalk and a pedestrian phase at the Bypass signalized intersection. Additionally, a 20 foot easement along the north side of Coakley Road

will be provided to accommodate a potential future pedestrian bridge should the City pursue such a project.

- Voluntary financial contribution to a CIP: VHD recommends a voluntary contribution towards TSM-CITY-21: Intersection/Signals: Citywide Traffic Signal Upgrade Program.

- 28) That the applicant shall propose some innovative approaches to the crosswalk and to keep the intersection clear, and those innovation approaches shall be reviewed and approved by DPW;
- 29) That the plans shall be relabeled to show the recreation area as "Passive Recreation";
- 30) That the patio area shall be specifically noted on the Site Plans as "No dining area";
- 31) That the Landscaping Plan shall be taken by the Chief Planner to the City Trees and Greenery Committee for review;
- 32) That a deed shall be prepared on the stormwater management system, to be reviewed and approved by the City Legal Department, with a report back to the Planning Board on how it will be handled;
- 33) That the applicant shall advise the Planning Board and the Conservation Commission one week prior to installing the gravel detention basin and the subsurface detention so that they can go out and look at the installation;

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IV. CITY COUNCIL REFERRALS/REQUESTS

A. Purchase of Property Located at 3000 Lafayette Road for a new Municipal New Fire Station;

Voted to recommend to the City Council that it should act to secure this site for use as a municipal fire station due to its potential public benefit; that normal due diligence that would accompany the purchase of commercial property, i.e., environmental assessments shall be followed in this process; and that a Purchase and Sales Agreement shall be prepared by the Legal Department.

Voted to recommend to the City Council that it should act to secure this site for use as a municipal fire station due to its potential public benefit; that normal due diligence that would accompany the purchase of commercial property, i.e., environmental assessments shall be followed in this process; and that a Purchase and Sales Agreement shall be prepared by the Legal Department.

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V. ADJOURNMENT

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

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board