

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

**2:00 PM**

**NOVEMBER 1, 2011**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS  
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE  
PORTSMOUTH, NEW HAMPSHIRE**

**MEMBERS PRESENT:** Rick Taintor, Chairman; David Desfosses, Engineering Technician; Jared Sheehan, Engineering Technician; Peter Britz, Environmental Planner; Stephen Dubois, Police Chief; Carl Roediger, Fire Inspector; and Jon Frederick, Director of Parking & Transportation

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**I. NEW BUSINESS**

A. The application of **750 Lafayette Road, LLC, Owner**, for property located at **750 Lafayette Road**, requesting Site Plan Approval to demolish the existing building and construct two new buildings; Building "A" consisting of 12,198 s.f. of restaurant/retail space with drive through and Building "B" consisting of 17,802 s.f. of retail space; with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 244 as Lots 7 and 8 and lies within the Gateway District.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

Erik Saar, of Altus Engineering, appeared with Eric Weinrieb, of Altus Engineering and Chad Kageleiry, representing Summit Land Development.

Mr. Saari described the existing conditions which are the Bournival Jeep Dealership with 91% of impervious pavement. There are 241 s.f. of wetlands, some of which are tidal, which are all contributory to Sagamore Creek. Access is by the existing signal at Greenleaf Woods Drive. There is an additional access off Route One which is currently closed. They propose to demolish the building and construct two buildings totaling 30,000 s.f. The building on the right side will be retail and the building on the left will be a mixed use retail building. The proposal no longer has a drive through. Access will be maintained off Greenleaf Woods Drive with a truck exit to Route One in the back of the right side retail building. There are three dumpsters and a loading zone in the back with access all the way around the building. There will be 151 parking spaces. The Goodwill building will have a covered drop off area where people can drive up and someone will come out and unload your vehicle. Goodwill does not have a dumpster as they recycle everything and their trash will leave the site once a month in a container.

The Site Plan shows the future condition of Route One. The entire Route One corridor will be redone and the construction schedule will overlap with this site construction. NHDOT has indicated that this section is funded and they plan to start construction at the end of next summer.

Mr. Saari displayed renderings of the Goodwill building. The building will have a two tone paint job and Azek siding. It will have a flat roof but you will not be able to see it as they have a false roof in the front to block all mechanicals. The second building will have a lot of windows and decorative features and will change with the tenant needs.

The entire site will be re-graded. The drainage currently goes to the NHDOT system on Route One and the drainage system in the back which also takes the water from Wamesit and Operation Blessing and Crossroads. The system is undersized. There is also a portion of the site that goes to the City sewer with needs to be stopped. The new system is a closed system with catch basins all across the site. There is a rain garden across the entire frontage for stormwater treatment and detention to allow them to treat all of the stormwater that is untreated, prior to going to the State system. The drainage swale in the rear will be reconfigured. The Wamesit engineers have no concerns with this design.

They talked about the utilities a lot this morning at the TAC Work Session. Altus Engineering provided a revised plan showing an additional grease trap and redirecting those lines to tie to the exiting manhole in the center of the site. They added additional clean-outs. They will be reducing one water line as it is too big. If and when the water line on Route One comes into fruition they may change their plan. Concerns were raised about relocating the existing overhead services. They are proposing three new poles with overhead services along Greenleaf Avenue, servicing the proposed buildings with underground services. The pole locations are the preferred route by PSNH and Comcast. There is a fiber optic line that crosses through Greenleaf and PSNH and Comcast has a concern with slicing it. They think they have enough slack along poles on Route One to take care of this location. They may need a waiver for that. They would prefer to drop a pole that sits in the middle of the front of the site.

Regarding lighting, they are using LED fixtures around the site and all are full cut-off. The idea is to keep it nice and dark once you cross the property line.

Mr. Roediger asked about Note 31 on the Utility Plan, regarding a master alarm panel or knox box. Mr. Saari indicated he was talking about the fire alarm panel with outdoor indicators. Mr. Roediger indicated that as the buildings are sprinkled by City Ordinance, they require some type of off site monitoring, either through the City's Master Box program or through a third party. As this progresses and they make a determination of which way they are going to go, they should get together with the City Fire Alarm Superintendent for cabling and trenching. They would prefer they hook up to the City system but they can use a third party.

Mr. Britz likes the rain garden in the front and it works really well with the site. They have quite a bit in detail for the maintenance requirements. He would like to also see some correspondence to the City so that at the end of the first year, he would like a summary report regarding the four items and how it will be handled in the future. Those reports should continue in subsequent years until the City notifies them that they are no longer needed.

Mr. Saari noted that due to the construction schedule, the rain garden plantings will not be planted until the next spring. Mr. Britz asked that they add a bullet to their list that they provide an inspection pre-planting and then send the report one year from the date they plant it. It should be sent to Mr. Britz and Mr. Desfosses.

Mr. Roediger referred to a hydrant being placed in the middle of the parking area on Sheet L-1. He asked, as they look at landscaping, to think about how it matures so that it doesn't block the hydrant. Personally he would like to see them do away with the tree in the island and plant something low.

Mr. Taintor asked if the reason the overhead wire is taking a long leg to the far side of Greenleaf Woods Drive and then another long leg back is because of the need for a guy wire. He wondered why it doesn't take a more direct route along side the building. Mr. Saari confirmed that was one reason because of the trees they want to plant in that strip. He also wanted to put the pole some place that was less noticeable. It also keeps the line over pavement which helps minimize additional landscape conflicts.

Mr. Taintor asked about the waiver for the 2:1 slope. Mr. Saari explained that to maximize the treatment potential of the rain garden, as well as to meet State DOT criteria, they needed to increase the slope to allow the bottom of the facility to grow and provide more filter media.

Mr. Taintor asked about a new sign in the median opposite the truck exit. Mr. Saari pointed out the location for a "One Way" sign to reinforce that that is a right out only onto Route One.

Mr. Taintor asked how they will deal with trucks accessing the back of the left side building for the loading area. Mr. Saari stated they have 21' of width with an additional 12' for the loading, totaling 33' of width at the back. Mr. Taintor was concerned about whether there was enough room for a truck to make the U-turn from the entry drive. Mr. Saari felt that a single unit may have to circumvent the site and come around to make the turn but passenger vehicles will have no issue.

Deputy Police Chief Dubois asked about the provision for a radio strength test for emergency services. There is a note but it is not the standard language so he asked them to revise that for both buildings.

The Chair asked if there was anyone wishing to speak to, for or against the application. Seeing no one rise, the Chair closed the public hearing for this matter.

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

Mr. Desfosses made a motion to recommend approval of the waivers and Site Plan approval. Deputy Fire Chief Dubois seconded the motion. Mr. Britz asked for the rain garden maintenance report and Mr. Taintor asked for easements for access, drainage, gas, etc. for approval by the City Attorney.

Deputy Police Chief Dubois wanted to make sure they straighten out the confusion over the address of 720 Lafayette Road vs. 750 Lafayette Road. Mr. Taintor didn't think that needed to be a stipulation but asked that it be resolved by the next submission. They should talk to Tom Richter at DPW.

The motion to **recommend approval** with the following waiver and stipulations passed unanimously:

Waiver:

Voted to waive compliance with Section 6.6(1) of the Site Plan Review Regulations to allow a 2:1 slope in the rain garden running along the frontage on Lafayette Road.

Stipulations:

1. The applicant shall submit a report to the City Environmental Planner (Peter Britz) and DPW Engineering Tech (David Desfosses) one year after planting has taken place, to include: (1) the condition of the planting bed before planting; and, (2) the four maintenance requirements listed in the Typical Raingarden Detail on Sheet C-8 of the Plan Set. Said report shall be submitted annually after the first year until further notice from the City.
2. All easements for access, drainage and utilities shall be prepared by the applicant for review and approval by the City Attorney.

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Mr. Britz made a motion to hear Items B and C together and to vote on them separately. Deputy Police Chief Dubois seconded the motion. The motion passed unanimously.

B. The application of **Tain Properties, LLC, Owner**, for property located at **195 Commerce Way**, requesting amended Site Plan Approval to re-align head-in parking to eliminate the existing concrete retaining wall and revise driveway entrance, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 216 as Lot 1-8 and lies within the Office Research (OR) District.

C. The application of **Tain Properties, LLC, Owner**, for property located at **215 Commerce Way**, requesting amended Site Plan Approval to re-align head-in parking to eliminate the existing concrete retaining wall and provide a sloped planting bed along the front of the building and revise driveway entrance, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 216 as Lot 1-8A and lies within the Office Research (OR) District.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

Patrick Crimmins, of Appledore Engineering, appeared for the applicant for Amended Site Plan approval. These are parking lot improvement plans are consistent with what was previously approved in October of 2010 with some minor changes.

195 Commerce Way requires 140 parking spaces and the parking realignment will provide 145 parking spaces with associated site improvements. 215 Commerce Way requires 160 parking spaces and they are providing 163 spaces with associated site improvements. Mr. Crimmins reviewed the changes.

In the previous approval the fronts of the buildings are on the northern sides of the buildings. As part of the previously approved amended plan they were planning to renovate the buildings so that the south sides of these buildings were going to be the front but that is no longer the case. They will keep the north sides of the buildings as the front entrances so they have slightly reconfigured the parking areas and the driveways along Commerce Way. They are still reconfiguring the parking areas to have head in parking with a center drive aisle in both parking areas. In the back of 215 Commerce Way there is a slight change where they are pulling the pavement a little closer to the building which allows them to hold the existing curb line and restripe it with the head in parking. In between 195 and 215 Commerce Way they will hold the front of 215 Commerce Way. There is currently a 3 ½' - 4' retaining wall that they are going to pull out and pull the curb line out so that a sloped planting bed can be constructed along where the stairs enter the building. That will hold the existing curb line in the rear of 195 Commerce Way and work their way across to a conforming tier which gets them their new curb line for the planting slope.

The second portion of their proposal is along the roadway. There are proposed roadway improvement plans which have been before City Council and the plan is to submit again to City Council in the next few months with the most recent plans so they can move forward with these improvements which have been on hold since 2008. As part of those plans, in the parking areas in the back of 215 Commerce Way and between 195 and 215 Commerce Way there are two curbcuts which they are going to consolidate into one curbcut down the center aisle. They still plan to do that but they have come up with an "S" shaped driveway design and the purpose is to construct landscape berms along the fronts of the buildings to create screening for the parking areas and the tanks in the rear of the buildings on the Sprague parcel. That will provide a nice green landscape screen along the front of the buildings.

They are proposing the same "S" shaped drive in the rear of 215 Commerce Way so that they can continue the berms across the front of the buildings. On the front side of 195 Commerce Way is a parking area shared with 175 Commerce Way with two curbcuts which they had previously consolidated so they would enter on the 195 Commerce Way side. They have since flipped those over, will close up the 195 Commerce Way side and enter from the 175 Commerce Way side. Again, they will be able to continue the landscaped berms along the front of the buildings.

There were some comments at the morning Pre-TAC which Mr. Crimmins addressed. They will remove the proposed site plan for 235 Commerce Way. They were trying to show how it tied into this proposed development; however, as there is no approval they will remove it. The second comment was to show an additional detail for the future roadway improvements to show how everything ties in together. Lastly, there a request that a 5' sidewalk would be preferable along the head in parking where they are building the slope, which they are happy to do.

Fire Inspector Roediger confirmed he was comfortable with the turning radius shown on the plans.

Mr. Taintor indicated one other point that was discussed this morning was, in addition to adding the 5' sidewalk at the back of the curb, they want to show a pedestrian sidewalk connection from the sidewalk on Commerce Way into the site for each of these parcels.

The Chair asked if there was anyone wishing to speak to, for or against the application. Seeing no one rise, the Chair closed the public hearing for this matter.

**DISCUSSION AND DECISION OF THE COMMITTEE:**

195 Commerce Way:

Mr. Britz made a motion to recommend Amended Site Plan approval for 195 Commerce Way. Mr. Frederick seconded the motion.

Mr. Taintor requested that they show the planned improvements to Commerce Way and the pedestrian connection from the sidewalk on Commerce Way into the site.

Mr. Desfosses asked about stormwater treatment. Mr. Crimmins indicated that their intent was not to amend what was previously approved and they were not changing that system. Mr. Desfosses was aware that this was previously approved with snouts and interline configuration but it is not going to provide much treatment. He doesn't even know what type of drain pipe this is as it doesn't say. He asked if the catch basins have sumps in them. Mr. Crimmins believed they did. Mr. Desfosses doesn't want to make a mistake and he does not believe they have enough information on that to assess it properly.

Mr. Taintor asked if he would like to move this forward with a request for more information before it goes to the Planning Board. Mr. Desfosses was agreeable with that stipulation.

The motion to recommend Amended Site Plan approval passed unanimously with the following stipulations:

- 1) The applicant shall provide more information on the existing drainage and consult with DPW on a recommendation to the Planning Board.
- 2) Planned improvements to Commerce Way and the pedestrian connection from the sidewalk and Commerce Way shall be added to the Plan set.

215 Commerce Way:

Mr. Britz made a motion to recommend Amended Site Plan approval for 215 Commerce Way. Mr. Frederick seconded the motion.

Mr. Taintor requested the same stipulations from 195 Commerce Way and also to show the existing conditions at 235 Commerce Way rather than the proposed site plan and to add a 5' sidewalk at the back of the curb in the front of the building.

The motion to recommend Amended Site Plan approval passed unanimously with the following stipulations:

- 1) The applicant shall provide more information on the existing drainage and consult with DPW on a recommendation to the Planning Board.
- 2) Planned improvements to Commerce Way and the pedestrian connection from the sidewalk and Commerce Way shall be added to the Plan set.

- 3) The plan shall be revised to show the existing conditions at 235 Commerce Way, rather than the proposed conditions.
- 4) A 5' sidewalk at the back of the curb in the front of the building shall be added to the plan.

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D. The application of **Portwalk Office, LLC, Owner**, for property located at **195 Hanover Street**, requesting Site Plan Approval to construct a 5-story, 71,500 ± s.f. (footprint) building, to include a 124 room hotel, 92 dwelling units, 10,335 s.f. of restaurant use, a surface level parking deck and a one-story underground parking garage, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lot 1 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

Jeff Johnston, of the ownership group for Portwalk, was present with Tim Levine, Attorney Peter Loughlin and Gregg Mikolaities of Appledore Engineering. They were present for the final phase of the Portwalk project. Their team has been working very hard over the past year. They have attended two TAC Work Sessions, 5 or 6 staff meetings, a Planning Board Joint Work Session and 2 HDC Work Sessions. They are trying to evolve the plan and address concerns to make a better project.

Mr. Johnston stated they are handling all of their parking on site with an underground garage. They have closed down the Maplewood exit which they had in the previous plan. They created new pedestrian connections across Maplewood Avenue and have significantly increased the Maplewood sidewalks, added more plantings and while not the subject of discussion today, they are adding some green wall concepts and retail on the first floor to soften up the Maplewood Avenue connection and make it more flexible should there be growth in the City in the future relative to retail. They added a pocket park, pedestrian friendly sidewalks, bike racks and this plan has significantly more trees than the previous plan.

Greg Mikolaities, of Appledore Engineering. He displayed the Site Plan. He explained the project is a 124 room hotel. 92 residential dwelling units, 2,280 s.f. of first floor retail and 8,000 s.f. of restaurant use. They are not asking for any zoning relief as the project meets all zoning requirements. They are providing 277 parking spaces where 254 are required and the maximum allowed is 279. That is broken down to 101 on the upper level and 176 on the lower parking level. Sheet C-5A details dimensional requirements. The height will be less than 60' and the building coverage is 85.3% where 95% is allowed. They are providing 6.7% of open space where 0% is required. Regarding traffic and circulation, Portwalk Place is built and it will remain one-way from Deer Street to Hanover Street. They have a central curbcut coming in between the two buildings giving access to the surface parking lot and a secondary curbcut off Hanover Street for access the underground parking level. They have removed an entrance to the surface lot on Maplewood and are now showing a trash receptacle and recycling bin. VHB has consulted with DPW and completed a traffic impact study on October 17,

2011 and the study concludes that the intersections requested operate at an acceptable level of service between A to C. They anticipate going to Traffic & Safety on that.

Mr. Mikolaities reviewed the Grading plan. They are continuing to work with the architect on the floor slabs. The floor drains in the lower level are intended to create a trench drain from the snow melting so that it can run down and evaporate as opposed to pumping it into the City system. Sheet C-6B needs to be revised to show the elimination of those floor drains. On Sheet C-7 they have three grease traps shown for the restaurant uses and they reviewed those with DPW. They also discussed the water and sewer connections from the two buildings to Deer and Hanover Street. The basic theme is same as what is there for Lot 1, which includes brick sidewalks, granite bands, granite curbing, planters, historic lighting along Deer, Maplewood and Hanover, and the same lighting along Portwalk Place. They will make sure the fixtures are a couple of feet higher to avoid any conflicts with vehicles.

Mr. Mikolaities was happy to walk through the site plans sheet by sheet. There were eight comments from this morning, including the texture and materials for the crosswalks at the parking garage entrance/exit. They also need to agree on what material they want to use at the entrance/exit to the surface level spaces as well as the crossing between Portwalk Place and Vaughan Mall. The second item was the height of light fixtures on Portwalk Place. The third item was a photometric plan for the surface lot showing the building mounted lights. They needed to address the final location of the traffic signal control box at Deer and Maplewood and their architect is looking at that right now. They were to continue the sidewalk detail with flush curb and thickened asphalt base at the trash enclosure area. They need to finalize the easements for the footings and create a recordable plan. The last item was to finalize the trench drain locations for the lower level and an emergency sump pump. They still want to have a sump pump and a connection in case there was ever a water problem in the basement.

Those were the comments that he had. They would like to go forward to Traffic & Safety and the Parking Committee and continue on to the Planning Board.

Mr. Britz did not see any type of drain in the trash enclosure and it seems to be a good place to have a floor drain. Mr. Mikolaities confirmed it will have a floor drain. Mr. Britz also requested a way to wash it out.

Mr. Roediger did not see a note on Sheet C-7 regarding a radio strength test. Mr. Mikolaities believed it was on one of the earlier plans. Mr. Taintor found a note on Sheet 5A but requested that they change it to the standard wording that the City uses.

Mr. Taintor asked about grease traps. They talked about the fact that they changed the original plan from 3 to 2 restaurants and a retail space yet they are still showing grease trap for the retail space. He asked if that was meant so that they could convert it to restaurant in the future and, if so, how would they handle the parking requirements. Mr. Mikolaities explained that was an oversight and they will take it out.

Mr. Taintor had a question about the dimensional requirements. They stated that the maximum height of the structures is less than 60' and that the maximum roof appurtenance height was less than 10'. He asked exactly how much less were they talking about. Mr. Mikolaities indicated it was under by inches. Mr. Taintor wanted to avoid a situation like the Marriott where they built something which



they then had to come back for a variance after the fact. He wanted to make sure it was clear that they would not come back to the City with a request for a variance for a parapet sign in the Central Business District because that was not intended to go the way it did. He wanted to make sure they do not design this building in such a way that they will then come back and say they need the sign. He asked for a guarantee that they will not be coming for a variance for a sign on the side of the building. Mr. Johnston responded that they haven't dealt with signage yet. He doesn't have that intention now but he doesn't want to waive any rights at this time.

Mr. Taintor asked if, as far as they know, they do not need any variances to build their building. Mr. Johnston confirmed that was correct.

Deputy Police Chief Dubois referred to Sheets C-3A & 3B regarding the note allowing the police to conduct business on the roadway. The language on the two pages seems to address the same issue but uses different language. Mr. Johnston confirmed their intent is to have law enforcement police that road. If there is one version they would prefer over another they are happy to change it. Deputy Police Chief Dubois requested that it be reviewed by our Legal Department to see which version they want.

Mr. Frederick stated that the next Parking Committee Meeting and Traffic & Safety Committee Meeting are on November 10<sup>th</sup>. Following their meeting this morning, he was able to discuss the issue with the lower level entrance to the garage with the movements and the Public Works Director was satisfied as the project was presented. He did not feel it would have to be restricted to a right-in, right-out.

Mr. Taintor mentioned that at the morning work session it was requested that they look at another option for presenting retail space as the primary use in a certain area along Maplewood with parking as the back up rather than the opposite as they currently have it. He felt it was very important to do this before going to Planning Board. The Planning Department has looked at it and has a conceptual counter proposal that reduces the amount of parking on Maplewood by a considerable amount. It increases the more active frontage on Maplewood Avenue to about 50% or more of the frontage. They have talked about providing some parallel parking on Maplewood Avenue, adjusting the dimensions of the lanes, preserving the four lane cross section but adding a parking lane between Hanover Street and the loading area, and looking at some ancillary things that would involve providing more pedestrian amenities along the street. Mr. Taintor felt it was something that really needed to be looked at. It appears they could gain about 9,000 s.f. of leaseable space with a reduction of only six parking spaces. They need to look at it with the Public Works Department to see if they are happy with it. He really felt the applicant needs to look at it and it would be tragic to move ahead and have most of Maplewood Avenue be a parking garage. He understands they are facing market realities now but it is very important to the City to have an active street frontage along Maplewood. Mr. Mikolaities asked if this was a plan that was prepared between 11:00 a.m. and 2:00 p.m. Mr. Taintor confirmed that it was, although it is only a concept plan and not an engineered plan. He thought it was something they could have done a long time ago but they didn't. They would like to have DPW look at it to see if it works. It would be a compromise between what the City would like to get out of this development and what the developers want to get out of this development. Mr. Mikolaities asked if they should schedule a work session to review the plan. Mr. Taintor felt they could all sit down together and review this in an informal setting. Mr. Mikolaities wanted to know if they would still be able to present to Traffic & Safety. Mr. Taintor felt they should be able to schedule something for tomorrow down at DPW.

It was further agreed to schedule a Special TAC meeting for the following Tuesday, November 8, 2011 at 2:00 pm.

Mr. Johnston asked if they could take action on the plan they have today and make a condition that they would provide a plan showing retail space on Maplewood Avenue. Mr. Taintor felt it was so unknown at this point that they cannot make a recommendation today. He would like to postpone to a Special TAC meeting. That would be a one-week postponement. Mr. Desfosses agreed that would be the right thing to do.

The Chair asked if there was anyone wishing to speak to, for or against the application. Seeing no one rise, the Chair closed the public hearing for this matter.

**DISCUSSION AND DECISION OF THE COMMITTEE:**

Mr. Frederick made a motion to postpone this matter until Tuesday, November 8, 2011, for a special TAC meeting, and in the interim to have a work session with the Planning Department and DPW on the redesign of the Maplewood Avenue area, the sidewalk and looking at options for additional retail space as one alternative in the site design, with an additional plan coming out of that work session to be presented to the Planning Board. Mr. Desfosses seconded the motion.

Mr. Frederick added that he felt that a work session to vet all concerns would be valuable. Representing DPW and the Director, he was leery of the parking idea and felt it would be good for all parties to meet and vet all concerns.

The motion to postpone to a Special TAC meeting on November 8, 2011 at 2:00 pm passed unanimously.

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**II. ADJOURNMENT** was had at approximately 3:15 pm.

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Respectfully submitted,

Jane M. Shouse  
Administrative Assistant