

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

2:00 PM

JANUARY 31, 2012

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

MEMBERS PRESENT: Rick Taintor, Chairman; David Allen, Deputy Director, Public Works; 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

I. OLD BUSINESS

A. The application of **New England Glory, LLC, Owner**, for property located at **525 Maplewood Avenue**, requesting Site Plan Approval to construct a 2,409 s.f. 9-bay 1-story garage and storage building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 209 as Lot 85 and lies within the General Residence A (GRA) District. (This application was postponed at the January 3, 2012 TAC Meeting).

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Eric Weinrieb, of Altus Engineering, appeared before the Committee. Mr. Weinrieb stated they have been to two TAC Work Sessions and one TAC meeting where they have proposed a 9-bay L-shaped garage. Since the last meeting they have widened out the overhead doors from 8' to 9' and they eliminated the interior partitions of the building so that there is more room for opening car doors inside. There is still 10' from center to center for each bay but it gives more space between each unit. Lastly, they changed the surface around the catch basin to pavers so they can drive over it to facilitate turning. Other changes that they have made along the way include making a paved access on the side so someone can get out of the building from the side doors and they widened out the stone drip edge for more turning radius.

Mr. Weinrieb confirmed that they forwarded a letter from JSN Structural Engineers regarding the integrity of the elevated platform which will be reinforced. Fire Inspector Roediger has identified that there needs to be a 50,000 rolling load. That is not necessarily a term that structural engineers use so Jeff Nawrocki from JSN will be getting in touch with Fire Inspector Roediger to make sure they are on the same page regarding structural requirements.

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 recommend approval with stipulations. Mr. Allen seconded the motion.

Fire Inspector Roediger requested that the structural upgrade for the elevated platform to hold at least 50,000 pounds shall be completed prior to the issuance of a CO.

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

1. That the structural upgrade for the concrete platform to hold at least 50,000 pounds shall be completed prior to the issuance of a CO.

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B. The application of **North Mill Realty Trust, Owner**, and **3S Artspace, Applicant**, for property located at **319 Vaughan Street**, requesting Site Plan Approval to construct a 690 s.f. rear deck and a 900 s.f. entry canopy to an existing building which will be converted to performance, gallery, studio and restaurant uses, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 124 as Lot 9 and lies within the Central Business A (CBA) District, the Downtown Overlay District (DOD) and the Historic District. (This application was postponed at the January 3, 2012 TAC Meeting).

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, representing North Mill Realty Trust and 3S Artspace, appeared before the Committee. Also present was Steve McHenry of McHenry Architecture. Mr. Chagnon stated that the plans have been revised since the last TAC meeting. They adjusted the size of the front parking spaces, noted the installation of a tide check valve, adjusted some conduits, elevated a transformer pad and added sewer clean outs. They also revised the catch basin detail to show the in-line check valve. Those changes were sent out to the TAC members via email after the TAC Work Session last week.

Fire Inspector Roediger asked about the final outcome of their meeting regarding the rear egress. Mr. Chagnon indicated that they met on site last Friday with Fire Inspector Roediger and the abutters, Hyder Management. They have an agreement where the abutters are willing to let 3S use the concrete pad and aisle way as a way to get from the rear of the structure to the right of way. Their main concern is the use of their parking lot by patrons of the 3S facility so they will be entering into an agreement that they will do whatever is necessary to assure that the parking lot is not used by patrons of 3S. They also had some concerns about liability and maintenance and they will work out those details. Mr. Chagnon believed it was a positive meeting.

Mr. Allen asked if they TV'd the sewer laterals. Mr. Chagnon responded that they did not do any TV work. It was his understanding that the Department did run a line down but he doesn't know if they did the laterals or not. Mr. Desfosses stated that the City does not have the capability to do that as it has to be done from the inside of the building. Mr. Chagnon would be happy to have that be a stipulation of approval.

Mr. Taintor mentioned that they have filed a Conditional Use Permit application for the site and he will make a stipulation that the Conditional Use Permit application be granted.

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 approve with stipulations. Deputy Police Chief Dubois seconded the motion.

Mr. Taintor confirmed that stipulations would include the provision for the access easement, the TV'ing of the sewer laterals and upon review of the TV work, DPW shall have make a final review to determine whether they need to have the sewer laterals either lined or replaced with PVC.

Mr. Taintor requested a CMMP and that the Conditional Use Permit application be granted prior to Site Plan approval.

Just to clarify, Mr. Taintor confirmed that they have addressed parking correctly in the Site Plan but he would request a stipulation that they comply with parking regulations at the time of the issuance of a building permit. This is because the parking regulations may change and they may not actually be required to provide parking depending on when they request their building permit.

Mr. Desfosses requested a note that they advise DPW when they are installing improvements on City property so that a City employee can be present.

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

1. An Access Easement shall be prepared with the abutters, for review and approval by the City Legal Department.
2. The sewer laterals shall be TV'd and upon review of the TV work, DPW shall make a final decision on whether they need to have the sewer laterals either lined or replaced with PVC.
3. The applicant shall prepare a CMMP for review and approval by City Staff, prior to the issuance of a building permit.
4. Conditional Use Permit approval shall be required prior to Site Plan approval.
5. The applicant shall comply with the parking regulations that are in effect at the time of the issuance of a building permit.
6. A note shall be added to the Site Plan indicating that DPW shall be advised when they are installing improvements on City property.

Fire Inspector Roediger recommended that they might want to talk to Frank Ott sooner, rather than later, about conduits if they are going to have a Master Box.

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C. The application of **Michaels Realty Trust, Owner**, and **4 Amigos, LLC, Applicant**, for property located at **1390 Lafayette Road**, requesting Site Plan Approval to construct an 11,944 s.f. Rite Aid Pharmacy store including paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 252 as Lot 9 and lies within the Gateway (GW) District. (This application was postponed at the January 3, 2012 TAC Meeting).

Request to Postpone

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Mr. Taintor stated that they received an email from the project engineer on January 18th requesting a postponement of this matter to resolve outstanding issues. They requested that they be placed on the February Agenda.

Fire Inspector Roediger made a motion to postpone this matter to the February TAC Agenda. Mr. Britz seconded the motion.

The motion to postpone this application to the February 28, 2012 TAC meeting passed unanimously.

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II. NEW BUSINESS

A. The application of **Constitution Realty of Portsmouth, LLC, Owner**, for property located at **300 Constitution Avenue**, requesting Site Plan Approval to construct a 32,519 s.f. commercial office and warehouse building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 274 as Lot 5 and lies within the Industrial (I) District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Mr. Taintor read into the record a waiver request just received regarding Section 3.3.23 of the Site Plan Regulations which states driveways should be limited to one per lot or as recommended by TAC. They are requesting a second access point for traffic circulation.

Erik Saari, of Altus Engineering, presented on behalf of Constitution Realty of Portsmouth. Mr. Saari stated they are proposing a 32,519 s.f. 2-story building with a 12,500 s.f. mezzanine, for a total 77,538

s.f. building. Approximately two-thirds of this building is office and the remaining space is warehouse. They are in the Industrial zone with access off Constitution Avenue. With respect to their waiver request, they felt it made sense to break up the site with two driveways. It allows for enhanced emergency service access and he handed out the fire truck turning radius. Fire Inspector Roediger provided them with the fire truck turning template and it works with one way traffic around the site. Another issue from the TAC Work Session was the sight distance from both driveways. The City requires a 200' minimum sight distance. They based their design on a 35 mph speed limit, although the road is posted at 30 mph. This equates to a 250' sight distance line both ways. There was a concern about the trees, however, they are inside the property and none of the trees conflict with the sight distance.

Mr. Saari confirmed they have a filed a Conditional Use Permit application as well as an Alteration of Terrain Permit with NHDES.

Mr. Taintor asked if they had to change the plans based on the turning movements. Mr. Saari confirmed that the fire truck was able to make the turn even with the extended front bumper and rear overhang, so no changes were made to the plans.

Fire Inspector Roediger felt that, as long as there are vehicles in the parking spots to the northwest, the truck might be clipping the end of the parking spaces. Mr. Saari pointed out on the plan where it shows how much extra room is available and there should be 2' of extra room. Fire Inspector Roediger wondered about rearranging some of the parking spaces. The template may work in the summer but he was concerned about problems when there was snow piled up and cars may not pull all the way into their spaces. He also asked if there was a way to knock down the raised curb so that if the truck wheels went over the curb there would be some give on the inside. Mr. Saari felt they could definitely look at that and it made sense. Deputy Police Chief Dubois asked if tractor trailers are exiting that way. Mr. Saari stated there will be signage prohibiting that. He set it up so that they physically cannot do it so it is essentially self-enforcing.

Mr. Allen was concerned about the appropriateness of the sight distance. The plans are showing 250'. Mr. Saari confirmed they are showing 250' in both directions based on AASHTO which is set 14 ½ ' back from the fog line and 2' from the roadway itself. Mr. Allen would like to know the AASHTO reference they are using as there seems to be a number of different applications to the sight distance from the AASHTO standards and they are trying to be clear on this. Mr. Saari will provide that.

Fire Inspector Roediger referred to the Landscape Plan and noted the tree in the middle of the northern island. Mr. Saari stated they could move that someplace else on the site if there is an appropriate place.

Mr. Taintor asked about a traffic study. Mr. Saari stated they have not done a traffic study. Mr. Desfosses felt this was some fairly substantial development.

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. Britz made a motion to recommend Site Plan approval with stipulations. Mr. Allen seconded the motion.

Mr. Allen requested that prior to the Planning Board they would like to review the sight distance data.

Mr. Britz indicated this would be subject to Conditional Use Permit approval

Mr. Taintor stated they would be looking at lowering the curb on the island and moving the tree.

Mr. Desfosses confirmed they are looking for a traffic study to include a ratio between the ADT of the development vs. the existing background traffic on Constitution and how much traffic will be added to the road. They do not need a level of service for the driveway because that shouldn't be a significant issue. The bigger issue is what this will do to Constitution Avenue in general as far as use by adding cars and trucks to it. He doesn't believe the City has any current numbers. The traffic signal at Route One may still apply. They could not use detectors in the winter so they will have to do manual counts. Mr. Desfosses was worried about Banfield as well as Constitution and would like to see a split. Assuming that the existing Sheds USA building will most likely be reused by someone, this proposed building will be generating additional trips for every employee that works there. He wants to see background traffic and what this project will do to the road. Mr. Taintor felt they might as well do a split at Lafayette Road too.

Mr. Allen requested that the engineer provide water/use plans for the purpose of calculating capacity use surcharge.

Mr. Saari felt they can generate a traffic report in house that wouldn't be very fancy but it may not be completed before the Planning Board meeting. Mr. Taintor felt that the Planning Board will want to see that. Mr. Weinrieb clarified that they can use the base counts on Constitution and the traffic counts based on a full occupancy, knowing that the existing Sheds USA building is not going to change but will be full of different employees. They will look at new counts at the two turning locations at Banfield and Lafayette and the driveways.

Deputy Police Chief Dubois referred to Sheet C-3 under Note 16, regarding radio frequency strength survey and felt that should be done after construction rather than before. Mr. Saari will change that to read after construction.

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

1. Sight distance data shall be prepared for review by DPW prior to the Planning Board meeting.
2. Conditional Use Permit approval shall be granted by the Planning Board.
3. The applicant shall look at lowering the curb on the island and relocating the tree to a different location on site.
4. The applicant shall prepare a traffic study, including the intersection at Banfield, the intersection at Lafayette and the site driveways, prior to the Planning Board meeting.
5. Note 16 on Sheet C-3 shall be revised to add “after construction”.

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III. REFERRALS FROM PLANNING BOARD

A. The application of **Young Men’s Christian Association (The Seacoast Family Y), Owner**, for property located at **550 Peverly Hill Road**, wherein Preliminary and Final Subdivision Approval is requested to subdivide one lot into three lots as follows: Proposed Lot 10A on Assessor Map 244 having 1,103,695 s.f. (25.34 acres) and 331.13 ±’ of continuous street frontage off Peverly Hill Road and Proposed Lots 1 and 2 each having 15,000 ±s.f. and 100.13’ ± of continuous street frontage on Peverly Hill Road. Said property is located partially in the Single Residence A (SRA) District where the minimum lot size is one acre (43,560 s.f.) and the minimum street frontage requirement is 150’ and partially in the Single Residence B (SRB) District where the minimum lot size is 15,000 s.f. and the minimum street frontage requirement is 100’. (This application was referred by the Planning Board at the January 19, 2012 meeting)

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, appeared on behalf of the Seacoast YMCA. The issues before them relate to the location of the proposed driveway. They submitted a plan showing sight distances from a joint driveway for Lot #1 and Lot #2 and a driveway location on the northerly side of Lot #1 as an alternate. He noted that the sight distance locations that they used were based on the NH DOT guidelines. Mr. Chagnon had submitted a table earlier at the TAC Work Session but he felt that a more appropriate table is 3.1 of AASHTO and he handed that out.

Mr. Chagnon felt there are a variety of sight distance tables and his understanding of the principals and practice is that typically you would take the posted speed limit and add 5 mph. That would give them a design speed of 30 mph which would require a sight distance of 200’. Sight distance from the middle looking left is 234’ so it is somewhere in the vicinity of the rounded desired sight distance at 35 mph, which is 225’ to 250’. If the Committee is not comfortable putting the driveway right in the middle, they could entertain moving the driveway in an easement further to the north. However, he felt they meet the sight distance requirements from table 3.1 of ASSHTO.

Mr. Desfosses asked what version of AASHTO was he using. Mr. Chagnon stated it was the 1994 version. Mr. Desfosses thought it may have been revised since then as DPW has the 2007 version. AASHTO has gone to the higher number in every case. Instead of ranges, they use the higher number. Mr. Desfosses indicated that a posted speed of 25 would use assumed speed 35 and sight distance is

250'. If the posted speed is 30, the assumed speed is 40 and the stopping distance is 305'. As this project is 25 mph, they would use an assumed speed 35 mph which would give them a stopping sight distance of 250'. Mr. Chagnon added that the 2007 is not the most current version as the 2011 just came out. Mr. Chagnon felt at 234', if they move the driveway 16' north, they would get the 250'. That would be putting the driveway for Lot #2 on Lot #1 with an easement.

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. Taintor stated that the referral is specific to the sight distance issue but the recommendation could be to approve or not to approve with stipulations.

Deputy Police Chief Dubois felt they should be using the most recent AASHTO version. Mr. Allen agreed and asked Mr. Chagnon if he looked at the 2011 version. Mr. Chagnon did not have one available to him. He added that on line there are numerous references to the different State versions and they all seem to follow the AASHTO and some of them still refer to the 1994 sight distances.

Mr. Chagnon stated they need to go to the Traffic & Safety Committee. Mr. Frederick confirmed they will be meeting on February 16th, the same date as the Planning Board meeting.

Because there is really only this one issue, what they need is a plan stamped by an engineer that says this is the appropriate sight distance and it meets AASHTO requirements for this specific condition. It seems to him that right now they are basing this on the older version so he would be comfortable with the number from the current version and an approval from Traffic & Safety. Mr. Taintor added that they are talking about moving the driveway to meet the 250'.

Mr. Allen made a motion to recommend approval with stipulations. Mr. Frederick seconded the motion. Mr. Allen's stipulation was that prior to the Planning Board meeting, they shall receive a stamped plan with a reference to the AASHTO standard for this situation, sight stopping distance for driveways, and a certification that the proposed driveway location on the plan would meet that sight distance. Mr. Desfosses felt another question is what the average speed on that road is. They are assuming it is 35 mph but it may be that the traffic is moving faster than that which would mean that the 250' would not be enough. He is really uncomfortable recommending this as they don't have a traffic engineer and they are really shooting off the cuff. He would like someone with a professional license who knows what they are doing to look at this. He would like that person to tell him that it meets the current criteria for a driveway off the side of the road and what the average speed on that section of Peverly Hill Road is. He felt this is a special case that they don't see a lot because most of their roads that have a lot of traffic are a different type of road.

Mr. Taintor asked if the applicant were to propose the driveway at the far northern end of Lot 1, would Mr. Desfosses still feel they need to have that information. Mr. Desfosses responded that he met on site with Mr. Chagnon yesterday and he pulled into the lot at 535 Peverly Hill Road and he felt there was adequate sight distance from there and he would not have the same level of concern if the driveway was further down. He doesn't understand why they can't have a common driveway on the

north side. However, if they are going to put the driveway to Lot #1 where it is next to Lot #2, he just wants to make sure it gets done right because it is very close.

Considering Mr. Desfosses' persuasive argument, Mr. Allen considered withdrawing his motion to request a speed study. Mr. Desfosses felt they needed a one page letter from a traffic engineer showing the speed study and the appropriate AASHTO sight distance and confirming whether it meets it or not. Mr. Taintor wondered if the original motion would be amended to recommend approval prior to Planning Board action with that information in hand. It would be a combination of making sure the sight distances meet the current AASHTO sight reference and that a speed study be done in front of this area to confirm that the sight distance meets the 85th percentile. Mr. Desfosses added that the driveways will be constructed in such a way that the car has the maximum sight distance advantage. Also, that will help when they apply for their driveway permits as there won't be any questions.

Mr. Frederick confirmed they will need that information prior to the Traffic and Safety Committee as well.

The motion to recommend Preliminary and Final Subdivision approval passed unanimously with the following stipulations:

1. For the purpose of establishing the appropriate sight distance, the applicant shall provide a speed study in front of the site to determine the actual 85th percentile speed.
2. The applicant shall provide a stamped plan prior to the Planning Board meeting certifying that the sight distances are adequate based on the current AASHTO standards.

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B. The application of **Lynn J. Sanderson & Frances T. Sanderson Revocable Trusts, Paul G. Sanderson, Trustee, Owner**, for property located **off Spinney Road**, requesting Preliminary and Final Subdivision Approval to subdivide two lots into nine lots, including a public right-of-way, with the following: Lot 5 on Assessor Plan 167 having 316,165 s.f. (7.258 acres) and Lot 24 on Assessor Plan 170 having 238,601 s.f. (5,478 acres), to be consolidated and subdivided into nine separate lots, ranging in size from 5,000 s.f. to 329,641 s.f. and all with a minimum of 100' of continuous street frontage on Spinney Road or the new proposed public right-of-way. Said properties lie in a Single Residence B (SRB) District which requires a minimum lot size of 15,000 s.f. and 100' of continuous street frontage. (This application was referred by the Planning Board at the January 19, 2012 meeting

The Chair read the notice into the record.

Mr. Taintor advised the Committee that a letter had been received from Altus Engineering requesting a postponement to the February TAC meeting. It further stated that the additional month will allow them time to address comments from the TAC Work Session.

Mr. Desfosses made a motion to postpone this matter to the February 28, 2012 TAC meeting. Fire Inspector Roediger seconded the motion.

The motion to postpone this matter to the February 28, 2012 meeting passed unanimously.

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IV. ADJOURNMENT was had at approximately 2:55 pm.
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Respectfully submitted,

Jane M. Shouse
Administrative Assistant