

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

2:00 PM

APRIL 3, 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; Carl Roediger, Fire Inspector; Steve Dubois, Deputy Police Chief; and Jon Frederick, Director of Parking & Transportation

I. OLD BUSINESS

A. The application of **Michaels Realty Trust and ESUM Realty Trust, Owners, and 4 Amigos, LLC, Applicant**, for property located at **1390 and 1400 Lafayette Road** requesting Site Plan Approval to construct a 2,500 s.f. one-story bank building with two drive through lanes, a 4,500 s.f. retail building and a 11,944 s.f. Rite Aid Pharmacy store with two drive through lanes, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 252 as Lots 7 and 9 and lie within the Gateway (GW) District. (This application is a revision of a plan that was postponed at the February 28, 2012 TAC Meeting).

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney Richard Uchida, of Orr and Reno, addressed the Committee on behalf of the applicants. Also present were Frank Monteiro, from MHF Design and Jeffrey Dirk, from Vanasse & Associates. Attorney Uchida stated they prepared revised plans and would address comments from the TAC Work Session of last week. This property is a 5 ½ acre site on the northwest corner of Route 1 and Peverly Hill Road, located in the Gateway District. This site is the former Yoken's site and now includes the corner parcel which used to be a gas station. He advised the Committee that they were able to obtain a Special Exception for the drive- thru facilities for the pharmacy in November and a Special Exception for the drive thru facility for bank in March as well as a variance for the two drive-thrus rather than one which the bank would be entitled to based on its square footage. Since then, they have worked hard to revise their plans. He noted this is a profound and meaningful opportunity to redevelop this site. They have resolved many concerns of the City and DOT.

Frank Monteiro, of MHF Design, indicated they were last before TAC on February 28th and the application was postponed. Since that time they have changed the site plan significantly to include three uses on the front of the property along Route 1. The amended application they submitted on March 19th included a 4,500 s.f. restaurant/retail building as well as a drive thru bank facility to be

located on the corner where the existing gas station is located. They have also submitted an application for a lot line revision and a lot merger.

Mr. Monteiro stated that the Yoken's parcel is the 5 acre parcel in the middle. They have now included the gas station parcel and they propose to merge these two lots together. Furthermore, in the back of the existing lot they are transferring .34 acres from the Yoken's parcel to the Comfort Inn parcel as part of an agreement between the two property owners. Lastly, there is a sliver of land that is being transferred to the Yoken's parcel from the Comfort Inn parcel which helps them with their Site Plan layout regarding the setback to the loading area for the pharmacy.

Mr. Monteiro displayed the revised landscaping plan. He walked through the changes that were made as a result of the Work Session last week. Assuming the changes are acceptable to the Committee, they will proceed to finalize the balance of the Site Plan, Landscape Plan, drainage, etc. The strip of land being transferred by the loading area allows for the setback line to be adjacent to the loading area so there no loading area within the 30' setback and they will not have to change the building location to meet that setback. The main change was to the common access aisle in the middle of the property. It was shifted back 10' which allowed them to make employee parking internal to the rear parking area so that they can back out into an aisle and exit the back area through the driveway. They extended a landscaped island across the back by 10', which included a 5' walkway and a 5' landscaped area. That also allowed them to achieve some continuity on the pedestrian access between the hotel and Peverly Hill Road. They previously had a meandering path and this gives a more direct route. They have provided a crosswalk across the hotel parking aisle and picked up the sidewalk system along the edge of the driveway all the way out to Peverly Hill Road. They had a right-in/right out access driveway planned at this location however they eliminated the right out and maintained a right-in. At that time they were planning to have truck deliveries to the Rite Aid access from this right in driveway which required a large throat for that to occur. The Committee requested a change and to look at bringing the truck in the full access driveway and circulating around the back of the site. They reduced the width of the right-in driveway but designed it to allow the fire truck turning movement. In order to achieve the circulation pattern, they cut back a landscape island to get the truck circulation to work. He provided two truck turning plans to the Committee. The first truck turning plan is specific to the Portsmouth ladder truck. He felt that they narrowed the access as much as they safety could for that truck.

Another concern was related to internal pedestrian circulation. He has already addressed the alignment of the driveway and there were other comments about reducing the radii on the aisle connections to 10' to further channelize traffic flow, slow down cars and create a safe pedestrian route.

Another concern was related to the bank facility. They needed to provide a 40' distance from the transaction window and the point of curvature where you exit, with a 17' minimum radius. The revised plan accomplished that.

Their original plan carried the bypass lane all the way around the drive-thru lane, back to the entrance point. They have removed a section of the by-pass lane and just have the entrance to the drive-thru facility.

There were minor comments related to landscaping. They have not revised their Landscape Plan yet but they are now showing a free standing stone wall along the corner of the drive-thru lane. It runs about 60' in each direction. It provides screening of the drive-thru pavement to help with headlights glaring into the roadway or adjacent areas. They also added a landscape feature along the corner. The street trees will not change from what they previously showed along the frontage and Peverly Hill

Road. They were asked to add street trees along the frontage which they will add to their final landscape plan for the Planning Board.

Mr. Monteiro stated there were some questions about directional arrows and pavement markings for the drive-thru. They added some pavement markings for the drive-thru for the bank and they added a turn arrow to discourage an exit out of the driveway. They added a bike rack to the front of the retail building. The sidewalk adjacent to the building is now 10' wide to facilitate the bike rack and outside tables which are planned for the restaurant for the summer months.

They received a consent letter from Kevin MacLeod for the site work being done on his property as part of this site plan. That included relocating his existing driveway over to a location on the property line to be shared, relocate the utility work and do some utility work which includes upgrading the size of the existing drainage line that runs through the hotel and modifications to a sewer line which also runs through his property.

Mr. Taintor asked about the arrow on the pavement behind Rite Aid and who would be going in that direction. Mr. Monteiro agreed that was a good point. One purpose of the arrow was the trash truck serving the dumpster will go across that way for access. The other thing is that because they changed the parking to internal in the rear area, in the event that someone backs out of a space and leaves in that direction, they will be able to leave through that exit, which is why he felt it would be better to leave the arrow there.

Mr. Taintor also asked about the loading pad for the loading area, adjacent to the building, with a similar area next to the dumpster and he asked why they were not using the same material for both of them. The truck is going over both of them. Mr. Monteiro stated that the intent of the concrete pad is right in front of the dumpster, where the truck drives over it repetitively, and it is to support the truck during off loading. The delivery trucks come through this area once a week and they are not a continuous load issue, which is why they did not extend the concrete mat.

Mr. Taintor asked if the trash trucks load from the front or the back. Mr. Monteiro confirmed they load from the front. Mr. Taintor understood that was why the arrow made sense. Over by the bank, the truck is going in and backing out and he asked if it is backing out into the parking lot or is it going around the bypass lane. Mr. Monteiro explained that when they eliminated the bypass lane, they had to move the trash so that the truck could get access. The intent is the same.

Mr. Taintor mentioned that they had discussed defining the right-in driveway from Peverly Hill Road to make to more aggressive to define it as an entrance as right now it tapers. Mr. Monteiro indicated they could change it as long as the fire truck can get in.

Mr. Taintor asked how wide the sidewalk is in front of the retail building where they are adding the bicycle racks. Mr. Monteiro stated it was 10' total and the bike racks are 6' leaving a clearance of 4' to get by.

Jeffrey Dirk, of Vanasse and Associates, Traffic Engineers, addressed the Committee. Mr. Dirk indicated there were not a lot of changes. They have had the opportunity to have a review by the City traffic consultant and received the comment letter yesterday. NHDOT has approved their Traffic Study and they expect to issue conceptual approval before the Planning Board meeting. He indicated this is the reconstruction of the corner of the former gas station parcel, reconstruction of the signal equipment, the extension of the raised median on Route 1. They will be looking at the length they will

be extending the median. They have conducted traffic counts at the two driveways serving the Comfort Inn and they are in the process of concluding the analysis of this intersection. When they analyzed this intersection it included traffic from the project but not existing traffic from the Comfort Inn so they have gone back and completed traffic counts there. They can now look at both their traffic on top of the existing traffic from the Comfort Inn, and in particular, look at what happens to the queue in the center turn lane. That may be what dictates some shortening of the island area. Their intent is to block left turns in or out but still have enough distance to store the queue that may be waiting to turn left into the site.

They will relocate the Lafayette Road crosswalk from the north side of the intersection to the south side, adding pedestrian signal equipment and a crosswalk across the south side and a crossing across Peverly Hill Road as well. They have had discussions with the City about extending the sidewalk along the frontage of the south side of Peverly Hill Road to link up to the Market Basket Plaza as well so as to provide complete pedestrian access not only to their site but also to the Market Basket Plaza. The pedestrian improvements also allow them to implement a left turn phase coming from Peverly Hill Road. That will allow them to shorten the queuing on Peverly Hill Road.

They were asked to develop an alternative to develop traffic projections for the project. They had done that and have redone the analysis with a smaller bank than assumed in the traffic study and the restaurant use with retail. They were asked to separate out the uses and generated the traffic that way and did not account for interaction between the uses. Their conclusion was that the difference is single digit so it won't affect the analysis in the Traffic Study.

They talked about the internal circulation. Specific to the right-in/right-out driveway, the plan shows that they have extended the island so they have a crosswalk crossing the driveway and a protected area for pedestrians for when they cross half way.

Mr. Dirk indicated that they eliminated the mid-block crosswalk on Peverly Hill Road and that crossing will take place at the intersection instead.

Mr. Desfosses did not see any crosswalks on the plan for pedestrian crossing across all of the driveways. Mr. Dirk stated there should be crosswalks across all driveways and they will add them along with a stop line and stop sign.

Mr. Taintor advised the Committee that he had just received a letter from Kevin Dandrade, of TEC, representing Market Basket to review the Traffic Study. Mr. Dirk confirmed that he had an opportunity to speak to him yesterday and answered some of his questions. The one element in the letter asked for the potential for the addition of a right turn lane to Peverly Hill Road. There is an area that is set back from Route One for future widening of the intersection and Market Basket may be asked the same.

Mr. Taintor asked about the sidewalk on southerly side of Peverly Hill Road from the intersection to the driveway. Mr. Dirk explained that they will be installing a catch basin at the corner which will provide a stub for the City to install another catch basin on the other side of the intersection and link up with that drainage system. As a part of those improvements, the City is going to look at whether there can be a sidewalk along the south side of Peverly Hill Road to link up to the Market Basket driveway. That was discussed as a potential City project.

Mr. Taintor asked about the full access driveway on Lafayette Road and the issues with conflicting left turns. He asked if that will be part of their next response. Mr. Dirk felt there would be a conflicting path if they both cross at the same time. That type of conflict would happen at any intersection. Any traffic coming on Route 1 has the right-of-way, even to make the left hand turn. Mr. Taintor was concerned about the high volume of traffic on Lafayette Road and with people shooting out from the driveway because they are getting tired of waiting. Mr. Dirk felt the key item is that the intent is that anyone that wants to leave the driveway and make a left they can make the movement in two stages. That is why with the width of the road that is there, it is critical to have the center turn lane and also to make sure that it doesn't get blocked. They will make sure that their queue will fit into the area. Any vehicle coming into their site that will be queued will not be at the point where they will be queued in conflict with a car that might be exiting and wanting to store itself in the center area. There will not be an inherent conflict. But, the intent is that no one should shoot out of the driveway and try to get in the northbound traffic lane without doing it in two maneuvers.

Mr. Desfosses went back to the right turn lane from Market Basket. He did not see any right-of-way left for a right turn lane. Mr. Dirk stated they are providing a 10' set back from the edge of curb. It may not be shown on the plan but it has to be recorded when they file the development plans with DOT. It could be done in a couple of different ways but it is an acknowledgement that is for DOT use. Mr. Desfosses asked if it was an easement above and beyond where the right-of-way is shown on the plan. Mr. Dirk stated it could be done a couple of different ways but an easement would be to the benefit to the DOT. Mr. Taintor asked if the setback is adequate for snow storage or will it go on the sidewalk. Mr. Dirk indicated that if they plow the road, the snow will end up on the sidewalk. DOT is not concerned about that but they want the property owner to understand that when they push the snow, within 8' – 10' of that curb line they could have a pile of snow and they are not going to move it. Mr. Taintor asked if the sidewalk should be pushed further back. Mr. Dirk felt it certainly could be. Mr. Allen added that they run into right-of-way issues that would put that on the applicant's property. It is something they should probably discuss but it is not as simple as pushing it back. Mr. Desfosses added that if they could get the same rights as the State as far as putting the snow on that 10' it would take care of their concerns.

Mr. Dirk indicated they could adjust that and as a part of the document it could be for the benefit of the City as well as DOT.

Mr. Monteiro stated that at the last TAC hearing they discussed a waiver for the number of driveways. The last time they were before the Committee they only had one building on it and there were concerns about having four driveways to service the one building. The amended application shows the two additional buildings which were planned on the whole time but the applicant simply did not have tenants lined up for them. Now they do. Their position is that they have one full access driveway, a full access driveway that is shared with the Comfort Inn and the Comfort Inn has an easement across the applicant's property to Peeverly Hill Road which needs to remain. They have two planned right in/right-out driveways.

Mr. Desfosses asked about the concrete pad behind the retail building. He was a little worried about people getting confused and driving over different surfaces. He asked them to reinforce the asphalt pavement so that the concrete did not stick out into the travelway in lieu of the concrete pad. Mr. Monteiro suggested that they reduce the width of it sticking into the aisle. Mr. Desfosses felt that unless they reduced it dramatically they would not achieve what they were striving for and the wheel loading would not be on the concrete pad. Mr. Monteiro said they could look at that. Mr. Desfosses also asked about the electrical distribution for the project. They had talked about streamlining the

electricity for the project and one of his stipulations will be that they work out a plan that PSNH signed off on prior to approval. Mr. Monteiro stated they have had discussions with them and they want some loading information for the two buildings which they don't have yet. They have asked them to combine the transformer setup for the two buildings into one and having a second transformer for the Rite Aid building.

Mr. Desfosses was concerned with the amount of taps off the street poles.

Mr. Desfosses had an issue with the water distribution for the fire mains. Mr. Monteiro responded they will not be changing the fire service to this building. They have a sprinkler proposed for the pharmacy with the fire main and domestic water coming off of Route 1 and they have a fire service and water line from the bank coming off Peverly Hill Road. They are going to move the proposed hydrant back.

The Chairman opened the public hearing and asked if there was anyone present to speak to this application.

Kevin Dandrade, P. E., Senior Project Manager from TEC, was asked to look at this for off-site elements by DMS Realty, Inc., who is the plaza owner at 1500 Lafayette Road. He stated they are supportive of the redevelopment of this site and he takes no exception to any of the buildings or uses. He was present to present technical comments on the traffic study. As Mr. Dirk mentioned, they did have a conversation about traffic measures and he handed out his written response to the Committee members. They would like to be part of the discussion regarding traffic issues as it may affect impacts at the intersection that would impact Market Basket.

Their primary concern is for the attractiveness of the site and making sure that the distribution of the trips and impacts are thoroughly reviewed so that if off-site mitigation is required it can be dealt with currently.

Mr. Dandrade provided a copy of his letter to Doug DePorter and Steve Ireland at the same time that he provided a copy to the City. He apologized for the lateness of the letter but explained they have only had a couple of weeks to review all of the documentation.

His first comment is about more assessment on a Saturday mid-day period. It was originally looked at in a December study. This is a high capacity corridor and they only did traffic counts on the evening peak. There can be many mixed opinions on how to calculate the trip generation estimates, especially when they have a mix of uses. VAI did separate out many of its uses already within their recent studies but looking at the shopping center code that could be a mix of restaurant and retail they only used the average rate rather than a fitted curve equation. That is important because when you look at the introduction of restaurant uses in a site like this, it can have a significant effect on the number of trips generated.

Regarding the distribution of traffic around the site within the study, the assumption is that only 5% of the traffic leaving the site would actually access Peverly Hill Road eastbound to take the left onto Route 1 north. That is important to understand because at the shared driveway it assume more left turning traffic would occur at an unsignalized intersection that would be often blocked by traffic on Route 1 south. He is not sure that is an accurate reflection of what could occur in reality and that could affect the operations at the signalized intersection at Peverly Hill and Route 1 and potentially the need for additional mitigation. There was some dialog between the applicant and the Board about the southbound right turn lane. As they are resetting most of the curbing along the frontage, it makes

sense to him to implement a measure that would truly mitigate the impacts on Route 1 southbound now rather than waiting for some future project. There are benefits to introducing that southbound right turn lane which could be done without significant off-site mitigation costs. It could operate concurrently with the new left turn phase that is coming off Peverly Hill Road, called an overlap where they can go without conflict. That would improve the efficiency of the intersection and would take some right turning traffic out of the through traffic stream into their own lane which would by itself reduce the delay for the through traffic. Lastly, it would provide an opportunity to reduce the geometry for the site driveway for the right-in/right-out if they are making that right turn movement into the site from their own lane to geometry that is more conducive to slowing traffic as it enters the site.

They talked briefly about the pedestrian travel habits and he agreed with the desire to move the crosswalk from the north side to the south side and there is discussion about a potential future City project to connect up to Market Basket plaza.

The Chair asked if there was anyone else 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. Allen made a motion to postpone to the next TAC meeting because of the significant change and the lack of a full set of site plans.

Mr. Allen felt there certainly were significant improvements. The applicant went back after the last TAC meeting to address a good portion of their concerns. The only thing that he sees as lacking now is making sure some of the utility detail is included for review by DPW. He feels much better about this layout than the previous layout.

Mr. Taintor asked Mr. Monteiro about the timing on getting a revised set of plans submitted. Mr. Monteiro indicated that they would have plenty of time if they were postponed. They were hoping to move this forward today and run through final details with staff prior to the Planning Board deadline. Mr. Taintor said it would be unprecedented for them to move a plan forward without actually seeing the complete set of plans. Mr. Monteiro felt they could get a revised set of plans in by next week so they could start reviewing the changes.

Mr. Frederick requested Parking and Traffic Safety and felt they could be added to the next Agenda for the April 12th meeting. Mr. Allen felt that the plans provided today would be adequate for that Committee.

The motion to postpone to the May 1st TAC meeting passed unanimously.

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B. The application of **7 Islington Street, LLC, Owner**, for property located at **40 Bridge Street**, requesting Site Plan Approval to construct a 3/4 story 5,450 s.f. (footprint) mixed use building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 126 as Lot 52 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District. (This application was postponed at the February 28, 2012 TAC Meeting).

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, on behalf of 7 Islington Street, LLC, appeared before the Committee and handed out revised plans. Also present was Attorney Steve Roberts. Mr. Chagnon indicated that the revised plans answer some of the questions posed at the TAC Work Session last week. He reviewed the revised plans with the Committee.

On Sheet C-2, Note 7, regarding the requirements for grease traps if there is ever a restaurant in the building, they have further refined that note. They corrected consistently “S” for slope and “SL” for sewer lateral. They added contours and spot grades to Sheet C-1 and show the spot grades on the Grading Plan. There was a question about the retaining wall and taking some of it to the property to the south and they looked at that in the field and felt that the appropriate thing to do was to place a return to that wall, going southwest, and it will tie into an existing retaining wall along the property line and that was added to Sheet C-3. Also on Sheet C-3 there is a note about replacing the 5” sewer pipe on Bridge Street, from manhole to manhole. On Sheet C-2 they added to Note 10 that no outside storage of recyclables would be allowed.

Mr. Frederick noted that on Sheet C-2 the parking stalls are open and they need to be painted closed.

Mr. Allen asked about a detail for the retaining wall. Mr. Chagnon responded that it is not a very high wall but they can add a detail. Mr. Taintor asked if it was about 1 ½’ high. Mr. Chagnon felt that was correct. It was more of a landscaped wall than a structural wall. The wall that is there is stacked concrete block. Mr. Taintor asked if the area next to it, which looks like a linear feature, is the landscaped area. Mr. Chagnon stated there are two areas. There is a landscaped area beyond the wall and is more of an opened mounded area that slopes back down. The landscaped area is currently used for parking and is gravel.

Attorney Steve Roberts, from the law firm of Hoefle, Phoenix, Gormley and Roberts, spoke to the parking issue. He provided Mr. Taintor a few weeks ago with deeds for two of the three owners at 7 Islington Street. He has the third deed today and that owner did not receive title directly from 7 Islington, LLC and she has a Parking Space Agreement between 7 Islington LLC and herself. He provided a copy of that agreement to the Chair. As to parking itself, the 7 Islington project stands on its own and has been completed for several years. In all three deeds to the residential units there is no provision for parking. There was a discussion between one of the managers of 7 Islington Street and the residential unit owners that parking may be provided. They are working on that issue. Attorney Roberts represents Anthony DiLorenzo who was one of the co-owners/co-managers of the limited liability company, 7 Islington Street, LLC. The other owner/manager, Stephen Kelm, had discussions with some of the residential unit owners. It is important to note that that project is different and distinct from the 40 Bridge project. They know there is a concern on the part of the three residential unit owners to have off-site parking and they understand that concern and Mr. DiLorenzo is working with Mr. Kelm to address that concern. They do not think it is necessarily an issue for the City because of the fact that the structure located at 7 Islington Street is a done deal and they will address it and do not believe it is an issue for the Committee to address.

Mr. Taintor felt it was hard to prove a negative. When the development of 7 Islington happened and the lot line changes happened, he asked if that was part of any site review agreement and that, under the City’s Site Plan Regulations, they are grandfathered from having to provide any parking. Attorney

Roberts was not involved in the matter at that time but he believes that is correct. Mr. Chagnon confirmed that there was a lot line change that went through the Planning Board process but the 7 Islington Street building did not require Site Review as it was an existing building and nothing was changed. Mr. Taintor asked if, before the lot line was adjusted, was there parking on the 7 Islington Street property and afterwards there was no parking. Mr. Chagnon agreed that was a true statement but what came out of the approval process for the lot line relocation was a dedicated 5' pedestrian easement to benefit 7 Islington to give access to the back. It was contemplated that any access to the back would be for pedestrians.

Fire Inspector Roediger indicated that two of the condominium owners at 7 Islington Street said they had deeded parking. Attorney Roberts said that is not the case. He read from the deed and did not believe there was anything in the deed that creates parking, nor was there anything in the Condominium Site Plan that creates parking. It was an in artful use of the language but there was nothing to convey and they did not get a parking space because there was no parking space to convey. Fire Inspector Roediger asked if the folks parking behind 7 Islington were ever notified that parking there was "on borrowed time". Attorney Roberts could not answer that. Fire Inspector Roediger understood that both owners of 7 Islington Street, LLC. are working with the unit owners to provide parking. Attorney Roberts confirmed that they are attempting to resolve this issue and understand that it is a concern. But they do not believe it affects this Board or this project.

The Chair opened up the public hearing and called for public speakers.

Bill Brassell, President of 7 Islington Street Condo Association, was present last month speaking about their parking issue and indicated that the issue is still open. The third condo owner was very smart to get her addendum in writing about her parking space; however, he has two emails from Steve Kelm who has confirmed that the units were advertised and sold with one parking space for each unit. Mr. Kelm also indicated that he was going to pursue parking under the 40 Bridge Street project. He feels the project should be held up until this issue is resolved. He provided his documents to the Chair.

The Chair asked if there was anyone else 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. Allen made a motion for discussion purposes. Mr. Britz seconded the motion for discussion.

Mr. Allen suggested referring the matter to the City's Legal Department to help them out with this. Mr. Taintor agreed. Deputy Police Chief also felt that the City Legal Department should opine on whether this Committee has the authority to review this issue. Mr. Taintor felt that the issue is that there are two owners in discussions with each other. He suggested, if there are no matters really under TAC's technical review jurisdiction, it might be appropriate to recommend approval subject to the Legal Department resolving this issue.

Mr. Taintor asked for stipulations.

Mr. Frederick requested Parking and Traffic Safety Committee review at the April 12th meeting and that the parking spaces be closed in.

Mr. Desfosses requested a Construction Management and Mitigation Plan. Comment 1 on the plan says whether curbing is going to be reset or new and is not shown on the plans. If it is reset, the applicant is to use no curbing pieces less than 3' long and supply new curbing to match the old curbing size as needed. Also the curbing is not to have a ½" radius that is shown on the detail. A City standard handicapped detail is required for the corner of Islington and Bridge Street. On Note 10 on C-2, the note should read "no outside storage of trash or recyclables will be permitted." On Sheet C-3, the detail describes hooking up to the sewer with a 6" T and it should be an 8" x 6" PVC T. There is no detail on the sewer connection other than the standard pipe detail, which may or may not be specific enough. There should be a profile drawing of the sewer to be reviewed by DPW and it should show hydraulic dams every 100'. The street paving that is detailed on the note on C-3 should include the street paving from manhole to manhole. The manhole that is noted as not found on Sheet C-3 should either be found or removed so that the engineer knows exactly what manhole they are going to.

Mr. Allen requested that capacity use surcharge data be submitted to DPW. Mr. Chagnon confirmed that was submitted previously.

Fire Inspector Roediger was concerned about moving this forward with a huge issue which he realizes is not part of this property and, while he does not have an issue with the proposed development, he does have a problem with the proposed development possibly steamrolling what is going on with the adjacent property. Before moving this on, he would like some resolution that 40 Bridge Street can stand on its own without a potential impact somewhere else.

Mr. Sheehan asked about the grease trap on C-3, where it is noted as "proposed grease trap". He asked them to note it as a 1,000 gallon grease trap and the same for the detail on D-1.

Mr. Taintor felt that they have a good set of stipulation and the big issue is the parking issue. He would be comfortable including a stipulation that this has to be carefully vetted by the City Legal Department to make sure they are not legally impacting either property.

Mr. Allen would agree as long as that is a condition of their recommendation to the Planning Board which would mean the Planning Board would not be able to rule on it until the issue was resolved.

Mr. Britz agreed with Fire Inspector Roediger that it is an issue that he does not want to see pushed aside and have it run over but he also feels this is a technical review and not a legal review. He is comfortable with passing it along to the Planning Board to let them decide with an opinion from the Legal Department.

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

1. This application shall be referred to the City Legal Department for a thorough review of the parking issue between 7 Islington Street and 40 Bridge Street to make sure they are not legally impacting either property, prior to this matter being voted on by the Planning Board.
2. A Construction Management and Mitigation Plan shall be prepared by the applicant, for review and approval by the City Manager.
3. The detail on the Site Plan regarding curbing should state whether or not the curbing is to be reset, if so, no curbing pieces less than 3' long shall be reused and missing curbing shall be replaced with new curbing that matches the old curbing size.
4. The curbing shall not have a ½" radius as shown on the detail.

5. A City standard handicapped ramp is required for the corner of Islington and Bridge Street and shall be detailed.
6. On Sheet C-2, Note 10 should read "No outside storage of trash or recyclables will be permitted."
7. On Sheet C-3, the detail which describes the connection to the sewer with a 6" wye should be revised to an 8" x 6" PVC wye.
8. There shall be a sewer main installation detail which includes a profile view drawing of the sewer with hydraulic dams spaced every 100'. The final plans shall be reviewed by DPW.
9. On Sheet C-3, the street paving area should be revised to cover the sewer work from beginning to end if this distance is greater than the original distance specified.
10. The manhole that is noted as not found on Sheet C-3 should either be verified to exist or not.
11. The sewer Capacity Use surcharge data shall be submitted to DPW.

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C. 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 and postponed at the February 28, 2012 TAC meeting.)

II. NEW BUSINESS

A. The application of **Lynn J. Sanderson & Frances T. Sanderson Revocable Trusts, Paul G. Sanderson, Trustee, Owner**, for property located **off Spinney Road**, requesting a Conditional Use Permit under Section 10.725 of the Zoning Ordinance for an Open Space Residential Planned Unit Development (OS-PUD) to be developed on four individual lots for the creation of nine single family residential structures and five two-unit residential structures, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 167 as Lot 5, Assessor Map 170 as Lots 23 and 24, Assessor Map 171 as Lot 13 and lies within the Single Residence B (SRB) District.

The Chair read the notices into the record.

SPEAKING TO THE APPLICATION:

Eric Weinrieb, of Altus Engineering, appeared before the Committee. Their first application is for the conventional subdivision application which they are asking to postpone to allow them to present the OS-PUD proposal. Also present with him was Carol McGinty, from the Sanderson Family Trust.

They have been going forward with a traditional subdivision for the parcels on the east side of Spinney Road and have found that there was concern with abutters with drainage and development behind the Middle Road properties in the woods so they revisited one of their original concepts, the Open Space

Planned Unit Development (OS-PUD). They initially rejected this because of the setbacks which limit the houses on the cul-de-sac; however, those setbacks can be waived by the Planning Board. That allows them to build the private road, pull it back so the road is entirely in the field and the houses on the cul-de-sac become five, rather than 6, and still have two more houses. In order to do a PUD they didn't have enough land but they own another 2.8 acre parcel across Spinney Road next to the water tank so they used that as well. They still have the three units along Spinney Road, add in Alan Sanderson's house and convert it to a 2 unit duplex, and add a unit behind the houses. They would widen out the right of way for future sidewalk rather than having an easement. This proposal does require a waiver from the Conditional Use Permit regulations but it is more consistent with the housing development in the area where the houses are closer to the road and closer together. They will also still require a Conditional Use Permit from the Wetland Protection Ordinance.

Mr. Weinrieb mentioned there are four abutters which they are going to be selling land to as part of the project and two abutters which they will be doing a land swap with. There is also an encroachment by the water tank on other Sanderson land.

DOT has come forward with a drainage easement which will be required to reconstruct the Route 1 Bypass bridge.

Mr. Taintor confirmed that this does require a Conditional Use Permit from the Planning Board and it makes sense to discuss the waivers first and the concept of the PUD prior to going into details of building the development. He reviewed the Planning Board criteria and findings for granting the Conditional Use Permit. The Planning Board will determine whether the OS-PUD plan is as good as or better than a conventional subdivision plan.

Mr. Allen asked if they should go forward with the recommendation on the full subdivision plan. Mr. Taintor explained they should make a recommendation on the waivers and the OS-PUD while the conventional plan was being held in abeyance. Depending on what the Planning Board does, the applicant will come back to TAC with one plan or the other.

Mr. Taintor reminded the Board that they are requesting a postponement of the conventional subdivision. Mr. Weinrieb confirmed that it has not changed since it was last before them when they had public comment. Therefore, they are looking for a public hearing on the OS-PUD.

The Chair opened the public hearing on the OS-PUD application and called for speakers.

David Sanderson, who was not related to the petitioners, lives on Spinney Road. He noticed that the property next to his is being converted from a single family residence to three units and it is presently not on sewer. He asked if it will be connected to the sewer at the time of this development.

Mr. Weinrieb explained that they are proposing to bring sewer up along Spinney Road, which is why they are widening up the roadway, and all new units will be on municipal sewer.

Donald Green, spoke as an abutter. His issue is the location of a stormwater management area in the wetland setback. He believes that is a leach field or a point where soluble material will be leached into the groundwater and he believed that was clearly prohibited by 10-607-A-7(a). He was curious why they don't have a connection combining both sewer and runoff water into Middle Road. A lot of the houses get flooded. This could be resolved by moving the drainage into the Middle Road section.

Also, if they keep the solid material on the surface and anything that is soluble will go into the groundwater. Too much fertility is bad for wildlife areas. He opposes this plan.

Mr. Britz stated that 10-607-A-7(a) pertains to septic leach fields, not to stormwater facilities.

John Lyons, of 76 Fells Road, was speaking for all of the residents who live along Fells Road. There is a gully which runs between his house and the Nedroses which enters into a stormwater pipe which was installed by the City as part of the sewer separation project. All water drains through this area. The gully is frequently dry but is also frequently filled to the brim. As long as no other water goes down there they do not have a problem. They have had horrible flooding but after the sewer separation it has been much better. While he was opposed to the development that had lots and the rain garden down on the lowland side of the stone wall, he was here to speak to the PUD and believes this is how the process should work. It allows the landowner to develop their piece of property, it protects the values of surrounding properties, and as a taxpayer it adds ultimately to the tax base. The new PUD reduces the footprint of the roadway and cul-de sac, it reduces driveways and the footprint on this open land. If Mr. Weinrieb designs it and engineers it properly there should be less water running down the hill. The Sandersons, through Mr. Weinrieb, have been very good in keeping the abutters up to date and they understand what their issues are. If there are rain gardens, with a homeowners association responsible for maintaining them, and any development is limited to the approved conditions and remaining area left open, they are heading in the right direction and he looks forward to coming back to speak in favor as the project progresses.

Jerry Zellin, of Kensington Road, stated that they have water problems on Kensington Road, which are sometimes massive. He applauds this change in plans and feels it is a huge improvement over the conventional subdivision. However, he remains concerned whether this plan will dump more water into the wetland than is currently flowing into the wetland.

Mr. Weinrieb stated they have not redesigned the stormwater runoff associated with the OS-PUD but they did a 100 year storm event for the conventional subdivision which exceeds the City standards.

Attorney Zellin understood that engineering studies for this plan have not been completed yet. So there is an important unanswered question which he considers the "fork in the road" as to whether this plan should be approved or not approved.

Steve Moore, of 19 Sewell Road, indicated this was the first time he has seen the new plan. He doesn't know what the water situation will be with the wetlands but the homes near his property get water in their back yard right now and they pump quite a bit. His main concern is whether the new development will create more surface water.

Mr. Weinrieb responded to Mr. Moore's concerns. The stormwater management area will change very little from the initial design. They have recognized all along that the stone wall berm is what impedes the runoff; it gets into the ground and into people's basements. They will construct a swale to their stormwater management area and the land swap will provide space for a solid pipe to get into the City drainage system. That takes all of the groundwater that is running through people's yards and into their basements and puts it into a closed drainage system after treatment and into the City drainage. Getting it out of the groundwater will vastly improve the abutting properties.

Mr. Allen asked Mr. Weinrieb to respond to Mr. Green's concerns about leaching fields not being in the buffer area and whether it was the intent of the PUD to be tied into sanitary sewer.

Mr. Weinrieb confirmed that all houses will be on municipal sewer. Only one house in the entire area is currently on septic and it will be tied in as well as the new construction behind it.

The Chair asked if there was anyone else 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:

Motion on the Conditional Use Permit for an OS-PUD:

Mr. Taintor stated that this motion would include waivers addressing the external yard dimensions to allow the location of structures substantially as shown on this plan and subject to the prior approval of the Conservation Commission and Planning Board of a Conditional Use Permit for the wetland impacts and Site Plan approval. That would allow them to move forward with the Open Space PUD Conditional Use Permit and then come to the Conservation Commission and TAC for detailed engineering review.

Mr. Frederick made the above motion. Fire Inspector Roediger seconded the motion.

Mr. Britz had a problem with the stormwater management area in the wetland buffer and the way it is designed. It seems to be it could be designed in a different location. He would like to see it out of the buffer and he doesn't want to see them remove the forest because that is doing a lot to remove some of the stormwater. He felt a better location would be up in the house area. Mr. Britz indicated he could either not vote for the motion or recommend that they take it out. He would have a hard time recommending approval to the Conservation Commission on a stormwater management area in the buffer, which goes against the wetland ordinance unless they can come up with a way that it is really reducing the impacts. However, given that it is a new PUD, it seems like it is something they can design differently. He likes the concept and how they are doing it but it does not seem like the right location.

Mr. Taintor asked about statement that the stormwater management is not allowed within the wetland buffer. He indicated that a Conditional Use Permit for wetland impact would be necessary and they would have to demonstrate that they are not going to impact the wetland. Mr. Britz said that it is possible that they could demonstrate that but given that there are five houses above it he would say that the least impacting alternative would be to put it up among the houses rather than in the wetland buffer. A wetland buffer is meant to provide wildlife habitat and wetland function, protection and vegetation and he does not believe a stormwater management area does that.

Mr. Allen assumed that was based on the stormwater management area on their original subdivision. Mr. Britz confirmed it was solely what was shown below house 4. If it was beside lot 4 Mr. Britz would not have an issue and it wouldn't have to go to the Conservation Commission.

Mr. Taintor felt that this essentially is a concept plan and anything on this plan can change because it has not been refined to a level of engineering. The Planning Board could deny a Conditional Use Permit for activities within the wetland buffer. Mr. Britz agreed he could go forward and make his recommendation to the Conservation Commission.

Mr. Allen felt that if they sent the PUD through with an approval, and having the applicant heard Mr. Britz's concerns, it would allow this to move forward. Mr. Britz agreed that they have been flexible with the design so far. Mr. Taintor felt they could certainly add a stipulation to formalize that the applicant look at relocating the stormwater management area out of the wetland buffer. Mr. Britz would like to do that.

Mr. Desfosses felt that in concept he is in favor of this plan and it is an appropriate way to redevelop. In the future, as part of the design, he will be looking at some issues which he would like them to keep in mind. One would be cellar holes and dewatering of the ground if necessary to basically limit the amount of water that is involved here. If these houses will have basements, there should be some review of the water table and the placement of the houses so they are not creating endless pumping of groundwater. As part of the drainage design he will ask them to look at the entire area, including the wetland, so that as this is modeled they can show mathematically that the water level in the wetland flat area will not increase in size or height. Also there will be several driveways and he is concerned with driveways off the City roads and he will be looking for a sight distance analysis for all of the driveways.

The motion to **recommend in favor** of the OS-PUD Conditional Use Permit, with the waivers from the external yard dimensions to allow the location of structures substantially as shown on the plan dated April 2, 2012 and subject to the prior approval by the Conservation Commission and Planning Board of a Conditional Use Permit for the wetlands impact and Site Plan approval, passed unanimously.

Motion on the conventional subdivision:

Mr. Allen made a motion to postpone this application to the next TAC meeting. Mr. Britz seconded the motion.

The motion to postpone to the next TAC meeting, at the request of the applicant passed unanimously.

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B. The application of **Westinghouse Electric Company, Applicant**, for property located at **20 Durham Street**, requesting Site Plan Approval for a pavement expansion project, including 67 parking spaces, new sidewalks, dumpster pad with enclosure and mechanical pad, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 311 as Lot 3 and lies within the Pease Industrial District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Patrick Crimmins, with Tighe and Bond, was present with Andy Rotondo of Westinghouse Electric and Rob Harbeson of DeStefano Architects. Mr. Crimmins explained that this was a parking lot expansion project. They will add two small paved areas to the front and side of the building to provide six parking spaces. The building is currently vacant and previously was an industrial use and Westinghouse will be an industrial use as well. The pavement expansions will be along the side and front of the building. Additionally, they will reconstruct the front sidewalk with concrete and granite curb which will extend along the entire new paved area and wrap around the building to an existing

side door. The plan will include a dumpster pad with enclosure at the loading area on the side of the building. They will construct a chain link fence with two gates around the existing pavement area in the rear which will be 8' high. That will provide a storage yard. They will provide 20' x 30' concrete mechanical pad in the rear. The project includes one new base fixture light pole in the front parking area which will match the existing fixtures which are full cutoff dark sky compliant. The PDA requested that they add a bicycle rack which they will include along the front sidewalk. They also requested that they reconstruct the proposed sidewalk along the frontage of Durham Street which they have agreed to do. They submitted a revised set of plans this week addressing comments from the PDA which he went through.

They added Notes 14, 15, 16 on the site plans. Note 15 pertains to a professional engineer providing certification that the plan was constructed as designed. Note 14 is to set two monuments that weren't picked up as part of the boundary. They added abutter information to the site plan, they added the map and lot on the data block, they revised the arrow on the cover page to point to the correct parcel and on the sidewalk detail on the rear they changed welded wire fabric to fiber reinforcement. They added a gate to the dumpster enclosure, the sidewalk along Durham Street was changed from 4' to 5', they removed the detectable lines and crosswalk at the driveways and they added a Landscape Plan into the set which includes landscaped islands and landscaping at the ends of the aisles. Note 16 is a condition that the PDA can inspect the rear fence after construction to determine whether additional screening is needed.

Mr. Defosses asked what the stormwater implications are of this expansion. Mr. Crimmins explained that the original design in 1995 was done by Millette and it was designed for a phase II expansion. They are adding about 10,000 s.f. of additional impervious area and that still falls within what the original stormwater system was designed to handle so the existing swales and detention area are all sized to take on this additional impervious area.

Fire Inspector Roediger asked how the gate will operate. Andrew Rotondo, of Westinghouse Electric, explained that the gate will operate by a remote control. Fire Inspector Roediger asked what access the Fire Department will have to open that gate. Mr. Rotondo explained it can also be manually pushed open. Fire Inspector Roediger suggested that they might want to have a pad with an access card or something to allow that gate to open so that they are not dropping guys off and that the snow won't be an issue in getting around to the back of the building. Rob Harbeson, of DeStefano Architects, stated that Westinghouse would be happy to work with the Fire Department to work that out.

Mr. Frederick asked about the detectible warning panel at the access aisles for the handicapped spaces. Mr. Crimmins explained it is Armor-tile that gets cast in the concrete. Mr. Frederick also stated that the ADA now requires that the access aisles be signed for no parking. Mr. Crimmins stated they will add a sign.

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. Britz seconded the motion.

Fire Inspector Roediger requested that representatives from Westinghouse work with the City Fire Department to review the gate operation at the rear of the building; that they add the standard language regarding the Motorola testing for emergency response; and a determination of whether a Knox box needs to be added to the building. Mr. Taintor requested that the applicant meet with the Fire Department to review these items prior to the Planning Board meeting.

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

1. The applicant shall review the gate operation at the rear of the building and the necessity for a Knox box with the Fire Department.
2. The applicant shall be responsible to perform a radio-strength test with a Motorola Service Shop to ensure sufficient signal strength within any structure included in the project to support adequate radio coverage for emergency personnel. The expense for the test shall be the responsibility of the applicant, whether or not the test indicates that amplifiers are necessary to ensure this communication. If the test indicates that amplifiers are required, that cost, too, shall be the responsibility of the applicant. All testing and installations shall be coordinated between the applicant and the police/fire communications supervisor.

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C. The application of **750 Lafayette Road LLC, Owner**, for property located at **720 and 750 Lafayette Road**, requesting Amended Site Plan approval for modifications to proposed "Retail A" building, including a reduction in footprint from 12,198 s.f. to 11,881 s.f., the addition of a full second floor, a single bank drive through lane and a seven space reduction in parking spaces, 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 Saari, of Altus Engineering, was present with Chad Kageleiry, of Summit Land Development. Mr. Saari went through the revisions which were discussed at the TAC Work Session last week. They are changing the sewer line to 6", they have revised the grease trap to include baffles and they have extended the vent for the baffle above the tank into the riser itself so they won't have any overflow issues, and they added a grease hood to drain manhole #6 and a sump to be able to construct the grease hood. The most significant item that has changed since that meeting is that Goodwill has come back with their final architectural plans and he revised the plans to reflect that. They decreased the size of entrance canopy and moved it to the south, they have expanded the canopy for the drop-off area and also moved it to the south, the landscaped island where the canopy pylons are was also expanded, they raised the finished floor by 6" which also raised the truck dock, and they had a few minor grading changes to make up for that additional slope and they found out where the emergency egress points are on the back of the building so they have added those as well. The total size of the building went down by 1 s.f. and the green space on the site went up. Therefore, their green space has gone up 200 s.f. since their existing approved application.

Mr. Taintor asked how significant the changes were to the Goodwill building in terms of building elevations. Mr. Saari confirmed that it will look very similar to their previous building elevations. It was really just a way to move the entrance closer to the parking lot and reduce the slope of that. They

also removed a pitched roof from the canopy and it is now a flat roof but it does drain to the front. There were minor tweaks but only to the front of the building. The colors and materials will remain the same.

Mr. Taintor asked if the covered dropoff area changed. Mr. Saari confirmed that the south edge moved south by about 1’ and it moved the landscaped island with it so it picked up a little more green space at that location.

Mr. Taintor confirmed that this is an amendment to a previously approved Site Plan and the key issues are the reduction of footprint, the increase in height and the drive thru has not changed.

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. Allen made a motion to grant amended Site Plan approval. Mr. Desfosses seconded the motion.

The motion to grant amended Site Plan approval passed unanimously.

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D. The application of **A. Robert McGuire, Jr. and A. Robert McGuire, III, Owners**, for property located at **677 Dennett Street**, requesting Site Plan Approval for the construction of two 3-unit, 3,084 s.f. (footprint) residential buildings on two separate lots, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 161 as Lot 31 for which Subdivision Approval was granted by the Planning Board on February 16, 2012; and lies within the General Residential A (GRA) District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, appeared on behalf of the applicants. Revised plans were handed out. Robert McGuire, owner, and Brian Murphy, of McHenry Architects, were also present. Mr. Chagnon reviewed some issues that came up at the TAC Work Session last week.

The first issue was the coordination of the Site Plan with the architectural renderings. They now have two architectural renderings entitled A1 and A2 that represent with one building on each sheet. There were some changes in the sizes of the patios as well as a privacy wall located on the edge of the patio. There was a comment about adding a strip drain on the edge of the roof, which he felt was a good idea, and those have been added on Sheet C-3 and detail on D-3.

There was a discussion about drainage easements and Mr. Chagnon indicated that he is happy to say that the plan reflects a solution to that that incorporates all thoughts from the meeting. On the Subdivision Plan set they have added a 10’ drainage easement on the street side of Lot 2 which would include the area of the pipes that exit from the rain garden on Lot 1 and also a 40’ easement on the north side of Lot 2, encompassing the area that is the infiltration pond on the north side. Those two easements would be for the benefit of Lot 1 to maintain their drainage and suitable instruments will be

provided for review by the Legal Department. Otherwise the plans are the same and they look for approval today.

Mr. Allen asked Mr. Chagnon to review his concerns about the back drainage structure which is intended to infiltrate. Given that was wet back there, do they have anything showing the soils will handle that. Mr. Chagnon confirmed that they had received an email from Jared Sheehan about that and they responded with some information. They took a look at the detail on Sheet D-3 and made some adjustments. What they did was make it clear in the notes that it would be a non compacted sub-base and no compaction. They also put in a different seed mix. The analysis used a very conservative infiltration rate and they do not believe the delta between the proposed and existing grade puts it into the water table. The change in grade is about 12” and it only being dug out slightly.

Mr. Sheehan asked if they are seeding the pond. Mr. Desfosses asked what the original detail showed. Mr. Chagnon explained it was not specific about the non compaction. Also, there was a stone area that went underneath the pond so it would bleed out under the berm. Mr. Chagnon felt that was too fast and there was concern about the NHDOT. The drainage analysis model is to the revised detail. The stone layer underneath would probably increase the flow to the DOT. Mr. Desfosses had a concern that they designed the drainage system to an infiltration rate and they didn’t do a test pit. Mr. Chagnon stated they certainly could do a test pit in that spot. They did test pits in the beginning and some are shown on Sheet C-1. Mr. Desfosses felt that the fill is such bad quantity that it is keeping it from infiltrating at all and they may have to design some medium to make sure the water actually gets to the subsoil. He would like to see that. He also felt they are accounting for 20% of the water being infiltrated and he doesn’t think that is justifiable unless they can prove it.

Mr. Frederick wanted to confirm that the three spaces on Dennett Street are being removed. Mr. Chagnon confirmed that they are not showing the three spaces as they feel there is adequate parking on site.

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. Allen stated that he was reluctant to make a motion to approve because he is concerned about the drainage. He would like to postpone until the next meeting to resolve that issue. He felt that it drops off significantly and he does not see evidence of a good draining soil and it is also a snow storage area. Mr. Britz seconded the motion.

Mr. Desfosses asked if this has been to Parking and Traffic Safety. Mr. Frederick confirmed that it has. They originally requested 3 parking spaces on Dennett Street and a “No Parking Here to Corner” sign which was 100’ from the intersection which is still in the same place which was approved so they don’t have to revisit for that. Mr. Taintor confirmed that was under their previous application and they have not shown a parking space. Mr. Frederick stated that was correct.

Mr. Chagnon asked to respond. Mr. Taintor explained they were in discussions regarding the motion so he was unable to speak.

Mr. Desfosses asked if Parking and Traffic Safety looked at the truck turning movements. Mr. Frederick confirmed that he presented adequate documentation regarding that. Mr. Desfosses asked if it was their intention not to put those parking spaces in now. Mr. Chagnon confirmed that was correct.

Mr. Chagnon stated that the test pits were done where they could do them as there used to be a fence there. He didn't think the soils in the back are going to be a lot different than the native soils and that is why the test pits were only done in the front.

The motion to postpone to next meeting passed unanimously.

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IV. ADJOURNMENT was had at approximately 4:45 pm.
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Respectfully submitted,

Jane M. Shouse
Administrative Assistant