

MINUTES

SITE REVIEW TECHNICAL ADVISORY COMMITTEE MEETING

2:00 PM

DECEMBER 1, 2015

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

MEMBERS PRESENT: Rick Taintor, Chairman, Planning Director; Peter Britz, Environmental Planner; Juliet Walker, Transportation Planner; Nick Cracknell, Principal Planner; Raymond Pezzullo, Assistant City Engineer; David Desfosses, Engineering Technician; Eric Eby, Parking & Transportation Engineer; Carl Roediger, Deputy Fire Chief

I. OLD BUSINESS

A. The application of **Amba Realty, LLC, Owner**, for property located at **806 Route 1 By-Pass**, requesting Site Plan Approval to expand the first floor of an existing building by 5,150 ± s.f. (footprint and gross floor area) for proposed retail use and add a new second floor with 4,450 ± s.f. (footprint and gross floor area for proposed office use, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 161 as Lot 43 and lies within the Business (B) District. (This application was postponed at the November 3, 2015 TAC meeting.)

The Chair read the notice into the record.

Mr. Taintor requested a motion to postpone this matter until the January 5th meeting.

Mr. Britz made a motion to postpone until the January 5th meeting.

Mr. Roediger seconded the motion.

The motion to postpone Site Plan approval until the January 5, 2016 TAC meeting passed unanimously.

B. The application of **Borthwick Forest, LLC, KS Borthwick, LLC, Atlantic Star Communications, HCA Realty, Inc., and Jackson Gray Condominium Association, Owners**, for property located **off Islington Street and Borthwick Avenue**, requesting Preliminary and Final Subdivision Approval as follows:

1. To consolidate the following four lots:
 - a. Lot 25 as shown on Assessor Map 241 having an area of 22.807 ± acres,

- b. Lot 26 as shown on Assessor Map 241 having an area of $4.927 \pm$ acres,
 - c. Lot 113 as shown on Assessor Map 233 having an area of $13.815 \pm$ acres,
 - d. Lot 112 as shown on Assessor Map 233 having an area of $0.732 \pm$ acre;
- and to re-subdivide the consolidated lot into two new lots and a public right-of-way as follows:
- a. Proposed Lot "25/26" having an area of $25.523 \pm$ acres and $979.37 \pm$ feet of continuous frontage on a proposed street,
 - b. Proposed Lot "112/113" having an area of $15.404 \pm$ acres and $981.09 \pm$ feet of continuous frontage on a proposed street,
 - c. Proposed City right-of-way having an area of $1.354 \pm$ acres.
2. For a Lot Line Revision, to create a public right-of-way, as follows:
- a. Lot 2-2 as shown on Assessor Map 240 decreasing in area from $4.978 \pm$ acres to $4.584 \pm$ acres with 571.58 feet of continuous frontage on Borthwick Avenue,
 - b. Lot 7-4A as shown on Assessor Map 234 decreasing in area from $9.085 \pm$ acres to $8.639 \pm$ acres with $1,127.14 \pm$ feet of continuous frontage on Borthwick Avenue,
 - c. Proposed City right-of-way having an area of $0.840 \pm$ acre.
3. For a Lot Line Revision, to create a public right-of-way, as follows:
- a. Lot 114 as shown on Assessor Map 233 decreasing in area from $.404 \pm$ acres to $0.261 \pm$ acre, with 116.54 feet of continuous frontage on Islington Street,
 - b. Proposed City right-of-way having an area of $0.143 \pm$ acre.

The application also proposes to relocate and dedicate to the City as public rights-of-way two separate 60-foot rights-of-way across land owned by the Boston & Maine Railroad, which in conjunction with the above subdivision and lot line revisions will result in a new City street between Borthwick Avenue and Islington Street with a total length of $1,830 \pm$ lf and a total right-of-way area of $2.642 \pm$ acres. Said properties are located in the Office Research (OR) District which requires a minimum lot size of 3 acres and 300' of continuous street frontage and Lot 114 as shown on Assessor Map 233 is in the 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 postponed at the November 3, 2015 TAC meeting.)

The application of **HCA Realty, Inc., Owner**, for property located **off Borthwick Avenue**, and **Jackson Gray Condominium Association**, for property located at **330 Borthwick Avenue**, requesting Site Plan Approval for the reconfiguration of an existing parking area and construction of a roadway, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 234 as Lot 7-4-A and Assessor Map 240 as Lot 2-2 and lie within the Office Research (OR) District. (This application was postponed at the November 3, 2015 TAC meeting.)

The Chair read the notices into the record.

SPEAKING TO THE APPLICATION:

Sharon Somers, with the firm of Donahue, Tucker & Ciandella was present to speak to the application. Jason Plourd and Patrick Crimmons, both of Tighe & Bond were also present.

Ms. Somers provided a recap for the Committee. At the October 27th meeting the applicant presented an overview of the application which is essentially a two lot subdivision on approximately 42 acres and the creation of a road connecting Borthwick Avenue and Islington Street which will provide enhanced access to downtown and enhanced access to the hospital for emergency vehicles.

At the October 27 meeting the applicant was given an extensive list of issues to work on. Some of the issues were legal, and some were regarding roadway design.

The applicant responded on November 19th with a packet which contained the revised plan sets and a memorandum which addressed the legal issues that were raised at the October 27th meeting.

Once the development team is further along in the roadway design issues, they will provide a more detailed discussion of how this proposal conforms to the Master Plan and how it will be a valuable addition to the emergency services complement for the City.

Patrick Crimmins of Tighe & Bond indicated that there is also a site plan application associated with the roadway work for the Jackson Gray parking lot. In the original submission they had included sets of plans: subdivision plans, roadway design plans and a set of plans for the Jackson Gray site improvements. They had also included a traffic study that studied the 12 intersections that were agreed upon with staff and also looked at a theoretical development study for similar uses. Jason Plourd from Tighe & Bond prepared the traffic memorandum. Mr. Crimmins stated they had included a Water Improvements Memorandum and a Drainage Analysis in the original submission. He stated that since the last work session, they've updated the site plans, with further revisions to come. Included in the packets were letters from the utility companies that staff requested. They had met with public service companies Unitel and FairPoint, and the letters state they can serve the roadway. The project contractor reviewed the plans and submitted a letter in the packets that states the work will stay out of the wetland buffer.

Mr. Crimmins displayed the overall Existing Conditions plan on the screen. He identified the 4 parcels owned by Borthwick Forest, LLC which are proposed to be merged and re-subdivided into 2 parcels and identified where the road would run and how the lot lines would change. The road will swing through the Jackson Gray parking lot. There is a parcel that the applicant owns which will also require a lot line revision. The aerial view shown identifies two parcels: 15.4 acres and 22.8 acres, showing lot lines revisions with the new right of way.

Mr. Crimmins displayed an Overall plan of the roadway on the screen. Two railroad crossing easements are involved in the project. They are proposing to relocate two existing easements. They have provided plans to Boston & Maine Railroad who sent a letter back providing conceptual approval. The firm would be providing final bridge plan designs to them when completed.

Mr. Crimmins stated the Roadway has a minimum 60' right of way. There is approximately 2.6 acres of land the firm will give to the City, and it includes a 28' wide paved roadway. There will also be a multi-use path with final details to be worked through. They have kept this roadway design outside of the 100' buffer. The road will include a bridge, which is required in this location. The railroad has agreed to relocate the easement. Since the location of the easement is at the track switch, they must go

over and not at grade. Providing a bridge will be better for traffic safety and access to downtown and the hospital.

Mr. Crimmins displayed a view from the north side showing the roadway and median island at the intersection, as requested by staff. Traffic lanes are not currently needed, but will be in the future. Retaining walls will be built to build the grade up.

Another view showed where the walls terminate. Details are being worked out on how best to tie into the Rail to Trail. That is being evaluated. They revised the roadway to keep the right of way and a sidewalk out of the easement. He showed access to the wetlands via a gravel drive.

Mr. Crimmins then displayed the Grading and Drainage plan. He indicated that treating roadway runoff issues were addressed. The bridge grades down to catch basins, and brings it down into a fore bay. A good portion of the Jackson Gray parking lot will have runoff into a catch basin as part of the improvements where it will be recharged and treated. This is how they will meet their recharge requirements for the Alteration of Terrain. They will submit an Alteration of Terrain permit application for this project, since it exceeds 100,000 sf of disturbance. It will include the drainage analysis.

Mr. Crimmins displayed a second gravel wetland drain. It is designed to accommodate road runoff for any future development. He stated that they are providing a 12" water main between Borthwick and Islington together. There was a memo in the original package with respect to that design. The gas company asked them to run a service down the length of the road which will tap off of Islington Street. It will be capped but not tie into Islington Street at this time. Electric and telecommunication will be all underground duct bank. Regarding sewer, there will be a 12" sewer main to service the two parcels that the City can connect to in the future if desired which will go under the railroad tracks. They will tie into an existing 15" sewer main. This sewer line needs a casing, based on DPW recommendations. Pipes have been reconfigured. Some lighting has been eliminated based on discussions with staff.

Mr. Crimmins stated there will be landscaping along the entire roadway. The plans show street shade trees outside of the retaining wall area.

Jason Plourd with Tighe & Bond provided details on the traffic issues.

Mr. Plourd stated they had done some counts a few years ago to determine what the traffic impacts would be for this project on pedestrians and bicycles and all different modes of transportation. He indicated that the next component was to look at if this project generates new traffic or just redirects existing traffic. Just looking at the subdivision road itself, it redistributes traffic. The reason for the subdivision road is to provide a connection to and from the downtown area, and for people to come up the subdivision road to get to the Route 1 Bypass. It also allows emergency vehicles to get to the hospital quicker.

Mr. Plourd stated that they met with City Staff to make sure all aspects needed for a traffic study are addressed. November of last year is when the scope of this study was firmed up. In July 2015 they did the traffic counts at 12 different intersections. The study is fairly extensive in nature. Mr. Plourd gave an overview of the study. They projected traffic volumes out one year. And they did a sensitivity analysis that includes a theoretical build out of 10 years which includes the subdivision road. They also included background developments.

Mr. Plourd stated that their findings were that there would be similar conditions or improved conditions between a built and not built condition of the subdivision roadway. Along some stretches traffic will be reduced because there are more options for drivers so they had to make some assumptions on how many drivers would choose that additional traffic option.

Ms. Walker commented that it would be beneficial to save some of the questions for the peer review of the traffic study.

In closing, Mr. Crimmins stressed there is no development planned. They are just looking for subdivision approval for this road and amended site plan approval for Jackson Gray. He indicated that the team is happy to take questions.

Mr. Eby asked if there was a design speed for the roadway.

Mr. Crimmins indicated it was 30 mph.

Mr. Taintor comment that the reason there are no questions now is that they'd looked at this before and are waiting for peer review. The Board will be looking at the issues with a road redesign. At this point it seemed premature to get into too much detail.

Mr. Pezzullo commented on the storm water drainage stating that it was put into a system to accommodate future development, and that as far as the City is concerned, they would like that to be a separate system for the roadway runoff instead of mixing public and private runoff into the same system. It's a question of ownership, maintenance, accessibility, and future development. He also asked if there is a separate storm water system before the bridge for the roadway.

Mr. Crimmins responded that it is a separate system coming off Borthwick and it is just to handle the road.

Mr. Pezzullo stated he is looking for the same type of arrangement coming from the Islington side, to have a separate storm water system for the roadway runoff.

Mr. Crimmins stated they'd be happy to look at that and discuss it further with staff and to sit with DPW to work through those details.

Mr. Taintor opened the floor for public comments.

Rick Beckstead of 1395 Islington Street spoke. He asked how do we approve or design a road that we don't know the use for yet. He stated the property is now zoned for research, which would be more commercial. He stated that the study just presented is not on the website, and that this is the first time the residents are hearing about this. This project is right behind his property and will increase traffic on Islington Street. He assumes this will probably be rentals as opposed to properties that will eventually be sold. He stated he's not sure how this benefits the City. Borthwick Avenue contains a bank, an insurance company and the hospital. There is not really anything for Islington Street residents to go over to Borthwick Avenue for. The City has a Master Plan that he hopes is still being worked on. That was designed to relieve the traffic from Islington Street. He commented that the presentation

indicated that people will use Islington Street more. If they use this connector and make a right on Islington, the congestion will still be there. The road will benefit whoever develops the land, and he does not see how the City or Islington Street residents are benefiting from this.

Paul Mannle of 1490 Islington Street spoke of the Master plan, which was written 10 years ago. He referred to Land Use 7.6, the comprehensive study for this parcel written 10 years ago. He had asked the City to do the comprehensive study 8 years ago, again 5 years ago, and the City still hasn't done it. He stated this violates the Master Plan. Then Mr. Mantle quoted Transportation 2.5 of the Master Plan. Borthwick Avenue was envisioned 10 years ago to be the connection from Route 33 and the downtown. The purpose was to get the traffic off Islington Street. Mr. Mannle felt that this presentation violates the Master Plan. He asked how can you approve all 19 criteria for site review without knowing what is going to be there. How does creating a cut-through benefit anyone other than the developer. This does not benefit residents or the City. He said approving this road would create a permanent cut through of Islington, Aldrich, Essex and Spinney, because that is how people on that side of the City will get to Borthwick. What upsets him the most is that the Planning Department has been working with the developer on this for over a year. Obviously the Conservation Commission had their issues because the proposed road was in the wetlands buffer area. He asked why isn't the Conservation Commission involved on the prospect of what a development could be.

Dennis Minard of 1500 Islington Street spoke to the general attributes of the area itself. He said there is no City sewer on Islington Street, and everyone in that area has their own separate septic system. There is no storm water drainage system. It just runs off, and there is nowhere for the water to go. There is a gradual downhill flow which causes erosion wherever it flows. He has had to have engineers come in and relocate a septic system because of a problem with water. He stated that this area is not a wetland. This area is wet because the City allows storm water drainage to accumulate. Any development will not solve these two problems. This may be infringing on the water table as it creeps back to the septic systems that are currently in place. He said the City doesn't care because the storm water is on private property. Nothing presented does anything to abate these problems. There will be also the problem of mosquitos, and the health problem associated with the diseases they spread. Every year we hear the requests to the property owners to not allow standing water to accumulate, but the City allows thousands of gallons of storm water runoff to collect in these areas.

He also mentioned the traffic, speaking of 11 accidents and 1 death which is a big problem. Emergency vehicles would have a hard time making the turn because of the clearance from Islington to WBBX road and limited visibility in the area where the resident was killed several years back. Mr. Minard stated that he had to have a septic system relocated because over the years Islington Street was rebuilt and a water line was added. It changed the slope of the road just enough to change the water table which affected his septic system. There is nothing to say that as you shift water runoff what affect it will have on nearby septic systems. He said he's not certain if there is still a City well in existence, but as water encroaches, the well may need to be shut down due to contamination. There are many infrastructure concerns.

Mr. Taintor 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 and requested a Motion for a postponement until the January 5th meeting. He asked the team if they would be ready for a January 5th Meeting. He encouraged the members of the public to come back and speak again.

DISCUSSION AND DECISION OF THE COMMITTEE

Motion on Item I.B.:

Mr. Desfosses made a motion to postpone consideration of Preliminary and Final Subdivision approval until the January 5, 2016 TAC meeting. Mr. Cracknell seconded the motion.

The motion to postpone consideration of Preliminary and Final Subdivision approval to the January 5, 2016 TAC meeting passed unanimously.

Motion on Item I.C.:

Mr. Desfosses made a motion to postpone consideration of Site Plan approval until the January 5, 2016 TAC meeting. Mr. Cracknell seconded the motion.

The motion to postpone consideration of Site Plan approval to the January 5, 2016 TAC meeting passed unanimously.

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II. NEW BUSINESS

A. The application of **Two International Construction, Inc., Applicant**, for property located at **100 International Drive**, requesting Site Plan Approval for an 80 space expansion of the northwest parking lot, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 306 as Lot 2 and lies within the Pease Industrial (I) District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Shaun Tobey representing Two International Group spoke. He stated there are 13.28 acres located in the industrial zone. The existing site contains a three story office building, approximately 110,000 sf with 379 existing parking spots. They need 80 additional spaces. This calculation is based on employee count, including 551 new employees. Pease Regulations require 3 spaces for every 4 employees.

He stated that the new parking will be on the northwest side of the building and will connect through two drive aisles. There will be new sidewalks and pedestrian crossings to get to the building. Storm water will meet the NH DES Alteration of Terrain regulations. There is an existing permit for the site. That application was submitted last week and is at the State for review. They will offset the storm water with a new micro pool retention pond. They also meet the groundwater recharge regulations. With two infiltration trenches. There will be a grading easement in the north corner. There will be new landscaping to provide a buffer from street. New site lighting will match the existing lighting. They will add an underdrain and they will expand the bike rack, based on comments received.

Mr. Desfosses asked where the two 8" pipes go to.

Mr. Tobey assumes they are left over from previous tennis courts that were removed. They do not appear to be active. He can investigate that further.

Mr. Desfosses asked if they had done test pits in this area in all corners.

Mr. Tobey answered yes, but not in the north corner.

Mr. Desfosses stated that whatever was coming out of those pipes was sufficient. There's probably enough water coming out of there that they are still supporting hydrology unless there is a swale. He said he was out at the site on November 30th, and the system design is very low. The outfall is at 63. The flood elevation is at 63. No matter how much sediment is taken out, over time it ends up building the natural wetland up in elevation. The existing pipe has already lost ¼ of its capacity. Mr. Desfosses recommended they plan for the future and raise the elevations inside that pond up at least ½ foot, so that capacity is not lost over the years in the rip rap channel.

Mr. Desfosses commented on the use of perforated pipe for the water quality without knowing exactly where the water table is out there. In some spots you are cutting into the existing earth at least 8 feet. There are very few spots in the City where you can go down eight feet without getting into the groundwater. He suggested capturing the water on the north side at an elevation lower than the parking lot drain, making sure underdrains are a foot lower than the pipes going across the parking lot so water can bleed into the gravel and be treated and not create a runoff problem. He stated they need to work on this design to address these issues.

Mr. Desfosses mentioned another issue. There is a lot of buildup in the existing swale that should be removed. There should be some mitigation of this and a cleaning up of this drainage system.

The last issue that Mr. Desfosses mentioned is regarding the sidewalk along International Drive on the north. One of the driveways has a crosswalk that does not meet handicap code. He suggests asking the developer to upgrade the crosswalk on their side of the street to include a handicap ramp. He stated that there is a bus drop-off as well there.

Ms. Walker stated that is a new express bus route along Route 20. Lonza has pick up and drop off on demand. If there were any employees that wanted to use that bus they have to go a long way to get to a sidewalk to get to the bus. She would like to see improvements to the sidewalk to be able to connect to the bus stop more easily, especially if you are talking about expanding the number of employees.

Mr. Desfosses commented on the 5' diameter catch basin in the middle of the parking lot, where there is a high voltage electric line coming from the street. The plan has a light pole in the same spot. He suggested spreading those out a little.

Mr. Tobey agreed and stated it was a good catch and that they'll move that. He asked Mr. Desfosses if it would meet the requirement if they raise the pond ½ foot.

Mr. Desfosses responded yes, at least ½ foot, and they should also work on the underdrains. The pipes going across the parking lot should be a minimum 4”-5” above the underdrains.

Mr. Tobey agreed to make those changes.

Ms. Walker asked regarding the parking calculation and if that was for rated capacity for the building and what would happen if a new tenant came in?

Mr. Tobey answered that currently there are 416 employees with 379 spaces. This is the building where their office is. The site is maxed out with maybe 10 spots available each day. Another tenant is on the 2nd floor, and they said they have more employees coming. So the calculation is based on current plus expected employees.

Ms. Walker asked if it is based on the current occupant. She stated it doesn't make sense to be basing parking calculations based on your tenant. She asked what if the tenant downsizes. She asked if they have a maximum number of parking spaces.

Mr. Tobey did not believe so.

Michael Matze, of the Engineering Department at the Pease Development Authority spoke. He stated they started breaking down the numbers regarding parking. In the end with this proposal they have 4.2 or 4.3 parking spaces per 1,000 sf, which is not excessive.

Ms. Walker stated it depends on where it's located.

Mr. Matze agreed but explained that for that space it seems appropriate. They talked to their tenants and asked what they needed. If that were to change over time, they would address that in the future.

Mr. Eby asked if there was a threshold for a traffic study based on increase of traffic volumes.

Mr. Taintor stated they are working with PDA Site Plan regulations.

Mr. Matze said that the PDA has a Transportation Improvement Fund (TIF). Mr. Tobey submitted a traffic generation report. For every peak hour trip, the developers are required to enter an agreement with PDA to pay per trip \$1,265 into the TIF. That is how they fund traffic improvements as are necessary. (I.e. what is documented in their master plan traffic update by their traffic engineer). That's how improvements to traffic at the Tradeport are funded.

Mr. Eby said the trip generation letter was based on square footage of the building, but the building is not changing its size, so they are not going to increase traffic.

Mr. Tobey said it was over-accounting for what is there.

Mr. Eby asked what the results would be if he based trip generation on the number of employees.

Mr. Tobey said they could reinvestigate that.

Mr. Eby stated that if you know the occupancy now, you can count the number of trips coming in and out of the driveway. You can come up with your own trip generation rate based on current trips.

Mr. Metze suggested that Committee make that a condition of approval. He said that was a great comment.

Ms. Walker commented that trip generation does not take into account public transportation.

Mr. Eby added that the trip generation manual from IT assumes very little public transportation.

Mr. Pezzullo asked about the test pit on C5 and if those results were on the plan.

Mr. Tobey said he could get that. They are part of the Alteration of Terrain application.

Mr. Pezzullo stated he would like to see that, but also in the northwest corner of the parking there's a swale between the property line and the parking area. The concern is that he does not know where that pipe is draining from; he said they need to do test pits to determine that, because it wasn't accounted for in the drainage. He does not know if the design will be capable to handling that. So he would recommend determining the ground water table at that point in that area.

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 discussion.

DISCUSSION AND DECISION OF THE COMMITTEE

Mr. Desfosses stated the applicant needs to revise the plans based on two meetings: the pre-TAC and today's meeting. He proposes that this be tabled and until the meeting of January 5th. This motion was seconded by Mr. Roediger.

Mr. Taintor asked for discussion.

Mr. Britz commented on phragmites. He suggested they take a look at that and come up with a plan to remove them or come up with a plan to manage them. He suggested Best Management Practices on how to do the work, including removal and disposal.

Ms. Walker asked if it was possible to do the trip generation study within a month.

Mr. Eby answered yes.

Ms. Walker stated she would like to see that information at the next review.

The motion to postpone Site Plan approval until the January 5, 2016 meeting passed unanimously.

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III. OTHER BUSINESS

A. The application of **New England Glory, LLC, Owner**, for property located at **525 Maplewood Avenue**, requesting a variance from the Board of Adjustment to create two lots where one currently exists. This matter was referred to the Technical Advisory Committee by the Board of Adjustment at their September 15, 2015 meeting for a recommendation on the variance request based on the number and location of dwelling units proposed for each lot, a plan for access and circulation proposed for both lots, and a rendering of the proposed building. Said property is shown on Assessor map 209 as Lot 85 and lies within the General Residence A (GRA) District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Eric Weinrieb, of Altus Engineering, represented NE Glory addressed the Committee. He stated the Board of Adjustment referred the application to TAC. They met in October with the Planning Staff. He gave clarification on the number of units: the carriage house had 5 and will be brought down to 4 units and the main mansion will go down to 6 units from 9.

Mr. Pezzullo asked for clarification: There are 5 and 9 units and they are going down to 4 and 6?

Eric Weinrieb answered yes, and the attorney is ill today and was not available to be present. He said, regarding the Circulation Plan, that the existing mansion property is not going to change. There is one way access currently off of Cutts into the site. The proposed subdivision for the 4 unit building is going to have access on recently constructed Maplewood Avenue near the bridge. When they met with the work group, there were concerns regarding the width of the roadway, the driveway and the slope.

Mr. Weinrieb gave two handouts. On the handout marked "Sheet 2", it shows a narrower driveway and a 3% flat area, going up at a 10% slope. There will be four outdoor parking spaces and six inside. They also looked at some of the concerns raised at TAC, like building access. It will be townhouse style, with front to back for each unit. There will be stairs going up the front to access the building or going around the back to access the buildings. It is a steep site. The owner has expressed the desire to keep the building back from the roadway.

He referred to his second handout, which was the revised site distance plan. They looked at typical scenarios for different speeds and stopping distances. He believes they will not see more than 40 mph. He said he believes that the city has a road project for traffic calming along Maplewood.

Mr. Eby confirmed that was correct.

Ms. Walker stated that Mr. Pezzullo is the Project Manager for that.

Mr. Weinrieb said the last item was the building rendering. He stated they provided a facsimile of the style they are proposing. It is a federal style building with living space on the 1st and 2nd floor and the garage on the lower level. Access will be either from front, side or rear of the building. This is a

unique project. He stated they are not looking for full TAC review at this time and he realizes they are lacking detail on the design elements. This is something for referral back to the Board of Adjustment.

Mr. Taintor clarified that if this is approved by the Board of Adjustment, it will have to come back to the Planning Board.

Ms. Walker asked if the updated drawing is based on where it is currently located.

Mr. Weinrieb answered yes. Everything was not complete in October.

Mr. Cracknell asked a question about the new grading plan. There is a 3% transition for the 1st 20 feet and then a 10% grade coming up to an elevation of 39. You then drive into the basement of the building at elevation 39, but the existing grade is 29 feet which is 10 feet below the slab. He asked how that will work.

Mr. Weinrieb answered that will be fill.

Mr. Cracknell asked if they are going to fill 10 feet below the slab in that corner so that 10 feet of the building has nothing behind the wall on the face of the building in the right corner?

Mr. Weinrieb said yes. You will be cutting similar on the other side.

Mr. Cracknell stated that what is unusual is that almost a full story of the building will be exposed just to get to the parking level which is going to be between 6 and 10 feet above grade.

Mr. Weinrieb agreed.

Mr. Cracknell said that this is not at all like the Cutts mansion. That it is nothing like what he's seen in Portsmouth. It's awkward, and not typical for Portsmouth. This will have a 4 story appearance plus the roof sitting on top of that. This is not something you ever see in Portsmouth when you drive around.

Mr. Weinrieb stated the grade will have to be brought up.

Mr. Cracknell reiterated that is why a rendering is needed. It is to show that you have the space.

Mr. Taintor said the building would be a 30-35' building (from the basement).

Mr. Cracknell stated that the building is 10' above grade so it puts it at 45' potentially on that corner.

Mr. Taintor stated that he was adding the grade differential from the property line, which is approximately 16' from the property line to get to the basement level. If you add the 30-35' on top of that, it is significant. They have shifted the building over toward the bypass so they are 40-45' from the edge of the road.

Mr. Cracknell asked if in Portsmouth you are allowed to backfill around existing grades in order to diminish the height of your building.

Mr. Taintor answered yes.

Mr. Taintor asked what does the 44 spot grade represent and if they are stepping up five feet from the parking lot and then another step to get to the front door.

Mr. Weinrieb answered that is one scenario of masking the building. Another scenario would be elevation 39 all the way around the front. He said once they get through the Board of Adjustment and get an architect on board, they can come back and fully develop that aspect. There are many scenarios that would work. They need to get to a point where we have an architect design

Mr. Pezzullo asked if they are approving a recommendation for a subdivision.

Mr. Taintor clarified that TAC is being asked to make a recommendation to the Zoning Board. Regarding these three issues:

1. The number and location of dwelling units;
2. Site access and circulation; and
3. The Building rendering.

Ms. Walker stated that to be clear, we are not recommending to the Zoning Board whether or not to approve the variance, but we can comment on the three items they've asked our expertise on.

Mr. Taintor stated they would have to come back for a subdivision and a site plan, as well as any easements.

Mr. Pezzullo said they talked about getting utilities to the site during the Work Session. For water and sewer they may have to go over the property.

Mr. Taintor said if there are utilities crossing from the Cutts mansion, then this automatically comes to TAC. But they are not at that stage yet and need to have Board of Adjustment grant the variance.

Mr. Britz asked if there are other ways to get to this proposed building, and if they looked at coming from Cutts.

Mr. Weinrieb stated they would lose a lot of parking that way. It could be done, but you would be putting more traffic onto a steeper area.

Mr. Britz commented that the driveway on Maplewood seems like a real challenge. It is very steep.

Mr. Eby said he won't be comfortable until he sees a survey profile of that to make sure nothing is blocking that driver sight line. It is not clear from these drawings that there is a clear sight line.

Mr. Weinrieb felt the guardrail is less than 3.5 feet so there is nothing else out there.

Ms. Walker asked what the recommendation was for site distance for more like 35 mph and if that was adequate.

Mr. Eby felt it is probably adequate for up to 45 mph.

Mr. Weinrieb said it is a new section of road. It is lower now than it will be in a year or two. Now people are curious and are driving slower. Once they get used to it they'll speed up.

Mr. Roediger noted that on the handout distributed that possible stairway locations are annotated. He asked if that is for access to the individual apartments.

Mr. Weinrieb said yes. One set of stairs goes to Units 1 and 2, and another set of stairs goes to Units 3 and 4.

Mr. Roediger stated regarding the set of stairs on the by-pass side, given the discussion of grade changes, if that becomes the primary means of egress, you would have to have a solid path to get to the driveway. Later he will have to show how they can make that happen.

Mr. Taintor commented that TAC had at least one previous site plan approval regarding this site that they spent a lot of time on. That was not implemented, instead the owner started implementing something else without getting site plan approval for it. At some point someone is going to have to submit a site plan to us to get another site plan approval. He did not want to let this meeting go by with the sense that TAC is validating what is showing on the plan. We need a lot more work in this area. We need something from the owners to replace what they didn't do on what they got approval for and we'll need a site plan regarding what they are going to do.

Mr. Weinrieb said that because they were going for the variance, they didn't want to confuse it with two different applications. So they held off on that until the variance went through. And if it goes through, they'd come back with two different site plan applications: One for the existing mansion dealing with the parking issues, and one for the new lot and the subdivision.

Mr. Taintor said he was pleased to hear there are 5 units in the carriage house. The fact that there are five units there means they haven't been sold yet because they haven't been created.

Cindy Dodds, one of the property owners spoke. She answered that the carriage house was 5 rental units, and now it is 4 condo units, and they have been sold.

Mr. Taintor stated that he does not know what that does for the grandfathered units. There is a question. It contradicts the number of units as what you are grandfathered for verses what you previously had approvals for. It contradicts what Mr. Weinrieb said earlier about the number of units that exist on the site.

Mr. Weinrieb said physically there were 5, and they have sold, so there are 4 there now. But as recent as this past year, there were 5.

Mr. Taintor added that Attorney Pelech is going to have to come back and talk to TAC, or maybe that needs to be added to the variance. If there are 13 Units on the site now, they will need a variance. This needs further discussion.

Mr. Weinrieb said Attorney Pelech will be back to work tomorrow.

Mr. Britz asked for clarification regarding 4 units in one building that are condos that are sold and 8 apartments in the front building.

Mr. Taintor answered that there are 9.

Mr. Britz said it shows 8 on the plan. So there's 9 right now.

Ms. Dodds said there are 9 approved rental units in the mansion. They have combined 2 small units into 1 unit without changing bathrooms or kitchens. It is a unit they keep for themselves for their own office space. So technically they have 8 units in the mansion right now.

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.

DISCUSSION AND DECISION OF THE COMMITTEE

Mr. Taintor stated that there are three questions before the Board: The number and location of units; Access and circulation; and Building rendering. He said TAC's report going back to the Board of Adjustment can be questions as well as recommendations.

Mr. Taintor said they want to clearly identify how many units are permitted on the site right now by previous variances followed by actions of the owners and clarify any questions about location of units on either site.

Ms. Walker stated the Board will want clarification on the actual number of units and the how this impacts parking.

Mr. Taintor asked if the parking requirements for 12 units would be 18 parking spaces.

Ms. Walker stated she is not sure about that.

Mr. Taintor asked if there is a variance being requested for parking.

Ms. Walker answered no.

Mr. Roediger said they first heard this at work session. He asked for clarification on if the excess units and the reduction of units were going to carry over to the new space.

Mr. Weinrieb answered yes.

Mr. Taintor said they are reducing 4 units in the existing 2 buildings and adding units to the proposed new building.

Mr. Weinrieb answered 9 to 6 and 5 to 4.

Mr. Roediger stated that he's hearing its 4 & 8, not 5 & 9.

Mr. Taintor said they need to find out clearly what the baseline is and whether the Applicant lost the permission by converting the 5 units to the 4 units.

Ms. Walker stated that the recommendation can be that TAC needs confirmation on number of units. That is to find out existing, permitted and proposed number of units, and whether or not the parking therefore is in compliance.

Mr. Cracknell stated that it would have been helpful to have a rendering of both the building and the site design with the revised parking. He doesn't think there would be hundreds of ways to do this. To see how this building fits into the steeply sloped site. Because the Cutts mansion is set back and unique, it works. We don't have that site condition here to pick up 10 or 12 feet of grade. The Cutts mansion has a nice walkway coming to the sidewalk. Maybe it is a reach, but the BOA did ask for a rendering and one was not presented.

Ms. Walker stated TAC can't make a recommendation on the rendering at this time because we don't have one that represents the site.

Mr. Cracknell said a rendering is important. It is to understand how the building, parking and driveway integrate into the site. It is steep and hard to get to. You just have to be careful how you do it.

Mr. Desfosses commented that TAC doesn't know how this is going to work. It could be that three sides of the building are going to be inaccessible. Four units is a substantial size. Is there a 14' retaining wall in the front yard, or is it terraced. The applicant doesn't want to spend the money on the full design, and he understands that.

Ms. Walker mentioned that they also cannot make a recommendation on pedestrian access.

Mr. Desfosses said also there is the question of the suitability of this lot for a 4 unit building. That could be 4 – 16 people living in this building. He asked where will visitors park and if 2 extra spaces were adequate. There is no path to get to Cutts Street. The site is not necessarily unsuitable for this, but there are a lot of questions.

Mr. Weinrieb asked if it would be helpful if they answer some of the questions and come back in a month.

Mr. Taintor felt that was a good idea. How the building lays out on the site vertically and horizontally is a big question, and coming up with some concept of how the grading will work would be helpful.

Mr. Weinrieb said they can provide more information.

Mr. Desfosses made a motion to postpone this matter to the January 5, 2016 TAC meeting. It was seconded by Mr. Roediger.

The motion passed unanimously.

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III. ADJOURNMENT was had at 4:05 p.m.

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Respectfully submitted,

Marian Steimke
Acting Secretary for the Technical Advisory Committee