

**SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
DECEMBER 17, 2014**

MEMBERS PRESENT: Ron LeHoullier, Chair, Ernest Gallant, Vice Chair, Dave Witham, City Council Representative, Bob Belmore, City Manager, Harold Guptill, Paul Robidas, Mark Richardson and Aaron Fournier.

MEMBERS ABSENT: None.

STAFF PRESENT: Dave Sharples, Director of Planning and Community Development and Tracy Gora, Planning Secretary.

The meeting was called to order at 6:30 pm.

1) APPROVAL OF MINUTES

Motion: Robidas moved to accept the minutes of the CIP workshop meeting of November 19, 2014.

Seconded by Guptill. Motion carried with a 5-0-3 vote with Gallant, Witham and Fournier abstained.

Motion: Robidas moved to accept the minutes of the meeting of November 19, 2014.

Seconded by Guptill. Motion carried with a 5-0-3 vote with Gallant, Witham and Fournier abstained.

2) COMMITTEE REPORTS

A) ZBA Report

Sharples referred to the attached report and stated that there were two items on the December agenda. Stated that the Board took no action on the first proposal at the applicant's request. Stated that the Board approved the variance request for Commercial Maintenance & Landscape, LLC to put a freestanding sign on the Empire Beauty School property.

B) City Council Report

Witham referred to the attached report and stated that the downtown construction projects have finished up for the winter and will do the finishing work this spring. Stated that the High Street paving project toward Dover is largely complete and is done for the winter. Stated that a walk-through of the area was done and that there is a punch list for items to be done in the spring. Stated that the owners of the Round Robin building in downtown have applied for tax relief under RSA 79E and that there will be a public hearing for that on January 5, 2015. Stated that they are proposing to have two commercial units on the ground floor with an apartment on the second floor. Stated that the law has been enhanced to allow Code Enforcement to issue summons for violations and that the City is working through that process. Stated that Constitutional Way has been reopened for two-way traffic and that temporary striping of the road has been done but will be finished in the spring. Stated that there are 18 public parking spaces at the American Legion and that signage will be improved to show that.

C) Site Review Technical Committee Report

Sharples referred to the attached report and stated that there were two SRTC meetings and the applicants from those meetings are on tonight's Planning Board agenda.

D) Minor Field Modification Report

None.

E) Strafford Regional Planning Commission Update

Sharples stated that there is no update and that no one has contacted the City to fill the vacancy on the Commission.

F) Vision 2020 Committee Report

Sharples stated that there was a meeting held last night and that Councilor Collins is the Chair of the Committee. Stated that they hadn't met in a while and that they discussed the next steps for the Committee and that they will meet again in January. Stated that the City resolution that created the Vision 2020 Committee indicates that a Planning Board member is on the Committee but there currently isn't one. Stated that someone from the Planning Board can contact us if they are interested.

3) OLD BUSINESS

A) Any old business that may come before the Board.

None.

4) NEW BUSINESS

A) Strafford Regional Planning Commission nomination.

LeHoullier stated that there are no nominations at this time.

B) Georgianna Roberts-Maher and Anthony Kurlovich are seeking major subdivision approval for a three-lot subdivision on property located at 93 Cole's Pond Road, in the Residential Single Family (R1) District, Assessor's Map 50, Lot 13, SUB #01-2011.

Sharples reviewed his memo (see attached) and stated that this request has been in front of the Board before. Stated that they are seeking subdivision approval to create two new lots from the larger property. Stated that the proposal went before the SRTC where it was determined that several waiver requests would need to be submitted along with a Conditional Use Permit (CUP). Stated that nothing was submitted but they went back to the SRTC where they had the same comments because nothing was addressed the first time. Stated that there were still a host of items to be addressed at the last SRTC meeting but that the applicant wanted to come to the Planning Board to discuss what is needed for the roadway. Stated that the applicant did get a variance from road frontage but that there are still road standards in the Subdivision Regulations. Stated that at a design review meeting, the Planning Board indicated that some concessions were possible but that the applicant wants to have that discussion again. Stated that they would like to keep the road gravel. Stated that he recommends a conversation with the applicant but that this proposal shouldn't linger much longer.

James Schulte, an attorney from Dover represented the applicant and addressed the Board. Stated that they are here tonight to try to get guidance from the Board so they can know what they can do. Stated that they need to supply waiver requests and a Conditional Use Permit but that there is an expense for that and that they want to see if it can be done first. Want to know what the Board will accept for the road. Stated that they have a variance and that they have spoken to abutters. Stated that currently it is a gravel road that is 12 to 16 feet wide in places

and that they would like to keep it as a private, gravel road. Stated that the road will be improved and widened where needed. Stated that there would be a turn-around at the end.

Sharples stated that there is a public hearing scheduled for tonight.

Vincent Kulickowski an abutter at 34 Cole's Pond Road addressed the Board. Stated that he hasn't had much time to review the plans but that the plans are mislabeled and he is concerned about that. Stated that they are looking to have a right of way on Cole's Pond Road but there isn't the width for it. Stated that he is concerned with the impact.

Peter Houde an abutter at 104 Rocky Hill Road addressed the Board. Stated that they have been through this several times and that he has similar questions as before. Asked what other properties have been waived from the road regulations. Stated that he can think of two that had to upgrade to move forward. Stated that he doesn't think the City should set precedence with this. Asked what will stop the applicant from developing in the future and stated that there are two other access points. Stated that he would like to see a conceptual plan for the entire property.

Dave Francoeur an abutter at 48 Blue Heron Drive addressed the Board. Stated that he lives at the bottom of the hill out there and that there was a situation after Zach Fermanis built his home that he was unable to access his house and that he doesn't want that to happen again. Stated that he has an elderly person living in his home and that he needs access to his driveway. Stated that he plows, fills and takes care of the road. Stated that he is concerned with more maintenance if the road gets bigger and wider. Stated that a culvert was buried and the road was washed out. Stated that the trouble is beyond the subject property and that it all flows down to him. Stated that he doesn't have a problem with building houses but that the owners haven't been responsive to the other neighbors. Stated that the City can't do anything about it. Stated that there are a few properties in this City that he will buy if the applicant is not made to put pavement in. Stated that he doesn't care if they build and that they have agreed on road maintenance. Stated that the Town of Barrington requires that new owners must join the road association and stated that he would like to see that here.

Schulte stated that they now have a road agreement and that the two new lots would need to be part of it. Stated that it is shared among all property owners. Stated that they are proposing a six-inch water line and a fire hydrant at the second new lot which will increase safety. Stated that there is no access from Cole's Pond Road. Stated that a precedent was set in the past when there was a subdivision on the gravel road. Stated that he was in front of the Board in the past for the Hubbard property, which is on a dirt road. Stated that this road is private and there is an agreement with the owners. Stated that they would like to improve the road but keep it gravel. Stated that they just want to know what to submit for a complete application.

Francoeur asked what that means for him if others can keep the road private. Asked if that takes away some of his property rights if it can never be paved in the future. Stated that they don't want to upgrade and that it will always be private but what if people want it public in the future. Asked what that means to the other property owners.

Mr. Bograkas an abutter at 18 Blue Heron Drive addressed the Board. Stated that they are talking about two different sides of the pond and asked for clarification on the map.

Schulte stated that asking for the road to remain private doesn't mean that it couldn't change. Stated that anyone could offer to upgrade to City standards and ask the City to accept it. Stated that it is not up to the Planning Board. Stated that it would not change with subdivision action.

LeHoullier asked for clarification on Cole's Pond Road and Blue Heron Drive.

Sharples stated that this is a large parcel with a small building accessed from Cole's Pond Road so entire property has a Cole's Pond Road address.

Robidas stated that it seems like this proposal has been before the Planning Board three or four times in the past. Stated that the Board talked about it and he felt had some solid ideas of what they wanted to see. Stated that the Board wanted a turn-around and the ability to have a fire truck down there. Stated that he doesn't see why this proposal keeps coming up. Stated that the City has set standards. Stated that there were several requirements when the lot on Rocky Hill Road was subdivided. Stated that he is not in favor of this unless the regulations are followed. Stated that if this is allowed to happen there will be problems down the road. Stated that he is not in favor and that they need to uphold the City's standards.

LeHoullier stated that this proposal came up four years ago and that his issue is that it is a piece-meal operation.

Witham stated that he doesn't disagree with what has been said and that the longer this goes on the matter gets foggier and become less clear. Stated that, regarding access for emergency vehicles, there was a case when an ambulance got stuck in the snow and that that can't happen. Stated that access for fire trucks is critical and that he is not sure a gravel road will support one in the spring. Stated that he would like to see the vision for the property because as a Planning Board, it is their job to approve projects but also look at how the project will develop in the future. Stated that this is a very large parcel and that they don't have a vision for the future. Stated that he doesn't want to table this but to put it to bed. Stated that he is in favor of denying the application.

LeHoullier stated that this is part of Blue Heron Drive with hilly terrain. Stated that he thinks the road would need to be brought up to code.

Belmore stated that the road maintenance agreement is private and that he is not interested in pursuing that. Stated that he is inclined to have the road standards met like they did on Rocky Hill Road.

Witham asked if the property owners on Blue Heron Drive have an easement to use it.

Sharples stated that that is his understanding.

Witham asked what the difference is between a private road and a shared, common driveway.

Sharples stated that he is unsure.

Witham stated that shared driveways are not allowed anymore but that it looks the same as a private road. Stated that this all seems like semantics to him.

Motion: Witham moved that the request of Georgianna Roberts-Maher and Anthony Kurlovich for a there-lot subdivision be **DENIED** for the following reasons:

1. A Conditional Use Permit for this property has not been secured or applied for;
2. No written waiver requests have been submitted; and,
3. The proposal does not meet the standards set forth in the City's Subdivision Regulations.

Seconded by Robidas.

Witham stated that the primary reason for his motion is the road.

Motion carried with an 8-0 vote.

- C) Key Auto Group, on behalf of Mareld Company, Inc. is seeking a conditional use permit and site plan approval to re-develop the site for a vehicle repair and reconditioning facility on property located at 100 Tri City Road, in the Business (B) District, Assessor's Map 39, Lot 01, SITE #11-2014.

Sharples reviewed his memo (see attached) and stated that the proposal is to redevelop the site for a vehicle repair and reconditioning center. Stated that the Council recently prohibited this use in the Business District but that the applicant received a variance for the use. Stated that there will be no additional structures and that the existing building will be modified in its same footprint. Stated that the applicant appeared before the SRTC and that the application was reviewed by CLD Engineers. Stated that the applicant addressed the majority of CLD Engineer's comments but that there are still a few outstanding. Stated that the Board should not be in a position to act on the application tonight. Stated that the proposal needs a conditional use permit (CUP) and that the applicant went before the Conservation Commission and they recommend approval. Stated that the Conservation Commission noted that this proposal addressed many issues and that they prefer the proposal to the existing conditions. Stated that the applicant is requesting eight waivers and that many of them are needed because of the existing conditions. Stated that the SRTC has no issues with the requests. Stated that they will be closing off two existing entrances. Stated that CLD Engineers and staff continue to review the proposal. Stated that staff is examining the Biochemical Oxygen Demand (BOD) loading of this facility to see how it fits with the Wastewater Treatment Plant's (WWTP) load capacity. Stated that there was a study done by Underwood Engineers as part of the Sunningdale subdivision proposal and that it was reported that the WWTP is at 96% of design and that the Sunningdale project will bring it to 98%. Stated that the WWTP is not in failure but that it is getting to a point where it wouldn't be prudent to exceed load capacity. Stated that he has spoken with all the applicants about this and suggested maybe having a third party look at the proposals for what the capacity is and what the numbers are. Stated that they need to see what the WWTP can handle. Stated that the Board is free to have a public hearing but that he recommends tabling the application.

John Lorden with MSC Civil Engineers & Land Surveyors Inc. addressed the Board. Stated that the site is five acres in size and that it was formally the FairPoint Communications building. Stated that access is from Tri City Road and that there are just two abutters. Stated that they will be doing some work in a wetland buffer so a conditional use permit (CUP) is needed. Stated that they are proposing a collision center and regional reconditioning center. Stated that they will close two driveways and showed the main access and parking on the plans. Stated that they will repair the existing fence and put a new fence where the existing can't be repaired. Stated that there will be privacy slats in the back. Stated that there are apartments on the abutting property. Stated that they did a traffic study and that an additional lane will help with queuing issues. Stated that the existing drainage sheet flows into the wetland buffer and that there is significant erosion that will be taken care of. Explained drainage improvements and stated that they will be reducing peak flow. Stated that an Alteration of Terrain (AoT) permit is needed. Stated that the utilities will stay the same and that there will be a car wash area. Stated that there will be a water separator. Stated that the majority of the landscaping is on the eastside and that they are trying to create a buffer. Stated that there will be all new light poles. Stated that the lights will be LED and dark sky compliant. Stated that this will be an improvement to the site.

Witham stated that he feels the project is in keeping with the building that exists and that he agrees that the appearance will be improved. Stated that, regarding Tri City Road and the dedicated turn lanes, there recently was a small retail plaza approved for that area and they mentioned sidewalks. Stated that they agreed to have a sidewalk cut across the owner's property.

Sharples stated that he thinks that Tri City Road is 50 feet wide.

Witham stated that he would like to consider putting a sidewalk in from High Street to the first curb cut. Stated that this is the time to do it.

Sharples confirmed that it wouldn't connect to the subject property.

Witham stated that he would like to see a sidewalk all the way down Tri City Road. Stated that he likes the privacy slats on the fence. Stated that there is an existing large, pole mounted spot light and that he would like to see that removed. Stated that the light pole is not on the subject property.

Sharples stated that it is on the Market Basket property.

Witham stated that he would like to see it removed. Asked if the paving moratorium would be impacted.

Sharples stated that he would have to look at the plans.

Lorden stated that the plan is just to widen it and at a minimum to saw cut but that it won't disturbed what was just paved. Stated that there will be a note on the plans that the road striping will be thermoplastic. Stated that they would need to get permission to remove the light but that they would like to.

LeHoullier asked if any of the property is in Rollinsford.

Lorden replied no.

LeHoullier confirmed that nothing would affect Rollinsford and asked about drainage.

Sharples stated that drainage heads that way but they are just reusing the existing site. Stated that they are reducing impervious pavement and reducing what is there now.

Gallant asked if widening Tri City Road will affect the curbing for the plaza that was approved.

Sharples stated that he will check on that but that he doesn't think that proposal will touch the City's right of way at all.

Gallant asked about car auctions, hours of operation, noise and traffic. Asked if there are other facilities like this so he can compare. Stated that he would like a comparison for how many vehicles will be leaving the site each day. Stated that there is already a traffic issue taking a left out of there. Stated that High Street is busy and that he is concerned with this. Asked if the road would go right up to the AAA building. Asked how many bays there will be for vehicle work. Stated that he is concerned with traffic flow.

Stephen Pernaw with Stephen G. Pernaw & Company, Inc. addressed the Board and stated that he did the traffic memo. Stated that in the beginning CLD Engineers was asking about trips and that he gave them estimates. Stated that he has data and that CLD Engineers have the trip rate to use. Stated that he looked at PM peak hour and that there are 86 expected trips during that time. Stated that it is lower during other hours.

Witham stated that it seems like the sidewalk and the road would be very close to each other if the road is widened. Asked Pernaw to speak to vehicle/pedestrian conflict.

Pernaw stated that there is virtually no one walking on that side of the road. Stated that he doesn't see a pedestrian demand at all. Stated that there is a small retail facility that was approved and that he accounted for that in his projections.

Witham stated that it also depends on the type of use going in there.

Belmore stated that regarding the pavement and turning lane, he wouldn't vote for a project unless the moratorium would be lifted. Stated that he would like an escrow for City engineering costs for fixing the pavement. Stated that the City went above and beyond for this paving project and upped the standards so he would want those same standards met here.

Lorden stated that he read the Underwood BOD study and stated that they are in a different league regarding the BOD that they are introducing. Used another similar facility to compare it with the Sunningdale project. Stated that BOD comes from organic matter and that no one will be cooking or using a garbage disposal, etc. with this project. Stated that this is significantly different.

Witham stated that it isn't going to be a tremendous load but that it is an industrial application. Asked about vehicle fluids.

Lorden stated that any water will be from the bathrooms or sinks. Stated that any greases etc. will be separated. Stated that the EPA governs that.

Sharples stated that this is new information and that he didn't know the demand for this use or what types of chemicals there will be. Stated that he can talk with staff at Wastewater and with Underwood to see if this use needs to be included with their numbers.

Witham stated that he feels this needs to be tabled. Stated that he would like review of the widening of Tri City Road and how it will affect the retail facility. Stated that he thinks the light may be on public property which would make it less of an issue.

Belmore asked if the Planning Board is asking the applicant to pay for review of the wastewater system.

Sharples stated that he feels that the Board should consider having a study done.

Belmore stated that he would like some feedback on what to do when they get an engineering report. Stated that they need to look at capacity and capital improvements. Stated that they need to look at the short and long run.

Witham asked if action is needed from the Board to review the water.

Sharples stated that he doesn't think it requires a motion.

Witham stated that this is an existing structure and it is common sense that the load on the WWTP will be no more and maybe even less than what was there before. Stated that the reuse of the facility is in keeping with what was there. Stated that there will be no new buildings so he is struggling with making a connection.

Belmore stated that he views this differently than Witham. Stated that he doesn't know if the engineer included the BOD load from this use or if it will be the same as the FairPoint use. Stated that he wants to be consistent for all applicants moving forward.

Witham stated that if the direction of this is to have it for everyone then it should be incorporated into the regulations like a traffic study.

Belmore stated that he feels that it is in the regulations now where the Board can require any study where there is a legitimate concern.

Sharples stated that this is not an issue that comes up a lot.

Witham asked if the retail center and the Goodwill store pushed the WWTP to capacity.

Sharples stated that the 177 residential units with the Sunningdale subdivision are pushing the WWTP to the upper limits.

Motion: Belmore moved that the request of Key Auto Group, on behalf of Mareld Company, Inc. for a site plan to re-develop the site be **TABLED** until the January 21, 2015 Planning Board meeting.

Seconded by Robidas. Motion carried with a 7-1 vote with Witham opposed.

- D) John J. Flatley is seeking a conditional use permit and site plan approval to construct three apartment buildings with associated site improvements on property located on Tri City Road, in the Business (B) District, Assessor's Map 39, Lot 03, SITE #12-2014.

Sharples reviewed his memo (see attached) and stated that the proposal is for three, 48-unit apartment buildings on currently undeveloped land at the end of Tri City Road. Stated that some of the land is in Rollinsford and that there will be some impact there. Stated that the Rollinsford Planning Board approved the use of two drainage facilities on that property. Stated that the Planning Board should first consider if this project is a Development of Regional Impact (DRI) in accordance with NH RSA 36:53-58. Stated that if the Board determines that this is a DRI, then that will trigger certain public notice requirements and then the application should be tabled to schedule a public hearing for the next meeting. Stated that if the Board does not determine this to be a DRI, then they can move forward with review tonight.

Witham stated that he doesn't see how this isn't a DRI. Stated that part of the land is in the neighboring community and that they can anticipate emissions such as light. Stated that he feels that it meets at least three of the criteria to be a DRI.

Robidas stated that he is on the SRTC and that he doesn't want to speak for them but they discussed this and they thought a DRI was the direction to go. Stated that he is in favor of determining this proposal as a DRI.

Gallant asked if there is a traffic study and if it included the other project's numbers.

Sharples replied yes and stated that it is the same traffic engineer.

Motion: Witham moved that the Planning Board determine that the site plan application for John J. Flatley to construct three apartment buildings with associated site improvements be considered a Development of Regional Impact.

Seconded by Robidas. Motion carried with an 8-0 vote.

LeHoullier stated that this item will be on the January 21, 2015 Planning Board agenda.

- E) No. Two Mill, LLC is seeking an amendment to SITE #04-2006 to convert vacant space into 16 residential units on property located at 22 Canal Street, in the Millyard (MY) District, Assessor's Map 11, Lot 190, SITE #04-2006

Sharples reviewed his memo (see attached) and stated that the proposal is to convert vacant space in the lower level of the old shoe building into 16 residential units. Stated that there will be no changes to the exterior of the building and that it is all interior work. Stated that the property got site plan approval for 50 residential units in 2006. Stated that the property meets the residential parking requirements but that there is also commercial uses on the property. Stated that the applicant feels that parking demands are met because the commercial uses are in operation during the day when the residents are out so parking is available. Stated that he doesn't know of any parking issues on this site. Stated that the proposal was reviewed by the SRTC and they did not request that CLD Engineers review the application. Stated that the only changes are to the inside of the building. Stated that most SRTC comments have been addressed. Stated that he didn't prepare suggested conditions of approval because he feels that the waste water capacity needs to be addressed as it does for the other applicants tonight.

Brint Shone, Director of Operations for Chinburg Buildings addressed the Board. Stated that they have been there since 2006 and that the development has been great. Stated that the mixed use of the building is a great balance for the parking. Stated that they have basement level space that has been vacant since 2006 but that it is a great space with nice views. Stated that it wouldn't be a good space for commercial uses.

Thomas Kefalas of 52 Market Street addressed the Board and stated that he owns the pizza shop that abuts this property. Stated that there are nice people at that property but there is a major issue that wasn't addressed back then and that is access to the property. Stated that it is a serious issue that needs to be looked at. Stated that there is just a one lane road going in. Stated that the parking lot is not half empty. Stated that tractor trailers won't be able to turn around and it will be more congested. Stated that this will be a cash cow for Chinburg for years to come but that they need to address the access. Stated that a single lane bridge won't cut it and that it is an accident waiting to happen. Stated that he is all for the development and that they have done a great job but that this needs to be addressed.

Shone stated that tractor trailers do come onto the property but that it is manageable. Stated that if they were to put a manufacturing use down there then there could be 50 to 60 employees but that residential is the best use for traffic and safety. Stated that there will be less people parking down there with a residential use. Showed the access and where the parking will be on the plans. Stated that there could be more congestion with a commercial use. Stated that he understands that it can get tight but that it is manageable.

LeHoullier asked if this is for where the haunted house was.

Shone replied no and showed on the plans. Stated that they have leased a small portion of the space to an existing tenet.

LeHoullier asked about the parking lots in the front.

Shone stated that the commercial uses come in the morning and although there is some overflow, the uses mostly flip-flop. Stated that residential uses don't park there now. Stated that there will be an additional stairway between 14 and 22 Canal Street. Stated that they want to match the existing main access, which is on 22 Canal Street. Stated that it is flex parking that they can time with signs. Stated that they haven't had a problem with it yet.

LeHoullier stated that they have some parking outside the main door for commercial uses.

Shone stated that there is a photography studio and four visitor spaces.

LeHoullier stated that there is a church in there.

Shone stated that it is at 36 Canal Street. Stated that there was a big Indonesian church but it is no longer there.

LeHoullier stated that it can get crazy down there and that he is concerned with adding residential units.

Shone referred to the plans and stated that there is the possibility of adding access around the back but that he would rather not do that. Stated that he would add a crosswalk and have betting lighting.

LeHoullier stated that there are always trucks there and that it is hard to get in and out. Asked if they should not be parking there.

Shone stated that he hasn't seen any issues there. Stated that it is an active loading zone and trucks should be moving.

LeHoullier stated that there are dicey times with traffic and asked if the apartments will be market-rate.

Shone replied yes and stated that they will all be one bedrooms or studios. Stated that he feels that this is the least impact.

LeHoullier stated that they may have to look at signage.

Witham stated that he wants to try to address concerns with traffic. Stated that he reviewed the report done by Stephen Pernaw and that it doesn't speak to the bridge or the interactions between vehicles and pedestrian traffic. Stated that the City invested in the downtown with wider sidewalks and making it more pedestrian friendly. Stated that it is a narrow bridge on Canal Street and asked if that is a conflict. Stated that there is also a pedestrian access point across from the Library and asked if that can be addressed.

Shone showed the two pedestrian access points and stated that they have done their part with the pedestrian bridge but that he doesn't know where that is going. Stated that it could be made to look a lot nicer. Stated that they had to close the pedestrian bridge until they worked things out with the railroad. Stated that it gets a lot of use but that it could be nicer.

Witham asked who owns the pedestrian bridge.

Shone stated that it is very complicated.

Sharples stated that it is very confusing as to who owns it. Stated that they have a right to cross the bridge but they don't own it. Stated that there was a condition from the prior site plan.

Witham stated that he would like to see betting lighting on the pedestrian bridge and walkway. Stated that it is very dark through there.

Shone stated that Chinburg likes nice and that they weren't allowed to do a lot with the bridge but that they would like to do more. Stated that he would love to put a light there.

Witham suggested having a site walk for pedestrian access and parking. Stated that this seems complicated enough.

LeHoullier stated that a lot of pedestrians use the bridge to access downtown.

Shone stated that he can look into it and see what works.

LeHoullier stated that the employees at the Mill are going to Market Street so they are using Canal Street.

Shone stated that the mixed use balances it out. Stated that he is hoping that improvements to the footbridge and the striping of the Canal Street bridge can help for the residential units.

Kefalas stated that he has seen it happen many times were there is a call to the Fire Department and they rush in to the turn and have to hit their brakes because there is another vehicle coming. Stated that the other vehicle has to back up. Stated that people park beyond the signs. Stated that if there is a tractor trailer going in or out you have to wait your turn. Stated that if there is a fire truck and a tractor trailer there is a safety issue. Stated that he sees it everyday and that it needs to be addressed by the town. Stated that it isn't good for what is there now, never mind more units.

Shone stated that there is emergency access on the other side. Stated that GE didn't want the access but it is locked and life safety has access to the gate. Stated that any traffic phone calls would come to him and he doesn't get any.

Gallant asked if the City doesn't safety inspections on the bridge. Asked if there have been discussions on widening the bridge. Asked who regulates safety. Stated that he would like a site walk and asked about losing parking spots at the corner.

Shone stated that there were improvements made as part of the original development and stated that they have not been under any State approvals for that. Stated that it is a narrow bridge but that it isn't a single lane. Stated that two cars can fit.

Witham stated that he is inclined to table this proposal. Stated that he would like an expert's input on the width of the bridge and cars passing over it. Stated that this Board would benefit from an expert opinion. Stated that the submitted report didn't speak to these issues. Stated that he feels the traffic report fell short and needs more, specifically on the interplay between vehicles and pedestrians. Stated that this is his biggest concern and that he wants to consider improvements to the foot bridge.

Belmore asked for clarification on why residential use is allowed in the Business district.

Sharples stated that this is not at street level but in the basement.

Belmore asked about the wastewater study and its impact on the building that is there. Stated that they can't solve safety concerns of an already approved project but they can make it better. Stated that he is looking at what is there now and how much impact the change of use will have. Asked if there will really be more foot traffic. Asked if they should look at better lighting and striping. Stated that they need to compare what is there and how much more of an impact the proposal will have. Stated that the Fire Chief didn't know if the access gate works or not. Stated that he would like to revisit that and make sure it can be used.

Shone stated that he has already worked with the Fire Department on that. Stated that part of the traffic problem is the intersection. Stated that the pizza shop owns some parking there. Stated that he is all for working with what they have there. Stated that building a new bridge would cost a lot of money and hopes they don't have to go that route.

Richardson stated that the first thing he noticed was the bridge. Stated that when Doug Eliot worked for the City he was on a committee and they discussed development and that bridge was brought up, which was the mid 90s. Stated that he has seen people backing up at that intersection. Stated that it is a problem but if the people living and working there had an issue

then he feels they would have heard about it already. Asked what kind of fence is at the emergency access.

Shone stated that the gate slides open and that there is a sensor on the truck. Stated that he is working with the Fire Department on that.

Richardson stated that it has to work for this to move forward. Stated that there is no provision for handicap parking and that he feels that the Board needs to require that.

Gallant stated that none of the apartments are going to be handicap accessible.

Shone stated that they do need another ADA unit for this facility but since this area cannot have it they are going to put it at 36 Canal Street. Stated that there is no ADA access for this area.

Fournier asked about handicap access. Stated that he would like to see the width of the bridge. Suggested a fence to protect pedestrians. Stated that there are so many issues that need to be discussed.

LeHoullier stated that he has seen emergency vehicles use the gate.

Witham explained the access gate and how it works by the Fire Department. Stated that the Police cannot open it.

Shone stated that it makes sense to do quarterly testing of that.

Kefalas asked if there is a route for the Fire Department to use when they get a call. Stated that he has always seen them go in and out over that bridge. Stated that the issue is that it is a single lane bridge and that you don't need an expert to show you it is tight.

Robidas stated that he is inclined to table this but they need to give the applicant some direction.

Witham stated that he would like Stephen Pernaw to weigh in on it and that he would like the traffic study to be enhanced.

Robidas stated that he would like to see the footbridge enhanced.

LeHoullier suggested that some bridges have signs for no pedestrian access.

Belmore stated that there are a lot of ideas tonight-the footbridge, lighting, the vehicle bridge, signage on the bridge, handicap spaces. Stated that the project needs to be tidied up.

Shone stated that he understands the wastewater issues but that he is hoping that this is small enough to not be an impact. Stated that he doesn't want to see a delay. Stated that he doesn't see the issues that the abutter sees and that he doesn't get traffic phone calls. Stated that there is an equal contribution of traffic from this abutter. Stated that he doesn't see tractor trailers backing up. Stated that the Blue Dolphin wouldn't be expanding if it didn't work. Stated that it is not a single car bridge. Asked how they can keep this moving. Stated that they are concerned with safety also but that no one has gotten hit on their property. Stated that there are traffic issues at the intersection because people illegally park there.

Sharples stated that there are concerns with the lighting of the footbridge, the opti-com system, expand the traffic impact analysis and weigh in on the bridge with vehicle and pedestrian access.

Motion: Witham moved that the request of No. Two Mill, LLC for a site plan to convert vacant space into 16 residential units be **TABLED**.

Seconded by Robidas. Motion carried with a 7-1 vote with Gallant opposed.

F) Any other new business that may come before the Board.

None.

5) WORKSHOP BUSINESS

A) Any workshop business that may come before the Board.

None.

6) COMMUNICATION AND MISCELLANEOUS

Sharples stated that he has worked through the Federal process to design and reopen the Mast Point Dam. Stated that there will be a boat access, a picnic area and a trail network. Stated that there is river frontage and that this is just getting started.

Guptill stated that a few months ago the Planning Board endorsed a letter for a grant for sidewalk improvements and asked how that is going.

Sharples stated that is the TAPP grant. Stated that the City was ranked number one in this area but that it has to go to the State. Stated that the award should be announced in January. Stated that the Board should hold on to their No. Two Mill, Inc. and Key Auto plans.

Motion: Guptill moved to adjourn the meeting.

Seconded by Belmore. Motion carried with an 8-0 vote.

Meeting adjourned at 9:00 pm.

Respectfully submitted:



Tracy Gora, Planning Secretary
Somersworth Planning Board