

**SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
May 15, 2019**

MEMBERS PRESENT: Ron LeHoullier, Chair, Harold Guptill, Vice Chair, Chris Horton, Jeremy Rhodes, Kenneth S. Vincent, Council Rep. Alternate, Jason Barry, Alternate

MEMBERS ABSENT: Paul Robidas, Bob Belmore, City Manager, David A. Witham, City Council Representative, Jameson Small

STAFF PRESENT: Shanna B. Saunders, Director Development Services, Dana Crossley Planning Secretary

The Meeting was called to order at 6:30 PM.

LeHoullier appointed Barry as a voting member for the meeting.

1) APPROVAL OF MINUTES

Motion: Guptill MOVED to approve the minutes of the April 17, 2019 meeting.

Seconded by Barry.

The MOTION CARRIED with a 3-0-2 vote. Rhodes and Vincent abstained.

2) COMMITTEE REPORTS

Land Use Board Reports (ZBA, HDC, Conservation Commission, SRTC)

Saunders explained to the board the Zoning Board case ZBA#06-2019 Appeal of Administrative Decision. The application was denied by the ZBA meaning the City decision was upheld.

City Council Report

No discussion

Minor Field Modifications Report

Summary provided in the packet. No discussion.

Strafford Regional Planning Commission Update

No Discussion

Vision 2020 Report

Saunders stated that they continue to work on their presentation. She added that now that budget season is over, they will be rescheduled before Council to present on the 2018 happenings.

Horton questioned if it would be valuable to have the committee present to the Planning Board as well to allow the PB to know the vision moving forward.

Horton commented on the SRTC minutes regarding the KFC remodel and noted what the project entailed. He stated he saw the comment of keeping the New England look to the building and debates it has a NE look currently.

3) OLD BUSINESS

No discussion

4) NEW BUSINESS

- A)** Goodwin Community Health is seeking a site plan approval to add a 2,000 square foot, one story addition on the south side of the existing building and a 460 square foot addition to the existing second floor of the building, on property located at 311 Route 108, in the Commercial/Industrial (CI) District, Assessor's Map 48 Lot 24E SITE #005-2019 - PUBLIC HEARING

Saunders gave an overview project description. Goodwin was originally approved in 2009 and then in June 2017 for two additions; one addition will be 2400 square feet, 2-story on the north side of the building and one addition will be 2400 square feet, single story on the front/west side of the building. Those projects have not started yet and realized they needed more space.

This proposal is to add an additional 2000 sq. ft. single story addition to the south side of the building and a 460 sq. ft. addition to the existing 2nd floor of the building (an infill of the second floor atrium). The 2017 approval and this one will go together into one construction project.

The applicant has asked for a waiver of sidewalks and landscape architect stamp. Both motions passed at the 2017 Meeting. The landscape architect stamp has been provided and that waiver motion has been withdrawn. She noted it has an existing bus stop and sidewalks connecting to the existing structure. She stated the waiver is for the full length of the frontage of the property since there are not sidewalks on either side of it. It will be part of the complete streets project. The sidewalk waiver will need to be acted on.

Saunders recommends accepting the application as complete and begin review process.

Motion: Horton MOVED to accept the application as complete.

The motion was seconded by Gupill.

The MOTION CARRIED by a 6-0 vote.

Gary DeColfmacker Facilities and Safety Manager of Goodwin Health gave an overview of the project. He stated that due to the company merger, the 2017 addition project had not started and the board had granted them an extension last year. As a result of the merger, they realized it would be in their best interest to add a third addition. The newest 2,000 sq. ft. addition is intended to increase services to existing patients. He stated there will be a parenting room with attached child care. The second part of that addition will add walk-in care for patients with extended hours. He explained that basically it's Urgent care walk-in for the public. Urgent Care would not be around the clock, only having extended hours. The hours would be until 7pm and be possibly 5-6 days a week.

Robert Doyle Architect presented an overview of the building. He stated the South addition will be 2,000 sq. ft. The atrium area expansion (460 sq. ft.) will be used for a call center. He stated the exterior will match the existing building façade along with the previous proposals for the other additions. Doyle explained to the board the three additional entrances. One for Urgent Care, one for the west addition and one for the kids play area. Lighting will be added to each entrance. He stated lighting would be added to the new proposed parking area as well.

Scott Lawler, Norway Plains Associates explained the site changes. He stated the modifications to the site being proposed are primarily to the parking. The plan is to add 20 new parking spaces to the rear of the building. The parking lot will increase from 180 to 200 spaces, consistent with the Site Plan Regulations for parking. He stated the drainage system had to be amended to accommodate the bump out in the rear. The basin is an infiltration system that exists today was designed and constructed to be oversized. He stated that with the addition of the new impervious surfaces the basin still has capacity to handle for the 50 year storm event. The site was approved by the Department of Environmental Services for an Alteration of Terrain permit in 2009. He stated since it has been less than 10 years for construction they are required to re-apply to DES with the changes. That application has been submitted to DES and is waiting for approval. He stated they do not anticipate any comments or changes.

Lawler stated there is a new sewer line out of the South addition that will tie into the existing sewer line. He noted there will be minor drainage changes to handle the drainage from the play area and roof.

They have submitted an application to DOT for the expansion of use. Lawler stated after discussion with DOT, he does not expect to have any offsite improvements to Route 108. He noted the improvements that were done to Route 108 during the original construction of the building. He stated the traffic engineer will be updating the original traffic analysis. There will be a small increase of trips per day due to the square footage of the medical office use.

Lawler stated there will be an update to the landscaping and that plan has been submitted. He summarized the extent to the site changes are the addition of 20 parking spots and minor utility connections.

LeHoullier asked for public comment. No public comments. LeHoullier closed the public hearing.

Board Discussion:

Horton stated there has been previous discussion of people crossing Route 108 for the bus station. He questioned if that had changed. DeColfmacker explained the location of the north and south bound bus stops. He stated that some patients do utilize the South bound bus stop across the street. It has been part of the DOT listening session discussions with their contractor. The DOT contractor has been open to a crosswalk for the two bus stops as part of the 2024 improvements. Drainage at the stops has been a concern. They have had to deal with it at their North bound bus stop.

Vincent stated he thinks that Goodwin is a great organization for the community. He stated he is part of the Traffic Safety Committee and has been attending the Complete Street's meetings with DOT. Discussion of a crossing from Goodwin Community Health to the bus stop has come up before the Traffic Safety Committee. He noted that the project for Route 108 is not scheduled to start till 2024.

Saunders added that the engineering has already started for that.

Vincent stated he spoke with DOT in regards to the feasibility of a crosswalk in this location. He noted that due to the high traffic, a cross walk would require an island and flashing lights. He stated that Goodwin Community Health is a tax exempt parcel. He stated that a cross walk for that area is important to him and there is a cross walk need. Vincent inquired if there could be a monetary obligation that Goodwin would be required to pay for an upgrade there.

Saunders stated the Planning Board is allowed to ask for offsite exactions. She noted the 2017 approval required Goodwin to pay a \$5,000 for the impact on public infrastructure.

Vincent stated that the pedestrian route has been created by Goodwin Community Health. He thinks they should do their part to pay for issues caused by their business.

Guptill stated he would support an offsite exaction to fund remediation of traffic issues.

LeHoullier noted that there are often families with strollers crossing Route 108.

Guptill questioned the applicant's opinion on supplying an offsite exaction. DeColfmacker stated he did not think the Board of Directors would balk at a reasonable contribution request. He stated if a cross walk was to go in, thinks it should be a fully established cross walk to ensure pedestrian safety. He added that in conversations with COAST they are in favor of putting in a crosswalk. That crosswalk will have to be designed and approved by DOT. DeColfmacker stated they do not have a constant flow of pedestrians crossing Route 108.

Vincent clarified that talking with DOT, they have their own process and a submission would have to be in line with their rules.

Barry stated he agrees with Councilor Vincent and glad the applicant will work with DOT when the time comes. He expressed concern with the people crossing Route 108. He stated he reviewed the plans and thinks this is one of the best sites in the City. He took note that the site is always well maintained and appreciates that. He asked for clarification on the sidewalk waiver.

Saunders explained that it was for sidewalks on the frontage. There is a bus stop on their frontage that has internal sidewalks connecting it to the building. This waiver would relieve them of being required to put sidewalks on the entire frontage where sidewalks would not connect to anything.

DeColfmacker added there would be sidewalks around the building to connect to the new parking area. He stated the staff egress will also have sidewalks.

Guptill stated that he agrees the site is very well maintained and has seen crews cleaning it. DeColfmacker stated Liberty Mutual recently did a cleanup day on the property otherwise it will be Jerry.

Horton stated that the previous approval from 2017 required a \$5,000 off site exaction for the 5,000 sq. ft. addition. He stated he would entertain a \$2,500 offsite exaction for the 2,500 sq. ft. addition.

Saunders reviewed the proposed conditions of approval in her memo to the board.

Waiver Motions:

Sidewalk Waiver Motion: Guptill stated I move that the request of Goodwin Community Health for a waiver from Section 11.5.c of the Site Plan Review Regulations regarding sidewalks be **APPROVED**.

Horton seconded the motion.

The motion carried 6-0.

Board Discussion:

Guptill questioned if the exaction needed to be notated here. Saunders replied yes, it would need to be one of the conditions of approval if that is the wish of the board. Typically it is made payable prior to the issuance of the Certificate of Occupancy.

Vincent commented that if they only require the applicant to pay an offsite exaction of \$2,500, but there is for example a \$10,000 crosswalk, they could be willing to pay for the entire project. He questioned the board's thoughts of asking the applicant to pay for a project like the crosswalk.

Rhodes stated he would be concerned with open ended exaction and to commit the applicant to an unknown amount. He felt there was a good amount of development going on in the area. He was less inclined to squeeze extra cash from a non-profit that supports the community over a for-profit company. He felt a proportional offsite extraction would be appropriate and look to future developments in that area to assist in funding safety offsite improvements.

Vincent stated he did not want to come across as a gold digger. He stated he appreciates Rhodes comments.

Rhodes clarified that he did not mean to give an impression of Vincent being a gold digger. He acknowledged the Vincent was trying to improve the safety of the area.

Guptill clarified that if they include the \$2,500 offsite exaction that it would be in addition to the previously approved \$5,000. Saunders stated yes it would be.

Motion: Guptill stated I move that the request of Goodwin Community Health to add a 2,000 square foot, one story addition on the south side of the existing building and a 460 square foot addition to the existing second floor of the building be **APPROVED WITH THE FOLLOWING CONDITIONS:**

1. CONDITIONS THAT MUST BE MET PRIOR TO FINAL APPROVAL

- a. Construction Cost estimate for this project shall be submitted to the Development Services Department; and,
- b. The final plans shall bear the stamp and signature of the engineer, licensed land surveyor, and the landscape architect. Please submit five folded 24" x 36" paper copies of the full set of plans to the Development Services Department for final endorsement.
- c. Any new backflow device that may be installed needs a permit from the Water and Sewer Billing Office. The device(s) will be tested twice annually as part of the City's Cross Connection Control Program. Because of the change of use the owner will have to apply for water and sewer service at the City's Water and Sewer Billing Office.
- d. Because of the increased impact to the COAST bus service and in particular the COAST bus stop crossing on Route 108 directly in front of this property the applicant shall submit an offsite exaction of \$2,500.00 to be used for upgrades to the Route 108 corridor. This shall be paid prior to issuance of the Certificate of Occupancy.

2. CONDITIONS TO BE COMPLETED PRIOR TO THE START OF SITE WORK:

- a. A preconstruction meeting is required prior to the start of work. Please contact the Development Services Department to schedule this at least 1 week prior to breaking ground;
- b. An escrow account, in an amount set by the City's Engineer and agreeable to the Development Services Department, will be established for site construction inspections prior to any site work;
- c. A performance surety, in an amount agreeable to the Development Services Department, but no less than 25% of the cost of site construction determined by the engineer's estimate of construction value, will be established for on-site erosion control

and site restoration prior to any site work. If all site work is completed as proposed this account will be refunded;

- d. The applicant will be required to pay standard water and sewer connection fees assessed on new properties connecting to the water and sewer system. Water fees will be based on the size of water meter needed and the sewer connection fees will be based on estimate of water used and equivalent number of bedrooms;
- e. Erosion control shall be properly installed on site PRIOR to any construction. Erosion control shall be properly maintained throughout construction; any breaks or breeches shall be repaired within 48 hours of the storm event;
- f. A NHDOT Driveway permit must be obtained prior to building permit approval; and,

3. CONDITIONS APPLICABLE DURING AND AFTER CONSTRUCTION:

- a. There shall be no wetlands degradation during construction;
- b. A copy of the completed Stormwater Inspection & Maintenance Log shall be provided to the Development Services Department annually on or before January 1st. This requirement shall be an ongoing condition of approval and noted on the final plans;
- c. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be replaced in a timely manner as long as this site plan remains valid;
- d. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways; and,
- e. The new drainage infrastructure must be constructed prior to construction of the new building and associated parking. If the infrastructure is used as a temporary settling area during construction, the infrastructure shall be cleaned out and brought down to proposed bottom elevation prior to Certificate of Occupancy (CO) of new building.

4. AS-BUILT PLANS.

- a. Within thirty days of the completion of the project and prior to the issuance of an occupancy permit an electronic As-Built Plan of the proposed development with details acceptable to the Development Services Department shall be provided on paper and on CD prior to the issuance of a Certificate of Occupancy (CO). This plan must be in a dwg or dxf file format and in NAD 1983 State Plane New Hampshire FIPS 2800 Feet coordinates.

DURATION OF APPROVAL: All conditional approvals shall be valid for a period of 120 days in which time all precedent conditions must be met or the approval shall be null and void. The applicant may request an extension no later than 14 days prior to expiration.

APPEAL PROCESS: Pursuant to RSA 677:15, an aggrieved party may appeal this decision to the Strafford County Superior Court within 30 days of the date the Board voted to approve or disapprove the application, or to the ZBA pursuant to RSA 676:5, III within 20 days of the date the Board made its decision.

Barry seconds the motion.

Discussion: Rhodes questioned that the \$2,500 was acceptable to the applicant. DeColfmacker replied he did not come to the meeting with an exaction in mind. He state that he felt the \$2,500 was reasonable and would explain to his boss who would present to the Board.

Saunders recommended that the board establish a deadline for the exaction. She recommended it be due before the Certificate of Occupancy is issued.

Guptill AMENDED his motion to include the offsite exaction is due prior to the issuance of the Certificate of Occupancy. Barry AMENDED his second.

The MOTION CARRIED by a 6-0 vote.

LeHoullier called for a recess of five minutes.

The meeting was reconvened at 7:18pm.

- B) Site Plan Regulations amendment; Chapter 22A, Section 11.4, Vehicular Circulation and Parking** – to incorporate the Downtown Special Parking District into the regulations and to move the Historic Millyard criteria from the Zoning Ordinance to the Regulations.

Saunders stated with the new interest for development downtown, and realization that most of the properties in that area are small lots with large buildings that take up the majority of the lot, there is no room for parking. She stated the parking regulations still exist in the downtown area and are based on the use of the building. Development is hard to incentivize downtown since they would be required to go not only to Planning Board but also Zoning Board for approvals, as well. She noted that ZBA has struggled with granting variances on the basis that all of the lots share the same hardship which does not make the lots unique. The Economic Development Committee of the Council had asked Saunders to review the parking for downtown. She explained the research of other urban communities that have shown to have areas in their urban core exempt from parking regulations. She noted that there is a lot of on-street parking that is taken into consideration for that decision as well. That is the proposal that is before the board today. The board was provided a colored map showing the area that is best for parking exemptions. Saunders explained how the three economic center areas were established. Area one covers the intersection of Main Street, Market Street and High Street. Area two covers the offices in the Highland and Constitutional Way. The third area covers Main Street across from the old GE building. She stated it was decided the best place for this regulation is in the Site Plan Review Regulations. Saunders noted that the parking regulations in the Zoning Ordinance and Site Plan Review Regulations were not consistent nor the language in the appropriate place. The regulations in the Zoning Ordinance have gone before Council and were amended. That amendment was to take detailed technical piece of the Historic Moderate Density Zoning District out of the Zoning Ordinance and into the Site Plan Regulations. The downtown special parking overlay district was also moved into the Site Plan Regulations. Saunders noted that the version the board has not showing the Historic Moderate Density Zone in the Site Plan Regulations, it will be changed in the next version they receive. She explained they have worded the Historic Moderate Density District to be exactly like the old downtown portion of the business district. This is similar to the downtown parking overlay district as it allows some exemptions from parking. That has been turned into the Historic Moderate Density parking which is the mill area. Saunders explained that the exemption is not going all the way to Indigo Hill since the lots get much larger and have more parking onsite opportunity. She stated this is being introduced to the Board today and the next step will be a public hearing for approval.

Vincent stated that this is an excellent idea and will add a lot to the downtown area. He noted that High Street is the 'Main Street' and entrance to the City. He felt the amendment was put together very well.

Barry stated he has no problem with how it is drafted. Agrees it is on point. But if telling landlords they don't need parking that snow storm parking needs to be considered. He questioned if the municipal lot could be used during those situations. Saunders stated that the traffic safety committee has reviewed that and spots at Noble Pines have been used during storms previously.

Horton stated he agrees it is a great opportunity for the City to encourage development. Thinks Barry made a great point and they should discuss more for avoidance of confusion and frustration.

Rhodes stated he encourages haste on this amendment.

Saunders stated they will schedule the Public Hearing for the June meeting.

5) WORKSHOP BUSINESS

A) Election of Officers

Vincent motion to table election of officers to the June meeting.

Rhodes seconds the motion.

The motion carried by a vote of 6-0.

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

a. No other workshop business.

6) COMMUNICATIONS AND MISCELLANEOUS

Horton stated he has reviewed the Vision 2020 minutes for the last few meetings. He stated it does not seem like they are meeting much. He would like to discuss having that committee come before the Planning Board to do a presentation, before or after their presentation to City Council. Saunders stated that they met at the end of 2018. Their presentation was put on hold by City Council pending the Budget season review. She noted they are in a holding pattern and once their presentation is complete they will start publishing their accomplishments.

Saunders introduced the new Planning Secretary Dana Crossley.

Saunders stated the board received a memo from the publishing company for their Land Use Books. There was a printing error and the memo explains the errors.

Motion: Guptill MOVED to ADJOURN the meeting.

Barry seconded the motion

The MOTION CARRIED by a 6-0 vote.

The meeting ADJOURNED at 7:32 PM.

Respectfully Submitted,

Dana Crossley
Planning Secretary