

**SOMERSWORTH PLANNING BOARD  
MINUTES OF MEETING  
MARCH 16 2016**

**MEMBERS PRESENT:** Ron LeHoullier, Chair, David Witham, City Council Representative, Bob Belmore, City Manager, Paul Robidas, Aaron Fournier, Mark Richardson, Jeremy Rhodes, Mark Fearis, Alternate and Jamison Small, Alternate.

**MEMBERS ABSENT:** Harold Guptill, Vice Chair

**STAFF PRESENT:** Glenn Coppelman, Assistant Planner and Tracy Gora, Planning Secretary.

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

**1) APPROVAL OF MINUTES**

LeHoullier appointed Alternate Fearis as a voting member for tonight's meeting.

**Motion:** Robidas moved to accept the minutes of the meeting of January 20, 2016.

Seconded by Witham. Motion carried unanimously.

**2) COMMITTEE REPORTS**

**A) ZBA Report**

See attached report.

**B) City Council Report**

Witham referred to the attached report and stated that the Council adopted legislation allowing the formation of a TIF (Tax Incentive Finance) district, which would be in the downtown. Stated that this is the first step of many and that the likely next move is doing a feasibility study. Stated that the Council authorized the purchase of two SUV style vehicles for the Police Department. Stated that they are also looking into a change in vehicle color. Stated that the City, along with the State of Maine, is moving forward with the rehabilitation on the Eddy Bridge on Salmon Falls Road. Stated that it is not a full replacement of the bridge but deck rehabilitation. Stated that Somersworth will fund \$55,000.00 of it and the money is largely coming from the municipal transportation fund, which is a surcharge on vehicle registrations. Stated that the Council is working on a lease agreement for the former police station on Main Street. Stated that they continue to work with the developer but will require full Council authorization.

**C) Site Review Technical Committee Report**

See attached report.

**D) Minor Field Modification Report**

See attached report.

**E) Strafford Regional Planning Commission Update**

LeHoullier referred to the updates that were supplied in the packets.

Witham stated that there is still a vacancy on the SRPC and that Somersworth is allowed three representatives and there are currently only two members.

F) Vision 2020 Committee Report

Witham noted the new “Welcome to Somersworth” banners that have been installed in the downtown and stated that has been largely driven by the Vision 2020 Committee.

Belmore stated that here tonight is Glenn Coppelman who is helping in the Planning Department until the new Director begins. Stated that the City has hired a new Director, Shanna Saunders, from Laconia who will begin mid-April.

3) OLD BUSINESS

- A) Twelve Month, LLC is seeking an amendment to SUB #05-2013 for a guardrail material change on property located at 301 Green Street and 31 Stackpole Road, in the Residential Single Family (R1) District, Assessor’s Map 19, Lot 01 and Map 20, Lot 05, SUB #05-2013

Coppelman referred to the attached memo and stated that the request is to change the material of the guardrail that was approved, which was a Cor 10 material, to the material that was installed, which was galvanized steel. Stated that Cor 10 has had safety issues and is no longer recommended for use. Stated that there was a discussion on having the galvanized guardrail but having it painted to soften the look.

**Motion:** Witham moved that the request of Twelve Month, LLC be removed from the table.

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

Witham stated that he is looking to hear more information from the applicant. Stated that the Board was not satisfied with how the galvanized steel looks and that there was discussion on painting the guardrail to have a muted/brown color.

**Tom Severino** with Severino Trucking Co., Inc. represented the applicant and addressed the Board and stated that he was part of the original Planning Board approval process for the subdivision and had presented the Board with options for the guardrail. Stated that they wanted to use Cor 10 and that they have used it a lot but when they went to order the product for this project he was informed that they don’t use it anymore. Stated that they automatically went to galvanized steel. Stated that he knows about the powder coated guardrail but that he doesn’t recommend that because plows tend to scratch it up. Stated that he never uses that type of guardrail on the plow side of the road because it looks awful after it gets scratched up. Stated that he recommends the galvanized steel guardrail and avoid long term maintenance.

Witham stated that they make a strong case and that he is a huge fan of aesthetics. Stated that the project is really taking off and the galvanized guardrail doesn’t seem to be a deterrent. Stated that he supposes that as the entrance to the site matures, the natural features with soften the look of it.

Fournier agreed with Witham.

Severino stated that there are different kinds of guardrails but they are mostly used in parking lots and not on highways. Stated that Cor 10 is not NHDOT rated.

Witham stated that if it is going to be a City road then it should meet specs.

Belmore asked if it has to meet NHDOT specs.

Severino stated that they like to use guardrails that meet specs because of liability. Stated that if it is going to be on a public road and used by the public, it should meet NHDOT specs.

**Motion:** Witham moved that the request of Twelve Month, LLC for a guardrail material change be **APPROVED WITH THE FOLLOWING CONDITION:**

1. This approval is to allow the galvanized guardrail that was installed to remain and amends condition #14 of the subdivision approval granted on April 16, 2014.

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

B) Any other old business that may come before the Board.

None.

#### **4) NEW BUSINESS**

- A) Brixmor Tri City Plaza, LLC is seeking site plan approval to re-develop the outparcel building on property located at 184 Tri City Plaza, in the Residential Commercial (RC) District, Assessor's Map 40, Lots 5 & 5E, SITE #02-2016.

Coppelman referred to the attached memo and stated that the proposal is to tear down the existing building and replace with a larger one for a fast food restaurant. Stated that the applicant went before the SRTC twice and have three waiver requests. Stated that a traffic analysis has not been received yet.

**Peter Imse**, Esq. with Sulloway & Hollis, PLLC represented the applicant and addressed the Board. Stated that they are looking to revitalize the pad site in front of the Tri City Plaza. Stated that they went before the SRTC twice and significant changes have been made from that. Stated that this will be an enhancement to High Street and is just another step in the upgrade to the Tri City Plaza area.

**Rob Osterhoudt** with Bohler Engineering represented the applicant and addressed the Board. Stated that they went before the SRTC twice and that the first time was a little generic and didn't have a lot of detail. Stated that a lot of changes were made and brought back to the SRTC. Stated that some changes that were made were to the look of the building, landscaping and dumpster location. Showed an aerial photo of the existing site and stated that there isn't a lot of green space and there is a lot of impervious pavement right up to the street. Showed the initial plan that was presented to the SRTC and stated that there were concerns with the location of the dumpster being so close to High Street so it was moved to the back of the site. Stated that the original plan showed 55 parking spaces but they reviewed landscaping and reduced some parking spaces. Stated that they pushed the pavement back so there are more planting along High Street. Stated that a pedestrian connection has been added on the side of the site and landscaping has been scattered throughout. Stated that the dumpster has been moved back and there are a lot of plantings around the building. Stated that they are proposing a 2600 square foot building with a patio, sidewalks, ordering station and a drive thru, which is a permitted use in this district. Stated that they will be enhancing the site from what it is today. Stated that there will be improvements for green space, a pedestrian connection and will increase the tax revenue for the City because it has been vacant for a while. Stated that the original location of the drive thru was changed from what they originally proposed so it won't interfere with one of the internal intersections. Stated that a big improvement was to not have parking backing out into one of the internal thru-ways on the site. Stated that the utilities are existing. Stated that a portion of the existing water line will be relocated so that the building is not right on top of it. Stated that the existing phone service is overhead but that they will move it underground. Stated that regarding drainage, they are increasing the green space from what is

there now which will reduce runoff from what it is today. Stated that none of the runoff goes to High Street and that there will be no impact on downstream facilities. Stated that they are requesting a waiver from the regulation that handicap parking spaces have to be 20 feet long. Stated that they are requesting 18 foot long handicap parking spaces, which meets ADA guidelines. Stated that if they have to keep the spaces at 20 feet long then they would have to change all the parking spaces and would lose out on green space. Stated that the next waiver request is from the pavement area setback, which would be 25 feet in this district. Stated that regarding this, the site is existing, nonconforming but that they will reduce the nonconformity and add green space. Stated that the third waiver request has to do with the required number of shade trees on the site. Stated that they would need 22 shade trees based on the requirements but it would be difficult to accomplish and would take value away from the shopping center. Stated that it would screen the proposed use and the existing uses. Showed the trees that they are proposing on the plans. Stated that having move shade trees along High Street would be problematic and they don't want to screen the businesses.

**Jeff Benevides** with Amaral Revite represented the applicant and addressed the Board. Stated that they started with a building prototype but after the first SRTC meeting they revised the look of the building. Stated that there will be cultured stone, a hip roof system and a mansard roof along the perimeter to screen the roof top units. Stated that it will be a clapboard system with fabric awnings.

Richardson stated that it looks like it will be an improvement from what is there and that he appreciates the green space. Stated that he is concerned with possible site issues with the exit on the south side. Stated that he is worried about the trees being in the way from seeing traffic.

Osterhoudt stated that the exit is skewed there and that they purposefully proposed larger trees so there will not be a lot of low-lying branches. Stated that the curb line has been widened and there is a stop bar. Stated that there is good visibility and that there won't be site distance issues.

Richardson stated that he appreciates the pedestrian walkway but that there may be people coming from the main plaza to use it and asked about having a walkway for safety.

Osterhoudt stated that people will be walking through the parking lot already and that he would hate to have a sidewalk that goes nowhere.

Richardson asked about signage.

Osterhoudt stated that they will have building signage and may put a panel in the existing freestanding sign.

Fearis stated that this is a great proposal and asked what type of impact the water tie-in will have on current tenets. Asked what type of plants have been selected for the green space and stated that they need to be salt-tolerant. Stated that they can't plow the snow onto the sidewalks so it may end up on the plants. Stated that the plants may not last long if they are being plowed on.

Osterhoudt stated that there is a private water service that feeds the plaza and that they will have to relocate a section of it. Stated that the bank's water service comes off this line but they will have a new water service going in to maintain service to the bank. Stated that regarding snow plowing and landscaping they originally proposed a pedestrian connection in the middle but it would be difficult for plowing. Stated that Public Works was concerned with snow being plowed onto the sidewalks but now snow can be pushed to the south end of the site. Stated that Dairy Queen will be responsible for snow removal on their site.

Witham stated that the regulations have a provision, and there is usually a condition of approval that landscaping has to be maintained while the site plan is valid. Stated that this is a much improved use of the site and that he likes the increased greenspace. Stated that he doesn't have trouble with the layout but he hasn't seen the short traffic study yet and he might have more comments then.

Osterhoudt stated that they haven't submitted the traffic analysis but that he looked at the numbers and it is similar to the existing conditions, only bigger. Stated that a lot of their customers will be spontaneous, drive by customers. Stated that there is a signalized intersection with a right turn in lane. Stated that there are no big issues with traffic.

Witham stated that it is a very active plaza and is always full so they need their radar up for traffic.

Osterhoudt stated that one of the improvements they are doing is that currently, when you enter the site there is a right turn but they will eliminate that.

Witham stated that he is okay with all the waiver requests.

LeHoullier stated that he is concerned with the existing lighted intersection at the plaza. Stated that when exiting the plaza, there is a "straight only" lane and there is hardly anyone there but the "left only" lane is always packed. Asked if the straight lane can be made into a second left turn lane since there is not enough capacity now.

Osterhoudt stated that they would have to look into that.

Belmore stated that the second lane would have to be a dual lane where you can turn or go straight. Stated that the left turn lane does queue back pretty far.

Osterhoudt stated that they can look that and the signals.

Rhodes stated that he echoes Witham and LeHoullier's thoughts on traffic. Stated that he thinks this will bring the plaza to full occupancy and that this side of the parking lot fills up last. Asked if the roof top units will be fully concealed.

Benevides showed the architectural plans and stated that they will be fully concealed.

Rhodes asked if the grease trap is new.

Benevides replied yes and stated that it is a 1500 gallon trap.

Rhodes asked if there are specs on the lighting.

Osterhoudt showed the existing site lighting and stated that they are just going to keep that. Stated that they are doing nothing with the site lighting. Stated that there will be three small yard lights for the dining area and everything else will be wall-mounted.

Rhodes agreed that this is a big improvement.

Fournier asked if the lights are dark sky compliant.

Benevides stated that he will make sure they are.

Witham stated that the existing parking lot lighting is old and archaic and that it would behoove the applicant to look into upgrading it. Stated that it is not currently dark sky compliant.

Osterhoudt stated that it has been budgeted that the plaza completely replaces the lighting and will be dark sky compliant.

Fearis stated that there is often a bird problem with fast food restaurants. Asked about trash receptacles and the use of dark awnings over the windows.

Osterhoudt stated that the dining area will have a fence with a curb and they have addressed the potential for garbage blowing around.

Benevides stated that there will be trash receptacles at the drive thru and inside the patio area. Stated that he can add them to the plans.

Fearis asked if there are details on the dumpster.

Benevides stated that it depends on the vendor but it will probably be a 10-yard dumpster and will be lockable.

Small stated that he is excited to see this area get used again and that the green space is an improvement. Stated that he questions the shade tree waiver request because he understands not wanting to screen out the business but everyone does know where the plaza is and what is there. Asked if there is something to break up that spread of pavement. Asked why they are just proposing nine shade trees.

Osterhoudt stated that they have to maintain visibility and signage and appearance is important. Stated that he would be hesitant to put more on the north side but there may be another area. Stated that they are actually proposing 12, not 9.

Small stated that he is worried about the appearance in the front.

Osterhoudt stated that there will be grass with landscape beds and plantings along High Street.

Robidas stated that the changes are great and asked about having some bollards to protect the outside seating area.

Witham agreed with Robidas.

Robidas stated that the applicant addressed everything that was brought up at SRTC and he has no issues with the waiver requests.

**Parking Lot Stall Waiver Motion:** Witham moved that the request of Brixmor Tri City Plaza, LLC for a waiver from Section 11.4.b.i.2 of the Site Plan Review Regulations regarding the length of ADA accessible parking stalls be **APPROVED**.

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

**Pavement Setback Waiver Motion:** Witham moved that the request of Brixmor Tri City Plaza, LLC for a waiver from Section 11.4.b.viii of the Site Plan Review Regulations regarding the required pavement setback be **APPROVED**.

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

**Number of Shade Trees Waiver Motion:** Witham moved that the request of Brixmor Tri City Plaza, LLC for a waiver from Section 11.4.b.viii.5 of the Site Plan Review Regulations regarding the number of shade trees be **APPROVED WITH THE FOLLOWING CONDITION:**

1. There shall be a minimum of 12 shade trees.

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

Coppelman stated that DuBois & King needs to fully review the proposal and we haven't gotten their comments back yet.

Belmore stated that he doesn't think the Board can address all the lights on the property because they are not part of this.

Witham stated that there was outdoor seating when the hot dog shack was granted.

Richardson asked about having an internal crosswalk because there are a lot of people that walk through the parking lot. Stated that there isn't a lot of foot traffic there now because it is vacant but he would like to see a designated crosswalk.

Fournier stated that he agrees with Richardson.

**Motion:** Belmore moved that the request of Brixmor Tri City Plaza, LLC for a site plan to redevelop the outparcel building be **TABLED** until the April 20, 2016 Planning Board meeting.

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

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

None.

## 5) **WORKSHOP BUSINESS**

- A) Appointment of Planning Board member to the Vision 2020 Committee.

Belmore stated that the Vision 2020 Committee is looking for a Planning Board representative for the Committee.

Small stated that he would take that position.

**Motion:** Belmore moved to appoint Jameson Small as a Planning Board representative to the Vision 2020 Committee.

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

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

None.

## 6) **COMMUNICATION AND MISCELLANEOUS**

Belmore stated that he passed out two memos prior to the meeting (see attached) and the first one is regarding SRTC membership. Stated that Section four of the Site Plan Review Regulations lists the membership to the SRTC and one member is to be from the Conservation Commission. Stated that at their last meeting the Commission voted to not have a member be on the SRTC since if there is a wetland issue with a proposal then it will go to the Conservation Commission anyway. Stated that there is also a suggestion to have the Director of Public Works on the SRTC also. Asked that discussion on this be a workshop item at the May Planning Board meeting. Stated that the other memo was regarding site plan applications.

Stated that the Site Plan Review Regulations define a major application versus a minor application but there has been some discussion in the Planning and Code Enforcement Office about amending those definitions. Stated that the Board will be seeing an application for the Walmart fueling station that didn't fit the criteria for a minor site plan application but probably doesn't really need to come to the full Board. Asked that this also be a discussion at the May Planning Board meeting.

Consensus from the Board. These items will be under workshop business on the May 18 Planning Board meeting agenda.

Witham reminded the Board members to save their plans to tonight's applicant.

LeHoullier stated that Dave Sharples no longer works for the City of Somersworth and thank him for his years of service to this City.

Fearis stated that when he was doing his research for this meeting, he found that the City's tax maps are old. Stated that he spoke with Gora about who updates the maps and asked if there is money earmarked for an update.

Belmore stated that the maps are not updated every year and that it is on the radar to do. Stated that the maps are not surveyed and are not 100% accurate.

**Motion:** Witham moved to adjourn the meeting.

Seconded by Robidas. Motion carried unanimously.

Meeting adjourned at 7:57 pm.

Respectfully submitted:

  
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Tracy Gora, Planning Secretary  
Somersworth Planning Board