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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **September 3, 2014**
8 **Municipal Center, Hutton Meeting Room**
9 **10 Bunker Hill Avenue**
10 **Time: 7:00 PM**
11

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13 **Members Present:** Mike Houghton, Chairman
14 Bob Baskerville, Vice Chairman
15 Bruno Federico, Selectmen's Representative
16 Tom House, Member
17 Nancy Ober, Alternate
18

19 **Members Absent:** Jameson Paine, Member
20 Christopher Merrick, Alternate
21 Steve Doyle, Alternate
22

23 **Staff Present:** Lincoln Daley, Town Planner
24

25
26 **1. Call to Order/Roll Call.**

27 The Chairman took roll call. Ms. Ober was asked to be a full voting member as Mr. Paine
28 was absent. Ms. Ober agreed.

29 **2. Review/Approval of Meeting Minutes.**

30 a. August 20, 2014

31 Mr. House noted one amendment; Mr. Merrick was not absent, but arrived late at 7:15
32 pm. Mr. Federico made a motion to accept the minutes as revised. Motion seconded
33 by Mr. House. Motion carried unanimously.

34 **3. Public Hearing(s).**

35 a. **AutoFair Realty II, LLC, 1477 South Willow Street, Manchester, NH 03103 for**
36 **the property located at 41 Portsmouth Avenue, Stratham, NH Tax Map 9, Lot 4.**
37 Site Plan Review Application to construct a 25,600 square foot auto dealership and
38 related lighting, landscaping, drainage, and parking/access improvements. (*Continued*
39 *from August 6, 2014*)

40 Mr. Mike Cheever, Project Architect introduced himself, Mr. Andy Crews, Mr. Nick
41 Lassos, Autofair's attorney, Mr. Bruce Scamman, Civil Engineer, and Ms. Robbie
42 Woodburn, Landscape Architect.

1 Mr. Cheever summed up the meetings so far. He feels that what they have now will be
2 enough to have this project voted on tonight. Mr. Houghton suggested focusing on the
3 open items. He said his understanding is that great progress has been made on the
4 Memorandum of Understanding (M.O.U.) concerning the issue of the easement for the
5 Town. Mr. Daley informed the Board that staff along with the Town counsel are working
6 with Mr. Crew's development team and counsel and he thinks they have now come to an
7 agreement on the final language for the M.O.U. Mr. Lassos said it is in final form and
8 they are prepared to deliver it as soon as they get their approval.

9 Mr. Houghton said open items which the Board would need to see and discuss are the
10 final landscaping plan, an update on permits, and drainage. Mr. Daley added the sidewalk
11 issue; the sidewalk that was initially discussed along the Route 108 has gone away
12 entirely, but clarification is needed for the sidewalk located on the rear access off River
13 Road. Mr. Cheever said his understanding was that the Board was asking for some kind
14 of sidewalk along the rear section which in the future will become a vital way for the
15 Town. Following that meeting, Bruce Scamman, Mike Cheever and Mr. Daley had a
16 meeting to discuss what that might be like. Mr. Cheever said Autofair's preference would
17 be to build the standard size sidewalk along the rear of the property. Mr. Crews seconded
18 what Mr. Cheever said.

19 Mr. Cheever said the Board had granted Autofair several waivers and they have a revised
20 landscaping plan reflecting those. He reminded the Board that there was an issue with
21 the gas line, and the gas company has last say on what they do in terms of landscaping
22 concerning the gas line. Mr. Cheever said the gas company has prohibited trees, but he
23 believes they will be OK if the bushes were extended along that line. The trees that were
24 planned for that area have been placed elsewhere along the site. He continued that ~~Mr. one~~
25 ~~of the Board members, Paine~~ had asked if they could reduce some of the landscaping and
26 display pavement area in front of the building; they have done that. The site has a more
27 campus feel to it now.

28 Mr. Daley said that some of the trees on the plan need to be redrawn and shown as 3"
29 caliper. Ms. Woodburn explained that some trees aren't usually specified by caliper, but
30 rather by height.

31 Mr. Bruce Scamman addressed permits. He said to his knowledge they have received all
32 the state permits and submitted them to Mr. Daley. Mr. Scamman referred to drainage
33 and said there was one comment from Civilworks relating to clean outs. He displayed
34 the septic plan and said it was approved by Mike Cuomo for the Town and approved also
35 by the State. Paul Connelly from Civilworks is asking for above and beyond what the
36 State and Town reviewing agent have asked for. Mr. Scamman doesn't believe they are
37 necessary or that it is a Town regulation. He said they are having issues with the Town
38 reviewing agent because they are not reviewing under Town regulations. Autofair is
39 willing to put in the extra cleanouts, but it is already approved by the Town and State so
40 they don't understand why the reviewer would require these.

41 Mr. Scamman said he would leave the decision to the board about the clean outs. Mr.
42 Baskerville said the sewer line wasn't too long and as a septic engineer, he feels extra
43 cleanouts are not required. Mr. Scamman said State regulations require 250 feet between
44 manholes and a 4" line. Mr. Scamman said the reviewer is quoting from the municipal

1 sewer system design standards. Mr. Baskerville said he wasn't aware of that regulation,
2 but state sewer lines tend to be 8" and not 4". Mr. Daley asked if that was in reference
3 to the potential sewer system. Andy Crews said he would do it if it had to be done, but
4 he has spent a lot of money on reviews so far. The Board agreed that they didn't need
5 to put in the extra clean outs because Town regulations apply.

6 Mr. Scamman said a similar situation has arisen concerning the review of drainage; a lot
7 of the comments refer to State regulations and not Town ones. As a result Autofair has
8 spent more money than they needed. Mr. Baskerville confirmed that if there is a
9 blockage, Autofair would be responsible for fixing it. Mr. Federico confirmed that was
10 the case.

11 Mr. Baskerville made a motion to support the septic design as approved by Mike Cuomo
12 and the State of NH. Motion seconded by Mr. F. Motion carried unanimously.

13 Mr. Scamman said he had copies of all the State approvals with him. Mr. Houghton said
14 Mr. Daley had recorded all that info. Mr. Scamman said there is one outstanding which
15 is submitted at the start of construction which is noted on the plan as something that is
16 needed for construction. Mr. Baskerville observed that they haven't listed the approvals
17 on the plan yet. Mr. Scamman said some of them came in as late as this week and he
18 didn't think it was worth doing a complete revised submission which is why he submitted
19 copies of the approvals separately.

20 Mr. Daley said as part of the final revised plan set, all the approvals will obviously need
21 to be added so there is a clean plan set. Mr. Scamman concurred and said the cover sheet
22 will need to be recorded anyway. Mr. House asked if the M.O.U. was part of the final
23 plan approval. Mr. Daley said yes but it won't need to be recorded which was also a
24 Board of Selectmen decision.

25 Mr. Cheever said they recognize that there will be some conditions attached to this
26 approval. They know the Town requires a landscaping maintenance bond and the fire
27 protection system once engineered and designed will need approval at the time that the
28 building permit application is submitted.

29 Mr. Daley said he wanted to raise the issue of the number of display parking spaces on
30 the property. He said that on the plan 300 plus spaces are shown as devoted to display.
31 There is an ambiguity with 300 plus and he asked what that meant and if there was a
32 number of maximum display spaces that would meet their needs. Mr. Crews said it is
33 difficult to give an accurate answer because it depends on how fast certain models of cars
34 are being sold and likened it to regulating the amount of loaves of bread MB have on
35 their shelves. He likes to sell what's on the ground so doesn't really want a cap enforced
36 on the number of maximum spaces allowed for vehicle display. He doesn't know what
37 franchise will be moving in either. Mr. Daley deferred to the Board for their opinions.
38 Mr. Baskerville asked what the total number of parking and display spots were. Mr.
39 Cheever said that the ordinance requires 74. Mr. Scamman said per the ordinance they
40 need 74 parking spaces; they are providing 96 parking spots which are delineated on the
41 plan which Mr. Scamman showed to the Board. They are for staff, customers and service
42 areas. There are areas for storage and display for vehicles. Mr. Daley asked if the

1 delineation is for 9' x 18' spots. Mr. Scamman said they are set up that way. Mr. Daley
2 asked for the total number of spaces. Mr. Scamman said if you had full sized vehicles
3 there are about 300 for display and storage and on top of that the 96 spaces mentioned
4 earlier. However you don't need such big parking spaces for some of the smaller cars
5 today. Mr. Daley asked Mr. Crews if he could fit more cars in those spaces would he
6 keep cars in those designated areas shown on the plan. Mr. Crews said yes. Mr. Daley
7 said that his understanding is that on the Nissan site the alignment and arrangements of
8 vehicles deviate from what is shown on the Nissan plan. Mr. Crews said if that ends up
9 being a concern it will be addressed and added that he has never known it to be a concern
10 with Town residents. Mr. Cheever said they have had problems with the Nissan site
11 which is why they are trying to improve the situation with this auto dealership and he
12 hopes the Board understands how difficult it is sometimes displaying and storing vehicles
13 within 9' x 18' parking spots just so. Mr. Daley said he wanted to make sure there was
14 adequate emergency vehicles access around the entire facility.

15 Mr. House said he felt comfortable with the display spaces. Mr. Baskerville said the only
16 issue he has seen with car dealerships is when it comes to snow plowing, but it is a
17 temporary issue. Mr. Houghton said a condition would be that vehicles within this
18 development will remain within the designated parking areas. Mr. Crews said that would
19 be fair and would like something added addressing the snow plowing issues as vehicles
20 would need to be moved for that.

21 Mr. Federico confirmed with Mr. Crews that there is a distinction between storing and
22 displaying vehicles. He assumed that when displaying vehicles, they are not packed in,
23 in the same way as when storing vehicles. Mr. Crews said that was correct. Mr. Federico
24 said they had received numerous complaints about vehicle storage from residents as
25 people can't always walk between vehicles. He stressed the complaints weren't just
26 about Nissan. He would like the front used for display and back for storage. Mr. Crews
27 said he was happy to comply with that.

28 Mr. Lassos said one of the issues they would like the Board to consider is that currently
29 Town regulations state that construction has to begin within a year of a building permit
30 being issued. The State has amended their regulations to 2 years for a project to be
31 commenced. His concern is that they originally had a franchise moving in, but they
32 pulled out due to the delay. He would like to request that the Board grant them
33 permission to start the construction within 2 years of receiving a building permit. Mr.
34 Daley said that was a reasonable request and could be recorded as a condition.

35 Mr. Federico made a motion to close the public hearing for Autofair Realty. Motion
36 seconded by Mr. Baskerville. Motion carried unanimously.

37 Mr. Houghton asked Mr. Daley to review the conditions which were as follows:

38 Applicant and Town shall be required to execute a Memorandum of Understanding to
39 establish certain principles to guide future agreements in order to construct public ways
40 or roads to provide alternate public access and utility access behind and/or between the
41 applicant's property and Nissan parcel on Portsmouth Avenue.

1 At the point of construction of the alternative access, the applicant agrees to construct a
2 sidewalk on the westerly portion of the access road connected to River Road at a standard
3 5' width.

4 The applicant shall post a landscape bond for the maintenance of the approved
5 landscaping plan for one year after the final installation.

6 Mr. Daley said there were standard conditions to attach also which he would include in
7 the final paperwork.

8 Mr. Houghton asked about the vehicle storage condition. Mr. Daley said Mr. Federico
9 had suggested/recommended a condition stating that display vehicles should be located
10 in the front of the property which shall require them to be accessible to allow walking
11 between the aisles, and the back portion will be for storage only. Vehicles shall remain
12 within the designated display areas as shown on the plan with the exception of snow
13 removal and maintenance.

14 All final revisions to the approved plans and/or related documents required by the Town
15 departments and Town consultants' comments, recommendations and requirements, to
16 be addressed by the applicant and then submitted as final set of plans for the Board's
17 signature and recordation.

18 Recording fees will need to be paid prior to recordation and all outstanding fees which
19 may be owed to the Town and its agents in association with the review and approval of
20 the plan, and associated elements need to be paid prior to the signing of the plan.

21 The applicant will meet with the Fire Chief and Building Inspector to discuss the
22 proposed fire protection measures and to determine if the design has been accurately
23 sized and engineered properly. The Town will review said fire protection design as part
24 of the building permit process.

25 The issuance of the building permit will be extended to 2 years from the date of the
26 recordation of the plans itself.

27 Mr. Daley suggested that all lights don't need to be on all night long and maybe they
28 want to use a timer or designate just certain lights to be on all night long. Mr. Federico
29 said he noticed that only the perimeter lights were on at night now. Mr. Crews wasn't
30 aware that they were on all night long and the problem was taken care of once he was
31 made aware. Mr. Cheever said they have 2 lighting plans; one for normal lighting and
32 the other for security which is intended for after hours.

33 Mr. House made a motion to approve the application with the conditions noted. Motion
34 seconded by Mr. Federico. Motion carried unanimously.

35 b. **ST Holdings Company, LLC, 37 Portsmouth Avenue, Stratham, NH 03885 for the**
36 **property located at 37 & 39 Portsmouth Avenue, Stratham, NH Tax Map 9, Lots 2**
37 **& 3.** Site Plan Application to construct a 7,125 square foot auto dealership building
38 expansion, parking lot and roadway improvements, and related lighting, landscaping,
39 drainage enhancements. (*Continued from August 6, 2014*)

1 Mr. Daley said there are still many elements that aren't ready yet, but that it is worth
2 discussing those that are ready so they can put those behind them. He said the key areas
3 are the landscaping, sidewalk plans and the permitting.
4

5 Mr. Donahue, attorney for Subaru, said a couple of things had ~~occurred~~ which occurred
6 which have had a direct impact on the phasing plan approved by the Board. There was a
7 site walk that occurred with the US EPA and NHDES plus reps from the Town and Mr.
8 Scamman and Mr. Gove. There was some significant positive feedback which came from
9 that; the wetlands being impacted by the Gateway Road adjacent to this project are of
10 very low value and function and it was obvious that the land that the Town had the
11 foresight to acquire was of such a high value for conservation purposes that it essentially
12 went beyond a typical mitigation submission in the view of the N.H.D.E.S. and E.P.A.
13 As a result of that, Subaru's views of the duration of the wetland permitting process has
14 changed and they are hoping to meet with the Board of Selectmen (B.O.S.) on Sept 22nd
15 to discuss that permitting schedule. The B.O.S. have already accepted a proposal for the
16 work from Mr. Scamman and Mr. Gove. Mr. Donahue said things are progressing well
17 especially as they were told they would need a variance for the impact on the wetland
18 unless a wetland permit had been issued. They feel it no longer makes any sense to do
19 the phasing option.
20

21 The applicant is there tonight to discuss what Mr. Daley had said and to take a look at
22 the site layout and those details on the site. Mr. Donahue said as long as their application
23 is being pursued with the Board, that would satisfy the board enough to allow the
24 applicant to continue using the Mobil site as a temporary arrangement for now.
25

26 Mr. Bruce Scamman, Emanuel Engineering, civil engineer for the project took the floor.
27 He said there have been ebbs and flows with this project due to the issues associated with
28 the Gateway Road. Last month they submitted their drawings to the State for the
29 Alternation of Terrain permit (A.O.T.). They have moved forward with their septic
30 design and he is going to put forward a Conditional Use Permit (C.U.P.) for the septic
31 design. In the town regulations under Section 20.1.4 it states that using the 50% rule you
32 can only go 3' above the seasonal high water table whereas the State allows 2'. He said
33 hopefully the leach field will be temporary until Town sewer and water goes in. The area
34 that they do not need the 3' separation is where the old leach field was and the areas in
35 the back which were pushed up from making the parking lot in the rear of the lot so
36 there's natural soil and 2 embankments where the soil goes up, so the 3' above the
37 seasonal water table is not required there. Mr. Scamman said they are replacing 2 existing
38 systems. Mr. Scamman referred to the plan to show the grading more clearly to explain
39 the septic situation. Mr. Baskerville asked if they would be doing pipe and stone. Mr.
40 Scamman said they would be. Mr. Baskerville felt this should be considered a positive
41 as they have a longer life. Mr. Scamman said he has found these are better for locating
42 under commercial parking lots; he has witnessed the crushing of newer, modern systems.
43 Their porous pavement is 35' from the field. Mr. Baskerville asked about the soils under
44 the leach field. Mr. Scamman said it is a real mix of soils, the fill is a mix of sands but
45 he hasn't witnessed any heavy clay.
46

1 Mr. Daley asked if there are any monitoring sites on the property. Mr. Scamman said
2 there are 5 monitoring wells on the Mobil site which is in accordance with the State
3 program for monitoring. Mr. Daley said it would be advantageous to go before the
4 Planning Board with the C.U.P. application. It would need to be provided tomorrow to
5 put a notice in paper to meet legal statutory requirements if they would like it to be heard
6 at the next available Planning Board meeting.
7

8 Mr. House asked if there are any hazardous materials from the previous site. Mr.
9 Scamman said the Mobil station has had previous spills, but the soils have been mediated.
10 The monitoring levels are showing almost drinking water standards now. An assessment
11 of the site was done to see if porous pavement would be appropriate to use and if it was
12 OK to put a well on the site. Mr. Alwine, review engineer stated in a letter that it would
13 be fine to put a well on the site and to use porous pavement around the well and that the
14 soils are clean at this point from the mediation. This letter was sent to the State as part
15 of the AOT permit. Mr. Baskerville asked where the current well was on the property.
16 Mr. Scamman said there were 2 wells on the property. One is on the Mobile site right in
17 the middle of the parking lot that fed the old building. The existing well for the Subaru
18 is in the back of the property on the slope.
19

20 Mr. Scamman said that most of the infra-structure for the septic and well is designed with
21 Town water and sewer in mind. They have designed a sewer pipe that's going to exit out
22 the back for the proposed sewer line and a water line that comes in off the road, a stub,
23 as it's their understanding the water will come off of Portsmouth Avenue and that will
24 feed into their site. Mr. Daley asked if the location of the water and sewer line was based
25 on Wright Pierces' proposed lay out. Mr. Scamman said it is close, but where exactly
26 the location on Portsmouth Avenue will be, they don't know for sure, but water lines are
27 pressurized so it doesn't really matter. They are showing a parallel line going out to it
28 and are showing a sewer line that runs through underneath the east side of the proposed
29 Gateway Road. They are also showing a water line out there to allow for the eventual
30 Gateway. Utilities are shown also. Mr. Daley asked Mr. Scamman to summarize his
31 discussions with the utility companies so far. Mr. Scamman spoke with Unitil and they
32 had not known about the Gateway Road so now they are aware. They didn't have much
33 feedback because they do not know where the connection with Market Basket will be.
34 The gas line is the major utility, a 30" transmission line; they have had meetings and sent
35 plans to them and they have given them an initial OK. There will be concerns if any
36 types of utility run over that transmission line. However, they can't send finalized plans
37 yet until they are further along with this process. The sewer line is shown alongside one
38 side of the road so it's not on the same side of the road as water. Until the Town has a
39 model of how they want their sewer and water, they have had to take a stab at how they
40 would design it. On the other side of the road is the water line and a local gas line for
41 commercial buildings on that side of the road. Mr. Daley asked if he was looking for the
42 specs associated with the Town's sewer and water line. Mr. Scamman said they are
43 waiting on the Town's design team because he doesn't know size of pipes and slopes.
44 This could cause a stumbling block with the construction process.
45

1 Mr. House asked if the front sidewalk met the D.O.T right of way setback. Mr. Scamman
2 said the majority of it is in the D.O.T. right of way. There are still discussions over who
3 will be responsible for its maintenance. Mr. Scamman said that it would be nice to get
4 some clarity on the sidewalks in general concerning lighting in particular. Mr. Daley
5 said there were mixed opinions about decorative lighting from the Board last time it was
6 discussed. Alternatives are stand-alone lights or an extra arm off of the lights proposed
7 for this overall development. Mr. Scamman said a concern raised last time was the light
8 spilling over the property line and therefore not being in compliance with the regulations.
9 Additionally the trees and plantings will cause issues because they will cast shadows onto
10 the sidewalks. D.O.T. also doesn't want poles in their right of way which is
11 understandable from a safety perspective. Mr. Houghton asked what the process was
12 to resolve the sidewalk issue with D.O.T. He feels it would be easier to discuss lighting
13 once they know where the sidewalk will be. Mr. Daley said it is part of D.O.T.'s policy
14 that the Town is responsible for maintenance. The Board of Selectmen will need to make
15 a policy decision about whether the Town should take responsibility for sidewalks in the
16 Town. Mr. Daley added that as part of the TE Grant process for the Town Center it was
17 made very clear that the Town would be responsible for the sidewalks. Mr. Scamman
18 said the sidewalks out back will need to be maintained and if the Town has the right
19 equipment for doing sidewalks the Town would be doing it for the rear sidewalks anyway
20 plus others in Town that are in the State Right of Way. Mr. Scamman said he had thought
21 there was already a M.O.U. with the D.O.T. about the maintenance of sidewalks, but
22 found out recently that wasn't the case. He wondered how other sidewalks had been built
23 in Town such as Lindt and Shaws whose sidewalks are in the State right of way. Mr.
24 Paul Deschaine, Town Administrator said they were all part of the Route 101 project and
25 the Town didn't require sidewalks back then. The first time the Town asked for
26 sidewalks to be built were for Market Basket and they moved theirs out of the right of
27 way so the memorandum never came into play. The Town has been told to execute the
28 memorandum for the Town Center, but so far the Town has not seen it despite asking for
29 it many times. Mr. Deschaine said if the sidewalk was outside the right of way, the
30 Planning Board would have the greatest jurisdiction. He asked if the sidewalk could be
31 moved out of the right of way. Mr. Donahue said they could ask Mr. Hyland, Landscape
32 Architect, to take the sidewalk out of the right of way, but it will have an impact on the
33 landscaping. Mr. Scamman said there is a slope to deal with also. Mr. Donahue said
34 they prefer the current design and they put in a significant amount of landscaping. It
35 would take a lot of time to deal with the D.O.T. again. Mr. Houghton said they need to
36 tie this subject down to help the applicant move forward. Mr. Daley said part of the
37 Gateway is to be sidewalks aware so the Town needs to start somewhere.

38
39 Mr. Dave Canada, Board of Selectmen Chairman, said it seems to him that if they don't
40 start building these segments as the Town goes along, there are always going to be breaks
41 in the Gateway's sidewalks. Mr. Scamman said if the Town gets a M.O.U., the client
42 would be agreeable to putting the sidewalk in. Mr. Scamman said it makes sense to build
43 it at a later date so lighting is the same as the next section to join their segment of
44 sidewalk. If they put in lighting now, it may look very different by the time the next
45 business put in their segment of sidewalk. Mr. Houghton said they need to really think
46 about future provisions and how to execute those, and they can't always rely on a MOU

1 from the N.H.D.O.T. Mr. Scamman added that a meter for the lighting will need to be
2 built into any new development.

3
4 Mr. Houghton clarified with Mr. Deschaine that some of the existing sidewalks in Town
5 are neither the responsibility of the Town or the State. Mr. Deschaine replied that they
6 are the responsibility of the State. He said also the Board should act tonight for the sake
7 of the applicant.

8
9 Mr. House referred to the landscaping plan with regards to the sidewalk. Mr. Scamman
10 said they had pulled it away from the road a little more; they had it wrapping right around
11 the corner. Mr. Scamman asked Mr. Hyland to redesign it. Mr. House asked would the
12 landscaping be affected if the sidewalk was moved in a little bit more. Mr. Scamman
13 showed that the plantings were right at the right of way and he added that if you are going
14 to do a meandering sidewalk that is going to involve taking out a lot of the landscaping.
15 Mr. Scamman said they could make it a straight sidewalk which would be easier also for
16 the Highway Department to maintain. Mr. Deschaine said that Mr. Lavery was already
17 hoping they would change their sidewalk standards as he is looking for a 6' width to use
18 the equipment he is targeting for these maintenance issues. Meandering would only add
19 to that difficulty. Mr. Scamman showed on the plan what would have to be removed and
20 said he thinks the sidewalk is 5' width. Mr. Daley confirmed that it was.

21
22 Mr. Houghton said personally he doesn't want to see the landscaping minimized and
23 would prefer a straight sidewalk over a meandering one and is OK with 5' width. Mr.
24 Baskerville said he agreed; he would like to see some kind of detail on when this will be
25 built. He doesn't believe the D.O.T. will allow the street lights on their right of way so
26 he thinks it will be a sidewalk without lights, but the landscaping on the front will be
27 such that you can see through it. Winter time is when the lighting is needed and the trees
28 will have no leaves then. Mr. Scamman said if they are going to design some spill over
29 from their lighting on the site onto the sidewalk, should they put in a waiver to allow
30 spillage over the property lines? Mr. Daley said it is a very unique site and given the
31 topography and proposed landscaping plus the Board's desire to keep the landscaping, it
32 will be advantageous to allow the spill over. Mr. Houghton said the spill over would be
33 for the easterly side only. Mr. Scamman said at the previous meeting they discussed spill
34 over onto the River Road side also. Mr. Houghton said right now there is no lighting on
35 that road so the regular lighting will illuminate that area more than it is now. If that
36 should at some point be abandoned in the future and the stone trail goes through there,
37 the Board talked about using bollards. Mr. House said he has no problem with making
38 the sidewalk straight and it seems to make more sense from a D.O.T. perspective.

39
40 Mr. Deschaine said that before the final approval is given for the sidewalk on Portsmouth
41 Avenue, it would be good to get the M.O.U. in place from the D.O.T. Mr. Scamman said
42 his understanding was they had already received approval as long as they obtain the
43 M.O.U. before building the sidewalk.

44
45 Mr. Scamman turned the topic to site circulation. He said they have previously submitted
46 a plan showing how the Town fire trucks can make it around the site. Mr. Daley asked

1 Mr. Yanofsky if the current uploading and offloading of vehicles on the Frying Pan Lane
2 site will change once this new site is developed. Mr. Yanofsky said it will not. Mr.
3 Scamman said they have designed it so that a tractor trailer could come onto the new site,
4 back up and turn around, but that is not the intent, it was designed just in case it could
5 happen. Mr. Yanofsky said that if Market Basket doesn't happen then it might be better
6 for everyone if a tractor trailer unloaded on their part of the Gateway Road, but he is not
7 sure they care that much. Mr. Scamman said in Phase 2 cars won't be parked in a certain
8 area that are shown right now so a tractor trailer could pull into there also. Mr. House
9 asked about the noise levels of a tractor trailer idling should they choose to off load on
10 the site. His concern was for neighbors. Mr. Scamman said the next 3 properties are
11 commercial. Mr. Houghton confirmed the Fire Department had looked at the design and
12 were satisfied with it. Mr. Daley confirmed that was the case.

13
14 Mr. Daley asked Mr. Scamman to go through storage versus display. Mr. Scamman
15 showed the parking for customers, employees and service on the plan. They are required
16 to provide 44 spaces, but have provided 53. He then showed the display and storage
17 areas. Mr. Baskerville asked which officials had turned up for the site walk. Mr.
18 Scamman told him and said nobody batted an eyelid about the location of the parking
19 spaces. They were far more interested in the Zanowsky land because of the high quality
20 of the land.

21
22 Mr. Deschaine asked if the loading capacity of porous pavement is different to the non-
23 porous pavement. Mr. Scamman said they stopped it at the display area. He showed
24 where various trucks and tractor trailers would be going over porous pavement.

25
26 Mr. Baskerville asked when the temporary approval for using the Mobil site was due to
27 expire. Mr. Donahue said it was extended until they came back before the Board so it
28 expires tonight. Mr. Donahue suggested extending it in tandem with this current
29 application as long as Subaru continue to zealously pursue the application, and if not
30 Subaru should have to come before the Board and explain why it shouldn't be revoked.

31
32 Mr. House made a motion to make the extension coterminous with the Subaru
33 application. Motion seconded by Mr. Baskerville. Motion carried unanimously.

34
35 Mr. Donahue asked his client if they would really get their C.U.P. application in by
36 tomorrow. They said highly unlikely. Mr. Donahue suggested coming back in October
37 instead to discuss it and they may have more information about the sidewalk by then too.

38
39 Mr. Baskerville made a motion to continue this application until October 1, 2014. Motion
seconded by Mr. Federico. Motion carried unanimously.

40 **4. Miscellaneous.**

41 a. Report of Officers/Committees.

42 There were no reports or miscellaneous items to discuss.

43 c. Other.

1 Mr. Daley said there would be 2 workshops at the next meeting on September 16, 2014.
2 One will be to discuss the stormwater regulations and the other will involve inviting Mr.
3 Mike Cuomo to discuss septic design standards. Mr. Houghton said if time permits, he
4 would like to discuss parking also and he feels they should flesh out the sidewalk issue
5 for the Gateway District too. Mr. Daley said they should include a discussion about the
6 maintenance of sidewalks and look at lighting also.

7 Mr. Daley said he would talk with the Public Works Commission concerning specs for
8 sewer and water pipes to provide guidance on that to applicants. Mr. Baskerville he
9 wouldn't be able to make the next meeting, however he suggested meeting with Mr.
10 Daley for an hour beforehand to share his thoughts.

11 **5. Adjournment.**

12 Mr. Federico made a motion to adjourn the meeting at 9:27 pm. Motion seconded by Mr.
13 House. Motion carried unanimously.