

**SOMERSWORTH SITE REVIEW TECHNICAL COMMITTEE
MEETING MINUTES
April 3, 2024**

MEMBERS PRESENT: Michelle Mears, Jeff Gallant, Mark Dellner, John Sunderland, and Paul Robidas

EXCUSED MEMBERS: Michael Bobinsky and Mike Hoage

STAFF PRESENT: Dana Crossley, Planning Technician
Anna Stockman, Planning Secretary

The meeting was called to order at 10:00am.

1) OLD BUSINESS

- a. **(CONTINUED from March 13, 2024) Jonathan Hanson is seeking a site plan amendment for site improvements for a property located at 375 Route 108 in the Commercial/Industrial (CI) District, Assessor's Map 58 Lot 05, SITE#08-2024.**

Jonathan Hanson, co-owner of **Patriot Tractor** was present to represent the application. He noted site improvements including repaving the parking lot and relocating and reducing the size of an equipment pen to the southern side of the parking lot. He referenced landscape design and stated his desire to amend a tree planting and low growth plantings on a median due to his concern of access to a fire hydrant. He noted the hope for the parking lot to be paved in the coming months.

Robidas asked for the reasoning behind Patriot Tractor's return before the SRTC and Planning Board.

Mears noted conditions from the prior Planning Board approval for items including landscaping improvements, ADA parking spaces, pavement, and storage trailers, have not been met and have become a code compliance issue. She stated these items are site plan amendments as they cannot be waived.

Robidas asked about the area where the equipment pen would be relocated. He asked whether the location of trailers onsite are encroaching on wetlands.

Hanson stated the equipment pen will meet their need for storage. He noted his plan to remove the trailers that are currently onsite.

Mears stated if the intent is to keep the storage trailers onsite, the applicant will need to go before the Planning Board.

Hanson stated his challenge of meeting the site plan requirement to pave and restripe the parking lot as a tenant and his intent for the site to get back in compliance.

Robidas asked whether the property owner agreed to the site plan requirements at the time of site plan approval.

Hanson noted he longer needs storage trailers as the business is not going to order an excess of inventory in the coming year.

Crossley referenced the requirement to remove mobile storage trailers within a certain timeframe. She noted the applicant's request to refrain from making landscape improvements. She asked whether the applicant was amenable to making any landscaping compromises. She noted it would be beneficial for the applicant to reach

an agreement with their landlord regarding a landscaping plan for plantings. She further noted plantings would provide a buffer and screening for the business.

Gallant asked whether there is proposed landscaping where the equipment pen will be removed.

Hanson stated the existing pavement would be paved over. He noted paving companies have provided estimates.

Dellner referenced Hanson's concern regarding blockage to the fire hydrant and stated any vegetation surrounding the fire hydrant would need to be maintained.

Hanson referenced concerns about the location of snow storage and asked whether there are any objections to where snow is currently being stored.

Mears noted the requirement for snow storage to not be within the wetland buffer or off of pavement. She noted the storage of snow elsewhere would expand a nonconforming use and require a Conditional Use Permit. She provided the suggestion for the applicant to consider working with an engineering company to redraw a site plan for what they would like to see on the site.

Robidas provided the suggestion for the applicant to review their initial site plan and try to bring the site into compliance as much as possible and to go before the Planning Board for any additional requests.

Mears noted the site would require a waiver from parking regulations if they plan to keep the outdoor display.

Hanson expressed his desire for his business to be in compliance with regulations.

2) **NEW BUSINESS**

- a. **Pedro M. Giesta is seeking minor site plan approval to operate a daycare facility (daycare facilities use) within an existing 2,700 SF building on a property located at 362 Route 108, in the Commercial/Industrial (CI) District, Assessor's Map 47 Lot 3A, SITE#09-2024. PUBLIC HEARING**

The applicant, **Pedro Giesta** was present to represent the application. He stated the co-owner of the business, his wife, was not able to attend the meeting. He noted they have a history of successfully leading other daycare centers. He stated they are currently in lease negotiations. He further noted there would be outside fencing and a playground area on the property. He said two impending items are scheduling an inspection with a certified Fire Protection Engineer (FPE) and whether they will be required to install a fire suppression system in the form of sprinklers. He noted the property owner is supportive of the project.

Mears asked whether the only change to the site is the addition of a playground.

Giesta stated changes may be made to the existing floor layout as the current layout is not conducive to adding classrooms.

Mears recommended the applicant schedule a meeting with the City's Building Inspector, Jeffrey Gallant.

Robidas asked whether the applicant plans to use the basement.

Giesta stated the basement is currently unfinished but they would like to gradually develop the downstairs.

Dellner stated it is likely that sprinklers would need to be installed due to the desired occupancy and square footage. He noted it would be challenging not to install them.

Robidas asked whether it makes sense for the applicant to talk to a FPE before they move further on the project.

Mears opened the public hearing.
No comments or correspondence were received.
Mears closed the public hearing.

Giesta stated they plan to sublease a certain portion of the lot. He said they have enough parking spaces to meet the legal requirement. He said a turf or wood-like substance would be used for the playground.

Sunderland asked about the applicant's plan for lighting and security.

Giesta stated there is a preexisting security camera system that hasn't been operational that would be used.

Crossley noted the City's regulations require that lights are turned off no later than 10:00pm, otherwise a waiver would need to be sought.

Mears noted that motion sensor lights would need to be downlit and shielded.

Sunderland noted that buildings may be illuminated at night, but parking lots cannot.

Crossley stated storage containers are permitted on properties for one year, so any existing containers would need to be removed from the site by 2025. To keep the containers onsite for longer than a year, they would need a waiver. She noted the Code Compliance Officer will identify the length of time the containers have been onsite.

Crossley asked about the plan for traffic flow and safe pedestrian access.

Giesta pointed out the areas for employee parking and drop-off. He identified the locations of playground access points and an egress area.

Mears stated Code Compliance will send a courtesy letter regarding the storage containers so the property owner is informed of the date of when they will need to be removed.

Crossley asked whether there will be directional signage onsite.

Giesta stated there will be directional signage in drop-off and pickup areas.

Crossley asked whether there is a plan to restripe the parking lot.

Crossley asked whether they could show any planned landscaping on the plan.

Mears provided comments from Water Distribution, which included to update the water/sewer

application with the Water Billing Department and ensure proper backflow devices are installed prior to CO. She noted there would be no further comments if there are no planned changes to current utility.

Giesta stated they have been in communication with the Water/Sewer Department.

Mears noted laws to be aware of that regulate lead paint.

Giesta stated the building will come with a lead certificate.

MOTION: Dellner MOVED that request of Pedro M. Giesta for minor site plan approval to operate a daycare facility (daycare facilities use) within an existing 2,700 SF building on a property located at 362 Route 108 be **APPROVED WITH THE FOLLOWING CONDITIONS:**

1. Plan Revisions:
 - a. Add the existing trees to the site plan;
2. If kept on site, the 'freight containers' (storage box/space trailers) are only permitted on a temporary basis for a period of one (1) year and shall be removed from the site by April 3, 2025 unless otherwise extended by the Planning Board. These shall be located in an area that shall not impact traffic flow or site lines.
3. 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.
4. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways.
5. The applicant shall apply for a new Water and Sewer Connection Permit. 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.
6. The parking lot shall be re-striped.
7. All requirements set forth by the certified Fire Protection Engineer (FPE) must be met.
8. The building will require a new address. Please submit a request for a new address to the City Engineer. If a hearing before the E-911 Committee is required, this hearing must occur prior to the issuance of Building Permits.

The MOTION was SECONDED by Robidas.

The MOTION CARRIED 5-0-0.

- b. **385 Route 108 Realty Corp. is seeking minor site plan approval to construct a cold storage building on a property located at 385 Route 108, in the Commercial/Industrial (CI) District, Assessor's Map 57 Lot 02, SITE#11-2024. PUBLIC HEARING**

Hilary Badger of **Norway Plains Associates, Inc.** was present to represent the application. She provided an overview of the proposal to construct a cold storage building for automotive parts and equipment on the property of an existing sales and automotive facility. She noted the structure will be located in an area where there is already gravel. She stated there will be a new electric vehicle (EV) charging station proposed in the

bottom part of the property. She noted there will be no changes to the business' hours of operation.

Mears opened the public hearing.
No comments or correspondence were received.
Mears closed the public hearing.

Crossley provided the reminder for the business to submit stormwater reports. She noted that is something the City would request the business come into compliance with.

Badger stated the company will take care of that.

Crossley asked for further clarification on the exterior design of the building.

Badger stated the new building will be shielded from public view. She noted the first four feet of the building will be stone and the following nine feet will be metal. She said it would be a great cost to do anything that is compatible with wood. She said where the new building will be located, trees will shield it from view of the abutting property.

Gallant asked if the building will be on a slab or a foundation.

Badger stated the building will be on a slab and not connected to water or sewer, just utilities. She noted there are architectural plans that show the roof structure, which will be peaked and have drip edges on the front and back.

Crossley referenced a wooden fence that is located in proximity to a vinyl fence that is in disrepair. She noted the repaired fence would benefit the existing residential abutter. She said the new building will need an address attached to it. She asked for the company's plan for the existing storage containers onsite.

Badger stated the plan is to remove the storage containers from the property.

Crossley stated storage containers may only be located on a property for one year before they must be removed, or a waiver must be sought from the Planning Board. She provided an overview of plan revisions.

Mears noted the concern of parked vehicles on pervious surfaces and existing scrap metal onsite that should be removed. She asked whether the proposed building could be viewed from an abutting property.

Badger stated it is hard to see much of anything from where the building would be located in the rear of the lot.

Mears noted a waiver would need to be sought if the building is in view.

Crossley stated existing erosion control from the 2021 project has been observed onsite. She noted that erosion control needs to be removed upon completion of the project.

Mears stated erosion control removal upon project completion will be a condition of approval moving forward.

MOTION: Dellner MOVED that the request of 385 Route 108 Realty Corp. for minor site plan approval to construct a 2,250 SF cold storage building on a property located at 385 Route 108 be **APPROVED WITH THE FOLLOWING CONDITIONS:**

1. Plan Revisions:
 - a. Show the existing EV on plan;
 - b. Add the existing dumpster locations on plan;
 - c. Update the Parking calculations to include new structure;
 - d. Site requires (5) ADA parking spaces, please identify on the site;
2. A copy of the completed Stormwater Inspection & Maintenance Log shall be provided to the Development Services Department annually on or before July 1st. This requirement shall be an ongoing condition of approval and noted on the final plans
3. Erosion control shall be properly installed on site PRIOR to any construction. Erosion control shall be properly maintained throughout construction; any breaks or breaches shall be repaired within 48 hours of the storm event. All erosion control mechanisms must be removed upon completion of the project.
4. There shall be no wetlands degradation during construction.
5. All outdoor lighting (including security lights) shall be downlit and shielded so no direct light is visible from adjacent properties and roadways.
6. Repair the existing wooden fence along the property line of Map 56 Lot 16.
7. The building will require that an address number be posted on the façade. Please contact the City Engineer with any questions. If a hearing before the E-911 Committee is required, this hearing must occur prior to the issuance of Building Permits.

The MOTION was SECONDED by Sunderland.
The MOTION CARRIED 5-0-0.

MOTION: Dellner MOVED to ADJOURN.
The MOTION was SECONDED by Robidas.
The MOTION CARRIED 5-0-0.

The meeting was adjourned at 11:35am.

Respectfully submitted,

Anna Stockman, Planning Secretary