

determination on the request for relief from the front setback requirement. The Board acted to **table** the application to its August 15, 2002, meeting to allow for a determination by the Board of Adjustment on the setback Variance request and to allow for communications to proceed between the landlord (Portsmouth Associates) and DeMoulas Marketbasket (tenant).

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C. City Council Referral - Request of **New England Glory LLC** to the City of Portsmouth for a quitclaim deed to clarify a certain corner boundary (**This referral was tabled at the Board's June 20, 2002, meeting to this meeting.**)

The Board took the referral off the table. Attorney Ed Ford, representing New England Glory, made a brief presentation. The Board voted to favorably recommend the proposed landscaping easement to the City Council.

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II. PUBLIC HEARINGS

A. The application of **Tucker's Cove, LLC** for property located at **1177 and 1179 Sagamore Avenue and off Odiorne Point Road** wherein Final Approval is requested for a lot line relocation whereby Lot 10-001 would have a lot area of 127,572 s.f. ±, property located at 1177 Sagamore Avenue would have a lot area of 32,737 s.f. ±, and property located at 1179 Sagamore Avenue would have a lot area of 17,890 s.f. ±. The plan indicates a 10' access easement running from Lot 10-001 for the benefit of the property located at 1179 Sagamore Avenue. Said property is shown on Assessor Plan 224 as Lots 12, 13 and 10-001 and lies within Single Residence A and Mixed/Residential/Office districts. Plat plans are recorded in the Planning Department office as 7.3-02.

Dennis Moulton of Millette, Sprague & Colwell presented the final plat to the Board. The Public Hearing was closed. The Board acted to **grant** Final Approval of the lot line relocation subject to the following stipulations:

1. That the easement language be approved by the City Attorney as to content and form; and,
2. That permanent boundary monuments be established as per the requirements of the Public Works Department. (It was stated at the meeting that iron pins had been installed.)

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B. The application of **Liberty Mutual Insurance**, owner, for property located at **333 Borthwick Avenue** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for the construction of a 38.7' x 13.7' one-story addition to the existing four-story building together with the construction of a 38' x 12' concrete pad to support the proposed relocation of the existing trash compactor. Said property is shown on Assessor Plan 240 as Lot 1 and lies within an Office Research district.

Tony Esposito of Cubellis Associates presented the proposal to the Board. The Public Hearing was closed. The Board acted to **grant** the Conditional Use Permit.

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C. The application of **HCA Health Services of NH Inc.**, owner, for property located at **330 Borthwick Avenue** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(A) and (B) of the *Zoning Ordinance* for the installation of an ambulance entrance with associated drainage repair and the construction of a 795 s.f. "fill in" addition to be located within an Inland Wetlands Protection district. Said property is shown on Assessor Plan 240 as Lot 2-1 and lies within an Office Research district.

Dennis Moulton of Millette, Sprague & Colwell presented the proposal. The Public Hearing was closed. The Board acted to **grant** the Conditional Use Permit subject to the following stipulations:

1. That the proposed paving be of porous material; and,
2. That a maintenance schedule for the drainage repair area be submitted to the Public Works Department with reports from said maintenance to be submitted to the Public Works Department.

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D. The application of **Jay Gingrich**, owner, for property located at **915 Sagamore Avenue** wherein site plan approval is requested for the construction of a 24' x 72' one-story addition to an existing building with associated site improvements. Said property is shown on Assessor Plan 223 as Lot 31 and lies within a Waterfront Business district.

Alan Marshall of Ambit Engineering, Inc. presented the proposal. The Public Hearing was closed. The Board acted to **approve** the site plan subject to the following stipulations:

From the Technical Advisory Committee:

1. That a note be added to the plan that the applicant shall call David Desfosses, Engineering Technician, Public Works Department for an inspection of the silt fence prior to the commencement of construction;
2. That the silt fence along the southerly side of the building should be extended a little further in a northerly direction just beyond contour 26;
3. That a note be added to the plan that any excavation material/construction debris shall be kept away from the tidal buffer zone;
4. That the site plan shall be modified to include the proposed sidewalk/curb cut improvements (Scheme A) and that the final design for the decrease in the existing curb cut shall be reviewed and approved by John Burke, the City's Parking and Transportation Engineer;
5. That the site plan indicate how the gravel parking spaces will be delineated;
6. That a determination be made as to whether NHDES permitting is required for the discharge from the lobster tanks to Sagamore Creek;
7. That the Septic System Approval # be added to the site plan; and,
8. That the Legal Department review the future Sagamore Bridge improvements and its impact on the proposed parking in Scheme A.

From the Planning Board:

1. That a note be added to the site plan that all lighting shall be directed downward and shall be in compliance with Article V of the *Zoning Ordinance*;
2. That the site plan indicate the areas of snow storage; and,
3. That the site plan indicate the placement of bollards in the vicinity of the LP gas tank.

E. The application of **Micronics Realty Trust**, owner, for property located at **200 West Road** wherein site plan approval is requested for the construction of a one-story 44' x 100' addition to an existing building with associated site improvements. Said property is shown on Assessor Plan 267 as Lot 22 and lies within an Industrial district.

Jessica Winston of Millette, Sprague & Colwell presented the application. The Public Hearing was closed. The Board acted to **approve** the site plan subject to the following stipulations:

From the Technical Advisory Committee:

- 1. That the landscaping plan shall be approved by Lucy Tillman of the Planning Department; and,
- 2. That the site plan indicate the existing water access easements.

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F. The application of **Millenium Borthwick, LLC**, owner, for property located off **Borthwick Avenue** wherein site plan approval is requested for the construction of two (2) three-story buildings each having a footprint of 50,400 s.f. for a total of 100,800 s.f. with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 259 as Lot 14A and lies within an Industrial district.

Richard P. Millette of Millette, Sprague & Colwell presented the application. The Public Hearing was closed. The Board acted to **approve** the site plan subject to the following stipulations:

From the Technical Advisory Committee:

- 1. That the site plan shall indicate the installation of left and right turn lanes on Highliner Avenue with reflective tape in conformance with City standards;
- 2. That a mass transit pullover be located on Borthwick Avenue subject to the review of John Burke, the City's Parking and Transportation Engineer;
- 3. That the landscaping plan shall be reviewed by Lucy Tillman of the Planning Department;
- 4. That each building shall have a municipal master box;
- 5. That the site plan shall indicate internal or on-site sidewalks from the buildings to Borthwick Avenue;
- 6. That the existing parking spaces located on Highliner Avenue shall be removed;
- 7. That should the buildings contain cooking facilities that separate grease traps shall be installed;
- 8. That the monitoring wells shall be installed under direction of the City's Water Division or a hydrogeologist as this project is within the Wellhead Protection Area for Portsmouth Well #1 and the Collins Well;
- 9. That an easement shall be granted to the City of Portsmouth for access to all monitoring well sites for sampling purposes;
- 10. That an initial sampling shall be performed at all monitoring well sites for all constituents for a groundwater supply, including TKN, Nitrates, Nitrites, VOCs and radionuclides;
- 11. That a well log, well construction and analysis of samples shall be turned over to the Tom Cravens of the City's Water Division prior to Certificates of Occupancy being issued for the buildings; and,

12. That the contractor shall comply with the Portsmouth Aquifer Protection Guidelines for construction activities within the Wellhead Protection Area.

From the Planning Board:

- 1. That the site plan indicate that reports from the maintenance schedule for the drainage system shall be submitted to the Public Works Department;
- 2. That the site plan indicate the location of concrete pads for motorcycles (one for each building);
- 3. That the site plan indicate the location of bicycle racks (one for each building); and,
- 4. That the site plan indicate the length of each proposed off site sidewalk.

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III. NEW BUSINESS

A. Request by **Michael Iafolla** for property located off **Regina Road** for a one year extension of a Conditional Use Permit granted on August 16, 2001

The Board acted to grant the one year extension. The Conditional Use Permit will now expire on August 16, 2003. All stipulations of the original approval remain in effect.

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IV. ADJOURNMENT was had at approximately 9:20 p.m.

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This Action Sheet was prepared by Barbara B. Driscoll, Administrative Assistant in the Planning Department.