

**MINUTES
REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

**7:00 P.M. CITY COUNCIL CHAMBERS SEPTEMBER 19, 2002
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

MEMBERS PRESENT: Kenneth Smith, Chairman; Brad Lown, City Council Representative; Richard A. Hopley, Building Inspector; Thaddeus J. "Ted" Jankowski, Deputy City Manager; Paige Roberts; Raymond Will; Donald Coker, John Ricci, alternate; and, George Savramis, alternate

MEMBERS EXCUSED: John Sullivan

ALSO PRESENT: David M. Holden, Planning Director; and, Lucy E. Tillman, Planner I

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6:00 P.M. STORMWATER WORK SESSION WITH CONSERVATION COMMISSION IN CONFERENCE ROOM "A"
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Prior to proceeding with the meeting, the Chair apologized to those in the audience for starting late explaining that the Board had been listening to a presentation by a representative from NHDES that was very informative. The Chair instructed the department to send a letter to "Mack" thanking him for his time. The Planning Director, David Holden, stated that he assumed the Board wanted him to include in the letter the Board's backing of the request for additional support for NHDES.

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I. APPROVAL OF MINUTES

A. June 20, 2002, meeting

Mr. Hopley moved approval of the minutes as presented. Mr. Savramis seconded the motion that passed unanimously.

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II. OLD BUSINESS

A. The application of **Portsmouth Associates, LLC, owner**, for property located at **1465 Woodbury Avenue** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for the relocation of the 1853 School House restaurant building with associated site improvements within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 216 as Lot 3 and lies within a General Business district. **(This application was tabled at the Board's August 15, 2002, meeting to this meeting.)**

The Chair read the notice into the record. Mr. Will moved to take the application off the table. Mr. Hopley seconded the motion that passed unanimously.

Mr. Holden informed the Board that the Board of Adjustment application was retabled at the request of the new owners who wished to seek additional input from the tenants of the mall and adjacent property owners. That being the case, Mr. Jankowski moved to table the application to the Board's October 17th meeting. Mr. Hopley seconded the motion that passed unanimously.

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III. PUBLIC HEARINGS

A. The application of **Edmund L. Price** for property located at **111 Newcastle Avenue** wherein Preliminary and Final Subdivision Approval is requested to create two lots from an existing lot. Proposed Lot A would have 8,192 s.f. ± in area with street frontage off Newcastle Avenue and would contain the existing single-family home and accessory structures. Proposed Lot B would be a vacant lot with 7,248 s.f. ± in area and adequate continuous street frontage off Marcy Street. Said property is shown on Assessor Plan 101 as Lot 53 and lies within a General Residence B district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney Bernard W. Pelech, representing Mr. Price, addressed the Board and informed them that Mr. Price was also present. Attorney Pelech stated that the plan before the Board is a pretty simple subdivision plan and that the property in question is one of the few remaining large lots in the South End. He went on to offer that he had prepared the plan by cutting and pasting from an old Durgin plan. He stated that they were looking for Preliminary Approval and would submit a surveyed stamped plan at the October meeting. Attorney Pelech further explained that the existing home is a two-family; that the application may require Board of Adjustment approval for non-conforming lot area per dwelling; that he would have to discuss the same with Lucy Tillman of the Planning Department.

John Ricci suggested that when the survey is done, that a look be taken at the adjacent lot of Jeffrey and Sherry Wood. Attorney Pelech responded by stating that the Wood building is on an existing lot and was built to go along the property line.

Councilor Lown inquired as to what would happen if the Board granted Preliminary Approval and then the Board of Adjustment denied the appeal. The response was that there would be no subdivision. Mr. Holden interjected that the zoning issue would be judged on its own merit.

Mr. Will referred to the note in the memo concerning the fact that any building on the vacant lot may require State approval for relief from the 100' tidal buffer zone and wondered if such a caveat should be included in any deed created as a result of the subdivision. Mr. Holden interjected that such would happen when the next plan comes before the Board.

Mr. Coker stated that he was confused as to which approval comes first -- Planning Board or Board of Adjustment. Mr. Holden responded by stating that Planning Board approval comes

first pointing out that the Planning Board cannot grant relief from single family home requirements.

Mr. Price addressed the Board and stated that he lives at 111 Newcastle Avenue and offered the explanation that the Jeffrey Wood house was built on a "knuckle" line.

There being no further speakers, the Public Hearing was closed.

DISCUSSION AND DECISION OF THE BOARD:

Mr. Coker moved approval with the following stipulations and Mr. Jankowski seconded the motion that passed unanimously:

1. That a mylar be submitted that is in conformance with the *Subdivision Regulations*;
2. That approval be received from the Board of Adjustment, if such is deemed necessary; and,
3. That permanent boundary monuments be established as per the requirements of the Public Works Department.

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B. The application of **Sandra Matthews** for property located at **89 Brewery Lane** and **Jeffrey W. Ott** for property located at **85 Albany Street** wherein Preliminary and Final Approval is requested for a lot line relocation calling for the conveyance of 3,279 s.f. ± from property located at 89 Brewery Lane to property located at 85 Albany Street. Property located at 89 Brewery Lane would have a lot area of 25,253 s.f. ± and property located at 85 Albany Street would have a lot area of 16,212 ±. Said property is shown on Assessor Plan 146 as Lots 25 and 26 and lies within a Mixed/Residential/Business district. Plat plans are recorded in the Planning Department office as 14.1-02.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Karen Lovejoy of Ambit Engineering addressed the Board and stated that she was representing Jeffrey Ott and Sandra Matthews. She explained that the property in question is shown on Assessor's Plan 146 as Lots 25 and 26; that Mr. Ott's property is known as 85 Albany Street and has frontage on Albany with access off Cass Street; that Ms. Matthews property abuts the Malt House Exchange parking lot.

The proposal involves the conveyance of some 3,000 s.f. of lot area to Mr. Ott. Ms. Matthews referred to a 40' x 80' area referred to as "Area A" on the plan. She suggested that the topography supports the lot line change in that the elevation would be consistent with the rest of Mr. Ott's lot. She pointed out that Ms. Matthews' lot is 10' lower than "Area A". It was Ms. Lovejoy's opinion that the existing trees and the steep slope would continue to provide a buffer.

The Chair made two calls for speakers. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE BOARD:

Mr. Hopley moved approval of the lot line relocation. Mr. Will seconded the motion. The question was asked as to whom would get the maple and cherry trees and would Mr. Ott know what to do with them (joke as Mr. Ott owns a tree company). The motion passed unanimously.

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C. The application of **Liberty Mutual Insurance**, owner, for property located at **225 Borthwick Avenue** wherein site plan approval is requested for the installation of an emergency generator with a paved access way with associated site improvements. Said property is shown on Assessor Plan 240 as Lot 1 and lies within an Office Research district.

SPEAKING TO THE APPLICATION:

Mr. Mike Leo of Vanasse Hangen Brustlin addressed the Board and reminded them that he was before them last month for a Conditional Use Permit for the proposal. He spoke to the requirement from the Technical Advisory Committee regarding the monitoring wells. He indicated that there are three monitoring wells: one to the rear of the property, one at the main entrance and one adjacent to the duck pond. He stated that Mr. Carl Cressey would speak to the stipulation regarding an access easement for the City to sample the wells. Mr. Leo went on to state that reports from the V.O.C. samples had been submitted.

Mr. Leo informed the Board that monitoring well #3 is missing, it being Mr. Leo's assumption that it must have been destroyed during plowing operations adding that a driller would have to go back out there. He stated that he had discussed the situation with Tom Cravens of the Water Department who asked that the old well location be found and that the hole be sealed with tight clay.

Mr. Leo reported that the well log had been submitted to Mr. Cravens and that a silt fence had been added to the site plan and extended to the lower section of the emergency generator.

Carl Cressey, facilities manager for Liberty Mutual, addressed the Board and stated that counsel for Liberty Mutual had recommended that an agreement be entered into for access to the monitoring wells as opposed to an easement. He assured the Board that there was no problem granting access to the City; however, an easement could become a title issue sometime in the future. He added that they had spoken to Tom Cravens and he had no objections to the suggested procedure.

Mr. Holden felt that either a license or agreement would be appropriate subject to approval from the City Attorney's office as to content and form. Mr. Cressey indicated that counsel for Liberty Mutual would get together with the City Attorney.

There being no further speakers, the Public Hearing was closed.

DISCUSSION AND DECISION OF THE BOARD:

Councilor Lown moved approval of the site plan subject to the following stipulations. Mr. Will seconded the motion that passed unanimously.

From the Technical Advisory Committee:

1. That the location of the groundwater monitoring wells be indicated on the site plan;
2. That any existing access easements to the monitoring wells be shown on the site plan. If such an easement does not exist, then an easement for access to the monitoring wells should be granted to the City subject to the approval of the City Attorney as to content and form;
3. That reports from V.O.C. samples for each monitoring well be submitted to Tom Cravens, Engineering Technician with the City’s Water Department;
4. That copies of the well logs for each monitoring well be submitted to Tom Cravens, Engineering Technician with the City’s Water Department;
5. That the site plan indicate the installation of a silt fence during the construction period of the proposed paved accessway and the installation of the additional third generator; and,
6. That the specifications of the containment area for the fuel supply for the two existing and proposed generators be indicated on the site plan.

From the Planning Board:

1. That any licensing agreement granting municipal access to the monitoring wells be approved as to content and form by the City Attorney;
2. That the location of the replacement monitoring well be approved by David Allen, the Deputy Pubic Works Director;
3. That the location of the non-functioning well be determined and that the hole be sealed with tight clay.

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D. The application of **Whalesback Light, LLC**, owner and applicant, for property located at **96-98 State Street** wherein site plan approval is requested for the construction of a three story stair tower and a one-story 453 s.f. ± addition to the rear of the building with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 107 as Lot 52 and lies within the Central Business B and Historic A districts.

SPEAKING TO THE APPLICATION:

John Chagnon of Ambit Engineering addressed the Board and stated that he was representing Whalesback Light, LLC. He stated that the proposal is for an addition to an existing building that would be used for restaurant purposes. He informed the Board that a Certificate of Appropriateness had been received from the Historic District Commission as well as relief from the Board of Adjustment for the one-story addition.

Mr. Chagnon explained that sheet 1 shows the existing conditions as well as some demolition of the existing building, the removal of the metal shed and the relocation of the fence.

Sheet 2 shows the three-story and one-story additions. Some of the space behind the building will be reconfigured to provide a dumpster location and to provide an area for the planting of a tree.

Mr. Chagnon went on to state that the water, fire and gas services will be new; that there will be no change to the sewer service other than to provide a new manhole and a grease trap.

Mr. Chagnon reported that the Technical Advisory Committee (TAC) had convened a Special Meeting, for which he thanked them, and had recommended approval of the site plan with a number of stipulations. One was to obtain a license agreement from the City for the proposed canopy to replace the existing canopy and for the existing steps. He reported that the necessary paperwork had been filed with the City Council.

The Technical Advisory Committee also recommended the stipulations from the Traffic/Safety Committee in that the applicant would redo the sidewalks on Atkinson and State Streets from property line to property line in brick as shown on the plan. With regard to loading and unloading, it was reported that the Traffic/Safety Committee had made a motion to make the first parking space to the east of Atkinson Street (in front of Rosa's) a dedicated loading zone and that the applicant had agreed to the stipulation that they would instruct those making deliveries to the restaurant to use that loading zone and that the applicant would police that stipulation vigorously.

Mr. Chagnon went on to state that the stipulations from the original TAC meeting had been met in that a portion of the back area had been re-labeled as a loading zone for those vehicles that can pull in off the street. The metes and bounds of the lot have been shown on sheet C-2 indicating the placement of the building entirely on the property. The size of the sewer service has been determined to be a 4" service by the consulting company and is tied into State Street. Mr. Chagnon continued on by stating that any issues arising from the existing sewer service would be addressed through the Building Permit process.

Mr. Hopley entered into a discussion regarding an external grease trap. Mr. Chagnon responded by stating that there would be no place to put an external grease trap; that there would be very little room in the back. Ms. Tillman informed Mr. Hopley that the Deputy Public Works Director, David Allen, did speak to an internal grease trap at the TAC meeting held earlier in the day.

Questions arose regarding the location of the sewer line with Mr. Chagnon responding that the location is shown on the existing conditions plan as going out the front wall.

Please note that at this point in the proceedings Councilor Lown recused himself from sitting on this application.

Mr. Coker stated that the application is a great application; however, he expressed a concern over the stipulation that the applicant would instruct his vendors to use the appropriate loading zone. Mr. Coker went on to state that with all due respect to vendors, he just could not see that happening. He pointed out that Atkinson Street is heavily traveled. It was his opinion that signage should be posted indicating no parking/no loading.

Ms. Tillman responded by stating that the stipulation came from the Traffic/Safety Committee and reminded the Board that there are fines associated with the blocking of a street. Mr. Coker inquired if it was within the purview of the Board to stipulate signage. It was Mr. Holden's opinion that such an action would go beyond the Board's ability. He further stated that he was confident that anybody using Atkinson Street as a loading area would be ticketed.

Mr. Hopley asked that the loading berth (on State Street) be shown on the site plan.

Mr. Ricci brought up the issue of the screening for the dumpster and asked for a detail. After some discussion as to whether Historic District Commission (HDC) approval had been received, Tom Emerson of Lisa DeStefano Architects informed the Board that the fencing had been approved by the HDC. Subject closed.

The question was asked as to outside lighting with the response being that there would be no changes.

The question was then asked about the notation on the plan concerning a sump pump outlet and drainage grate. Mr. Chagnon explained that the sump pump is existing and is an encroachment from an adjoining property.

Mr. Coker then returned to the signage issue. The Chair asked him to wait for the public hearing portion to be completed.

The Chair made a call for speakers. Seeing no one rise, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE BOARD:

Mr. Holden referred to the memo from TAC conveying the stipulations from the Traffic/Safety Committee. Furthermore, Mr. Holden informed the Board that Attorney Pelech had filed the necessary paperwork to procure an easement from the City for the existing steps and proposed canopy. It was Mr. Holden's opinion that it would be good to document City control by recognizing a long-standing situation pointing out that Atkinson Street is narrow as well as the sidewalk. He went on to state that he would favorably recommend to the Board that it favorably recommend to the City Council the granting of the requested easement or license.

Mr. Jankowski moved to approve the site plan subject to the stipulations from the Traffic/Safety Committee and the stipulation concerning the procurement of an easement and the concern of Mr. Hopley that the plan show the loading zone. Ms. Roberts seconded the motion.

Mr. Coker referred to the *Site Review Regulations* and the fact that it provides for such things as traffic control, signals and signs. Therefore, he felt that a stipulation regarding signage would be within the Board's purview. He suggested that a stipulation be made for signage to be placed in a location to be determined by the Public Works Department that indicated a no loading zone.

Mr. Jankowski stated that he felt that the Board typically deals with signage on site; such as, stop signs or "keep right" signs and sight lines; not necessarily, to have some one put a sign on a City street.

Mr. Will did not feel that adding such a stipulation as suggested by Mr. Coker would be a big deal. The Chair reminded the Board that the City was attempting to decrease the number of signs in the downtown area.

Mr. Jankowski stated that he understood the concern expressed by Mr. Coker and felt it was a good concern; however, he, Mr. Jankowski, wondered if it wasn't an issue for the City's Traffic Engineer. Mr. Coker responded by stating that he lives downtown and he walks downtown; that the area by Me and Olie's on Porter Street is blocked daily. He felt that the Board should be proactive rather than after the fact. Mr. Holden indicated that the Board lacks the authority to pass an ordinance involving a right-of-way. The suggestion was made that the Traffic Engineer could bring the issue to the Traffic/Safety Committee if he deemed it necessary.

The Board voted on Mr. Coker's stipulation that a sign be placed where directed by the City's Traffic Engineer concerning a no loading zone. The motion failed on a 2-6 vote with Messrs. Coker and Will voting in the affirmative and Ms. Roberts, Messrs. Ricci, Savramis, Hopley, Jankowski and the Chair voting in the negative.

The main motion to approve the site plan subject to the following stipulations passed unanimously.

From the Traffic/Safety Committee:

- 1. That the applicant shall install brick sidewalks from property line to property line exclusive of tip down;
- 2. That the applicant shall instruct vendors that they will have to sue loading zone.

From the Planning Board:

- 1. That the loading berth be indicated on the site plan.

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E. The application of **Bluestone Properties, LLC**, applicant, for property located at **2236 Lafayette Road** wherein site plan approval is requested for the construction of a 4,828 s.f. ± one-story building proposed to be used as a restaurant/commercial/retail mix with related paving, utilities, landscaping, drainage and associated site improvements. An existing single-family residence and two auxiliary buildings (cabins) will be demolished. Said property is shown on Assessor Plan 267 as Lot 2 and lies within a General Business district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Eric Weinrieb of Altus Engineering presented the proposal explaining that the lot in question is a long, narrow lot, some 350' of frontage and 150' in depth adding that the lot would be rendered useless without relief. He pointed out that a cemetery is located in the southeasterly corner of the lot and a 25' setback from the cemetery is being maintained. Mr. Weinrieb informed the Board that there are no wetlands on the property.

Mr. Weinrieb went on to state that on June 18th, the Board of Adjustment granted four Variances; more specifically, relief was granted for a 60' front yard where 105' is required; relief was granted for a 13' rear yard where 50' is required; relief was granted to allow parking and maneuvering aisles to be 40' within the front property line; and that the loading zone be 25' from the property line where 50' is required.

Mr. Weinrieb then spoke to a 12' easement in the front of the property to the NHDOT to allow for the widening of Lafayette Road. He explained that parking would be within 12' 3" of the front property line.

The proposal is for the construction of a 34' x 142' commercial building for a take-out type restaurant and retail uses.

With regard to stormwater management, Mr. Weinrieb indicated that there would be no increase in the runoff post development. He spoke to a detention pond that would detain the runoff on site and then slowly discharge it, the runoff, into the wooded area of the Water Country parcel.

Mr. Weinrieb further informed the Board that 29 parking spaces would be provided. He reported that the Traffic/Safety Committee asked that the driveway be aligned with the one across the street. Mr. Weinrieb stated that such can be done by shifting the driveway about 5' to the south. The parking lot would not have to be reconfigured at all.

With regard to sight distance, Mr. Weinrieb reported that the Traffic/Safety Committee perceived a problem making a left-hand turn as one leaves the site. He stated that he would be exploring alternatives and revisiting the issue with the Traffic/Safety Committee. Mr. Holden interjected that it was his understanding that the Traffic/Safety Committee expected to see a “pork chop” configuration at that drive and inquired if Mr. Weinrieb would like more time to design such a configuration that would meet the requirements of the City’s Traffic Engineer and the NHDOT. Mr. Weinrieb responded by stating that he could design one.

Mr. Will inquired as to the landscaping plan. Ms. Tillman reported that she has reviewed same and has been working with Mr. Weinrieb on that. Mr. Weinrieb referred Mr. Will to sheet C-4 and pointed out the proposed street trees along Lafayette Road.

Ms. Roberts brought up the issue of snow storage on the 12’ easement area. Mr. Weinrieb explained that the submittal to the Technical Advisory Committee had snow storage in the front. He reported that such had been eliminated; that snow storage would be off to the sides.

Councilor Lown asked if he was correct in understanding that if Lafayette Road is widened, it would not interfere with any of the proposed parking spaces. Mr. Weinrieb replied in the affirmative.

Mr. Ricci inquired as to any exterior lighting for the parking area. Mr. Weinrieb spoke to building mounted lights that would be directed downward. Additionally there would be some pole lights 10’ in height directed downward.

Mr. Ricci returned to the issue of left turns coming out of the site. Mr. Holden reiterated that the Traffic/Safety Committee had stipulated a “pork chop” to prevent left turns adding that diverting traffic to the next signalized intersection would make sense. Mr. Ricci expressed the concern that people would be looking for the first opportunity to make a turn around and felt that they might try to do that at the Burger King driveway. Mr. Holden responded by stating that such would be hard to do once a median strip is installed along that section of Lafayette Road.

Mr. Ricci commended the engineer, Eric Weinrieb, for basically treating 100% of the runoff continuing on to state that Mr. Weinrieb had done an admirable job and had submitted a really nice plan.

The Chair spoke to the necessity of providing a sidewalk at the rear of the building. Mr. Hopley explained that second exteriors out of a building need to lead to a maintainable surface other than just stone. Mr. Weinrieb explained that the roof is pitched in back; therefore, he had proposed stone to prevent snow erosion problems. He added that the façade would be such that the roof would look like a flat roof.

The Chair asked if there was anyone else in the public wishing to speak to, for or against. Seeing no one rise, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE BOARD:

Mr. Holden suggested that the application be tabled until such time as the plan meets the stipulation from the Traffic/Safety Committee or, in the alternative, that, if the Board should be so inclined, that approval of the site plan could be given subject to approval by John Burke, the City’s Parking and Transportation Engineer, of the revised “pork chop” and approval from NHDOT for the driveway.

Mr. Jankowski moved to table the application, without prejudice, to the Board's next meeting, it being his feeling that he did not have enough information from NHDOT; that questions from the Traffic/Safety Committee remained unanswered, and questions remained regarding the exterior lighting. Mr. Will seconded the motion.

Councilor Lown stated that he would like to go with the alternative; that is, to approve the site plan subject to conditions. He felt that the applicant had done a nice job and that he would prefer to go with the alternative rather than having them come back.

Mr. Jankowski concurred that a lot of nice work had been done; however, he thought that the submittal could use improvement and reiterated that he personally felt that not enough information was submitted regarding parking spaces and NHDOT approval. Plus, questions remained on lighting.

On a roll call vote, the motion to table passed on a 6-3 vote with Messrs. Lown, Coker and Ricci voting in the negative and Ms. Roberts, Messrs. Savramis, Will, Hopley, Jankowski and the Chair voting in the affirmative.

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F. The application of **HCA Health Services of NH**, owner, for property located at **333 Borthwick Avenue** wherein site plan approval is requested for the construction of a 795 s.f. ± one-story "fill-in" addition to an existing building together with the reconfiguration of existing paved parking spaces to provide for an ambulance driveway, including the repair of existing drainage adjacent to the new driveway. Also included in this application is the construction of a new entrance vestibule and canopy extension at the Pavilion entrance with associated site improvements. Said property is shown on Assessor Plan 240 as Lot 2-1 and lies within an Office Research district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Dennis Moulton of Millette Sprague & Colwell addressed the Board and jokingly commented that the Chair had just read his (Mr. Moulton's) presentation and had nothing more to say.

Mr. Moulton did continue on by stating that the proposal is a very simple project involving a one-story addition to an existing area of the hospital and the addition of an entrance for non-emergency ambulances. A canopy will be constructed over the entrance where ambulances pull up. The pavement for the ambulance entrance will be porous pavement in conformance with the Conditional Use Permit.

Mr. Moulton went on to state that there would be a canopy over the existing driveway next to the Pavilion entrance to protect the people who are off-loading from the elements. The pavement will be regraded and the sidewalk will be reconstructed to alleviate the problem of water ponding. The runoff will be directed away from the canopy into the drainage system.

With regard to the stipulations from the Technical Advisory Committee, Mr. Moulton reported that a suitable easement will be provided to the City Attorney for his review and approval. Mr. Moulton went on to explain that the five monitoring wells are indicated on a T. F. Moran site plan and will be put on a site plan to be delivered to Mr. Cravens.

The Chair made a call for speakers. There being none, the Chair declared the Public Hearing closed.

DISCUSSION AND DECISION OF THE BOARD:

Mr. Coker moved to approve the site plan with the following stipulations. Mr. Will seconded the motion that passed unanimously.

From the Technical Advisory Committee:

1. That the site plan indicate the location of the monitoring wells;
2. That an access easement be granted to the City of Portsmouth for access to the monitoring wells for sampling purposes with the content and form of the access easement to be approved by the City Attorney; and,
3. That copies of the well logs for each of the monitoring wells be submitted to Tom Cravens, Engineering Technician, Water Department.

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IV. NEW BUSINESS

A. Creation of Master Plan subcommittees

The Chair invited members to pass into Mr. Holden their preferences on the Master Plan subcommittees. Mr. Holden asked the members to indicate their first two preferences adding hat they would be serving as the front line further explaining that the Land Use and Transportation elements would be handled by the full Board as a Committee of the Whole.

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Items not on the Agenda

Pease International Tradeport wetlands buffer

The Chair read into the record a letter that had been put together addressing the concerns of the Board/City regarding the 25' wetlands buffer at Pease. The Board concurred that it was a good letter and that it would be appropriate to send it on.

Mr. Will commented that besides the issue of the buffer some of his concern revolve around the fact that Pease is developing property using ten year old regulations; that when the Development Authority was created, Pease was comprised of empty lots; that it's not like that any more. He suggested that a second letter be sent to the Pease Development Authority (PDA) inviting them to a work session with the Board. Mr. Holden interjected that the Planning Board would be working with the Board of Directors of the PDA as part of the Master Plan.

St. James Church

The department reported back that the wetlands adjacent to the St. James Church was not a jurisdictional wetland as defined in Article VI; and, therefore, any new paving done by the church would not be within a wetlands buffer.

Master Plan Planning Process

Mr. Holden clarified that the Board had agreed to meet at 6:00 p.m. immediately prior to their next meeting on October 17th to meet with the representatives of the Study Group Circle. Mr. Will commented that Cindy Hayden, Director of Community Development, had addressed a meeting of the Neighborhood Associations.

Jay Smith

The Chair stated he was saddened by and would be remiss if he didn't call to mind the passing of Jay Smith with whom the Chair had worked while serving as the Board's representative on the Historic District Commission.

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V. ADJOURNMENT was had at approximately 8:35 p.m.

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Respectfully submitted,

Barbara B. Driscoll
Acting Secretary for the Planning Board

These minutes were approved by the Planning Board on