

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

**7:00 P.M.**

**CITY COUNCIL CHAMBERS  
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**MARCH 24, 2005**

**MEMBERS PRESENT:** Kenneth Smith, Chairman; Thomas Ferrini, City Council Representative; Cindy Hayden, Deputy City Manager; Richard A. Hopley, Building Inspector; John Sullivan; Raymond Will; Donald Coker; John Ricci and Alternate Jerry Hejzmanek

**MEMBERS EXCUSED:** George Savramis;

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

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**I. PUBLIC HEARINGS**

1. The application of **F-Series Realty, LLC, Owner** for property located at **215 West Road**, wherein site plan approval is requested for the construction of a 2-story, 2,500 ± s.f. addition to an existing structure and construction of a fenced in parking lot, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 267 as Lot 10 and lies within an Industrial district.

The Chair read the notice into the record.

**SPEAKING TO THE APPLICATION:**

Eric Weinrieb, of Altus Engineering, presented on behalf of F-Series LLC. The site is located at 215 West Road. They are taking an existing commercial gravel lay-down yard and paving it to allow storage space for Portsmouth Ford. They are also building a 2,600 s.f. building addition with no utilities other than lighting for new car storage. There will be no repair of vehicles. They are not making any improvements to the front of the site where there is an existing building with parking, a driveway and landscaping. They will pave the back lay down area and construct a detention pond and treatment swale as there is no treatment currently on site. By paving they are maintaining in a sheet flow fashion, into a detention pond, which will slow down the rate of velocity into the detention pond. There is snow storage along the edge of the site and an emergency egress to the rear of the site. All tractor trailer traffic will load and unload on the site.

Mr. Will indicated there was extensive discussion at TAC regarding the turn around on the property for the car trailers and he asked Mr. Weinrieb to elaborate on how those will enter and exit the property.

Mr. Weinrieb stated they will come in and turn to the right and go all the way to the edge of pavement. They can then back up in the radius provided and will then be able to drive out through the front. This paved area will not be striped as it is just for use by employees of Portsmouth Ford for storage of vehicles.

Mr. Will confirmed that there will be no washing of vehicles. It also appeared that they have corrected the record to reflect that they will have low mileage vehicles from the dealer. Mr. Will asked if these were pre leased vehicles with up to 20,000 – 30,000 miles on them? His concern is that with 20,000 – 30,000 miles there is leakage.

Mr. Weinrieb did not know what their cut off was for mileage. 30,000 miles seemed very high to him.

Mr. Hejtmanek was concerned about environmental problems. He felt they were paving the site for no real reason. Why not eliminate the paving and leave as gravel?

Mr. Weinrieb indicated they would have more erosion than there is today. Their test pits showed there is very little infiltration and it is very close to ground water. The pavement will be a better treated surface with no sand and grit. Also, the detention pond will not fill up so quickly.

Mr. Coker asked Mr. Weinrieb to detail the drainage more clearly.

Mr. Weinrieb stated they were following general contours out there today. The high point will be sheet flowing to the south and curving along the edge of catch water so it doesn't run onto abutting property, into a detention pond. From the pond, there is a v-notch weir going into the swale along the roadway.

Mr. Coker asked Mr. Weinrieb if he was comfortable with the amount of treatment that the detention pond can handle? Used cars will leak and the rain will wash it into the detention pond.

Mr. Weinrieb indicated that the oils will float and they will come up. He is hoping for evaporation in more frequent storms. A dry event will get the first flush of contaminate, and it will evaporate.

Mr. Coker asked what stacking of vehicles meant?

Mr. Weinrieb compared this with parking space in a parking lot where they could have 2-3 vehicles bumper to bumper.

Deputy City Manager Hayden asked about the snow storage along the edge of the detention pond and if the location would effect the detention pond?

Mr. Wienreib did not believe so because the higher rainfall event where you get the frequency storm event does not occur in the winter months.

Deputy City Manager Hayden confirmed that it was all sheet flow?

Mr. Weinrieb indicated that was correct and it would all go underneath the snow.

John Ricci asked about C-3, where it said that the access gate was normally locked. He asked what normally locked meant?

Mr. Weinrieb stated that "normally locked" is because they wanted to provide an access through there should this road get built in the future and they would not have to put in a gate of some sort. Hypothetically speaking, if this road gets built and they come in in the future and unload their cars,

they would be able to drive out. That's why it's normally locked and if that were the case they would probably have to come back to the Board so he put the gate in.

Mr. Ricci asked if it was correct that the gate will always be locked until that road goes in?

Mr. Weinrieb indicated that was correct. He then stated "No, because this is his property and it gets trashed out back so he would like to get out back to maintain this property.

Mr. Ricci asked about snow storage and if it wasn't adequate was there a provision to haul it off site?

Mr. Weinrieb felt that F-Series would reduce the amount of cars that they were storing on site to make adequate room for snow storage.

Mr. Ricci felt that it seemed that these type of lots tend to be filled in as much black as they can and he has a concern that it should be noted that they will haul excess snow off site.

Mr. Ricci asked what storm event the detention basin was designed for?

Mr. Weinrieb did three events - 2, 10 & 25 storm events.

Mr. Ricci asked if they did any test pits?

Mr. Weinrieb indicated they did a geo-technical report and the water table was within 2' of the surface and is seasonal.

Chairman Smith asked about their lighting plan and the lights that they propose. They are trying to get into using Dark Sky friendly lights to avoid glare. They have 25' poles around the main parking area and Chairman Smith asked that the lights be recessed inside the housing to conform with the Dark Sky Friendly. The lights on the front of the property are on a 25' pole? He asked if they could bring those down to 18' - 20'.

Mr. Weinrieb indicated they could do that.

Chairman Smith asked that all lights be recessed up into the housing to prevent glare. He also asked for a stipulation that if their snow storage area filled up, they would have to take the snow storage off site. Lastly, he asked for a stipulation on the detention ponds and drainage swales, would they provide annual reports to DPW to make sure they are maintained?

Mr. Weinrieb was agreeable to those stipulations.

Mr. Ricci asked the applicant to have a review with David Desfosses on lighting and that DPW and the Planning Department would review and approve their final plan

The Chair asked if there was anyone else present from the public, wishing to speak to, for, or against the petition. Seeing no one rise, the public hearing was closed.

**DISCUSSION AND DECISION**

Mr. Will asked the Department about the stored cars. He didn't want to see 30,000 mile vehicles on the lot as they generally leak.

Chairman Smith indicated he had the same concerns with a previous used car lot across from Water Country with a sheet flow going through the detention pond in the back however he recalls that that was actually an appropriate method because it evaporates while going down to the detention pond.

Mr. Holden indicated that another way to handle this would be to add a stipulation that no cars in an inoperable or leaking condition shall be stored on site.

Mr. Wienreib concurred with that stipulation.

Mr. Will made a motion to approve with stipulations regarding snow storage, leaky vehicles, lights, gate remaining locked, and swale maintenance reports to DPW on an annual report.

Councilor Ferrini seconded the motion.

Motion to grant passed unanimously with the following stipulations:

**Stipulations from the February 1, 2005 TAC meeting:**

- 1) That a reference be added to the Site Plan showing the driveway easement that crosses the property;
- 2) That more details on site lighting be added to the Site Plans;
- 3) That the drainage system be evaluated regarding volume to determine whether a better system could be developed;
- 4) That the Site Plans identify how trucks will turn around on the site, using signage and striping;
- 5) That the Site Plans clarify how the back gate will be used;
- 6) That the Site Plans reflect that only new vehicles will be stored on the site, and amended approval would be required to store any used vehicles on the site;
- 7) That the back gate be re-aligned;
- 8) That upright handicapped signs be placed in front of the handicapped parking spaces;

**Stipulations from the March 1, 2005 TAC meeting:**

- 9) That a turning template be added to the Site Plan;
- 10) That a note be added to the Site Plan indicating that no washing or repairing of vehicles is allowed on the site";
- 11) That a note be added to the Site Plan indicating that no loading or unloading of vehicles is allowed off of West Road or any part of the right-of-way";
- 12) That the Landscaping Plan be reviewed and approved by the Planning Department;
- 13) That the travel aisle in the rear line up with the gate entrance so that it is always accessible;

**Stipulations from the March 24, 2005 Planning Board meeting:**

- 14) That if the snow storage areas noted on the Site Plans are not adequate, then the excess snow will be removed from the site;
- 15) That the rear gate will remain locked at all times until such time that a City street is constructed along the rear of the property;
- 16) That all light poles be no higher than 20’;
- 17) That all light fixtures be Dark Sky Friendly and that the lighting plan be reviewed and approved by David Desfosses and the Planning Department;
- 18) That a maintenance report on the detention pond and swales be provided to the Department of Public Works on an annual basis.
- 19) That no cars in an inoperable or leaky condition will be allowed to park on the site;

Mr. Holden asked the Board, given their new interest in Site Lighting, if they are asking that any changes to site lighting should be reviewed by the Board?

Chairman Smith indicated that they would absolutely want to review any site lighting changes, unless it is very minor and can be worked out between the Department and David Desfosses and any changes should be Dark Sky Friendly.

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2. The application of **Northeast Credit Union, Owner**, for property located at **100 Borthwick Avenue**, wherein site plan approval is requested for the construction of a 2-story, 8,000 ± s.f. addition to an existing structure and expansion of the existing parking lot, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 259 as Lot 15 and lies within an Office Research district.

The Chair read the notice into the record.

Mr. Will recused himself from this hearing.

**SPEAKING TO THE APPLICATION:**

John Chagnon, of Ambit Engineering, representing the Credit Union, addressed the Board. Also present were Devon Parker, Paul Kelly, Richard Parks, all from the Credit Union, Craig Sullivan of Sullivan Construction and Royd Benjamin of the Maguire Group.

Mr. Chagnon stated that the plan set consists of a standard boundary survey, a plan showing easements, an existing conditions plan showing a sidewalk that was a result of TAC and City staff and Traffic & Safety, and a landscaping plan. There is a utility and grading plan showing utility connections which are mostly internal except sewer. There is a stormwater and erosion control plan which is being dealt with through infiltration and there should be a significant decrease in site run off. The lighting plan was submitted last week under separate cover. That was prepared by Ken Charron and the fixtures are Dark Sky friendly. Two detail sheets were included on those.

Mr. Chagnon reviewed the Stipulations from the March 1<sup>st</sup> TAC meeting.

The dumpster was relocated. It was under the PSNH easement and had to be moved. It is now west of the building.

The sidewalk tree clearing limits are now shown. The sidewalk goes through an area without mature growth. The sidewalks have been redesigned to be ADA accessible. The City approved sidewalk on a project across the street which is under construction is shown on the plan, coming to a point beyond where their sidewalk will end. Ultimately the City will have a sidewalk connection from the bridge at the corner of Borthwick Avenue all the way down to the Jackson Grey building.

The sidewalk easement has not been shown on the plans yet but there is a note on the plans, showing that the deed and language will be worked out as a condition of approval. They will work with the Planning and Legal Departments to execute those easements as the sidewalk is constructed.

The Traffic & Safety Committee took up issue on the 10<sup>th</sup> of March and voted unanimously to recommend this project for approval.

The Landscaping Plan is still under review by the Planning Department.

Lastly, an annotated set of plans will be provided to the Planning Department to use for review.

Mr. Sullivan asked if all of the concerns in regard to lighting in the rear was taken care of with the residents on Greenland Road.

Mr. Chagnon indicated he would let them speak for themselves. But, the short answer was yes. The lighting plan shows the light intensities and they have done some work on the ATM.

Mr. Sullivan asked if a traffic study was done at Borthwick Avenue and Route 101.

Mr. Chagnon indicated that a study was done and a report was submitted to the Board. This was done by the Maguire Group.

Mr. Sullivan just wanted to know if a recent traffic study was touched on for this project.

Mr. Chagnon stated that the City is studying the corridor so they didn't do a study but they looked at those studies. The Traffic & Safety Committee felt that construction of the sidewalk along the frontage, over 800', provided mitigation worthy of approval. They did identify some things that the City could do to improve traffic in that corridor.

Mr. Ricci asked about the leaching chambers and if there was any ground water research done beneath those?

Mr. Chagnon confirmed that a test pit was done to make sure that there was at least 4' in separation between them. The site is very flat and there is no opportunity to put in a detention pond. Also it is very porous soil. It was felt that with oil hoods in the catch basins for treatment and given the site constraints, this was the best way to do it.

Mr. Hopley indicated the footprint footage for the addition was 8,000 s.f. He asked what the existing building s.f. were? The plans show gross but not footprint. His point was there was a comment in TAC minutes that Mr. Parker indicated the current building has a sprinkler system in the basement

only. If they plan to add the addition without any separation, Mr. Hopley felt it might get a little complicated and they may want to have a design professional work on that. The sprinkler system may or may not be needed as a result of that.

Chairman Smith indicated that Sheet C-6 still shows the dumpster in the rear. He asked that correction be made on the plans.

Chairman Smith asked about handicapped parking spaces and if there were any concrete pads for motorcycle parking?

Mr. Chagnon stated there were no motorcycle pads at this time. It may be possible to add two of them in the rear.

Chairman Smith asked if they could fit some up front also?

Mr. Chagnon indicated he would look at that. Parking was not at its limit.

Chairman Smith asked about the drive up windows and whether they used exterior speakers? He was concerned about them echoing back into neighborhoods?

Mr. Chagnon stated they were only used during business hours and the microphones point to the northeast. The neighbors have not expressed an issue with sound.

Chairman Smith asked if the traffic engineer could go over some suggestions for the Board?

Royd Benjamin, of the Maguire Group, briefly went through his document. There was a two phase approach to the project. He first looked at the expanded part of the building. This was being built due to over crowding in the existing building and there would be no increased employees. They did trip generations which were 36 trips in the a.m. and 34 trips in the p.m. They met with the City and the numbers were so small that it didn't warrant a full traffic study. The City asked them to look at the Route One/Borthwick Avenue intersection as well as the Route 33/ Borthwick Avenue intersection. They collected data from some other companies from 2003 studies. They looked at the distribution of the Credit Union data, they used the timing from the State's data and came to the conclusion that the impacts were negligible at both intersections. They do recognize that they are adding traffic so they looked for something they could do to help with the corridor. Sidewalks are what they came up with. They also made some suggestions for the intersection of Old Greenland Road and the access road to Route 33.

Mr. Holden asked about the disposition of their recommendation

Mr. Benjamin indicated Traffic & Safety determined that was not the responsibility of the applicant and City should undertake any improvements at the intersection of Old Greenland Road.

Mr. Holden indicated that John Burke was concerned about traffic eastbound on Route 33 turning left into sight.

Mr. Benjamin indicated that they increased the queue length by one vehicle and one second. The problem is much bigger than traffic generated from the Credit Union. The City is also talking to the State to see what can be done. The sidewalk is a better investment for the city at this time.

Mr. Holden confirmed that the TAC Committee was concerned about this intersection but they were willing to bow to a recommendation from Traffic & Safety. The Applicant has stepped forward to address the pedestrian issue on Borthwick Avenue.

Mr. Sullivan asked if motorcycle pads were placed out back, there should be adequate signage to find those pads. He felt other future applicants should be required to do this as well.

Mr. Chagnon felt the front traffic is mostly quick turn around and may not require a motorcycle space. The back would be for more long term stays.

The Chair asked if there was anyone from the public wishing to speak to, for or against the Petition.

Amy Sauceman, of 4 Princeton Street, was an abutter to proposal. She was not present to object but was concerned about impending changes to her lifestyle such as additional noise, light, traffic, landscape changes. There is 90' of fencing along the railroad tracks and there are many trees planted and she wants a condition that those be maintained.

Mr. Coker asked, in terms of distance, how far was she from back side of the property.

Ms. Sauceman indicated she was perhaps 10' – 12' from the border of her property to the railroad property.

The Chair asked if there was anyone else present from the public, wishing to speak to, for, or against the petition. Seeing no one rise, the public hearing was closed.

## **DISCUSSION AND DECISION**

Mr. Coker asked, because of distance, he assumes lighting will be Dark Sky friendly?

Chairman Smith confirmed that they will meet with David Desfosses and the Planning Department for review and approval of the lighting plan.

Mr. Sullivan moved to approve with stipulations. Councilor Ferrini seconded.

Chairman Smith confirmed that Mr. Sullivan was referring to the TAC stipulations and also that the lights be Dark Sky Friendly and reviewed by David Desfosses and the Planning Department, that the fencing & landscaping in the rear be maintained and not cut if a budget cut becomes necessary on the project.

Ferrini asked if the landscaping and fencing were to show up on the plan but not be included as a stipulations, then at a later point of time and it was cut due to budget constraints and that was not undertaken, given that it is shown on the plan, he asked what was their enforcement capability?

Mr. Holden indicated that the city will have a bond so the City will make sure it is there. Further, it will be maintained and if it falls in disrepair, they will site them.

Chairman Smith also confirmed the stipulation for the motor cycle pads.



There was a discussion about the need for motorcycle pads in both the front and the rear. It was generally agreed that they would require two in front and two in the rear.

The motion passed unanimously with the following stipulations:

**Stipulations from the February 1, 2005 TAC meeting:**

- 1) That a meeting be scheduled with John Burke, David Desfosses and David Holden to discuss traffic, sidewalks and on-site signage;
- 2) That the traffic engineer provide a written report;
- 3) That the details of the PSNH easement be shown on the plans;
- 4) That an additional monitoring well be installed at the expense of the applicant next to the dumpster, with the location to be worked out with DPW;
- 5) That an easement be prepared to allow the City access to the monitoring wells;
- 6) That the ATM lighting be evaluated regarding the installation of buffering;
- 7) That the Lighting Plan be reviewed to determine what height the light poles should be;
- 8) That the Landscape Plan be approved by the Planning Department;

**Stipulations from the March 1, 2005 TAC meeting:**

- 9) That the dumpster as relocated on drawing dated March 1, 2005 be shown on the Site Plan;
- 10) That the tree clearing limit for the sidewalk be shown on the Site Plan;
- 11) That the sidewalks must be ADA accessible (details to be worked out with the DPW and the applicant)
- 12) That the City approved sidewalk that is not constructed should be shown on the Site Plans as constructed by others (details to be worked out with the DPW and the applicant);
- 13) That the sidewalk easement of 15' should be shown on the plan and the Easement Plan and Deed should be reviewed and approved by the Planning and Legal Departments;
- 14) That this matter be referred to the Traffic & Safety Committee for review;
- 15) That the Landscape Plan be reviewed and approved by the Planning Department;
- 16) That one set of revised Site Plans be annotated, showing all revisions, prior to the issuance of a building permit;

**Stipulations from the March 24, 2005 Planning Board meeting:**

- 17) That all light fixtures be Dark Sky Friendly and that the lighting plan be reviewed and approved by David Desfosses and the Planning Department;
- 18) That the fencing and landscaping along the rear of the property be maintained;
- 19) That two motorcycle pads shall be added to the front of the building and two motorcycle pads shall be added to the rear of the building;

Mr. Sullivan brought up the traffic study done for Route 33 and Borthwick Avenue intersection. When they were talking about the Islington Woods project, they were talking about a traffic study for Islington Street. If they ever open up the road going into Panaway manner, that intersection will become much busier. He would like to have that incorporated in the City study. This should be added to the minutes.

Mr. Holden indicated that the situation with this property is that it did not generate much traffic. However projects will be coming to Borthwick that will create much more traffic and could be

significant. He agreed with Mr. Sullivan and urged the Board to take note of them as other projects come up.

Mr. Sullivan felt the day was coming when that intersection will soon be much busier.

Mr. Holden stated for the record that the applicant did the City a service by looking at this intersection and the Traffic & Safety Committee will be looking at it again very shortly.

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3. Pursuant to NH RSA 675:7 the City of Portsmouth Planning Board is conducting a Public Hearing for purposes of soliciting public comment on the **Planning Board's Proposed Master Plan** for the City. This draft Plan has been prepared in accord with the requirements contained in NH RSA 674:2. A partial listing of Plan sections/elements include the following: Vision; Land Use; Housing; Transportation; Community Facilities and Services; Economic Development; Natural Resources/Hazards; Recreation; Cultural/Historic Resources and the Arts; Social Services; and Implementation. Included within the Plan are appropriate exhibits, maps and illustrations. The Plan is based on the Board's Master Plan Planning Process that has developed accompanying supportive documents and reports; including, the *Existing Conditions and Trends Report* prepared in 2003. The Master Plan is available for public review at the following locations: The Portsmouth Public Library; the Office of the City Clerk at City Hall; the Office of the Planning Department at City Hall; and, at [www.cityofportsmouth.com](http://www.cityofportsmouth.com). The Public is hereby invited to attend this Hearing to participate in the consideration and adoption of this draft Plan.

Rick Taintor, of Taintor & Associates, did a brief description of the lengthy process that they went through to make sure that the plan included the thoughts and plans of a huge range of people. The City has worked on this for 2 years working with people from the City for public involvement. The City evaluated the feedback from the public groups, developed goals and policies which came out last Spring. More meetings were held and in the fall an implementation program started, bringing them to today.

They start with a broad vision statement and then they identified a broad theme of issues that came out of discussions, including goals and objective and specific strategies where the City could make a difference. They tried to cross reference items. Chapters (Elements) of the Master Plan include:

- A Vision of Portsmouth
- Priorities for Action
- Goals, Objectives, & Strategies
- Land Use, Future Land Use Map
- Housing
- Economic Development
- Transportation
- Community Facilities and Services
- Natural Resources and Open Space
- Natural Hazards, Emergency Management, and Recovery Planning
- Recreation
- Cultural and Historic Resources and the Arts
- Social Service3s
- Implementation Plan

They normally focus on the physical developments but Portsmouth has chosen to look at social services and the arts. Most Master Plans look at this in terms of architecture and neighborhoods however Portsmouth developed a cultural Master Plan and incorporated into the Master Plan.

They identified four priorities: Downtown vitality, corridor areas, supporting a diverse community and resource protection and sustainability.

Where do we go from here? First, the Planning Board must adopt the plan so it is an official city document. Then, all Boards, Agencies, Departments and non-municipal have the responsibility to take action to implement the Master Plan.

Zoning changes and Land Use Changes is a major chapter. Other chapters address zoning as well. Procedural changes are addressed. The plan calls for further study in various areas and addresses how to get information out to people? The plan is meant to be a living document, looked at on an annual basis to determine if all items are still necessary. The Plan should be actively used by all City Departments.

Chairman Smith indicated that the Study circles asked that this not become a document to just sit on a shelf. The most important thing to come out of this is that they will do an annual State of the Master Plan Report to the City Council.

The Chair called for speakers.

Jim Noucas & John Taber expressed their pride and gratitude that Portsmouth listened and used the input. They thanked the City for a job well done.

Mr. Noucas indicated it was a learning experience. As a result of the process, they realized that the City was already doing things and the citizens became more informed of what their roles were. A lot of work was invested and they have ended up with a Master Plan that answered the question they started with – how to make Portsmouth the best place to live and work.

Chairman Smith thanked them for their many hours of hard work and indicated that the process would not have been done without them.

Mr. Coker indicated that he sat on the committee that chose Taintor & Associates and the public participation budget was 1/3 of the total cost. The process of public participation has made an enormous difference in the outcome of this document and the outcome of where it is taking us. He thanked everyone and stated that a skeptic had been won over!

Chris Dwyer, Chairman of Art-Speak, Portsmouth Cultural Commission. She stated this plan has had a lot of input from the cultural community. They requested that they consider three additional topics. The first topic is more artist live-work space. Priority of preserving work force housing. Need for rezoning that permits live-work spaces to maintain the work force. Strategy of flexible zoning techniques for creative mixed uses. They feel there should be incentives for live-work spaces and work force housing.

The second topic is about cultural purposes in two future developments – the McIntyre Building and the Northern Tier. The intention to create vitality in those areas. They feel they need cultural vitality also and they would like to see the cultural purposes specifically addressed.

The third topic is outdoor aesthetics. They think it is an important role for public art to add to the aesthetics. They are encouraging the extension of the 1% of art provision to landscaping and park improvements.

They would like to commend the Planning Board on the attention to cultural resources in the Plan.

Martin Cameron, 469 Ocean Road. Referred to Page 27, entitled “Islington Street – Railroad Corridor – Borthwick Avenue. This is zoned for Office Research but a proposal has come in to change the zoning. A big development wants to go in and the zoning is not compatible. He wants to make sure that this would have to go through all of the appropriate Boards. He doesn’t want anyone to get a “free pass”.

Mr. Will referred Mr. Cameron to Page 28, LU-7.6 and reassured him that this is all above and beyond any normal development in the City and this is in no way a “free pass”. The Board echoes many of his concerns and the Board wants to make sure they do this right. This should not be interpreted as a “done deal” and there will be many opportunities for the community to be involved.

Mr Coker followed up on Mr. Will’s comments and confirmed that this Board administers under certain policies and procedures. There is a matrix that needs to be followed in a request such as this. He encourages the public to watch the project and participate.

Chairman Smith stated that the Master Plan is ideas that they want to look at and this area will be intensely looked at.

Councilor Ferrini indicated that the way he sees it is if he votes for the Master Plan, which he intends to do, it says to “study” and not “approve”.

Mr. Cameron just wanted to bring this to the public’s attention.

Malcolm McNeill, Esq., spoke on behalf of Bruce Keogh and EricChinberg. They recognize this is a major project and wish to work with the City on this site. They were able to present to the Board on January 27th what they were proposing. They followed up with a letter addressing outstanding issues. They presume the Master Plan to be a “living document” and Art Speak has requested more live-work space and artist space. They feel this is very important and they have also talked about these issues. They recognize the City’s recommendation to further study this project. They will very shortly submit a proposal to rezone this property. The first page of the Master Plan speaks of socio-economic diversity through afford housing and innovative modes of transportation. Their plan proposes mixed use development, balanced between work and living space. At the end of the process they hope the City is as enthusiastic about the project as they are.

Ellen Fineburg, of 75 Aldrich Road, had a question about Page 85, Land Use. She asked what was the thinking behind LU 1.2 , regarding the design standards in the HDC and also LU 1.4, regarding the consideration of zoning changes to encourage upper story design that is compatible with existing building character.

Mr. Holden stated that because they have a new Master Plan, they have to look at the Zoning Ordinance again. This is guidance on how to look at each section. These sections of the Historic District section, Article X of the Zoning Ordinance, will be reviewed and likely will be changed in some way and reviewed with the Commission. The second item refers to how people have viewed the city and have noticed that it has many different rooftops and looking at how that can be facilitated into the design of other buildings.

William Gladhill, of 8 Barberry Lane, and a member of the Economic Development Commission referred to Page 76 concerning the Historic District, where it refers to developing a Historic Preservation Plan for the entire City. He felt many historic buildings in Portsmouth and should be protected. Burlington, VT has a historic district but no historic commission. They have a Historic Review Board that reviews any building over 50 years old. He referred to Air quality, page 178, and ozone is the primary pollutant in Portsmouth. There have been reports of the air quality of our town and he is concerned about 40- 50 years down the road. He referred to Page 62, Preserving Historic Wildlife and green areas, which help clean the air. He felt that open space should be preserved. Wetland protections are very important for the endangerment to wildlife. There are large tracks of wildlife and green areas and Islington Street/Borthwick Ave is an example. He is concerned about the protection of that wildlife

Chairman Smith read three letters into the record. One from Attorney Pelech regarding the re-zoning of Lafayette Road (owned by Louis and Aphrodite Georgopoulos and Michael Iafolla), one from Attorney John Lyons regarding the re-zoning of 209 Jones Avenue (owned by Suzanne Primmerman) and one from Ralph & Linda DiBernardo regarding the conceptual plan for Islington Woods.

The Chair called for any further speakers. There being no further speakers, the public hearing was closed.

Mr. Sullivan added that he had spoken to groups and this Board about regarding historical facilities outside the historic district, i.e. the Moffatt House, the Sherburne property on Islington Street, little schoolhouses, and they are not listed on any inventory of historic properties. The City ought to have a real solid inventory of historic buildings and bring them under control. Mr. Sullivan felt there was a need to protect them now or they will be gone in the next 50-100 years.

Mr. Holden confirmed that the Master Plan does indicate that the Board should evaluate expanding the Historic District. If it is not in the inventory then they will be doing a series of amendments and they should be adding that to it.

Mr. Sullivan confirm that he was not looking to expand the historic district but some buildings should be protected somehow.

Mr. Holden felt it was a good issue for discussion at another time.

Deputy City Manager Hayden addressed some of the issues that Artspeak raised. She felt that most are included in the Master Plan. Under Cultural and Historic relative to the McIntyre Building, the strategy is quite well covered. In terms of the Northern Tier, she didn't have a problem with adding "cultural" to the strategy that is there. She indicated that 1% for the arts is a big concept for NH and she suggests trying it there first to see how it goes. It is hard to get money so she suggested 1% on the private sector and new big buildings. Regarding live-work space, she felt there was a lot in the plan and whole issue will be worked out. There will be a lot of discussion on those. In summary, she

would be perfectly happy to adopt the plan this evening with that one change, to add the word “cultural”. She believes the other points are covered quite well.

Mr. Will asked about the definition of entertainment that comes up quite a bit.

Deputy City Manager Hayden felt Artspeaks point is relative to the Northern Tier and the McIntyre and the cultural aspect is well covered.

Councilor Ferrini made a motion to accept with the stipulation of Deputy City Manager Hayden’s change to include the word “cultural”.

Chairman Smith read the Adoption Resolution for the Portsmouth Master Plan..

Mr. Will seconded.

Mr. Sullivan asked if it was more appropriate to say they accept rather than adopt?

Chairman Smith clarified that it was their document so they adopt rather than accept.

The motion to adopt passed unanimously.

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**VI. ADJOURNMENT**

A motion to adjourn at 8:30 pm was made and seconded and passed unanimously.

Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board

These minutes were approved by the Planning Board on April 21, 2005.