

ACTION SHEET
REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE

7:00 P.M.

CITY COUNCIL CHAMBERS

OCTOBER 20, 2005

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

MEMBERS PRESENT: Kenneth Smith, Chairman; John Ricci, Vice-Chairman; Thomas Ferrini, City Council Representative; Cindy Hayden, Deputy City Manager; John Sullivan, George Savramis, Raymond Will; Richard A. Hopley, Building Inspector; Donald Coker and Alternates Jerry Hejtmanek and Anthony Coviello;

MEMBERS EXCUSED: n/a

ALSO PRESENT: David M. Holden, Planning Director and Peter Britz, Environmental Planner

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I. APPROVAL OF MINUTES

1. Minutes from the September 15, 2005 Planning Board Meeting – Unanimously approved.
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II. PUBLIC HEARINGS

A. The application of **The City of Portsmouth, Owner**, for property located **off Suzanne Drive, known as Maple Haven Park**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to allow improvements to the park, including the basketball court being re-located within the wetland buffer and the installation of new impervious walkway surface. These changes are proposed as part of an overall upgrade to Maple Haven Park. Said property is shown on Assessor Plan 292 as Lot 16 and Assessor Plan 284 as Lot 4 and lies within a Municipal/Natural Resource Protection district.

Voted to **grant** Conditional Use Approval subject to the following **stipulation**:

- 1) That some type of erosion control be added along the vegetative swale during construction;
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B. The application of **Adam H. and Frances Price, Owners**, for property located at **127 Martha Terrace** and **Adam H. Price and the Fritz Family Revocable Living Trust, Owners**, for property located **off Patrica Drive** where Final Subdivision approval is requested between two lots having the following: Lot 7 as shown on Assessor Plan 283 increasing in area from 15,247 ± s.f. (.35 acres) to 90,804 ± s.f. (2.08 acres) and having 90' of continuous street frontage off of Martha Terrace and Lot 11 as shown on Assessor Plan 283 decreasing in area from 213,106 ± s.f. (4.89 acres) to 137,549 ± s.f. (3.15 acres) with 284' of continuous street frontage off of Patricia Drive, and lying in a zone where a minimum lot area of 1 acre is required and 150' of continuous street frontage is required. Said properties are located in a Single Residence A district and are shown on Assessor Plan 283 as Lots 7 and 11. (Plat plan is on file in the Planning Department Office and is identified as Plan #11-02-05).

Voted to **grant final** subdivision approval, with the following **stipulation**:

- 1) That digitized GIS data shall be provided to Department of Public Works as per the City’s requirements for updating relevant land records;

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C. The application of **Portsmouth Farms, LLC, Owner, and Starbucks Coffee Company, Applicant**, for property located at **1855 Woodbury Avenue** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to allow the renovation of an existing building and the addition of a drive-thru window within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 215 as Lot 11 and lies within a General Business District.

Voted to **table** at the request of the applicant, to the next regularly scheduled meeting.

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D. The application of **A. Cicero and Ruth Lewis, Owners and Changing Places, LLC, Applicant**, for property located **off Falkland Way** where Preliminary Subdivision approval is requested for the creation of an eight lot subdivision ranging in lot size from 10,029 s.f. to 27,454 s.f. with all of the proposed lots having access off of a proposed extension of Crescent Way extending through to Saratoga Way. Said property is lying in a zone where a minimum lot size of 5,000 s.f. and 80’ of continuous street frontage is required. Said property is located in a General Residence B district and is shown on Assessor Plan 212 as Lot 123. (Plat plan is on file in the Planning Department Office and is identified as Plan # 17-01-05);

Voted to **grant preliminary** subdivision approval, with the following **stipulations**:

- 1. That the application is subject to Site Review Approval;
- 2. Site Review shall consider, though, is not limited to consideration of those concerns as presented in this Memorandum and as supplemented by this Board;
- 3. That the disposition of the paper street portion of the Falkland Way right-of-way shall be considered as part of the TAC process and a recommendation on this matter shall be provided to the City Council as soon as appropriate;
- 4. That the Final Subdivision Plan shall represent the final disposition of the paper street portion of the Falkland Way right-of-way as it relates to adjacent properties;
- 5. That digitized GIS data shall be provided to Department of Public Works as per the City’s requirements for updating relevant land records;
- 6. Placement of permanent boundary monuments as required by the department of Public Works;
- 7. That the paper streets be properly labeled on the Subdivision Plan;
- 8. That traffic and drainage reports be prepared;
- 9. That when all the aforementioned stipulations are in place that the applicant shall submit an application requesting Final Subdivision Approval from this Board;

E. The application of **Portsmouth Hospital Office Building Association (Jackson Grey Condominiums), Owner**, for property located at **330 Borthwick Avenue** and **Islington Woods, Owner**, for property located **off Borthwick Avenue** where Preliminary and Final Subdivision approval (Parking Lot Easement) is requested to allow a 22,738 ± s.f. (0.52 acre) parking lot easement on the southeasterly portion of property shown on Assessor Plan 234 as Lot 52. Said properties are located in an Office Research district and are shown on Assessor Plan 240 as Lot 2-2 and Assessor Plan 234 as Lot 52. (Plat plan is on file in the Planning Department Office and is identified as Plan #18-01-05).

Voted to **table** at the request of the applicant, to the next regularly scheduled meeting.

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F. The application of **Saco Avenue Professional Building, Inc., Owner**, for property located at **125 Brewery Lane**, wherein site plan approval is requested to construct a 4-story, 64' x 240', 15,500 ± s.f., 48-unit residential building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 154 as Lot 2 and lies within a Business district.

Voted to **table** at the request of the applicant, to the next regularly scheduled meeting.

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G. The application of **Portsmouth Casey Home, Owner, and Heyland Development, Applicant**, for property located at **1950 Lafayette Road**, wherein site plan approval is requested to construct a 2 ½ story office building, with a 3,280 ± s.f. footprint and a 1 story 6,000 ± s.f. function hall, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 267 as Lot 7 and lies within an Office Research district.

Voted to **table** this application to allow for a review of the parking calculation, with the following stipulations:

Stipulations from the October 20, 2005 Planning Board Meeting:

- 1) That a black vinyl covered chain link fence be provided around the catch basin;
- 2) That erosion control be added along the Lafayette Road side of the property;
- 3) That a test pit be completed for the catch basin;
- 4) That motorcycle parking pads be added at each building;
- 5) That granite curbing be added along the snow storage areas;
- 6) That an up-dated Traffic Report be submitted to the Planning Board prior to the next meeting;

Stipulations from the October 4, 2005 Technical Advisory Committee Meeting:

- 1) That the gas lines be added to the Site Plans;
- 2) That the applicant meet with DPW regarding the gate valve prior to the Planning Board Meeting;
- 3) That the handicapped parking spaces, tipdowns and handicapped signage be shown on the Site Plans;
- 4) That the van accessible parking spaces be marked on the Site Plans;
- 5) That the grade for the new driveway shall be 2%, pitching away from Route One and extending at least to the back of the proposed 12' easement;

- 6) That "Roadway Ends" signs and reflectorized chevrons shall be added to the bollards on the proposed service road and so noted on the Site Plans;
- 7) That a light be installed at the loading area, behind the function hall and so noted on the Site Plans;
- 8) That the off-site sign at the intersection of the service road and West Road, directing traffic back to Route One, be replaced in kind;
- 9) That additional off site signage be included to direct people back to the appropriate direction on Route One and so noted on the Site Plans;
- 10) That all lighting shall be Dark Sky Friendly and so noted on the Site Plans;
- 11) That a snow fence be added during construction to protect the trees;
- 12) That the Landscape Plan be reviewed and approved by the Planning Department;
- 13) That a copy of the NOI be submitted to DPW;
- 14) That a meeting be scheduled with Steve Parkinson and David Holden prior to the Planning Board meeting to review sidewalks.

Stipulations from the August 30, 2005 Technical Advisory Committee Meeting:

- 1) That an 8" water pipe is required to hook into the hydrant;
- 2) That a detail be shown on the Site Plans reflecting how the water meter is arranged;
- 3) That the water service be moved to the driveway and the valves should be in the City right- of way;
- 4) That the sign location be adjusted to reflect the 12' State deeded property;
- 5) That, per City Ordinance, automatic notification of emergency services is required along with a knox box, on each building;
- 6) That a count be provided of all trees over 6" caliper which will remain on the front property, to be used as a buffer;
- 7) That a count also be provided of all trees over 6" caliper on the south side of the driveway, and those trees shall remain protected;
- 8) That the Traffic Report be amended to include components for the 200 member function hall;
- 9) That the applicant meet with DPW and the Planning Department to revisit the service road so that it is consistent with abutting properties;
- 10) That an 8" concrete curbing be added along the sidewalks; and
- 11) That a copy of the letter indicating approval from NHDOT for the curbcut be provided to the Planning Department for review by Steve Parkinson;

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H. The application of **Richard W. Edgerly, Owner**, for property located at **154 Fleet Street**, wherein site plan approval is requested to construct a 3,246 ± s.f. 4-story building with basement, after removal of the existing building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 117 as Lot 6 and lies within a Central Business B, Historic A and Downtown Overlay Districts.

Voted to **approve** this application with the following **stipulations**:

Stipulations from the October 20, 2005 Planning Board Meeting:

- 1) That an oil/water hood be installed on the catch basin located on Fleet Street, subject to review and approval by David Allen;

Stipulations from the October 4, 2005 Technical Advisory Committee Meeting:

- 2) That the armor-tile panel shown on the Sidewalk Tip Down detail on Sheet D-1 be removed;
- 3) That the sidewalks be shown as a minimum of 5’ and so noted on the Site Plans;
- 4) That the City Attorney review the grease trap issue (See previous Stipulation #4 below) to determine how to address this issue for future potential restaurant use (perhaps as part of the deed);
- 5) That all parking space striping and installation of parking meters shall be coordinated with DPW;
- 6) That the Construction Management Plan, including but not limited to all licenses and easements, shall be approved by the City through the City Attorney, Planning Department and DPW, and shall be presented and approved by the City Council prior to the issuance of a building permit;
- 7) That the parking fees shall be calculated in conjunction with the Planning Department and the applicant;
- 8) That the engineer design the drainage line in such a way that future catch basins on the other side of Congress Street could be adequately drained using this new drain pipe;
- 9) That the applicant shall sign the Site Review Application;

Stipulations from the August 30, 2005 Technical Advisory Committee Meeting:

- 10) That a detail be added to the Site Plans regarding the front awning;
- 11) That details be provided relative to footings and building protrusions and that all footings either under or on the City right of way shall require approval from the City Council;
- 12) That the drainage line be extended from the building to the end of the City drainage line;
- 13) That a grease trap be installed for any potential restaurant use;
- 14) That a knock box and fire alarm box be installed;
- 15) That a Construction Management Plan be prepared for review and approval by the City;
- 16) That if a determination is made that blasting will be required, a plan will be submitted for approval prior to a blasting permit being issued;
- 17) That a note be added to the plan explaining the use of the shared driveway; and
- 18) That a note be added to the Site Plans reflecting that the replacement of the fence in the rear is “replacing in kind”;

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I. The application of **Public Service Company of New Hampshire, Owner**, for property located at **400 Gosling Road** wherein site plan approval is requested to install 560 LF of 12” drain in the location of an existing drainage swale, slope modifications and installation of a retaining wall, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 214 as Lot 2 and lies within a Waterfront/Industrial district.

Voted to **approve** this application with the following **stipulations**:

Stipulations from the October 4, 2005 Technical Advisory Committee Meeting:

- 1) That the existing coal dust management practices shall continue with this new operation;
- 2) That the applicant continues to manage the coal pile in accordance with Best Practices;

- 3) That all drainage coming off this coal pile shall be treated in the on-site treatment system;
- 4) That the existing water lines be shown on the Site Plans;

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J. The application of **Michael J. Carr, Owner**, for property located at **195 West Road** wherein site plan approval is requested to construct a 19,400 ± s.f. single story 97' x 200' addition to an existing building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 267 as Lot 9 and lies within an Industrial district.

Voted to **approve** this application with the following **stipulations**:

Stipulations from the October 20, 2005 Planning Board Meeting:

- 1) That a note be added to show a fourth drainage structure on Sheet C-3 of the Site Plans to show where the loop is for Plumbing Inspector;
- 2) That a motorcycle pad be added to the Site Plans;

Stipulations from the October 4, 2005 Technical Advisory Committee Meeting:

- 1) That "RWW" shall be identified on the Legend on the Site Plans;
- 2) The a detail of the oil and grit separator be added to the Site Plans;
- 3) That screening be added around the dumpster and so noted on the Site Plans;
- 4) That the jersey barriers be removed from the Site Plans;
- 5) That two "Do Not Enter" signs be added and that the proposed "One Way" sign be replaced with an "Enter" sign that also includes an arrow;
- 6) That all new side lighting shall be Dark Sky Friendly and so noted on the Site Plans;
- 7) That a copy of the NOI be submitted to DPW;

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K. A public meeting is convened to consider an amendment to the Zoning Map to re-zone land located off Banfield Road and Constitution Avenue from Office Research to Industrial. Said property is shown on Assessor Plan 274 as Lots 1A, 1C, 1D and 2.

Voted to **recommend approval** to the City Council.

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III. CITY COUNCIL REFERRALS/REQUESTS

- 1. Request to review archeological matters and historic sites in the City;

Voted to table this matter to the next regularly scheduled meeting.

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- 2. Request for Amendment to Zoning Ordinance to Permit Financial Institutions in the Office/Research Zone;

Voted to **table** this matter to the next regularly scheduled meeting.

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3. Request for the discontinuance of Falkland Way;

Voted to **table** this matter to the next regularly scheduled meeting.
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4. Request of Exchange City to Erect a sign at 25 Granite Street;

Voted to **table** this matter to the next regularly scheduled meeting.
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IV. NEW BUSINESS

A. Revisions to Planning Board Rules & Regulations;

Voted to **table** this matter to the next regularly scheduled meeting.
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VI. ADJOURNMENT was had at approximately 9:50 p.m.
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This Action Sheet was prepared by Jane M. Shouse, Administrative Assistant in the Planning Department.