

Mr. Will made a motion to table this matter to the November 17, 2005 Planning Board Meeting. Deputy City Manager Hayden seconded.

The motion to table this matter passed unanimously.

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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).

The Chair read the notice into the record.

Mr. Sullivan made a motion to table this matter to the November 17, 2005 Planning Board Meeting. Deputy City Manager Hayden seconded.

The motion to table this matter passed unanimously.

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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.

The Chair read the notice into the record.

Deputy City Manager Hayden made a motion to table this matter to the November 17, 2005 Planning Board Meeting. Mr. Will seconded.

The motion to table this matter passed unanimously.

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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.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

David Moore, of the City Community Development Department, addressed the Board. He indicated they are upgrading an existing park in the Maple Haven neighborhood. The neighborhood has worked

with them, the Neighborhood Association has been very involved and they have had four meetings with them over the past two years. The neighborhood has been diligent in fundraising for the project which has been a tremendous asset. The project has been funded in the Capital Improvement Plan in 2004 & 2005 and he thanked the Board for that.

Mr. Moore stated that they were pursuing a Conditional Use Permit because they are increasing the impervious surface within the buffer zone in the park, specifically, the basketball court and the walkways. Currently there are 2,400 s.f. of impervious surface and they are proposing to increase that by 1200 s.f. for a total of 3600 s.f. To protect the wetlands they have added a 10' vegetative swale in the back and new plantings to absorb and filter some of the runoff from the clean surfaces. The surfaces are also pitched so that they will drain towards a more heavily wooded portion, creating some buffer enhancements as well as better drainage. They are working with a clean sight and they do not believe there will be any impacts to the wetlands.

Their rationale for the placement was based on some of the wooded nature of the park and the wooded pine groves that are there. Also, the open space component was considered. They are respecting the mature pine growth and maintaining the trees. They have plenty of open green space for organized sports and they did not want to move into that green space as it is highly prized in the City.

Mr. Moore indicated that they had appeared before the Conservation Commission and received a favorable recommendation. The City staff suggested using a porous pavement for the new impervious surfaces. They found that it would be very expensive as it is not attested or used a lot and they are also looking at a small amount of product which effects the price. They will seek bids however and see what they come up with.

Another issue with porous concrete is that they are not sure it is safe and it can be more abrasive. However, they will look into that as well.

Mr. Ricci asked about the existing vegetative swale and whether that was proposed or existing?

Mr. Moore confirmed that it is actually proposed.

Mr. Ricci was concerned that during construction he would like to see some erosion control along the vegetative swale, possibly some hay bales. He felt that some heavy rain will wash the seed and loam off.

Councilor Ferrini stated that he likes the design and that his son practices soccer at the park. He asked if it was going to be gravel in first instance?

Mr. Moore indicated that was correct and that it was not within the buffer so there would be no problem.

The Chair asked if anyone was present from the public, wishing to speak to, for, or against the petition

Susan Saurman, President of the Maple Haven Neighborhood Association, indicated that she was present to support the Maple Haven Park improvements. They are grateful to the Planning Board for including funding in the Capital Plan. She stated that the park has needed work for many years. It has many trees and open spaces and it a great location for the kids. The neighborhood has been consulted and they have participated in the plan that is before the Board. They want a safe park for the children. She also indicated that there were some members of neighborhood were present, including the Youngs and the Shouses.

The Chair asked if anyone else was 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 made a motion to approve with Mr. Ricci’s stipulation. Councilor Ferrini seconded the motion.

The motion passed unanimously with 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).

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, appeared before the Board, representing the applicants, who were also present. On June 16th they received preliminary approval for the subdivision/lot line relocation. At that time, they issued five stipulations which they have now met and they are now requesting final approval.

Mr. Chagnon reviewed the five stipulations:

The first stipulation was that they comply with the ordinance regarding the submission of GIS data and that has been submitted to and approved by Jason Wise of the City staff.

The second stipulation was they correct Note 3 regarding the newly adopted Flood Hazard Map and that has been done.

The third stipulation was that they obtain preliminary NHDES subdivision approval and they have done so and the number is 2005 006375. That approval is for the creation of a buildable lot. Until they go forward, they are unable to apply to NHDES for an on-site septic system approval. Therefore, he asked that the stipulation be changed to simply ask for subdivision approval as the permit number for an on-site system cannot be received at this time.

The fourth stipulation was that they set the monuments which they have done.

The fifth stipulation was that they apply for final subdivision approval and that is why they are present this evening.

The Chair asked if anyone else was 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. Savramis made a motion to approve final subdivision approval subject to the GIS data being provided. Deputy City Manager Hayden seconded the motion.

Mr. Sullivan asked what type of monuments had been put in place?

Mr. Chagnon stated that the project creates one line and they placed iron rods at each end of the line.

Mr. Sullivan indicated that, awhile ago, they had a discussion and he recommended that pipes not be driven into the ground as they will corrode and disappear over the years. This is a fairly wet area. He felt the City may want to consider some other type of monument, such as a cement marker or a metal spike that can be picked up by a meter. He suspected that a lot of time they do not find any monuments because they disappear. He was not talking necessarily just about this project but, rather, the city as a whole.

Mr. Holden indicated they can find out exactly what DPW requires and work with them on that.

Mr. Sullivan added that if they just require a pipe stuck in the ground, he recommended that they change their policy and they take some action to make it a permanent monument.

Mr. Will suggested that they get an "FYI" back on what the current policy is.

Councilor Ferrini made a motion to refer this to DPW for a report back. Mr. Will seconded the motion.

The motion passed unanimously.

The motion to grant final subdivision approval passed unanimously 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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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);

The Chair read the notice into the record.

Raymond Will recused himself from this hearing.

SPEAKING TO THE APPLICATION:

Cory Colwell, of AMES MSC, appeared before the Board on behalf of the applicant. Mr. Colwell handed out color plans for the Board to follow along with. He stated that this proposal is a subdivision of a 3.8 acre lot with one single house presently on it. They are proposing eight lots with multi-family buildings. A new public right of way is proposed which will provide frontage and access to the new

eight lots. Crescent Way and Saratoga Way are currently deadend streets and the proposed road would connect those two deadend streets. Falkland Way, to the east, and a portion of Saratoga Way were never constructed and they are paper streets. The northerly portion of the paper street known as Saratoga Way and the westerly portion of the paper street known as Falkland Way shall become part of this property. This will be done via the City Council and they have referred it to this Board for consideration. The eight proposed lots range in size from 10,000 up to 27,000 s.f. The number of units per lot that they are proposing varies from 2 to 4 units, with the exception of Lot 2 which holds the existing single family building.

As they are only applying for preliminary approval, the topography, roadway construction design, utilities, landscaping, etc., are not part of this plan set and are not part of the consideration for today. In general, the property is completely wooded and moderately sloped. There is a small pocket of inland wetlands in the southwest corner and those wetlands are delineated. No buildings or accessways are proposed in the 100' wetland buffer zone. There are adequate utilities on Crescent and Falkland Way and by joining the two streets they will eliminate two deadend streets. They are prepared to present this proposal to the Technical Advisory Committee and they anticipate coming back to this Board for final Subdivision approval.

Mr. Ricci had concerns, if this proceeds forward, about a review of the drainage and he just wanted the applicant to know that.

Mr. Coker asked about the Subdivision Exhibit Plan (colored) and asked what the yellow areas were?

Mr. Colwell confirmed that the yellow areas are currently property of the City of Portsmouth as paper streets. As part of The Heights subdivision, those paper streets were never constructed. They have claim to half of that and they will be going to the City Council on that matter.

The Chair asked if there was anyone from the public who wished to speak to, for or against the petition.

A resident of Preble Way addressed the Board, speaking in favor of preliminary approval for this development however he wanted to bring special attention to the first and second conditions recommended by the Planning Department. He felt that Atlantic Heights is a unique neighborhood and a lot of the buildings are very affordable. His concern is if buildings are built that increase the income of the residents they would have a neighborhood with mixed incomes. A lot of improvements in other areas have been funded based on incomes of the neighborhood. He is concerned that they will lose the opportunity to receive grant funds in the future.

Kristy Cardoso, a resident of Atlantic Heights and co-chair of the Atlantic Heights Neighborhood Association, spoke. She was not representing the entire neighborhood but she wanted to make a couple of points about the streets. A big concern of hers was that a lot of money had been invested into streetscapes in the neighborhood and she doesn't want this new street to come in and disrupt any plans that they have to move forward with the rest of the neighborhood.

Councilor Ferrini asked exactly what portion of the street she is concerned with.

Ms. Cardoso was concerned with Saratoga Way as it is very narrow and there wasn't much room to make it a full size street. Another problem which is not shown on the map is an alleyway with storage units that spills out to Kearsarge Way which is a very convenient shortcut but not a serviceable road. She would not want to see increased traffic on that alleyway.

Councilor Ferrini asked if her concerns were addressed in a satisfactory manner, would she have any other difficulties?

Ms. Cardoso indicated she would not. Most people in The Heights have known Mr. Lewis for a very long time and they do not want to stand in the way of him developing his property in the best manner for him and understand that it is within his rights to do so. They don't want to stand in the way of the project but just want to make sure the traffic and the street conditions are considered.

Mr. Coker asked, if this moves forward, if they would return to the Board and continue to express their concerns so that they don't get forgotten due to the size of the project.

Ms. Cardoso was happy to do so and also indicated that the developer is coming to one of their upcoming neighborhood meetings to speak with them.

Mr. Coker encouraged her to stay involved in the project.

The Chair also encouraged the developer and Mr. Colwell to attend that meeting and he would look forward to a report back on that meeting. When the developers stay close to the neighbors and there is an open line of communication, they always seem to get through these matters a lot earlier.

Michael Powers, of 105 Saratoga Way, addressed the Board and indicated that he was an abutter to the proposed development. He wanted to echo that the neighborhood is very interested in following this project and that Mr. Lewis is a well respected neighbor. His concern was about drainage and what will happen to the traffic pattern at that end of the street. He indicated that wonderful work has been done by the City in their neighborhood and they want to see that continue.

The Chair asked if anyone else was 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

Councilor Ferrini made a motion to grant preliminary subdivision approval with the stipulations recommended by the Planning Department. Mr. Hopley seconded the motion.

Mr. Coker was concerned about which came first with paper streets – “the chicken or the egg”. The City Council needs to act on the paper streets.

Chairman Smith confirmed that was one of the reasons why they were only looking at preliminary.

Mr. Coker indicated he had trouble with granting preliminary approval as that, in itself, carries some weight when it goes to the City Council as it could be reasonably argued that the Planning Board gave Preliminary approval so that must be something. He felt it has historically been the policy of the City Council to not relinquish paper streets. He is not comfortable granting preliminary approval unless someone can convince him otherwise before the issue of the paper streets is resolved. If the paper street issue isn't resolved then this just doesn't work.

Chairman Smith indicated that they would be reviewing that referral from the City Council tonight but because they are cutting the meeting short, it will be reviewed next month.

Mr. Holden felt that Mr. Coker had a good point and they will be looking at the paper street sooner than they will be looking at the next action. The Board will make a recommendation on the paper street to the Council prior to having this come back for final subdivision approval. In order for this project to work, the street has to have been abandoned so if the Council doesn't do so then the project doesn't work.

Mr. Coker asked exactly what does it mean to grant preliminary approval?

Mr. Holden indicated that it essentially means that the Board had found sufficient reasons to encourage the applicant to proceed further. For example, if this motion passes, he was going to recommend to the Board that a drainage report and a traffic report be prepared. What the Board is doing is giving guidance to the Technical Advisory Committee on what they will be looking for so that the applicant is aware that they will have to provide additional supplemental information.

The Chair also referred to the ten points that were in the Departmental Memorandum that address topography, wetlands, buffers, paper streets, traffic assessments, utilities, landscaping and anything else that comes up. In order to vote for this, as a Board they have to agree that they see enough information to move forward and allow the applicant to do their work.

Councilor Ferrini indicated that over the past year at City Council there have been a few votes on paper streets where they have no longer been retained by the City.

Chairman Smith indicated that in his 14 years on the Planning Board he has seen paper streets go both ways.

Mr. Holden indicated that there was actually a slight irony here as they would see the completion of the street that completes the original network.

Deputy City Manager Hayden agreed but added that it was in a slightly different layout.

Mr. Holden added that the 1919 plan would finally be coming to conclusion.

Mr. Coker again asked which came first.

Mr. Holden confirmed that the Planning Board always comes first.

Mr. Ricci had a few things that he would like to see TAC consider in this application. He would like to see a 26' wide granite curb street go in and he would ask TAC to look at that. He doesn't want to put in a city approved street that doesn't match the existing streets around it and there may be a cost savings to the developer that could be donated to the neighborhood for some sort of upgrades. He doesn't want to see 26' wide streets go in if they are tying into 20' streets. He would also be looking for drainage and traffic report.

Mr. Sullivan stated that this Planning Board has held fast for years to assure that all streets that go in are standard streets, regardless of where they are. They have disapproved many requests to not widen the street out to the standard. He felt that they needed to look at what they have done to people in the past as well as in the future. What bothers him about this petition is if the City Council does not give up the paper street, this project will not be built. He agreed with Mr. Coker that he did not want to encourage the City Council by giving any type of approval until they see how the paper streets are handled. He indicated that he could not vote for it as it stands now.

The motion to approve preliminary subdivision approval with stipulations was approved with Mr. Sullivan voting in the negative.

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;

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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.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney Alec McEachern, representing the property owner, Portsmouth Casey Home Association, addressed the Board. Also present were Rick Salvo, from Engineering Alliance Corporation, and Rob Woodland, of the Woodland Design Group, Inc. Rick Westley had been expected but was unable to attend as his wife just had a baby.

He introduced Richard Salvo, of Engineering Alliance, who explained that they propose the development of a 2 acre parcel on Lafayette Road. This parcel is currently vacant and their proposal consists of the construction of two buildings. One building would be an 8,600 s.f. office building and the other would be a 6,000 s.f. Knights of Columbus function hall. He pointed out some of the site features and design.

Mr. Salvo explained that the entrance to the site will be one way from Lafayette with access and egress from the access road to the rear. Zoning requires 143 parking spaces and those are included in the design. There are two opposing uses, with one building being used during the day and one building being used during the evening and weekends. An existing buffer exists in front of the lot and they plan to keep as many mature trees as possible and they will clean up the scrub. All buildings are equipped with cement concrete sidewalks and a bicycle rack. Site grading is a balanced site with little to no import or export during the construction phase and the stormwater management facility has been designed to completely mitigate and renovate the quality of the stormwater from the site.

He reviewed the stipulations from the October 4, 2005 Technical Advisory Committee:

Mr. Salvo had an opportunity to meet with the City Water Department and they added a gas line to plan. They also discussed the gate valve location at their meeting on October 11th. Handicapped spaces have been labeled and handicapped ramps have been added to the plans. The 2% cross-slope

was extended across the 12' NHDOT easement. Road end signs have been added to the plan, with reflectorized chevrons. The off site sign is in disrepair and outdated and they will replace that. All lighting is Dark Sky Friendly and no more than ½ foot candle will exist at any property line. Snow fencing has been provided along the perimeter to make sure the trees don't get destroyed during construction. They met with Mr. Holden and Mr. Parkinson to discuss internal sidewalks. As there are no sidewalks currently existing on Lafayette or West, it was determined that no internal sidewalks would be required.

Mr. Ricci had a concern about potentially have a 3' to 4' to 5' deep detention basin with small children being on the site. He felt that might be dangerous and asked for a fence. Another concern was that he only noticed erosion control on the west side. He would like to see some on the Lafayette Road side and the south property line. He assumed the detention basin was designed for no infiltration with a clay layer below it?

Mr. Salvo indicated that was correct.

Mr. Ricci indicated he would like to see some sort of mulch chip every 50' or hay bales for erosion methods. He asked if a test pit was done in that area?

Mr. Salvo indicated that a test pit was not done however they had some test pit data from a previous permitting process.

Mr. Ricci confirmed that none has been done where the leaching catch basin is going to go. He felt that might be an issue. However, he summarized that his main issues were with erosion control where he would like to see more on the southerly property line and also along the easterly property line. Also, he asked if the construction entrance was long enough? He wanted to make sure they don't drag construction debris down Lafayette Road. Also, he would like to see some sort of planting specification or a wetland seed mixture.

Mr. Salvo indicated that they are anticipating that this pond will always drain out and be dry.

Mr. Ricci assumed that, if the soils were that well drained, they could take the 6" clay barrier out of that and use it for infiltration and wouldn't that make more sense?

Mr. Salvo agreed with that.

Mr. Ricci also pointed out on Sheet D-1, on the detention basin detail, he noticed a 6" sand silt area.

Mr. Salvo indicated that was just an oversight on the plans. It should have been loamed and seeded. The drainage calculation didn't require it.

Mr. Ricci indicated he would also like to see some sort of wetland seed mix. However, his main concerns are adolescents around the detention basin, the erosion control and a test pit for the catch basin.

Mr. Salvo agreed with all of Mr. Ricci's comments and indicated he can add those features onto the plans. He can also add a fence with no problem, the additional erosion control is no problem and they will have to do that anyway when they file their Notice of Intent.

Deputy City Manager Hayden asked what kind of fence will they add?

Mr. Salvo indicated it would probably be a black vinyl covered chain link so that it would blend in.

Chairman Smith asked how high it would be?

Mr. Salvo indicated it would probably be around 4' high.

Mr. Coker had a question for the Department. In the TAC minutes, there was a discussion regarding a special re-zoning in this area. He wanted to know if the Department had gone back to verify that this is one of those lots?

Mr. Holden confirmed that they had done so.

Mr. Sullivan asked when this appeared before TAC, did they discuss, if approved, if the proposed service road could be built prior to the development of the lot to preclude trucks and traffic going out onto Lafayette Road?

Mr. Holden stated that they had not discussed that but the assumption is that the service road would be there as it would be to everyone's advantage.

Mr. Sullivan had concerns about large amounts of traffic coming out and they addressed that by only having an entrance on Lafayette Road. He didn't want heavy truck traffic causing grief to the residents on Lafayette Road.

Mr. Coviello was concerned about the amount of snow storage area to the north and south and he asked the applicant to address that.

Mr. Salvo indicated there is a large area along the westerly side that is over 10' wide and there is also a strip all along the other area. They do not anticipate a problem removing snow from there and they can arrange to remove the snow from the site all together.

Mr. Coviello asked what the point was if they plan to remove the snow from the site? The site to the north is currently vacant so he asked what stops them from pushing the snow onto the abutting property?

Mr. Salvo indicated that there was curb around property. Concerns about that were discussed at TAC.

Mr. Coviello asked about curbing to the south?

Mr. Salvo stated there was no curb shown along there but there is a much larger buffer.

The Chairman indicated they would not want to encourage putting snow on an abutter's property.

Mr. Salvo agreed with that.

Mr. Hopley asked about the parking calculation. They have 143 proposed parking spaces. The requirement for the function hall is based on the building code. His question was that he has never seen a function hall with fixed seating. A function hall capacity can fluxuate tremendously depending on the particular function. They have locked themselves into a magic 200 occupants in a 6,000 s.f. building which could have considerably more than 200 occupants based on the building code which makes the parking arrangement questionable. At sometime they will have to address occupancy with the Inspection Department so they may want to think about that.

Mr. Salvo indicated that the Knights of Columbus have not completed their architectural plans but the whole area will not be function hall. There will be kitchen, etc. They do not expect it to ever go over 200 but that is a difficult question to answer. The number came from the preliminary sketches that the Knights of Columbus have done..

Mr. Hopley understood what they were saying however part of his point was that with varying degrees of possible functions they could double their occupancy. If they should take those round circular tables up and load the place with straight seating, they would double the occupancy.

Mr. Holden felt Mr. Hopley had a very good point that the zoning issue should be taken a look at to make sure the applicant understands there is a limitation on that.

Mr. Salvo indicated that they anticipate swaping some parking as the office building will not be in use at the same time as the function hall.

Mr. Holden indicated that they would be totaled together so that would not work. Mr. Holden thought Attorney McEachern could shed some light on this but he thought the parking may become a major issue.

Attorney McEachern indicated that the Casey Home is willing to stipulate that maximum occupancy will not exceed 200.

Chairman Smith asked about motorcycle parking? He asked if they could provide a cement pad at each buidling?

Mr. Salvo stated he would take care of that.

The Chair asked Mr. Holden if that would change the parking calculations?

Mr. Holden confirmed it would not as there is no requirement for motorcycles.

Chairman Smith noticed the dumpster area was enclosed for the function hall. He asked if there was enough space for recycling bins and kitchen items?

Mr. Salvo indicated there is a grease trap and there is additional room for recycling.

Chairman Smith asked about a dumpster area for the professional building?

Mr. Salvo indicated they anticipate sharing the one unit.

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Chairman Smith asked if the people from the professional building will bring all of their trash outside to behind the function hall?

Mr. Salvo indicated that was correct.

Chairman Smith followed up by asking if there would be some sort of storage inside the building or will they bring it out every single night?

Mr. Salvo stated there will be some interior storage and they will probably bring it out once a week. This will be a condominium association and will be maintained by them.

Chairman Smith had a concern about the professional building eventually deciding they need their own dumpster and where will they put it? He would like to see them thinking ahead about whether they should expand the existing dumpster area.

Chairman Smith thanked them for the Dark Sky Friendly lighting and bicycle racks.

Mr. Coker asked Attorney McEachern about the Knight of Columbus and whether there will only be Knights of Columbus functions or will they rent the hall out for a computer show or a wedding?

Attorney McEachern clarified that the property owners will be Casey Home Association as the Knights of Columbus are not allowed to own real estate according to their charter. They received a variance to go in the Office Research district and the hall will be rented out for weddings and other functions.

Mr. Coker asked about functions such as a gun show, a computer show or an antique rug auction?

Attorney McEachern indicated that would be up to the association.

Mr. Coker felt that would impact the traffic significantly because a day long function would have people coming and going all day long. Mr. Coker also asked how the maximum occupancy of 200 people is actually enforced?

Mr. Sullivan indicated that 20 years ago, he was renting out National Guard Armories, and they had to have a policeman and a fireman paid by the person renting the hall to assure that the proper amount of people were there and the maximum was not exceeded. He was not sure if the City requires that because otherwise there is no way to stop that.

Mr. Hopley confirmed that this would only be enforced on a complaint basis.

Mr. Holden added that the insurance could be canceled if complaints were received and the occupancy was exceeded.

Mr. Holden felt that the architectural drawing, showing the function room, as a part of the building permit process, could trigger a discussion about what parking is required and whether or not they should get a variance.

Mr. Coker was also concerned about Lafayette Road and the traffic.

Attorney McEachern reminded the Board that the site exits onto the service road on the back with a choice of taking West Road to Route 33 or Lafayette Road.

Deputy City Manager Hayden asked if they can take a left turn into site from Lafayette Road.

Mr. Salvo confirmed that there is a left turn lane.

Rob Woodland, traffic engineer from the Woodland Group, stated that they did a brief traffic assessment for the project. There is currently a separate left turn lane all along the front property. To get to the parking question, he spoke with representatives of the Knights of Columbus and the Casey Home about the types of events they will host. They hope to rent out the function hall to defray costs. They may rent out during the day for lectures and meetings and larger events would be at night, outside the peak periods. Because these events are typically during evenings and weekends, office parking spaces would be available.

Mr. Ricci felt that Mr. Hopley has a good point and he has the same concerns. It doesn't set right with him that if there is overflow parking it will be at off peak hours so they can accommodate more. Also, on Sheet C-4, Note 2, it shows only 6 handicapped spaces but it says 8 are required. That needs to be revised. Is it 6 or 8?

Mr. Woodland believed it was 1 handicapped space for each 25 parking spaces but there is a range so he's not sure what the total would be.

Mr. Ricci indicated that one of his concerns is when the plans go to the building department for a building permit, is the interior of the building cross checked with site plans?

Mr. Hopley confirmed that was done and that is why he is trying to short-cut any difficulties that may come up down the road.

Mr. Holden read from the Zoning Ordinance and confirmed that for 100 to 200 total spaces requires there would be 3% handicapped and not less than four spaces. However, the more this discussion has evolved, the more uncomfortable he is becoming. At this time he recommended that the Board table this matter as he is not certain now that they have calculated the parking on what the true use is going to be. If they have to get with the applicant to work out the finer details on that, then so be it. They cannot combine the parking with another use to meet the total.

The Chair asked for a motion to table. Mr. Will made a motion to table this matter for the parking situation and to allow Mr. Hopley to look at the use for additional parking.

Mr. Coviello brought up his earlier concerns about snow storage and he would like to see curbs around the snow areas.

Mr. Salvo indicated they can put a berm in. He further indicated that asphalt was suggested by TAC with cement concrete along the sidewalks.

Mr. Coviello felt he would like to see concrete curbs so that it will hold up. He didn't think asphalt would hold up.

Chairman Smith indicated they will take those up when it comes up again.

Mr. Coker voiced his traffic concerns. He was not sure they required a full blown traffic study but he didn't see any specific traffic information provided other than the verbal at hearing. He would like to receive something.

Mr. Will referred to Stipulation #22 where the traffic report should include information on the function hall. He would like to see that so he could take a closer look at that.

Mr. Woodland stated that their parking assumption was based on 2 people per car for functions. He was not suggesting that they mix and match the parking calculations but as a practical matter there would be spill over. But the parking for the function hall would be adequate. Secondly, they did issue an initial traffic study and they provided additional information regarding the function hall.

Chairman Smith indicated that a tabling motion had been made as the Board was not comfortable with the information they have received.

Councilor Ferrini understands the calculation for one event. He asked what if there is one event in the afternoon and one event in the evening and he would like to see that information.

Mr. Woodland confirmed that they would only allow one large event per day.

Mr. Holden gave the standard so that everyone understood it, parking is based on one per every two persons, based on the maximum occupancy. But, that room could hold 400 people under the building code so that would require 200 spaces.

Mr. Coker seconded the tabling motion.

Mr. Ricci asked for clarification on whether the other items will also be addressed next month.

Chairman Smith confirmed that they are part of the information they are looking for.

The motion to table passed unanimously.

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;

.....

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.

The Chair read the notice into the record.

Mr. Coviello secluded himself from the hearing.

Mr. Coker asked for clarification on whether he was an abutter or not as he lived in the McIntosh Building. The records reflected that he was not within 100' and therefore he had not received an abutter notice.

SPEAKING TO THE APPLICATION:

John Chagnon, of Ambit Engineering, appeared on behalf of the applicant. Also present was Juliann McDonald from DeStefano Architects and Rick Johnson, Construction Manager from Pinebrook Construction. Mr. Chagnon explained that the project consists of an existing wood framed building on Fleet Street consisting of 6 apartments. The proposal is to remove the building and replace it with a four story brick facade mixed use building with retail on the first floor and residential units above. They have received approval from the Historic District Commission and also appeared before TAC on two occasions and they have addressed all issues. A Construction Management Plan is being finalized. They will be looking to close a lane of traffic on Fleet Street and two parking spaces will be put out of service for a length of time. However, after the project is completed, because they are closing a curbcut, they will be adding one more parking space. There is a letter regarding the common alleyway that is owned in common and provides access for pedestrians that they will resurface. The letter is in support of their right to do that. Mr. Chagnon offered to go through the TAC stipulations.

Mr. Ricci asked about the catch basin out on Fleet Street and if they could they get an oil/water hood installed?

Mr. Chagnon indicated he could do that.

Mr. Holden suggested making the requirement subject to review by David Allen.

Deputy City Manager Hayden asked what has evolved to-date regarding the Construction Management Plan? There has been a lot of construction in the downtown area and they are trying to perfect that process.

THERE WAS A FIRE ALARM and the meeting was adjourned so that the building could be evacuated.

At 9:00 pm the building was re-opened. There was a motion to re-adjourn that was seconded and passed unanimously.

Deputy City Manager Hayden resumed her questioning about the Construction Management Plan. She indicated, based on previous experience, that she would like to see more details rather than less details. She felt their plan needs more information. Also, these often get left later in the process than they should so she encouraged them to sit down early and finalize this plan with City staff. Also, she asked the status of the need for easements and overhangs, etc.

Mr. Chagnon indicated there was a plan that shows the front property line. They understand they have to go to the City Council for approval. Regarding the Construction Management Plan, they will work with the City to bring more detail into the plan. He was sure that they will get better with each project.

Mr. Coker indicated, as a downtown resident, they treat the loss of a parking space like the death of a family member so he felt they should be commended for giving an extra space back to the City. His concern was with the noise and the beginning and ending time of the construction. He expects that will be clearly stated.

Mr. Chagnon stated that was noted on Sheet C-2 on the plans.

Mr. Hopley asked about Stipulation #12 from the August 30th meeting. He didn't see the grease trap on the plan.

Mr. Chagnon indicated they do not feel there is a place to put an exterior grease trap. They have stated that the proposal does not include a restaurant. He referred them to Note 8 on Sheet C-2.

Mr. Holden advised the Board that TAC was recommending that there be a deed restriction so there is a permanent record.

Mr. Savramis asked about the 5 air conditioning units in the rear of the building?

Mr. Chagnon stated those were part of the adjacent building (the Vaughn Mall building).

Chairman Smith had a concern with the plant and sod area behind the building and whether they can come down the alley and get into that area. He doesn't want the area a place where people can sneak down into. Also, do they want grass where there's no sun?

Mr. Chagnon thought that was a good point and they might want to do something different. There will be a gate along Fleet Street, with a key pad on the outside and a turn handle on the inside and it will also be utilized by #168. In addition, there is a piece of fence on the rear of the building that restricts the access. On the other side there is a chain link fence. So, the area is all closed off.

Chairman Smith asked what he would suggest rather than sod that will never grow without light.

Mr. Chagnon suggested some sort of ground cover. He added there is some drainage coming down from adjacent buildings.

Deputy City Manager Hayden asked what was across from the motion activated security lights?

Mr. Chagnon indicated there are three locations. One light was put in at the request of the neighbors. Another is to facilitate the exit from 154 Fleet and there are no residences in that area. The third is the Franklin Block and there is a restaurant at the ground level.

Deputy City Manager Hayden asked how high up are the lights?

Mr. Chagnon believed they were at door height and no more than 8' to 10' above grade.

Deputy City Manager Hayden confirmed that all three are facing walls or offices?

Mr. Chagnon confirmed that was correct.

Chairman Smith asked if a Project Manager would be on site?

Mr. Chagnon confirmed that there would be.

Chairman Smith asked that his phone number be posted on the door.

Mr. Chagnon stated that was not a problem.

The Chair asked if anyone else was 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. Savramis made a motion to approve with stipulations. Mr. Hopley seconded the motion.

Mr. Holden clarified that included the deed restriction on the use?

Mr. Savramis and Mr. Hopley were agreeable to that stipulation.

Chairman Smith confirmed that he was not looking for a stipulation on removing the grass. He was just concerned about it turning to weeds and becoming a fire hazard.

The motion to approve with stipulations passed unanimously.

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.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney Robert Ciandella addressed the Board on behalf of PSNH as local land use counsel. Also present were Duncar Mellor, of Waterfront Engineering, Steve Haight, of Height Engineering, Randy Rudolph of PSNH, Dick Despina, Station Manager and Stella Shively, Senior Council at Northeast Utilities.

Attorney Ciandella indicated that this project consolidates two coal yards and creates less coal storage. It allows for a more flexible and better management of coal storage with no additional traffic. They expect a decrease in the intensity of coal trucks because of the existing limited capacity of coal storage area. This is an area below the crest of the property on the river side and will not be more visible as a result of the project. There will be no increase in the height of the coal storage area.

Councilor Ferrini & Mr. Ricci both reclused themselves from the hearing.

Duncan Mellor from Waterfront Engineers, spoke next. He confirmed that the function of the swale was the major component of this project. The existing swale functions to capture the small amount of run off that is on the up slope of the coal yard which is essentially clean run off which by-passes around the coal yard so that it does not have to go into the coal yard run off treatment system. They are proposing to convert that portion of the swale with a culvert so there would be no change other than the reduction in run off. That will allow them to extend the existing coal yard membrane and tie onto an 8’ high steel sheet pile wall which will create a good barrier from the coal yard storage.

Mr. Mellow indicated that, in their analysis, they looked at the run off that runs off into a settling basin. They did a pre and post drainage analysis and that basin is adequately sized for this modest increase in run off as the existing basin is oversized. The water from that settling basin does get pumped down to the waterfront area where there is a water treatment system and the water gets treated before it is discharged.

They met with the Portsmouth Fire Department and they had no concerns however they asked that the fire hydrants be relocated further from the coal pile. The new locations were approved by the Fire Department and those hydrants have been relocated. They have NHDES wetland permits and received unanimous approval from the Conservation Commission.

Randy Rudolph, of PSNH, talked about the coal yard operation. He addressed the successful history of the fuel management team at the Schiller Station, the inventory and coal method used at the Schiller Station and how this consolidation project will better help control levels. Schiller Station has had coal for 20 years without incident and the inventory control helps compact the coal to industry standards. This consolidation project will improve management.

The Chair asked if anyone else was 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

Chairman Smith asked about the underground obstruction as he couldn't find the detail.

Mr. Mellor indicated that was the existing fire protection line.

Mr. Savramis made a motion to approve with the four stipulations. Mr. Hopley seconded the motion.

The motion passed unanimously.

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.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Eric Weinrieb, of Altus Engineering, addressed the Board, representing Ablington Construction. Also present was Patricia Bartelt, of Ablington Construction.

Mr. Weinrieb indicated that the parcel is located at 195 West Road. Along the back of the site is a 60' service road/right-of-way that extends to other parcels in the industrial park. The parcel has a 9,875 s.f. building on it with parking and a gravel laydown area at the rear of the site. They are proposing to build a 19,000 s.f building with associated parking and this will actually increase the green space on site as they will provide loam and seeded areas where there is currently gravel. Structure coverage is at 5.3% and they are proposing to go up to 25.5%, which is allowable in the district. Sewer and domestic water services are adequate as they are now. When they originally built the building, they anticipated expansion. They will have an internal oil/grease trap. Because the building is being expanded and is going to have a construction component to it, they will provide a new fire suppression service to it. A new underground electrical service will be provided.

Mr. Weinrieb indicated there will be a landscape buffer around the parcel. Their abutter, F-Series, provided a chain link fence along the south side, there is a white pine buffer along the northern side and a chain link fence along the right of way area are. They will provide landscaping and trees as well. They designed the drainage system to accommodate the 2, 10 and 25 storm event. It is a flat site, like everything else on West Road, and it is hard to get detention and still have positive drainage off the site. They designed an infiltration system along the edge of the building with roof run offs to a stone infiltration basin, where water will collect and if it fills up it will drain into the City drainage system.

Mr. Weinrieb stated that TAC had seven stipulations that they have addressed:

1. "RWW" has been identified as Retaining Wall Wood on the Site Plans;
2. They have provided an oil/grit separator detail to the Site Plan;
3. They provided screening around the dumpster;
4. They added signs to control access around the site (one way travel);
5. They added a note that the flood lights and existing lights shall be replaced with Dark Sky Friendly; and.
6. A note has been added to the plans that the City will get a copy of the NOI.

Mr. Hopley indicated that one of the stipulations talked about an oil/water grease separator and that it be added to the plans and he sees where it has been added to the plans, however, he could not see where that was used.

Mr. Weinrieb stated it was located inside the building.

Mr. Hopley asked how it's outfall will go?

Mr. Weinrieb indicated it would all be internally plumbed. The floor drains will tie in and then continue through the building.

Mr. Hopley asked that a note or detail be added to show a fourth drainage structure on Sheet C-3 to show where the loop is for the Plumbing Inspector.

Mr. Ricci asked about erosion control on the site plan?

Mr. Weinrieb indicated that there are notes on the plan and in the detail but they do not show the exact locations.

Mr. Ricci asked about an analysis of on-site soils?

Mr. Weinrieb stated they did a geotech report. If you look through that analysis, what they are discharging back into the ground is miniscule (from roof run off). It is mostly going into the storage area preferated by the stone around it and then, according to the analysis, will continue on.

Mr. Ricci saw that catch basin one went down to catch basin two and then down to catch basin three. What happened after catch basin three?

Mr. Weinrieb indicated that ties into the existing storm drains.

Chairman Smith thanked them for the dark sky friendly lighting and also noted that the snow storage was great. He asked if there was a possibility of motorcycle pad?

Mr. Weinrieb indicated they could do motorcycle pads.

Mr. Coviello asked if there was a roof over the loading dock?

Mr. Weinrieb stated there was not. The hatch area is a concrete wheel pad as the loading docks typically fail where the wheel are.

Mr. Hopley asked about Catch basin #3 and without a table stating there is an invert out, would anyone know where to connect it?

Mr. Weinrieb pointed on out his Note 3 says where to connect the inverts.

The Chair asked if anyone else was 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

Deputy City Manager Hayden made a motion to approve with stipulations. Mr. Will seconded the motion.

Mr. Will added that Mr. Ricci mentioned erosion control and asked if it was necessary to put that on the on plan or was the idea that the erosion control was satisfactory?

Mr. Ricci stated that this plan was fairly simple and he felt that should suffice.

The motion passed unanimously.

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.

Attorney Bernard Pelech spoke on behalf of 360 Constitution Avenue, LLC. He indicated this request involved four parcels of land. Letters addressed to the Mayor and the other three property owners were provided as part of the record. He indicated this was a relatively small area of land at the location of Banfield and Constitution Roads. In 1995 this land was placed in an office research zone. Since that time, the PDA was created which now results in a situation where the City has alot of vacant office research areas. 141 Banfield Road is an example of an industrial zone use of land where a mini park of industrial condos was developed and there seems to be a demand and need for that type of development for the local plumber or electrician who needs 2,000 or 3,000 s.f. for their space. They are not big enough to own their own piece of land but 6-8 of them would make a fairly good sized building in an industrial zone. That is what they are trying to capture here. If this property was re-zoned from office research to industrial this could happen very quickly. Alot of the office research property sits vacant throughout the city. Attorney Pelech indicated they have submitted their matrix and look for a favorable recommendation to the City Council.

The Chair asked if anyone else was present from the public, wishing to speak at the public meeting. Seeing no one rise, the public meeting was closed.

Mr. Will made a motion to recommend to the City Council to change the proposed lots to from Office Research to the Industrial Zone. Mr. Will added that at Master Plan discussions, he had serious concerns about losing, piece by piece, industrial land throughout the City. In modern times, Industrial land is an opportunity for the City to create jobs using this land that are higher paying as a commercial property is utilized. He likes the idea of small offices that the small business person is able to use. He believes that means a higher amount of income coming into the city, not only by the business owner but from the workers that work that land as well.

Chairman Smith stated that there was a correction in the Memorandum that it should not say “Deer Street.”

Councilor Ferrini commented that they have been challenged because they cannot get industrial uses that work and this is a great example of what does. He is continually concerned and now pleased with the Memorandum of Taintor and Associates, which the Board will get to later, addressing the further use of office research. His concern is that if they drag their feet with the reanalysis of office research in general, and not with regard to the proposal that is before them this evening, they will see nibbling away by variance, without an appropriate policy, so the sooner the better. He feels this particular use in an industrial setting services the need of the smaller service-type industrial use, and that it good..

Mr. Savramis seconded the motion.

The motion to recommend to the City Council to change the proposed lots to from Office Research to the Industrial Zone passed unanimously.

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Chairman Smith and Mr. Holden indicated that they would like to table the remainder of the items on the agenda until the next regularly scheduled meeting due to the length of the agenda.

Mr. Will made a motion to table all remaining items on the agenda. Mr. Coker seconded the motion. The motion passed unanimously.

Councilor Ferrini asked at what point the Board would push ahead without getting thought it?

Mr. Holden indicated that he would like the Board to schedule a work session with Mr. Taintor at the next meeting. The Board already has the materials and the Board should continue to review them and if they have questions or comments, share them with the Department. He asked if the Board would set a one-half hour work session with Mr. Taintor prior to the start of the next meeting?

Councilor Ferrini expressed his concern about getting through all items next time.

Mr. Holden felt they should be able to get through next month’s agenda and the tabled items would be heard first.

A motion was made and seconded to schedule a work session prior to the next regularly scheduled Planning Board meeting. The motion passed unanimously.

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III. CITY COUNCIL REFERRALS/REQUESTS

1. Request to review archeological matters and historic sites in the City;
2. Request for Amendment to Zoning Ordinance to Permit Financial Institutions in the Office/Research Zone;
3. Request for the discontinuance of Falkland Way;
4. Request of Exchange City to Erect a sign at 25 Granite Street;

IV. NEW BUSINESS

- A. Revisions to Planning Board Rules & Regulations;

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VI. ADJOURNMENT

A motion to adjourn at 9:50 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board

These minutes were approved by the Planning Board on