

**ACTION SHEET**  
**REGULAR MEETING**  
**PLANNING BOARD**  
**PORTSMOUTH, NEW HAMPSHIRE**

**7:00 P.M.**

**CITY COUNCIL CHAMBERS**

**MAY 18, 2006**

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

**MEMBERS PRESENT:** John Ricci, Chairman; M. Christine Dwyer, City Council Representative; Jerry Hejtmanek, Vice-Chairman; Cindy Hayden, Deputy City Manager; Richard A. Hopley, Building Inspector; Donald Coker, George Savramis; Anthony Coviello and Alternates Paige Roberts and Timothy Fortier

**MEMBERS EXCUSED:** Raymond Will;

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

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**I. PUBLIC HEARINGS**

A. The application of **Bacman Enterprises, Inc., Owner**, for property located at **140 Edmund Avenue**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to improve on site parking spaces, retaining walls and landscaping within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 220 as Lot 81 and lies within a Single Residence B district. (This application was tabled at the April 20, 2006 Planning Board Meeting.)

Voted to **grant** Conditional Use Approval.

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B. The application of **Stephen Kelm, Owner**, for property located at **46 State Street**, where in Preliminary and Final Subdivision approval is requested to subdivide one lot into two lots with the following: Proposed Lot A having 1,570 ± s.f. and 22.41' of continuous street frontage on State Street and Proposed Lot B having 2,720 ± s.f. and 38.10' of continuous street frontage on State Street, and lying in a zone where a minimum lot area of 1,000 s.f. and no street frontage is required. Said property is shown on Assessor Plan 105 as Lot 11 and lie within the Central Business B District, Downtown Overlay District and Historic District A. (Plat plan is on file in the Planning Department Office and is identified as Plan #06-01-06). (This application was tabled at the April 20, 2006 Planning Board Meeting.)

Voted to **table** to a time indefinite.

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C. The application of **Stephen Kelm, Owner**, for property located at **46 State Street and March Twenty Two, LLC, Owner**, for property located at **58 State Street**, wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 11 as shown on Assessor Plan 105 decreasing in area from 4,303 s.f. to 2,733 s.f. and decreasing in continuous street frontage off of State Street from 60.51' to 38.10' and Lot 12 as shown on Assessor Plan 105 increasing in area from 1,810 s.f. to 3,380 s.f. and increasing in continuous street frontage off of State Street from 26.00' to 48.41'. Said lots lie in a zone where a minimum lot area of 1,000 s.f. and no continuous street frontage is required. Said properties are shown on Assessor Plan 105 as Lots 11 & 12 and lie within a Central Business B and Historic District A District.

Voted to **table** to the next regularly scheduled Planning Board Meeting on June 15, 2006.

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D. The application of **Strawbery Banke, Inc., Owner**, for property located at **17 Hancock Street**, wherein Preliminary and Final Subdivision approval is requested to subdivide one lot into two with the following: Proposed Lot 000 having 6,245 ± s.f. and 100' of street frontage on Hancock Street and Proposed Lot 001 having 4,116 ± s.f. and 83.49' of street frontage on Hancock Street and 43.57' of street frontage on Washington Street, and lying in a zone where a minimum lot area of 7,500 s.f. and 100' of street frontage is required. Said property is shown on Assessor Plan 103 as Lot 88 and lies within a Mixed Residential Office and Historic District A District.

Voted to **table** to the next regularly scheduled Planning Board Meeting on June 15, 2006.

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E. The application of **Kearsarge Mill Condominium Association, Owner**, for property located at **361 Hanover Street** wherein Amended Site Review approval is requested 1) to amend easements regarding access between the this lot and abutting lot owned by Hill Hanover Group shown on Assessor Plan 138 as Lot 64; 2) to allow a parking easement from the City of Portsmouth for abutting property shown on Assessor Plan 138 as Lot 60; and 3) to grant an access easement to the City of Portsmouth to allow them to maintain and repair a building located on abutting property shown on Assessor Plan 138 as Lot 60, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 138 as Lot 63 and lies within a Central Business B District.

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

**Stipulations from the May 18, 2006 Planning Board Meeting:**

- 1) That this Board recommends that the disposition of this encroachment should be by license and the Board recommends to the City Council that an agreement favorable to the City should be approved, reviewed and approved by the City Attorney, and should include the following:
  - That the City can revoke permission at its will;
  - That the use of City property by others should be properly compensated; and
  - That the City incurs no liability from this private use.

**Stipulations from the May 2, 2006 Technical Advisory Committee Meeting:**

- 2) That the Planning Board is put on notice that this Committee is concerned about the use of the City property and that the Planning Board may wish to have this issue clarified further before acting on the application;
- 3) That the paragraph labeled "References for Easements" shall be changed to "Easement Notes" so that it matches what is on the plan;
- 4) That the Site Plan Notes reference Map 138, Lot 64 but no where on the plan does it identify that lot so that note should be clarified; and
- 5) That Plan Note #1 appears to be missing some words and should be corrected.

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**II. CITY COUNCIL REFERRALS/REQUESTS**

- A. Request from The Housing Partnership for an Amendment to Section 10-1503 of the City's Zoning Ordinance Relating to Residential Planned Unit Developments (PUD); (Referred from the March 20, 2006 City Council Meeting);
- B. Request from The Housing Partnership for an access easement for property located on Bedford Way; (Referred from the March 3, 2006 City Council Meeting and combined with the above request for a Zoning Amendment by The Housing Authority);

Voted to schedule a work session prior to the next regularly scheduled Planning Board Meeting on June 15, 2006 from 6:00 pm – 7:00 pm and the members of the Technical Advisory Committee will be invited to attend the work session.

**III. OLD BUSINESS**

- A. Planning Board appointment to the Historic District Commission;

Voted to **table** to the next regularly scheduled Planning Board Meeting.

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**IV. AMENDED SITE PLAN REVIEW**

- A. Property Located at 6-16 Congress Street – addition of grease trap; Administratively approved by the Planning Department. Planning Board advised.

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- B. Property Located at 3002 Lafayette Road; Administratively approved by the Planning Department. Planning Board advised.

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**V. ADJOURNMENT** was had at approximately 8:05 p.m.

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This Action Sheet was prepared by Jane M. Shouse, Administrative Assistant in the Planning Department.

