

ACTION SHEET

**PLANNING BOARD MEETING
PORTSMOUTH, NEW HAMPSHIRE**

7:30 P.M.

CITY COUNCIL CHAMBERS

AUGUST 17, 2006

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

MEMBERS PRESENT: John Ricci, Chairman; M. Christine Dwyer, City Council Representative; Richard A. Hopley, Building Inspector; Raymond Will; Donald Coker; George Savramis; and Paige Roberts, Alternate;

MEMBERS EXCUSED: Jerry Hejtmanek, Vice-Chairman; Cindy Hayden, Deputy City Manager; Anthony Coviello; and Timothy Fortier, Alternate;

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

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6:00 pm – 7:00 pm SITE WALK regarding The Housing Partnership’s request for an Amendment to Section 10-1503 of the City’s Zoning Ordinance Relating to Residential Planned Unit Developments (PUD) and request for an access easement for property located on Bedford Way. (Meet in Hanscom Park, located in the triangle formed by Kearsarge Way, Falkland Place and Ranger Way).

A Site Walk was conducted by members of The Housing Partnership.

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7:00 – 7:30 pm WORK SESSION regarding The Housing Partnership’s request for an Amendment to Section 10-1503 of the City’s Zoning Ordinance Relating to Residential Planned Unit Developments (PUD) and request for an access easement for property located on Bedford Way;

A Work Session was held with Rick Taintor, of Taintor & Associates, and members of The Housing Partnership. It was agreed to hold another work session prior to next month’s Planning Board Meeting on September 21, 2006 from 6:30 – 7:30 pm.

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I. APPROVAL OF MINUTES

1. Approval of Minutes from the May 18, 2006 Planning Board Meeting – Unanimously approved.
2. Approval of Minutes from the July 20, 2006 Planning Board Meeting – Unanimously approved.

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II. PUBLIC HEARINGS

A. The application of **The State of New Hampshire, Owner, and The State of New Hampshire Liquor Commission, Applicant**, for property located at **605 Route 1 By-Pass (the Traffic Circle)** wherein Site Review approval is requested to construct a 25'6" x 44' one-story addition to be used for public rest rooms, a mechanical room and a storage room, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 235 as Lot 1 and lies within a General Business District.

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

Stipulations from the July 5, 2006 Technical Advisory Committee Meeting:

- 1) That additional lighting be added to the Site Plan, that is aimed at the new facility;
- 2) That the hours of operation be added to the Site Plan, indicating that they shall conform to the hours of operation of the liquor facility;
- 3) That the responsibility for maintaining and securing the building belongs to someone other than the City and a note shall be added to the Site Plans;
- 4) That the water shut-off shall be installed at least 5' away from the building;
- 5) That a note shall be added to the Site Plans that all water shall go through the existing water meter for the new bathroom;
- 6) That the footings and foundation that go over the water main shall be bridged;
- 7) That the current sprinkler system in the existing facility shall be extended into the new bathroom facility;
- 8) That the rear emergency exit door be labeled on the Site Plans as being locked at all times;
- 9) That the handicapped levels shall be noted on the Site Plans for the handicapped toilet and sink;
- 10) That a written agreement regarding the concerns of the City shall be prepared for review and approval by Deputy Police Chief DiSesa, David Desfosses of DPW and David Holden, Planning Director;
- 11) That a meeting shall be held with the applicant, David Desfosses, Deputy Police Chief Len DiSesa, David Holden and Lucy Tillman to finalize the stipulations prior to the Planning Board meeting;

Stipulations from the August 18, 2006 Planning Board Meeting:

- 12) That David Engel, of the NH State Liquor Commission, will be the contact person to work with City Staff to complete the approval process;

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B. The application of **Stephen J. Brulotte, Owner**, for property located at 398 Cutts Avenue, and **Stephen A. Brown, Owner**, for property located at 450 Cutts Avenue, wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 008 as shown on Assessor Plan 210 increasing in area from 18,690 ± s.f. to 20,278 ± s.f. and with 127.71' of continuous street frontage on Cutts Avenue and Lot 009 as shown on Assessor Plan 210 decreasing from 19,050 ± s.f. to 17,462 ± s.f. and with 110' of continuous street frontage on Cutts Avenue. Said

lots lie in a district where a minimum lot area of 15,000 s.f. and 100' of continuous street frontage is required. Said properties are shown on Assessor Plan 210 as lots 008 and 009 and lie within a Single Residence B District.

Voted to **approve** Preliminary and Final Subdivision approval with the following **stipulations**:

1. That boundary monuments shall installed per the requirements of DPW; and,
2. The submission, to this department of electronic data, suitable for updating the City Assessing Records.

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C. The application of **March Twenty Two, LLC, Owner**, for property located at **58 State Street**, and **Barbara Theodore, Owner**, for property located at **449 Court Street**, wherein Site Review approval is requested to construct a 3,210 ± s.f. mixed use building on Lot 12 with an access and utility easement extending across Lot 6, with related paving, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Plan 105 as Lots 6 & 12 and lie within the Central Business B District and the Historic District A.

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

Stipulations from the July 5, 2006 Technical Advisory Committee Meeting:

- 1) That a note shall be added to the Site Plans so that a smooth transition is made with the sidewalk materials, and that should be shown on the old part of the sidewalk so that the entire section between the two front buildings is consistent. Also, the transition should be shown beyond the area that is shown in brick. All work shall be completed to the satisfaction of DPW;
- 2) That a note and detail be added to the Site Plans indicating that they are filling the driveway, that standard size curbing to match what is already there shall be used and the curbing adjacent to the driveway will be reset to the proper reveal;
- 3) That an agreement be reviewed and approved the City Legal Department, Planning Department and DPW on how the drain line will be set in and paid for and said agreement shall be under review prior to Planning Board review;
- 4) That the electric service for #46 and #58 State Street must be relocated;
- 5) That the water coming from the downspout on #46 State Street onto the sidewalk needs to be addressed;
- 6) That a note shall be added to the Site Plans indicating a minimum of 5'4" clearance on the front of the building for snow tractors;
- 7) That the finished floors on the proposed building shall be no lower than what is existing. All finished floors should be the same and the sidewalk modified to meet those;
- 8) That the Site Plans should be redrawn to assure that the roof drains are on the appropriate properties;
- 9) That the drain line on Court Street should be lowered and the drainage lateral should be a minimum of .1%;
- 10) That the arrow pointing to the site panels on State Street be clarified, that a detail be added and the first barrier closest to State Street should be sloped;
- 11) That a Construction Management Plan shall be reviewed and approved by the City Legal Department, Planning Department, and DPW, prior to the issuance of a Building Permit;

- 12) That pavement markings and chevrons shall be added on State Street;
- 13) That the applicant is responsible for removing the meters and poles and reinstalling the poles, however DPW will reinstall the meters. This shall all be coordinated with DPW;
- 14) That the Planning Department reserves the right to review the parking calculations for accuracy and a final figure will be confirmed for the final plans;
- 15) That the Access and Utility Easement and the Drainage Easement be prepared for review and approval by the City Legal Department;
- 16) That the proposed driveway clearance of 12' be noted on the Site Plans;
- 17) That the truncated domes be removed from the private driveway. The bricks should go to the driveway apron and there should not be any concrete;

Stipulations from the August 1, 2006 Technical Advisory Committee Meeting:

- 18) That prior to the issuance of a building permit, the applicant shall apply to the HDC for the meter and gutter on 46 State Street and those must be resolved;
- 19) That the applicant and the Building Inspector shall meet and advise the Planning Board on what is required regarding the chimney issue;
- 20) That the curb reveal be continuous in uniform in front of #46 and #58;
- 21) That the gate be eliminated from the plans but a note added that it can be revisited in the future if the need arises;
- 22) That the steps in front of #46 be labeled as existing;
- 23) That Note 10 on Sheet C-3 should be revised to state review by the City Legal Department, DPW and the City Manager;
- 24) That Note 8 on Sheet C-2 be revised to state that the applicant shall remove the posts and meters and reinstall the posts once construction is done; and
- 25) That a short detail on the meter post be added to the Site Plans;

Stipulations from the August 17, 2006 Planning Board Meeting:

- 26) That a meeting shall be held with the applicant and representatives of DPW to arrive at an agreement regarding the grease trap;
- 27) That the applicant shall work with DPW to determine a fair share cost mechanism for extending the City's storm water drainage system for this project and said funds shall be placed in escrow by the City;

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D. The application of **Micronics Realty Trust, Owner**, for property located at **200 West Road**, wherein Site Review approval is requested to construct a 75' x 94' one-story addition with accessdrive and additional parking, with related paving, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Plan 267 as Lot 22 and lies within an Industrial District.

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

Stipulations from the August 1, 2006 Technical Advisory Committee Meeting:

- 1) That any changes to the Site Plans regarding the grasscrete product shall be reviewed and approved by DPW;

- 2) That the proposed species for the raingarden shall be reviewed and approved by Lucy Tillman of the Planning Department;
- 3) That the force main coming out should go straight out to the sewer system and should be revised on the Site Plans;
- 4) That the building sprinkler system and fire alarm system should be extended to the new addition and a knock box should be installed if there is not one on the present building;
- 5) That if there is not adequate space for snow storage on site it shall be trucked off-site;
- 6) That the stipulations from Conditional Use Approval at the July 20, 2006 Planning Board meeting shall be incorporated into the Site Review approval;

Stipulations from the July 20, 2006 Planning Board Conditional Use Approval:

- 7) Separate drainage of roof water from other storm water will be employed with at least part of roof drainage to be used for irrigation of native landscaping and remainder outletting beyond storm water treatment area.
- 8) In landscaped areas outside of storm water drainage area, the applicant shall install native wetlands vegetation and where possible employ the use of a rain garden.
- 9) Before site disturbance, the applicant shall remove and bag phragmites in black plastic and dispose of in an appropriate manner in order to eliminate the spreading of invasive species, and a note shall be added to the Conditional Use Plan as well as any Site Review Plans.
- 10) The applicant shall report annually to the Department of Public Works the condition of the storm water treatment system including any monitoring of invasive species and including the maintenance of a no mow policy of the native plants in the treatment area.
- 11) The applicant shall apply wetland seed mix in the disturbed areas behind the new addition.
- 12) That approval is conditioned up the applicant receiving a permit from NHDES.

Stipulations from the August 17, 2006 Planning Board Meeting:

- 13) That the grasscrete accessdrive and the rain garden shall be maintained by the applicant and no changes shall be made to the approved Site Plans without the review and approval of the Planning Board.

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III. CITY COUNCIL REFERRALS/REQUESTS

- A. Request to purchase "Unnamed Lane" abutting Pleasant Street;

Voted to **table** to the next regularly scheduled Planning Board Meeting on September 21, 2006.
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IV. AMENDED SITE PLAN REVIEW

- A. Property Located at 154 – 158 Fleet Street – addition of Grease Trap;

Voted to **approve** as presented.
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B. Property Located at 225 Heritage Avenue, Smuttynose Brewing Company – revised grading;
Voted to **approve** as presented.

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V. NEW BUSINESS

A. Scheduling of a Prime Wetland Worksession with Conservation Commission members and Mark West of West Environmental Services;

Peter Britz, Environmental Planner, indicated that a joint meeting with the Conservation Commission will be scheduled for a presentation by Mark West, of West Environmental Services.

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VI. ADJOURNMENT was had at approximately 9:15 p.m.

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