

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

7:30 P.M.

**CITY COUNCIL CHAMBERS SEPTEMBER 21, 2006
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

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

MEMBERS EXCUSED: Donald Coker;

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

.....
6:00 pm – 6:30 pm WORK SESSION regarding Zoning Ordinance Re-Write

Rick Taintor presented the first product of this effort called the Zoning Ordinance Audit Report. They have talked to staff and other people who work with the Zoning Ordinance on a regular basis. The process will address an array of details. The purpose of tonight's meeting was an introduction to the report. The next step will be to start making significant changes to the Zoning Ordinance. They have packaged it into one document and restructured a lot of the sections, and started making the Zoning Ordinance easier to use.

Mr. Taintor reviewed the Summary of Major Recommendations. They are restructuring the ordinance by changing the numbering system to make it easier to cross reference; move all overlay districts together; put administrative sections into one section; use more illustrations; and group definitions together.

The next section was entitled Reduce Internal Cross References and References to State Law, followed by the section entitled Simplify the Table of Use Regulations. The objection is to make it simpler by using the same terms and format throughout and to move all non-use regulations out of the use tables and into other appropriate sections, including intensity and dimensional regulations, site plan issues, performance standards, locational requirements and operational standards. They will also expand the use of "levels" of uses to be used for nightclubs, bars, taverns, hotels, motels and/or restaurants.

The next section was entitled Consider Additional Options for Flexible Development and deals with PUD's where they will consider new types of PUD's.

The section entitled Upgrade Performance and Design Standards, Create Additional Standards will upgrade existing sections regarding landscaping, signs, outdoor lighting, noise and stormwater management. They will adopt new standards for drive throughs and move some standards to the Site Review Regulations.

Consider New Urban Design Approaches will address new design review districts to complement the existing HDC and also consider prescriptive design standards, such as form-based zoning. They may consider possibly splitting areas off from the historic district.

Lastly, Zoning District Review will address the issue of undersized lots and what happens when people want to make minor additions. They will work to avoid shifting an unnecessary load on the BOA. They will review the West End to promote business expansion, the Islington Street corridor to balance the downtown expansion with adjoining neighborhood quality and consider new zoning options for the Lafayette Road commercial corridor.

Mr. Taintor briefly reviewed the individual chapters:

- Zoning Ordinance Structure and Organization
- Smart Growth and Sustainable Development
- Urban Design
- Specific Ordinance Issues (broken down by Article)
- Nonconforming Uses and Lots
- Mixed-Use Areas and Corridors

Exhibits included a list of zoning related strategies taken from the 2005 Master Plan and a proposed reorganization of the Zoning Ordinance. Exhibit C consists of samples of form based zoning from Weymouth, Abington and Rockland, MA. Exhibits D are some sample downtown commercial district standards, Exhibit E are some sample commercial/mixed use design standards and Exhibit F is a model shared parking ordinance.

Mr. Taintor indicated that was a general overview of the report but there may be things that they have missed and the Board members may want other items to be included which they will talk about next week.

Deputy City Manager Hayden felt it would be helpful for people to make notes and give them to Mr. Taintor for his use for their feedback. Mr. Taintor felt that was a good idea. Next week's two hour work session will focus on the big issues and the items that the Board would most like to accomplish.

Councilor Dwyer wanted to clarify that next week will just address the big issues and they will have a chance to have input at a later stage as well. Mr. Taintor confirmed that was correct and then in a couple of months they will have a "working document" and it may be helpful to communicate with David Holden and Cindy Hayden on major issues. Councilor Dwyer asked for clarification on whether they were raising issues or suggesting direction? Mr. Taintor felt it was a good time to talk about direction as well. Deputy City Manager Hayden stated that the City has already given them a lot of direction with the Master Plan. Mr. Taintor felt they should aim for a list of issues after next week's work session. Mr. Will felt that one week was hardly enough time to cover the entire ordinance. Deputy City Manager Hayden added that it was very easy to read and digest so they should be able to get through it. Councilor Dwyer suggested they could have an additional work session to cover the document. Mr. Taintor suggested taking a step back from the form base and exclude design issues from next week's discussion. They should focus on the chapter by chapter items. They should look at the Chapter entitled Specific Ordinance Issues and also Performance Standards. Therefore, they should look at everything except for the sections before Specific Ordinance Issues and the last section on Mixed Use and Corridors, don't pay attention to Urban Design (Pages 11 & 12), don't pay attention to Mixed Use and Corridors (Page 31), and they will also save everything from Exhibit C on. They will schedule another special meeting to cover the other items.

.....
6:30 pm – 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;

Bryant Wyatt, Executive Director of The Housing Partnership and Sharon Somers, Attorney for The Housing Partnership, were also present.

Rick Taintor referred to the Working Draft dated 09/14/06 and explained that this was revised from the 8/17/06 draft. The purpose and intent is to further the housing goals of the Master Plan by allowing an increase in the development of a site in exchange for provisions of affordable housing units. They are introducing PUD options where the benefit to the City is affordable housing where a standard PUD benefit to the City is large areas of open space.

Under General Provisions, C.1, there was a change to include GRA & GRB districts only. Section C.3. changes so they can use the new density requirements and change the number of dwelling units to the lot.

The existing use regulations brought up the question about day care facilities and home occupation in PUDs and that has not been resolved.

The big change is how they figured out density. Mr. Taintor passed out a spread sheet to determine developable area to determine how many units would be permitted on a site. This showed what would be permitted under the proposed plans vs. what would be permitted under the current regulations.

Under Section G they made a change for affordable units and the bonus units where they changed 1.25 to 1.50 bonus units per affordable unit.

On Page 3, they made a big change which allows more dwelling units per lot, allowing up to six units per lot.

Under Section I, Dimensional requirements for open space requirements are expanded to include space for recreational purposes.

Section J. excluded the requirement that exterior elevation be subject to review by the Planning Board as it was added on the next page under preliminary approval by the Planning Board.

Section M, Planning Board Finding and Actions was changed regarding the impact to the neighborhood.

Mr. Will asked about L5, specific to appropriate condo or cooperative agreements, the qualifying zones were identified as GBA & GRB. He felt there should be specific tracts on each specific zone. He felt that condos would be the more likely outcome. Maybe more specific language would help. Mobile Home, Garden Apartments can be dealt with later. Mr. Will also felt there should be something more specific included regarding condominium maintenance.

Mr. Hejtmanek asked about being affordable for the longest legally binding term. Mr. Taintor stated that was quite often 99 years as it can't be done in perpetuity.

Deputy City Manager felt that density was a key issue. She asked about Section F, since there are two ways to calculate the base residential density, she asked if there was a way to modify how they were calculating that so that they come in somewhere between the 51 and 25 units. Mr. Taintor indicated it would depend on the site. Using the example which was given, there are two ways to calculate the density of the site, and it would go from 25 to 33 units. Deputy City Manager Hayden asked what percentage of The Housing Partnership was developable.

Attorney Somers indicated that they do have those figures. She stated that the concept of having partnership and staff corroborate for public benefit vs. higher density, they were happy to work with staff on that. With regard to the most recent iteration, the combination of the increased density coupled with the continued restrictive definition of developable area makes it not viable for this particular project, and most likely for other projects in the GRA and GRB. She bases that on the assumption that the spread sheet is wrong. Based on their calculations of developable area, their base density would only result in 11 units. Even factoring the affordable housing bonus, they would still be shy of 20 units, which is unworkable financially for this project. This methodology will not work for them on this site.

Deputy City Manager Hayden asked if the different calculation approach would help with that? Attorney Somers felt that might possibly help but the significant problem is a combination of doubling the lot area size coupled with keeping that restrictive definition on what constitutes developable area. Mr. Taintor indicated that they have 36% restrained and 64% developable. Attorney Somers indicated that Mr. Chagnon's calculations yield approximately 11 units.

Councilor Dwyer felt it would be helpful to have the figures for this site and do the site walk with those figures in her mind of percentage developable and restrained.

Attorney Somers reviewed some of the prior information that had been submitted and one of those items was a request on information on the existing density for the Atlantic Heights neighborhood. She felt that was interesting as there are a number of 6 unit buildings in addition to 4 units. Lot areas range from 900 sf to 4700 sf., with the average being around 2,000's. Therefore, if the concern is to maintain consistency with the neighborhood, then the requirements are way too high.

Deputy City Manager Hayden felt that they couldn't compare the Atlantic Heights neighborhood with this development as it will look very different.

Councilor Dwyer asked about the conversation that brought them from 5 to 10 and asked Mr. Taintor to comment on other such density ordinances and what the factor might be based on.

Mr. Taintor indicated that a lot of ordinances that don't work have a much smaller multiplier, around 10%. The multipliers that he used for this document are a little bit higher. Regarding how they went from 5 to 10, they were trying to figure out how much should be allowed to apply to this and maybe it's not as big an issue as they thought it was. Councilor Dwyer felt that clearly 10,000 is too high or else they would not be in this conversation and it is somewhere between 10,000 and 5,000 if they are going to use this formula. Deputy City Manager Hayden added or it's in the way the base is calculated, which may be a cleaner way to get at it.

Mr. Will felt that they could work out the calculations at a later date as it appeared that everyone was on the same page.

Chairman Ricci indicated that he wants to make sure it's written for different tracts. A flat site should definitely be allowed more units.

Deputy City Manager Hayden referred to the calculation on the density and that the developers get to pick option #1 vs. #2. She asked if they should beef up option #2 so that they have more knowledge over determining if 100% of the site is developable or is it a small part? Mr. Taintor suggested leaving it the way it is. In any case, the developer should have the option of a real base density.

Mr. Coviello referred to Section J, regarding harmonious with the neighboring development, housing and natural surroundings. He thought that seemed very open. They could take some of the worse parts of a neighborhood and incorporate them. Mr. Will felt they were almost mentioning design standards without getting into design standards. Can they get into design standards? Deputy City Manager

Hayden agreed it was general but it's difficult to get specific. Chairman Ricci felt it offers some additional leverage. Mr. Coviello asked if they should say to the satisfaction of the Planning Board? Attorney Sullivan indicated that was implied.

Attorney Sullivan stated that the PUD section is meant to be flexible and a negotiation process. It says that the Planning Board is not obligated to approve a PUD. It is meant to allow the developer to come up with ideas to see how the Board feels about them. With regard to the design review element, there is an underlying concern that they don't want the affordable housing aspect to become distinct from other houses and that is what that language is meant to do.

Councilor Dwyer referred to a section under G and asked about the density bonus. Mr. Taintor went back to this whole question about where the shortage is for affordable housing. Is it the lower end or median income? However, the Master Plan says we need more in the middle. They are not reducing housing units but need to decide where they want to emphasize.

Attorney Somers felt that a key factor they have to take into account is the market rate and deed restrictions and how they are going to affect the marketability.

Councilor Dwyer asked why not make it 1.25 bonus units for both rates?

Mr. Wyatt indicated it was his sense if the marketability is under 120%, they are not that far away from market, it would be harder and riskier for them to consider the development. Deputy City Manager Hayden added that the 1.5 would apply to anything under 120% so they wouldn't have to build everybody at 120%, they could build everyone at 90%, for example. From her experience in the City in the First Time Homebuyers Program, Portsmouth is not a normal housing market. People are desperate for housing that make a lot of money – 110% of median housing income - and they can't afford to buy in Portsmouth, so it is a much higher percentage.

Mr. Taintor referred back to the Master Plan, they are trying to help people in the middle range.

Mr. Will asked if it would be home ownership? Mr. Taintor indicated that it doesn't have to be and it could be rental.

Mr. Taintor asked if anybody saw a down side to simply the ordinance to everything under 120%? Mr. Will felt that the ordinances are written for a long length of time and longer than the markets. The Ordinance must be written on the affordable housing need and not the current market. Chairman Ricci felt that the language about the percentages worked well.

Attorney Somers felt that other resources might have benchmark methodologies. The closer you get to market rate, you have to consider the deed restrictions and the key is median family income.

Councilor Dwyer felt that everyone appears to be on the same page and asked if they could continue with this discussion next week? Chairman Ricci indicated that next week's agenda is set and that The Housing Partnership should continue to work with staff. Councilor Dwyer felt this is part of the zoning re-write and should be included. Chairman Ricci felt there would not be enough time. Councilor Dwyer disagreed and felt this was one of the most important parts of the Zoning re-write so she felt they should keep the discussion moving along. Chairman Ricci reiterated that there would not be enough time next week as that agenda is already set. Councilor Dwyer stated they had 2 issues to talk about – the 10,000 to 5,000 issue and the percentage issues. Ms. Roberts was concerned about staff not having adequate time to work with The Housing Partnership before the next work session. Councilor Dwyer felt that this was one of the most important things to most members of the City Council and she felt they were on a roll with it.

Deputy City Manager Hayden felt they would not be able to pull everyone together in one week for a meeting and Mr. Taintor mentioned that he was not available at all next week. Deputy City Manager recommended a report back next week at the work session. There is one thing they can do fairly easily now that they know the 36%. The crux of the issue is about Section F. There are two ways to get from somewhere between 25 and 51. They can change the 10,000 downwards or they can change what they pull out, such as steep slopes. The Department could do a Memo regarding those points.

Mr. Wyatt indicated that their project needs to move forward and they are willing to help in any way possible. Attorney Somers mentioned that they would like to have their engineer weigh in on the Memorandum.

Chairman Ricci confirmed that the Board will receive a memo next week and next Thursday will be a Board Meeting and they will only address those two issues.

.....

Chairman Ricci took a moment to recognize former Planning Staff, Barbara Driscoll, who passed away last week.

.....

I. APPROVAL OF MINUTES

- A. Approval of Minutes from the June 15, 2006 Planning Board Meeting;
- B. Approval of Minutes from the June 22, 2006 Planning Board Meeting;
- C. Approval of Minutes from the August 17, 2006 Planning Board Meeting;

Deputy City Manager Hayden made a motion to approve all three sets of minutes. Mr. Hopley seconded the motion. The motion was unanimously approved.

.....

II. PUBLIC HEARINGS

A. The application of **Thomas J. Flatley, Owner, and Home Depot, Applicant**, for property located at **500 Spaulding Turnpike** wherein amended site plan approval is requested for minor site alterations to the proposed lumber canopy and the garden center, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 238 as Lot 20 and lies within a General Business District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney Malcolm McNeil appeared on behalf of the applicant for this amended application. He confirmed that they received Site Review approval on April 20, 2006 however, on a corporate level, they made a small change in their building which has nothing to do with setbacks, wetlands, or any matters of concern to this Board or the City, however, the City staff choice to be cautious and required a public hearing.

Attorney McNeill indicated that the back wall of the building is being moved 3", which will result in a 218 s.f. footprint reduction. The lumber canopy is being moved 20' to the east to align the canopy with the internal aisle system in the new building. This amendment does not effect setbacks. It slightly adjusts the parking field so that 8 parking spaces are eliminated, which still leaves them in compliance on parking. They are reducing impervious surfaces. Lastly, the garden center, rather than

being set back 13' from the front wall of the building will be moved even with the front of the building.

Chairman Ricci commended the applicant on the ease of reading their plans.

The Chair asked if anyone 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. Holden advised the Board that TAC reviewed the changes and found no issues but felt it should go to the Planning Board.

Mr. Will made a motion to approve amended Site Review approval. Deputy City Manager Hayden seconded the motion.

The motion to approve passed unanimously.

.....
B. The application of **Millennium Borthwick, LLC, Owner**, for property located at **155 Borthwick Avenue** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to add 13,771 s.f. of grading and pavement within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 259 as Lot 14-1 and lies within an Industrial District;

The Chair read the notice into the record.

Mr. Holden indicated that this application was tabled at the Conservation Commission meeting with a request for more information. The Department recommends tabling this matter.

DISCUSSION AND DECISION

Mr. Will made a motion to table the application. Vice-Chairman Hejtmanek seconded the motion.

The motion to table passed unanimously.

.....
C. The application of **Frederick J. Bailey, III, Owner**, for property located at **520 Route One By-Pass (Portsmouth Traffic Circle)** wherein amended Site Review approval is requested to enclose 20 existing 2nd floor balconies (facing Boyd Road), with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 175 as Lot 11 and lies within a General Business district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Frederick Bailey, owner and applicant, addressed the Board. He handed out plans and photographs to the Board members.

Chairman Ricci asked the Board if they were comfortable receiving plans at the meeting, rather than beforehand. Deputy City Manager Hayden felt that the TAC Minutes were comprehensive and she

was comfortable going forward. Mr. Holden added that the Department requested plans from the applicant to go to the Board in their packet ahead time. Mr. Will was more comfortable tabling this as the Department hasn't seen the plan either. Mr. Coviello suggested hearing from the applicant as it sounds very simple. Chairman Ricci asked that the applicant go forward and the Board can make a decision afterwards.

Mr. Bailey apologized for the misunderstanding. He indicated that this was the original building along Boyd Road where there are 20 balconies with half walls and roofs. They are proposing to enclose the balcony half walls. There is no site work, no utilities and it is a very minor change. The building will not look very different afterwards. He brought the pictures because it is hard to see what is being done from the blueprints. He asked for any questions from the Board members.

Mr. Coviello asked if any lighting was being added or changed? Mr. Bailey stated they have globe lights being removed and they will add down lights. Mr. Coviello asked if the distance of the light would be closer to the property line? Mr. Bailey confirmed it would be about 4' closer but the light will not be as noticeable.

Deputy City Manager Hayden asked if that was all they are changing was the building and not changing any utilities, parking or the site? Mr. Bailey confirmed that was correct.

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

Meryl Brown, of 123 Boyd Road, was an abutter. She had questions about the changes. She asked if there was a time line for this work and whether there were any apparent risks to the schedule, such as something causing a delay in construction. She was concerned about whether she would be disturbed by construction as she is looking to sell her house.

Chairman Ricci advised her that the City has a noise ordinance and regulates the hours of operation from 7:00 am – 7:00 pm.

Mr. Bailey anticipated the construction schedule would start in November. The hotel will be open so they will be very concerned about noise and won't start early and disturb their guests. They want a minimal impact and anticipate the work should be done in 2-3 months. The exterior finish may have to wait until the spring as it can't be done during freezing weather.

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 clarified that if a building permit is issued, the applicant is not required to complete the project until any other date than when the permit expires. Mr. Holden confirmed that as they are in the General Business District. They can work Monday – Friday and no weekend work is allowed. Mr. Hopley confirmed that they have one year from Planning Board approval to obtain a building permit and the work would have to be started within one year from the issuance of the building permit.

Mr. Coviello made a motion to approve with a stipulation that the applicant works with the Department on lighting to make sure there is no net increase in lighting to abutting properties and that the light be Dark Sky Friendly. Deputy City Manager Hayden seconded the motion. She clarified that what Mr. Coviello was looking for was that they are adding lighting on the building as part of the enclosure process and not about their existing lighting. Mr. Coviello confirmed he was talking about the lighting that was changing and he did not want to see an increase or the lights shining on abutting properties.

Mr. Will stated he would not be voting in favor of the motion. He did not have a problem with the application but he would have liked to have had the plans prior to the meeting. Deputy City Manager Hayden felt this was an unusual project and she asked Mr. Holden to explain why they were even reviewing it. Mr. Holden explained that even though this project does not include any expansion of the existing building, it is creating additional internal space so it is going through Site Review. This also gave the abutters a chance to know about it. The project is relatively simple. There was a miscommunication however as the letter of decision to the applicant was clear that they needed these plans in time for the Planning Board packets.

The motion to approve passed with Mr. Will and Chairman Ricci opposing the motion, with the following stipulation:

- 1) That the applicant shall work with the Planning Department on the lighting to assure that there will be no net increase in lighting to abutting properties and that they shall be Dark Sky Friendly.

.....

D. The application of **Liberty Mutual Group, Owner**, for property located at **225 Borthwick Avenue** wherein Site Review approval is requested for the addition of a third emergency generator, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 240 as Lot 1 and lies within an Office Research district.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Bernard Pelech, Esq., appeared on behalf of the applicant. They are proposing the addition of a third back up generator. This is needed to assure they will be able to operate in the event of a power failure. This generator is 40' from I-95 and they were required to get a setback variance. They also appeared before TAC and received a favorable recommendation. The Site Plans show the existing generators and the proposed generator. Mike Leo from VHB was present to explain the plans.

Mike Leo explained they did an expansion two years ago and they now want to add a third generator next to the existing ones. They will move the fuel truck pad closer to the interstate. They will reconfigure the stone dust pad. They will have underground banks for the power.

The Chair asked if anyone 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 the four recommended stipulations. Mr. Savramis seconded the motion.

The motion to approve passed unanimously with the following stipulations:

- 1) That the monitoring well shall be relocated and done under the direction of a hydro-geologist and DPW;
- 2) That the status of the repairs to the monitoring wells shall be reviewed, with a report back to the Planning Board;
- 3) That the status of any outstanding access easements shall be reviewed, with a report back to the Planning Board; and
- 4) That the Site Plans shall be stamped.

.....
III. CITY COUNCIL REFERRALS/REQUESTS

A. Request to purchase “Unnamed Lane” abutting Pleasant Street;

Mr. Holden indicated that he spoke with Bob Thoresen, who is out of the country, but indicated they have retained the services of another attorney and anticipate a report in the near future. Mr. Holden suggested tabling this to a time indefinite.

Mr. Will made a motion to table this matter to a time indefinite. Deputy City Manager Hayden seconded the motion.

The motion to table to a time indefinite passed unanimously.

.....
IV. OLD BUSINESS

A. 58 State Street – Report back from DPW;

Mr. Holden indicated that City staff had several meetings with the applicant and there was a general agreement on the approach. His recommendation is that the Planning Board accept the report from DPW, although they are still working out the details. The way it will work is that the adjacent property is going to show a site for a grease trap and they will provide an easement to the satisfaction of the City Attorney that would allow the grease trap to be installed if so required. The easement language is expected shortly.

Mr. Will asked when they say adopt that procedure, do they mean just this project or projects in general? Mr. Holden stated that the City is trying to have the grease trap requirement arranged for. In this case, TAC recommended that the grease trap be installed and they approved it subject to the applicant and the City working out how it would be handled. The grease trap will only be installed if there is a change of use.

Mr. Will asked if they should be working on some language for the future so that applicants are put on notice in the Central Business district?

Mr. Holden suggested that they direct TAC to consider they should do this for all Central Business properties. Mr. Will asked if that was by consensus of the Board or did it require a vote? A vote was recommended.

Mr. Will made a motion to direct TAC to direct applicants in the Central Business District to note on their plans where any potential grease traps will be placed, should their use change, requiring said use. Deputy City Manager Hayden seconded the motion.

The motion to so direct TAC passed unanimously.

The Board also accepted the report from DPW on this matter by a consensus.

.....
V. NEW BUSINESS

A. 154-158 Fleet Street – Request for one-year extension of Site Review Approval;

Mr. Will made a motion to grant an extension of the Planning Board approval. Mr. Savramis seconded the motion.

The motion to grant a one-year extension of Planning Board approval passed unanimously.

.....
VI. AMENDED SITE PLAN REVIEW

A. 1039 Islington Street – Addition of 5 parking spaces;

Mr. Holden stated that TAC reviewed this informally and recommended approval. They are reworking their existing site plan to give them 5 additional conforming spaces. A little pavement was added into a couple of areas, however, because it is a change in the plan and there is additional pavement, they brought it formally to the Board.

Mr. Will remembered they had noted some recreation space at the time of approval. Attorney Pelech confirmed this does not effect the recreation space which is at the peak of the triangle in a different spot.

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

The motion passed unanimously.

.....
B. 400 Gosling Road – PSNH (Guard Shack);

Mr. Holden advised the Board that a guard shack is being constructed to add to security. This is minor and they advised PSNH that they did not have to appear. TAC informally reviewed it and approved it.

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

The motion passed unanimously.

.....
Chairman Ricci announced that NHDOT was conducting a meeting October 3rd at 7:00 pm at City Hall which was open to the public to discuss the replacement of the bridges on US Route One By-Pass (the Sarah Long Bridge).

Also, the Office of Energy and Planning has invited the Planning Board members to their fall conference at Waterville Valley on Saturday, October 28th.

.....
Mr. Savramis indicated that when the Board approved the expansion of Wal-Mart, there was a stipulation to relocate the carriage coral next to the handicapped spaces and this was not done. He was advised by a Wal-Mart employee that headquarters had requested that it be changed. He recently witnessed an elderly lady park in the handicapped space and she had a lot of difficulty getting a carriage. He asked how the City enforced this?

Mr. Hopley indicated that he will look into it in the next few days.

.....
Mr. Holden also had a non-Agenda Item regarding a Subdivision of a lot at Atlantic Heights. Under the current Zoning Ordinance the Board needs to take recognition of it. The lot is identified and shown on the original subdivision plan. Therefore, he was asking that they acknowledge that 6-8 Raleigh Way was being subdivided to the approval of the City Attorney as there was a taking on the property which he did not believe had any impact on it.

Mr. Will made a motion to recognize the subdivision. Deputy City Manager Hayden seconded the motion. The motion passed unanimously.

.....
Mr. Will asked about the City Council work session on October 23rd to talk about affordable housing and whether that was definite? He asked if the Department could help identify how affordable housing would work in other districts. Deputy City Manager Hayden indicated that this was a Council Work Session and she would get back to him on that.

.....
VII. ADJOURNMENT

A motion to adjourn at 8:15 pm was made and seconded and passed unanimously.

.....
Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board

These minutes were approved by the Planning Board on October 19, 2006.