

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

**7:00 P.M.**

**CITY COUNCIL CHAMBERS**

**FEBRUARY 15, 2007**

**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; Raymond Will; Donald Coker; Paige Roberts; and Timothy Fortier, Alternate;

**MEMBERS EXCUSED:** Anthony Coviello;

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

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**6:00 pm WORK SESSIONS**

1) Regulation of Amusement Parks/Outdoor Recreation;

Voted to recommend to the City Council the proposal as outlined in the handout.

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2) Nonresidential Planned Unit Development (PUD) which would function as an overlay in the Office Research (OR) and Industrial (I) Districts;

There was a consensus of the Board to request Taintor & Associates to prepare a final draft and have a public meeting on March 15<sup>th</sup>.

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3) Zoning Ordinance Re-Write.

Rick Taintor gave an update on the progress to-date.

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**I. APPROVAL OF MINUTES**

- A. Approval of Minutes from the January 4, 2007 Planning Board Meeting – unanimously approved.
- B. Approval of Minutes from the January 18, 2007 Planning Board Meeting – unanimously approved.
- C. Approval of Minutes from the January 20, 2007 Planning Board Meeting – unanimously approved.

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**II. PUBLIC HEARINGS**

A. The application of **Guthrie R. Swartz and Elizabeth Swartz Revocable Trust, Owners**, for property located at **33 Johnson Court, Sean and Lina Tracey, Owners**, for property located at **24 Johnson Court, James Sparrel and K. Towler, Owners**, for property located at **125 South Street**, and the **City of Portsmouth, Owner**, for property located at **1 Junkins Avenue**, wherein Final Subdivision approval is requested to allow for the re-subdivision/lot line relocation of various properties located off of South Street, Johnson Court and Junkins Avenue. Wherein property is conveyed to existing lots with the following effect: Assessor Plan 102, Lot 47 increasing in area from 7,266 s.f. to 8,537 s.f.; Assessor Plan 110, Lot 12 decreasing in area from 29,730 s.f. to 23,827 s.f.; Assessor Plan 110, Lot 9 increasing in area from 10,863 s.f. to 13,786 s.f.; and Assessor Plan 110, Lot 1 increasing in area slightly over 8 acres by 1,708 s.f. Also proposed in this conveyance is a view easement to the benefit of Assessor Plan 102, Lot 47. Said properties are shown on Assessor Plan 110 as Lot 12; Assessor Plan 102 as Lot 47; Assessor Plan 110 as Lot 9 and Assessor Plan 110 as Lot 1 and lie within a General Residence B District, a Municipal District and the Historic District B.

Voted to **grant** final subdivision approval with the following **stipulations**:

- 1) That the City acts to accept the land offer proposed by this application;
- 2) That a deed transferring this parcel to the City shall be reviewed and approved as to content and form by the City Attorney;
- 3) That the Planning Board agrees to waive the requirement for a survey of the municipal lot as required by the Board's Subdivision Rules and Regulations (approval by 2/3 of the Board required);
- 4) That all property monuments shall be set in accordance with the Department of Public Works; and,
- 5) The submission, to Department of Public Works of electronic data, suitable for updating the City Assessing Records.

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B. The application of **Meadowbrook Motor Inc, Owner, and Key Auto Group, Inc., Applicant**, for property located off **U.S. Route One By-Pass (Traffic Circle)**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to develop the site to include a hotel, a retail building, three restaurants, and a convenience store/gas station, within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 234 as Lot 51 and lies within a General Business District; (This application was tabled at the January 19, 2007 Planning Board Meeting)

Voted to **table** to the March 15, 2007 Planning Board Meeting.

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C. The application of **Chad & Laura Morin, LLC, Owners**, for property located at **36 Market Street**, wherein Site Review approval is requested to create two additional residential units and to construct miscellaneous additions to include a new third floor addition at the rear of the building, a stair enclosure, a three story elevator and a lobby structure at the rear of the building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 117 as Lot 29 and lies within the Central Business B District, the Overlay District and the Historic District A.

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

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D. The application of **Perry and Kristin Silverstein, Owners**, for property located at **10 Commercial Alley, 19-25 Market Street and off Penhallow Street**, wherein Site Review approval is requested to construct a 3-story (plus loft) mixed use 1,400 s.f. addition, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 106 as Lots 9, 10, and 12 and lies within the Central Business B District, the Overlay District and the Historic District A. (This application was tabled at the January 2, 2007 Technical Advisory Committee Meeting)

Voted to **grant** Site Review Approval with the following **stipulations**:

**Stipulations from the January 2, 2007 Technical Advisory Committee Meeting:**

- 1) That the applicant shall be required to obtain City Council approval to work in the public right of way during construction;
- 2) That the sizes for the domestic water and fire service should be shown on the plans;
- 3) That the applicant shall work with DPW on where to tie the sewer line into and to determine what shall be required of the applicant;
- 4) That the applicant shall provide a detailed calculation for open space for review and approval by Lucy Tillman;
- 5) That all lighting shall be Dark Sky Friendly and shall have shields on them, for review and approval by David Desfosses;
- 6) That a Construction Management Plan shall be prepared by the applicant for review and approval by the City of Portsmouth.

**Stipulations from the January 30, 2007 Technical Advisory Committee Meeting:**

- 7) That Commercial Alley shall be properly labeled on the Site Plans;
- 8) That a cut sheet be prepared for the pitched roof and shingles that are intended to prevent snow and ice sliding onto Commercial Alley, for review and approval by DPW;
- 9) That the applicant shall make a contribution to the City to be used towards improvements to the brick sidewalks on Penhallow or Commercial Alley, in an amount to be determined by DPW;
- 10) That the brick sidewalks that the applicant’s contribution will be used for shall be shown on the Site Plans (to be worked out with DPW);
- 11) That the dumpster shall be located at least 10’ from the property lines and shall be screened with a 8’ solid board fence, per zoning requirements;
- 12) That the Pole Attached Utility Detail on Sheet C-5 should show the existing pipe that is on the pole;
- 13) That the applicant shall work with DPW and the Planning Department to coordinate the replacement brick used on site.

**Stipulations from the February 15, 2007 Planning Board Meeting :**

- 14) That the water service labels be revised so that one reads “PW” and one reads “SP”;
  - 15) That the size of the proposed fire suppression service should be labeled on the plans.
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**III. CITY COUNCIL REFERRALS/REQUESTS**

A. Request to replace the "Community Campus" signs at 100 Campus Drive with a large sign listing each of the agencies;

Voted to **table** to the March 15, 2007 Planning Board Meeting.

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B. Request for a report back approving the acquisition of the Maxam parcel and execution of the Conservation Easement Deed;

Voted to make a favorable recommendation to the City Council to approve and execute the Easement Deed.

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C. Regulating Formula Businesses in the Historic District;

It was the consensus of the Board to continue to work on this issue as part of the Zoning Re-Write.

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D. Sign for Little Harbour School at the corner of South Street and Clough Drive;

Voted to make a favorable recommendation to the City Council for the erection of the sign proposal in the City right of way at the corner of South Street and Clough Drive.

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**IV. OLD BUSINESS**

A. Prime Wetlands Up-Date;

Peter Britz, Environmental Planner, gave an up-date on Mark West's study and recommendations.

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**VII. ADJOURNMENT**

A motion to adjourn at 8:05 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board