

ACTION SHEET

**PLANNING BOARD MEETING
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

7:00 P.M.

MARCH 15, 2007

MEMBERS PRESENT: John Ricci, Chairman; M. Christine Dwyer, City Council Representative; Jerry Hejtmanek, Vice-Chairman; Donald Coker; Anthony Coviello; Paige Roberts; and Timothy Fortier, Alternate;

MEMBERS EXCUSED: Cindy Hayden, Deputy City Manager; Richard A. Hopley, Building Inspector; Raymond Will;

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

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I. APPROVAL OF MINUTES

- 1. Approval of Minutes from the February 1, 2007 Planning Board Meeting – Unanimously approved.
- 2. Approval of Minutes from the February 15, 2007 Planning Board Meeting – Unanimously approved.

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II. PUBLIC HEARINGS

A. The Portsmouth Planning Board is conducting a public hearing to take public comment on proposed amendments to the City’s 1995 Zoning Ordinance, as amended. The amendments include changes and additions to the following sections: Chapter 10, Section 10-102 – Definition: Floor Area Ratio; Section 10-304 (A) Business – Table 10 Dimensional Requirements; and Section 10-304 – New (E) and (F) for Central Business A District (CBA). Copies of the proposed amendments are on file in the Planning Department Office and available for public inspection.

Voted to **favorably recommend** the proposed amendments to the City Council with no additional comments.

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B. The Portsmouth Planning Board is conducting a public hearing to take public comment on a proposed amendment to the City’s 1995 Zoning Ordinance, as amended. The amendment includes the addition of the following section: Nonresidential Planned Unit Development (PUD) which would function as an overlay in the Office Research (OR) and Industrial (I) Districts. Copies of the proposed amendment are on file in the Planning Department Office and available for public inspection.

Voted to **favorably recommend** the proposed amendment to the City Council.

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C. 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 February 15, 2007 Planning Board Meeting)

Voted to **table** the application to the April 19, 2007 Planning Board Meeting.

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D. The application of **Steven and Christie Scott, Owners**, for property located at **293 Dennett Street**, **Danny Medeiros, Owner**, for property located at **287 Dennett Street**, and **Walter and Patricia Holt, Owners**, for property located **off Dennett Street**, wherein Preliminary Subdivision Approval is requested to subdivide Map 142, Lot 15 and combine it with Map 142, Lots 1 & 2, as follows: Map 142, Lot 1 increasing in area from 7,313 s.f. to 14,436 s.f. and with 59.85' of continuous street frontage on Dennett Street (unchanged) and Map 142, Lot 2 increasing in area from 3,655 s.f. to 10,778 s.f. and with 28.04' of continuous street frontage on Dennett Street (unchanged), and lying in a zone where a minimum lot area of 7,500 s.f. and 100 ' of street frontage is required. Said lots are shown on Assessor Plan 142 as Lots 1, 2 and 15 and lie within a General Residence A District;

Voted to **approve** preliminary subdivision approval with the following **stipulations**:

1. That boundary monuments shall be placed in accord with DPW requirements;
 2. The submission, to Department of Public Works of electronic data, suitable for updating the City Assessing Records; and,
 3. That when the aforementioned stipulations are completed that a request for Final Subdivision Approval shall be submitted to this Board.
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E. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, wherein Site Review approval is requested to construct a 23,000 \pm s.f. 3-story office building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 216 as Lot 1-8B and lies within the Office Research/ Mariner's Village district.

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

Stipulations from the February 27, 2007 Technical Advisory Committee Meeting:

- 1) That the applicant shall meet with the Legal Department and the Planning Department to complete a proposal for putting existing utilities on Commerce Way underground, constructing the sidewalks along the length of Commerce Way in two phases, detailing with how contributions or funds shall be set aside for this process;
- 2) That the applicant shall also be responsible for reconstructing Commerce Way in conjunction with Stipulation #1 above;

- 3) That the meeting with the City also include any outstanding issues that may be brought to the City’s attention, such as street ownership and the undergrounding of utilities;
- 4) That the issue of street lights will remain under review of David Desfosses of DPW;
- 5) That on Sheet C-8 where the fire hydrant shows an 8” gate valve and 8” lateral feed to the hydrant, should be changed to 6”;
- 6) That the Xeriscaping method shall be used for the planting of native species;
- 7) That the Operation and Maintenance Plan be included on the Site Plans and the Applicant shall work with DPW to determine the frequency of future reporting to the City;
- 8) That the Applicant shall make a photo log of the existing outfall and updated photos shall be incorporated as part of their Operation and Maintenance Plan to the City;
- 9) That a Knox Box and Master Box shall be added to the Site Plans;
- 10) That the Applicant shall work with the City Dispatch Office to verify that the Police and Fire Departments can communicate with their base station;
- 11) That a Construction Management Plan shall be prepared by the Applicant for review and approval by the City Legal Department, Planning Department, City Traffic Engineer and City Manager;
- 12) That the proposed alignment of the driveways of this site and the hotel site across the street shall be reviewed by the Traffic & Safety Committee and a report shall be provided to the Committee;

Stipulations from the March 15, 2007 Planning Board Meeting:

- 13) That bicycle racks shall be added to the Site Plans;
- 14) That the City Attorney shall review and approve all necessary agreements and easements as to content and form;
- 15) That the applicant shall provide a report back to the Planning Board when all of the conditions of approval have been met;

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F. The application of **Tain Properties, LLC, Owner**, for property located at **215 Commerce Way**, wherein amended Site Review approval is requested to re-stripe an existing parking area and add a paved aisle to the abutting parcel, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 216 as Lot 1-8A and lies within an Office Research/ Mariner’s Village district.

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

Stipulations from the February 27, 2007 Technical Advisory Committee Meeting:

- 1) That the applicant shall prepare Access Easements for both properties, to be approved for content and form by the City Attorney;
- 2) That all existing catch basins shall be reviewed and any that can be retrofitted with snorkel hoods shall be provided;
- 3) That the applicant shall meet with the Legal Department and the Planning Department to complete a proposal for putting existing utilities on Commerce Way underground, constructing the sidewalks along the length of Commerce Way in two phases, detailing with how contributions or funds shall be set aside for this process;

- 4) That the applicant shall also be responsible for reconstructing Commerce Way in conjunction with Stipulation #1 above;
- 5) That the Landscape Plan be reviewed and approved by Lucy Tillman of the Planning Department;

Stipulations from the March 15, 2007 Planning Board Meeting:

- 6) That the City Attorney shall review and approve all necessary agreements and easements as to content and form;
- 7) That the applicant shall provide a report back to the Planning Board when all of the conditions of approval have been met;

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G. The Planning Board is conducting this Public Hearing in order to solicit Public Comment on a proposed amendment to the Planning Board’s *Site Review Regulations*. This amendment applies to the Section regulating “Applicant’s Responsibilities” by adding a new Subsection 6 that requires the party seeking Site Review Approval to complete and submit for the City’s review and approval as to content and form a Construction Management and Mitigation Plan. Copies of this amendment are available for public inspection in the Planning Department Office at the Municipal Complex.

Voted to **adopt** the proposed amendment.

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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 a time indefinite.

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VII. ADJOURNMENT

A motion to adjourn at 8:55 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board