

ACTION SHEET

**PLANNING BOARD MEETING
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 P.M.

MAY 17, 2007

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

MEMBERS EXCUSED: n/a

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

- A. Approval of Minutes from the April 5, 2007 Planning Board Work Session – unanimously approved.
- B. Approval of Minutes from the April 19, 2007 Planning Board Meeting – unanimously approved.

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II. MASTER PLAN UPDATE

- A Annual Update on Progress Towards Implementing Master Plan
Powerpoint presentation by Deputy City Manager Cindy Hayden.

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III. PUBLIC HEARINGS

- A. The application of **Harborcorp, LLC, Harborside Inn, Inc., Harborside Associates, and City of Portsmouth, Owners**, for properties located **off Deer Street, Green Street, Russell Street, Market Street, and Maplewood Avenue** wherein Preliminary and Final Subdivision approval (Lot Line Revisions) is requested to allow for the following: 1) the consolidation of Harborcorp, LLC lots 12, 21 and 28 into one lot consisting of 2.37 acres with conforming area, street access and frontage and including approximately 17,607 s.f. of land to be conveyed from the City to this lot (collectively these lots comprise the existing surface parking lot in the area bounded by Russell, Deer, Green Streets and Maplewood Avenue) and the City owned land is currently part of the Russell and Green Street right-of-ways and these two right-of-ways will be reconfigured as part of this application and subsequent development project; 2) Harborside Associates, Lot 1-1C (existing hotel and condominium lot) is

conveying approximately 434 s.f. of land to the City for use within the proposed relocated Russell Street right-of-way; 3) Harborside Inn, Inc. Lot 1-1A with an area of approximately 2,640 s.f. is being conveyed to the City for use within the proposed relocated Russell Street right-of-way; and, 4) a conveyance from the City of a portion of the Russell and Market Streets right-of-ways totaling approximately 5,260 s.f. to Map 119, Lot 4 for the proposed realignment of the intersection of Russell and Market Streets. All resulting lots are in conformance with the Zoning Ordinances and Subdivision Rules Regulations. Said lots are shown on Assessor Plan 118 as Lot 28, Assessor Plan 119 as Lots 1-1A, 1-1C and 4, Assessor Plan 124 as Lot 12 and Assessor Plan 125 as Lot 21 and such other land of the City as shown on the subdivision/lot line revision plan and lying within the Central Business A (CBA) and the Central Business B District (CBB), the Downtown Overlay District (DOD) and the Historic District A. (This application was postponed at the April 19, 2007 Planning Board Meeting)

Voted to **postpone** to a special meeting of the Planning Board on Thursday, June 7, 2007 at 7:00 pm.

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B. The application of **Harborcorp, LLC, Owner** for property located **off Deer Street, Green Street, Market Street, Russell Street and Maplewood Avenue**, wherein Site Review approval is requested to construct an 83,118 ± s.f. 6/7-story structure consisting of a hotel, convention center, parking garage and 21 residential condominiums, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 118 as Lot 28, Assessor Plan 119 as Lot 1-1A, Lot 1-1C and Lot 4, Assessor Plan 124 as Lot 12, and Assessor Plan 125 as Lot 21 and lie within the Central Business A (CBA) District, the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District A.

Voted to **postpone** to a special meeting of the Planning Board on Thursday, June 7, 2007 at 7:00 pm.

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C. The application of **Richard and Linda Harding, Owners**, for property located at **1808 Islington Street**, wherein Preliminary and Final Subdivision approval is requested to subdivide one lot into two lots with the following: Proposed Lot 1 having 20,548 ± s.f. and 100' of street frontage on Islington Street and Proposed Lot 2 having 61,803 ± s.f. and 124.17' of street frontage on Islington Street, and lying in a zone where a minimum lot area of 15,000 s.f. and 100' of street frontage is required. Said property is shown on Assessor Plan 241 as Lot 15 and lies within a Single Residence B (SRB) District; (This application was postponed at the April 19, 2007 Planning Board Meeting)

Voted to **postpone** to the next regularly scheduled Planning Board Meeting on June 21, 2007.

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D. The application of **Millenium Borthwick, LLC, Owner**, for property located at **155 Borthwick Avenue**, wherein Site Review approval is requested to convert 72,232 s.f. from business office space to medical office space, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 259 as Lot 14-1 and lies within the Industrial District; (This application was postponed at the April 19, 2007 Planning Board Meeting)

Voted to **approve** Site Review approval with the following stipulations:

Stipulations from the April 3, 2007 Technical Advisory Committee Meeting:

- 1) That the underground parking garage layout shall be added to the Site Plans;
- 2) That a One-Way sign shall be added to the Site Plans at the front of the building;
- 3) That the Landscape Plan shall be reviewed and approved by Lucy Tillman;

- 4) That a detail for the handicapped parking shall be added to the Site Plans;
- 5) That all monitoring wells shall be shown on the Site Plans for review by the Water Division;
- 6) That the applicant shall meet with David Desfosses of DPW to determine whether it is feasible for all new paved areas to be constructed of porous pavement;
- 7) That the sidewalk shall be extended to the sidewalk constructed by the Northeast Credit Union along Borthwick Avenue.

Stipulations from the May 17, 2007 Planning Board Meeting:

- 8) That the Planning Department shall obtain a letter from David Desfosses, DPW, regarding his opinion on porous pavement;
- 9) That signs shall be added to the Site Plans indicating where porous pavement is located so that it is not sealed in the future;
- 10) That a note shall be added to the Site Plans stating that the porous pavement areas shall be maintained as to their function;
- 11) That the applicant shall review the invert to the pump station and revise accordingly;
- 12) That a landscape detail shall be added to the Site Plans;

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E. The application of **Key Auto Group, Inc., Owner**, for property located at **549 U.S. Route One By-Pass (Traffic Circle)**, wherein a Conditional Use Permit is requested as allowed in Article IV, Section 10-608(B) of the *Zoning Ordinance* to develop the site to include a new hotel, retail buildings, two 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 filed on April 30, 2007 and is intended to replace a previous application filed on December 28, 2006

Voted to **postpone** to the next regularly scheduled Planning Board Meeting on June 21, 2007.

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F. The application of **Icon Realty, LLC, Owner**, for property located at **1303 Woodbury Avenue**, wherein Site Review approval is requested to construct an 11,186 s.f. 1-story retail pharmacy, with prescription drive-through window, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 217 as Lot 1 and lies within the General Business and Mixed Residential B District.

Voted to **approve** Site Review approval with the following stipulations:

- 1) That a detail be added to the Site Plans showing the new ADA sidewalk from the corner of Market and Woodbury Avenue, subject to review and approval by DPW;
 - 2) That a photometric plan shall be added to the Site Plans, subject to review and approval by David Desfosses;
 - 3) That a Landscaping Plan be submitted for review and approval by Lucy Tillman;
 - 4) That a bike rack shall be added to the Site Plans;
 - 5) That crosswalk changes shall be referred to Staff for review and approval.
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G. The application of **The Home Depot, Owner, and Bed Bath & Beyond/Christmas Tree Shops, Applicant**, for property located at **100 Durgin Lane**, wherein Site Review approval is requested to demolish the existing building and to construct a 113,865 ± s.f. one-story, three-tenant retail plaza, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 239 as Lots 16, 18 & 13-2 and lie within the General Business district.

Voted to **approve** Site Review approval with the following stipulations:

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

1. That all signage shall be added as part of the traffic mitigation plan for review and approval by City staff;
2. That the applicant shall explore paving the entire access road, including extending past their property line;
3. That the applicant shall prepare a Construction Management Plan and a Driveway Management Plan, for review and approval by the City Legal Department, Planning Department, City Traffic Engineer and City Manager;
4. That the Construction Management Plan shall include how work will effect the Hampton Inn and Saturn Dealership and how access shall be provided;

Stipulations from the May 1, 2007 Technical Advisory Committee Meeting:

5. That the Utility Plan be revised so that the fire service line is not shown as tying into the domestic line;
6. That a second “Trash Area” be labeled on the Site Plans for clean up, located on the bottom right of the plans where a steep bank leads into the wetland area;
7. That the applicant provide anticipated water demand for the project and include references of where that demand came from, ie., a similar type of store in another area or industry standard, and said report shall be stamped by a licensed engineer

Stipulations from the May 17, 2007 Planning Board Meeting:

8. That the areas labeled “merchandise storage areas” be revised on the Site Plans to indicate that they will be used for retail “X” times per year;
9. That the timing of the monetary payment shall be agreed upon by the applicant, City Staff and the City Attorney;
10. That the City shall make a good faith effort to make the recommended improvements with said funds, in the best interest of public safety and traffic.

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H. The application of **Michael DeLaCruz, Owner** for property located at **75 Congress Street**, wherein Site Review approval is requested to convert 4th floor attic space to storage, office and residential, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 117 as Lot 5 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District A.

Voted to **postpone** to the next regularly scheduled Planning Board Meeting on June 21, 2007.
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IV. CITY COUNCIL REFERRALS/REQUESTS

A. Request for Review and Change of Duplicate Street Names;

The Board will begin with Market Street and Market Street Extension at the July 19, 2007 Planning Board Meeting.

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V. AMENDED SITE PLAN REVIEW

A. Amended Site Review Approval for **Temple Israel, Owner**, for property located at **200 State Street**, for the addition of one utility pole on applicant's property with the underground service coming off said utility pole. Said amendment is due to constraints imposed by work on the City's lower Court Street sewer, water and streetscape project. Said property is shown on Assessor Map 107 as Lot 66 and lies within the Central Business B (CBB) District, Downtown Overlay District (DOD) and the Historic A District.

Voted to **approve** amended Site Review approval.

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VI. ADJOURNMENT

A motion to adjourn at 11:35 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board