

**ACTION SHEET**

**PLANNING BOARD MEETING  
PORTSMOUTH, NEW HAMPSHIRE**

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

**7:00 P.M.**

**DECEMBER 20, 2007  
Reconvened to  
JANUARY 24, 2008**

**MEMBERS PRESENT:** Jerry Hejtmanek, Vice-Chairman; M. Christine Dwyer, City Council Representative; Paige Roberts; John Rice; Cindy Hayden, Deputy City Manager; Richard A. Hopley, Building Inspector; MaryLiz Geffert, Alternate and Norman Patenaude, Alternate.

**MEMBERS EXCUSED:** John Ricci, Chairman; Donald Coker and Anthony Coviello;

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

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**I. APPROVAL OF MINUTES**

- 1. Approval of Minutes from the November 15, 2007 Planning Board Meeting;
- 2. Approval of Minutes from the December 5, 2007 Planning Board Meeting;

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**II. PUBLIC HEARINGS**

A. The Planning Board is conducting a Public Meeting in conjunction with the City’s Emergency Operations Center in order to solicit public comment for consideration of changing duplicate street names of the following streets: Sherburne Road, Sherburne Avenue and Sherburne Street. *The Board action in this matter has been deemed to be legislative in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **postpone** to a time indefinite.

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B. The application of **Portsmouth Regional Hospital, Owner**, for property located at **333 Borthwick Avenue**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for expansion and renovations as follows: 1) additional 722 s.f. of paving related to reconfiguration of the emergency room entrance drive; 2) 1,889 s.f. of new roof area related to the addition of a mechanical room; 3) 4,126 s.f. of new roof area and paving related to the reconfiguration of the existing loading docks; and 4) installation of two water monitoring wells for the City; said expansions and site improvements resulting in an increase of 6,737 s.f. within an Inland

Wetlands Protection District. Said property is shown on Assessor Plan 240 as Lot 2-1 and lies within an Office Research District; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **approve** Conditional Use Approval with the following stipulations:

**Stipulations from the December 12, 2007 Conservation Commission Meeting:**

1. That the applicant looks at other options for landscaping besides grass;
2. That the applicant investigates and adopts Best Management Practices, such as a regular sweeping, routine cleaning of the catch basins, and consider alternatives to salt; and
3. That the applicant maintains and vegetates the rain gardens.

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C. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 400 of the Pease Development Authority Site Review Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **Redhook Ale Brewery, Inc., Applicant**, for property located at **35 Corporate Drive**, wherein site review approval is requested for the construction of two 14’ diameter, 38’ tall RFP equalization tanks, one 12’ diameter, 34’ tall digester tank (after the removal of a solids removal tank), and above and below ground piping, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 303 as Lot 3 and lies within the Airport, Business and Commercial District; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **recommend**<sup>1</sup> site review approval with the following stipulations:

**Stipulations from the December 4, 2007 Technical Advisory Committee Meeting:**

- 1) That all underground utilities be shown on the Site Plans;
- 2) That a Construction Management & Mitigation Plan be prepared for review and approval by the Planning Department and City Legal Department;
- 3) That the applicant coordinate the design and process schematics with Peter Rice of DPW:

**Stipulation from the January 24, 2008 Planning Board Meeting:**

- 4) That the alternate tank be removed from the final Site Plans;
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D. The application of **Aggregate Industries, Owner**, for property located at **650 Peverly Hill Road**, wherein Site Review approval is requested for the installation of one 10,000 gallon above ground storage tank for bulk storage and dispensing diesel fuel, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 254 as Lot 4 and lies within the Industrial District; *The Board action in this matter has been deemed to be*

<sup>1</sup> See RSA 12-G:10 ( c ) “In all instances the authority (Pease Development Authority) shall retain the power to make the final decision regarding applicability, interpretation and enforcement of its land use controls, which shall require 5 affirmative votes.”

*quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

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

**Stipulations from the December 4, 2007 Technical Advisory Committee Meeting:**

- 1) That the applicant shall provide specifications on site lighting to David Desfosses for his review and approval;
- 2) That the applicant shall meet with David Desfosses to confirm the area of the "DPW drive" which the applicant shall be responsible for paving;
- 3) That the applicant shall research the need for a lightning rod and report back to Thomas Cravens;
- 4) That a note shall be added to the Site Plans that the applicant shall provide a spill clean up kit on the pad;
- 5) That the applicant shall provide a report to the Planning Board regarding what is stored in the on-site wetland buffer;

**Stipulation from the January 24, 2008 Planning Board Meeting:**

- 6) That the applicant shall address the issue of having the alarm be monitored 24/7 for a response from an off site location;
- 7) That the applicant shall work with the City Environmental Planner regarding the posting of the natural wetland buffer;

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**III. CITY COUNCIL REFERRALS/REQUESTS**

A. Request of Public Service Company of NH for an easement to relocate electrical switch gear at the intersection of Maplewood Avenue and Hanover Street; *The Board action in this matter has been deemed to be legislative in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **recommend the granting of an easement** with the following recommendations:

- 1) That the applicant shall work with City staff for a mutual agreement for an aesthetic plan for the switch gear box;
- 2) That the Historic District Commission shall consider this request as part of an application from PSNH for a Certificate of Appropriateness;
- 3) That the Legal Department shall review and approve all necessary easements as to their content and form;
- 4) What the aforementioned stipulations are complete that the City Manager shall be authorized to file all appropriate documents with the Rockingham County Registry of Deeds.

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**IV. NEW BUSINESS**

A. Notification of Intent to Subdivide Property Located at **192-194 Raleigh Way** (Atlantic Heights), per Article III, Section 10-301-A(4) of the *Zoning Ordinance*; *The Board action in this matter has been deemed to be legislative in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

The Board acknowledged the intent to subdivide 192 – 194 Raleigh Way, per Article III, Section 10-301.4. of the Zoning Ordinance.

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**V. AMENDED SITE PLAN REVIEW**

A. **400 Gosling Road**, PSNH Warehouse – Utility revision;

The Board was advised of an administrative amendment to previous Site Review Approval.

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B. **1800 Woodbury Avenue**, Gerber Dental – Move dumpster location and convert two parking spaces to porous pavement;

The Board was advised of an administrative amendment to previous Site Review Approval.

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**VI. MISCELLANEOUS**

A. Planning Board Schedule;

The following Planning Board Meetings were scheduled:

- February 7<sup>th</sup> – Work Session on Site Review Regulations with City’s Consultant;
- February 14<sup>th</sup> – Public Meeting on Borthwick Forrest;
- February 21<sup>st</sup> – 6:30 Work Session on Atlantic Heights followed by regular meeting;
- February 28<sup>th</sup> – Joint Work Session with the Conservation Commission on Commerce Way.

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B. Commerce Way Master Plan;

A joint Work Session with the Conservation Commission was scheduled for February 28<sup>th</sup>.

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**VII. ADJOURNMENT**

A motion to adjourn at 8:30 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board