

ACTION SHEET
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE

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

7:30 P.M.

DECEMBER 18, 2008

MEMBERS PRESENT: John Ricci, Chairman; M. Christine Dwyer, City Council Representative; Donald Coker; Anthony Coviello; John Rice; Anthony Blenkinsop; Cindy Hayden, Deputy City Manager; Richard A. Hopley, Building Inspector; and Norman Patenaude, Alternate

MEMBERS EXCUSED: Paige Roberts, Vice Chairman and MaryLiz Geffert, Alternate

ALSO PRESENT: David M. Holden, Planning Director;
Lucy Tillman, Chief Planner
Robert Sullivan, City Attorney

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6:30 – 7:30 pm – A Work Session was held on the Draft Zoning Ordinance
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I. APPROVAL OF MINUTES

1. Approval of Minutes from the November 13, 2008 Planning Board Work Session – Unanimously approved.
2. Approval of Minutes from the November 20, 2008 Planning Board Meeting – These minutes were not available at the time of the meeting so no action was taken.

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II. NEW BUSINESS

A. Request to Re-Examine Site Review Approval granted to 150 Greenleaf Avenue Realty Trust on September 18, 2008;

Voted to direct the Planning Department to place this application on hold, until the Board's action in this matter is complete.
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III. PUBLIC HEARINGS

A. A public hearing is convened to consider the request of **Borthwick Forrest, LLC**, (formerly known as Islington Woods) for two proposed zoning amendments to the City's 1995 Zoning Ordinance, as amended, to facilitate the development of an Elderly Congregate Care Facility. Amendments would include adding a definition for Elderly Congregate Care Facility and a revision to

the Table of Use section to permit Elderly Congregate Care Facilities by Special Exception. The purpose of this hearing is to solicit public comment on this request. Relevant materials are available for public inspection in the Planning Department;

Voted to have the Planning Department bring forward the draft ordinance that was presented at the October 23, 2008 meeting so that the Board can consider this matter further and provide additional direction as to how to proceed regarding such things as affordability, density and uses.

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B. The application of **LBJ Properties, LLC, Owner** for properties located at **22 and 26 Market Square** and **First State Investors 5200, LLC (Bank of America), Owner** for property located off **Daniel Street**, wherein Site Review approval is requested to construct an open rear egress stair and to combine utilities as a result of lot consolidation, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Plan 107 as Lots 0030, 0030-0001, and 0027 and lie within the Central Business B (CBB) district, Downtown Overlay District (DOD) and Historic District A.

Voted to grant Site Review Approval with the following stipulations:

Stipulations from the December 9, 2008 Technical Advisory Committee Meeting:

- 1) That there will be a sewer cleanout installed in front of 22 Market Square with a new sewer lateral going into the building so that there are no bends and turns to go into the manhole. The purpose of the manhole is to clean the line in case they have a grease problem with the restaurant;
- 2) That the two existing water services shall be cut and capped at the corporation;
- 3) That the sewer going out the back alley shall be cut immediately outside the curb line and capped, understanding there are still some active lines in the area and they would not want to prohibit those from being used;
- 4) That the roof cleanout from Map 107 Lot 28 needs a viable way to clean out the roof drain with equipment as it is in the stair area;
- 5) That the Typical Pipe Trench detail shall be upgraded to show 4" of hot top;
- 6) That everywhere there is disturbance of a brick area, the contractor shall hand remove the bricks, save them and reinstall them as there are no bricks available that would match;
- 7) That all brick repairs are subject to review and approval by DPW;
- 8) That the water shutoffs shall be shown along the curb line on Pleasant Street for the two water services that will be installed, in accordance with Water Division specifications.
- 9) That all utility terminations shall be shown on the Site Plans;
- 10) That a Construction Management & Mitigation Plan (CMMP) shall be prepared by the applicant, for review and approval by the City, prior to the issuance of a building permit;
- 11) That the Traffic Letter from Jeffrey Dirk, of Vanasse & Associates, dated December 4, 2008, shall include the backup calculations for the Planning Board and for the record;
- 12) That the City Attorney shall review the proposed use of the alleyway for utilities as to content and form to determine whether the intent of the letter is met;
- 13) That all utilities shall be underground;

Stipulations from the December 18, 2008 Planning Board Meetings:

- 14) That prior to the issuance of a Building Permit, that the two lots shall be merged/consolidated into one lot and such consolidation shall be approved as to content and form by the Planning Department and recorded in the Rockingham Registry of Deeds.

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IV. CITY COUNCIL REFERRALS/REQUESTS

A. Request that a downtown street be named after the City's second Poet Laureate, Robert Dunn and permission to plant an apple tree on the grounds of the Public Library;

Voted as follows:

- that an appropriate tree should be planted on the grounds of the Library subject to receiving approval or favorable comments by the Tree's and Greenery Committee;
- that the use of Robert Dunn's name should be reviewed for possible street naming use by the Police Department's dispatch center; and,
- if Robert Dunn is found appropriate that it shall be added to the EOC's list of approved street names.

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V. ADJOURNMENT

A motion to adjourn at 10:40 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board