

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 P.M.

JANUARY 21, 2010

MEMBERS PRESENT: John Ricci, Chairman; Eric Spears, City Council Representative; Donald Coker; John Rice; Anthony Blenkinsop; Richard A. Hopley, Building Inspector; and MaryLiz Geffert, Alternate

MEMBERS EXCUSED: Paige Roberts, Vice Chairman; Cindy Hayden, Deputy City Manager; and Norman Patenaude, Alternate

ALSO PRESENT: Rick Taintor, Planning Director;

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I. APPROVAL OF MINUTES

1. Approval of Minutes from the December 17, 2009 Planning Board Meeting – Unanimously approved.

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II. NEW BUSINESS

A. Election of Officers

Chairman: John Ricci

Vice-Chairman: Paige Roberts

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III. OTHER BUSINESS

A. Presentation of **Capital Improvement Plan;**

Presentation by John Bohenko, City Manager, and City staff.
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IV. PUBLIC HEARINGS

*The Board's action in these matters 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.*

A. The application of **Seacoast Development Group, LLC, Owner**, and **Hodgson Brook Restoration Project**, Applicant, for property located at **505 Route One By-Pass**, wherein Site Plan Approval is requested to pave an existing gravel parking area in association with the Hodgson Brook buffer restoration project, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 234 as Lot 5 and lies within the General Business District.

Voted to **grant** site plan review approval.

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B. The application of **Catalpa Realty Trust, Owner**, for property located at **249 Islington Street**, wherein a second one year extension of Site Plan Approval received on February 21, 2008 is requested to construct a 41' x 61' three story addition to an existing building, after the demolition of the existing rear section, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 138 as Lot 43 and lies within the Central Business B district and the Historic District.

Voted to **grant** a second one year extension of site plan review approval with the following stipulations:

1. The site plan shall be revised to show proposed grading in the area of the doorway adjacent to Cornwall Street demonstrating a solid surface path to the sidewalk.
2. The applicant shall prepare a Construction Management and Mitigation Plan for review and approval by the City prior to the issuance of a Building Permit.
3. Parking space #5 shall be designated as a compact space, with a permanent sign saying "compact cars only" and pavement markings saying "compact."
4. If the City undertakes street and sidewalk improvements along Cornwall Street prior to completion of the applicant's project, the applicant shall be responsible for repaving the street and rebuilding the sidewalk to the City standards between Islington Street and the northerly property line.

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C. The application of **Summit Land Development, Applicant**, for property located at **207 International Drive**, wherein Preliminary and Final Subdivision approval is requested between two lots having the following: Map 315, Lot 1 increasing in area from 13.8 acres to 22.05 acres and the remaining land area identified as Map 315, Lot 0 being decreased by 8.25 acres and constituting a portion of the Pease International Tradeport. Said lot lies within the Airport Business and Commercial District where a minimum lot area of 5 acres is required.

Voted to **recommend Preliminary and Final Subdivision Approval** with the following stipulation:

- 1) GIS data shall be provided to the City of Portsmouth Department of Public Works in the form specified by the City.

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D. The application of **Summit Land Development, Applicant**, for property located at **207 International Drive**, wherein Site Plan approval is requested to construct a 4-story 6,557 ± s.f. addition to the existing 4-story office building and parking lot expansion of 198 spaces, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 315 as Lot 4 and lies within the Airport Business and Commercial District.

Voted to **recommend Site Plan Review Approval** with the following stipulations:

- 1) The applicant shall prepare a Construction Management & Mitigation Plan (CMMP) for review and approval by the City prior to the issuance of a building permit.
- 2) The applicant shall be responsible to perform a radio-strength test with a Motorola Service Shop to ensure sufficient signal strength within any structure included in the project to support adequate radio coverage for emergency personnel. The expense for the test shall be the responsibility of the applicant, whether or not the test indicates that amplifiers are necessary to ensure this communication. If the test indicates that amplifiers are required, that cost, too, shall be the responsibility of the applicant. All testing and all installations shall be coordinated between the applicant and the police/fire communications supervisor.
- 3) The applicant shall perform test pits at the beginning of construction to determine groundwater and shall report those findings to DPW for their review and approval.
- 4) That a maintenance plan for the detention ponds and treatment swales shall be prepared by the applicant with a copy being provided to the Planning Department, DPW and the PDA, and a report shall be filed on an annual basis with DPW.

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E. The application of **355 Pleasant Street, LLC, Owner**, and **Katherine W. Kane, Applicant**, for property located at **337 Pleasant Street** and **355 Pleasant Street**, wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 64 as shown on Assessor Plan 103 increasing in area from 9,245 ± s.f. to 10,001 ± s.f. and with continuous street frontage increasing from 87.57' to 99.57'; and Lot 62 as shown on Assessor Plan 103 decreasing in area from 6,555 ± s.f. to 5,799 ± s.f. and with continuous street frontage decreasing from 114.27' to 102.27'. Said lots lie in the Historic District A and the General Residence B District (GRB) where a minimum lot area of 5,000 s.f. and 80 ' of continuous street frontage is required.

Voted to **grant** Preliminary and Final Subdivision Approval with the following stipulations:

- 1) The final plat and all resulting deeds shall be filed concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department;
- 2) Property monuments shall be set as required by DPW prior to the filing of the plat; and
- 3) GIS data shall be provided to DPW in the form as required by the City.

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F. The application of **Ronald J. Konopka, Owner**, for property located at **327 Dolphin Drive**, requesting a Conditional Use Permit under Article VI, Section 10-608(B) of the Zoning Ordinance to replace an existing shed with a smaller shed, all within an Inland Wetlands Protection District and Inland Wetlands Protection District Buffer Zone. Said property is shown on Assessor Plan 291 as Lot 7 and lies within the Garden Apartment/Mobile Home District (GA/MH).

Voted to **grant** Conditional Use approval.

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G. The application of **Eugene N. Short Revocable Trust, Owner**, and **Heidi N. Archibald Revocable Trust, Applicant**, for property located at **175 Gosport Road**, requesting a Conditional Use Permit under Article VI, Section 10-608(B) of the Zoning Ordinance to construct a walkout basement which requires regrading of the lawn, drainage enhancements, and temporary excavation for new water lines, all within an Inland Wetlands Protection District and Inland Wetlands Protection District Buffer Zone. Said property is shown on Assessor Plan 224 as Lot 1 and lies within the Single Residence A District (SRA).

Voted to **grant** Conditional Use approval.

V. CITY COUNCIL REFERRALS/REQUESTS

*The Board's action in these matters 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.*

A. Request from John Dussi, for The Page Restaurant and Bar, for property located at 172 Hanover Street, for (1) placement and illumination of a temporary sign on the Vaughn Mall; and (2) reconsideration of the Board's recommendation for a projecting sign.

Voted to recommend that the City Council grant approval of a revocable municipal license for the projecting sign, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form.
2. The sign design shall be referred to the HDC for approval.
3. Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City.
4. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.

Voted to recommend that the City Council grant approval of a revocable municipal license to place a removable monument sign, underground conduit, lighting fixtures, and surrounding curbing and landscaping on municipal property in Vaughan Mall, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form.
2. The sign design shall be referred to the HDC for approval.
3. Any removal or relocation of the sign, conduit, lighting fixtures, curbing or landscaping, for any reason, will be done at no cost to the City.
4. At the termination of the license, any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the sign, conduit, lighting fixtures, curbing or landscaping, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.

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B. Request from Ed Saunders, of Fast Eddie’s Dirty Laundry, for property located at 123 Market Street, to install a projecting sign.

Voted to recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.

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C. Request from Joshua Anderson, of Odyssey and Oracle, for property located at 82 Fleet Street, to install a projecting sign.

Voted to recommend that the City Council grant approval of a revocable municipal license subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.

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D. Request from Evon Cooper, of Ellie’s Oxygen Lounge and Raw Juice Bar, for property located at 146 Fleet Street, to install a projecting sign.

Voted to recommend that the City Council grant approval of a revocable municipal license subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.

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E. Request from Mary Griffin, Griffin Family Corporation, regarding gift of land in the Hodgdon Brook watershed to the City of Portsmouth.

Voted to recommend that the City Council accept the donation.

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F. Request from John Cronin regarding the subdivision and possible sale of approximately 3.24 acres at 56 Lois Street to the City of Portsmouth for conservation purposes.

Voted to recommend that the City accept the land by donation, or acquire it for a nominal sum.

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VI. PLANNING DIRECTOR’S REPORT

A. 2454 Lafayette Road – Southgate Plaza.

Administrative approval was granted for curb type changes and site lighting changes.

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VII. ADJOURNMENT

A motion to adjourn was made at 9:22 pm, was seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board