

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

MEMBERS PRESENT: John Ricci, Chairman; Paige Roberts, Vice Chairman; Richard Hopley, Building Inspector; John Rice; Anthony Blenkinsop; Norman Patenaude, Alternate; and William Gladhill, Alternate

MEMBERS EXCUSED: Eric Spear, City Council Representative, Cindy Hayden, Deputy City Manager and MaryLiz Geffert;

ALSO PRESENT: Rick Taintor, Planning Director

.....
I. APPROVAL OF MINUTES

1. Approval of Minutes from the May 19, 2011 Planning Board Meeting – Unanimously approved.
2. Approval of Minutes from the June 16, 2011 Planning Board Meeting – Unanimously approved.
3. Approval of Minutes from the July 21, 2011 Planning Board Meeting – Not available.

.....
II. PUBLIC HEARINGS – OLD BUSINESS

A. The application of **Henry and Jaqueline Brandt, Owners**, for property located at **37 Wholey Way** and **Salmon Falls Holding, LLC, Owners**, for property located **off Echo Avenue**, wherein Preliminary and Final Subdivision Approval (Lot Line Revisions) are requested between two lots as follows: Lot 64 as shown on Assessor Map 237 increasing in area from 2,728 ±s.f. to 15,056 ± s.f. with 241.28' ± of continuous street frontage on Echo Avenue and Wholey Way and Lot 76 as shown on Assessor Map 237 decreasing in area from 43,703 ± s.f. to 31,375 ± s.f. with 200.89' ± of continuous street frontage on Wholey Way. Said properties are located in a Single Residence B district and are shown on Assessor Map 237 as Lots 64 and 76. This application was previously denied by the Planning Board; however, the Rockingham County Superior Court subsequently reversed the Board's decision and remanded the matter "for consideration of the wetlands issue and any other concerns not addressed" in the Board's decision. (This application was postponed at the July 21, 2011 Planning Board Meeting)

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

Conditions Precedent (to be completed prior to signing and recording of the plat):

1. The following changes shall be made to the subdivision plat:
 - (a) Show the existing dwelling on Lot #65 (41 Echo Avenue).
 - (b) Show the existing driveways on Wholey Way, and the location of the proposed driveway to Lot #64.
 - (c) Include the stamp of a New Hampshire certified wetlands scientist for the wetlands delineation.
 - (d) Delete the shaded area on proposed Lot #64, the words “Buildable Envelope,” and the arrow pointing from those words to the shaded area.
 - (e) Add the following notes to the plan:
 - “A building permit on Lot #64 shall be governed by the Zoning Ordinance, Building Code and Planning Board Regulations in effect on the date of issuance.”
 - “Approval of this plan by the Planning Board does not guarantee that Lot #64 is buildable under State and City laws, ordinances and regulations.”
2. The applicant shall obtain a driveway permit from the Department of Public Works.
3. All property monuments shall be set as required by the Department of Public Works.
4. GIS data shall be provided to the Department of Public Works in the form required by the City.

.....

III. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **Stephen and Karin Barndollar, Owners**, for property located at **120 Ridges Court**, for Conditional Use Permit Approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, to install a 16’ x 11’ solar panel array to the south side of the existing garage. Said property is shown on Assessor Map 207 as Lot 61 and lies within the Single Residence B (SRB) District.

Voted to **grant** Conditional Use Permit approval.

.....

B. The application of **Sharon R. Gross Revocable Trust, Owner**, for property located at **201 and 235 Cate Street**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows: Lot 31 as shown on Assessor Map 163 decreasing in area from 15,252 ±s.f. to 12,450 ± s.f. with 158’ ± of continuous street frontage on Cate Street and Lot 32 as shown on Assessor Map 163 increasing in area from 15,330 ± s.f. to 18,132 ± s.f. with 138’ ± of continuous street frontage on Cate Street. Said properties are located in a General Residence A District where the minimum lot size requirement is 7,500 s.f. and minimum street frontage requirement is 100’.

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

Waiver:

Voted to waive compliance with Section VI.2.B of the Subdivision Rules and Regulations to allow the lot dimensions as shown on the subdivision plan

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.

.....

C. The application of **30 Maplewood Avenue, LLC, Owner**, for property located at **30 Maplewood Avenue**, requesting Site Plan Approval to construct a 1-story 1,700 ± s.f. addition to an existing building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lot 2 and lies within the Central Business B (CBB) District, Downtown Overlay District (DOD) and the Historic District.

Voted to **grant** Amended Site Plan Approval with the following stipulations:

1. The applicant shall reconstruct the sidewalk in brick to the City standard along Maplewood, Hanover and Bridge Streets from the Maplewood Avenue driveway to the Bridge Street driveway. The Site Plans shall be revised to include reconstruction of the sidewalk along Bridge Street between Hanover Street and the site driveway.
2. The applicant shall coordinate with DPW on the routing of the electrical conduit to the new PSNH switching vault. If approved by DPW, the Site Plans shall be revised to show the conduit under the Bridge Street sidewalk rather than the Maplewood Avenue sidewalk.
3. The applicant shall determine whether the existing water service from Deer Street is adequate for the proposed uses, and shall replace it with a larger line from Maplewood Avenue if necessary.
4. The applicant shall pay the capacity use surcharge for water and sewer applicable to the proposed uses.
5. The applicant shall confirm with the Planning Department whether approval of the proposed switching enclosure by the Historic District Commission is required, and shall obtain such approval if required.
6. The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) for review and approval by the City.

.....

D. The application of **233 Vaughan Street, LLC, Owner**, for property located at **233 Vaughan Street**, requesting Amended Site Plan Approval to eliminate the first floor parking spaces and replace them with additional commercial space, to change the second and third floor use from office to 6 residential units, and to eliminate the driveway on Vaughan Street, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 124 as Lot 14 and lies within the Central Business A (CBA) District, the Downtown Overlay District (DOD) and the Historic District.

Voted to **grant** Amended Site Plan Approval.

.....

IV. 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 for Rezoning of Land on Bartlett Street/Cate Street.

Voted to recommend to the City Council that the parcel at the intersection of Bartlett and Cate Streets be rezoned from Industrial (I) to Business (B).

.....

B. Request from Martingale Wharf Limited Partnership, regarding 99 Bow Street, regarding encroachments.

Voted to recommend that the City Council approve the two easements as requested.

.....

C. Request from Joseph R. Baroni Family, LLC regarding the acquisition of City owned land on Constitution Avenue.

Voted to recommend that the City Council approve the sale of the requested parcel on such terms as it deems acceptable.

.....

D. Request for rezoning 1900 Lafayette Road.

Voted to schedule a public hearing on the proposed rezoning for the Planning Board's September 15, 2011 meeting.

.....

V. PLANNING DIRECTOR’S REPORT

A Joint Work Session with the HDC will be scheduled for Thursday, September 22, 2011 at 7:00 pm.

.....

VI. ADJOURNMENT

A motion to adjourn was made at 7:50 pm, was seconded and passed unanimously.

.....

Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board