

**ACTION SHEET**

**PLANNING BOARD**

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

**MEMBERS PRESENT:** John Ricci, Chairman; Paige Roberts, Vice Chairman; Eric Spear, City Council Representative; Cindy Hayden, Deputy City Manager; Richard Hopley, Building Inspector; John Rice; Anthony Blenkinsop; MaryLiz Geffert; and William Gladhill, Alternate

**MEMBERS EXCUSED:** Norman Patenaude, Alternate

**ALSO PRESENT:** Rick Taintor, Planning Director

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Presentation of gift to Donald Coker who retired after 13 years of service on the Planning Board.  
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**I. APPROVAL OF MINUTES**

1. Approval of Minutes from the July 21, 2011 Planning Board Meeting – Unanimously approved.

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**II. 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. Request to re-zone seven parcels of land on the westerly side of Lafayette Road from the Office Research (OR) District to the Gateway (G) District. Said properties are identified as 1700 Lafayette Road (Map252, Lot 1); unnumbered Lafayette Road (Map 252, Lot 1-7); 1900 Lafayette Road (Map 267, Lot 8); 1950 Lafayette Road (Map 267, Lot 7); 2000 Lafayette Road (Map 267, Lot 6); 2010 Lafayette Road (Map 267, Lot 5); and 2032 Lafayette Road (Map 267, Lot 4).

Voted to **postpone** for further action by the Planning Board as guided by the discussion.

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B. The application of **David and Marcia Dauphinaid, Owners**, for property located at **75 Codfish Corner Road**, for Conditional Use Permit Approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer, including construction of a 5' x 8' shed, to be placed on cement blocks. Said property is shown on Assessor Map 291 as Lot 7-175 and lies within the Garden Apartment/Mobile Home (GA/MH) District.

Voted to **grant** conditional use permit approval.

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C. The application of **Elder Family Portland Associates, Owners**, for property located at **218 Griffin Road**, for Conditional Use Permit Approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer, including reshaping and cleaning existing grass lined drainage swale, installation of 40' of drainage pipe, excavation and removal of 150' x 50' of paved parking lot to 12" depth and replacement with stabilizing mat, crushed gravel and 3" of pavement. Said property is shown on Assessor Map 263, as Lot 1-5 and lies within the Industrial (I) District.

Voted to **grant** conditional use permit approval with the following stipulations:

1. This matter will be referred to TAC for a determination that the regulations in the Zoning Ordinance, Section 10.1017 for a Conditional Use Permit are met to their satisfaction, including:
  - Pavement detail to be added to the Site Plan.
  - Erosion control details to be added to the Site Plan.
  - Drainage pipe sizing, inverts, riprap, headwalls or any other pipe related item.
2. The appropriate wetland buffer seed mix shall be identified on the plan.

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D. The application of **446-452 Market Street Condominium Association, Owners**, for property located at **446-452 Market Street**, for Conditional Use Permit Approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, including the removal of an existing rear deck and replacing it with a new deck approximately 8' x 65' in size.. Said property is shown on Assessor Map 210, as Lot 1 and lies within the Central Business A (CBA) District and the Historic District.

Voted to **grant** conditional use permit approval with the following stipulations:

1. The replacement deck shall be no larger than the existing deck.
  2. The sonotubes shall be placed as shown on the hand drawn plans provided to the Planning Board and stamped as received on August 25, 2011.
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E. The application of **Michael Clark, Owner**, for property located at **325 Little Harbor Road**, for Conditional Use Permit Approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, including the replacement of a 30' section of seawall under an existing wharf. Said property is shown on Assessor Map 205, as Lot 2 and lies within the Rural (R) District.

Voted to **grant** conditional use permit approval with the following stipulations:

- 1. A turbidity curtain shall be installed to prevent any in water sedimentation.
- 2. Any on shore areas that are disturbed during construction shall be replanted and stabilized until vegetation is established.

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F. The application of **Dexter and Ellen Legg, Owners**, for property located at **4 Moebus Terrace**, for Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, including the demolition of the existing garage and construction a new garage; demolition of the existing deck and the construction of a new deck; removal of artificial turf; and construction of a new 200 s.f. patio. Said property is shown on Assessor Map 207 as Lot 24 and lies within the Single Residence B (SRB) District.

Voted to **withdraw** the application.

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G. The application of **Regeneration Park, LLC, Owner**, for property located at **3612 Lafayette Road**, for Amended Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer, including changes to the internal sidewalks, revised parking and the addition of two bio-detention basins. Said property is shown on Assessor Map 297 as Lot 3 and lies within the Gateway District.

Voted to **grant** Amended Conditional Use Permit Approval with the following stipulations:

- 1. A Stormwater Management Plan shall be prepared and filed with DPW and the Planning Department, prior to the commencement of any work.
- 2. The two detention areas shall be inspected and cleaned annually and an inspection report shall be filed annually on or before June 1<sup>st</sup> with DPW and the Planning Department.
- 3. Any plant species that do not survive shall be replaced.

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H. The application of **Regeneration Park, LLC, Owner**, for property located at **3612 Lafayette Road**, requesting Amended Site Plan Approval to include changes to the internal sidewalks, revised parking and the addition of two bio-detention basins, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 297 as Lot 3 and lies within the Gateway District.

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

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I. The application of **Mitchell and Edward Hyder, Owners**, for property located at **659 and 677 Dennett Street and 295 Woodbury Avenue** (now consolidated into one lot), requesting a Conditional Use Permit under Section 10.726 of the Zoning Ordinance for a Residential Density Incentive Planned Unit Development (RDI-PUD) consisting of one 4-unit building and one 5-unit building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 161 as Lots 31 and 32 and Assessor Map 175 as Lots 6 and 6A and lie within the General Residence A (GRA) District.

Voted to **postpone** to the next regularly scheduled Planning Board meeting on October 20, 2011.

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J. The application of **Mitchell and Edward Hyder, Owners**, for property located at **659 and 677 Dennett Street and 295 Woodbury Avenue** (now consolidated into one lot), requesting Site Plan Approval to construct a 9-unit residential development with one 4-unit building and one 5-unit building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 161 as Lots 31 and 32 and Assessor Map 175 as Lots 6 and 6A and lie within the General Residence A (GRA) District.

Voted to **postpone** to the next regularly scheduled Planning Board meeting on October 20, 2011.

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K. The application of the **Baroni Family, LLC, Owners**, and **Joseph R. Baroni, Applicant**, for property located off Constitution Avenue, for earth product removal under Sections 10.1022, 10.1023 and 10.1024 of the Zoning Ordinance. Said property is shown on Assessor Map 274 as Lot 5 and lies within the Industrial (I) District.

Voted to **refer** this application to the Technical Advisory Committee for its review and recommendation.

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**III. 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 Mr. & Mrs. Rex Van Aken to sell a small parcel of land at 175/177 Myrtle Avenue between property of Van Aken and the Route One By-Pass.

Voted to recommend to the City Council that they not sell the parcel of land.

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B. Request from David N. Linn Portsmouth Revocable Trust regarding the proposed sale of conservation land located as an island in Sagamore Creek to the City.

Voted to recommend to the City Council that the City acquire the island on such terms as the City Council may determine appropriate.

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**IV. PLANNING DIRECTOR'S REPORT**

No report.

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**V. ADJOURNMENT**

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

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Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board