

**REGULAR MEETING  
PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

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

**7:00 PM**

**OCTOBER 18, 2012**

**AGENDA**

**I. APPROVAL OF MINUTES**

1. Approval of Minutes from the June 21, 2012 Planning Board Meeting.

**II. PUBLIC HEARINGS – OLD BUSINESS**

*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 **Richard P. Fecteau, Owner**, for property located at **120 Spaulding Turnpike, Two Way Realty, LLC, Owner**, for property located at **100 Spaulding Turnpike**, and **Five Way Realty, LLC, Owner**, for property located at **80 Spaulding Turnpike**, (to be consolidated into one lot), requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer, involving demolition and construction, driveways, septic systems and construction of a stormwater management system, with 42,331 s.f. of impact to the wetland buffer. Said properties are shown on Assessor Map 236 as Lots 33, 37, and 38 and lie within the General Business (GB) and Single Residence B (SRB) District. (This application was postponed from the September 20, 2012 Planning Board Meeting.)
- B. The application of **Olde Parish Townhouses Condominium Association, Owner**, for property located at **66 Madison Street**, requesting Amended Site Plan approval to revise a condition of previous Site Plan approval granted on January 22, 2004 by the Planning Board which requires cross-easements for all utilities for recording at the Registry of Deeds. Said property is shown on Assessor Map 147 as Lots 1-1, 1-2 and 1-3 and lie within the General Residence C (GRC) District. (This application was postponed from the September 20, 2012 Planning Board Meeting.)
- C. The application of **2422 Lafayette Road Associates, LLC, Owner**, for property located at **2454 Lafayette Road (Southgate Plaza)**, requesting Amended Site Plan Approval to demolish a portion of an existing building and the construction of a 28,385 s.f. cinema with 1,264 seats; to reduce a previously approved retail pad from 27,335 s.f. to 16,075 s.f. of retail and 833 s.f. of restaurant; and to increase parking spaces from 732 spaces to 859 spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 273 as Lot 3 and lies within the Gateway (G) District. (This application was postponed from the September 20, 2012 Planning Board Meeting.)

D. The application of **Stratham Acquisitions, LLC, c/o Frank Catapano, Owner**, for properties located at **5 Sylvester Street and a vacant lot with frontage on Marjorie Street**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer, to relocate an existing driveway and perform surface grading associated with a new gravel driveway, with 2,200 s.f. of impact to the wetland buffer. Said properties are shown on Assessor Map 232 as Lots 37 & 41 and lie within the Single Residence B (SRB) District. (This application was postponed from the September 20, 2012 Planning Board Meeting.)

### **III. PUBLIC HEARINGS – NEW BUSINESS**

*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 **Michaels Realty Trust and ESUM Realty Trust, Owners, and 4 Amigos, LLC, Applicant**, for property located at **1390 and 1400 Lafayette Road** requesting Amended Site Plan Approval to amend a condition of approval which was granted on August 16, 2012 by the Planning Board regarding the installation of curbing or other barriers to prevent vehicles from entering or exiting the parking spaces on the adjacent parcel from the shared driveway. Said properties are shown on Assessor Map 252 as Lots 7 and 9 and lie within the Gateway (GW) District.

### **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. Proposed easements for the McDonough Street Improvement Project.
- B. Proposed easements and quitclaim of abandoned sewer lines for the Cass Street Sewer Separation Project.
- C. Letter from Attorney James Nocas, Jr., representing a property owner of the General Porter Condominiums requesting to construct a garage along the rear boundary line of property located at 32 Livermore Street abutting a cemetery. (This matter was postponed at the September 20, 2012 Planning Board Meeting).
- D. Proposed amendments to Zoning Ordinance relative to Exemptions from Certificate of Approval in the Historic District. (This matter was postponed at the September 20, 2012 Planning Board Meeting).
- E. Review of Zoning Ordinance Table of Uses and Zones to expand where assisted living facilities can be located.

### **VII. PLANNING DIRECTOR'S REPORT**

### **VIII. ADJOURNMENT**

### **NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED**

**If you wish to attend a Planning Board meeting and need assistance, please contact the Human Resources Office at 431-2006 ext. 270 one week prior to the meeting.**