

**ACTION SHEET**

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

**CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**7:00 P.M.**

**NOVEMBER 15, 2012**

**MEMBERS PRESENT:** John Ricci, Chairman; Paige Roberts, Vice Chairman; Nancy Novelline Clayburgh, City Council Representative; John Rice; Anthony Blenkinsop; David Allen, Deputy City Manager; Richard Hopley, Building Inspector; William Gladhill;

**MEMBERS EXCUSED:** MaryLiz Geffert;

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

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**I. APPROVAL OF MINUTES**

1. Minutes from the July 19, 2012 Planning Board Meeting – Unanimously approved.
2. Minutes from the August 16, 2012 Planning Board Meeting – Unanimously approved.

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**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 October 18, 2012 Planning Board Meeting.)

Voted to **grant** Conditional Use Permit approval.  
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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. (This application was postponed from the October 18, 2012 Planning Board Meeting.)

Voted to **postpone** to the December Planning Board meeting.

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**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 request of Christopher McInnis to rezone parcels at 678 and 680 Maplewood Avenue and 261 Myrtle Avenue from Single Residence B (SRB) to Business (B). Said parcels are shown on Assessor Map 220 as Lots 89, 90 and 87.

Voted to **recommend denial** of the re-zoning request to the City Council.

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B. The application of **Craig Welch and Stefany Shaheen, Owners**, for properties located at **77 South Street**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, to construct a 20’ x 16’8” carport with 2<sup>nd</sup> story deck to an existing building, with 3,272 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 102 as Lot 48 and lies within the General Residence B (GRB) District.

Voted to **postpone** to the December Planning Board meeting.

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C. The application of **Two Way Realty, LLC, Owner**, for property located at **120 Spaulding Turnpike**, requesting Site Plan Approval for the demolition of an existing building, retrofitting of an existing building for auto reconditioning, expanding the dealership parking and display area, and reconstructing the right-in/right-out access from the turnpike, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 236 as Lots 33, 37 and 38 (which lots have been voluntarily consolidated) and lie within the General Business (GB) District and Single Residence B (SRB) District.

Voted to:

- (1) **grant** a waiver from Section 3.3.2(3) of the Site Plan Review Regulations, to allow three driveways on the lot: one providing direct access to the Spaulding Turnpike, a second providing full access to Farm Lane; and a third providing access to Spaulding Turnpike and Farm Lane across the adjacent parcels at 150 Spaulding Turnpike (Assessors Map 236 Lots 35 and 36). This waiver shall be for a one-year period starting upon the completion of site improvements.
- (2) **grant** Site Plan Approval with the following stipulations:
  - 1. The site plan shall be revised to eliminate the two painted arrows near the driveway to 150 Spaulding Turnpike, and to add directional arrows painted on the pavement to direct vehicles to exit via the Farm Lane driveway.
  - 2. The approval of two-way use of the driveway through the adjacent parcel to Farm Lane shall only be for a one-year trial period starting upon the completion of site improvements. At the conclusion of the trial period, the driveway shall be modified as shown on the "Alternate Entrance Sketch", dated October 30, 2012 unless the owner has applied for and been granted amended site plan approval to maintain two-way use of the driveway.

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D. The application of **MacLeod Enterprises, Inc., Owner**, for property located at **1190 Lafayette Road**, requesting Amended Site Plan Approval for site improvements to an existing 121 room hotel, which will include paving, lighting, utilities, landscaping, drainage and other associated site improvements. Said property is shown on Assessor Map 252 as Lot 8 and lies within the Gateway District.

Voted to:

- (1) **grant** a waiver from Section 3.3.2(3) of the Site Plan Review Regulations, to allow two driveways on the lot.
- (2) **grant** Site Plan Approval with the following stipulations:
  - 1. All easements shall be reviewed and approved by the City Attorney and the Planning Department prior to the issuance of a building permit.
  - 2. A Construction Management and Mitigation Plan (CMMP) shall be coordinated with the adjacent property (1390 Lafayette Road).
  - 3. The final Drainage Study will be submitted to DPW for review and approval prior to the issuance of a building permit.
  - 4. Directional signs to Route 1 North and South shall be added at the landscaped island next to the stop bar to assist vehicles when they exit from the canopy.
  - 5. The Owner shall pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of the drainage system.

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E. The application of **100 International, LLC, Applicant**, for property located at **100 International Drive**, requesting Amended Site Plan Approval for the addition of 45 parking spaces adjacent to the existing parking lot, a 150' long grass lined treatment swale and any other associated site improvements. Said property is shown on Assessor Map 306 as Lot 2 and lies within the Pease Industrial Zone.

Voted to **recommend Site Plan Approval** to the Pease Development Authority.

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**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. Letter from Attorney James Noucas, 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 October 18, 2012 Planning Board Meeting).

Voted to **postpone** to the December Planning Board meeting.

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B. Review of Zoning Ordinance Table of Uses and Zones to expand where assisted living facilities can be located. (This application was postponed from the October 18, 2012 Planning Board Meeting.)

Voted to **postpone** to the December Planning Board meeting.

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C. Proposed Zoning Ordinance Amendment – Building Height.

Voted to **recommend approval** of the draft Zoning Ordinance Amendment, as revised, to the City Council.

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**V. OTHER BUSINESS**

A. Request for a one year extension of Site Review approval for property located at 195 and 215 Commerce Way which was granted on November 17, 2011.

Voted to **grant** one year extension.

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B. Appointment of Capital Improvement Plan Sub-Committee.

Appointed Chairman John Ricci, Anthony Blenkinsop and William Gladhill.

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**VI. PLANNING DIRECTOR’S REPORT**

N/A

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**VII. ADJOURNMENT**

A motion to adjourn at 9:44 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board