MINUTES
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M. DECEMBER 17, 2015

MEMBERS PRESENT: John Ricci, Chairman; Elizabeth Moreau, Vice Chairman; David Allen, Deputy City Manager; Robert Marsilia, Building Inspector; William Gladhill; Colby Gamester; Michael Barker; and Jay Leduc,

MEMBERS EXCUSED: Rick Taintor, Planning Director; Jack Thorsen, City Council Representative; and Justin Finn, Alternate

ALSO PRESENT: Jessa Berna, Associate Planner

Chairman Ricci called the meeting to order at 7:00 p.m.

The Chair recognized Mr. Barker and thanked him for his service, as this was Mr. Barker’s last meeting. He also recognized Councilor Thorsen, and thanked him as well for his service, as this was to be his last meeting.

I. APPROVAL OF MINUTES

1. Approval of Minutes from the November 12, 2015 Planning Board Master Plan Work Session. The minutes were unanimously approved.

2. Approval of Minutes from the November 17, 2015 Planning Board Meeting; Vice Chairman Moreau stated the meeting was actually November 19, 2015. Also that on page 6 regarding Hillcrest that is was Vice Chairman Moreau that asked if anyone from the public wanted to speak versus Chairman Ricci.

   The minutes as amended were unanimously approved.

II. PUBLIC HEARINGS – NEW BUSINESS

Vice Chairman Moreau moved that the Planning Board consider Items II-A, Proposed amendments to the Zoning Ordinance, Article 8 and Item II-B, Proposed amendments to the Zoning Ordinance, Article 10 together to be heard as one application and voted on separately. Mr. Barker seconded the motion.
The motion to consider Items II-A, Proposed amendments to the Zoning Ordinance, Article 8 and Item II-B, Proposed amendments to the Zoning Ordinance, Article 10 together as one application and voted on separately passed unanimously.

A. Proposed amendments to the Zoning Ordinance, Article 8 – Supplemental Use Standards, inserting new Manufacturing Housing Park Dimensional Standards, and making minor conforming revisions to other sections of the Zoning Ordinance; and proposed repeal of the City Ordinances Chapter 13 – Mobile Home Ordinance, in its entirety.

B. Proposed amendments to the Zoning Ordinance, Article 10 – Environmental Protection Standards, (1) establishing a new Wetland Protection Plan option for certain uses, (2) permitting activities within a wetland buffer that are consistent with an approved Wetland Protection Plan, and (3) inserting a new definition for “impervious surface.”

The Chair read the notices into the record.

Ms. Berna stated that the public hearing on these two ordinances to make a recommendation to City Council for first reading would be held in January.

She explained that Item II-A is for adding dimensional standards and that Item II-B is for establishing a wetland protection plan.

The Chair asked if the Board had any questions.

Chairman Ricci asked for clarification about why the decks would be considered as impervious surfaces.

Ms. Berna responded that this is a common impervious definition based on certain standards regarding water absorption. In this case it depends on how much separation exists between the boards of the deck and if the deck meets that requirement. Basically there is a standard of separation between boards and a standard for infiltration of water, so if the deck meets those requirements, a homeowner would not need to come before the Planning Board to seek approval on that deck. In this case, the deck would be considered impervious.

Deputy City Manager Allen commented that they would need to work with the building inspector on that to ensure people were aware of that when they submit plans.

Ms. Berna was asked what the standard was that she had referred to, and she said she would need to speak with Peter Britz, the Environmental Planner on that, but she could make sure this would be clarified before going to to First Reading.

Chairman Ricci asked if anyone was present from the public wishing to speak to, for, or against the proposed amendments to the ordinances. Seeing no one rise, the Chair closed the public hearing.
DISCUSSION AND DECISION OF THE BOARD

Vote on Item II-A:

Vice Chairman Moreau made a motion to recommend approval to the City Council proposed amendments to the Zoning Ordinance, Article 8 – Supplemental Use Standards, inserting new Manufacturing Housing Park Dimensional Standards, and making minor conforming revisions to other sections of the Zoning Ordinance. Mr. Gladhill seconded the motion.

The motion passed unanimously.

Vote in Item II-B:

Vice Chairman Moreau moved to recommend approval to the City Council proposed amendments to the Zoning Ordinance, Article 10 – Environmental Protection Standards, establishing all the new Wetland Protection Plan options. Mr. Gladhill seconded the motion.

The motion passed unanimously.

C. The application of Festival Fun Parks, LLC, Owner, for property located at 2300 Lafayette Road, requesting approval for Earth Products Placement in excess of 100 cubic yards. Said property is shown on Assessor Map 273 as Lot 5 and lies within the Industrial (I) District and Gateway (G) District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION

Doug Gavinski, the Director of Maintenance from Water Country was present to speak to the application. He stated he had been approached by two companies. The first was Busby Construction who is doing a project on West Road. They were seeking permission to store their materials for a period of time while they completed that project. The other company is Bourassa Construction who is Water Country’s neighbor on West Road. Brosh had asked if they could store dirt there in their off-season.

Mr. Gavinski stated they were not using the property at this time, and that they did not have a problem with the requests. One area would be behind one of the attractions, and the other area would be located at the top of Dirt Lot 3 on the maps presented. Mr. Gavinski stated they would not charge for this service, nor would they receive any service in return, and that it was the water park being a good neighbor.

Mr. Gamester inquired if, after the materials were removed, the area would look the same as before.
Mr. Gavinski answered that nothing would change. The area at the top of Dirt Lot 3 was stone already. That one would look exactly the same. Busby Construction had given the water park a letter stating their area would be returned to grass. Nothing would change.

Mr. Gladhill asked if there was any chance of them tracking mud onto the roads.

Mr. Gavinski, said not on the back side of Dirt Lot 3. The Busby Construction has tracked mud, but they have been cleaning it up. They had been trying to fix the drainage problem behind West Road.

Mr. Gladhill asked if it would make sense to put in a stone bed to minimize the tracking of mud.

Mr. Gavinski said they have put one down.

Mr. Gladhill wanted to make sure Busby is responsible to make sure the road is clean.

Mr. Gavinski apologized to the Board and stated he had not known there was a need to come before the Planning Board to request a permit.

Chairman Ricci stated they were glad Mr. Gavinski was present and thanked him.

Chairman Ricci asked if anyone was present from the public wishing to speak to, for, or against the proposed amendments to the ordinances. Seeing no one rise, the Chair closed the public hearing.

**DISCUSSION AND DECISION OF THE BOARD**

Mr. Gladhill moved to approve the application as presented. Vice Chairman Moreau seconded the motion.

Mr. Gladhill said what the applicant was asking for was very minimal, and that there was virtually none to very little impact on the environment or the area.

Ms. Berna presented stipulations that the Planning Department recommended adding to the approval.

Mr. Gladhill and Vice-Chairman Moreau had no objection the stipulations.

The motion to grant an Earth Projects Placement permit passed unanimously with the following stipulations:

1) The site shall be restored and/or improved to the same condition as prior to the storage of material.
2) The site shall be fully restored no later than June 1, 2016.
3) Erosion control measures shall remain in place until the site is fully restored.
4) No security shall be required per Section 10.1024.30 of the Zoning Ordinance since timely site restoration is necessary for regular business operations at this site.
Ms. Berna commented that she had some extra business to present.

Ms. Berna stated that the CIP process is ongoing, and she presented the upcoming hearing and meeting schedule:

- The Planning Board Public Hearing was scheduled for January 21, 2016
- The City Council Work Session was scheduled for February 8, 2016
- The City Council public Hearing was scheduled for February 16, 2016
- The City Council Adoption was scheduled for March 7, 2016

Ms. Berna gave a status on the Master Plan and the West End Bay Zoning. She stated they have been working on finalizing the West End Zoning for the past several months. Portsmouth was holding a first round of study circles after First Reading of the draft ordinance. The First Reading was scheduled for January 11, 2016 at City Council. Then in early January, the Planning Department would meet with Portsmouth Listens (PL) members to give an overview of the proposed zoning changes. During the last two weeks of January PL study circles would be held, followed by another interaction with the Planning Staff during the first week in February. Finally, there would be additional study circles in mid-February regarding that process. All of that would happen before the Planning Board public hearing. The City Council second reading was scheduled for March 21, 2016, and the third reading was scheduled for April 4, 2016.

Vice Chairman Moreau asked if the Planning Board would see a draft of that prior to their meeting.

Ms. Berna respond that it would go to City Council in January for first reading, but that the Planning Board would not see it until the next meeting, on January 21, 2016.

Ms. Berna stated that the Master Plan is in progress. They were working on finishing the Existing Conditions Report, and that the draft outline was due on Friday, December 18th. The Draft Master Plan would be due February 20, 2016. The next Planning Board Work Session was scheduled for March. In April, Portsmouth Listens was planning a second round of study circles in response to the draft Master Plan.

Chairman Ricci asked if March was when they would get their next presentation.

Ms. Berna answered yes, but that she was unsure of the date.

Mr. Allen inquired if the Existing Conditions Plan would be distributed to the Planning Board.

Ms. Berna was not sure on the timeline for when that would be ready, but yes, that it could be distributed.

Chairman Ricci thanked Mr. Barker for his time on the Planning Board.
III. ADJOURNMENT

A motion to adjourn at 7:20 was made and seconded and passed unanimously.

Respectfully Submitted,

Marian Steimke
Acting Secretary for the Planning Board

These minutes were approved at the January 21, 2016 Planning Board Meeting.