
MEMORANDUM

TO: Planning Board
FROM: Rick Taintor, Planning Director
Juliet T.H. Walker, Assistant Planning Director
DATE: April 20, 2017
RE: Staff recommendations for April 27, 2017 Planning Board meeting

II. DETERMINATIONS OF COMPLETENESS

A. Subdivision

1. The application of Maureen J. Arsenault (Maureen J. O'Leary), Owner, for property located at 107 McKinley Road
2. The application of Bluestone Properties of Rye, LLC, and Roman and Nelson, LLC, Owners, for property located at 135 and 147 Congress Street
3. The application of Craig M. Steigerwalt and Anne C. Shiembob, and Stewgood, LLC, Owners, for property located at 276 and 268 Dennett Street

Planning Department Recommendation

Vote to determine that these applications for subdivision approval are complete (contingent on the granting of any required waivers under Section III of the agenda) according to the Subdivision Rules and Regulations and to accept them for consideration.

B. Site Plan Review

1. The application of Portsmouth Submarine Memorial Association, Owner, for property located at 600 Market Street
2. The application of Peter Fregeau and Westwind Townhomes of Portsmouth Condominium Association, Owners, for property located at 1177 and 1179 Sagamore Avenue
3. The application of Saco Professional Building, Inc., Owner, for property located at 125 Brewery Lane
4. The application of 215 Commerce Way, LLC and Moray, LLC, Owners, for property located at 215 and 235 Commerce Way

Planning Department Recommendation

Vote to determine that these applications for site plan approval are complete (contingent on the granting of any required waivers under Section III of the agenda) according to the Site Plan Review Regulations and to accept them for consideration.

III. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **Maureen J. Arsenault (Maureen J. O’Leary), Owner**, for property located at **107 McKinley Road**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots as follows:

- (1) Proposed lot #1 having an area of 16, 955 ± s.f. (0.389 acres) and 78.19 feet of continuous street frontage on McKinley Road and 181.81’ of continuous street frontage on Grant Avenue.
- (2) Proposed lot #2 having an area of 15,245 ± s.f. (0.350 acres) and 66.89 feet of continuous street frontage on McKinley Road and 171.17’ of continuous street frontage on Coolidge Drive.

Said property is shown on Assessor Map 251 as Lot 67 and lies within the Single Residence B (SRB) District where the minimum lot area is 15,000 s.f. and the minimum continuous street frontage is 100’.

Description

The applicant proposes to split an existing residential lot into two new lots, each of which will meet the lot area and frontage requirements of the Zoning Ordinance. In addition, the proposed lot line dividing the lot has been designed to provide a conforming side yard for the existing dwelling at 107 McKinley Road.

Note: Although the plan is titled “Minor Subdivision”, Portsmouth’s Subdivision Rules and Regulations do not distinguish between “minor” and “major” subdivisions.

Technical Advisory Committee Recommendation

The Technical Advisory Committee reviewed this application at its meeting on April 4, 2017, and voted to recommend approval as presented.

Planning Department Recommendation

Vote to grant Preliminary and Final Subdivision Approval with the following stipulations:

1. *The proposed lot numbers shall be confirmed by the Assessor or changed as required.*
 2. *Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.*
 3. *GIS data shall be provided to the Department of Public Works in the form as required by the City.*
 4. *The final plat and all easement deeds shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
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B. The application of **Bluestone Properties of Rye, LLC, and Roman and Nelson, LLC, Owners**, for property located at **135 and 147 Congress Street**, requesting Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows:

- (1) Map 126, Lot 5 increasing in area from 6,683 \pm s.f. to 7,548 \pm s.f. with 63.63 feet of frontage on Congress Street.
- (2) Map 126, Lot 4 decreasing in area from 7,110 \pm s.f. to 6,245 \pm s.f. with 112.93 feet of frontage on Maplewood Avenue and 56.38 feet of frontage on Congress Street.

Said lots lie within the Character District 5 (CD5), the Historic District, and the Downtown Overlay District. CD5 has no minimum requirements for lot area or street frontage.

Description

This application for a lot line revision is intended to square off the boundary between two lots, eliminating a "tail" from the parcel at 147 Congress Street and adding it to the parcel at 135 Congress Street. The current lot configuration dates back to a 1970 subdivision plan and 1971 condemnation map for the Vaughan Street Urban Renewal Project. It is unknown why this configuration was created but it serves no purpose for either lot. The proposed lot line revision will accommodate a planned addition to the historic YMCA building, currently being reviewed by the Historic District Commission.

The plan does not show any easements, public or private utilities, or other factors that would require TAC review of the application.

Planning Department Recommendation

Vote to grant Preliminary and Final Subdivision Approval with the following stipulations:

1. *Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.*
2. *GIS data shall be provided to the Department of Public Works in the form as required by the City.*
3. *The final plat and all easement deeds shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*

C. The application of **Craig M. Steigerwalt and Anne C. Shiembob, and Stewgood, LLC, Owners**, for property located at **276 and 268 Dennett Street**, requesting Preliminary and Final Subdivision Approval (Lot Line Revision) between two lots as follows:

- (1) Lot 1 (276 Dennett Street) with no change in lot area of 5,192 \pm s.f. and with street frontage increasing from 50 feet to 57.57 feet.
- (2) Lot 2 (268 Dennett Street) with no change in lot area of 4,821 \pm s.f. and with street frontage decreasing from 50 feet to 42.43 feet.

Said properties are shown on Assessors Map 143 as Lot 13, and were restored to their premerger status as two lots by the City Council on February 16, 2016. Said properties lie within the General Residence A (GRA) district which requires a minimum lot area of 7,500 sq. ft. and minimum continuous street frontage of 100 feet; and on March 21, 2017, the Zoning Board of Adjustment granted variances from the zoning requirements for street frontage, side yard, and building coverage.

Description

This application is to revise a lot line that currently runs through a single-family dwelling. The lot line was created by vote of the City Council on February 16, 2016, and one of the lots was sold in January 2017, reserving an easement for the building's encroachment into the adjoining lot.

The City Council's vote to restore the lots to their premerger status under RSA 674:39-aa created zoning and ownership problems which the owners of the lots can resolve in one of two ways: (1) re-merge the lots into a single lot; or (2) obtain Planning Board approval to revise the lot line between the lots. The owners have chosen to pursue the latter route and have been granted several variances by the Zoning Board of Adjustment to allow this plan to be considered by the Planning Board.

In requesting the City Council to restore the two lots to their premerger status, the owner stated that no owner in the chain of title had ever voluntarily merged the two lots. Under RSA 674:39-aa, "voluntarily merged" means "any overt action or conduct that indicates the owner regarded the lots as merged such as, but not limited to, abandoning a lot line." When the Planning Board reviewed this request at its meeting on January 21, 2016, no evidence was presented about the relationship between the lot line and the building, and therefore the Board reported to the Council that the lots could be restored. With the information provided on the lot line revision plan, it now appears that the Board's recommendation and the subsequent City Council vote were both in error. Construction of a building over a lot line is a clear indication that the property owner does not consider the lot line to exist. Certainly the Planning Department staff would have made a different report to the Planning Board if this information had been made available.

This case highlights the problems inherent in the State statute that assigns a particular type of subdivision to the City Council without any of the standards that would be normal for a land use board review and decision. To avoid this kind of problem in the future, it would be appropriate for the City Council to require that requests for restoration of involuntarily merged lots include a survey showing the lot lines that are proposed to be reinstated, as well as all buildings and structures on the existing lot. This will help to ensure that decisions of the Council are based on complete and accurate information about existing conditions. It is recommended that the Board make such a recommendation to the City Council in addition to acting on the current application.

Planning Department Recommendation

A. Vote to grant Preliminary and Final Subdivision Approval with the following stipulations:

- 1. Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.*
- 2. GIS data shall be provided to the Department of Public Works in the form as required by the City.*
- 3. The final plat and all easement deeds shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*

B. Vote to recommend to the City Council that all requests for restoration of involuntarily merged lots under RSA 674:39-aa include a plan prepared by a registered land surveyor showing existing and proposed lot lines and all existing buildings and structures on the lot.

D. The application of **Portsmouth Submarine Memorial Association, Owner**, for property located at **600 Market Street**, requesting Site Plan Approval to construct a 20' x 40' storage building with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 209 as Lot 87 and lies within the Single Residence B (SRB) District.

TAC Recommendation

The Technical Advisory Committee reviewed this application at its meeting on April 4, 2017 and voted to recommend site plan approval with the following stipulation:

1. An updated sewer easement plan shall be provided.

Planning Department Recommendation

A. Due to the small size of the proposed project, vote to waive the requirement for additional required exhibits and data as outlined in Section 2.5.4 (3) of the Site Plan Review regulations.

B. Vote to grant Site Plan Approval with the following stipulations to be completed prior to the the issuance of a building permit:

1. *The Site Plan shall include the following notes*
 - "1. This Site Plan shall be recorded in the Rockingham County Registry of Deeds.*
 - 2. All improvements shown on this Site Plan shall be constructed and maintained in accordance with the Plan by the property owner and all future property owners. No changes shall be made to this Site Plan without the express approval of the Portsmouth Planning Director."*
2. *An updated sewer easement plan and deed shall be provided.*
3. *The site plan and easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*

E. The application of **Peter Fregeau and Westwind Townhomes of Portsmouth Condominium Association, Owners**, for property located at **1177 and 1179 Sagamore Avenue**, requesting Site Plan Approval for demolition of an existing structure and the construction of three new condominium dwelling units (two separate building, seven total units) with related paving, lighting, utilities, landscaping, drainage, and associated site improvements. Said property is shown on Assessor Map 224 as Lots 12 and 13 and lies within the Mixed Residential Office (MRO) District. (The applicant has filed a notice of voluntary lot merger to combine the two lots into a single lot.)

Technical Advisory Committee Recommendation

The Technical Advisory Committee reviewed this application at its meeting on April 4, 2017, and voted to recommend site plan approval with the following stipulations:

1. As required by the City's Site Plan Review regulations, the applicant shall provide a detailed statement that lists and describes "green" building components and systems, including, but not limited to, whether the project is certifiable as demonstrated by a completed LEED (Leadership in Energy and Environmental Design) checklist.
2. The applicant shall provide a separate landscape plan in compliance with the Site Plan Review Regulations.
3. An easement shall be provided to the City for a future sidewalk along Sagamore Road to north of driveway and the applicant shall secure all necessary easements from the abutting property owner for construction of the sidewalk to the south of the driveway.
4. The drainage leading to Tucker's Cove shall be located under the sidewalk.
5. There shall be a blanket easement provided to the City for water service access.
6. The water service connection shall have two shut offs for domestic and fire.
7. The plans shall be updated with the pipe size for the existing sewer and where it will be tied into.
8. Note #4 on Sheet C3 shall be updated to comply with the requirements of the Fire Department.
9. Building elevations shall be submitted in accordance with the requirements of the Site Plan Review Regulations.

On April 12, 2017, the applicant submitted a revised plan set satisfying items 2 through 9 to the satisfaction of the Planning Department and related stipulations have been included in the recommendation below. The following items were also addressed in the revised submissions:

1. While the applicant provided a document listing sustainable strategies, the list is not very detailed and does not directly address the LEED checklist as referenced in the Site Plan Review requirements Section 2.5.3 (1). In the future, the Planning Department will provide more specific guidance to applicants on how best to satisfy this requirement.

Planning Department Recommendation

Vote to grant Site Plan Approval with the following stipulations:

Conditions Precedent (to be completed prior to the recording of the site plan)

1. *The applicant shall record a notice of voluntary lot merger, executed by the Planning Director, prior to recording of the site plan.*
2. *The final sidewalk and drainage easement plans and deeds shall be reviewed and approved by the Planning and Legal Departments.*
3. *The applicant shall secure all necessary easements from the abutting property owner for construction of the sidewalk to the south of the driveway.*

Conditions Precedent (to be completed prior to the issuance of a building permit)

4. *The site plan, landscape plan, and easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
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F. The application of **Saco Professional Building, Inc., Owner**, for property located at **125 Brewery Lane**, requesting an extension of the Site Plan Approval to construct a 4-story, 64' x 240', 15, 500 ± s.f., 48-unit residential building with related paving, lighting, utilities, landscaping, drainage, and associated site improvement. (Site plan approval was originally granted on November 17, 2005 and extensions were granted to April 30, 2017.)

Description

Saco Avenue Professional Building, Inc., is the owner of the former City DPW Yard at 125 Brewery Lane. The property is adjacent to the Malt House Exchange on the north and Plaza 800 on the south, and contains two commercial buildings along Brewery Lane and a metal industrial building in the rear. In 2005 the Planning Board granted site plan approval for construction of a multifamily building with 48 dwelling units on the southerly portion of the lot. That approval has been extended a number of times over the past 12 years, and the latest approval will expire on April 30, 2017 (three days after the Planning Board meeting). The owner has requested an additional one-year extension, which would require all site work to be completed by April 30, 2018.

History

On November 17, 2005, the Planning Board approved a site plan for the development of the southerly portion of the lot for a 48-unit multifamily residential building. Because the owner agreed to allow the City to use the site as a laydown area for utility construction projects that directly impacted the project, the Planning Board granted four one-year extensions of its site plan approval, with the last extension to November 17, 2009. The owner then entered into a site plan review agreement with the City specifying that all site plan work would be complete by January 17, 2013.

On January 17, 2013, the Planning Director notified Saco Avenue Professional Building, Inc., that the site plan approval had expired. The owner disputed the Planning Director's determination, and attempts were made to resolve the dispute through various meetings and correspondence. However, the parties were not able to come to an agreement, and on November 3, 2014, the City Attorney sent a letter to the owner's attorney reaffirming that the site plan approval was no longer valid.

In an effort to avoid potential litigation over the matter, the parties agreed to participate in non-binding mediation, which took place on March 26, 2015. As a result of this mediation, both parties agreed to request the Planning Board to grant another extension of the 2005 site plan approval. Under the agreement, if the Planning Board granted this extension, the Planning Director would execute a new site plan review agreement stipulating that all site work be completed within two years of the Board's action, i.e., by April 30, 2017.

At its meeting on April 30, 2015, the Planning Board voted to grant the two-year extension as requested, with the stipulation that "all site work shown on the Site Plan shall be completed by April 30, 2017."

In his March 31, 2015, letter requesting the extension, the applicant's attorney stated, "my client is prepared to apply for a building permit ASAP and to complete the project within 24 months of signing a Site Review Agreement with the City." However, the project did not move forward expeditiously following Planning Board approval. A Construction Management and Mitigation Plan (CMMP) was not executed by the applicant until October 31, 2016, one and

one-half years into the two-year timetable. The CMMP included a construction schedule showing all site work being completed by April 30, 2017 (i.e., within six months), but a disagreement arose between the City's Legal Department and the applicant over the terms of the Site Plan Review Agreement, and as a result no building permit has ever been applied for.

Potential Transfer of Ownership After Approval

The letter from the applicant's attorney dated March 17, 2017, states that Mr. Weinstein "has been marketing the rights to build the 48 unit apartment building for a little over a year." That means that the applicant was hoping to transfer ownership of the property at the same time that the CMMP was being developed and signed. The letter represents that Mr. Weinstein is currently negotiating with Eric Chinburg, who has participated in TAC meetings and who is currently developing the former Frank Jones Brewery buildings on the opposite side of Brewery Lane. However, Mr. Chinburg is not a signatory to the application, and thus any extension of the prior approvals would apply only to Mr. Weinstein's company, Saco Avenue Professional Building, Inc. until such time as the property is actually conveyed.

In this regard, it should be noted that a building permit may not be issued until the owner provides a site plan review security (i.e., bond, letter of credit, or other surety acceptable to the Legal Department) and executes a site plan review agreement with the City. This may add some complication to the sale of the property which could further delay the issuance of the building permit and eventual project completion.

Plan Revisions

The numerous extensions of site plan approval over the past 12 years have had the effect of continuing the proposed project's vesting to the Zoning Ordinance that was in effect in 2005. In 2016 the project site was rezoned from the Business (B) district to Character District 4-W (CD4-W). In recognition of this, the Technical Advisory Committee suggested that the applicant consider site plan changes to reflect the intent of the new zoning, particularly the provision of "community space" (as defined in the Ordinance) when a building exceeds the maximum height or footprint for the district.

As a result, in addition to requesting an extension of site plan approval, the applicant is also proposing to amend the site and landscaping plans by including three pieces of community space. Two of these are within the development site: a public park in the interior of the site, adjacent to the Malthouse Exchange building, and a public pedestrian easement to the park from the perimeter sidewalk. The third community space would be created by designating the existing private conservation easement on the opposite site of Chevrolet Avenue as a community space allowing public access and enjoyment.

There are two aspects of the proposed public park and easement that need to be addressed further. First, because the park might look like a private area for residents of the apartment building, appropriate signage needs to be provided identifying the park as public and guiding visitors along the easement path. Second, an easement needs to be provided to the City to allow access for maintenance of the park.

Length of Requested Extension

The request is for a one-year extension of the prior approval, which means that all site work would need to be completed by April 30, 2018. However, a number of issues will need to be

addressed before the issuance of a building permit including the site plan review security (bond or letter of credit) and agreement, final design of the community spaces, review and recording of deeds and easements for the community space, and development and execution of a new Construction Management and Mitigation Plan. In addition, if in fact the property is transferred to a new owner (whether Mr. Chinburg or someone else), it is likely that some changes to the construction drawings may be made which could further delay issuance of a building permit.

Taking these considerations into account, the Planning Department is skeptical that the project will meet the proposed timeline. Given the history of this proposal, and the owner's representation that he intends to sell the project after receiving Planning Board approval, it would be appropriate to explore the proposed timeline further and possibly to revise it to avoid the need for yet another extension of approval.

Private Streets

Currently, the portion of Chevrolet Avenue abutting the property and the portion of Brewery Lane between Jewell Court and the Plaza 800 lot are not officially public streets, but instead are easements on the 125 Brewery Lane lot. However, they are plowed and otherwise maintained by the City, and generally function as if they were public streets. The City is currently working with another property owner on Chevrolet Avenue to more clearly define the limits of the public way as part of a proposed townhouse project. It is recommended that the Board request the current applicant to agree to work with the Department of Public Works on a layout of these two private street segments as public streets.

Waiver

If the Planning Board does not act at the April 27 meeting, the applicant will need a waiver of the Planning Board's Site Plan Review Regulations, Section 2.13.2, which requires that an extension be "requested and acted upon prior to the expiration date."

Technical Advisory Committee Review and Recommendations

The Technical Advisory Committee reviewed this request at its meeting on April 4, 2017, and voted to recommend granting the extension for this approval with the revisions proposed by the applicant and including the following modifications to the original approval:

1. The applicant shall add LED (dark sky compliant) lighting to the plan.
2. The doghouse catch basin will be removed and a regular catch basin will be included.
3. The applicant shall update the raised crosswalk detail to be compliant to accepted industry standards.

In addition, the Committee recommended the following design modifications for the Planning Board's consideration:

1. The applicant should consider landscaping for storm water treatment, active uses for the community space, easements for those, sidewalk adjustments from 5' to 10', vertical granite curbing along the backs of the buildings, and ensuring that the raised crosswalks can be incorporated into the existing design.
2. The applicant should consider Low Impact Development (LID) systems for stormwater management in some of the landscape areas.

3. The applicant should propose a location for a future bike share station location on Brewery Lane as discussed.
4. The applicant should relocate the dumpster away from the terminus of the proposed pedestrian path if feasible.
5. The applicant is encouraged to coordinate with the abutter, Malthouse Exchange, to improve the area around the proposed park.

On April 13, 2017, the applicant submitted a revised plan set addressing the TAC stipulations and other recommendations, as itemized in the letter requesting that the site plan approval be further extended.

Planning Department Recommendations

Vote to grant an extension of Site Plan Approval with all stipulations of prior approvals and with following additional stipulations:

Conditions Precedent (to be completed prior to the issuance of a building permit):

1. *The Existing Conditions plan shall be updated to show current existing conditions.*
2. *Final design of the community space components shall be subject to approval by the Planning Department.*
3. *Signs identifying the community spaces and directing public access to the interior public park shall be added as approved by the Planning Department.*
4. *The deeds to the City for the community space and access easement shall be subject to review and approval by the Planning and Legal Departments and shall be accepted by the City Council.*
5. *The applicant shall agree to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of improvements within the public rights-of-way and on site.*
6. *The Layout and Landscaping Plan and all deeds and easements shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
7. *The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) for review and approval by the City's Legal and Planning Departments.*

Conditions Subsequent (to be completed prior to the issuance of a Certificate of Occupancy):

1. *The owner shall work with the Department of Public Works on a layout of the private portions of Brewery Lane and Chevrolet Avenue as public streets, subject to City Council approval.*
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G. The application of **215 Commerce Way, LLC and Moray, LLC, Owners**, for property located at **215 and 235 Commerce Way**, requesting amended Site Plan Approval to construct a 66,000 s.f., 3-story office building, with a footprint of 22,000 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 213 as Lot 11 and Assessor Map 216 as Lot 1-8A and 1-8B and lies within the Office Research District.

Description

On April 18, 2017, the applicant submitted a request that consideration of this application be postponed to the May Planning Board meeting.

Planning Department Recommendation

Vote to postpone consideration of this application to the Planning Board meeting on May 18, 2017.

IV. PRELIMINARY CONCEPTUAL CONSULTATION

A. The request of Islington Commons, LLC, Owner, for property located at 410, 420 and 430 Islington Street for Preliminary Conceptual Consultation, to merge three lots, construct additions on two of the existing dwellings, convert a two-unit dwelling to a single-family dwelling, convert a four-unit dwelling to a three-unit dwelling, and construct 8 townhouses, resulting in a total of 13 dwelling units. Said property is shown on Assessor Map 145 as Lots 34, 35 and 36, and lies within Character District 4-Limited (CD4-L2) and the Historic District.

Description

The Site Plan Review Regulations provide two options for “preapplication review” as authorized by RSA 676:4,II: “preliminary conceptual consultation” and “design review”. For many projects, preliminary conceptual consultation is at the option of the applicant. However, in September 2016 the Regulations were amended to *require* preliminary conceptual consultation for certain proposals, including (1) the construction of 30,000 sq. ft. or more gross floor area, (2) the creation of 20 or more dwelling units, or (3) the construction of more than one principal structure on a lot. The current proposal shows the construction of two 4-unit rowhouse structures in addition to the three existing residential buildings, and thus meets the third threshold.

Preliminary conceptual consultation is described in the statute as follows:

[P]reliminary conceptual consultation ... shall be directed at review of the basic concept of the proposal and suggestions which might be of assistance in resolving problems with meeting requirements during final consideration. Such consultation shall not bind either the applicant or the board and statements made by planning board members shall not be the basis for disqualifying said members or invalidating any action taken. The board and the applicant may discuss proposals in conceptual form only and in general terms such as desirability of types of development and proposals under the master plan.

The preliminary conceptual consultation phase provides the Planning Board with an opportunity to review the outlines of a proposed project before it gets to detailed design (and before the applicant refines the plan as a result of review by the Technical Advisory Committee and public comment at TAC hearings). In order to maximize the value of this phase, Board members are encouraged to engage in dialogue with the proponent to offer suggestions and to raise any concerns so that they may be addressed in a formal application.

In *The Planning Board in New Hampshire: A Handbook for Local Officials*, the NH Office of Energy and Planning stresses the importance of limiting the discussion to concepts:

New Hampshire statutes place great emphasis on the obligation of the planning board to provide notice to the abutters and the public of any substantive discussions on specific development proposals. Neither the applicant nor the planning board may go beyond the general and conceptual limits and begin discussing the design or engineering details of a proposal until the abutters and general public have been notified. This must occur either prior to the design review phase of the pre-application review or when a completed application has been filed.

Preliminary conceptual consultation does not involve a public hearing, and no vote is taken by the Board on the proposal at this stage.

Planning Department Recommendation

No action is required.