

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

7:15 P.M.

CITY COUNCIL CHAMBERS

DECEMBER 18, 2003

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

MEMBERS PRESENT: Kenneth Smith, Chairman; John Sullivan; Brad Lown, City Council Representative; Paige Roberts, Vice Chairman; Richard A. Hopley, Building Inspector; Thaddeus J. "Ted" Jankowski, Deputy City Manager; George Savramis, Raymond Will, Donald Coker; Alternate John Ricci and Alternate, Jerry Hejtmanek,

MEMBERS EXCUSED: n/a

ALSO PRESENT: David M. Holden, Planning Director

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6:30 –7:15 P.M. WORK SESSION TO CONSIDER MIXED USES IN THE CENTRAL BUSINESS A AND CENTRAL BUSINESS B DISTRICTS
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I. SITE PLAN REVIEW EXTENSION OF APPROVAL

A. The application of the **City of Portsmouth** for property located at **175 Parrott Avenue** wherein a one-year extension of a site plan approval is requested for the construction of a new public library.

Granted. Site plan approval will now expire on **February 6, 2005**. The stipulations associated with the original approval remain in effect.
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II. PUBLIC HEARINGS

A. The application of **Aranosian Oil Company, Inc.** for property located at **1166 Greenland Road** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for the demolition of an existing building and canopy and the construction of a 3,900 s.f. single-story building for use as a store, a 24' x 36' building for use as a car wash, refueling islands with canopies and new pavement within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 279 as Lots 1 and 2 and lies within an Industrial district. **(This application was tabled to this meeting from the Board's November 20, 2003, meeting.)**

As a result of such consideration, a **Motion to Deny** was made and seconded and the motion **passed** with a 5-4 vote.

This vote to deny was based on the Wetland Ordinance, Section 10-608(B)(4). Specifically, the applicant failed to demonstrate that the proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of the ordinance.

The Board did not find that this proposal presents the least adverse impact. Other proposals with less impact are possible without such encroachments. This is a sensitive area and improvements can be made to the site. It was believed that the applicant could design a better proposal with less adverse impact.

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B. The application of **David W. and Anne L. Perkins and the Roman Catholic Bishop** for properties located at **827 and 759 Woodbury Avenue** wherein a Lot Line Change is requested between two lots having the following: Lot 15 as shown on Assessor Plan 220 increasing in area from 0.22 acres to 0.35 acres and with continuous street frontage off Woodbury Avenue Lot; Lot 39 as shown on Assessor Plan 219 decreasing in area from 10.33 acres to 10.20 acres and with continuous street frontage off Woodbury Avenue; and, lying in a zone where a minimum lot area of 15,000 s.f. and 100' of continuous street frontage is required. Said properties are located in a Single Residence B district and are shown on Assessor Plan 219 , Lot 39 and Plan 220, Lot 15. (Plat plans are on file in the Planning Department Office and are identified as 17-01-03.)

As a result of such consideration, the Board voted to **grant** Preliminary and Final Subdivision Approval subject to the following **stipulations**:

- 1) Installation of permanent boundary monuments per the requirements of the Public Works Department; and
- 2) Land Surveyors certify to the City that there are no easements or restrictions on the property.

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C. The application of **Four Seas Partners and Frank J. A. and Irja Cilluffo** for properties located at **179 and 181 Pleasant Street** wherein a Lot Line Change is requested between two lots having the following: Lot 15 increasing in area from 0.743 acres to 0.930 acres and with continuous street frontage off Pleasant Street; Lot 16-1 decreasing in area from 0.362 acres to 0.175 acres and with continuous street frontage off Pleasant Street; and, lying in a zone where a minimum lot area of 7,500 s.f. and 100' of continuous street frontage is required. Said properties are located in a Mixed Residential Office district and are shown on Assessor Plan 108 as Lots 15 and 16-1. (Plat plan is on file in the Planning Department Office and is identified as 18-01-03.)

As a result of such consideration, the Board voted to **grant** Preliminary and Final Subdivision Approval subject to the following **stipulations**:

- 1) Installation of permanent boundary monuments per the requirements of the Public Works Department; and
- 2) Elimination of one curb cut from Lot 16-1, off Richmond Street.

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D. The application of **Karl and Gale Belilah** for properties located at **244 and 254 New Castle Avenue** wherein a Preliminary Lot Line Change is requested between two lots having the following: Lot 38 increasing in area from 5,291 s.f. +/- to 6,197 s.f. +/- and with continuous street frontage off New Castle Avenue and Driftwood Lane; Lot 39 decreasing in area from 4,581 s.f. +/- to 3,674 s.f. +/- and with continuous street frontage off New Castle Avenue; and, lying in a zone where a minimum lot area of 15,000 s.f. and 100' of continuous street frontage is required. Said properties are located in a Single Residence B district and are shown on Assessor Plan 207 as Lots 38 and 39. (Plat plan is on file in the Planning Department Office and is identified as 19-01-03.)

As a result of such consideration, the Board voted to **grant** Preliminary Subdivision Approval subject to the following **stipulations**:

- 1) That if an encroachment exists, that some mechanism (easement) be proposed that recognizes it without altering the side yard;
- 2) Installation of permanent boundary monuments per the requirements of the Public Works Department.

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E. The application of **Bicoast Associates, Inc.** for property located at **579 Sagamore Avenue** [Tidewatch Condominiums – A Planned Unit Development] wherein site plan approval is requested to amend a previously approved site plan for a planned unit development located at this location. Amendments requested include: a reduction in the remaining density of the project [from 41 units to 36 units]; the relocation of proposed units from previously approved locations; changes in unit types; a new emergency access/egress to Jones Avenue; new maintenance garage; along with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 223 as Lot 30 and lies within a Single Residence A district.

As a result of such consideration, the Board voted to **approve** the amended site plan with the following **stipulations**:

- 1) That there be no access or egress to Jones Avenue from this site, including during construction;
- 2) That stormwater cleansing, drainage and grading and stormwater treatment swales need to be shown in detail on the plan;
- 3) That water shut offs for units 104, 105, 106, 109 and 110 should be pulled back to the paved areas;
- 4) That there should be one water meter per building;
- 5) That a plan of as-built water mains should be provided to David Allen of the PWD;
- 6) That the existing fire hydrant be relocated to the traffic island next to units 84 & 95 and should have a blow-off;

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F. The application of **Christiana D’Adamo**, for property located at **44 & 54 Bridge Street** wherein site plan approval is requested for the following: a) a 273 sf connector addition for handicap ingress/egress between buildings located at 44 Bridge Street and 54 Bridge Street, and b) a 273 sf two story addition to the rear of 54 Bridge Street with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 126 as Lots 53 & 54 (to be combined) and lies within a Central Business B district.

As a result of such consideration, the Board voted to **approve** the site plan.

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G. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 500 of the Pease Development Authority Subdivision Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **Pioneer New Hampshire, LLC (The Kane Company) and Pease Development Authority** for property located at **207 International Drive** wherein a Lot Line Change is requested between two lots having the following: Lot 1 increasing in area by 1.29 acres from 12.51 acres for a total of 13.8 acres

and with continuous street frontage off International Drive; and the remaining land area being decreased by 1.29 acres and constituting a portion of the Tradeport; and, lying in a zone where a minimum lot area of 5.0 acres and 200' of continuous street frontage is required. Said properties are located in an Airport Business Commercial district and are shown on Assessor Plan 315 as Lot 0004. (Plat plans are on file in the Planning Department Office and are identified as 16-01-03.)

As a result of such consideration, the Board voted to **recommend approval**¹ of the Preliminary and Final Subdivision Approval subject to the following **stipulation**:

- 1) That the applicant provide a metes and bounds description to the Planning Department, for clarification of this conveyance;

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H. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 400 of the Pease Development Authority Site Review Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **The Kane Company** for property located at **207 International Drive** wherein site plan approval is requested [subject to Subdivision Approval] for the construction of 116 additional vehicular parking spaces [total of 469 spaces] for use by the tenants of the existing structure (Liberty Mutual) along with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 315 as Lot 4 and lies within an Airport Business Commercial district.

As a result of such consideration, the Board voted to **recommend approval** of the site plan subject to the following **stipulations**:

- 1) That a note be made assuring that the applicant, upon completion of the project, clean and televise the drainage system in the area to assure that it is not adversely effected by the construction project;
- 2) That IT trip generation rates be provided to John Burke, Parking & Transportation Director, prior to the Planning Board meeting or the application will be tabled;
- 3) That, based on the traffic impact report, if there is an adjustment required on the formula, the applicant work with the City of Portsmouth and the PDA to determine the traffic impact;
- 4) That the applicant work with the City of Portsmouth and the PDA to determine whether a formula towards a contribution will be necessary for the sewer impact;
- 5) That the main snow storage area, in the middle, be eliminated as it is in the 25' buffer zone, however, calculations must be provided to the Planning Department to reflect adequate snow storage on the plans;

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I. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 500 of the Pease Development Authority Subdivision Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **The Kane Company and Pease Development Authority** for property located at **231 Corporate Drive** wherein Preliminary/Final Subdivision Approval is requested with the following: Lot 0000 having an area of 7.7 acres and with continuous street frontage off Corporate Drive; and the remaining land area being decreased by 7.7 acres and constituting a portion of the Tradeport; and, lying in a zone where a minimum lot area of 5.0 acres and 200' of continuous street frontage is required. Said

¹ See RSA 12-G:10 (c) "In all instances the authority (Pease Development Authority) shall retain the power to make the final decision regarding applicability, interpretation, and enforcement of its land use controls, which shall require 5 affirmative votes."

properties are located in an Airport Business Commercial district and are shown on Assessor Plan 314 as Lot 0001. (Plat plans are on file in the Planning Department Office and are identified as 15-01-03.)

As a result of such consideration, the Board voted to **recommend approval** of the Preliminary and Final Subdivision Approval.

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J. The Portsmouth Planning Board, acting pursuant to NH RSA 12-G:13 and Chapter 400 of the Pease Development Authority Site Review Regulations, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following: The application of **The Kane Company** for property located at **231 Corporate Drive** wherein site plan approval is requested [subject to Subdivision Approval] for the construction of a 24,000 s.f. two story building, along with vehicular parking for the proposed building with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 314 as Lot 1 and lies within an Airport Business Commercial district.

As a result of such consideration, the Board voted to **recommend approval** of the site plan subject to the following **stipulations**:

- 1) That the curb detail be shown on the plan;
- 2) That the application review erosion control for Best Management Practices and add details to Erosion Control Plan;
- 3) That concrete pads be added for motorcycles;
- 4) That the dumpster area be enlarged to include recycling bins and coordinate with Silke Psula, Solid Waste Foreman;
- 5) That photometrics to be approved by David Desfosses, Engineering Technician;
- 6) That the Master Fire Box location to be verified by the Fire Department;
- 7) That handicapped parking signs be added to the plan;
- 8) That the light poles be moved off of the utility lines.

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K. The application of **Millenium Borthwick, LLC** for property located off **Borthwick Avenue** wherein an amendment to a previously approved site plan is requested to allow interior vehicular parking in one of the two (2) three story buildings that are to be built, each having a footprint of 50,400 s.f. for a total of 100,800 s.f. along with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 259 as Lot 14A and lies within an Industrial district.

As a result of such consideration, the Board voted to **approve** the amended site plan with the following **stipulations**:

- 1) That an agreement be worked out between the Applicant and Highliner Foods regarding a construction/work schedule to that access to their facility will not be blocked during normal business hours and that there will be no interruption in their general business (this agreement to be provided to the Planning Department);
- 2) That the parking spaces on Highliner Avenue be eliminated;
- 3) That the ramp be redesigned and a canopy be added to the plan to address drainage issues, with said plan being reviewed by the Public Works Department prior to the Planning Board meeting;
- 4) That the applicant is required to use Highliner Street as a construction entrance/exit;

- 5) That at the conclusion of the project, the applicant agrees to bring Highliner Street back to City standards, subject to the review of the Public Works Department;
- 6) That all other requirements from the previous Site Review Approval of July 18, 2002 shall continue to apply.

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III. CITY COUNCIL REFERRALS/REQUESTS

A. Request from Steven McHenry, Architect to use a portion of the Ceres Street Right-of-Way for property located at 51 Ceres Street.

The Board voted to recommend approval to the City Council.

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B. Request from Lawrence and Elizabeth Marcotte for permission to cross property, located at 234 Littleworth Road, Madbury.

The Board voted to recommend approval to the City Council with the stipulation that the crossing of city property be protected via a license to the City.

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C. Request from Paul R. Bacon to purchase city owned property located on Edmund Avenue.

The Board tabled this matter until the next regularly scheduled meeting.

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IV. NEW BUSINESS

A. Zoning Ordinance Amendment regarding the sign ordinance. The Board made a motion to refer this matter to the City Council for a favorable recommendation. The motion passed.

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B. The Planning Department staff recommended that the Board declare a Regional Impact on the proposal of PSNH to convert a generator to a wood fired burner. The Board accepted the Planning Department's recommendation and declared this project to be of regional interest.

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V. ADJOURNMENT was had at approximately 12:00 midnight.

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This Action Sheet was prepared by Jane M. Shouse, Administrative Assistant in the Planning Department.