

ACTION SHEET
REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE

7:00 P.M.

CITY COUNCIL CHAMBERS

AUGUST 19, 2004

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

MEMBERS PRESENT: Kenneth Smith, Chairman; John Sullivan, Thomas Ferrini, City Council Representative; Richard A. Hopley, Building Inspector; George Savramis, Raymond Will; Donald Coker, John Ricci, and Alternate, Jerry Hejtmanek;

MEMBERS EXCUSED: Deputy City Manager Cindy Hayden, John Ricci

ALSO PRESENT: David M. Holden, Planning Director
Lucy Tillman, Planner I

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I. APPROVAL OF MINUTES

Meeting of October 16, 2003
Meeting of October 23, 2003
Meeting of November 20, 2003
Meeting of May 27, 2004
Meeting of July 15, 2004
Meeting of August 5, 2004

Mr. Sullivan made a motion to approve the minutes and Mr. Will seconded and all were unanimously approved.

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II. CITY COUNCIL REFERRALS/REQUESTS

A. A public meeting is scheduled in order to solicit public comment on a proposal to construct an addition to an existing pier on property located at **67 Ridges Court**. The purpose of this meeting is to assist the Planning Board in preparing a recommendation to the City Council pursuant to RSA 482-A:3 (XIII). **(This matter was tabled at the July 15, 2004 Planning Board Meeting)**

Voted to favorably recommend your request to the City Council as written with the following stipulations:

1. That no boats be tied up on the City right-of-way side on the dock.
2. That the right-of-way as it extends into the water shall be maintained free and open so that the use of the dock does not obstruct this area;
3. That the applicant convey to the City any fee simple ownership rights under the City's right-of-way;
4. That the applicant agrees to allow the City to construct a dock within the right-of-way; and,

5. That the City Attorney approve any necessary agreements for the content and form.

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III. OLD BUSINESS

A. The application of **Joli Ann Foucher, Owner**, for property located at **566 Greenland Road** where Final Subdivision approval is requested to subdivide one lot into two lots with the following: Lot 1 having a lot area of 1.8 ± acres and 100 feet of continuous street frontage off Greenland Road and Lot 2 having a lot area of 1.4 ± acres and 80' of continuous street frontage off Greenland Road, and lying in a zone where a minimum lot area of 15,000 s.f. and 100' of continuous street frontage is required. Said property is shown on Assessor Plan 258 as Lot 1 and lies within a Single Residence B district. **(This matter was tabled at the July 15, 2004 Planning Board Meeting)**

Voted to re-table the application to the September 23, 2004 meeting.
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B) The application of **MacLeod Enterprises, Inc., Owner**, for property located at **1390 Lafayette Road** where Final Subdivision Approval is requested to subdivide one lot into two lots with the following: Lot A having a lot area of 108,256 ± s.f. and continuous street frontage off Lafayette Road and Lot B having a lot area of 221,743 ± s.f. and continuous street frontage off Lafayette Road and Peverly Hill Road, and lying in a zone where a minimum lot area of 43,560 s.f. and 200' of continuous street frontage is required. Said property is shown on Assessor Plan 252 as Lot 8 and lies within a General Business district. **(This matter was tabled at the July 15, 2004 Planning Board Meeting)**

Voted to **grant** Final Subdivision Approval subject to the following stipulations:

1. That a mechanism be presented to the Planning Department that ensures the timely demolition of a portion of the conference center [Lot B] and a non-conforming free standing structure [Lot A];
2. That all easements be approved as to content and form by the Legal and Planning Departments and their recording shall be coordinated with the recording of the final plat;
3. That efforts to preserve/relocate the free-standing neon sign continue with the Planning Department as offered by the applicant [not a condition of approval as this effort has been voluntary on the part of the applicant];
4. That the applicant or the owner of the property [Lot A] agrees that with the development of Lot B, the issue of the existing curb cuts for Lots A & B out onto US Route 1 shall be re-evaluated and re-configured as appropriate.

That the Board should encourage the parties to work cooperatively and incorporate the Yoken's logo into development plans and thereby affirm the heritage of this piece of Portsmouth;
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H. The application of **MacLeod Enterprises, Inc., Owner**, for property located at **1390 Lafayette Road**, wherein site plan approval is requested to demolish and remove 48,500 ± s.f. of existing buildings and 12,700 ± s.f. of existing pavement, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 252 as Lot 8 and lies within a General Business district

voted to **grant** Site Review Approval subject to the following stipulations:

Stipulations from the August 3, 2004 Technical Advisory Committee Meeting:

- 1) That as a condition of the Final Subdivision approval, the applicant or the owner of the property agrees that with the development of Lot B, the issue of the existing curbcuts for Lots A & B out onto Route 1 will be re-evaluated and re-configured as appropriate;
- 2) That the Applicant will work with the evaluation of the 40' wide grass easement to the effect of determining whether it is a zoning issue or a potential modification to the Site Plan;
- 3) That mulch will be placed to stabilize the ground over the winter and shall be so noted on the Site Plan and that a suitable vegetative material (grass) will be planted in the spring;
- 4) That semi-permanent barriers shall be installed at the beginning of demolition at the two most southerly accessways closest to the intersection (one on Peverly Hill Road and one on Lafayette Road/Route 1) and that they will remain in place as traffic control devices;
- 5) That the water service coming up Peverly Hill shall be terminated at the main and the one coming off of the feed into the Comfort Inn would be terminated at the Comfort Inn feed and be so shown on the Site Plans;
- 6) That at the time of demolition, all utilities will be pulled out of the ground and the cutting and capping of the sewer line shall be witnessed by Public Works;

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IV. PUBLIC HEARINGS

A. The application of **Debora Panebianco, Applicant, William Ashley, Owner**, for property located at **308 Oriental Gardens** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for the placement of a 13'4" by 56' mobile home within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 215 as Lot 907 and lies within an Office Research district.

Voted to **grant** Conditional Use Permit Approval with no stipulations.

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B. The application of **April Weeks, Owner**, for property located at **115 Pinehurst Road** where Preliminary and Final Subdivision approval is requested to subdivide one lot into two lots with the following: Lot 1 having 71,035 ± s.f. and 130.98 feet of continuous street frontage off Pinehurst Road and Lot 2 having 13,049 ± s.f. and 100 feet of continuous street frontage off Pinehurst Road, and lying in a zone where a minimum lot area of 7,500 s.f. and 100' of continuous street frontage is required. Said property is shown on Assessor Plan 221 as Lot 75 and lies within a General Residence A district.

Voted to **grant** Preliminary and Final Subdivision Approval subject to the following stipulations:

1. The placement of required monuments as per the requirements of the department of Public Works; and,
2. The submission, to this department of electronic data, suitable for updating the City Assessing Records.

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C. The application of **Michael R. Clark, Owner**, for property located at **325 Little Harbor Road** where Preliminary and Final Subdivision approval is requested to subdivide one lot into two lots with the following: Lot 1 having 175,550 ± s.f. and 154.43 feet of continuous street frontage on Little Harbor Road and Lot 2 having 287,292 ± s.f. and 151.38 feet of continuous street frontage on Little

Harbor Road, and lying in a zone where a minimum lot area of 1 acre and 150' of continuous street frontage is required. Said property is shown on Assessor Plan 204 as Lot 5 and lies within a Single Residence A district.

Acted on the request of Attorney Bernard W. Pelech and **tabled** this matter to the next regularly scheduled Planning Board Meeting on September 23, 2004.

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D. The application of **Eric & Martha Stone, Owners, and Sierra Construction, Applicant**, for property located at **1039 Islington Street**, wherein site plan approval is requested to construct two 3-story buildings as follows: 1) a commercial building totaling 11,520 ± s.f. and 2) a 10-unit residential building totaling 13,320 ± s.f., with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 171 as Lot 14, and lies within a Business district.

Voted to **grant** Site Review Approval subject to the following stipulations:

- 1) If the Applicant does not meet the sight distance standard, then the application will have to be amended to reflect less of a use so as to bring the intensity of use in conformance with existing conditions (the existing conditions must be verified);
- 2) That the profile showing the sight distance should be revised to show the measurement from 6' behind the stop bar so that conditions can be verified, and made available for the Traffic & Safety Committee on August 19th (On Site review on August 17th);
- 3) That approvals of the Public Works Department and NHDOT for the change in the guardrail be obtained;
- 4) That a landscaping plan be submitted and approved by Lucy Tillman of the Planning Department;
- 5) That any damage caused by the slope by-pass is the responsibility of the applicant to repair and if erosion does occur, NHDOT compliance will be required to determine how to address the situation;
- 6) That subject to the release of Bond, slope stability shall be inspected by David Desfosses, (a copy of this letter will be forwarded to NHDOT to put them on notice);
- 7) That the existing sidewalk should be shown on the Site Plan;
- 8) That the Site Plan should include notes for the appropriate termination of utilities;
- 9) That the sidewalk in front of the residential units will be concrete with monolithic curbing, and with a detail provided on the Site Plans;
- 10) That a Lighting Plan be submitted and approved by David Desfosses and David Holden;
- 11) That a street light detail be shown on the Site Plans;
- 12) That the letter from Maguire Group to the City of Portsmouth, dated July 30, 2004, which includes very specific instructions for the guardrail section, shall be referred/addressed at Traffic & Safety Committee meeting;
- 13) That recycle bins be located near the dumpster;

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E. The application of **SGB & RGB Ventures, LLC, Owners**, for property located at **1800 Woodbury Avenue**, wherein site plan approval is requested to construct a 1-story 2,292 ± s.f. brick

building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 239 as Lot 7-3 and lies within a General Business district.

Voted unanimously to **grant** Site Review Approval subject to the following stipulations:

- 1) That the Site Plan be revised to reflect the water service for the new building going through the meter for the existing building and then being tapped off;
- 2) That the 6" water main be shown on the Site Plan;
- 3) That all access, drainage, water and "Welcome to Portsmouth" sign easements be shown on the Site Plan;
- 4) That the guardrail be removed behind the building and so reflected on the Site Plan;
- 5) That the island located in front of the existing building be modified so that handicapped people do not have to go into the travel aisle and that this condition shall be shown on the Site Plan;
- 6) That a snow storage area be shown on the Site Plan;
- 7) That the walkway for the proposed second door be shown on the Site Plan;
- 8) That a dumpster pad with screening be shown on the Site Plan (not to be placed within the 70' front setback; if placed between trees, wire height must be checked and utilities may have to go underground);
- 9) That the guardrail be relocated so that the chain link fence can be replaced with it and shown on the plan;
- 10) That a landscaping plan to be submitted and reviewed by Lucy Tillman of the Planning Department;
- 11) That this application be reviewed by the Traffic & Safety Committee relative to concerns about the turning radius;
- 12) That vertical granite curbing should be replaced with sloped granite curbing.

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F. The application of **Parrott Avenue Place, Inc., Owner**, for property located at **127 Parrott Avenue**, wherein. Said property is shown on Assessor Plan 115 as Lot 3 and lies within a Mixed Residential district and Historic District A district.

Voted to **grant** Site Review Approval subject to the following recommendation:

- 1) That the gate shall be used solely for emergency ingress and egress for the Fire Department and for snow removal.

V. AMENDED SITE PLAN REVIEW

A. 225 Borthwick Avenue, Liberty Mutual.

Voted to grant minor site plan revisions.

VI. ELECTION OF OFFICERS

John Sullivan was voted as Vice-Chairman to serve for remainder of year.

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V. **ADJOURNMENT** was made at approximately 9:30 p.m.

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