

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

**7:00 P.M.**

**CITY COUNCIL CHAMBERS**

**AUGUST 18, 2005**

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

**MEMBERS PRESENT:** Kenneth Smith, Chairman; John Ricci, Vice-Chairman; John Sullivan; Richard A. Hopley, Building Inspector; Raymond Will; George Savramis; and Alternate Jerry Hejtmanek;

**MEMBERS EXCUSED:** Cindy Hayden, Deputy City Manager; Thomas Ferrini, City Council Representative; and Donald Coker;

**ALSO PRESENT:** David M. Holden, Planning Director; and, Lucy E. Tillman, Planner I  
Peter Britz, Environmental Planner

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**I. APPROVAL OF MINUTES**

1. Minutes from the July 21, 2005 Planning Board Meeting – unanimously approved.
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**II. PUBLIC HEARINGS**

A. The application of **360 Constitution Avenue, LLC, Owner**, for property located at **360 Constitution Avenue**, wherein approval is requested to excavate 28,000 ± cubic yards of material from the site. Said property is shown on Assessor Plan 274 as Lot 1-C and lies within an Office Research district.

Voted to **grant** approval, with the following **stipulations**:

**Conditions of Deputy Public Works Director (City Engineer):**

- 1) That a SWPPP (Stormwater Pollution Prevention Plan) shall be prepared. They will not need a site specific permit but would need NOI (Notice of Intent for NPDES) as they are over an acre;
- 2) That per Article VIII, Section 10-801 (A)(2), the applicant is to provide volume calculations of both Pre and Post cutting of earth;
- 3) That site distance figures shall be provided from the stop bar at the driveway to prove that the driveway meets site visibility standards;
- 4) That the water lines be shown on the plans;
- 5) That a blasting permit be obtained from DPW;
- 6) That the hydrant symbol be corrected on the plans;
- 7) That a drainage analysis study to be performed to insure that no additional flows will be generated; and,
- 8) That a culvert be added at the bottom of the road.

**Conditions of the Conservation Commission:**

- 9) That silt fences be installed during construction;
- 10) That the silt fences be removed after the vegetation has stabilized;

**Conditions of the Planning Board from the August 18, 2005 meeting:**

- 11) That the applicant shall work with the Department of Public Works at the completion of all work to determine what is required to clean up Constitution Avenue;
- 12) That the applicant shall obtain the necessary approvals and permits for any future driveways and curbcuts from the City;

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B. The application of **Smith, Minch and Frost Properties, Owner**, for property located at **159 State Street** and **Rand K. and Samantha R. Peck, James and Katherine Quick, Christopher Cloitre, Aaron J. and Jill A. Gructer, Jonathan A. and Lisa Daniels and Robert Kosciusko and Carrie Benn, Owners**, for property located at **147 State Street** where Preliminary and Final Subdivision approval (Lot Line Relocation) is requested between two lots having the following: Lot 46-3 as shown on Assessor Plan 107 increasing in area from 5,099 ± s.f. to 5,624 ± s.f and Lot 46-4 as shown on Assessor Plan 107 decreasing in area from 5,287 ± s.f. to 4761 ± s.f, and lying in a zone where a minimum lot area of 1,000 s.f. is required and no minimum street frontage is required. Said properties are located in a Central Business B and Historic A districts and are shown on Assessor Plan 107 as Lots 46-3 and 46-4. (Plat plan is on file in the Planning Department Office and is identified as Plan #10-01-05) (This application was tabled at the July 21, 2005 Planning Board Meeting)

Voted to **table** to a time indefinite.

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C. The application of **Thomas Heany, Owner**, for property located at **816 Middle Street** where Preliminary and Final Subdivision approval is requested to subdivide one lot into two lots with the following: Lot 1 having 10,056 ± s.f. and 100 feet of continuous street frontage on Lawrence Street and Lot 2 having 15,046 ± s.f. and 97.79 feet of continuous street frontage on Middle 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 property is shown on Assessor Plan 152 as Lot 44 and lies within a General Residence A district. (Plat plan is on file in the Planning Department Office and is identified as Plan #15-01-05).

Voted to **grant preliminary and final** subdivision approval, with the following **stipulations**:

- 1. That the driveway easement shall be approved as to content and form by the Planning and Legal Departments;
- 2. That digitized GIS data shall be provided to Department of Public Works as per the City's requirements for updating relevant land records;
- 3. Placement of permanent boundary monuments as required by the Department of Public Works; and
- 4. That the existing garage be relocated subject to the review and approval of the Historic District Commission.

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D. The application of **Marc C. Griffin and Beth P. Griffin, Owners**, for property located at **239 Broad Street** and **Mary Catherine Gato, Owner**, for property located at **336 Miller Avenue** where Preliminary and Final Subdivision approval (Lot Line Change) is requested between two lots having the following: Lot 15 as shown on Assessor Plan 131 increasing in area from 5,654 ± s.f. to 7,454 ± s.f. and having 48’ of continuous street frontage off of Broad Street and Lot 27 as shown on Assessor Plan 131 decreasing in area from 12,857 ± s.f. to 11,057 ± s.f. and having 83’ of continuous street frontage off of Miller Avenue, 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 General Residence A district and are shown on Assessor Plan 131 as Lot 15 and Lot 27. (Plat plan is on file in the Planning Department Office and is identified as Plan #16-01-05).

Voted to **grant preliminary and final** subdivision approval, with the following **stipulations**:

1. That digitized GIS data shall be provided to Department of Public Works as per the City’s requirements for updating relevant land records;
2. Placement of permanent boundary monuments as required by the Department of Public Works.

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E. 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 **General Services Administration, New England Region, Applicant**, for property located at **40 Oak Avenue** wherein Preliminary and Final Subdivision approval is requested with the following: Lot 0000 having an area of 11.57 ± acres and with 600’ ± of continuous street frontage off Oak Avenue; and the remaining land area being decreased by 11.57 ± 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 plan is on file in the Planning Department Office and is identified as Plan #02-02-05).

Voted to **recommend<sup>1</sup> preliminary and final** subdivision approval, with the following **stipulations**:

1. That Note #8 be corrected to identify the current FIRM Maps;
2. Change address to 40 Oak Avenue;
3. That the PDA Subdivision Application shall be amended to reflect the current application and that a copy shall be provided to the City’s Planning Department for inclusion with this application;
4. That digitized GIS data shall be provided to Department of Public Works as per the City’s requirements for updating relevant land records.
5. That all utility easements/licenses shall be identified and located on the Plat;
6. That the easements/licenses shall be approved as to content and form by the City’s Planning and Legal Departments; and,
7. That all permanent boundary monuments shall be placed in accord with the PDA regulations.

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<sup>1</sup> 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.”

F. A public meeting is convened to review a new version of the City’s zoning map. Please note there are no changes in zoning boundaries or districts. This map is a different presentation of the existing zoning information. The black and white version will be replaced with a full color map. This map uses Geographic Information System (GIS) as base data and incorporates property boundaries. The zoning map is on file in the City Planning Department Office.

The new zoning map was reviewed.

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**III. CITY COUNCIL REFERRALS/REQUESTS**

1. Request to review archeological matters and historic sites in the City;

Voted to **table** to the September meeting.

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2. Request from Kenneth & Deborah Smith for a license for land use beside and in back of their property located at 298 Myrtle Avenue;

Voted to **table** to the September meeting.

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3. Request for Amendment to Zoning Ordinance to Permit Financial Institutions in the Office/Research Zone;

Voted to **table** to the September meeting.

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4. Request to Re-Zone land at Banfield Road and Constitution Avenue;

Voted to **table** until the applicant submits a matrix.

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**IV. NEW BUSINESS**

A. Seacoast Foundation, Walking Trail Signs – Central Business District;

Voted to **recommend** this request back to the City Council with the following stipulations and matters that the Board should consider:

1. That this year should be a trial period extending through to December 1<sup>st</sup>;
  - As such, any signs are temporary;
  - Sign locations to be approved by DPW;
  - Sign locations are limited to existing poles or posts;
  - Locations are limited to public right-of-ways;
  - All signs should be removed by the Foundation for Seacoast Health at the immediate conclusion of this trial period;

2. A scale mock up of the sign should be provided for review/recommendation by the Planning Board at this meeting. It is recommended that the following should be included in this referral response.
  - Signs should not contain any advertising;
  - Signs should be limited in size and appropriate to a walking trail;
  - No pamphlets should be provided at sign locations;
  - Any pamphlet distribution should be limited to interior spaces;

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B. Request for One Year Extension for Site Review Approval for 1800 Woodbury Avenue;  
 Voted to **grant** one year extension.

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**V. AMENDED SITE PLAN REVIEW**

1. 280 Heritage Avenue;  
 Voted to **grant** amended Site Plan approval.

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2. 155 Griffin Road;  
 Voted to **grant** amended Site Plan approval.

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Not on Agenda:

Property located at 107-109 Preble Way

Voted to accept notification to separate and transfer ownership.

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**VI. ADJOURNMENT** was had at approximately 8:30 p.m.

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