

6:00 – 7:00 pm WORK SESSION: Zoning Ordinance Re-Write

REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE

7:00 P.M.

CITY COUNCIL CHAMBERS

APRIL 20, 2006
and Reconvened on
APRIL 27, 2006

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

AGENDA

I. APPROVAL OF MINUTES

1. Approval of Minutes from the February 16, 2006 Planning Board Meeting;
2. Approval of Minutes from the February 22, 2006 Planning Board Meeting;
3. Approval of Minutes from the March 16, 2006 Planning Board Meeting;

II. NEW BUSINESS

- A Annual Update on Progress Towards Implementing Master Plan

III. PUBLIC HEARINGS

- A. The application of **Thomas J. Flatley, Owner** and **Home Depot, Applicant**, for property located at **500 Spaulding Turnpike** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to allow the demolition of the existing building, the construction of a 145,193 ± s.f. retail store and a 19,200 ± s.f. pad building and corresponding parking within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 238 as Lot 20 and lies within a General Business District. (This application was tabled at the March 16, 2006 Planning Board Meeting.)
- B. The application of **Home Depot USA, Inc., Owner**, for property located **off Durgin Lane**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to allow the construction of a 24' wide access drive within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 239 as Lot 16 and lies within a General Business District.
- C. The application of **Thomas J. Flatley, Owner**, and **Home Depot, Applicant**, for property located at **500 Spaulding Turnpike** wherein site plan approval is requested to construct a 1-story 117,193 ± s.f. proposed Home Depot retail store, a 1-story 28,000 ± s.f. garden center and a 19,200 ± s.f. building pad, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 238 as Lot 20 and lies within a General Business District.
- D. The application of **Home Depot USA, Inc., Owner and Applicant**, for property located **off Durgin Lane** wherein Site Review approval is requested to create an access drive, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 239 as Lot 16 and lies within a General Business District.

E. The application of **Three Hundred Sixty Constitution Avenue, LLC, Owner**, for property located at **360 Constitution Avenue** wherein Preliminary and Final Subdivision approval is requested to subdivide one lot into two lots with the following: Lot 1 having 4.71 ± acres and 250' ± of continuous street frontage on Constitution Avenue and Lot 2 having 4.73 ± acres and 396' ± of continuous street frontage on Constitution Avenue, and lying in a zone where a minimum lot area of 2 acres and 200' of continuous street frontage is required. Said property is shown on Assessor Plan 274 as Lot 1-C and lies within an Industrial district. (Plat plan is on file in the Planning Department Office and is identified as Plan #01-02-06).

F. The application of **SGB & RGB Ventures, LLC, Owner**, for property located at **1800 Woodbury Avenue** wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to remove 3,191 ± s.f. of asphalt pavement and construct a 2,292 ± building and add 899 ± of landscaped area within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 239 as Lot 7-3 and lies within a General Business district. . (This application was tabled at the March 16, 2006 Planning Board Meeting.)

G. The application of the **Porter Street Townhouse Homeowners Association, Applicant**, for property located at **12 – 32 Porter Street** wherein Amended Subdivision Approval is requested to install an automatic parking gate on the sides of Lots 46 and 57 on Assessor Plan 117, affecting access to the rear of Lots 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, and 57. Said properties are shown on Assessor Plan 117 as Lots 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, and 57 and lie within the Central Business B, Historic District A and Downtown Overlay Districts. (This application was tabled at the March 16, 2006 Planning Board Meeting.)

H. The application of **Michael LeCroix, Owner**, for property located at **151 High Street** wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 18 as shown on Assessor Plan 118 decreasing in area from 6,800 ± s.f. to 4,583 ± s.f. and decreasing continuous street frontage off of High Street from 57.2' to 42.8' and Lot 19 as shown on Assessor Plan 118 increasing in area from 626 ± s.f. to 2,843± s.f. and increasing continuous street frontage off of High Street from 13' to 27.4', and lying in a zone where a minimum lot area of 1,000 s.f. and no continuous street frontage is required. Said properties are shown on Assessor Plan 118 as Lots 18 & 19 and lie within a General Business B District, Downtown Overlay District and Historic District A.

I. The application of **Joseph D. & Joyce W. Ciancarelli, Trustees, Owners**, for property located at **45 Gardner Street** and **Steven Webb & Karen Butz-Webb, Owners**, for property located at **51 Gardner Street** wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 21 as shown on Assessor Plan 103 increasing in area from 1,107 ± s.f. to 1,203 ± s.f. and increasing continuous street frontage off of Gardner Street from 31.42' to 37.27' and Lot 22 as shown on Assessor Plan 103 decreasing in area from 1,442 ± s.f. and decreasing continuous street frontage off of Gardner Street from 40' to 34.15', and lying in a zone where a minimum lot area of 5,000 s.f. and 80' of continuous street frontage is required. Said properties shown on Assessor Plan 103 as Lots 21 & 22 and lie within a General Residence B District and Historic District A.

J. The application of **Bacman Enterprises, Inc., Owner**, for property located at **140 Edmund Avenue**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to improve on site parking spaces, retaining walls and landscaping within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 220 as Lot 81 and lies within a Single Residence B district.

K. The application of **Stephen Kelm, Owner**, for property located at **46 State Street**, where in Preliminary and Final Subdivision approval is requested to subdivide one lot into two lots with the following: Proposed Lot A having 1,570 ± s.f. and 22.41' of continuous street frontage on State Street and Proposed Lot B having 2,720 ± s.f. and 38.10' of continuous street frontage on State Street, and lying in a zone where a minimum lot area of 1,000 s.f. and no street frontage is required. Said property is shown on Assessor Plan 105 as Lot 11 and lie within the Central Business B District, Downtown Overlay District and Historic District A. (Plat plan is on file in the Planning Department Office and is identified as Plan #06-01-06).

The following Agenda items will be heard at the re-convened Planning Board meeting on Thursday, April 27, 2006 at 7:00 pm.

L. The application of the City of Portsmouth, Owner, for property located off Nathaniel Drive, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for buffer restoration and enhancement, to create a higher functioning buffer within an Inland Wetlands Protection District. No construction is proposed. Said property is shown on Assessor Plan 292as Lot 221 and lies within a Municipal District.

M. The application of **Martingale Wharf, LLC, Owner**, for property located at **99 Bow Street**, wherein site plan approval is requested to construct a 6/7 story 80' x 45' addition to the left side of an existing building and a 6 story 36' x 56' addition to the right side of an existing building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 106 as Lot 54 and lies within the Central Business A District, Historic A District and Downtown Overlay District.

N. The application of **Harbour Place Group, LLC, Owner**, for property located at **One Harbour Place** wherein Site Review approval is requested to convert the 5th floor of the existing building from business offices to 9 residential units, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 105, as Lot 2 and lies within a Central Business A, Historic A and Downtown Overlay Districts.

O. The application of **Ned and Bill Properties, LLC, Owner**, for property located at **621-627 Islington Street** wherein Site Review approval is requested to renovate the existing structure into six units, to be used as office, studio and four residential units, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 164 as Lot 6 and lies within a Business District.

P. The application of **Michael Iafolla, Owner**, for property located **off Lafayette Road**, wherein an amendment to Subdivision approval received on May 7, 1969 is requested to remove certain restrictions stated on the approved subdivision plan, or in the alternative to determine that said restrictions have lapsed. Said restrictions relate to prohibited uses upon the property, which at the time of the subdivision was located in a General Business Zone. Said property is shown on Assessor Plan 252 as Lot 1-7 and lies within an Office Research District.

IV. CITY COUNCIL REFERRALS/REQUESTS

A. Request from The Housing Partnership for an access easement for property located on Bedford Way; (Referred from the March 3, 2006 City Council Meeting);

B. Letter from Attorney Douglas Macdonald regarding Driveway Permit Application for property located at 62 Deer Street. (Referred from the March 20, 2006 City Council Meeting);

C. Request From The Housing Partnership for an Amendment to Section 10-1503 of the City's Zoning Ordinance Relating to Residential Planned Unit Developments (PUD); (Referred from the March 20, 2006 City Council Meeting);

D. Request from HarborCorp, LLC (Sheraton) for four Proposed Zoning Amendments; (Referred from the March 20, 2006 City Council Meeting);

E. Request from Perry Silverstein for permission for a license for an outswing door onto Commercial Alley; (Referred from the April 3, 2006 City Council Meeting);

V. OTHER BUSINESS

A. Planning Board appointment to the Historic District Commission;

C. Letter to PDA requesting meeting with PDA staff and Jim Gove;

VI. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you wish to attend a Planning Board meeting and need assistance, please contact the Human Resources Office at 431-2006 ext. 270 one week prior to the meeting.

Informational: