

**ACTION SHEET**

**PLANNING BOARD MEETING  
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS  
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**7:00 P.M.**

**JANUARY 17, 2008**

**MEMBERS PRESENT:** John Ricci, Chairman; M. Christine Dwyer, City Council Representative; Jerry Hejtmanek, Vice-Chairman; Anthony Coviello; Paige Roberts; John Rice; Cindy Hayden, Deputy City Manager; Richard A. Hopley, Building Inspector; MaryLiz Geffert, Alternate and Norman Patenaude, Alternate.

**MEMBERS EXCUSED:** Donald Coker

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

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**I. NEW BUSINESS**

A. Election of Officers

Chairman: John Ricci  
Vice Chairman: Jerry Hejtmanek

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**II. OTHER BUSINESS**

A. Presentation of **Capital Improvement Program;**

Presentation by John Bohenko, City Manager, and City staff.

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**III. APPROVAL OF MINUTES**

A. Approval of Minutes from the November 29, 2007 Planning Board Meeting – Unanimously approved.

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**IV. PUBLIC HEARINGS**

A. The application of **Parade Office, LLC, Owner**, and for property located at **195 Hanover Street**, wherein Site Review approval is requested to construct a 123,234 ± s.f. second basement level, 332 ± space parking garage and parking layout modification to first basement level parking garage which was previously approved, with related paving, utilities, landscaping, drainage and associated site

improvements. Said property is shown on Assessor Plan 125 as Lot 1 and lies within the Central Business B District, Downtown Overlay District (DOD) and the Historic District A; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** Site Review approval with the following stipulations:

**Stipulations from the January 8, 2008 Technical Advisory Committee Meeting:**

- 1) That the plans detail the size of the total two-level underground parking facility;
- 2) That the plans include a detail for the garage entrance and exit. Additionally, the applicant shall provide a table for queue and storage lengths;
- 3) That the applicant coordinate wiring for potential future camera system with the City Police and DPW;
- 4) That the applicant coordinate repeater requirements and testing with Gil Emery, City Communications Supervisor;
- 5) That the plans include standpipe locations at a 75' radius (or 150' apart) for the Fire Department connection;
- 6) That the applicant provide a revised letter with updated groundwater pumping rates;
- 7) That the applicant shall coordinate required permits with the City;
- 8) That the applicant shall receive a recommendation for approval from the Traffic & Safety Committee;
- 9) That the applicant provide more information on sanitary lines and groundwater pumping;
- 10) That the applicant shall review the location of the eight call boxes and placement shall be reviewed and approved by the Police Department;
- 11) That the proposed timing for the coordinated system for the Maplewood and Middle coordinated system show timing, phasing and coordination information shall be implemented by the applicant and approved by DPW;
- 12) That the applicant shall address what will happen to the City's traffic control equipment during construction;
- 13) That a recommendation is made to install a cell phone repeater in the garage;
- 14) That as the pump station design is refined, it shall be reviewed and approved by Peter Rice; City Water/Sewer Engineer;
- 15) That the applicant shall identify what type of fuel they will use for the generator and, if diesel fuel is used, the system shall be double walled rather than single walled as shown on the Site Plans;
- 16) That sound tenation shall be installed in the generator room, that the inside building design shall be addressed, the generator shall be labeled as emergency generator and the hours of exercising shall be added to the Plans and reviewed by DPW;
- 17) That should there be groundwater contamination, the issue shall be agreed to by the parties;
- 18) That an agreement shall be prepared regarding groundwater, dealing with the possibility of exceeding the 200 gallon per minute estimate;
- 19) That prior to the issuance of a building permit, the developer shall record an easement and appropriate subordinations to assure permanent public access and egress to all levels of the parking garage. The easement is to be in a form deemed acceptable to the City's Legal Department;
- 20) That all conditions of the previous Site Review Approval received on July 26, 2007 shall be incorporated directly into this approval.

**Stipulations from the January 17, 2008 Planning Board Meeting:**

- 21) That the applicant shall maximize the number of trees that are saved, given the extent of the constraints that exist;

- 22) That a preconstruction survey be done for blasting;
- 23) That the applicant shall prepare a Construction Management Plan for review and approval by the City Legal Department, Planning Department, City Traffic Engineer and City Manager, prior to permit approval;

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B. The application of the **City of Portsmouth, Owner, and PHA Housing Development, LTD, Applicant**, for property located at **100 Lafayette Road**, wherein Site Review approval is requested to convert an existing vacant building to 10 one-bedroom units for seniors 62 or older, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 151 as Lot 8 and lies within the Municipal District; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** Site Review approval with the following stipulations:

**Stipulations from the January 2, 2008 Technical Advisory Committee Meeting:**

- 1) That the sidewalk into the park on the south side shall have a break in the fence so people can access the park, and shall be so noted on the Site Plans;
- 2) That the transformer and power location shall be approved by PSNH and Verizon, as appropriate. If the service does not match the approved Site Plan then the applicant shall be required to come back before TAC and Planning Board for amended approval;
- 3) That the guardrail shall be relocated so that it is 3’ behind the edge of the pavement, and so noted on the Site Plans;
- 4) That approval from the Traffic & Safety Committee must be received prior to the Planning Board meeting;
- 5) That a Construction Management & Mitigation Plan shall be prepared by the applicant for review and approval by the City’s Traffic Engineer, Planning Department, Legal Department and City Manager;
- 6) That on Sheet C-1, Note 3, shall be amended to read “All current state rules and regulations”;
- 7) That on Sheet C-1, Note 10, shall be amended to read “that all debris and sediment should be cleaned up to and including the first catch basin”;
- 8) That the directional arrows around the site shall be painted, and so noted on the Site Plans;
- 9) That a detail for the entrance from Lafayette Road to the site shall be prepared for review by Deborah Finnigan, and added to the Site Plans;
- 10) That the Site Plans shall be amended to include hatching where they are removing walkways and replacing with landscaping;
- 11) That a report regarding the site distance coming out of the driveway shall be prepared for review and approval by Deborah Finnigan;
- 12) That a note shall be added to the Site Plans labeling the generator as an emergency generator and indicating when it shall be exercised;
- 13) That the fence near the egress from the site should be brought back 5’ and so noted on the Site Plans;
- 14) That a 24” wide stop bar shall be added to the Site Plans;
- 15) That the Stop Sign and Do Not Enter signs on the Detail Sheet should be 30” x 30” and a posted detail should be added to the Site Plans;
- 16) That the Landscaping Plan should reflect that all trees must be 6’ from the ground to the bottom of the canopy;
- 17) That Automatic Notification of Emergency Forces and a Knox Box shall be added to the Site Plans;

- 18) That a note shall be added to the Site Plans that the elevator shall be installed per State requirements;
- 19) That the Site Plans shall be amended to use Standard manholes rather than doghouse manholes;
- 20) That a note shall be added to the Site Plans that the 6” water main is to be abandoned and the 20” water main shall be labeled as installed in 2002;
- 21) That the domestic water lines which appear to be going into a set of stairs shall be relocated to the mechanical room and so noted on the Site Plans;
- 22) That the recreational play area plans shall be reviewed by Tom Richter to confirm that they do not effect the recreational clear area;

**Stipulation from the January 17, 2008 Planning Board Meeting:**

- 23) That that the accessible route of travel into the playground shall be maintained by shifting the opening of the guardrail slightly.

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C. The application of **Portsmouth Regional Hospital, Owner**, for property located at **333 Borthwick Avenue**, wherein Site Review approval is requested to construct 15,417 s.f. (footprint) of building expansion, with 68,731 ± s.f. of gross floor space, to be located in four separate locations as follows: 1) 2,478 s.f. expansion of the front entrance; 2) 7,600 s.f. expansion of the loading dock area; 3) 1,889 s.f. expansion of the mechanical room; and 4) 3,450 s.f. expansion to the emergency room entrance, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 240 as Lot 2-1 and lies within the Office Research District; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** Site Review approval with the following stipulations:

**Stipulations from the January 2, 2008 Technical Advisory Committee Meeting:**

- 1) That an Easement Deed for the monitoring wells shall be prepared by the applicant, subject to approval of content and form by the City Legal Department;
- 2) That wastewater discharge calculations shall be provided to Peter Rice for his review and approval;
- 3) That a Construction Management & Mitigation Plan shall be prepared by the applicant for review and approval by the City’s Traffic Engineer, Planning Department, Legal Department and City Manager;
- 4) That the stop sign on Sheet C-2A shall be on the right side of the stop bar, rather than the left side, and so noted on the Site Plans;
- 5) That a “One Way” sign shall be added to both sides of the three site entrances, and so noted on the Site Plans;
- 6) That all plantings near an intersection shall be 6’ between the ground and the canopy;
- 7) That a turning radius for WB 50 trucks shall be prepared for review and approval by Deborah Finnigan, prior to the Planning Board meeting;
- 8) That the applicant shall contact Gil Emery, City Emergency Operations Center Supervisor, to complete a site survey regarding radio communications.

**Stipulation from the January 17, 2008 Planning Board Meeting:**

- 9) That the applicant shall obtain Conditional Use Approval from the Planning Board.

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D. The application of **Cross Roads House, Inc., Owner**, for property located at **600 Lafayette Road**, wherein Site Review approval is requested to construct a 10,843 ± s.f. 2-story building, after demolishing three existing buildings, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 243 as Lot 2-A and lies within the General Business District; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** Site Review approval with the following stipulations:

**Stipulations from the January 2, 2008 Technical Advisory Committee Meeting:**

- 1) That all necessary utilities shall be underground with an appropriate easement. Otherwise, it will be necessary for the applicant to come back before TAC or the Planning Board for additional review and approval;
- 2) That a stub line going to the hydrant to the front of the property line to make a connection from the Lafayette Road water main shall be added to the Site Plans;
- 3) That a Construction Management & Mitigation Plan shall be prepared by the applicant for review and approval by the City’s Traffic Engineer, Planning Department, Legal Department and City Manager;
- 4) That the sidewalk tip downs next to the entrance shall be labeled on the Site Plans;
- 5) That a stop bar shall be added to the Site Plans where traffic goes around the loop into the driveway;
- 6) That a 24” stop bar shall be added to the Site Plans at the site egress;
- 7) That either a “Right Turn Only” or “No Left Turn” sign shall be added to the Site Plans in the same location as the stop sign;
- 8) That a note shall be added to the Site Plans that all trees must be 6’ from the ground to the bottom of the canopy;
- 9) That automatic notification of emergency forces shall be required and a note added to the Site Plans;
- 10) That a Knox Box shall be required and a note added to the Site Plans;
- 11) That a long term maintenance plan for the rain garden be prepared by the applicant, to be reviewed and approved by the City Environmental Planner;
- 12) That approval from the Traffic & Safety Committee must be received prior to the Planning Board meeting;
- 13) That a note shall be added to the Site Plans that if NHDOT does not approve the driveway cut, this application shall require additional review by TAC;
- 14) That the lighting on the back sides of the building shall be reviewed with David Desfosses for his approval prior to the Planning Board meeting;

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E. The application of **The Hill Unit Owners Association, Owners**, for property located **off Deer Street**, commonly known as “The Hill”, wherein Site Review approval is requested to add a loading area to be used in common with abutting property owned by Parade Office, LLC, and to add 11 on site parking spaces with the placement of bollards to prohibit traffic flow, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 118 as Lot 26 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District A; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** Site Review approval with the following stipulations:

**Stipulations from the January 2, 2008 Technical Advisory Committee Meeting:**

- 1) That the 11 parking spaces shown on the Site Plan shall be the only legally recognized parking spaces;
- 2) That the text "One Way" shall be removed from the service road, leaving only the arrows on the Site Plans;
- 3) That the handicapped tip down in front of the Fitch House shall be verified with David Desfosses, of DPW;
- 4) That the Site Plans shall indicate that the brick sidewalk and granite curb will be replaced with paving where the service road enters High Street;
- 5) That the parking easement shall be approved for content and form by the City's Legal Department.

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F. The application of **Stephen Meade, Brian Donnelly and Nettie Thompson, Owners**, for property located at **159 Woodbury Avenue** and Antonina Cavalieri, Owner, for property located at **179 Woodbury Avenue**, wherein Preliminary Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 58 as shown on Map 162 decreasing in area from 23,019 s.f. to 22,596 s.f. and street frontage on Woodbury Avenue remaining at 106.9' and Lot 57 as shown on Map 162 increasing in area from 5,600 s.f. to 6,023 s.f. and street frontage on Woodbury Avenue remaining at 56.71, and lying in a zone where a minimum lot area of 7,500 s.f. and 100' of street frontage is required. Said lots are shown on Assessor Plan 162 as Lots 57 and 58 and lie within a General Residence A District. *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **postpone** Preliminary Subdivision approval to the March 20, 2008 Planning Board meeting, pending BOA consideration on February 19<sup>th</sup>.

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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 **Two International Group, LLC, Applicant**, for property located at **200 International Drive**, wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested to remove a lot line to increase the size of an existing lot identified as Assessor Plan 312, as Lot 3 from 443,886 s.f. (or 10.19 acres) to 888,157 s.f. (or 20.38 acres) and decreasing the remainder of the undivided Pease Development Authority property by 444,271 s.f. (or 10.19 acres). Said lots lie within the Industrial District where a minimum lot area of 10 acres is required. Said property is shown on Assessor Plan 312 as Lot 3 (Plat plans are on file in the Planning Department Office and are identified as #16-01-07). *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **postpone** to the February 21, 2008 Planning Board Meeting.

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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 **Two International Group, Applicant**, for property located at **180 International Drive**, wherein site review approval is requested for the construction of a two story 56,000 s.f. building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 312 as Lot 3 and lies within the Industrial District; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **postpone** to the February 21, 2008 Planning Board Meeting.

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I. The application of **The Home Depot U.S.A., Inc., Owner and Christmas Tree Shops, Inc., c/o Bed Bath and Beyond, Inc., Applicant**, 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 demolish the existing building and replace with a retail plaza within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 239 as Lots 13-2, 16 & 18 and lies within a General Business District; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **grant** Conditional Use Approval with the following stipulations:

**Stipulations from the November 8, 2006 Conservation Commission Meeting:**

- 1) That the areas being returned from pavement to natural be planted with a wildflower conservation seed mix;
- 2) That the areas at the edge of buffer not be mowed.

**Stipulations from the November 16, 2006 Planning Board Meeting:**

- 3) That the Stormwater Protection Plan (SWPP) shall include sweeping the lot once a month;

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J. The application of **Catherine R. Whelan, Owner**, of property located at **660 Middle Street** wherein Preliminary Subdivision Approval is requested to subdivide one lot into three lots with the following: Proposed Lot 1 having 19,428 ± s.f. (.446 ± acres) and 70' ± of street frontage on Middle Street; Proposed Lot 2 having 19,428 ± s.f. (.446 ± acres) and 0' of street frontage; and Proposed Lot 3 having 19,428 ± s.f. (.446 ± acres) and 0' of street frontage; 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 147 as Lot 19 and lies within a General Residence A (GRA) District and Historic District A. *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **postpone** to a time indefinite.

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K. The application of **Catalpa Realty Trust, Owner**, for property located at **249 Islington Street**, wherein Site Review approval is requested to construct a 41' x 61' three story addition to an existing building, after the demolition of the existing rear section, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 138 as Lot 43 and lies within the Central Business B district and the Historic District A; *The Board action in this matter has been deemed to be quasi judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

Voted to **postpone** to the February 21, 2008 Planning Board Meeting.

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**V. ADJOURNMENT**

A motion to adjourn at 10:00 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board