

**ACTION SHEET**  
**PLANNING BOARD**  
**PORTSMOUTH, NEW HAMPSHIRE**  
**CONFERENCE ROOM B**  
**CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**7:00 P.M.**

**MAY 15, 2008**

**MEMBERS PRESENT:** John Ricci, Chairman; M. Christine Dwyer, City Council Representative; Jerry Hejtmanek, Vice-Chairman; Donald Coker; Anthony Coviello; John Rice; Cindy Hayden, Deputy City Manager; MaryLiz Geffert, Alternate and Norman Patenaude, Alternate

**MEMBERS EXCUSED:** Paige Roberts and Richard A. Hopley, Building Inspector;

**ALSO PRESENT:** David M. Holden, Planning Director;  
Peter Britz, Environmental Planner

.....  
6:30 – 7:30 pm WORK SESSION: Draft Revised Zoning Ordinance Overview  
.....

**II. OTHER BUSINESS**

A. Presentation by the Rockingham Planning Commission on the U.S. Route One Corridor Study; Powerpoint presentation by David Walker of the Rockingham Planning Commission.

.....  
**III. PUBLIC HEARINGS**

A. A compliance hearing shall be held to determine whether **Portsmouth Casey Home, Owner, and Heyland Development, Applicant**, for property located at **1950 Lafayette Road**, has complied with their Site Review Approval granted on November 17, 2005 and amended on March 16, 2006 to construct a 2 ½ story office building, with a 3,280 ± s.f. footprint and a 1 story 6,000 ± s.f. function hall, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 267 as Lot 7 and lies within an Office Research district; This Application was postponed at the May 15 2008 Planning Board Meeting. *(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 **approve amended Site Plan** “Option D”, entitled “Revised Entrance Configuration” dated June 22, 2008, prepared by Engineering Alliance, Inc.  
.....

B. The application of **Aquila Chase and Marcia N. Chase, Owners**, for property located at **71 Baycliff Road** and **Stephen J. Little and Rosemarie Golini, Owners**, for property located at **82 Driftwood Lane**, wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 42 as shown on Assessor Plan 207 decreasing in area from 24,695 ± s.f. to 24,618 ± s.f., with 71.20' ± of continuous street frontage on Driftwood Lane and Lot 46 as shown on Assessor Plan 207 increasing in area from 12,203 ± s.f. to 12,280 ± s.f. and with 27.75' ± of continuous street frontage on Baycliff Road, and lying in a zone where a minimum lot area of 15,000 s.f. and 100' of street frontage is required. Said properties are located in a Single Residence B district and are shown on Assessor Plan 207 as Lots 42 and 46. (Plat plan is on file in the Planning Department Office and is identified as Plan #02-01-08). This Application was postponed at the May 15 2008 Planning Board Meeting. *(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** Preliminary Subdivision approval with the following stipulations:

- 1) That all outstanding land use issues shall be resolved to the satisfaction of the Planning Director and a summary of these to be provided to the Planning Board as part of the Final Subdivision application;
- 2) That property monuments shall be placed per the requirements of the Department of Public Works before a Final Subdivision Application is filed;
- 3) That submission to DPW of electronic data, suitable for updating the City's Assessing Records; and
- 4) That when the aforementioned conditions are completed, the applicant shall file an application for Final Subdivision Approval with the Planning Department.

.....

C. The application of the **Francis Daddario, Owner**, for property located **1840 Woodbury Avenue**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to construct an infiltration basin on uplands within the 100' buffer, removal of 1,860 s.f. of pavement within the 100' buffer and construction of a 1,750 s.f. addition to an existing building partially within the 100' buffer, all within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 239 as Lot 8 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 **approve** Conditional Use Approval with the following stipulations:

**Stipulations from the May 14, 2008 Conservation Commission Meeting (as amended by the Planning Board):**

- 1) That there shall be routine maintenance as recommended by Best Management Practices for the storm water management system;
- 2) That there shall be routine trash removal from the parking areas and general sweeping of the parking lot;
- 3) That the sloped areas shall be vegetated with native plant materials to minimize the need for mowing;
- 4) That there shall be routine trash removal 200' from edge of the pavement;

**Stipulations from the June 19, 2008 Planning Board Meeting:**

- 5) That the Site Plans shall be amended to show that the roof drains go into the treatment swale;
- 6) That the soils within the 47' elevation shall be removed down two feet and replaced with loam;
- 7) That the silt fence shall be removed once vegetation is established;
- 8) That the applicant shall assess the possibility of providing additional stormwater treatment to the south of the property;
- 9) That the silt fence shall be relocated around the riprap apron leading to the infiltration basin;
- 10) That the applicant shall report stormwater maintenance to DPW on an annual basis
- 11) That the applicant shall explore the possibility of reducing the number of parking spaces;

.....

D. The application of the **Heritage Hill Condominium Association, Owner**, for property located **1275 Maplewood Avenue**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* to dig a trench from one light pole to another to repair an underground branch circuit within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 219 as Lot 40 and lies within a Single Residence B 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 **approve** Conditional Use Approval with the following stipulations:

**Stipulation from the May 14, 2008 Conservation Commission Meeting (as amended by the Planning Board):**

- 1) That the trenching shall take place on the east side of the footpath, between the road and the footpath.

**Stipulation from the June 19, 2008 Planning Board Meeting:**

- 2) That the trench shall be a maximum depth of 18" and one foot in width;

.....

E. The application of **George A. Dodge, III, Revocable Trust of 2002 and Erica C. Dodge Revocable Trust of 2002, Owners**, for property located at **175 State Street and 25 Penhallow Street**, wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 45 as shown on Assessor Plan 107 decreasing in area from 3,507 ± s.f. to 3,157 ± s.f., with 33' ± of continuous street frontage on State Street and Lot 43 as shown on Assessor Plan 107 increasing in area from 455 ± s.f. to 805 ± s.f. and street frontage on Sheafe Street increasing from 25' ± to 57' ±, and lying in a zone where a minimum lot area of 1,000 s.f. and no street frontage is required. Said properties are located in the Central Business B District and the Historic District A and are shown on Assessor Plan 107 as Lots 43 and 45. (Plat plan is on file in the Planning Department Office and is identified as Plan #06-01-08). *(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** Preliminary and Final Subdivision Approval with the following stipulations:

- 1) That existing and proposed Open Space Requirements shall be added to the final plat;
- 2) That permanent boundary monuments shall be established per the requirements of DPW;
- 3) That electronic data suitable for updating the City’s assessing records shall be submitted to DPW.

.....

F. The application of the **Commerce Way, LLC, Owner**, for property known as the private right of way entitled **Commerce Way**, wherein a Conditional Use Permit is requested as allowed in Article VI, Section 10-608(B) of the *Zoning Ordinance* for the reconstruction of Commerce Way in order to meet City roadway standards, including increasing the curve radius for safety and traffic purposes, relocation of overhead utilities to underground utilities, upgrading of closed drainage systems, landscaping, guardrail construction, roadway lighting and the addition of 6,325 s.f. of sidewalk, all within an Inland Wetlands Protection District. Said property is shown on Assessor Plan 216 as Lot 1 and lies within an 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 **postpone** to the July 17, 2008 Planning Board Meeting.

.....

G. The application of **Pike Industries, Inc., Owner**, for property located at **650 Peverly Hill Road**, wherein amended Site Review approval is requested to increase the size of a previously approved 30’ x 50’ Recycled Asphalt Pavement (RAP) covered storage shed to a new size of 40’ x 80’, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 254 as Lot 7 and lies within the Industrial (I) 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** amended Site Review Approval.

.....

H. The application of **Portsmouth Housing Authority, Owner**, for property located at **175 Greenleaf Avenue**, wherein Site Review approval is requested for renovations at Wamesit Place apartments, including building alterations, resurfacing pavement and drainage improvements, with related utilities, lighting, landscaping, and associated site improvements. Said property is shown on Assessor Plan 243 as Lot 3 and lies within the Garden Apartment/Mobile Home 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 June 3, 2008 Technical Advisory Committee Meeting:**

- 1) That the applicant shall prepare a Construction Management & Mitigation Plan (CMMP) for review and approval by the City;
- 2) That ramps shall be added to all handicapped parking spaces;

- 3) That a stop sign and stop bar shall be added at the end of Holiday Drive and the second driveway;
- 4) That they make arrangements to protect the water and sewer services on building #1 and #2 when they install the foundation.
- 5) That the applicant shall review the lighting issues expressed by Mr. Desfosses, prepare a proposal and review it with Mr. Desfosses and Planning Staff;

**Stipulation from the June 19, 2008 Planning Board Meeting:**

- 6) That the applicant shall replace any dead or dying trees;

**IV. CITY COUNCIL REFERRALS/REQUESTS**

A. Request of Portsmouth City Soccer Club to hang a banner at Leary Field during soccer season;

Voted to recommend approval to the City Council to hang banners at Leary Field during soccer season, subject to the following conditions:

- 1) That this proposal should be considered as a pilot type program;
- 2) That it should be authorized or no longer than one season;
- 3) That the trial period should commence in the 2008 season;
- 4) That as part of this trial, there will be no “tagging” activities conducted by this club;
- 5) That no more than 5 sign blanks shall be erected on the outfield fence, each with the dimension of 3 feet by 5 feet and with the height and location of each sign to be determined by the City;
- 6) That the League shall place no signs earlier than July 15<sup>th</sup> and these shall be removed by the League no later than November 15<sup>th</sup>;
- 7) That all signs facings shall be in or towards the playing field; and
- 8) All sign backings shall be white I color, all lettering/logos shall be of a dark green color, and any lettering shall share the same style and font.

B. Request of New Adventure Entertainment, LLC, to install outdoor lighting and awnings on building located at 172 Hanover Street;

Voted to recommend approval to enter into a license agreement with Northern Tier Real Estate Acquisition and Development, LLC, for the purposes of installing lamp fixtures and awnings at 172 Hanover Street as depicted on the exhibits provided.

**V. NEW BUSINESS**

A. Request of the Foundation for Seacoast Health for a One Year Extension of Site Review Approval granted on June 28, 2007 for property located at 100 Campus Drive;

Voted to approve a one year extension of Site Review approval for property located at 100 Campus Drive, which was granted on June 28, 2007. Site Review approval will now expire on June 28, 2009, subject to all of the original stipulations.

B. Request of Michael Del La Cruz for a One Year Extension of Site Review Approval granted on June 21, 2007 for property located at 75 Congress Street;

Voted to approve a one year extension of Site Review approval for property located at 75 Congress Street, which was granted on June 21, 2007. Site Review approval will now expire on June 21, 2009, subject to all of the original stipulations.

.....

**VI. ADJOURNMENT**

A motion to adjourn at 10:45 pm was made and seconded and passed unanimously.

.....

Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board