

ACTION SHEET
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE

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

7:30 P.M.

JANUARY 15, 2009

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

MEMBERS EXCUSED: Donald Coker and Anthony Coviello;

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

.....

7:00 – 7:30 pm NON MEETING WITH COUNCIL

.....

I. NEW BUSINESS

A. Election of Officers;

Chairman: John Ricci
Vice-Chairman: Paige Roberts

.....

II. OTHER BUSINESS

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

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

.....

III. APPROVAL OF MINUTES

1. Approval of Minutes from the November 20, 2008 Planning Board Meeting – Unanimously approved.
2. Approval of Minutes from the December 18, 2008 Planning Board Meeting – Unanimously approved;

.....

IV. PUBLIC HEARINGS

A. The application of **Henry and Jaqueline Brandt, Owners**, for property located at **37 Wholey Way** and **Salmon Falls Holding, LLC, Owners**, for property located **off Echo Avenue**, wherein Preliminary and Final Subdivision Approval (Lot Line Revisions) is requested between two lots as follows: Lot 64 as shown on Assessor Plan 237 increasing in area from 2,728 ± s.f. to 15,056 ± s.f. with 224.99' ± of continuous street frontage on Echo Avenue and Wholey Way and Lot 76 as shown on Assessor Plan 237 decreasing in area from 43,703 ± s.f. to 31,375 ± s.f. with 200.89' ± of continuous street frontage on Wholey Way, and lying in a district 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 237 as Lots 64 and 76. (Plat plan is on file in the Planning Department Office and is identified as Plan #12-01-08). *(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 **deny** preliminary and final subdivision approval.

.....
B. The application of **7 Islington, LLC, Owner**, for property located at **40 Bridge Street**, wherein Site Review approval is requested to construct a 5,472 ± s.f., four story, ten unit retail/residential building, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 126 as Lot 52 and lies within the Central Business B (CBB) district, Downtown Overlay District (DOD) 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 **grant** site review approval with the following stipulations:

Stipulations from the December 30, 2008 Technical Advisory Committee Meeting:

- 1) That the Technical Advisory Committee is recommending brick sidewalks, rather than concrete and this issue shall be reviewed and decided by the Planning Board;
- 2) That the full traffic report shall be provided to the Planning Department and the Planning Board members for their review prior to the Planning Board meeting;
- 3) That the "No Parking" sign and the "Loading Zone" sign shall both be on the same pole;
- 4) That the actual wording for the "Loading Zone" sign shall be provided to the Planning Board by Deborah Finnigan prior to the Planning Board meeting;
- 5) That on Sheet C-3, the street milling note should indicate a thickness of 1 ½";
- 6) That the note on Sheet C-3 should add the wording "and curb installation" after "Upon completion of all in-street utility construction ...";
- 7) That the detail should be revised to show the City standard of 4" of asphalt, rather than 3";
- 8) That Site Plan shall reflect that the concrete shall not have any wire in it and shall have a fiber mix instead;
- 9) That there shall be one water meter for the entire building, located in a common area which is accessible to the City meter reader;
- 10) That a Construction Management and Mitigation Plan shall be prepared by the applicant, for review and approval by the City prior to the issuance of a building permit.

Stipulations from the January 15 2009 Planning Board Meeting:

- 11) That the Planning Board requires that the applicant shall provide brick sidewalks, and a brick sidewalk detail shall be added to the Site Plans (and the concrete sidewalk detail shall be eliminated);
- 12) That a detail shall be added to the Site Plans for the transformer rail fencing, showing how the gates will be secured so that they are not in the open position except when they are being used;
- 13) That a detail shall be added to the Site Plans for the light fixtures; and
- 14) That the Planning Board receives a report back from Public Safety regarding the 24/7 loading zones.

.....

C. The application of **2422 Lafayette Road Associates, LLC, Owner**, for property located at **2454 Lafayette Road**, wherein Site Review approval is requested to construct a 25,500 ± s.f. retail addition, to construct a 27,350 ± s.f. stand alone retail building, and to demolish 155 ± s.f. of existing building to separate the buildings, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 273 as Lot 3 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 **postpone** to the next regularly scheduled Planning Board Meeting.

.....

V. CITY COUNCIL REFERRALS/REQUESTS

A. Letter from **Gregg Sessler and John Akar, of Cava, LLC**, regarding license agreement for **10 Comercial Alley** to erect a sign over the public right-of-way; *(The Board action in this matter has been deemed to be legislative 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 **recommend a favorable approval** of this license request to the City Council subject to the following conditions:

- 1. That the request shall be subject to a municipal license and this license shall be approved by the Legal Department as to content and form, it should be revocable by the City and if an encroachment needs to be removed or relocated for any purpose, it will be done at no cost to the City; and,
 - 2. That any resulting disturbance of a sidewalk, street or other public infrastructure shall require its restoration at no municipal cost and subject to review and acceptance by the Department of Public Works.
-

VI. NEW BUSINESS

A. Request of **Scott Gove, of Catalpa Realty, LLC, Owner**, for property located at **249 Islington Street**, for a one year extension of Site Review Approval which was granted on February 21, 2008; *(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 a one year extension** of Site Review Approval which was granted on February 21, 2008.

.....

B. Request of **Meadowbrook Inn Corporation, Owner**, for property located at **549 Route One By-Pass (Traffic Circle)**, for a one year extension of Site Review Approval which was granted on February 21, 2008; *(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 a one year extension** of Site Review Approval which was granted on February 21, 2008.

.....

VII. ADJOURNMENT

A motion to adjourn at 10:35 pm was made and seconded and passed unanimously.

.....

Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board