

**MINUTES
OF
REGULAR MEETING**

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 P.M.

OCTOBER 15, 2009

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

MEMBERS EXCUSED: n/a

ALSO PRESENT: Rick Taintor, Planning Director;

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I. APPROVAL OF MINUTES

1. Approval of Minutes from the September 10, 2009 Planning Board Meeting – Unanimously approved.
2. Approval of Minutes from the September 17, 2009 Planning Board Meeting – Unanimously approved.
3. Approval of Minutes from the September 24, 2009 Planning Board Meeting – no minutes available, postponed to next month.

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Chairman Ricci and Mr. Coker recused themselves from Applications A, B and C.

II. PUBLIC HEARINGS

*The Board’s action in these matters 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.*

A. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **Brora, LLC, Owner**, for property located **off Portsmouth Boulevard and Dunlin Way**, wherein Preliminary and Final Subdivision approval (Lot Line Revision) is requested between two lots having the following: Lot 1-8B as shown on Assessor Plan 216 increasing in area from 196,918 s.f. (4.52 acres) to 247,954 s.f. (5.69 acres) and with continuous street frontage on Commerce Way and Portsmouth Boulevard and Lot 11 as shown on Assessor Plan 213 decreasing from 290,076 s.f. (6.66 acres) to 239,040 s.f. (5.49 acres) and with continuous street frontage on Portsmouth Boulevard and Dunlin Way. Said lots lie in an Office Research District and the Office Research component of the Office Research/Mariner's Village Overlay District, where a minimum lot area of 3 acres is required.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Attorney Malcolm McNeill addressed the Board, representing the applicants. He gave a brief overview. They were back before the Planning Board solely because the approvals for applications A, B and C have expired and they are all inter-connected. There were no substantive changes made to any of the items. Any changes that were made were in response to comments made at the most recent TAC meeting. There have not been any municipal law changes that would have any bearing on the applications. The TAC meeting was on September 29th and all comments by TAC are acceptable by the applicant and incorporated into the plans. They have reviewed the Planning Director's Memorandum and they agree with it as it accurately reflects all of the components of the project and the conditions and also because he recommends approval. Corey Colwell will speak to the Subdivision application and Patrick Crimmins of Appledore Engineering will speak to the Site Review applications.

Corey Colwell, of MSC Civil Engineers and Land Surveyors, stated that they received Preliminary Subdivision approval from this Board on July 20, 2006 and a one year extension was granted on July 26, 2007. They propose to relocate the common boundary line between the two lots. That lot line runs from Portsmouth Boulevard up to the southeast corner of Map 1, Lot 8-B. They are proposing to relocate that property line 500' easterly, as depicted as "Lot line to be relocated". The result is that Lot 1-8-B would increase in size by 51,036 s.f. and frontage along Portsmouth Boulevard would increase by 502.71'. Map 213, Lot 11 would therefore be reduced by the same figures. This adjustment maintains conformance with all Zoning regulations, does not affect the developable portion of both lots and they are seeking both preliminary and final subdivision approval. Upon approval, they will install monuments and provide GIS data to the City.

The Chair asked if anyone was present from the public, wishing to speak to, for, or against the petition. Seeing no one rise, the Chair closed the public hearing.

DISCUSSION AND DECISION OF THE BOARD

Mr. Rice made a motion to approve Preliminary and Final Subdivision approval with the recommended stipulations. Deputy City Manager Hayden seconded the motion.

The motion to grant Preliminary and Final Subdivision approval passed unanimously with the following stipulations:

- 1) Site review approval for Assessor Plan 216 Lot 1-8B and for Assessor Plan 216 Lot 1-8 shall be received for both lots, and site review agreements with appropriate security shall be executed with the City.
- 2) The final plat and all resulting deeds shall be filed concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department;
- 3) Property monuments shall be set as required by DPW prior to the filing of the plat; and
- 4) GIS data shall be provided to DPW in the form as required by the City.

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B. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, wherein Site Review approval is requested to construct a 3-story 69,693 \pm s.f. office building, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 216 as Lot 1-8B and lies in the Office Research District and the Office Research component of the Office Research/Mariner's Village Overlay District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Patrick Crimmins, of Appledore Engineering, explained that the Site Plan was previously approved on March of 2007. They appeared before TAC on September 29, 2009, where they received a recommendation for approval with stipulations.

The project is a 3-story 69,693 s.f. office building with associated site improvements, which include:

- There are 339 parking spaces and 7 loading spaces.
- There will be new paving and, as part of TAC Stipulation #10, they will be doing a shim and 4 1/2" overlay from the end of the driveway to the intersection of Market Street and Portsmouth Boulevard.
- They will install 50' butt joints wherever the new paving abuts adjacent streets, per TAC Stipulation #11. That is included in a note on the Site Plan.
- A full detail and design of the shim overlay will be included in the roadway improvement drawings which they are working with the City on.
- There are 2 driveway entrances: one on Commerce Way and one on Portsmouth Boulevard.
- They are providing new sidewalks, including a pedestrian connection to the adjacent property and a pedestrian connection out to the street to a new proposed public transportation shelter which is part of this project.
- They will install new underground utility services to the building.
- They will provide a Master Box conduit, per TAC Stipulation #1.
- The existing hydrant is currently located where the new drive will be so they will relocate the drive and, per TAC Stipulation #3, they will revise the hydrant to show a 6" feed with a 6" gate valve with a note indicating that the final size shall be coordinated with DPW

- The sewer will be coming from the rear of the building, out to Portsmouth Boulevard. DPW has camera'd the sewer line and confirmed that it has been crushed so they will replace the sewer line on Portsmouth Boulevard from the manhole they are tying into to the intersection of Commerce Way and Portsmouth Boulevard, per TAC Stipulation #9.
- There is a closed stormwater treatment system being installed. The majority of the large parking area in the front will be captured and detained in the underground system which will wrap around in a U and the stormwater will be slowly released out the detention system to a downstream defender where it will be treated and discharged to Commerce Way. The remaining portion in the small rear parking area will be flowing towards a new bioretention basin they are proposing in the rear.
- They have revised their bio-retention detail to reflect the latest UNH Stormwater Center filter media spec, per TAC Stipulation #6.
- A revised Landscape Plan was handed out to the Board members as the trees did not print out on the plan in their Plan Set. The handout reflects the correct plan and the only change was the addition of a note that indicates that the minimum branch height will be 6' and the maximum shrub height shall be 3'.

Mr. Hopley asked about the underground detention system. Is the idea to capture from the catch basins around the parking lot and to flow into the piping system which is pitched? Mr. Crimmins confirmed that the actual detention system is not pitched but as it fills up, it spills out at a slow rate through the outlet pipe which is pitched. They are trying to match their pre and post development flows. They are detaining the flow in a structure beneath the pavement and slowly releasing it. It is being treated before it is outletted from the site via a downstream defender treatment unit. This is the same exact design that was previously submitted.

Mr. Rice referred to the Landscaping Plan. This is a commercial area abutting a residential area across Portsmouth Boulevard and he was wondering if the evergreen trees and deciduous trees are enough to block the light from going across the street in the evening at the corner of Commerce and Portsmouth. Mr. Crimmins confirmed that the Landscape Plan is the same plan that was previously approved but they certainly were open to adding landscaping to that corner. Mr. Rice confirmed that he would like to see more trees.

Ms. Geffert wanted some assurances that the residential properties across Portsmouth Boulevard would have adequate screening from car lights. She would like as much landscaping in the buffer as possible.

She also had a hard time understanding the grading and drainage and asked for a rudimentary explanation of the system. Mr. Crimmins explained that the surface is graded in a way that pitches the stormwater run off to the catch basins. There are proposed catch basins throughout the parking area that will capture the stormwater run-off on site. The inlet protection barrier is an erosion control practice that gets installed into the catch basin during construction and it is an erosion control measurement to keep sediment from running off from the on going construction and it will capture it in the inlet that is in the catch basin. That practice is for during construction and those are taken out after construction is completed. The actual catch basin is the structure that is in the ground that collects the stormwater and when it collects the stormwater into the basin it flows via gravity through the stormwater pipes, into the large detention underground u-shaped detention system that is flat and is a minimum of 3' below the ground with zero pitch. It collects the water and detains it and slowly

released the water out of the outlet pipe that is discharging to the abutting property. The downward slope from catch basin to catch basin is in the pipe. Mr. Coviello asked is the water is released with a weir? Mr. Crimmins confirmed it is a weir structure. It is shown on the Detail Sheet, C-9. It is a V-notch weir inside a concrete structure. Mr. Coviello was concerned about water filling up the stormwater system to the point where it is slowly pouring over the weir and then it stops at which point it will just go right over the weir and there would not be any further retention, or does the system have small orifices that slowly leach out over time? Mr. Crimmins stated there is no infiltration. The output is at the bottom invert of that structure. It is actually a combined structure with an underdrain plus a weir for the larger storms. Mr. Blenkinsop asked about it discharging onto the abutting property. Mr. Crimmins stated it is discharging via a drainage pipe into a catch basin that is located on 215 Commerce Way.

Mr. Coveillo asked for a detail for the enclosed dumpster. Mr. Crimmins confirmed the fence will be a 6' high vinyl fence with slats.

Deputy City Manager Hayden referred to a letter the Board received from a resident in the area regarding lighting and screening for 2 & 3 Osprey Drive. She asked him to point out where 2 & 3 Osprey Drive are relative to this development. She also felt that staff level should review more screening at that corner but they obviously don't want to block sight distance at the intersection. Mr. Crimmins confirmed that the fixture was not in their detail sheet but it is a dark sky compliance shoe box fixture and the lighting levels are detailed on the photometrics plan. Deputy City Manager Hayden requested a lighting detail.

Mr. Taintor confirmed the exact location of 2 & 3 Osprey Drive from the subdivision plan, for the record, and they are on the very lower left corner.

Attorney McNeill stated that the landscaping was previously approved which is why they did it the same way. He requested that Mr. Rice's comments be done at staff level. The photometrics plan was previously considered as well and the fixture was reviewed by technical staff.

The Chair asked if anyone was present from the public, wishing to speak to, for, or against the petition. Seeing no one rise, the Chair closed the public hearing.

DISCUSSION AND DECISION OF THE BOARD

Mr. Coviello asked if the parking lot lights will be turned off at any time. Attorney McNeill did not know but he reminded the Board that across the street is a hotel and he was not sure if there is a restriction on lighting for the hotel. He assumes people would be working late periodically at this property so there would be safety lighting and reasonable parking lighting.

Deputy City Manager Hayden made a motion to approve with the six recommended stipulations plus that additional evergreen screening would be placed on the corner of Commerce Way and Portsmouth Boulevard, to be reviewed and approved at staff level to make sure they have adequate sight distance but some additional screening for the purpose of the surrounding residents, and that a lighting detail be added to the plans and that the lighting fixtures be dark-sky friendly. Mr. Coviello seconded the motion.

Mr. Hopley stated that the underground drainage had him concerned for the installation (not for the design) as they have never seen a system as intricate as this. He thought he put a condition regarding special inspections at the approval of DPW on the previous approval concerning special inspections of this site work and having those inspections be at the approval of DPW. He felt that the note on Sheet C-10 was vague and he would like more teeth in it. He suggested a special inspection engineer at their discretion at all phases as it is very important and there is a lot of pipe. There is a lot of site work centered on drainage. Mr. Crimmins was open to working with staff to come up with a schedule for inspections. Mr. Coviello asked for clarification and asked if Mr. Hopley was concerned about elevations, the size of piping and the grading. Mr. Hopley confirmed he was concerned that the entire design gets implemented properly. Mr. Coviello was trying to predict what the engineers report would say. Mr. Hopley would want confirmation that everything was done correctly. Deputy City Manager Hayden suggested that the stipulation read that there shall be DPW oversight to insure that the plan is constructed as designed. She also added a stipulation that the Landscaping Plan that was handed out this evening is the plan that should be included in the final Plan set.

Ms. Geffert asked what the photometrix plan tells her. Mr. Taintor confirmed that the plan reflects when all lighting is on.

The motion to approve passed unanimously with the following stipulations:

- 1) The final Site Plan set shall include the Landscaping Plan (Sheet C-4) that was presented at the October 15, 2009, Planning Board meeting.
- 2) The applicant shall review the proposed landscaping with the Planning Department staff, and shall increase the density of evergreen screening between the site and residential properties across Portsmouth Boulevard to the extent consistent with assuring safe sight distances at the corner of Commerce Way and Portsmouth Boulevard.
- 3) The Site Plan shall include a detail of a dark-sky friendly light fixture to be used for exterior lighting.
- 4) The applicant shall prepare all necessary agreements and easements, subject to approval by the City Attorney as to content and form.
- 5) The applicant shall prepare a Construction Management & Mitigation Plan for review and approval by the City prior to the issuance of a Building Permit.
- 6) In order to address the failure of the road surface on Portsmouth Boulevard, the applicant shall shim the road to remove the ruts and then construct a 1-1/2" structural pavement overlay from Market Street to whichever sewer manhole the development's sewer service line ties into (either at Commerce Way or at the site driveway).
- 7) The applicant shall provide for enhanced oversight and inspections by the Department of Public Works in order to insure that the underground drainage system is constructed as designed.
- 8) The applicant shall prepare a plan, acceptable to the Legal Department and the Planning Department, for placing existing utilities on Commerce Way underground and constructing sidewalks along the length of Commerce Way, and for financing such improvements.
- 9) The applicant shall be responsible for reconstructing Commerce Way in accordance with Stipulation #4 above.
- 10) The applicant shall provide a report back to the Planning Board when all of the conditions of approval have been met.

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C. The application of **Tain Properties, LLC, Owner**, for property located at **215 Commerce Way**, wherein Site Review approval is requested to re-stripe the existing parking lot and add a paved aisle to an abutting property, with related paving, utilities, lighting, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 216 as Lot 1-8A and lies within the Office Research District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Patrick Crimmins, of Appledore Engineering, explained that this project abuts 235 Commerce Drive. The existing parking area currently overlaps onto 235 so they are reconfiguring the parking to a single tier. The location of the curb cut will not change. It will only include the angle of the drive coming in. Also included are new sidewalks along the face of the building and an addition to provide a connection to the adjacent office building. The proposed project includes a 5% increase of open space and new landscaping on the parcel. They will also do some drainage improvements. There are 5 catch basins which they will equip with oil/water separator hoods which will be the Eliminator Hood as recommended by TAC.

Mr. Hopley asked for a detail on the stairs between the two lots. Mr. Crimmins stated that the stairs will be built as part of the retaining wall. He will add a stair detail to the retaining wall detail. There is a difference of grade of about 3 ½’. The grades pitch at a 3:1 slope down to the top of the wall so that there is a reduction in the wall height.

Deputy City Manager Hayden assumed the lights are all dark-sky friendly? Mr. Crimmins confirmed that they were dark-sky compliant fixtures..

The Chair asked if anyone was present from the public, wishing to speak to, for, or against the petition. Seeing no one rise, the Chair closed the public hearing.

DISCUSSION AND DECISION OF THE BOARD

Deputy City Manager Hayden made a motion to approve with the four recommended stipulations and added that the plans reflect a lighting detail for dark-sky compliant fixtures, and a stair and handrail detail. She asked Mr. Hopley if he required a similar overview stipulation that he was concerned about for 235 Commerce. Mr. Hopley did not require that.

Mr. Blenkinsop seconded the motion.

The motion to approve passed unanimously with the following stipulations:

- 1) The Site Plan shall include a detail of a dark-sky friendly light fixture to be used for exterior lighting.

- 2) The Site Plan shall include a detail of the stair and handrail between the site and 235 Commerce Way.
- 3) The applicant shall prepare all necessary agreements and easements, subject to approval by the City Attorney as to content and form.
- 4) The applicant shall prepare a Construction Management & Mitigation Plan for review and approval by the City prior to the issuance of a Building Permit.
- 5) The applicant shall prepare a plan, acceptable to the Legal Department and the Planning Department, for placing existing utilities on Commerce Way underground and constructing sidewalks along the length of Commerce Way, and for financing such improvements.
- 6) The applicant shall be responsible for reconstructing Commerce Way in accordance with Stipulation #5 above.

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D. The application of **Portsmouth FFI, LLC, Owner**, for property located at **650 Borthwick Avenue**, requesting a Conditional Use Permit under Article VI, Section 10-608(B) of the Zoning Ordinance for the restoration of approximately 1,258 s.f. and drainage swale maintenance of approximately 1,239 s.f., all within an Inland Wetlands Protection District and Inland Wetlands Protection District Buffer Zone. Said property is shown on Assessor Plan 234, as Lot 7-6 and lies within the General Business District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

Christopher Rice, of T. J. Moran, presented on behalf of the Fairfield Inn. He displayed a color plan for the Board. Earlier in the spring the Inn experienced flooding in its basement so they cleared a channel to release the flow to Hodgson Brook. In June they were notified that they had impacted wetlands without a permit. Moran was hired and they determined that the swale was originally designed as part of the original 1985 site plan and in the 24 years that it has been operating the swale has not been maintained, vegetation has grown, the swale has silted up and there is no longer positive pitch in the swale so the water is backing up. They have agreed with DES to restore the wetland area back to its original state including vegetation and elevation and they will also dredge out the area to give it positive pitch again.

Chairman Ricci asked for a silt fence detail. Mr. Rice confirmed that there is a detail in the Wetland Restoration Package in Section 4. He will add a silt fence detail to the plan. Chairman Ricci requested a typical detail for jute netting and seed mix on the plan also as there is plenty of room on Sheet 1 to add both.

Mr. Coker asked if they would have a problem reporting to DPW on an annual basis on the maintenance of the swale. Mr. Rice stated that was part of their approval from the Conservation Commission yesterday. They received a favorable recommendation to DES for the Minimum Impact Expedited Permit and a favorable recommendation to the Planning Board on the Conditional Use Permit with three conditions. One condition was a maintenance program which states that they have to sweep the parking lot a minimum of two times per year, spring and fall. Also, that the maintenance

staff at the hotel participate in some sort of seminar where they would be taught the things not to do in a wetland and how to protect it. The owners asked if T.J. Moran could prepare a document for the Inn to use for an annual training program due to employee turnover.

Mr. Coviello asked what the maintenance would be. Mr. Rice explained that any silt that accumulates would be removed and to keep vegetation down to a reasonable height. Mr. Coviello requested a dry assisted vacuum sweep, which he felt was the best choice.

Deputy City Manager Hayden noted that the third Conservation Commission condition asked that a natural shrub buffer be maintained along the edge of the swale closest to the hotel. Mr. Rice pointed out where that is on the plan. She noted that they show some additional dogwood plantings to the left to the swale. Mr. Rice confirmed that was part of the restoration plan that they have agreed to with DES. They will be planting the shrubs outside the wetland boundaries. Deputy City Manager Hayden felt that the condition needs to read that the natural shrub buffer needs to be planted as well as maintained.

The Chair asked if anyone was present from the public, wishing to speak to, for, or against the petition. Seeing no one rise, the Chair closed the public hearing.

DISCUSSION AND DECISION OF THE BOARD

Mr. John Rice made a motion to approve with the recommended stipulations. Deputy City Manager Hayden seconded the motion and added the stipulations from the Conservation Commission with #3 being revised to add “planted” and maintained, and add to the end “and that this planting be reviewed and approved by Peter Britz to assure that the function of swale is not impeded”. Also #1 should add “and that be reported to DPW and that this method of sweeping be acceptable to DPW and Peter Britz, Environmental Planner.

Mr. Coker asked to keep the annual reporting to DPW a separate stipulation for clarity purposes.

Mr. Taintor also requested a change to Stipulation #3 with respect to the annual staff training and the document that will be prepared rather than annual training. Ms. Geffert requested that the document include visuals.

The motion passed unanimously with the following stipulations:

- 1) Scheduled parking lot maintenance and catch basin clean up, with reports to the Department of Public Works, shall take place at least twice a year (spring and fall), and shall include a method of sweeping that is acceptable to the Department of Public Works and Peter Britz, Environmental Planner.
- 2) A maintenance report on the parking lot and swale shall be provided to DPW on an annual basis.
- 3) The hotel management shall incorporate into its annual staff training seminars specific training on stormwater management and swale maintenance using a document, including visuals as well as text, to be prepared by T.J. Moran.

- 4) A shrub buffer shall be planted and maintained along the edge of the swale closest to the hotel, in an area currently consisting of mowed lawn, and this planting shall be reviewed and approved by Peter Britz, to assure that the function of the swale is not impeded.

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III. CITY COUNCIL REFERRALS/REQUESTS

*The Board’s action in these matters 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.*

A. Request from John Dussi, for The Page Restaurant and Bar, for property located at 172 Hanover Street, for (1) placement and illumination of a temporary sign on the Vaughn Mall; and (2) reconsideration of the Board’s recommendation for a projecting sign.

Mr. Taintor indicated this is a situation where there was a previous request for a projecting sign which the Board recommended against and the City Council denied. The owner came back with a couple of requests in sequence and they ultimately have requested a temporary free standing illuminated sign and to reconsider the projecting sign. They came back with a smaller sign which would be externally illuminated. The sign they are requesting a license for is already installed and the wiring and conduit was installed without any permission and no electrical permit. The City is in the process of enforcing that and getting the violations removed so they are recommending no action until those outstanding issues are resolved. He recommends postponing this to November assuming everything can be resolved at that time.

Mr. Coviello went by the site today and noticed there is a sign on the awning that is not picked up in this report. Mr. Taintor confirmed they have received a permit for that sign.

Councilor Dwyer asked if their postponement was related to work that was inappropriately done and how the Wet Bar sign request will be handled. Mr. Taintor indicated that the signs that are covered in the Zoning Ordinance are signs that are attached to a building and this is like a sandwich board so it really doesn’t count as a sign. It is on City property and it would not be included in the allowed sign area so it will be a request for a sidewalk obstruction permit.

Mr. Coviello made a motion to postpone to the November 19th Planning Board meeting. Mr. Coker seconded the motion.

The motion to postpone to the November 19th Planning Board meeting passed unanimously.

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B. Letter from Charles A. Griffin, Esq., for Richard B. Duddy and Sue Ellen Duddy, regarding release of a portion of McClintock Avenue (paper street).

Mr. Taintor originally recommended that the Board not recommend this and he has since had subsequent discussions with Attorney Griffin who has additional information. Attorney Griffin has asked that this be postponed to the November meeting so that he can meet with staff and also so that the Board may receive the additional information.

Mr. Coviello made a motion to postpone to the November 19th Planning Board meeting. Deputy City Manager Hayden seconded the motion.

The motion to postpone to the November 19th Planning Board meeting passed unanimously.

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C. Letter from Peter J. Loughlin, for the Foundation for Seacoast Health, for placement of a sign for the Community Campus at intersection of Lafayette Road and West Road.

Mr. Taintor stated this is a request to have better visibility for Community Campus. In looking at the site it became evident this could add to some sign clutter. They want to place it on the south side of Campus Drive and there are other signs on the north side which would block this. He felt it would be good to work together on relocating a sign into the middle of the intersection, in the island, without causing sight distance issues. They are recommending that they request staff to work with representatives of the Foundation for Seacoast Health and the Industrial Park tenants on a proposal for coordinated improved signage at the intersection of Campus Drive and Lafayette Road, and to report back to the Planning board.

Mr. Coviello made a motion to approve Mr. Taintor’s request. Deputy City Manager Hayden seconded the motion.

Mr. Coker asked how they would deal with other businesses that also wanted to have a sign on Lafayette Road. Mr. Taintor indicated that was the point as some tenants already have signs on the directory sign so this may be a win-win for everyone. They have a sign on the same corner on the opposite corner of where Community Campus has requested their sign.

The motion to request staff to work with representatives of the Foundation for Seacoast Health and the Industrial Park tenants on a proposal for coordinated improved signage at the intersection of Campus Drive and Lafayette Road, and to report back to the Planning Board, passed unanimously.

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D. Request from Harrison Alan Workman to name a private road off Sagamore Avenue as “Workman’s Road” or “Workman’s Cove”.

Mr. Taintor indicated that the letter from Harrison Workman was in their packet. This is a small private road with four properties on it. They all have Sagamore Avenue addresses but are invisible from Sagamore Avenue and they have difficulties with everything from ambulances to pizza deliveries. This has been reviewed by DPW, the City’s 911 Coordinator and the Police Department

who have all consented to this. He has since communicated with Mr. Workman and he confirmed he contacted the other property owners and would like to name it Workman’s Cove.

Mr. Hopley had never heard of a road called a cove and asked if the 911 Coordinator was okay with that. Mr. Taintor confirmed they were comfortable with either name.

Mr. Coker remembered other requests to change street names where some neighbors said they didn’t want to change all of their records, so he wondered if all of the residents had agreed to this. Mr. Taintor did not ask that specifically. Councilor Dwyer felt there should be a public hearing before the Planning Board. Deputy City Manager Hayden pointed out that this was a private road so she wasn’t sure a public hearing was necessary. Councilor Dwyer felt public citizens are affected and even though they live on a private road the City protects the interests of all citizens, no matter what type of road they live on. For the record, Mr. Coker did not have an objection to renaming the road but he just wanted to make sure everyone was in agreement with it. Deputy City Manager Hayden thought they needed to think about this as the Planning Board cannot direct the City Council to have a public hearing on this. Mr. Coker thought maybe the Planning Department could call all affected residents and confirm their agreement which would avoid a public hearing. Mr. Taintor felt they could do it either way. Councilor Dwyer was concerned about setting a precedent. It seems they have a public process and they should use it. Deputy City Manager Hayden recommended that they have a public hearing at the next Planning Board meeting and then recommend it to the City Council.

Mr. Coviello was sure the history given in Mr. Workman’s letter was accurate but he asked if the City did any historic review to confirm the information. Deputy City Manager Hayden pointed out that was one more reason to do a public hearing.

Ms. Geffert asked if all of the private street residents get notice of the public hearing. Mr. Taintor assured the Board that they would get notification from the Department.

Deputy City Manager Hayden made a motion to postpone action on this item until the Board holds a public hearing at the November 19th Planning Board meeting, and that notice be given to the affected residents who live on the private drive. Mr. Coviello seconded the motion.

The motion passed unanimously.

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IV. PLANNING DIRECTOR’S REPORT

A. 73 Prospect Street: Administrative approval of amendment to site review approval (walkway surface material).

Mr. Taintor explained this is a small development approved several years ago and the original site plan showed a brick walkway leading from the asphalt sidewalk, going towards a stone dust walkway. The ownership has changed and they are trying to close out the Site Review conditions. The new owner asked to change the surface back to asphalt to match the existing sidewalk. Mr. Desfosses, of Public

Works, went to the site and did an inspection and saw no problem with this request so Mr. Taintor approved it administratively.

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B. 650 Borthwick Avenue – Portsmouth FFI, LLC (Fairfield Inn): Administrative approval of amendment to site review approval (wetlands restoration under Conditional Use Permit – see Item II.D above).

Mr. Taintor stated this goes along with the Conditional Use permit they granted this evening. This was for minor changes to the Site Plan to the landscaping and the swale. Because they already had a hearing on it, he did not feel it was necessary for them to come back next month for a Site Plan change.

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Mr. Taintor gave an update on Zoning. The Board received the new Zoning Ordinance and Zoning Map tonight. These will be provided to the City Council for their meeting on Monday. They will be asked to schedule first reading for the ordinance and the proposed date is November 16th. They will be available on the City’s website in the next day or two. Copies are also available at the Planning Department, the City Clerk’s Office and the Library. Mr. Coviello asked if they could include in the City’s newsletter that the Zoning Ordinance and Zoning Map have been approved by the Planning Board.

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V. ADJOURNMENT

At 8:17 pm a motion to adjourn the work session was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board

These minutes were approved by the Planning Board on November 19, 2009.