

MINUTES

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

JULY 16, 2015

MEMBERS PRESENT: John Ricci, Chairman; Elizabeth Moreau, Vice Chairman; Jack Thorsen, City Council Representative; David Allen, Deputy City Manager; Robert Marsilia, Building Inspector; William Gladhill, Colby Gamester, Jay Leduc; Michael Barker; and Justin Finn, Alternate

MEMBERS EXCUSED: Justin Finn, Alternate

ALSO PRESENT: Rick Taintor, Planning Director, & Jessa Berna, Associate Planner

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I. APPROVAL OF MINUTES

1. Approval of Minutes from the June 18, 2015 Planning Board Meeting – unanimously approved
2. Approval of Minutes from the June 25, 2015 Planning Board Work Session – unanimously approved

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II. DETERMINATIONS OF COMPLETENESS

A. Subdivision:

1. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, for Preliminary and Final Subdivision Approval (Lot Line Revision).

Ms. Moreau made a motion to determine that the application is complete according to Preliminary and Final Subdivision Rules and to accept it for consideration. Mr. Barker seconded the motion.

The motion passed unanimously.

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B. Site Plan Review:

1. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, requesting Site Plan Approval for a proposed 4-story office building.

Ms. Moreau made a motion to determine that the application is complete according to Site Plan Review Regulations and to accept it for consideration. Deputy City Manager Allen Seconded the motion.

The motion passed unanimously.

Chairman Ricci requested a motion to take item C Public Hearings New Business out of order for the purposes of postponement.

Ms. Moreau made a motion to take Item C Public Hearings New Business out of order for the purposes of postponement. Deputy City Manager Allen seconded.

The motion to take Item C Public Hearings New Business out of order for the purposes of postponement passed unanimously.

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III. PUBLIC HEARINGS – OLD BUSINESS

A. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots which are currently shown on Assessor Map 216 as Lots 1-8A and 1-8B and Assessor Map 213 as Lot 11. The applicant proposes to merge Map 216 Lot 1-8A and Lot 1-8B into Map 216 Lot 1-8A, and to revise the lot line between Map 216 Lot 1-8A and Map 213 as Lot 11 as follows:

- a. Map 216 Lot 1-8A (136,490 s.f.) merged with Lot 1-8B (196,876 s.f.) increasing in area from a total of 333,366 s.f. to 384,402 s.f. with continuous street frontage on Portsmouth Boulevard and Commerce Way.
- b. Map 213 Lot 11 decreasing in area from 290,077 s.f. to 239,040 s.f. with continuous street frontage on Portsmouth Boulevard and Dunlin Way.

Said lots lie within an Office Research (OR) District which requires a minimum lot size of 3 acres and 300 ft. of continuous street frontage. (This application was postponed at the June 18, 2015 Planning Board Meeting.)

Ms. Moreau made a motion to postpone consideration of the application for Preliminary and Final Subdivision approval (Lot Line Revision) to the August 20, 2015 Planning Board meeting. Mr. Gladhill seconded the motion.

The motion to postpone consideration of the application for Preliminary and Final Subdivision approval to the August 20, 2015 Planning Board meeting passed unanimously.

B. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, requesting Site Plan Approval for a proposed 4-story office building with a footprint of 28,125 ± s.f. and gross floor area of 112,500 ± s.f., and 640 parking spaces serving the proposed building and an adjacent existing office building (including a parking deck with 161 spaces below grade), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 216 as Lots 1-8A and 1-8B and lies within the Office Research (OR) District. (This application was postponed at the June 18, 2015 Planning Board Meeting.)

The Chair read the notice into the record.

Ms. Moreau made a motion to postpone consideration of the application for Site Plan Approval until the August 20, 2015 Planning Board meeting. Mr. Gladhill seconded the motion.

The motion to postpone consideration of the application for Site Plan Approval to the August 20, 2015 Planning Board meeting passed unanimously.

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C. The application of **Chinburg Developers, LLC, Owner**, for property located at **1163 Sagamore Avenue**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer for demolition of an existing clubhouse and construction of 11 residential units including a private access drive, stormwater/drainage structures and sewer upgrade along Sagamore Avenue, with 9,682 ± s.f. of total impact to the wetland buffer (7,295 ± of impact for on-site improvements, 649 ± for off-site stormwater/drainage structures and 1,738 ± for off-site sewer improvements along Sagamore Avenue). Said property is shown on Assessor Plan 224 as Lot 17 and lies within the Mixed Residential Office (MRO) District. (This application was postponed at the June 18, 2015 Planning Board Meeting.)

The Chair read the notice into the record.

Ms. Moreau made a motion to postpone consideration of the application for a Conditional Use Permit to the August 20, 2015 Planning Board meeting. Deputy City Manager Allen seconded the motion.

The motion to postpone consideration of the application for a Conditional Use Permit to the August 20, 2015 Planning Board meeting passed unanimously.

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D. The application of **Hillcrest at Portsmouth, LLC, Owner**, for property located at **3201 Lafayette Road**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within an inland wetland to install five new manufactured homes at the following addresses: 429 Striped Bass Avenue (with proposed garage and paved driveway expansion), 229 Mackerel Avenue (with proposed shed and paved driveway expansion), 150 Codfish Corner Road (with proposed garage and paved driveway expansion), 180 Codfish Corner Road (with proposed garage, proposed shed and paved driveway expansion), 171 Codfish Corner Road (with proposed shed and paved driveway expansion), with 25,038 ± s.f. of total impact to the wetland. Said property is shown on Assessor Plan 291 as Lot 7 and lies within the Gateway (G), Garden Apartment/Mobile Home (GA/MH) and Rural (R) Districts. (This application was postponed at the June 18, 2015 Planning Board Meeting.)

The Chair read the notice into the record.

Ms. Moreau made a motion to postpone consideration of the application for a Conditional Use Permit to the August 20, 2015 Planning Board meeting. Mr. Gladhill seconded the motion.

The motion to postpone consideration of the application for a Conditional Use Permit to the August 20, 2015 Planning Board meeting passed unanimously.

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IV. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **217 Walker Bungalow LLC, Owner**, for property located at **217 Walker Bungalow Road**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within the tidal wetland buffer to remove the existing asphalt driveway and install a pervious paver driveway, remove a shed, reduce the size of the existing brick patio and move it further from the wetland buffer, and install new sewer lines for a proposed septic system, with 800 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 202 as Lot 12 and lies within the Single Residence B (SRB) District.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION:

David Whitham, owner, was present to speak to the application. He handed out an 11 X 17 Site Plan. Three quarters of the quarter acre lot is within the buffer zone. The wetlands buffer is approximately 10’ from the property line. He and his wife are doing some renovations to the property and there is a pressing need to update the septic system. It is generous to say that it has a septic system now. An adult that spent their childhood in the house told him that as a kid, they dug a hole. He would like to install a state of the art septic system. The tank itself will be within the 100’ buffer, but the leach field will be outside the 100’ buffer. It has already received state approval. Other improvements include: 4’ overhangs cut back to 18”, a small shed attached to the house will be removed and relocated outside the wetland zone, and a new driveway using pervious asphalt will be installed. There is a net decrease of over 1,000’ of impervious surface within the buffer zone. There was a positive recommendation from the Conservation Commission at the last meeting.

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

Ms. Moreau made a motion to grant the Conditional Use Permit with the recommended stipulation. Mr. Barker seconded the motion.

The motion to grant Conditional Use Permit Approval passed unanimously with the following stipulation:

1. A drip edge shall be installed around the perimeter of the house.

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B. The application of **Denise A. Croteau Rev. Trust, Owner**, for property located at **241 Walker Bungalow Road**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within the tidal wetland buffer to construct a deck onto an existing deck, installation of a bay window onto the existing residential structure and grading to accommodate a walkout door and landing, with 479 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 202 as Lot 13 and lies within the Single Residence B (SRB) District.

The Chair read the notices into the record.

SPEAKING TO THE APPLICATION:

Jeff Croteau, owner, was present to speak to the application. He stated that there have been 3 adjustments to the plans approved in March. Two of those adjustments were an oversight on the drawings. The addition, approved in March, is currently under construction. There is an 8’ gap between the addition and the existing deck. They would like to connect the two, but this was left off the drawings. The second change is the bay window. It does not touch the ground. It is replacing a flat window. The third item is a change. Previously, 3 doorways would have to be passed through to exit the basement. For safety reasons, there will now be a walk-out door. There is a bit of change to the grading due to this. Everything else on the drawings was previously approved.

Ms. Moreau inquired as to whether the additional deck will be built the same as the deck that is there now.

Mr. Croteau stated that it will be exactly the same.

Mr. Marsilia inquired about what the new basement will used for.

Mr. Croteau stated that it will be unfinished and used for storage (bikes, etc). Mr. Croteau has 3 kids.

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

Ms. Moreau made a motion to grant the Conditional Use Permit as presented. Mr. Barker seconded the motion.

The motion passed unanimously.

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C. The application of **Chinburg Development, LLC, Owner**, for property located at **1163 Sagamore Avenue**, requesting Site Plan Approval for the demolition of existing building and the construction of 11 single family dwellings and a private roadway, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 224 as Lot 17 and lies within the Mixed Residential Office (MRO) District.

The Chair read the notices into the record.

Ms. Moreau made a motion to postpone Site Plan Approval to the August 20, 2015 Planning Board meeting. Mr. Gladhill seconded the motion.

The motion to postpone Site Plan Approval to the August 20, 2015 Planning Board meeting passed unanimously.

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V. OTHER BUSINESS

A. Proposal to amend the Zoning Ordinance and Zoning Map to implement Character-Based Zoning in the North End, to revise various provisions of Article 5A – Character Districts, and to make conforming amendments to other sections of the Zoning Ordinance. (This matter was referred to the Planning Board by the City Council on April 20, 2015, and was postponed at the June 18, 2015 Planning Board Meeting.)

Mr. Cracknell, Principal Planner, City of Portsmouth, was present to speak to the proposal. He stated that this has been an iterative process moving from the Charrette back in November, 2014 to the Vision Plan (completing that effort in January/February, 2015) to having a public comment process then moving on to a code development step, to the City Council to the Planning Board and back to the City Council. It was given to the City Council on April 15th, 2015. There was an informational gathering held on May 5th, 2015. The first meeting was June 18, 2015 with a presentation to the Planning Board and the public. There are 29 revisions. Most of them are clerical in nature, or are addressing internal inconsistencies. There are a few substantive changes that came primarily from the work session with the public on May 5th, 2015. They have made the recommended revisions. He showed a slide presentation with an overview of the 29 changes. Mr. Cracknell distilled them into 6 general categories that describe the substantive changes. He stated that he will not go over what he presented on the 18th. He will answer any questions for clarification around the ordinance that was sent to City Council on the 15 of April and the proposed changes. A few points to keep in mind are: the building design idea was to explore more contemporary architectural expressions. Different housing opportunities were discussed including Workforce Housing and Microapartments. A focus is making the north end as walkable and pedestrian friendly as possible. He spoke about changes to the character district standards (dimensional controls) and wrapped up with some definitional changes and proposed changes to parking requirements. He spoke about the current Draft 4/15/15, the proposed revisions (7/16/15), and comments using a table and slides. He stated that the City Council held first reading this week. The second reading is scheduled for August 3rd, 2015. He provided a summary of the suggested revisions.

A. Character Based Zoning

1. Building form and lot occupation standards
2. Building Height Requirements
3. Increase building height area
4. Community Space requirements
5. Workforce Housing Requirements
6. Building Footprint Exemption for liner building and underground parking levels

B. Conforming Amendments

7. Assisted Living and Residential Care Facilities
8. Rooftop Appurtenances
9. Off-Street Parking Requirements
10. Definitions for building length, entryways, and footprints as well as penthouses, story height, underground parking levels and workforce housing.

Mr. Leduc inquired whether it would be easier and less painstaking to follow a street line for property lines.

Mr. Cracknell stated that the City is moving away from using streets and offsets as a boundary. It is advantageous to use a property based zoning map. In addition, heights are based on street averages which are also much better than what the City has had in the past and still has in the present.

Mr. Leduc noticed a typo in Row 2C.

Mr. Gladhill stated that Workforce Housing originally was at least 30%. In the new proposal, it was dropped down to 10%. He inquired as to whether bumping it back up to 30% would be considered.

Mr. Cracknell stated that he would defer to Mr. Taintor for this, but much of it is based on the economics. The rents are not equivalent to the sales revenues to the developer. If it is 30%, sales are guaranteed but there would be no rental units.

Mr. Taintor stated that the original draft was a mistake; the numbers 30% and 10% were transposed. The value of the sale units is much higher to the developer than the rental units.

Mr. Cracknell thought it should be reduced to 2 (from 3) units if it is only a 10% requirement. Getting more than the minimum is not likely.

Mr. Gladhill stated that if the percentage is reduced, the public is not going to see the benefit.

Mr. Cracknell pointed out that if Mr. Gladhill agrees with the 30% and the 10% and making the return on the investment to the developer as equal as possible between rental and sale, 3 units and 3 units does not work. The developer will always default to the 30% or 3 units for sale and there would be no rental units. Mr. Cracknell would go to 2 units for the minimum on 10%.

Mr. Gladhill wondered how there could be a guarantee that the units will stay as workforce housing. Mr. Cracknell stated that his hope is that it would be in perpetuity. He doesn't know what the state statute says. He would defer to Mr. Taintor.

Mr. Taintor stated that in terms of the definition of affordable housing, it states that there must be a recorded land lease or deed restriction.

Mr. Gladhill stated that nothing was included in the proposal about the HDC. As a Planning Board, increasing height for workforce housing may be looked at as a favorable action, but from the HDC perspective, more height may not be favorable.

Mr. Cracknell stated that the HDC clearly has jurisdiction over height, volume, scale and massing. Just because the dimensional table says that you *may* build a 5-story building, doesn't mean it will be approved by the HDC.

Mr. Gladhill stated that if the zoning ordinance says someone can build to a height of 60', the HDC didn't think they had the ability to make a ruling against that zoning. If a developer sees this in the ordinance and adds that extra 10' bringing the height to 70', then comes to the HDC for approval and the HDC feels that this height should not be approved, the argument comes that it is allowed by ordinance. It should be known and stated up front that height will be subject to HDC approval.

Mr. Cracknell stated that he doesn't disagree with Mr. Gladhill. He stated that it may make sense in paragraph 5A4332 (where it states increased building height area designated on the map, the maximum building height may) to add the words "subject to issuance of a certificate of appropriateness where applicable", after the word "may."

Ms. Moreau wanted to follow-up on Workforce Housing. She wondered if the 30% and 10% applied elsewhere in the City. She wondered whether the percentages would work in the west end and whether there is some flexibility in this.

Mr. Cracknell stated that this is universal and location doesn't matter. It is based on the rents and sales figures set at by HUD (or whoever sets them). The 30% and 10% should work on Route 1 or downtown.

Mr. Taintor stated that it would be easier to achieve the Workforce Housing rental cost level outside the downtown. More could be asked for outside the downtown. So in this manner, some flexibility could be incorporated.

Ms. Moreau wondered with regard to the location of parking, 20' behind a principle building along the front yard whether this was this parallel to the front yard.

Mr. Cracknell stated that Ms. Moreau was correct.

Councilor Thorsen stated that Mr. Cracknell had mentioned during the presentation that there are properties outside the North End that would be affected by the changes; Court Street for example.

Mr. Cracknell stated that if it seemed this way, it wasn't intended. His reference to Court Street was merely that there already was a CD4L. There are no changes to anything downtown except for the 3-4 properties on High and Hanover that are being reclassified as CD4L2 (and these are outside the North End).

Councilor Thorsen stated that as a matter of form, this should be made clear. The public may not realize the area Mr. Cracknell is referring to is outside the Charrette. People may not make that

connection that we are outside the Charrette area with these few properties. He stated that he has an opinion on workforce/microhousing. This property is too expensive to deal with this. The City is trying to shoehorn what is popular now into an area that is more of a modern extension to the downtown. This area has potential for good development. He also wondered if a public walkway along the waterfront from Market to Woodbury was not under consideration.

Mr. Cracknell stated that the area will have a public walkway. Any of the properties that get developed along the waterfront within 100' must provide a walkway, greenway, etc.

Councilor Thorsen inquired whether it was inclusion of the walkway that led to the 2 ½ stories along the waterfront. One owner along the waterfront came forward and inquired why the heights along the water were so low. He wondered, what, aesthetically is driving the lower heights on the water.

Mr. Cracknell stated that this is a great commentary. All of the reasons that Councilor Thorsen mentioned are part of the reason the public chose this option. They wanted to see a stepping up in height of the buildings. It is part of the Gateway treatment coming into downtown. They wanted views to the water. Both options (having taller buildings and shorter buildings along the water) were presented to participants. The current zoning is more restrictive than the zoning being proposed. There is currently a 3 ½ story height limitation (45') in the entire north end. That would be relaxed outside the waterfront zone so that buildings could be taller than what is allowed today.

Councilor Thorsen doesn't understand the ½ parking space. This seems strange to him and he wondered whether it was really feasible.

Mr. Cracknell stated that it is the same as what is required now in the downtown, which is 1.5/spaces/unit.

Councilor Thorsen wondered whether the City is preventing building in this area because of the parking requirements.

Mr. Cracknell stated that many of the conforming amendments are universal. They do not just pertain to the north end. With microhousing and the ½ space, the assumption is that some people won't have a car. It is a disincentive to require too much parking. Many cities have no space requirement for micro housing. That is typically in a very urban area with mass transit. For Portsmouth, we think that ½ space is a very reasonable requirement to get our feet wet in order to see if it works.

Mr. Taintor stated that this doesn't create a special use, but a special parking requirement for very small units.

Mr. Cracknell made it clear (so that people don't panic) that most zoning districts require a minimum land area/dwelling unit. Many properties won't be able to take advantage of creating microunits because of the land area requirements. In addition, the economics would not be there for many dwellings.

Chairman Ricci stated that his two biggest regrets for the City are Smuttynose and Workforce Housing. The word "try" when it comes to workforce housing doesn't cut it. He stated that the City has failed in

trying to create Workforce Housing. He likes most of what is proposed but he is uncomfortable with the Workforce Housing piece of what is proposed and the height component. He doesn't feel there is anything wrong with a 70' building. Workforce Housing and the economics differ from area to area. He lives in Elwyn Park. The economics there are dramatically different than what they are on Market Street. Height is an issue on the low end for him. He would like to hold a meeting with someone from the state who can educate the Board on Workforce Housing. He would like to include residents and developers. The north end is an opportunity to not replicate downtown.

Mr. Gladhill would like to invite developers and residents to discuss the Workforce Housing piece. He stated that he wouldn't mind postponing for a work session.

Chairman Ricci stated that if this Board deems that the additional height and number of units is acceptable, then the HDC is advisory. They can be advisory but they could not go against what the Planning Board deems is appropriate. The North End isn't, and shouldn't be, downtown. It should be different.

Mr. Gladhill stated that if this is to be the case, he asked for some room to give the HDC some teeth to enforce a better design. There is nothing wrong with height if it is designed well. The Rockingham Hotel is a great example. No one notices the height of the building because it is a beautiful building that is designed well. It has many artistic features.

Chairman Ricci stated that we could debate about what constitutes a "better design." He would welcome a difference in architecture.

Mr. Barker stated that if we believe Workforce Housing is important in the downtown area, why don't we know what works for an incentive. If developers are brought in for an hour, they will be very clear about what works. This should be known to the Board without bringing residents and developers in for a work session. He doesn't feel a session such as this would be of any help. No one knows that the Rockingham is 70' high. Many know that the Hampton Inn is 72' high (or at least they would say it is "too high" without knowing the exact height). None of the people that put money down to develop are represented on this Board.

Mr. Ricci stated that Charrettes do not provide a broad enough perspective at times. The same residents that don't want height do want Workforce Housing. There cannot be both low height and Workforce Housing together. For the 12 years that he has been part of the City, there has been no success in implementing Workforce Housing. He wondered why that is the case. He has spoken with a couple of developers that are open to Workforce Housing. Some developers are very vested. Some work and live in Portsmouth.

Ms. Moreau stated that the recurring theme has been affordable/workforce housing. In order to get that, we must do what the people that provided input don't want us to do, which is to increase density and height.

Mr. Barker inquired as to what are some exact numbers.

Ms. Moreau stated that it is calculated property by property.

Deputy City Manager Allen stated that this is exactly the discussion that took place at the Charrette. It is tough to incentivize this particular area for Workforce Housing. He is disappointed that the Board is so close to derailing this right now and restarting from ground zero. He stated that Nick and Rick did talk with developers and have a good sense for what they are saying. He is willing to move the proposal forward to the City Council as is.

Chairman Ricci stated that he doesn't want to throw the baby out with the bath water. If this is the best that can be done right now, that is acceptable.

Ms. Moreau stated that she doesn't want to derail the proposal right now. She wondered whether Workforce Housing could be removed for consideration at a later date.

Mr. Gladhill stated that the Board may not be happy with what is in there now but he would rather move forward and keep the Workforce Housing piece intact.

Ms. Moreau stated that there would still be the civic/community space incentive in place.

Mr. Taintor stated that this will be followed up with west end zoning. We can move this forward with amendments. The next round will be in a few months.

Councilor Thorsen stated that he thought this area would be denser and higher than is going to be allowed. He stated that he doesn't mind derailing a train that is on the wrong track. He wondered whether there was enough consensus to let it go to back to the City Council with recommendations and comments on where deficiencies exist. He hasn't seen as much feedback from the developers as he would like to see. There is an opportunity in the west end to become denser. He doesn't want to lose sight of the opportunity for various areas of the City to incorporate this. He felt that a builder's discussion would be helpful and feedback from the Planning Board to the City Council would also be helpful.

Mr. Leduc supports holding a discussion with builders. He is not comfortable with pushing this forward until there is more consensus on the part of the Board.

Mr. Barker stated that microhousing is a great new housing type and has potential to solve a lot of problems. The overall cost of rent is lower and it will accomplish a lot of what Workforce Housing would, but would not have the same restrictive requirements. He felt that it was fine to have a meeting, but expressed that he was disappointed that more of that information isn't available at the fingertips of the Board right now.

Chairman Ricci stated that it is a moving target. Things work differently in various areas of the City.

Mr. Barker wondered whether the discussion was too far off topic.

Chairman Ricci reiterated that he doesn't want to throw the baby out with the bath water and that the discussion is not too far off topic. He stated that each area of the city can, and should be, different. It seems that at times, the City struggles with trying to make everything downtown. The Back Bay is

different from downtown Boston is different from other parts of the larger city. Every project does not have to be approached as if it were an extension of the downtown.

Ms. Moreau made a motion to recommend that the City Council amend the zoning ordinance as presented with the changes discussed. Mr. Gladhill seconded the motion.

Mr. Gladhill reiterated that people should know ahead of time that height is not a guarantee and must be approved by the HDC.

Ms. Moreau stated that the document represents what was heard at the Charrette and if the public doesn't like what is in it, they will let us know. She felt that Workforce Housing needs work. She likes the idea of having the meeting with developers/public. She felt this was a good start and it can be made better.

Councilor Thorsen inquired about the timing for incorporating what is learned from developers.

Mr. Taintor stated that it would not be incorporated into this document. The Council would amend the package down the road. The next phase is looking at the zoning for the west end. If this proposal is to move forward now, then this would be endpoint for now with this document. The Workforce Housing piece would be revised as part of the next iteration.

Mr. Gladhill stated that this was a good start. As for the visual appearance of the North End, it is heading in the direction of being different. Once Harborcorp goes in, the buildings will have a different feel and look such as 3S Artspace does.

The motion passed by a vote of 7-2 (Chairman Ricci and Jay Leduc were opposed.)

Chairman Ricci stated that this is an example that the Planning Board does not rubber stamp things.

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B. Request of **Eport Properties 1 L.L.C., Owner**, for property located at **173-175 Market Street and 65 Ceres Street**, for a second one-year extension of Site Plan Approval which was granted by the Planning Board on August 15, 2013, and extended on July 17, 2014 to August 14, 2015.

Mr. Taintor stated that this is a project that has been delayed due to appeals and multiple hearings. It was originally approved in 2013 but the applicant was unable to proceed until March, 2015. They would like a second extension of the Site Plan Approval. The applicant will have to appear before the Planning Board again for another Site Plan Approval. Site Plan Regulations state that a public hearing is required if deemed necessary by the Planning Board, TAC. This can move forward as a routine matter without a hearing for one year.

Mr. Barker made a motion to grant a one-year extension to August 14, 2016 of the Site Plan Approval. Mr. Gladhill seconded the motion.

The motion passed unanimously.
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C. Appointment of Capital Improvement Plan Subcommittee.

Mr. Taintor stated that last year there was a request for additional public input for the CIP. To accommodate this request, there will be a CIP 101 class held in the Levenson room of the Portsmouth Public Library on September 23rd, 2015. Subsequently, there will be a public input session at the November Planning Board meeting. Three members of the Planning Board are requested to serve on the Subcommittee.

Chairman Ricci, Mr. Gamester and Ms. Moreau were appointed to the CIP subcommittee.

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VI. PLANNING DIRECTOR’S REPORT

No report was given

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VII. ADJOURNMENT

A motion to adjourn at 9:10pm was made and seconded and passed unanimously.

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Respectfully submitted,

Toni McLellan
Acting Secretary for the Planning Board

These minutes were approved at the August 20, 2015 Planning Board Meeting.