

**REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

6:00 PM Special Meeting Begins

May 5, 2022

MINUTES

MEMBERS PRESENT: Rick Chellman, Chairman; Corey Clark Vice Chair; Beth Moreau, City Councilor; Peter Harris; James Hewitt; Andrew Samonas, Alternate

ALSO PRESENT: Beverly M. Zendt, Planning Director; Nick Cracknell, Principal Planner; Stefanie Casella, Planner 1

MEMBERS ABSENT: Jayne Begala; Greg Mahanna; Franco DiRienzo, Alternate; Karen Conard, City Manager

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I. Receive and discuss the Land Use Committee Existing Conditions and Strategy Report.

PRESENTATION TO THE BOARD

Chairman Chellman called the meeting to order at 6:04 pm and sat Member Samonas in the absence of Member Mahanna. Chair Chellman introduced the topics for the evening including the strategy report and the proposed Zoning Amendments. Planning Director Mesa-Zendt introduced the evening's presentation that will have sections from herself, Councilor Moreau, and Principal Planner Nick Cracknell. Director Mesa-Zendt started with the Summary of Existing Conditions and Strategy Report which was developed by the Land Use Committee, noting that the report had been before the City Council, and is now before the Planning Board. Director Mesa-Zendt presented the report findings to the Board and highlighted populations changes, the number of cost burdened renters and homeowners, housing and ownership types, and project trends.

Councilor Moreau presented the Regulatory Workplan. Councilor Moreau's section of the presentation articulated the three phases of zoning amendments and how the Land Use Committee has worked through their process and the future steps that are to be taken including stakeholder meetings, public input sessions, and public hearings.

QUESTIONS FROM THE BOARD

Member Hewitt asked how the population data was broken down. Director Zendt explained that specific migration data was not available but through the Assessing department Staff was able to

identify that 10% of the population has a primary mailing address in a different State indicating that the population may be moving toward a second residence community. Member Samonas added that there may be a lag time for primary residence records to be fully up to date. Director Zendt added that the 2020 Census data would be helpful for this analysis when it comes out.

II. Review and discuss the following amendments to the zoning ordinance.

- A. Building Height Map. Section 10.5A21B: Add new streets, add building heights for civic and municipal properties and modify building heights. Correct the reference to 10.5A46.*
- B. Building Height Standards. Section 10.5A21B: Clarify the standards for corner, through or waterfront lots.*
- C. Civic Districts. Section 10.5A52.40: Apply the CD4 development standards to civic properties.*
- D. Definitions. Section 10.153: Add definitions for public places and modify building height to be based on existing versus finished grade.*

PRESENTATION TO THE BOARD

Principal Planner Cracknell was the last presenter of the evening and walked the Board through the Phase 1 Zoning amendments including updates and changes to the Building Height Map and Standards (Section 10.5A21B of the Zoning Ordinance), the Civic Districts (Section 10.5A52.40 of the Zoning Ordinance), and the Definitions (Section 10.153 of the Zoning Ordinance). The presentation included specific examples in the City and how these changes will create a more consistent Ordinance and close the current height standards gaps.

QUESTIONS FROM THE BOARD

Councilor Moreau asked why there were varying heights in the Hill Street area and suggested looking into that area further to evaluate if that was an appropriate conditions for each side of the street. Principal Planner Cracknell responded that there are many areas in the City where there are varying heights from one side of the road to another but agreed that further evaluation is needed.

Member Hewitt asked how the Heinemann property will be effected if the rear of the lot has a different height standard being proposed than the front. Principal Planner Cracknell answered that the Heinemann property is a through lot that has specific standards as articulated in the Zoning Ordinance.

Member Hewitt asked how a civic property is defined. Principal Planner Cracknell said that it is defined in the Code.

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Member Harris asked how the specific heights were assigned on Haven Ct and High St as they differ. Principal Planner Cracknell responded that original assignments were conservatively determined according to the building and conditions in that area at the time.

Member Samonas asked if the form and function of the short 4th floor have any influence on the height that is allowed. Principal Planner Cracknell answered that it would not affect the maximum height. Following discussion then included maximum height and floor standards and the prevue of the Historic District Committee in relation to building height.

Member Hewitt asked about the owner of Haven Court. Principal Planner Cracknell explained the City's position on the ownership and right of way.

Member Harris asked how the changes in building height would affect the existing Newbury Building. Principal Planner Cracknell explained that the building would be held to the new height standards should a new building or addition be proposed.

Member Hewitt asked why different roof types translate into different ways of measuring building height. Principal Planner Cracknell explained that architecturally the different types of rooves can read differently from the street level and this is a very common way of determining building heights.

Vice Chairman Clark asked for clarification on measuring parapets and asked if a sloped roof has a maximum pitch. Principal Planner Cracknell clarified that parapets are not included in the height calculation if they are 2 feet or shorter and answered that there are slope standards in the character districts but would have to look into maximum slopes outside the character districts. Member Hewitt asked how other communities address height standards. Principal Planner Cracknell explained that height standards are complicated and it is not "one size fits all." Portsmouth is unique in its approach but due to the unique nature of the City it is believed to be better that a generic standard than some other communities use.

The board discussed general clarification of the code and the desired outcomes for the proposed changes.

PUBLIC COMMENT

Easter Kennedy, 41 Picking Ave, commented on the picture in the presentation and elaborated to the Board that people like the idyllic small houses and to keep that in mind when defining these new standards.

Petra Huda, 280 South Street, asked to have the materials as posted online updated to match the materials presented during the meeting.

Elizabeth Bratter, owner of 159 McDonough St., asked why the proposed changes to Zoning Ordinance Section 10.5821.22(C) had changed from 25ft to 50ft on the posted meeting materials.

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Principal Planner Cracknell explained that originally the standard was proposed to be dropped to 25ft but with the input and analysis over the last couple of days the proposed change was removed and was returned to the original value of 50ft.

III. ADJOURNMENT

Meeting was adjourned at 7:43 pm.

Respectfully submitted by Stefanie Casella, Planner.