

The public hearing was closed.

Frank Torr stated that he was familiar with the property and inquired if the Board could get involved with where the house would be situated. He said that Beverly Lane has a natural buffer but the new property has no screening. He asked if the Board could suggest that the building be set more towards the Beverly Lane side of the lot.

Bruce Woodruff said that the Board could suggest but the optimal word is "suggest."

Peg Stevenson made the motion to approve with the following conditions:

1. Add the owner's signatures to the plat.
2. Provide the Planning Department with a digital version of the final plat.
3. Revise the plat by adding the surveyor's stamp and signature
4. Revise the plat by adding the abutters' names for the parcels across Bellamy Road and Littleworth Road.
5. Revise the plat by adding a note indicating the amount of contiguous uplands on the proposed lot.
6. Revise the plat by adding the standard floodplain note.
7. Revise the plat by adding the standard street address note.

Allen Schintzius seconded.

VOTE 7 – 1

Opposed – Tony McManus

ITEM #4: Old Business

a. Discussion and possible vote regarding Seacoast Geriatrics, located on Garrison Road. (P03-69)

Tony McManus stepped down and John Swartzendruber took Tony's seat.

Frank Torr made the motion to take this off the table.

Beth Thompson seconded.

VOTE U/A

Kevin McEneaney recapped the events since the January 13th Planning Board meeting. In May of 2003 they went to the ZBA for a Conditional Use Permit to allow this use in the R-40 zone. On Feb. 2nd they went before the Conservation Commission to ask for a Conditional Use Permit to allow a small portion of the retaining wall to be built within the wetland buffer. Since the last Planning Board meeting they have increased the landscape buffering from the south side to help screen the building. He explained that there will be a berm 6 or 8 feet high with landscaping on top to buffer the building and the parking lot from the street. They have submitted a traffic analysis and that has been reviewed by Bruce Woodruff. A drainage analysis has also been submitted and reviewed by Engineering. After meeting with Planning staff and some of the abutters, it was decided that it would be most advantageous to have the sidewalk on the East side of Garrison Rd., which is the project side. The sidewalk will be constructed from Seaborne

Rd. to the driveway entrance of this project and in addition, there is going to be a short section of sidewalk to get from the City sidewalk to the project itself.

Bruce Woodruff explained how the fair share contribution amount of \$375.00 is based on the total amount required to add a turning lane and to do some curbing improvements to the Garrison Road/Back River Road intersection. This amount is based on 1.5% of additional trips to the proposed left turn from Back River Rd. to Garrison Rd. Those three additional trips do add what he calls "measurable impact."

Don Andolina stated that he read the engineer's conclusions on item 2. The results of the mobility analysis, completed for both the 2004 pre-development and 2004 post-development traffic conditions, demonstrates that the project has an immeasurable impact on traffic flow. He said that he then read that Mr. Woodruff disagrees with that statement. He said that we all know that we are having a great deal of problems with Garrison Rd. traffic. He felt that the Planning Board should have some form of reconciliation between these two conclusions. He wanted to know exactly what they would be voting on.

Bruce Woodruff stated that there is a lot of traffic on Garrison Rd. at certain peak school times and sometimes those peak school times coincide with morning and afternoon work traffic. But the roadway is not saturated. It's quite a change from what it was 5 or 10 years ago. The issue is the intersection of Back River Road and Garrison Road where there are congestion and the safety problems. Other users out there have added traffic and they have been asked to pay their fair share of money to go towards easing the traffic congestion and safety issues. He said when he made the statement in the letter that he disagrees with the consultant that the volume that is added to that intersection is immeasurable; he is saying that they were small but certainly not immeasurable. You can measure them and assess a fair amount of money. There is no way that we are going to get the traffic off of Garrison Road. The City is planning on striping the center and fog lines and narrowing up some lanes which will slow the traffic down some more and make it a safer progression of traffic during those peak times.

Ron Cole said that he agrees with Bruce and even though \$375.00 is a "paltry sum," when we use the formula that we use, that is the number that we come up with.

Bruce Woodruff stated that Portsmouth Christian Academy has already contributed \$8,275.00 towards the \$25,000 figure for the project.

Beth Thompson made the motion to approve with the following conditions:

1. Add the owners' signatures to the plan.
2. Approval includes the granting of a Conditional Use Permit for the encroachment into the wetlands buffer.
3. The applicant shall complete a Lot Merger Form for the Planning Board's signature. The form shall be recorded at the Strafford County Registry of Deeds prior to final approval.
4. Revise the plan by correcting the label for the access easement to refer to lot J-2 instead of lot 11 on sheet #2.

5. Revise the plan by correcting Note #12 on sheet #3 to indicate the 2000 international Building Code, not 1990.
6. Revise the plan by adding the light pole height information to sheet #7.
7. Revise the plan by increasing the aisle width from 18 feet to the required 22 feet for the five parking spaces on the western side of the building.
8. Revise the plan by amending sheet #5 to show the sidewalk on the east side of Garrison Road, from the driveway north of Seaborne Drive. A set of engineered construction plans shall be submitted for approval by the City Engineer, prior to final approval. The applicant is responsible for the installation of the sidewalk, which shall be completed prior to the issuance of a certificate of occupancy. The funds required to be contributed by Business Partners, Inc. as part of the approval of the subdivision (P02-66) shall be also be used to fund the sidewalk construction.
9. The applicant shall contribute a fair share contribution in the amount of \$375.00 for the improvements to the Back River Road/Garrison Road intersection. The contribution is due prior to the issuance of the first building permit.

Frank Torr seconded.

VOTE U/A

Abstained – John Swartzendruber

ITEM #4: Old Business

Chairman Cole announced to Don Andolina that he would not have to get up early for a 7:30 in meeting at the Chamber of Commerce because the Planning Board does not have an appointed position on the Government Affairs Commission. Don Andolina thanked him for looking into that matter.

Ron Cole read the letter written by Steve Bird to Dennis Runey, Headmaster of Portsmouth Christian Academy, advising him that the Board had received several complaints regarding school busses on Spruce Lane and requesting that he review the list and submit a written response as he y did the last time.

ITEM #5: New Business

Chairman Cole announced that the Board would be hearing the Community Development Block Grant applications at the next meeting on March 9, 2004.

ITEM #6: Adjournment

Beth Thompson made the motion to adjourn.

Frank Torr seconded.

VOTE U/A