

**ACTION SHEET**

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

**CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**7:30 P.M.**

**NOVEMBER 17, 2011**

**MEMBERS PRESENT:** John Ricci, Chairman; Paige Roberts, Vice Chairman; Cindy Hayden, Deputy City Manager; Richard Hopley, Building Inspector; John Rice; Anthony Blenkinsop; MaryLiz Geffert; William Gladhill; and Brian Groth, Alternate

**MEMBERS EXCUSED:** Eric Spear, City Council Representative and Norman Patenaude, Alternate

**ALSO PRESENT:** Rick Taintor, Planning Director

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**7:00 pm - Joint Work Session with Planning Board and Historic District Commission to discuss 195 Hanover Street, Portwalk, Lot #3**

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**I. APPROVAL OF MINUTES**

1. Approval of Minutes from the September 15, 2011 Planning Board Meeting – Unanimously approved.

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**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 **Portwalk Office, LLC, Owner**, for property located at **195 Hanover Street**, requesting Site Plan Approval to construct a 5-story, 71,500 ± s.f. (footprint) building, to include a 124 room hotel, 92 dwelling units, 10,335 s.f. of restaurant use, a surface level parking deck and a one-story underground parking garage, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lot 1 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District.

Voted to **postpone** consideration of Site Plan approval to the December 15, 2011 meeting.

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B. The application of **750 Lafayette Road LLC, Owners**, for property located at **750 Lafayette Road**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows: Lot 7 as shown on Assessor Map 244 increasing in area from 52,287 s.f. to 88,848 s.f. and with 296.90' of continuous street frontage on Lafayette Road (Route One By-Pass); and Lot 8 as shown on Assessor Map 244 decreasing in area from 118,072 s.f. to 81,511 s.f. and with 293.85' of continuous street frontage on Lafayette Road (Route One By-Pass). Said properties are located in the Gateway District where the minimum lot size is 43,560 s.f. and minimum street frontage requirement is 200'.

Voted to **postpone** consideration of Subdivision approval to the December 15, 2011 meeting.

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C. The application of **750 Lafayette Road, LLC, Owner**, for property located at **750 Lafayette Road**, for Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, including the demolition of the existing building, removal of pavement, and construction of two new buildings, consisting of 12,198 s.f. of retail/restaurant space and 17,802 s.f. of retail space. Said property is shown on Assessor Map 244 as Lots 7 and 8 and lies

Voted to **grant** Conditional Use Permit approval with the following stipulation:

1. Vapor barriers shall be added to the foundations of both proposed buildings.
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D. The application of **750 Lafayette Road, LLC, Owner**, for property located at **750 Lafayette Road**, requesting Site Plan Approval to demolish the existing building and construct two new buildings; Building "A" consisting of 12, 198 s.f. of restaurant/retail space with drive through and Building "B" consisting of 17,802 s.f. of retail space; with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 244 as Lots 7 and 8 and lies within the Gateway District.

Voted to **grant** the following waivers:

- Voted to waive compliance with Section 6.6.1 of the Site Plan Review Regulations to allow a 2:1 slope in the rain garden running along the frontage on Lafayette Road.
- Voted to waive compliance with Section 8.1.2 of the Site Plan Review Regulations to allow for overhead utilities as shown on Exhibit A, entitled "Exhibit – Overhead Utility Relocation" dated November 17, 2011.

Voted to **postpone** Site Plan approval to the December 15, 2011 meeting.

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E. The application of **Westwind Townhomes of Portsmouth Condominium Association**, Owner, for property located at **1177 Sagamore Avenue**, and **Kevin Slover, Owner**, for property located at **20 Odiorne Point Road**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows: Lot 13 as shown on Assessor Map 224 increasing in area from 32,737 s.f. to 34,703 s.f. with 125' of continuous street frontage on Sagamore Avenue; and Lot 10-1 as shown on Assessor Map 224 decreasing in area from 127,572 s.f. to 125,606 s.f. with 257' of continuous street frontage on Odiorne Point Road. Lot 13 as shown on Assessor Map 224 is located in the MRO District where the minimum lot size is 7,500 s.f. and minimum street frontage requirement is 100' and Lot 10-1 as shown on Assessor Map 224 is located in the SRA District where the

Voted to **grant** Subdivision approval with the following stipulations:

1. All property monuments shall be set as required by the Department of Public Works prior to the filing of the final plat.
2. GIS data shall be provided to the department of Public Works in the form required by the City.
3. The final plat and all resulting deeds shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

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F. The application of the **Baroni Family, LLC, Owner**, and the **City of Portsmouth, Owner**, for property located **off Constitution Avenue**, where in Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows: Lot 5 as shown on Assessor Map 274 increasing in area from 4.730 acres to 5.5554 acres with 365' of continuous street frontage on Constitution Avenue; and Lot 3 as shown on Assessor Map 274 decreasing in area from 29.792 acres to 28.968 acres with 1,255' of continuous street frontage on Constitution Avenue. Lot 3 as shown on Assessor Map 274 is located in the Natural Resource Protection (NRP) District where there is no minimum lot size or street frontage requirement and Lot 5 as shown on Assessor Map 274 is located in the Industrial (I) District where the minimum lot size is 2 acres and minimum street frontage requirement is 200'.

Voted to **grant** Subdivision approval with the following stipulations:

1. All property monuments shall be set as required by the Department of Public Works prior to the filing of the final plat.
2. GIS data shall be provided to the department of Public Works in the form required by the City.
3. The final plat and all resulting deeds shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

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G. The application of **Tain Properties, LLC, Owner**, for property located at **195 Commerce Way**, requesting amended Site Plan Approval to re-align head-in parking to eliminate the existing concrete retaining wall and revise driveway entrance, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 216 as Lot 1-8 and lies within the Office Research (OR) District.

Voted to **grant** Amended Site Plan approval with the following stipulations:

1. The applicant shall prepare a Construction Management and Mitigation Plan for review and approval by the City prior to the issuance of a building permit.

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H. The application of **Tain Properties, LLC, Owner**, for property located at **215 Commerce Way**, requesting amended Site Plan Approval to re-align head-in parking to eliminate the existing concrete retaining wall and provide a sloped planting bed along the front of the building and revise driveway entrance, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 216 as Lot 1-8A and lies within the Office Research (OR) District.

Voted to **grant** Amended Site Plan approval with the following stipulations:

1. The applicant shall prepare a Construction Management and Mitigation Plan for review and approval by the City prior to the issuance of a building permit.

**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. Subsurface Investigations in Site Plan Review Regulations,

A work session will be scheduled in January, 2012.

**IV. OTHER BUSINESS**

A. Appointment of Capital Improvement Plan Sub-Committee.

Chairman John Ricci, Vice-chairman Paige Roberts and William Gladhill were nominated to the CIP Subcommittee.

**V. PLANNING DIRECTOR’S REPORT**

Updated were given on various applications. Up-coming meetings in December were also discussed.

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**VI. ADJOURNMENT**

A motion to adjourn was made at 10:15 pm, was seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board