

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

JANUARY 19, 2012

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

MEMBERS EXCUSED: n/a

ALSO PRESENT: Rick Taintor, Planning Director

.....
I. APPROVAL OF MINUTES

1. Approval of Minutes from the September 22, 2011 Planning Board Joint Work Session with the HDC – Unanimously approved.
2. Approval of Minutes from the October 20, 2011 Planning Board Meeting – Unanimously approved.

.....
II. NEW BUSINESS

A. Election of Officers

John Ricci, Re-Elected as Chairman
Paige Roberts, Re-Elected as Vice-Chairman

.....
III. OTHER BUSINESS

A. Presentation and adoption of **Capital Improvement Plan**

Voted to approve the Capital Improvement Plan as presented.

.....

IV. PUBLIC HEARINGS – OLD BUSINESS

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. (This application was postponed from the December 15, 2011 Planning Board Meeting)

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

Conditions precedent (to be completed prior to issuance of a building permit):

1. Sheet C-11 shall be revised to be more legible and to comply with Section 2.4.4(2) of the Site Plan Review Regulations regarding information required on all sheets of the plan set.
2. The proposed loading zone on Hanover Street shall be approved by the Parking and Traffic Safety Committee and City Council.
3. All proposed easements to or from the City shall be approved by the City Council.
4. Any required licenses (e.g., for door swings into the public way) shall be approved by the City Council.
5. Sheet C-5A, Note 11 shall be revised to state that loading zone times are from 6:00 am – 9:00 am.
6. Sheet C-9, shall be revised to state *Deer Street* sidewalk planter, rather than *Hanover Street*.
7. Sheet C-9, shall include a bench detail and a pedestrian sign detail at the garage entrance.
8. The City Attorney shall review the Private Street Agreement as it relates to Lot #3, including grease traps.
9. The applicant shall review the sign detail for the pedestrian crossing into the lower garage with the Planning Director and the Director of Public Works.
10. The grease traps shall be renumbered as #1 and #2, rather than #3 and #4.

Conditions subsequent:

11. Any change in use or design of the site or building shall comply with the Zoning Ordinance and Site Plan Review Regulations.
12. The applicant shall provide any archaeological studies or findings to the City and the Division of Historic Resources, and shall carry out any recommendations listed out in the Archaeological Sensitivity Analysis, dated December 20, 2011.

.....

B. The application of **Michael R. Clark, Owner**, for property located at **325 Little Harbor Road (Belle Isle)**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots with the following: Proposed Lot 1 having 276,867 ± s.f. (6.36 ± acres) and Proposed Lot 2 having 218,736 ± s.f. (5.02 ± acres), and lying in a district where a minimum lot area of 5 acres is required. Said property is shown on Assessor Plan 205 as Lot 2 and lies within the Rural (R) District. (This application was postponed from the December 15, 2011 Planning Board Meeting)

Voted to waive compliance with the following provisions of the Subdivision Rules and Regulations:

- Section VI.3.B – 50-foot minimum right-of-way for residential streets
- Section VI.3.I – 500-foot maximum length for cul-de-sacs
- Section VI.3.I – “drive-around roadway” at the end of the cul-de-sac
- Section VII – street design standards

It was further voted to **grant** Preliminary Subdivision approval with the following stipulations:

1. All easements and agreements shall be reviewed and approved by the City Legal Department with the guidance that in no event, and under no circumstances, will the bridge become the responsibility or property of the City of Portsmouth and with further guidance that the bridge is over State land.
2. All property monuments shall be set as required by the Department of Public Works prior to the filing of the final plat.
3. GIS data shall be provided to the Department of Public Works in the form required by the City.
4. The final plat and all easements shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
5. The owners of Lot 1 and Lot 2 shall enter into a Private Roadway and Bridge Maintenance Agreement which shall provide that they are jointly responsible for the proper maintenance of the roadway and bridge and also ensuring that the bridge is inspected by a structural engineer at least once every five years, with the first inspection no later than January 1, 2017; and shall provide copies of the inspection reports to the Planning Department, Fire Department and Department of Public Works.
6. The Private Roadway and Bridge Maintenance Agreement shall be recorded at the Registry of Deeds to insure that future owners are made aware of their responsibilities.
7. The subdivision plan shall include an additional sheet showing Belle Isle Road as a private road, to demonstrate compliance with State law regarding access to lots.
8. A note shall be added to the plan regarding periodic inspections of the bridge.

.....

C. The application of **Mitchell and Edward Hyder, Owners**, for property located at **659 and 677 Dennett Street and 295 Woodbury Avenue** (now consolidated into one lot), requesting a Conditional Use Permit under Section 10.726 of the Zoning Ordinance for a Residential Density Incentive Planned Unit Development (RDI-PUD) consisting of one 4-unit building and one 5-unit building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 161 as Lots 31 and 32 and Assessor Map 175 as Lots 6 and 6A and lie within the General Residence A (GRA) District. (This application was postponed from the December 15, 2011 Planning Board Meeting)

Voted to **deny** Conditional Use Permit application.

.....

D. The application of **Mitchell and Edward Hyder, Owners**, for property located at **677 Dennett Street**, requesting Site Plan Approval to construct a 9-unit residential development with one 3,918 s.f. 5 unit building and one 2,753 s.f. 4-unit building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 161 as Lots 31 and 32 and Assessor Map 175 as Lots 6 and 6A and lies within the General Residence A (GRA) District. (This application was postponed from the December 15, 2011 Planning Board Meeting)

Voted to **withdraw** the Site Plan application at the applicant’s request.

.....

V. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **Young Men’s Christian Association (The Seacoast Family Y), Owner**, for property located at **550 Peverly Hill Road**, wherein Preliminary and Final Subdivision Approval is requested to subdivide one lot into three lots as follows: Proposed Lot 10A on Assessor Map 244 having 1,103,695 s.f. (25.34 acres) and 331.13 ±’ of continuous street frontage off Peverly Hill Road and Proposed Lots 1 and 2 each having 15,000 ±s.f. and 100.13’ ± of continuous street frontage on Peverly Hill Road. Said property is located partially in the Single Residence A (SRA) District where the minimum lot size is one acre (43,560 s.f.) and the minimum street frontage requirement is 150’ and partially in the Single Residence B (SRB) District where the minimum lot size is 15,000 s.f. and the minimum street frontage requirement is 100’.

Voted to **postpone** Preliminary and Final Subdivision approval with the following stipulations:

1. This application shall be referred to the Technical Advisory Committee (TAC) and placed on their next agenda.
2. This application shall be referred to the Traffic & Safety Committee and placed on their next agenda.

.....

B. The application of **Lynn J. Sanderson & Frances T. Sanderson Revocable Trusts, Paul G. Sanderson, Trustee, Owner**, for property located **off Spinney Road**, for Conditional Use Permit Approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer, including a stormwater detention pond/raingarden, vegetated outlet swale and a level spreader. Said property is shown on Assessor Map 167 as Lot 5 and Assessor Map 170 as Lot 24 and lie within the Single Residence B (SRB) District.

Voted to **postpone** Conditional Use Permit approval.

.....

C. The application of **Lynn J. Sanderson & Frances T. Sanderson Revocable Trusts, Paul G. Sanderson, Trustee, Owner**, for property located **off Spinney Road**, requesting Preliminary and Final Subdivision Approval to subdivide two lots into nine lots, including a public right-of-way, with the following: Lot 5 on Assessor Plan 167 having 316,165 s.f. (7.258 acres) and Lot 24 on Assessor Plan 170 having 238,601 s.f. (5,478 acres), to be consolidated and subdivided into nine separate lots, ranging in size from 5,000 s.f. to 329,641 s.f. and all with a minimum of 100' of continuous street frontage on Spinney Road or the new proposed public right-of-way. Said properties lie in a Single Residence B (SRB) District which requires a minimum lot size of 15,000 s.f. and 100' of continuous street frontage.

Voted to **postpone** Preliminary and Final Subdivision approval with the following stipulation:

1. This application shall be referred to the Technical Advisory Committee (TAC) and placed on their next agenda.

.....

D. The application of **Lynn J. & Frances T. Sanderson Revocable Trusts, Paul J. Sanderson, Trustee, Owners**, and various other property owners, for property located **off Spinney, Middle, Thaxter, Sewell and Kensington Roads**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between lots as shown on Assessor Map 167 as Lot 5 and Assessor Map 168 as Lot 17, and abutting lots as listed below. Said properties are located in the Single Residence B (SRB) District where the minimum lot size is 15,000 s.f. and minimum street frontage requirement is 100'.

1. Lynn J. Sanderson & Frances T. Sanderson Revocable Trusts, Paul G. Sanderson Trustee, Owner
Property located off Spinney, Middle, Thaxter, Sewell and Kensington Roads (Assessor Map 167 as Lot 5 and Assessor Map 170 as Lot 24)
Lot area decreasing in size from 12.74 acres to 11.92 acres
2. Craig S. and Christine Almond Hodgson, Owners
Property located at 165 Middle Road (Assessor Map 168 as Lot 17)
Lot area increasing from .18 acres to .30 acres
Street frontage increasing from 75' to 125' off Middle Road
3. Neal L. and Darlene L. Ouellett Revocable Trust, Neal L and Darlene L. Ouellett, Trustees, Owners
Property located at 124 Kensington Road (Assessor Map 152 as Lot 20)
Lot area increasing from .22 acres to .43 acres
Street frontage remaining at 100'
4. Jeremy D. Martin, Owner
Property located at 199 Middle Road (Assessor Map 168 as Lot 14)
Lot area increasing from .28 acres to .51 acres
Street frontage remaining at 100'
5. Patrick B. and Karen A. Lyons, Owners
Property located at 185 Middle Street (Assessor Map 168 as Lot 15)

- Lot area increasing from .13 acres to .80 acres
Street frontage remaining at 50'
- 6. David and Patricia Gress, Owners
Property located at 14 Sewall Road (Assessor Map 170 as Lot 20)
Lot area remaining at .31 acres to .31 acres
Street frontage decreasing from 135' to 125'
- 7. Michael Jacques, Patricia Newman and Caroline A. Newman Revocable Trust, Caroline A. Newman, Trustee, Owner
Property located at 342 Spinney Road (Assessor Map 169 as Lot 5)
Lot area increasing from .51 acres to .54 acres
Street frontage decreasing on Spinney Road from 171.3' to 162.59'
- 8. Joseph G. and Carol S. McGinty, Owners
Property located at 300 Spinney Road (Assessor Map 169 as Lot 6)
Lot area increasing from .69 acres to .70 acres
Street frontage decreasing from 150' to 141.26'
- 9. Patricia O. Sanderson Revocable Trust, David Sanderson, Trustee, Owner
Property located at 248 Spinney Road (Assessor Map 169 as Lot 4)
Lot area increasing in size from 1.31 acres to 1.46 acres
Street frontage remaining at 288.23'

Voted to **postpone** Preliminary and Final Subdivision approval.

.....

E. Proposed amendments to the Planning Board's Site Plan Review Regulations

Voted to postpone this hearing until the next Planning Board meeting on February 16, 2012.

.....

VII. PLANNING DIRECTOR'S REPORT

None.

.....

VIII. ADJOURNMENT

A motion to adjourn was made at 10:45 pm, was seconded and passed unanimously.

.....

Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board