

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

JUNE 20, 2013

MEMBERS PRESENT: Anthony Blenkinsop, Vice Chairman; Nancy Novelline Clayburgh, City Council Representative; David Allen, Deputy City Manager; Richard Hopley, Building Inspector; John Rice; William Gladhill; Karina Quintans; Colby Gamester; Elizabeth Moreau, Alternate and Jay Leduc, Alternate

MEMBERS EXCUSED: John Ricci, Chairman;

ALSO PRESENT: Nicholas Cracknell, Principal Planner and Peter Britz, Environmental Planner/Sustainability Coordinator

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I. APPROVAL OF MINUTES

1. Approval of Minutes from the February 21, 2013 Planning Board Meeting – Unanimously approved.
2. Approval of Minutes from the February 28, 2013 Planning Board Work Session – Unanimously approved.

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II. PUBLIC HEARINGS – OLD BUSINESS

*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 **Jean R. Johnson, Owner, and Thomas Johnson, Applicant**, for property located at **50 Martine Cottage Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland and a wetland buffer, to construct a 850’ ± pervious driveway to access a proposed subdivided lot, with 247 s.f. of impact to the inland wetland and 7,900 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 202 as Lot 16 and lies within the Rural Residential (R) District. (This application was postponed at the May 16, 2013 Planning Board meeting.)

Voted to **postpone** to the July 18, 2013 Planning Board meeting.
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B. The application of **Hillcrest of Portsmouth, LLC, Owner and Applicant**, and **The RLD Revocable Trust and The AMD Revocable Trust, Co-Applicants**, for property located at **3201 and 3203 Lafayette Road and abutting vacant lot located on Lang Road**, requesting Preliminary and Final Subdivision approval to subdivide one lot into four lots as follows:

- a. Proposed Lot 1 consisting of 6.02 acres and 561’ of continuous street frontage.
- b. Proposed Lot 2 consisting of 67.11 acres and 200’ of continuous street frontage.
- c. Proposed Lot 3 consisting of 11.38 acres and 1084’ of continuous street frontage.
- d. Proposed Lot 4 consisting of 126.99 acres and 156.87’ of continuous street frontage on Lang Road.

Said properties are shown on Assessor Map 291 as Lot 7 and Map 289 as Lot 1 and lie within the Gateway District where a minimum lot area of 43,560 s.f. and 200’ of continuous street frontage is required, the Rural (R) District where a minimum lot area of 5 acres and no continuous street frontage is required and the Garden Apartment/Mobile Home (GA/MH) district where a minimum lot area of 15,000 s.f. and no continuous street frontage is required. (This application was postponed at the May 16, 2013 Planning Board meeting and referred to TAC.)

Voted to **postpone** to the July 18, 2013 Planning Board meeting.

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III. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **Lyle & Tanja Gravelle, Owners**, for property located at **20 Woodworth Avenue**, and **Cora Taylor, Owner**, for property located at **55 Leavitt Avenue**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows:

- a. Lot 78 on Assessor Map 232 increasing in area from 9,557 s.f. to 12,752 s.f. and increasing in continuous street frontage from 80.06’ to 100.06’ on Woodborth Avenue.
- b. Lot 83 on Assessor Map 232 decreasing in area from 19,193 s.f. to 15,998 s.f. and decreasing in continuous street frontage from 119.94’ to 100.00’ on Leavitt Avenue.

Said properties are shown on Assessor Map 232 as Lots 78 and 83 and are located in the Single Residence B (SRB) District where the minimum lot size is 15,000 s.f. and the minimum continuous street frontage is 100’.

- A. Voted to grant a waiver from Section VI.2.B of the Subdivision Rules and Regulations, requiring lot dimensions to conform to the requirements of the Zoning Ordinance.
- B. Voted to **grant** Preliminary and Final Subdivision Approval (Lot Line Revision) subject to the following stipulations:
 - 1. Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.
 - 2. GIS data shall be provided to the Department of Public Works in the form as required by the City.
 - 3. The final plat and all 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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B. The application of Bethel Assembly of God, Owner, for property located at **200 Chase Drive**, and **Kristen Bouchie, Owner**, for property located at **373 Cutts Avenue**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows:

- a. Lot 5 on Assessor Map 210 increasing in area from 9,238 s.f. to 11,962 s.f. and continuous street frontage remaining at 100.55' on Cutts Avenue.
- b. Lot 2 on Assessor Map 210 decreasing in area from 119,351 s.f. to 116,627 s.f. and continuous street frontage remaining at 709.41' on Chase Drive.

Said properties are shown on Assessor Map 210 as Lots 2 and 5 and are located in the Single Residence B (SRB) District where the minimum lot size is 15,000 s.f. and the minimum continuous street frontage is 100'.

- A. Voted to grant a waiver from Section VI.2.B of the Subdivision Rules and Regulations, requiring lot dimensions to conform to the requirements of the Zoning Ordinance.
- B. Voted to **grant** Preliminary and Final Subdivision Approval (Lot Line Revision) subject to the following stipulations:
 - 1. Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.
 - 2. GIS data shall be provided to the Department of Public Works in the form as required by the City.
 - 3. The final plat and all 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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C. The application of **Olde Port Development Group, LLC, Owner**, and **Tod O'Dowd, Applicant**, for property located at **141 Mill Pond Way**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, to construct a 794 s.f. patio behind the existing 4-unit residential building, with 1,450 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 140 as Lot 24 and lies within the General Residence A (GRA) District.

Voted to **postpone** to the July 18, 2013 Planning Board meeting.

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D. The application of **David & Margaret Witham, Owners**, for property located at **238 Walker Bungalow Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer, to construct a cinder block frostwall below the existing building (replacing wood posts), with 350 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 202 as Lot 13-04 and lies within the Single Residence B (SRB) District.

Voted to **grant** Conditional Use Permit Approval.

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E. The application of **Maplewood & Vaughan Holding Company, LLC, Owner**, for property located at **111 Maplewood Avenue**, requesting Design Review to construct a 4-story 27,000 ± s.f. (footprint) mixed use building with commercial use on the 1st floor, 71 residential units on the 2nd – 4th floors and parking spaces on the ground floor level, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 124 as Lot 8 and lies within the Central Business A (CBA) District, the Historic District and the Downtown Overlay District (DOD).

Voted to **postpone** to the August 15, 2013 Planning Board meeting and to schedule a joint Work Session with the Historic District Commission sometime during the month of July.

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F. The application of **Seacoast Trust, LLP, Owner**, for property located at **150 Route One Bypass**, requesting Site Plan Approval to place a 10' x 60' mobile diagnostic coach on a concrete pad in front of the existing medical building with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 231 Lot 58 and lies within the Single Residence B (SRB) District.

- A. Voted to grant a waiver from Section 2.4.4 of the Site Plan Review Regulations, regarding Site Plan specifications.
- B. Voted to grant a waiver from Section 7.4.4. of the Site Plan Review Regulations, to wave the requirement to file a Stormwater Management and Erosion Control Plan.
- C. Voted to grant a waiver from Section 10.3.1(d) of the Site Plan Review Regulations, to waive the requirement to file a Photometric plan.
- D. Voted to determine that the application was complete according to the Site Plan Review Regulations and accepted the application for consideration.
- E. Voted to **postpone** Site Plan Approval to the July Planning Board Meeting.

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G. The application of **Michael De La Cruz, Owner**, for property located at **75 Congress Street**, requesting Site Plan Approval to convert 3rd floor interstitial space and attic storage space to 4th floor office and storage space, with associated site improvements. Said property is shown on Assessor Map 117 as Lot 5 and lies within the Central Business B (CBB) District, the Historic District and the Downtown Overlay District (DOD).

- A. Voted to grant a waiver from Section 2.4.4 of the Site Plan Review Regulations, to waive all site plan data requirements

B. Voted to determine that the application was complete according to the Site Plan Review Regulations and accepted the application for consideration.

C. Voted to **grant** Site Plan Approval with the following stipulations:

1. The Site Plan shall be revised to include a manual push bar release system for the Vaughan Mall gate.
2. A letter from James Petersen shall be provided with the estimated change in water use and the corresponding capacity use surcharge, if appropriate.
3. The applicant shall prepare a Construction Management & Mitigation Plan for review and approval by the City’s Legal and Planning Departments.

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H. The application of **143 Daniel Street, LLC, Owner, and Steven P. Wilson, Applicant**, for property located at **143 Daniel Street**, requesting Site Plan Approval to add a 2 ½ story addition over the existing “gym” and construct a new 60’ x 40’ 3-story addition on the existing parking lot for the development of a mixed use building including commercial use, 14 residential units and 18 lower level parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 105 as Lot 19 and lies within the Central Business B (CBB) District, the Historic District and the Downtown Overlay District (DOD).

Voted to **postpone** to the August 15, 2013 Planning Board meeting.

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I. The application of **North Mill Realty Trust, Dave Parent, Trustee, Owner, and 3S Artspace, Applicant**, for property located at 319 Vaughan Street, requesting Amended Site Plan Approval to revise the layout of the entrances, patio and utility locations, and to add bike racks and screening for the transformer, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 1245 as Lot 9 and lies within the Central Business A (CBA) District, the Historic District and the Downtown Overlay District (DOD).

A. Voted to find that the application was complete according to the Site Plan Review Regulations and accepted the application for consideration.

B. Voted to **grant** Amended Site Plan Approval with the following conditions:

1. An Access Easement, License or Agreement shall be prepared with the abutters, for review and approval by the City Legal Department.
 2. The applicant shall comply with the parking regulations that are in effect at the time of the issuance of a building permit.
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J. Proposed amendment to the Site Plan Review Regulations, Section 2.4.3 – Design Review Phase, to require that a request for design review be submitted at least 14 days prior to the Planning Board meeting.

Voted to amend the Site Plan Review Regulations as recommended.

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K. Proposed amendment to the Subdivision Rules and Regulations to require that all application materials be provided in digital Portable Document Format as well as printed copies.

Voted to amend the Subdivision Rules and Regulations as recommended.

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L. Proposed regulation to require that all application materials for Conditional Use Permits be provided in digital Portable Document Format as well as printed copies

Voted to amend the regulation for Conditional Use Permits as recommended.

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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. Request of Tom and Zelita Morgan to expand the Historic District.

Voted to schedule a public hearing at the August 15, 2013 Planning Board meeting.

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IV. OTHER BUSINESS

A. Request of 30 Maplewood Avenue, LLC, for property located at 30 Maplewood Avenue, for a one year extension of Site Plan Approval which was granted on July 19, 2012.

Voted to **grant** a one-year extension of Site Plan approval.

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IV. PLANNING DIRECTOR’S REPORT

V. ADJOURNMENT

A motion to adjourn at 10:00 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board