

**ACTION SHEET**

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

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

**7:00 P.M.**

**MAY 15, 2014**

**MEMBERS PRESENT:** John Ricci, Chairman; Jack Thorsen, City Council Representative; David Allen, Deputy City Manager; Richard Hopley, Building Inspector; William Gladhill; Elizabeth Moreau, Michael Barker, Jay Leduc, Alternate and Justin Finn, Alternate

**MEMBERS EXCUSED:** John Rice, Vice-Chairman; Colby Gamester;

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

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**I. APPROVAL OF MINUTES**

- A. Approval of Minutes from the January 9, 2014 Joint Work Session – Unanimously approved.
- B. Approval of Minutes from the January 16, 2014 Planning Board Meeting – Unanimously approved.
- C. Approval of Minutes from the January 23, 2014 Planning Board Meeting – Unanimously approved.

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**II. DETERMINATIONS OF COMPLETENESS**

A. Site Plan Review

- 1. 2454 Lafayette Road (Southgate Plaza) – Amended Site Plan

Voted to determine that the application for Amended Site Plan Approval was complete according to the Site Plan Review Regulations and **accepted** it for consideration.

- 2. 195 Hanover Street (Portwalk) – Amended Site Plan

Voted to determine that the application for Amended Site Plan Approval was complete according to the Site Plan Review Regulations and **accepted** it for consideration.

B. Subdivision Review

- 1. Deer Street and Russell Street (Harborcorp and Pan Am Railroad) – Lot Line Revision

Voted to determine that the application was complete according to the Subdivision Rules and Regulations and **accepted** the application for consideration.

**III. PUBLIC HEARINGS – OLD BUSINESS**

A. The application of **Christine V. Crockett, Owner**, for property located at **209 Gosport Road**, requesting a Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a 2,081 ± s.f. (footprint) dwelling and a 14’ wide driveway (12’ paved), with 925 ± s.f. of impact to the wetland and 2,750 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 224 as Lot 10-12 and lies within the Single Residence A (SRA) District. (This application was postponed at the April 17, 2014 Planning Board meeting)

Voted to **postpone** to the June 19, 2014 Planning Board meeting. In the interim, a Work Session will be schedule to review the legal issues of this application.

B. The application of **Francis Sullivan, Owner, and Janice Stanley, Applicant**, for property located on **Brackett Road**, requesting a Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a 2,464 ± s.f. (footprint) dwelling with proposed pervious driveway, with 4,020 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 206 as Lot 17 and lies within the Single Residence B (SRB) District. (This application was postponed at the April 17, 2014 Planning Board meeting)

Voted to **postpone** to the June 19, 2014 Planning Board meeting.

C. The amended application of **2422 Lafayette Road Associates, LLC**, for property located at **2454 Lafayette Road (Southgate Plaza)**, requesting Amended Site Plan Approval to demolish 21,022 ± s.f. of existing retail space, add 11,000 ± s.f. footprint of new retail space to the existing retail/restaurant strip building, add a rain garden at the rear of the site, to replace the previously approved porous pavement in the rear of the site with a gravel pad for a garden center, and make related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 273, Lot 3 and lies within the Gateway District. (This application was postponed at the April 17, 2014 Planning Board meeting)

Voted to **postpone** to the June 19, 2014 Planning Board meeting.

D. The application of **Portwalk HI, LLC and Hanover Apartments, LLC, Owner**, for property located at **195 Hanover Street (Portwalk, Phase III)**, requesting Amended Site Plan Approval for 25 itemized revisions including, but not limited to, increased floor area for restaurant, residential and retail uses; reduced number of off-street parking spaces; relocation, addition and removal of various doors; addition of gas regulator and enclosure and planters along Deer Street; modified screen wall along Maplewood Avenue; relocation of transformers on parking deck; addition of 4<sup>th</sup> grease trap on Portwalk Place; and addition of access controls to both parking levels; 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 at the April 17, 2014 Planning Board meeting)

Voted to **postpone** to the June 19, 2014 Planning Board meeting. A Site Walk has been scheduled for May 29, 2014 at 6:00 pm at Portwalk Place.

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**IV. PUBLIC HEARINGS – NEW BUSINESS**

A. The application of **Christine & Craig Hodgson, Owners**, for property located at **165 Middle Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a 175 ± s.f. addition, a 676 ± s.f. garage and a 675 ± s.f. driveway, with 3,450 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 168 as Lot 17 and lies within the Single Residence B (SRB) District.

Voted to **postpone** to the June 19, 2014 Planning Board meeting.

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B. The application of **Roxanne S. Tooker Revo Trust of 2008, Owner**, for property located at **147 Walker Bungalow Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an wetland buffer to replace a failed septic system, with 1,321 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 202 as Lot 5 and lies within the Single Residence B (SRB) District.

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

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C. The application of **New England Marine & Industrial, Inc., Owner**, and **Subaru of New England, Inc., Applicant**, for property located at **200 Spaulding Turnpike**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a car dealership which includes a 19,150 ± s.f. building and various vehicle display areas totaling 32,000 ± s.f., with 119,451 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 237 as Lot 56 and lies within the General Business (GB) and Single Residence B (SRB) Districts.

Voted to **postpone** to the July 17, 2014 Planning Board meeting.

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D. The application of **Harborcorp, LLC, Owner**, for property located **on Deer Street and Russell Street**, and **Boston and Maine Corporation, Owner**, for property located **off Green Street**, requesting Preliminary and Final Subdivision (Lot Line Revision) approval as follows:

- a. Assessor Map 118 Lot 28 increasing in area from 47,082± s.f. to 48,416± s.f., with no change in street frontage;
- b. Assessor Map 124, Lot 12 increasing in area from 16,008± s.f. to 19,055 ± s.f. with no change in street frontage; and
- c. Assessor Map 124, Lot 13 decreasing in area from 17,194 ± s.f. to 12,813 ± s.f. with no change in street frontage.

Said properties lie in the Central Business B District, the Downtown Overlay District (DOD) and the Historic District.

Voted to **grant** Preliminary and Final Subdivision Approval with the following stipulations:

1. The plan shall be corrected to show the boundary between the CBA and CBB districts, and Note 5 shall be modified to include the zoning table for the CBA district.
2. Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.
3. GIS data shall be provided to the Department of Public Works in the form as required by the City.
4. The final plat and all easement 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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**V. CITY COUNCIL REFERRALS/REQUESTS**

A. Proposed amendments to the Zoning Ordinance as follows:

- (1) Create a new Central Business C (CBC) district, encompassing the area currently zoned Central Business B west of Maplewood Avenue and Middle Street;
- (2) Create a new Central Business Piscataqua (CBP) district, encompassing the area currently zoned Central Business A north and east of Market Street and Bow Street;
- (3) Amend Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, to establish dimensional standards for the proposed CBC and CBP districts (including reducing maximum building height in the CBC district to 35 feet); and to establish maximum building footprints of 4,000 sq. ft. in the CBA district, 30,000 sq. ft. in the CBB district, 3,000 sq. ft. in the proposed CBC district, and 4,000 in the proposed CBP district;
- (4) Amend Section 10.440 – Table of Uses, to assign the same permitted uses and restrictions to the proposed CBC district as currently designated for the CBB district; and to assign the same permitted uses and restrictions to the proposed CBP district as currently designated for the CBA district.

(This item was referred to the Planning Board by the City Council at its January 13, 2014 meeting and postponed at the April 17, 2014 Planning Board Meeting.)

Vote to **recommend against** the Zoning Ordinance Amendments as defined in the Staff Memorandum dated May 15, 2014.

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B. Request by the City Council that the Planning Board evaluate the design review provisions established in Section 2.4 of the Site Plan Review Regulations. (This matter was postponed at the April 3, 2014 Planning Board meeting.)

Voted **to amend** the Site Plan Review Regulations as defined in the Staff Memorandum dated May 15, 2014, incorporating language provided by Ms. Moreau.

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**VI. PLANNING DIRECTOR'S REPORT**

- A. Status of Conditionally Approved Applications for Site Plan Approval – List provided.
- B. Status of Conditionally Approved Applications for Subdivision Approval – List provided.
- C. Update on proposed amendment to the Zoning Ordinance to require conference centers, convention centers and event centers to provide one off-street parking space per 2 persons of rated capacity – no update at this time.

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**VII. ADJOURNMENT**

A motion to adjourn at 9:300 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board