

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

FEBRUARY 19, 2015

MEMBERS PRESENT: John Ricci, Chairman; Elizabeth Moreau, Vice Chairman; Jack Thorsen, City Council Representative; David Allen, Deputy City Manager; Robert Marsilia, Building Inspector; Colby Gamester, Jay Leduc and Justin Finn, Alternate

MEMBERS EXCUSED: Michael Barker, William Gladhill

ALSO PRESENT: Rick Taintor, Planning Director

I. APPROVAL OF MINUTES

1. Approval of Minutes from the January 15, 2015 Planning Board Meeting – Unanimously approved.

II. NORTH END CHARACTER BASED ZONING PRESENTATION

Brian Wright of Town Planning and Urban Design Collaborative presented the final Vision Plan and preliminary Character-Based Zoning for the North End Study Area.

III. DETERMINATIONS OF COMPLETENESS

A. Subdivision:

1. The application of **Doaks, LLC, Owner**, for property located at **100 Portsmouth Boulevard** and **Brora, LLC, Owner**, for property located **on Dunlin Way**, for Preliminary and Final Subdivision Approval for a lot line revision.

Voted to **postpone** to the March 19, 2015 Planning Board Meeting.

B. Site Plan Review:

- 1. The application of **Merton Alan Investments, LLC, Owner** and **Robert Graham, Applicant**, for property located at **30 Cate Street (corner of Bartlett Street and Cate Street)**, requesting Site Plan approval to construct a 3-story office building.

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

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IV. PUBLIC HEARINGS – OLD BUSINESS

A. The application of **Borthwick Forest, LLC, Owner**, for property located **between Islington Street and Borthwick Avenue**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a road from Borthwick Avenue to Islington Street in connection with a proposed subdivision, with 10,700 s.f. of impact to the wetland buffer and 5,800 s.f. of wetland buffer restoration. Said properties are shown on Assessor Plan 233, as Lots 112 & 113 and Assessor Plan 241 as Lot 25 and lie within the Single Residence B (SRB) District and the Office Research (OR) District. (This application was postponed at the September 18, 2014 Planning Board meeting.)

Voted to **postpone indefinitely**.

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B. 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. (This application was postponed at the January 15, 2015 Planning Board Meeting.)

Voted to **postpone indefinitely**.

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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 Preliminary and Final Subdivision Approval to subdivide one lot into two lots as follows:

- 1. Proposed Lot 1 having an area of 517,987 sq. ft. (11.8913 acres), 1264.38 feet of continuous frontage on Spaulding Turnpike and 183.40 feet of continuous frontage on Echo Avenue; and
- 2. Proposed Lot 2 having an area of 410,236 sq. ft. (9.4177 acres), 381.97 feet of continuous frontage on Spaulding Turnpike and 307.95 feet of continuous frontage on Farm Lane.

Said property is shown on Assessors Map 237 as Lot 56 and is located in the General Business (GB) district which requires a minimum lot size of 43,560 sq. ft. and 200 ft. of continuous street frontage, and the Single Residence B (SRB) district which requires a minimum lot size of 15,000 s.f. and 100 ft. of continuous street frontage. (This application was postponed at the January 15, 2015 Planning Board Meeting.)

Voted to **postpone indefinitely**.

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D. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots which are currently shown on Assessor Map 216 as Lots 1-8A and 1-8B and Assessor Map 213 as Lot 11. The applicant proposes to merge Map 216 Lot 1-8A and Lot 1-8B into Map 216 Lot 1-8A, and to revise the lot line between Map 216 Lot 1-8A and Map 213 as Lot 11 as follows:

- a. Map 216 Lot 1-8A (136,490 s.f.) merged with Lot 1-8B (196,876 s.f.) increasing in area from a total of 333,366 s.f. to 384,402 s.f. with continuous street frontage on Portsmouth Boulevard and Commerce Way.
- b. Map 213 Lot 11 decreasing in area from 290,077 s.f. to 239,040 s.f. with continuous street frontage on Portsmouth Boulevard and Dunlin Way.

Said lots lie within an Office Research (OR) District which requires a minimum lot size of 3 acres and 300 ft. of continuous street frontage. (This application was postponed at the January 15, 2015 Planning Board Meeting.)

Voted to **postpone** to the March 19, 2015 Planning Board Meeting.

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E. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, requesting Site Plan Approval for a proposed 4-story office building with a footprint of 28,125 ± s.f. and gross floor area of 112,500 ± s.f., and 640 parking spaces serving the proposed building and an adjacent existing office building (including a parking deck with 161 spaces below grade), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 216 as Lots 1-8A and 1-8B and lies within the Office Research (OR) District. (This application was postponed at the January 15, 2015 Planning Board Meeting.)

Voted to **postpone** to the March 19, 2015 Planning Board Meeting.

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V. PUBLIC HEARINGS – NEW BUSINESS

A. The application of the **City of Portsmouth, Owner**, for property located at **Junkins Avenue**, requesting a Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer to reconstruct existing tennis and basketball courts, with 5,660± s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 114 as Lot 1 and lies within the Municipal (M) District.

Voted to **grant** Conditional Use Permit with the following stipulations:

- 1. The City shall refrain from mowing within 25 feet of the water’s edge.
 - 2. The City shall plant shrubs and other native vegetation in the buffer of South Mill Pond.
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B. The application of **Rye Port Properties, Owner, Charter Foods North, LLC, Applicant**, for property located at **2299 Lafayette 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 50-seat 2,500 s.f. Taco Bell Restaurant with drive-thru, with 5,990 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 272 as Lot 10 and lies within the Gateway (G) District.

Voted to **postpone** to the March 19, 2015 Planning Board Meeting.

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C. The application of **Loughlin Revocable Trust, Owner, and Peter J. Loughlin, Applicant**, for property located off Thaxter Road, requesting a Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer and inland wetland to widen an existing trail to provide a 10' access path and to install an 18" culvert in the existing drainage swale, with 2,500 ± s.f. of impact. Said property is shown on Assessor Plan 167 as Lot 5 and lies within the Single Residence B (SRB) District.

Voted to **postpone** to the March 19, 2015 Planning Board Meeting.

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D. The application of **John G. Pappas Revocable Trust 2004, Owner**, for property located at **6 Vine Street** (vacant lot), requesting a Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a 42' x 29' single family home, with 1,516± s.f. of impact to the wetland buffer (674 s.f. impact for the structure and 871 s.f. for temporary construction). Said property is shown on Assessor Plan 233 as Lot 107 and lies within the Single Residence B (SRB) District.

Voted to **postpone** to the March 19, 2015 Planning Board Meeting.

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E. The application of **Doaks, LLC, Owner**, for property located at **100 Portsmouth Boulevard** and **Brora, LLC, Owner**, for property located on **Dunlin Way**, requesting Preliminary and Final Subdivision (Lot Line Revision) approval as follows:
a. Assessor Map 213 Lot 2 decreasing in area from 10.043± acres to 5.004± acres and continuous street frontage decreasing from 885' to 759'.
b. Assessor Map 213, Lot 12 increasing in area from 5.313± acres to 10.351± acres and 126' of street frontage added on Portsmouth Boulevard;

Said properties lie in the Office Research (OR) District.

Voted to **postpone** to the March 19, 2015 Planning Board Meeting.

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F. The application of **Merton Alan Investments, LLC, Owner** and **Robert Graham, Applicant**, for property located at **30 Cate Street (corner of Bartlett Street and Cate Street)**, requesting Site Plan Approval for a proposed 3-story office building with a footprint of 10,000 ± s.f. and gross floor area of 30,000 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 165 as Lot 1 and lies within the Industrial (I) District.

Voted to **grant** site plan approval subject to the following stipulations:

1. The applicant shall work with the Department of Public Works on the final redesign of Cate Street and on an appropriate sharing of costs for the work (or shall do the work in conjunction with the proposed project).
2. The applicant shall enter into a Memorandum of Agreement with the City regarding land transfers and easements necessary to implement the proposed site plan and roadway improvements, and cost sharing for the improvements to Cate Street.
3. The applicant shall prepare a land transfer and easement plan showing the final delineation of land transfers and easements, which shall be subject to approval by the Planning and Public Works Departments.
4. The Site Plan (Sheet C-2), Landscape Plan (Sheet L-1) and Land Transfer and Easement Plan shall be recorded at the Registry of Deeds by the City or as determined appropriate by the Planning Department.
5. A fence shall be constructed on the retaining wall which runs adjacent to the property line that abuts the railroad tracks.

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G. The application of **Dale W. and Sharyn W. Smith, Owners**, and **Richard Green, Green & Company Real Estate, Applicant**, for property located at **275 Islington Street**, requesting Site Plan Approval for a proposed residential development consisting of 14 dwelling units in 5 buildings with a total footprint of 10,874 ± s.f., including 27 parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 144 as Lot 8 and lies within the Central Business B (CBB) district and the Historic District.

Voted to **postpone** to the March 19, 2015 Planning Board Meeting.

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VI. OTHER BUSINESS

A. Proposal to rename the portion of Central Avenue between Maplewood Avenue and Myrtle Avenue.

Voted to rename Central Avenue to Emery Street.

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VII. PLANNING DIRECTOR'S REPORT

No report this month.
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VIII. ADJOURNMENT

A motion to adjourn at 8:52 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board