

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

SEPTEMBER 17, 2015

MEMBERS PRESENT: Elizabeth Moreau, Vice Chairman; Jack Thorsen, City Council Representative, David Allen, Deputy City Manager; Robert Marsilia, Building Inspector; William Gladhill; Colby Gamester; Michael Barker; Jay Leduc

MEMBERS EXCUSED: John Ricci, Chairman; Justin Finn

ALSO PRESENT: Rick Taintor, Planning Director and Jessa Berna, Associate Planner

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I. APPROVAL OF MINUTES

- 1. Approval of Minutes from the August 20, 2015 Planning Board Meeting – Unanimously approved.
- 2. Approval of Minutes from the August 27, 2015 Planning Board Work Session – Unanimously approved.

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II. DETERMINATIONS OF COMPLETENESS

A. Site Plan Review

- 1. The application of **Chinburg Development, LLC, Owner**, for property located at **1163 Sagamore Avenue**, requesting Site Plan Approval.

Voted to determine that the application is complete according to Site Plan Review Regulations and to accept it for consideration.

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III. PUBLIC HEARINGS – OLD BUSINESS

A. 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 properties are 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 June 18, 2015 Planning Board Meeting.) (This application was postponed at the August 20, 2015 Planning Board Meeting.)

(1) The Board voted to grant a waiver of compliance with Section 3.3.2(3) of the Site Plan Review Regulations which limits the number of driveways to one per lot, and to allow the proposed development lot to have three driveways as shown on the site plan.

(2) The Board voted to **grant** Site Plan Review approval with the following stipulations:

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

1. The Site Plan (Sheets C-2A, C-2B and C-2C) and the Landscape Site Plan (Sheet L-01) shall be recorded at the Registry of Deeds by the City or as determined appropriate by the Planning Department.
2. The applicant shall contribute \$42,000 to the City for reconstruction of the sidewalk on Portsmouth Boulevard between Commerce Way and Market Street, and \$6,900 toward traffic and pedestrian signal upgrades at the intersection of Market Street and Portsmouth Boulevard.
3. The Construction Management and Mitigation Plan shall include specific provisions to address the displacement of required parking spaces during Phase 2 construction.

Conditions Subsequent (to be completed prior to the final release of site plan security):

4. The applicant shall videotape construction routes to the project prior to the initiation of site work, and shall be responsible for repairing any damage during construction. The site plan security shall be sufficient to cover any such repair.

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B. The application of **Chinburg Developers, LLC, Owner**, for property located at **1163 Sagamore Avenue**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer for demolition of an existing clubhouse and construction of 11 residential units including a private accessdrive, stormwater/drainage structures and sewer upgrade along Sagamore Avenue, with 9,682 ± s.f. of total impact to the wetland buffer (7,295 ± of impact for on-site improvements, 649 ± for off-site stormwater/drainage structures and 1,738 ± for off-site sewer improvements along Sagamore Avenue). Said property is shown on Assessor Plan 224 as Lot 17 and lies within the Mixed Residential Office (MRO) District. (This application was postponed at the June 18, 2015 Planning Board Meeting.) (This application was postponed at the August 20, 2015 Planning Board Meeting.)

Voted to **postpone** Conditional Use Permit approval to the next regularly scheduled Planning Board Meeting on October 15, 2015.

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C. The application of **Chinburg Development, LLC, Owner**, for property located at **1163 Sagamore Avenue**, requesting Site Plan Approval for the demolition of existing building and the construction of 11 single family dwellings and a private roadway, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 224 as Lot 17 and lies within the Mixed Residential Office (MRO) District. (This application was postponed at the August 20, 2015 Planning Board Meeting.)

Voted to **postpone** Site Plan approval to the next regularly scheduled Planning Board Meeting on October 15, 2015.

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D. The application of **Gregory C. and Sandra M. Desisto, Owners**, for property located at **36 Shaw Road**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within the inland and tidal wetland buffers to renovate an existing house, including the addition of a second floor, the addition of a new garage, breezeway, porches and deck, and landscape improvements, with 14,060 ± s.f. of permanent impact and 1,353 ± s.f. of temporary impact to the wetland buffer. Said property is shown on Assessor Map 223 as Lot 22 and lies within the Single Residence B (SRB) District. (This application was postponed at the August 20, 2015 Planning Board Meeting.)

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

1. The Wetlands Permit Plan (Sheet C-2) shall be revised to show the area that is more than 50 feet from both the inland wetland and the tidal wetland, and shall include a note stating that no fertilizer shall be used on the property except in this area.
2. The plan set shall be revised to show details on the sitting/retaining area around the hot tub and to clarify the source and outlet for the drains shown under the driveway.
3. The Site Post Construction Maintenance Plan shall be revised for approval by the Environmental Planner to include:
 - a) A requirement for draining the hot tub requiring no chlorine and infiltration into ground rather than directly draining to Sagamore Creek;
 - b) A maintenance plan including schedule for raingardens; and
 - c) A maintenance plan including schedule for pervious pavers.
3. The Wetlands Permit Plan and the Site Post Construction Maintenance Plan shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

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E. Proposed amendments to Site Plan Review Regulations, Section 2.5 (Application Requirements), relative to site development within a Character District. (This matter was postponed at the August 20, 2015 Planning Board Meeting.)

Voted to **postpone** to the next regularly scheduled Planning Board meeting on October 15, 2015.

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IV. PUBLIC HEARINGS – NEW BUSINESS

A. The renaming of Ledgewood Drive in accordance with the specification of E-911.

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

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B. The application of **Strawbery Banke, Inc., Owner**, for property located on **Washington Street**, requesting Amended Site Plan Approval to extend the season of the ice skating rink from three months to four months. Said property is shown on Assessor Map 104 as Lot 7 and lies within the Mixed Residential Office (MRO) District and the Historic District.

Voted to grant Amended Site Plan approval which was granted on March 20, 2014, by replacing stipulation #4 with the following stipulation:

- 4. The skating area may be operated for a running four-month period each year beginning with the first day operations commence and the skating area is open to the public.

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C. The application of **30 Maplewood, LLC, Owner**, for property located at **30 Maplewood Avenue**, requesting Amended Site Plan approval for the following: repositioning of the switching vault, elimination of a basement under the new addition, elimination of two outdoor patios, relocation of building entrances and walkways, relocation of bicycle racks, elimination of two grease traps, relocation of condenser units to the roof, redesign of the Hanover/Bridge Street patio, addition of a fenced in utility area on the Bridge Street side, change in walkway surface material and removal of a tree, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lot 2 and lies within Character District 4 (CD4), the Downtown Overlay District (DOD), and the Historic District.

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

- 1. Sheet C2 – Layout & Landscaping Plan shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

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D. The application of **319 Vaughan Street Center, LLC, Owner**, for property located at **319 Vaughan Street**, requesting Amended Site Plan approval for landscape revisions, construction of a trash enclosure, revisions to a previously approved transformer enclosure, and related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 124 as Lot 9 and lies within Character District 5 (CD5), the Downtown Overlay District (DOD), and the Historic District.

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

- 1. The location and dimensions of the street light bases shall be subject to review and approval by the Department of Public Works.
 - 2. The plan shall include a drain for the trash enclosure, with the location and configuration to be approved by the Department of Public Works.
 - 3. Sheet C2 – Layout & Landscaping Plan shall be recorded 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

*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. Proposed Easements for a Bicycle/Pedestrian Path Along North Mill Pond.

Voted to **approve** the proposed easement to construct a bicycle/pedestrian path along North Mill Pond.

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VI. ADJOURNMENT

A motion to adjourn at 9:26 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board