

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

NOVEMBER 19, 2015

MEMBERS PRESENT: John Ricci, Chairman; Elizabeth Moreau, Vice Chairman; David Allen, Deputy City Manager; Robert Marsilia, Building Inspector; William Gladhill; Colby Gamester; and Jay Leduc

MEMBERS EXCUSED: Michael Barker; Jack Thorsen, City Council Representative; and Justin Finn, Alternate

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

6:30 PM CAPITAL IMPROVEMENT PLAN

A public information meeting was held. City Manager John Bohenko gave the introduction, Juliet Walker, of the Planning Department, gave the presentation and Chairman Ricci called for questions from the Board and the public.

I. APPROVAL OF MINUTES

- 1. Approval of Minutes from the October 15, 2015 Planning Board Meeting – Approved (Mr. Gladhill abstained).

II. DETERMINATIONS OF COMPLETENESS

A. Subdivisions:

- 1. The application of **Robert W. and Constance M. Bushman, Trustees, Owners**, for property located at **34 Marne Avenue and 43 Verdun Avenue**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested.

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

- 2. The application of **John L. Ahlgren and Bessie Palmisciano, Owners**, for property located on **Langdon Street**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into four lots.

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

- 3. The application of **Wayne Semprini, Owner**, for property located at **1 Fairview Drive**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots.

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

.....

III. PUBLIC HEARINGS – OLD BUSINESS

A. The application of **955 Sagamore Realty Trust, Owner**, for property located at **955 Sagamore Avenue**, requesting Final Subdivision Approval to subdivide one lot into two lots as follows:

- 1. Proposed lot #1 having an area of 63,100 ± s.f. (1.45 acres) and 141.82’ of continuous street frontage on Sagamore Avenue and 171.49’ of continuous frontage on Sagamore Grove; and
- 2. Proposed lot #2 having an area of 24,000 ± s.f. (.5510 acres) and 123.13’ of continuous street frontage on Sagamore Grove.

Said property is shown on Assessors Map 201 as Lot 1 and is located in the Waterfront Business (WB) district which requires a minimum lot size of 20,000 s.f. and 100’ of continuous street frontage. (This application was postponed at the October 15, 2015 Planning Board Meeting.)

Voted to **grant** Final Subdivision Approval based on the Subdivision Plan dated June 30, 2015, and revised on November 6, 2015, with the following stipulations:

- 1. Lot numbers as determined by the Assessor shall be added to the final plat.
- 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 easements shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

.....

B. The application of **Hillcrest at Portsmouth, LLC, Owner**, for property located at **3201 Lafayette Road**, requesting Site Plan approval to replace up to 80 manufactured homes over the next 10 years, to create a 20’ x 20’ yard waste compost site, and to create 5 new pad sites for future homes, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 291 as Lot 7 and lies within the Gateway (GW) District, Garden Apartment/Mobile Home (GA/MH) District and Rural (R) District. (This application was postponed at the October 15, 2015 Planning Board Meeting.)

- (A) Voted to find that a waiver will not have the effect of nullifying the spirit and intent of the City’s Master Plan or the Site Plan Review Regulations and, therefore, to waive compliance with such provisions of the Regulations as requested by the applicant.
- (B) Voted to **grant** Site Plan Approval of the Existing Features Plan with the following stipulations:

1. The plan title shall be changed to “Site Plan.”
2. The following notes shall be added to the Site Plan as required by Sections 2.13(3) and 2.13(4) of the Site Plan Review Regulations:
 - “1. This Site Plan shall be recorded in the Rockingham County Registry of Deeds.
 2. All improvements shown on this Site Plan shall be constructed and maintained in accordance with the Plan by the property owner and all future property owners. No changes shall be made to this Site Plan without the express approval of the Portsmouth Planning Director.
 3. The property owner and all future property owners shall be responsible for the maintenance, repair and replacement of all required screening and landscape materials.
 4. All required plant materials shall be tended and maintained in a healthy growing condition, replaced when necessary, and kept free of refuse and debris. All required fences and walls shall be maintained in good repair.
 5. The property owner shall be responsible to remove and replace dead or diseased plant materials immediately with the same type, size and quantity of plant materials as originally installed, unless alternative plantings are requested, justified and approved by the Planning Board or Planning Director.”
3. The wetland buffer lines shall be merged to eliminate overlaps.
4. The Site Plan shall be recorded at the Registry of Deeds by the City or as determined appropriate by the Planning Department.
5. The site plan approval shall be subject to a future Zoning Ordinance amendment, to be adopted by the City Council within one year after the date of the subdivision approval, to allow manufactured housing park as a use distinct from mobile home park, and establishing standards as to separation of structures, coverage by buildings and impervious surfaces, wetlands protection, etc.
6. The dimensional standards contained in the draft Zoning Ordinance amendment dated November 11, 2015 shall apply to building permit applications submitted for administrative approval until a final amendment has been enacted by the City Council.
7. Fire hydrants are to be tested yearly to ensure that all are working at all times.
8. Changes to the approved site plan resulting from subsequent conditional use permits and site development shall be updated on the site plan and submitted to the Planning Department for review and administrative approval.
9. The owner shall address any remaining sewer infiltration and inflow issues that have not been completely addressed by the prior owner under the subdivision approval, and shall be responsible for any costs for eliminating excess infiltration and inflow beyond what is covered by the prior subdivision approval, as determined by the Department of Public Works. The amount of the Site Plan Review security shall be sufficient to cover all such costs.

.....

IV. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **Rye Port Properties, Owner, Charter Foods North, LLC, Applicant**, for property located at 2319 Lafayette Road (formerly 2299 Lafayette Road), requesting amended Conditional Use Permit Approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a 6” pvc sewer service from an existing sewer line at the rear of the site to the new Taco Bell building, with 3,015 ± of impact to the wetland buffer. Said property is shown on Assessor Map 272 as Lot 10 and lies within the Gateway (G) District.

Voted to **grant** Amended Conditional Use Permit approval as requested.

.....

B. The application of **Roger D. Greeley, Owner**, for property located at **71 Cliff Road**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to remove an existing 6’ x 20’ sunporch and construct a 14’ x 20’ addition at the back of the house; to construct a 6’ x 12’ addition adjacent to the rear addition; to remove an existing 7’ x 12’ porch and construct a 6’ x 8’ deck off the south side of the house; and, to remove an entryway and construct a 7’ x 9’6” mudroom on the front of the house, with 400 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 223 as Lot 10 and lies within the Single Residence B (SRB) District.

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

.....

C. The application of **Robert W. and Constance M. Bushman, Trustees, Owners**, for property located at **34 Marne Avenue and 43 Verdun Avenue**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows:
a. Map 222 Lot 33 decreasing in area from 17,448 ± s.f. to 7,461 ± s.f. with 101.04’ of continuous street frontage along Marne Avenue.
b. Map 222 Lot 34 increasing in area from 9,097 ± s.f. to 19,084 ± s.f. with 216.61’ of continuous street frontage along Verdun Avenue.

Said lots lie within a General Residence A (GRA) District which requires a minimum lot size of 7,500 s.f.

Voted to **grant** Preliminary and Final Subdivision Application with 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 the deed shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

.....

D. The application of **John L. Ahlgren and Bessie Palmisciano, Owners**, for property located on **Langdon Street**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into four lots with the following:

- a. Proposed Lot 1 consisting of 5,022 s.f. and 63.35' of street frontage.
- b. Proposed Lot 2 consisting of 5,301 s.f. and 68.50' of street frontage.
- c. Proposed Lot 3 consisting of 4,965 s.f. and 43.23' of street frontage.
- d. Proposed Lot 4 consisting of 7,920 s.f. and 40.94' of street frontage.

Said lot is shown on Assessor Map 138 as Lot 48 and lies within the Mixed Residential Business (MRB) where a minimum of 7,500' of lot area and 100' of street frontage is required and also within the Office Research (OR) District where a minimum of 3 acres of lot area and 300' of street frontage is required.

Voted to **grant** Preliminary Subdivision Approval and postpone Final Subdivision Approval to the February 18, 2016 Planning Board Meeting.

.....

E. The application of **Wayne Semprini, Owner**, for property located at **1 Fairview Drive**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots as follows:

- a. Proposed lot #1 having an area of 15,388 ± s.f. (0.3533 acres) and 79.97' of continuous street frontage on Fairview Drive; and
- b. Proposed lot #2 having an area of 14,052 ± s.f. (0.3226) and 134' of continuous street frontage on Woodbury Avenue and 57' of continuous street frontage on Fairview Drive.

Said property is shown on Assessor Map 219 as Lot 26 and is located in the Single Residence B (SRB) District which requires a minimum lot size of 15,000 s.f. and 100' of continuous street frontage.

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

Conditions Precedent (to be completed prior to recording of the plan):

- 1. Lot numbers as determined by the Assessor shall be added to the final plat.
- 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 easements for the sewer lines and drain lines shall be granted and approved by the City Attorney.

Recording:

- 5. 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.

Conditions Subsequent (to be completed prior to the issuance of any building permit):

- 6. The utility connections for Lot 2 (and Lot 1, if reconstructed) shall be approved by the City Engineer.
- 7. Test pits shall be dug at the foundation of each proposed new house and logged by a soil scientist to determine the seasonable high water table. The results shall be presented to the Inspection Department with the application for a building permit.
- 8. Drywells shall be installed for each new house to support the run-off from the building.

.....

V. CITY COUNCIL REFERRALS

A. The renaming of Ledgewood Drive in accordance with the specification of E-911. (This matter was postponed at the September 17, 2015 Planning Board Meeting.)

Voted to recommend to the City Council that Ledgewood Drive not be renamed.

.....

VI. OTHER BUSINESS

A. Proposed amendments to the Zoning Ordinance, Article 8 – Supplemental Use Standards, inserting new Manufacturing Housing Park Dimensional Standards, and making minor conforming revisions to other sections of the Zoning Ordinance; and proposed repeal of the City Ordinances Chapter 13 – Mobile Home Ordinance, in its entirety.

Voted to schedule a public hearing on the proposed Zoning Amendments.

B. Proposed amendments to the Zoning Ordinance, Article 10 – Environmental Protection Standards, (1) establishing a new Wetland Protection Plan option for certain uses, (2) permitting activities within a wetland buffer that are consistent with an approved Wetland Protection Plan, and (3) inserting a new definition for “impervious surface.”

Voted to schedule a public hearing on the proposed Zoning Amendments.

.....

VII. PLANNING DIRECTOR’S REPORT

PS 21 is scheduling a meeting on affordable housing for January 28, 2016 at either the library or 3S Artspace, and a follow-up workshop will take place the next day.

.....

VIII. ADJOURNMENT

A motion to adjourn at 9:30 pm was made and seconded and passed unanimously.

.....

Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board