

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDARO FOLEY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

7:00 PM

FEBRUARY 15, 2018

MEMBERS PRESENT: Dexter Legg, Chairman; Elizabeth Moreau, Vice Chairman; Nancy Colbert-Puff, Deputy City Manager; David Moore, Assistant City Manager; Colby Gamester; Jeffrey Kisiel; Corey Clark, Alternate;

ALSO PRESENT: Juliet T. H. Walker, Planning Director; Jillian Harris, Planner I

MEMBERS ABSENT: Rebecca Perkins, City Council Representative; Jay Leduc; Jody Record; and Jane Begala, Alternate

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I. APPROVAL OF MINUTES

- 1. Approval of Minutes from the January 18, 2018 Planning Board Meeting;

Voted to unanimously **approve**.

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II. DETERMINATIONS OF COMPLETENESS

A. SITE REVIEW:

- 1. The application of **Ethel V. Ross Trust, Owner, and Joseph Caldarola, Applicant**, for property located at **142 Mill Pond Way**.

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

- 2. The application of **Thirty Maplewood, LLC, Owner**, for property located at **46-64 Maplewood Avenue** (previously 30 Maplewood Avenue).

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

- 3. The application of **Islington Commons, LLC, Owner**, for property located at **410, 420, and 430 Islington Street**.

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

- 4. The application of **Foundry Place, LLC and Deer Street Associates, Owners**, for property located at **165 Deer Street**, (“Lots 2, 3, 4 & 5).

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

- 5. The application of **Wentworth-Douglass Hospital, Applicant**, for property located at **56, 73 and 121 Corporate Drive**.

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

- 6. The application of **DG Bourassa, LLC, Owner**, for property located at **85 Heritage Avenue**.

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

- 7. The application of **Bursaw’s Pantry, LLC, Owner, and Robert and Kathy Dockham, Applicants**, for property located at **3020 Lafayette Road**.

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

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III. PUBLIC HEARINGS – OLD BUSINESS

- A. The application of **Goodman Family Real Estate Trust, Owner, and Aroma Joe’s Coffee, Applicant**, for property located at **1850 Woodbury Avenue**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to construct a 785 ± s.f. restaurant/take-out building and 195 ± s.f. attached patio, with drive thru service and a walk –up window, with 6,870 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 239 as Lot 9 and lies within the General Business (BD) District. (This application was postponed at the January 18, 2018 Planning Board Meeting).

Voted to **postpone** to the March 15, 2018 Planning Board Meeting.

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B. The application of **Borthwick Forest, LLC, and KS Borthwick, LLC, Owners, and Borthwick Forest, LLC, Applicant**, for property located on **proposed subdivision road to be created off Borthwick Avenue**, requesting Amended Site Plan Approval to make changes to the parking lot, the basement level parking entrance, a reduced easement width and elimination of a 20' wide emergency access drive to provide a 10' wide multi-use path with related paving, lighting, utilities, landscaping, drainage, multi-use path and associated site improvements. (Original Site Review approval was granted by the Planning Board on May 18, 2017). Said properties are shown on Assessor Map 241 as Lots 25 & 26 and Assessor Map 233 as Lots 112, 113, & 114 and lie within the Office Research (OR) and the Single Residence B (SRB) Districts. (This application was postponed at the January 18, 2018 Planning Board Meeting).

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

1. The Amended Site Plan (Sheet C102) shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
2. All conditions of original Planning Board approval as amended to remain in effect, with the exception of required recording of the Landscape Plans.
3. Off-site traffic mitigation for Borthwick Avenue/Greenland Road intersection shall include consideration of improvements to bicycle and/or pedestrian connections.

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C. The application of **Carolyn McCombe, Trustee; Elizabeth Barker Berdge, Trustee; and Tim Barker, Owners**, for property located on **Martine Cottage Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to construct a 1,936 ± s.f. single family home and a 1,200 ± s.f. detached barn, with a 22' x 52' paved parking area and a 25' x 5' rain garden, with 23,125 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 202 as Lot 14 and lies within the Rural (R) District (This application was postponed at the January 18, 2018 Planning Board Meeting).

Voted on a motion to approve which failed with a 1-6 vote. The application was **denied**.

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D. The application of **Robert J. Fabbricatore Irrevocable Trust, Owner**, for property located at **177 State Street**, requesting Site Plan Approval for the construction of a 2-story addition to a mixed use building, with a footprint of 748 ± s.f., and gross floor area of 1,216 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 107 as Lot 44 and lies within the Character District 4 (CD4) and the Historic District. (This application was postponed at the January 18, 2018 Planning Board Meeting).

Voted to **postpone** to the March 15, 2018 Planning Board Meeting.

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E. The application of **Ethel V. Ross Trust, Owner, and Joseph Caldarola, Applicant**, for property located at **142 Mill Pond Way**, requesting Site Plan Approval for the construction of a 2-story, three unit townhouse with a footprint of 5,560 ± s.f. and a gross floor area of 18,514 ± s.f. , with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 140 as Lot 20 and lies within the General Residence A (GRA) District. (This application was postponed at the January 18, 2018 Planning Board Meeting).

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

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

1. The water access easement and snow storage easement shall be reviewed by the Legal Department and accepted by the City Council.
2. The site plan (Sheet C-2) and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
3. Documentation that a State Shoreland Permit has been received by the applicant by the State of New Hampshire.
4. The legend on the Landscape Plan shall be updated to accurately reflect the species identified on the plan.
5. An updated drainage study shall be submitted for review and approval by DPW confirming that there will be no net increase in the off-site drainage from this site as a result of the development.

Conditions Subsequent (to be completed prior to the issuance of a Certificate of Occupancy):

6. A post-construction drainage analysis shall be undertaken by the applicant and results shall be provided to the Planning Department to confirm if any changes are required.)

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IV. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **Thirty Maplewood, LLC, Owner**, for property located at **46-64 Maplewood Avenue** (previously 30 Maplewood Avenue), requesting Site Plan Approval for a proposed 5-story mixed-use building with a footprint of 17,410 ± s.f. and gross floor area of 53,245 ± s.f., including 22 dwelling units and 13,745 ± s.f. of retail use, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lot 2A and lies within Character District 4 (CD4), the Downtown Overlay District (DOD) and the Historic District.

Voted to **postpone** Site Plan approval for the following reasons:

1. The applicant shall submit a revised and updated drainage study to the Planning Department for technical review and approval by City staff.
 2. Rainfall data should be based on the latest extreme precipitation tables from the Northeast Regional Climate Center (Cornell Study).
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B. The application of **Islington Commons, LLC, Owner, for** property located at **410, 420, and 430 Islington Street**, requesting Site Plan Review to remodel three existing buildings into 4 units (Building #1 with 1,315 ± s.f. footprint and 1,906± s.f. gross floor area, Building #2 with 999± s.f. footprint and 1,894± s.f. gross floor area, Building #3 with 1,964 ± s.f. footprint and 5,429 ± s.f. gross floor area); and construct 3 duplex buildings and a single dwelling unit for 11 proposed units (Building #4 with 1,799± s.f. footprint and 4,375± s.f. gross floor area, Building #5 with 1,280 ± s.f. footprint and 2,752 ± s.f. gross floor area, Building #6 with 1,997 ± s.f. footprint and 5,054 ± s.f. gross floor area, Building #7 with 2,014 ± s.f. footprint and 4,725± s.f. gross floor area), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 145 as Lots 34, 35 and 36 and lie within the Character District 4-L2 (CD4-L2) and the Historic District.

Voted to **postpone** Site Plan approval for the following reasons:

1. The applicant shall submit a revised and updated drainage study to the Planning Department for technical review and approval by City staff.
2. Rainfall data should be based on the latest extreme precipitation tables from the Northeast Regional Climate Center (Cornell Study).

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C. The application of **Foundry Place, LLC and Deer Street Associates, Owners,** for property located at **165 Deer Street**, (“Lots 2, 3, 4 & 5), requesting Site Plan Approval for the construction of a 5-story mixed use building (including a hotel, restaurant, and 1st floor parking garage) with a footprint of 22,073 ± s.f. and gross floor area of 104,020 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements to Lots 2, 3, 4 and 5. Said property is shown on Assessor Map 125 as Lot 17 and lies within the CD5 District and the Downtown Overlay District (DOD).

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

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

1. A sidewalk maintenance agreement between DSA and the City, the sidewalk easement, and any other easements required for public access to community spaces shall be reviewed by the Legal Department and accepted by the City Council.
2. DSA shall provide a standard surety for Lot 2 (Map 125 Lot 17-1) work in addition to Lot 3 (Map 125 Lot 17).
3. A license shall be required from City Council to allow the outdoor dining area as shown on the plans.
4. The application shall provide fair share contributions for additional off-site improvements as follows: 1) pavement and overlay of portions of Deer Street and Bridge Street (\$38,250); 2) Maplewood Avenue traffic signal coordination and pedestrian signal upgrades (\$27,000); 3) installation of video detection on Maplewood Ave traffic signals (\$30,000); 4) A contribution to the Russell Street intersection improvements (\$5,000); 5) Contribution to the Downtown Circulation Study (\$7,000); 6) Contribution to a stormwater study for the area (\$5,000); 7) 25% contingency for items 1 through 3 (\$23,800).

5. The Grading and Drainage Plan shall be updated to show how the 4” perforated drain connects to a closed drainage system or discharges in the pervious pavement parking area.
6. For the subsurface infiltration system under the garage slab, the applicant shall include measures to prevent sedimentation/soil migration (separation geotextile fabric) and protect against freeze/thaw (insulated slab if garage is not heated). These measures shall be reviewed and approved by the DPW and/or the City’s third party reviewer.
7. The applicant shall revise the plans to add high strength pipes (C900 PVC or DI) for the section of pipe under the building that will be difficult to access in the future.
8. The Grading and Drainage Plan shall be updated to show how roof runoff is piped into the infiltration system, which shall be reviewed and approved by the DPW and/or the City’s third party reviewer.
9. The site plans (Sheets C1.0, C1.1, C3.0, C3.1, C3.2 and C3.3) and easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
10. The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) for review and approval by the City’s Legal and Planning Departments.
11. The applicant shall update the stormwater maintenance plan to reflect the updated stormwater management included on the approved plans
12. The site plan shall be revised to show parking garage exit and entrance

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D. The application of **Wentworth-Douglass Hospital, Applicant**, for property located at **67, 73 and 121 Corporate Drive**, requesting Site Plan Approval for the construction a 2-story, 25,000 ± s.f. medical office building and a 3-story, 60,000 ± s.f., medical office building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 303 as Lots 4, 5, & 8 and lie within the Pease Airport Business Commercial (ABC) District.

Voted to **recommend Site Plan approval** with the following stipulations:

1. The City has reviewed the stormwater and drainage and makes the following recommendations with the understanding that the project will be subject to additional review by the PDA to ensure compliance with the requirements of the Pease stormwater discharge permit as well as NHDES as part of the AOT permit process:
 - a. Updated plans and drainage report should be provided to the City’s Planning Department reflecting the future revisions that were referenced in the January 16, 2018 letter from VHB.
 - b. PDA staff should consider having Underwood do a peer review of the revised plans to confirm if all issues raised in the third party review have been addressed.
 - c. The developer must obtain sewer and water connection permits from the City. Permits require that complete final design plans be submitted. Note that several design assumptions that have been made in the current plan set will need to be verified/confirmed by DPW prior to issuing a connection permit.

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E.. The application of **DG Bourassa, LLC, Owner**, for property located at **85 Heritage Avenue**, requesting Site Plan Review for the replacement of 4,300 ± s.f. of gravel and broken pavement with new pavement and the addition of 4,170 ± s.f. of new pavement, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 285 as Lot 5 and lies within the Industrial (I) District.

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

1. The Site Plan (Sheet 2) shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

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F. The application of **Bursaw’s Pantry, LLC, Owner, and Robert and Kathy Dockham, Applicants**, for property located at **3020 Lafayette Road**, requesting Site Plan Review for the conversion of an existing building to a multi-use building, with the following uses: Basement level, 1,980 ± s.f. of gross floor area to be used for storage; 1st floor level, 2,235 ± s.f., of gross floor area for office use; 2nd floor level, 2,026 ± s.f., of gross floor area for two residential units; 3rd floor level, 1,731± s.f., of gross floor area for one residential unit, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 292 as Lot 152 and lies within the Mixed Residential B (MRB) District.

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

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

1. The applicant shall confirm whether an updated NHDOT driveway permit is required and shall provide documentation to the Planning Dept.
2. The existing sewer service shall be evaluated and videoed to determine if its condition is acceptable. Results shall be provided to the DPW.
3. The Site Plan (Sheet C-2) 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

A. Purchase & Sale Agreement for property owned by Ferrari Remodeling & Design, Inc., located on Banfield Road (Map 283, Lot 19).

Voted to **recommend** that the City Council acquire this property for wetland impact mitigation and/or conservation purposes.

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VI. OTHER BUSINESS

A. The request of **North End Portsmouth** (f/k/a Harborcorp) for property located **off Deer Street** for a one year extension of Site Plan approval from May 25, 2018 to May 25, 2019.

Vote to determine that no change has taken place that would materially affect the current site plan approval and **approve** a 1-year extension of the Site Plan Approval to expire on May 25, 2019.

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VII. ADJOURNMENT

*It was moved, seconded, and **passed** unanimously to adjourn the meeting at 10:44 p.m.*

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Respectfully Submitted,

Jane M. Shouse,
Acting Secretary for the Planning Board