

**ACTION SHEET**

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

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

**7:00 PM**

**MARCH 15, 2018**

**MEMBERS PRESENT:** Dexter Legg, Chairman; Elizabeth Moreau, Vice Chairman; Rebecca Perkins, City Council Representative; Nancy Colbert-Puff, Deputy City Manager; David Moore, Assistant City Manager; Colby Gamester; Jay Leduc; Jody Record;

**ALSO PRESENT:** Juliet T. H. Walker, Planning Director

**MEMBERS ABSENT:** Jeffrey Kisiel; Corey Clark, Alternate; and Jane Begala, Alternate;

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**I. APPROVAL OF MINUTES**

1. Approval of Minutes from the February 15, 2018 Planning Board Meeting.

Voted to **postpone** to the March 22, 2018 Planning Board Meeting.

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**II. PUBLIC HEARINGS – OLD BUSINESS**

*The Board’s action in these matters has been deemed to be quasi-judicial 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. 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 February 15, 2018 Planning Board Meeting).

Voted to **postpone** to the April 19, 2018 Planning Board Meeting.  
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B. 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 February 15, 2018 Planning Board Meeting).

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.

C. 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. (This application was postponed at the February 15, 2018 Planning Board Meeting).

Voted to **postpone** to the April 19, 2018 Planning Board Meeting.

D. 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. (This application was postponed at the February 15, 2018 Planning Board Meeting).

Voted to **postpone** to the April 19, 2018 Planning Board Meeting.

**III. PUBLIC HEARINGS – NEW BUSINESS**

*The Board’s action in these matters has been deemed to be quasi-judicial 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. The application of **Robert J. Fabbriatore Irrevocable Trust, Owner**, for property located at **177 State Street**, requesting Conditional Use Permit approval pursuant to Section 10.1112.52 of the Zoning Ordinance to allow the construction of a 2-story addition to a mixed use building with the provision of 0 parking spaces where 8 are required by zoning and 1 was allowed by a previously granted variance, with a footprint of 748 ± s.f., and gross floor area of 1,216 ± s.f. Said property is shown on Assessor Map 107 as Lot 44 and lies within the Character District 4 (CD4) and the Historic District.

Voted to **grant** a Conditional Use Permit as presented .

B. Request of **Clipper Traders, LLC** for Zoning Change from Office Research (OR) and Transportation Corridor (TC) to Character District 4 West End (CD4-W), for property located at **105 Bartlett Street**, Tax Map 157, Lots 1 & 2; Tax Map 164, Lots 1, 2, 3 & 4 (also shown on Tax Maps 139 and 144).

Voted to keep the public hearing open and **postpone** this matter pending a report back from the Planning Department staff, to be provided at the April meeting.

C. The application of **Peter L. Evans, Owner**, for property located at **323 Jones Avenue**, requesting Conditional Use Permit approval to construct a one-bedroom, one-story attached accessory dwelling unit (32' x 32') over an existing garage, with a footprint of 1,024 ± s.f. and gross floor area of 964 ±, with associated paving, lighting, and utilities. Said property is shown on Assessor Map 222 as Lot 72 and lies within the Single Residence B (SRB) District.

Voted as follows:

1. Vote to find that the application, excluding the modification to the maximum gross floor area for the accessory dwelling unit, satisfies the requirements of 10.814.60.
2. Vote to **grant** the conditional use permit, with the following stipulations:
  - a) The ADU shall be restricted to the second floor of the conditioned space above the garage addition only and shall match the proposed floor plan.
  - b) The owner shall provide documentation from the NH Department of Environmental Services that the property has adequate septic capacity for the additional bedrooms.
  - c) In accordance with Sec. 10.814.70 of the Zoning Ordinance, the owner is required to obtain a certificate of use from the Planning Department verifying compliance with all standards of Sec. 10.814, including the owner-occupancy requirement, and shall renew the certificate of use annually.
  - d) Refer this application to the Planning and Inspection Departments to confirm that the ADU living area (excluding the common entry area) is no more than 750 s.f.

**IV. PRELIMINARY CONCEPTUAL CONSULTATION REVIEW**

A. The application of **Clipper Traders, LLC, Owner**, for property located at **105 Bartlett Street**, **Portsmouth Lumber and Hardware, LLC, Owner**, for property located at **105 Bartlett Street**, and **Boston and Maine Corporation, Owner**, for railroad property located between **Bartlett Street and Maplewood Avenue**, requesting Preliminary Conceptual Consultation review for a subdivision application to consolidate and subdivide five lots and a portion of another into 5 lots, a right-of-way, and a remainder of one lot. Said properties are shown on Assessors Map 157 as Lots 1 & 2 and Assessors Map 164 as Lots 1, 2, 3, and 4 and are located within the Character District 4-W (CD4-W), Office Research (OR) and Transportation Corridor (TC) Zoning Districts.

Presentation by John Chagnon, P.E., Ambit Engineering. The Preliminary Conceptual Consultation review stage of this application is concluded. No vote required.

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B. The application of **Dorothy Kierstead and Theresa Sessions, Owners**, and **DECM Builders, Applicant**, for property located at **50 Lovell Street**, requesting Preliminary Conceptual Consultation review for a Site Review application to demolish an existing garage and construct two new residential buildings, for a total of four residential dwelling units, as follows: Single residence to remain as a single residence; "Building A" to consist of two residential units and "Building B" to consist of one residential unit, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 147 as Lot 2 and is located in the General Residence C (GRC) District.

Presentation by John Chagnon, P.E., Ambit Engineering. The Preliminary Conceptual Consultation review stage of this application is concluded. No vote required.

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C. The application of the **Portsmouth Housing Authority, Owner**, for property located at **140 Court Street**, requesting Preliminary Conceptual Consultation review for a subdivision application (Lot Line Revision) to resize existing lots to demolish the majority of the existing building and construct a new mixed use building with workforce housing units and street level commercial space and a future commercial building.

Presentation by John Chagnon, P.E., Ambit Engineering. The Preliminary Conceptual Consultation review stage of this application is concluded. No vote required.

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**VII. ADJOURNMENT**

*It was moved, seconded, and passed unanimously to adjourn the meeting at 9:39 p.m.*

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Respectfully Submitted,  
Jane M. Shouse,  
Acting Secretary for the Planning Board