

ACTION SHEET

PLANNING BOARD PORTSMOUTH, NEW HAMPSHIRE

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

7:00 PM

**April 19, 2018
to be reconvened on
April 26, 2018**

MEMBERS PRESENT: Dexter Legg, Chairman; David Moore, Assistant City Manager; Colby Gamester; Jay Leduc; Jody Record; Jeffrey Kisiel; Jane Begala, Alternate; and Corey Clark, Alternate; and

ALSO PRESENT: Jillian Harris, Planner I

MEMBERS ABSENT: Elizabeth Moreau, Vice Chairman; Rebecca Perkins, City Council Representative; Nancy Colbert-Puff, Deputy City Manager;

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I. APPROVAL OF MINUTES

- A. Approval of Minutes from the March 15, 2018 Planning Board Meeting – Unanimously approved.
 - B. Approval of Minutes from the March 22, 2018 Planning Board Meeting – Unanimously approved.
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II. DETERMINATIONS OF COMPLETENESS

A. SUBDIVISION:

- 1. The application of **Seacoast Development Group, LLC, Owner**, for property located along **Rockingham Avenue**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into three lots.

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

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III. 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 $785 \pm$ s.f. restaurant/take-out building and $195 \pm$ s.f. attached patio, with drive thru service and a walk-up window, with $6,870 \pm$ s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 239 as Lot 9 and lies within the Gateway Corridor (G1) District. (This application was postponed at the March 15, 2018 Planning Board Meeting).

Voted to **grant** Conditional Use Permit approval

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B. 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 $17,410 \pm$ s.f. and gross floor area of $53,245 \pm$ s.f., including 22 dwelling units and $13,745 \pm$ 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 March 15, 2018 Planning Board Meeting).

Voted to **postpone** to the May 17, 2018 Planning Board Meeting.

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C. 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 $1,315 \pm$ s.f. footprint and $1,906 \pm$ s.f. gross floor area, Building #2 with $999 \pm$ s.f. footprint and $1,894 \pm$ s.f. gross floor area, Building #3 with $1,964 \pm$ s.f. footprint and $5,429 \pm$ s.f. gross floor area); and construct 3 duplex buildings and a single dwelling unit for 11 proposed units (Building #4 with $1,799 \pm$ s.f. footprint and $4,375 \pm$ s.f. gross floor area, Building #5 with $1,280 \pm$ s.f. footprint and $2,752 \pm$ s.f. gross floor area, Building #6 with $1,997 \pm$ s.f. footprint and $5,054 \pm$ s.f. gross floor area, Building #7 with $2,014 \pm$ s.f. footprint and $4,725 \pm$ 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-Limited2 (CD4-L2) and the Historic District. (This application was postponed at the March 15, 2018 Planning Board Meeting).

Voted to **postpone** to the April 26, 2018 Planning Board Meeting.

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D. The application of the **Woodlands Homeowner's Association, Owner, and the City of Portsmouth, Applicant**, for property located on **Hoover Drive**, requesting Conditional Use Permit

approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer for drainage improvements along Hoover Drive, Taft Road, Grant Avenue and FW Hartford Drive, including the replacement of a headwall to accommodate a second 24" culvert, with 300 ± s.f. of impact to the wetland and 600 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 269 as Lot 7 and lies within the Single Residence B (SRB) District. (This application was postponed at the March 22, 2018 Planning Board Meeting).

Voted to **grant** conditional use permit approval.

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E. The application of **175 Gosport Road, LLC, Owner, and Michael Clark, Applicant,** for property located at **175 Gosport Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the tidal and inland wetland buffer to demolish an existing pool house and pool area and construct a new pool house, pool, garage, dock and driveway expansion, with 11,075 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 224 as Lot 1 and lies within the Single Residence A (SRA) District. (This application was postponed at the March 22, 2018 Planning Board Meeting).

Voted to **postpone** to the May 17, 2018 Planning Board Meeting.

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F. The application of **Goodman Family Real Estate Trust, Owner, and Aroma Joe's Coffee, Applicant,** for property located at **1850 Woodbury Avenue**, requesting Site Plan Review for a 785 ± s.f. restaurant/take-out building and 195 ± s.f. attached patio, with drive thru service and a walk-up window, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 239 as Lot 9 and lies within the Gateway Corridor (G1) District. (This application was postponed at the March 22, 2018 Planning Board Meeting).

A) Voted to find that granting of waivers will not have the effect of nullifying the spirit and intent of the City's Master Plan or the Site Plan Review Regulations, and to waive the following regulations

- 1) Section 3.3.2(3) – Driveways shall be limited to one per lot.
- 2) Section 9.3(5) – Dumpsters shall be 20 feet from the property line.

B) 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) Engineer to adjust/reduce slope of proposed sewer lateral pipe to the City's sewer main, final design shall be reviewed and approved by DPW.
- 2) The owner shall provide an easement to the City of Portsmouth for the City's existing water main across the property. The Easement shall be 20 feet wide and centered on the existing pipe. The easement plan and deed shall be reviewed and approved by the Planning and Legal Departments and accepted by the City Council prior to recording.

- 3) Revise the fertilizer note on Sheet D-1 to be consistent with the fertilizer note on Sheet L-1, restricting the use of fertilizer to only low phosphate and slow release nitrogen in both stormwater ponds #1 and #2 and throughout the site within the wetland buffer.
- 4) 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.

Conditions Subsequent (to be completed prior to the issuance of a certificate of occupancy):

- 1) Coordinate the installation of the sewer lateral with the City's sewer department.

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G. The application of **Seacoast Development Group, LLC, Owner**, for property located along **Rockingham Avenue**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into three lots as follows:

1. Proposed lot #1 having an area of 38,466 \pm s.f. (0.883 acres) and 119.76' of continuous street frontage on Rockingham Avenue.
2. Proposed lot #2 having an area of 15,874 \pm s.f. (0.364 acres) and 128.56' of continuous street frontage on Rockingham Avenue.
3. Proposed lot #3 having an area of 19,044 \pm s.f. (0.437 acres) and 305.34' of continuous street frontage on Rockingham Avenue.

Said property is shown on Assessors Map 235 as Lot 2 and is located in the Single Residence B (SRB) District where the minimum lot area is 15,000 s.f. and minimum continuous street frontage is 100'. (This application was postponed at the March 22, 2018 Planning Board Meeting).

- 1) Voted to determine that the application is complete according to the Subdivision Review Regulations and to accept the application for consideration.
- 2) Voted to **grant** Preliminary and Final Subdivision approval 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. The drainage easement shall be reviewed and approved by Planning, DPW, and Legal Departments and accepted by City Council.
 4. GIS data shall be provided to the Department of Public Works in the form as required by the City.
 5. The final plat and all easement deeds and plans shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
 6. All utility trenches on Rockingham Avenue shall be guaranteed against settling for a period of 2 years from the date of the final utility trench.

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IV. 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 **Eric and Jean Spear, Owners, and Megan Tehan and Brendan Cooney, Applicants**, for property located at **49-57 Mt. Vernon Street**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots as follows:

1. Proposed lot A having an area of 8,949 \pm s.f. and 93' of continuous street frontage on Mt. Vernon Street.
2. Proposed lot B having an area of 3,647 \pm s.f. and 45.5' of continuous street frontage on Mt. Vernon Street.

Said property is shown on Assessors Map 111 as Lot 31 and is located in the General Residence B (GRB) District where the minimum lot area is 5,000 s.f. and minimum continuous street frontage is 80'.

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

V. PRELIMINARY CONCEPTUAL CONSULTATION REVIEW

A. The application of **R.K. Portsmouth, LLC, Owner**, for property located at **100 Arthur F. Brady Drive**, requesting Preliminary Conceptual Consultation review to subdivide one lot into two lots, with one existing building on each lot.

Presentation by Attorney Victor Manougian, of McLane Middleton, and Paul Liversidge, of Hayner Swanson, Inc.

VI. OTHER BUSINESS

A. Request of J&M Family Properties, LLC, for property located at 802 Lafayette Road, for a one year extension of Site Plan Approval which was granted by the Planning Board on April 20, 2017.

Voted to determine that no change has taken place that would materially affect the current site plan approval and approved a 1-year extension of the Site Plan Approval to expire on April 20, 2019.

B. Rockingham County Planning Commission – Planning Board Representative.

Planning Board members were asked to consider being a representative to the Rockingham County Planning Commission.

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VII. ADJOURNMENT

*It was moved, seconded, and **passed** unanimously to adjourn the meeting at 8:11 p.m.*

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Respectfully Submitted,

Jane M. Shouse,
Acting Secretary for the Planning Board