

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 PM

JANUARY 17, 2019

MEMBERS PRESENT: Dexter Legg, Chairman; Elizabeth Moreau, Vice-Chairman; Rebecca Perkins, City Council Representative; Colby Gamester; Jay Leduc; John P. Bohenko, City Manager; Ray Pezzullo, Assistant City Engineer; Polly Henkel, Alternate and Corey Clark, Alternate

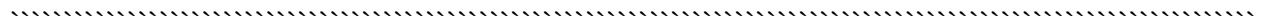
ALSO PRESENT: Juliet Walker, Planning Director
Jillian Harris, Planner I

MEMBERS ABSENT: Jeffrey Kisiel; Jody Record



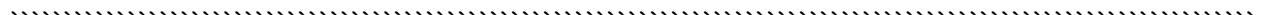
I. ELECTION OF OFFICERS

Voted to re-elect Dexter Legg as Chair and Beth Moreau as Vice-Chair.



II. APPROVAL OF MINUTES

A. Approval of Minutes from the December 20, 2018 Planning Board Meeting – Unanimously approved.



III. ZONING AMENDMENTS – PUBLIC HEARINGS – OLD BUSINESS

A. The request of Residents of Pinehurst Road, to amend the zoning for the properties on Pinehurst Road from General Residence A (GRA) to Single Residence B (SRB). (This item was postponed at the December 20, 2018 Planning Board Meeting.)

A motion to approve the zoning amendment **failed** unanimously.



IV. 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 **Pease Development Authority, Owner, and Lonza Biologics, Inc., Applicant**, for property located at **70 and 80 Corporate Drive**, requesting Subdivision approval, under Chapter 500 of the Pease Land Use Controls, Subdivision Regulations, to merge Map 305, Lots 5 & 6 (17.10 acres), Map 305, Lot 1 (13.87 acres), Map 305, Lot 2 (10.18 acres) and a discontinued portion of Goosebay Drive to create Map 305, Lot 6 (43.37 acres). Said properties are shown on Assessor Map 305 as Lots 1 & 2 and lie within the Pease Airport Business Commercial (ABC) district. (This application was postponed at the December 20, 2018 Planning Board Meeting.)

The Board voted as follows:

- 1.) Voted to determine that the application is complete according to the Subdivision Regulations and **to accept** the application for consideration.
- 2) Voted to find that an unnecessary hardship may result from strict compliance with the provisions of these regulations and that a waiver will not have the effect of nullifying the spirit and intent of the Pease Development Plan or the Subdivision Regulations, and to waive the following regulations:
 - a) Part 506.01(c) – To allow a minimum cul-de-sac radius of 45 feet where 80 feet is required and maximum cul-de-sac length of 800 feet where 500 feet is required.
- 3) Voted to recommend **granting** Preliminary and Final Subdivision Approval.

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B. The application of **Pease Development Authority, Owner, and Lonza Biologics, Inc., Applicant**, for property located at **70 and 80 Corporate Drive**, requesting Conditional Use Permit approval, under Chapter 300 of the Pease Land Use Controls, Part 304-A Pease Wetlands Protection, for work within the inland wetland buffer for the construction of three proposed industrial buildings: Proposed Building #1 with a 132,000± s.f. footprint; Proposed Building #2: 150,000 ±s.f. footprint; Proposed Building #3 with a 62,000± s.f. footprint; and two 4-story parking garages, with 55,555 ±s.f. of impact to the wetland, 66,852 ±s.f. of impact to the wetland buffer and a 1,000± l.f. stream restoration for Hodgson Brook resulting in 42,500 s.f. of wetland creation. Said property is shown on Assessor Map 305 as Lots 1 & 2 and lies within the Pease Airport Business Commercial (ABC) district. (This application was postponed at the December 20, 2018 Planning Board Meeting.)

Voted to recommend **granting** the Conditional Use Permit as presented.

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C. The application of **Pease Development Authority, Owner, and Lonza Biologics, Inc., Applicant**, for property located at **70 and 80 Corporate Drive**, requesting Site Plan Review Approval, under Chapter 400 of the Pease Land Use Controls, Site Review Regulations, for the construction of three proposed industrial buildings with heights of 105 feet: Proposed Building #1: 132,000 s.f. footprint and 430,720 s.f. Gross Floor Area; Proposed Building #2: 142,000 s.f. footprint and 426,720 s.f. Gross Floor Area; Proposed Building #3: 62,000 s.f. footprint and 186,000 s.f. Gross Floor Area; and two 4-story parking garages, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 305 as Lots 1 & 2 and lie within the Pease Airport Business Commercial (ABC) district. (This application was postponed at the December 20, 2018 Planning Board Meeting.)

The Board voted as follows:

1. Voted to determine that the application is complete according to the Site Plan Review Regulations and to accept the applications for consideration.
2. Voted to recommend **granting** Site Review approval with the following stipulations:

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

- 2.1 Plans shall show a 3’ shoulder alongside the sidewalk before grading down to the stream.
- 2.2 The drainage analysis shall be updated to reflect the interim condition at the completion of Phase 1A and 1B improvements in order to confirm that there will not be a detrimental impact on public roadways or downstream properties and infrastructure.
- 2.3 Updated plans and drainage report for Phase 1A and 1B improvements shall be provided to the City’s Planning Department and DPW for final review and approval.
- 2.4 Any easements benefiting the City shall be reviewed and approved by the City’s Planning and Legal Departments prior to final acceptance by the City Council.

Conditions Subsequent:

- 2.5 PDA staff and Board may review and address any outstanding issues raised by the third party peer review and have the third party peer reviewer do a final review of the plans prior to construction. Any revisions to drainage plans and reports which may result should be provided to the City’s Planning Department.
- 2.6 Applicant shall not proceed to Phase 2 until the project has been issued an approved application for water service(s) associated with the expansion.
- 2.7 The applicant shall not proceed to Phase 2 until the project has been issued an Industrial User Permit by the City for the increased wastewater flows and loads associated with expansion.
- 2.8 The Planning Board’s recommended approval applies only to Phase 1A and Phase 1B as depicted on the approved site and grading plans. Any changes to said plans, as well as subsequent phases of development shall require submission of updated plans

and supporting documents and noticed public hearings with the City’s Technical Advisory Committee and Planning Board for amended site plan approval.

2.9 For the purpose of this site plan approval, the term “active and substantial development or building” shall mean the construction of the stream restoration and associated site improvements included in Phase 1(A). The term “substantial completion of the improvements as shown on the subdivision plat or site plan” shall mean the completion of all site improvements depicted in Phase 1(B), to include drive aisles, fire lanes, utilities, lighting, sidewalks, stormwater management, as well as the construction of a temporary gravel area for construction trailers, parking and laydown in the approximate location of proposed building #3, intermittent grading between stream and building #1 and temporary sedimentation basins at locations of gravel wetland #2 and rain garden #1, and construction of the shell of building #1, but not final fit-out of building #1.

2.10 For subsequent phases of development (beyond Phase 1A and Phase 1B), applicant shall update the Traffic Analysis to include the following intersections:

- Gosling Road/ Spaulding Turnpike Intersection
- International Drive/Corporate Drive/Manchester Square Intersection
- International Drive/Pease Blvd Intersection
- New Hampshire Ave/International Dr./Corporate Dr./Durham St. Intersection
- Corporate Drive/Grafton Drive Intersection
- NH 33/ Grafton Drive Intersection

2.11 Applicant shall verify how fertilizer will be applied as part of the stream restoration.

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D. The application of **Clipper Traders, LLC, Owner** and **Portsmouth Lumber and Hardware, LLC, Owner**, for property located at **105 Bartlett Street**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the tidal wetland buffer for proposed roadway improvements to include-configuration of parking, construction of parking islands, re-grading and installation of curbing to direct stormwater; utility improvements; drainage improvement and treatment including separation of stormwater from sewer, parking improvements and removal of two dilapidated structures, with 37,733 ± s.f. of impact to the tidal wetland buffer. 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) and Character District 4-L1 (CD4-L1) Zoning Districts. (This application was postponed at the December 20, 2018 Planning Board Meeting)

Voted to **postpone** to the February 21, 2019 Planning Board Meeting.

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E. The application of **Islamic Society of the Seacoast Area, Owner**, for property located at **686 Maplewood Avenue**, requesting Conditional Use Permit approval pursuant to Section 10.1112.52 of the Zoning Ordinance to allow 60 parking spaces where 71 parking spaces are required. Said property is shown on Assessor Map 220 as Lot 90 and lies within the Single Residence B (SRB) District.

Voted to **grant** a Conditional Use Permit to permit 60 parking spaces where 71 parking spaces are required with the following stipulations:

1. Applicant shall submit an updated floor plan and site plan to the Planning Department showing how the gross floor area has been reduced.
2. Applicant shall adopt a policy or other administrative document to be provided to the City that confirms that the applicant will not schedule or hold large events that are anticipated to exceed parking capacity without developing a plan to provide off-site parking and a means for attendees to access the event without parking on the street.
3. Applicant shall implement permanent measures to off-set parking demand which may include:
 - a) entering into an agreement with an adjacent property owner to provide overflow parking during peak demand periods;
 - b) encouraging and promoting carpooling and rideshare to their visitors;
 - c) encouraging the use of public transportation;
 - d) adopting a policy for holding any events with an anticipated occupancy of 240 or greater at an off-site location;
 - e) considering parking management, such as valet parking and/or stacked parking.
4. Conditional use permit shall expire upon a change of ownership and/or a change in land use.
5. The applicant shall monitor parking lot occupancy for a period of 12 months beginning from initial occupancy and note any periods when parking lot occupancy is maximized.
6. A report back shall be provided to the Planning Department after 6 months and then again after 12 months of occupancy, confirming what measures have been implemented to off-set parking demand and noting any days when the parking lot occupancy was maximized.
7. If parking lot occupancy is exceeding capacity on a regular basis, the property owner shall propose additional parking off-set actions to be approved by the Planning Board in an amended conditional use permit application.

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V. 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 **Patrick Liam Hughes, Owner**, for property located at **65 Fields Road**, requesting Conditional Use Permit approval pursuant to Section 10.814.40 of the Zoning Ordinance to create an attached accessory dwelling unit (AADU) in an existing residential structure, with a footprint of 760 s.f. and a gross floor area of 760 s.f. Said property is shown on Assessor Map 170 as Lot 4 and lies within the Single Residence B (SRB) District.

Voted to **postpone** to the February 21, 2019 Planning Board Meeting.

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- B. The application of **Eversource Energy, Owner**, for property located from **Echo Avenue to Gosling Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland and inland wetland buffer to replace seven (7) existing utility poles, with 27,300 +/- s.f. of temporary impact to the inland wetland and 3,114 +/- s.f. of temporary impact to the inland wetland buffer. Said property is shown on Assessor Map 237 as Lot 56, Assessor Map 238 as Lot 2, Assessor Map 238 as Lot 20, Assessor Map 239 as Lot 8 and Assessor Map 214 as Lot 3 and lies within the Gateway Corridor (G1) and Waterfront Industrial (WI) Districts.

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

- 1. To reduce the likelihood for potential impact to amphibian and wildlife habitat during the months of April through October, the construction work shall commence as soon as possible.
- 2. To the extent possible the refurbishment of the 2 poles proximate to each other in structure 20 shall be done at the same time and in the Fall.
- 3. The plan shall be revised to show the use of silt sock instead of silt fence.

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- C. The application of **Doris LaBerge Revocable Trust, Thomas LaBerge, Trustee, Owner and Susan J. Faretra, Applicant** for property located at 449 Ocean Road, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to replace the existing septic system, with 1,248 +/- s.f. of impact to the inland wetland buffer. Said property is shown on Assessor Map 283 as Lot 1 and lies within the Single Residence A (SRA) District.

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

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VI. OTHER BUSINESS

- A. Request for property located at **85 Heritage Avenue (Map 285, Lot 35)** for a one year extension of Site Plan approval which was granted on February 20, 2018.

Voted to **approve** a one year extension of the Site Plan Approval to expire on February 20, 2020.

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VII. ADJOURNMENT

It was moved, seconded, and passed unanimously to adjourn the meeting at 10:08 p.m.

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Respectfully Submitted,
Jillian Harris,
Acting Secretary for the Planning Board