

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 PM

APRIL 18, 2019

MEMBERS PRESENT: Elizabeth Moreau, Vice-Chairman; John Bohenko, City Manager; Ray Pezzullo, Assistant City Engineer; Colby Gamester; Jay Leduc; Jeffrey Kiesel; Polly Henkel, Alternate and Corey Clark, Alternate.

ALSO PRESENT: Jillian Harris, Planner I

MEMBERS ABSENT: Dexter Legg, Chairman; Rebecca Perkins, City Council Representative and Jody Record.

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I. APPROVAL OF MINUTES

A. Approval of minutes from the March 21, 2019 Planning Board meeting.

The minutes from the March 21, 2019 meeting were unanimously approved.

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II. DETERMINATIONS OF COMPLETENESS

A. SUBDIVISION REVIEW

1. The application of **Wayne & Kristin Ricciardi Barrow, Owners** and **James Verra, Applicant**, for property located at **55 Lafayette Road**, requesting Subdivision approval.

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

B. SITE PLAN REVIEW

1. The application of **Islamic Society of the Seacoast Area, Owner**, for property located at **686 Maplewood Avenue**, requesting Site Plan approval.

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

*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 **Thomas and Ann Taylor, Owners**, for property located at **43 Whidden Street**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to install permeable pavers for two parking spaces and plantings, with 400 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 109, as Lot 2 and lies within the General Residence B (GRB) and Historic District. (This application was postponed at the February 21, 2019 Planning Board Meeting).

The Board **granted** the request with the following stipulations:

1. The maintenance plan shall be updated to indicate that the porous paver driveway surface shall not be sanded.
2. Any work in the City's right-of-way shall be permitted by DPW and as needed by the City Council, as applicable.

IV. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **Islamic Society of the Seacoast Area, Owner**, for property located at **686 Maplewood Avenue**, requesting a Conditional Use Permit in accordance with Section 10.674 of the Zoning Ordinance to construct a building for religious assembly within the Highway Noise Overlay District. Said property is shown on Assessor Map 220 as Lot 90 and lies within the Single Residence B (SRB) District.

The Board voted as follows:

- 1) To find that the application satisfies the requirements of Section 10.674.40 of the Zoning Ordinance and to **grant** the Conditional Use Permit.

B. The application of **Islamic Society of the Seacoast Area, Owner**, for property located at **686 Maplewood Avenue**, requesting Site Plan approval to construct a 2-story building for religious assembly with a footprint of 3,880 s.f. and Gross Floor Area of 5,333 s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 220 as Lot 90 and lies within the Single Residence B (SRB) District.

The Board **granted** the request with the following stipulations to be completed prior to the issuance of a building permit:

- 1) The Site Plan shall be updated to include metes and bounds information.
- 2) The Site Plan shall be updated to include the note required by Section 2.5.4.2E of the Site Plan Review Regulations.
- 3) The Site Plan shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

- 4) The Elevation Plan labeling shall be corrected as the right-side elevation was incorrectly labeled as “Rear.”
- 5) The Stormwater Management Maintenance Plan shall be included as part of the official record.

C. The application of **Wayne & Kristin Ricciardi Barrow, Owners** and **James Verra, Applicant**, for property located at **55 Lafayette Road**, requesting Preliminary and Final Subdivision approval for a two lot subdivision as follows: the subject lot to be divided so that Lot 1 becomes 10,773 s.f. with 100 feet of street frontage on Lafayette Road and Lot 2 becomes 6,251 s.f. with 96+/- feet of street frontage on Lafayette Road. Said property is shown on Assessor Map 151 as Lot 10 and lies within the General Residence A (GRA) District and Historic District.

The Board **granted** the request as follows:

- 1) Vote to find that a waiver will not have the effect of nullifying the spirit and intent of the City’s Master Plan or the Subdivision Regulations, and to waive the following regulations:
 - a) Section 2.A - requiring side lines to be placed at right angles to straight street lines
 - b) Section 9.A – underground electrical lines
- 2) Vote to grant Final Subdivision Approval with the following stipulations:
 - 2.1) Lot numbers as determined by the Assessor shall be added to the final plat.
 - 2.2) Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.
 - 2.3) GIS data shall be provided to the Department of Public Works in the form as required by the City.
 - 2.4) The final plat shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

D. The application of **Laurie Griffin, Owner**, and **Bernie Pelech, Applicant**, for property located at **221 McKinley Road** requesting a Conditional Use Permit in accordance with Section 10.814 of the Zoning Ordinance for a 480 sq. ft. Attached Accessory Dwelling Unit (AADU) in the basement of the existing home. Said property is shown on Assessor Map 251 as Lot 26 and lies within the Single Residence B (SRB) District.

The Board **voted** as follows:

- 1) Found that the application satisfies the requirements of 10.814.60 of the Zoning Ordinance.
- 2) **Granted** the conditional use permit as a 1-bedroom ADU no larger than the 750 square foot maximum with access to the shared storage and utility area with the following stipulations:

- 2.1) In accordance with Sec. 10.814.90 of the Zoning Ordinance, the owner is required to obtain a certificate of use from the Planning Department verifying compliance with all standards of Section 10.814 of the Zoning Ordinance, including the owner-occupancy requirement, and shall renew the certificate of use annually.
- 2.2) Inspections Department to verify the shared/storage space in the basement is not exclusive to the ADU and is accessible from the primary dwelling unit.

E. The application of **Wentworth-Gardner & Tobias Lear Houses Association, Owner**, and **Stephen M. Foster, Applicant**, for property located at **49 Hunking Street** requesting a Conditional Use Permit in accordance with Section 10.1112.14 of the Zoning Ordinance for provision of no on-site parking spaces where a minimum of three are required to operate an Inn. Said property is shown on Assessor Map 103 as Lot 39 and lies within the General Residence B (GRB) and Historic Districts.

Voted to postpone the request to the May 16, 2019 Planning Board meeting.

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V. CITY COUNCIL REFERRAL - PUBLIC HEARING

A. Request for restoration of involuntarily merged lots at 27 Thaxter Road, Assessor Map 166, Lot 39.

Voted to recommend that the City Council restore the lots with the stipulation that Planning Department Staff meet with the abutter Ms. Jennings to go over her concerns prior to this request being forwarded to the City Council.

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VI. ADJOURNMENT

It was moved, seconded, and passed unanimously to adjourn the meeting at 7:59 p.m.

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Respectfully Submitted,
Tracy Gora,
Acting Secretary for the Planning Board