

ACTION SHEET

**REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 PM

JUNE 27, 2019

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

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

MEMBERS ABSENT: Jody Record, Jeffrey Kisiel

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I. 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 **The Society for the Protection of Forests, Owner** and **Altus Engineering, Inc., Applicant** for property located at **400 Little Harbor Road** requesting a Wetland Conditional Use Permit under Section 10.1017 of the Zoning Ordinance to demolish the entire existing house along with existing pavement surfaces resulting in approximately 1,400 square feet of impact in the tidal wetland buffer. Said property is shown on Assessor Map 203 as Lot 8 and lies within the Rural (R) District. LU #19-109.

Voted to grant the wetland conditional use permit with the following stipulations:

- 1.) A plan shall be provided to the Planning Department indicating how invasive species will be controlled as part of the demolition.
- 2.) A silt sock shall be installed prior to demolition and stay in place until the site is stabilized.

B. The application of **Paul Mullen, Owner** and **Savoie Nolan Architects, LLC, Applicant** for property located at **97 Eastwood Drive** requesting Conditional Use Permit approval in accordance with Section 10.814 of the Zoning Ordinance for the addition of a 746 sq. ft. Attached Accessory Dwelling Unit to the first floor of an existing home. Said property is shown on Assessor Map 288 as Lot 3-20 and lies within the Single Residence B (SRB) District. LU #19-110.

- 1) Voted to find that the application satisfies the requirements of Section 10.814.60 of the Zoning Ordinance.
- 2) Voted to grant the conditional use permit as presented, with the following stipulation:

- 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 Sec. 10.814, including the owner-occupancy requirement and shall renew the certificate of use annually.

C. The application of **Public Service Company of New Hampshire d/b/a Eversource Energy, Applicant** and the **City of Portsmouth and HCA Health Services of NH, Inc., Owners**, for properties located on **Borthwick Avenue** requesting a Wetland Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for the replacement of three utility poles adjacent to Borthwick Avenue. The project proposes a temporary impact of 2,227 sq. ft. in the wetland area and 4,567 sq. ft. in the wetland buffer. Said properties are shown on Assessor Map 234 & 240 as Lots 7-3, 2-1001 & 2-1 and lie within the Natural Resource Protection (NRP) and Office Research (OR) Districts. LU #19-114.

Voted to grant the wetland conditional use permit as presented.

D. The application of **Annemarie D'Aversa, Owner** and **Tara Jenkins, Applicant** for property located at **123 Sparhawk Street** requesting a Wetland Conditional Use Permit under Section 10.1017 of the Zoning Ordinance to construct a 140 sq. ft. shed, level the rear yard and remove an existing rock wall all within the 100 foot tidal buffer zone. Said property is shown on Assessor Map 159 as Lot 4 and lies within the General Residence A (GRA) District. LU #19-111.

Voted to grant the wetland conditional use permit with the following stipulations:

- 1.) During construction, the downslope edge of the yard shall have a silt sock installed to prevent siltation and erosion down the bank.
- 2.) The planting beds shall be mulched or covered around the new planting beds.
- 3.) There shall be no more than six cubic yards of loam brought in for fill to level they yard.

E. The application of **Chinburg Development, LLC, Owner**, and **Brendan Vesey, Applicant** for property located at **110 Brewery Lane** requesting a Conditional Use Permit in accordance with Sections 10.240 and 10.440 (#19.50) of the Zoning Ordinance to allow an Outdoor Dining or Drinking Area as an accessory use. Said property is shown on Assessor Map 155 as Lot 5 and lies within the Character District 4-W (CD4-W) District. LU #19-101.

- 1) Voted to find that the proposal meets the conditional use permit criteria as listed in Section 10.243.20 of the Zoning Ordinance.
- 2) Voted to approve the conditional use permit as presented.

II. OTHER BUSINESS

A. The request of **Barbara R. Frankel** for property located at **89 Brewery Lane** for a 1-year extension of the Site Plan Review approval that was granted on July 19, 2018.

Voted 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 July 19, 2020.

B. The application of **Maud Hett Revocable Trust, Owner** and **MSC a division of TFMoran, Applicant** for property located on **Banfield Road** requesting Preliminary Conceptual Consultation for the construction of 22 new single family residential units and a new driveway as an Open Space Planned Unit

Development in accordance with Section 10.725 of the Zoning Ordinance with related paving, utilities, landscaping, drainage and associated site improvements. Said property is located on Assessor Map 256 as Lot 2 and lies within the Single Residence A (SRA) District.

Presentation by applicant. No vote taken.

C. The application of **Arbor View & The Pines, LLC, Owner** and **Altus Engineering, Inc., Applicant** for property located at **145 Lang Road** requesting Preliminary Conceptual Consultation to construct two (2) three-story, multi-family buildings with associated site improvements, grading, utilities, stormwater management and landscape improvements. Said property is shown on Assessor Map 287 as Lot 1 and lies within the Garden Apartment/Mobile Home Park (GA/MH) District. #LUPD-2.

Presentation by applicant. No vote taken.

D. The request of **Michael and Denise Todd** for property located at **254 South Street** for a 1-year extension of the Wetland Conditional Use Permit approval that was granted on August 23, 2018.

Voted 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 August 23, 2020.

E. The application of **4 Amigos, LLC, Owner** and **MHF Design Consultants, Inc., Applicant** for property located at **1400 Lafayette Road** requesting Preliminary Conceptual Consultation for a multi-unit Garden Style & Townhouse Style residential development with associated site improvements, parking, grading, utilities, stormwater management and landscaping. Said property is located on Assessor Map 252 as Lots 4, 5 & 9 and lies within the Gateway Neighborhood Mixed Use Center (G2) District. #LUPD-1.

Presentation by applicant. No vote taken.

III. CITY COUNCIL REFERRAL

A. Guiding Parking Principles discussion

Staff presented proposed amendments to the document that was adopted in 2012. After an open discussion with the Board staff will incorporate tonight's comments into the document and resubmit for the next meeting.

IV. ADJOURNMENT

It was moved, seconded, and passed unanimously to adjourn the meeting at 8:43 p.m.

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