

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

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

7:00 PM

September 19, 2019

ACTION SHEET

MEMBERS PRESENT: Elizabeth Moreau, Vice-Chairman; John P. Bohenko, City Manager; Ray Pezzullo, Assistant City Engineer; Jody Record; Colby Gamester; Jeffrey Kisiel and Corey Clark, Alternate.

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

MEMBERS ABSENT: Dexter Legg, Chairman; Rebecca Perkins, City Council Representative and Jay Leduc.

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I. APPROVAL OF MINUTES

A. Approval of Minutes from the August 15, 2019 and August 22, 2019 Planning Board Meetings.

Both sets of minutes were approved unanimously.

II. PRESENTATIONS

A. Informational Presentation on FY 2019-2024 Capital Improvement Plan Process and Schedule.

Director Walker gave an explanation of what the CIP is, the Board's review of the document and the timeline moving forward. No action was required or taken.

III. PUBLIC HEARINGS – ZONING AMENDMENTS

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. Flood Plain Overlay District Zoning Amendments

Amendments to the Zoning Ordinance, Article 6 – Overlay Districts and Article 15 – Definitions to updated regulations related to the Flood Plain Overlay District including revisions for complying with National Flood Insurance Program regulations, addressing impacts of climate change and projected sea level rise, and clarifying thresholds for when properties are required to come into compliance with Flood Plain standards for development.

The Board voted unanimously to **recommend approval** to the City Council with amendments.

B. Wetlands Protection

Amendments to the Zoning Ordinance, Article 10 – Environmental Protection Standards, Section 10.1010 – Wetlands Protection including adding an exemption for fences without footings, clarifying the characterization of impacts to the wetland and buffer, adding information related to the compensatory removal of impervious surface and the requirements for a wetland buffer enhancement plan, providing guidance on living shorelines for tidal areas and use of porous pavement in the wetland buffer, and delineating wetland buffer areas.

The Board voted unanimously to **recommend approval** to the City Council with amendments.

IV. DETERMINATIONS OF COMPLETENESS**A. SITE PLAN REVIEW**

1. The application of **Dagny Taggart, LLC, Owner**, for property located at **3 Pleasant Street** 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.

B. SUBDIVISION REVIEW

1. The application of **Andrew Marden, Owner** for property located at **60 Elwyn Ave** requesting preliminary and final subdivision approval.

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

V. 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. POSTPONED The application of the **City of Portsmouth, Owner** and **GZA Geoenvironmental, Inc., Applicant** for property located at **680 Peverly Hill Road** requesting Wetland Conditional Use Permit approval in accordance with Section 10.1017 of the Zoning Ordinance to construct three multi-purpose recreational fields and associated parking and a solid waste / recycling transfer station on the site of a reclaimed quarry with 489,592 sq. ft. of disturbance in the wetland buffer and 57,512 sq. ft. of direct disturbance to the wetland. Said property is shown on Assessor Map 254 as Lot 8-1 and lies within the Municipal (M) District. LU #19-169. **POSTPONED**

The Board voted to **postpone** this item until the October 17, 2019 Planning Board meeting.

B. The application of **Foundry Place, LLC, Owner**, for property located at **89 & 99 Foundry Place (previously addressed as Hanover Street)**, requesting a second 1-year extension of the Site Plan Review approval that was originally granted on November 16, 2017 and granted a 1-year extension on August 23, 2018 which will expire on November 15, 2019. Said property is

shown on Assessor Map 138 as Lot 62 and lies within the Character District 5 (CD5) District. LU #19-154.

The Board voted to **approve** a 1-year extension of the site plan to expire November 16, 2020 with the following stipulation:

1) The applicant shall work with DPW to determine how electrical/communication utility lines will be fed from Hanover Street and to verify removal or relocation of any utility poles or lines.

C. The application of **Dagny Taggart, LLC, Owner**, for property located at **3 Pleasant Street** requesting Site Plan approval for a proposed addition and renovation to the existing bank and office building with a 4,816 s.f. +/- footprint, 21,397 s.f. +/- gross floor area and associated site improvements. Said property is shown on Assessor Map 107 as Lot 31 and lies within the Character District 5 (CD5) District. LU #19-161.

The Board 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) Final sewer, water service and stormwater management design shall be reviewed and approved by the Public Works Department.

2) Off-site improvements are subject to approval by the Parking, Traffic and Safety Committee and acceptance by City Council. Any substantial changes to what is presented and approved by the Planning Board shall require Amended Site Plan Approval.

3) The width of the no-build easement provided on the abutting property shall be reviewed and approved by the Building Inspector.

4) The community space easements shall be reviewed and approved by the Planning and Legal Departments prior to final approval by City Council.

5) Plans shall be updated to revise the location of the north side bike rack to the south side of the tree so as not to impede access to the alleyway.

6) The site plan and any easements and deeds shall be reviewed for pre-approval by the Rockingham County Registry of Deeds and subsequently recorded by the City or as deemed appropriate by the Planning Department.

VI. 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. **POSTPONED** The application of the **City of Portsmouth, Owner** for property located at **680 Peverly Hill Road** requesting Site Plan Review approval for the construction of recreation playing fields with associated lighting, parking, restrooms, stormwater management infrastructure, utilities and other site improvements. Said property is shown on Assessor Map 254 as Lot 8-1 and lies within the Municipal (M) District. LU #19-169. **POSTPONED**

The Board voted to **postpone** this item until the October 17, 2019 Planning Board meeting.

- B. The application of **Andrew Marden, Owner** for property located at **60 Elwyn Avenue** requesting preliminary and final subdivision approval to subdivide one lot into two (2) lots as follows: Lot 22 as shown on Assessor Map 113 decreasing in area from 6,400 s.f. to 3,457 s.f. with 50' of continuous street frontage on Elwyn Avenue; and proposed lot 22-1 as shown on Assessor Map 113 with 2,943 s.f. in area and 50' of continuous street frontage on Sherburne Avenue. Said property is shown on Assessor Map 113 as Lot 22 and lies within the General Residence A (GRA) District. LU #19-113.

The Board 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 reviewed for pre-approval by the Rockingham County Registry of Deeds and subsequently recorded by the City or as deemed appropriate by the Planning Department.

- C. Request by the Kane Company for naming of a new privately-owned and maintained road approved and constructed as part of the Borthwick Forest Subdivision (located off of Borthwick Avenue) as Eileen Dondero Foley Avenue.

The Board voted to **approve** the name of the street as Eileen Dondero Foley Avenue.

VII. CITY COUNCIL REFERRALS

- A. Request by residents and homeowners of Chase Drive, Cutts Avenue, Forest Street, and Brigham Lane that properties along Chase Drive and Cutts Avenue be re-zoned from Gateway Neighborhood Mixed Use Center (G2) to Single Residence B (SRB).

The Board voted to recommend **NOT** to approve the rezoning request. Additional info will be provided on the possibility of G3 Zoning for the Council to consider.

VIII. OTHER BUSINESS

- A. Request by Eversource for the City to grant a utility easement across property located at 125 Cottage Street (Doble Center).

The Board voted to **recommend approval** to the City Council.

IV. ADJOURNMENT

The Board voted to adjourn the meeting at 8:47 pm.