

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

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

**7:00 pm**

**JANUARY 16, 2020**

**ACTION SHEET**

**MEMBERS PRESENT:** Dexter Legg, Chairman; Elizabeth Moreau, Vice-Chairman; Karen Conrad, City Manager; Peter Whelan, City Council Representative; Ray Pezzullo, Assistant City Engineer; Colby Gamester; Jay Leduc; Corey Clark, Alternate, and Polly Henkel, Alternate

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

**MEMBERS ABSENT:** Jody Record

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**I. ELECTION OF OFFICERS**

Dexter Legg and Elizabeth Moreau were approved for another term as Chair and Vice Chair respectively.

**II. APPROVAL OF MINUTES**

A. Approval of Minutes from the December 19, 2019 Planning Board Meeting

The December 19, 2019 minutes were approved.

**III. DETERMINATION OF COMPLETENESS**

**1. SITE PLAN REVIEW**

A. The application of **Dagny Taggart, LLC, Owner**, for property located on **Daniel Street (aka 60 Penhallow Street)** requesting Site Plan Review approval.

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

B. The application of **Five Hundred Five Lafayette Rd., LLC, Owner**, for property located at **605 Lafayette Road** requesting Amended Site Plan Review approval.

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

C. The application of **Pease Development Authority, Owner**, and **Lonza Biologics, Inc., Applicant**, for property located at **101 International Drive** requesting Site Plan Review approval under Chapter 400 of the Pease Land Use Controls, Site Review Regulations.

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

**IV. PUBLIC HEARINGS – OLD BUSINESS**

- A. **POSTPONED** The application of the **Maud Hett Revocable Trust, Owner**, for property located on **Banfield Road**, requesting a Wetland Conditional Use Permit to impact 4,013 square feet of inland wetland and 21,089 square feet of wetland buffer to construct 22 single family homes. Impacts include installation of three forty-two foot wide culverts for a road crossing through a wetland and wetland buffer impacts for road construction and stormwater management. Said property is shown on Assessor Map 256 Lot 02 and lies within the Single Residence A (SRA) District. **POSTPONED**

This items was already postponed so no action was required or taken.

- B. **POSTPONED** The application of **James and Mallory Parkington, Owners**, for property located at **592 Dennett Street** requesting a Conditional Use Permit according to Section 10.814 of the Zoning Ordinance to construct an attached Accessory Dwelling Unit with 672 s.f. +/- of gross floor area in the second story of a newly constructed attached garage. Said property is shown on Assessor Map 161, Lot 18 and lies within the General Residence A (GRA) District. **POSTPONED**

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

**V. PUBLIC HEARINGS – NEW BUSINESS**

- A. **POSTPONED** The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting a Conditional Use Permit in accordance with Section 10.1112.14 of the Zoning Ordinance for provision of 109 on-site parking spaces where a minimum of 134 are required. Said property is shown on Assessor Map 210, Lot 02 and lies within the Gateway Neighborhood Mixed Use Center (G2) District. **POSTPONED**

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

- B. **POSTPONED** The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting Preliminary and Final Subdivision approval to subdivide a lot with an area of 2.7 acres (116,591 s.f.) and 1,635 ft. +/- of street frontage into two (2) lots as follows: proposed Lot 1 with an area of 89,054 s.f. and 1,106 ft. +/- street frontage and proposed Lot 2 with an area of 27,537 s.f. and 529 ft. +/- street frontage. Said property is shown on Assessor Map 210, Lot 02 and lies within the Gateway Neighborhood Mixed Use Center (G2) District. **POSTPONED**

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

- C. **POSTPONED** The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting Conditional Use Permit approval for a Development Site according to the requirements of Section 10.5B40 of the Zoning Ordinance and Site Plan Review approval for the construction of a new 22-unit residential apartment building with a footprint of 7,660 s.f. and 29,607 s.f. GFA with grading, lighting, utilities, stormwater management, landscape improvements,

and community space. Said property is shown on Assessor Map 210, Lot 02 and lies within the Gateway Neighborhood Mixed Use Center (G2) District. **POSTPONED**

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

- D. **POSTPONED** The application of the **Weeks Realty Trust, and Carter Chad, Owners and Tuck Realty Corporation, Applicant** for property located at **3110 Lafayette Road** requesting Site Plan Review approval for the construction of 18 residential townhomes in 5 structures with a footprint of 15,880 s.f. and 47,252 GFA with associated site improvements, grading, utilities, stormwater management and landscape improvements. Said property is shown on Assessor Map 292, Lot 151-1 and lies within the Single Residence B (SRB) District. **POSTPONED**

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

- E. **WITHDRAWN** The request of **Dagny Taggart, LLC, Owner**, for property located on **Daniel Street (aka 60 Penhallow Street)** requesting Design Review for the construction of a 4-story commercial building with community space and associated site improvements. Said property is shown on Assessor Map 107, Lot 27 and lies within the Character District 4 (CD4) District. **WITHDRAWN**

The Board **accepted withdrawal** of this request.

- F. The application of **Dagny Taggart, LLC, Owner**, for property located on **Daniel Street (aka 60 Penhallow Street)** requesting Conditional Use Permit approval under Section 10.5A43.43 of the Zoning Ordinance and Site Plan Review approval for the construction of a new 4-story commercial building with a footprint of 17,200 s.f. +/- and 59,600 s.f. +/- GFA with associated site improvements, grading, utilities, stormwater management, landscape improvements, and community space. Said property is shown on Assessor Map 107, Lot 27 and lies within the Character District 4 (CD4) District.

The Board voted to **grant** the request as follows:

1. Voted to find that the application satisfies the requirements of Section 10.5A43.43 and to grant the Conditional Use Permit to allow a building footprint of 17, 200 square feet.
2. Vote to grant Site Plan Review Approval with the following stipulations to be completed prior to building permit issuance:
  - 1) The applicant shall complete the traffic modeling and any required mitigation for transportation-related improvements according to the following requirements:
    - a) The Applicant will be responsible for all costs associated with the Third Party contract and Three Party Agreement to finalize the City's traffic model.
    - b) Should any further reasonable traffic engineering be required as determined by the Planning Director, then the Applicant agrees to pay those additional costs.

- c) The Applicant agrees to make any traffic improvements, as determined by the Planning Director in consultation with the Department of Public Works, not to exceed \$20,000.
  - d) If cost of traffic improvements required exceeds \$20,000 or the parties have any disagreement that is unable to be resolved, then the Applicant will be required to seek amended Planning Board Approval for this condition.
  - e) No building or construction permits shall commence until the above stipulations have been satisfied.
- 2) Drainage test pits shall be completed to validate the design of the stormwater system, which subject to final review and approval by DPW.
  - 3) The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) for review and approval by the City’s Legal and Planning Departments.
  - 4) All off-site improvements shall be subject to final review and approval by DPW as part of the excavation permitting process.
  - 5) Any easement plans and deeds for which the City is a grantor or grantee shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by City Council.
  - 6) The site plan 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.

G. The application of **Five Hundred Five Lafayette Rd., LLC, Owner**, for property located at **605 Lafayette Road** requesting Amended Site Plan Review approval for installation of a dumpster including a concrete pad and enclosure. Said property is shown on Assessor Map 229, Lot 09 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District.

The Board voted to **grant** the request as follows:

- 1) Voted to find that a waiver 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:
  - a) Section 9.3.5 – requiring dumpsters or other waste container pads to be a minimum of 20 feet from any property line or yard.
- 2. Voted to grant Site Plan Review Approval with the following stipulations:
  - 1) Plans should include an alternative dumpster screen commensurate with the quality and character of the recently constructed principal building.

H. The application of **Pease Development Authority, Owner**, and **Lonza Biologics, Inc., Applicant**, for property located at **101 International Drive** requesting Site Plan Review approval under Chapter 400 of the Pease Land Use Controls, Site Review Regulations, for parking expansion at three different locations within the site resulting in a total of sixty new parking spaces with related

paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 305 Lot 06 and lies within the Airport Business Commercial (ABC) District.

The Board voted to **recommend Site Plan approval** as presented.

- I. **POSTPONED** The application of **Hope for Tomorrow Foundation, Owner**, for property located at **355 (315) Banfield Road** requesting Amended Site Plan Review approval for the construction of a 17,000 s.f. freestanding gymnasium and associated parking area to serve the existing private school on the property with related paving, lighting, utilities, landscaping, and drainage improvements. Said property is shown on Assessor Map 266 Lot 05 and lies within the Industrial (I) District. **POSTPONED**

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

- J. **POSTPONED** The application of **DPF 1600 Woodbury Avenue, LLC, Owner**, for property located at **1600 Woodbury Avenue** requesting Amended Site Plan Review approval to upgrade the existing shopping center with new and additional signage, a new driveway entrance off of Woodbury Avenue, and repurposing of the former supermarket space to separate retail space and new grocery space with accessory café/food court. Said property is shown on Assessor Map 238 Lot 16 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District. **POSTPONED**

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

- K. **POSTPONED** The application of the **Maud Hett Revocable Trust, Owner**, for property located on **Banfield Road** requesting Conditional Use Permit approval for an Open Space Planned Unit Development according to the requirements of Section 10.725 of the Zoning Ordinance and Site Plan Review approval for the construction of 22 single-family homes and a new road with related parking, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 256 Lot 02 and lies within the Single Residence A (SRA) District. **POSTPONED**

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

## VI. OTHER BUSINESS

- A. The request of **Patrick Liam Hughes** for property located at **65 Fields Road** for a 1-year extension of the Conditional Use Permit for an Attached Accessory Dwelling Unit that was granted on February 21, 2019.

The Board voted to **grant** a one-year extension to expire on February 21, 2021.

- B. Request for a water services access easement to be granted to the City of Portsmouth for property located on Fox Point Road in Newington, NH.

The Board voted to **recommend approval** of this request to the City Council.

- C. The request of **Vaughan Street Hotel, LLC and Stone Creek Realty, LLC, Owners and XXS Hotels, LLC, Applicant**, for properties located at **299 Vaughan Street and 53 Green Street** for Preliminary Conceptual Consultation for the construction of a 5-story hotel with community space. Said properties are shown on Assessor Map 124 Lot 10 and Assessor Map 119 Lot 2 and lie within in the Character District 5 (CD5) District.

No action was required or taken.

- D. The request of **JSA Trust and Powerhouse Realty Trust, Owners**, for property located at **361 Hanover Street** for Preliminary Conceptual Consultation for construction of a 2-story, 2,645 s.f. addition to the existing office building, a 14,615 s.f. addition to the existing building and a 3-story mixed-use building consisting of a ground floor non-residential use and 2-stories of residential use. Said property is shown on Assessor Map 138 Lot 63 and lies within the Character District 5 (CD5) District.

No action was required or taken.

**VII. DESIGN REVIEW – ACCEPTANCE OF REQUEST**

- A. The request of **JSA Trust and Powerhouse Realty Trust, Owners**, for property located at **361 Hanover Street** for Design Review of construction of a 2-story, 2,645 s.f. addition to the existing office building, a 14,615 s.f. addition to the existing building and a 3-story mixed-use building consisting of a ground floor non-residential use and 2-stories of residential use. Said property is shown on Assessor Map 138 Lot 63 and lies within the Character District 5 (CD5) District.

The Board voted to **accept** the request and scheduled a public hearing for the February 20, 2020 Planning Board meeting.

- B. The request of **Vaughan Street Hotel, LLC and Stone Creek Realty, LLC, Owners and XXS Hotels, LLC, Applicant**, for properties located at **299 Vaughan Street and 53 Green Street** for Design Review for the construction of a 5-story hotel with community space. Said properties are shown on Assessor Map 124 Lot 10 and Assessor Map 119 Lot 2 and lie within in the Character District 5 (CD5) District.

The Board voted to **accept** the request and scheduled a public hearing for the February 20, 2020 Planning Board meeting.

**VIII. CITY COUNCIL REFERRALS**

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

The Board recommended to the City Council restoration of the involuntarily merged lots, as originally recommended.

**IX. ADJOURNMENT**

The Board voted to adjourn the meeting at 9:49 pm.