



MEMORANDUM

To: Planning Board
From: Juliet T.H. Walker, Planning Director *JTW*
Jillian Harris, Planner 1
Subject: Staff Recommendations for the February 20, 2020 Planning Board Meeting
Date: 02/14/20

III. DETERMINATIONS OF COMPLETENESS

SITE PLAN REVIEW

- A. The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting Site Plan Review approval.
- B. 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.
- C. The application of **Hope for Tomorrow Foundation, Owner**, for property located at **355 (315) Banfield Road** requesting Amended Site Plan Review approval.

Planning Department Recommendation

Vote to determine that the applications are complete according to the Site Plan Review Regulations contingent on the granting of any required waivers under Section III of the agenda and to accept the applications for consideration.

SUBDIVISION REVIEW

- A. The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting Preliminary and Final Subdivision approval.

Planning Department Recommendation

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

IV. PUBLIC HEARINGS – OLD BUSINESS

- A. 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 sq.ft. +/- 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.

Description

The applicant is requesting a condition use permit to create an attached accessory dwelling unit (AADU) as an addition over a newly constructed attached garage.

Because the resulting unit will be an attached accessory dwelling unit (AADU), the provisions of Sec. 10.814.40 apply. The Zoning Board of Adjustment, at their January 22, 2020 meeting, granted variances to allow the following:

- 1) Section 10.321 – to allow a 4’ secondary front yard where 15’ is required;
- 2) Section 10.321 – to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.

Section 10.521 Dimensional Requirements		
	Required	Provided / Proposed
Min. lot area (sf)	7,500	7,920
Lot area / dw unit (sf)	7,500	7,920
Street frontage (ft)	100	180
Lot depth (ft)	70	66
Primary front yard (ft)	15	9
Left side yard	15(8)*	4 (garage)
Right side yard (ft)	10	38 (garage)
Rear yard (ft)	20	32’6”
Height (ft)	35	<35
Bldg coverage (%) max.	25	25
Open Space (%) min.	30	71.5
Parking (#)	3	2

*8 feet allowed with front yard modification

In addition to the dimensional requirements of Section 10.521 above, the Ordinance requires that an AADU comply with the following standards (Section 10.814.30 and 10.814.40).

Required Standard	Planning Department Comments
The principal dwelling unit and the accessory dwelling unit shall not be separated in ownership.	The applicant has indicated compliance with this requirement, verification will be required in order for a certificate of use to be issued.

Required Standard	Planning Department Comments
Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the dwelling.	The applicant has indicated compliance with this requirement, verification will be required in order for a certificate of use to be issued.
Neither the principal dwelling nor the accessory dwelling unit shall be used for any business, except that the property owner may have a home occupation use in the unit that he or she occupies as allowed or permitted elsewhere in this Ordinance.	The applicant has indicated compliance with this requirement.
Where municipal sewer service is not provided, the septic system shall meet NH Water Supply and Pollution Control Division requirements for the combined system demand for total occupancy of the premises.	N/A
An interior door shall be provided between the principal dwelling unit and the ADU.	An interior door is being provided.
The ADU shall not have more than two bedrooms and shall not be larger than 750 sq. ft. gross floor area.	The ADU is proposed to have one bedroom and to be 672 s.f.
Any exterior changes to the single-family dwelling shall maintain the appearance of a single-family dwelling.	The ADU is proposed above a new garage addition and maintains the appearance of a single-family-dwelling.
No portion of the AADU shall be closer to the front lot line than the existing front wall of the principal dwelling unit.	The proposed addition is setback behind the existing front wall of the principal dwelling unit on the secondary front yard.
An exterior wall of the AADU that faces a street on which the lot has frontage shall comprise no more than 40% of the total visible façade area of the dwelling as seen from that street.	The applicant has outlined compliance with this requirement.
The addition to or expansion of the existing single-family dwelling may include an increase in building height only as an upward expansion of the existing principal building with no increase in building footprint.	N/A
The building height of any addition or expansion that includes an increase in building footprint shall be less than the building height of the existing principal building.	The proposed AADU addition is proposed to be less than the existing building height.

Required Standard	Planning Department Comments
The AADU shall be architecturally consistent with the existing principal dwelling through the use of similar materials, detailing, roof pitch, and other building design elements.	The AADU is designed to be aesthetically consistent with the existing single family structure.

In order to grant a conditional use permit for an ADU, the Planning Board must first make the following findings (Sec. 10.814.60):

Required Findings	Planning Department Comments
1. Exterior design of the ADU is consistent with the principal dwelling on the lot.	The AADU is designed to be aesthetically consistent with the existing single family structure.
2. The site plan provides adequate open space, landscaping and off-street parking for both the ADU and the primary dwelling.	Both the primary dwelling and the AADU will have access to usable open space and landscaping. Required total parking is 3 spaces. Two compliant spaces are provided and the applicant requests a modification from the requirement for the third space to be located partially on City property.
3. The ADU will maintain a compatible relationship to adjacent properties in terms of location, design and off-street parking layout and will not significantly reduce the privacy of adjacent properties.	The proposed AADU should not be incompatible with adjacent properties, nor have a significant impact on the privacy of adjacent properties.
4. The ADU will not result in excessive noise, traffic or parking congestion.	The location of this unit in an established residential neighborhood is unlikely to create a noticeable change in traffic.

Request for Modifications:

The applicant requests modifications of required standards pursuant to Section 10.814.70 of the Zoning Ordinance as follows:

- 1) To allow 3 parking spaces, one of which does not comply with the dimensional requirements of Section 10.1114.21 of the Ordinance.

This request is due to the fact that a portion of one of the spaces is located partially on City property.

Planning Department Recommendation

- 1) *Vote to grant a modification from the following sections:
 - 1.1) *To allow 3 parking spaces, one of which does not comply with the dimensional requirements of Section 10.1114.21 of the Ordinance.**
- 2) *Vote to find that the application satisfies the requirements of 10.814.60.*
- 3) *Vote to grant the conditional use permit as presented, with the following stipulations:
 - 3.1) *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.*
 - 3.2) *Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds per Section 10.814.80 of the Zoning Ordinance.**

IV. PUBLIC HEARINGS – OLD BUSINESS (Cont.)

It is recommended that Items V.B, V.C and V.D be discussed together and voted on separately.

A motion is required to consider these items together

- B.** 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 spaces are required. Said property is shown on Assessor Map 210, Lot 02 and lies within the Gateway Neighborhood Mixed Use Center (G2) District.
- C.** 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.
- D.** 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.

Description

The applicant proposes to subdivide the existing 2.7 acre lot into two lots and to develop the lots as a Development Site with the existing church to remain and the construction of a new 22-unit residential apartment building on the second lot.

Conditional Use Permit for Parking

The off-street parking standards in the City's Zoning Ordinance require 134 parking spaces for this project based on the shared parking requirements for a mixed-use project as provided in Section 10.1112.60. The shared parking requirement is calculated using the minimum number of spaces required for each land use and then adjusting the total amount required based on the maximum estimated occupancy rates.

For religious assembly uses, the minimum base number of parking spaces required can be calculated *either* by maximum occupancy of the assembly space *or* by a parking demand analysis. The applicant has provided both options in the submission provided for this application. Using the total occupancy of the existing assembly space, the total parking requirement for the church is 134 parking spaces. Using the parking demand analysis based on estimated and actual attendance at the church, the total parking demand for the church is 75 (this meets current parking demand and accounts for a potential 10% increase in average attendance).

Per Section 10.1112.14 of the Zoning Ordinance, the Planning Board may grant a conditional use permit to allow a building or use to provide less than the minimum parking spaces required by the off-street parking standards. An application for a conditional use permit for off-street parking must include a parking demand analysis.

Per Section 10.1112.142, an application for a conditional use permit shall identify permanent measures to reduce parking demand including but not limited to proximity to public transit and shared parking on a separate lot. The applicant has noted that the property is located on a COAST public transit route and has provided a plan for managing parking demand, including the possibility of stacked parking in the upper section of the parking lot, parking attendants, the addition of services to reduce the number of attendees and use of remote parking for the church volunteers.

Per Section 10.1112.62, if shared parking is proposed to be located on separate lots, the shared parking arrangement shall be secured by a covenant acceptable to the City and recorded at the Rockingham County Registry of Deeds. The proposed development site includes multiple lots and the parking to be provided is based on the shared parking calculation for the entire development site. Therefore, the requirements of Section 10.1112.62 would apply. In addition, the applicant will need to provide an access easement for the driveway connection between Lot 2 and Lot 1.

While the church has indicated that based on current membership, the actual rated capacity of the church (545) far exceeds actual occupancy rates (around 135). The Technical Advisory Committee recommended that the maximum capacity of the church be reduced to more closely reflect current and estimated parking demand. This would require physical alterations to the church assembly spaces in order to reduce the actual capacity of the assembly space. The parking analysis provided by the applicant indicates that the most people they could accommodate in one service is 280, and that is if they stack cars in the lot and use remote parking. TAC is recommending that the church work to implement physical changes to the church to reduce the actual rated capacity of the assembly space to 250. This would allow the church to still hold occasional larger events that would require a special parking plan.

Subdivision

The applicant proposes to subdivide the existing 2.7 acre lot that is currently the site of the Connect Community Church and parking lot into two lots and to develop the lots as a Development Site in accordance with Section 10.5B43.10 of the Zoning Ordinance. The fact that the owner/applicant is proposing to subdivide this property at the same time of the development does not impact their ability to receive a conditional use permit for a development site given that a development site can be a group of contiguous lots as described below.

Development Site Conditional Use Permit

Allowed by Conditional Use Permit granted by the Planning Board under Section 10.5B40 of the Zoning Ordinance, a development site is any lot or group of contiguous lots owned or controlled by the same person or entity and assembled for the purpose of a single development and including more than one principle building or building type. The development site does not have to be controlled by the same person or entity in perpetuity, just until the approved project has been completed.

By proposing this project as a development site there are additional standards that have to be met that would not be required if this was proposed as a single lot development. In particular, a development site is required to provide a minimum coverage of community space (in the G2 District, the minimum coverage is 20% of the entire development site). Community space is an area that conforms with one or more of the community space types defined by the Ordinance (Figure 10.5A45.10) and is oriented and accessible to public use.

Prior to granting a conditional use permit for development sites in the Gateway Neighborhood Mixed Use Districts according to the requirements of Section 10.5B43.10, the Planning Board must make the following findings:

- 1) The development project is consistent with the Portsmouth Master Plan.
- 2) The development project has been designed to allow uses that are appropriate for its context and consistent with the City's planning goals and objectives for the area.
- 3) The project includes measures to mitigate or eliminate anticipated impacts on traffic safety and circulation, demand on municipal services, stormwater runoff, natural resources, and adjacent neighborhood character.
- 4) The project is consistent with the purpose and intent set forth in Section 10.5B11 as listed below.

10.5B11.10 The purpose of Article 5B is to implement and support the goals of the City's Master Plan and Housing Policy to encourage walkable mixed-use development and continued economic vitality in the City's primary gateway areas, ensure that new development complements and enhances its surroundings, provide housing stock that is suited for changing demographics, and accommodate the housing needs of the City's current and future workforce.

10.5B11.20 The standards set forth herein are intended to:

- a) Promote development that is consistent with the goals of the Master Plan to create vibrant, authentic, diverse, connected and resilient neighborhoods;*
- b) Encourage high quality housing for a variety of household types and income ranges.*
- c) Guide the physical character of development by providing a menu of building and site development types that are based on established community design principles;*
- d) Create quality places by allowing for whole site development with meaningful public spaces and neighborhood centers.*

Technical Advisory Committee Review

Section 10.1112.141 of the Zoning Ordinance requires that the applicant shall include a parking demand analysis, which shall be reviewed by the City's Technical Advisory Committee. This application was reviewed by the TAC at the November 5, 2019 TAC Work Session. TAC's recommendations are summarized above and included in the proposed stipulations below.

The TAC reviewed the subdivision and site plan applications at the January 7, 2020 meeting and voted to recommend approval of the Subdivision as presented. The TAC also recommended approval of the Site Plan with the following stipulations:

- 1.) The applicant shall propose a reduction in the occupant load of the church to match shared parking capacity of the parking lots. The amount of the reduction will be determined in consultation with the City's Planning Director and Transportation and Parking Engineer.
- 2.) References to Unit 1 and Unit 2 on the plan sheets shall be removed.
- 3.) The electrical conduits that are shown crossing the City's water main shall be concrete encased for 10' on either side of the main.
- 4.) The check valve underground on the fire service shall be removed from the plans.
- 5.) The culvert under the walkway shall be sized on the plan.
- 6.) Plans shall be updated to show a change to the grading so the new parking lot area does not drain through the main front door area of the new building.
- 7.) Plans shall be updated to show a 20-foot separation between any proposed utility trenches and existing and proposed trees.
- 8.) Communication lines shall be included on the plans for review and approval by DPW.
- 9.) The plans shall include cross-easements for access, circulation, and maintenance of any shared infrastructure between the two proposed lots.
- 10.) The plan shall include a note that the bus shelter currently on site will be reinstalled at an existing bus stop to be approved by the City.

On January 29, 2020 the applicant submitted revised plans addressing stipulations 2-9 above to the satisfaction of the Planning Department. The remaining stipulations have been included in the recommended stipulations of approval.

Waiver Request

The applicant is seeking a waiver from Section 9.3.5 of the Site Plan Review Regulations for the installation of a dumpster including concrete pad and enclosure and a waiver within 20 feet of the property line. TAC did not provide a recommendation related to this waiver request.

Planning Department Recommendation

Conditional Use Permit – Parking

- 1) *Vote to accept the findings of the applicant's parking demand analysis and to find that the provision of 109 parking spaces on-site will be adequate and appropriate for the proposed 22-unit development site as long as the proposed measures to reduce and manage parking demand are implemented.*

- 2) *Vote to grant a conditional use permit pursuant to Section 10.1112.14 and the requirements of Section 10.1112.62 for provision of shared parking on separate lots to permit a total of 109 parking spaces with the following stipulations:*
 - 2.1) *the church shall implement renovations to the assembly space to reduce the maximum rated occupancy to 250, subject to final approval by the Planning and Inspections Departments;*
 - 2.2) *any special events that are anticipated to exceed parking capacity beyond 75 spaces shall require implementation of a parking management plan. At no time shall parking management plans include blocking of parking lot aisles and accessways or on-street parking in the neighborhood;*
 - 2.3) *the shared parking covenant and an access easement for the proposed driveway between proposed Lots 1 and 2 shall be reviewed and approved by the Planning and Legal Departments and recorded at the Rockingham Registry of Deeds.*

Conditional Use Permit – Development Site

- 3) *Vote to find that the application meets the requirements of Section 10.5B43.10 and to grant the Conditional Use Permit for a development site in the Gateway Neighborhood Mixed Use District.*

Subdivision

- 4) *Vote to grant Preliminary and Final Subdivision Approval with the following stipulations:*
 - 4.1) *Lot numbers as determined by the Assessor shall be added to the final plat;*
 - 4.2) *Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat;*
 - 4.3) *GIS data shall be provided to the Department of Public Works in the form as required by the City;*
 - 4.4) *The final plat shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*

Site Plan

5. *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 Site Plan Review Regulations, and to waive the following regulations:*

a) Section 9.3.5 of the Site Plan Review Regulations – requiring dumpsters or other waste container pads to be a minimum of 20 feet from any property line or yard.

[Note: An affirmative vote of six members of the Planning Board is required to grant a waiver.]

6. *Vote to grant Site Plan Review Approval with the following stipulations:*

Conditions precedent (to be completed prior to building permit issuance):

- 6.1) *The plan shall include a note that the bus shelter currently on site will be reinstalled at an existing bus stop to be approved by the City.*

- 6.2) *Required cross-easements for access, circulation, and maintenance of any shared infrastructure between the two proposed lots shall be reviewed and approved by the Planning and Legal Departments prior to recording.*
- 6.3) *The site plan shall be reviewed for pre-approval by the Rockingham County Registry of Deeds and subsequently recorded or as deemed appropriate by the Planning Department.*

Conditions subsequent (to be completed subsequent to building permit issuance):

- 6.4) *The Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed according to the approved plans and specifications and will meet the design performance;*
- 6.5) *Owner shall provide an access easement to the City for water valve access and leak detection. The easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council;*

IV. PUBLIC HEARINGS – OLD BUSINESS (Cont.)

- E. 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 demolition of an existing single family home and construction of 18 residential townhomes in 5 structures with a total building footprint of 15,880 s.f. and 47,252 s.f. of gross floor area with associated site improvements, grading, utilities, stormwater management and landscape improvements. Review Said property is shown on Assessor Map 292, Lot 151-1 and lies within the Single Residence B (SRB) District.

Description

The applicant proposes to demolish the existing residential structure and develop the site with 18 townhouses in 5 structures. The applicant was granted subdivision (lot line revision) approval at the November 21, 2019 Planning Board meeting.

At the October 22, 2019 meeting, the Zoning Board of Adjustment granted a variance from Section 10.521 to allow a lot area per dwelling unit of 4,459 s.f. where 15,000 s.f. is required.

Technical Advisory Committee Review

The TAC reviewed the site plan application at the February 4, 2020 meeting and voted to recommend approval with the following stipulations:

To be completed prior to Planning Board submission:

1. Applicant shall update the truck turning plan to confirm there is no conflict with parked vehicles;
2. The turnaround shall be a minimum of 20' in width and 47'10" in length and the turning radius shall be confirmed to comply with Fire Department standards;
3. The proposed sidewalk connection to Lafayette Road should be extended around the radius to directly align with the opposite sidewalk to Ocean Road;
4. The three parallel spaces shall be posted as visitor spaces;
5. Applicant shall provide details of the proposed fencing on the perimeter of the property and shall indicate where the fencing will be located on the property.

To be incorporated as a stipulation of approval for Planning Board:

6. Design of drainage systems shall be subject to final review by the third party reviewer and approval by DPW.
7. The final water services plan shall be reviewed and approved by DPW Water Division.
8. The Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed to the approved plans and specifications and will meet the design performance.
9. A stormwater maintenance and inspection report shall be conducted annually and provided to the City's Planning and Public Works Departments.
10. Efforts should be made to protect the mature trees on the site that are adjacent the limit of work. Snow fencing shall be installed along the dripline prior to construction.
11. All as-built plans and plans provided for recording to the City shall be in the coordinate system required by the Site Plan Review regulations.
12. Owner shall provide an access easement to the City for water valve access and leak detection. The easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council.

On February 12, 2020 the applicant submitted revised plans addressing stipulations 1-5 above to the satisfaction of the Planning Department. The remaining stipulations have been included in the recommended stipulations of approval.

Planning Department Recommendation

Vote to grant Site Plan Review Approval with the following stipulations:

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

- 1.) 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.*
- 2.) Design of drainage systems shall be subject to final review by the third party reviewer and approval by DPW.*
- 3.) The final water services plan shall be reviewed and approved by DPW Water Division.*
- 4.) The Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed to the approved plans and specifications and will meet the design performance.*
- 5.) Owner shall provide an access easement to the City for water valve access and leak detection. The easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council.*

Conditions Subsequent (to be completed after the issuance of a building permit)

- 6.) A stormwater maintenance and inspection report shall be conducted annually and provided to the City's Planning and Public Works Departments.*
- 7.) Efforts should be made to protect the mature trees on the site that are adjacent the limit of work. Snow fencing shall be installed along the dripline prior to construction.*
- 8.) All as-built plans and plans provided for recording to the City shall be in the coordinate system required by the Site Plan Review regulations.*

IV. PUBLIC HEARINGS – OLD BUSINESS (Cont.)

- F.** 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.

Description

The applicant is seeking amended site plan review approval for the construction of a new gymnasium at their facility on Banfield Road. The school was originally approved in March 2017 and has been occupied since April 2018.

Technical Advisory Committee Review

The TAC reviewed the subdivision and site plan applications at the January 7, 2020 meeting and voted to recommend approval with the following stipulations:

To be completed prior to Planning Board submission:

1. A NO PARKING sign should be installed in front of the access aisle for the handicap parking space at the gym entrance.
2. The sidewalk along the proposed angled parking should be widened to 6 feet to provide adequate space for cars to overhang the sidewalk and maintain ADA requirements.
3. The sidewalk adjacent the front doors should be widened to allow for direct passage to the front entry doors of the proposed gymnasium as well as the abutting crosswalk.
4. Applicant shall submit an existing conditions site plan that shows parking spaces (previously approved site plan would be sufficient).
5. The applicant shall verify required sewer pipe size with the City Engineer and update plans as necessary.
6. The size of the water service shall be confirmed and plans updated as necessary to show an appropriate commercially available size.
7. The applicant shall confirm the occupant load and egress requirements for the proposed building with the Fire Department.

To be included as Conditions of Planning Board approval:

1. The applicant shall work with abutting property owner at 285 Banfield Road as necessary to dredge from the stormwater outfall to (and into as necessary) the wetland to the north of the dwelling and to dredge and replace the existing culvert under the property's driveway with a properly sized culvert.
2. A maintenance and inspection report for the porous pavement parking lot shall be submitted to the City's Planning Department on an annual basis.

On January 29, 2020 the applicant submitted revised plans addressing stipulations 1-7 above to the satisfaction of the Planning Department. The remaining stipulations have been included in the recommended stipulations of approval.

Planning Department Recommendation

Vote to grant Site Plan Review Approval with the following stipulations:

- 1.) *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.*
- 2.) *The applicant shall work with DPW and abutting property owner at 285 Banfield Road to resolve concerns regarding off-site drainage.*
- 3.) *A maintenance and inspection report for the porous pavement parking lot shall be submitted to the City's Planning Department on an annual basis.*

IV. PUBLIC HEARINGS – OLD BUSINESS (Cont.)

- G.** 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.

Description

The application is still under review with the Technical Advisory Committee.

Planning Department Recommendation

Vote to postpone the application to the March 19, 2020 Planning Board meeting.

IV. PUBLIC HEARINGS – OLD BUSINESS (Cont.)

- H. 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.

Description

The application is still under review with the Technical Advisory Committee.

Planning Department Recommendation

Vote to postpone the application to the March 19, 2020 Planning Board meeting.

V. PUBLIC HEARINGS – NEW BUSINESS

- A. The request of **JSA Trust, Owner**, and **Madbury Capital LLC, Applicant** 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.

Description

This item is a request for Design Review under the Site Plan Review Regulations. Under the State statute (RSA 676:4,II), the Design Review phase is an opportunity for the Planning Board to discuss the approach to a project before it is fully designed and before a formal application for Site Plan Review is submitted. The Design Review phase is not mandatory and is nonbinding on both the applicant and the Planning Board.

Although the State statute calls this pre-application phase “design review,” it does not encompass review of architectural design elements such as façade treatments, rooflines and window proportions. Rather, it refers to site planning and design issues such as the size and location of buildings, parking areas and open spaces on the lot; the interrelationships and functionality of these components, and the impact of the development on adjoining streets and surrounding properties.

The process as outline in Section 2.4.3 of the Site Review regulations is that the Board first has to determine that the request for design review includes sufficient information to allow the Board to understand the project and identify potential issues and concerns, and, if so, vote to accept the request and schedule a public hearing. The Board voted to accept the application at the January 2020 meeting.

Design review discussions must take place in a public hearing. At the conclusion of the public hearing process, the Board makes a determination that the design review process for the application has ended. Completion of the design review process also has the effect of vesting the project to the current zoning.

- 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.

This project has requested to postpone to the February 27, 2020 Planning Board meeting.

Planning Department Recommendation

Vote to postpone the application to the February 27, 2020 Planning Board meeting.