

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

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

**7:00 pm**

**FEBRUARY 27, 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; Jody Record; Jeffrey Kisiel; Jay Leduc and Polly Henkel, Alternate

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

**MEMBERS ABSENT:**

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**I. DETERMINATION OF COMPLETENESS**

**SITE PLAN REVIEW**

- A.** The application of **LCSG, LLC, Owner**, for properties located at **160 and 168-170 Union 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.

**SUBDIVISION REVIEW**

- A.** The request of **Candace Couture and Boston and Maine Corporation, Owners**, for properties located at **199 McDonough Street and Bartlett Street** 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.

- B.** The application of **Richard Fusegni, Owner**, for property located at **201 Kearsarge Way** 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.

**II. PUBLIC HEARINGS – NEW BUSINESS**

- A.** The request of **Candace Couture and Boston and Maine Corporation, Owners**, for properties located at **199 McDonough Street and Bartlett Street** requesting Preliminary and Final Subdivision approval (Lot Line Revision) between two lots as follows: Lot 42 on Assessor Map 144 increasing in area from 1,585 s.f. to 2,491 s.f. with 59 ft. +/- of continuous street frontage on

McDonough Street; and Lot 4 on Assessor Map 164 decreasing in area from 130,680 s.f. to 129,774 s.f. +/- with 76 ft. +/- of continuous street frontage on Maplewood Ave. and Bartlett St. Said properties are shown on Assessor Map 144 Lot 42 and Map 164 Lot 4 and lie within the General Residence C (GRC) and the Character District 4-L1 (CD4-L1) Districts.

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

- 1) 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 VI.6 -- Dimensions of Property Lines
- 2) Grant Preliminary and Final Subdivision Approval with the following stipulations:
  - 2.1) Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat;
  - 2.2) GIS data shall be provided to the Department of Public Works in the form as required by the City;
  - 2.3) The final plat shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

- B. The request of **132 Middle Street, LLC** and **134 Middle Street, LLC, Owners**, for properties located at **132 and 134 Middle Street** requesting Conditional Use Permit in accordance with Section 10.1112.14 of the Zoning Ordinance for a renovation of an existing building that will result in a net increase of 1 dwelling unit that proposes to provide 8 on-site parking spaces where 8 currently exist and a minimum of 24 are required under the current zoning ordinance. Said properties are shown on Assessor Map 127 Lots 12 and 11 and lie within the Character District 4-L1 (CD4-L1) District.

The Board voted to **grant** the request with the following stipulation:

- 1) Per the requirements of the Zoning Ordinance, the six proposed tandem spaces shall be assigned to the same dwelling units and shall not be used to provide guest parking

- C. The application of **LCSG, LLC, Owner**, for properties located at **160 and 168-170 Union Street** requesting Site Plan Review approval for the construction of a new single family residence and separate building with a 4-bay garage and an apartment above on a site where a duplex currently exists resulting in a total building footprint of 3,106 s.f. and 8,117 new GFA with associated site improvements, grading, utilities, lighting, stormwater management and landscape improvements. Said properties are shown on Assessor Map 135 Lots 30 and 29 and lie within the General Residence C (GRC) District.

The Board voted to **grant** the request 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) Plans shall be reviewed with the Plumbing Inspector and the DPW Water Division to verify water service requirements;
- 3) 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):

- 4) A stormwater maintenance and inspection report shall be conducted annually and provided to the City's Planning and Public Works Departments;
- 5) 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;
- 6) The installation of the drainage connection to the street shall require the oversight of City staff or a third party engineer.

- D. The application of **Richard Fusegni, Owner**, for property located at **201 Kearsarge Way** requesting Preliminary and Final Subdivision approval to demolish the existing single family home and subdivide a lot with an area of 47,062 s.f. and 205' of continuous street frontage into three (3) lots as follows: proposed Lot 1 with an area of 15,482 s.f. and 100' of continuous street frontage; proposed Lot 2 with an area of 15,856 s.f. and 100.2' of continuous street frontage; and Proposed Lot 3 with an area of 15,723 s.f. and 82.84' of continuous street frontage. Said property is shown on Assessor Map 218 Lot 5 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** the request with the following stipulations:

- 1) The drainage for the houses shall be incorporated into the back yard areas where they can be maintained without impacting the portion of the property designated to be a conservation area along with the following conditions:
  - 1-1) Drainage easements shall be provided across lot 3 for lot 2 and 1 drainage and across lot 2 for lot 1 drainage. Maintenance responsibilities for the storm-tech systems shall be included in the easement language or otherwise addressed through a maintenance agreement;
  - 1-2) Plans shall be updated and approved by the Department of Public Works to show grading around Catch Basin 1;
  - 1-3) Plans shall be updated to note stabilized construction entrances shall be installed for all 3 lots;
  - 1-4) Department of Public Works final review and approval shall confirm that the drainage across Birch Street will not increase flow onto the abutting properties.
- 2) Birch Street shall be reclaimed and reconstructed to City standards after installation of utilities and plans shall be updated to include a cross-section for review and approval by Department of Public Works, which shall also confirm if any additional modifications are required to improve drainage;
- 3) The plans shall note that during construction, access will be provided to all existing properties located on Birch Street;
- 4) Owner shall provide an easement to allow the City to turn around in the driveway of Lot 5-2 for the purpose of snow plowing and the easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council;
- 5) The location of gas, electric, and communication lines shall be added to the subdivision plans;
  - 5-1) For underground electric and communication lines, the sidewalk from Birch Street to the driveway of Lot 5-2 shall be widened to provide 5.5' clear.
- 6) Sheets C2 and C3 shall be reviewed and approved by Department of Public Works for confirmation of stormwater, grading and utility updates and standard details;
- 7) Lot numbers as determined by the Assessor shall be added to the final plat;
- 8) Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat;

- 9) GIS data shall be provided to the Department of Public Works in the form as required by the City;
- 10) The final plat shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

E. 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 that the Design Review process is **complete**.

### III. OTHER BUSINESS

A. The request of **Clipper Traders, LLC, Portsmouth Hardware & Lumber, LLC and Iron Horse Properties, LLC, Owners**, for properties located on **105 Bartlett Street and Bartlett Street** for Preliminary Conceptual Consultation for the construction of 174 dwelling units in two (2) multi-family apartment buildings and one (1) mixed-use building with first floor office, amenity space and upper story apartments. The project will designate 25% of the proposed property as Community Space. Said properties are shown on Assessor Map 157 Lots 1 and 2, Map 164 Lots 1, 2 and 4-2 and lie within the Character District 4-W (CD4-W) and Character District 4-L1 (CD4-L1) Districts.

The project was presented. No action required or taken from the Board.

### IV. DESIGN REVIEW – ACCEPTANCE OF REQUEST

A. The request of **Clipper Traders, LLC, Portsmouth Hardware & Lumber, LLC and Iron Horse Properties, LLC, Owners**, for properties located on **105 Bartlett Street and Bartlett Street** for Design Review for the construction of 174 dwelling units in two (2) multi-family apartment buildings and one (1) mixed-use building with first floor office, amenity space and upper story apartments. The project will designate 25% of the proposed property as Community Space. Said properties are shown on Assessor Map 157 Lots 1 and 2, Map 164 Lots 1, 2 and 4-2 and lie within the Character District 4-W (CD4-W) and Office Research (OR) Districts.

The Board accepted the Design Review and scheduled a public hearing for the March 19, 2020 Planning Board meeting.

### V. ADJOURNMENT

The meeting adjourned at 8:47 pm.