

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

Remote Meeting Via Zoom Conference Call

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Per NH RSA 91-A:2, III (b) the Chair has declared COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-5, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

7:00 pm

APRIL 30, 2020 (continued from 4/23/2020)

ACTION SHEET

MEMBERS PRESENT: Dexter Legg, Chair; Karen Conard, City Manager; Peter Whelan, City Council Representative; Ray Pezzullo, Assistant City Engineer; Jeffrey Kisiel; Colby Gamester; Jay Leduc and Polly Henkel, Alternate

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

MEMBERS ABSENT: Elizabeth Morea, Vice Chair

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I. PUBLIC HEARINGS – OLD BUSINESS

- A. The application of **DPF 1600 Woodbury Avenue, LLC, Owner**, for property located at **1600 Woodbury Avenue** requesting Amended Site Plan Review approval to demolition an existing building and 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 cafe/food court. Said property is shown on Assessor Map 238 Lot 16 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District.

The Board voted to **grant** Amended Site Plan Review Approval with the following stipulations to be completed prior to building permit issuance:

- 1) Plans shall be updated to include the required notes per Section 2.5.4.2E, 2.13.3 and 2.13.4 of the Site Plan Regulations.

2) Easement plans and deeds shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council.

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

4) Coordinate requirements for the installation of any grease trap(s) with the Department of Public Works.

B. The application of **4 Amigos, LLC, Owner**, for properties located at **1400 Lafayette Road, Peverly Hill Road and 721 Peverly Hill Road** 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 53-unit Garden and Townhouse Style residential development consisting of 6 structures with a combined total footprint of 37,775 s.f. and 122,000 GFA with associated grading, lighting, utilities, stormwater management, landscape improvements and community space Said properties are shown on Assessor Map 252 Lots 7, 4 & 5 and lie within the Gateway Neighborhood Mixed Use Center (G2) District

The Board voted to as follows:

1) To find that the application meets the requirements of Section 10.5B43.10 and to **grant** the Conditional Use Permit for a Development Site;

2) To **grant** Site Plan Review Approval with the following stipulations:

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

a) Water service design shall be reviewed and approved by the Portsmouth Water Department;

b) Applicant shall confirm with Eversource that both poles proposed to have service drops are able to provide them. Plan revisions shall be reviewed and approved by Portsmouth DPW, as required;

c) Applicant shall coordinate addressing and numbering of the buildings with Portsmouth DPW and Fire Department. Proposed sign locations shall be added to the plan set and separate sign permits may be required;

d) 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;

e) Owner shall provide a sidewalk public access easement to the City subject to review and approval by the Planning and Legal Departments prior to acceptance by City Council;

f) The site plan and any easement plans and deeds shall be reviewed for pre-approval by the Rockingham County Registry of Deeds and subsequently recorded or as deemed appropriate by the Planning Department;

g) Plans shall be updated to include signage prohibiting truck traffic from entering the development from Peverly Hill Road;

h) The applicant shall document the condition, verify ownership, and provide or produce any easements and agreements pertaining to the access and maintenance of sewer lines that cross the property to the satisfaction of the Department of Public Works;

i) Applicant shall coordinate with COAST to determine if an additional bus stop can be located along Route 1 or Peverly Hill Road to serve the development.

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

a) The applicant shall design and construct a pedestrian crossing of Peverly Hill Road at the West Road intersection, along with a pedestrian activated signal. Plans shall be reviewed and approved by DPW;

b) The applicant shall provide engineered plans for a sidewalk along Peverly Hill Road between West Road and the Market Basket driveway for future construction by the City. Plans shall be reviewed and approved by DPW;

c) The applicant shall replace the water main in Peverly Hill Road as required per Portsmouth DPW requirements;

d) 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;

e) All utilities being installed shall be witnessed by a third party inspection company to be determined by the City.

C. The application of **Nickerson Home Improvement Co. Inc.** and the **Linette and James Revocable Trust of 2000, Owners** and **Perley Lane, LLC, Applicant**, for properties located at **95 Brewster and 49 Sudbury Streets** requesting Site Plan Review approval to demolish the existing structures and construct 3 dwelling units in two structures, with related grading, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor's Map 138 Lots 57 and 58 and lie within the General Residence C (GRC) District.

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.) Plans shall be updated to show curbing for the proposed sidewalk and to add a note to "refer to DPW for actual field placement of the tile;"

2.) A drainage easement for the swale behind unit 1 to drain onto public property shall be reviewed and approved by the DPW and Legal Departments prior to acceptance by the City Council;

3.) If required, a sidewalk easement for any portions of the public sidewalk that cross private property shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council;

4.) Proposed street trees along Brewster Street frontage shall be reviewed and approved by the Trees and Greenery Committee;

5.) The site plan and easement plans 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.

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.) 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.

The applicant is also be required to complete a voluntary lot merger of the two lots, subject to final approval by the Planning Director, prior to completing the Site Plan Review Agreement.

- D. The application of **Millport Inc., Owner** and **Thomas Bath, Applicant**, for property located at **1001 Islington Street** 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 and Drinking Area as an accessory use. Said property is shown on Assessor Map 172 Lot 4 and lies within the Character District 4-W (CD4W) District.

The Board voted to **grant** Conditional Use Permit Approval as presented.

- E. 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 Character District 4-L1 (CD4-L1) Districts.

The Board determined that the Design Review phase is complete.

II. ADJOURNMENT

The meeting adjourned at 7:53 pm.