

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

Remote Meeting Via Zoom Conference Call

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 2020-17, 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.

6:30 PM WORK SESSION

7:00 PM REGULAR MEETING

SEPTEMBER 17, 2020

ACTION SHEET

MEMBERS PRESENT: Dexter Legg, Chair; Elizabeth Moreau, Vice Chair Karen Conard, City Manager; Peter Whelan, City Council Representative; Ray Pezzullo, Assistant City Engineer; Jeffrey Kisiel; Colby Gamester

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

MEMBERS ABSENT: Jay Leduc (excused), Polly Henkel, Alternate (excused)

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WORK SESSION (6:30 PM)

- I. Review of proposed revisions to the City of Portsmouth Site Plan Review Regulations.

Director Walker presented the proposed revisions. No action was required or taken by the Board.

REGULAR MEETING (7:00 PM or after)

I. PRESENTATIONS

- A. FY 2021-2026 Capital Improvement Plan Process and Schedule.

Director Walker explained the CIP process moving forward. No action was required or taken by the Board.

II. APPROVAL OF MINUTES

- A. Approval of Minutes from the August 20, 2020 Planning Board Meeting

The August Planning Board minutes were approved.

III. PUBLIC HEARINGS – OLD BUSINESS

- A. 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.

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

- 1) The Planning Board determined that the applicant has made the case that the proposed OSPUD will not be more detrimental than a conventional subdivision, and voted to find that:
 - 1.1) The site is appropriate for an OSPUD, and;
 - 1.2) The anticipated impacts of the proposed OSPUD on traffic, market values, stormwater runoff or environmental factors will not be more detrimental to the surrounding area than the impacts of conventional residential development of the site.

- 2) Voted to grant a waiver to the Subdivision Regulations -- Section VI(3)(I) Cul-de-Sacs to allow a 900-foot cul-de-sac length where 500 feet is the maximum allowed by finding that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.

- 3) Voted to grant a waiver to the Subdivision Regulations -- Section VI(3)(B) Street Rights of Way and Residential Street Minimum Standards to allow 20' of pavement width where 32' is the minimum allowed by finding that specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

- 4) Voted to grant the conditional use permit and site plan review approval as presented, with the following stipulations:
 - 4.1) The site plan and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department;
 - 4.2) Utilities and storm drainage shall be overseen by third party during construction;
 - 4.3) 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;
 - 4.4) A stormwater inspection and maintenance report shall be completed annually and copies shall be submitted to the City's Planning and Public Works Departments;
 - 4.5) A hydrant maintenance plan shall be provided prior to issuance of a building permit;
 - 4.6) ECO Passage Grates shall be reviewed every 5 years for compliance with H2O loading by NH PE and such report shall be submitted to the City of Portsmouth Planning Department and DPW. Applicant shall submit condominium documents that outline this requirement subject to final review and approval by DPW, Planning, and Legal Departments;

- 4.7) Street name sign proof shall be reviewed and approved by DPW prior to fabrication and installation;
- 4.8) A license for locating the proposed utility pole in the Banfield Road right-of-way shall be reviewed and approved by the Legal Department and DPW and accepted by the City Council;
- 4.9) The granting of the waivers for the cul-de-sac length and 20' pavement width shall prohibit a future petition for acceptance of the private road as a public street;
- 4.10) Owner shall provide an access easement to the City for water valve access and leak detection;
- 4.11) Prior to the issuance of a building permit, 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;
- 4.12) Prior to issuance of a building permit, the applicant shall enter into a development agreement with the City per the requirements of the Zoning Ordinance and subject to review and approval by the Legal Department;
- 4.13) Submission of the Stormwater Maintenance and Operations Plan shall be verified by City staff and shall be referenced in the condominium documents;
- 4.14) Plans shall note that trash and snow removal is the responsibility of the private homeowners.

IV. PUBLIC HEARINGS – NEW BUSINESS

- A. The application of the **Nania Family Trust, Owner**, for property located at **18 Dunlin Way** requesting Wetland Conditional Use permit approval under Section 10.1017 of the Zoning Ordinance to construct a 16 x 16 foot addition, 12 x 12 foot deck and associated stairway and porous paver patio where a 12 x 12 foot porch currently exists. The design incorporates stormwater infiltration and new buffer plantings. Said property is shown on Assessor Map 213 Lot 9 and lies within the General Residence B (GRB) District.

The Board voted to **grant** this request as presented.

- B. The application of **Media One of NE, Inc., Owner**, for property located at **180 Greenleaf Avenue** requesting Wetland Conditional Use permit approval under Section 10.1017 of the Zoning Ordinance to construct a 180 square foot shed on a concrete pad with associated drip edge, remove a 220 square foot structure and restore the site to a lawn area. Said property is shown on Assessor Map 243 Lot 67-1 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District.

The Board voted to **grant** this request as presented.

- C. Request by Public Service Company of New Hampshire d/b/a Eversource Energy for naming of a privately-owned road located off Gosling Road on Assessor Map 214 Lots 1, 2 & 3 as Jacona Road.

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

V. PRELIMINARY CONCEPTUAL CONSULTATION

- A. The request of the **SB & NA Stokel Trust and Philip Stokel, Owners**, for property located at **83 Peverly Hill Road** for Preliminary Conceptual Consultation for a 60-unit Open Space Planned Unit Development (OSPUD). Said property is shown on Assessor Map 242 Lot 4 and lies within the Single Residence A (SRA) District.

The applicant presented the concept plan. No action was required or taken by the Board.

VI. OTHER

- A. The request of **Paul W. Mullen, Owner**, for property located at **97 Eastwood Drive** for a 1-year extension of Conditional Use Permit approval for the addition of a 746 sq. ft. Attached Accessory Dwelling Unit to the first floor of an existing home that was originally granted on June 27, 2019.

The Board voted to **approval** a 1-year extension to expire on June 27, 2021.

VII. ADJOURNMENT