

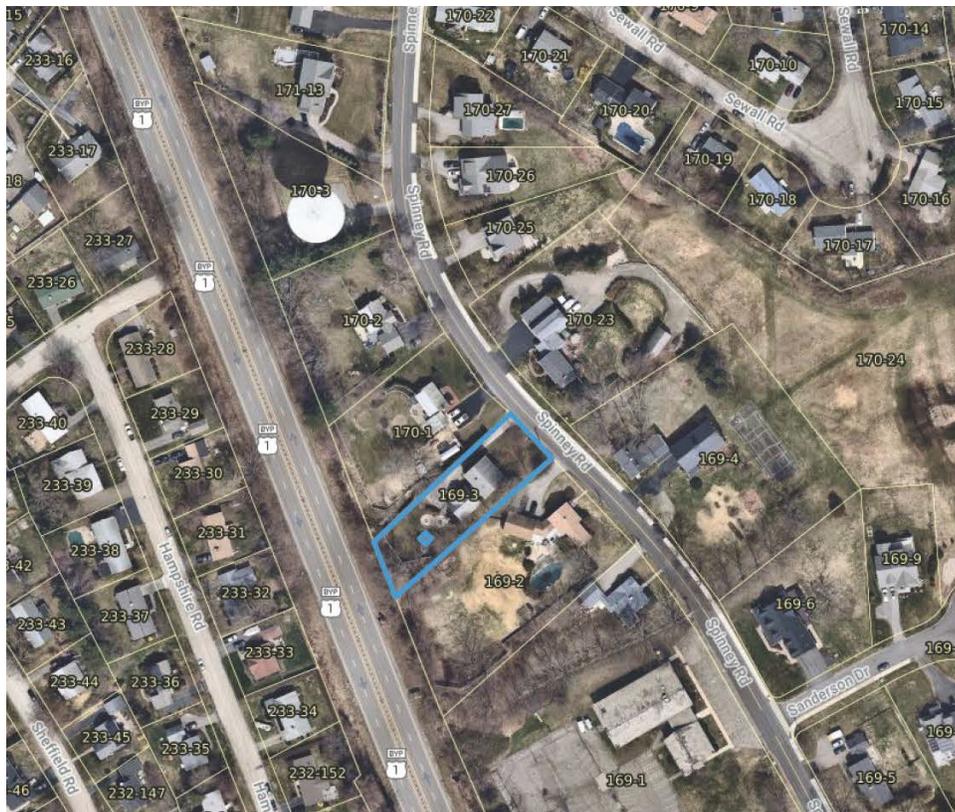


MEMORANDUM

To: Planning Board
From: Juliet T.H. Walker, Planning Director *JTW*
Jillian Harris, Planner 1
Subject: Staff Recommendations for the February 25, 2021 Planning Board Meeting
Date: 02/19/2021

I. PUBLIC HEARINGS – NEW BUSINESS

- A.** The application of **Jenna & Patrick Thomson, Owners**, for property located at **225 Spinney Road** requesting Conditional Use Permit approval in accordance with Section 10.814 of the Zoning Ordinance for the construction of an Attached Accessory Dwelling Unit of 720 square feet gross floor area. Said property is shown on Assessor Map 169 Lot 3 and lies within the Single Residence B (SRB) District.



Description

The applicant is requesting a conditional use permit to create an attached accessory dwelling unit (AADU), which is currently unfinished space above the garage of an existing single-family dwelling. In addition to the dimensional requirements of Section 10.521, 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.
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.	The applicant has indicated compliance with this requirement.
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 one den and to be 720 s.f.
Any exterior changes to the single-family dwelling shall maintain the appearance of a single-family dwelling.	No exterior changes are proposed.
No portion of the AADU shall be closer to the front lot line than the existing front wall of the principal dwelling unit.	The AADU complies with this requirement.
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 AADU complies with this requirement.

Required Standard	Planning Department Comments
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.	The AADU is within the existing attached garage space.
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 AADU is within the existing attached garage space.
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 and the site design provides for more than 3 spaces.
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.

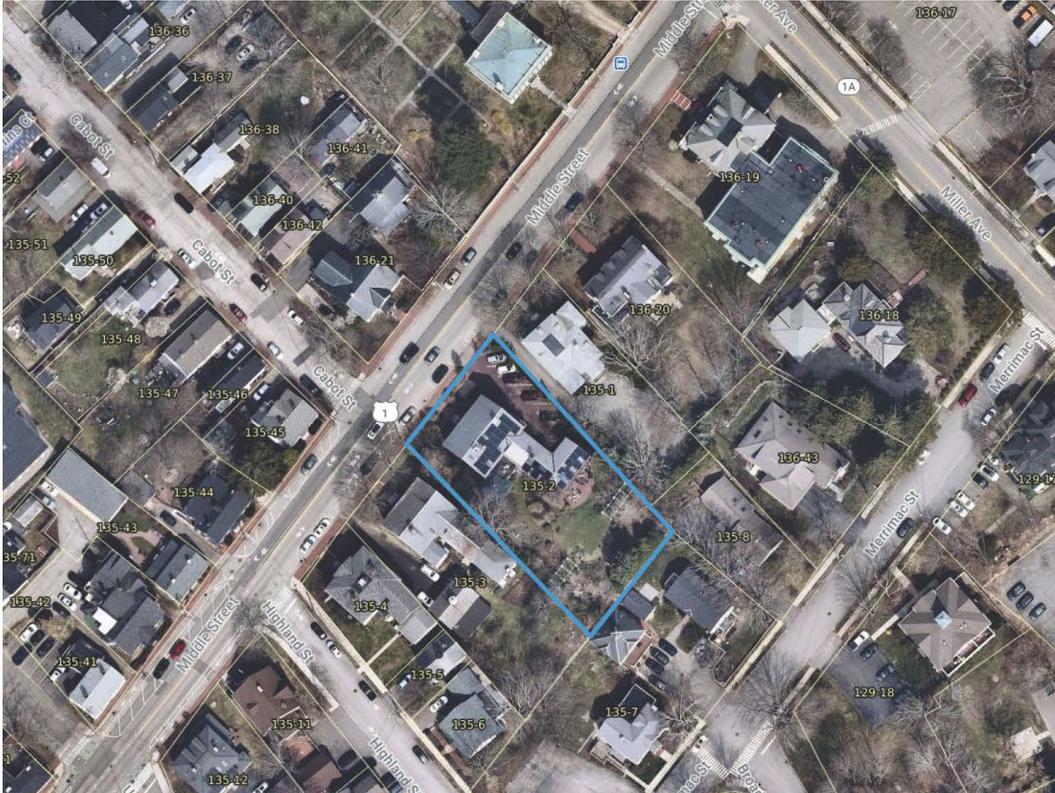
Planning Department Recommendation

Vote to find that the application satisfies the requirements of 10.814.60 and to grant the conditional use permit as presented, with the following stipulation:

- 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.*

I. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

B. Application of **Robert Vaccaro, Owner**, for property located at **411 Middle Street** requesting Conditional Use Permit approval in accordance with Section 10.1112.14 of the Zoning Ordinance for provision of 9 on-site parking spaces where 11 spaces are required. Said property is shown on Assessor Map 135 Lot 2 and lies within the Mixed Residential Office (MRO) District.



Description

The off-street parking standards in the City's Zoning Ordinance for 8 residential units (6 units less than 750 s.f. and 2 units greater than 750 s.f.) requires 9 parking spaces and 2 visitor spaces for a total of 11 spaces. The applicant has indicated they have operated with 9 parking spaces on-site for many years and that there is ample street parking in the vicinity to accommodate the visitor spaces required.

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 listed the following factors for consideration:

- On-street parking availability – 2017 Parking study shows ample on-street parking availability in the vicinity of 411 Middle St.
- Transit: Four bus stops in close proximity.
- Public Parking: 60 spaces available at the nearby Masonic Temple public parking lot.

Planning Department Recommendation

Vote to find that the number of off-street parking spaces provided will be adequate and appropriate for the proposed use of the property and to grant the conditional use permit as presented.

I. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

- C.** Application of the **Pease Development Authority, Owner, and Lonza, Applicant,** for property located at **70 Corporate Drive** requesting renewal of a previously approved Conditional Use Permit, under Chapter 300 of the Pease Land Use Controls, Part 304-A Pease Wetlands Protection, for work within the inland wetland buffer for the construction of three proposed industrial buildings: Proposed Building #1 with a 132,000+ s.f. footprint; Proposed Building #2 with a 150,000+ s.f. footprint; Proposed Building #3 with a 62,000+ s.f. footprint; and two 4-story parking garages, with 55,555+ s.f. of impact to the wetland, 66,852+ s.f. of impact to the wetland buffer and a 1,000+ l.f. stream restoration for Hodgson Brook resulting in 42,500 s.f. of wetland creation. Said property is shown on Assessor Map 305 Lot 1 and lies within the (ABC) District.



Description

The project received Wetland Conditional Use Permit Approval from the Planning Board on January 17, 2019 for work within the inland wetland buffer for the construction of three proposed industrial buildings: Proposed Building #1 with a 132,000+ s.f. footprint; Proposed Building #2 with a 150,000+ s.f. footprint; Proposed Building #3 with a 62,000+ s.f. footprint; and two 4-story parking garages, with 55,555+ s.f. of impact to the wetland, 66,852+ s.f. of impact to the wetland buffer and a 1,000+ l.f. stream restoration for Hodgson Brook resulting in 42,500 s.f. of wetland creation.

The Planning Board previously recommended approval of this application to the Pease Development Authority Board on January 17, 2019. The applicant subsequently requested that the PDA Board grant a one-year extension to the Wetland Conditional

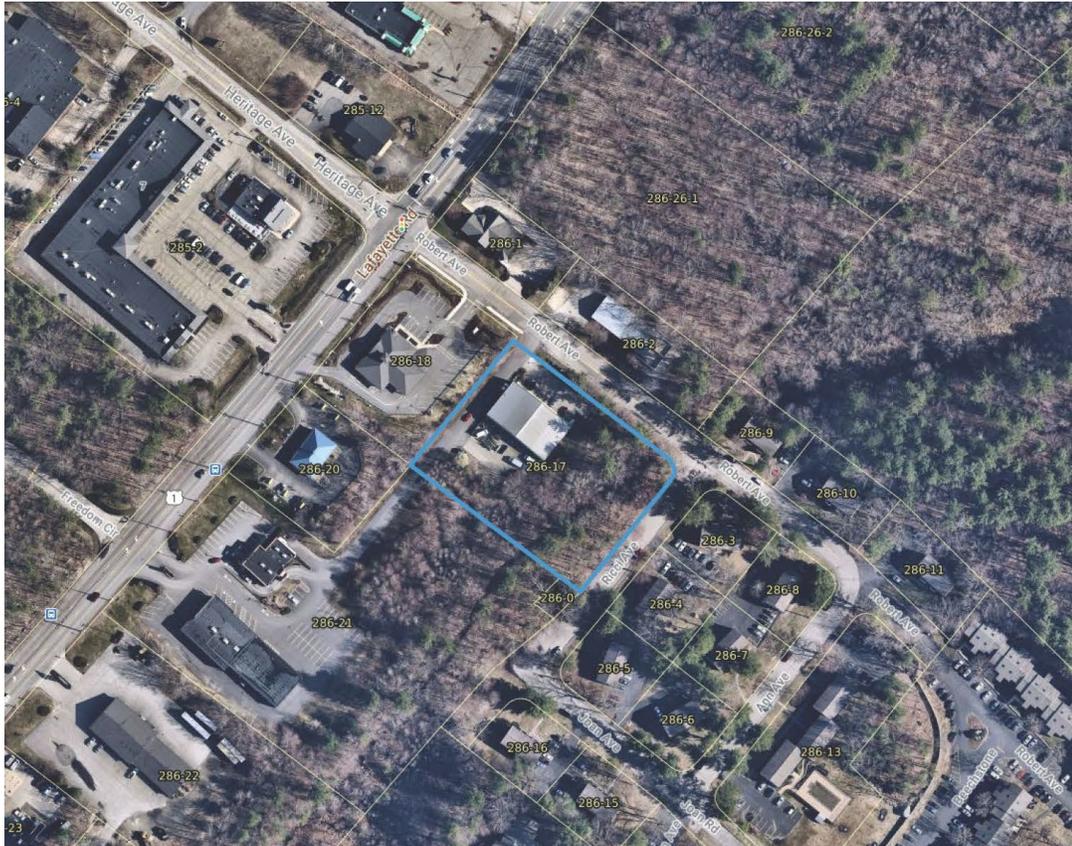
Use Permit approval, which was granted and the approval is set to expire February 2021. Due to project delays, the applicant will not be able to start the project prior to the expiration of the approval. As no further extension requests are allowed under PDA's Regulations, the applicant must now re-apply for the wetland conditional use permit.

Planning Department Recommendation

Vote to recommend approval of the Wetland Conditional Use Permit.

I. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

- D. Application of **CLJR, LLC, Owner**, for property located at **6 Robert Avenue** requesting Conditional Use Permit approval in accordance with Section 10.1112.14 of the Zoning Ordinance for provision of 10 on-site parking spaces where 18 spaces are required. Said property is shown on Assessor Map 286 Lot 17 and lies within the (G1) District.



Description

The off-street parking standards in the City's Zoning Ordinance for a 4,325 s.f. martial arts studio requires 1 per 250 s.f. for a total of 18 parking spaces. The applicant has indicated they have operated with 5 parking spaces on-site for their use at a similar site in Newington, NH for 15 years.

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 listed the following factors for consideration:

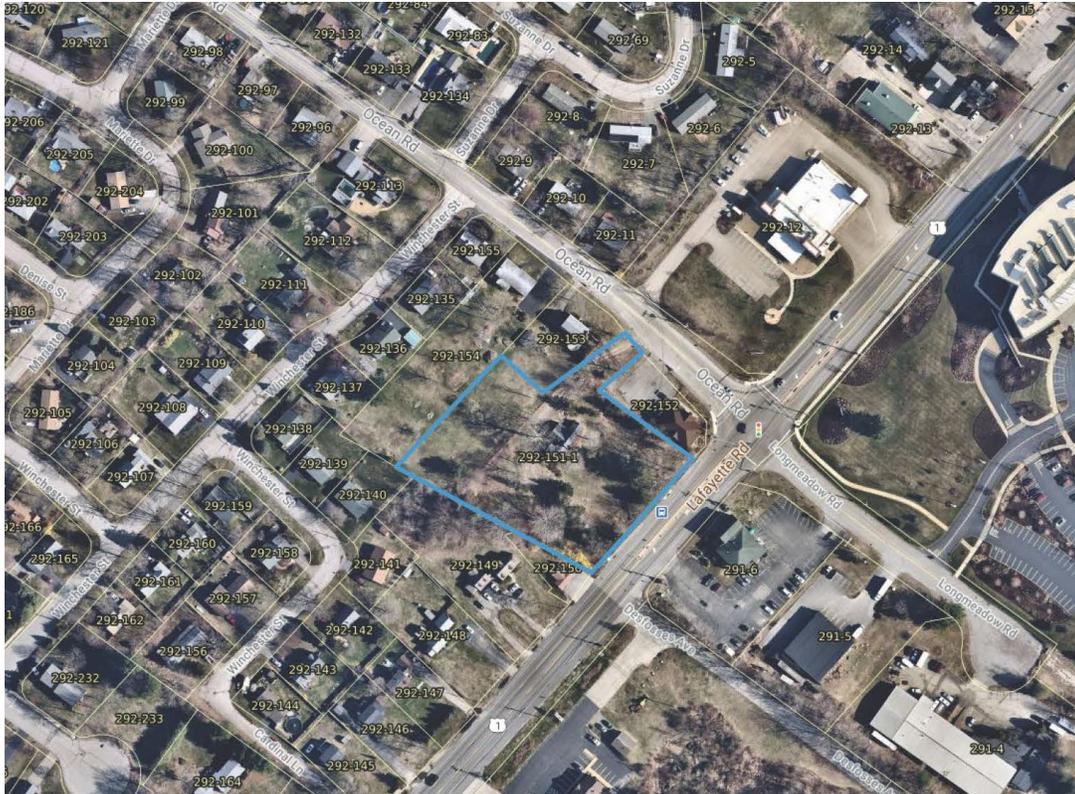
- Shared parking – the proposed business operates by appointment only and peak hours are after 5PM and on weekends. The other tenant on-site generally has opposite hours of operation, allowing for shared parking of their 10.5 spaces.
- Operations -The tenant will not be using the rear loading/drive-in door, allowing for the 5 parking spaces in the rear to be used by employees.

Planning Department Recommendation

Vote to find that the number of off-street parking spaces provided will be adequate and appropriate for the proposed use of the property and to grant the conditional use permit as presented.

II. OTHER BUSINESS

- A. The request of the **Weeks Realty Trust, and Carter Chad, Owners and Tuck Realty Corporation, Applicant** for property located at **3110 Lafayette Road** for a 1-year extension of 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 that was originally granted on February 20, 2020.



Description

The project received Site Plan Review Approval from the Planning Board on February 20, 2020 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.

Planning Department Recommendation

Vote to approve a 1-year extension of the Site Plan Approval to expire on February 20, 2022.

