

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 PM REGULAR PLANNING BOARD MEETING

June 16, 2022

ACTION SHEET

I. APPROVAL OF MINUTES

- A. Approval of the May 19, 2022 regular meeting minutes.

The May 19, 2022 regular meeting minutes were approved as presented.

- B. Approval of the March 30, 2022 and May 5, 2022 special meeting minutes.

The March 30, 2022 and May 5, 2022 special meeting minutes were approved as presented.

- C. Approval of the May 19, 2022 site walk minutes.

The May 19, 2022 site walk minutes were approved with the following amendment:

1) Last bullet should read "solid waste"

II. DETERMINATIONS OF COMPLETENESS

SUBDIVISION REVIEW

- A. The request of **North Church of Portsmouth (Owner)**, for property located at **355 Spinney Road** requesting Preliminary and Final Subdivision approval

The Board voted to determine the application is complete according to the Subdivision Regulations, (contingent on the granting of any required waivers under Section III and IV of the agenda) and to accept the application for consideration.

III. PUBLIC HEARINGS – NEW BUSINESS

*The Board's action in these matters has been deemed to be quasi-judicial in nature.
If any person believes any member of the Board has a conflict of interest,
that issue should be raised at this point or it will be deemed waived.*

- A. **REQUEST TO POSTPONE** The request of **Mastoran Restaurants Inc. (Owner)**, and **Granite State Convenience (Applicant)**, for property located at **2255 Lafayette Road** requesting Site Plan review and Conditional Use Approval for use 19.40 under Section 10.440

to allow a drive-thru facility as an accessory use to a permitted principal use in the Gateway Corridor Zone. Said property is shown on Assessor Map 272 Lot 3 and lies within the Gateway Corridor (G1) District. (LU-22-13) **REQUEST TO POSTPONE**

The Board voted to postpone consideration to the June 23, 2022 Planning Board meeting.

- B.** The request of **North Church of Portsmouth (Owner)**, for property located at **355 Spinney Road** requesting Preliminary and Final Subdivision approval to subdivide one existing lot with 146,666 square feet of lot area and 849.29 feet of frontage into two lots as follows: Proposed Lot 1 with 17,817 square feet of lot area and 117.6 feet of frontage, and Proposed Lot 2 with 128,849 square feet of lot area and 360.62 feet of lot frontage. Said property is located on Assessor Map 169 Lot 1 and lies within the Single Residence B (SRB) District. (LU-22-49)

1) The Board voted to approve Preliminary and Final Subdivision as presented with the following stipulations:

1.1) Lot numbers as determined by the Assessor shall be added to the final plat prior to recordation with the Registry of Deeds.

1.2) Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.

1.3) GIS data shall be provided to the Department of Public Works in the form as required by the City.

1.4) The final plat and all easement deeds (if applicable) shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

- C.** The request of **404 Islington Street LLC (Owner)**, for property located at **404 Islington Street** requesting a Conditional Use Permit under Section 10.1112.14 of the Zoning Ordinance to provide ten (10) parking spaces where thirteen (13) are required. Said property is shown on Assessor Map 145 Lot 33 and is located in the Historic District and the Character District 4L-2 (CD4-L2). (LU-22-74)

****Please note the applicant applied for 11 spaces, the above listed 10 spaces is in error***

1) The Board voted 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 with the following stipulation:

Prior to Building Permit Issuance:

1.1) Applicant obtains special exception approval per section 10.440 of the Zoning Ordinance.

- D. REQUEST TO POSTPONE** The request of **James and Gail Sanders (Owners)**, for property located at **445 Marcy Street** requesting Preliminary and Final Subdivision approval to subdivide one lot with 14,947 square feet of lot area and frontage on Marcy Street, Pray Street, and Partridge Street into two lots as follows: Proposed Lot 1 with 6,127 square feet of lot area and 102.43 feet of frontage on Marcy Street and 67.83 feet of frontage on Pray Street, Proposed

Lot 2 with 8,820 square feet of lot area and 802 feet of frontage on Pray street and 62.44 feet of frontage on Partridge Street. Said property is located on Assessor Map 101 Lot 3 and lies within the General Residence B (GRB) and Historic Districts. (LU-22-79) **REQUEST TO POSTPONE**

The Board voted to postpone consideration to the June 23, 2022 Planning Board meeting.

IV. CITY COUNCIL REFERRALS

- A. REQUEST TO CONTINUE AND POSTPONE** Public Hearing and consider a recommendation to the City Council for Zoning Ordinance Amendments to Building Height standards **TO THE JUNE 23, 2022 PLANNING BOARD MEETING**

The Board voted to postpone consideration to the June 23, 2022 Planning Board meeting.

- B.** Consider a report back to the City Council on how to improve the work of the Demolition Committee.

1) The Board voted to recommend that the City Council consider implementing the recommendations of the DRC subject to a detailed legal analysis to ensure that the recommendations are in conformance with state law, case law, and best practices with the following change:

- Rather than extending the stay of demolition to 180 days, it would be advisable to commence the 90-day demolition delay period from the date of the public hearing required under Section 14.205. Additionally, expanded notification procedures to abutters would serve the purpose of broadening public awareness of impending demolitions and it would provide opportunities to affected community members to gain photographic records, influence the property owner to consider other courses of action, and to consider alternatives to demolition.*

V. OTHER BUSINESS

- A.** Consider a recommendation to City Council to accept a right-of-way easement which would incorporate a section of proposed roadway into the City's existing Sagamore Grove right of way.

1) The Board voted to recommend that City Council accept a right-of-way easement which would incorporate a section of the proposed roadway into the City's existing Sagamore Grove right of way.

- B.** Consider a recommendation to City Council to accept a right-of-way easement located on Albany Street requested by the Planning Board on January 27, 2022, as part of the project located at 89 Brewery Lane.

1) The Board voted to recommend that the City Council accept a right-of-way easement, located on Albany Street, requested by the Planning Board on January 27, 2022 as part of the project located at 89 Brewery Lane.

- C.** Chairman's Update/Discussion

VI. ADJOURNMENT

Action Sheet, Planning Board Meeting, June 16, 2022

The meeting was adjourned at 8:33PM.