

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE  
EILEEN DONDERO FOLEY COUNCIL CHAMBERS  
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**7:00 PM Public Hearing Begins**

**July 20, 2023**

**ACTION SHEET**

**REGULAR MEETING 7:00pm**

**I. APPROVAL OF MINUTES**

- A. Approval of the June 15, 2023 meeting minutes.
- B. Approval of the June 22, 2023 meeting minutes.

*The June 15, 2023 meeting minutes were approved as amended.*

*The June 22, 2023 meeting minutes were approved as presented.*

**II. DETERMINATIONS OF COMPLETENESS**

**SUBDIVISION REVIEW**

- A. The request of **Murdock Living Trust (Owner), 15 Lafayette Road** requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots to create the following: Proposed Lot 1 to be 9,129 square feet of lot area and 73.8 feet of frontage and Proposed Lot 2 to be 8,172 square feet of lot area and 102 feet of frontage.

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

**SITE PLAN REVIEW**

- A. **REQUEST TO POSTPONE** The application of **Banfield Realty, LLC (Owner)**, for property located at **375 Banfield Road** requesting Site Plan review approval to demolish two existing commercial buildings and an existing shed and construct a 75,000 s.f. industrial warehouse building with 75 parking spaces as well as associated

paving, stormwater management, lighting, utilities and landscaping. **REQUEST TO POSTPONE**

### 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. The request of **CP Management Inc (Applicant)** and **Sarnia Properties INC, (Owner)**, for property located at **933 US Route 1 BYP** requesting a Conditional Use Permit in accordance with Section 10.1112.14 of the Zoning Ordinance to provide 83 parking spaces where 114 are required. Said property is located on Assessor Map 142 Lot 37 and lies within the Business (B) District. (LU-23-76)

*The Board voted to find that the Conditional Use Permit application meets the criteria set forth in Section 10.1112.14 and to adopt the findings of fact as presented.*

*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 with the following conditions**:*

- 2.1) The applicant shall submit a written report to the Planning Department one year after opening evaluating the parking usage.*
- 2.2) The parking spaces as depicted on Sheet C-3 on the current loading dock area can be used for parking as necessary.*

- B. The request of **Tanner Family Revocable Trust (Owner)**, for property located at **380 Greenleaf Avenue** requesting a Wetland Conditional Use Permit according to Section 10.1017 of the Zoning Ordinance for the construction of a new 20 x 20' one-story garage on a residential property with various additions of native buffer plantings and areas of storm water improvement to mitigate any impervious impacts from the garage. The proposal includes removal of 885 square feet of impervious asphalt, installation of 2' drip edge of crushed stone around the perimeter of the garage and 484 square feet of pervious pavers leading up to the garage where asphalt currently exists. Additional planting beds are proposed in areas of existing asphalt. Said property is located on Assessor Map 243 Lot 63 and lies within the Single Residence B (SRB) District. (LU-23-62)

- 1) The Board voted to **postpone** to the August meeting.*

- C. The request of **Murdock Living Trust (Owner)**, **15 Lafayette Road** requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots to create the following: Proposed Lot 1 to be 9,129 square feet of lot area and 73.8 feet of frontage and Proposed Lot 2 to be 8,172 square feet of lot area and 102 feet of frontage. Said

property is located on Assessor Map 152 Lot 2 and lies within the General Residence A (GRA) and Historic Districts. (LU-23-26)

*The Board voted to **grant** the requested waivers to the Subdivision Standards from Section VI General Requirements #5 Driveways, #6 Drainage Improvements, #7 Municipal Water Services, #8 Municipal Sewer Services, #9 Installation of Utilities and #14 Erosion and Sedimentation Controls, because strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations.*

*The Board voted to find that the Subdivision (Lot Line Revision) application meets the standards and requirements set forth in the Subdivision Rules and Regulations to adopt the findings of fact as presented.*

*The Board voted to **grant** Preliminary and Final Subdivision Approval with the following **conditions**:*

- 2.1) The subdivision plan, and any easement plans and deeds shall be recorded simultaneously at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
- 2.2) Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat;*
- 2.3) GIS data shall be provided to the Department of Public Works in the form as required by the City;*
- 2.4) Prior to issuance of a building permit, owner shall obtain necessary permits or approvals from DPW to serve the site.*

- D.** The request of **ADL 325 Little Harbor Road Trust (Owner)**, for property located at **325 Little Harbor Road** requesting a Wetland Conditional Use Permit according to Section 10.017 of the Zoning Ordinance for the replacement of the existing bridge with a timber pile bridge and removal of the existing causeway. The project proposes permanent impacts within the wetland buffer of 36,358 square feet and 3,443 square feet of permanent impacts within the tidal wetland. Said property is located on Assessor Map 205 Lot 2 and lies within the Rural (R) District. (LU-23-81)

*The Board voted to find that the Conditional Use Permit application meets the criteria set forth in Section 10.1017.50 and to adopt the findings of fact as presented.*

*The Board voted to **grant** the Wetland Conditional Use permit with the following **conditions**:*

- 2.1) In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall install permanent wetland boundary markers adjacent to the freshwater wetland areas during project*

*construction. These can be purchased through the City of Portsmouth Planning and Sustainability Department.*

*2.2) Applicant shall provide a monitoring report detailing the success of the planting plan one year after project completion and demonstrate compliance with the NHDES monitoring requirements when complete.*

*2.3) The Salicornia be relocated or added to the planting plan as additional plantings.*

*2.4) An independent wetland scientist that specializes in salt marsh restoration shall be hired to review the salt marsh restoration plan and provide comments back to the applicant.*

*2.5) The applicant shall research ways to reduce the disturbance to the local Nudibranch fish population.*

- E. REQUEST TO POSTPONE** The application of **Banfield Realty, LLC (Owner)**, for property located at **375 Banfield Road** requesting Site Plan review approval to demolish two existing commercial buildings and an existing shed and construct a 75,000 s.f. industrial warehouse building with 75 parking spaces as well as associated paving, stormwater management, lighting, utilities and landscaping. Said property is shown on Assessor Map 266 Lot 7 and lies within the Industrial (I) District. **REQUEST TO POSTPONE (LU-20-259)**

*The Board voted to **postpone** to the August meeting.*

#### **IV. PRELIMINARY CONCEPTUAL CONSULTATION**

- A. The request of Atlas Commons LLC (Owner)**, for property located at **581 Lafayette Road** requesting an addition to the existing commercial building for residential dwelling units with the associated site improvements. Said property is shown on Assessor Map 229 Lot 0229-008B and lies within the Gateway Corridor (G1) District. (LUPD-23-5)

*No action was taken by the Board.*

#### **V. OTHER BUSINESS**

- A. The request of 230 Commerce Way, LLC** for property located at **230 Commerce Way** requesting a 1-year extension to the Amended Site Plan Approval and Wetland Conditional Use Permit originally granted on **July 21, 2022**. (LU- 22-14)

*The Board voted to **grant** a one-year extension to the Planning Board Approvals of the Site Plan and Wetland Conditional Use Permit to July 21, 2024.*

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**B. Chairman updates and discussion items**

*The Board voted to conceptually support the High Street/Haven Court public/private improvements as were originally presented to the Planning Board during its review of the 1 Congress Street proposal, and to inform the Council of this support.*

**C. Planning Board Rules and Procedures**

**D. Board discussion of Regulatory Amendments, Master Plan Scope & other matters**

*The Board voted to formally begin the Master Plan process per RSA 674:1.*

**VI. ADJOURNMENT**

*The meeting Adjourned at 9:16 PM*