



# CITY OF PORTSMOUTH

Planning Department  
1 Junkins Avenue  
Portsmouth, New  
Hampshire 03801  
(603) 610-7216

## PLANNING BOARD

December 27, 2023

Pease Development Authority  
55 International Drive  
Portsmouth, New Hampshire 03801

RE: Site Plan Review approval for property located at 360 Corporate Drive (LU-23-135)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Tuesday, December 21, 2023, considered your application for constructing a three-story Healthcare Complex with approximately 52,000 GSF. to allow space for up to 10 tenants which include an Ambulatory Surgical Center, Imaging Center and Plastic Surgery Center. The project includes (125) vehicle parking spaces, (2) loading docks as well as associated paving, stormwater management, lighting, utilities and landscaping. Said property is shown on Assessor Map 315 Lot 5 and lies within the Airport Business Commercial (ABC) District. As a result of said consideration, the Board voted to **recommend Site Plan Approval to the PDA Board** and that the PDA look at the intersections in and around the facility to manage the traffic impacts and safety.

Unless otherwise indicated above, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector  
Rosann Maurice-Lentz, City Assessor

Peter H. Rice, Director of Public Works

Raquelle Kenmitz, Apex Design Build  
Mike Mates, Pease Development Authority



# CITY OF PORTSMOUTH

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1 Junkins Avenue  
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Hampshire 03801  
(603) 610-7216

## PLANNING BOARD

December 27, 2023

120-0 Wild Rose Lane, LLC  
209 Water Street  
Newburyport, MA 01950

RE: Wetland Conditional Use Permit for property located at 60 Pleasant Point Drive (LU-23-180)

Dear Owner :

The Planning Board, at its regularly scheduled meeting of **Thursday, December 21, 2023**, considered your application for a Wetland Conditional Use Permit from Section 10.1017.50 of the Zoning Ordinance for the demolition of the existing home and construction of a new dwelling. The project consists of 5,368 sf of impervious surface including a dock, two sets of stairs, a pool, patio, cabana, and a portion of the home, which results in a reduction of 31 sf from the existing conditions. The project includes pervious pavers within the buffer, a long-term storm-water maintenance plan, landscaping plan within the buffer, a bank restoration plan, replacement of the existing lawn with a micro-clover seed mix and the removal of invasive species on site . Said property is shown on Assessor Map 207, Lot 13 and lies within the Single Residence B (SRB) district . As a result of said consideration, 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; and 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 along the 25' vegetative buffer during project construction. These can be purchased through the City of Portsmouth Planning and Sustainability Department.

2.2) Applicant shall provide monthly invasive management and planting updates to the Planning and Sustainability Department once removal begins and until the end of the restoration process (see Management Calendar for Treatment and Planting). These updates shall be a report summarizing the activities performed, the success rates, any proposed plan changes, and any upcoming activities involving the 25' vegetative buffer on site. If plants have not achieved an 80% success rate or greater after one year, applicants will replant and report back to the Planning & Sustainability Department one year after planting is complete and each subsequent year until an 80% planting success rate has been achieved.

2.3) No fertilizers shall be used within any resource and/or buffer areas.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning Department for more details about the appeals process.

Unless otherwise indicated, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All conditions of approval must be completed prior to issuance of a building permit unless otherwise indicated.

This approval shall expire one year after the date of approval by the Planning Board unless a building permit is issued prior to that date. The Planning Board may grant a one-year extension of a conditional use permit if the applicant submits a written request to the Planning Board prior to the expiration date.

*The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:*

<https://www.cityofportsmouth.com/planportsmouth/planning-board/planning-board-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is stylized with large, sweeping loops and a long horizontal tail.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector  
Rosann Maurice-Lentz, City Assessor

Eric Weinrieb, Altus Engineering, INC.

# Findings of Fact | Wetland Conditional Use Permit

## City of Portsmouth Planning Board

Date: December 21, 2023

Property Address: 60 Pleasant Point Dr.

Application #: LU-23-180

Decision: Approve with Conditions

### Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

In order to grant Wetland Conditional Use permit approval the Planning Board shall find the application satisfies criteria set forth in the Section 10.1017.50 (Criteria for Approval) of the Zoning Ordinance.

|          | <b>Zoning Ordinance<br/>Sector 10.1017.50<br/>Criteria for Approval</b>    | <b>Finding</b><br>(Meets<br>Criteria for<br>Approval) | <b>Supporting Information</b>  |
|----------|--|---|--|
| <b>1</b> | <i>1. The land is reasonably suited to the use activity or alteration.</i> | <b>Meets</b>  | The existing lot has been used for residential use which already had a significant amount of impervious surface within the buffer. This application proposes to remove all impervious within 50' of the wetland resource while pushing much of the home and associated infrastructure farther back and away from the resource. While there is still impervious within the buffer, the applicant is proposing to restabilize the bank with native vegetation, replace all the grass with an eco-friendly micro clover mix, and there is extensive landscaping to help redirect and infiltrate stormwater on the property to reduce erosion, ponding and impacts to abutting properties. |

|   | <b>Zoning Ordinance Sector 10.1017.50 Criteria for Approval</b>   | <b>Finding</b><br>(Meets Criteria for Approval) | <b>Supporting Information</b>  |
|---|---|---|--|
| 2 | 2. <i>There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.</i> | Meets   | The applicant is proposing to build the home and other structures outside of the 50' buffer, which will be an improvement from the existing site. The grading of this site does not allow for a lot of room to build without needing to bring in fill and regrade the site. While this proposal does include a large amount of impervious within the 100' buffer, the applicants are proposing to increase the health of the buffer with new plantings, stormwater control and bank stabilization. |
| 3 | 3. <i>There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>                                   | Meets   | The applicant is proposing to redirect stormwater, revegetate the bank, increase buffer plantings, and replace grass with an eco-friendly micro clover mix. These additions will help mitigate the impacts of proposed impervious within the buffer.   |
| 4 | 4. <i>Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.</i>     | Meets   | The applicant will be restoring the natural vegetated state of the bank and buffer, which will increase the vegetative state of the buffer compared to the existing site. The applicant has proposed an extensive land management plan which will address buffer health through invasive species removal and native plantings.   |
| 5 | 5. <i>The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.</i>           | Meets   | The applicant is proposing a slight reduction to impervious impacts in the buffer but has implemented a robust landscaping plan which includes an invasive species removal program and revegetation and stabilization of the bank.   |
| 6 | 6. <i>Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>                                    | Meets   | The applicant is proposing to restore areas previously disturbed in the vegetative buffer with a revegetation of the bank which will help reduce erosion and stormwater sheet flow.  |
| 7 | <b><u>Other Board Findings:</u></b>   |   |  |



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Planning & Sustainability  
Department  
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(603) 610-7216

## **PLANNING BOARD**

December 27, 2023

Maureen Oakman & Michael A. Valinski  
1155 Sagamore Avenue  
Portsmouth, New Hampshire 03801

RE: Site Plan Review approval for property located at 1155 Sagamore Avenue (LU-23-178)

Dear Property Owners:

The Planning Board, at its regularly scheduled meeting of **Tuesday, December 21, 2023**, considered your application for Site Plan Review Approval for the demolition of the existing building and construction of a 4-unit residential condominium with the associated paving, stormwater, lighting, utilities and landscaping. Said property is shown on Assessor Map 224 Lot 18 and lies within the Mixed Residential Office (MRO) District. As a result of said consideration, the Board voted to find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as presented; and to **grant** Site Plan Approval with the following **conditions**:

**Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a building permit or the commencement of any site work or construction activity:**

2.1) *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.*

2.2) *The applicant 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.*

2.3) *Any site development (new or redevelopment) resulting in 15,000 square feet or greater ground disturbance will require the submittal of a Land Use Development Tracking Form through the Pollutant Tracking and Accounting Program (PTAP) online portal. For more information visit: <https://www.cityofportsmouth.com/publicworks/stormwater/ptap>*

**Prior to the issuance of a Certificate of Occupancy or release of the bond:**

2.4) *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.*

2.5) *A stormwater inspection and maintenance report shall be completed annually, and copies shall be submitted for review to the City's Stormwater Division/ Public Works Department.*

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning Department for more details about the appeals process.

This site plan approval shall not be effective until a site plan review agreement has been signed satisfying the requirements of Section 2.12 of the City's Site Review Approval Regulations.

Unless otherwise indicated above, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

The Director of Planning & Sustainability must certify that all outstanding conditions of approval have been completed prior to issuance of a building permit unless otherwise indicated above.

This site plan approval shall expire unless a building permit is issued within a period of one (1) year from the date granted by the Planning Board unless an extension is granted by the Planning Board in accordance with Section 2.14 of the Site Review Regulations.

*The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:*

<https://www.cityofportsmouth.com/planportsmouth/planning-board/planning-board-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is stylized and fluid, with the first name "Rick" written in a cursive script and the last name "Chellman" written in a more blocky, cursive style.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector  
Rosann Maurice-Lentz, City Assessor

Peter H. Rice, Director of Public Works



# Findings of Fact | Site Plan Review

## City of Portsmouth Planning Board

Date: December 21, 2023

Property Address: 1155 Sagamore Avenue

Application #: LU 23-178

Decision: Approve with Conditions

### Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

Site Plan Regulations Section 2.9 Evaluation Criteria - in order to grant site plan review approval, the TAC and the Planning Board shall find that the application satisfies evaluation criteria pursuant to NH State Law and listed herein. In making a finding, the TAC and the Planning Board shall consider all standards provided in Articles 3 through 11 of these regulations.

|   | Site Plan Review Regulations<br>Section 2.9 Evaluation<br>Criteria   | Finding<br>(Meets<br>Standard/Criteria) | Supporting Information   |
|---|--|---|--|
| 1 | Compliance with all City Ordinances and Codes and these regulations.<br><u>Applicable standards:</u>   | Meets                                   | <u>Applicable standards:</u> No Variances Required. Project complies with all Ordinance requirements including parking, setbacks, open space, building coverage, lot area per dwelling unit, height, and frontage. |
| 2 | Provision for the safe development, change or expansion of use of the site.  | Meets                                   | TAC reviewed the site layout, and recommended approval. Plans show all utility connections and drainage infrastructure needed. Driveway exists.  |
| 3 | Adequate erosion control and stormwater management practices and other mitigative measures, if needed, to prevent adverse effects on downstream water quality and flooding of the property or that of another. | Meets                                   | Rain Garden to minimize storm water peak discharge (Sheet C3) and provide stormwater treatment. Erosion controls during construction as necessary (D1). Long Term Maintenance Plan provided.                       |
| 4 | Adequate protection for the  |   | No groundwater withdrawal (water supply  |

|           | <b>Site Plan Review Regulations<br/>Section 2.9 Evaluation<br/>Criteria</b>   | <b>Finding<br/>(Meets<br/>Standard/Criteria)</b> | <b>Supporting Information</b>  |
|-----------|---|--|--|
|           | quality of groundwater.   | <b>Meets</b>                                     | is city). No nearby production wells. Rain Garden provides treatment.  |
| <b>5</b>  | Adequate and reliable water supply sources.   | <b>Meets</b>                                     | Water supply is Public -City. Supply confirmed by TAC review. All plumbing fixtures will be low / water conserving.  |
| <b>6</b>  | Adequate and reliable sewage disposal facilities, lines, and connections.   | <b>Meets</b>                                     | Sewer connection is Public - City. Was set up for this connection and will be reviewed by DPW.   |
| <b>7</b>  | Absence of undesirable and preventable elements of pollution such as smoke, soot, particulates, odor, wastewater, stormwater, sedimentation or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties. | <b>Meets</b>                                     | Property will not have any fuel consuming devices. No Natural Gas, No Home Heating Oil. All appliances will be Energy Star certified. Air or Geo-thermal heat pump proposed. All air exchange via energy recovery ventilators. Filtered dryer vents are the only other exhaust points. |
| <b>8</b>  | Adequate provision for fire safety, prevention and control.   | <b>Meets</b>                                     | Full NFPA 13 wet sprinkler system construction. Adequate FD access.  |
| <b>9</b>  | Adequate protection of natural features such as, but not limited to, wetlands.  | <b>Meets</b>                                     | Urban site, no wetlands or buffers.  |
| <b>10</b> | Adequate protection of historical features on the site.   | <b>Meets</b>                                     | No Historical features present. Existing building is non-contributing.   |
| <b>11</b> | Adequate management of the volume and flow of traffic on the site and adequate traffic controls to protect public safety and prevent traffic congestion.  | <b>Meets</b>                                     | The residential use is a low volume trip generator.  |
| <b>12</b> | Adequate traffic controls and traffic management measures to prevent an unacceptable increase in safety hazards and traffic congestion off-site.  | <b>Meets</b>                                     | Access is to a state highway.  |
| <b>13</b> | Adequate insulation from external noise sources.  | <b>Meets</b>                                     | No adjacent high noise generators are present.   |

|    | <b>Site Plan Review Regulations<br/>Section 2.9 Evaluation<br/>Criteria</b>  | <b>Finding<br/>(Meets<br/>Standard/Criteria)</b> | <b>Supporting Information</b>   |
|----|--|--|---|
| 14 | Existing municipal solid waste disposal, police, emergency medical, and other municipal services and facilities adequate to handle any new demands on infrastructure or services created by the project. | Meets  | Trash collection will be city curbside, as allowed. TAC Review included Fire and Police Departments. All concerns addressed in design.                      |
| 15 | Provision of usable and functional open spaces of adequate proportions, including needed recreational facilities that can reasonably be provided on the site   | Meets  | Light and air remains as the site conforms to setbacks and open space requirements. Open space provided.  |
| 16 | Adequate layout and coordination of on-site accessways and sidewalks in relationship to off-site existing or planned streets, accessways, bicycle paths, and sidewalks.                                  | Meets  | Existing sidewalk (easement previously granted) connects site to surrounding environs.  |
| 17 | Demonstration that the land indicated on plans submitted with the application shall be of such character that it can be used for building purposes without danger to health.                             | Meets  | Land is suitable for the intended purpose, Existing Lot. Currently used as an urban building site. Plans follow ordinance and guidelines; see TAC approval. |
| 18 | Adequate quantities, type or arrangement of landscaping and open space for the provision of visual, noise and air pollution buffers.   | Meets  | Professionally prepared landscape design provided.  |
| 19 | Compliance with applicable City approved design standards.   | Meets  | Approved by the Technical Advisory Committee  |
|    | <b>Other Board Findings:</b>   |  |   |