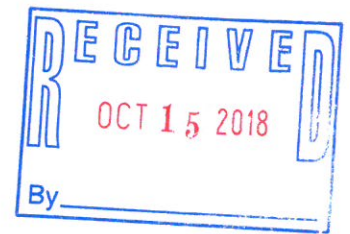


HOEFLE, PHOENIX, GORMLEY & ROBERTS, P.A.

ATTORNEYS AT LAW

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October 15, 2018



HAND DELIVERED

Dexter, Legg, Chair
Portsmouth Planning Board
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Deer Street Associates, LLC ("DSA")
First Request for extension of 2/15/18 Planning Board Site Plan Approval
Lot 3, 165 Deer Street
Tax Map 125, Lot 17

Dear Mr. Legg:

The Planning Board granted Site Plan Approval with respect to DSA's Lot 3 building on 2/15/18, expiring 2/15/19. A copy of the approval is attached. Building/Lot 3 is one of a five lot overall development along Foundry Place (aka Deer Street) by Deer Street Associates and its affiliates.

Although Lot 3 Site Plan approval was granted, DSA remains involved with overall design issues, project coordination and approval by other Boards and Commissions with respect to the remaining lots. Although that is some time away, DSA is seeking extension of all approvals now, knowing that the project will not meet present deadlines. This project will not be substantially begun, nor will a building permit issue by the current expiration of 2/15/19. Accordingly, and pursuant to Site Plan Review Regulations §2.14.1. Deer Street Associates requests a one-year extension to 2/15/20.

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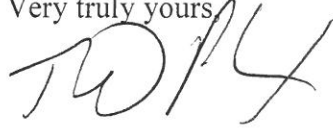
OF COUNSEL:
SAMUEL R. REID

Dexter Legg, Chair
Portsmouth Planning Board

Page 2 of 2

October 15, 2018

Very truly yours,

A handwritten signature in black ink, appearing to read 'RTP/4', written over the typed name.

R. Timothy Phoenix

RTP/msw
Encl.

cc: Juliet T.H. Walker, Planning Director
Deer Street Associates, LLC
Gregg Mikolaities
Tracy Kozak, JSN Associates, Inc.



CITY OF PORTSMOUTH

Community Development Department
(603) 610-7281

Planning Department
(603) 610-7216

PLANNING DEPARTMENT

February 20, 2018

Foundary Place LLC &
Deer Street Associates
P. O. Box 100
York, ME 03911

RE: Site Review Application for Property Located at 165 Deer Street

Dear Mr. Rogers:

The Planning Board, at its regularly scheduled meeting of February 15, 2018, considered your Site Review application for the construction of a 5-story mixed use building (including a hotel, restaurant, and 1st floor parking garage) with a footprint of 22,073 ± s.f. and gross floor area of 104,020 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements to Lots 2, 3, 4 and 5. As a result of said consideration, the Board voted as follows:

A. Voted to determine that the application is complete according to the Site Plan Review Regulations and to accept the application for consideration.

B. Voted to **grant** Site Plan approval with the following stipulations:

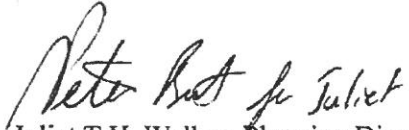
Conditions Precedent (to be completed prior to the issuance of a building permit):

1. A sidewalk maintenance agreement between DSA and the City, the sidewalk easement, and any other easements required for public access to community spaces shall be reviewed by the Legal Department and accepted by the City Council.
2. DSA shall provide a standard surety for Lot 2 (Map 125 Lot 17-1) work in addition to Lot 3 (Map 125 Lot 17).
3. A license shall be required from City Council to allow the outdoor dining area as shown on the plans.
4. The application shall provide fair share contributions for additional off-site improvements as follows: 1) pavement and overlay of portions of Deer Street and Bridge Street (\$38,250); 2) Maplewood Avenue traffic signal coordination and pedestrian signal upgrades (\$27,000); 3) installation of video detection on Maplewood Ave traffic signals (\$30,000); 4) A contribution to the Russell Street intersection improvements (\$5,000); 5) Contribution to the Downtown Circulation Study (\$7,000); 6) Contribution to a stormwater study for the area (\$5,000); 7) 25% contingency for items 1 through 3 (\$23,800).

1 Junkins Avenue
Portsmouth, New Hampshire 03801
Fax (603) 427-1593

Page three
RE: 165 Deer Street
February 20, 2018

Very truly yours,

A handwritten signature in cursive script that reads "Juliet T.H. Walker".

Juliet T.H. Walker, Planning Director
for Dexter Legg, Chairman of the Planning Board
JTHW:jms

cc: Robert Marsilia, Building Inspector
Rosann Maurice-Lentz, City Assessor
Tracy Kozak, JSA
Michael Penny, Geosight