

**LEGAL NOTICE  
PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

**NOTICE IS HEREBY GIVEN** that the Planning Board will hold Public Hearings on the following applications on **Thursday, April 20, 2017 and Thursday, April 27, 2017** as set forth below. Both meetings will begin at **7:00 p.m.** in the Eileen Dondero Foley Council Chambers, City Hall, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire.

<b>Thursday, April 20, 2017</b>
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Old Business

A. The application of J&M Family Properties, LLC, Owner, and Dunkin' Donuts, c/o JFS Management Co., LLC, Applicant, for property located at 802 Lafayette Road, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within the tidal wetland buffer for pavement and drainage improvements and onsite stormwater quality treatment, with 11,200 + s.f. of impact to the tidal wetland buffer. Said property is shown on Assessor Map 244 as Lot 2 and lies within the Gateway (GW) District. (This application was postponed from the November 17, 2016, Planning Board Meeting.)

B. The application of J&M Family Properties, LLC, Owner, and Dunkin' Donuts, c/o JFS Management Co., LLC, Applicant, for property located at 802 Lafayette Road, requesting Amended Site Plan Approval to re-develop the parking lot for improved site and drive-through circulation, revised parking layout, new trash enclosure, drainage improvements and stormwater management, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 244 as Lot 2 and lies within the Gateway (GW) District. (This application was postponed from the November 17, 2016, Planning Board Meeting.)

New Business

A. Proposed amendment to the Zoning Ordinance, Article 12 – Signs, to exempt signs and other elements related to public parking in private parking lots from specific zoning standards when authorized under a permit from the Department of Public Works. (City Council referral)

B. Proposed amendment to the Zoning Ordinance, Article 5A – Character-Based Zoning, Section 10.5A46 – Incentive Overlay Districts, to allow excess community space provided by a development to be credited for use in another development in the same Incentive Overlay District. (City Council referral)

C. The request of Raymond and Maryrose Richer for the City to release any interest it may have in the portions of two paper streets (Moffat Road and Woodworth Avenue) adjoining their property at 85 Woodworth Avenue. (City Council referral)

D. The proposal by the City of Portsmouth to acquire from Peter Happny a sewer easement off Rock Street in connection with the construction of the new municipal parking garage; and to convey to Mr. Happny 2,275 ± s.f. of City-owned land adjoining Rock Street Park. (City Council referral)

E. The application of the City of Portsmouth and Peter Happny, Owners, for property located at Rock Street Park and 66 Rock Street, requesting Preliminary and Final Subdivision Approval (Lot Line Revision) between two lots as follows:

- (1) Map 138, Lot 60 decreasing in area from 62,807 ± s.f. (1.4418 acres) to 60,532 ± s.f. (1.3896 acres) with 71.50 feet of frontage on Rock Street and Sudbury Street.
- (2) Map 138, Lot 61 increasing in area from 12,508 ± s.f. (0.2871 acres) to 14,783 ± s.f. (0.3394 acres) with 47.50 feet of frontage on Brewster Street.

Said lots lie within the Municipal (M) district and Character District 5 (CD5) which have no minimum requirements for lot area or street frontage.

F. The application of Alan G. Brady and Kendall E. Perkins, Owners, for property located at 123 Clinton Street, requesting Conditional Use Permit approval to create a two-bedroom, 750 s.f. detached accessory dwelling unit on the second story of a detached garage (to be constructed), with associated paving, lighting, and utilities. Said property is shown on Assessor Map 162 as Lot 41 and lies within the General Residence A (GRA) District.

G. The request of 299 Vaughan Street, LLC, and Sanel Realty Co., Inc., Owners, and 299 Vaughan Street, LLC c/o Cathartes, Applicant, for property located at 299 and 225 Vaughan Street and off Vaughan Street, for design review under the Site Plan Review Regulations for the construction of a hotel with 143 guest rooms and 2,500± s.f. of commercial space, a 43,325± s.f. public park along the North Mill Pond waterfront (to be constructed in two phases), and a 2,869± s.f. public path from Vaughan Street to the waterfront park. Said properties are shown on Assessors Map 123 as Lot 15 and Assessors Map 124 as Lots 10 and 11, and lie within Character District 5 (CD5), the North End Incentive Overlay District, the Downtown Overlay District (DOD) and the Historic District.

<b>Thursday, April 27, 2017</b>
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#### New Business

A. The application of Maureen J. Arsenaault (Maureen J. O'Leary), Owner, for property located at 107 McKinley Road, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots as follows:

- (1) Proposed lot #1 having an area of 16, 955 ± s.f. (0.389 acres) and 78.19 feet of continuous street frontage on McKinley Road and 181.81' of continuous street frontage on Grant Avenue.
- (2) Proposed lot #2 having an area of 15,245 ± s.f. (0.350 acres) and 66.89 feet of continuous street frontage on McKinley Road and 171.17' of continuous street frontage on Coolidge Drive.

Said property is shown on Assessor Map 251 as Lot 67 and lies within the Single Residence B (SRB) District where the minimum lot area is 15,000 s.f. and the minimum continuous street frontage is 100'.

B. The application of Bluestone Properties of Rye, LLC, and Roman and Nelson, LLC, Owners, for property located at 135 and 147 Congress Street, requesting Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows:

- (1) Map 126, Lot 5 increasing in area from 6,683 ± s.f. to 7,548 ± s.f. with 63.63 feet of frontage on Congress Street.
- (2) Map 126, Lot 4 decreasing in area from 7,110 ± s.f. to 6,245 ± s.f. with 112.93 feet of frontage on Maplewood Avenue and 56.38 feet of frontage on Congress Street.

Said lots lie within the Character District 5 (CD5), the Historic District, and the Downtown Overlay District. CD5 has no minimum requirements for lot area or street frontage.

C. The application of Craig M. Steigerwalt and Anne C. Shiembob, and Stewgood, LLC, Owners, for property located at 276 and 268 Dennett Street, requesting Preliminary and Final Subdivision Approval (Lot Line Revision) between two lots as follows:

- (1) Lot 1 (276 Dennett Street) with no change in lot area of 5,192 ± s.f. and with street frontage increasing from 50 feet to 57.57 feet.
- (2) Lot 2 (268 Dennett Street) with no change in lot area of 4,821 ± s.f. and with street frontage decreasing from 50 feet to 42.43 feet.

Said properties are shown on Assessors Map 143 as Lot 13, and were restored to their premerger status as two lots by the City Council on February 16, 2016. Said properties lie within the General Residence A (GRA) district which requires a minimum lot area of 7,500 sq. ft. and minimum continuous street frontage of 100 feet; and on March 21, 2017, the Zoning Board of Adjustment granted variances from the zoning requirements for street frontage, side yard, and building coverage.

D. The application of Portsmouth Submarine Memorial Association, Owner, for property located at 600 Market Street, requesting Site Plan Approval to construct a 20' x 40' storage building with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 209 as Lot 87 and lies within the Single Residence B (SRB) District.

E. The application of Peter Fregeau and Westwind Townhomes of Portsmouth Condominium Association, Owners, for property located at 1177 and 1179 Sagamore Avenue, requesting Site Plan Approval for demolition of an existing structure and the construction of three new condominium dwelling units (two separate building, seven total units) with related paving, lighting, utilities, landscaping, drainage, and associated site improvements. Said property is shown on Assessor Map 224 as Lots 12 and 13 and lies within the Mixed Residential Office (MRO) District. (The applicant has filed a notice of voluntary lot merger to combine the two lots into a single lot.)

F. The application of Saco Professional Building, Inc., Owner, for property located at 125 Brewery Lane, requesting an extension of the Site Plan Approval to construct a 4-story, 64' x 240', 15, 500 ± s.f., 48-unit residential building with related paving, lighting, utilities, landscaping, drainage, and associated site improvement. (Site plan approval was originally granted on November 17, 2005 and extensions were granted to April 30, 2017.)

G. The application of 215 Commerce Way, LLC and Moray, LLC, Owners, for property located at 215 and 235 Commerce Way, requesting amended Site Plan Approval to construct a 66,000 s.f., 3-story office building, with a footprint of 22,000 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 213 as Lot 11 and Assessor Map 216 as Lot 1-8A and 1-8B and lies within the Office Research District.

Rick Taintor, Planning Director