

**REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 PM

MAY 18, 2017

AGENDA

I. APPROVAL OF MINUTES

- A. Approval of Minutes from the April 20, 2017 Planning Board Meeting;
- B. Approval of Minutes from the April 27, 2017 Planning Board Meeting.

II. DETERMINATIONS OF COMPLETENESS

- A. Site Plan Review:
 - 1. The application of **S & G Realty, Owner**, for property located at **Chevrolet Avenue**, requesting Site Plan Approval
 - 2. The application of **Borthwick Forest, LLC, and KS Borthwick, LLC, Owners**, and **Borthwick Forest, LLC, Applicant**, for property located **on proposed subdivision road to be created off Borthwick Avenue and off WBBX Road**, requesting Site Plan Approval
- B. Subdivision:
 - 1. The application of **Borthwick Forest, LLC, KS Borthwick, LLC, and HCA Realty, Inc., Owners**, and **Borthwick Forest, LLC, Applicant**, for property located **off Borthwick Avenue and WBBX Road**, requesting Preliminary and Final Subdivision Approval

III. PUBLIC HEARINGS – OLD 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 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.) (This application was postponed at the April 27, 2017 Planning Board Meeting).

B. 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. (This application was postponed at the April 27, 2017 Planning Board Meeting).

IV. 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 application of **Paul and Diane Messier, Owners**, for property located at **171 Walker Bungalow Road**, requesting Conditional Use Permit approval to create a one story, 320 ± s.f. attached accessory dwelling unit, with associated paving, lighting, and utilities. Said property is shown on Assessor Map 202 as Lot 8 and lies within the Single Residence B (SRB) District.
- B. The application of **Joseph and Ellen Yarborough, Owners**, for property located at **746 Middle Road**, requesting Conditional Use Permit approval to create a two-bedroom, 750 ± s.f. detached accessory dwelling unit, with associated paving, lighting, and utilities. Said property is shown on Assessor Map 232 as Lot 49 and lies within the Single Residence B (SRB) District.
- C. The application of **Swirly Girl II, LLC, Owner**, for property located at **244 South Street**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to convert a three-unit residential building to a two-unit residential building, construct a 27' high Request to Postpone 10' high 7' x 17 addition, a 6' x 12.5' deck, the addition of 581 ± s.f. of pervious driveway and stormwater structures, with 1,091 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 111 as Lot 3 and lies within the Single Residence B (SRB) District and the Historic District.
- D. The application of **Five Hundred Five Lafayette Road, LLC, Owner, and Lens Doctors, Applicant**, for property located at **605 Lafayette Road**, requesting Site Plan Approval for the demolition of the existing building and the construction of a proposed 2-story office building, with a footprint of 7,000 ± s.f. and gross floor area of 14,000 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 229 as Lot 9 and lies within the Gateway (GW) District.
- E. The application of **Pauline M. Dowd, Owner, and Tuck Realty Corporation, Applicant**, for property located at **288 Peverly Hill Road**, requesting Site Plan Approval for the demolition of an existing residence and the construction of a proposed Planned Unit Development (PUD) consisting of two 2 ½ story buildings, with four units in "Building A" with a footprint of 5,200 ± s.f. and gross floor area of 13,230 ± s.f., and four units in "Building B" with a footprint of 4,160 ± s.f. and gross floor area of 10,504 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 255 as Lot 8 and lies within the Single Residence B (SRB) District.

F. The application of **S & G Realty, Owner**, for property located at **Chevrolet Avenue**, requesting Site Plan Approval for demolition of the existing buildings and the construction of a proposed 3 unit, 3-story residential development, with a footprint of 2,426 s.f. ± with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 147 as Lot 30 and lies within the General Residence C (GRC) District.

G. The application of **Borthwick Forest, LLC, KS Borthwick, LLC, and HCA Realty, Inc., Owners**, and **Borthwick Forest, LLC, Applicant**, for property located **off Borthwick Avenue and WBBX Road**, requesting Preliminary and Final Subdivision Approval to combine four lots into one lot and create a new public right-of-way as follows:

1. To consolidate the following four lots:
 - a. Lot 25 as shown on Assessor Map 241 having an area of 22.807 ± acres,
 - b. Lot 26 as shown on Assessor Map 241 having an area of 4.927 ± acres,
 - c. Lot 113 as shown on Assessor Map 233 having an area of 13.815 ± acres,
 - d. Lot 112 as shown on Assessor Map 233 having an area of 0.732 ± acre;into a single lot containing 42.281 acres; and
2. To create a public right-of-way from Borthwick Avenue to the consolidated lot, as follows:
 - a. Following a reserved right-of-way across land of HCA Realty, Inc. (Assessors Map 234 Lot 7-4A), having an area of 44,032 ± sq. ft.,
 - b. Following a right-of-way across land of Boston and Maine Corporation (Assessors Map 165 Lot 14), having an area of 5,457 ± sq. ft., and
 - c. Extending into the consolidated lot with an area of 31,657 ± sq. ft. (0.727 ± acre), thereby reducing the area of the consolidated lot to 41.544 ± acres;said proposed public right-of-way having a total area of 81,146 ± sq. ft. (1.863 ± acre) and total length of approximately 1,000 feet (0.2 mile).

Said properties lie within the Office Research (OR) district where the minimum lot area is 3 acres and the minimum continuous street frontage is 300 feet.

H. The application of **Borthwick Forest, LLC, Owner, Boston and Maine Corp, Owner, and HCA Realty, Inc., Owner**, for properties located off **Borthwick Avenue**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work including a 60' wide road right-of-way with a 28' wide road and 10' paved multiuse path including an at grade railroad crossing and new 50' radius cul-de-sac and a new 50,000 s.f. building. Work within the inland wetland buffer includes construction and grading for portions of a new roadway, railroad crossing, multiuse path, drainage structures and the restoration of WBBX Road, with 18,100 ± s.f. of temporary impact and 13,500 ± s.f. of permanent impact to the inland wetland buffer. Said properties are shown on Assessor Map 233 as Lot 113, Assessor Map 165, as Lot 14, and Assessor Map 234, as Lot 7-4A and lie within the Office Research (OR) District.

I. The application of **Borthwick Forest, LLC, and KS Borthwick, LLC, Owners**, and **Borthwick Forest, LLC, Applicant**, for property located **on proposed subdivision road to be created off Borthwick Avenue and off WBBX Road**, requesting Site Plan Approval to construct a 50,000 s.f. office building with related paving, lighting, utilities, landscaping, drainage, fire access drive and associated site improvements. Said property is shown on Assessor Map 241 as Lots 25 & 26 and Assessor Map 233 as Lots 112, 113, & 114 and lies within the Office Research (OR) and the Single Residence B (SRB) Districts.

V. CITY COUNCIL REFERRALS/REQUESTS

*The Board's action in these matters has been deemed to be legislative 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 from S & G Realty for a Boundary Line Adjustment and Easement.
- B. Request from David Calkins for the City Council to authorize the issuance of a building permit for property off of Swett Avenue, Moffat Street and Woodworth Avenue.

VI. PRELIMINARY CONCEPTUAL CONSULTATION

- A. The request of **The Provident Bank, Owner**, for property located at **25 Maplewood Avenue**, for Preliminary Conceptual Consultation, to construct a four story mixed use building, including 1st floor commercial/retail/parking, 2nd floor offices, and 3rd and 4th floor residential. Said property is shown on Assessor Map 126 as Lot 2, and lies within Character District 5 (CD-5), the Downtown Overlay District (DOD) and the Historic District.

VII. OTHER BUSINESS

- A. Request that the City accept a sewer line easement from Charles Schultz and Katherine Cahill of 240 Myrtle Avenue and from David Lear of 260 Myrtle Avenue.
- B. Request of Richard Fusegni, for property located at 201 Kearsarge Way, for a six month extension of Final Subdivision approval which was granted by the Planning Board on June 16, 2016. A first six month extension was granted by the Planning Director to expire on June 16, 2017.

VIII. ADJOURNMENT**NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED**

If you wish to attend a Planning Board meeting and need assistance, please contact the Human Resources Office at 610-7270 one week prior to the meeting.