

**ACTION SHEET**

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

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

**7:00 PM**

**May 17, 2018**

**MEMBERS PRESENT:** Dexter Legg, Chairman; Elizabeth Moreau, Vice Chairman; Nancy Colbert-Puff, Deputy City Manager; Rebecca Perkins, City Council Representative; David Moore, Assistant City Manager; Colby Gamester; Jody Record; and Jane Begala, Alternate;

**ALSO PRESENT:** Jillian Harris, Planner I

**MEMBERS ABSENT:** Jay Leduc; Jeffrey Kisiel; and Corey Clark, Alternate;

.....  
**I. APPROVAL OF MINUTES**

- A. Approval of Minutes from the April 19, 2018 Planning Board Meeting – Unanimously approved.
- B. Approval of Minutes from the April 26, 2018 Planning Board Meeting – Unanimously approved.

.....  
**II. PUBLIC HEARING – REZONING REQUEST**

A. Request of **Clipper Traders, LLC** for Zoning Change from Office Research (OR) and Transportation Corridor (TC) to Character District 4 West End (CD4-W) and Character District 4 Limited2 (CD4-L2), for property located at **105 Bartlett Street**, Tax Map 157, Lots 1 & 2; Tax Map 164, Lots 1, 2, 3 & 4 (also shown on Tax Maps 139 and 144). (This request was postponed from the April 26, 2018 Planning Board Meeting).

Voted to recommend to the City Council the zoning change, as presented and amended by City staff.  
.....

### III. PUBLIC HEARINGS – OLD BUSINESS

A. The application of **Thirty Maplewood, LLC, Owner**, for property located at **46–64 Maplewood Avenue** (previously 30 Maplewood Avenue), requesting Site Plan Approval for a proposed 5-story mixed-use building with a footprint of 17,410 ± s.f. and gross floor area of 53,245 ± s.f., including 22 dwelling units and 13,745 ± s.f. of retail use, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lot 2A and lies within Character District 4 (CD4), the Downtown Overlay District (DOD) and the Historic District. (This application was postponed at the April 19, 2018 Planning Board Meeting).

Voted to **grant** Site Review approval with the following stipulations:

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

1. Final electrical design, including sidewalk clearance where electrical conduit enters the building, shall be reviewed and approved by Eversource and confirmed with the Planning Department.
2. The applicant shall meet with DPW and Planning to confirm applicant's responsibilities for any required easements for electric service at 238 Deer St.
3. The following note shall be added to the site plan: "Foundation to be designed to be water tight at the basement level. Foundation design/construction shall minimize groundwater effects by using appropriate backfill and other methods under and around the foundation and, if necessary, by raising the elevation of the basement/foundation. A qualified geotechnical engineer shall evaluate the groundwater condition during excavation to determine any recommended adjustments. Any proposed permanent discharges into the City's stormwater system shall be quantified and shall result in no net increase in rate of peak flow from existing conditions and shall require review and approval by DPW and a stormwater discharge permit as well as a site plan amendment."
4. The Silva Cell detail shall be approved by DPW.
5. Sheet C5-Note 6 shall be revised to indicate that grease trap inspections shall occur not less than two times per year.
6. The applicant shall provide fair share contributions for additional off-site improvements as follows: 1) half the estimated costs of the pavement and overlay of portions of Deer Street and Bridge Street (\$47,812); 2) a fair share allocation of the Russell Street intersection improvements (\$5,000); 3) a fair share allocation to the cost of the Downtown Circulation Study (\$7,000); and a fair share allocation of the water main replacement on Deer Street (\$52,000).
7. The easement deed for the pedestrian easements shall be reviewed and approved by the Planning and Legal Departments and accepted by City Council.
8. The required licenses for permanent improvements in the City right-of-way shall be reviewed and approved by the Planning and Legal Departments and approved by City Council.
9. The applicant shall agree to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of site improvements within the public rights-of-way.
10. 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.
11. The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) for review and approval by the City's Legal and Planning Departments.

Conditions Subsequent (to be completed prior to the issuance of a certificate of occupancy)

1. The contractor shall provide shop drawings for all improvements in the ROW for approval by DPW prior to construction.
2. A sewer discharge permit is required and should be sent to the City Engineer for review and signature.
3. A third party inspection shall be required on all constructed off-site improvements.

.....

B. The application of **175 Gosport Road, LLC, Owner, and Michael Clark, Applicant,** for property located at **175 Gosport Road,** requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the tidal and inland wetland buffer to demolish an existing pool house and pool area and construct a new pool house, pool, garage, dock and driveway expansion, with 11,075 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 224 as Lot 1 and lies within the Single Residence A (SRA) District. (This application was postponed at the April 19, 2018 Planning Board Meeting).

Voted to postpone to the June 21, 2018 Planning Board Meeting.

.....

C. The application of **Islington Commons, LLC, Owner,** for property located at **410, 420, and 430 Islington Street,** requesting Site Plan Review to remodel three existing buildings into 4 units (Building #1 with 1,315 ± s.f. footprint and 1,906± s.f. gross floor area, Building #2 with 999± s.f. footprint and 1,894± s.f. gross floor area, Building #3 with 1,964 ± s.f. footprint and 5,429 ± s.f. gross floor area); and construct 3 duplex buildings and a single dwelling unit for 11 proposed units (Building #4 with 1,799± s.f. footprint and 4,375± s.f. gross floor area, Building #5 with 1,280 ± s.f. footprint and 2,752 ± s.f. gross floor area, Building #6 with 1,997 ± s.f. footprint and 5,054 ± s.f. gross floor area, Building #7 with 2,014 ± s.f. footprint and 4,725± s.f. gross floor area), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 145 as Lots 34, 35 and 36 and lie within the Character District 4-Limited2 (CD4-L2) and the Historic District. (This application was postponed at the April 26, 2018 Planning Board Meetings).

Voted to postpone to the June 21, 2018 Planning Board Meeting.

.....

**IV. PUBLIC HEARINGS – NEW BUSINESS**

A. The application of **Christopher and Tracy Kozak, Owners**, for property located at **28 Walden Street**, requesting Conditional Use Permit approval to create a one-story, one room garden cottage in an existing building, with 371 s.f. of gross floor area and a footprint of 410 s.f., with associated paving, lighting, and utilities. Said property is shown on Assessor Map 101 as Lot 19 and lies within the General Residence B (GRB) District and the Historic District.

- 1. Voted to grant a waiver from 10.815.33 for window height.
- 2. Voted to find that the application satisfies the requirements of 10.815.40.
- 3. Voted to grant the conditional use permit as presented, with the following stipulation:
  - 1. In accordance with Sec. 10.815.50 of the Zoning Ordinance, the owner is required to obtain a certificate of use from the Planning Department verifying compliance with all standards of Sec. 10.815, including the owner-occupancy requirement, and shall renew the certificate of use annually.

.....

B. The application of **Mark C. Therrien, Owner**, for property located at **6 Vine Street**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to construct a 12' x 16' deck where a 10' x 16' patio was approved as part of a previous approval by the Planning Board on March 19, 2015, with 192 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 233 as Lot 107 and lies within the Single Residence B (SRB) District.

Voted to **grant** Conditional Use Permit approval.

.....

C. The application of **Carolyn McCombe, Trustee; Elizabeth Barker Berdge, Trustee; and Tim Barker, Owners**, for property located on **Martine Cottage Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to construct a 1,840 ± s.f. single family home with associated garage, septic system and driveway, with 14,022 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 202 as Lot 14 and lies within the Rural (R) District.

Voted to **postpone** with a referral back to the Conservation Commission for further review and comment on a plan that reduces the overall impact and incorporates more of the recommendations from the Planning Staff.

.....

D. The application of **Daniel and Shea N. Cook, Owners**, for property located at **150 Brackett Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the tidal wetland buffer to replace an existing 570 ± s.f. deck with a proposed 892 ± s.f. deck and conversion of 443 ± s.f. of asphalt to porous pavement, with 1,996 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 207 as Lot 72 and lies within the Single Residence B (SRB) District.

Voted to **grant** Conditional Use Permit approval with the following stipulation:

- 1. Architectural floor plans submitted with the application are not part of this approval.

.....

**V. PRELIMINARY CONCEPTUAL CONSULTATION REVIEW**

A. The application of **Torrington Properties, Inc. and Waterstone Properties Group, Inc., Applicants**, for property located at **428 Route 1 By-Pass**, requesting Preliminary Conceptual Consultation review for a mixed use development.

Presentation was done by applicants. No action required.

.....

B. The application of **Connect Community Church**, for property located at **200 Chase Drive**, requesting Preliminary Conceptual Consultation review for a multi-unit residential building.

Presentation was done by applicants. No action required.

.....

**VI. OTHER BUSINESS**

A. The request of **Borthwick Forrest, LLC, Owner**, for property located **off Proposed Subdivision Road to be Created off Borthwick Avenue**, for an eighteen (18) month extension of Preliminary and Final Subdivision Approval which was granted by the Planning Board on May 18, 2017.

Voted to grant a six month extension of Preliminary and Final Subdivision Approval, to expire on November 18, 2018.

.....

**VII. CORRESPONDENCE:**

A. Letter from Robin Albert Lehman, dated May 6, 2018, regarding future housing project at 140 Court Street.

.....

**VIII. ADJOURNMENT**

It was moved, seconded, and **passed** unanimously to adjourn the meeting at 11:00 p.m.

.....

Respectfully Submitted,

Jane M. Shouse,  
Acting Secretary for the Planning Board