

**ACTION SHEET**

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

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

**7:00 PM**

**SEPTEMBER 20, 2018**

**MEMBERS PRESENT:** Dexter Legg, Chairman; Elizabeth Moreau, Vice-Chairman; Rebecca Perkins, City Council Representative; Colby Gamester; Jody Record; Jeffrey Kisiel; John P. Bohenko, City Manager; Ray Pezzullo, Assistant City Engineer; Jane Begala, Alternate

**ALSO PRESENT:** Juliet Walker, Planner Director; Jillian Harris, Planner I;

**MEMBERS ABSENT:** Jay Leduc and Corey Clark, Alternate

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

- A. Approval of Minutes from the August 16, 2018 Planning Board Meeting – Unanimously approved.
- B. Approval of Minutes from the August 23, 2018 Planning Board Meeting – Unanimously approved.

.....  
**II. PRESENTATIONS**

- A. Informational Presentation on FY 2019-2024 Capital Improvement Plan Process and Schedule

Juliet Walker, Planning Director, gave a presentation on the CIP process for FY 2019-2024.

- .....
- B. Informational Presentation on Historic Properties Climate Change Vulnerability Assessment

Peter Britz, Environmental Planner and Sustainability Coordinator, gave a presentation on Climate Change in Portsmouth.

.....

**III. DETERMINATIONS OF COMPLETENESS**

**A. SITE PLAN REVIEW**

- 1. The application of **Foundry Place, LLC, Owner**, for property located off of **Deer Street on the future Foundry Place (“Lot 2”)**

Voted to determine that the application for site plan approval is complete according to the Site Plan Review Regulations and to accept it for consideration.

.....

**IV. OLD BUSINESS – ZONING AMENDMENTS**

*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. Proposed Amendments to Article 12 of the Zoning Ordinance – Signs. The proposed amendments include deleting the existing Article 12 – Signs, and inserting in its place a new Article 12 – Signs as presented in the document titled “Proposed Amendments to the Portsmouth Zoning Ordinance: Article 12 – Signs”, dated September 12, 2018.

Voted to **recommend approval** of the proposed amendments to the City Council.

.....

**V. 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 **Foundry Place, LLC, Owner**, for property located off of **Deer Street (“Lot 2”)** on the future **Foundry Place**, requesting Site Plan Review approval for the creation of a community space meeting the requirements of Article 5A of the Zoning Ordinance and a Conditional Use Permit approval for banking of community space under Section 10.5A46.23 of the Ordinance with related landscaping, utilities, easements, and other site improvements. Said property is shown on Assessor Map 125 as Lot 17-1 and lies within the CD5 and Downtown Overlay (DOD) District.

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

- 1) The future community space shall be transferred to the City on or before the issuance of a certificate of occupancy for Lots 3 or 6 (whichever occurs later) but in any event no later than September 9, 2022.

- 2) The applicant shall provide a financial contribution \$145,000 to the City, payable on or before the time the City commences construction of the improvements shown on the Plans (as may be amended), \$10,000 of which shall be placed in escrow by the City and used to pay for art work to be displayed on Lot 2, as mutually agreed to by the City and the Applicant.
- 3) Prior to the issuance of a building permit for either Lot 3 or Lot 6, the applicant shall provide a surety bond or letter of credit to insure payment from the Applicant as stipulated in item 2 above. The Planning Board shall approve release of the payment bond or letter of credit without payment from the Applicant if construction of the improvements on Lot 2 is not developed substantially in accordance with the Plans (as may be amended) by the City within three (3) years of the transfer of Lot 2 to the City.
- 4) The Applicant shall provide to the City all of the preliminary engineering design plans and survey data that have been produced for property by the applicant to date.
- 5) The easements from the City to the applicant shall be reviewed and approved by the Planning and Legal Department and approved by City Council. These easement deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
- 6) Amended plans shall be presented to the Planning Board by City staff for final approval prior to commencement of construction.

B. Voted to grant Conditional Use Permit Approval to allow the excess community space as marked on the submitted Plans as “Community Space to Benefit Lot 4 (Tax Map 125, Lot 17-2) and/or Lot 5 (Tax Map 125, Lot 17-2)” to be credited to the developer or its assigns to be used for development approvals for Lots 4 and/or 5 according to the requirements of Section 10.5A46.23 with the following stipulations:

- 1) The terms of the conditional use permit for the banking of the community space per Section 10.5A46.23 shall be documented in a Prospective Development Incentive Agreement (PDIA) to be entered into between the applicant and the Planning Department.

.....

B. The application of **Robert and Whitney Westhelle, Owners**, for property located at **198 Essex Avenue**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to construct a wood 12’ X 18’ garden shed, on cement blocks, with 216 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 232 as Lot 128 and lies within the Single Residence B (SRB) District. (This application was postponed at the August 23, 2018 Planning Board Meeting.)

Voted to **postpone** to the next regularly scheduled Planning Board meeting on October 18, 2018.

.....

C. The application of **Pease Development Authority, Owner, and Lonza Biologics, Inc., Applicant**, for property located at **70 and 80 Corporate Drive**, requesting Conditional Use Permit approval, under Chapter 300 of the Pease Land Use Controls, Part 304-A Pease Wetlands Protection, for work within the inland wetland buffer for the construction of three proposed industrial buildings: Proposed Building #1 with a 132,000± s.f. footprint; Proposed Building #2: 150,000 ± s.f. footprint; Proposed Building #3 with a 62,000± s.f. footprint; and two 4-story parking garages, with 55,555 ± s.f. of impact to the wetland, 66,852 ± s.f. of impact to the wetland buffer and a 1,000± l.f. stream restoration for Hodgson Brook resulting in 42,500 s.f. of wetland creation. Said property is shown on Assessor Map 305 as Lots 1 & 2 and lies within the Pease Airport Business Commercial (ABC) district. (This application was postponed at the August 23, 2018 Planning Board Meeting.)

Voted to **postpone** to the next regularly scheduled Planning Board meeting on October 18, 2018.

.....

**VI. 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 **Kyle Langelier, Owner**, for property located at **304 Leslie Drive**, requesting Conditional Use Permit approval to convert an existing one-story, one room addition to an Attached Accessory Dwelling Unit (AADU), with a footprint of 354 s.f. and a gross floor area of 354 s.f. Said property is shown on Assessor Map 209 as Lot 47 and lies within the Single Residence B (SRB) District.

A. Voted to find that the application satisfies the requirements of 10.815.60.

B. Voted to **grant** the conditional use permit as presented, with the following stipulations:

- 1) In accordance with Sec. 10.814.70 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. 10.814, including the owner-occupancy requirement, and shall renew the certificate of use annually.
- 2) The conditional use permit shall expire unless the initial certificate of use is obtained within a period of one-year from the date granted. The Board may, for good cause shown, extend such period by as much as one year if such extension is requested and acted upon prior to the expiration date. No other extensions may be requested.

.....

B. The application of **Eric Schroeder and Suzanne Heiser, Owners**, for property located at **1047 Banfield Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to construct a 187 s.f. addition to an existing shed, with 180 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 283 as Lot 40 and lies within the Single Residence A (SRA) District.

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

1. The applicant shall update the plan to include drainage underneath the rain barrels at all four corners of the shed.
2. Applicant shall reduce the turn around by 8’.

.....

C. The application of **Pease Development Authority, Owner, and Lonza Biologics, Inc., Applicant**, for property located at **70 and 80 Corporate Drive**, requesting Site Plan Review Approval, under Chapter 400 of the Pease Land Use Controls, Site Review Regulations, for the construction of three proposed industrial buildings with heights of 105 feet: Proposed Building #1: 132,000 s.f. footprint and 430,720 s.f. Gross Floor Area; Proposed Building #2: 142,000 s.f. footprint and 426,720 s.f. Gross Floor Area; Proposed Building #3: 62,000 s.f. footprint and 186,000 s.f. Gross Floor Area; and two 4-story parking garages, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 305 as Lots 1 & 2 and lie within the Pease Airport Business Commercial (ABC) district.

Voted to **postpone** to the next regularly scheduled Planning Board meeting on October 18, 2018.

.....

D. The application of **Pease Development Authority, Owner, and Lonza Biologics, Inc., Applicant**, for property located at **70 and 80 Corporate Drive**, requesting Subdivision approval, under Chapter 500 of the Pease Land Use Controls, Subdivision Regulations, to merge Map 305, Lots 5 & 6 (17.10 acres), Map 305, Lot 1 (13.87 acres), Map 305, Lot 2 (10.18 acres) and a discontinued portion of Goosebay Drive to create Map 305, Lot 6 (43.37 acres). Said properties are shown on Assessor Map 305 as Lots 1 & 2 and lie within the Pease Airport Business Commercial (ABC) district.

Voted to **postpone** to the next regularly scheduled Planning Board meeting on October 18, 2018.

**VII. OTHER BUSINESS**

A. Staff Report Back on Accessory Dwelling Units

Juliet Walker, Planning Director, gave an up-date on ADUs.

.....

B. Proposed Zoning Amendments Update

Juliet Walker, Planning Director, gave an up-date on up-coming zoning amendments.

.....

C. Sidewalk Easement for 439 Hanover St

Voted to **recommend** that the City Council accept a sidewalk easement from the Wirths across property located at 439 Hanover Street.

.....

**VII. ADJOURNMENT**

It was moved, seconded, and passed unanimously to adjourn the meeting at 8:45 p.m.

.....

Respectfully Submitted,

Jane M. Shouse,  
Acting Secretary for the Planning Board