



CITY OF PORTSMOUTH  
PLANNING DEPARTMENT

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**MEMORANDUM**

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**To:** Planning Board  
**From:** Juliet T.H. Walker, Planning Director *JTW*  
Jillian Harris, Planner 1  
**Subject:** Staff Recommendations for the December 20, 2018 Planning Board Meeting  
**Date:** 12/18/18

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**I. CAPITAL IMPROVEMENT PLAN**

**A. Presentation and adoption of FY 2020-2025 Capital Improvement Plan**

The proposed FY 2020-2025 Capital Improvement Plan (CIP) will be presented by the Planning Board's CIP Advisory Committee and City staff. Following consideration of this Plan, the Board is asked to adopt it and forward it on to the City Council with a favorable recommendation. The Planning Board CIP Advisory Committee met with City Department heads on December 12<sup>th</sup> to review all of the CIP project requests. After reviewing department capital project requests totaling \$2.16 million, the Advisory Committee recommended an appropriation of \$1.81 million (or about 1.6% of the Fiscal Year 2018 General Fund budget).

Planning Department Recommendation

*Vote to adopt the document entitled "Capital Improvement Plan, FY 2020 – FY 2025" as the Board's recommended program of municipal capital improvement projects for the City of Portsmouth, New Hampshire.*

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**II. APPROVAL OF MINUTES**

**A. Approval of Minutes from the November 15, 2018 Planning Board Meeting.**

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**III. DETERMINATIONS OF COMPLETENESS**

**A. SITE PLAN REVIEW**

1. The application of **The City of Portsmouth, New Hampshire, Owner**, for property located at **125 Cottage Street**, requesting Site Plan approval.

Planning Department Recommendation

*Vote to determine that the application is complete according to the Site Plan Review Regulations contingent on the granting of any required waivers under Section VII of the agenda and to accept the application for consideration.*



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#### **IV. ZONING AMENDMENTS – PUBLIC HEARINGS – OLD BUSINESS**

- A.** Amendments to the Ordinances of the City of Portsmouth, Chapter 10 Zoning Ordinance regulating Accessory Dwelling Units and Garden Cottages including revisions to Article 8 Supplemental Use Standards Sections 10.814 Accessory Dwelling Units and 10.815 Garden Cottages and revisions to Article 15 Definitions Section 10.1530 Terms of General Applicability. (This hearing was continued at the November 15, 2018 Planning Board Meeting)

Description

The proposed amendments were presented at the November Planning Board meeting and a public hearing was held. Based on discussion and comments from Planning Board members, feedback from the public, and additional review by the City's Legal Department, the Planning Department staff have made a few additional revisions, which will be presented at the meeting.

Planning Department Recommendation

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



## **V. ZONING AMENDMENTS – PUBLIC HEARINGS – NEW BUSINESS**

- A. The request of Residents of Pinehurst Road, to amend the zoning for the properties on Pinehurst Road from General Residence A (GRA) to Single Residence B (SRB).

### Description

On October 25, 2018, residents of Pinehurst Lane and Lookout Lane submitted a letter to the City Council requesting that properties along Pinehurst Road be re-zoned from General Residence A (GRA) to Single Residence B (SRB).

At the November 19, 2018 City Council meeting, the Council voted to refer this request to the Planning Board for a recommendation. One of the principle legislative functions of the Planning Board is to make recommendations on the adoption of amendments of the zoning ordinance. This role plays out in two ways. Many zoning amendments are generated by the Board itself which, in Portsmouth, also involves a public hearing process. If the proposed amendment comes either from a citizen petition or a referral by the City Council, then the Board has the responsibility to review and make a recommendation and to take the proposal through a public hearing process. All zoning amendments also require three readings in front of City Council, which also includes a public hearing. These would occur after the Planning Board has completed its process and made a recommendation to the City Council.

A comparison of the primary dimensional standards for the two zoning districts is provided below:

	<b>GRA (existing)</b>	<b>SRB (proposed)</b>
Lot Area (min.)	7,500 sq. ft.	15,000 sq. ft.
Lot area per dwelling unit (min.)	7,500 sq. ft.	15,000 sq. ft.
Continuous street frontage (min.)	100 ft.	no change
Lot Depth (min.)	70 ft.	100 ft.
Front Yard (min.)	15 ft.	30 ft.
Side Yard (min.)	10 ft.	no change
Rear Yard (min.)	20 ft.	30 ft.
Building Height (max.)	35 ft. (sloped roof) 30 ft. (flat roof)	no change
Building Coverage (max.)	25%	20%
Open Space Coverage (min.)	30%	40%

A comparison of the land uses that are permitted (or allowed by Special Exception) in the current zoning district, but would not be allowed in the proposed zoning district is provided below.

	<b>GRA (existing)</b>	<b>SRB (proposed)</b>
Two family residential	P	N
Townhouse	S	N
3-4 Family Dwelling	S	N
Bed and Breakfast 1	S	N

According to property data from the City Assessor records, under the proposed zoning of the approximately 21 properties on Pinehurst Road and Lookout Lane, 13 would not meet the minimum lot area requirement, 8 would not comply with the minimum lot depth, and 4 would exceed the maximum building coverage. Under current zoning all but 1 lot meets the minimum lot area and all meet the minimum lot depth and building coverage.

One of the primary reasons the neighborhood has requested a change in zoning is to prevent multi-family uses.

Under current zoning, 8 of the properties have sufficient lot area to be converted to a 2-family, 3 have sufficient lot area for a 3-family use, only 1 could be a 4-family. Any project that resulted in 3 or more residential units on a property would require Site Plan Review approval from the Planning Board.

However, the special provisions of 10.812 allow for an existing single family in the GRA district built on or before January 1, 1980 to be converted to a multi-family use (by special exception) with a minimum lot area of 3,000 square feet per dwelling unit as long as no exterior changes are made to the building. Under this provision, all but 2 of the properties could be converted to a 2-family use, 15 to a 3-family, and 12 to a 4-family. Due to the restriction on exterior changes to the building and the need to comply with off-street parking requirements, this provision of the Ordinance is not commonly used for conversions to multi-family uses, but it is an option available under current zoning.

Under the proposed zoning, multi-family uses would not be permitted and the provisions of 10.812 would not apply.

Under both the current and proposed zoning, Attached Accessory Dwelling Units (ADUs) and Garden Cottages are permitted on all of the properties. Eight of the properties have sufficient lot area to allow Detached Accessory Dwelling Units (DADUs) under current and proposed zoning.

This neighborhood is similar in character to the neighborhoods to the north and east, which are also zoned General Residence A, and the dimensional regulations in this district reflect the historic development patterns in these areas. The distinguishing characteristic of this street is that it is a dead end, and the petitioners have expressed concern about the potential detrimental impacts from additional dwelling units due to increased traffic. The requested zoning change would continue the SRB district that currently extends from Summit Avenue along the south side of South Street.



If the Planning Board determines that down-zoning these properties to Single Residence B is consistent with the City's Master Plan, then the Planning Department recommends that the property at 826 South Street and all of the properties on Lookout Lane be included in the re-zoning. As the citizen request only references the properties along Pinehurst Road, the Planning Department recommends that the Planning Board continue the public hearing to the January meeting in order that all property owners impacted by the proposed request be properly notified.

Planning Department Recommendation

*Vote to continue the public hearing to the January 2019 Planning Board meeting.*





**V. ZONING AMENDMENTS – PUBLIC HEARINGS – NEW BUSINESS (cont.)**

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- B.** The request of Attorney Robert Ciandella to amend the zoning for 290 Gosling Road from Waterfront Industrial (WI) to Office Research (OR).



Description

On November 28, 2018, Attorney Ciandella submitted a letter to the City Council on behalf of his client, 290 Gosling Rd, LLC, requesting that the property with the address of 290 Gosling Road (Map 213, Lot 1) be re-zoned from Waterfront Industrial (WI) to Office Research (OR).

At the December 3, 2018 City Council meeting, the Council voted to refer this request to the Planning Board for a recommendation.

Though the address for this property is Gosling Road, the property is located off of Portsmouth Boulevard and directly behind the properties along Commerce Way. The property is bordered on three sides by properties that are zoned Office Research. The only reason the property remains in Waterfront Industrial was because of its pre-existing industrial land use. The property owner has indicated an interest in developing this property with office and similar land uses as those that exist along Commerce Way. Re-zoning this property to Office Research would be consistent with the City's Master Plan.

Planning Department Recommendation

*Vote to recommend that the City Council re-zone this property from Waterfront Industrial to Office Research.*

## VI. PUBLIC HEARINGS – OLD BUSINESS

*It is recommended that Items IV.A, IV.B and IV.C be discussed together and voted on separately.*

*A motion is required to consider these items together.*

- A. 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. (This application was postponed at the November, 2018 Planning Board Meeting.)
- B. 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 November, 2018 Planning Board Meeting.)
- 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. (This application was postponed at the November 15, 2018 Planning Board Meeting.)

### Description

The applicant has requested to postpone to the January 17, 2019 Planning Board meeting.

### Planning Department Recommendation

*Vote to postpone this application to the January 17, 2019 Planning Board meeting.*



## VI. PUBLIC HEARINGS – OLD BUSINESS (cont.)

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- D. The application of **Clipper Traders, LLC, Owner**, for property located at **105 Bartlett Street**, **Portsmouth Lumber and Hardware, LLC, Owner**, for property located at **105 Bartlett Street**, and **Boston and Maine Corporation, Owner**, for railroad property located between **Bartlett Street and Maplewood Avenue**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the tidal wetland buffer for proposed roadway improvements to include-configuration of parking, construction of parking islands, re-grading and installation of curbing to direct stormwater; utility improvements; drainage improvement and treatment including separation of stormwater from sewer, parking improvements and removal of two dilapidated structures, with 37,733  $\pm$  s.f. of impact to the tidal wetland buffer. Said properties are shown on Assessors Map 157 as Lots 1 & 2 and Assessors Map 164 as Lots 1, 2, 3, and 4 and are located within the Character District 4-W (CD4-W) and Character District 4-L1 (CD4-L1) Zoning Districts. (This application was postponed at the November 15, 2018 Planning Board Meeting).

### Description

The applicant received subdivision approval at the November 15, 2018 Planning Board meeting to modify the lot lines of existing lots to create lots that front on a proposed new subdivision road. The construction of the road and related stormwater drainage improvements requires a wetland conditional use permit as well as state permits.

The new roadway and related improvements will create an impact of 37,733 square feet in the 100' tidal buffer zone. The Conservation Commission reviewed this application at the December 12, 2018 meeting. The Commission voted unanimously to postpone this application to the January 9th meeting of the Conservation Commission. The Commission raised concerns about the need for a screen for contaminants before demolition and infiltration in the buffer occurs, the need for a more detailed planting plan on the shoreline, better information regarding the maintenance of the proposed stormwater facilities, a more specific plan for snow storage and removal from the site, a monitoring plan for erosion near proposed outfalls, and a detail showing a concrete cape cod berm where an asphalt berm is shown.

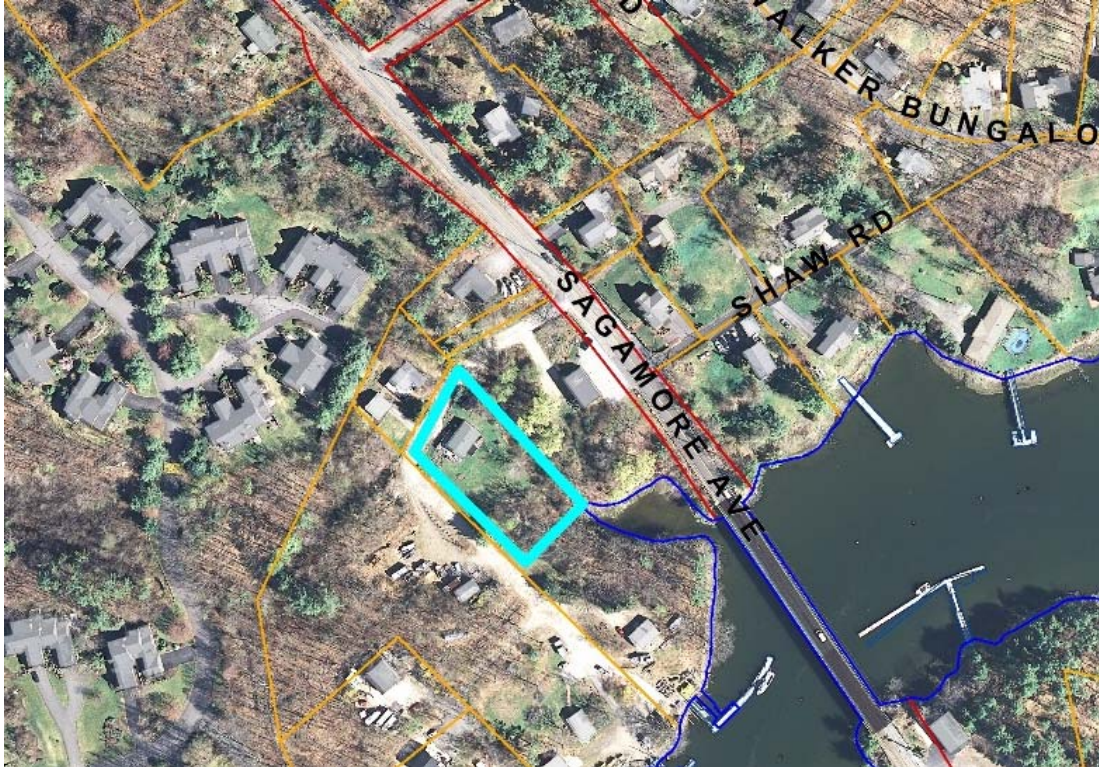
### Planning Department Recommendation

*Vote to postpone this application to the January 17, 2019 Planning Board meeting.*



## VII. PUBLIC HEARINGS – NEW BUSINESS

- A. The application of **Carolyn B. McCombe Rev. Trust of 1998, Carolyn B. McCombe, Trustee, Owner**, for property located at **910 Sagamore Avenue**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the tidal wetland buffer to install a replacement residential sewage disposal system and remove the old system septic tank and pump chamber, with 1,576  $\pm$  s.f. of impact to the tidal wetland buffer. Said property is shown on Assessor Map 223, as Lot 26A and lies within the Waterfront Business (WB) District.



### Description

This application is to replace an existing septic system in the wetland buffer with a new enhanced system.

### Conservation Commission Review

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The proposed septic is in a location of an existing system. While there is not room on the property to relocate the system outside of the wetland buffer the design of this system reduces impacts to the wetland buffer that the current system creates.
2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The proposed location is the only feasible location on this property for the septic system.

3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed project represents a reduction in impacts from the existing system through the use of an enhanced treatment system with sealed tanks that treat effluent more completely before allowing the effluent to move into the soil.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The design calls for the removal of one pine tree but other than that is proposed in a lawn area which will be returned to lawn when completed.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* Overall this project is the least impacting alternative to upgrade the septic system. This project represents an overall improvement from the existing system.
6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant has shown an areas which is currently lawn which will be left unmown and allowed to return to a more natural state.

The Conservation Commission reviewed this application at the December 12, 2018 meeting and voted unanimously to recommend approval with one stipulation:

Planning Department Recommendation

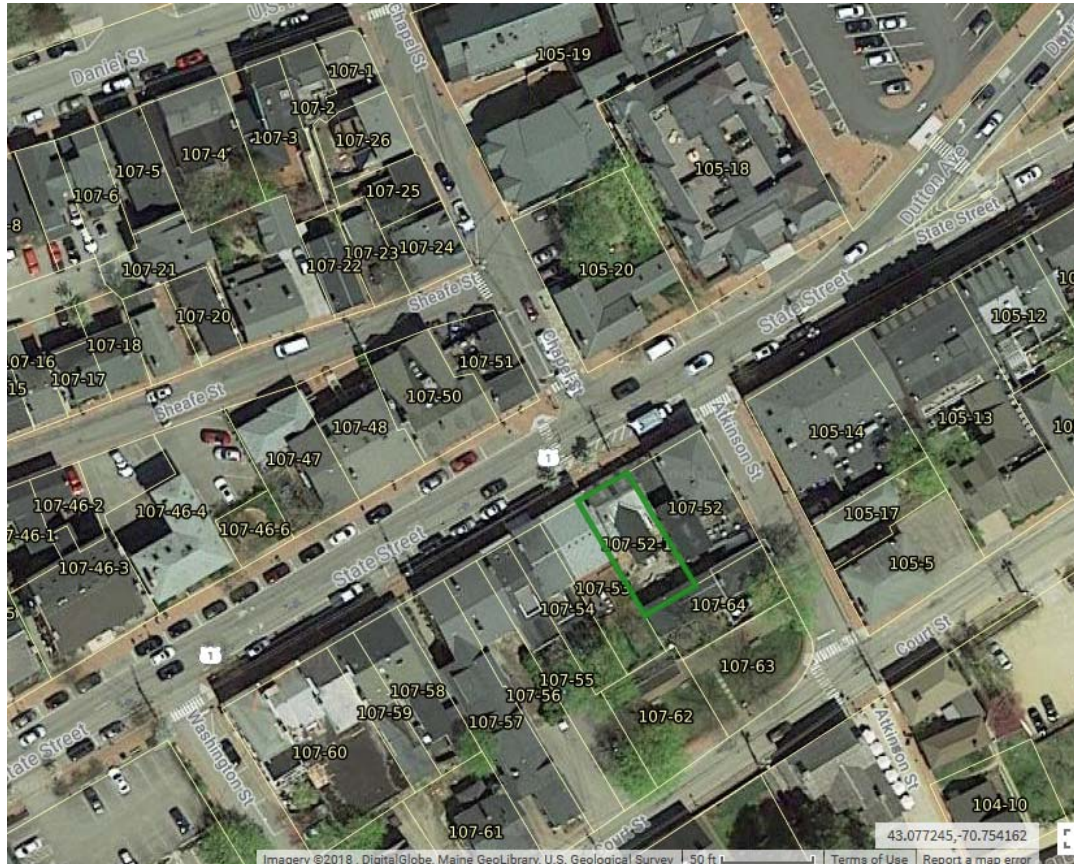
1. *Vote to grant the wetland conditional use permit with the following stipulation:*
  - 1.1 *The applicant shall install native plantings in the area shown on the plan with a note to "allow lawn area to return to natural state".*



## VII. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

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- B.** The application of **Brick Act, LLC, Owner, and Kristin Fichera/Tree House School, Applicant**, for property located at **102 State Street**, requesting Conditional Use Permit approval pursuant to Section 10.1112.52 of the Zoning Ordinance to expand a preschool from 20 students to 28 students, where 14 parking spaces are required and 0 off-street parking currently exist and no additional off-street parking is proposed. Said property is shown on Assessor Map 107 as Lot 52-1 and lies within the Character District 4 (CD4) and the Historic District.



### Description

The applicant intends to expand the preschool by converting an existing upstairs apartment to a classroom for an additional 8 students. The current residential use of the upstairs will cease with the expansion.

At the end of 2017, the City amended the off-street parking requirements in the Zoning Ordinance. One of the revisions was to require projects that did not provide the required minimum number of parking spaces to come before the Planning Board for a conditional use permit (Section 10.1112.52). Before the amendments were passed, projects that did not provide the minimum number of required parking spaces would have been required to secure a variance from the Zoning Board of Adjustment.

The application for a conditional use permit for off-street parking must include a parking demand analysis. In addition, applications shall also include permanent measures to reduce parking demand, including but not limited to provision of rideshare services, proximity to public transit, and shared parking on a separate lot. This property was previously granted a variance to allow no off-street parking spaces to be provided where 10 were required for 20 students.

The minimum off-street parking requirement for the proposed use is 14 parking spaces (0.5 per student) for 28 students in a group day care facility. No off-street parking currently exists and no additional off-street parking is proposed for the site.

A parking demand analysis was included in the applicant's submission for the Board's consideration. The permanent measures listed to reduce parking demand include the limited demand for long-term parking as pre-school students are dropped off at the beginning of the school day and picked up at the end of the school day, proximity to metered parking, and access to a public lot across the street and numbers of parents/students walking and biking to the downtown location.

Planning Department Recommendation

*Vote to grant a Conditional Use Permit to provide no on-site parking spaces, where 14 spaces is the minimum required.*

## VII. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

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- C. The application of **Samuel Dushkin and Nicole Defeo, Owners**, for property located at **149 Cass Street**, requesting Conditional Use Permit approval pursuant to Section 10.815 of the Zoning Ordinance to create a one room Garden Cottage in an existing 19' X 19' building, with a footprint of 361 s.f. and a gross floor area of 351 s.f. Said property is shown on Assessor Map 1461 as Lot 7 and lies within the General Residence C (GRC) District.



### Description

The applicant requests a conditional use permit to convert an existing accessory structure on the property to a garden cottage. Different from an Accessory Dwelling Unit, a Garden Cottage that complies with the standards of Section 10.815 is otherwise exempt from the residential density standards of the Zoning Ordinance (e.g. minimum lot area per dwelling unit).

Under the off-street parking requirements, the garden cottage and principal dwelling are required to provide 2 off-street parking spaces. The property has room for four parking spaces in the driveway.

The Ordinance requires that a Garden Cottage comply with the following standards (Section 10.815.30).



<b>Required Standard</b>	<b>Planning Department Comments</b>
The existing accessory building shall not be expanded either vertically or horizontally, other than through the addition of a front entry not to exceed 50 sq. ft., or a side or rear deck not to exceed 300 sq. ft.	The applicants do not propose to modify the building vertically or horizontally.
The principal dwelling unit and the garden cottage shall not be separated in ownership (including by condominium ownership); and either the principal dwelling unit or the garden cottage shall be occupied by the owner of the property.	The applicant has not indicated that the principal and garden cottage will remain under common ownership and be occupied by the owner of the property, but this shall be a condition of approval.
The garden cottage shall not be larger than 600 sq. ft. gross floor area.	The gross floor area of the proposed garden cottage is 405 sq.ft.
A garden cottage that is within the required yard for the zoning district shall not have any windows or doors higher than eight feet above grade facing the adjacent property.	The garden cottage is located within the side yard setback for the zoning district, but does not have any windows or doors facing the adjacent property.

In order to grant a conditional use permit for a Garden Cottage, the Planning Board must first make the following findings (Sec. 10.815.40):

<b>Required Findings</b>	<b>Planning Department Comments</b>
1. Exterior design of the Garden Cottage is compatible with the existing residence on the lot through architectural use of building forms, scale and construction materials.	The applicant is not proposing to change the exterior of the existing building substantially in a way that would change the existing architectural character.
2. The site plan provides adequate open space and landscaping that is useful for both the Garden Cottage and the primary dwelling.	Both the primary dwelling and the garden cottage will have access to usable open space. No additional landscaping has been proposed.
3. The Garden Cottage will maintain a compatible relationship to adjacent properties in terms of location and design, and will not significantly reduce the privacy of adjacent properties.	The applicant is not proposing to change the exterior of the existing building substantially in a way that would change the existing character. The privacy of adjacent properties should not be impacted significantly.

Required Findings	Planning Department Comments
4. The Garden Cottage will not result in excessive noise, traffic or parking congestion.	The addition of the Garden Cottage is not anticipated to result in a significant increase in traffic for this residential neighborhood and the off-street parking appears to be sufficient. The proposed conversion of an existing accessory structure without any expansion to the footprint is not anticipated to have a significant impact on noise levels.

Planning Department Recommendation

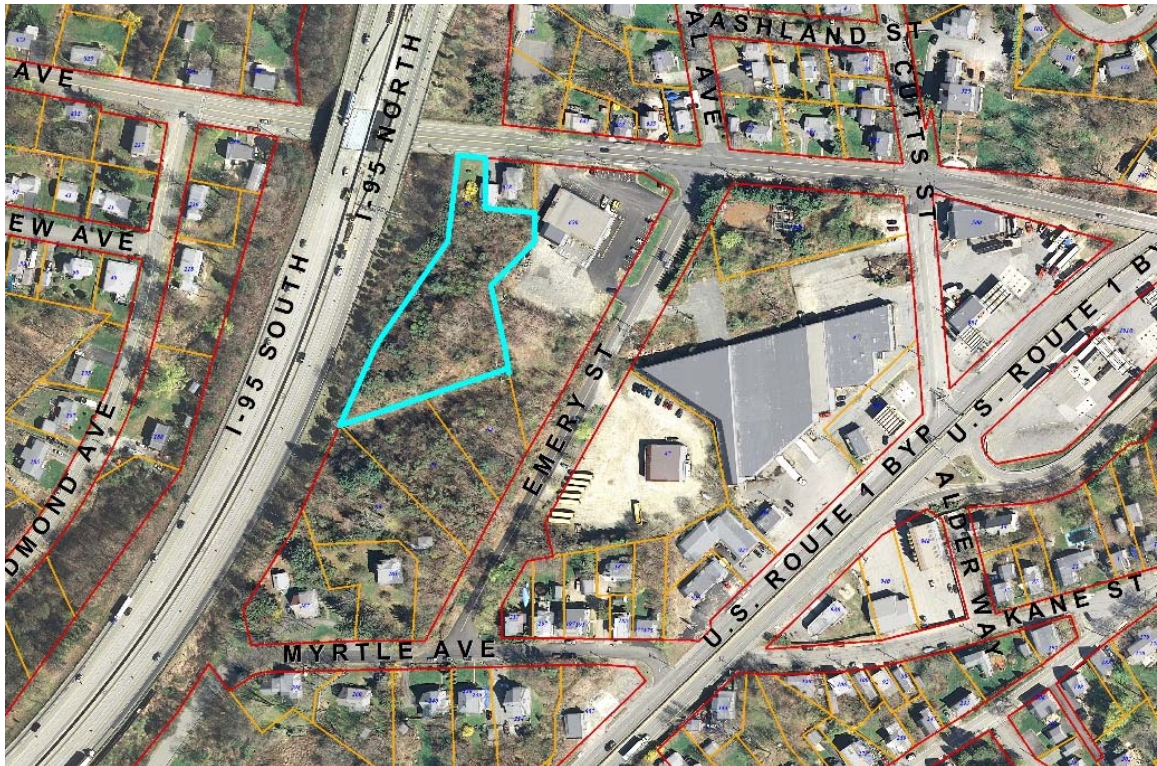
1. *Vote to find that the application satisfies the requirements of 10.815.40.*
2. *Vote to grant the conditional use permit as presented, with the following stipulations*
  - 2.1) *In accordance with Sec. 10.815.50 of the Zoning Ordinance, the owner is required to obtain a certificate of use from the Planning Department verifying compliance with all standards of Sec. 10.815, including the owner-occupancy requirement, and shall renew the certificate of use annually.*
  - 2.2) *The conditional use permit shall expire unless the initial certificate of use is obtained within 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.*



## VII. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

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- D. The application of **Islamic Society of the Seacoast Area,, Owner**, for property located at **686 Maplewood Avenue**, requesting Conditional Use Permit approval pursuant to Section 10.1112.52 of the Zoning Ordinance to allow 60 parking spaces where 78 parking spaces are required. Said property is shown on Assessor Map 220 as Lot 90 and lies within the Single Residence B (SRB) District.



### Description

The applicant is seeking to construct a religious place of assembly on the subject property and the Site Plan Review application is currently under review by the Technical Advisory Committee. A recent trip generation and parking demand analysis determined that the facility will require 78 parking spaces for peak demand, which is 18 spaces more than the 60 proposed for the site.

In February of 2017, the Zoning Board of Adjustment granted variances to permit the construction of a place of worship in the Single Residence B (SRB) District and for a lot with less than the required street frontage.

The off-street parking standards in the City's Zoning Ordinance for a religious place of assembly provide a choice of three methods for calculating parking requirements – 0.4 spaces per fixed seat, 1 per 4 persons maximum occupancy of the assembly space, or a parking demand analysis. As this building is not proposed to have fixed seating, the applicant could use either the maximum occupancy of the assembly space or a parking

demand analysis. Both methods project a higher parking requirement than the applicant anticipates will be needed for the intended use of the building.

Per Section 10.1112.52 of the Zoning Ordinance, the Planning Board may grant a conditional use permit to allow a building or use to provide less than the minimum required by the off-street parking standards. An application for a conditional use permit for off-street parking must include a parking demand analysis.

The minimum off-street parking for similar uses as projected by the parking demand analysis is 78 parking spaces. However, the applicant does not forecast a demand of 78 spaces for this property and is proposing 60 spaces. The applicant has indicated a maximum anticipated actual occupancy of 240 (even though the space is technically designed for occupancy of over 600). Sixty spaces would be consistent with 1 space per 4 persons of the anticipated maximum occupancy of the assembly space.

Per Section 10.1112.52, an application for a conditional use permit shall also include permanent measures to reduce parking demand, including but not limited to provision of rideshare services, proximity to public transit, and shared parking on a separate lot. The applicant has referenced the possibility for promoting shared rides or carpooling, the proximity to the bus stop on Maplewood Avenue, and the nearby Park and Ride at C & J Trailways, but has not provided details about how these would be used to off-set parking demand. For example, the referenced bus stop on Maplewood Avenue is operated by UNH with service between downtown Portsmouth and Durham, NH primarily servicing faculty and students of UNH. The applicant has not indicated if the bus service is available during times that would be convenient for services and other anticipated events and activities at the mosque. In addition, the Park and Ride near the C & J Trailways hub does not have direct bus service to the proposed mosque location so does not seem a viable alternative to driving unless a direct shuttle service or rideshare is made available to attendees.

It is likely that the 60 spaces will be sufficient for daily activities. However, the applicant should provide more detail on how parking will be managed for special events when parking demand is greater than what is provided on-site. The applicant should also provide more information about how parking can be managed if regular attendance at services exceeds initial projections, e.g. through provision of a shuttle to an off-site parking location.

Planning Department Recommendation

*Vote to postpone the application in order for the applicant to provide more details on how parking demand will be managed for large events and/or for increase in anticipated attendance.*



## VII. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

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- E. The application of **The City of Portsmouth, New Hampshire, Owner**, for property located at **125 Cottage Street**, requesting Site Plan approval for adaptive reuse and renovations of the former U.S. Army Reserve Center into a Senior Activity Center, and a front entry addition with a footprint and Gross Floor Area of 150 s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 174 as Lot 15 and lies within the Municipal (M) District.



### Description

The applicant proposes to redevelop the former Lt. Paul A. Doble U.S. Army Reserve Center, with an initial first phase of development to include readapting the existing building to support the Senior Activity Center and the construction of a new entryway. A new proposed stormwater system is also included in the first phase, in addition to parking lot reconfiguration and driveway construction for accessibility improvements. As this is a City-owned property and project, it is not required to comply with local land use regulations.

However, it is typical practice for City projects to go through land use review for advisory review and to provide an additional opportunity for public comment.

Technical Advisory Committee

The TAC reviewed this application on December 4, 2018 and voted to recommend approval with the following stipulations:

1. Applicant shall update the parking configuration on the east side of the building to accommodate a 20' driveway width as required.
2. A Fire hydrant shall be added to the south side of the building to the right of the access driveway and the waterline shall be upsized as required.
3. An updated trip generation memorandum shall be provided detailing the expected number of peak hour and daily vehicle trips to be generated by the facility.
4. Applicant shall verify the feasibility of widening the access driveway on the west side with DPW.
5. Applicant shall verify the existing and proposed water lines and note size on the plans.
6. Applicant shall provide details of the proposed lighting poles consistent with the City Standard, to be provided by DPW.
7. Applicant shall update the plans to show increase in grade of at least 1" where railings are currently proposed over 18".
8. The parking lot detail shall be updated to be consistent with City standard for binder and surface pavements.
9. The detail for roof downspouts shall be updated to reflect the use of ductile iron roof downspout connections.

On December 12, 2018 the applicant submitted revised plans addressing items 1-3, 5, and 7-9 above to the satisfaction of the Planning Department. The remaining items have been included in the recommended stipulations.

Planning Department Recommendation

*1. Vote to grant Site Plan Approval with the following stipulations to be completed prior to the issuance of a building permit:*

*1.1 Applicant shall verify the feasibility of widening the access driveway on the west side with DPW.*

*1.2 Applicant shall provide details of the proposed lighting poles consistent with the City Standard, to be provided by DPW.*

## VII. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

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- F. The application of **2422 Lafayette Road Associates, LLC, Owner**, for property located at **2454 Lafayette Road**, requesting Amended Site Plan approval to construct three (3) restaurant buildings; Proposed Building #1: 5,000 s.f. footprint and Gross Floor Area, Proposed Building #2: 1,600 s.f. footprint and Gross Floor Area; Proposed Building #3: 2,310 s.f. footprint and Gross Floor Area, with related green space and associated site improvements within the existing plaza parking area. Said property is shown on Assessor Map 273 as Lot 3 and lies within the Gateway Corridor (G1) District.

### Description

The applicant proposes to amend the previous site plan approval granted April 2016 for the construction of three (3) restaurant buildings and green space and associated site improvements within the existing plaza parking area.

### Technical Advisory Committee

The TAC reviewed this application on December 4, 2018 and voted to recommend approval with the following stipulations:

1. Plans shall be revised as presented by the applicant at the December 4, 2018 TAC meeting in response to TAC member comments.
2. Plans shall be updated to correct typos, specifically “Tentant” to “Tenant”.
3. Plans shall be updated to include a tip-down ramp and crosswalk to connect the sidewalk near the green space across the drive aisle to the other sidewalk.
4. Applicant to provide formal response on the usability of the proposed reconfigured pedestrian-oriented space at the front of the plaza, including the intended program on the landscape plan for the green spaces in the plaza.
5. Plans shall include a better pedestrian connection to the main plaza from the 99 Restaurant.

On December 12, 2018 the applicant submitted revised plans addressing the items above to the satisfaction of the Planning Department.

### Planning Department Recommendation

*1. Vote to grant Amended Site Plan Approval with the following stipulation to be completed prior to the issuance of a building permit:*

*1.1 Overall Site Plan Amendment Exhibit to be updated to include recommended revisions from the Technical Advisory Committee.*





## VIII. PRELIMINARY CONCEPTIAL CONSULTATION

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

Description

The applicant has requested to postpone to the January 17, 2019 Planning Board meeting.

- B. The application of Redgate, on behalf of SoBow Square, LLC, applicants, for property located at 62 Daniel Street (McIntyre Building), requesting Preliminary Conceptual Consultation review for a mixed use development.



The City's Site Plan Review Regulations provide two options for "pre-application review" as authorized by RSA 676:4,II: "preliminary conceptual consultation" and "design review". The Site Plan Review Regulations require preliminary conceptual consultation for certain proposals, including (1) the construction of 30,000 sq. ft. or more gross floor area, (2) the creation of 20 or more dwelling units, or (3) the construction of more than one principal structure on a lot. Preliminary conceptual consultation precedes review by the Technical Advisory Committee.

Preliminary conceptual consultation is described in the statute as follows:

*[Preliminary conceptual consultation ... shall be directed at review of the basic concept of the proposal and suggestions which might be of assistance in resolving problems with meeting requirements during final consideration. Such consultation shall not bind either*

*the applicant or the board and statements made by planning board members shall not be the basis for disqualifying said members or invalidating any action taken. The board and the applicant may discuss proposals in conceptual form only and in general terms such as desirability of types of development and proposals under the master plan.*

The preliminary conceptual consultation phase provides the Planning Board with an opportunity to review the outlines of a proposed project before it gets to detailed design (and before the applicant refines the plan as a result of review by the Technical Advisory Committee and public comment at TAC hearings). In order to maximize the value of this phase, Board members are encouraged to engage in dialogue with the proponent to offer suggestions and to raise any concerns so that they may be addressed in a formal application.

Preliminary conceptual consultation does not involve a public hearing, and no vote is taken by the Board on the proposal at this stage.