

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

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

7:00 PM

July 18, 2019

MEMBERS PRESENT: Dexter Legg, Chairman; Elizabeth Moreau, Vice-Chairman; Colby Gamester; Ray Pezzullo, Assistant City Engineer; Jody Record; Corey Clark, Alternate, and Polly Henkel, Alternate

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

MEMBERS ABSENT: Rebecca Perkins, City Council Representative; John Bohenko, City Manager; Jay Leduc and Jeffrey Kisiel.

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I. APPROVAL OF MINUTES

A. Approval of Minutes from the June 20, 2019 and June 27, 2019 Planning Board Meetings.

Both sets of minutes were approved after an amendment was made to each of them.

II. DETERMINATIONS OF COMPLETENESS

A. SUBDIVISION REVIEW

1. The application of **Noele Clews, Owner** and **Ambit Engineering, Inc., Applicant** for property located at **799 South Street** requesting Preliminary and Final Subdivision approval.

The applicant requested to postpone this application so the Board did not take action.

B. SITE PLAN REVIEW

1. The application of **Michael De La Cruz, Owner** for property located at **63 Congress Street** requesting Site Plan Review approval.

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

2. The application of **2219 Lafayette Road, LLC, Owner** and **MSC a division of TFMoran, Inc., Applicant** for property located at **2219 Lafayette Road** requesting Site Plan Review approval.

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

III. 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 **Arbor View & The Pines, LLC, Owner**, for property located at **145 Lang Road** requesting a Conditional Use Permit in accordance with Section 10.1112.14 of the Zoning Ordinance for provision of 367 parking spaces where a maximum of 336 are allowed by Section 10.1112.51 of the Zoning Ordinance. Said property is shown on Assessor Map 287 as Lot 1 and lies within the Garden Apartment/Mobile Home Park (GA/MH) District.

The Board voted to **postpone** this request until the August 15, 2019 Planning Board meeting.

- B. The application of **Arbor View & The Pines, LLC, Owner**, for property located at **145 Lang Road** requesting Amended Site Plan Review approval to construct two (2) three-story multi-family buildings and associated site improvements, grading, utilities, stormwater management and landscape improvements. Said property is shown on Assessor Map 287 as Lot 1 and lies within the Garden Apartment/Mobile Home Park (GA/MH) District. LU #19-100.

The Board voted to **postpone** this request until the August 15, 2019 Planning Board meeting.

- C. The application of **Michael De La Cruz, Owner** for property located at **63 Congress Street** requesting Site Plan Review approval to convert an existing basement and driveway into a small residential parking garage with a gross floor area of approximately 15,000 square feet. Said property is shown on Assessor Map 117 as Lot 5 and lies within the Character District 5 (CD5) District. LU 19-128.

The Board voted to **grant** the request as follows:

- 1) A waiver will not have the effect of nullifying the spirit and intent of the City's Master Plan or the Site Plan Review Regulations, and to waive the following regulations:
 - a) Section 2.13.1 – Recording of Site Plans
- 2) To grant Site Plan Review approval of the application as presented.

- D. The application of **2219 Lafayette Road, LLC, Owner** and **MSC a division of TFMoran, Inc., Applicant** for property located at **2219 Lafayette Road** requesting Site Plan Review approval for the construction of a 6,830 square foot addition to an existing car dealership and related changes to the parking and display areas with associated landscaping, drainage, and other site improvements. Said property is shown on Assessor Map 272 as Lot 1 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) and the Single Residence A (SRA) Districts. LU 19-84.

The Board voted to **grant** the request with the following stipulations:

Conditions precedent (to be completed prior to issuance of a building permit)

- 1) The domestic water line note shall be updated to indicate that the water meter will need to be located just inside an outside wall in a conditioned space.
- 2) The site plan (Sheet C2) shall be updated to include metes and bounds for the lot.
- 3) The proposed easement plans and deeds shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by City Council.
- 4) The site plan and any easement plans and deeds shall be reviewed for pre-approval by the Rockingham County Registry of Deeds and subsequently recorded, as deemed appropriate by the Planning Department.
- 5) A note shall be added to the plan set indicating that no fertilizer shall be used in the swale adjacent to the wetland edge.
- 6) A note shall be added to the site plan labeling the striped loading zone on the rear southeast corner of the building.

Conditions subsequent (to be completed prior to completion of the project)

- 7) After construction, the Engineer of Record shall submit a written report to the City (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed according to the approved plans and specifications and will meet the design performance.

- E. The application of **Noele Clews, Owner** and **Ambit Engineering, Inc., Applicant** for property located at **799 South Street** requesting Preliminary and Final Subdivision approval to subdivide a lot with an area of 76,889 s.f. and 395' of continuous street frontage into three (3) lots as follows: proposed Lot 1 with an area of 9,004 s.f. and 100' of continuous street frontage; proposed Lot 2 with an area of 58,885 s.f. and 95' of continuous street frontage; and proposed Lot 3 with an area of 9,000 s.f. and 100' of continuous street frontage. Said property is located on Assessor Map 132 as Lot 24 and lies within the General Residence A (GRA) District. LU 19-32.

The Board voted to **postpone** this request until the August 15, 2019 Planning Board meeting.

- F. The application of **Kenneth Young, Owner** and **Charles Hoyt Designs, Applicant** for property located at **346 Colonial Drive** requesting Conditional Use Permit approval in accordance with Section 10.814 of the Zoning Ordinance for the addition of a 515 sq. ft. Attached Accessory Dwelling Unit above a proposed garage addition. Said property is shown on Assessor Map 260 as Lot 136 and lies within the Single Residence B (SRB) District. LU #19-131.

The Board voted to **accept withdrawal** of this request.

- G. The application of **Jay and Audra Mayski, Owners** of property located at **210 FW Hartford Drive** requesting Wetland Conditional Use Permit approval in accordance with Section 10.1017 of the Zoning Ordinance to relocate an 8' by 12' shed into the wetland buffer adjacent to the

house. Said property is shown on Assessor Map 270 as Lot 32 and lies within the Single Residence B (SRB) District. LU #19-138.

Voted to **grant** the wetland conditional use permit with the following stipulation:

1) The applicant shall remove any sand or other fill material which was brought in when the shed was originally placed and seed the area with grass or other suitable plantings to restore the area to a vegetated condition. Given a portion of this work will need to be done on the adjacent property the applicant shall work with the City's Environmental Planner to coordinate the planting with the adjacent property owner.

- H. The application of **Liberty Mutual Insurance, Owner**, and **Altus Engineering, Inc., Applicant** for property located at **225 Borthwick Avenue** requesting Wetland Conditional Use Permit approval in accordance with Section 10.1017 of the Zoning Ordinance for improvements to an existing parking lot including regrading, re-striping and improvements for accessibility all within the footprint of the existing paved area with an impact of 16,900 square feet in the inland wetland buffer zone. Said property is shown on Assessor Map 240 as Lot 1 and lies within the Office Research (OR) District. LU #19-139.

Voted to **grant** the wetland conditional use permit with the following stipulation:

1) Silt bags shall be installed along the two existing catch basins during construction.

IV. OTHER BUSINESS

- A. Request for Design Review for property located at **200 Chase Drive**, submitted by **Altus Engineering, Inc.** on behalf of **The Bethel Assembly of God**, Owner.

Presentation by applicant. Voted to accept the Design Review and schedule a public hearing for the August Planning Board meeting.

- B. Proposed Zoning Amendments to remove a portion of 361 Hanover Street from the Downtown Overlay District and designate a height area properties along Foundry Place.

Discussion held. Voted to hold a public hearing on the request.

- C. Guiding Parking Principles discussion.

Discussion held by the Board.

V. ADJOURNMENT

It was moved, seconded, and passed unanimously to adjourn the meeting at 8:16 p.m.

Respectfully Submitted,
Tracy Gora,
Acting Secretary for the Planning Board

