

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

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

**6:30 pm Work Session begins
7:30 PM Public Hearings begin**

OCTOBER 17, 2019

ACTION SHEET

MEMBERS PRESENT: Dexter Legg, Chair; Elizabeth Moreau, Vice-Chair; John P. Bohenko, City Manager; Rebecca Perkins, City Council Representative; Ray Pezzullo, Assistant City Engineer; Colby Gamester; Jody Record; Jeffrey Kisiel; Corey Clark, Alternate, and Polly Henkel, Alternate

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

MEMBERS ABSENT: Jay Leduc

WORK SESSION ON PROPOSED ZONING AMENDMENTS 6:30 pm-7:30 pm

I. Short-Term Rentals

The Board discussed the proposed zoning amendment and decided to hold another work session at a later Planning Board meeting. No public hearing is scheduled yet.

II. Provisions for Multiple Dwellings on a Lot

The Board discussed the proposed zoning amendment and decided to hold another work session at a later Planning Board meeting. No public hearing is scheduled yet.

REGULAR MEETING 7:30 pm

I. APPROVAL OF MINUTES

- A. Approval of Minutes from the September 19, 2019 and September 26, 2019 Planning Board Meetings

The Board voted to approve both sets of minutes.

II. CIP ADVISORY COMMITTEE

- A. Designation by Planning Board Chair of member of the FY 2019-2024 Capital Improvement Plan Advisory Committee

Chairman Legg appointed Elizabeth Moreau and Polly Henkel to the Committee.

III. DETERMINATION OF COMPLETENESS

A. SITE PLAN REVIEW

1. The application of the **City of Portsmouth, Owner** for property located at **680 Peverly Hill 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.

IV. 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 the **City of Portsmouth, Owner** and **GZA Geoenvironmental, Inc., Applicant** for property located at **680 Peverly Hill Road** requesting Wetland Conditional Use Permit approval in accordance with Section 10.1017 of the Zoning Ordinance to construct three multi-purpose recreational fields and associated parking and a solid waste / recycling transfer station on the site of a reclaimed quarry with 489,592 sq. ft. of disturbance in the wetland buffer and 57,512 sq. ft. of direct disturbance to the wetland. Said property is shown on Assessor Map 254 as Lot 8-1 and lies within the Municipal (M) District.

The Board voted to **grant** Wetland Conditional Use Permit approval with the following stipulations:

- 1) City shall maximize the amount of plantings on the side of the fields adjacent to Wetland 1.
- 2) City shall work to reclaim existing milkweed and soil and replant away from the field.
- 3) City shall plant pollinator seed mix wherever possible around the site.
- 4) City shall implement measures to reduce light spillover especially in the area of Wetland 1.
- 5) Plans shall be updated to include wind screening netting to reduce impacts from dust and to help reduce light spillover.

- B. The application of the **City of Portsmouth, Owner** for property located at **680 Peverly Hill Road** requesting Site Plan Review approval for the construction of recreation playing fields with associated lighting, parking, restrooms, stormwater management infrastructure, utilities and other site improvements. Said property is shown on Assessor Map 254 as Lot 8-1 and lies within the Municipal (M) District.

The Board voted to **grant** Site Plan Review approval with the following stipulation:

- 1) The applicant shall provide an Operations and Maintenance Plan for the Stormwater Infrastructure.

V. 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 **Shannon Harrington & James St. Pierre, Owners**, for property located at **20 Taft Road**, requesting Wetland Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer to construct a deck for an existing pool, with 223 +/- s.f. of impact to the wetland buffer. Said property is located on Assessor Map 268, Lot 91 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** Wetland Conditional Use Permit approval with the following stipulations:

- 1) The applicant shall space the deck boards apart in order to encourage infiltration of rain and stormwater.
- 2) The applicant shall plant a buffer along the 4 ft. back pool area.

- B. The application of the **Nalewajk Family Revocable Trust, Owner**, for property located at **350 Little Harbor Road**, requesting a Wetland Conditional Use Permit amendment to a September 15, 2016 approval under Section 10.1017 of the Zoning Ordinance requesting to retain existing stone pavers that would create an impact of approximately 590 square feet in the inland wetland buffer. Said property is located on Assessor Map 202, Lot 16 and lies within the Rural Residential (R) District.

The Board voted to **grant** Wetland Conditional Use Permit approval with the following stipulation:

- 1) The applicant shall provide a maintenance plan for the area of stone pavers for review and approval by the Planning Department.

- C. The application of **Kenneth Young, Owner**, for property located at **346 Colonial Drive**, requesting a Conditional Use Permit requesting a Conditional Use Permit according to Section 10.814 of the Zoning Ordinance to construct an Attached Accessory Dwelling Unit with 395 s.f. of gross floor area in the second story of a newly constructed garage. Said property is located on Assessor Map 260, Lot 136 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** Conditional Use Permit approval as follows:

- 1) Vote to grant a modification for the following requirements:
 - 1.1) Section 10.814.43 of the Zoning Ordinance – to allow an AADU that does not maintain the appearance of a single-family dwelling provided that the proposed portico at the entrance to the addition shall be redesigned to appear subordinate to the principal entrance to the existing building with an overhang that projects no greater than 2.5' from the face of the addition;
 - 1.2) Section 10.814.44 of the Zoning Ordinance – to allow a portion of the AADU to be closer to the westerly front lot line than the principal building;
 - 1.3) Section 10.814.451 of the Zoning Ordinance – to allow the portion of the AADU with an exterior wall facing the street to comprises more than 40 percent of that side's building façade area;
 - 1.4) Section 10.814.452 of the Zoning Ordinance – to allow an AADU that includes an increase in building height as well as an increase in building footprint;
 - 1.5) Section 10.814.453 of the Zoning Ordinance –to allow an AADU that includes an increase in building footprint with a height that is equal to rather than less than the principal dwelling; and,

- 1.6) Section 10.814.454 of the Zoning Ordinance – due to the uniqueness of the lot and the orientation of the existing single family dwelling on the lot to allow an AADU with an addition that is not architecturally consistent with the existing principal dwelling.
- 2) Vote to find that the application satisfies the requirements of 10.814.60.
- 3) Vote to grant the conditional use permit as presented, with the following stipulations:
 - 3.1) In accordance with Sec. 10.814.90 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.
 - 3.2) Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds per Section 10.814.80 of the Zoning Ordinance.
- D. The application of the **Squires Family Revocable Trust of 2015. Owner**, for property located at **130 Sherburne Road**, requesting a Conditional Use Permit under Section 10.814 of the Zoning Ordinance to convert an existing living area within a single-family home into an attached accessory dwelling unit with 620 s.f. of gross floor area. Said property is located on Assessor Map 260 as Lot 02 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** Conditional Use Permit approval as follows:

1. Vote to find that the application satisfies the requirements of 10.814.60.
2. Vote to grant the conditional use permit as presented, with the following stipulations:
 - 2.1) In accordance with Sec. 10.814.90 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.
 - 2.2) Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds per Section 10.814.80 of the Zoning Ordinance.
- E. The application of the **Maud Hett Revocable Trust, Owner**, for property located on **Banfield Road**, requesting a Wetland Conditional Use Permit under Section 10.1017 of the Zoning Ordinance to construct 22 single family homes and an access road with an impact of 4,013 s.f. of inland wetland area and 21,089 sq. ft. in the wetland buffer. Said property is located on Assessor Map 256 Lot 02 and lies within the Single Residence A (SRA) District.

The Board voted to **postpone** Wetland Conditional Use Permit approval until the next regularly scheduled Planning Board meeting.

VI. ADJOURNMENT

The Board voted to adjourn the meeting.