



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 October 17, 2019 Planning Board Meeting  
**Date:** 10/11/19

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**III. DETERMINATIONS 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.

Planning Department Recommendation

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

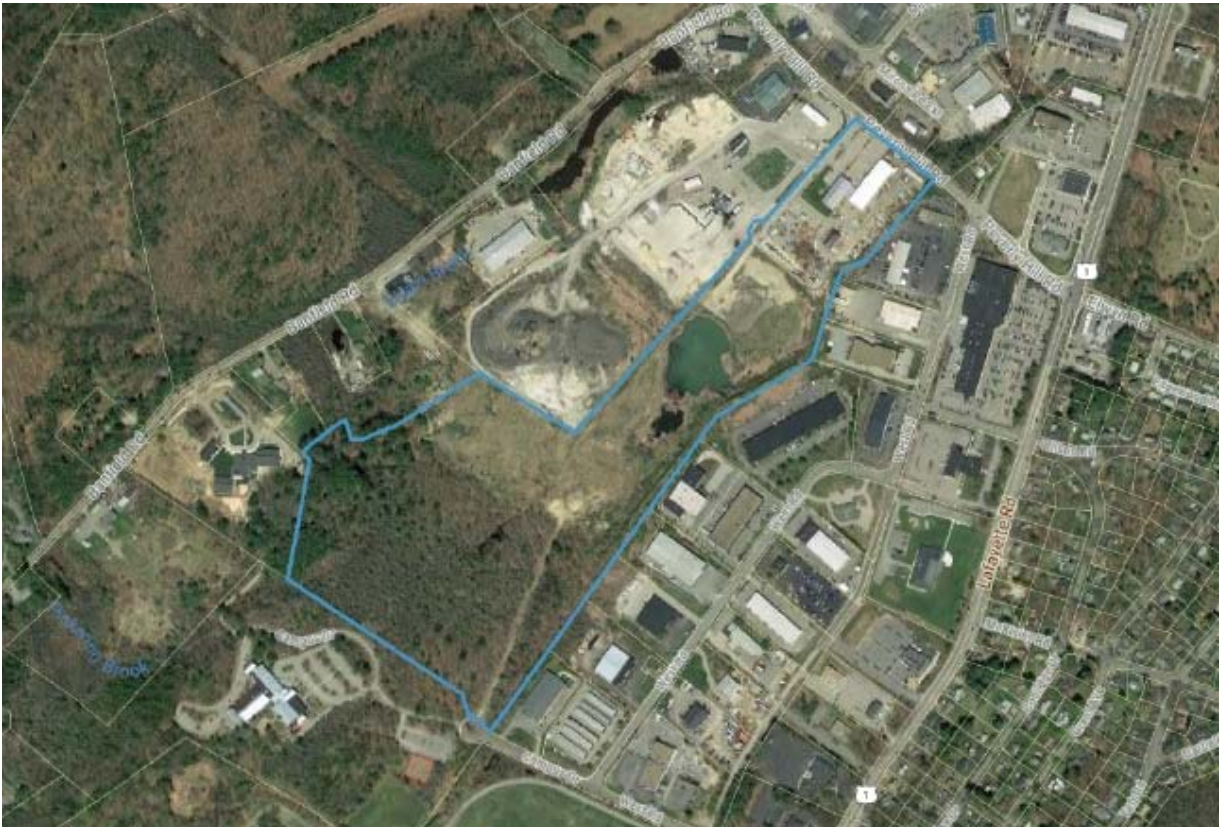


#### IV. PUBLIC HEARINGS – OLD BUSINESS

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

*A motion is required to consider these items together*

- 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.
- 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.



Description

This is an application to construct three multi-purpose recreational fields, associated parking and construction of a new solid waste / recycling transfer station on the site of reclaimed quarry with existing stormwater ponds and wetland areas. The project includes direct wetland impacts as well as wetland buffer impacts which are proposed to be offset by the construction and enhancement of stormwater treatment areas and mitigation through the state aquatic resources mitigation fund.

Wetland Conditional Use Permit

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 site selected for this project is a reclaimed gravel quarry. There are direct wetland impacts in the area of the reclaimed quarry along with buffer impacts in a number of wetland areas both reclaimed quarry areas and in the higher value wetland areas. Given the state of this property and the lack of an active land use the ballfields and recycling center will activate this site for use by residents of the city. Given the stormwater enhancements and public interest benefit of this property this site is suited to the proposed application.
2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The size of this undeveloped site is very unusual in the city and there is no alternative that would be able to provide the amount of services which this site will provide.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed work will impact wetlands which were created on an old quarry site due to impervious soils. This is not a high value wetland area and the stormwater enhancement and Aquatic Resources Mitigation fund payment coming from this project will offset the impact to the wetlands and wetland buffer areas on this site.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The site impacts proposed are primarily in field areas in phragmites stands and vegetated swale areas. In order to construct the ballfields and transfer center proposed the amount of clearing is necessary to achieve the construction goals.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* To construct three recreational fields and a transfer station the applicant has provided a plan to offset adverse impacts through advanced stormwater treatment for this site. Given that that wetlands on the site serve a similar function to the stormwater ponds there are no adverse impacts from this project.
6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant has an extensive planting plan which will provide buffer enhancements to the adjacent wetland areas.

The Conservation Commission reviewed this application at the August 14, 2019 meeting and voted unanimously to recommend approval with the following stipulations:

1. Maximize the plantings on the side of the fields adjacent to Wetland 1.
2. Reclaim milkweed and soil and replant away from the field.

3. Plant pollinator seed mix wherever possible around the site.
4. Maximize reduction of light spillover especially in the area of Wetland 1.
5. Include wind screening netting to reduce impacts from dust and help reduce light spillover.

#### Site Plan Review

The Technical Advisory Committee reviewed this application at the September 3, 2019 meeting and voted to recommend approval with the following stipulations:

1. Plan to be updated to show Directional signage added in area of roundabout per MUTCD standards.
2. No parking sign to be included in front of the 8' wide handicap access aisle in the parking lot.
3. Plan to be updated to show a minimum 20' drive aisle unimpacted by parking access for emergency vehicles.

On October 8, 2019 the applicant submitted revised plans addressing stipulations 1-3 above to the satisfaction of the Planning Department.

#### **Planning Department Recommendation**

##### Wetland Conditional Use Permit

*1) Vote to grant the wetland conditional use permit with the following stipulations:*

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

##### Site Plan Review Approval

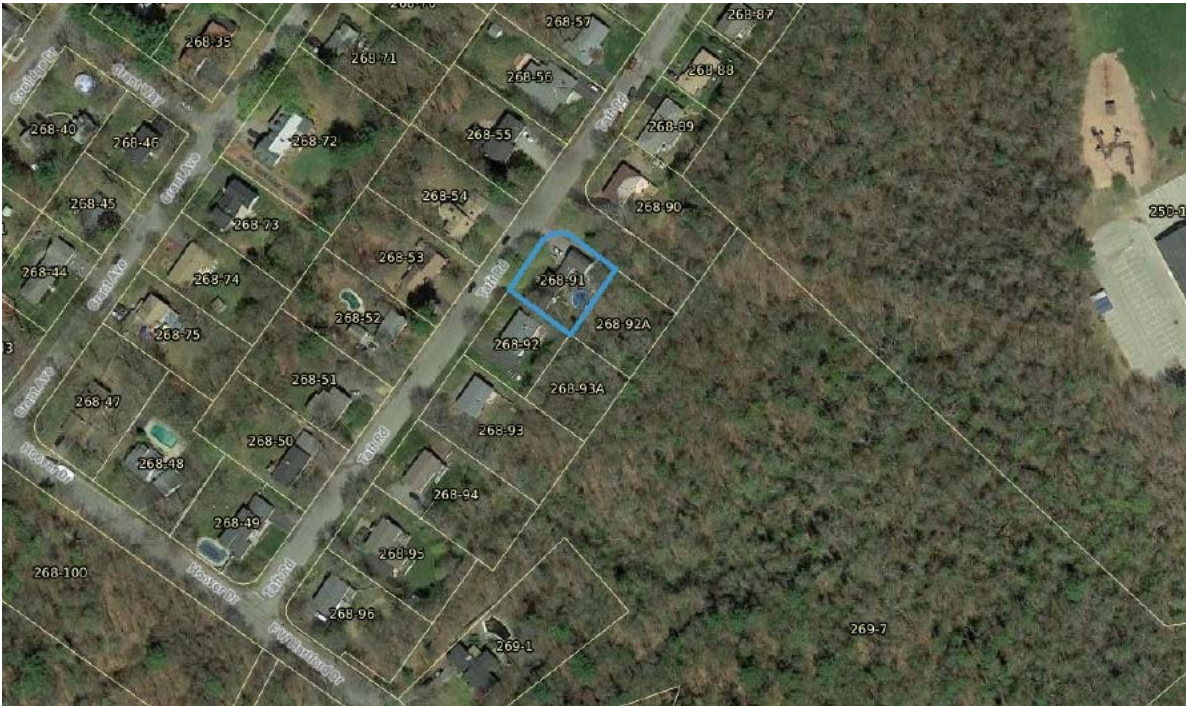
*2) Vote to grant Site Plan Review Approval as presented.*





## V. PUBLIC HEARINGS – NEW BUSINESS

- 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.



### Description

This is an application to build a deck adjacent to an above ground pool over existing gravel surface. At their August 27, 2019 meeting, the Zoning Board of Adjustment granted variances to allow the following:

1. a 4' rear yard where 30' is required;
2. 28% building coverage where 20% is the maximum allowed; and,
3. a lawful nonconforming building or structure be extended, reconstructed or enlarged.

### 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 location for the deck is adjacent to the pool where there is just landscape stones. The deck will allow water to flow through to the ground where it will infiltrate as it currently does.

2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The pool is located in the buffer currently and the deck is to allow better use of the pool. There is no alternative location which will allow the requested function for the deck.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed deck should not change anything about the wetlands or wetland buffer. The runoff from the project will infiltrate into the ground where the stone currently exists.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* There is no alteration of natural vegetation on the site to complete the deck.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The proposed deck will allow water to pass through. There should be no impact on the wetland or wetland buffer different from what exists today.
6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant will not be disturbing the natural area of the wetland or wetland buffer. However, there are some buffer plantings proposed to provide buffer enhancements to the adjacent wetland areas. No specific locations have been shown on the plans for new plantings.

The Conservation Commission reviewed this application at the October 9, 2019 meeting and voted unanimously to recommend 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.

**Planning Department Recommendation**

- 1) *Vote to grant the wetland conditional use permit with the following stipulations:*

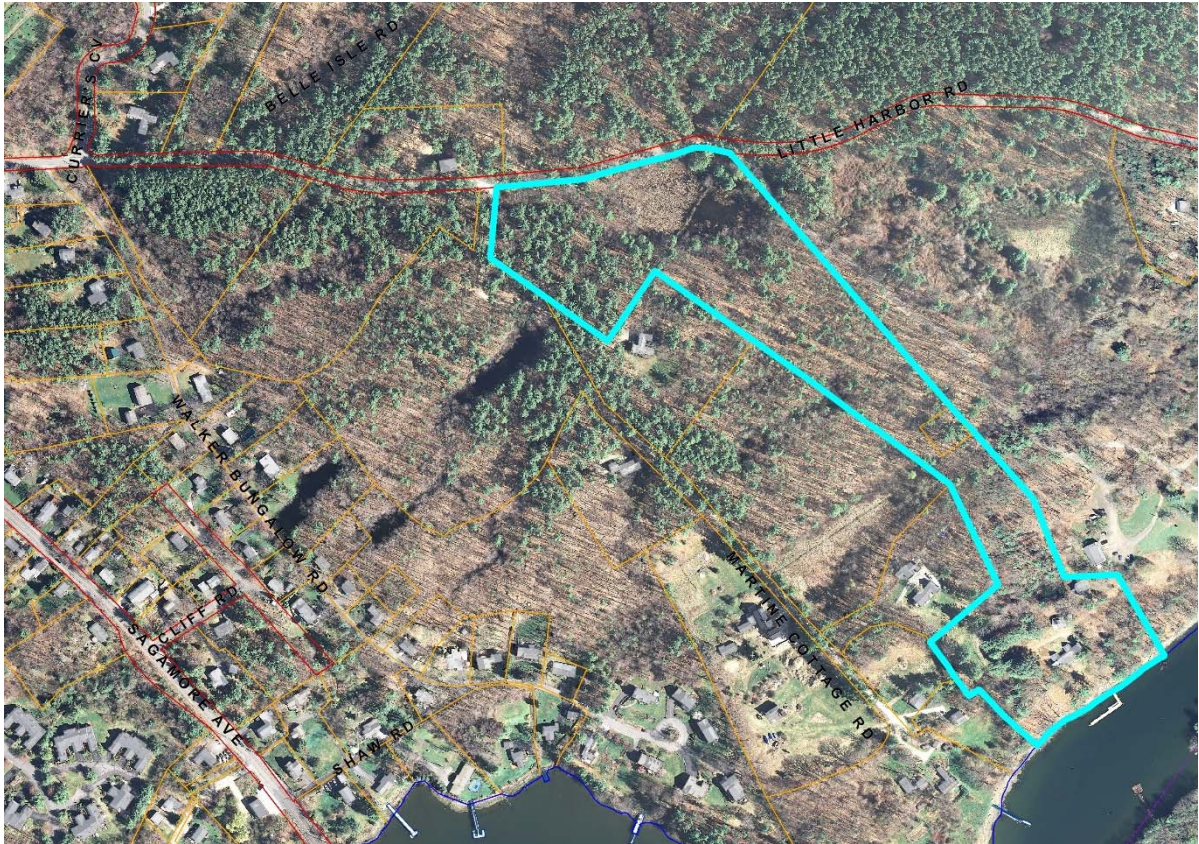
- 1.1) The applicant shall space the deck boards apart in order to encourage infiltration of rain and stormwater.
- 1.2) The applicant shall plant a buffer along the 4 ft. back pool area.



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

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- 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.



### Description

The applicant is requesting amended conditional use approval to alter the design of a driveway to remove the grass strip proposed for the center of the driveway.

### 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.* This project proposes to not install a grass strip between two paved areas using paving stones. It is not clear if this changes the overall ability for stormwater to infiltrate into the ground. More detail is required to determine if the installation was as approved. Given this is an after the fact change it is important to confirm that the construction was as approved minus the removal of the stone.

2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* Giving this is request to amend an existing situation the location is the only location where the alteration would apply.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The applicant should demonstrate that the existing installed pavers are in-fact pervious and there is no additional impact to the wetland greater impervious surface on the site due to leaving the stone in place. The pavers specified for installation in the original approval were tidewater stone 3/18 or approved equal. The applicant should verify this is what was installed according to the detail provided in the original application.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The proposed project will reduce the amount of grass or lawn on the site. There could be some advantages to having pervious pavers versus grass but more information about this should be provided from the applicant.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* Overall the driveway was presented to not increase the amount of impervious surface on the site. The applicant should include information about the pavers and a cross section of the completed driveway to demonstrate it is working as a porous surface.
6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The proposal involves leaving 590 square feet of porous pavers that were installed in an area that was designated to be a grass strip. The applicant should demonstrate that removal of the stone pavers to provide the grass strip is less beneficial than planting the grass strip.

The Conservation Commission reviewed this application at the October 9, 2019 meeting and voted unanimously to recommend approval as presented.

<p><u>Planning Department Recommendation</u></p>
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<p><i>Vote to grant the wetland conditional use permit as presented.</i></p>
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## V. PUBLIC HEARINGS – NEW BUSINESS (Cont.)

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- C. The application of **Kenneth Young, Owner**, for property located at **346 Colonial Drive**, 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.



### Description

The applicant requests a conditional use permit to create an attached accessory dwelling unit (AADU) as an addition over the existing garage of the residential structure.

Because the resulting unit will be an attached accessory dwelling unit (AADU), the provisions of Sec. 10.814.40 apply. The Zoning Board of Adjustment, at their September 24, 2019 meeting, granted variances to allow the following:

- 1) lot area of 6,099 sq.ft. where 15,000 is the minimum required;
- 2) 23.5% building coverage where 20% is the maximum allowed;
- 3) a lawful nonconforming building or structure to be extended, reconstructed or enlarged;
- 4) a 19'6" front yard where 30' is required.

<b>Section 10.521 Dimensional Requirements</b>		
	<b>Required</b>	<b>Provided / Proposed</b>
Min. lot area (sf)	15,000	6,099
Lot area / dw unit (sf)	15,000	6,099
Street frontage (ft)	100	132
Lot depth (ft)	100	65
Primary front yard (ft)	30'	19'6"
Left side yard	10'	
Right side yard (ft)	10'	16'
Rear yard (ft)	30'	12'
Height (ft)	35;	<35'
Bldg coverage (%) max.	20%	23.5%
Open Space (%) min.	40%	70%
Parking (#)	3	3

In addition to the dimensional requirements of Section 10.521 above, the Ordinance requires that an AADU comply with the following standards (Section 10.814.30 and 10.814.40).

<b>Required Standard</b>	<b>Planning Department Comments</b>
The principal dwelling unit and the accessory dwelling unit shall not be separated in ownership.	The applicant has indicated compliance with this requirement, verification will be required in order for a certificate of use to be issued.
Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the dwelling.	The applicant has indicated compliance with this requirement, verification will be required in order for a certificate of use to be issued.
Neither the principal dwelling nor the accessory dwelling unit shall be used for any business, except that the property owner may have a home occupation use in the unit that he or she occupies as allowed or permitted elsewhere in this Ordinance.	The applicant has indicated compliance with this requirement.
Where municipal sewer service is not provided, the septic system shall meet NH Water Supply and Pollution Control Division requirements for the combined system demand for total occupancy of the premises.	N/A
An interior door shall be provided between the principal dwelling unit and the ADU.	An interior door is being provided.
The ADU shall not have more than two bedrooms and shall not be larger than 750 sq. ft. gross floor area.	The ADU is proposed to have one bedroom and to be 395 s.f.

Required Standard	Planning Department Comments
Any exterior changes to the single-family dwelling shall maintain the appearance of a single-family dwelling.	The project includes the construction of a dormer for the addition and a portico over the secondary entrance, which will take on the appearance of a primary entrance. The applicant states that the project is designed to be aesthetically consistent with the existing single family structure. As the portico and proposed dormer are not consistent with the existing single family home, the applicant requests a modification to this requirement.
No portion of the AADU shall be closer to the front lot line than the existing front wall of the principal dwelling unit.	The lot has one curved front creating a situation where the building faces on two sides. As such, the lateral expansion of the garage/ADU will result in an expansion closer to the westerly front line. The applicant is requesting a modification for this requirement.
An exterior wall of the AADU that faces a street on which the lot has frontage shall comprise no more than 40% of the total visible façade area of the dwelling as seen from that street.	As the property has a curved front lot line the portion of the ADU on the westerly side of the building will constitute more than 40% of the façade. Because of the unique-ness of a curved front lot line the applicant is requesting a modification to this requirement.
The addition to or expansion of the existing single-family dwelling may include an increase in building height only as an upward expansion of the existing principal building with no increase in building footprint.	The proposed AADU addition includes a small increase to the building footprint and is proposed to be equal in height to the existing building.
The building height of any addition or expansion that includes an increase in building footprint shall be less than the building height of the existing principal building.	The proposed AADU addition is proposed to be equal to the existing building height. The applicant is requesting a modification to this requirement.
The AADU shall be architecturally consistent with the existing principal dwelling through the use of similar materials, detailing, roof pitch, and other building design elements.	The AADU is designed to be aesthetically consistent with the existing single family structure. The applicant requests a modification to this requirement should the Board find that the proposed portico and dormer are not consistent with the existing home.

In order to grant a conditional use permit for an ADU, the Planning Board must first make the following findings (Sec. 10.814.60):

Required Findings	Planning Department Comments
1. Exterior design of the ADU is consistent with the principal dwelling on the lot.	The AADU is designed to be aesthetically consistent with the existing single family structure. The applicant requests a modification to the requirements of Section 10.814.453 should the Board find that the proposed portico and dormer are not consistent with the existing home.
2. The site plan provides adequate open space, landscaping and off-street parking for both the ADU and the primary dwelling.	Both the primary dwelling and the AADU will have access to usable open space and landscaping. Required total parking is 3 spaces and 3 spaces are provided.
3. The ADU will maintain a compatible relationship to adjacent properties in terms of location, design and off-street parking layout and will not significantly reduce the privacy of adjacent properties.	The proposed AADU should not be incompatible with adjacent properties, nor have a significant impact on the privacy of adjacent properties. The applicant should address the construction schedule and how they propose to reduce impact on abutting properties during the construction process.
4. The ADU will not result in excessive noise, traffic or parking congestion.	The applicant is providing 3 parking spaces. The location of this unit in an established residential neighborhood is unlikely to create a noticeable change in traffic.

Request for Modifications:

The applicant requests modifications of required standards pursuant to Section 10.814.70 of the Zoning Ordinance as follows:

- 1) Section 10.814.43 of the Zoning Ordinance – should the Board find that the proposed AADU does not maintain the appearance of a single-family dwelling with the addition of a portico and dormer.
- 2) Section 10.814.44 of the Zoning Ordinance – for the portion of the AADU that will be closer to the westerly front lot line on the side of the structure.
- 3) Section 10.814.451 of the Zoning Ordinance – for the portion of the AADU with an exterior wall facing the street which comprises more than 40 percent of that side façade area.
- 4) Section 10.814.452 of the Zoning Ordinance – for an AADU that includes an upward expansion of the existing principal building with an increase in building footprint.
- 5) Section 10.814.453 of the Zoning Ordinance – should the Board find that the proposed AADU height equal to the principal dwelling does not meet the intent of this section proposing it shall be less than with an increase in building footprint.
- 6) Section 10.814.453 of the Zoning Ordinance – should the Board find that the addition of a portico and dormer is not consistent with the existing principal dwelling.

Planning Staff Comments

A couple of the modifications to the required standards that the applicant is requesting relate to the design and appearance of the proposed AADU (ie items 1 and 6) rather than specific dimensional requirements. Planning staff have suggested revisions to the proposed design to comply with these standards, but the applicant maintains those modifications are not possible. Unlike the other standards, the Board's review of these items is more subjective. Therefore, if the Board finds that the application generally complies with items 1 and 6, it is not necessary to grant those requested modifications. However, if the Board determines that the application does not comply with items 1 and 6, they should then consider whether granting of the modifications is merited.

Planning Department Recommendation

**[NOTE: Due to the number of modifications requested, Planning staff recommends voting and discussing each one individually. For Items 1 and 6, the Board should first determine if they agree that the modification is required or if the application as presented generally complies with these two standards.]**

- 1) *Vote to grant a modification from the following sections:*
  - 1.1) *Section 10.814.43 of the Zoning Ordinance – should the Board find that the proposed AADU does not maintain the appearance of a single-family dwelling with the addition of a portico and dormer.*
  - 1.2) *Section 10.814.44 of the Zoning Ordinance – for the portion of the AADU that will be closer to the westerly front lot line on the side of the structure.*
  - 1.3) *Section 10.814.451 of the Zoning Ordinance – for the portion of the AADU with an exterior wall facing the street which comprises more than 40 percent of that side façade area.*
  - 1.4) *Section 10.814.452 of the Zoning Ordinance – for an AADU that includes an increase in building height that also includes an increase in building footprint.*
  - 1.5) *Section 10.814.453 of the Zoning Ordinance –for an AADU that includes an increase in building footprint with a height that is equal to rather than less than the principal dwelling.*
  - 1.6) *Section 10.814.454 of the Zoning Ordinance – should the Board find that the addition of a portico and dormer is not consistent with the existing principal dwelling.*

**[NOTE: If the Board does not agree to all of the above modifications OR does not find that any of the modifications are not required, then the Board should vote to find that the requirements of 10.814.60 have not been satisfied and should not grant the conditional use permit.]**

- 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.*

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

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- 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.



### Description

The applicant requests a conditional use permit to create an attached accessory dwelling unit (AADU) in existing space located over the garage of the existing structure. The space was previously used as an apartment by previous owners and since that time the kitchen was removed and walls torn down to bring the property into compliance with the Single-family Zoning District requirements. It is used as a guest room by the current owners.

Because the resulting unit will be an attached accessory dwelling unit (AADU), the provisions of Sec. 10.814.40 apply.

### **Section 10.521 Dimensional Requirements**

	<b>Required</b>	<b>Provided / Proposed</b>
Min. lot area (sf)	15,000	16,988
Lot area / dw unit (sf)*	15,000	16,988
Street frontage (ft)	100	100
Lot depth (ft)	100	167

Primary front yard (ft)	30	>30
Right side yard	10	>10
Left Side yard (ft)	10	4+/-**
Rear yard (ft)	30	>30
Height (ft)	35	<35'
Bldg coverage (%) max.	20%	17.4%
Open Space (%) min.	40%	82.6%
Parking (#)	3	3+

\* For an attached accessory dwelling unit, the lot area per dwelling unit requirement only applies to the principal single family use.

\*\*Section 10.814.22 allows an AADU for existing nonconforming lots/buildings with no building expansion.

In addition to the dimensional requirements of Section 10.521 above, the Ordinance requires that an AADU comply with the following standards (Section 10.814.30 and 10.814.40).

Required Standard	Planning Department Comments
The principal dwelling unit and the accessory dwelling unit shall not be separated in ownership.	The applicant has indicated compliance with this requirement, verification will be required in order for a certificate of use to be issued.
Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the dwelling.	The applicant has indicated compliance with this requirement, verification will be required in order for a certificate of use to be issued.
Neither the principal dwelling nor the accessory dwelling unit shall be used for any business, except that the property owner may have a home occupation use in the unit that he or she occupies as allowed or permitted elsewhere in this Ordinance.	The applicant has indicated compliance with this requirement.
Where municipal sewer service is not provided, the septic system shall meet NH Water Supply and Pollution Control Division requirements.	N/A
An interior door shall be provided between the principal dwelling unit and the ADU.	An interior door is being provided.
The ADU shall not have more than two bedrooms and shall not be larger than 750 sq. ft. gross floor area.	The proposed ADU has one bedroom and is 620 +/- s.f.
Any exterior changes to the single-family dwelling shall maintain the appearance of a single-family dwelling.	The applicant is not proposing any modifications to the exterior of the residence.
No portion of the AADU shall be closer to the front lot line than the existing front wall of the principal dwelling unit.	The AADU is proposed to be within an existing space above the garage of the existing principal dwelling unit.

In order to grant a conditional use permit for an ADU, the Planning Board must first make the following findings (Sec. 10.814.60):

<b>Required Findings</b>	<b>Planning Department Comments</b>
1. Exterior design of the ADU is compatible with the existing residence on the lot.	The applicant is not proposing to modify the exterior of the existing residence and the proposed AADU will be located in an existing portion of the structure.
2. The site plan provides adequate open space, landscaping and off-street parking for both the ADU and the primary dwelling.	Both the primary dwelling and the AADU will have access to usable open space and the existing landscaping on the property will not be altered. Three parking spaces are provided in the existing garage/driveway.
3. The ADU will maintain a compatible relationship to adjacent properties in terms of location, design and off-street parking layout and will not significantly reduce the privacy of adjacent properties.	The residence is not proposed to be modified. It should not be incompatible with adjacent properties, nor have a significant impact on the privacy of adjacent properties.
4. The ADU will not result in excessive noise, traffic or parking congestion.	The applicant is providing 3 parking spaces and the location of this unit in an established residential neighborhood is unlikely to create a noticeable change in traffic.

**Planning Department Recommendation**

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.*



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

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- 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.



### Description

The applicant is requesting conditional use approval to construct a road through a wetland and wetland buffer including impacts for the roadway and stormwater treatment in support of a 22 lot subdivision off of Banfield Road.

### Conservation Commission Review

The Conservation Commission reviewed this application at the October 9, 2019 meeting and voted to postpone the application pending third party review by a wetland scientist and wildlife habitat scientist regarding the impact of the proposed project.

### **Planning Department Recommendation**

- 1. Vote to postpone the application to the November 21, 2019 Planning Board meeting.*