

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

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

7:00 pm

FEBRUARY 20, 2020

ACTION SHEET

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

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

MEMBERS ABSENT:

.....

I. APPROVAL OF MINUTES

A. Approval of Minutes from the January 16, 2020 and January 23, 2020 Planning Board Meetings

Both sets of minutes were unanimously approved.

II. PRESENTATION ON OPEN SPACE PLAN

Presentation by Peter Stith of the Planning Department. No action required or taken.

III. DETERMINATION OF COMPLETENESS

SITE PLAN REVIEW

A. The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** 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.

B. The application of the **Weeks Realty Trust, and Carter Chad, Owners and Tuck Realty Corporation, Applicant** for property located at **3110 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.

C. The application of **Hope for Tomorrow Foundation, Owner**, for property located at **355 (315) Banfield Road** requesting Amended 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.

SUBDIVISION REVIEW

- A. The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting Preliminary and Final Subdivision approval.

Voted to determine that the application is complete according to the Subdivision Regulations and to accept the application for consideration.

IV. PUBLIC HEARINGS – OLD BUSINESS

- A. The application of **James and Mallory Parkington, Owners**, for property located at **592 Dennett Street** requesting a Conditional Use Permit according to Section 10.814 of the Zoning Ordinance to construct an attached Accessory Dwelling Unit with 672 s.f. +/- of gross floor area in the second story of a newly constructed attached garage. Said property is shown on Assessor Map 161, Lot 18 and lies within the General Residence A (GRA) District.

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

- 1) Grant the requested modification to the parking requirements to allow three (3) parking spaces, one of which does not comply with the dimensional requirements of Section 10.1114.21 of the Zoning Ordinance;
- 2) Find that the application satisfies the requirements of Section 10.814.60 of the Zoning Ordinance;
- 3) Grant the conditional use permit as presented, subject to the conditions listed below.

- B. The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting a Conditional Use Permit in accordance with Section 10.1112.14 of the Zoning Ordinance for provision of 109 on-site parking spaces where a minimum of 134 are required. Said property is shown on Assessor Map 210, Lot 02 and lies within the Gateway Neighborhood Mixed Use Center (G2) District.

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

- 1) To accept the findings of the applicant's parking demand analysis and to find that the provision of 109 parking spaces on-site will be adequate and appropriate for the proposed 22-unit development site as long as the proposed measures to reduce and manage parking demand are implemented.
- 2) To **grant** a conditional use permit pursuant to Section 10.1112.14 and the requirements of Section 10.1112.62 for provision of shared parking on separate lots to permit a total of 109 parking spaces with the following stipulations:
 - 2.1) the church shall implement renovations to the assembly space to reduce the maximum rated occupancy to 250, subject to final approval by the Planning and Inspections Departments;
 - 2.2) any special events that are anticipated to exceed parking capacity beyond 75 spaces shall require implementation of a parking management plan. At no time shall parking management plans include blocking of parking lot aisles and accessways or on-street parking in the neighborhood. The parking management plan shall be finalized for review and approval by DPW and the Planning Dept. prior to building permit issuance;
 - 2.3) the shared parking covenant and an access easement for the proposed driveway between proposed Lots 1 and 2 shall be reviewed and approved by the Planning and Legal Departments and recorded at the Rockingham Registry of Deeds;
 - 2.4) A report back shall be provided to the Planning Department after 1 year of occupancy of the completed residential apartment building, confirming that the proposed shared parking

arrangement and parking management plan meet the demand as proposed, to be reviewed and approved by the Planning Department.

- C. The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting Preliminary and Final Subdivision approval to subdivide a lot with an area of 2.7 acres (116,591 s.f.) and 1,635 ft. +/- of street frontage into two (2) lots as follows: proposed Lot 1 with an area of 89,054 s.f. and 1,106 ft. +/- street frontage and proposed Lot 2 with an area of 27,537 s.f. and 529 ft. +/- street frontage. Said property is shown on Assessor Map 210, Lot 02 and lies within the Gateway Neighborhood Mixed Use Center (G2) District.

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

- 1) Lot numbers as determined by the Assessor shall be added to the final plat;
- 2) Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat;
- 3) GIS data shall be provided to the Department of Public Works in the form as required by the City;
- 4) The final plat shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

- D. The application of the **Bethel Assembly of God, Owner**, for property located at **200 Chase Drive** requesting Conditional Use Permit approval for a Development Site according to the requirements of Section 10.5B40 of the Zoning Ordinance and Site Plan Review approval for the construction of a new 22-unit residential apartment building with a footprint of 7,660 s.f. and 29,607 s.f. GFA with grading, lighting, utilities, stormwater management, landscape improvements, and community space. Said property is shown on Assessor Map 210, Lot 02 and lies within the Gateway Neighborhood Mixed Use Center (G2) District.

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

- 1) To find that the application meets the requirements of Section 10.5B43.10 and to grant the Conditional Use Permit for a development site in the Gateway Neighborhood Mixed Use District.
- 2) To find that 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 9.3.5 of the Site Plan Review Regulations – requiring dumpsters or other waste container pads to be a minimum of 20 feet from any property line or yard.
- 3) To grant Site Plan Review Approval with the following stipulations:

Conditions precedent (to be completed prior to building permit issuance):

- 3.1) The plan shall include a note that the bus shelter currently on site will be reinstalled at an existing bus stop to be approved by the City.
- 3.2) Required cross-easements for access, circulation, and maintenance of any shared infrastructure between the two proposed lots shall be reviewed and approved by the Planning and Legal Departments prior to recording.
- 3.3) The site plan shall be reviewed for pre-approval by the Rockingham County Registry of Deeds and subsequently recorded or as deemed appropriate by the Planning Department.
- 3.4) Parking spots on the residential apartment building lot shall be signed as “resident parking only” and plans shall be updated to note signage required.
- 3.5) Sheet C-4, Note 13 shall be updated to note that snow removal is required from all designated parking spaces.
- 3.6) Plans shall be updated to include pathway lighting within greenway #1, to be reviewed and approved by the Planning Dept.

Conditions subsequent (to be completed subsequent to building permit issuance):

- 3.7) The Engineer of Record shall submit a written report (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;
- 3.8) Owner shall provide an access easement to the City for water valve access and leak detection. The easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council;
- 3.9) The drainage report and stormwater management plan shall be reviewed and approved by DPW.

- E. The application of the **Weeks Realty Trust, and Carter Chad, Owners and Tuck Realty Corporation, Applicant** for property located at **3110 Lafayette Road** requesting Site Plan Review approval for the construction of 18 residential townhomes in 5 structures with a footprint of 15,880 s.f. and 47,252 GFA with associated site improvements, grading, utilities, stormwater management and landscape improvements. Said property is shown on Assessor Map 292, Lot 151-1 and lies within the Single Residence B (SRB) District.

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

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

- 1.) The site plan shall be reviewed for pre-approval by the Rockingham County Registry of Deeds and subsequently recorded by the City or as deemed appropriate by the Planning Department.
- 2.) Design of drainage systems shall be subject to final review by the third party reviewer and approval by DPW. Plans shall be updated to consider protection of the stormwater infiltration gallery from tree roots and shall be updated to revise sewer line location as needed to avoid conflicts with trees that are to remain on site
- 3.) The final water services plan shall be reviewed and approved by DPW Water Division.
- 4.) Owner shall provide an access easement to the City for water valve access and leak detection. The easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council.

Conditions Subsequent (to be completed after the issuance of a building permit)

- 5.) The Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed to the approved plans and specifications and will meet the design performance.
- 6.) A stormwater maintenance and inspection report shall be conducted annually and provided to the City's Planning and Public Works Departments.
- 7.) Efforts should be made to protect the mature trees on the site that are adjacent the limit of work. Snow fencing shall be installed along the dripline prior to construction.
- 8.) All as-built plans and plans provided for recording to the City shall be in the coordinate system required by the Site Plan Review regulations.

- F. The application of **Hope for Tomorrow Foundation, Owner**, for property located at **355 (315) Banfield Road** requesting Amended Site Plan Review approval for the construction of a 17,000 s.f. freestanding gymnasium and associated parking area to serve the existing private school on the property with related paving, lighting, utilities, landscaping, and drainage improvements. Said property is shown on Assessor Map 266 Lot 05 and lies within the Industrial (I) District.

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

- 1.) The site plan shall be reviewed for pre-approval by the Rockingham County Registry of Deeds and subsequently recorded by the City or as deemed appropriate by the Planning Department.

- 2.) The applicant shall work with DPW and abutting property owner at 285 Banfield Road to resolve concerns regarding off-site drainage.
- 3.) A maintenance and inspection report for the porous pavement parking lot shall be submitted to the City's Planning Department on an annual basis.

G. The application of **DPF 1600 Woodbury Avenue, LLC, Owner**, for property located at **1600 Woodbury Avenue** requesting Amended Site Plan Review approval to upgrade the existing shopping center with new and additional signage, a new driveway entrance off of Woodbury Avenue, and repurposing of the former supermarket space to separate retail space and new grocery space with accessory café/food court. Said property is shown on Assessor Map 238 Lot 16 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District.

The Board voted to **postpone** this request until the next regularly scheduled Planning Board meeting.

V. PUBLIC HEARINGS – NEW BUSINESS

A. The request of **JSA Trust, Owner**, and **Madbury Capital LLC, Applicant** for property located at **361 Hanover Street** for Design Review of construction of a 2-story, 2,645 s.f. addition to the existing office building, a 14,615 s.f. addition to the existing building and a 3-story mixed-use building consisting of a ground floor non-residential use and 2-stories of residential use. Said property is shown on Assessor Map 138 Lot 63 and lies within the Character District 5 (CD5) District.

The Board voted that the Design Review process is **complete**.

B. The request of **Vaughan Street Hotel, LLC and Stone Creek Realty, LLC, Owners** and **XXS Hotels, LLC, Applicant**, for properties located at **299 Vaughan Street and 53 Green Street** for Design Review for the construction of a 5-story hotel with community space. Said properties are shown on Assessor Map 124 Lot 10 and Assessor Map 119 Lot 2 and lie within in the Character District 5 (CD5) District.

This item was **postponed** until the February 27, 2020 Planning Board meeting.

VI. ADJOURNMENT

The meeting adjourned at 12:14 am.