

Scott Thornton
Great Rhythm Brewing Company, LLC
105 Bartlett Street
Portsmouth, NH 03801
(603) 430-9640
scott@greatrhythmbrewing.com
April 24, 2019

City of Portsmouth Planning Department
1 Junkins Ave
Portsmouth, NH 03801

Re: Conditional Use Permit

Dear City of Portsmouth Planning Department:

Great Rhythm Brewing Company, LLC is requesting a Conditional Use Permit for an outdoor dining or drinking area, as accessory use to its currently permitted principle us of operating a Brewery and Tasting Room. Great Rhythm Brewing Company, LLC is located at 105 Bartlett Street in Portsmouth, NH. This property is in Character District CD4-W where this use requires a Conditional Use Permit.

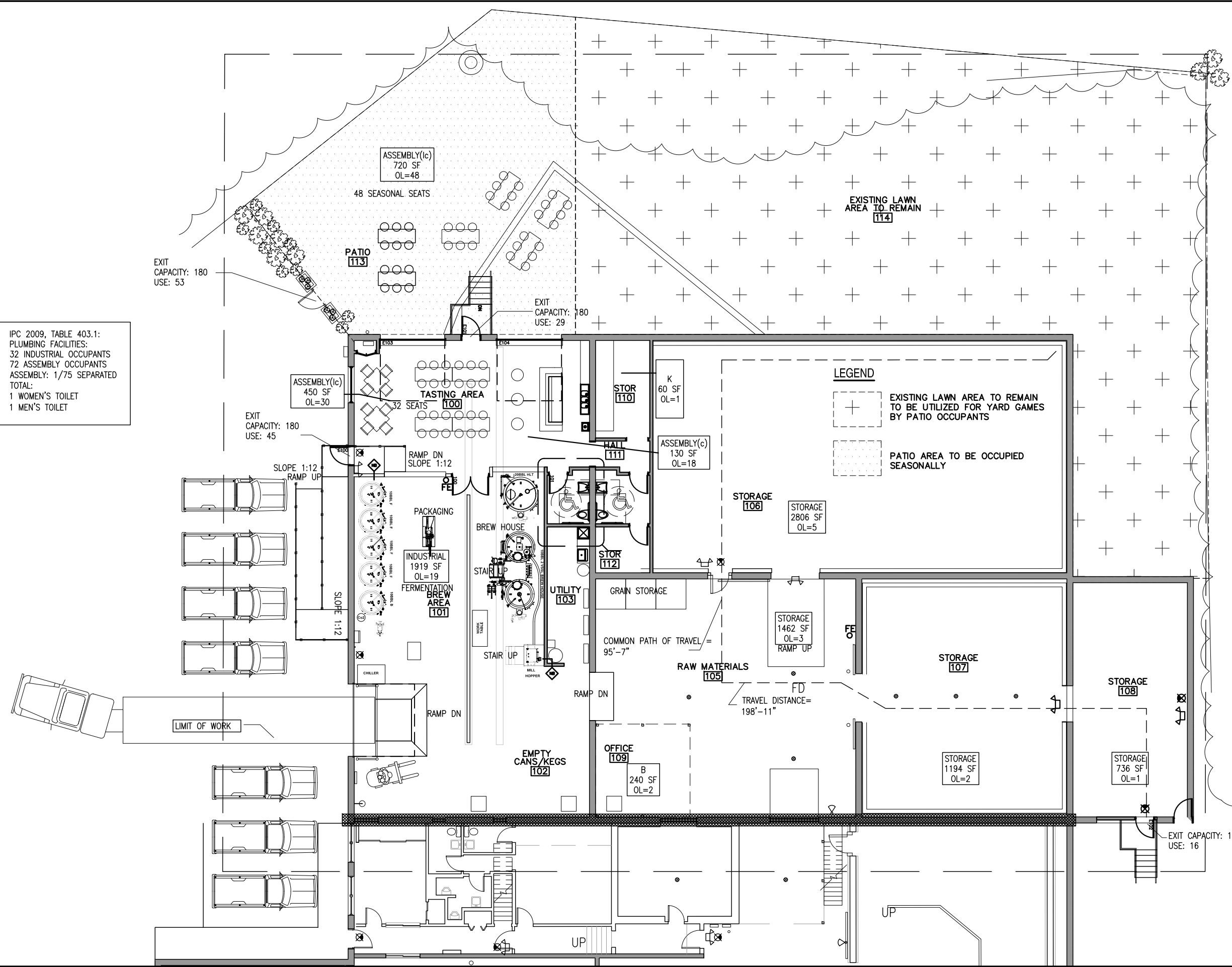
The proposed outdoor area is directly connected and could be serviced by the current Tasting Room at the brewery (As shown in attached document 15122-Great Rhythm-Outdoor Seating Layout.pdf). The plan shows the current state of the property with the exception of the outdoor seating, which would be added if a permit was granted. All other infrastructure on the plan is currently existing.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Thornton", with a stylized flourish at the end.

Scott Thornton
Great Rhythm Brewing Company, LLC

IPC 2009, TABLE 403.1:
 PLUMBING FACILITIES:
 32 INDUSTRIAL OCCUPANTS
 72 ASSEMBLY OCCUPANTS
 ASSEMBLY: 1/75 SEPARATED
 TOTAL:
 1 WOMEN'S TOILET
 1 MEN'S TOILET



SHEET TITLE
FLOOR PLAN
 PROJECT
GREAT RHYTHM BREWING CO

DRAWING
T1

WINTER HOLBEN
 architecture + design
 7 WALLINGFORD SQUARE
 UNIT 2099
 KITTERY, ME 03904
 207.703.4918

REF:	
PROJECT NO:	15022
DATE:	22APR2019
FILE:	15122-COVER SHEETS-REV190422.DWG
DRAWN BY:	BMH
CHK'D BY:	

**CITY OF PORTSMOUTH
PLANNING BOARD
C.U.P. APPLICATION NARRATIVE**

Great Rhythm Brewing Company
(Applicant)
Tax Map 157, Lot 2
105 Bartlett Street
Portsmouth, NH 03801

INTRODUCTORY STATEMENT

Great Rhythm Brewing Company is a small and independently, locally owned craft brewery that opened its doors on Bartlett Street in August of 2016. From the outset, the Owners/Founders Scott and Kristen Thornton, who are Portsmouth residents, wanted to create a family-friendly, community atmosphere at Great Rhythm. Since 2016, Scott and Kristen have transformed the once a run-down, vacant building at 105 Bartlett Street, which was previously utilized as a fish processing facility, into an integral piece of the Portsmouth West End community. This has helped in propelling the revitalization of the West End. The brewery is a center for community outreach events, a job creator, a destination for visitors and tourists, and a meeting place where local residents and neighbors come together to socialize. It has created a space that people are drawn to live around. It is also a contributor to the West End Business Association, the Green Alliance and Portsmouth 400 Planning Committee.

A key component to the success and growth potential of Great Rhythm is the onsite tasting and consumption of its beer. In the summer months, one of the most common questions that visitors of the brewery ask is whether they can go outside to enjoy their beer with a view of the North Mill Pond. Living in New England, we all relish the opportunity to sit outside on a nice day, particularly by the water. Visitors of the brewery are no different. Accordingly, Great Rhythm is proposing to grow its business by making use of a 720+/- square foot outdoor area immediately adjacent to its Tasting Room for the on-site consumption of its beer. In order to do so, Great Rhythm must obtain a Conditional Use Permit ("C.U.P") from the Board pursuant to Section 10.243.20 of the Ordinance.

The 720+/- outdoor area for which the C.U.P. is sought is designed to accommodate up to forty-eight (48) seats. The low impact use of the outdoor area will conform to the spirit and intent of the CD4-W zoning. It will contribute in making the West End a more attractive place reside in and visit and will have a positive overall impact upon the City.

CONDITIONAL USE CRITERIA

10.243.21 *The design of proposed structures, their height and scale in relation to the site's surroundings, the nature and intensity of the proposed use or activity, and the layout and design of the site will be compatible with adjacent and nearby properties, buildings and uses, will complement or enhance the character of the surrounding development, and will encourage the appropriate and orderly development and use of land and buildings in the surrounding area.*

No further development of the property or building at 105 Bartlett Street is being proposed with the use of the 720+/- outdoor area. The building is presently used for a brewery operation. The use of the outdoor area adjacent to the Tasting Room is a natural extension of the existing use. The expanded use of the property will have negligible impact, as the outdoor area will only be used seasonally, and is ancillary to the primary use of the site. It is surrounded by commercial business operations, including Ricci Lumber, Ace Hardware and a Doggy Daycare business. The building was previously used as a fish processing facility. Arguably, the brewery and associated Tasting Room are less impactful to surrounding neighborhoods than the prior use (and other surrounding uses). The current use of the property, particularly with the addition of the outdoor area, make the surrounding neighborhoods more attractive to live in. The same cannot be said for other potential uses that could be made of the property under current zoning. The use is consistent with the goals and intent of the Master Plan, particularly as it pertains to the West End.

Great Rhythm has enhanced the character of the area through its adaptive reuse of the former fish processing building. It has worked to clean up the outdoor areas of the property, which had been historically neglected, to make it more aesthetically attractive place in the West End.

10.243.22 *All necessary public and private utility infrastructure and services will be available and adequate to serve the proposed use.*

The proposed outdoor area is directly adjacent to THE current Tasting Room at the brewery. There are accessible bathroom and other facilities within the Tasting Room that are compliant with local, state and federal law.

10.243.23 *The site and surrounding streets will have adequate vehicular and pedestrian infrastructure to serve the proposed use consistent with the City's Master Plan.*

The use of the property is not changing. The site improvements and infrastructure, including ingress, egress and parking for the site have already been deemed adequate for the existing brewery use.

10.243.24 *The proposed structures, uses, or activities will not have significant adverse impacts on abutting and surrounding properties on account of traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.*

The use of the property is not changing and is permitted. The direct abutting neighbors of the property are Ricci Lumber, Ace Hardware, and a Doggy Daycare, which are commercial uses. Aside from noise, the brewery does have any of the impacts contemplated by Section 10.243.24 of the Ordinance. Noise is mitigated, however, by the Brewery's hours of operation, which are

limited. Use of the outdoor area will be seasonal and limited to the Brewery's hours of operations. Current hours of operation are 12pm – 8pm.

Great Rhythm is located adjacent to the North Mill Pond. Noise inherently travels across the water. While this may pose a concern to those living across the water, the brewery currently has two (2) bay doors that open from the Tasting Room to the North Mill Pond which are permitted. The noise generated from inside of the brewery which travels across the water does not violate any noise or other ordinances. Any noise generated from the outdoor area would not be any greater than the natural noise generated from inside the brewery.

The North Mill Pond Trail and Greenway project seeks to create a linear community greenway along the North Mill Pond. Once implemented, it will include pedestrian and bicycle paths for the public to use. Use of the trail system by the public will generate a natural level of noise from its use by pedestrians and bicyclists that cannot be mitigated.

10.243.25 *The proposed structures and uses will not have significant adverse impacts on natural or scenic resources surrounding the site, including wetlands, floodplains, and significant wildlife habitat.*

No new structures are proposed with the proposed use of the outdoor area. No vegetation will be removed with the proposed use. No impervious surface will be added to the property. The area of the proposed use was previously disturbed and contains mostly grass/weeds. Thus, there will be no adverse impact to natural resources or wildlife around the North Mill Pond associated with the proposed use.

Consistent with being a “green” business, Great Rhythm utilizes re-usable water and beverage containers and seeks to minimize the amount of waste it generates. For any rubbish it does generate, there will be a designated collection area in the outdoor area. Rubbish will be removed throughout the day by staff of the Brewery.

10.243.26 *The proposed use will not cause or contribute to a significant decline in property values of adjacent properties.*

The building which Great Rhythm occupies was previously utilized as a fish processing plant. The façade of the building and outdoor areas surrounding it were neglected. There was accumulated trash along the shoreline of the North Mill Pond. Great Rhythm made significant improvements to the building and its façade and cleaned up the outdoor areas. The introduction of the brewery to 105 Bartlett Street has contributed to the continued increase in property values in the West End of Portsmouth. Aside from the aesthetic improvements, Great Rhythm's presence at 105 Bartlett Street has created a neighborhood gathering space that adds value to the area.

10.243.30 *Where specific standard or criteria are set forth in this Ordinance for the particular use permitted by conditional use permit, those standards and criteria shall apply in lieu of general standards in Section 10.243.20.*

There are no specific standards and criteria set forth in the Ordinance, to the best of the Applicant's knowledge, that would apply beyond the general criteria set forth by Section 10.243.20.

CONCLUSION

The Applicant has demonstrated that it meets each of the specific criteria set forth by Section 10.243.20 of the Ordinance and thanks the Board for its consideration of the foregoing application. In conclusion, the Applicant respectfully requests that the Board grant the relief sought herein.

Respectfully Submitted,

Dated: May 6, 2019

Great Rhythm Brewing Company
Scott and Kristin Thornton, Owners

Derek R. Durbin

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