10.243 Approval Criteria

10.243.10 A conditional use permit shall be granted only if the Planning Board or other such Board or person as may have jurisdiction determines that the proposal conforms to all applicable conditional use permit criteria, as set forth below or in other sections of this Ordinance.

10.243.20 Conditional uses designated in Section 10.440 – Table of Uses, as well as other conditional uses for which no specific criteria are set forth in the Ordinance, shall comply with all of the following 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 surrounding development, and will encourage the appropriate and orderly development and use of land and buildings in the surrounding area.

   Proposed seasonal structure is in relation to site’s surrounding area and general design matches the existing patios already in existence on this property.

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

   The same utilities and infrastructure that serve the restaurant’s patrons inside are available to the small number of additional patrons on the proposed patio.

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.

   Proposed patio preserves pedestrian thoroughfare with a 36” walkway remaining to the building’s tertiary entrance, with no vehicular impact

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.

   Proposed patio will be lit by existing lighting and hours of operation will not exceed current approved patios onsite. Number of guests will be small with a focus on dining rather than late night drinking.

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.
Not applicable to this proposed project

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

  Proposed seasonal patio will not contribute to decline in property value.
May 21, 2019

Juliet Walker
Planning Director
1 Junkins Ave
Portsmouth, New Hampshire 03801

RE: Botanica

Dear Juliet,

Brewery Lane Portsmouth, LLC is the owner of the mixed-use building located at 110 Brewery Lane. Botanica is a restaurant tenant in the building with an address of 110 Brewery Lane, Suite 105. As owner of the building, we approve Botanica’s proposed outdoor patio design and understand it is or will be submitted to the City for a conditional use permit and site plan review.

If you have any questions or concerns please feel free to contact me at echinburg@chinburg.com.

Sincerely,
Brewery Lane Portsmouth, LLC

[Signature]

Eric J. Chinburg
Manager
5/30/19

To: Planning Board, City of Portsmouth
From: Brendan Vesey, Owner - Botanica Restaurant and Gin Bar
Re: LU-19-01

Dear Members,

Please find enclosed materials in support of my request for a small seasonal sidewalk patio for food and drink service at my restaurant located at the Frank Jones Brew Yard, 110 Brewery Lane. It is my opinion that this recurring seasonal change of use is compatible in scale and design with neighboring structures and will cause no decline in neighboring property values. I am a home and business owner in the West End and I plan to participate in the vibrant use and improvement of this neighborhood for years to come. I do hope you will agree.

Sincerely,

[Signature]

Brendan Vesey
Owner
Botanica Restaurant and Gin Bar
110 Brewery Lane
Suite 105
Portsmouth NH 03801
603-275-7498