

**ACTION SHEET**

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

**CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**7:00 P.M.**

**JULY 18, 2013**

**MEMBERS PRESENT:** John Ricci, Chairman; Anthony Blenkinsop, Vice Chairman; Nancy Novelline Clayburgh, City Council Representative; Richard Hopley, Building Inspector; William Gladhill; Colby Gamester; Elizabeth Moreau, Alternate and Jay Leduc, Alternate

**MEMBERS EXCUSED:** David Allen, Deputy City Manager; John Rice; and Karina Quintans;

**ALSO PRESENT:** Rick Taintor, Planning Director

.....  
**I. APPROVAL OF MINUTES**

1. Approval of Minutes from the March 21, 2013 Planning Board Meeting – Unanimously approved.
2. Approval of Minutes from the March 28, 2013 Planning Board Work Session – Unanimously approved.
3. Approval of Minutes from the April 18, 2013 Planning Board Meeting – Unanimously approved.
4. Approval of Minutes from the May 2, 2013 Joint Planning Board and HDC Work Session – Unanimously approved.

.....  
**II. 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 **Jean R. Johnson, Owner, and Thomas Johnson, Applicant**, for property located at **50 Martine Cottage Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland and a wetland buffer, to construct a 850’ ± pervious driveway to access a proposed subdivided lot, with 247 s.f. of impact to the inland wetland and 7,900 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 202 as Lot 16 and lies within the Rural Residential (R) District. (This application was postponed at the June 20, 2013 Planning Board meeting.)

Voted to accept the applicant’s **withdrawal** request and that the Conditional Use Permit application be closed with no further action by the Planning Board.

B. The application of **Hillcrest of Portsmouth, LLC, Owner and Applicant**, and **The RLD Revocable Trust and The AMD Revocable Trust, Co-Applicants**, for property located at **3201 and 3203 Lafayette Road and abutting vacant lot located on Lang Road**, requesting Preliminary and Final Subdivision approval to subdivide one lot into four lots as follows:

- a. Proposed Lot 1 consisting of 6.02 acres and 561’ of continuous street frontage.
- b. Proposed Lot 2 consisting of 67.11 acres and 200’ of continuous street frontage.
- c. Proposed Lot 3 consisting of 11.38 acres and 1084’ of continuous street frontage.
- d. Proposed Lot 4 consisting of 126.99 acres and 156.87’ of continuous street frontage on Lang Road.

Said properties are shown on Assessor Map 291 as Lot 7 and Map 289 as Lot 1 and lie within the Gateway District where a minimum lot area of 43,560 s.f. and 200’ of continuous street frontage is required, the Rural (R) District where a minimum lot area of 5 acres and no continuous street frontage is required and the Garden Apartment/Mobile Home (GA/MH) district where a minimum lot area of 15,000 s.f. and no continuous street frontage is required. (This application was postponed at the June 20, 2013 Planning Board meeting)

Voted to **postpone** this application to the August 15, 2013 Planning Board Meeting.

C. The application of **Olde Port Development Group, LLC, Owner**, and **Tod O’Dowd, Applicant**, for property located at **141 Mill Pond Way**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, to construct a 794 s.f. patio behind the existing 4-unit residential building, with 1,450 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 140 as Lot 24 and lies within the General Residence A (GRA) District. (This application was postponed at the June 20, 2013 Planning Board meeting)

Voted to **approve** the Conditional Use Permit Application.

D. The application of **Seacoast Trust, LLP, Owner**, for property located at **150 Route One Bypass**, requesting Site Plan Approval to place a 10’ x 60’ mobile diagnostic coach on a concrete pad in front of the existing medical building with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 231 Lot 58 and lies within the Single Residence B (SRB) District. (This application was postponed at the June 20, 2013 Planning Board meeting)

Voted to **postpone** this application to the August 15, 2013 Planning Board Meeting.

**III. 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. A public hearing to consider amending the Zoning Ordinance, Section 10.531 and 10.535, regarding Maximum Structure Height in the Central Business A District and Central Business B District to 45’ or 3 stories, whichever is less.

Voted to **postpone** discussion and place on the Joint Planning Board/HDC Work Session Agenda on August 1, 2013 and also place on the Planning Board Agenda for August 15, 2013 to re-open the Public Hearing.

.....  
B. The application of **KHP Properties, LLC, Owner**, for property located at **428 Pleasant Street**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a wetland buffer, to add a gravel parking area with 550 s.f. of impact to the tidal wetland buffer. Said property is shown on Assessor Map 102 as Lot 55 and lies within the General Residence B (GRB) District and the Historic District.

Voted to **postpone** this application to the August 15, 2013 Planning Board Meeting.

.....  
C. The application of **John Gens, Owner**, for property located at **8 Regina Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a wetland buffer, for remediation to restore functional value to the wetlands where trees were removed, with 2,493 s.f. of impact to the inland wetland. Said property is shown on Assessor Map 225 as Lot 27 and lies within the Rural Residential District.

Voted to **approve** the Conditional Use Permit Application with the following stipulations:

1. The applicant shall provide a monitoring plan that is approved by the Environmental Planner which includes annual monitoring for at least three years to occur on or within one week of July 15 each year beginning in 2014.
2. The plan shall include provisions to monitor invasive species and provide specific actions for manual removal and follow-up if invasive species are found in subsequent years.
3. The plan shall include a measurement of survival of the wetland buffer plantings (blueberry bushes) and a replanting contingency should the plants not achieve 80% survival.
4. The plan shall include a provision for photographs taken each year to document removal of invasive species, survival of buffer plantings and overall site restoration.
5. The spacing of the plantings may be adjusted with the approval of the City Environmental Planner.
6. The planting time shall occur between September 15<sup>th</sup> and October 15<sup>th</sup> of 2013.

.....  
D. The application of **Eport Properties 1, LLC** and **The Aland Realty Group, Owners**, for property located at **173 & 175 Market Street**, requesting Design Review to construct a 5-story 3,981 s.f. (footprint) addition to an existing building which will include three new dwelling units, office and commercial space and 10 parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 118 as Lots 3 & 4 and lies within the Central Business A (CBA) District, the Historic District and the Downtown Overlay District (DOD).

Voted to determine that the design review process of this application has ended.

.....

E. The application of **Eport Properties 1, LLC** and **The Aland Realty Group, Owners**, for property located at **173 & 175 Market Street**, requesting Site Plan Approval to construct a 5-story 3,981 s.f. (footprint) addition to an existing building which will include three new dwelling units, office and commercial space and 10 parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 118 as Lots 3 & 4 and lies within the Central Business A (CBA) District, the Historic District and the Downtown Overlay District (DOD).

Voted to **postpone** this matter to the August 15, 2013 Planning Board Meeting, to allow the applicant to address the following items:

1. Provide copies of easements to the Planning Department (TAC stipulation #2).
2. Provide a report on the potential for widening the Ceres Street driveway, and coordinate with the Fire Department to determine their recommendation (TAC stipulation #3).
3. Specify a revised support system for the sewer line running through the building to avoid deflection and issues associated with potential separation of chemicals with the joints of the SCH 80 PVC pipe (TAC stipulation #6).

.....

F. The application of **Portsmouth Ford Lincoln Mercury and SLF Realty Group, LLC, Owners**, for property located at **400 & 450 Spaulding Turnpike**, requesting Amended Site Plan Approval to construct a 4,400 s.f. addition to an existing sales & service building and vehicles display areas along the Spaulding Turnpike and Arthur Brady Drive, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 238 as Lots 1A and 2 and lie within the General Business (GB) District.

Voted to **postpone** this application to the August 15, 2013 Planning Board Meeting.

.....

G. The application of **Parade Residence Hotel, LLC, Owner**, for property located at **100 Deer Street**, **Portwalk Residential, LLC, Owner**, for property located at **99 Hanover Street**, and **Parade Office, LLC, Owner**, for property located at **195 Hanover Street** (aka Portwalk I, II & III), requesting Amended Site Plan Approval for streetscape improvements along Portwalk Place, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lots 1, 22 & 23 and lie within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District.

Voted to **grant** Amended Site Plan approval with the following stipulations:

1. The final construction details for the proposed crosswalk to the Vaughan Mall shall be determined by DPW.
2. Any lines on the Site Plan delineating outdoor seating areas shall be removed.

.....  
**IV. CITY COUNCIL REFERRALS/REQUESTS**

*The Board's action in these matters has been deemed to be legislative 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. Request to rezone property located at 1900 Lafayette Road.

Voted to **postpone** to a future date.

.....  
**VI. PLANNING DIRECTOR'S REPORT**

No report.

.....  
**VII. ADJOURNMENT**

A motion to adjourn at 10:20 pm was made and seconded and passed unanimously.

.....  
Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board