

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

OCTOBER 17, 2013

MEMBERS PRESENT: John Ricci, Chairman; John Rice, Vice-Chairman; Nancy Novelline Clayburgh, City Council Representative; David Allen, Deputy City Manager; Richard Hopley, Building Inspector; William Gladhill; Colby Gamester; Elizabeth Moreau, and Jay Leduc, Alternate

MEMBERS EXCUSED: n/a

ALSO PRESENT: Rick Taintor, Planning Director

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I. APPROVAL OF MINUTES – No minutes submitted for approval.

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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 **143 Daniel Street, LLC, Owner**, and **Steven P. Wilson, Applicant**, for property located at **143 Daniel Street**, requesting Site Plan Approval to add a 2 ½ story addition over the existing “gym” and construct a new 60’ x 40’3-story addition on the existing parking lot for the development of a mixed use building including commercial use, 14 residential units and 18 lower level parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 105 as Lot 19 and lies within the Central Business B (CBB) District, the Historic District and the Downtown Overlay District (DOD). (This application was postponed at the September 19, 2013 Planning Board meeting)

Voted to **postpone** to the next regular Planning Board Meeting scheduled for November 21, 2013.
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B. The request of Tom and Zelita Morgan to expand the Historic District southerly to the intersection of Richards and Parrott Avenues and westerly to the intersection of Austin and Summer Streets. (This application was postponed at the September 19, 2013 Planning Board meeting)

The motion to recommend that the Historic District be expanded as shown on the maps included with the Planning Board packet, or as may be further refined based on input at the public hearing, **failed** to pass with a 2-7 vote.

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C. The application of **2422 Lafayette Road Associates, LLC**, for property located at **2454 Lafayette Road (Southgate Plaza)**, requesting Amended Site Plan Approval to revise the new retail building, add a rain garden at the rear of the site, and make related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 273, Lot 3 and lies within the Gateway District. (This application was postponed at the September 19, 2013 Planning Board meeting)

Voted to **postpone** to the next regular Planning Board Meeting scheduled for November 21, 2013.

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D. The application of **Carol S. and Joseph G. McGinty, Owners**, and the **Frances T. Sanderson Revocable Trust and Lynn J. Sanderson Revocable Trust, Paul G. Sanderson, Trustee, Owners**, for property located at **300 Spinney Road and off Spinney Road**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows:

- a. Lot 6 on Assessor Map 169 decreasing in area from 30,000 s.f. to 28,363 s.f. and with continuous street frontage on Spinney Road decreasing from 150 ft. to 132.54 ft.
- b. Lot 24 on Assessor Map 170 increasing in area from 181,725 s.f. to 183,362 s.f. with 139.06 ft. of continuous street frontage on Middle Road.

Said properties are located in the Single Residence B (SRB) District which requires a minimum lot size of 15,000 s.f. and 100 ft. of continuous street frontage. (This application was postponed at the Se

Voted to refer this matter to the Technical Advisory Committee for a recommendation back to the Planning Board and **postpone** to the next regular Planning Board Meeting scheduled for November 21, 2013.

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E. The application of the **Frances T. Sanderson Revocable Trust and Lynn J. Sanderson Revocable Trust, Paul G. Sanderson, Trustee, Owners**, and **Spinney Road Land Holdings, LLC, Applicant**, for property located **off Spinney Road and Middle Road**, for Preliminary and Final Subdivision Approval to subdivide two lots into five lots with a new public right-of-way, with the following: Lot 5 on Assessor Map 167 having 263,937 s.f. (6.06 acres) and Lot 24 on Assessor Map 170 having 183,362 s.f. (4.21 acres), to be consolidated and subdivided into five separate lots ranging in size from 15,500 s.f. (0.36 acre) to 352,414 s.f. (8.09 acres), and all with a minimum of 100 ft. of continuous frontage on the proposed public right-of-way. Said properties are located in the Single Residence B (SRB) District which requires a minimum lot size of 15,000 s.f. and 100 ft. of continuous street frontage. (This application was postponed at the September 19, 2013 Planning Board meeting)

Voted to refer this matter to the Technical Advisory Committee for a recommendation back to the Planning Board and **postpone** to the next regular Planning Board Meeting scheduled for November 21, 2013.

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F. The application of **Frances T. Sanderson Revocable Trust and Lynn J. Sanderson Revocable Trust, Owners, and Spinney Road Land Holdings, LLC, Applicant**, for property located **off Spinney Road and Middle Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a wetland buffer to install a rain garden of which a portion is within the wetland buffer, with 3,120 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 170 as Lot 24 and lies within the Singe Residence B (SRB) District. (This application was postponed at the September 19, 2013 Planning Board meeting)

Voted to refer this matter to the Technical Advisory Committee for a recommendation back to the Planning Board and **postpone** to the next regular Planning Board Meeting scheduled for November 21, 2013.

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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. The application of **Pease Development Authority, Owner and Stonegate Construction N.H., LLC, Applicant**, for property located at **249 Corporate Drive**, requesting Preliminary and Final Subdivision approval to create a new lot on Corporate Drive, consisting of 218,981 s.f. (5.027 acres) and decreasing the remaining land area identified as Map 303, Lot 6 (Pease Development Authority map 314, Lot 0) by 5.027 acres, constituting a portion of the Pease International Tradeport. Said lot lies within the Pease Airport, Business & Commercial District (ABC) where a minimum lot area of 5 acres is required.

Voted to recommend that the Pease Development Authority **grant** Preliminary and Final Subdivision Approval subject to the following stipulations:

1. Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.
2. GIS data shall be provided to the Department of Public Works in the form as required by the City.

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B. The application of **Stonegate Construction N.H., LLC, Applicant**, for property located at **249 Corporate Drive**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland and wetland buffer, to construct a new driveway and to replace a drainage outfall structure, with 457 s.f. of impact to the inland wetland and 1,951 s.f. of impact to the inland wetland buffer. Said property is shown on Assessor from Map 303, Lot 6 (Pease Development Authority Map 314, Lot 0) and lies within the Pease Airport, Business & Commercial District (ABC).

Voted to recommend that the Pease Development Authority **grant** the Conditional Use Permit as requested.

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C. The application of **Stonegate Construction N.H., LLC, Applicant** for property located at **249 Corporate Drive**, requesting Site Plan Review for a proposed 37,013 s.f. office building, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is subject to subdivision from Map 303, Lot 6 (Pease Development Authority Map 314, Lot 0) and lies w

Voted to recommend that the Pease Development Authority **grant** the Site Plan approval as requested.

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D. The application of **Catherine T. Moretti, Owner**, for property located on **Central Avenue**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into three lots with the following:

- 1. Proposed Lot 1 having 39,391 ± s.f. and 169.07’ of continuous street frontage on Central Avenue;
- 2. Proposed Lot 2 having 32,427 ± s.f. and 104.14’ of continuous street frontage on Central Avenue;
- 3. Proposed Lot 3 having 21,232 ± s.f. and 100’ of continuous street frontage on Central Avenue.

Said lots are shown on Assessor Plan 220 as a portion of Lot 87 and lie within the Single Residence B (SRB) District where a minimum lot area of 15,000 s.f. and 100’ of continuous street frontage is required. (On March 21, 2013 the Planning Board granted subdivision approval to subdivide Lot 87 into two separate lots.) (See RCRD Plan D-37764)

Voted to **postpone** to a Special Planning Board Meeting scheduled for October 24, 2013.

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E. The application of **Pine Siskin, LLC, Owner**, for property located at **219 Gosport Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a wetland buffer, to construct a 1,749 s.f. in-ground pool and associated patio, with 2,709 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 224 as Lot 10-11 and lies within the Single Residence A (SRA) District.

Voted to **deny** a Conditional Use Permit.

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F. The application of **Great Bay School Training Center, Owner, and David Lemieux, Applicant**, for property located at **417 Lafayette Road**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots with the following:

- a. Proposed Lot 1 having 15,000 ± s.f. and 149.35’ of continuous street frontage on Lafayette Road;
- b. Proposed Lot 2 having 16,620 ± s.f. and 100’ of continuous street frontage on Lafayette Road.

Said lot is shown on Assessor Plan 230 as Lot 23 and lies within the Single Residence B (SRB) District where a minimum lot area of 15,000 s.f. and 100’ of continuous street frontage is required. voted as follows:

- a) Voted to determine that the application was complete according to the Subdivision Rules and Regulations, and accepted the application for consideration.
- b) Voted to **postpone** consideration of your request to waive compliance with Section VI.2.A of the Subdivision Rules and Regulations, requiring side lot lines to be at right angles to street lines to the extent practicable
- c) Voted to **postpone** your Subdivision application to the next regular Planning Board meeting.

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G. The application of **Borthwick Forest, LLC, Owner**, for property located **between Islington Street and Borthwick Avenue**, requesting Conditional Use Permit approval under the Zoning Ordinance for work within an inland wetland buffer to construct a road from Borthwick Avenue to Islington Street in connection with a proposed subdivision, with 10,700 s.f. of impact to the wetland buffer and 5,800 s.f. of wetland buffer restoration. Said properties are shown on Assessor Plan 233, as Lots 112 & 113 and Assessor Plan 241 as Lot 25 and lie within the Single Residence B (SRB) District and the Office Research (OR) District.

Voted to **postpone** to the next regular Planning Board Meeting scheduled for November 21, 2013.

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H. The application of **Beth and Marco Gross-Santos, Owners**, and **JP Ventures, Applicant**, for property located on Marjorie Street, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a single family home with driveway, drainage and landscaping, with 6,976 s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 232 as part of Lot 14 and lies within the Single Residence B (SRB) District. Said Lot 14 was restored to its pre-merger status by City Council vote on April 15, 2013, and three of the merged lots will be voluntarily merged by the owner to create a new building lot.

Voted to **postpone** to the next regular Planning Board Meeting scheduled for November 21, 2013.

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I. The application of **Hillcrest at Portsmouth, Owner**, for property located at **3201 Lafayette Road**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to replace existing street lights and repair and replace existing sewer laterals, with 2,000 ± s.f. of temporary impact to the wetland buffer. Said property is shown on Assessor Plan 291 as Lot 7 and lies within the Garden Apartment/Mobile Home (GAMH) District.

Voted to **grant** Conditional Use Permit approval with the following stipulation:

- 1. The applicant shall install silt socks (rather than silt fences) between the project areas and any adjacent wetland areas before the start of construction and until the site is stabilized.
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IV. OTHER BUSINESS

A. Request of Port City Nissan and Two Way Realty, for property located at 120 Spaulding Turnpike, for a one year extension of Conditional Use Permit approval and Site Review approval which were granted by the Planing Board on November 15, 2012.

Voted to **grant** a one year extension of Conditional Use Permit approval and Site Review approval.

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V. PLANNING DIRECTOR’S REPORT

The Planning Director reviewed the Planning Board meetings and work sessions through the end of 2013.

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VI. ADJOURNMENT

A motion to adjourn at 9:25 pm was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board