

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

6:30 P.M.

DECEMBER 19, 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, Michael Barker and Jay Leduc, Alternate

MEMBERS EXCUSED: n/a

ALSO PRESENT: Rick Taintor, Planning Director

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I. OTHER BUSINESS

A. Presentation and adoption of **Capital Improvement Plan**

Voted to adopt the Capital Improvement Plan and forward it on to the City Council with a favorable recommendation.

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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 **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. (This application was postponed at the October 17, 2013 Planning Board meeting)

Voted to postpone to the February 20, 2014 Planning Board Agenda.
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B. The application of **Ertugrul Yurtseven, Owner**, for property located at **292 Lang Road**, requesting Preliminary and Final Subdivision Approval to subdivide one lot into four lots with the following:

- a. Proposed Lot 4 having 87,153 ± s.f. (2 acres) and 201.36' ± of continuous street frontage on Lang Road.
- b. Proposed Lot 4-1 having 405,342 ± s.f. (9.31 acres) and 384.05' ± of continuous street frontage on Lang Road.
- c. Proposed Lot 4-2 having 177,434 ± s.f. (4.07 acres) and 100' ± of continuous street frontage on Lang Road.
- d. Proposed Lot 4-3 having 140,181 ± s.f. (3.22 acres) and 310.87' ± of continuous street frontage on Lang Road.

Said lot is shown on Assessor Plan 287 as Lot 4 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. (This application was postponed at the November 21, 2013 Planning Board Meeting).

Voted to determine that the revised plan submitted on December 11, 2013, was complete according to the Subdivision Rules and Regulations, and accepted it for review.

Voted to grant Preliminary Subdivision Approval, and postponed consideration of Final Subdivision Approval to the Planning Board meeting on January 16, 2014.

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C. The application of **Maplewood & Vaughan Holding Company, LLC, Owner**, for property located at **111 Maplewood Avenue**, requesting Site Plan Approval to construct a 4-story mixed-use building with 40,000± s.f. of building coverage; 94,320± s.f. of floor area, including 14,140 s.f. of commercial use on the 1st floor and 70 residential units on the 2nd – 4th floors; and 104 surface parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 124 as Lot 8 and lies within the Central Business A (CBA) District, the Historic District and the Downtown Overlay District (DOD). (This application was postponed at the November 21, 2013 Planning Board Meeting).

Voted to grant Site Plan Approval with the following stipulations:

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

- 1. A Photometric Plan shall be added to the plan set, subject to approval by the Planning Department and Department of Public Works.
- 2. The applicant shall revise the design for the intersection of Maplewood Avenue and Raynes Avenue to better accommodate pedestrians, subject to approval by the Planning Department and Department of Public Works.
- 3. The applicant shall submit the final Maintenance and Inspection Plan for the parking lifts to the Fire Department for approval prior to installation.
- 4. The proposed shared parking plan shall be subject to review and approval by the Planning and Legal Departments to ensure that it complies with the Zoning Ordinance standards for off-street parking for residential uses.
- 5. The applicant shall obtain City Council approval to accept the land transfer required for the realignment of the intersection of Maplewood Avenue and Raynes Avenue.
- 6. The applicant shall contribute the following amounts for off-site traffic improvements:
 - (a) Traffic signal at intersection of Russell and Market Streets: \$3,250.00
 - (b) Off-site pedestrian improvements: \$32,500.00

7. The applicant shall enter into an agreement with the City to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of improvements within the public rights-of-way and on site.
8. The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) Plan for review and approval by the City’s Legal and Planning Departments.

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III. PUBLIC HEARINGS – NEW BUSINESS

A. The application of **Craig Welch and Stefany Shaheen, Owners**, for property located at **77 South Street**, requesting Amended Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer, to provide a foundation drain to release sub-surface water pressures in the area of the previously approved house addition, resulting in an additional 350 s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 102 as Lot 48 and lies within the General Residence B (GRB) District.

Voted to grant Conditional Use Permit Approval with the following stipulations:

1. The silt fence shall extend around the entire area of disturbance.
2. A detail for the pipe outlet shall be added to the plans.
3. Final plan review and approval by the City Environmental Planner.

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B. The application of the **Hill Hanover Group, LLC, Owner and G. L. Rogers and Company, Inc., Applicant**, for properties located at **181 Hill Street and 317-339 Hanover Street**, requesting Preliminary and Final Subdivision (Lot Line Revision) approval as follows:

- a. Assessor Map 125, Lot 14 decreasing in area from 38,305 s.f. to 16,127 s.f. with no change in street frontage; and
- b. Assessor Map 138, Lot 62 increasing in area from 20,574 s.f. to 42,752 s.f. with no change in street frontage.

Said properties lie within the Mixed Residential Office (MRO) and Mixed Residential Business (MRB) Districts where the minimum lot area is 7,500 s.f.

At the request of the applicant, the Board voted to postpone this application and it was placed on the TAC Agenda for January 2, 2014 at 2:00 pm. Once this matter receives a favorable recommendation from TAC, it will be placed on the next available Planning Board Agenda.

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C. The amended application of **143 Daniel Street, LLC, Owner, and Steven Wilson, Applicant**, for property located at **143 Daniel Street**, requesting Site Plan Approval to demolish the “gymnasium” portion of the existing “Army Navy building” and construct two new connected buildings, with the “Daniel Street building” being a 3 ½ story mixed-use building with a footprint of 4,033 ± s.f. and gross floor area of 14,060 ± s.f., and the “Chapel Street building” being a 2 ½ story residential building with a footprint of 2,580 ± s.f. and gross floor area of 7,138 ± s.f., for a total of 15 residential units and 19 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).

Voted to waive the requirements for a traffic impact analysis and a stormwater management and erosion control plan (Sections 3.2 and 7.4.4 of the Site Plan Review Regulations).

Voted to determine that the application was complete according to the Site Plan Review Regulations, and accepted the application for consideration.

Voted to grant Site Plan Approval with the following stipulations:

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

1. The easements to and from the City shall be approved by the City Council and recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
2. The proposed restrictive covenant shall be reviewed by the City Legal Department for form and substance and recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
3. As part of the capacity use surcharge determination, an apportionment of costs will be done which allows for additional improvements to the collection system beyond the capacity use surcharge.
4. The applicant shall agree to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of improvements within the public rights-of-way and on site.
5. The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) for review and approval by the City’s Legal Department and Planning Department.
6. On Sheet C-4 the grease trap note shall be revised to read “Possible future 1,000 gallon grease interceptor” and the internal location must be defined.

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D. The application of **1st Colebrook Bank, Owner**, for property located at **2400 Lafayette Road**, requesting Site Plan Approval to construct a 30’ x 40’, one-story, 1,200 s.f. addition to an existing bank building and expansion and reconfiguration of the parking lot, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 273 as Lot 6 and lies within the Gateway (GW) District.

Voted to determine that the application was complete according to the Site Plan Review Regulations, and accepted the application for consideration.

Voted to grant Site Plan Approval with the following stipulation:

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

1. The applicant shall revise the plan to show all existing and proposed exterior lighting will be dark sky friendly and shall comply with section 10.1144 of the Zoning Ordinance.

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E. The application of **Harborcorp, LLC, Owner**, for property located on **Russell Street, Deer Street and Maplewood Avenue**, requesting Design Review for a proposed 5-story mixed use development with a footprint of 72,680 ± s.f. and gross floor area of 390,831 ± s.f., including a hotel/event center with 141,781 s.f. of event center space and 98 hotel rooms, 14 residential condominiums, a 40,000 s.f. retail supermarket, and 660 parking spaces (490 spaces in a garage structure and 170 below-grade spaces serving the retail use); with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lot 21, Assessor Map 118 as Lot 28 and Assessor Map 124 as Lot 126 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District.

Voted to continue the public hearing to the January 16, 2014 Planning Board Meeting.

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F. The application of **30 Maplewood Avenue, LLC, Owner**, for property located at **30 Maplewood Avenue**, requesting Design Review for a proposed 3 ½ story mixed use building with a footprint of 14,370 ± s.f. and gross floor area of 46,535 ± s.f., consisting of first floor office space and 16 covered parking spaces and 20 residential units on the 2nd, 3rd and top half stories, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 125 as Lot 2 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District.

Voted to determine that the design review process for this proposed project has ended.

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IV. PLANNING DIRECTOR’S REPORT - none

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V. ADJOURNMENT

A motion to adjourn at 12:02 am was made and seconded and passed unanimously.

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Respectfully submitted,

Jane M. Shouse
Acting Secretary for the Planning Board