

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

DECEMBER 18, 2014

MEMBERS PRESENT: John Ricci, Chairman; John Rice, Vice-Chairman; Jack Thorsen, City Council Representative; David Allen, Deputy City Manager; Robert Marsilio, Building Inspector; William Gladhill; Colby Gamester; Elizabeth Moreau, Michael Barker, Alternates: Justin Finn and Jay Leduc

MEMBERS EXCUSED: None

ALSO PRESENT: Rick Taintor, Planning Director, Jessa Berna, Associate Planner

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I. APPROVAL OF MINUTES

A. Approval of Minutes from the November 20, 2014 Planning Board Meeting – Unanimously *approved*.

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II. OTHER BUSINESS

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

Voted to adopt the FY 2016 – 2021 Capital Improvement Plan.

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III. DETERMINATION OF COMPLETENESS

A. Subdivision:

1. The application of Ferrari Remodeling & Design, Inc., Owner, for property located on Ocean Road and Banfield Road, for Preliminary and Final Subdivision Approval to subdivide one lot into two lots.

Voted to determine that the application was complete according to the Subdivision Regulations and to accept the application for consideration.

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IV. 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 **New England Marine & Industrial, Inc., Owner**, and **Subaru of New England, Inc., Applicant**, for property located at **200 Spaulding Turnpike**, requesting Conditional Use Permit approval under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a building in D-10, 119,150 ± s.f. building and various vehicle display areas totaling 32,000 ± s.f. with 119,431 ± s.f. wetland buffer. Said property is shown on Assessor Map 237 as Lot 56 and lies within the General Business (GB) and Single Residence B (SRB) Districts. (This application was postponed at the July 17, 2014 Planning Board Meeting.)

Voted to postpone the application to the January 15, 2015 meeting.

B. The application of **New England Marine & Industrial, Inc., Owner**, and **Subaru of New England, Inc., Applicant**, for property located at **200 Spaulding Turnpike**, requesting Preliminary and Final Subdivision Approval for a lot of two lots as follows:

1. Proposed Lot 1 having an area of 987,411 sq. ft. (22.61 acres), 1264.38 feet of continuous frontage on Spaulding Turnpike and 183.40 feet of continuous frontage on Echo Avenue; and
2. Proposed Lot 2 having an area of 410,236 sq. ft. (9.4177 acres), 381.97 feet of continuous frontage on Spaulding Turnpike and 307.95 feet of continuous frontage on Farm Lane.

Said property is shown on Assessors Map 237 as Lot 56 and is located in the General Business (GB) district which requires a minimum lot size of 43,560 sq. ft. and 200 ft. of continuous street frontage, and 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 July 17, 2014 Planning Board Meeting.)

Voted to postpone the application to the January 15, 2015 meeting

C. Proposed amendment to Site Plan Review Regulations to require recording of approved site plan, or recording of notice of approved site plan.

Voted to amend the Site Plan Review Regulations as set forth, with formatting corrections, in the document titled “City of Portsmouth – Planning Board – Site Plan Review Regulations – Proposed Amendment Regarding Recording of Approved Site Plans – December 18, 2014.

V. 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 request of **Dale W. and Sharyn W. Smith, Owners, and Green and Company, Applicant**, for property located at **275 Islington Street**, for Design Review under the Site Plan Review Regulations, for a proposed residential development consisting of 14 dwelling units in 5 buildings with a total footprint of 10,874 ± s.f., including 27 parking spaces, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 144 as Lot 8 and lies within the Central Business B (CBB) district and the Historic District.

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

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B. The application of **Ferrari Remodeling & Design, Inc., Owner**, for property located on **Ocean Road and Banfield Road**, for Preliminary and Final Subdivision Approval to subdivide one lot into two lots as follows:

- 1. Proposed lot #1 having an area of 527,040 sq. ft. (12.10 acres) and 270.41 feet of continuous frontage on Ocean Avenue; and
- 2. Proposed lot #2 having an area of 1,504,598 sq. ft. (34.54 acres) and 1,199.59 feet of continuous frontage on Banfield Road.

Said property is shown on Assessors Map 283 as Lot 19 and is located in the Single Residence A (SRA) district which requires a minimum lot size of 43,560 s.f. and 150 ft. of continuous street frontage, and the Rural District which requires a minimum lot size of 5 acres with no requirement for minimum continuous street frontage.

Voted to **grant** Preliminary and Final Subdivision Approval with the following stipulations:

- 1. Lot #2 will be shown on the plan as a “non-buildable” lot.
- 2. Lot numbers as determined by the Assessor shall be added to the final plat.
- 3. GIS data shall be provided to DPW in the form as required by the City.
- 4. Property monuments shall be set as required by DPW prior to the filing of the plat.
- 5. Test pit results for Lot #1 shall be submitted to the Department of Public Works.
- 6. The final plat shall be filed at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

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C. The application of the **City of Portsmouth, Owner**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within a tidal wetland buffer and an inland wetland buffer, to reconfigure **Market Street between Kearsarge Way and Russell Street**, including installation of new curbing, sidewalks, drainage, lighting, pavement markings, signs, landscaping, recreational parks and guardrails, with 605 sq. ft. of temporary impact to the tidal wetland, and 41,690 sq. ft. of temporary impact and 28,000 sq. ft. of permanent impact to the tidal wetland buffer.

This item was informational. *No action* by the Board was required.

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D. The application of **Charles J. McCue, Jr. and Kimberlee S. McCue, Owners**, for property located at **105 Middle Road**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to remove and rebuild an existing 10’ x 18’ addition and stairs at the back of the house, with 235 sq. ft. of impact to the wetland buffer. Said property is shown on Assessor Plan 152 as Lot 18 and lies within the Single Residence B district.

Voted to grant a Conditional Use Permit as presented.

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VI. 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. Proposal to amend the Zoning Map by rezoning the following lots from Industrial (I), Office Research (OR) or Municipal (M) to Gateway (GW):

- Assessors Map 163, Lots 33, 34 and 37.
- Assessors Map 165, Lots 1, 2 and 14.
- Assessors Map 172, Lots 1 and 2.
- Assessors Map 173, Lots 2 and 10.

and including Cate Street between Hodgson’s Brook and Bartlett Street, and to amend the Zoning Ordinance as follows:

- Article 7, Section 10.730 – Gateway Planned Development:
 - Amend Section 10.734.20 – Lot Requirements, by establishing front yard standards relative to streets other than Lafayette Road;
 - Amend Section 10.734.33 by modifying the maximum building height standards;
 - Insert a new Section 10.734.40 – Workforce Housing Incentives, to allow increased building height and building length, and to allow parking to be located in a required front yard or between a principal building and a street, for a Gateway Planned Development that contains 10% or greater workforce housing units.
- Article 15 – Definitions:
 - Amend Section 10.1530 – Terms of General Applicability, by inserting definitions of “workforce housing” and “workforce housing unit.”

Voted to defer any recommendation until after the Islington Street Corridor charrette, scheduled for February 20-23, 2015, is held.

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B. Proposal to amend the Zoning Ordinance, Section 10.440 – Table of Uses, Use #15.20, and Section 10.1530 – Terms of General Applicability, regarding helipads and heliports.

Voted to recommend that the Zoning Ordinance be amended as proposed.

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VII. OTHER BUSINESS

A. Request of **Paul Berton, Owner**, for property located at **482 Broad Street**, requesting Design Review under the Site Plan Review Regulations for a proposed residential development consisting of four townhouses with a total footprint of 7,124± sq. ft. Said property is shown on Assessor Map 221 as Lot 63 and lies within the General Residence A (GRA) district.

Voted to determine that the request for design review contained sufficient information to allow the Board to understand the project and identify potential issues and concerns, to accept the request for design review and to schedule a public hearing for Thursday, January 15, 2015.

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B. Request of **Michael Clark**, for property located at **325 Little Harbor Road (Belle Isle)**, requesting that the Planning Board rescind its vote of March 15, 2012 granting Final Subdivision Approval.

Voted to rescind the vote of March 15, 2012 granting Final Subdivision Approval.

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VIII. PLANNING DIRECTOR’S REPORT

A report was given on the following Items A through E:

- A. Jeff Speck Presentation and Technical Workshop on Walkability
- B. Master Plan and 2015 Meeting Schedule
- C. Rockingham Planning Commission Regional Master Plan
- D. Status of Conditionally Approved Applications for Site Plan Approval
- E. Status of Conditionally Approved Applications for Subdivision Approval

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IX. ADJOURNMENT

Respectfully submitted,

Jane M. Shouse (by Mary Koepenick)
Acting Secretary for the Planning Board