

**REGULAR MEETING
PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

7:00 PM

MAY 21, 2015

AGENDA

I. APPROVAL OF MINUTES

- A. Approval of Minutes from the April 16, 2015 Planning Board meeting;
- B. Approval of Minutes from the April 30, 2015 Planning Board meeting;

II. DETERMINATIONS OF COMPLETENESS

A. Subdivision

1. The application of **Deer Street Associates, Owner**, for property located at **165 Deer Street**, and **Boston & Maine Corporation, Owner**, for property running from **Borthwick Avenue to Maplewood Avenue**, for Preliminary and Final Subdivision Approval (Lot Line Revision).

B. Site Plan Review:

1. The application of **Northern New England Conference of Seventh Day Adventist, Owner**, for property located at **861 Middle Road**, requesting Site Plan Approval to construct an 18' x 33' addition to the front of the existing church.

III. OLD BUSINESS

A. The application of **North End Properties, LLC, owner**, and **Deer Street Development Company, Inc., doing business in NH as Harborcorp of Portsmouth, applicant**, for property located on **Russell Street, Deer Street, and Maplewood Avenue**, for a Conditional Use Permit under Section 10.535.12 of the Zoning Ordinance to allow an increase in building height above the maximum height specified in Section 10.531. Said property is shown on Assessor Plan 125 as Lot 21, Assessor Plan 118 as Lot 28, Assessor Plan 124 as Lot 12, Assessor Plan 119 as Lot 1-1A, and Assessor Plan 119 as Lot 1-1C, and lies within the Central Business B, Historic, and Downtown Overlay Districts. (This matter was referred to the Planning Board by the Historic District Commission at its meeting on April 1, 2015 and postponed at the April 16, 2015 Planning Board meeting.)

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 **North End Properties, LLC, Owner, and Deer Street Development Company, Inc., doing business in NH as Harborcorp of Portsmouth, Applicant**, for property located on **Russell Street, Deer Street and Maplewood Avenue**, requesting Site Plan Approval for a proposed 5-story mixed use development with a footprint of 72,600 ± s.f. and gross floor area of 352,736 ± s.f., including a hotel/event center with 24,000 s.f. of event center space and 97 hotel rooms, 23 residential condominiums, a 44,169 s.f. of retail, and 523 parking spaces (382 spaces in a garage structure and 141 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 12, Assessor Map 119 as Lot 1-1A, Assessor Map 119 as Lot 1-1C and Assessor Map 119 as Lot 4 and lies within the Central Business B (CBB) District, the Downtown Overlay District (DOD) and the Historic District. (This application was postponed at the April 16, 2015 Planning Board Meeting.)

B. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots which are currently shown on Assessor Map 216 as Lots 1-8A and 1-8B and Assessor Map 213 as Lot 11. The applicant proposes to merge Map 216 Lot 1-8A and Lot 1-8B into Map 216 Lot 1-8A, and to revise the lot line between Map 216 Lot 1-8A and Map 213 as Lot 11 as follows:

- Map 216 Lot 1-8A (158,136 s.f.) and Map 216 Lot 1-8B (196,876 s.f.) increasing in area from a total of 333,366 s.f. to 384,402 s.f. with continuous street frontage on Portsmouth Boulevard and Commerce Way.
- Map 213 Lot 11 decreasing in area from 290,077 s.f. to 239,040 s.f. with continuous street frontage on Portsmouth Boulevard and Dunlin Way.

Said lots lie within an Office Research (OR) District which requires a minimum lot size of 3 acres and 300 ft. of continuous street frontage. (This application was postponed at the March 19, 2015 Planning Board Meeting.)

C. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, and **215 Commerce Way, LLC, Owner**, for property located at **215 Commerce Way**, requesting Site Plan Approval for a proposed 4-story office building with a footprint of 28,125 ± s.f. and gross floor area of 112,500 ± s.f., and 640 parking spaces serving the proposed building and an adjacent existing office building (including a parking garage with 141 spaces below grade), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 216 as Lots 1-8A and 1-8B and lies within the Office Research (OR) District. (This application was postponed at the March 19, 2015 Planning Board Meeting.)

D. The application of **Northern New England Conference of Seventh Day Adventist, Owner**, for property located at **861 Middle Road**, requesting Site Plan Approval to construct an 18' x 33' addition to the front of the existing church, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 232 as Lot 120

and lies within the Single Residence B (SRB) district. (This application was postponed at the April 30, 2015 Planning Board Meeting.)

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 application of **Deer Street Associates, Owner**, for property located at **165 Deer Street**, and **Boston & Maine Corporation, Owner**, for property running **from Borthwick Avenue to Maplewood Avenue**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots which are currently shown on Assessor Map 125 as Lot 17 and Assessor Map 164 as Lot 4. The applicant proposes to adjust a lot line as follows:

- a. Map 125, Lot 17 increasing in area from 94,804 s.f.(2.1764 acres) to 108,359 s.f. (2.4876 acres)
- b. Map 164, Lot 4 decreasing in area by 13,555 s.f. (total lot area = 13 ± acres).

Said lots lie within the Central Business B (CBB) District which requires a minimum lot size of 2,000 s.f. and no requirement for continuous street frontage.

B. The application of **Glen E. Parker, Owner**, for property located at **445 Ocean Road, Unit 8**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within an inland wetland buffer to construct a 3’ x 16’ addition to an existing deck, for a total deck size of 11’ x 16’, with 48 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Plan 294 as Lot 21-0008 and lies within the Single Residence A (SRA) District.

VI. CITY COUNCIL REFERRALS

A. The request by **Portsmouth Land Acquisition, LLC**, that the Zoning Ordinance, Article 7, Section 10.730 – Gateway Planned Development, be amended by inserting a new Section 10.734.40 as follows:

10.734.40 Workforce Housing Incentives

If a GPD with a Residential Component contains 10% or greater Workforce Housing Units, the following shall apply:

- 10.734.41 The minimum lot area per dwelling unit shall be 1,000 square feet.
- 10.734.42 The maximum building length set forth in Article 5, Section 10.522 shall be increased to 350 feet.
- 10.734.43 Required off-street parking may be located in a required front yard or between a principal building and a street.

(This matter was postponed at the April 30, 2015, Planning Board meeting.)

B. Proposal to amend the Zoning Ordinance by inserting a new Section 10.837.20 – Short-Term Vacation Rentals, and to make conforming amendments to other sections of the Ordinance as necessary. (This matter was postponed at the April 30, 2015, Planning Board meeting.)

C. Proposal to amend the Zoning Ordinance and Zoning Map to implement Character-Based Zoning in the North End, to revise various provisions of Article 5A – Character Districts, and to make conforming amendments to other sections of the Zoning Ordinance. (This matter was referred to the Planning Board by the City Council on April 20, 2015.)

D. The request of **Eversource Energy** for easements and licenses on Hanover, High and Ladd Streets and on the Hanover Parking Garage parcel, for an underground utility improvement project.

VII. OTHER BUSINESS

A. The request of **Portsmouth Land Acquisitions, LLC, Owner**, for property located at **428 U.S. Route 1 By-Pass, property off Cate Street and 55 Cate Street**, for Design Review under the Site Plan Review Regulations, for a proposed mixed use development consisting of 288 dwelling units and 40,000 s.f. of commercial space in 3 buildings, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said properties are shown on Assessor Map 172 as Lot 1, Map 173 as Lot 2, Map 165 as Lot 2, and Map 163 as Lots 33, 34 and 37, and lie within the Industrial (I) District, the Office Research (OR) District, and the Municipal (M) District. (This matter was postponed at the April 30, 2015 Planning Board Meeting.)

VIII. PLANNING DIRECTOR'S REPORT

IX. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you wish to attend a Planning Board meeting and need assistance, please contact the Human Resources Office at 610-7270 one week prior to the meeting.