

ACTION SHEET

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M.

FEBRUARY 18, 2016

MEMBERS PRESENT: John Ricci, Chairman; Elizabeth Moreau, Vice Chairman; Rebecca Perkins, City Council Representative; David Allen, Deputy City Manager; Robert Marsilia, Building Inspector; William Gladhill; Colby Gamester; Jay Leduc, Dexter Legg and Jody Record, Alternate

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

MEMBERS ABSENT: Rebecca Perkins, City Council Representative

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I. APPROVAL OF MINUTES

1. Approval of Minutes from the January 21, 2016 Planning Board Meeting.

II. DETERMINATIONS OF COMPLETENESS

A. Subdivisions:

- a. The application of **Michael and Janet McCann, Owners**, for property located at **921 Middle Road and 80 Pearson Street**, wherein Preliminary and Final Subdivision Approval is requested.

Voted to determine that this application for subdivision approval is complete according to the Subdivision Rules and Regulations and accepted it for consideration.

- b. The application of **John Green and Alison Zaeder, Owners**, for property located at **43 Whidden Street**, and **Mahanna Properties, LLC, Owner**, for property located at **37 Whidden Street**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested.

Voted to determine that this application for subdivision approval is complete according to the Subdivision Rules and Regulations and accepted it for consideration.
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III. PUBLIC HEARINGS – NEW BUSINESS

A. The proposal to amend the Zoning Ordinance to implement Character-Based Zoning in the West End and Islington Street corridor, and to make various related amendments to the Zoning Ordinance and Zoning Map, as follows:

- (1) Delete the existing Article 5A – Character Districts in its entirety and insert in its place the new Article 5A – Character Districts dated 1/11/2016.
- (2) Amend Articles 4, 5 11, 12 & 15 of the Zoning Ordinance as set forth in the document titled “Conforming Amendments to Zoning Ordinance” dated 1/11/2016.
- (3) Amend the Zoning Map as set forth in the following maps dated 1/11/2016:
 - (a) Map 10.5A21A – Character Districts and Civic Districts;
 - (b) Map 10.5A21B – Building Height Standards;
 - (c) Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout & Uses.
- (4) Amend the Zoning Map by changing the zoning designation of 52 parcels as set forth in the document titled “Proposed Additional West End Zoning Changes” dated 1/11/2016 and as shown on the map titled “Additional West End Zoning Changes – First Reading – January 11, 2016”.

Voted to continue the public hearing to the March 17, 2016 Planning Board meeting

Voted to continue consideration of the proposed zoning amendment to the March 17, 2016 Planning Board meeting

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B. The application of **Michael and Janet McCann, Owners**, for property located at **921 Middle Road and 80 Pearson Street**, wherein Preliminary and Final Subdivision Approval is requested between two lots which are currently shown on Assessor Map 232 as Lots 106 and 117. The applicant proposes to merge a portion of Lot 117 with Lot 106 and to subdivide the new Lot 117 into two lots, as follows:

- a. Map 232, Lot 106 merged with a portion of Lot 117, increasing in area from 5,536 s.f. to 16,810 s.f., with 68’ of continuous street frontage on Pearson Street;
- b. Map 232, Lot 117 decreasing in area from 48,823 s.f. to 32,013 s.f. with street frontage on Middle Road; and,
- c. Map 232, Lot 117 subdivided into two lots as follows: Lot A totaling 15,000 s.f. with 129’ of continuous street frontage on Middle Road and Lot B totaling 17,013 s.f. with 149’ of continuous street frontage on Middle Road.

Said lots lie within a Single Residence B (SRB) District which requires a minimum lot size of 15,000 s.f. and 100 ft. of continuous street frontage.

Voted to grant Preliminary and Final Subdivision Approval with 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.
3. The final plat and all resulting deeds shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

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C. The application of **John Green and Alison Zaeder, Owners**, for property located at **43 Whidden Street**, and **Mahanna Properties, LLC, Owner**, for property located at **37 Whidden Street**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows:

- a. Map 109, Lot 2 decreasing in area from 2,688 ± s.f. to 2,566 ± s.f. with 48.79' of continuous street frontage along Whidden Street.
- b. Map 222, Lot 3 increasing in area from 1,774 ± s.f. to 1,897 ± s.f. with 34.54' of continuous street frontage along Whidden Street.

Said lots lie within a General Residence B (GRB) District which requires a minimum lot size of 5,500 s.f. and 80' of continuous street frontage.

Voted to deny Preliminary and Final Subdivision Approval.

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D The application of **Hillcrest at Portsmouth, LLC, Owner**, for property located at **3201 Lafayette Road**, requesting a Conditional Use Permit under Section 10.1017.80 of the Zoning Ordinance for a Wetland Protection Plan showing 90,229 s.f. of wetland protective measures and a maximum of 30,943 s.f. of additional impervious surface area within the inland wetland buffer. Approval of the Conditional Use Permit will constitute pre-approval of multiple individual projects on the property over a multi-year time frame, subject to the submission of individual site plans in connection with building permit applications. Said property is shown on Assessor Map 291 as Lot 7 and lies within the Gateway (G), Garden Apartment/Mobile Home Park (GA/MH), and Rural (R) Districts.

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

- 1) The applicant shall provide education materials, which have been approved by Peter Britz, Environmental Planner, to the homeowners about the importance of wetlands as well as information about pesticide restrictions and the use of fertilizers in the wetland buffer. This information shall also be added to the stormwater management system inspection and maintenance plan.
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E. The application of **John L. Ahlgren and Bessie Palmisciano, Owners**, for property located on **Langdon Street**, requesting Final Subdivision Approval to subdivide one lot into four lots with the following:

- a. Proposed Lot 1 consisting of 5,022 s.f. and 63.35' of street frontage.
- b. Proposed Lot 2 consisting of 5,301 s.f. and 68.50' of street frontage.
- c. Proposed Lot 3 consisting of 4,965 s.f. and 43.23' of street frontage.
- d. Proposed Lot 4 consisting of 7,920 s.f. and 40.94' of street frontage.

Said lot is shown on Assessor Map 138 as Lot 48 and lies within the Mixed Residential Business (MRB) where a minimum of 7,500' of lot area and 100' of street frontage is required and also within the Office Research (OR) District where a minimum of 3 acres of lot area and 300' of street frontage is required.

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

Conditions Precedent (to be completed prior to the filing of the plat):

- 1. Property monuments shall be set as required by the Department of Public Works.
- 2. GIS data shall be provided to the Department of Public Works in the form as required by the City.
- 3. The final plat and all resulting deeds shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

Conditions Subsequent (to be completed prior to the issuance of any building permit):

- 4. Development plans for each lot shall comply with the three stipulations contained in the Zoning Board of Adjustment's grant of variances on January 19, 2016.
- 5. The applicant shall submit a grading plan for review by the Department of Public Works, to ensure that adjacent properties are not impacted by site run-off. Approval by DPW shall not relieve the applicant of any liability for correcting off-site impacts.
- 6. If the City's infrastructure improvement project in Langdon Street has not been commenced or substantially completed to the point where the DPW consents to allow construction on the lots, the applicant, at the applicant's option, shall have the right to complete the project as designed by the City at the applicant's expense.
- 7. The applicant will coordinate with the City on the installation of underground electrical conduits in order that no excavation will be required in Langdon Street after it is reconstructed as part of the City's utility improvement project.
- 8. The applicant shall convey Lot 4 to the City, subject only to (1) approval and acceptance of Lot 4 by the City Council, and (2) the following restrictions as shown on a recordable plan to be prepared by the applicant and approved by the Department of Public Works:
 - (a) a 5-foot by 87.64 foot vegetative buffer along the north side of Lot 3 for the benefit of Lot 3,
 - (b) a view easement and no parking area, approved by the Planning Department, for the benefit Lot 3 as shown on the recordable plan to be prepared by the applicant.

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F. Proposed amendment to the Subdivision Rules and Regulations, Section III.A., to require Technical Advisory Committee review of any application that contains the creation of a new lot.

Voted to amend the Subdivision Rules and Regulations, Section 3A as presented.

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G. Proposed amendment to the Site Plan Review Regulations, Section 2.2.1, relating to the composition of the Site Plan Review Technical Advisory Committee.

Voted to amend the Site Plan Review Regulations, Section 2.2.1 as presented.

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IV. OTHER BUSINESS

A. The request of Merton Alan Investments, LLC, Owner, for property located at 30 Cate Street, for a one year extension of Site Plan approval which was granted by the Planning Board on February 19, 2015.

Voted to grant a one year extension of Site Plan approval.

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V. 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