

# CITY OF PORTSMOUTH

Planning & Sustainability  
Department  
1 Junkins Avenue  
Portsmouth, New  
Hampshire 03801  
(603) 610-7216

## **PLANNING BOARD**

January 23, 2024

Portsmouth Submarine Memorial Association  
569 Submarine Way  
Portsmouth, New Hampshire 03801

RE: Amended Site Plan Approval request for property located at 569 Submarine Way (LU-23-165)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, January 18, 2024, considered your application for Amended Site Plan Approval to construct an approximately 1,588 square foot addition attached to the existing visitor center building and associated site improvements. Said property is shown on Assessor Map 209 Lot 87 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Board voted 1) to find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as presented, and 2) to **grant** Amended Site Plan Approval with the following **condition**:

*2.1) The applicant will provide documentation that it has issued and recorded a license authorizing the City to utilize its existing water line easement, the terms and conditions to be approved by the Planning & Sustainability Director.*

This approval is granted subject to all conditions of approval by the Planning Board on and to all other requirements stated in the Planning Board letter of decision dated .

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Unless otherwise indicated above, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any approved work.

The Planning & Sustainability Director must certify that all conditions of approval have been completed prior to issuance of a building permit unless otherwise indicated above.

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is fluid and cursive, with the name "Rick" written in a smaller, more legible script than the surname "Chellman".

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector

Kevin Baum, Esq; Hoefle, Phoenix, Gormley & Roberts, PLLC  
John Chagnon; Ambit Engineering

# Findings of Fact | Site Plan Review

## City of Portsmouth Planning Board

Date: January 10, 2024

Property Address: 569 Submarine Way

Application #: LU – 23 - 165

Decision: **Approve**

### Findings of Fact:

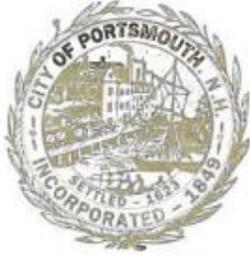
Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

Site Plan Regulations Section 2.9 Evaluation Criteria - in order to grant site plan review approval, the TAC and the Planning Board shall find that the application satisfies evaluation criteria pursuant to NH State Law and listed herein. In making a finding, the TAC and the Planning Board shall consider all standards provided in Articles 3 through 11 of these regulations.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
1	Compliance with all City Ordinances and Codes and these regulations. <u>Applicable standards:</u>	Meets	<u>Applicable standards:</u> A Variance for the expanded use was granted. Project complies with all other Ordinance requirements including parking, setbacks, open space, building coverage, height, and frontage.
2	Provision for the safe development, change or expansion of use of the site.	Meets	TAC reviewed the site layout, and recommended approval. Plans show new sidewalks, utility connections and drainage infrastructure needed. Driveway exists.
3	Adequate erosion control and stormwater management practices and other mitigative measures, if needed, to prevent adverse effects on downstream water quality and flooding of the property or that of another.	Meets	Erosion controls during construction as necessary (see Sheet D1). Long Term Maintenance easily accomplished. No downstream abutter impacts.
4	Adequate protection for the		No groundwater withdrawal (water supply)

	<b>Site Plan Review Regulations Section 2.9 Evaluation Criteria</b>	<b>Finding (Meets Standard/Criteria)</b>	<b>Supporting Information</b>
	quality of groundwater.	<b>Meets</b>	is city). No nearby production wells.
<b>5</b>	Adequate and reliable water supply sources.	<b>Meets</b>	Water supply is Public -City. Supply confirmed by TAC review. New plumbing fixtures will be low flow / water conserving.
<b>6</b>	Adequate and reliable sewage disposal facilities, lines, and connections.	<b>Meets</b>	Sewer connection is Public - City. Extension to new addition will be an internal connection
<b>7</b>	Absence of undesirable and preventable elements of pollution such as smoke, soot, particulates, odor, wastewater, stormwater, sedimentation or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties.	<b>Meets</b>	Internal finishes will be with Low VOC paints & adhesives. Flooring to be Floor Score or Sustainable Carpet Certified
<b>8</b>	Adequate provision for fire safety, prevention and control.	<b>Meets</b>	TAC Approval obtained – no issues from the Fire Department.
<b>9</b>	Adequate protection of natural features such as, but not limited to, wetlands.	<b>Meets</b>	Urban site which was previously developed. No new wetland or buffer impacts proposed.
<b>10</b>	Adequate protection of historical features on the site.	<b>Meets</b>	Historical features are present on site. The expansion will serve to continue the current display; and add space for the display of additional historical items.
<b>11</b>	Adequate management of the volume and flow of traffic on the site and adequate traffic controls to protect public safety and prevent traffic congestion.	<b>Meets</b>	The additional space will not add significantly to trip generation. Museums are low volume generators.
<b>12</b>	Adequate traffic controls and traffic management measures to prevent an unacceptable increase in safety hazards and traffic congestion off-site.	<b>Meets</b>	Good access to recently created city street. TAC approved with the only traffic related comments the number of ADA spaces.
<b>13</b>	Adequate insulation from external noise sources.	<b>Meets</b>	The proximity to potential highway noise is not a factor in the public's enjoyment of the site.

	<b>Site Plan Review Regulations Section 2.9 Evaluation Criteria</b>	<b>Finding (Meets Standard/Criteria)</b>	<b>Supporting Information</b>
<b>14</b>	Existing municipal solid waste disposal, police, emergency medical, and other municipal services and facilities adequate to handle any new demands on infrastructure or services created by the project.	<b>Meets</b>	Trash collection will be private. TAC Review included Fire and Police Departments. All concerns addressed in design.
<b>15</b>	Provision of usable and functional open spaces of adequate proportions, including needed recreational facilities that can reasonably be provided on the site	<b>Meets</b>	Light and air remains as the site conforms to setbacks and open space requirements. Open space provided.
<b>16</b>	Adequate layout and coordination of on-site accessways and sidewalks in relationship to off-site existing or planned streets, accessways, bicycle paths, and sidewalks.	<b>Meets</b>	Existing sidewalk on Submarine Way connects site driveway to surrounding environs.
<b>17</b>	Demonstration that the land indicated on plans submitted with the application shall be of such character that it can be used for building purposes without danger to health.	<b>Meets</b>	Land is suitable for the intended purpose, Lot is currently used for this purpose. Plans follow ordinance and guidelines; see TAC approval.
<b>18</b>	Adequate quantities, type or arrangement of landscaping and open space for the provision of visual, noise and air pollution buffers.	<b>Meets</b>	Proposed addition in the center of the site. Landscaping will be relocated to soften building edge.
<b>19</b>	Compliance with applicable City approved design standards.	<b>Meets</b>	Approved by the Technical Advisory Committee.
	<b>Other Board Findings:</b>		



# CITY OF PORTSMOUTH

Planning & Sustainability  
Department  
1 Junkins Avenue  
Portsmouth, New  
Hampshire 03801  
(603) 610-7216

## **PLANNING BOARD**

January 23, 2024

Prospect North 815 LLC  
PO BOX 372  
Greenland, New Hampshire 04840

RE: Site Plan Review Approval and CUP for property located at 815 Lafayette Road (LU-23-149)

Dear Property Owner :

The Planning Board, at its regularly scheduled meeting of **Thursday, January 18, 2024**, considered your application for Site Plan Review Approval for the demolition of the existing building and tower along Sagamore Creek and the construction of three 4-story, 24-unit multi-family buildings (72 total units) with first floor parking. The project will include associated site improvements such as parking, pedestrian access, community space, utilities, stormwater management, lighting and landscaping; and a Development Site Conditional Use Permit under Section 10.5B43.10. Said property is shown on Assessor Map 245 Lot 3 & 4 and lies within the Gateway Corridor (G1) District and the FEMA 100yr flood and extended flood hazard area. As a result of said consideration, the Board voted find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as presented, and 2) to **grant** Site Plan Approval with the following **conditions**:

**Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a building permit or the commencement of any site work or construction activity:**

2.1) *The site plan, and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*

2.2) *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.*

2.3) *Owner shall provide an access easement to the City for water valve access and leak detection. The easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council.*

2.4) *Any site development (new or redevelopment) resulting in 15,000 square feet or greater ground disturbance will require the submittal of a Land Use Development Tracking Form through the Pollutant Tracking and Accounting Program (PTAP) online portal. For more information visit: <https://www.cityofportsmouth.com/publicworks/stormwater/ptap>*

2.5) *The applicant shall work with the Planning Department to look into the fall zone of the tower to ensure the safety of the residents.*

**Prior to the issuance of a Certificate of Occupancy or release of the bond:**

2.6) *The Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed to the approved plans and specifications and will meet the design performance.*

2.7) *A stormwater inspection and maintenance report shall be completed annually and copies shall be submitted for review to the City's Stormwater Division/ Public Works Department.*

**Conditional Use Permit**

1) The Board voted to find that the Conditional Use Permit application meets the criteria set forth in Section 10.5B43.10 and to adopt the findings of fact as presented, and 2) to **grant** the conditional use permit for a Development Site subject to the requirements and conditions of site plan review approval.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning Department for more details about the appeals process.

This site plan approval shall not be effective until a site plan review agreement has been signed satisfying the requirements of Section 2.12 of the City's Site Review Approval Regulations.

Unless otherwise indicated above, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

The Planning & Sustainability Director must certify that all outstanding conditions of approval have been completed prior to issuance of a building permit unless otherwise indicated above.

This site plan approval shall expire unless a building permit is issued within a period of one (1) year from the date granted by the Planning Board unless an extension is granted by the Planning Board in accordance with Section 2.14 of the Site Review Regulations.

*The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:*

<https://www.cityofportsmouth.com/planportsmouth/planning-board/planning-board-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is stylized and fluid, with a large loop at the beginning and a long, sweeping tail.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

Peter H. Rice, Director of Public Works

Neil Hansen, Engineer, Tighe & Bond  
Francis X Bruton III, Esq, Bruton & Berube, PLLC

# Findings of Fact | Site Plan Review

## City of Portsmouth Planning Board

Date: January 18, 2024

Property Address: 815 Lafayette Rd.

Application #: LU-23-149

Decision: **Approve**

### Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

Site Plan Regulations Section 2.9 Evaluation Criteria - in order to grant site plan review approval, the TAC and the Planning Board shall find that the application satisfies evaluation criteria pursuant to NH State Law and listed herein. In making a finding, the TAC and the Planning Board shall consider all standards provided in Articles 3 through 11 of these regulations.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
1	Compliance with all City Ordinances and Codes and these regulations. <u>Applicable standards:</u>	Meets	<u>Applicable standards:</u> The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.  The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.
2	Provision for the safe development, change or expansion of use of the site.	Meets	The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.  The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
3	Adequate erosion control and stormwater management practices and other mitigative measures, if needed, to prevent adverse effects on downstream water quality and flooding of the property or that of another.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed the erosion control and stormwater management practices and other mitigative measures for conformance with City design requirements.</li> <li>• A full drainage analysis report was submitted that included analysis of the predevelopment and post development drainage conditions.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
4	Adequate protection for the quality of groundwater.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed the erosion control and stormwater management practices and other mitigative measures for conformance with City design requirements.</li> <li>• A full drainage analysis report was submitted that included analysis of the predevelopment and post development drainage conditions.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
5	Adequate and reliable water supply sources.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed the water service design for conformance with City design requirements.</li> <li>• The site will be served by city water.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
6	Adequate and reliable sewage disposal facilities,	Meets	<p>The application has been reviewed by the Technical Advisory Committee for</p>

	<b>Site Plan Review Regulations Section 2.9 Evaluation Criteria</b>	<b>Finding (Meets Standard/Criteria)</b>	<b>Supporting Information</b>
	lines, and connections.		<p>conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed sewage disposal facilities, lines, and connections for conformance with City design requirements.</li> <li>• The site will be served by municipal sewer.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
<b>7</b>	Absence of undesirable and preventable elements of pollution such as smoke, soot, particulates, odor, wastewater, stormwater, sedimentation or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties.	<b>Meets</b>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed the erosion control and stormwater management practices and other mitigative measures for conformance with City design requirements.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
<b>8</b>	Adequate provision for fire safety, prevention and control.	<b>Meets</b>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
<b>9</b>	Adequate protection of natural features such as, but not limited to, wetlands.	<b>Meets</b>	<p>The application has been reviewed by the Technical Advisory Committee and the Conservation Commission for conformance with the minimum requirements of the Site Plan Regulations.</p> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee and September 8, 2023 at the Conservation Commission Meetings.</p>
<b>10</b>	Adequate protection of historical features on the site.	<b>Meets</b>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p>

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
			<ul style="list-style-type: none"> <li>There are no on-site historical features.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
11	Adequate management of the volume and flow of traffic on the site and adequate traffic controls to protect public safety and prevent traffic congestion.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>TAC reviewed the management of the volume and flow of traffic on the site and adequate traffic controls to protect public safety and prevent traffic congestion. for conformance with City design requirements.</li> <li>A full traffic impact study was submitted that included analysis of the no-build and build conditions.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
12	Adequate traffic controls and traffic management measures to prevent an unacceptable increase in safety hazards and traffic congestion off-site.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>TAC reviewed the management of the volume and flow of traffic on the site and adequate traffic controls to protect public safety and prevent traffic congestion. for conformance with City design requirements.</li> <li>A full traffic impact study was submitted that included analysis of the no-build and build conditions.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
13	Adequate insulation from external noise sources.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <p>The application was recommended for</p>

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
			approval on December 5, 2023 at the Technical Advisory Committee Meeting.
14	Existing municipal solid waste disposal, police, emergency medical, and other municipal services and facilities adequate to handle any new demands on infrastructure or services created by the project.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed that police, emergency medical, and other municipal services and facilities adequate to handle any new demands on infrastructure or services created by the project.</li> <li>• Project will not utilize municipal solid waste disposal.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
15	Provision of usable and functional open spaces of adequate proportions, including needed recreational facilities that can reasonably be provided on the site	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed the community space areas proposed as part of the design plan.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
16	Adequate layout and coordination of on-site accessways and sidewalks in relationship to off-site existing or planned streets, accessways, bicycle paths, and sidewalks.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed the layout and coordination of on-site accessways and sidewalks in relationship to off-site existing or planned streets, accessways, bicycle paths, and sidewalks.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
17	Demonstration that the land indicated on plans submitted with the application shall be of such character that it can be used for building purposes	Meets	The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.

	<b>Site Plan Review Regulations Section 2.9 Evaluation Criteria</b>	<b>Finding (Meets Standard/Criteria)</b>	<b>Supporting Information</b>
	without danger to health.		The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.
<b>18</b>	Adequate quantities, type or arrangement of landscaping and open space for the provision of visual, noise and air pollution buffers.	<b>Meets</b>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> <li>• TAC reviewed the quantities, type or arrangement of landscaping and open space.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
<b>19</b>	Compliance with applicable City approved design standards.	<b>Meets</b>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
	<b>Other Board Findings:</b>		

# Findings of Fact | Development Site Conditional Use Permit

## City of Portsmouth Planning Board

Date: January 18, 2024

Property Address: 815 Lafayette Rd.

Application #: LU-23-149

Decision: **Approve**

### Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

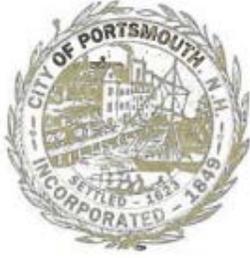
### Development Site Conditional Use Permit

10.5B43.10 For a development that contains multiple buildings in the Gateway District, the Planning Board may grant a conditional use permit, if all of the following criteria are met:

	Development Site Conditional Use Permit 10.5B43.10 Findings	Finding (Meets Criteria/Requirement)	Supporting Information
1	The development project is consistent with the Portsmouth Master Plan.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum criteria of the Development Site CUP.</p> <ul style="list-style-type: none"> <li>TAC reviews the proposed development's consistency with Goals 1.2, 2.1, 2.3, &amp; 5.3 of the City of Portsmouth Master Plan.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
2	The development project has been designed to allow uses that are appropriate for its context and consistent with City's planning goals and objectives for the area.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum criteria of the Development Site CUP.</p> <ul style="list-style-type: none"> <li>TAC reviews the proposed development's use relative to the City's planning goals and objectives for the area.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
3	The project includes measures	Meets	The application has been reviewed by

	<b>Development Site Conditional Use Permit 10.5B43.10 Findings</b>	<b>Finding</b> (Meets Criteria/Requirement)	<b>Supporting Information</b>
	to mitigate or eliminate anticipated impacts on traffic safety and circulation, demand on municipal services, stormwater runoff, natural resources, and adjacent neighborhood character.		<p>the Technical Advisory Committee for conformance with the minimum criteria of the Development Site CUP.</p> <ul style="list-style-type: none"> <li>• TAC reviewed the proposed project's anticipated impacts on traffic safety and circulation, demand on municipal services, stormwater runoff, natural resources, and adjacent neighborhood character.</li> <li>• The Project will have a negligible impact on traffic due to the existing large traffic volumes on Lafayette Road. A traffic study has been prepared and is being reviewed by NHDOT.</li> <li>• The development site has been designed to mitigate stormwater runoff with the use of detention and filtration stormwater treatment practices. The proposed project is a significant improvement over existing conditions as there is no stormwater treatment on site.</li> <li>• The Project as designed will be complementary to the abutting commercial uses.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
4	The project is consistent with the purpose and intent set forth in Section 10.5B11.	Meets	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum criteria of the Development Site CUP.</p> <ul style="list-style-type: none"> <li>• TAC reviews the proposed development's consistency with the purpose and intent set forth in Section 10.5B11.</li> </ul> <p>The application was recommended for approval on December 5, 2023 at the Technical Advisory Committee Meeting.</p>
5	<b><u>Other Board Findings:</u></b>		

	<b>Development Site Conditional Use Permit 10.5B43.10 Findings</b>	<b>Finding</b> (Meets Criteria/Requirement)	<b>Supporting Information</b>



# CITY OF PORTSMOUTH

Planning & Sustainability  
Department  
1 Junkins Avenue  
Portsmouth, New  
Hampshire 03801  
(603) 610-7216

## **PLANNING BOARD**

January 23, 2024

HCA Health Services of NH, Inc. dba Portsmouth Regional Hospital  
PO BOX 80610  
Indianapolis, IN 46280

RE: Amended Site Plan approval for property located at 333 Borthwick Avenue (LU-22-35)

Dear Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, January 18, 2024, considered your application for Amended Site Plan approval to amend the conditions of approval from July 21, 2022. Said property is shown on Assessor Map 240, Lot 2-1 and lies within the Office Research District (OR). As a result of said consideration, the Board voted to modify prior conditions of approval **2.6** and **2.8** from the letter of decision dated July 27, 2022 and add condition **2.9**:

*2.6) Prior to the bond release and in conjunction with the new site review agreement in condition **2.9**, the wetland area adjacent to the emergency area will be dredged from Borthwick to the oxygen tank area to restore free flowing drainage. This will be done in conjunction with an associated wetland enhancement along the edges of this same area.*

*2.8) Prior to the bond release, the Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed to the approved plans and specifications and will meet the design performance.*

*2.9) The applicant will execute a new site review agreement for the completion of the dredging work within the next 30 days, to be completed by December 2025. The new agreement will be secured by surety, in the same amount as the current bond.*

This approval is granted subject to all conditions of approval by the Planning Board on and to all other requirements stated in the Planning Board letter of decision dated .

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Unless otherwise indicated above, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any approved work.

The Planning & Sustainability Director must certify that all conditions of approval have been completed prior to issuance of a building permit unless otherwise indicated above.

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is stylized and cursive, with the name "Rick" written in a smaller, more legible font below the main signature.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector

Matthew Hamby, Project Manager, Kimley-Horn  
Matthew Larkin, COO, Portsmouth Regional Hospital  
Chris Dumont, Gould Turner Group