

Request for Special Exception pursuant to Section 10.232 of the City of Portsmouth, NH, Zoning Ordinance (the “Zoning Ordinance”), to grant Salt Pump Portsmouth, LLC, as tenant (the “Applicant”), to use a portion of the property at 199 Constitution Ave, further identified as city assessor map 285, lot 16-303 (the “Property”), located within the industrial zoning district, as a “[h]ealth club, yoga studio, martial arts school, or similar use” under 4.40 of Article 4, Section 10.440 of the Zoning Ordinance.

We set forth the requirements set forth in Section 10.232.20 through 10.232.26 of the Zoning Ordinance below and how the Applicant’s request meets such requirements. Special Exception shall meet all of the following standards:

1. **Section 10.232.21 Standards as provided by this Ordinance for the particular use permitted by special exception.** Applicant will be leasing 14,500 SF (12,000 SF first floor and 2,500 SF mezzanine) in an existing 18,000 SF footprint building located on the Property, to be used for climbing, yoga, and related general and specialty fitness. The prior tenant of the same space was Little Big Farm Foods, a retail and wholesale producer of various baked food mixes. In addition to Applicant, the building has an existing tenant occupying 4,000 SF of warehouse and 2,000 SF of office space.

Table 10.1112.321 (use number 4.40) of the Zoning Ordinance requires the Applicant to provide a minimum of fifty-eight (58) parking spaces. The other tenant in the building requires eight (8) spaces. Sixty-six (66) spaces is required in the aggregate. The site plan prepared by Jones & Beach Engineers, Inc., attached hereto as Exhibit A provides for sixty-seven (67) spaces. The following parking calculations are referenced therein:

Building on Property consists of 4,000 SF warehouse; 2,000 SF office; 14,500 SF Applicant’s use:

- Warehouse – “wholesale use” – 1 space required per 2,000 SF GFA. $4,000 \text{ SF} / 2,000 = 2$ spaces required.
- Office – “professional, business, and financial use” – 1 space required per 350 SF GFA. $2,000 \text{ SF} / 350 = 5.7 \sim 6$ spaces required.
- Applicant’s use – “health club” – 1 space per 250 SF GFA. $14,500 \text{ SF} / 250 = 58$ spaces required.
- $2 + 6 + 58 = 66$ spaces required. 67 spaces provided.

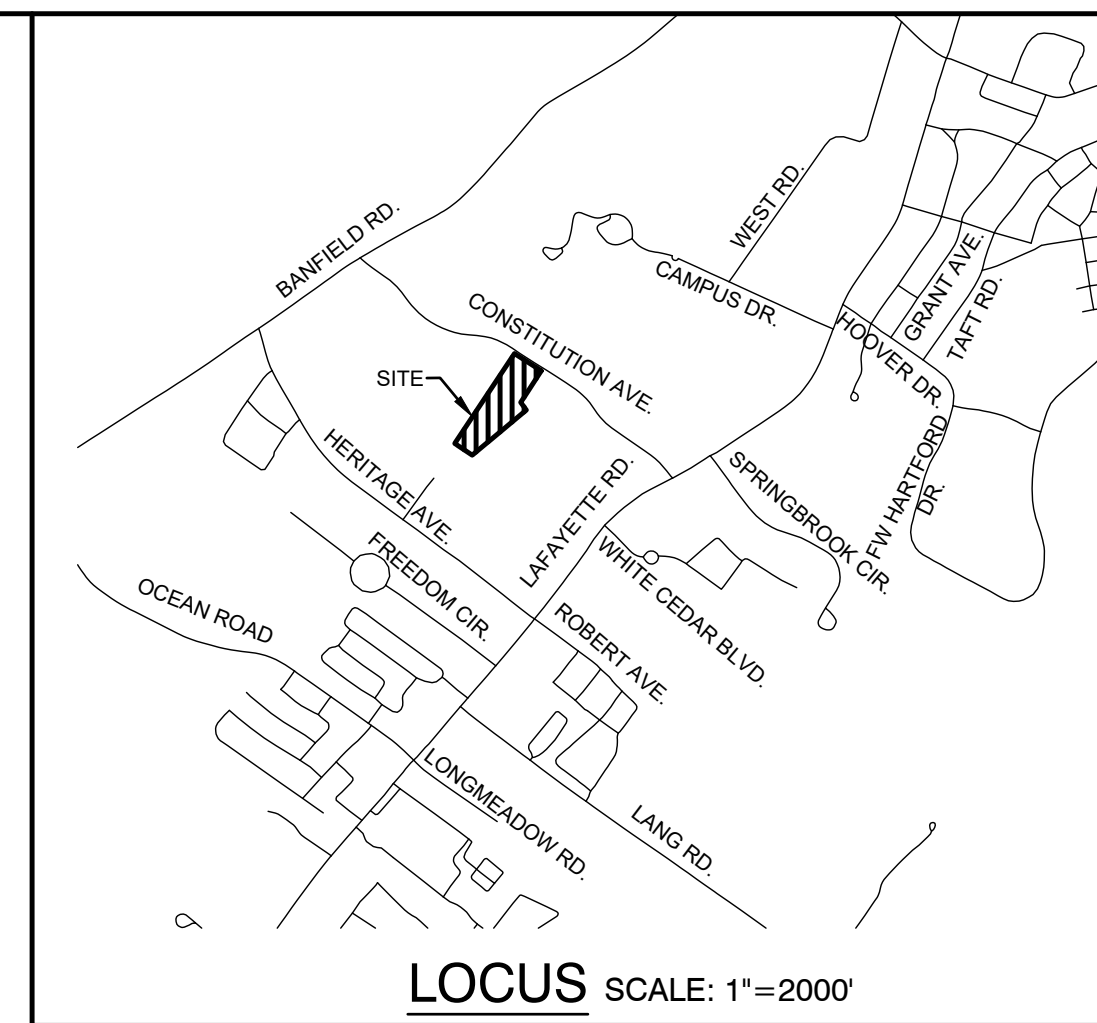
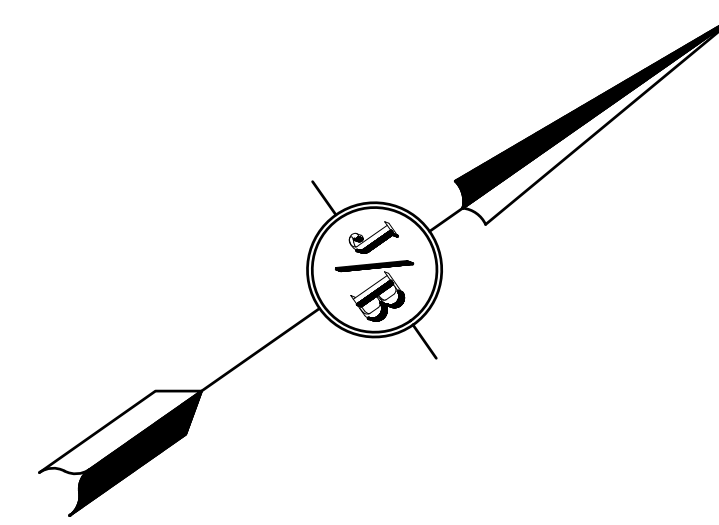
2. **Section 10.232.22 No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials.** Similar to other health clubs, yoga studios, or similar uses, Applicant’s use will not create a hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials.
3. **Section 10.232.23 No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, accessways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials.** The Applicant will not change the location or scale of buildings and other structures, parking areas, or accessways. Similar to other health clubs, yoga studios, or similar uses, Applicant’s use does not create odor, smoke, gas, dust, or other pollutants, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials.
4. **Section 10.232.24 No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity.** Applicant will not create a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity. The Property is located to the east of Banfield

Road and west of Route 1 (Lafayette Road), a Walmart Supercenter, the Veridian Residences, and the Portsmouth Green Shopping Mall, which contains similar fitness offerings such as a pilates, cycling, barre class, and group fitness studios.

5. **Section 10.232.25 No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection and schools.** Applicant will not create an excessive demand on municipal services. Applicant expects there to be a decrease in water, sewer, and waste disposal use compared to the prior tenant's use.
6. **Section 10.232.26 No significant increase of stormwater runoff onto adjacent property or streets.** Applicant will not change the impervious surface area existing today on the Property therefore Applicant's use should not result in any significant increase of stormwater runoff to adjacent property or streets.

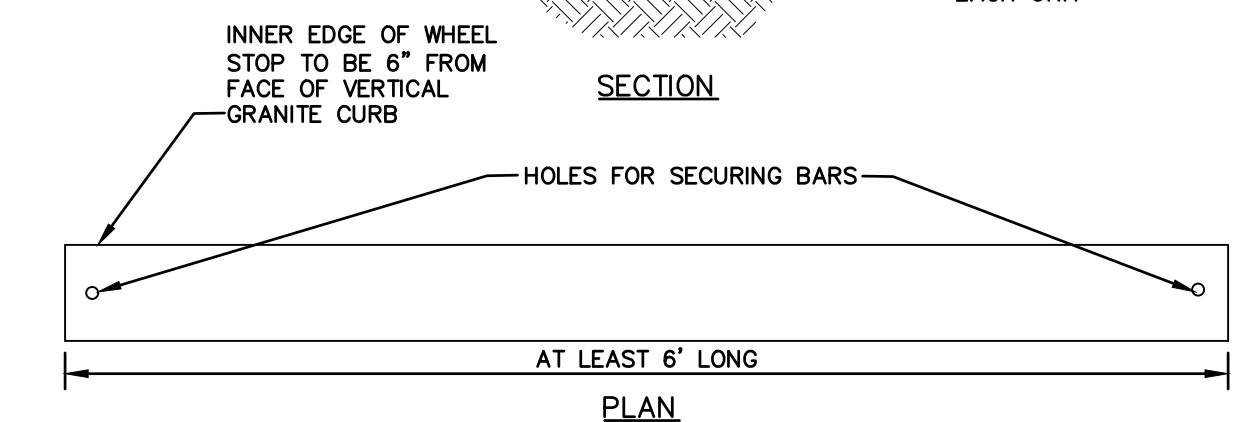
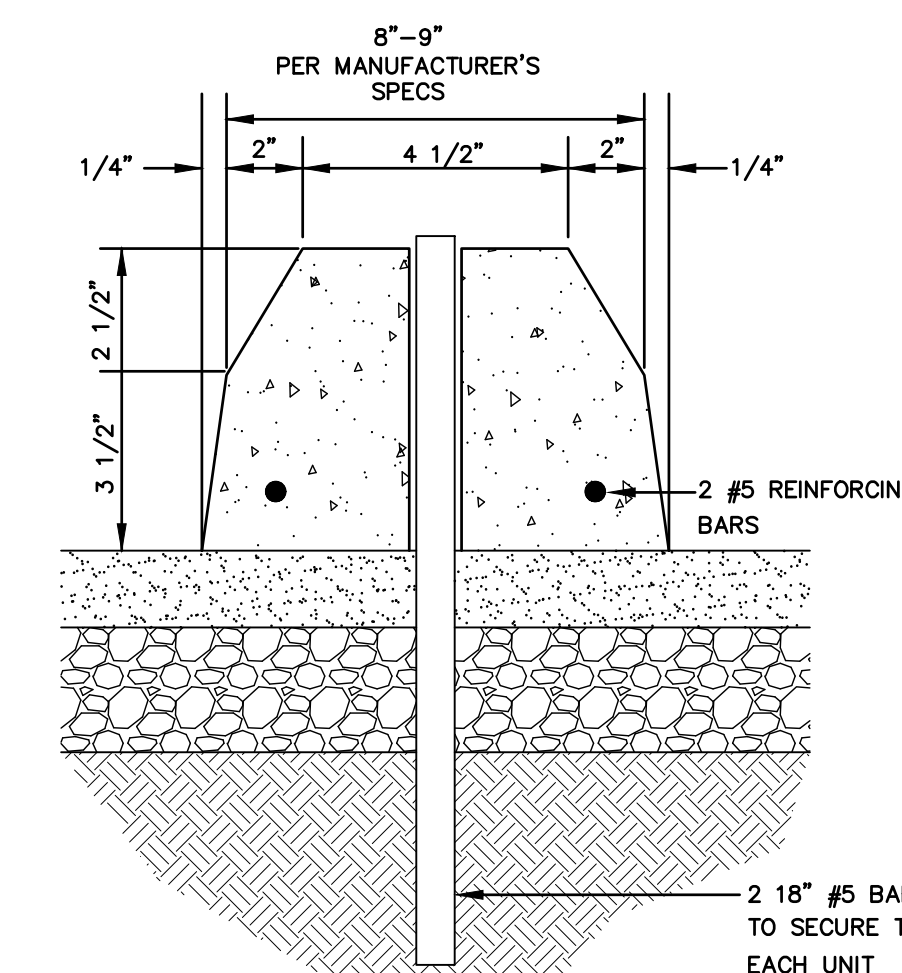
A preliminary floor plan of the leased space is attached hereto as Exhibit B.

Applicant respectfully requests that its request for Special Exception be granted.



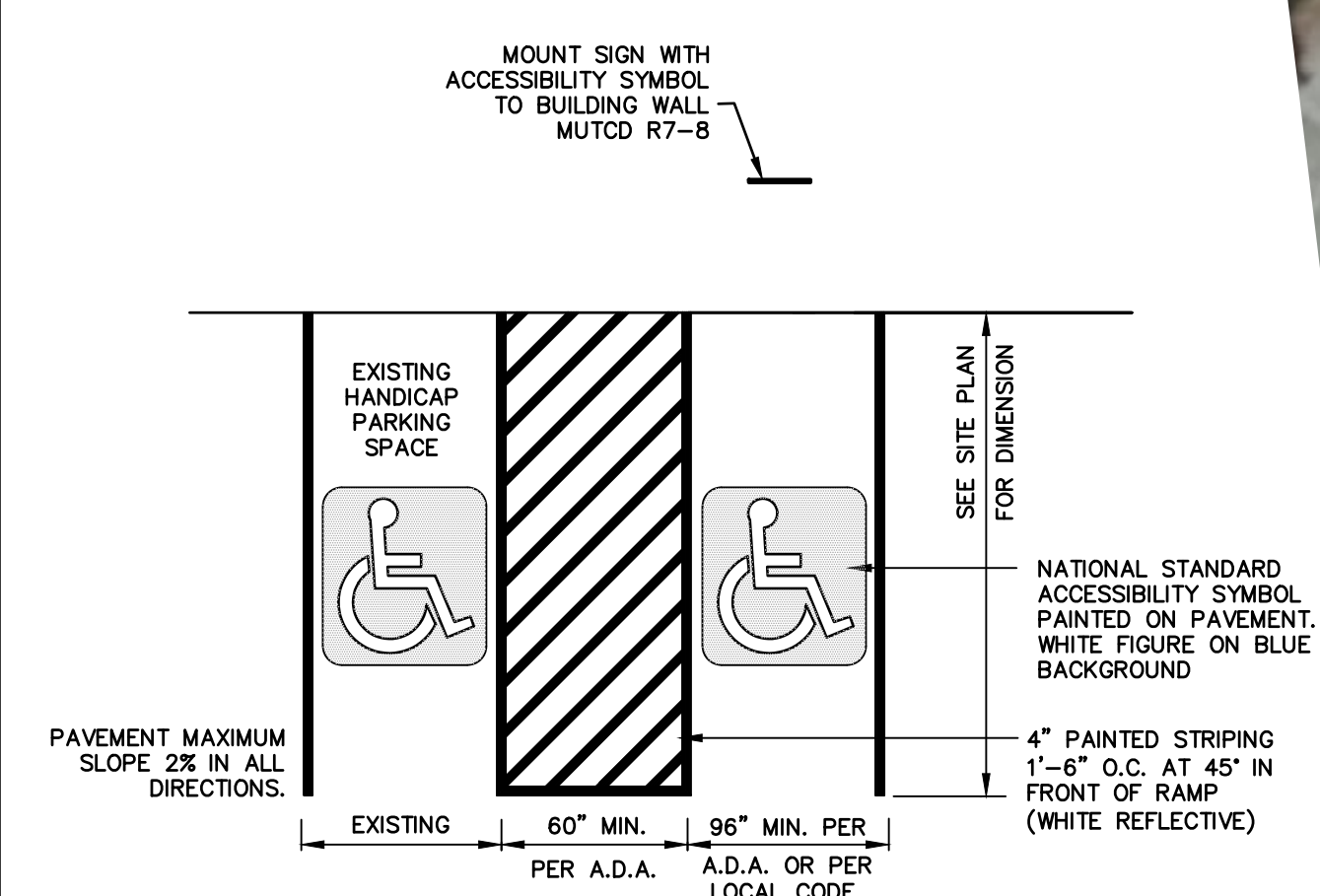
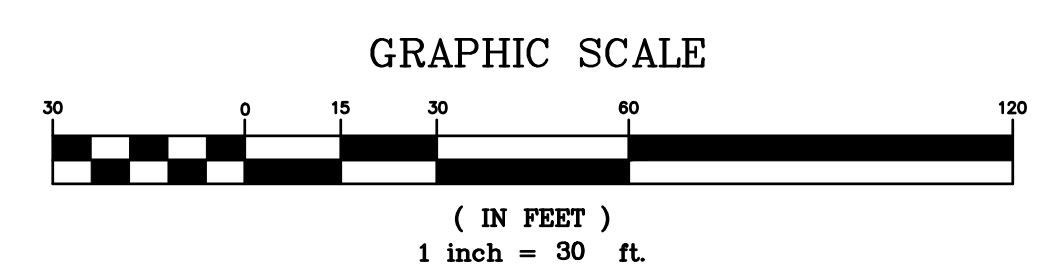
SITE NOTES:

- THE INTENT OF THIS PLAN IS TO ADD STRIPED PARKING FOR A NEW INDOOR CLIMBING FACILITY TO LEASE 14,500 S.F. IN THE EXISTING INDUSTRIAL BUILDING.
- ZONING DISTRICT: INDUSTRIAL
LOT AREA MINIMUM = 2 ACRES
LOT FRONTAGE MINIMUM = 200'
BUILDING SETBACKS (MINIMUM):
FRONT SETBACK = 70'
SIDE SETBACK = 50'
REAR SETBACK = 50'
MAX. BUILDING HEIGHT = 70'
MIN. OPEN SPACE = 20%
- PARKING CALCULATIONS:
4,000 S.F. WAREHOUSE; 2,000 S.F. OFFICE; 14,500 S.F. CLIMBING WALL
WAREHOUSE - "WHOLESALE USE" - 1 SPACE REQUIRED PER 2,000 S.F. G.F.A. 4,000 S.F./2000 = 2 SPACES REQUIRED
OFFICE - "PROFESSIONAL, BUSINESS, AND FINANCIAL USE" - 1 SPACE REQUIRED PER 350 S.F. G.F.A. 2,000 S.F./350 = 5.7 ~ 6 SPACES REQUIRED
CLIMBING WALL - "HEALTH CLUB" - 1 SPACE PER 250 S.F. G.F.A. 14,500 S.F./250 = 58 SPACES REQUIRED
2+6+58 = 66 SPACES REQUIRED
67 SPACES PROVIDED
- THIS PLAN SET HAS BEEN PREPARED BY JONES & BEACH ENGINEERS, INC. FOR MUNICIPAL AND STATE APPROVALS BASED ON AERIAL DATA. NO FIELD SURVEY HAS BEEN PERFORMED.
- SUBJECT PROPERTY IS NOT LOCATED WITHIN FEDERALLY DESIGNATED 100 YEAR FLOOD HAZARD ZONE. REFERENCE FEMA COMMUNITY PANEL NO. 33015C0270F, DATED JANUARY 29, 2021.
- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.) AND NHDOT STANDARDS AND SPECIFICATIONS (NON-REFLECTORIZED PAVEMENT MARKINGS), UNLESS OTHERWISE NOTED.



PRECAST CONCRETE WHEELSTOP

NOT TO SCALE



HANDICAP PARKING LAYOUT

NOT TO SCALE

PROJECT PARCEL
CITY OF PORTSMOUTH
TAX MAP 285, LOT 16-3

APPLICANT
SALT PUMP CLIMBING CO.
ATTN: TAKI MIYAMOTO
138 NORTH RIVER ROAD
LEE, NH 03861

TOTAL LOT AREA
370,119 SQ. FT. ±
8.50 ACRES ±

Design: BAJ	Draft: DJM	Date: 12/1/22
Checked: BAJ	Scale: AS NOTED	Project No.: 22259
Drawing Name: 22259-PLAN.dwg		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
1	12/9/22	MINOR REVISIONS	DJM
0	12/5/22	ISSUED FOR REVIEW	DJM

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. Stratham, NH 03885

Civil Engineering Services

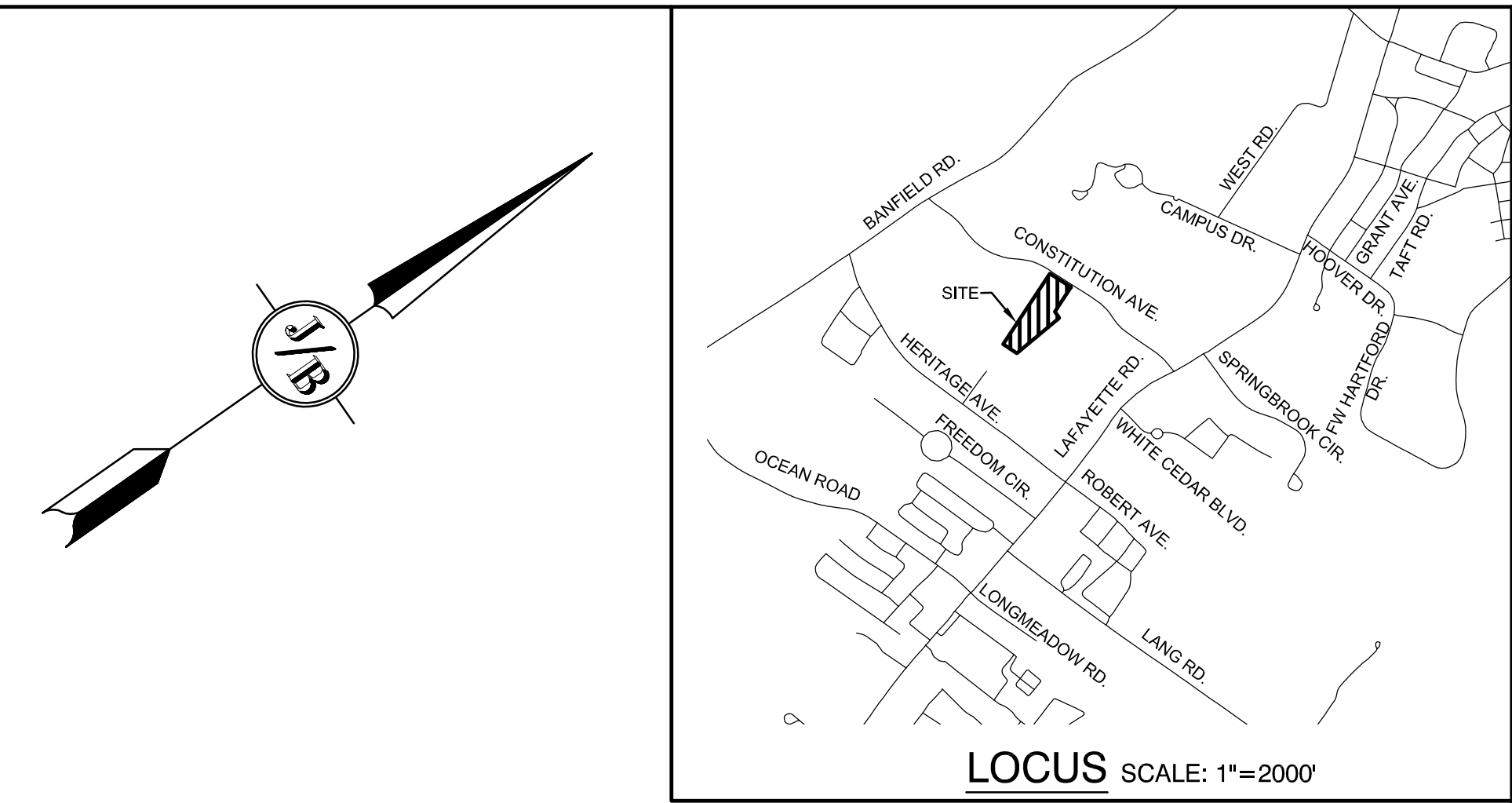
603-772-4746
FAX: 603-772-0227
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name:	ZBA SITE PLAN
Project:	PARKING PLAN 199 CONSTITUTION AVE., PORTSMOUTH, NH
Owner of Record:	SALEMA REALTY TRUST 369 LAFAYETTE RD., HAMPTON, NH 03842

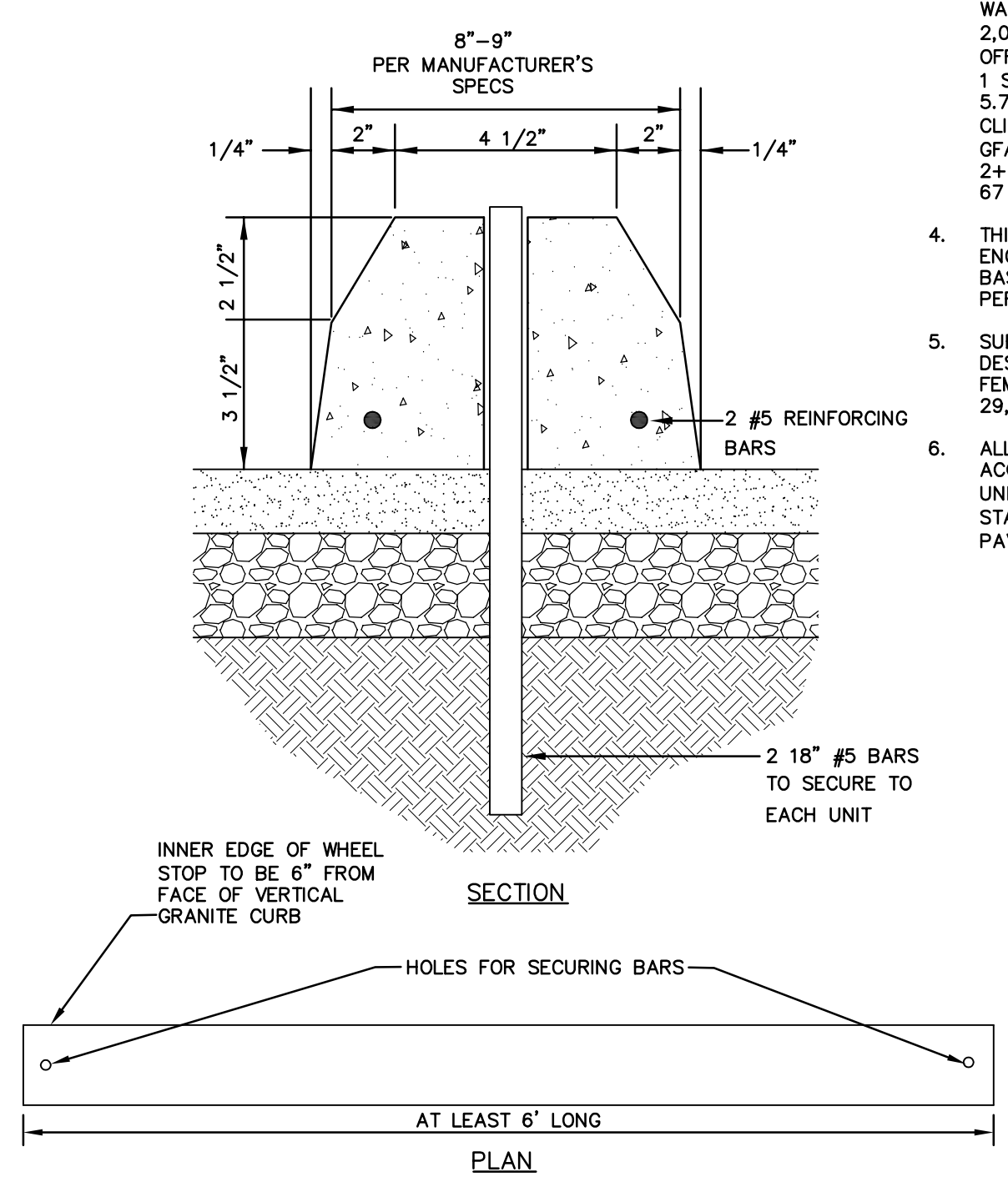
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C1

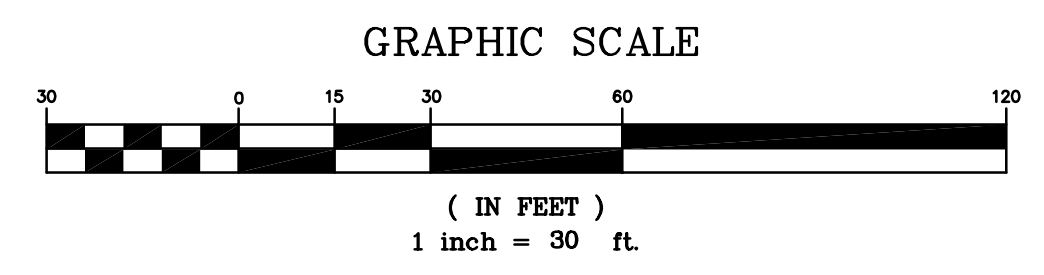
SHEET 1 OF 1
JBE PROJECT NO. 22259



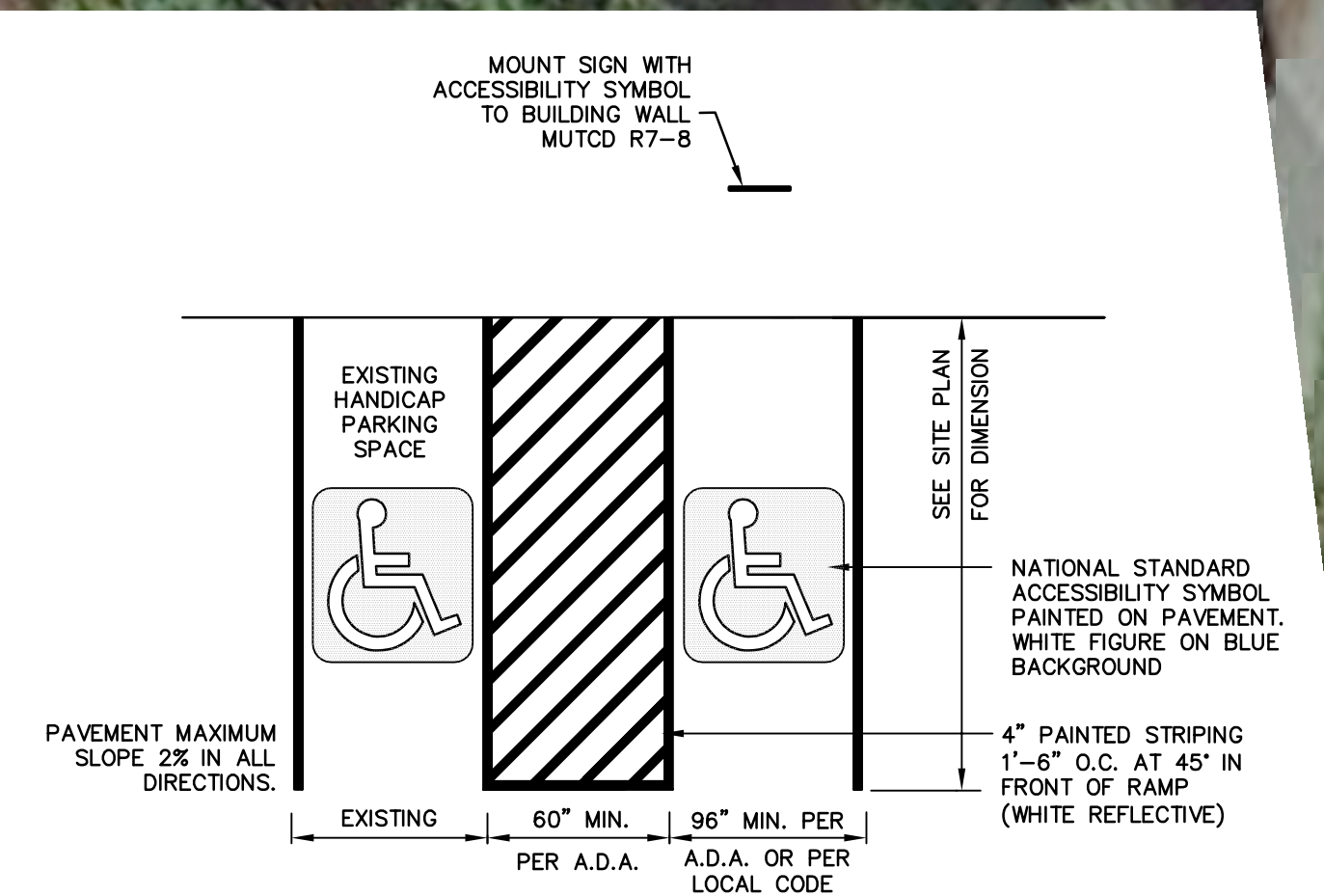
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PRECAST CONCRETE WHEELSTOP
NOT TO SCALE



PROJECT PARCEL CITY OF PORTSMOUTH TAX MAP 285, LOT 16-3
APPLICANT SALT PUMP CLIMBING CO. ATTN: TAKI MIYAMOTO 138 NORTH RIVER ROAD LEE, NH 03861
TOTAL LOT AREA 370,119 SQ. FT. ± 8.50 ACRES ±



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Design: BAJ	Draft: DJM	Date: 12/1/22
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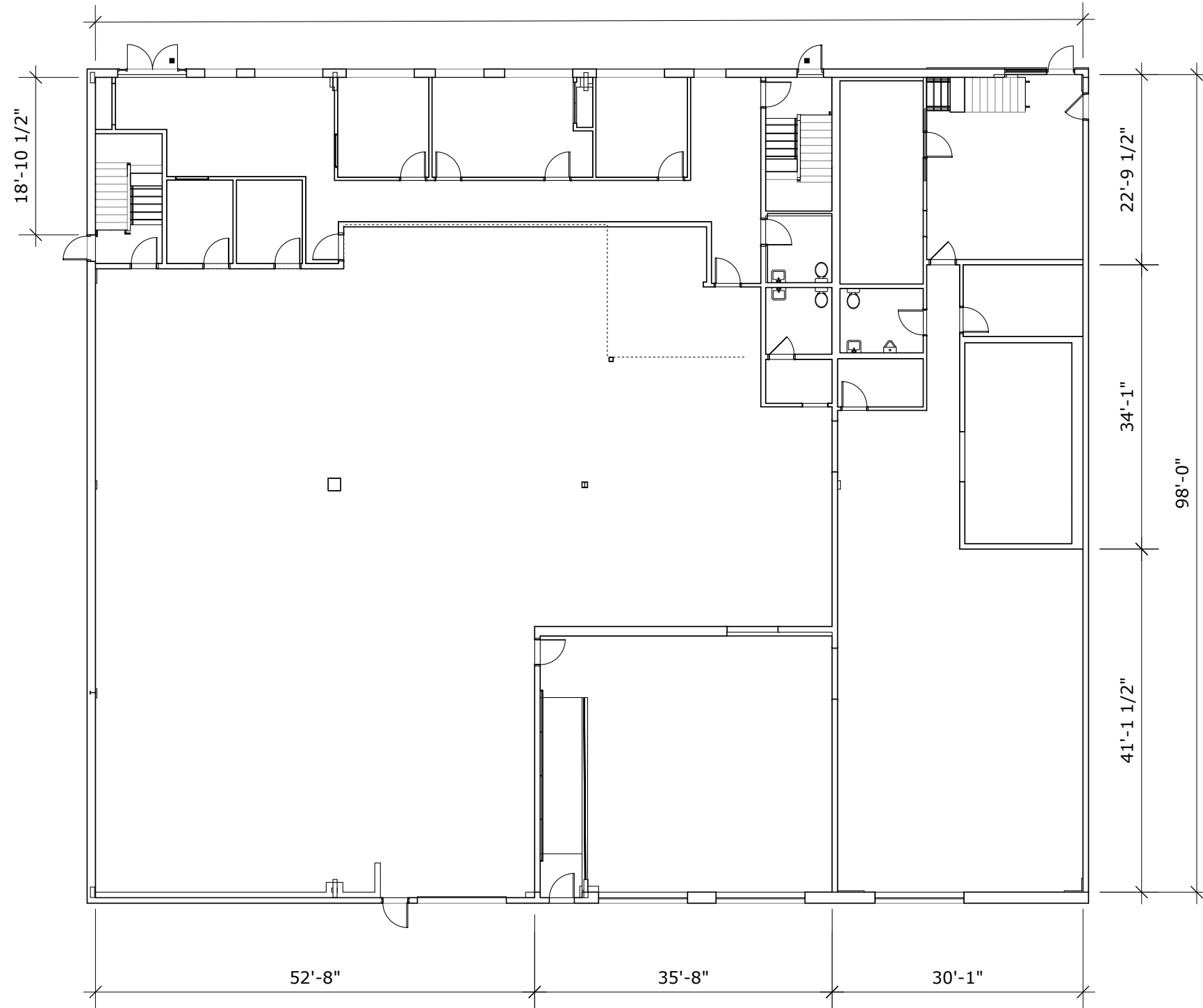
Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. Civil Engineering Services 603-772-4746
 PO Box 219 FAX: 603-772-0227
 Stratham, NH 03885 E-MAIL: JBE@JONESANDBEACH.COM

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Project:	PARKING PLAN 199 CONSTITUTION AVE., PORTSMOUTH, NH
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DRAWING No.	C1
SHEET 1 OF 1	JBE PROJECT NO. 22259

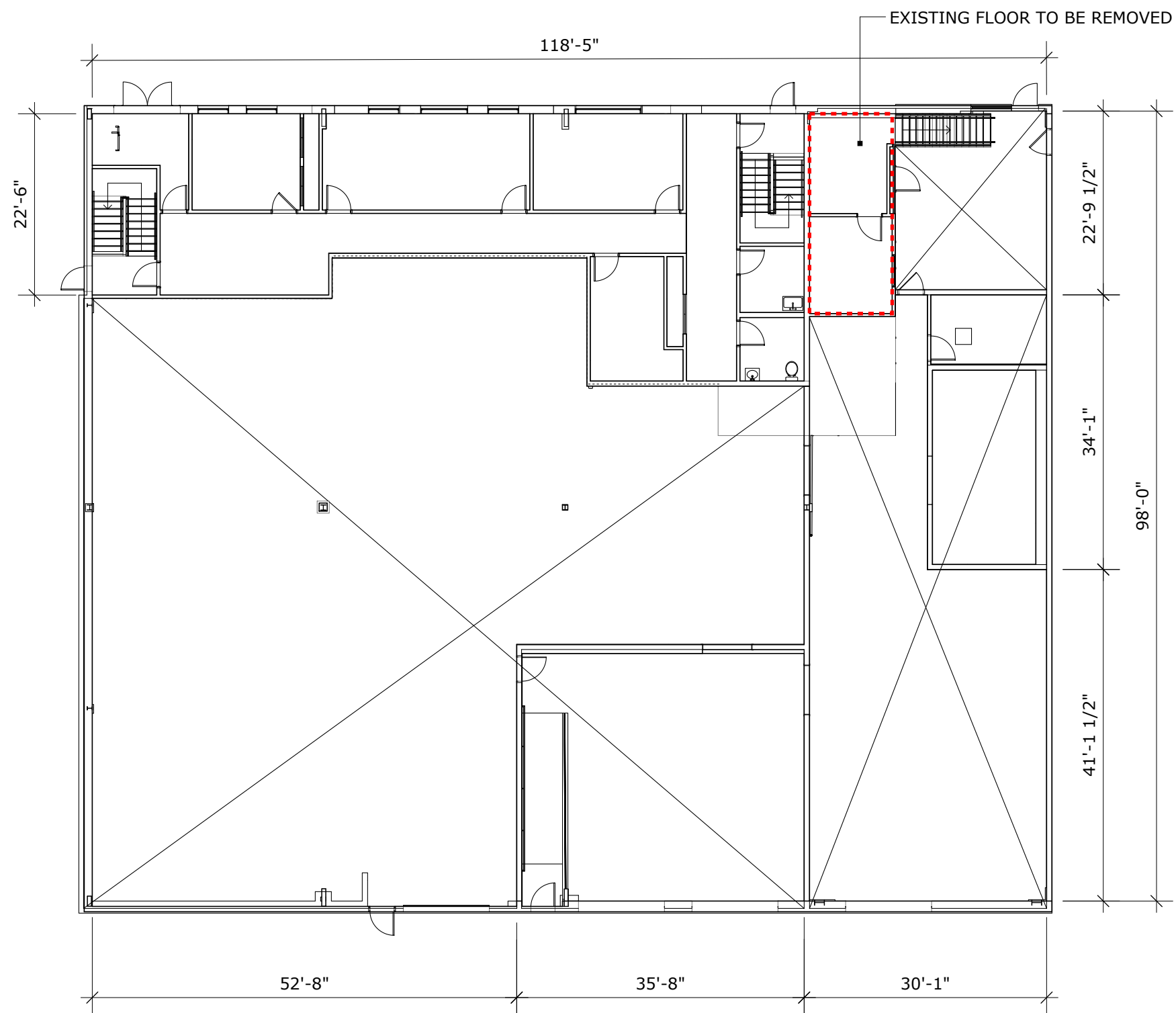


1 1st Floor EXISTING
 A02 Scale: 1/16" = 1'

REVISIONS	
MM/DD/YY	REMARKS
1	11/17/22 CONCEPT DESIGN v.2
2	11/28/22 CONCEPT DESIGN v.3
3	12/05/22 CONCEPT DESIGN v.4
4	
5	

SALT PUMP Portsmouth
 Concept Design

1st Floor EXISTING



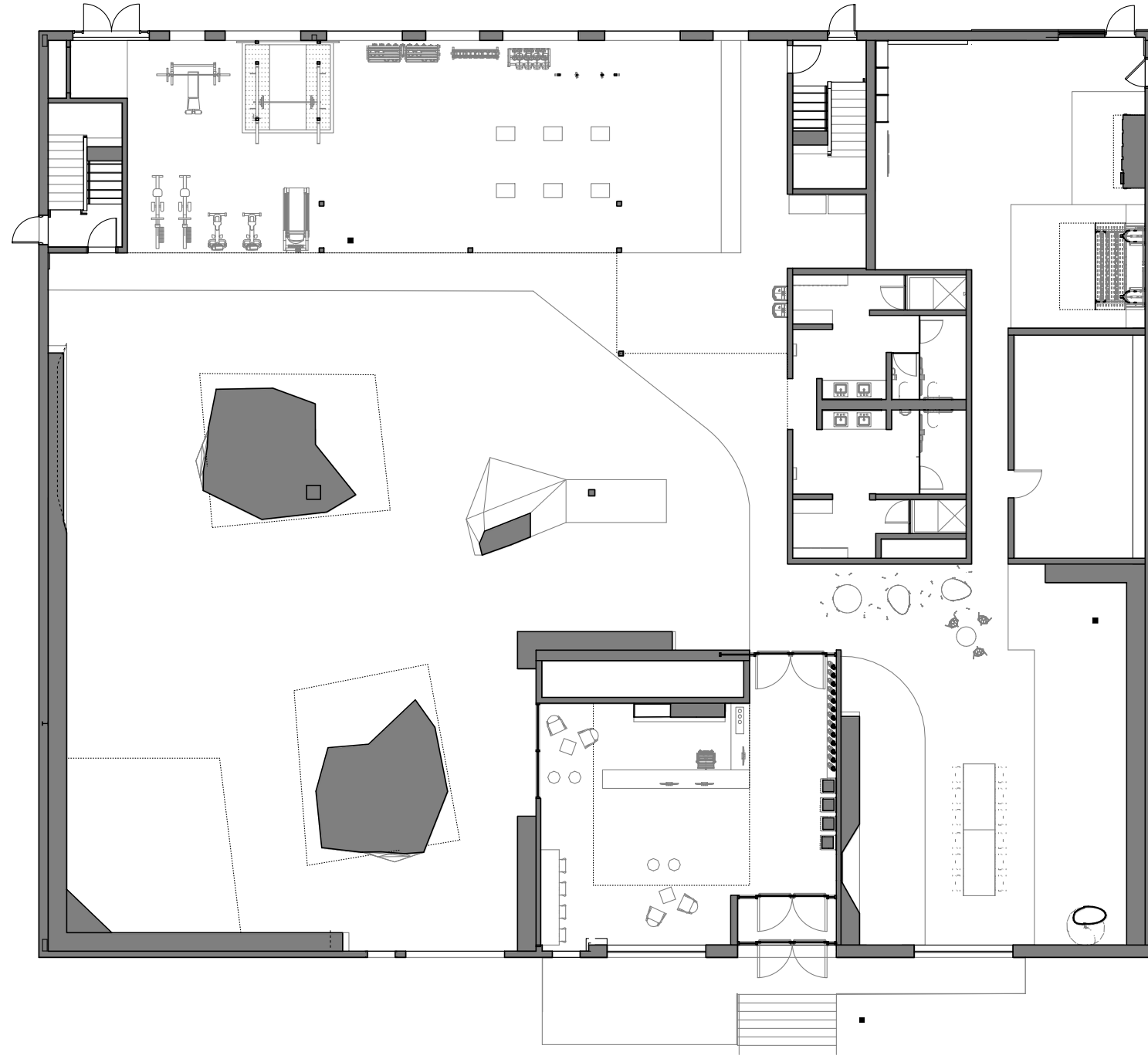
1 2nd Floor EXISTING
A03 Scale: 1/16" = 1'



REVISIONS	
MM/DD/YY	REMARKS
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2	11/28/22 CONCEPT DESIGN v.3
3	12/05/22 CONCEPT DESIGN v.4
4	
5	

SALT PUMP Portsmouth
Concept Design

2nd Floor EXISTING



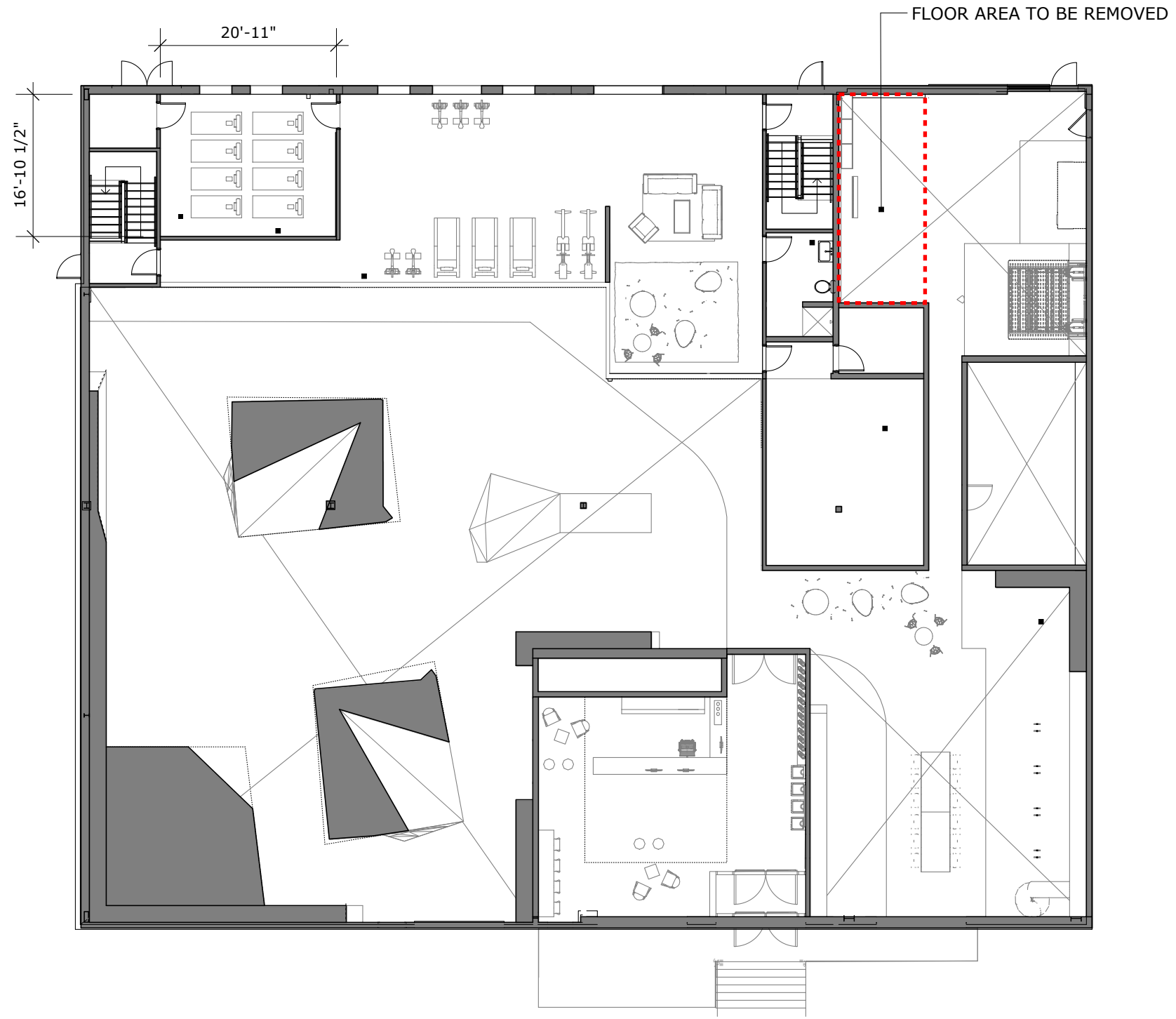
1 1st Floor NEW
A08 Scale: 1/16" = 1'



REVISIONS	
MM/DD/YY	REMARKS
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2	11/28/22 CONCEPT DESIGN v.3
3	12/05/22 CONCEPT DESIGN v.4
4	
5	

SALT PUMP Portsmouth
Concept Design

1st Floor NEW



1 2nd Floor NEW
A09 Scale: 1/16" = 1'



REVISIONS	
MM/DD/YY	REMARKS
1	11/17/22 CONCEPT DESIGN v.2
2	11/28/22 CONCEPT DESIGN v.3
3	12/05/22 CONCEPT DESIGN v.4
4	
5	

SALT PUMP Portsmouth
Concept Design

2nd Floor NEW

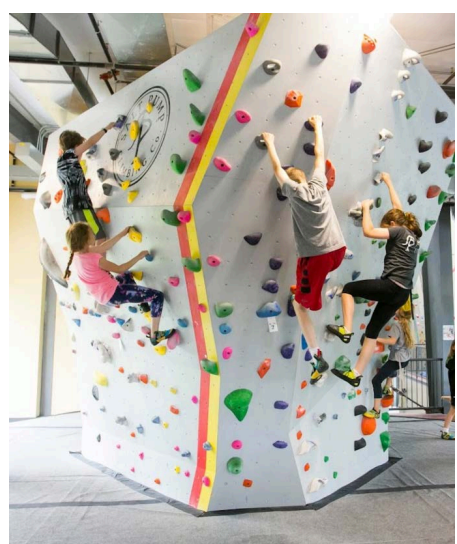
Exterior Pictures



Interior Pictures



Pictures of Bouldering Area in Salt Pump Climbing Co. in Scarborough, Maine



To: City of Portsmouth

Re: 199 Constitution Avenue, Portsmouth, NH ("Premises")

Antonio Salema, Trustee of Salema Realty Trust, owner of both units in the 199 Constitution Avenue Condominium and sole Member of the 199 Constitution Avenue Condominium Association, does hereby authorize Takeshi Miyamoto and Salt Pump Portsmouth, LLC, and their engineers, surveyors, consultants and attorneys to act on our behalf to appear in front on any Board and to submit applications for special exceptions and other permits and approvals as may be required for their intended use of the Premises.

Salema Realty Trust

Dated: December 16, 2022

By:


Antonio Salema, Trustee