

# CITY OF PORTSMOUTH

Community Development Department  
(603) 610-7281

Planning Department  
(603) 610-7216

## PLANNING DEPARTMENT

February 20, 2018

Foundary Place LLC &  
Deer Street Associates  
P. O. Box 100  
York, ME 03911

RE: Site Review Application for Property Located at 165 Deer Street

Dear Mr. Rogers:

The Planning Board, at its regularly scheduled meeting of February 15, 2018, considered your Site Review application for the construction of a 5-story mixed use building (including a hotel, restaurant, and 1<sup>st</sup> floor parking garage) with a footprint of 22,073 ± s.f. and gross floor area of 104,020 ± s.f., with related paving, lighting, utilities, landscaping, drainage and associated site improvements to Lots 2, 3, 4 and 5. As a result of said consideration, the Board voted as follows:

- A. Voted to determine that the application is complete according to the Site Plan Review Regulations and to accept the application for consideration.
- B. Voted to **grant** Site Plan approval with the following stipulations:

Conditions Precedent (to be completed prior to the issuance of a building permit):

1. A sidewalk maintenance agreement between DSA and the City, the sidewalk easement, and any other easements required for public access to community spaces shall be reviewed by the Legal Department and accepted by the City Council.
2. DSA shall provide a standard surety for Lot 2 (Map 125 Lot 17-1) work in addition to Lot 3 (Map 125 Lot 17).
3. A license shall be required from City Council to allow the outdoor dining area as shown on the plans.
4. The application shall provide fair share contributions for additional off-site improvements as follows: 1) pavement and overlay of portions of Deer Street and Bridge Street (\$38,250); 2) Maplewood Avenue traffic signal coordination and pedestrian signal upgrades (\$27,000); 3) installation of video detection on Maplewood Ave traffic signals (\$30,000); 4) A contribution to the Russell Street intersection improvements (\$5,000); 5) Contribution to the Downtown Circulation Study (\$7,000); 6) Contribution to a stormwater study for the area (\$5,000); 7) 25% contingency for items 1 through 3 (\$23,800).

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5. The Grading and Drainage Plan shall be updated to show how the 4" perforated drain connects to a closed drainage system or discharges in the pervious pavement parking area.
6. For the subsurface infiltration system under the garage slab, the applicant shall include measures to prevent sedimentation/soil migration (separation geotextile fabric) and protect against freeze/thaw (insulated slab if garage is not heated). These measures shall be reviewed and approved by the DPW and/or the City's third party reviewer.
7. The applicant shall revise the plans to add high strength pipes (C900 PVC or DI) for the section of pipe under the building that will be difficult to access in the future.
8. The Grading and Drainage Plan shall be updated to show how roof runoff is piped into the infiltration system, which shall be reviewed and approved by the DPW and/or the City's third party reviewer.
9. The site plans (Sheets C1.0, C1.1, C3.0, C3.1, C3.2 and C3.3) and easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
10. The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) for review and approval by the City's Legal and Planning Departments.
11. The applicant shall update the stormwater maintenance plan to reflect the updated stormwater management included on the approved plans
12. The site plan shall be revised to show parking garage exit and entrance

Three complete sets of revised Site Plans must be provided to the Planning Department, along with a pdf version.

The Site Plan Review process is not complete until a Site Review Agreement has been fully executed and a Site Review bond (i.e. Irrevocable Letter of Credit, Surety Bond or cash) has been approved by the City.

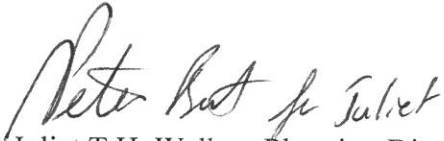
As a reminder, digital as-built plans are required in a CAD or ESRI file format prior to the release of your Site Review Bond. Please refer to the Site Plan Review Regulations for special requirements.

The City's Land Use Compliance Agent, Vincent Hayes, will be inspecting the work during construction.

The minutes and audio recording of this meeting are available through the Planning Department.

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Very truly yours,

A handwritten signature in cursive script that reads "Juliet T.H. Walker".

Juliet T.H. Walker, Planning Director  
for Dexter Legg, Chairman of the Planning Board  
JTHW:jms

cc: Robert Marsilia, Building Inspector  
Rosann Maurice-Lentz, City Assessor  
Tracy Kozak, JSA  
Michael Penny, Geosight