

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 PM Public Hearings begin

March 20, 2025

MEMBERS PRESENT: Rick Chellman, Chairman; Anthony Coviello, Vice-Chair; Karen Conard, City Manager; Joseph Almeida, Facilities Manager; Beth Moreau, City Councilor; Members Paul Giuliano, Andrew Samonas, William Bowen, Ryann Wolf, and Alternate Frank Perier

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ALSO PRESENT: Peter Stith, Planning Department Manager

MEMBERS ABSENT: None.
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I. APPROVAL OF MINUTES

- A. Approval of the **February 20, 2025** meeting minutes.
- B. Approval of the **February 27, 2025** Work Session minutes.

*Vice-Chair Coviello moved to approve both sets of minutes as presented, seconded by Mr. Almeida. The motion **passed** with all in favor.*

*Vice-Chair Coviello moved to take Section VI. Other Business, Items B, 581 Lafayette Road, and Item A, Co-living Amendments, out of order to bring forward for discussion. Ms. Conard seconded. The motion **passed** with all in favor.*

II. PUBLIC HEARINGS – NEW BUSINESS

- A. The request of **96 State Street LLC (Owner)**, for property located at **96 State Street** requesting a parking Conditional Use Permit from Section 10.1112.14 to allow zero (0) parking spaces where thirty (30) are required. Said property is located on Assessor Map 107 Lot 52 and lies within the Character District 4 (CD-4) and Historic District. (LU-25-28)

SPEAKING TO THE PETITION

[Timestamp 30:36] Attorney Darcy Peyser was present on behalf of the applicant and reviewed the petition. She said the Conditional Use Permit was necessary to allow the applicant to expand and convert the upper second and third floors to a residential use. She said the second floor would be occupied by the restaurant owner and the third floor would be occupied by restaurant employees. She noted that the Historic District Commission (HDC) approved drawings in

September 2024. She said the applicant wanted to add 575 square feet of residential space to the second floor and 300 square feet to the third floor. She said there was no designated off-street parking but that the applicant submitted a parking demand analysis by Altus Engineering that calculated the existing number of parking spaces at 46 spaces, based on the present use of the building. She further discussed why a Conditional Use Permit was needed. She said the applicant met with the Technical Advisory Committee (TAC) and corrected the parking demand analyses issues identified. She explained why the parking demand was reduced and where the residents could park. She said the current parking was more intense due to the restaurant use.

[Timestamp 38:50] Mr. Almeida said he was surprised that no site plan was presented to the Board. He said he followed the building over the years because he was a former HDC chairman and the project went before them multiple times. He said 102 State Street was an award-winning historic building next door and that he feared there were minor things with the design that would significantly impact that building, one of which was the addition's roof overhang that crossed the property line, and that it wasn't clear how the addition would connect to the neighboring building. He said he saw no need for the roof overhang. He noted that the little window was discussed in great detail with the HDC and the Building Department. He said it was a unique situation where the addition could be a few feet away and still work and that there was no reason for it to touch the next-door building. It was further discussed. Chair Chellman said the parking was related to the size of the proposed addition and that the applicant explained that the parking analysis calculations were based on the plans. He said he thought the plans were linked and that the Board should see them. He said the roof going over the property line also concerned him.

[Timestamp 43:08] Attorney Peyser said they were aware of the concerns and that if they were to revise the submitted plans so that the area that abuts the building is smaller, either the hip roof would be gone or the building would be moved back. She said the parking demand calculation remained at 1.3 spaces per dwelling unit over 750 square feet, so the ask remained the same, zero spaces where 30 are required and zero exist. She said any revisions to the plan would be addressed at the building permit issuance level and potentially submitted to the HDC for an administrative approval, but it did not change the nature of their request that night.

[Timestamp 44:31] Chair Chellman said that did not answer the Board's questions. He gave an example and said the approval needed was for a Conditional Use Permit, which included the approval of the calculations and the discretion that is built in, which the Board required more of. He asked if the applicant was proposing to change the plan for an administrative approval at the HDC to address the issues. Attorney Peyser said did not intend to do so but would if necessary, but the plans were approved by the HDC and that the applicant wanted to seek a Conditional Use Permit based on them. Mr. Samonas said Attorney Peyson said the building would be occupied by the restaurant owner and employees, but he said the Board did not have a way to tie that type of statement to the approval. Mr. Bowen asked if the Conditional Use Permit application met the requirements set forth. Chair Chellman said it was up to the Board to determine if it did, and it was further discussed.

[Timestamp 49:03] The floor plan was discussed. Mr. Almeida said the "flex living" room had no reason for it wall to follow the angle shown and tie into the building next door and that it

could come straight down perpendicular and meet the front wall and have a gap between the buildings at that level. He read the history of Ms. Bouffard's building's award-winning preservation renovation. He asked that the language in the ordinance be defined so that the wall could be recanted back and not touch the Ms. Bouffard's building and that it allow the tiny window to be used on the second floor instead of being encroached upon. Vice-Chair Coviello asked if the Board was positive that the roof overhang crossed the property line. Chair Chellman said if the roof did overhang, and it was further discussed. Vice-Chair Coviello said it could be elevations and that it seemed like there was a big gap between the buildings. Chair Chellman asked Attorney Peyson if the roof hung over the adjacent property. Attorney Peyson said the third-floor hip roof perhaps had an overhang but she didn't believe that the second floor roof would overhang at all, even though the drawing appeared to show that it would. Chair Chellman said the roof was on the third floor, so that was where the overhang would be and it appeared that it did cross the property line. Vice-Chair Coviello suggested postponing the application so that the Board could get facts and resolve the issue. Chair Chellman said the other issue was the one Mr. Almeida brought up on whether a distance separation based on building code was needed. He said the Board would need certification from the Building Department about it. The Board discussed what would happen to the calculations if the owner rented to others instead of the employees. Attorney Peyson said the third floor was residential now and would be the same calculation if it was rented to any tenant. Chair Chellman said it was at the discretion of the Board to consider that, and it was further discussed.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

[Timestamp 58:32] Attorney Tim Phoenix was present on behalf of Karen Bouffard, the owner of the LLC owning the abutting property 100-102 State Street. He said the small window that the architect indicated was installed without approval was actually installed after HDC review, and a building permit was given. He said Ms. Bouffard thought at first that the new building would be behind the window on the side of her building but then learned that the notch was proposed and would be against the building. Attorney Phoenix said they asked for the plans but the Inspection Department would not release them. He said they were concerned about the applicant's intention to connect the wall. He said the roof did look like it hung over Ms. Bouffard's property, but the response they received was that the applicant may pull the building away. He said Ms. Bouffard did not know what would happen and thought it was premature for the Board to make a decision.

Elizabeth Bratter of 159 McDonough Street said there was no overnight parking available in the south end. She said the Downtown Overlay District (DOD) allowed commercial to not have any parking requirement, so if the applicant were in the DOD, they would only need three spaces. She said it sounded like the owner was using a pseudo parking space to park their car, but if it was rented out to someone other than the owner, it would create a need for more parking, so it could be stipulated that at least one of the two apartments had to be owner-occupied.

Second Round Speakers [Timestamp 1:04:09]

Attorney Phoenix said the point of it all was that his client didn't know if they opposed the parking because they did not know what was going to be built, and they did not have a good feeling for what was happening inside the restaurant because they saw no plans. He said they did not know exactly what was going to be built. He said they were in favor of continuing the application until the applicant addressed the Board's concerns.

No one else spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD [Timestamp 1:06:25]

Vice-Chair Coviello moved that the Board vote to continue the application to the April meeting so the applicant can provide floor plans and parking calculations based on the final design, to address the roof overhang relationship with the boundary, and get clarification and any needed revisions due to code requirements for the proximity of the addition. Mr. Samonas seconded.

There was further discussion. Mr. Giuliano said he had studied the application for a Conditional Use Permit for parking and saw that the applicant went to the HDC in September and to TAC and that he thought it was a nonconforming use for parking. He said what the applicant proposed would make it less nonconforming, so he saw a pathway to approval. He asked how the award-winning historic property got overlooked in the HDC's approval, and he said he did not think he would have approved it if he had known about that. Chair Chellman said mistakes happen. He said the second floor was the expansion of the floor plan of an existing restaurant, and if that was all that was proposed, it would require site plan approval. He said the fact that they were calling it residential could be a way to get around site plan review, so it would be expanding a nonconforming use. Mr. Almeida there was always a need for a site plan.

*The motion **passed** with all in favor.*

- B.** The request of **HCA Health Services of NH INC, dba Ducharme McMillen and Associates (Owner)**, for property located at **333 Borthwick Avenue** requesting a Wetland Conditional Use Permit in accordance with Section 10.1017.50 for the removal of 3 existing 24" culverts and replacement with a Box Culvert. Said property is located on Assessor Map 240 Lot 2-1 and lies within the Office Research (OR) District. (LU-24-224)

SPEAKING TO THE PETITION

[Timestamp 1:11:48] Project engineer Matthew Hamby was present on behalf of the applicant. He said they wanted to replace three 24-ft culverts with a 3x10' box culvert to provide additional flow through the wetland. Chair Chellman asked if the City would have the right but not the obligation to maintain the drainage structures. Mr. Hamby agreed and said that one of the conditions of approval was to dedicate an easement along the discharge on the west side from Borthwick Avenue through that channel for City maintenance purposes. Chair Chellman said it could be part of the easement, that if the City had to maintain it, HCA would have to reimburse the City for that maintenance. Mr. Hamby said they would be agreeable to it.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

Wetland Conditional Use Permit

1) Vice-Chair Coviello moved that the Board find that the Conditional Use Permit Application meets the requirements set forth in Section 10.1017.50 of the Ordinance and adopt the findings of fact as presented. Mr. Almeida seconded. The motion passed with all in favor.

*2) Vice-Chair Coviello moved that the Board **grant** the Conditional Use Permit with the following **conditions**:*

2.1) Applicant shall monitor the success of proposed seeded areas and prepare a memo to be sent to the Portsmouth Planning & Sustainability Department annually for the first two years after planting/seeding. If after two years, the seeded areas show a survival rate of less than 80%, applicant will replant/reseed.

2.2) In order to maintain the existing stormwater flow, an easement shall be provided to the City to give the City the right, but not the obligation, to maintain the stormwater channel and its drainage improvements. The easement shall also contain language the if the City exercises its rights to conduct any such maintenance, the City will be reimbursed by the landowner. The applicant will work with the Legal Department to finalize the easement language.

*Mr. Almeida seconded. The motion **passed** with all in favor.*

III. PRELIMINARY CONCEPTUAL CONSULTATION

- A.** The request of **Brora LLC (Owner)**, for property located at **0 Dunlin Way** **requesting** Site Plan Review approval to construct three (3), six (6) story multifamily residential buildings consisting of approximately 270 dwelling units with associate site improvements. Said property is located on Assessor Map 213 Lot 12 and lies within the Office Research (OR) District and Gateway Neighborhood Overlay District (GNOD). (LUPD-25-3)

[Timestamp 1:17:00] Project engineer Patrick Crimmins was present on behalf of the applicant, along with the project team. He said there were site constraints because the property sloped up about a third of the site toward the Osprey neighborhood but then got to a steep pitch at a 50-ft grade change. He reviewed the schematic plans and said there was a buffer between the rear neighborhood and that the buildings would be at market rate and would integrate as a

community. He discussed landscaping, hardscaping, and plaza areas and said there would be parking in the rear that would be screened from the road. He said they considered some structured parking but the steep slope was a challenge. He said the incentive to have a 6-story building on the site was a land transfer to the City.

[Timestamp 1:22:00] Mr. Giuliano asked how the rooftops would line up, noting that the applicant said there was a 50-ft grade change from Portsmouth Boulevard to the top of the hill. Mr. Crimmins said the building heights were six stories, so the buildings would be approximately 75 feet and slightly higher than the hill. He said there was a lot of mature vegetation at the top of the hill that would screen the tops of the roofs. Councilor Moreau said she would like to see sidewalks and the road rebuilt because it was falling apart, and that she also wanted some amenities from the recreation area that were child-friendly and safe. She also suggested solar panels. Mr. Bowen said he was interested in the recreation component, noting that it would be five percent of Portsmouth's population and the City had parks, baseball fields, and so on. He asked what the vision for the property was, as well as for the broader area, in terms of recreation. Mr. Crimmins said they had not designed a full master plan or future phase for the GNOD District yet but were focusing on getting the parcel permitted. He said they would retain the vegetation on the hill and were thinking of a trail network, and would use the existing recreation area for an outdoor amenity for the parcel. He said the larger vision would be similar and if future developments were introduced, they could connect all of them and create a neighborhood. Mr. Bowen noted that the property across the street had removed vegetation. Mr. Crimmins said that was a stormwater maintenance project. It was further discussed. Mr. Bowen encouraged the applicant to work with the City's recreation committee to get a robust recreational component. Chair Chellman suggested possible recreation opportunities and asked if the applicant could get housing on the structured parking. Mr. Crimmins said if the subsurface conditions worked, they would consider it. It was further discussed. Mr. Crimmins said the units would be a mixture of one and two bedrooms and studios and that there was no plan to differentiate the units in the different buildings. He said construction would start as soon as the permitting process was finished and thought it would be 6-9 months and that they planned to phase it all at once. He said the units would all be market rate ones but that an affordable piece would be achieved by transferring land that the City could use for affordable housing.

IV. DESIGN REVIEW APPLICATION ACCEPTANCE

- A. 361 Hanover Steam Factory, LLC (Owner),** for property located at **361 Hanover Street**, requesting Design Review application acceptance for the construction of new residential buildings along Hanover Street and the renovation of the existing building with associated site improvements. Said property is located on Assessor Map 138 Lot 63 and lies within the Character District 5 (CD5), Downtown Overlay District (DOD), and North End Incentive Overlay District (NEIOD). (LUPD-25-2)

Councilor Moreau and Mr. Samonas recused themselves from the following item, and Alternate Frank Perier took a voting seat.

[Timestamp 1:38:04] Co-owner Steve Wilson was present. He reviewed the history of the project and said they came up with an alternative plan that separated the new buildings and made them

more residential looking, with lower profiles. He said they received variances from the BOA that included eliminating the commercial use on the first floor and allowing duplex and rowhouse apartments. He said the Heinemann Building now had 27 residential units and all the necessary parking and there were four additional buildings, which he further described. He reviewed the parking. He said they would return to TAC for a formal review on April 1.

Vice-Chair Coviello moved that the Board accept the application for Design Review and schedule a public hearing at the April 17, 2025 Planning Board meeting. Ms. Conard seconded.

[Timestamp 1:47:59] Mr. Bowen said in the earlier version, a few spaces were below market rate, and he asked if the design change would impact that number. Mr. Wilson said they wound up with some smaller, more affordable units. He said when they went to TAC, they had proposed a multi-modal way that would have allowed a vertical expansion, and that they also found out that it needed to be a modal way for all forms of transportation, which he further explained. Mr. Bowen said the answer was that there would not be any units below market rate. Vice-Chair Coviello asked if a gate blocked the non-multi modal way and if people were allowed to walk through there. Mr. Wilson said the intention was to have a gate allowing limited access for vehicles, but the sidewalk leading to the property would allow pedestrians. Vice-Chair Coviello said there would then be a gate to prevent vehicles other than the residents' vehicles to get there. Mr. Wilson said the building next to them had the right to use their driveway to get to Hanover Street. He said the traffic going through there was untethered so they did not feel that it was good for the residences. He said the traffic study would preclude them from having traffic cut through. Vice-Chair Coviello said pedestrians would then not walk through that area. Mr. Wilson said they would use the property's sidewalk. Chair Chellman told the Board to be prepared to discuss pedestrian and vehicular circulation and multi modal issues at the next meeting. Mr. Perier asked how close the building heights would be to the Rock Street buildings. Mr. Wilson explained why he thought it would be a 33-ft average elevation, with the building set up 1-12 feet off the sidewalk and that the elevations were similar to others in the area. It was further discussed.

*The motion **passed** by a vote of 8-0, with members Councilor Moreau and Mr. Samonas abstaining.*

V. CITY COUNCIL REFERRALS

A. 25 Sims Avenue – Involuntary Merger Reversal (RIML-25-1)

[Timestamp 1:57:40] Mr. Stith said the property used to be three lots and the applicant was requesting to unmerge one of the lots. He said the applicant's aunt owned the property and built a house that crossed two of the houses in the 1960s, and then the third lot was bought. He said the City Assessor merged them all and that the applicant asked that the part of the property that was vacant, the third lot, be unmerged. He said the assessor recommended that the lot be unmerged. He said the City Council referred it to the assessor and the Planning Board for a report back. It was further discussed.

*Ms. Conard moved that the Board recommend that the City Council restore Lot 44 only. Councilor Moreau seconded. The motion **passed** with all in favor.*

VI. OTHER BUSINESS

A. Co-living Amendments

[Timestamp 2:02] Chair Chellman said the Legal Department added a few things since the last meeting, basically the licensing requirement with the city clerk's office.

*Vice-Chair Coviello moved that the Board recommend that the City Council hold first reading on the proposed zoning amendments as presented. Ms. Conard seconded. The motion **passed** with all in favor.*

Chair Chellman opened the public comment session.

SPEAKING TO, FOR, OR AGAINST THE CO-LIVING AMENDMENT

Patricia Martine of 139 Aldrich Road said co-living was a creative idea to meet the housing needs in Portsmouth. She said expanding the extended area via the ordinance should not create fear in the area. She said single room occupancy had been around forever and that urban communities had a unique opportunity to provide new construction, but many of the larger older homes would also be conducive to home sharing. She said there would also be many social benefits of home sharing. She said it would address the dire need for affordability.

Gerald Duffy of 428 Pleasant Street said he had advocated for affordable housing in Portsmouth, urging the construction of both subcontract rate and affordable market rate housing. He said he sent out housing updates to 230 citizens on a regular basis who wanted to follow the City's response to the housing crisis and that it grew out of the Portsmouth Listens housing dialogues. He said the takeaways were that residents want action instead of more reports, and a sense of urgency of the part of the City. He said the character of Portsmouth was changing and favoring the wealthy, and half the City's residents were renters and cost burdened and most affected. He said the co-living concept addressed one specific tier of housing needs and was a proven concept, and that it was a far cry from the problematic rooming houses of old. He said the housing crisis would only get worse because companies were continuing to expand. He said it was a unique opportunity for the Planning Board to approve an exciting new source of housing.

Marcio von Muhlen of 303 Thaxter Road said he was in support of co-living, whether it was downtown or anywhere in the City. He said there was an extreme shortage of homes, and that he witnessed it with family members who were forced to leave after living in Portsmouth for many years. He said he currently owned a home but had benefited from co-living earlier in life.

Elizabeth Bratter of 159 McDonough Street asked if the Inspection and Fire Departments were consulted. She said Section 10.18.15.29 should have a note added to include the phrase 'as per definition' because the definitions were in the back of Chapter 15 and some people didn't realize that. She said she had thought it was going to be one space for every four residents but now saw that it was one space for every four co-living units, which she thought was unrealistic because there could be eight people and only one space. She said she thought the Board had said that the pods would be made up of units of 10, but the write-up said 40 per floor.

No one else spoke.

[Timestamp 12:22] Councilor Moreau said the Chamber Collaborative of Greater Portsmouth put together four questions. She said the first question was whether businesses were familiar with the concept of co-living, and that all but one out of 41 said they were. She said the second question was whether co-living was a desirable way to promote more affordable living options for people in the downtown area, and the answer was overall 78 percent, 77 percent from downtown businesses, and 86 percent from other businesses. She said the third question was if it was agreed that co-living units would be an added benefit to the downtown culture, and 76 percent agreed overall, 77 percent of downtown businesses agreed, and 79 percent of other businesses agreed. She said the fourth question was whether no parking requirement would be appropriate if co-living was within a short walk from a garage, and that 68 percent agreed overall, 64 percent of downtown businesses agreed, and 85 percent of other businesses agreed. Chair Chellman asked that it go to the City Council with the Board's recommendation.

Vice-Chair Coviello said he had no problem with moving it on to the City Council but pointed out that just square footage and not affordability was tied to the ordinance. He said other communities in New England had very tiny units that were \$7 a square foot but that it was typically \$3-4 per square foot in Portsmouth. He said the apartments were very tiny but still expensive, and his fear was that if it passed, Portsmouth would have just as expensive apartments but tiny areas to live in. Chair Chellman said the transition from the 10-person boarding house to the larger sizes might be the opportunity for adding a layer of affordability. He said he also heard from people that 24/7, 365-day inhouse management was expensive, so if there were a smaller number of units, it would tie into what Vice-Chair Coviello said. He said if the owner had an arrangement with a property management company that was 24/7 and 365 days a year but not necessarily in the building, it might be acceptable and more affordable. Mr. Bowen said the discussion was always about features but not about pricing. He said there was no cap on the way it was written or what the pricing might be. He said HUD had a set of dimensions based on the area medium income and how many people are in the unit. He said affordability was talked about but nothing was done to make sure that it was actually affordable. He said the Board could ask the City Council to add to the criteria for Conditional Use Permits one for affordability, and that the Board could require an extremely low income level, which is 30 percent of AMI, a very low which is 50 percent of AMI, and a low income, which is 80 percent of AMI. He said the Board could require that half the units, or a third, or all of them comply with any of the incomes. He said the construct of the way this is being done would presumably allow the developer to do that, but absent of such a provision, the contractor may or may not do that and would charge what the market would pay in the long run. He said if the Board did not want it to be market rate, then that provision should be added. Mr. Samonas suggested that further definition or changing the term of unit vs. facility would be advisable for clarity. Regarding the parking requirements, he said it could be clarified that if the use were changed, it would come back for a Conditional Use Permit. Mr. Stith said it was possible, unless the applicant could comply with the parking. Mr. Samonas said in Section 10.8.5.31, No. 2, on parking requirements, it stated that if no part of the co-living facility is located with 600 feet of a local parking garage, then off-street parking is required at the rate of one space per every four units. He asked if the Board had discussed that. Councilor Moreau said the Council discussed it. Mr. Samonas asked how many properties in the CD4 and CD5 that applied to, and with the change in criteria, he felt that it was more of a strain on parking

than being within 600 feet of a parking garage. He said his concern was that it was too little parking. He said 24/7 site management seemed like the bare minimum, but that was how the Board was governing the control. He said the property management would be a critical component and that he would not want to waiver on the on-site management. Mr. Almeida asked if there was a distance requirement that could be satisfied for management, e.g. if the management company was downtown but had 24/7 on call service. Mr. Samonas pointed out that even school dorms had resident assistants on every floor. Chair Chellman said he thought the Board felt that there should be a middle tier between a boarding house and the larger houses and more flexibility built into the regulation. It was further discussed. Vice-Chair Coviello said the Board needed time to see it in action and to see if something had to be tweaked because there were so many unknowns. Chair Chellman said it was purposely made relatively small and simple and easy to understand. Mr. Samonas said the Board did a lot of research to arrive at the criteria and parameters, and if they changed it on the smaller side of it, he wanted to hear from operators of other co-living facilities outside of the area and whether it was the financial economics or if it was the in-practice management that did not carry over. He said that was important to hear and respond to instead of putting it out there and hoping it works. Councilor Moreau said there was a request from the public about expanding it beyond CD4 and CD5. She said it would take some time before there was feedback, so they could expand to all character districts or the two Gateway districts. She said office buildings in the Gateway district could be converted to co-living. Mr. Bowen said a provision to ensure that the pricing was really affordable should be included. Mr. Stith said that in New Hampshire, a project had to be incentive based to require workforce housing. Mr. Bowen said he would like the City Attorney to look at it to see if a requirement for an affordability consideration could be added to the Conditional Use Permit requirements. Chair Chellman said he would add a discussion to the workshop about expanding co-living and would then follow up with the City Attorney.

B. 581 Lafayette Road- Requesting a 1-Year extension to the May 16, 2024 Conditional Use Permit and Site Plan approvals. (LU-23-189)

[Timestamp 1:33] *Councilor Moreau moved that the Board grant a one-year extension to the Planning Board Approval of the Site Plan and Conditional Use Permit to May 16, 2025. Mr. Almeida seconded. The motion **passed** with all in favor.*

C. 60 Pleasant Point Drive – Requesting a 1-year extension to the December 21, 2023 Wetland Conditional Use Permit approval. (LU-23-180)

[Timestamp 2:00:55] Chair Chellman said the wetland Conditional Use Permit expired in December, and in November an electronic request for extension as submitted but the required physical plan submission was not submitted, so it fell through the cracks, so it technically expired. He said if the Board was inclined to grant an extension from December they would have to make a finding that the intent was to ask for the extension last year. Project engineer Eric Weinberg was present via Zoom and said he erred by forgetting to add the paper copy.

*Councilor Moreau moved that the Board grant a one-year extension to the Wetland Conditional Use Permit to December 21, 2025. Mr. Almeida seconded. The motion **passed** with all in favor.*

D. Chairman Updates and Discussion Items

[Timestamp 2:04:05] Non-gaming was discussed. Mr. Giuliano said it wasn't listed in the ordinance as a use, yet there were other uses such as amusement parks that were not permitted in any zone. He said non-gaming was becoming a use in neighborhood communities and was something the Board should consider getting ahead of and planning for it. Councilor Moreau said the Board would have to ask the Legal Department.

Vice-Chair Coviello brought up the topic of building single-family homes to rent and one ownership vs. multiple owners. He said some communities have zoning that allow closer setbacks, like a townhouse. He suggested that the Board explore what other communities were doing for that type of zoning. He said it was often for people who could not afford down payments or for the elderly and was just a different type of housing that was growing.

Mr. Stith said there would be a work session the following week to discuss the Hanover/Hill Street area and the Downtown Overlay District.

E. Board Discussion of Regulatory Amendments and Other Matters

There was no discussion.

VII. ADJOURNMENT

The meeting adjourned at 9:10 pm

Submitted,

Joann Breault
Planning Board Meeting Minutes Taker