

**PLANNING BOARD WORK SESSION
PORTSMOUTH, NEW HAMPSHIRE**

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

6:00 PM

March 27, 2025

MEMBERS PRESENT: Rick Chellman, Chairman; Anthony Coviello, Vice Chair; Beth Moreau, City Councilor; Paul Giuliano; William Bowen; Ryann Wolf; Frank Perier, Alternate

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ALSO PRESENT: Peter Stith, Planning Department Manager

MEMBERS ABSENT: City Manager Karen Conard; Andrew Samonas; Facilities Manager Joe Almeida

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Chair Chellman called the meeting to order at 6:00 p.m.

I. Zoning Amendments

A. Hanover/Hill Street Area/Downtown Overlay District

[Timestamp 8:25] Mr. Stith reviewed the Hanover/Hill Street Area/Downtown Overlay District zoning amendments. He said that after the last work session, the Board wanted to add CD4W to the comparison, so the dimensional charts compared CD5, CD4 and CD4L1 as well as adding CD4W and adding it to the use categories. He noted that a proposed map from the 2020 recommendation had one addition, that the lot at the end of Rock Street (66 Rock St) is currently CD5 and that it would be appropriate if it went to CD4. He reviewed the building heights along Bridge Street and Hill Street and said they were currently 2-4 stories. He said the Board discussed changing it along the front of Bridge Street and then down Hill Street, and had also discussed pulling the DOD to match the North End Incentive Overlay and cleaning it up along the lot line where it abuts the Foundry Garage, and changing some of the DOD boundary.

[Timestamp 11:19] The Board discussed the Hill Street height. Councilor Moreau said she was happy with it. Vice-Chair Coviello said it was a big jump in height, 65 feet on one side of the street and 35 feet on the other, and then just north of that towards Bridge St, it was back to 65 feet on both sides. Chair Chellman said it wasn't resolved what would happen with the City land near the retaining wall. Vice-Chair Coviello said he would rather look at a residential building from Sudbury Street that was 45 feet tall and a little bit of garage than a 30-ft garage. He said he could see the Foundry Garage from his house and it was a wall of light. Councilor Moreau said the lights kept the area safer. Vice-Chair Coviello said the neighborhood would appreciate the lower height. Chair Chellman said it was pretty much where the neighbors wanted it.

[Timestamp 18:10] Councilor Moreau said she looked at the comparison for CD4W with some of the other items and that eating and drinking establishments were more allowed in the CD4W

than CD4L1. She said if the front of the lot were placed in CD4L1, it would be better than CD4W. Mr. Stith said CD4W permitted up to 50 people occupancy and up to 250 with a special exception. It was further discussed. Councilor Moreau said CD4L1 was more restrictive and that she liked it where it was. Vice-Chair Coviello asked if 50 occupants in CD4W related to square footage. Mr. Stith agreed. Councilor Moreau said CD4 and CD4L were similar otherwise but the lot-area-per-dwelling was added in CD4W. Square footage was further discussed as well as performance facilities. Chair Chellman said the neighbors wanted CD4W where CD4 was proposed from CD5. Councilor Moreau said the neighbors asked for the back side of Foundry Place to be CD4W also. Mr. Stith said there was no difference in uses in CD4 and CD5, just the dimensional requirements.

[Timestamp 29:17] Chair Chellman asked about DOD changes. Councilor Moreau said she was fine with the changes. Mr. Stith said in the immediate area, it would move the DOD from Hanover Street to follow the North End Incentive Overlay. He said currently DOD included 66 Rock Street, so that would be pulled back to follow the North End Incentive around the municipal property. Vice-Chair Coviello asked why the City wasn't grabbing more existing properties that did not meet parking requirements. Chair Chellman said it was typically done at the back of the zone lines. He said it was odd that the DOD in this case came down to the street corner along Hanover Street, and he thought it was because of the idea of a corner store but that it did not fit the zoning across both streets from that location and that it was a concern of the neighbors. Vice-Chair Coviello said he agreed with it in principle but thought it was strange to move the line around that area and leave lots that were nonconforming. It was further discussed. Chair Chellman said things had changed since the map was created and that the downtown zoning needed to be closely looked at. He noted that some regulations had A and B streets but on Sheafe Street it was mostly residential. Mr. Bowen asked if the Board was trying to push the zoning ahead of the Master Plan. Chair Chellman disagreed and said they were only updating the Master Plan and should go ahead with the rezoning but should consider whether there should be immediate changes, like the Sheafe Street area. He said as they did the Master Plan, it would inform them on whether they needed to do more refined changes based on the downtown.

[Timestamp 42:10] Chair Chellman said the Board agreed that changes could be made for height, the CD4W, and the DOD with respect for the left side of the shown diagram. He said if the DOD were extended, some of those streets should perhaps be allowed to have residential on the first floor, like Sheafe Street, Custom House Court, and Court Street. Mr. Bowen said the Board got requests for development in those areas that ignored the parking requirement, and he asked if they should be brought into conformance with reality. Chair Chellman said a lot of the surface parking downtown was comprised of bank parking lots, church lots, and a few municipal lots, and that others had been developed by one principal developer, but he thought surface parking lots were not a good fit for a walkable downtown. He said the City needed another parking garage and needed it on the map, otherwise the private sector would build parking that would get dedicated to one owner. It was further discussed. Vice-Chair Coviello said he was fine with everything marked up if there were going to be a first-floor residential allowance, except for State Street. Chair Chellman said it would depend on what was done with the DOD. He asked if the Board should add a provision for streets that don't require ground floor residential. Councilor Moreau suggested expanding the DOD as discussed but waiting for more conversations. Mr.

Giuliano said he didn't consider Sheafe Street very walkable. Mr. Bowen said Sheafe Street called for more redevelopment of the buildings on it, and it was further discussed.

[Timestamp 51:24] Vice-Chair Coviello referred to the extension to cover the bank and said it was adjacent to a very used public parking facility and that allowing it to not have parking would put a lot of intensity next door to it. He noted that the property could be developed soon and said he would be more comfortable bringing it one lot up. Mr. Stith said he could provide two maps, showing it on one and not on the other. Chair Chellman said the Board could consider a provision that would allow a Conditional Use Permit if the property were on the edge of the DOD and that there could be special criteria. It was further discussed and decided that there would be two maps, with the intent of changing the parking requirements and the first-floor occupancy requirements in a part of the DOD. Vice-Chair Coviello said the parking side was less of an issue to him than the character, and it was further discussed.

B. Building Footprint

[Timestamp 1:05:55] Mr. Stith said the current definition of building footprint included buildings connected by a fire wall, so most of the buildings downtown would be included. Councilor Moreau said the intent was to not let new construction have an entire big box that took up an entire block, with no break. Chair Chellman said some locations downtown fronted on two different streets due to old configurations but connected in such a way that the footprint triggered the fact that they were now over it. He said that wasn't intended but noted that some larger buildings downtown could front two streets properly. Vice-Chair Coviello said he thought it should be a Conditional Use Permit unique to downtown blocks of buildings. Mr. Stith read several types of conditions that the buildings would have to qualify for. Vice-Chair Coviello said he had no problem with a historic building but wondered if there would be a problem with the ordinance moving forward on newer projects. Councilor Moreau said it did not work on rehabbing old buildings and that she would look at it as an exception if the building had existed before the definition was enacted. Chair Chellman suggested that the Board return with some language and perhaps have an exception for existing buildings.

C. Solar

[Timestamp 1:13:02] Mr. Stith said he didn't have a chance to do more on solar. Chair Chellman said a possible future alternate member of the Board worked for a solar company and would know more about it. The Board agreed to discuss it when they had more information.

D. Wetlands

[Timestamp 1:14:14] Chair Chellman said the wetlands draft was not circulated. He said presently there was a Conditional Use Permit allowing people to do things in the 100-ft wetlands buffer. He said sometimes applicants did not fully conform with the existing criteria, especially in areas that were previously developed, but there were a lot of areas downtown and in adjacent areas, like the south end, where the 100-ft buffer affected them. He said the draft indicated leaving everything the way it was but to provide an exclusion for existing conditions that were already built up. He said the applicant would have to show an improvement for the environment, which currently happened but the ordinance did not state it. He said the Conservation

Commission could further explain it and that the Board could make it conform to what they had been doing. It was agreed that it was really codifying what the Board was already doing.

II. Other Business

[Timestamp 1:16:55] Chair Chellman said he talked to the City Attorney about the affordability of co-housing and co-living and said the Board had to find a way to get part of it under innovative land use controls and the Statute. He said that he and the City Attorney thought relief could be provided for parking, but the New Hampshire Legislature had a lot of bills pending that restricted what they could do, so the City Attorney had advised that the Board wait. Chair Chellman said as the Board considered expanding co-living and co-housing downtown, they had to see what it would look like, and he thought it would look good in the right location. Councilor Moreau said that expanding co-living to other areas needed to be looked at as well. Chair Chellman said it would be interesting to see how it worked with a converted existing building and that it would also make sense using new construction. Mr. Stith said he met with the chair of the Economic Development Corporation (EDC) that day and that they wanted to help with the Master Plan process. He said they were excited to do what they could with the economic portions of the Master Plan and that they wanted to prepare the first draft to get the conversation going, based on the prior economic sections of the Master Plan. Vice-Chair Coviello referenced the House and Senate bills and said a big one was House Bill 631 that stated that any commercial use property in urban areas or any commercially-zoned property that had sewer and water in those areas will allow multi-family dwellings up to 65 feet with a limit in first-floor retail up to 20 percent. He said it could be an opportunity to highlight what Portsmouth had done. He said he wasn't supportive of it in the Historic District, however. Councilor Moreau suggested talking to City Attorney Jane Ferrini. It was further discussed.

Public Comment [Timestamp 1:27:20]

Elizabeth Bratter of 159 McDonough Street said she represented the Islington Creek neighborhood. She said CD4 and CD5 had the same uses, which was the reason for CD4. She said the difference between CD4W and CD5 was the amount of people who could be there. She said the neighborhood had lots of parking issues because people chose to use free parking in the neighborhood. She said there was a tunnel effect as one drove down Bridge Street. She said the neighborhood would prefer to have 40-ft buildings due to the grade on the Foundry Place side, and that they had also requested that the DOD be removed from the neighborhood and from the Foundry Place side. She said the North End Incentive Overlay District was a problem because it allowed for more height and for expanding the building footprint by adding ten more feet, resulting in the buildings getting taller than the Foundry Garage. She said the neighborhood did not want 50-ft and 60-ft buildings up against the historic houses.

[Timestamp 1:35:45] Mr. Bowen said there was an affordable housing component to co-living but nothing that the Board did was organized around the concept of workforce housing. He said 30 New Hampshire communities had overlay districts for workforce housing and that it might be worth thinking about that for Portsmouth. Chair Chellman asked him to email some examples to him. Ms. Wolfe asked if there were places in Portsmouth that had permanent parking. Vice-Chair Coviello said Hanover Street was the only one he knew of. Chair Chellman said it was a huge

issue and that GIS-based parking for residents had been discussed. He said free parking in the Islington Street neighborhood was a magnet to visitors. He said the residents would not be changed but that visitors would. It was further discussed.

III. Adjournment

The meeting adjourned at 7:42 p.m.

Submitted,

Joann Breault
Planning Board Meeting Minutes Taker