



CITY OF PORTSMOUTH

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

PLANNING BOARD

April 24, 2025

96 State Street, LLC
96 State Street
Portsmouth, New Hampshire 03042

RE: Parking CUP request for property located at 96 Sate Street, Portsmouth, NH (LU-25-28)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, April 17, 2025, considered your application for parking Conditional Use Permit from Section 10.1112.14 to allow zero (0) parking spaces where thirty (30) are required. Said property is shown on Assessor Map 107 Lot 52 and lies within the Character District 4 (CD-4) and Historic District.

As a result of said consideration, with the understanding that there will be no expansion of the structure, the Board voted 1) to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.1112.14 of the Ordinance and adopt the findings of fact as presented, *and* 2) to **grant** the Conditional Use Permit as presented.

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 project work. All stipulations of approval must be completed prior to issuance of a building permit unless otherwise indicated above.

This approval shall expire unless a building permit is obtained within a period of one year from the date granted, unless otherwise stated in the conditions of approval. The Planning Board may, for good cause shown, extend such period by as much as one year if such extension is requested and acted upon prior to the expiration date. No other extensions may be requested.

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 fluid and cursive, with the first name "Rick" written in a smaller, more legible script than the last name "Chellman", which is more stylized and elongated.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
Dereck Durbin, Durbin Law Offices PLLC

Findings of Fact | Parking Conditional Use Permit

City of Portsmouth Planning Board

Date: March 20, 2025

Property Address: 96 State Street

Application #: LU-25-18

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 the conditions necessary to obtain final approval.

Parking Conditional Use Permit

10.1112.14 The Planning Board may grant a conditional use permit to allow a building or use to provide less than the minimum number of off-street parking spaces required by Section 10.1112.30, Section 10.1112.61, or Section 10.1115.20, as applicable, or to exceed the maximum number of off-street parking spaces allowed by Section 10.1112.51.

	Parking Conditional Use Permit 10.1112.14 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
1	10.1112.141 An application for a conditional use permit under this section shall include a parking demand analysis, which shall be reviewed by the City's Technical Advisory Committee prior to submission to the Planning Board, demonstrating that the proposed number of off-street parking spaces is sufficient for the proposed use.	Meets	<ul style="list-style-type: none">The Applicant submits the parking demand analysis prepared by Altus Engineering, revised February 20, 2025. Altus Engineering has determined that forty-six (46) off street parking spaces are required by the Ordinance for the existing uses. The off-street parking requirement for the residential conversion of the second floor as proposed is thirty (30) spaces, which constitutes a 35% reduction in required off-street parking spaces. The Applicant met with the City's Technical Advisory Committee on February 11, 2025 and incorporated the Committee's recommendations into the revised Parking Demand Analysis.
2	10.1112.142 An application for a conditional use permit under this section shall identify permanent evidence-based	Meets	<ul style="list-style-type: none">The conversion of the second floor of the building to a residential apartment for the owners and use of the third floor as housing for employees of the

	Parking Conditional Use Permit 10.1112.14 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
	measures to reduce parking demand, including but not limited to provision of rideshare/microtransit services or bikeshare station(s) servicing the property, proximity to public transit, car/van-pool incentives, alternative transit subsidies, provisions for teleworking, and shared parking on a separate lot subject to the requirements of 10.1112.62.		restaurant will reduce current on-street parking demand as indicated in the Parking Demand Analysis. The owners and employees of the business that own a vehicle and reside in the residential units will have convenient access to overnight public parking options such as the garage on High Hanover Street and the 72-hour municipal parking lot on Parrott Avenue. There will be less employees commuting to work on a daily basis. This will eliminate the need to utilize on- street parking spaces downtown or in the residential neighborhoods during peak hours of the day, The Property is conveniently situated directly on the COAST bus route, both reducing the need for patrons of the restaurant to park and creating convenient access to the employees residing on the upper floors to public transit.
3	10.1112.143 The Planning Board may grant a conditional use permit only if it finds that the number of off-street parking spaces required or allowed by the permit will be adequate and appropriate for the proposed use of the property. In making this determination, the Board may accept, modify or reject the findings of the applicant's parking demand analysis.	Meets	<ul style="list-style-type: none"> The residential conversion of the second and third floors of the building reduces total parking demand based on the requirements set forth in the Ordinance and ITE Parking Generation Manual, Edition 6. The Property does not have any on-site parking nor does the potential to create any. If the entire building were to continue to be utilized as a restaurant or for other commercial purposes, the parking demand would be greater than it is with the residential conversion of the second floor, A restaurant use requires one (1) space per 100 sq. ft. of GFA. Section 10.1112.30. Even if the third floor was not considered, the parking demand based on the first and second floors alone would be forty-four (44) spaces. The residential conversion of the second floor reduces allocated restaurant space to 2,625 sq. ft. GFA, resulting in a reduced parking requirement of thirty (30) off-street spaces. Based on the ITE Parking Generation Manual (6th Edition), the parking demand is reduced from eighty-two (82) spaces to fifty-one (51).

	Parking Conditional Use Permit 10.1112.14 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
4	10.1112.144 At its discretion, the Planning Board may require more off-street parking spaces than the minimum number requested by the applicant, or may allow fewer spaces than the maximum number requested by the applicant.	Meets	
5	<u>Other Board Findings:</u>		
6	<u>Additional Conditions of Approval:</u>		



CITY OF PORTSMOUTH

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

PLANNING BOARD

April 21, 2025

361 Hanover Steam Factory, LLC
41 Industrial Drive, Unit 20
Exeter, NH 03833

RE: Request for Design Review for Property Located at **361 Hanover Street** in Portsmouth, New Hampshire (LUPD-25-2)

Dear Property Owner:

The Planning Board, at its meeting on **Thursday, April 17, 2025** considered your application requesting Design Review 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). As a result of said consideration, the Board voted to find the design review process complete.

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

Very truly yours,

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

John Chagnon, Ambit Engineering
John Bosen, DTC Law



CITY OF PORTSMOUTH

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

PLANNING BOARD

April 22, 2025

Tracey & David Foster, Owners
200 FW Hartford Drive
Portsmouth, New Hampshire 03801

RE: WCUP request for property located at 200 FW Hartford Drive Portsmouth, NH (LU-25-23)

Dear Property Owners:

The Planning Board, at its regularly scheduled meeting of **Thursday, April 17, 2025**, considered your application for a Wetland Conditional Use Permit from Section 10.1017.50 for the removal of six trees within the 100' wetland buffer. Said property is shown on Assessor Map 270 Lot 33 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Board voted 1) The Board voted to 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; and 2) to **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) Applicant shall provide a report back to the Planning and Sustainability Department one year after the proposed landscaping area has been planted, demonstrating at least an 80% survival rate of new plantings within the wetland buffer.

2.3) In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall permanently install wetland boundary markers, which may be purchased through the City of Portsmouth Planning & Sustainability Department. Markers are to be placed along the 25' vegetative buffer at 50-foot intervals and must be installed prior to the start of any construction.

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, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All conditions of approval must be completed prior to issuance of a building permit unless otherwise indicated.

This approval shall expire one year after the date of approval by the Planning Board unless a building permit is issued prior to that date. The Planning Board may grant a one-year extension of a conditional use permit if the applicant submits a written request to the Planning Board prior to the expiration date.

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 with a large, sweeping initial "R" and "C".

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: April 17, 2025

Property Address: 200 FW Hartford Dr.

Application #: LU-25-23

Decision: Approve with Conditions

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.

In order to grant Wetland Conditional Use permit approval the Planning Board shall find the application satisfies criteria set forth in the Section 10.1017.50 (Criteria for Approval) of the Zoning Ordinance.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
1	<i>1. The land is reasonably suited to the use activity or alteration.</i>	Meets	The six trees proposed to be removed are within the 100' wetland buffer which is a forested wetland.
2	<i>2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.</i>	Meets	The six trees are all located within the wetland buffer and while they serve as a vital function within the wetland buffer, the applicant is proposing a replacement of plantings in lieu of the trees to be removed.
3	<i>3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>	Meets	The removal of these large trees will have an adverse impact on the wetland functional values as they serve as great habitat and carbon capture for this ecosystem. The installation of new plantings will help to boost this ecosystem, but it may not be sufficient to compete with the trees to be removed. The applicant should consider planting a greater ratio of trees to shrubs.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
4	<i>4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.</i>	Meets	This project calls for the removal of six trees, all within the wetland buffer and most within the 25' no-cut buffer. A certified arborist has stated that only one of the proposed trees to be removed is diseased and unless the other five are a significant risk, the removal of the healthier trees does not seem necessary at this time.
5	<i>5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.</i>	Meets	This proposal appears to have some adverse impact at the removal of five healthy trees that are serving multiple functions within the wetland buffer. The proposed plantings will help to offset the impacts felt from removing those trees but it may be necessary to substitute more trees instead of or in addition to the winterberries to equate the loss of those six trees.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets	It appears that most of the trees to be removed are located in the vegetated buffer strip and proposed plantings will be in this general vicinity.
7	<u>Other Board Findings:</u>		



CITY OF PORTSMOUTH

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

PLANNING BOARD

April 22, 2025

Michael & Annemarie Rainboth, Trustees
Rainboth Revocable Trust, Owner
122 New Castle Avenue
Portsmouth, New Hampshire 03801

RE: WCUP request for property located at 56 Ridges Court, Portsmouth, NH (LU-25-13)

Dear Property Owners:

The Planning Board, at its regularly scheduled meeting of **Thursday, April 17, 2025**, considered your application for a Wetland Conditional Use Permit in accordance with Section 10.1017.50 to merge three lots and construct an addition and deck on the existing dwelling for a proposed permanent buffer impact of 2,653 square feet. Applicant is proposing stormwater improvements and partial revegetation of the wetland buffer as part of this project. Said property is shown on Assessor Map 207 Lot 63 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Board voted 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; and 2) to **grant** the Conditional Use Permit with the following **conditions**:

2.1) The wetland resource shall no longer be mowed.

2.2) The property owner shall agree to mowing the 25' vegetated no-cut buffer no more than twice per year. Mowing cannot occur during the nesting bird season (April to July). Owners must abide by best management practices for mowing a sensitive wetland buffer.

2.3) In accordance with Section 10.1018.40 of the Zoning Ordinance, owner shall install permanent wetland boundary markers, which may be purchased through the City of Portsmouth Planning & Sustainability Department. Markers are to be placed along the 25' vegetated buffer at 50-foot intervals and must be installed prior to the start of any construction.

2.4) Owners shall install permanent markers such as boulders in between the proposed trees to be planted along the wetland edge. This physical barrier shall serve as a deterrent to mowing. Plans must be updated to show proposed location and marker type.

2.5) A maintenance plan for the property shall be included as part of this project for the purpose of educating current and future property owners. This plan shall address proper long-term maintenance of the permeable pavers and the swale, City cutting regulations within the wetland and wetland buffer, and mowing restrictions for this property (including best management practices for mowing of a wetland meadow buffer).

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, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All conditions of approval must be completed prior to issuance of a building permit unless otherwise indicated.

This approval shall expire one year after the date of approval by the Planning Board unless a building permit is issued prior to that date. The Planning Board may grant a one-year extension of a conditional use permit if the applicant submits a written request to the Planning Board prior to the expiration date.

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 fluid and cursive, with a large loop at the end.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
Eric Weinrieb, Altus Engineering

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: April 17, 2025

Property Address: 56 Ridges Ct.

Application #: LU-25-13

Decision: Approve with Conditions

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.

In order to grant Wetland Conditional Use permit approval the Planning Board shall find the application satisfies criteria set forth in the Section 10.1017.50 (Criteria for Approval) of the Zoning Ordinance.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
1	<i>1. The land is reasonably suited to the use activity or alteration.</i>	Meets	This project proposes the removal of existing structures and pavement from the wetland buffer with the installation of new structures and a driveway within the buffer but further away from the resource. The majority of the work is within the wetland buffer.
2	<i>2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.</i>	Meets	The majority of the work is proposed within the 100' wetland buffer and includes new structures in the buffer but an overall reduction in impervious surfaces. The proposed shed and deck are slightly further from the wetland but not outside of the buffer.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
3	<i>3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>	Meets	This project proposes the removal of four existing trees and one shrub within the buffer and the addition of six highbush blueberries and an 1,100 s.f. naturalized area in a portion of the 25' no-cut buffer. Some improvement to the wetland functional values as they exist today appear to be proposed. Proper care and maintenance of the wetland and wetland buffer would prevent adverse impacts. This should include no longer mowing the wetland resource. In addition, the applicant should come into compliance with the City's 25' no-cut vegetative buffer regulations.
4	<i>4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.</i>	Meets	This project proposes the removal of some existing vegetation to achieve construction goals and proposes replacement with blueberries and a small portion of the 25' no-cut buffer to be naturalized. Property owners have historically altered the vegetative state of a portion of the wetland and the entire 25' buffer through regular mowing. Staff suggest this practice ceases to comply with the vegetative buffer strip standards.
5	<i>5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.</i>	Meets	The proposed project will impact approximately 8,800 SF of land area within the wetland buffer. All of the impacts will be within previously developed areas that are either lawn, building, or driveway. The design approach avoids impacting natural areas. The house addition is placed as close to the front lot line as reasonably possible and remains compliant with the zoning ordinance and provides natural flow of the interior of the existing house to the addition and garage, while providing adequate space for parking in the driveway for visitors as Ridges Court is narrow and has limited opportunities for street parking.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the</i>	Meets	The large wetland lawn will be allowed to revert to a natural state. The 25-foot no cut buffer will be limited to two cuttings per year. The benefits of the improved

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
	<i>extent feasible.</i>		stormwater management system, moving the impervious areas away from the resource and enhancing the wetland system and buffer meet the spirit and intent of the Ordinance.
7	<u>Other Board Findings:</u>		



CITY OF PORTSMOUTH

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

PLANNING BOARD

April 22, 2025

Kent and Jennifer Bonniwell
108 Forest Street
Wellesley, Massachusetts 02481

RE: Requesting a CUP/ADU for property located at 332 Hanover Street, Portsmouth, NH
(LU-25-52)

Dear Property Owners:

The Planning Board, at its regularly scheduled meeting of Thursday, April 17, 2025, considered your application for Conditional Use Permit from Section 10.814 for construction of a new single-family dwelling containing an Attached Accessory Dwelling Unit. Said property is shown on Assessor Map 126 Lot 43 and lies within the Character District 4-L1 (CD-4-L1). As a result of said consideration, the Board voted to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.814.62 of the Ordinance and adopt the findings of fact as presented; *and* 2) to **grant** the Conditional Use Permit with the following **conditions**:

2.1) Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds, together with an affidavit that either the principal dwelling unit or the accessory dwelling unit will be occupied by the owner of the dwelling as the owner's principal place of residence, as required by Section 10.814.22.

2.2) A certificate of use issued by the Planning Department is required to verify compliance with the standards of this Section, including the owner occupancy and principal residency requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department. A certificate of use shall not be issued prior to recording of documentation as required by this Ordinance.

2.3) The certificate of use shall be renewed annually upon submission of such documentation as the Planning Department may require to verify continued compliance with the standards of this Section. Failure to comply with this requirement shall be deemed a violation of the ordinance and may be enforced as provided in Article 2.

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 project work. All stipulations of approval must be completed prior to issuance of a building permit unless

otherwise indicated above. **Prior to issuance of a building permit, this letter of decision shall be recorded at the Rockingham Registry of Deeds.**

A certificate of use issued by the Planning & Sustainability Department is required to verify compliance with the standards of the approval, including the owner-occupancy and principal residence requirements. Said certificate shall be issued by the Planning & Sustainability Department upon issuance of a certificate of occupancy by the Inspection Department and is required to be renewed annually.

This approval shall expire unless a building permit is obtained within a period of one year from the date granted, unless otherwise stated in the conditions of approval. The Planning Board may, for good cause shown, extend such period by as much as one year if such extension is requested and acted upon prior to the expiration.

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 fluid and cursive, with the first name "Rick" written in a smaller, more legible script than the last name "Chellman", which is more stylized.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
Kevin Baum, Hoefle, Phoenix, Gormley & Robets, PLLC

Findings of Fact | Detached Accessory Dwelling Unit

City of Portsmouth Planning Board

Date: April 17, 2025

Property Address: 332 Hanover Street

Application #: LU-25-52

Decision: Approve with Conditions

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 the conditions necessary to obtain final approval.

Zoning Ordinance -10.814.60: Before granting a conditional use permit for a detached ADU, the Planning Board shall make the following findings:

	Section 10.814.62	Finding (Meets Requirement/ Criteria)	Supporting Information
1	10.814.621 The ADU complies with all applicable standards of this Section 10.814 or as may be modified by the conditional use permit.	Meets	The proposed AADU complies with Section 10.814 with no need for any modifications from the Ordinance.
2	10.814.622 The exterior design of the ADU is architecturally consistent with or similar in appearance to the existing principal dwelling on a lot.	Meets	The accessory dwelling unit is entirely within the footprint of the proposed single-family home and is architecturally consistent.
3	10.814.623 The site plan provides adequate and appropriate open space and landscaping for both the ADU and the principal dwelling unit and complies with the off-street parking requirements of 10.814.26.	Meets	The property provides greater than the minimum required open space per zone CD4-L1 as calculated per section 10.515.20 of the zoning ordinance.
4	10.814.624 The ADU will maintain a compatible relationship with the character of adjacent and neighborhood properties in terms of location, design, and off-street parking layout, and will not significantly reduce the privacy of adjacent properties.	Meets	The proposed single-family home and accessory dwelling unit meet all zoning district requirements including all character-based zoning design guidelines. Refer to sheet A2 for neighborhood contextual images. The ADU is strategically located along two streets and not along abutting property lines limiting privacy concerns.

	Section 10.814.62	Finding (Meets Requirement/ Criteria)	Supporting Information
5	<u>Other Board Findings:</u>		