

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

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

**7:00 PM Public Hearings begin**

**April 17, 2025**

**ACTION SHEET**

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**REGULAR MEETING 7:00pm**

**I. APPROVAL OF MINUTES**

**A.** Approval of the March 20, 2025 meeting minutes.

*The March 20, 2025 and March 27, 2025 meeting minutes were approved as presented/as amended.*

**Motion:** P. Giuliano; **Second:** A. Samonas *Motion passed with all in favor.*

**II. PUBLIC HEARINGS -- OLD BUSINESS**

*The Board's action in these matters has been deemed to be quasi-judicial in nature.  
If any person believes any member of the Board has a conflict of interest,  
that issue should be raised at this point or it will be deemed waived.*

**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)

*1) With the understanding that there will be no expansion of the structure, the Board voted 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.*

**Motion:** P. Giuliano; **Second:** B. Moreau *Motion passed with all in favor.*

*2) The Board voted to **grant** the Conditional Use Permit as presented.*

**Motion:** P. Giuliano; **Second:** B. Moreau *Motion passed with all in favor.*

### III. PUBLIC HEARINGS – NEW BUSINESS

*The Board's action in these matters has been deemed to be quasi-judicial in nature.*

*If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

- A. 361 Hanover Steam Factory, LLC (Owner),** for property located at **361 Hanover Street**, 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). (LUPD-25-2)

*The Board voted to find the design review process complete.*

**Motion:** T. Coviello; **Second:** K. Conard Motion passed with all in favor.

- B. The request of David and Tracy Foster (Owners),** for property located at **200 FW Hartford Drive** requesting a Wetland Conditional Use Permit from Section 10.1017.50 for the removal of six trees within the 100' wetland buffer. Said property is located on Assessor Map 270 Lot 33 and lies within the Single Residence B (SRB) District. (LU-25-23)

*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.*

**Motion:** B. Moreau; **Second:** K. Conard Motion passed 8-1 with Vice-Chair Coviello voting against.

*2) The Board voted 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.*

**Motion:** B. Moreau; **Second:** K. Conard Motion passed 8-1 with Vice-Chair Coviello voting against.

- C. The request of **Rainboth Revocable Trust (Owner)**, for property located at **56 Ridges Court** requesting 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 located on Assessor Map 207 Lot 63 and lies within the Single Residence B (SRB) District. (LU-25-13)

*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.*

**Motion:** T. Coviello; **Second:** J. Almeida Motion passed 8-0 with Member Bowen abstaining.

2) The Board voted 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).*

**Motion:** T. Coviello; **Second:** J. Almeida Motion passed 8-0 with Member Bowen abstaining.

- D. **REQUEST TO POSTPONE** The request of **Aviation Avenue Group (Owner)**, **Kane Management Group LLC (Applicant)**, for property located at **100 New Hampshire Avenue** requesting Amended Site Plan approval to modify a prior condition of approval. Said property is located on Assessor Map 308 Lot 1 and lies within the Pease Industrial (PI) District. **REQUEST POSTPONE** (LU-22-210)

*The Board voted to approve the applicant's request to **postpone** to the May meeting.*

**Motion:** K. Conard; **Second:** T. Coviello Motion passed with all in favor.

- E. REQUEST TO POSTPONE** The request of **909 West End LLC (Owner)**, for property located at **909 Islington St** requesting a Conditional Use Permit in accordance with Section 10.1112.62 to allow 114 parking spaces where 115 are required. Said property is located on Assessor Map 172 Lot 7 and lies within the Character District 4 (CD-4). **REQUEST TO POSTPONE** (LU-24-221)

*The Board voted to grant the applicant's request to **postpone** to the May meeting.*

**Motion:** K. Conard; **Second:** T. Coviello Motion passed with all in favor.

- F.** The request of **Kent and Jennifer Bonniwell (Owner)**, for property located at **332 Hanover Street** requesting Conditional Use Permit from Section 10.814 for construction of a new single-family dwelling containing an Attached Accessory Dwelling Unit. Said property is located on Assessor Map 126 Lot 43 and lies within the Character District 4-L1 (CD-4-L1) District. (LU-25-52)

*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.*

**Motion:** K. Conard; **Second:** J. Almeida Motion passed with all in favor.

2) The Board voted 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.

**Motion:** K. Conard; **Second:** J. Almeida Motion passed with all in favor.

## **V. DESIGN REVIEW**

### **A. 361 Hanover Street - Design Review (See above)**

## **VI. CITY COUNCIL REFERRALS**

- A.** Zoning Amendments – Hill/Hanover Street area, Downtown Overlay District & North End Incentive Overlay District

*The Board voted to not recommend any changes and address this during the Master Plan process.*

***Motion: T. Coviello; Second: K. Conard*** Motion passed 8-1 with Councilor Moreau voting against.

## **VII. OTHER BUSINESS**

- A.** Chairman updates and discussion items
- B.** Board discussion of Regulatory Amendments, Master Plan Scope & other matters

## **VIII. ADJOURNMENT**

*The meeting adjourned at 10:41 pm.*